

**ORDINANCE
AMENDMENT
NO. OA - 2025 – 07**

**AN ORDINANCE OF THE CITY OF DALLAS, GEORGIA, TO
AMEND THE UNIFIED DEVELOPMENT CODE (“UDC”) OF
THE CITY OF DALLAS, GEORGIA; TO PROVIDE FOR
SEVERABILITY; TO PROVIDE FOR REPEAL OF
CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.**

WHEREAS, the Mayor and Council of the City of Dallas, Georgia, are vested by the City Charter and the Constitution of the State of Georgia with full legislative authority over the zoning, development, and annexation of property within the corporate limits of the City;

WHEREAS, pursuant to Article IX, Section II, Paragraph IV of the Constitution of the State of Georgia and O.C.G.A. § 36-66-1 et seq. (the “Zoning Procedures Law”), the City of Dallas is authorized to adopt and amend ordinances governing land use, zoning, and related development matters;

WHEREAS, the City Council recognizes that certain prior provisions of the Unified Development Code have not clearly delineated the distinction between legislative and quasi-judicial functions, resulting in potential procedural inefficiencies;

WHEREAS, the purpose of this amendment is to reinforce policy that legislative decisions such as zoning map amendments, text amendments, and annexation zoning determinations are reserved exclusively to the elected City Council, while quasi-judicial determinations such as variances and administrative appeals remain properly within the jurisdiction of the Zoning Board of Appeals;

WHEREAS, the City further acknowledges that annexations, rezonings, and related land-use decisions must comply with the Georgia Zoning Procedures Act (O.C.G.A. § 36-66), the Municipal Annexation Act (O.C.G.A. § 36-36), and other applicable state laws which form the statutory basis of authority for municipal zoning and development regulation;

WHEREAS, the City Charter of Dallas, Georgia, and the Unified Development Code together provide the framework for the City to manage growth, development, and the extension of municipal services in a manner that protects the character of the community, preserves property values, and ensures consistency with adopted plans;

WHEREAS, the amendments set forth in Exhibit “A” attached hereto are necessary and appropriate to clarify administrative procedures, improve alignment with state law, and preserve the lawful separation of powers between legislative and quasi-judicial functions;

WHEREAS, the Mayor and Council find that adoption of this amendment is in the best interests of the health, safety, and general welfare of the citizens and residents of the City of Dallas, Georgia.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Dallas, Georgia, and it is hereby ordained by authority of same, as follows:

SECTION I. AMENDMENT ADOPTED.

The Unified Development Code of the City of Dallas, Georgia, is hereby amended as set forth in Exhibit “A”, incorporated herein by reference and made a part of this ordinance as if fully set forth herein.

SECTION II. SEVERABILITY.

If any section, subsection, paragraph, sentence, or clause of this ordinance shall be declared invalid by a court of competent jurisdiction, such invalidity shall not affect the remaining portions of this ordinance.

SECTION III. REPEAL OF CONFLICTING ORDINANCES.

All Ordinances, or parts of Ordinance deemed in conflict to this Amendment shall be subordinate to this Amendment.

SECTION IV. EFFECTIVE DATE.

This ordinance shall become effective immediately upon its adoption

**SO SHALL IT BE ORDAINED BY THE MAYOR AND COUNCIL OF THE
CITY OF DALLAS, GEORGIA, THIS THE ____ DAY OF
_____, 2025.**

L. James Kelly, Mayor

James R. Henson, Councilmember

Cooper Cochran, Councilmember

Nancy R. Arnold, Councilmember

Christopher B. Carter, Councilmember

Leah Alls, Councilmember

Candace Callaway, Councilmember

ATTEST:

Tina Clark, City Clerk
City of Dallas, Georgia

Date