

Z-18-05

Public Hearing – First Read

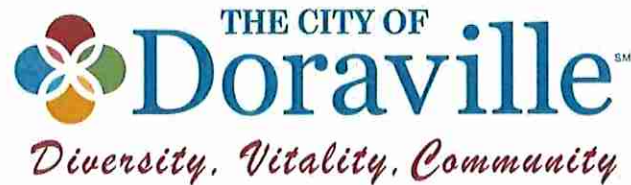
Legislative Packet includes

- Red-lined Draft
- Clean Draft

ADDRESS: Citywide

APPLICANT: City of Doraville

REQUEST: The City seeks to amend the **O-I and O-W districts** to change the ordinance page layout and update the list of permitted and conditional uses and development controls.



MEMORANDUM

TO: Mayor and City Council

FROM: Enrique Bascuñana, Community Development Director

SUBJECT: Z-18-05 Zoning Text Amendments to the O-I and O-W zoning districts

DATE: April 15, 2019 City Council Meeting

AN ORDINANCE TO AMEND CHAPTER 23, ARTICLE IX OF THE ZONING ORDINANCE OF THE CITY OF DORAVILLE TO AMEND SECTIONS 23-907 AND 23-908 OF THE O-I (OFFICE/INSTITUTIONAL) AND O-W (OFFICE/WAREHOUSE) DISTRICTS TO CONSOLIDATE AND REFORMAT CODE SECTIONS; TO UPDATE THE LIST OF PERMITTED AND CONDITIONAL USES; TO PROVIDE FOR REPEAL OF CONFLICTING ORDINANCES; TO PROVIDE FOR AN ADOPTION AND EFFECTIVE DATE; TO PROVIDE FOR CODIFICATION; AND TO PROVIDE FOR OTHER LAWFUL PURPOSES.

POLICY AIM:

The Community Development Department has identified several amendments to the Zoning Ordinance to implement recommendations from the adopted *2017-2037 City of Doraville Comprehensive Plan*, as well as other adopted plans, intended to address planning and land use issues, promote economic development, expand the city's business sector and employment base, update and maintain rational land use patterns implemented through our zoning regulations, remove outdated/obsolete uses, respond to current market trends and best practices, and create a more user-friendly zoning ordinance. This is a follow-up to the multi-phase approach to amend the Zoning Ordinance presented by Staff to Council in August of 2017. These continued Phase I amendments include updates to the following regulations:

- O-I (Office/Institutional)
- O-W (Office/Warehouse)

Guiding Principles:

The following principles guided the process for the proposed amendments:

- Implement the Vision– Doraville's city development has resulted in a mosaic of land uses, that are not necessarily compatible with each other nor the City's current Vision for development/growth. Utilize the *Comprehensive Plan*, as well as several other adopted plans as a guide to implement zoning amendments and changes in property designations
- Review regulations from other cities for current trends/best practices
- Review appropriateness of uses in each zoning district
- Change certain conditional uses to permitted uses "by right". Rational:
 - Uses are consistent with the Comprehensive Plan and the purpose and intent of corresponding zoning district

- Uses are compatible with the character of adjacent developments and neighborhoods and do not create adverse impacts such as traffic, noise, odors, visual nuisances
- Treat equitably conditional uses that are similar to those permitted “by right” (e.g. nail salons similar to beauty salons/barber shops)

Proposed amendments include:

- 1) Combining both zoning districts into one Code Section (23-907)
- 2) Reformatting document layout within each zoning district:
 - Converting the list of permitted and conditional uses into a Table format
 - Grouping uses by category
- 3) Updating list of uses:
 - Add new Permitted uses “by right”
 - Update the Conditional uses list
 - Change certain uses from Conditional to permitted uses “by right”
 - Consolidate uses into categories: commercial/retail, education/childcare, institutional, Medical/Health, Office, Recreation/Entertainment, Residential/Lodgings, Transportation/Parking, and Other.
 - Remove or further restrict certain uses
- 4) Addition of the following items to the Development Controls Table:
 - Drive-through facilities: Add site layout restrictions on placement of drive-through lanes for all drive-throughs.
 - Driveway Curb Cuts: add limitations to the number, width, and placement of driveway curb cuts.
 - Sidewalks: add requirements for sidewalks.
 - Mechanical equipment: add screening requirements. Existing dumpster screening requirements are referenced by code section.

