

STATE OF GEORGIA

DeKalb County

AN ORDINANCE TO ADD SECTION 4.2.63 OF CHAPTER 27 OF THE ZONING ORDINANCE OF DEKALB COUNTY TO CREATE SUPPLEMENTAL REGULATIONS FOR SPECIAL EVENT FACILITIES WHICH ARE ALLOWED IN THE OI (OFFICE INSTITUTIONAL), OIT (OFFICE INSTITUTIONAL-TRANSITIONAL), C-1 (LOCAL COMMERCIAL), C-2 (GENERAL COMMERCIAL) OD (OFFICE DISTRIBUTION), M (LIGHT INDUSTRIAL), MU-1 (MIXED USE LOW DENSITY), MU-2 (MIXED USE LOW MEDIUM DENSITY), MU-3 (MIXED USE MEDIUM DENSITY), MU-4 (MIXED USE HIGH DENSITY), MU-5 (MIXED USE VERY HIGH DENSITY) DISTRICTS AND A SPECIAL LAND USE UNDER RE (RESIDENTIAL ESTATE) DISTRICT; TO PROVIDE FOR REPEAL OF CONFLICTING ORDINANCES; TO PROVIDE FOR AN ADOPTION AND EFFECTIVE DATE; TO PROVIDE FOR CODICATION; AND TO PROVIDE FOR OTHER LAWFUL PURPOSES.

WHEREAS, the need for appropriate regulations for Special Event Facilities in various zoning districts has been established to promote economic development, ensure efficient land use, and meet community needs; and

WHEREAS, it is recognized that special event facilities can contribute to the overall character and functionality of the zones; and

WHEREAS, it is in the best interest of DeKalb County to amend the zoning ordinance in the furtherance of the public health, safety, general welfare, and economic growth and sustainability; and

WHEREAS, adherence to the DeKalb County Noise Ordinance is crucial for maintaining a peaceful environment and ensuring the comfort of all residents and businesses within the affected areas;

NOW THEREFORE, BE IT ORDAINED by the Governing Authority of DeKalb County, Georgia, and be it hereby ordained by the Authority of same, that Chapter 27 of the Zoning Ordinance of DeKalb County, is hereby amended as follows:

PART I ENACTMENT

By amending Section 9.1.3 (Defined Terms) to modify the definition of Special Event Facilities and add new Supplemental Regulations of Article 4, Section 4.2.63 of Chapter 27, of the Zoning Ordinance of DeKalb County as follows:

Sec. 9.1.3. – Defined Terms.

Definition: *Special Events Facility*. A building and/or premises used as a customary meeting or gathering place for personal social engagements or activities, where people assemble for parties, weddings, wedding receptions, reunions, birthday celebrations, other business purposes, or similar such uses for profit, in which food and beverages may be served to guests. **A *Special Events Facility* shall not be operated as a restaurant, lounge, bar or late-night establishment, or Nightclub. A *Special Events Facility* does not have an alcohol license or does not serve food. Events must be subject to the Zoning code regulations. A *Special Events Facility* shall include events that have a limited number of known guests (i.e. weddings, family reunions, catered dinners) and are not open to the general public.** This definition shall not include *Temporary Outdoor Events, Places of Worship or Non-Profit Civic Associations*. Additionally, events

advertised on social media will most likely be considered open to the public and not a *Special Event Facility*. Open to the public may consist of concerts, fairs, festivals, performances and other exhibitions regardless of any fee or age requirements.

Section 4.2.63 (New)

Special Event Facilities (*Special Events/Banquet Facility or Rental Hall*) Use Regulations

A Special Event Facility should only be used for specific occasions and is not intended to operate as a club that is open to the public; therefore, it shall not be advertised to the public;

A Special Event Facility should not be the provider of food or beverages, offering only the facility;

All events will need a temporary alcohol license.

Sound shall comply with DeKalb County Noise Ordinance.

Documentation of a DeKalb County Business license issuance for the *Special Event Facility* and participating vendors is required.

Documentation from pertinent service providers for restroom facilities and garbage collection must be provided; and

Alcohol Information

A special event facility shall not be licensed to sell alcohol;

Servers hired to participate in the event, such as bartenders or caterers, shall be properly licensed;

Alcohol servers shall possess registered alcohol permits, ensuring they are trained in responsible alcohol service; and

Caterers must obtain the necessary permits from the State of Georgia as well as from their County of origin to provide food and beverage services at the event.

Operating Hours

Any indoor special event activity, as defined by this ordinance, whether it is an accessory to an existing business or associated with developed property, shall close by 12:30 AM. Noise levels generated during such events shall comply with the DeKalb County Noise Ordinance.

Any special events facility that desires to have operations beyond 12:30 am will require a Special Land Use Permit (SLUP) to ensure that additional considerations for noise, safety, and community impact are addressed.

PART 2: All ordinances or parts of ordinances in conflict herewith are hereby expressly repealed.

PART 3: The Ordinance shall be codified in a manner consistent with the laws of the State of Georgia and the DeKalb County.

PART 4: It is the intention of the governing body, and it is hereby ordained that the provisions of this Ordinance shall become and be made part of the Code of Ordinances, DeKalb County, Georgia

PART 5: This Ordinance shall become effective immediately on the date of adoption by the board of commissioners and approval by the chief executive officer.

PART 6: Should any section or provision of this ordinance be declared by a court of competent jurisdiction to be invalid or unconstitutional, such decision shall not affect the validity of the ordinance as a whole nor any part thereof other than the part so declared to be invalid or unconstitutional. All ordinances or resolutions, or parts thereof, in conflict with this ordinance are repealed.

DRAFT

ADOPTED by the DeKalb County Board of Commissioners,

This ____ day of _____, 2024.

MEREDA DAVIS-JOHNSON
Presiding Officer

Board of Commissioners DeKalb
County, Georgia

APPROVED by the Chief Executive Officer

This ____ day of _____, 2024.

MICHAEL L. THURMOND
Chief Executive Officer

DeKalb County, Georgia

ATTEST:

BARBARA H. SANDERS-NORWOOD, CCC
Clerk
Board of Commissioners and
Chief Executive Officer DeKalb County, Georgia

APPROVED AS TO FORM:

VIVIANE H. ERNSTES
County Attorney

APPROVED AS TO SUBSTANCE:

CEDRIC G. HUDSON
Interim Director
DeKalb County Department of