

House Bill 812

By: Representatives Lim of the 99th, Mainor of the 56th, and Lopez of the 86th

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 66 of Title 36 of the Official Code of Georgia Annotated, relating to
2 zoning procedures so as to provide for additional matters that can be considered in local
3 zoning standards; to provide for related matters; to repeal conflicting laws; and for other
4 purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 style="text-align:center">**SECTION 1.**

7 Chapter 66 of Title 36 of the Official Code of Georgia Annotated, relating to zoning
8 procedures, is amended by revising Code Section 36-66-5, relating to adoption of hearing
9 policies and procedures and standards for exercise of zoning power, as follows:

10 "36-66-5.

11 (a) Local governments shall adopt policies and procedures which govern calling and
12 conducting hearings required by Code Section 36-66-4, and printed copies of such policies
13 and procedures shall be available for distribution to the general public. Such policies and
14 procedures shall specify a minimum time period at hearings on proposed zoning decisions
15 for presentation of data, evidence, and opinion by proponents of each zoning decision and

16 an equal minimum time period for presentation by opponents of each proposed zoning
17 decision, such minimum time period to be no less than ten minutes per side.

18 (b) In addition to policies and procedures required by subsection (a) of this Code section,
19 each local government shall adopt standards governing the exercise of the zoning power,
20 and such standards may include any factors which the local government finds relevant in
21 balancing the interest in promoting the public health, safety, morality, or general welfare
22 against the right to the unrestricted use of property. Such standards may also include
23 consideration of any disparate effect on the basis of race, color, religion, sex, familial
24 status, national origin, or disability that a proposed zoning decision may have, or
25 consideration of the potential for displacement of communities adjacent to or near the
26 property under consideration in the proposed zoning decision. Such standards shall be
27 printed and copies thereof shall be available for distribution to the general public.

28 (c) The policies and procedures required by subsection (a) of this Code section and the
29 adoption of standards required by subsection (b) of this Code section may be included in
30 and adopted as part of the zoning ordinance. Prior to the adoption of any zoning ordinance
31 enacted on or after January 1, 1986, a local government shall conduct a public hearing on
32 a proposed action which may be advertised and held concurrent with the hearing required
33 by subsection (a) of Code Section 36-66-4 for the adoption of a zoning ordinance. The
34 provisions of subsection (a) of Code Section 36-66-4 relating to notices of public hearings
35 for the purposes of that subsection shall also apply to public hearings required by this
36 subsection."

37 **SECTION 2.**

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