

1 **MINUTE BOOK 2000** MUISE: Second.

2 MR. HILL: I have a second. All in favor of
3 tabling, say aye.

4 MR. HUGHES: Aye.

010832

5 MS. MUISE: Aye.

6 MR. HILL: Aye.

7 MS. WATERS: Aye.

8 MR. KENERLY: Aye.

9 MR. HILL: Any opposed?

10 (No response.)

11 MR. HILL: Page 8, Planning and Development,
12 3.B., Review -- 3.B.1., Review of a report issued
13 by the Department of Planning and Development
14 entitled "A Study of Gwinnett County's Zoning
15 Procedures and Comprehensive Plan."

16 2., "Approval/authorization for Chairman to
17 execute a resolution and any and all additional
18 documents necessary to amend Gwinnett County's
19 Zoning Procedures based upon the attached study,
20 subject to review and approval by the Law
21 Department."

22 Jim, I guess you're going to tell about
23 this? We're not going to table it, are we?

24 MR. SUMMERBELL: No, sir.

25 MR. HILL: Okay, let her go.

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MR. SUMMERBELL: Good evening. My name is Jim Summerbell. I'm the manager of the large planning section of the County, Department of Planning and Development.

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Tonight, I'm presenting the study and resolution on the County's Rezoning Procedures and Comprehensive Plan. The study was called for and a resolution was passed by the board of commissioners on May 16th, 2000. The May 16th resolution suspended the acceptance of rezoning applications until January 2nd, 2001, or when the report is issued, whichever comes first.

I'm presenting the report tonight since this is the last public hearing the board of commissioners has scheduled before January 2nd, so it's the last opportunity you have to act on this issue before the Planning and Development Department would be obligated to accept rezoning applications after the issuance of this report.

This report includes an analysis of the County's Rezoning Procedures. Prior to the resolution's adoption, a backlog of zoning cases has slowly been accumulating for the past four years. The prior purpose of this analysis was to determine whether or not the County should change

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its zoning procedures in an attempt to address
this backlog. **010834**

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3 The report compares the County's zoning
4 procedures with those of other local
5 jurisdictions in the Atlanta region. We surveyed
6 all the counties in the ARC service area, the
7 cities of Atlanta and Marietta, and the adjacent
8 jurisdictions of Gainesville, Hall County, and
9 Forsyth County. The survey revealed a very wide
10 variety of rezoning procedures, and that the
11 backlog of cases experienced by Gwinnett County
12 was greater than that of any other local
13 governments surveyed.

14 The report outlines several options for
15 revising the County's zoning procedures and
16 presents Departmental recommendations. These
17 following recommendations we considered growth
18 management tools since they help to regulate the
19 pace of development.

20 The first recommendation is that the present
21 monthly limitation of 14 rezoning cases and eight
22 special use permit applications remain in effect.
23 The second, recommend that beginning in 2001,
24 January 2001, rezoning cases should be assigned
25 on agendas based upon a type of development

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1 use plan be adopted. Fifth, that special use
2 permits be processed every month, with the **010836**
3 exception of those that are associated with the
4 rezoning. The associated cases would be heard at
5 the appropriate development type of agenda. And
6 the sixth recommendation is that the public
7 hearing meeting starting time be moved from
8 7 p.m. to 6 p.m., for greater discussion and
9 lesser likelihood of meetings extending late into
10 the evening.

11 As I stated earlier, this report also
12 included a review of regional planning efforts
13 that could lead to changes in the County's
14 Comprehensive Plan. The Atlanta Regional
15 Commission and the Georgia Regional
16 Transportation Authority adopted a regional land
17 use strategy in June 2000. The strategy included
18 requirements for all local governments to submit
19 a regional development plan/comprehensive plan
20 coordination report.

21 The Planning and Development Department did
22 complete that document and submit it to ARC on
23 November 27th, 2000. A copy and summary of the
24 coordination report is included in this document.

