

PLANNING COMMISSION MEETING MINUTES SUMMARY
Stonecrest City Hall- 6:00 PM *Spoke-in-Person Meeting
June 26, 2023

As set forth in the Americans with Disabilities Act of 1990, the City of Stonecrest will assist citizens with special needs given notice (7 working days) to participate in any open meetings of the City of Stonecrest. Please contact the City Clerk's Office via telephone (770-224-0200)

Citizens wishing to actively participate and make a comment during the public hearing portion of the meeting please submit a request via email address tsingletary@stonecrestga.gov by noon the day of the hearing June 26, 2023. The zoom link for the meeting will be sent to you, or you can also submit comments and questions to the same email address by the same deadline to be read into the record at the meeting.

- I. **Call to Order:** Chairman Eric Hubbard (District 3) called the Spoke-in-Person meeting to order at 6:00 PM.
- II. **Roll Call:** Chairman Hubbard called the roll. Commissioner Stefanie Brown (District I) and Commissioner Joyce Walker (District 2) were present. Commissioner Lemuel Hawkins (District 5), and Commissioner Pearl Hollis (District 4) were absent. There was a quorum.

Planning Director Ray 'White, Deputy Director Matthew Williams, Senior Planner Tre'Jon Singletary, and Planner Abeykoon Abeykoon were in attendance. Attorney Alicia Thompson, Fincher Denmark, LLC, virtually attended.

- III. **Approval of Minutes: The Planning Commission Meeting Minutes Summary dated March 7, 2023.** Chairman Hubbard called for a motion to approve the Planning Commission meeting Minutes Summary dated **March 7, 2023** by Commissioner Joyce Walker. Chairman Hubbard seconded the motion. The motion was unanimously **APPROVED**.
- IV. **Approval of the Agenda:** Chairman Hubbard called for a motion to **APPROVE THE AGENDA**. Commissioner Joyce Walker motioned to **APPROVE THE AGENDA**. Commissioner Stephanie Brown seconded the motion. The motion was unanimously **APPROVED**.
- V. **Presentations: Upcoming Cases Presented by: Mr. Ray White, Planning Director and Tre'Jon Singletary, Senior Planner**
 - **RZ23-000002**
 - **TMOD-23-001**
 - **TMOD-23-002**
 - **TMOD-23-003**
 - **HB1405**

VI. **Old Business:** N/A

VII. **Presentations**

The Senior Planner Tre'Jon Singletary Presented **RZ23-000002**

RZ23-000002

PETITIONER: Joshua Mahoney, Battle Law PC on behalf of the applicant, Parkland Communities, Inc.

LOCATION: 7199 Hayden Quarry Road, Stonecrest, Georgia 30038

OVERLAY DISTRICT: Stonecrest Overlay Tier 3

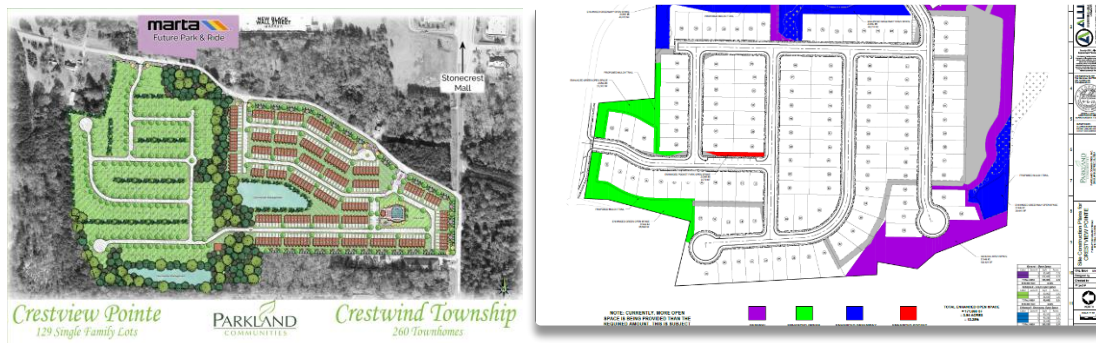
ZONING- RSM Small Lots Residential Mix

FUTURE LAND USE: RC-Reginal Center

DISTRICT: (1) Commissioner Stephanie Brown and Council Woman Tara Graves

PROPOSED AMENDMENT: Applicant is seeking a major modification of the conditions of the subject property to change the conditions from zoning case number Z-05-01.

