

**ORDINANCE 2021-64 (A-21-23)**

**AN ORDINANCE TO AMEND SECTIONS 23-402, 23-903, 23-1203 AND 23-1205 OF THE ZONING ORDINANCES TO AMEND DEFINITIONS, REGULATIONS PERTAINING TO PARKING SPACE SIZE AND DESIGN, AND REGULATIONS GOVERNING SINGLE-FAMILY RESIDENTIAL ZONING**

**WHEREAS:** The Mayor and Council of the City of Doraville (“City Council”) are charged with the protection of the public health, safety, and welfare of the citizens of the City of Doraville; and

**WHEREAS:** The City Council may from time to time amend the Zoning Ordinance; and

**WHEREAS:** The City Council has determined that some of the existing regulations in the Zoning Ordinance are limiting the development and redevelopment opportunities of existing and proposed single-family residential properties; and

**WHEREAS:** A duly noticed public hearing was held;

**NOW THEREFORE,** the Mayor and Council of the City of Doraville, Georgia hereby ordain:

**Section 1:** That Sec. 23-402 of the Zoning Ordinance shall be amended as follows:

**Sec. 23-402. – Definitions.**

*Carport, residential* means an unenclosed or semi-enclosed permanent structure, for the purpose of the storage of vehicles used by the occupants of a residential dwelling. Such structures are anchored to a foundation, with a paved surface floor, and do not have an entry door. Carports may be attached or detached to the primary structure, but must be attached to a driveway. See [Sec. 23-601](#) for details concerning placement and architectural treatment.

*Garage, residential* means a completely enclosed permanent structure, for the purpose of the storage of vehicles used by the occupants of a residential dwelling. Such structures are anchored to a foundation, with a paved surface floor, with vehicle entry controlled by garage door(s). Garages may be attached or detached to the primary structure, but must be attached to a driveway. See [Sec. 23-601](#) for details concerning placement and architectural treatment.

*Kitchen* shall mean a room or facility for the preparation of food, with any cooking or warming apparatus. The presence of a refrigerator and/or a sink shall not constitute a kitchen.

**Section 2:** That Sec. 23-903 of the Zoning Ordinance shall be amended to read as follows:

**Sec. 23-903. - R-1 neighborhood residential district.**

- (a) *Purpose:* This district provides for neighborhood scale residential dwellings, their permitted accessory uses, and certain other uses that are in general complementary in use, scale and intensity. All existing and newly created lots shall front onto public streets, and shall be required to be served by public water and sewer systems.

- (b) *Permitted uses:*

Single-family detached dwellings.

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Home occupations as detailed in [Section 23-614](#). Group homes, personal care homes and nursing homes are not considered home occupations and are not permitted.,

Public parks owned and operated by the City of Doraville, Georgia.

Common open space owned and maintained by a neighborhood organization, registered nonprofit, or homeowner's association.

(c) *Conditional uses:*

More than three (3) accessory structures as outlined in [Section 23-601](#). Detached, fully enclosed garages or carports, as defined in [Section 23-402](#), shall not count as accessory structures.

Churches and other places of worship with all appropriate accessory uses. All lots shall have public water and sewer service. All parking requirements shall be met on-site. All such uses shall be screened as detailed in [Article XI](#).

Cemeteries when located on lots which are fifteen (15) acres or greater in size when owned and maintained pursuant to the laws of the State of Georgia. A twenty-five-foot replanted buffer shall be required along the perimeter of the site. All buildings shall maintain a setback of a minimum of one hundred (100) feet from any side or rear property line. Any interior streets shall be private. All such uses shall be screened as detailed in [Article XI](#).

Day care center for children, subject to all regulations and requirements of the State of Georgia. All requirements of Home Occupations pursuant to [Section 23-614](#) shall be met.

(d) *Accessory uses and structures:*

Accessory uses common to all residential districts, except those restricted as conditional uses herein.

Up to three (3) accessory structures, as defined in [Sec. 23-601](#), may be permitted by right.

(e) *Uses prohibited:*

Any use not specifically permitted or permitted upon approval of a Conditional Use Permit shall be prohibited. Further, mobile, modular, and manufactured single-family detached dwellings are prohibited.