PLANNING COMMISSION RECOMMENDATION: APPROVAL at the March 20, 2019 meeting.

This case had been presented to the Commission at the August 29th and October 3th, 2018 meetings and the March 6th meeting.

STAFF RECOMMENDATIONS: APPROVAL of updated ordinance with the following revisions discussed at the April 8, 2019 City Council Extended Work Session. These more recent changes are noted in red font.

- 1) Allow the following uses by right:
 - Tattoo/body craft studios in both districts.
 - Health and fitness clubs without massage or spa in both districts.
 - Adult day care in the O-I district.
 - Instruction of fine arts: allow pottery or ceramics production with kiln usage; glass blowing; and welding. Add distance requirements from residential uses and add code section references pertaining to the nude human figure.
 - Funeral homes and mortuaries, subject to distance requirements from residential uses.
 - Update the parking allowance for on-site parking of Fleet vehicles
 - Internet-based business offices with on-site shipping services in both districts, however, subject to a size limit in the O-I district.

- Newspaper office and news syndicates providing on-site printing, publication and distribution, subject to distance requirements from residential uses.
- 2) Prohibit the following:
- Outdoor storage or display for Special training and school services, etc.
 - Conversion therapy for minors.
 - Sexually oriented businesses.
- 3) Remove Sanitarium from the list of uses. Such use would be classified under the “Hospital and clinics (in-patient)” category.

Included in this packet are two versions of the changes. The first is a red-line draft, and the second is a clean version incorporating all the changes if they were approved.

**STATE OF GEORGIA
CITY OF DORAVILLE**

ORDINANCE NO. 2019-_____

Z-18-05

AN ORDINANCE TO AMEND CHAPTER 23, ARTICLE IX OF THE ZONING ORDINANCE OF THE CITY OF DORAVILLE TO AMEND SECTIONS 23-907 AND 23-908 OF THE O-I (OFFICE/INSTITUTIONAL) AND O-W (OFFICE/WAREHOUSE) DISTRICTS TO CONSOLIDATE AND REFORMAT CODE SECTIONS; TO UPDATE THE LIST OF PERMITTED AND CONDITIONAL USES; TO PROVIDE FOR REPEAL OF CONFLICTING ORDINANCES; TO PROVIDE FOR AN ADOPTION AND EFFECTIVE DATE; TO PROVIDE FOR CODIFICATION; AND TO PROVIDE FOR OTHER LAWFUL PURPOSES.

WHEREAS, the City Council of the City of Doraville, Georgia is tasked with the protection of the City's public health, safety and general welfare; and

WHEREAS, the intent of the O-I and O-W districts is to encourage suitable business and professional enterprises with accessory supporting uses; and

WHEREAS, the City seeks to promote economic development and attract investment by creating more opportunities for diversification and expansion of Doraville's business sector and employment base; and

WHEREAS, the City seeks to update the the O-I and O-W districts to remove outdated and obsolete items and respond to current trends and best practices; and

WHEREAS, the City seeks to create a more user-friendly Zoning Ordinance by updating the format, permitted and conditional uses, and clarify zoning terms and remove conflicting code sections; and

WHEREAS, the City seeks to reduce inefficiency in Staff time and City resources spent on zoning cases for land uses that are compatible with the Comprehensive Plan and have minimal impact on adjacent properties/neighborhoods; and

WHEREAS, the City seeks to streamline administrative procedures (for business licenses and permits); and

WHEREAS, a duly advertised public hearing, in accordance with the Georgia Zoning Procedures Act, has been held by the City of Doraville to consider these revisions.

THEREFORE, THE MAYOR AND COUNCIL OF THE CITY OF DORAVILLE, GEORGIA HEREBY ORDAIN, as follows:

Section 1: That Sections 23-907 (O-I Office/Institutional District) and 23-908 (O-W Office/Warehouse District) of Chapter 23, Article IV, of the Zoning Ordinance are hereby amended to replace the existing language with the following language as shown in exhibit "A".

Section 2: All ordinances or parts of ordinances in conflict herewith are hereby expressly repealed.

Section 3: The Ordinance shall be codified in a manner consistent with the laws of the State of Georgia and the City of Doraville.

Section 4: It is the intention of the governing body, and it is hereby ordained that the provisions of this Ordinance shall become and be made part of the Code of Ordinances, City of Doraville, Georgia and the sections of this Ordinance may be renumbered to accomplish such intention.