Proposing 129 Single Family dwellings on the left side of the property and 260 townhomes on the right. The portion that was discussed this day was the side with the 129 single-family lots. Site plans and the building elevations were displayed.



The total acreage is 32.02 acres. The applicant is proposing 129 single-family detached dwellings which is approximately 4.02 homes per acre. They are also proposing an attached garage and 287,851 square feet or 6.61 acres of open space.

The right side of the property went through the condition with Dekalb County in 2005 and the left side of the property is what they want to amend.

The Applicant wants Conditions 1, 4a, 4b, 4c, and 4l of Z-05-01 modified.

Condition 1: The maximum number of units shall be ~~129 225 units, with 171 units being developed for townhomes attached by a common wall, and 54 units being developed for as single-family detached units. attached at the rear of each unit.~~

Condition 4a: Each unit shall have the following: ~~one car garage attached to each townhome unit~~
DELETED

Condition 4b: Each unit shall have the following: two car garages ~~attached to each single-family unit attached at the rear~~

Condition 4c: Each unit shall have the following: ~~Patio pad with a privacy fence.~~ **DELETED**

Condition 4l: Each unit shall have the following: ~~The project shall be developed with the following amenities: a swimming pool, and tennis courts.~~ **DELETED**

Staff Recommends-

APPROVAL of Modification of Condition 1

APPROVAL of Modification of Condition 4a

APPROVAL of Modification of Condition 4b

DENIAL of Modification of Condition 4c

DENIAL of Modification of Condition 4l

Commissioner Walker asked the Senior Planner to expound on the conditions 4c and 4l,

Chairman Hubbard calls the applicant Michelle Battle with Battle Law located at 3562 Habersham at Northlake Tucker, Georgia 30084 to the stand

Mentions that the project was approved in 2005 and that she did the rezoning and at the time the applicants originally proposed a fully townhome development with two different makeups.

They believe that this is a better site plan which includes a reduction on the number of units from over 200 (townhome units) to 129 single-family detached units

Michelle Battle expresses the want for the number of units (129) to be clearly stated in condition 1 as well as that it is a single-family home development considering that this is the new approach and because they do not plan on exceeding that number of units.

She also explains that the reasoning for the modification of condition 4a considering the original concept was for the townhomes to have a one-car garage but because they are no longer townhomes they would like that condition to be deleted

Instead, (condition 4b) there will be two-car garages.

