

Summary of Key Issues/Changes

This public review draft of Dunwoody's new zoning ordinance includes all material presented in modules 1, 2 and 3 and incorporates changes in response to previous reviews. The following table summarizes key issues and changes, with substantive changes made since the January 11 (2013) draft shown in underline text:

Topic Ordinance Sec	What we Heard	What we Did
O-I zoning "loop-hole" 27-2.60	"Loophole" should be closed once and for all	Deleted existing (confusing/contradictory) provisions regarding existing multi-unit residential being "conforming." Text now expressly states that they are nonconforming and subject to Article 29 , which provides much flexibility for owners.
Lot coverage in R districts 27-4.30-B	Need additional lot coverage flexibility in single-dwelling districts	Increased
Mixed use 27-5.20 27-5.10-B.7	Need to better accommodate mixed-use development	1. Added new CR-1 (commercial-residential) mixed-use district 2. Added residential as allowed use in OCR district
Dunwoody Village Overlay 27-7.20-I	Sidewalk and pedestrian zone requirements are confusing	<u>1. Rewrote provisions and added illustration</u> <u>4-2. Changed minimum mullion dimension from 1.25" to 0.75"</u>
Dunwoody Village Overlay 27-7.20-K	Need more intense, mixed -use, pedestrian-oriented approach for village core area	Added new CR-1 (commercial-residential) mixed-use base district (Sec. 27-5.10-B.7) and new form and design standards for DV-O district village core
Massage parlors 27-8.40-A.1	Need to define and regulate as "adult use"	Defined; now regulated the same as other "adult uses"
Tattoo parlors 27-8.40-A.2	Need to define and regulate as "adult use"	Defined; now regulated the same as other "adult uses"
Animal Care and Boarding 27-8.40-B	Don't allow chickens as companion animals	Defined "Animal, companion" in definitions section of ordinance
Gold Brokers 27-8.40-G.1	Need to define and regulate similar to pawnshops and check cashing	Defined; now regulated the same as checking cashing and other "convenient case businesses"
Community Gardens 27-9.50	Some limitations may be too strict and not reflect local practices	1. Removed reference to growing season and maximum ground cover plant height. 2. Removed minimum setback requirements for the garden (structures must be set back at least 10 feet). <u>2-3. Removed limitation on donations.</u>
Food Trucks 27-9.80	Simplify lot area requirements	<u>1. Draft revised to allow one food truck per 20,000 sq. ft. of site area (or fraction thereof)</u> <u>4-2. Incorporated minor wording changes RE site area requirements</u>
Residential infill 27-9.170-B	Consider supplementing existing infill height regulations with setback and other controls	Added contextual setback regulations
Home Occupations 27-10.30	Widely varying views: many commented that all home occupations should be allowed as of right; others (strongly) suggested that anything involving customer contact should require public review/approval.	1. Limit on number of customers present at one time has varied, but is now set at two 2. Teaching-related home occupations now permitted as of right; all other "type B" home occupations require administrative permit approval <u>2-3. Removed express prohibition of religious assembly.</u> <u>All regulations would still apply.</u>

Topic	What we Heard	What we Did
Ordinance Sec 27-10.60		
Residential composting	Some limitations may be too strict and not reflect local practices	Increased allowed cubic volume of compost areas
Garage sales 27-11.30-A	Need basic regulations	Added new regulations
Shared parking 27-12.40-E	Uncomfortable with widespread use of shared parking	Draft now limits use of shared parking to those instances when at least 75% of required parking is provided on-site
Bicycle parking 27-12.50	Do not <i>require</i> bicycle parking	Turned proposed requirements into incentives (reductions in motor vehicle parking)
Off-site Parking 27-12.60	Clarify allowed location of off-site parking	Text revised to allow shared parking as of right in districts that permit the use served by parking. SLUP required in all other cases.
Neighbor meetings 27-18.40 27-19.40	Need greater neighbor notification for neighbor communication summary	Changed radius from 200 to 500 feet
Hearing notice 27-18.60 27-19.60	City should ensure adequate public notice even if not required by state law	Provisions have been revised to reflect the existing zoning ordinance, which far exceeds the notice requirements mandated by state law
Deferral of Action 27-17.110	Planning commission should have ability to defer action	Text has been revised to expressly allow deferral by PC and mayor/council
Reporting of admin approvals 27-23.100	Need more transparency regarding administrative approvals; cd director should report on administrative approvals to planning commission and council	Add requirement
DRAC Terms 27-26.50	Revise from 2 to 3 years	Changed has been made

Other edits and technical changes have also been incorporated into the draft document. As with previous drafts, we have attempted to identify substantive revisions through the use of footnotes and occasional [underline](#) (new/changed material) and ~~strikethrough~~ (deleted material) text. The absence of footnotes and identified [redline](#) changes is an indication that the provisions do not constitute a substantive modification, but most all of the provisions have been edited for internal consistency and clarity.

We look forward to your continued review and continued involvement in the rewrite project.

Many of the provisions in this draft are identical or very similar to those currently in Chapter 16 of the city code. Despite the similarities, there *are* substantive changes and new concepts interspersed among the existing provisions. These proposed changes are identified through the use of footnotes and occasional underline (new/changed material) and ~~striketrough~~ (deleted material) text. The absence of footnotes and identified redline changes is an indication that the provisions do not constitute a substantive modification, but most all of the provisions have been edited for internal consistency and clarity.

The major changes made between the February 15 and April 30, 2013 drafts are as follows:

- Article 3 (Required Public Improvements): establishes new proposed thresholds governing when applicants for building permits or development permits are required to dedicate right-of-way and install other public improvements.
- Article 9 (Stormwater Management): several new provisions added to reflect Metropolitan North Georgia model ordinance requirements.
- ~~16-10.30-E (tree removal from single family residential lots): added new provision requiring property owners to notify city arborist before removal of trees. This was an issue discussed at length and receiving majority support at the March 5 public workshop. (See explanation of Sec. 16-10.50-D, below)~~
- Article 14 (Minor Subdivision): establishes a new expedited procedure for subdivisions that:
 - will result in the creation of no more than 3 lots;
 - do not require utility extensions (other than individual service lines); and
 - do not require additional right-of-way dedication or new streets or street improvements.

The major changes made since release of the April 30, 2013 draft are as follows:

- 16-3.20-E (Required Public Improvements): new item (E) added to the applicability provisions.
- 16-9.40-B.2 (Stormwater Detention Storage Requirements) New provision added allowing city-waiver of detention storage requirements when such waiver will not have negative impacts.
- 16-10.50-D (Removal of Specimen Trees) revised to allow single-family property owners to remove a maximum of one specimen tree per calendar year without replacement. Additional trees may be removed only subject to tree replacement provisions.
- 16-12.30-C removes (currently unused) "method of disclosure provision"
- 16-16.20-D (Subdivisions/Lots Bordering Major Streets) authorized city to place reasonable limits on access (driveways) along major streets
- 16-17.40-H.9 (Bike Lanes) clarifies bike lane width requirements