



MEMORANDUM

To: Mayor and City Council

From: Michael Tuller

Date: July 11, 2011

Subject Revisions and Re-adoption of the City of Dunwoody City Code Chapter 27 and all Previous Amendments

The purpose of the item before you is to readopt the Zoning Ordinance and all previous revisions. The most current version of the Zoning Ordinance to be readopted is attached, save for the following amendments to be discussed tonight. The Zoning Ordinance can be found on Municode, Chapter 27:
<http://library.municode.com/index.aspx?clientId=14784&stateId=10&stateName=Georgia>.

BACKGROUND: PAVED REVISIONS

The following amendments to Section 27-1, Definitions, were adopted by Mayor and City Council on January 24, 2011, but they have not been amended on the attached version of the Zoning Ordinance:

Paved means an improved area, ~~which is~~ covered by asphalt, concrete, or other ~~impervious surface~~ hard surface material, which may or may not be impervious. “Paved” specifically excludes dry gravel and similar materials as a finished product.

Pervious Surface means a ground covering of hard-surfaced material(s) placed in an improved area, for such uses as walkways and pedestrian plazas/terraces, on-grade vehicle parking lots, and driveways. Pervious surfaces include but are not limited to porous concrete and modular porous paver systems that are designed to allow infiltration of stormwater, consistent with Stormwater BMPs. Pervious paving areas shall not be considered as “impervious surface areas” for the purposes of calculating impervious surface coverage.

BACKGROUND: DVOD REVISIONS



In March, the Mayor and City Council adopted the Dunwoody Village Master Plan, and later that month the City began our first implementation project: improving the pedestrian and cycling environment of the Dunwoody Village Parkway. The Dunwoody Village Master Plan establishes a vision for Dunwoody Village Parkway that reduces the number of vehicular travel lanes to one lane in each direction to allow for on street bicycle lanes; wide sidewalks; and landscape buffers between the vehicular travel lanes and sidewalks to include street trees, pedestrian lighting, and roadway lighting. These recommendations promote the connectivity, safety, and sense of place desired in the Dunwoody Village. Additionally, there are current projects and potentially future projects built by the private sector that would require variances to build to the standard set forth in the Dunwoody Village Master Plan.

However, some of the specified distances and placements of components, such as the **"furniture/tree/landscape zone,"** in the current Dunwoody Village Overlay District Regulations conflict with the recommendations of the Master Plan. Although the Dunwoody Village Overlay District Regulations continue to be an important part of ensuring new development and redevelopment remains in keeping with the architectural style of the Village, for the pedestrian environment, the Master Planning process benefits from additional community input and best practices in urban design.

On April 11, 2011, Mayor and City Council initiated a text amendment for revisions to the Dunwoody Village Overlay District requirements to make them consistent with the Master Plan recommendations. Included in your documentation this evening, you will find excerpts from the Dunwoody Village Master Plan that define the recommendations for streetscaping in the study area based on community input and consultant feedback.

The DVOD text amendment is based on those recommendations. In particular, page 43 of the Master Plan text identifies 12 feet as the desirable dimension of a sidewalk for Dunwoody Village Parkway, to be installed as redevelopment opportunities arise. Some concern has been stated that the proposed amendments would require construction at the adoption of the ordinance. The ordinance amendments below require sidewalk dimensions be increased to an aggregate of 12 feet; however, landowners would not be required to add to the existing sidewalk until such a time that improvements are made. Also on page 43, the Master Plan speaks to the preferable sidewalk dimension on Chamblee Dunwoody Road—10-12 feet to be able to accommodate multi-modal transportation. Lastly, page 44 identifies a desired **10-12 foot sidewalk along Mount Vernon Road. For consistency's sake** and to capitalize on redevelopment opportunities in the Dunwoody Village Overlay District (DVOD), staff recommends requiring the full 12-foot dimension as amended in the text below. Doing so will enrich the character of the DVOD into becoming a vibrant, pedestrian-oriented downtown with improved access, protection for non-vehicular transportation, and vitality.



Sec. 27-1265. - Purpose and intent.

The purpose and intent of the city council is to reaffirm the Dunwoody Village Overlay District as follows:

- (1) To implement the policies and objectives of the most current version of the City of Dunwoody Comprehensive Plan ~~2008-2028~~ and the policies and objectives of the Dunwoody Village ~~Commercial Core Design~~ Guidelines guidelines and streetscape improvements;
- (2) To ensure that new developments and additions to existing buildings are compatible with the pre-1900 Mid Atlantic American Colonial Architecture that is characteristic of the district;
- (3) To strengthen the identity of the Dunwoody Village commercial core as the heart of the Dunwoody District 1 neighborhood;
- (4) To create new opportunities for public open spaces and gathering spaces in the commercial core of Dunwoody;
- (5) To ensure that new developments within the commercial core are pedestrian-friendly, provide places for civic activities and encourage pedestrian gathering and strolling;
- (6) To improve the visual appearance resulting in increased property values, and reduce vacancy rates within the Dunwoody Village Overlay District Area;
- (7) To enhance and soften the environment by striving to increase the quantity and quality of landscaping associated with new and existing development, reduce the amount of paved surfaces associated with public and private spaces and make the entire community more attractive and pedestrian friendly.

Sec. 27-1269. - Architectural regulations.

The following architectural regulations shall apply to all uses and structures, within the Dunwoody Village Overlay District:

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- (3) *Massing.* The massing of all buildings shall comply with the following requirements:
 - a. Any building that is longer than 75 feet shall be designed so as to appear as multiple structures through the use of varied roof forms, building projections, or architectural details.
 - b. The apparent exterior floor-to-floor height of each story of a building shall be limited to 12 feet. Individual floors shall be delineated on the building facade through the use of window placement and horizontal details.
 - c. Buildings shall have at least one building projection on the front facade below the eave line. Building projections consist of stoops, bay windows, covered porches, extruded entrances, and pedestrian arcades.



- d. Building height is limited to 35 feet when measured from the first floor (street elevation floor) elevation to the peak of the highest ridge line. Cupolas or widow's walks are not considered roof and are not included in the height measurement.
- e. Primary building walls shall be rectilinear and simplified in form. With the exception of bay projections, curved walls or non-90-degree corners are prohibited.
- f. Buildings that are longer than 100 feet shall provide no less than ten lineal feet of pedestrian arcade or covered porch.
- g. Porches shall be not less than eight feet in any direction. Metal columns are prohibited. Columns shall contain a base and a capital, and shall generally align with story heights. Two-story columns are prohibited. All exterior columns will be traditional in style.
- g-h. Front building façade shall be positioned so as to be no more than ten (10) feet from the required streetscape improvements.

