



4800 Ashford Dunwoody Road
Dunwoody, Georgia 30338
dunwoodyga.gov | 678.382.6700

MEMORANDUM

To: Planning Commission
From: Paul Leonhardt, Planning & Zoning Manager
Date: August 8, 2022
Subject: Text Amendment
Chapter 27 – Residential Driveway Materials

ITEM DESCRIPTION

This item is a proposed text amendment to create material standards for residential driveways. The proposed amendment will restrict driveways and parking areas for residential uses in R- and RA-districts to dust-free, all-weather materials. Eligible materials include concrete, asphalt, and pavers.

In addition, the proposed amendment will clarify existing requirements. Instead of limiting the driveway area to no more than 35 percent of a street yard, the proposed amendment will limit lot coverage in street yards to no more than 35 percent.

DISCUSSION

From time to time the staff receives complaints by residents about property owners removing vegetation in their front yard, and either installing pavement or gravel instead. This changes the appearance of the property and can impact the neighborhood character. It also goes against the intent of the City to have its suburban neighborhoods provide "extensive landscaping" (Comprehensive Plan, pg. 23). In addition, gravel surfaces, especially when not properly installed, can create dust and appear blighted.

The provided amendment clarifies that graveled areas count towards the lot coverage maximum. It also applies a more general maximum lot coverage of 35% in street yards, which is more targeted towards maintaining planted areas than the previous 35% maximum for driveways and parking areas.

PLANNING COMMISSION RECOMMENDATION

The Planning Commission recommends **APPROVAL**.

STAFF RECOMMENDATION

Lynn Deutsch Mayor
Eric Linton ICMA-CM City Manager
Sharon Lowery CMC City Clerk

Catherine Lautenbacher City Council Post 1
Rob Price City Council Post 2
Tom Lambert City Council Post 3

Stacey Harris City Council Post 4
Joe Secorder City Council Post 5
John Heneghan City Council Post 6



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Staff recommends **APPROVAL.**

ATTACHMENTS

- Chapter 27, Residential Driveways – Current
- Chapter 27, Residential Driveways – Ordinance

Lynn Deutsch Mayor
Eric Linton ICMA-CM City Manager
Sharon Lowery CMC City Clerk

Catherine Lautenbacher City Council Post 1
Rob Price City Council Post 2
Tom Lambert City Council Post 3

Stacey Harris City Council Post 4
Joe Secorder City Council Post 5
John Heneghan City Council Post 6

AN ORDINANCE TO AMEND CHAPTER 27 (ZONING ORDINANCE) OF THE CITY OF DUNWOODY CODE OF ORDINANCES; TO REGULATE MATERIALS FOR RESIDENTIAL DRIVEWAYS AND OTHER PURPOSES;

WHEREAS, the City of Dunwoody intends for its residential neighborhoods to be extensively landscaped and envisions the use of quality design and long lasting building materials; and

WHEREAS, the City has identified this vision in its 2020 – 2040 Comprehensive Plan, which was adopted by the City Council; and

WHEREAS, residential driveways and parking areas have a large impact on the appearance of the City’s neighborhoods, and the City finds that material choices are an essential component thereof ; and

WHEREAS, the City wishes to ensure that residential driveways and parking area are properly designed and constructed of quality, long-lasting materials; and

WHEREAS, this amendment is necessary to ensure the health, safety, and welfare of Dunwoody residents.

NOW, THEREFORE, the Mayor and City Council of the City of Dunwoody HEREBY ORDAIN that Chapter 27 is amended as follows:

Section I: That Chapter 27 of the City Code is further amended by amending Code Section 27-58, to be entitled “Lot and building regulations”, to read as follows:

Sec. 27-58. – Lot and building regulations.

- (a) *General.* This section establishes basic lot and building regulations that apply in residential zoning districts. These regulations offer certainty for property owners, developers and neighbors about the limits of what is allowed; they are not to be construed as a guarantee that stated minimums and maximums can be achieved on every lot. Other factors, such as topography, the presence of protected resources, off-street parking and other factors may work to further limit actual building and development potential.
- (b) *Single-dwelling districts.* The lot and building regulations of the following table apply to all principal and accessory uses allowed in single-dwelling residential districts, unless otherwise expressly stated in this zoning ordinance. Article VII, division 1, identifies exceptions to these regulations and rules for measuring compliance (see also Figure 4-1).

Regulation	SINGLE-DWELLING DISTRICTS								
	R-150	R-100	R-85	R-75	R-60	R-50	RA-5	RA-8	
L1 Minimum Lot Area (sq. ft.)	43,560	15,000	12,000	10,000	8,000	6,000	NA[1]	NA[1]	
L2 Minimum Lot Frontage (ft.) [2]	150	100	85	75	60	50	100[3]	100[3]	

