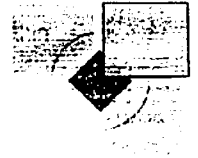




DeKalb County Planning & Development Department

Vernon Jones
Chief Executive Officer

Patrick Ejike
Director



Section 27-832. Standards and factors governing review of proposed amendments to official zoning maps. The following standards and factors are found to be relevant to the exercise of the County's zoning powers and shall govern the review of all proposed amendments to the official zoning maps:

- A. Whether the zoning proposal is in conformity with the policy and intent of the Comprehensive Plan.
- B. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties.
- C. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.
- D. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby properties.
- E. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.
- F. Whether the zoning proposal will adversely affect historic buildings, sites, districts, or archaeological resources.
- G. Whether the zoning proposal will result in a use which will or could cause excessive or burdensome use of existing streets, transportation facilities, utilities or schools.

Section 27-833. Conditions. Conditions may be requested by an applicant, recommended by the Planning Department and Planning Commission, and imposed by the Board of County Commissioners, as a part of any proposed change to the official zoning map, in accordance with the following requirement:

- A. Conditions may be imposed so as to ameliorate the effect(s) of the proposed developmental change for the protection or benefit of neighboring persons or properties consistent with the purpose and intent of the district(s) involved, and the goals and objectives of the Comprehensive Plan and state law. No condition shall be imposed which reduces the requirements of the district(s) involved. All conditions shall be of sufficient specificity to allow lawful and consistent application and enforcement. All conditions shall be supported by a record that evidences the relationship between the condition in the form of a development exaction for other than a project improvement shall be imposed within the meaning of the Georgia Development Impact Fee Act, as amended.
- B. The Board of Commissioners shall not impose any condition on a proposed amendment to the official zoning map that was not previously reviewed by the Planning Commission unless said condition has been reviewed by the Law Department, Planning Department, and the Public Works Department for legality, enforceability, and recommendation. The Board of County Commissioners may defer final action on any such proposed amendment for up to 60 days to allow for this review and may take action without referral back to the Planning Commission.
- C. Once imposed, conditions shall become an integral part of the approved amendment and shall be enforced as such. Changes to approved conditions shall be authorized only pursuant to Section 27-845 of this chapter.