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Sec. 27-1270. - Sidewalk and pedestrian crosswalks.

A pedestrian zone shall be established that will include a 6 foot landscaping area originating from the back of curb toward the adjacent property. The landscaping area will adjoin a 12 foot sidewalk on the side opposite to the travel lanes. The following sidewalks and pedestrian crosswalks and regulations shall apply to all uses and within the Dunwoody Village ~~Commercial~~-Overlay District:

(1) Landscape buffers between travel lanes and multi-use path shall provide the following:

- a. Street Trees placed every 50 feet on center.
 - i. Maintenance of such trees is the full responsibility of the owner of the adjacent site or the owner of the property on which the tree is located if it is located on private property.
 - ii. Trees species may be selected from the attached street tree appendix; alternative cultivars may be approved on a case-by-case basis with the approval of the City Arborist.
 - iii. -Tree sizing shall be a minimum of two and one-half (2 ½)-inch caliper, and shall be no less than ~~ten~~eight (8) feet in height. As the street trees mature, they shall be limbed to seven feet above the sidewalk.

(2) Sidewalks shall conform to the following:

- a. Sidewalks shall be paved using concrete.
- b. Where a sidewalk exists conforming to the standards herein except for the width, the developer must supplement the existing sidewalk width, adding -width to create a 12 foot sidewalk.
- c. Streetscaping performed as a function of City initiated redevelopment shall provide a path at least 6 feet wide.



(3) Pedestrian lighting shall be provided according to the outdoor lighting efficiency ordinance as prescribed herein and according to the following provisions:

- a. Pedestrian and street lighting shall be placed in the landscape zone at intervals of 50 feet on center.
- b. Streetlights shall be Generation ARC by Cooper 150 watt from Georgia Power. Poles for the lights shall be Grandville by Hapco from Georgia Power.
- c. Lamps must be powered with energy-efficient LED bulbs or comparable efficient technology
- d. Poles and fixtures shall be dark green.

(4) Furniture shall provided according to the following:

- a. Benches and trash and recycling receptacles are to be installed every 250 feet or any fraction thereof along the public street and at each building entrance adjacent to a pedestrian walkway.
- b. Benches shall be Victor Stanley Classic Model c-138 series. Bench colors shall be natural wood stain, with dark green.
- c. Trash and recycling receptacles shall be Victor Stanley Concourse series and shall be firmly anchored to the ground.
 - i. Maintenance of trash and recycling receptacles, including servicing, repair, and replacement, is the full responsibility of the nearest adjacent property owner.
 - ii. Recycling receptacles shall be clearly identified with symbols and/or text that indicates it shall be used for recyclables.

~~(1) Public sidewalks shall be located adjacent to all public streets and be a minimum of 15 feet wide as follows:~~

- ~~a. Along the curb there shall be a clear four foot grass strip to provide a buffer between the pedestrian and the traffic (this strip can be planted with either warm season grass or mondo grass).~~
- ~~b. Next to the buffer strip there should be a seven foot concrete sidewalk.~~
- ~~c. Next to the sidewalk and away from the street there shall be a four foot furniture/tree/landscape zone:~~
 - ~~i. Park benches are to be installed every 100 foot on a ten-foot-wide by four-foot-deep brick pad. Benches shall be Victory Stanley Classic Model c-138 series. Bench colors shall be natural wood stain, with dark green.~~
 - ~~ii. Each bench shall have an approved dark green trash container (style to be selected).~~
 - ~~iii. Street trees are to be installed at 50 foot intervals (between the benches). Trees shall be either Hightower Willow Oak, Highpoint Nuttall Oaks or Allee Lacebark~~



~~Elm. Tree sizing shall be a minimum of three inch caliper and shall be no less than ten feet in height. As the street trees mature, they shall be limbed to seven feet above the sidewalk.~~

~~iv. Streetlights shall be installed at 100 foot intervals. Streetlights shall be Generation ARC by Cooper 150 watt from Georgia Power. Poles for the lights shall be Grandville by Hapco from Georgia Power. Poles and lamps shall be dark green.~~

~~v. Between the brick bench area and the tree base, a slightly raised bed shall be installed, planted either with controlled low growing evergreen bushes (needled plants not permitted), annual flowers or mondo grass.~~

~~d. Behind the landscape bench area warm season grass shall be planted.~~

~~e. Maintenance of the entire planting area is the responsibility of the property owner.~~

~~f. Owners are encouraged to install drip sprinkler systems to ensure proper development and prosperity of the plant material.~~

~~g. The tree area and landscape zone may have to be adjusted due to overhead wires, but any adjustment must be approved by the design review advisory committee.~~

~~(2)(5)~~ _____ Pedestrian walkways shall be located at all building entrances. All buildings shall provide a ten-foot minimum pedestrian zone between the building and parking area. The pedestrian zone shall contain walkways, planting areas, plazas, and similar landscaped spaces. All pedestrian walkways shall be a minimum of six feet wide and finished with brick pavers.

~~(3)(6)~~ _____ All public sidewalks and pedestrian walkways shall be continuous where possible and shall connect to other pedestrian areas through painted or raised crosswalks. All entrances to crosswalks and sidewalks should include handicap ramps per code.

~~(4)(7)~~ _____ All utilities shall be placed under ground.

~~(5)(8)~~ _____ The front entrance of all buildings shall be easily and safely accessible to pedestrians from the public sidewalk through a combination of pedestrian walkways and crosswalks.

~~(6)(9)~~ _____ Covered sidewalks that are a part of the building and that are located within the buildable area of the lot are encouraged where possible. Such covered sidewalks may be used for outdoor seating and dining, and as terraces and arcades.

~~(7)(10)~~ _____ In multi-tenant retail buildings, a continuous, unimpeded walkway shall be provided to connect all business entrances.

[Sec. 27-1271.](#) - Landscaping.

