

Public Hearing: YES NO

Department: Planning & Sustainability

SUBJECT:

COMMISSION DISTRICT(S): All Districts

Application of the Director of Planning and Sustainability for text amendments to the Zoning Ordinance, Chapter 27, to create Section 4.2.60 (Supplemental Regulations) to address Small Box Discount Retailers, to amend Section 9.1.3 (Defined Terms) to create definition for Small Box Discount Retailers, and for other purposes; and to amend Section 4.1.3 Use Table pertaining to Small Box Discount Retailers. This text amendment is County-wide.

PETITION NO: N11. TA-21-1244279 2020-1543

PROPOSED USE: N/A

LOCATION: County-wide.

PARCEL NO. : N/A

INFO. CONTACT: Brandon White, Current Planning Manager

PHONE NUMBER: 404-371-2155

PURPOSE:

Application of the Director of Planning and Sustainability for text amendments to the Zoning Ordinance, Chapter 27, to create Section 4.2.60 (Supplemental Regulations) to address Small Box Discount Retailers, to amend Section 9.1.3 (Defined Terms) to create definition for Small Box Discount Retailers, and for other purposes; and to amend Section 4.1.3 Use Table pertaining to Small Box Discount Retailers. This text amendment is County-wide.

RECOMMENDATION:

COMMUNITY COUNCIL: CC-1: Approval; CC-2: No action taken; CC-3: No action taken; CC-4: Deferral; CC-5: No action taken.

PLANNING COMMISSION: Full-Cycle Deferral.

PLANNING STAFF: Full Cycle Deferral to the March 2021 Zoning agenda.

STAFF ANALYSIS: With a pending moratorium expiration date of January 31, 2021 quickly approaching, staff began the text amendment process. cursory presentations were made to the community councils in December. However, due to the convergence of holidays, meeting schedules, and other competing priorities, we have decided to humbly pursue another extension of the moratorium. Therefore, we respectfully request a full-cycle deferral to March 2, 2021. Proposed text amendments will be initiated with the Board of Commissioners in January, followed by consideration by community councils in February, further deliberation with Planning Commission in March, and back to the Board of Commissioners in late March.

PLANNING COMMISSION VOTE: Full-Cycle Deferral 8-0-0. P. Womack, Jr. moved, J. West seconded for a full-cycle deferral to the March 2021 zoning agenda.

COMMUNITY COUNCIL VOTE/RECOMMENDATION: CC-1: Approval 5-0-0; CC-2: No action taken but feedback was provided to Staff; CC-3: No action taken;; CC-4: Deferral 12-0-1; CC-5: No action taken but feedback was provided to Staff.



DeKalb County Department of Planning & Sustainability

330 Ponce De Leon Avenue, Suite 500

Decatur, GA 30030

(404) 371-2155 / plandev@dekalbcountyga.gov

Planning Commission Hearing Date: January 7, 2021

Board of Commissioners Hearing Date: January 28, 2021

TEXT AMENDMENT ANALYSIS

AGENDA NO.: N11 **ZONING CASE NO.:** TA-21-1244279 **COMMISSION DISTRICTS:**
Countywide

APPLICANT: Department of Planning & Sustainability

SECTIONS OF ZONING ORDINANCE AFFECTED BY AMENDMENTS: CHAPTER 27, SECTION 4.2.60 (SUPPLEMENTAL REGULATIONS) TO ADD REGULATIONS TO ADDRESS SMALL BOX DISCOUNT STORES, SECTION 9.1.3 (DEFINED TERMS) TO CREATE A DEFINITION FOR SMALL BOX DISCOUNT STORE, AND TO AMEND SECTION 4.1.3 (USE TABLE) PERTAINING TO SMALL BOX DISCOUNT STORES.

REASON FOR REQUEST:

Moratoria passed by the DeKalb County Board of Commissioners in December 2019, January 2020, and October 2020, temporarily prohibits the establishment of any new, small box discount stores in the unincorporated areas of DeKalb County. The initial moratorium—and subsequent extensions—initiated the process of studying the effects of small box discount stores on the health, safety, and welfare of County residents and businesses. Staff contracted with Georgia State University to perform the requisite study. The study was completed in the Fall of 2020 and has been under review by various members of County staff.

With a pending moratorium expiration date of January 31, 2021 quickly approaching, staff began the text amendment process. cursory presentations were made to the community councils in December. However, due to the convergence of holidays, meeting schedules, and other competing priorities, we have decided to humbly pursue another extension of the moratorium. Therefore, we respectfully request a full-cycle deferral to March 2, 2021. Proposed text amendments will be initiated with the Board of Commissioners in January, followed by consideration by community councils in February, further deliberation with Planning Commission in March, and back to the Board of Commissioners in late March.

RECOMMENDATION(S):

Planning Department: Full-cycle deferral.

Planning Commission: Full-cycle deferral 8-0-0.

Community Council:

- CC-1: Approval 5-0-0.
- CC-2: No action taken, but feedback was provided to Staff.
- CC-3: No vote taken.
- CC-4: Deferral 12-0-1.
- CC-5: No action taken, but feedback was provided to Staff.