(f) *Dimensional requirements:*

Minimum Lot Area	Ten thousand two hundred (10,200) square feet.
Minimum Lot Width	Sixty (60) feet of width, except existing lots which have a minimum lot depth exceeding two hundred fifty (250) feet which shall allow a 50-foot minimum lot width.
Minimum Public Road Frontage	Thirty (30) feet.
Minimum Front Yard Building Setback	Twenty (20) feet.
Minimum Side Yard Building Setback	Five (5) feet.
Minimum Side Yard Building Setback (Corner)	Ten (10) feet.
Minimum Rear Yard Building Setback	Twenty-five (25) feet.

Maximum Building Height	Thirty-five (35) feet. See <a href="#">Sec. 23-402</a> for a definition of how building height is measured.
Minimum Heated Floor Area	One thousand two hundred (1,200) square feet.
Maximum Impervious Lot Coverage	Forty (40) percent.

- (g) *Parking requirements for single-family detached structures:* Every single-family detached structure must provide three hundred twenty-four (324) square feet of space for parking, which is equivalent to two parking spaces sized nine (9) feet wide by eighteen (18) feet deep. These spaces must be located on private property, and not in the right-of-way. This requirement may be met in any of the following ways, or any combination thereof:

A paved driveway connected to a permitted curb cut; OR

A carport, either attached or detached; OR

A fully enclosed garage, either attached or detached.

- (h) *Development guidelines:* The following shall be considered by the Mayor and City Council as variances as set forth by [Article XIV, Appeals and Variances](#):

Any single-family detached dwelling structure which contains within more than one (1) kitchen, as defined in [Sec. 23-402](#).

Any single-family detached dwelling larger than five thousand (5,000) square feet heated floor area.

Any dwelling with more than five (5) bedrooms.

Attached or detached garages which contain more than three (3) parking spaces.

**Section 3:** That Sec. 23-1203 of the Zoning Ordinance shall be amended to read as follows:

**Sec. 23-1203. – Parking space calculations.**

**Section 4:** That Sec. 23-1205 of the Zoning Ordinance shall be amended to read as follows:

**Sec. 23-1205. - Design standards.**

The following design standards shall be used to achieve compliance with parking provisions of this article.

*Parking:*

- (1) Handicap space dimensions and markings shall comply with all standards set forth in the Americans with Disabilities Act (ADA).
- (2) Single-family and two-family residences: Driveways shall be fully paved or shall be ribbon driveways with a grass strip down the middle. Driveway widths shall be limited to a maximum width of twenty-four (24) feet.

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- (3) Paved, dust-free material shall be used for all parking and driving surfaces in all land uses. The use of approved "porous pavement" is encouraged provided such paving is approved for use by the City.
- (4) Parking lots or structures with nighttime use shall provide sufficient lighting for the safety and security of pedestrians and vehicles. Such lighting shall reduce light spillage onto adjacent properties by providing cutoff luminaries that have a maximum ninety-degree illumination.
- (5) Summary Table of Parking Space and Interior Drive Dimensions

Parking Space Dimensions	
Parking Space Type	Dimensions
Full-Size	9' x 18'
Compact	8' x 16'
Full-Size (parallel)	9' x 20'
Compact (parallel)	8' x 18'
Interior Drive Aisle Width	
One-Way	12'
Two-Way	24'

**Section 5:** This Amendment shall become effective immediately upon its adoption by the City Council. This Amendment hereby repeals any and all conflicting ordinances and amendments.

September 22, 2021

October 20, 2021

## First Reading

## Second Reading

So effective this 20<sup>th</sup> day of October, 2021.

Approved by:

Approved as to Form

7. phb

Joseph Geierman, Mayor



Cecil McLendon, City Attorney

So signed and witnessed this 20<sup>th</sup> day of October, 2021

Attest:

Anika Birdsong-Miller

Arika Birdsong-Miller, City Clerk

**Ordinance 2021-64**

**A-21-23**

## Amendments to the Zoning Ordinance