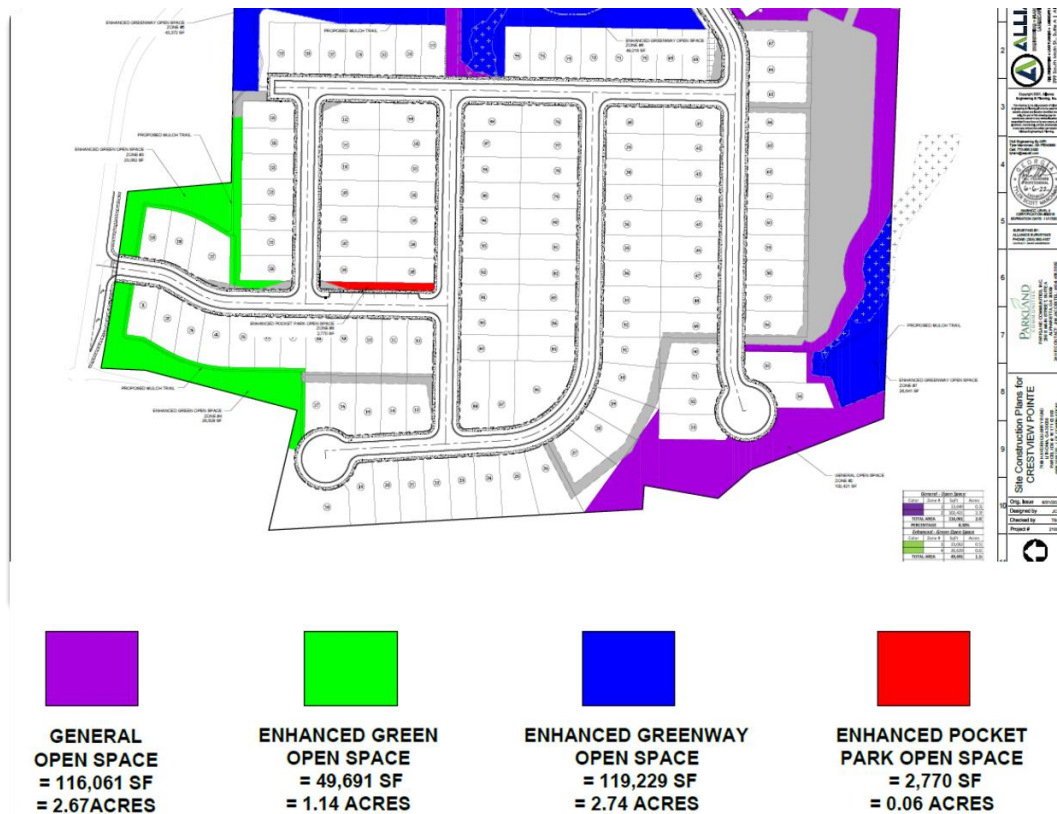
She also mentions that this is a For Sale project

As for condition 4c she mentions that the client is fine with the patio staying but is not fond of the fence requirement. There will still be an availability for a homeowner to put a fence on their property but they will have to go through the proposed mandatory HOA.

The HOA will have an architectural review committee for which will review any type of fencing that the homeowner would like to place on their property and it will be the homeowners responsibility to upkeep and maintain the fence.

Because of some of the placements of the homes near greenery, they should not have to have a fence and others may want to put a fence on their property.

The last condition discussed was 4l. She mentions that there is a road that connects the two communities (Crestview Point and Crestwind Township) and that the amenities that are located and in the Crestwind Township are for both sides of the property. They would like the requirements for amenities to be in Crestview Point to be removed.



Willing to make needed improvements regarding the enhanced greenway and pocket park requirements

Michelle Battle Request for approval of all modifications that were requested including the patio staying a requirement but the fencing being handled by HOA and the Architectural review committee.

Also for the removal of the requirement of a pool and tennis court and instead be substituted for them to maintain the Greenways with the trails without the community and that they will have access to the amenity area in the adjacent committee

Michelle Battle finishes her statement and Chairman Hubbard asks if the commissioners have any questions.

Commissioner Walker asks about the fence and pool requirements.

Michelle Battle mentions the HOA and conditions that may be created in order to regulate the fences and pool use as well as maintenance and upkeep.

They are two communities being developed together so the amenities that each side offers will be available for both communities.

She explains her personal experience with HOA and fencing regulations/requirements.

Chairmen Hubbard calls for members of the audience to speak for or against the project.

Faye Coalfield opposes the project. Concerned about the project being above a compressed gas line that runs under the property and mentions the San Bruno California explosion that happened in 2011 or 2012 that caused a lot of damage to the homes there and took lives. It was also hard to put out.

There are signs near the property that states not to smoke near the area and to contact Atlanta before digging, but Dynamite may be used during the development.

Care should be exercised.

And she was concerned about garages not being attached to the townhomes and gave examples.

