

ORDINANCE No. 714

(Development Department No: 2016TA-10)

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF CHAMBLEE, GEORGIA, APPENDIX A, "UNIFIED DEVELOPMENT ORDINANCE", CHAPTER 240. "GENERAL USE REGULATIONS", ARTICLE 3. "SUPPLEMENTAL USE STANDARDS", SECTION 240-13. "SUPPLEMENTAL USE PROVISIONS", AND CHAPTER 250., "OFF-STREET PARKING AND LOADING STANDARDS.", ARTICLE 1., "OFF-STREET PARKING STANDARDS.", SECTION 250-8., "STACKING SPACES FOR DRIVE-THROUGH FACILITIES." BY EDITING AND DELETING CERTAIN USES AND PROVISIONS, AND BY ADDING CERTAIN NEW USES AND PROVISIONS, AND FOR ALL OTHER LAWFUL PURPOSES.

BE IT ORDAINED AND IT IS HEREBY ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CHAMBLEE, GEORGIA THAT THE PROVISIONS OF PART II, "CODE OF ORDINANCES" APPENDIX A, "UNIFIED DEVELOPMENT ORDINANCE", BE AMENDED AS FOLLOWS:

**PART I**

The provisions of Chapter 240, "Supplemental Use Standards", Section 240-13. "Supplemental Use Provisions", Sub-Section (b) "Sales and rental of goods, merchandise or equipment, non-motor vehicle related [2.0].", paragraph (1) "Sales or rental establishments with drive-in facilities [2.5] shall be amended as follows:

*"(1) Sales or rental establishments with drive-in facilities [2.5].*

- a. No permit shall be issued for any drive-in facility, without approval of the Development Department as to the adequacy of entrance and exit facilities, ~~reservoir~~ stacking spaces adjacent to service facilities, provision for circulation, and layout of parking areas.
- b. The Development Department may prohibit left-turn movements entering or leaving such establishment, may limit hours when such movements may be made, may require construction of deceleration lanes adjacent to entrances, and may make such other requirements as are reasonably necessary to assure safety to pedestrians and motorists and to avoid inconvenience and traffic congestion.
- c. In particular, inbound and outbound ~~reservoir~~ stacking spaces (defined as spaces for automobiles waiting for service or parking after clearing the right-of-way of the street, and spaces for automobiles which have left service or parking areas and are waiting to enter the right-of-way of the street) shall be provided at a minimum as provided in Section 250-8, indicated below. ~~All such spaces at these and other establishments requiring reservoir spaces shall be a minimum of 22 feet long and 10 feet wide, with additional space for necessary turning and maneuvering.~~
  - ~~1. Drive-in bank facility: Six (6) spaces before each service position; one (1) space after service space.~~
  - ~~2. Other drive-in facilities (including but not limited to food and beverage sales, and laundry and dry cleaning pickup stations): Three spaces before service position; one space after service position.~~
- d. Drive-in facilities service windows shall not be located between a building and the

street.

- e. Service areas and stacking lanes shall be separated by a five-foot wide landscape strip meeting the standards of Section 320-20(c), set back a minimum of five feet from all lot lines that abut NR-1, NR-2, CC, VC, MU-BC or TOD districts.
- f. All driveway entrances, including stacking lane entrances, shall be at least 50 feet from an intersection. The distance shall be measured along the property line from the junction of the two street lot lines to the nearest edge of the entrance.
- g. Stacking lane standards.
  - 1. A minimum of 150 feet for single stacking lane or 80 feet per lane when there is more than one stacking lane, shall be required for all drive through facilities. A stacking lane is measured from the curb cut to the service area.
  - 2. Stacking lanes shall be designed so that they do not interfere with parking and vehicle circulation.”

