

CITY OF BERKELEY LAKE
4040 SOUTH BERKELEY LAKE ROAD, BERKELEY LAKE, 30096
PLANNING & ZONING COMMISSION MEETING
FULL MINUTES
September 13, 2011
7:30 PM

Those in attendance at the meeting were as follows:

Commission Members: Rodney Hammond, Chair
 Jeff Cooper
 Dan Huntington
 Sally Rich-Kolb

Deputy City Administrator: Leigh Threadgill

Citizens Present: 1

I. CALL TO ORDER:

Hammond called the meeting to order at 7:32 P.M. at 4040 South Berkeley Lake Road.

II. MINUTES

a) Minutes of August 9, 2011

Cooper made a motion to approve the minutes as submitted. Huntington seconded the motion. All were in favor and the motion passed.

III. APPROVAL OF AGENDA

Threadgill recommended modifying new business (a) to adoption of GC-A, Gwinnett County – Annexed zoning district and associated regulations. (Section 78-25, 78-299, 78-300, 78-301, 78-302, 78-303, 78-304)

Cooper made a motion to accept the agenda with the recommended change. Huntington seconded the motion. All were in favor. The motion passed.

IV. NEW BUSINESS

a.) Zoning Ordinance Amendment – Adoption of GC-A, Gwinnett County – Annexed Zoning District

Hammond stated that a staff report had been provided on this topic but provided general context that the city is preparing for potential annexation and based upon legal counsel we do need to make some adjustments to the zoning ordinance. These are actions we must take in anticipation of the annexation.

There was brief discussion.

Huntington made a motion to recommend approval of the zoning ordinance amendment to add regulations for the Gwinnett County – Annexed (GC-A) Zoning District. Cooper seconded the motion. All were in favor and the motion passed.

b.) Rezoning – Properties in Annexation Area

Hammond directed the Commissioners' attention to the map and list of properties for recommendation to rezoning to GC-A.

Threadgill noted that the list of prospective properties for rezoning was inclusive of all areas being considered for possible annexation; and that there is a high probability that only some of these properties will be annexed and rezoned.

Huntington asked if the vote was to recommend to city council that if we annex any property that they would be zoned to GC-A. Threadgill responded that that was correct.

Huntington asked whether we would be able to rezone these properties later if we wanted to have control if Gwinnett County allowed things that the City didn't like. Threadgill responded that she did not believe that the city could rezone the properties absent an application from the property owner to do so.

Cooper asked for clarification if the county changed its zoning resolution after the annexation became effective, would those changes be effective in the annexed area. Threadgill responded that the language of the text amendment stated that the county zoning regulations in place immediately prior to the annexation are those that govern, so that future changes in the county regulations would not apply.

There was further discussion about the current Gwinnett County zoning regulations and whether those were acceptable to the city. It was noted that the attorney has advised that a rezoning to GC-A is necessary if the city wants to annex.

Huntington noted that the other way to look at this is that if we don't annex them, they're free to do whatever they want subject to county regulations anyway.

Huntington made a motion to recommend rezoning of the submitted list of properties from their current Gwinnett County zoning designations to Gwinnett County – Annexed Zoning District. Kolb seconded the motion. All were in favor and the motion passed.

V. CITIZEN COMMENTS

There were none.

VI. ADJOURNMENT

Kolb moved to adjourn the meeting. Cooper seconded the motion. All were in favor, and the motion passed.

Hammond adjourned the meeting at 7:45 p.m.

Respectfully submitted,

Leigh Threadgill
Deputy City Administrator