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	Maximum Density (dwelling units per acre)	NA	NA	NA	NA	NA	NA	5	8
	Minimum Building/Structure Setbacks (ft.) [4]								
S1	Street, Front and Side	45[5]	35[5]	35[5]	30[5]	30[5]	5[6]	5[6]	5[6]
S2	Side, Interior	20	10	8.5	7.5	7.5	7.5	15	15
S3	Side, Interior (accessory buildings/structures)	10	10	10	10	10	10	10[7]	10[7]
S4	Rear	40	40	40	40	40	30	30	30
S5	Rear (accessory buildings/structures)	10	10	10	10	10	10	10	10
C	Maximum Lot Coverage (percent) [8] [9]								
	Lot area = 43,560 sq. ft. or more	25	25	25	25	25	25	25	25
	Lot area = 30,000 to 43,559 sq. ft.	30	30	30	30	30	30	30	30
	Lot area = 20,000 to 29,999 sq. ft.	35	35	35	35	35	35	35	35
	Lot area = 19,999 sq. ft. or less	40	40	40	40	40	40	50	50
	Maximum Building Height (ft.)								
	Principal Building	35	35	35	35	35	35	35	35
	Accessory Buildings/Structures	20	20	20	20	20	20	20	20

[1] Detached houses in RA-5 and RA-8 districts are subject to the lot and building regulations of the R-50 district.

[2] Minimum lot frontage on cul-de-sac lots is 35 feet. Minimum lot width at the required street setback must equal the required minimum frontage requirement for non-cul-de-sac lot (e.g., 100 feet in R-100).

[3] Minimum lot frontage applies to attached house projects, not individual dwelling units within the project.

[4] Corner lots are subject to street setbacks along all street frontages. The rear setback is measured from the property line parallel to the lot frontage (see section 27-572), and interior side setbacks are applicable along all other lot lines.

[5] Add five feet for minimum setbacks from arterial streets.

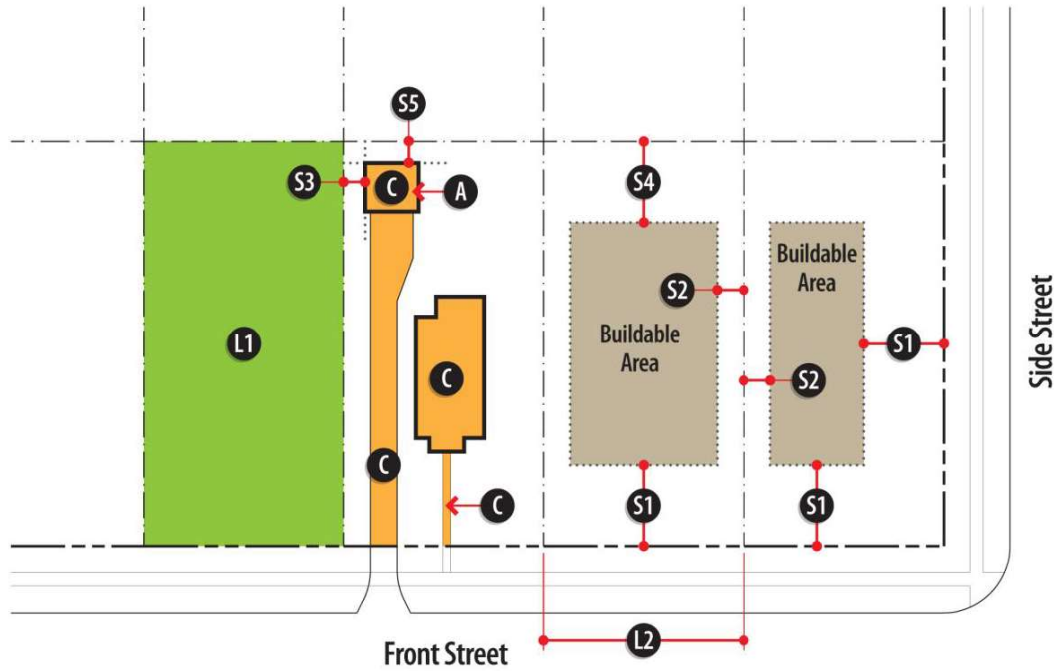
[6] Street-facing garage façades must be setback at least 20 feet from back of curb or back of sidewalk, whichever is greater.

[7] Interior side setback applies only to end units in attached house projects. No interior side setback required for units in attached projects with common or abutting walls. See also the attached house building separation requirements of section 27-132.

[8] Maximum lot coverage for institutional uses; including, but not limited to, educational services, places of worship, and neighborhood recreation club shall not exceed 60 percent.

[9] Maximum lot coverage in street yards shall not exceed 35 percent. This standard shall not apply to institutional uses.

Figure 4-1: Lot and Building Regulations Diagram, Single-Dwelling Residential Districts



(c) *Multi-dwelling districts.* The lot and building regulations of the following table apply to all principal and accessory uses allowed in multi-dwelling residential districts, unless otherwise expressly stated in this zoning ordinance. Article VII, division 1, identifies exceptions to these regulations and rules for measuring compliance (see also Figure 4-2).