The following landscaping regulations shall apply to all uses and structures with the Dunwoody Village Overlay District:



- (1) ~~All landscape surveys and site plans shall be appropriately scaled drawings, prepared and sealed by a registered landscape architect or certified arborist. The use of a registered landscape architect is strongly recommended, but not required.~~
- (2) Each lot shall provide a planted area or areas in the front yard near the building entrance that consists of a total area no less than five percent of the building area. Such planted area or areas may consist of grassed areas, linear beds along the building, raised planters, and similar landscaped areas.
- (3) The landscaping on each lot shall contain the following landscape elements: flowerbeds, shrubs, and at least two (2), three-inch caliper trees.
- (4) With the exception of trees, landscape elements including shrubs shall not exceed four feet in height when mature.
- ~~(5) As stated above, street trees are required along all public streets.~~
- ~~(6)~~(5) ~~All medians shall be~~No landscaped ~~with~~ plant material ~~that does not~~may interfere with vehicle safety and driver visibility. Plant material and placement should be approved by the city public works department prior to approval of the design review advisory committee. Concrete-only medians are prohibited.

Sec. 27-1272. - Lighting.

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

- (1) All lots shall provide streetlights, parking lights, pedestrian lights, and indirect building lights. ~~With the exception of indirect building lights, all light fixtures shall be of a design that is compatible with the Village/Colonial style. All freestanding exterior light fixtures shall be black or dark green.~~
- (2) Public streetlights shall be provided along public rights-of-way, as specified in subsection ~~(43)~~ of this section.
- (3) Parking lights shall be provided in all parking areas where it is anticipated that parking usage will occur after dark. The owner shall submit designs for approval. ~~The style shall be consistent with the pre-1900 Mid Atlantic American Colonial Architecture, but if~~If the fixtures exceed fifteen feet in height, they shall project downward, and shall be spaced in a uniform manner so as to provide full lighting for the parking area.
- (4) Pedestrian lights shall be provided within high-volume pedestrian areas, and around public and private open space. Pedestrian lights shall be spaced a maximum of 25 feet apart and shall be evenly spaced so as to provide full lighting for pedestrian areas.
- (5) ~~Indirect building lighting is encouraged and when installed, it shall be located no more than ten feet from the face of the building and in a location and direction that does not impair vehicular safety or cross pedestrian walkways.~~



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Sec. 27-1275. Street furniture

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

- ~~(1) At least one bench and one trash receptacle per 7,500 square feet of retail area shall be provided on each lot and shall be located no more than 50 feet from a building entry. This is in addition to the requirements in the public sidewalk section above.~~
- ~~(2) All benches and trash receptacles shall be accessible from a building entrance by a pedestrian walkway. Benches and trash receptacles shall be used in conjunction with other pedestrian amenities such as planters, landscaped areas, and outdoor tables. Benches and trash receptacles shall not contain signs.~~
- ~~(3) Benches shall be Victor Stanley Classic Model c-138 series. Bench colors shall be natural wood stain, with dark green. Each bench shall have an approved trash container.~~
- ~~(4) Trash receptacles shall be Victor Stanley Concourse series. Trash receptacles shall be dark green. Trash receptacles shall be firmly anchored to the ground.~~
- ~~(5)(1) _____ U-shaped type bike racks either in dark green color that matches the color of the benches, or finished stainless steel, shall be installed.~~

TREE APPENDIX

Tall Street Trees:

- 1. American Beech
- 2. American Elm
- 3. American Holly
- 4. American Hornbeam
- 5. Baldcypress
- 6. Bigleaf Magnolia
- 7. Black Walnut
- 8. Blackgum
- 9. Carolina Silverbell
- 10. Cherrybark Oak
- 11. Chinkapin Oak
- 12. Eastern Hophornbeam
- 13. Eastern Red Cedar
- 14. Northern Red Oak
- 15. Nuttall Oak

- 16. Overcup Oak
- 17. Pignut Hickory
- 18. Pond Cypress
- 19. Post Oak
- 20. Red Maple
- 21. River Birch
- 22. Sassafras
- 23. Scarlet Oak
- 24. Shumard Oak
- 25. Sourwood
- 26. Southern Red Oak
- 27. Sugar Maple
- 28. Sweetbay Magnolia
- 29. White Oak
- 30. Willow Oak
- 31. Winged Elm

32. Yellow Buckeye

Medium Street Trees:

- 1. American Fringe Tree
- 2. Chalkbark Maple
- 3. Downy Serviceberry
- 4. Eastern Redbud
- 5. Flowering Dogwood
- 6. Georgia Oak
- 7. Crabapple
- 8. Pawpaw
- 9. Winterking Hawthorn



Small Street Trees:

4. Witchhazel

1. American Snowbell

2. Anne Magnolia

3. Walking Stick

BACKGROUND: COUNTY REFERENCES

Public noticing requirements for Public Hearings/meetings are prescribed in Article V of the City of Dunwoody Zoning Code. Included is a requirement that legal ads be placed in a newspaper of general circulation within the county. For the purpose of clarity and correctness, the City Attorney has requested that the vestigial incidences of "county" in the Zoning Code be changed to "City" in relation to public noticing. Additionally, the legal department has requested that we delete the instances of "city" in relation to superior court. The changes are indicated in red below.

Sec. 27-738. – Design and development standards.

...
(4)

b. That all subsequent property owners in perpetuity within said traditional neighborhood development district be placed on notice of this development restriction through the deed records of ~~city~~ superior court;

...

f. That all requirements of the legal mechanism chosen by the applicant and approved by the department of law shall be specified on the final plan and recorded with the clerk of the ~~city~~ superior court.

...
(5)

f. That all required covenants, declarations and restrictions shall be filed with the clerk of the ~~city~~ superior court.

Sec. 27-750. – Recording of final plat by community development director.

The community development director shall, after final approval of any development plan for TND, record said final plat with the clerk of the ~~city~~ superior court.

Sec. 27-784. – Recording of final plat by community development director.

The community development director or his designees shall, after final approval of any development plan for NCD, record said final plat with the clerk of the ~~county~~ superior court.

Sec. 27-1114. – Maintenance of common land.

(a)
...



(2) That all subsequent property owners of property within the parcel and development are placed on notice of this development restriction through the deed records of the ~~city~~-superior court;

...

(6) That all requirements of the legal mechanism chosen by the applicant and approved by the city attorney be specified on the final plat and recorded with the clerk of the ~~city~~-superior court.

