



PLANNING COMMISSION MINUTES

CITY OF DULUTH

3167 MAIN ST
DULUTH, GA 30096

MAY 15, 2023 AT 6:00PM

COMMISSION MEMBERS:

Ray Williams, Chair	Carey Fisher
Alana Moss, Vice Chair	Scott Perkins
Niti Gajjar, Secretary	Shenee Holloway (Alt)

COMMISSIONERS PRESENT: Chair Williams, Vice Chair Moss, Secretary Gajjar, and Commissioner Fisher

COMMISSIONERS ABSENT: Commissioners Perkins and Holloway

STAFF PRESENT: Planning Director Forrest Huffman and Planning Technician Wendy Bethancourt

I. CALL TO ORDER - Meeting called to order at 6:00pm.

II. GENERAL BUSINESS

II. APPROVAL OF MINUTES

1. Approval of the May 1, 2023 minutes

A motion was made by Secretary Gajjar, seconded by Commissioner Fisher to approve the May 1, 2023 meeting minutes as presented.

Voted for: Commissioners Williams, Moss, Gajjar, and Fisher
Motion Carried.

Motion Carried.

IV. OLD BUSINESS - NONE

V. PUBLIC HEARING

1. Case: TA2023-002
Applicant: City of Duluth
Location: 3167 Main Street Duluth, GA

Request: Approval of Text Amendments to section 1103, 1104, 1206, 1207, and 1208 of the City of Duluth Unified Development Code to ensure local zoning procedures are following state statute.

Chair Williams opened the public hearing.

Planning Director Forrest Huffman came forward and presented that the purpose of this Text Amendment (TA2023-002) to sections 1103, 1104, 1206, 1207, and 1208 of the City of Duluth Unified Development Code is to ensure local zoning procedures are following state statute. In 2022 the Georgia State Legislature passed a statute (O.C.G.A. 36-66-5.1) modifying the posting and hearing requirements for certain land use hearings and quasi-judicial decisions. These modifications can be summarized into two broad categories.

1. If the City is to initiate the rezoning of a single-family property to a multi-family classification, or if the City is to initiate the modification of a single-family zoning district to allow for uses non typical of a single-family zoning district, the City is obligated to additional posting and hearing requirements.

2. Hearings on quasi-judicial decisions, those being hearings deciding appeals of administrative decisions, hearings and decisions on variances, special administrative permits, special exceptions, conditional use permits, and other similar permits shall be subject to additional posting and hearing requirements.

These amendments became effective July 1, 2022. However, no zoning or quasi-judicial decisions prior to July 1, 2023 are to be rendered invalid or void because of a local government's failure to implement language in their ordinances accomplishing the provisions of Code Section 36-66-5.1.

Chair Williams called for questions/comments from the public.

Being none, Chair Williams called for a general discussion.

Commissioners discussed the procedural concerns.

A motion was made by Vice Chair Moss, seconded by Secretary Gajjar to approve text amendment TA2023-002.

**Voted for: Commissioners Williams, Moss, Gajjar, and Fisher
Motion Carried.**

VI. OTHER BUSINESS


1. Matters from staff- Discussed Planning Department changes
2. Matters from commission- None
3. Matters from public- None

VII. ADJOURNMENT

A motion was made by Secretary Gajjar, seconded by Commissioner Fisher to adjourn at 6:30pm.

Voted for: Commissioners Williams, Moss, Gajjar, and Fisher
Motion carried.

Approved this 5th day of June, 2023.


Chairman


Secretary/Witness