



*A Collective Vision...A United Voice
Representing Member Homeowners Associations Since 1982*

Johns Creek – Zoning 101

LAND USE PETITIONS (Rezoning Applications) are submitted to the Johns Creek Department of Community Development. Each case is assigned a planner who is your contact with Johns Creek. You'll find contact information for the planner assigned to each case at the bottom of the first page of the petition.

The Johns Creek Community Association (JCCA) holds Community Zoning Information Meeting (CZIM) each month to allow the community to gather information about the proposed development and to ask questions of the applicant/owner. Please visit the JCCA website at <http://www.jccahome.org> for a complete schedule of CZIMs. The JCCA will typically make recommendations to the Planning Commission and Mayor and City Council on each zoning case based upon input received from Member Associations.

During the period leading up to the Johns Creek Planning Commission hearing, a City Planner evaluates the application and creates a report based on answers to a specific set of questions and standards. These include the Steinberg Act, Johns Creek Zoning Ordinances, the Comprehensive Land Use Plan and precedence.

Georgia Law 36-67-3, also known as the **STEINBERG ACT**, in short, requires the planners to consider the following when making a recommendation of zoning:

1. Whether or not the proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property?
2. Whether or not the proposal will adversely affect the existing use or usability of adjacent or nearby property?
3. Whether the property to be affected by the proposal has a reasonable economic use as currently zoned?
4. Whether the proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools?
5. Whether the proposal is in conformity with the policy and intent of the Comprehensive Plan including the land use element?
6. Whether there are other existing or changed conditions affecting the use and development of the property which gives supporting grounds for either approval or disapproval of the proposal?
7. Whether the zoning proposal will permit a use which can be considered environmentally adverse to the natural resources, environment and citizens of the City of Johns Creek.

City planners are required by Johns Creek Zoning Ordinance (28.4.1.G.) to consider whether the zoning proposal will permit a use which can be considered *environmentally adverse* to the natural resources, environment and Citizens of Johns Creek.



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VARIANCES (Johns Creek Zoning Ordinance 22.3.1) may be considered in all zoning districts. Primary variances and concurrent variances shall only be granted upon showing that:

- A. Relief, if granted, would be in harmony with or could be made to be in harmony with, the general purpose and intent of the Zoning Ordinance; or
- B. The application of the particular provision of the Zoning Ordinance to a particular piece of property, due to extraordinary and exceptional conditions pertaining to that property because of its size, shape and topography, would create an unnecessary hardship for the owner while causing no detriment to the public; or
- C. Conditions resulting from existing foliage or structures bring about hardship whereby a sign meeting minimum letter size, square footage and height requirements can not be read from an adjoining public road.

SPECIAL USE PERMITS (Johns Creek Zoning Ordinance 19.2.4): In the interest of public health, safety and welfare, the Mayor and City Council may exercise limited discretion in evaluating the site proposed for a use which requires a Use Permit. In exercising such discretion pertaining to the subject use, the following shall be considered:

- 1. Whether the proposed use is consistent with the Comprehensive Land Use Plan and/or Economic Development Revitalization plans adopted by the Mayor and City Council;
- 2. Compatibility with land uses and zoning districts in the vicinity of the property for which the Use Permit is proposed;
- 3. Whether the proposed use may violate local, state, and or federal statutes, ordinances or regulations governing land development;
- 4. The effect of the proposed use on traffic flow, vehicular and pedestrian, along adjoining streets;
- 5. The location and number of off street parking spaces;
- 6. The amount and location of open space;
- 7. Protective screening;
- 8. Hours and manner of operation;
- 9. Outdoor lighting; and
- 10. Ingress & egress to the property.

In granting such permits, conditions may be attached as are deemed necessary in the particular case for the protection or benefit of neighbors to [improve] the effects of the proposed development/use.

The Johns Creek Zoning Ordinances are available on the City's website at: <http://johnscreekga.gov> About→City Clerk→Zoning Ordinances (<http://johnscreekga.gov/about/clerk/ordinances/zoning.aspx>).