...

(b)

(6) That all required covenants, declarations and restrictions be filed with the clerk of the ~~city~~-superior court.

Sec. 27-1341. – Relatives’ residence in single-family residential districts.

...

(5) Paved off-street parking shall be provided for additional vehicles as needed. Permits for the second kitchen facility shall not be issued until such time as the real property owner has applied to and received from the community development director or his designee a relative residence permit. The relative residence permit shall be in recordable form and, upon execution, shall be recorded in the office of the clerk of the superior court. The director of public works shall provide a copy of each such permit to the ~~city~~-board of tax assessors. The unit shall be removed when it is vacated by the relatives for whom the unit was installed.

Sec. 27-1371. - Same—Ownership, control, and maintenance of required greenspace.

...

(b)

(2) That all subsequent property owners in perpetuity within said conservation subdivision be placed on notice of this development restriction through the deed records of the ~~city~~-superior court;

...

(6) That all requirements of the legal mechanism chosen by the applicant and approved by the city attorney shall be specified on the final plat and recorded with the clerk of the ~~city~~-superior court.

...

(c)

(5) That all required covenants, declarations and restrictions shall be filed with the clerk of the ~~city~~-superior court.

Sec. 27-1443. – Notice of Public Hearings.

(a) For any zoning decision initiated by the city, at least 15 but not more than 45 days prior to the date of the public hearing before the city council, the city shall cause to be published, in a newspaper of general circulation within the territorial boundaries of the ~~county-city~~ a notice of the hearing. The notice shall state the time, place, and purpose of the hearing.



...

(3) The city shall cause a notice of the public hearing regarding the proposed zoning decision to be published in a newspaper of general circulation within the county-city at least eight days before the community council meeting and a separate notice at least 15 days prior to the hearing before the planning commission and not more than 45 days prior to the public hearing before the city council.

Sec. 27-1571. – Power and duty of the board to hear appeals of decisions of administrative officials.

...

(2) ***Appeal stays all legal proceedings.*** An appeal stays all legal proceedings in furtherance of the action appealed from unless the official from whom the appeal is taken certifies to the board, after notice of appeal has been filed, that by reasons of facts stated in the certificate, a stay would, in that official's opinion, cause imminent peril to life and property. In such a case, proceedings shall be stayed only by a restraining order granted by the city-superior court on notice to the officer from whom the appeal is taken and on due cause shown.

Sec. 27-1575. – Notice of Public Hearings.

...

(3) Notice of the nature of the proposed application and the date, time and place of the public hearing before the board shall be published in the newspaper of general circulation within the county-city in which are carried the legal advertisements of the county-city at least 30 days prior to the date of the hearing before the board and not more than 45 days prior to the date of the hearing before the board.

Sec. 27-1579. – Appeals of decisions of the zoning board of appeals.

...

(1) Any person aggrieved by a final decision of the board, or any officer, department, board or agency affected by such decision, may seek review of such decision by petitioning the county-superior court for a writ of certiorari, setting forth plainly the alleged errors. Such petition shall be filed within 30 days after the final decision of the board is rendered.

(2) Notice to board. In any such petition filed, the zoning board of appeals shall be designated the respondent in certiorari and the city the defendant in certiorari. The secretary of the zoning board of appeals shall be authorized to acknowledge service of a copy of the petition and writ for the zoning board of appeals as respondent. Service upon the city as defendant shall be as otherwise provided by law. Within the time prescribed by law, the zoning board of appeals shall cause to be filed with the clerk of the county-superior court a duly certified record of the proceedings had before the board, including a transcript of the evidence heard before it, if any, and the decision of the board.



RECOMMENDATION

Since the original revisions were compiled, additional discrepancies in the existing code were discovered. Chapter 27, Section 27-359(3) references *Board of Commissioners* and should be amended to read *Mayor and City Council*. Community Council voted 5-0 in favor of the revisions and re-adoption, including this additional section. They also recommended that the text for the SLUP process be amended to include Community Council in the process.

The Design Review Advisory Committee reviewed the text as it related to the Dunwoody Village Overlay District changes and made the following statement, as provided in the meeting minutes:

Discussion was had. Bill Robinson motioned that the Design Review Advisory Committee **disagrees with the changes to the "Revisions and Re-adoption of the City of Dunwoody City Code Chapter 27 and all Previous Amendments;"** this committee recommends they not be approved for a variety of reasons, but primarily because of the 12 foot sidewalk requirement and the requirement that existing sidewalks be modified to conform with the 12 foot sidewalk, until such time as a member of the City staff comes before this committee and explains the logic behind these. The DV master plan indicates up to 12 foot sidewalks for only two streets, not the whole village; the concept map shows 6 foot sidewalks. A 12 foot sidewalk is the same width as a driveway and a lane of traffic. Adding 6 more feet will replace 600 feet of green space per 100 linear feet with concrete, result in removal of numerous signature trees, cover buried utility lines, and in some cases require existing parking to be eliminated. Mixing pedestrians and bicycles is dangerous and parallel parking is not desirable. A pad for street furniture is not identified, so it must be sited on the sidewalk. Bill Grant seconded. The motion was voted and carried unanimously (5-0).

At the June Planning Commission Meeting, members voted 6-0 to approve the text amendments, as presented, with the condition that sidewalk width is changed from 12 to 8 feet in the Dunwoody Village Overlay District streetscaping guidelines.

Lastly, three sections were discovered that are recommended to be amended in the following manner: Section 27-1273 of the Dunwoody Village Overlay District regulates parking. Subsequent to the Community Council Meeting, staff discovered that bicycle racks were only encouraged near pedestrian entrances and would like to make it a requirement of this section. The provision requiring LED lamps in Section 1270(3)(c) should be moved to Section 27-1272(5) at the recommendation of the Director of Public Works. Additionally, Section 27-1270(3) should be changed to that the 50 foot spacing requirement for sidewalk lighting is 90-100 feet, and a maximum pole height of 15 feet. Section 27-1272(4) is recommended to be changed so the spacing requirement for all other pedestrian lighting is changed from every 25 feet to a deferral to Section 27-1324, Lighting, which specifies the minimum requirements for lighting city-wide.



Staff recommends adoption of the aforementioned revisions, all previous revisions, and re-adoption of the Zoning Ordinance.