She also believes that there should be more parking

Michelle Battle comes back to the stand to explain that are discussing the side with the single-family homes and that her client mentioned that there was an old electric line that was removed, and new utilities will be installed

GA Natural Gas is very strict about developments being near gas lines and that it is not allowed and you have to show gas lines in LDPs

There will be a survey to verify if any are in existence

Chairman Hubbard closes the public hearing on that application and opens the floor for commissioners to discuss

Chairman Hubbard and Brown recommend having a report from the developer about the gas line that they have thoroughly gone through the process to check for their existence

Chairman Hubbard agrees with staff recommendations and that the patio and fencing should be kept, willing to go with the two-car garage, and the amenities should be offered on both sides of the development

Chairman Brown opposes the requirement for a fence for each home. She also does not see the need for two pools (amenities)

Michelle Battle comes back to the stand to address concerns and agrees with Chairman Brown.

Mentions that the amenities can be costly on the HOA

Tre'Jon Singletary Senior Planner was called back to the stand to explain staff denials. He mentions the fence requirement was due to safety reasons and the denial for the amenities was because of the number of homes on the property and the thought of them all sharing one amenity.

Chairman Hubbard asks if there are any more concerns from the other Chairman and there were none

A motion was made to approve the application with the recommendations of the planning department and that the applicant provides documentation that states that there are no gas lines

Chairman Brown seconded the motion

There was unanimous approval by the commissioners

Chairman Hubbard calls for the second item on the agenda to be presented.

The Senior Planner Tre'Jon Singletary Presented **TMOD-23-001**

This was removed from this day's agenda but because it was legally advertised it was briefly presented.

TMOD-23-001

PETITIONER: City of Stonecrest

LOCATION: City Wide

PROPOSED AMENDMENT: The intent of the Gravel Parking Text Amendment, TMOD-23-001, is to provide guidelines, requirements and improve the appearance of parking lots.

Mentions that there are approximately twelve (12) current Trucking Parking Lots within the City of Stonecrest, the current Zoning Ordinance classifies Trucking Parking as Truck Stops and the staff is proposing a change to the Zoning Ordinance, Chapter 27

The staff recommended deferral until the next planning commission.

No questions or comments from the Commissioners or audience

Moved to get deferred to the next cycle and by unanimous vote

The Deputy Director Matthew Williams Presented **TMOD-23-002**

TMOD-23-002

PETITIONER: Planning & Zoning Department

LOCATION: City Wide

PROPOSED AMENDMENT: To provide for control of clearing and lot grading. To modify minimum lot area and provide preliminary plat approval and subdivision.

Matthew Williams states the facts that Arabia Mountain Conservation Overlay District (AMCOD) is one of the newest Overlay District to be adopted within the city's zoning ordinance, the AMCOD aims to provide reasonable and creative planning and development while preserving the natural landform and features, and that the staff is proposing a change to the Zoning Ordinance, Chapter 27

The changes recommended by staff include

Implemented additional regulations in Sec. 3.4.8. – Clearing and grading of lots, “No individual lot shall be cleared and graded to an extent exceeding thirty-five (35) percent

Implemented additional regulations in Sec. 3.4.9. – Development Standards, “Seven thousand five hundred (7,500) square feet, except that each lot on the periphery of the entire development (all sides) is at least ten thousand (10,000) square feet.”

Implemented regulations in Sec. 3.4.9. – Development Standards for Preliminary Plat Approval.

Implemented additional regulations in Sec. 3.4.10. – Tree removal and replacement, “No Clear cutting or mass grading is allowed with Arabia Mountain Conservation Overlay District.”

Staff asks for approval of these modifications.

Chairmen Hubbard asks for questions or concerns to be expressed by the commissioners and the audience and for support or opposition.

Michelle Battle with Battle Law located at 3562 comes to the stand to ask questions about how this will impact the development community and landowners and if there has been outreach and feedback from the development community.

Believes that placing more regulations on Arabia Mountain will further make the process for her clients more difficult.

Rebuttal by Director Ray White This is predicated on a development that was in the overlay that was eventually approved. The situation showed that there were key issues with the overlay design and research is and has been done

He also mentions that it is not operating in a vacuum and refinement has been looked at. This has also been a concern for the city for some time

CPIM has already moved in favor of this decision which shows that it was not in a vacuum

Chairmen Hubbard asks if there have been any meetings with the community within this overlay to express this intent

Director Ray White explains that there was public input

Chairman Hubbard closes the public hearing

Commissioners express that the city should reach out to the developers to get their opinions on the matter

Senior Planner Tre'Jon Singletary mentions that the developers were given the option to speak for or against the changes during the CPIM meeting

Chairman Hubbard motions for this application to be deferred to get more input from citizens. This motion was seconded by Commissioner Walker. There was a unanimous vote for the deferral of this application.