Section 5: This Ordinance shall become effective on the date of adoption.

Exhibit "A"

Sec. 23-907. – O-I and O-W districts.

1) Purpose:

- O-I Office/Institutional District: The office/institutional district is intended to encourage development of suitable business and professional enterprise, hospitals, medical and dental facilities of a character and density deemed compatible with the primary purpose of this district. Limited retail uses normally appurtenant to office/institutional uses are also permitted under designated uses provided they are located within a principal use and do not occupy more than twenty (20) percent of the gross floor area subject to exclusions detailed herein.
- O-W Office/Warehouse District: The office/warehouse district is intended to encourage the development of office and office warehouse facilities in combination where the manufacture and/or fabrication of products are not involved.

2) Table of Uses:

Table of Uses		
<u>Permitted Uses and Structures</u> <u>P = Permitted "by right" Principal Uses and Structures</u> <u>CUP = Conditional Use Permit</u> <u>Accessory uses</u> : Customary accessory uses except as furthermore regulated herein. <u>X = Uses prohibited</u> . Furthermore, any use not specifically permitted or uses not permitted upon approval of a conditional use shall be prohibited.	O-I	O-W
Commercial/Retail		
Automatic teller machine (walk up only) subject to design guidelines.	CUP P	P
<u>Catering Services without banquet hall. Said establishments shall be limited to 5,000 gross square feet and shall have no more than two (two) service trucks parked on-site.</u>	X	P
Commercial artist studios (except body craft studios) and art galleries.	P	P
Computer and data processing services.	P	P
Film, television, photography, music recording, and audio production studios within fully enclosed <u>and soundproof</u> buildings.	P	P
Health and fitness clubs without massage or spa.	P	P
Photographers with or without on-site photo finishing, but excluding the sale of supplies and equipment.	P	X
<u>Microbrewery, Microdistillery, and Microwinery</u> . Said uses shall be limited to a maximum building square footage of 20,000 gross square feet and shall be located greater than 500 feet measured in a straight line from residential zoning districts. In addition, a "tasting room" open to the general public shall be provided and shall have a minimum gross floor area of 500 square feet and a maximum gross floor area of 3,000 square feet. Tasting Room hours shall be limited to the "Hours of Sale" authorized in Sec. 3-28 of the Alcoholic Beverage Ordinance. Such establishments shall also be subject to Section 23-911 <i>Performance Standards</i> pertaining to noise, vibration, smoke, dust or other particular matter, toxic or noxious waste materials, odors, and glare. Manufacturing and storage operations shall be contained solely indoors with no outdoor storage permitted with the exception that each establishment shall be permitted to have one (1) storage silo placed outside in a location visible to the public, which shall include signage of the company name and logo displayed prominently on the silos (in compliance with the sign ordinance). Each outdoor silo shall be limited to a maximum size of nine (9) feet in diameter by 35 feet tall.	X	P

Exhibit "A"

Commercial/Retail	O-I	O-W
<p>Retail uses normally appurtenant to office/institutional uses to include:</p> <ul style="list-style-type: none"> florist shops (maximum two thousand (2,000) square feet gross floor area), barber and beauty shops with personnel licensed by the State of Georgia but excluding massage services (maximum two thousand (2,000) square feet gross floor area), shoe shine stands (maximum two hundred fifty (250) square feet gross floor area); cafeterias and restaurants but excluding the sale of alcohol (maximum five thousand (5,000) square feet gross floor area), and snack shops (maximum one thousand five hundred (1,500) square feet gross floor area), pharmacies (maximum three thousand (3,000) square feet of gross floor area), and gift shops (maximum one thousand five hundred (1,500) square feet gross floor area) when located within office or medical buildings which are a minimum of forty-five thousand (45,000) square feet of gross floor area, but excluding wholesale trade. 	P	X
Staging, lighting, audio and video equipment sales, rental, repair, and installations.	P	P
Tattoo/Body Craft Studios, subject to restrictions of Articles I and XVI of Chapter 6.	P	P
Education/Child Care	O-I	O-W
Child care centers, pre-schools, kindergartens and special schools, and adult daycare.	P	X
Colleges and universities, business colleges, vocational technical schools, GED instruction, and performing arts schools, but excluding commercial driver's license (CDL) training, barber and beauty schools, pre-schools, kindergartens, riding schools, day care facilities, and any use requiring outside activities, display, or storage.	CUP	X
Instruction of fine arts including sculpture, painting, and music but excluding pottery or ceramics production with kiln usage; glass blowing; welding; and body craft studios. Sculpture assemblage and finishing shall not utilize on-site mechanized equipment such as lathes, power tools (including, but not limited to, saws and drills), and kilns. When models are utilized in a studio or instruction setting, the following anatomical areas shall not be exposed:	P	X
(1) Less than completely and opaquely covered human genitals or pubic region, cleft of the buttocks, or female breast below a point immediately above the top of the areola; or		
(2) Human male genitalia in a discernibly turgid state, even if completely and opaquely covered.		
Instruction of fine arts including sculpture, painting, writing, music and performing arts, but excluding pottery or ceramics production with kiln usage; glass blowing; and welding; and body craft studios. Sculpture assemblage and finishing shall not utilize on-site mechanized equipment such as lathes, power tools (including, but not limited to, saws and drills), and kilns, subject to the following:	P	P
• Shall be within enclosed soundproof buildings when located within 300 feet, measured in a straight line, from residential uses. No outdoor storage permitted.		
• Such schools may provide performances open to the general public as an accessory use, provided minimum parking requirements are met for the main assembly area.		
• Instruction with the use of the nude human figure, subject to restrictions of Article X of Chapter 6.		
Schools—Private (offering instruction to children from grades one (1) through twelve (12)). All staff shall hold the requisite certification required by the State of Georgia.	CUP	X