STREETSCAPE IMPROVEMENTS

To enhance walkability within Dunwoody Village pedestrian facilities (sidewalks, ramps, crossings) and the pedestrian environment (storefronts, lighting, benches, trash receptacles, etc.) must both be improved. Four significant streetscape (sidewalk, landscape, and lighting) projects are recommended for the Dunwoody Village.

Enhancements to Dunwoody Village Parkway are under design as part of a Transportation Enhancement Grant awarded to the City. Elements of the plan include:

- Reduction in the number of travel lanes from 2 in each direction to 1 northbound and 1 southbound lane
- On-street bicycle lanes
- Landscape buffers 6-feet in width between travel lanes and sidewalks
- Street trees, pedestrian lighting, and roadway lighting within the landscape buffer
- 6-foot wide sidewalks in the short-term with potential to widen to 12-feet as part of future improvements and/or redevelopment
- Flexibility to add on-street parking on the west side of Dunwoody Village Parkway as part of future park development and/or private redevelopment

With future enhancements, efforts should be made to reduce the number of curb cuts along the roadway to limit potential conflict points between motorized vehicles, bicycles, and pedestrians.

Streetscape improvements should be undertaken for Chamblee Dunwoody Road in two phases. The first phase would improve the roadway from Mount Vernon Road to Roberts Drive (approximately 2,700 linear feet). Elements should include:

- Landscape buffers no less than 4 feet in width and preferably 6 feet in width between the roadway and pedestrian sidewalks
- Street trees, pedestrian lighting, and roadway lighting within the landscape buffer
- Wider sidewalks no less than 8 feet in width, preferably 10-12 feet wide
- Off-street bicycle facility on one side of the street (5-foot dedicated path or as part of a 12-foot multi-use path)
- Intersection enhancements including new mast arm traffic signals, pedestrian signals, high visibility crosswalks, and ADA Ramp improvements where necessary
- Removal of overhead utility lines and replace with underground utility lines
- Access management considerations to reduce and limit curb cuts and potential conflict areas along the corridor



The second phase of streetscape improvements along Chamblee Dunwoody Road (approximately 1,300 linear feet) should include the area from Mount Vernon Road south to Ashford Center Parkway.

- Landscape buffers no less than 4 feet in width between the roadway and pedestrian sidewalks
- Street trees, pedestrian lighting, and roadway lighting within the landscape buffer
- Wider sidewalks no less than 8 feet in width,
- Off-street bicycle facility on one side of the street as part of a 12-foot multi-use path
- Intersection enhancements including new mast arm traffic signals, pedestrian signals, high visibility crosswalks, and ADA Ramp improvements where necessary
- Removal of overhead utility lines and replace with underground utility lines

Multi-modal improvements along Mount Vernon Road from Ashford Dunwoody Road to Wickford Way (approximately 3,500 linear feet) should include:

- Landscape buffers no less than 4 feet in width and preferably 6 feet in width between the roadway and pedestrian sidewalks
- Street trees, pedestrian lighting, and roadway lighting within the landscape buffer
- Wider sidewalks no less than 8 feet in width, preferably 10-12 feet wide adjacent to the proposed Village Center
- Off-street bicycle facility on one side of the street (5-foot dedicated path or as part of a 12-foot multi-use path on the north side of Mount Vernon Road)
- Intersection enhancements including new mast arm traffic signals, pedestrian signals, high visibility crosswalks, and ADA Ramp improvements where necessary
- Removal of overhead utility lines and replace with underground utility lines
- Access management considerations to reduce and limit curb cuts and potential conflict areas along the corridor

Finally, pedestrian and bicycle enhancements on Ashford Center Parkway and/or Womack Road should consider:

- On-street bicycle lanes or shared lanes
- Landscape buffers no less than 4 feet in width between the roadway and pedestrian sidewalks
- Street trees, pedestrian lighting, and roadway lighting within the landscape buffer
- Wider sidewalks along both sides of major roadways no less than 6 feet in width
- Intersection enhancements including new mast arm traffic signals, pedestrian signals, high visibility crosswalks, and ADA Ramp improvements where necessary
- Extension of the Ashford Center Parkway median when and where feasible

BICYCLE ROUTES

A combination of on-street and off-street bicycle routes will be necessary to enhance the ability of bicycles to traverse the area more easily. On-street bicycle routes should be included on Dunwoody Village Parkway and as part of new internal street grid through the Village Center. On-street bicycle lanes should be 5 feet in width to meet AASHTO standards.

Off-street bicycle lanes should be considered as part of multi-use trails on one side of Mount Vernon Road and Chamblee Dunwoody Road due to high traffic volumes, the number of conflicts, and other safety concerns. Multi-use paths are typically 12-15 feet in width on one side of a street and accommodate pedestrians (runners/joggers), recreational bicyclists, and sometimes electric carts and/or other devices. Alternatively, dedicated off-street bicycle lanes between landscape buffers and pedestrian sidewalks should be 8 feet or greater in width.

These bicycle routes should be tied into a Citywide network of bicycle facilities in coordination with the City's Comprehensive Transportation Plan.



MULTI-USE PATHS/TRAILS

To further enhance connectivity to and from the Dunwoody Village, multi-use paths and trails should be considered, if desired by adjacent neighborhoods, to connect surrounding single-family neighborhoods to the Village. These paths would be 12-15 feet wide to accommodate pedestrians, bicycles, and potentially electric-carts (golf carts) or other devices. Trails would require cooperation within the neighborhoods to determine a proper location and property easements for the City to assist with construction of the path. The City of Dunwoody should consider a policy regarding these paths if individual neighborhoods desire their implementation.

Based upon public involvement in the Dunwoody Village Master Plan, potential priority locations for off-street multi-use trails include:

- A dedicated east-west path through the Village Center in conjunction with the realization of one of the recommended east-west roadways
- Potential links to adjacent neighborhoods (if the neighborhoods desire them and assist in defining the appropriate path):
 - The Branches,
 - Wynterhall,
 - Wyntercreek, and
 - Vernon North.