Regulation	MULTI-DWELLING DISTRICTS				
	RM-150	RM-100	RM-85	RM-75	RM-HD
L1 Minimum Lot Area (sq. ft.)					
Detached house	6,000	6,000	6,000	6,000	6,000
Attached house	NA	NA	NA	NA	NA
2-unit Multi-unit building	9,000	9,000	9,000	9,000	9,000
3-unit Multi-unit building	12,000	12,000	12,000	12,000	12,000
4+ unit Multi-unit building	87,120	87,120	87,120	87,120	87,120
Maximum Density [1] (dwelling units per acre)	6	12	14	18	30
L2 Minimum Lot Frontage (ft.)					
Detached houses [2]	60	60	60	60	60
Attached house	100[3]	100[3]	100[3]	100[3]	100[3]
Two-unit building	75	75	75	75	75
Three-unit building	85	85	85	85	85
Multi-dwelling (4+ unit) buildings	150	100	100	100	100
Minimum Building/Structure Setbacks (ft.) [4]					
Detached and attached houses, 2-unit and 3-unit buildings					
S1 Street, front	30	30	30	30	30
S2 Street, side[5]	15	15	15	15	15

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S3	Side, interior	7.5	7.5	7.5	7.5	7.5
S4	Side, interior (accessory buildings/structures)	10	10	10	10	10
S5	Rear	30	30	30	30	30
S6	Rear (accessory buildings/structures)	10	10	10	10	10
C	Maximum Lot Coverage (percent) [8]	35	35	35	35	65
Multi-unit (4+ unit) buildings						
S1	Street, front and side	35	35	35	35	35
S3	Side, interior	20[6]	20[6]	20[6]	20[6]	20[6]
S4	Side, Interior (accessory buildings/structures)	7.5	7.5	7.5	7.5	7.5
S5	Rear [7]	40[6]	40[6]	40[6]	40[6]	40[6]
S6	Rear (accessory buildings/structures) [7]	10	10	10	10	10
C	Maximum Lot Coverage (percent)	35	35	35	35	65
Maximum Building Height (ft.)						
	Detached house, two-unit or three-unit building	35	35	35	35	35
	Multi-dwelling (4+ unit) building					
	As of right	35	35	35	35	35
	With approval of fire rescue service	48	48	48	48	60
	Accessory buildings/structures	20	20	20	20	20

[1] Applies only to attached house projects and multi-unit buildings with 4 or more dwelling units.

[2] Minimum lot frontage for detached houses on cul-de-sac lots is 35 feet. Minimum lot width at the required street setback must equal the required minimum frontage requirement for non-cul-de-sac lot (e.g., 60 feet in RM-150).

[3] Minimum lot frontage applies to attached house projects, not to individual dwelling units or lots within the project.

[4] See also the building spacing regulations of section 27-132 and section 27-142.

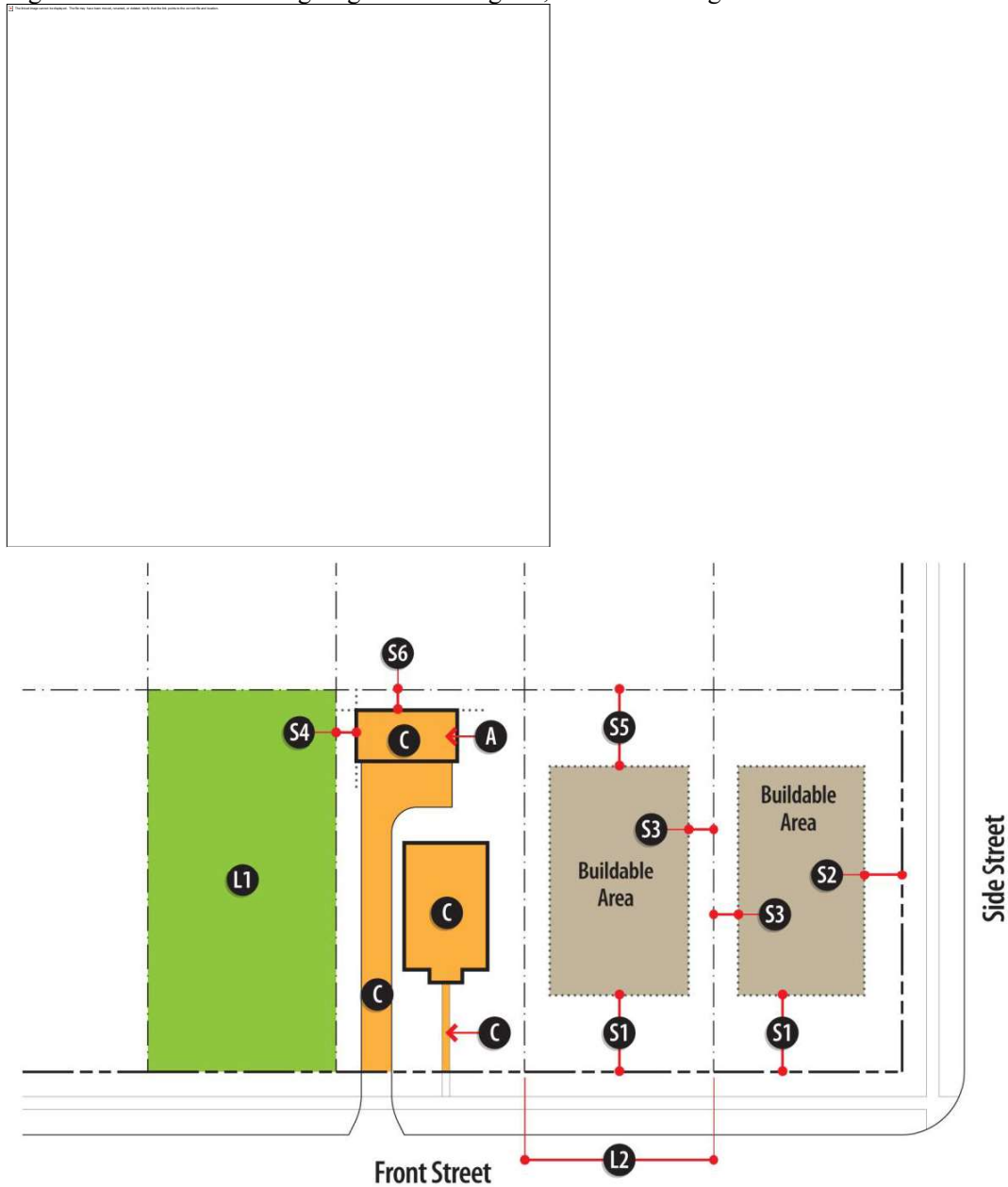
[5] In attached house projects, interior side setbacks apply only to end units. No interior side setback is required between units with common or abutting walls.