## PART II

The provisions of Chapter 240, “Supplemental Use Standards”, Section 240-13. “Supplemental Use Provisions”, Sub-Section (b) “Sales and rental of goods, merchandise or equipment, non-motor vehicle related [2.0].”, paragraph (2) “Sales or rental establishments with drive-through facilities [2.6] shall be amended as follows:

“(2) *Sales or rental establishments with drive-through facilities [2.6].*

- a. No permit shall be issued for any drive-through facility or other facility where customers are served in their automobiles, without approval of the Development Department as to the adequacy of entrance and exit facilities, ~~reservoir~~ stacking spaces adjacent to service facilities, provision for circulation, and layout of parking areas.
- b. The Development Department may prohibit left-turn movements entering or leaving such establishment, may limit hours when such movements may be made, may require construction of deceleration lanes adjacent to entrances, and may make such other requirements as are reasonably necessary to assure safety to pedestrians and motorists and to avoid inconvenience and traffic congestion.
- c. In particular, inbound and outbound ~~reservoir~~ stacking spaces (defined as spaces for automobiles waiting for service or parking after clearing the right-of-way of the street, and spaces for automobiles which have left service or parking areas and are waiting to enter the right-of-way of the street) shall be provided at a minimum as provided in Section 250-8, indicated below. All such spaces at these and other establishments requiring reservoir spaces shall be a minimum of 22 feet long and 10 feet wide, with additional space for necessary turning and maneuvering.
  - 1. ~~Drive-through bank facility: Six (6) spaces before each service position; one (1) space after service space.~~
  - 2. ~~Other drive-through facilities (including but not limited to food and beverage sales, and laundry and dry cleaning pickup stations): Three spaces before service position; one space after service position.~~
- d. Drive-through service windows shall not be located between a building and the street.

- e. Service areas and stacking lanes shall be separated by a five-foot wide landscape strip meeting the standards of Section 320-20(c). ~~set back a minimum of five feet from all lot lines that abut NR-1, NR-2, CC, VC, MU-BC or TOD districts.~~
- f. ~~All driveway entrances, including stacking lane entrances, shall be at least 50 feet from an intersection. The distance shall be measured along the property line from the junction of the two street lot lines to the nearest edge of the entrance.~~
- g. ~~Stacking lane standards.~~
  - 1. ~~A minimum of 150 feet for single stacking lane or 80 feet per lane when there is more than one stacking lane, shall be required for all drive-through facilities. A stacking lane is measured from the curb cut to the service area.~~
  - 2. ~~Stacking lanes shall be designed so that they do not interfere with parking and vehicle circulation.”~~

### PART III

The provisions of Chapter 250., “Off-street parking and loading standards.”, Article 1., “Off-street parking standards”, Section 250-2., “Minimum number of parking spaces required.”, sub-section (a), paragraph (5) shall be amended by editing sub-paragraph h. as follows:

- “h. Wheel bumpers shall be placed at the head of all parking spaces that abut a landscape strip or sidewalk. See Section 250-7(b)(8) for location and specifications. ~~Wheel bumpers shall be placed a minimum of 18 inches from the end of the parking stall. When wheel bumpers are adjacent to a sidewalk, a two-foot extension of the sidewalk shall be permitted to be substituted in the place of the required wheel bumpers;”~~

### PART IV

The provisions of Chapter 250., “Off-street parking and loading standards.”, Article 1., “Off-street parking standards”, Section 250-7., “Location, design and construction of parking areas.”, sub-section (b), shall be amended by editing paragraph (8) as follows:

- “(8) Wheel bumpers shall be placed at the head of all parking spaces that abut a landscape strip or sidewalk. Wheel bumpers shall be made of concrete a minimum of 6 ft. long, 5 inches high and 6 inches wide and securely fastened to the pavement by steel re- bars or steel anchors. ~~When wheel bumpers are adjacent to a sidewalk, a two-foot extension of the sidewalk shall be permitted to be substituted in the place of the required wheel bumpers; Wheel bumpers shall be placed a minimum of 24 inches from the end of the parking stall. When wheel bumpers are adjacent to a landscape strip sidewalk, a two-foot extension of the landscaping sidewalk shall be permitted to be substituted in the place of the required pavement. wheel bumpers;”~~

### PART V

The provisions of Chapter 250., “Off-street parking and loading standards.”, Article 1., “Off-street parking standards”, Section 250-8., “Stacking spaces for drive-through facilities.”, shall be amended as follows:

**“Section 250-8. - Stacking spaces for drive-through service windows and drive-in services windows.**

- (a) Stacking spaces shall be provided for any use having a drive-through service window or areas having drop-off and pick-up areas in accordance with the following. Inbound Sstacking spaces shall begin ~~at the service window provided before the first service window as stipulated below and at least one~~ outbound stacking space shall be provided after each service window of a for the drive-through facility. Each stacking space shall be a minimum of 22 feet long.
- (b) A minimum of 30 feet of stacking lane is required between a curb cut and the nearest gasoline pump.
- (c) The following general standards shall apply to all stacking spaces and drive-through service windows:
- (1) Facilities with drive-through service windows shall provide three (3) stacking spaces for each window or drive-through service facility except that banks with drive-through facilities shall provide a minimum of six (6) spaces before each service position and one outbound space after the service window; restaurants with drive-through service windows shall provide a minimum of ten (10) stacking spaces ~~for each window for inbound drive-through customers and one additional~~ outbound space after each service window.
  - (2) Drive-through service window lanes shall be separated by striping or curbing from off-street parking areas. Individual lanes shall be striped, marked or otherwise distinctly delineated.
  - (3) Stacking lanes shall be a minimum of 10 feet in width, narrowing to 8.5 feet adjacent to the service window.
  - (4) All drive-through service windows shall be provided with a bypass lane with a minimum width of 10 feet.
  - (5) Service areas and stacking lanes shall be set back 5 feet from all lot lines and roadway right-of-way lines and separated by landscape strips as required by Section 230-5 and Section 240-13(b).
  - (6) All stacking lanes ~~entrances~~ shall be at least 75 feet from an intersection with the nearest street or internal driveway. The distance is measured from the back of the stacking space nearest the entrance to the curb line of the nearest intersection, along the property line from the junction of the two street curb lines of the nearest edge of the entrance.
- (d) See Section 240-13(b) for additional location and design standards for drive-through service areas.
- (e) Drive-in services shall provide stacking space along the drive-in entrance before and after the service area or ticket window as follows:
- (1) Provide a minimum of 150 feet for a single stacking lane or 80 feet per lane when there is more than one stacking lane. A stacking lane is measured from the curb cut or nearest driveway intersection to the ticket window or service area.
  - (2) Stacking lanes shall be designed so that they do not interfere with parking and vehicle circulation.
  - (3) Drive-through service window lanes shall be separated by striping or curbing from off-street parking areas. Individual lanes shall be striped, marked or otherwise distinctly delineated.
  - (4) Stacking lanes shall be a minimum of 10 feet in width, narrowing to 8.5 feet adjacent to a service or ticket window.
  - (5) Service areas and stacking lanes shall be set back 5 feet from all lot lines and roadway right-of-way lines and separated by landscape strips as required by Section 230-5 and Section 240-13(b).”

PART VI

The provisions of Chapter 250., "Off-street parking and loading standards.", Article 1., "Off-street parking standards", Section 250-2., "Minimum number of parking spaces required.", sub-section (a), paragraph (3) "Minimum Parking Space Requirements Table" shall be amended by adding rows for each of the following additional "Land Uses" with their respective entries for "Minimum Parking Space Requirements" as follows:

Land Use	Minimum Parking Space Requirement
"2.34 Art Shop, as defined in Ch. 6."	"1 space per 200 sq. ft."
"3.8 Restaurant Providing Hookah"	"1 space per 100 sq. ft."
"3.9 Event Center"	"1 space per 100 sq. ft., or 1 space per 3 fixed seats plus one space per employee"
"6.7.1 Performing Arts Center, as defined in Ch. 6."	"1 space per 100 sq. ft., or 1 space per 3 fixed seats plus one space per employee"
"11.1.2.1 Flight School"	"10 spaces per classroom, plus one space per employee"

PART VII

It is hereby declared to be the intention of the Mayor and City Council that the sections, paragraphs, sentences, clauses and phrases of this ordinance are severable, and, if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance.

The foregoing was proposed by Council member Robson with a motion that the same be adopted. Said motion was seconded by Council member Mesa. Same was then put to a vote and 4 Council members voted in favor of the Ordinance and 0 Council members voted against the Ordinance. Said motion was thereupon declared passed and duly adopted this 19<sup>th</sup> day of July, 2016.

*Emmie D. Niethammer*

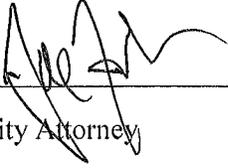
Emmie D. Niethammer  
City Clerk, City of Chamblee, Georgia

Approved this 19th day of July, 2016

*Brian K. Mock*

The Honorable Brian K. Mock  
Mayor Pro Tem, City of Chamblee, Georgia

Approved as to form:

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke, positioned above a solid horizontal line.

City Attorney

First Reading: June 21, 2016

Second Reading: July 19, 2016