25 In short, the coordination report found that

1 the County's comprehensive plan does follow the
2 RDP policies, but there are some modifications to
3 the plan that would be necessary if it is the
4 board's desire to bridge the different between
5 them. The biggest difference between the two
6 sets of policies are Gwinnett County's lack of
7 both a mixed-use district and a traditional
8 neighborhood development district.

9 Both these policy changes may require more
10 public input before the County's land use
11 policies are changed and new regulations are
12 adopted.

13 In conclusion, the Planning and Development
14 Department is recommending the adoption of the
15 submitted resolution which would extend the
16 moratorium on accepting rezoning applications
17 until January 2nd, 2001, when the new process
18 would be implemented. And that concludes my
19 presentation, so I'd be glad to answer any
20 questions at this time.

21 MS. MUISE: Mr. Summerbell, let me just very
22 quickly, you went through that very quickly and I
23 want to make sure that we all understand what it
24 is you're recommending.

25 First, you're saying that we need to take

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1 action tonight because if we don't, come
2 January 2nd, there's going to be -- we have **010838**
3 accept applications based on the resolution that
4 was passed earlier?

5 MR. SUMMERBELL: Actually, based on the
6 resolution, since I'm presenting the report
7 tonight, we'll have to accept them tomorrow, if
8 you don't take action.

9 MS. MUISE: Okay. So we need to act
10 tonight?

11 MR. SUMMERBELL: Right. Right.

12 MS. MUISE: All right. Secondly, you're
13 recommending that we revise our rezoning hearing
14 so that we're hearing specific kinds of
15 applications all in one month?

16 MR. SUMMERBELL: Exactly.

17 MS. MUISE: On a three-month cycle?

18 MR. SUMMERBELL: Exactly.

19 MS. MUISE: Okay. And that to start off
20 with, we're going to have a lottery system
21 because we know there's some pent up demand?

22 MR. SUMMERBELL: Uh-huh, that's correct.

23 MS. MUISE: Okay. Thank you.

24 MR. HILL: Okay. Other questions?

25 MR. KENERLY: I'd just like to note that --

1 just to make sure everybody clarifies this, we're
2 working towards moving to six o'clock, that **010839**
3 other -- isn't it true that other metro counties,
4 a lot of them, meet -- especially Cobb meets at 9
5 a.m. on their zoning meetings, DeKalb meets on
6 some of them at 10 a.m., Gainesville, 9 a.m.,
7 Fulton County at 10 a.m., and the opposition just
8 sends in written responses if they can't make
9 those.

10 MR. SUMMERBELL: That's correct. We -- we
11 did find that several jurisdictions handle this
12 in many different ways, and --

13 MR. KENERLY: Right.

14 MR. SUMMERBELL: -- you're right, indeed,
15 several meet during the -- the daytime hours,
16 yeah.

17 MS. MUISE: But we have determined that --
18 you think we're best served by staying in the
19 evening, just moving a little earlier?

20 MR. SUMMERBELL: Exactly. I think you're
21 more likely to receive some opposition to people
22 saying, well, they couldn't come to the hearing.
23 These other jurisdictions do accept written, you
24 know, comments, but certainly people like to be
25 in attendance, and I think it would be fair to

1 all parties if we indeed held it in the evening.

2 MS. MUISE: Okay.

3 MR. HILL: Other questions?

4 (No response.)

5 MR. HILL: Okay. Well, let me ask -- we're

6 in a public hearing, let me ask if anyone wants

7 to speak for or against this tonight?

8 (No response.)

9 MR. HILL: Okay.

10 MS. MUISE: Mr. Chairman, I'll make a motion

11 to approve.

12 MR. KENERLY: Second.

13 MR. HILL: I have a motion and a second to

14 approve the resolution that's before us. Any

15 discussion?

16 (No response.)

17 MR. HILL: Hearing none, all in favor say

18 aye.