[6] Minimum interior side and rear setback is 50 feet for multi-unit residential buildings on lots abutting single-dwelling (R) residential zoning districts.

[7] Corner lots are subject to street setbacks along all street frontages and interior side setbacks along all other lot lines.

[8] Maximum lot coverage for institutional uses, including, but not limited to, educational services, places of worship, and neighborhood recreation club, and for permitted multi-unit buildings, including town homes and similar uses shall not exceed 70 percent.

Figure 4-2: Lot and Building Regulations Diagram, Multi-Dwelling Residential Districts



(Ord. No. 2013-10-15, § 1(Exh. A § 27-4.30), 10-14-2013; Ord. No. 2015-01-05, § 1, 1-26-2015; Ord. No. 2021-09-14, § II, 9-27-2021)

Section II: That Chapter 27 of the City Code is further amended by amending Code Section 27-206, to be entitled "Location of off-street parking", to read as follows:

Sec. 27-252. – Location of off-street parking.

- (a) *General.* Except as otherwise expressly stated, required off-street parking spaces must be located on the same lot as the building or use they are required to serve.
- (b) *Residential districts.* The following standards apply in residential districts:
 - (1) *Parking required in driveway.* In R districts, parking is prohibited in street yards except on approved driveways.
 - (2) *Driveway Materials.* In R and RA districts, all driveways and parking areas on residential properties must be surfaced and maintained with dust-free, all-weather materials (e.g. concrete, asphalt, or pavers). Porous pavement material may be substituted for standard dust-free pavements subject to approval by the Community Development Director. Eligible porous pavement materials include, but are not limited to, grasscrete, ribbon driveways, and pervious paver systems.
 - (23) *Paved area.* No more than 35 percent of the street yard area in an R district may be paved. Circular driveways are allowed only on lots with adequate width to comply with the Institute of Traffic Engineers' geometric design standards. They are subject to the 35 percent paved area limitation.
 - (34) *RM district parking.* In RM districts, parking is prohibited in required street setbacks.
 - (45) *Commercial vehicles prohibited.* Only licensed, operable motorcycles and passenger vehicles not operated as a common or contract carrier for hire may be parked outside of an enclosed building in residential zoning districts. This provision is intended to expressly prohibit the parking of commercial motor vehicles (as defined in O.C.G.A § 40-1-1) outside of an enclosed building, except for the immediate loading or unloading of goods or people. It also expressly prohibits the outdoor parking and outdoor storage of construction equipment such as tractors, skid steers, backhoes, forklifts, cement mixers and similar equipment. This prohibition does not apply to construction staging areas.
 - (56) *Location of parking for recreational vehicles, trailers, etc.* The parking and outdoor storage of trailers, recreational vehicles, travel trailers, campers, pickup coaches, motorized homes, boat trailers, boats and similar vehicles and equipment is prohibited in street yards and within 20 feet of any lot line
- (c) *Off-site parking.*
 - (1) *General.* Up to 25 percent of the number of off-street parking spaces required for nonresidential uses may be provided off-site, in accordance with the provisions of this section. Off-site parking areas must comply with all applicable parking area design and accessibility standards. Required accessible parking spaces and parking required for residential uses may not be located off site.
 - (2) *Location.* Off-site parking areas must be located within a 1,500-foot radius of the use served by such parking, measured between the entrance of the use to be served and the outer perimeter of the furthest parking space within the off-site parking lot. Off-site parking lots are allowed as of right only in zoning districts that permit either the principal use to be served by the off-site parking spaces or non-accessory parking uses. Off-site parking in other zoning districts requires review and approval of a special use special land use permit in accordance with the procedures of article V, division 3.

Figure 12-1: Off-site Parking, Maximum Distance Measurement



- (3) *Control of off-site parking area.* The property to be occupied by the off-site parking facilities must be under the same ownership as the lot containing the use to be served by the parking. The off-site parking area may be under separate ownership only if an agreement is provided guaranteeing the long-term availability of the parking, commensurate with the use served by the parking. Off-site parking privileges will continue in effect only as long as the agreement, binding on all parties, remains in force. If an off-site parking agreement lapses or is no longer valid, then parking must be provided as otherwise required by this division.