Senior Planner Tre'Jon Singletary Presented **TMOD-23-003**

TMOD-23-003

PETITIONER: Planning & Zoning Department

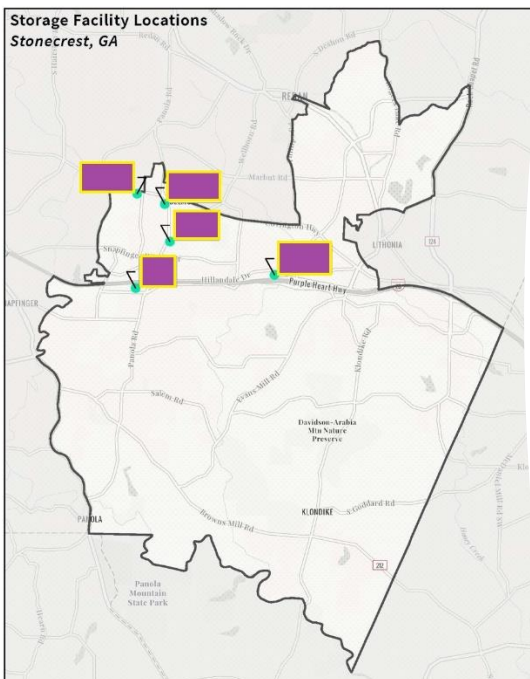
LOCATION: City Wide

PROPOSED AMENDMENT: To provide for the design control and development of public storage facilities.

There are five (5) current self-storages within the City of Stonecrest

The current Zoning Ordinance classifies Public-Storage as mini-warehouses.

The staff is proposing a change in definition, supplemental regulations, and parking requirements.



Currently, there are 5 storage units within the city of Stonecrest

Location 1- Acres 4.04, Overlay District is I-20 Tier 2, Future Land Use is Office Professional, Zoning is M – Light Industrial, and in District 3

Location 2- Acres 5.49, Overlay District Stonecrest Tier 6, Future Land Use is City Center,
Zoning is OD – Office Distribution and in District 2

Location 3- Acres 1.89, Overlay District N/A, Future Land Use is City Center,
Zoning is OD – Office Distribution and in District 2

Location 4- Acres 3.89, Overlay District is I-20 Tier 2,, Future Land Use is Light Industrial,
Zoning is M – Light Industrial, and in District 2

Location 2- Acres 4.96, Overlay District I-20 Tier 2, Future Land Use is Light Industrial,
Zoning is M – Light Industrial, and in District 2

Staff recommends the prohibition of Self-Storages within all overlay districts. (Sec. 3.1.6.)

For section 4.1.3 staff is proposing for the Permits Self-Storages, Mini with a Special Land Use Permit (SLUP) in the following zoning districts: OI (Office Institutional), OD (Office Distribution), M (Light Industrial), and M2 (Heavy Industrial) as well as Permits Self-Storages, Multi with a Special Land Use Permit (SLUP) in the following zoning districts: M (Light Industrial) and M2 (Heavy Industrial)

Recommendation for section 4.2.65 staff is adding supplemental recommendations for self storage, mini which is

Sec. 4.2.65. – Self-Storage, Mini

Mini self-storages shall meet the following requirements:

- A. Maximum of one (1) level/story**
- B. Requires a Special Land Use Permit**
- C. The storage facility shall be climate-controlled; no outside storage is allowed.**
- D. All buildings must have windows or architectural treatments that appear as windows.**
- E. Lot must be a minimum of one (1) acre.**
- F. At least 75 percent of the total on-site storage space shall be contained in individual enclosed stalls containing no more than 500 square feet each and being no more than ten feet high.**
- G. No activities other than the dead storage or transfer of nonvolatile goods or**

leasing of storage space is allowed. Prohibited uses include but are not limited to miscellaneous sales; fabrication or repair of vehicles, equipment, or other goods; transfer-storage business based on site; residential uses, or any use which creates a nuisance due to noise, odor, dust, light, or electrical interference.