19 MR. HUGHES: Aye.

20 MS. MUISE: Aye.

21 MR. HILL: Aye.

22 MS. WATERS: Aye.

23 MR. KENERLY: Aye.

24 MR. HILL: Any opposed?

25 (No response.)

LAWRENCEVILLE, GEORGIA

RESOLUTION ENTITLED:

A RESOLUTION TO AMEND GWINNETT COUNTY'S ZONING PROCEDURES

READING AND ADOPTION: December 12, 2000

At the regular meeting of the Gwinnett County Board of Commissioners held in the Commission Meeting Room, 75 Langley Drive, Lawrenceville, Georgia.

	Present	Vote
F. Wayne Hill, Chairman	Yes	Aye
Thomas P. Hughes, District 1	Yes	Aye
Patti Muise, District 2	Yes	Aye
Judy Waters, District 3	Yes	Aye
Kevin Kenerly, District 4	Yes	Aye

On motion of Patti Muise, which carried 5-0, the following resolution was adopted:

A RESOLUTION TO AMEND GWINNETT COUNTY'S ZONING PROCEDURES

BE IT RESOLVED this 12th day of December, 2000.

BOARD OF COMMISSIONERS
GWINNETT COUNTY, GEORGIA

By: F. Wayne Hill
F. Wayne Hill, Chairman

ATTEST:

Brenda Maddox
Brenda Maddox, County Clerk

APPROVED AS TO FORM:

Van Stephens
Van Stephens
Chief Assistant County Attorney

STATE OF GEORGIA

COUNTY OF GWINNETT

A RESOLUTION OF THE GWINNETT COUNTY

BOARD OF COMMISSIONERS

A RESOLUTION TO AMEND GWINNETT COUNTY'S ZONING PROCEDURES

WHEREAS, the rapid growth which Gwinnett County has experienced in recent years has resulted in a need to review the County's Zoning Procedures; and

WHEREAS, on May 16, 2000, the Board of Commissioners adopted a Resolution which directed the Department of Planning and Development to conduct a study of possible revisions to the County's Zoning Procedures and issue its report to the Board of Commissioners no later than January 2, 2001; and

WHEREAS, the Department of Planning and Development has reviewed the County's Zoning Procedures and has issued a report containing recommendations for amendment of the Zoning Procedures presently utilized by Gwinnett County; and

WHEREAS, the Board of Commissioners has determined that an amendment of Gwinnett County's Zoning Procedures as recommended by staff is in the best interest of the citizens of Gwinnett County;

~~NOW,~~ THEREFORE, the Gwinnett County Board of Commissioners does hereby resolve that the Zoning Procedures presently utilized by Gwinnett County be amended to include the following additional Zoning Procedures:

18. No more than fourteen (14) applications for rezoning property and eight (8) unrelated special use permit applications shall be placed on an Agenda for consideration by the Board of Commissioners.

19. From the date of execution of this Resolution through 8:00 A.M. on January 2, 2001, neither the County nor the Department of Planning and Development shall accept any rezoning application or special use permit application. Commencing at 8:00 A.M. on January 2, 2001, applications for rezoning shall be assigned to Agendas based upon the type of development proposed. Single-family residential developments shall be grouped together for hearing, and commercial developments shall be grouped together for hearing. The remaining development types including office, multifamily, mixed-use, and industrial

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developments shall be grouped together as well.

Between 8:00 A.M. on January 2, 2001 and 5:00 P.M. on January 5, 2001, rezoning applications shall be accepted by the Department of Planning and Development.

Beginning at 8:00 A.M. on January 8, 2001 and continuing through 5:00 P.M. on January 10, 2001, the Current Planning staff shall review the rezoning applications received during the period from January 2nd through January 5th to determine whether the rezoning applications are complete. Any incomplete application shall be returned to the Applicant with written specifications as to its deficiencies. Any rezoning Applicant who is notified of such a deficiency shall be entitled to resubmit its application on or before January 16th at 5:00 P.M.

