

**AN ORDINANCE AMENDING CHAPTER 27 OF THE CITY OF DUNWOODY CODE OF ORDINANCES BY ADDING A PRE-APPLICATION SUBMITTAL MEETING REQUIREMENT FOR CERTAIN LAND USE PETITIONS**

**WHEREAS,** the City of Dunwoody Zoning Ordinance, Chapter 27 of the City of Dunwoody Code of Ordinances, provides for a certain process for petitioning for amendments to land use or conditions thereto; and

**WHEREAS,** the Mayor and City Council, in order to protect the safety, health and welfare of the citizens of the City, desire to have additional input for affected neighbors of a development property requesting a land use permit; and

**WHEREAS,** in order to provide for such additional input by the citizens of the City, the Mayor and Council would wish to allow for a meeting between the land use applicant and all affected citizenry prior to the submittal of any land use petitions by the applicant to the City; and

**WHEREAS,** the City believes that this pre-meeting will streamline the application process by allowing the land use applicant to receive valuable input on the use of the property from affected neighbors; and

**WHEREAS,** A properly-advertised public hearing has been held on October 26, 2009 during the First Read of this Ordinance and the Second Read of this Ordinance and adoption is being held on November 23, 2009.

**THEREFORE,** Mayor and City Council of the City of Dunwoody hereby ordain as follows:

**Section 1:** The City of Dunwoody Zoning Ordinance, Chapter 27 of the City Code of Ordinances, is hereby amended by adding subsection (b) to Article V (Administration), Section 5A-1 (Initiation of Amendments) to read as follows:

**Sec. 5A-1. Initiation of Amendments.**

(a) The text of this Chapter, the official zoning maps, and the comprehensive plan land use maps may be amended by the City Council pursuant to a proposed ordinance introduced by one (1) or more members of the City Council or by official action of the planning commission. In addition, amendments to the official zoning maps and the comprehensive plan land use maps may be initiated upon application by the owner(s) of the subject property or the authorized agent of the owner(s). Before enacting any amendment to this Chapter, the official zoning maps, or the comprehensive plan land use maps the City Council shall provide for the public notice and public hearings required by this Chapter.

(b) No Application for an amendment to the land use plan, an amendment to the official zoning map or special land use permit, or a major amendment/modification to a condition of zoning shall be filed and/or accepted by City Staff for filing until such time as the applicant has attended and held a publicized pre-submittal community meeting(s)

with property owners within five hundred (500) feet of the subject property and surrounding neighborhood association(s)/community group(s) within one-half (1/2) mile of the subject property that have registered with the City. Applicant shall notice the pre-submittal community meeting in writing, meaning an applicant shall advertise in the newspaper of general circulation and draft a letter to be mailed to those property owners within 500 feet of the subject property. The pre-submittal community meeting shall be held in one of the following locations: (1) on the subject property; (2) at an available public meeting place including, but not limited to, a library, school or community center within two (2) miles of the subject property; or (3) at an office space with suitable meeting facilities within two (2) miles of the subject property. The meeting shall not take place less than fifteen (15) days after the date of the written notice nor more than one hundred twenty (120) days prior to submittal of the application to the City. Each application shall include a form acceptable to the director or his/her designee, which indicates the starting and ending times of the neighborhood meeting and an attendance list, with names and addresses, of those who attended the neighborhood meeting.

**Section 2:** This Amendment shall become effective immediately upon its adoption by the City Council, and incorporated into the Code of the City of Dunwoody, Georgia. This Amendment hereby repeals any and all conflicting ordinances and amendments.

**SO ORDAINED**, this 23<sup>rd</sup> day of November, 2009.

Approved:

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Ken Wright, Mayor

ATTEST:

Approved as to Form and Content:

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Sharon Lowery, City Clerk  
(Seal)

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Brian Anderson, City Attorney