- H. An on-site manager shall be required and shall be responsible for the operation of the facility in conformance with the conditions of approval.**
- I. Provide a minimum six-foot high, 100 percent opaque solid wooden fence or masonry wall along the entire length (except for approved access crossings) of all property lines. Said fence/wall shall be located outside of any public right-of-way and interior to any required landscape strips or buffers.**
- J. A new or expanded self-storage facility shall be located a minimum of 1,500 feet from the boundary of any other self-storage facility (mini or multi).**

Recommendation for section 4.2.66 staff is adding supplemental recommendations for self storage, multi which is

Sec. 4.2.66. – Self-Storage, Multi

Multi self-storages shall meet the following requirements:

- A. Minimum of two (2) levels/stories; maximum of four (4) levels/stories.**
- B. Requires a Special Land Use Permit**
- C. The storage facility shall be climate-controlled; no outside storage is allowed.**
- D. All buildings must have windows or architectural treatments that appear as windows.**
- E. Lot must be a minimum of one (1) acre.**
- F. No activities other than the dead storage or transfer of nonvolatile goods or leasing of storage space are allowed. Prohibited uses include but are not limited to miscellaneous sales; fabrication or repair of vehicles, equipment, or other goods; transfer-storage business based on site; residential uses, or any use which creates a nuisance due to noise, odor, dust, light, or electrical**

interference.

G. No outside storage shall be allowed.

H. A new or expanded self-storage facility shall be located a minimum of 1,500 feet from the boundary of any other self-storage facility (mini or multi).

For section Sec. 6.1.4. staff is recommending adding parking requirements for Self-Storages, Mini & Multi. Which is a minimum of One (1) space for each 20 – storage unit and no maximum

There was also a recommendation to add a definition in sec 9.1.3

Sec. 9.1.3. – Defined terms.

Self-Storage (mini or multi) means a building or group of buildings in a controlled-access and secured compound that contains vary sizes of individual, compartmentalized and controlled-access stalls or lockers for the storage of customers' goods or wares, and shall be climate-controlled. Noting or pertaining to a warehouse or other facility that rents units to people for storing personal possessions.

Staff recommends approval for this text modification

Commissioner Walker asks for clarification.

Chairman Hubbard asks if there is anyone that wanted to speak in support or opposition to the modification.

Mr. Knight Chairmen of the board of the Stonecrest Industrial Council Incorporated came to the stand to speak in opposition and believes staff should take this back to the drawing board because it cannot be done under the charter section 1.03 B-25 which addresses if the city can propose a SLUP on industrial uses and districts.

He reads from the charter and mentions that this was recommended a couple of years ago the idea was dropped after the charter was viewed.

The Stonecrest overlay has an LCI plan that covers much of the overlay and is incorporated into the 2038 comprehensive plan. He believes this update overlooks it.

If there are changes that are want to be made it should be taken to the stakeholders, Stonecrest business alliance, and other businesses

There used to be a Stonecrest overlay advisory committee.

The committee would go over recommendations and the city council would adopt them.

The advisory committee should be reconstituted and consider doing away with the Stonecrest overlay on the north side of the i-20

Michelle Battle comes to the stand and states that multi-story self-storage is more desirable than a single-story. There is no inclusion to have them in C1 or C2 which would mean that the existing storages in those districts are now legally nonconforming which she believes is short-cited of the city

Explains personal experience with self-storage.

They cater mostly to home-owners, if you move them farther out it will lead people to travel farther for their things

Recommends radius restriction, against SLUP in an industrial area and staff needs to review this modification

Self-storage facilities serve a purpose

Director Ray White came to stand with a rebuttal to explain that the SLUP will help with the design of the facility and locations where they can blend or fit into their surroundings. They are also permitted in OI and OD districts.