(Ord. No. 2013-10-15, § 1(Exh. A § 27-12.60), 10-14-2013; Ord. No. 2015-01-05, § 1, 1-26-2015)

Section III: That Chapter 27 of the City Code is further amended by amending Code Section 27-575, to be entitled "Lot coverage", to read as follows:

Sec. 27-575. - Lot coverage.

Lot coverage is measured as the area or percentage of a lot that is covered by buildings, structures, swimming pools, streets, sidewalks, patios, driveways, parking areas and other impervious surfaces, often expressed as impervious surface ratio (ISR). Permeable decks shall not be included in the lot coverage calculation. However, impermeable surfaces under a deck shall be included. Gravel surfaces shall be included in the lot coverage calculation, unless they are designed by a design professional to be pervious. Trail improvements that are part of a city council-approved plan are not counted as part of a site's impervious surface area for purposes of site development-related calculations and regulations.

(Ord. No. 2013-10-15, § 1(Exh. A § 27-30.50), 10-14-2013; Ord. No. 2015-01-05, § 1, 1-26-2015)

Section IV: That Chapter 27 of the City Code is further amended by amending Appendix A, to be entitled "EXPIRED AND OBSOLETE ZONING DISTRICTS", to read as follows:

- (a) *R-CH (single-family cluster residential) district.*
- (1) *Purpose and scope.* Except as provided in section 27-30, the R-CH regulations of this division remain repealed. No application or amendment to the official zoning maps shall be filed with the community development director, initiated by official action of the planning commission, or considered by the city council if such amendment or application seeks to have any lots in the city zoned R-CH. The R-CH regulations set forth in this division are codified solely for the purpose of complying with the requirements of section 27-30.
- (2) *Permitted uses.* Permitted uses are as follows:
- a. Accessory uses and structures:
 1. Accessory uses and structures incidental to any permitted use.
 2. Customary home occupation.
 3. Signs and outdoor advertising in accordance with the provisions of this chapter and the city's sign ordinance.
 - b. Agriculture and forestry: Temporary and portable sawmills.
 - c. Community facilities:
 1. Electric transformer station, gas regulator station and telephone exchange.
 2. Golf courses and clubhouses, private.
 3. Neighborhood recreation centers or swimming pools.
 4. Noncommercial club or lodge (except fraternal club or lodge).
 - d. Public uses.
 1. Public utility facilities.
 2. Sewage treatment plants.
 - e. Dwellings:
 1. Cluster housing subdivision.
 2. Dwelling, single-family.
 3. Dwelling, single-family attached.
 4. Mobile home, as an accessory structure to be used for security purposes.
 5. Single-family attached subdivision.
 - f. Education:
 1. Private or parochial elementary and high schools.
 2. Public schools.
 - g. Religious facilities:
 1. Churches and other places of worship and accessory facilities.
 2. Convent or monastery.
 - h. Services, personal:
 1. Personal care home, family.

- 2. Personal care home, registered.
 - i. Transportation and storage: Automobile parking.
- (3) *Development standards.*
 - a. *Minimum lot area.* There is no minimum lot area.
 - b. *Minimum lot width.* There is no minimum lot width at the building setback line.
 - c. *Minimum yard adjacent to public street.* The following are minimum requirements for yards that are adjacent to a public street:
 - 1. The setback from major thoroughfares shall be 20 feet.
 - 2. The setback from minor thoroughfares shall be 20 feet.
 - 3. The setback from collector streets shall be five feet.
 - 4. The setback from other streets shall be five feet.
 - d. *Minimum rear yard.* There is no minimum rear yard, except that where a rear yard adjoins a project boundary, the minimum rear yard shall be 40 feet.
 - e. *Maximum height of structures.* The maximum height of any structure shall be 35 feet.
 - f. *Minimum side yard.* There is no minimum side yard required.
 - g. *Buffer.* No buffer is required.
 - h. *Open space.* The required open space is 20 percent.
 - i. *Minimum floor area.* The minimum floor area provided shall be 1,400 square feet.
 - j. *Density.* The maximum density shall be three units per acre.
 - k. *Maximum lot coverage: Lot coverage in street yards shall not exceed 35 percent. This standard shall not apply to institutional uses.*

(b) *R-CD (residential community development) district.*

Purpose and scope.

- (1) Except as provided in section 27-30, the R-CD regulations of this division remain repealed. No application or amendment to the official zoning maps shall be filed with the community development director, initiated by official action of the planning commission, or considered by the city council if such amendment or application seeks to have any lots in the city zoned R-CD. The R-CD regulations set forth in this division are codified solely for the purpose of complying with the requirements of section 27-30.
- (2) *Permitted uses.* Permitted uses are as follows:
 - a. *Accessory uses and structures:*
 - 1. Accessory uses and structures incidental to any permitted use.
 - 2. Customary home occupation.
 - 3. Signs and outdoor advertising in accordance with the provisions of this chapter and the city's sign ordinance.
 - b. *Agriculture and forestry:*
 - 1. Livestock and poultry.
 - 2. Riding stable.
 - 3. Temporary or portable sawmill.
 - 4. Pigeons.