STATE OF GEORGIA
CITY OF DUNWOODY

ORDINANCE 2011-01-01

AN ORDINANCE OF THE CITY OF DUNWOODY AMENDING CHAPTER 27 (ZONING ORDINANCE) TO CHANGE CERTAIN DEFINITIONS TO ALLOW PARKING ON PERVIOUS SURFACES

- 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 only allows vehicular parking on impervious surfaces, such as concrete and asphalt; and
- WHEREAS,** in order to preserve the environment for the health, safety and welfare of the citizens of the City, the City Council desires to allow for vehicle parking on pervious surfaces, which provide the strength and stability of impervious surfaces but allow precipitation to absorb through the paving, providing a level of filtration of toxic materials and reducing stormwater runoff and its adverse effects; and
- WHEREAS,** the first read of this ordinance occurred on December 13, 2010 and a properly advertised public hearing and second read of this ordinance occurred on January 24, 2011.

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 I (In General), Section 27-1 (Definitions) to revise the definition of the term "paved" and add a definition of the term "pervious surface" as follows:

Paved means an improved area, covered by asphalt, concrete, or other hard surface material, which may or may not be impervious. "Paved" specifically excludes dry gravel and similar materials as a finished product.

Pervious Surface means a ground covering of hard-surfaced material(s) placed in an improved area, for such uses as walkways and pedestrian plazas/terraces, on-grade vehicle parking lots, and driveways. Pervious surfaces include but are not limited to porous concrete and modular porous paver systems that are designed to allow infiltration of stormwater, consistent with Stormwater BMPs. Pervious paving areas shall not be considered as "impervious surface areas" for the purposes of calculating impervious surface coverage.

Section 2: 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 24th day of January, 2011.

STATE OF GEORGIA
CITY OF DUNWOODY


ORDINANCE 2011-01-01

Approved:



Ken Wright, Mayor

ATTEST:


Sharon Lowery, City Clerk
(Seal)

Approved as to Form and Content:


Brian Anderson, City Attorney

AN ORDINANCE OF THE CITY OF DUNWOODY READOPTING THE CITY OF DUNWOODY ZONING ORDINANCE, CHAPTER 27 OF THE CITY CODE, WITH ALL PREVIOUSLY-PASSED AMENDMENTS; REVISING CERTAIN PROVISIONS OF CHAPTER 27 TO CONFORM TO COMPREHENSIVE PLAN AND 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 adopted in 2008, and codified in 2010, the Zoning Ordinance, codified as Chapter 27 of the City of Dunwoody Code of Ordinances, along with all amendments thereto; and
- WHEREAS,** the City of Dunwoody has, since the adoption of the Zoning Ordinance, adopted the City of Dunwoody Comprehensive Plan as well as the Dunwoody Overlay District Master Plan, which envisions City’s use for the future; and
- WHEREAS,** the first read of this ordinance occurred on July 11, 2011 and a properly advertised public hearings and second read of this ordinance occurred on July 25, 2011.

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

ADDITIONS – underlined
DELETIONS – ~~strikethroughs~~

Section 1: Chapter 27 (Zoning Ordinance) of the City of Dunwoody Code of Ordinances is hereby readopted in its entirety as attached hereto and incorporated herein, including all previously adopted Amendments thereto, including Ordinance 2011-01-01, as passed on January 24, 2011 by the Dunwoody Mayor and City Council but not yet codified herein, and all amendments and revisions as described herein in the below sections of this Ordinance.

Section 2: Chapter 27 of the City of Dunwoody Code of Ordinances is hereby amended by revising Article III (“Overlay District Regulations”), Division 3 (“Dunwoody Village Overlay District”), Sections 27-1265 (“Purpose and Intent), 27-1269 (“Architectural Regulations”), 27-1270 (“Sidewalks and Pedestrian Crosswalks”), 27-1271 (“Landscaping”), 27-1272 (“Lighting”), and 27-1275 (“Street Furniture”) to read as follows:

Sec. 27-1265. Purpose and Intent.

The purpose and intent of the City Council is to reaffirm the Dunwoody Village Overlay District as follows:

- (1) To implement the policies and objectives of the most current version of the City of Dunwoody Comprehensive Plan ~~2008-2028~~ and the policies and objectives of the Dunwoody Village ~~Commercial Core Design~~ Guidelines guidelines and streetscape improvements;

- (2) To ensure that new developments and additions to existing buildings are compatible with the pre-1900 Mid Atlantic American Colonial Architecture that is characteristic of the district;
- (3) To strengthen the identity of the Dunwoody Village commercial core as the heart of the Dunwoody District 1 neighborhood;
- (4) To create new opportunities for public open spaces and gathering spaces in the commercial core of Dunwoody;
- (5) To ensure that new developments within the commercial core are pedestrian-friendly, provide places for civic activities and encourage pedestrian gathering and strolling;
- (6) To improve the visual appearance resulting in increased property values, and reduce vacancy rates within the Dunwoody Village Overlay District Area;
- (7) To enhance and soften the environment by striving to increase the quantity and quality of landscaping associated with new and existing development, reduce the amount of paved surfaces associated with public and private spaces and make the entire community more attractive and pedestrian friendly.

Sec. 27-1269. Architectural Regulations.

The following architectural regulations shall apply to all uses and structures, within the Dunwoody Village Overlay District:

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- (3) *Massing.* The massing of all buildings shall comply with the following requirements:
 - a. Any building that is longer than 75 feet shall be designed so as to appear as multiple structures through the use of varied roof forms, building projections, or architectural details.
 - b. The apparent exterior floor-to-floor height of each story of a building shall be limited to 12 feet. Individual floors shall be delineated on the building facade through the use of window placement and horizontal details.
 - c. Buildings shall have at least one building projection on the front facade below the eave line. Building projections consist of stoops, bay windows, covered porches, extruded entrances, and pedestrian arcades.
 - d. Building height is limited to 35 feet when measured from the first floor (street elevation floor) elevation to the peak of the highest ridge line. Cupolas or widow's walks are not considered roof and are not included in the height measurement.

- e. Primary building walls shall be rectilinear and simplified in form. With the exception of bay projections, curved walls or non-90-degree corners are prohibited.
- f. Buildings that are longer than 100 feet shall provide no less than ten lineal feet of pedestrian arcade or covered porch.
- g. Porches shall be not less than eight feet in any direction. Metal columns are prohibited. Columns shall contain a base and a capital, and shall generally align with story heights. Two-story columns are prohibited. All exterior columns will be traditional in style.
- h. Front building façade shall be positioned so as to be no more than ten (10) feet from the required streetscape improvements.