Chairmen Hubbard closes the public hearing and starts the discussion

Chairman Hubbard states that we need to move forth in implementing the laws that are already there and that we can not go against the charter. Recommends that staff reviews this recommendation and reaches out to the community.

Moved for denial of this application, second by Commissioner Brown and by unanimous vote.

Director Ray White Presented HB1405

HB1405 - Zoning Procedure Changes

PETITIONER: The City of Stonecrest

LOCATION: City Wide

PROPOSED AMENDMENT: The Georgia General Assembly passed HB1405 to amend Title 36 of the Official Code of Georgia Annotated, relating to local governments, so as to revise "The Zoning Procedures Law." This presentation will highlight the amendments to Georgia Zoning Code and confirm how the amendments will impact the City of Stonecrest's Zoning Code

Zoning Procedures Amendments to Definitions & Required Hearings

	SECTION	CHANGE
DEFINITIONS	Sec. 36-66-3(1.1)	Defines "quasi-judicial officers, boards, or agencies" as those entities rendering decisions on variances, special administrative permits, special exceptions, conditional use permits, or other zoning decisions.
	Sec. 36-66-3(4)	Defines "zoning decision" as a rezoning, text amendment, special use, and concurrent variances - Incorporates "repeal" of decisions and conditions in the definition of "zoning decision" - Incorporates variances concurrent with special uses of property and rezonings in the definition of "zoning decision"
REQUIRED HEARINGS	Sec. 36-66-4(a)	Only one hearing is required for text amendments, rezonings, special uses, and concurrent variances. Only one hearing is required for any combination thereof.
	Sec. 36-66-4(g)	One hearing per proposed action required for all quasi-judicial decisions.
	Sec. 36-66-4(h)(1), (2), and (3):	Text amendments that involve allowing multi-family (MF) uses in a single-family residential (SFR) district; abolition of SFR classifications in jurisdictions; or when properties are granted ability to deviate from existing zoning requirements in single-family residential zoning districts - does not apply to SFR uses being changed to MFR uses for owner-initiated applications.
		Decisions to be adopted at two regular meetings that are to be a minimum of 21 days apart. Prior to two-read adoption, two additional public hearings required: - Hearings shall be held 3-9 months prior to date of final adoption - At least one hearing shall be held between 5 p.m. and 8 p.m.

Changes Include

Defines "quasi-judicial officers, boards, or agencies" as those entities rendering decisions on variances, special administrative permits, special exceptions, conditional use permits, or other zoning decisions.

Defines "zoning decision" as a rezoning, text amendment, special use, and concurrent variances

Incorporates "repeal" of decisions and conditions in the definition of "zoning decision"

Incorporates variances concurrent with special uses of property and rezonings in the definition of "zoning decision"

Only one hearing is required for text amendments, rezonings, special uses, and concurrent variances.

Only one hearing is required for any combination thereof

One hearing per proposed action required for all quasi-judicial decisions.

Text amendments that involve allowing multi-family (MF) uses in a single-family residential (SFR) district; abolition of SFR classifications in jurisdictions; or when properties are granted ability to deviate from existing zoning requirements in single-family residential zoning districts – does not apply to SFR uses being changed to MFR uses for owner-initiated applications.

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Hearings shall be held 3-9 months prior to date of final adoption

At least one hearing shall be held between 5 p.m. and 8 p.m.

	SECTION	CHANGE
NOTICE	Sec. 36-66-4(g)	Quasi-judicial decisions: 30 days notice
		Quasi-judicial decisions: Requires written notification to property owner and newspaper ad
	Sec. 36-66-4(h)(1), (2), and (3)	Applies to same scenarios as above - Text amendments that involve allowing multi-family (MF) uses in a single-family residential (SFR) district; abolition of SFR classifications in jurisdictions; or when properties are granted ability to deviate from existing zoning requirements in single-family residential zoning districts – does not apply to SFR uses being changed to MFR uses for owner-initiated applications.
		Post notice on each affected "premises." If there are more than 500 parcels, posting is only required every 500 feet. Newspaper ad - Minimum of 15 days/not more than 45 days from hearing (unchanged) - Prominent notice of purpose (provide full description of intent of change) - 9 column inches - Shall not located in classified section - State that a copy of proposed ordinance is on file (to be furnished upon request at no cost).

