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MEMORANDUM

To: Mayor and City Council
From: Michael Tuller, AICP, Community Development Director
Date: November 22, 2010
Subject: **Zoning Ordinance Text Amendment**

BACKGROUND

At the August 23 Mayor and City Council Meeting, Councilmember Heneghan initiated a text amendment that would modify the bike rack provision in the Dunwoody Village Overlay District to add stainless steel as an acceptable color/material finish. The City of Dunwoody Zoning Ordinance currently only allows "U-Shaped type bike racks in dark green color that matches the color of the benches [to] be installed."

RECOMMENDATION

Amending the Zoning Ordinance would allow merchants to install bike racks that are lower in maintenance, so business will be more likely to promote transportation alternatives in compliance with the City's dedication to sustainable living. Staff recommends amending the following text of Chapter 27, Article 3, Section 27-1275, "Street Furniture," to add the following:

U-Shaped type bike racks, either in dark green color that matches the color of the benches or finished stainless steel, shall be installed.

Community Council reviewed the amendment at their September 9, 2010 meeting. The Council spoke in favor of the amendment, citing the ease of maintenance and long-lasting aesthetic appeal of stainless steel racks. They voted to recommend the amendment, as written, by a vote of 4-0.

At their September 14, 2010 meeting, the Design Review Advisory Committee reviewed the text and voted to approve the amendment, as written, by a vote of 4-0.

The Planning Commission reviewed the amendment at their October 12 meeting. During public comment, it was indicated that there is a second portion of the text that requires dark green bike racks: Section 27-1273(5). The Planning Commission voted to approve the amendment (7-0) with the inclusion of the amendments in the additional section. The proposed text for Section 27-1273(5) reads as follows:

The use of bicycle racks is encouraged. Bicycle racks shall be located near building entries. The racks shall be inverted U-shaped bike racks, either dark green in color or finished stainless steel.

Ken Wright Mayor

Denis Shortal City Council Post 1
 Adrian Bonser City Council Post 2
 Doug R. Thompson City Council Post 3

Robert Wittenstein City Council Post 4
 Danny Ross City Council Post 5
 John Heneghan City Council Post 6

AN ORDINANCE OF THE CITY OF DUNWOODY AMENDING CHAPTER 27 (ZONING ORDINANCE) TO ALLOW FOR STAINLESS STEEL BIKE RACKS IN THE DUNWOODY VILLAGE OVERLAY DISTRICT

WHEREAS, the City of Dunwoody is charged with providing for the health, safety and welfare of the citizens of the City; and

WHEREAS, the City of Dunwoody Zoning Ordinance, codified as Chapter 27 of the City of Dunwoody Code of Ordinances, currently allows only dark green color bike racks in the Dunwoody Overlay District; and

WHEREAS, the City Council desires to amend the bike rack provisions to allow for stainless steel bike racks that require less maintenance, in order to promote transportation alternatives in compliance with the City’s dedication to sustainable living; and

WHEREAS, the first read of this ordinance occurred on November 8, 2010 and a properly advertised public hearing and second read of this ordinance occurred on November 22, 2010.

THEREFORE, THE MAYOR AND COUNCIL FOR THE CITY OF DUNWOODY HEREBY ORDAIN AS FOLLOWS:

Section 1: Chapter 27 (Zoning Ordinance) of the City of Dunwoody Code of Ordinances shall be amended by revising Article III (Overlay District Regulation), Division 2 (Dunwoody Village Overlay District), Section 27-1273 to read as follows:

ADDITIONS – underlined

DELETIONS – ~~strikethroughs~~

Sec. 27-1273. Parking.

The following parking regulations shall apply to all uses within the Dunwoody Village Overlay District:

...
...
...
...

(5) The use of bicycle racks is encouraged. Bicycle racks shall be located near building entries. The racks shall be inverted U-shaped bike racks, either dark green in color or finished stainless steel.

Section 2: Chapter 27 (Zoning Ordinance) of the City of Dunwoody Code of Ordinances shall be further amended by revising Article III, Division 2, Section 27-1275 to read as follows:

27-1275. Street Furniture.

The following regulations apply to street furniture for the Dunwoody Village Overlay District:

...
...

#J.4.

STATE OF GEORGIA
CITY OF DUNWOODY

ORDINANCE 2010-10-41

...
...

- (5) U-shaped type bike racks either in dark green color that matches the color of the benches, or finished stainless steel, shall be installed.

Section 3: This Amendment shall become effective immediately upon its adoption by the City Council, and incorporated into the Code of the City of Dunwoody, Georgia. This Amendment hereby repeals any and all conflicting ordinances and amendments.

SO ORDAINED, this 22nd day of November, 2010.

Approved:

Ken Wright, Mayor

ATTEST:

Approved as to Form and Content:

Sharon Lowery, City Clerk
(Seal)

Brian Anderson, City Attorney