

House Bill 1673

By: Representatives Harrell of the 62nd, Jennings of the 63rd, Stokes of the 92nd and Stephens of the 150th

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 36-66-4 of the Official Code of Georgia Annotated, relating to
2 hearings on proposed zoning decisions, so as to require that the adoption of zoning
3 ordinances or amendments concerning land use around airports shall require certain studies,
4 public hearings, and procedures; to provide for related matters; to provide an effective date;
5 to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Code Section 36-66-4 of the Official Code of Georgia Annotated, relating to hearings on
9 proposed zoning decisions, is amended by adding a new subsection (g) to read as follows:

10 "(g)(1) In addition to the other policies and procedures required by this chapter, a local
11 government that desires to adopt a zoning ordinance or amend an existing zoning
12 ordinance, including the adoption of overlay districts, to regulate uses and development
13 of property within the vicinity of an existing airport for the purposes of ensuring the
14 compatibility of the airport with the current and future development or renovation of
15 property within the vicinity of such airport shall conduct an economic impact study of the
16 effect of the adoption of such ordinance or amendment on the properties that would be
17 directly affected by the adoption of such ordinance or amendment and shall include a
18 study of the costs to the property owners for implementing the ordinance or amendment,
19 the effect upon property values of the ordinance or amendment, and whether there are
20 other less intrusive means of achieving the same or similar results. The study shall be
21 conducted by a panel composed of five members. Three members shall be appointed by
22 the governing authority of the local government seeking to adopt or amend such zoning
23 ordinance, one member shall be appointed by the member or members of the state House
24 of Representatives in whose district or districts such airport is located, and one member
25 shall be appointed by the member or members of the state Senate in whose district or
26 districts such airport is located. The panel shall solicit input from the areas to be affected

1 by such zoning ordinance or amendment to a zoning ordinance on the economic impact
2 of such ordinance or amendment and shall conduct at least one public hearing to receive
3 input from the property owners in the affected area on the economic impact. The local
4 government shall give notice of such hearing by publishing in a newspaper of general
5 circulation within the territorial boundaries of the local government a notice of the
6 hearing at least 15 days and not more than 45 days prior to the date of the hearing. The
7 published notice shall be at least six column inches in size and shall not be located in the
8 classified advertising section of the newspaper.

9 (2) Upon the completion of the economic impact study, the local government shall
10 conduct a public hearing on the proposed ordinance or amendment. Such public hearing
11 shall be held at least six months and not more than nine months prior to the date of final
12 action on the zoning decision. The hearing required by this subsection shall be in addition
13 to any hearing required under subsection (a) of this Code section. The local government
14 shall give notice of such hearing by publishing in a newspaper of general circulation
15 within the territorial boundaries of the local government a notice of the hearing at least
16 15 days and not more than 45 days prior to the date of the hearing and mailing a copy of
17 such notice by first-class mail to the owner of each affected parcel of property at least 14
18 days prior to such hearing. Both the mailed notice and the published notice shall include
19 a prominent statement that the proposed zoning decision relates to the adoption of a
20 zoning ordinance or an amendment to an existing zoning ordinance to regulate uses and
21 development of property within the vicinity of an existing airport for the purposes of
22 ensuring the compatibility of the airport with the current and future development or
23 renovation of property within the vicinity of such airport. The published notice shall be
24 at least six column inches in size and shall not be located in the classified advertising
25 section of the newspaper. The mailed notice shall contain a copy of the proposed
26 ordinance or amendment. The economic impact study shall be made available for public
27 inspection and copying at least 14 days prior to the public hearing."

28 **SECTION 2.**

29 This Act shall become effective upon its approval by the Governor or upon its becoming law
30 without such approval.

31 **SECTION 3.**

32 All laws and parts of laws in conflict with this Act are repealed.