Sec. 27-1270. Sidewalks and pedestrian crosswalks.

A pedestrian zone shall be established that will include a six (6) foot landscaping area originating from the back of curb toward the adjacent property. The landscaping area will adjoin a 12 foot sidewalk on the side opposite to the travel lanes. The following sidewalks and pedestrian crosswalks and regulations shall apply to all uses and within the Dunwoody Village ~~Commercial~~ Overlay District:

- ~~(1) Public sidewalks shall be located adjacent to all public streets and be a minimum of 15 feet wide as follows:~~
 - ~~a. Along the curb there shall be a clear four foot grass strip to provide a buffer between the pedestrian and the traffic (this strip can be planted with either warm season grass or mondo grass).~~
 - ~~b. Next to the buffer strip there should be a seven foot concrete sidewalk.~~
 - ~~c. Next to the sidewalk and away from the street there shall be a four-foot furniture/tree/landscape zone:~~
 - ~~i. Park benches are to be installed every 100 foot on a ten-foot-wide by four foot deep brick pad. Benches shall be Victory Stanley Classic Model c-138 series. Bench colors shall be natural wood stain, with dark green.~~
 - ~~ii. Each bench shall have an approved dark green trash container (style to be selected).~~
 - ~~iii. Street trees are to be installed at 50 foot intervals (between the benches). Trees shall be either Hightower Willow Oak, Highpoint Nuttall Oaks or Allee Lacebark Elm. Tree sizing shall be a minimum of three-inch caliper and shall be no less than ten feet in height. As the street trees mature, they shall be limbed to seven feet above the sidewalk.~~
 - ~~iv. Streetlights shall be installed at 100 foot intervals. Streetlights shall be Generation ARC by Cooper 150 watt from Georgia Power. Poles for the~~

~~lights shall be Grandville by Hapco from Georgia Power. Poles and lamps shall be dark green.~~

- ~~v. Between the brick bench area and the tree base, a slightly raised bed shall be installed, planted either with controlled low growing evergreen bushes (needled plants not permitted), annual flowers or mondo grass.~~
- ~~d. Behind the landscape bench area warm season grass shall be planted.~~
- ~~e. Maintenance of the entire planting area is the responsibility of the property owner.~~
- ~~f. Owners are encouraged to install drip sprinkler systems to ensure proper development and prosperity of the plant material.~~

~~The tree area and landscape zone may have to be adjusted due to overhead wires, but any adjustment must be approved by the design review advisory committee.~~

(1) Landscape buffers between travel lanes and multi-use path shall provide the following:

- a. Street Trees placed every 50 feet on center.
 - i. Maintenance of such trees is the full responsibility of the owner of the adjacent site or the owner of the property on which the tree is located if it is located on private property.
 - ii. Trees species may be selected from the street tree appendix, a copy of which is attached to this Ordinance and a current copy shall be kept in the offices of the City Clerk and Director of Community Development; alternative cultivars may be approved on a case-by-case basis with the approval of the City Arborist.
 - iii. Tree sizing shall be a minimum of two and one-half (2 ½)-inch caliper, and shall be no less than eight (8) feet in height. As the street trees mature, they shall be limbed to seven feet above the sidewalk.

(2) Sidewalks shall conform to the following:

- a. Sidewalks shall be paved using concrete.
- b. Where a sidewalk exists conforming to the standards herein except for the width, the developer must supplement the existing sidewalk width, adding width to create a twelve (12) foot sidewalk.
- c. Streetscaping performed as a function of City initiated redevelopment shall provide a path at least six (6) feet wide.

- (3) Pedestrian lighting shall be provided according to the outdoor lighting efficiency ordinance as prescribed herein and according to the following provisions:
- a. Pedestrian and street lighting shall be placed in the landscape zone at intervals of 90-100 feet on center and shall be equal distance from required street trees, in accordance with the Georgia Power Area-wide Pedestrian Lighting Plan.
 - ~~a~~.b. Pole height shall be a maximum of 15 feet.
 - ~~b~~.c. Streetlights shall be Generation ARC by Cooper 150 watt from Georgia Power. Poles for the lights shall be Grandville by Hapco from Georgia Power.
 - ~~c~~.d. Poles and fixtures shall be dark green.
- (4) Furniture shall provided according to the following:
- a. Benches and trash and recycling receptacles are to be installed every 250 feet or any fraction thereof along the public street and at each building entrance adjacent to a pedestrian walkway.
 - b. Benches shall be Victor Stanley Classic Model c-138 series. Bench colors shall be natural wood stain, with dark green.
 - c. Trash and recycling receptacles shall be Victor Stanley Concourse series and shall be firmly anchored to the ground.
 - i. Maintenance of trash and recycling receptacles, including servicing, repair, and replacement, is the full responsibility of the nearest adjacent property owner.
- Recycling receptacles shall be clearly identified with symbols and/or text that indicates it shall be used for recyclables.
- (~~2~~5) Pedestrian walkways shall be located at all building entrances. All buildings shall provide a ten-foot minimum pedestrian zone between the building and parking area. The pedestrian zone shall contain walkways, planting areas, plazas, and similar landscaped spaces. All pedestrian walkways shall be a minimum of six feet wide and finished with brick pavers.
- (6) All public sidewalks and pedestrian walkways shall be continuous where possible and shall connect to other pedestrian areas through painted or raised crosswalks. All entrances to crosswalks and sidewalks should include handicap ramps per code.

- (7) All utilities shall be placed under ground.
- (8) The front entrance of all buildings shall be easily and safely accessible to pedestrians from the public sidewalk through a combination of pedestrian walkways and crosswalks.
- (9) Covered sidewalks that are a part of the building and that are located within the buildable area of the lot are encouraged where possible. Such covered sidewalks may be used for outdoor seating and dining, and as terraces and arcades.
- (10) In multi-tenant retail buildings, a continuous, unimpeded walkway shall be provided to connect all business entrances.

Sec. 27-1271. Landscaping.