Quasi-judicial decisions: 30 days

Quasi-judicial decisions: Requires written notification to property owner and newspaper ad

Applies to same scenarios as above – Text amendments that involve allowing multifamily (MF) uses in a single-family residential (SFR) district; abolition of SFR classifications in jurisdictions; or when properties are granted ability to deviate from existing zoning requirements in single-family residential zoning districts – does not apply to SFR uses being changed to MFR uses for owner-initiated applications.

Post notice on each affected “premises.”

If there are more than 500 parcels, posting is only required every 500 feet.

Newspaper Ads

Minimum of 15 days/not more than 45 days from hearing (unchanged)

Prominent notice of purpose (provide full description of intent of change)

9 column inches

Shall not located in classified section

State that a copy of proposed ordinance is on file (to be furnished upon request at no cost).

	SECTION	CHANGE
WRITTEN POLICY	Sec. 36-66-5	Policies and procedures outlined in ZPL shall be incorporated into ordinance (a portion is existing but requirements specific to quasi-judicial decisions has been added).
		Incorporate requirements for designating hearing procedures, criteria for review, and providing printed copies of procedures at quasi-judicial hearings.
DELEGATION OF DECISION MAKING POWER TO OFFICER, BOARD, OR AGENCY	Sec. 36-66-4(g)	Specific changes are noted elsewhere in chart - this line item is added specifically to contemplate whether the requirements are different in the authority is not delegated.

Policies and procedures outlined in ZPL shall be incorporated into ordinance (a portion is existing but requirements specific to quasi-judicial decisions has been added).

Incorporate requirements for designating hearing procedures, criteria for review, and providing printed copies of procedures at quasi-judicial hearings.

Specific changes are noted elsewhere in chart - this line item is added specifically to contemplate whether the requirements are different in the authority is not delegated.

	SECTION	CHANGE
APPEALS	Sec. 36-66-5.1	Zoning decisions – subject to de novo review that reviews the record and any new evidence.
		Quasi-judicial decisions – subject to appellate review – reviews only the record.
		Government to designate (by ordinance or resolution) - Officer of quasi-judicial board to receive service (at office during regular hours) - Elected official or designee for quasi-judicial appeals
		Appeal stays all actions
EFFECTIVE DATE	Sec. 36-66-5	No text amendments adopted after July 1, 2022 are procedurally correct unless adoption procedures comply with the aforementioned changes.
	Sec. 36-66-2(a)	No zoning or quasi-judicial decision prior to July 1, 2023 is rendered invalid or void because of failure to update ordinances.

Zoning decisions – subject to de novo review that reviews the record and any new evidence.

Quasi-judicial decisions – subject to appellate review – reviews only the record.

Government to designate (by ordinance or resolution)

Officer of quasi-judicial board to receive service (at office during regular hours)

Elected official or designee for quasijudicial appeals

Appeal stays all actions

No text amendments adopted after July 1, 2022 are procedurally correct unless adoption procedures comply with the aforementioned changes.

No zoning or quasi-judicial decision prior to July 1, 2023 is rendered invalid or void because of failure to update ordinances.

Staff recommends approval for changes to be made to the ordinance as a result of state stature

Chairman Hubbard calls for city attorney who attended virtually

Attorney Alicia Thompson asks if there were any questions

There were none.

No one spoke in approval or opposition and the public hearing was closed

Chairman Hubbard motioned for acceptance of the application; it was seconded by Commissioner Brown. It was approved unanimously

The meeting was ended at 7:59 PM

APPROVED:

Eris S. Hulland

CHAIRMAN

07-18-2023

Date

ATTEST:

Cobi Brown

SECRETARY

7/19/2023

Date