- c. *Animal care facilities:* Pigeons.
 - d. *Community facilities:*
 - 1. Electric transformer station, gas regulator station and telephone exchange.
 - 2. Golf courses and clubhouses, private.
 - 3. Neighborhood recreation centers or swimming pools.
 - 4. Noncommercial club or lodge (except fraternal club or lodge).
 - 5. Parks, private.
 - 6. Public uses.
 - 7. Public utility facilities.
 - 8. Sewage treatment plants.
 - e. *Dwellings:*
 - 1. Cluster housing subdivision.
 - 2. Community development subdivision.
 - 3. Dwelling, multifamily units and apartment developments.
 - 4. Dwelling, single-family.
 - 5. Dwelling, single-family attached.
 - 6. Dwelling, two-family.
 - 7. Mobile home, as an accessory structure to be used for security purposes.
 - 8. Single-family attached subdivision.
 - f. *Education:*
 - 1. Day nurseries and kindergartens.
 - 2. Private or parochial elementary and high schools.
 - 3. Public schools.
 - g. *Religious facilities:*
 - 1. Churches and other places of worship and accessory facilities.
 - 2. Convent or monastery.
 - h. *Retail trade:*
 - 1. Planned shopping developments, as part of a community development subdivision.
 - 2. Retail trade, personal services and offices, as part of a community development subdivision.
 - i. *Services, personal:*
 - 1. Personal care home, family.
 - 2. Personal care home, registered.
 - j. *Transportation and storage:* Automobile parking.
- (3) *Development standards.*
- a. *Minimum lot area.* The minimum lot area shall be 50 acres for residential development and 100 acres for development with NS or OI uses.

- b. *Density of development and types of residential use.* The maximum number of dwelling units permitted in a community development subdivision shall not exceed four and one-half dwelling units per net residential acre (total developable acreage minus that to be used for NS and OI uses as provided in this section). Not more than 40 percent of the dwelling units shall be multifamily. Not less than 60 percent of the dwelling units shall be single-family. One-half of the single-family dwelling units may be attached, but not less than one-half of the single-family lots within a cluster housing subdivision.
- c. *Minimum development requirements.* The minimum lot area, width, and yard requirements permitted within a community development subdivision for single-family lots, multifamily dwellings and business lots shall be as follows:

Lot and Yard	Single-Family Lots	Multifamily Dwellings Lots	Business Lots (feet)
Minimum lot area	6,000 sq. ft.	None	None
Minimum lot width	60 ft.	75 (minimum project frontage on public street)	75
<u>Maximum lot coverage</u>	<u>35 percent in street yards</u>	<u>None</u>	<u>None</u>
Minimum yard adjacent to public street:			
Major thoroughfare	30 ft.	30	50
Minor thoroughfare	25 ft.	25	40
Collector street	10 ft.	10	40
Other street	10 ft.	10	40
Minimum side yard	0 to 7.6 ft.; 30 ft. from project boundary with a minimum of 15 feet between units unless two units are attached by a common wall; however, the attachment of a wall of one unit and the wall of an enclosed courtyard shall not be considered attached housing	10	20
Minimum rear yard	30 ft. (40 ft. on exterior lots) The development standards for single-family attached units shall be as provided in this chapter	30	40

- d. *Minimum floor area.* The minimum floor area shall be as follows:

- 1. For a single-family dwelling, 1,200 square feet.

2. For a single-family attached dwelling, 1,000 square feet.
3. For a two-family dwelling containing:
 - i. One bedroom, 600 square feet.
 - ii. Two bedroom, 750 square feet.
 - iii. Three or more bedrooms, 1,050 square feet
4. For an apartment containing:
 - i. One bedroom, 650 square feet.
 - ii. Two bedrooms, 800 square feet.
 - iii. Three or more bedrooms, 1,000 square feet.

Notwithstanding the above minimum floor area requirements, a maximum of 20 percent of the total units constructed in any single development of more than one building may be one bedroom units having floor areas of less than 650 square feet but not less than a minimum floor area of 520 square feet.

- e. *Maximum height of structures.* The maximum height of any structure shall be 35 feet.
- f. *Buffer.* A buffer of at least 20 feet is required when the lot adjoins a developed single-family detached subdivision.
- g. *Open space requirement.* Not less than 20 percent of the subdivision shall be set aside for open space purposes. A homeowner's association created by the developer, by recorded covenants, declarations and restrictions running with the land, shall preserve and maintain for the use and benefit of the owners and occupants of lots and dwellings within the subdivision the lands set aside for open space, parks and recreational use. The book and page in which such covenants and declarations are recorded shall be shown on the final plat of the subdivision. Required yards, streets, drives, parking areas and other similar uses shall not be counted toward the minimum open space requirements. Not more than 50 percent of the land reserved for open space purposes shall be within a flood plain. The requirement that open space be deeded to and maintained by a homeowner's association may be waived by the city for that portion of an R-CD district in which detached single-family housing is constructed. This waiver and survey to which there is entered a covenant by the developer at the minimum open space requirement shall be applied to individual lots within the subdivision. Dedication of open space to the city may also satisfy the open space requirement.
- h. *Neighborhood shopping and office-institution uses.* The developer of a community development subdivision of not less than 100 acres may set aside not more than five percent of the total area for neighborhood shopping and office-institution uses permitted herein. However, retail liquor stores shall not be permitted unless these uses are housed within a planned shopping center constructed within a minimum of 10,000 square feet in a continuous façade. Not more than 50 percent of the five percent maybe reserved and developed for NS uses. When 100 or more dwelling units have been constructed within the subdivision, then NS uses may be established under the following conditions:
 1. Not more than 240 square feet of floor space for retail sales and services shall be permitted for each ten dwelling units in the subdivision. There shall be not less than four square feet of business lot area for each one square foot of permitted retail floor area. Land may be reserved for the maximum permitted retail development, but the permitted square feet of retail area may be built only as the required ratio of dwelling units has been constructed.
 2. Retail sales and services shall be constructed entirely within a wholly and permanently enclosed building or buildings, which shall be of an architectural design compatible with the residential structures within the subdivision.