Beginning at 7:00 P.M. on Tuesday, January 16, 2001, all complete rezoning applications which were originally submitted between January 2nd and January 5th shall be the subject of a

lottery conducted by the Planning Commission.
The Planning Commission shall draw individual slips of paper containing the rezoning application number and any related special use permit application number from a container. Each rezoning application drawn shall be assigned to the first available hearing date based upon the following schedule:

Month	Type of Development
March	Single-family residential
April	Commercial
May	Office/Institutional/Multi-family/ R-ZT/Mixed-Use
June	Single-family residential
July	Commercial
August	Office/Institutional/Multi-family/ R-ZT/Mixed-Use
September	Single-family residential
October	Commercial
November	Office/Institutional/Multi-family/ R-ZT/Mixed-Use
December	Single-family residential
January	Commercial
February	Office/Institutional/Multi-family/ R-ZT/Mixed-Use

Once a rezoning application has been drawn and placed on an Agenda, no substitution of rezoning applications shall be permitted. After the lottery is conducted on January 16th, rezoning applications and special use permit applications shall be permitted to be filed through and including the first Friday of each month for the next appropriate Agenda. Cases meeting the application deadline of the first Friday of each month may not appear on an Agenda scheduled sooner than two months following such application deadline. For purposes of administration of this system, an application shall be considered to be a mixed-use application if it consists of applications for three or more different types of zoning classifications defined in the 1985 Zoning Resolution on contiguous parcels and if no less than 20% of the land area subject to the rezoning application is proposed for any single zoning category. In order to allow adequate time between the resumption of the

acceptance of zoning applications on January 010872

2nd and the time necessary to properly advertise and process such zoning applications, the first public hearing concerning rezoning applications and special use permits shall occur on March 27, 2001.

20. Beginning at 8:00 A.M. on January 2, 2001, the Department of Planning and Development shall accept special use permit applications. If a special use permit application is submitted with an associated application for rezoning of the same parcel, the special use permit application shall be assigned to the same Agenda which the associated rezoning has been assigned. If the special use permit application is not associated with a rezoning application for the same parcel of property, it shall also be included in the initial lottery for assignment to the next available Agenda.

21. Beginning with the Agenda scheduled for March 27, 2001, all Board of Commissioners public hearings scheduled for the primary purpose of

considering rezoning applications and special use permit applications shall be commenced at 6:00 P.M. instead of 7:00 P.M. This earlier start time will allow for greater discussion during the meeting and a lesser likelihood of meetings extending late into the evening when attendees and Commissioners might be fatigued. In order to accomplish the change in the commencement time of future public hearings from 7:00 P.M. until 6:00 P. M., the County Clerk is directed to initiate any and all actions necessary to revise the commencement time of public hearings from 7:00 P.M. to 6:00 P.M. Public notice of this revision shall be advertised in the legal organ of Gwinnett County once each week for three consecutive weeks prior to the adoption of a resolution amending the time of public hearings. The Clerk shall also take any and all action necessary to facilitate the revision of Section 2-38 of the Code of Ordinances of Gwinnett County, Georgia to reflect a 6:00 P.M. commencement time for public hearings.

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22. Beginning with the Agenda scheduled for March 27, 2001, the Board of Commissioners hereby establishes a minimum fee of \$200 for the submission and processing of each Land Use Plan Amendment.

All zoning procedures adopted by the Board of Commissioners prior to the adoption of this Resolution shall remain in full force and effect. In the event of a conflict in the terms of prior zoning procedures and the procedures adopted in this Resolution, the provisions of this Resolution shall control.

This Resolution is adopted this the 12th day of December, 2000.

BOARD OF COMMISSIONERS
GWINNETT COUNTY, GEORGIA

By: *F. Wayne Hill*
F. Wayne Hill, Chairman

ATTEST:

Brenda Maddox
Brenda Maddox, County Clerk

(SEAL)

APPROVED AS TO FORM:

Van Stephens
Van Stephens
Chief Assistant County Attorney