This document includes the many codes that describe land area development types, intent, scope, permitted uses, and standards for intensity comparisons. For example "AG-1" is Agricultural, "R-2" is Single Family Dwelling (1 unit per acre), "C-1" is Commercial, "A" is Apartment and "O-I" is Office/Institutional.. The intensities are ranked, C-1 is more intense than A and O-I. Residential uses are the lowest intensity and vary in the rank by number of units per acre.



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The Comprehensive Land Use Plan (CLUP) is the strategic plan suggesting how land in Johns Creek can and should be used. The Johns Creek Land Use Plan was adopted from the Fulton County 2025 Land Use Plan. It may be found on the City's website at:
<http://johnscreekga.gov> About→Comprehensive Plan 2030 (<http://johnscreekga.gov/about/compplan>) and the actual plan is About→Community Agenda (<http://johnscreekga.gov/about/compplan/agenda.aspx>)

Georgia Law 36-67-2, relating to **Precedent**, states that zoning decisions are made on the basis of a record which will contain matters necessary to the consistent and wise decision of zoning matters. This prevents arbitrary and capricious zoning decisions by the Mayor and City Council.

Staff reports include a variety of useful information which support planner recommendation for approval or denial of a specific zoning application. Generally, these reports are published two weeks before each Planning Commission hearing and are available online at <http://johnscreekga.gov> Home→Zoning Cases (<http://johnscreekga.gov/about/boards/pc.aspx>). The professional evaluation and comments from City staff can be very valuable. Always carefully review staff reports before signing letters of support or opposition to a proposed rezoning or use permit. Previously approved Fulton County conditions of zoning are available through open records requests with the City or County.

The Johns Creek Planning Commission is a seven-member board appointed by the Mayor and City Council to make recommendations on rezoning and use permit applications for all properties within Johns Creek. There are 12 Planning Commission meetings each year, typically on the first Tuesday evening each month (visit www.johnscreekga.gov for meeting schedules and agendas). Property owners within 300 feet of the site are notified by mail 15 days before the meeting. During the Planning Commission meeting, each side (for and against) is given a TOTAL of 10 minutes, including rebuttal, to present their case/facts. The Planning Commission decision is a **recommendation** to the Mayor and City Council. It is **not** the final decision.

The City Council is a seven-member elected Council representing Johns Creek residents at Large (each elected by all Johns Creek voters). The City Council typically hears zoning cases on the fourth Monday of each month (visit www.johnscreekga.gov for meeting schedules and agendas). The public hearing is very similar to the Planning Commission hearing. Each side (for and against) is given a TOTAL of 10 minutes, including rebuttal, to present their case. Four of the Council Member's votes are required to approve or deny an application. Johns Creek City Council Members should support homeowners and homeowners associations who express concerns in writing and in person at public meetings. Your participation is critical to the outcome of an application.



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The Johns Creek Planning Commission and City Council meet at 7 pm at 12000 Findley Road, Suite 300, Johns Creek, Georgia 30097. *Directions: North on GA 141/Medlock Bridge Road approximately 1/4 mile north of Abbotts Bridge Road. Turn left onto Findley Road and right into the first building on the right. Take the elevator to the 3rd floor.*

Planning Commissioners may be reached by an e-mail to PlanningCommission@JohnsCreekGA.gov or by calling 678-512-3200 and asking for the Community Development Department. Current Planning Commissioners are:

Post A	Don Mairose	
Post B	Stan Hicks	
Post C	Kerry Middlebrooks	(Vice Chair)
Post D	Susan Grissom	
Post E	Rose Shane	
Post F	Emmett Shaffer	
Post G	Chip Floyd	(Chair)

The Mayor and City Council Members can be reached by calling 678.512-3200 or by e-mail as follows:

Mayor	Mike Bodker	mike.bodker@johnscreekga.gov
Post 1	Lenny Zaprowski	Lenny.Zaprowski@JohnsCreekGA.gov
Post 2	Brad Raffensperger	brad.raffensperger@johnscreekga.gov
Post 3	Cori Davenport	Cori.Davenport@JohnsCreekGA.gov
Post 4	vacant	vacant
Post 5	Kelly Stewart	kelly.stewart@johnscreekga.gov (Mayor Pro-tem)
Post 6	vacant	vacant

For more information please see Zoning Information at <http://www.jccahome.org> or send an e-mail to: ZoneUs@JccaHome.org.