3. Outdoor storage or displays of any kind shall be prohibited.
4. Signs shall be limited to an identification sign for each point of entry to a store. The signs shall not exceed four square feet in area, shall not be directly lighted and shall be attached flat against the face of the building.
5. Off-street parking and loading spaces shall be provided as required by this chapter.
6. This use shall only be placed on lots specifically designated for these purposes on the plat of the subdivision, and shall be located at least 100 feet from any residential structure. Accessory parking and loading areas shall be located at least 50 feet from any residential structure.
7. When shopping facilities within a planned unit development subdivision contain not less than 40,000 square feet of floor area, then the development standards established by this chapter for planned shopping developments shall apply.
8. The sides, rear or front of a lot developed for retail sales and services shall neither abut nor be across the street from property lying outside the subdivision, and shall be located at least 300 feet from any exterior subdivision property line.
9. Office-institution development uses shall:
 - i. Meet all IO district development standards and requirements.
 - ii. Be limited to 300 square feet of floor space for each ten dwelling units, and not less than four square
 - iii. Area for each one square foot of floor area.
 - iv. Be constructed only as the required ratio of dwelling units has been constructed.
 - v. Meet all applicable requirements of this subsection except subsections (h)(1) and (h)(7) of this section.
10. *Office-institution uses permitted by this subsection shall include:*
 - i. Cultural facilities, including art galleries, museums, legitimate theatres, libraries and other uses similar in character to those listed.
 - ii. Offices of health service practitioners, physicians, surgeons, dentists and dental surgeons, osteopathic physicians, chiropractors and other licensed practitioners similar to those listed.
 - iii. Health service clinics, including a pharmacy as an accessory use.
 - iv. General office uses, including sales representatives, legal services, engineering and architectural, accounting, auditing, bookkeeping, finance, real estate, insurance and others similar to those listed.
 - i. *Development plan.* The development plan for the subdivision shall be processed in conformance with the requirements of the city subdivision regulations. The use to be made of each lot shall be marked on the plat. The plat shall also state the maximum number of dwelling units authorized for the subdivision. When approved, the final plat shall be recorded in the same manner as other subdivision plats, along with the necessary covenants and restrictions applicable to the development. In addition, a faithful reproduction of the plat shall be predominantly displayed within the subdivision until such time as the subdivision is fully developed.
 - j. *Private deed covenants.* The subdivision shall be covered by private deed covenants running with the land which ensure its continuance in accordance with approved plans and development.

(Ord. No. 2021-09-14, § I, 9-27-2021)

STATE OF GEORGIA
CITY OF DUNWOODY

ORDINANCE 2022-XX-XX

SO ORDAINED, this ____ day of _____, 2022.

Approved:

Lynn Deutsch, Mayor

ATTEST:

Approved as to Form and Content:

