



## Legislation Details (With Text)

**File #:** 2023-0601      **Version:** 1      **Name:**

**Type:** Ordinance      **Status:** Public Hearing

**File created:** 5/10/2023      **In control:** Board of Commissioners

**On agenda:** 2/27/2024      **Final action:**

**Title:** COMMISSION DISTRICT(S): All Districts  
Application of Director of Planning & Sustainability to amend the DeKalb County Zoning Ordinance to revise definition of "Drive Through Facility" and revise description of land uses and how they are permitted in land use table relating to "Drive Through Facility" and for other purposes. This text amendment is County-wide.

**Indexes:**

**Attachments:** 1. TA-23-1246468 July 2023 BOC Staff Report Drive Throughs 2023-0601

| Date       | Ver. | Action By  | Action                            | Result |
|------------|------|--|-----------------------------------|--------|
| 1/23/2024  | 1    | PECS-Planning, Economic Development & Community Services Committee | recommended for deferral          | Pass   |
| 1/23/2024  | 1    | Board of Commissioners   | deferred                          | Pass   |
| 12/12/2023 | 1    | Board of Commissioners   | deferred                          | Pass   |
| 10/24/2023 | 1    | PECS-Planning, Economic Development & Community Services Committee | recommended for deferral          | Pass   |
| 9/26/2023  | 1    | Board of Commissioners   | deferred                          | Pass   |
| 7/27/2023  | 1    | Board of Commissioners - Zoning Meeting                            | deferred 60 days                  | Pass   |
| 7/11/2023  | 1    | Planning Commission  | approval per staff recommendation | Pass   |

**Public Hearing:** YES  NO       **Department:** Planning & Sustainability

**SUBJECT:**

**COMMISSION DISTRICT(S):** All Districts

**Application of Director of Planning & Sustainability to amend the DeKalb County Zoning Ordinance to revise definition of "Drive Through Facility" and revise description of land uses and how they are permitted in land use table relating to "Drive Through Facility" and for other purposes. This text amendment is County-wide.**

**PETITION NO:** N13-2023-0601 TA-23-1246468

**PROPOSED USE:** To revise definition of "Drive Through Facility" and revise description of land uses and how they are permitted in land use table relating to "Drive Through Facility" and for other purposes.

**LOCATION:** County-wide

**PARCEL NO. :** N/A

**INFO. CONTACT:** Planning & Sustainability

**PHONE NUMBER:** 404-371-2155

**PURPOSE:**

Application of Director of Planning & Sustainability to amend the DeKalb County Zoning Ordinance to revise definition of "Drive Through Facility" and revise description of land uses and how they are permitted in land use table relating to "Drive Through Facility" and for other purposes. This text amendment is County-wide.

**RECOMMENDATION:**

**COMMUNITY COUNCIL:** (CC-1) Approval; (CC-2) Approval w/condition; (CC-3) Full Cycle Deferral; (CC-4) Full Cycle Deferral; (CC-5) Full Cycle Deferral.

**PLANNING COMMISSION:** Approval.

**PLANNING STAFF:** Approval.

**STAFF ANALYSIS:** See attached staff report.

**PLANNING COMMISSION VOTE:** Approval 9-0-0. Jan Costello moved, April Atkins seconded for approval, per Staff recommendation.

**COMMUNITY COUNCIL VOTE/RECOMMENDATION:** (CC-1) Approval 5-0-0; (CC-2) Approval w/condition 10-0-0. Approval with the condition that section "L-exceptions" is removed; (CC-3) Full Cycle Deferral 10-0-0. Full cycle deferral to allow consideration for the text amendment to remove the language allowing emergency exemptions for SLUP requirements and also to specifically address if the unloading/loading of people at a hospital or church is considered a drive-through facility. Additionally, some council members thought that drive-through facilities in the C-2, M and M-2 zoning districts outside of character areas should only be allowed as a SLUP instead of a permitted land use to allow appropriate community involvement; (CC-4) Full Cycle Deferral 11-1-0; (CC-5) Full Cycle Deferral 9-0-0.