The following landscaping regulations shall apply to all uses and structures with the Dunwoody Village Overlay District:

- (1) ~~All landscape surveys and site plans shall be appropriately scaled drawings, prepared and sealed by a registered landscape architect or certified arborist. The use of a registered landscape architect is strongly recommended, but not required.~~
- (2) Each lot shall provide a planted area or areas in the front yard near the building entrance that consists of a total area no less than five percent of the building area. Such planted area or areas may consist of grassed areas, linear beds along the building, raised planters, and similar landscaped areas.
- (3) The landscaping on each lot shall contain the following landscape elements: flowerbeds, shrubs, and at least two (2), three-inch caliper trees.
- (4) With the exception of trees, landscape elements including shrubs shall not exceed four feet in height when mature.
- ~~(5) — As stated above, street trees are required along all public streets.~~
- ~~(56) All medians shall be~~No landscaped ~~with~~ plant material ~~that does not~~may interfere with vehicle safety and driver visibility. Plant material and placement should be approved by the city public works department prior to approval of the design review advisory committee. Concrete-only medians are prohibited.

Sec. 27-1272. Lighting

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

- (1) All lots shall provide streetlights, parking lights, pedestrian lights, and indirect building lights. ~~With the exception of indirect building lights, all light fixtures shall be of a design that is compatible with the Village/Colonial style. All freestanding exterior light fixtures shall be black or dark green.~~
- (2) Public streetlights shall be provided along public rights-of-way, as specified in subsection ~~(13)~~ of this section.
- (3) Parking lights shall be provided in all parking areas where it is anticipated that parking usage will occur after dark. The owner shall submit designs for approval. ~~The style shall be consistent with the pre-1900 Mid Atlantic American Colonial Architecture, but if~~ If the fixtures exceed fifteen feet in height, they shall project downward, and shall be spaced in a uniform manner so as to provide full lighting for the parking area.
- ~~(4) Pedestrian lights shall be provided within high-volume pedestrian areas, and around public and private open space as prescribed in Section 27-1324. Pedestrian lights shall be spaced a maximum of 25 feet apart and shall be evenly spaced so as to provide full lighting for pedestrian areas.~~
- ~~(4) Lamps must be powered with energy-efficient LED bulbs or comparable efficient technology. Indirect building lighting is encouraged and when installed, it shall be located no more than ten feet from the face of the building and in a location and direction that does not impair vehicular safety or cross pedestrian walkways.~~

Sec. 27-1273. - Parking.

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

- (1) Each lot shall provide no less than one parking space for each 750 square feet of floor area and no more than two parking spaces for each 750 square feet of floor area.
- (2) Parking areas shall be separated from buildings by a planted area or other landscaped area that is no less than ten feet in width. Parking areas shall be separated from the main road by 30 feet and include a hedge/landscaping barrier to reduce the visibility of parked vehicles. Wherever possible, parking should be confined to the rear of structures or underground.
- (3) Shared parking is encouraged and may be authorized by the director of community development. Applicants may make application to the director for authorization for a special exception for shared parking. Said applications shall be considered and decided by the director pursuant to the standards and procedures set forth in this section.

- (4) Parking lots shall be landscaped in accordance with the requirements of section 27-1271
- (5) The use of bicycle racks is ~~encouraged~~required. 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. Racks shall accommodate a minimum of four (4) bicycles.

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Sec. 27-1275. ~~Street Furniture.~~ Reserved.

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

- ~~(1) — At least one bench and one trash receptacle per 7,500 square feet of retail area shall be provided on each lot and shall be located no more than 50 feet from a building entry. This is in addition to the requirements in the public sidewalk section above.~~
- ~~(2) — All benches and trash receptacles shall be accessible from a building entrance by a pedestrian walkway. Benches and trash receptacles shall be used in conjunction with other pedestrian amenities such as planters, landscaped areas, and outdoor tables. Benches and trash receptacles shall not contain signs.~~
- ~~(3) — Benches shall be Victor Stanley Classic Model c-138 series. Bench colors shall be natural wood stain, with dark green. Each bench shall have an approved trash container.~~
- ~~(4) — Trash receptacles shall be Victor Stanley Concourse series. Trash receptacles shall be dark green. Trash receptacles shall be firmly anchored to the ground.~~

~~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: Chapter 27 of the City of Dunwoody Code of Ordinances is further amended by revising Sections 27-738(4) and (5), 27-750, 27-114(a)(2), (a)(6) and (b)(6), 27-1371(b)(2), (b)(6) and (c)(5), and 27-1571(2) to remove the term “City” from any instance of the phrase “City Superior Court.”

Section 4: Chapter 27 of the City of Dunwoody Code of Ordinances is further amended by revising Sections 27-784, and 27-1579(1) and (2) to remove the term “County” from any instance of the phrase “County Superior Court.”

Section 5: Chapter 27 of the City of Dunwoody Code of Ordinances is further amended by revising Section 27-1341(5) to remove the term “City” from any instance of the phrase “City Board of Tax Assessors.”

Section 6: Chapter 27 of the City of Dunwoody Code of Ordinances is further amended by revising Sections 27-1443(a) and (b)(3) to read as follows:

Sec. 27-1443. Notice of Public Hearings.

(a) For any zoning decision initiated by the city, at least 15 but not more than 45 days prior to the date of the public hearing before the city council, the city shall cause to be published, in a newspaper of general circulation within the territorial boundaries of the ~~county~~city a notice of the hearing. The notice shall state the time, place, and purpose of the hearing.

(b)
...
...

(3) The city shall cause a notice of the public hearing regarding the proposed zoning decision to be published in a newspaper of general circulation within the ~~county~~city at least eight days before the community council meeting and a separate notice at least 15 days prior to the hearing before the planning commission and not more than 45 days prior to the public hearing before the city council.

Section 7: Chapter 27 of the City of Dunwoody Code of Ordinances is further amended by revising Section 27-1575(3) by removing each instance of the word "County" and replacing each with the word "City."

Section 8: Chapter 27 of the City of Dunwoody Code of Ordinances is further amended by revising Section 27-359(3) by removing the phrase "Board of Commissioners" in the opening paragraph and replacing with "Mayor and City Council."

Section 9: This Amendment shall become effective immediately upon its adoption by the City Council, and all parts revising portions of the City of Dunwoody Code of Ordinances shall be incorporated into the Code of the City of Dunwoody, Georgia. This Amendment hereby repeals any and all conflicting ordinances and amendments.

SO ORDAINED, this 25th day of July, 2011.

Approved:

Ken Wright, Mayor

ATTEST:

Approved as to Form and Content:

Sharon Lowery, City Clerk (Seal)

Brian Anderson, City Attorney