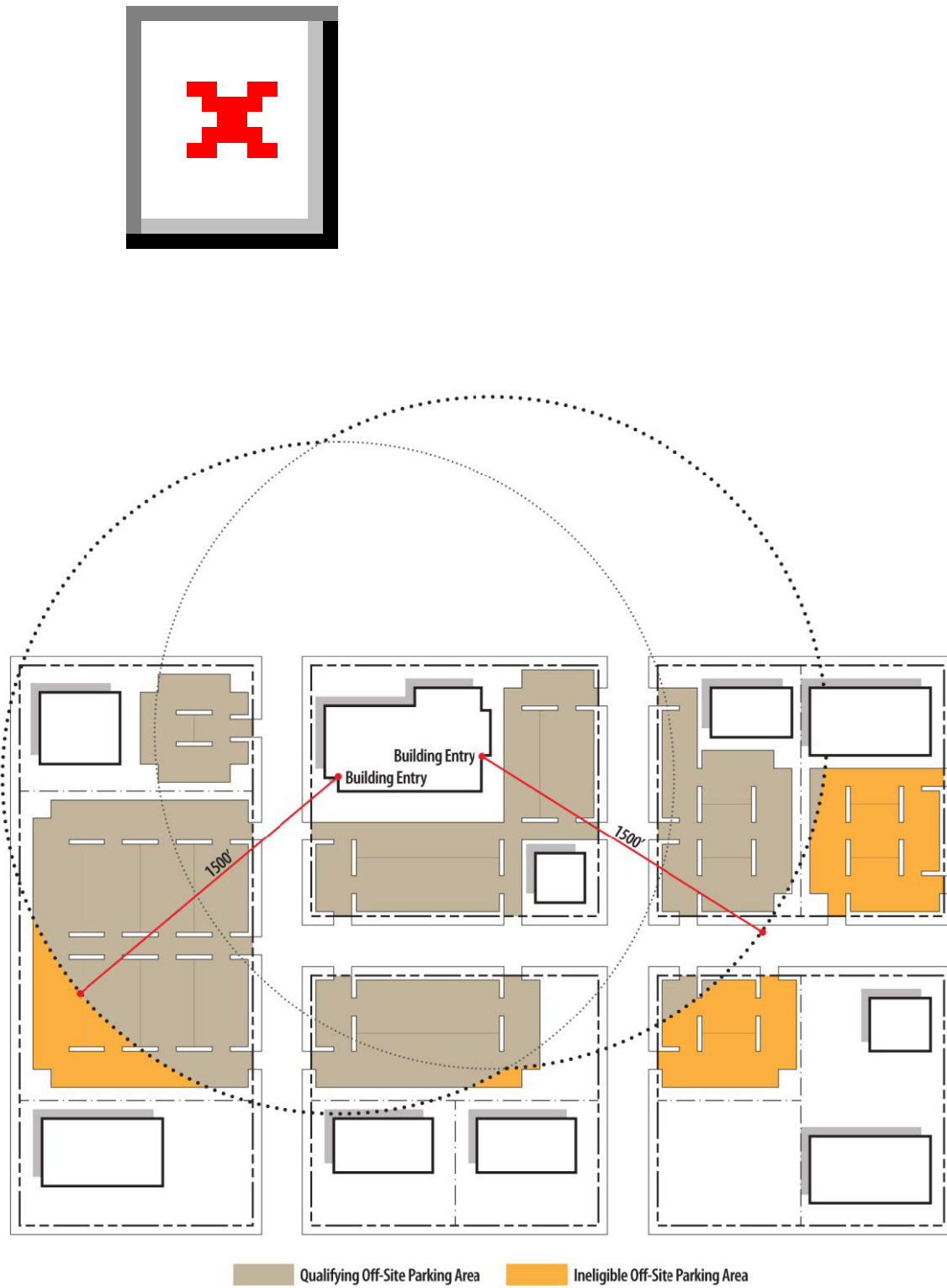
Sharon Lowery, City Clerk (Seal)

City Attorney

Sec. 27-206. - Location of off-street parking.

- (a) *General.* Except as otherwise expressly stated, required off-street parking spaces must be located on the same lot as the building or use they are required to serve.
- (b) *Residential districts.* The following standards apply in residential districts:
 - (1) *Parking required in driveway.* In R districts, parking is prohibited in street yards except on approved driveways.
 - (2) *Paved area.* No more than 35 percent of the street yard area in an R district may be paved. Circular driveways are allowed only on lots with adequate width to comply with the Institute of Traffic Engineers' geometric design standards. They are subject to the 35 percent paved area limitation.
 - (3) *RM district parking.* In RM districts, parking is prohibited in required street setbacks.
 - (4) *Commercial vehicles prohibited.* Only licensed, operable motorcycles and passenger vehicles not operated as a common or contract carrier for hire may be parked outside of an enclosed building in residential zoning districts. This provision is intended to expressly prohibit the parking of commercial motor vehicles (as defined in O.C.G.A § 40-1-1) outside of an enclosed building, except for the immediate loading or unloading of goods or people. It also expressly prohibits the outdoor parking and outdoor storage of construction equipment such as tractors, skid steers, backhoes, forklifts, cement mixers and similar equipment. This prohibition does not apply to construction staging areas.
 - (5) *Location of parking for recreational vehicles, trailers, etc.* The parking and outdoor storage of trailers, recreational vehicles, travel trailers, campers, pickup coaches, motorized homes, boat trailers, boats and similar vehicles and equipment is prohibited in street yards and within 20 feet of any lot line
- (c) *Off-site parking.*
 - (1) *General.* Up to 25 percent of the number of off-street parking spaces required for nonresidential uses may be provided off-site, in accordance with the provisions of this section. Off-site parking areas must comply with all applicable parking area design and accessibility standards. Required accessible parking spaces and parking required for residential uses may not be located off site.
 - (2) *Location.* Off-site parking areas must be located within a 1,500-foot radius of the use served by such parking, measured between the entrance of the use to be served and the outer perimeter of the furthest parking space within the off-site parking lot. Off-site parking lots are allowed as of right only in zoning districts that permit either the principal use to be served by the off-site parking spaces or non-accessory parking uses. Off-site parking in other zoning districts requires review and approval of a special use special land use permit in accordance with the procedures of article V, division 3.

Figure 12-1: Off-site Parking, Maximum Distance Measurement



- (3) *Control of off-site parking area.* The property to be occupied by the off-site parking facilities must be under the same ownership as the lot containing the use to be served by the parking. The off-site parking area may be under separate ownership only if an agreement is provided guaranteeing the long-term availability of the parking, commensurate with the use served by the parking. Off-site parking privileges will continue in effect only as long as the agreement, binding on all parties, remains in force. If an off-site parking agreement lapses or is no longer valid, then parking must be provided as otherwise required by this division.

(Ord. No. 2013-10-15, § 1(Exh. A § 27-12.60), 10-14-2013; Ord. No. 2015-01-05, § 1, 1-26-2015)