Exhibit "A"

Special training and schooling services including barber and beauty schools, business and vocational-technical schools (except those having an external industrial character), GED instruction, dancing schools, exercise studios, and tutoring. Commercial driver's license (CDL) with indoor training only. No outdoor storage or display permitted.	P	P
Institutional	O-I	O-W
Churches and other places of worship but excluding the use of tents, unless otherwise allowed by this Chapter, and the adaptive reuse of single-family dwellings and multi-family dwellings where other places of public assembly are prohibited from using the same. Schools, day care, recreational facilities, book stores, icon and religious paraphernalia stores, parsonage, convent dormitory or residential facility, monastery dormitory or residential facility, and religious retreats are permitted customary accessory uses. Other retail sales of any type are prohibited. Church parking requirements shall apply.	CUP	CUP
Clubs and lodges of a business character which are nonprofit but excluding alcohol sales.	CUP	X
Convent.	CUP	X
Government and public buildings but excluding for-profit correctional or detention facilities.	CUP	X
Libraries, Public.	CUP	X
Monastery.	CUP	X
Museums.	CUP	X
Philanthropic institution offices.	CUP	X
Religious retreat.	CUP	X
Museums, auditoriums, libraries and similar cultural facilities, when located greater than 500 feet, measured in a straight line, from single-family and two-family residential uses.	P	P
Social, fraternal, union or civic buildings, philanthropic associations; private (nonprofit) clubs, and lodges. Limited to 2,000 gross square feet when located within 500 feet, measured in a straight line, from single-family and two-family residential uses.	P	P
Medical/Health	O-I	O-W
Abortion clinic with all medical personnel licensed by the State of Georgia.	CUP	X
Acupuncture as licensed by the State of Georgia.	P	X
Asylum <u>Mental Health Facility</u> with twenty-four-hour nursing care and security. All medical personnel shall be licensed by the State of Georgia.	CUP	X
Audiologist's office as shall be licensed by the State of Georgia.	P	X
Chiropractic offices as shall be licensed by the State of Georgia.	P	X
Coroner's office and/or coroner's morgue.	CUP	X
<u>Crisis center (out-patient).</u>	CUP	X
Cryogenic facility with twenty-four-hour security. All medical personnel shall be licensed by the State of Georgia.	CUP	X
Dentist office with all dental personnel licensed by the State of Georgia as required.	P	X
Denture fitting and lab.	P	X

Exhibit "A"

Medical/Health	O-I	O-W
Funeral homes and mortuaries (both excluding crematoriums) and without drive-through or drive-in service/viewing. Hearses or other transport vehicles for the deceased shall not be parked or stored visible from the public right-of-way. An all weather porte-cochere shall be provided at the rear of the facility for the intake of the human remains; however, a side or rear porte-cochere shall be provided for funeral services transport to final resting place. All buildings shall be faced with brick and/or stack stone on all elevations (excluding fenestration) and shall have a pitched style roof.	CUP	X
Funeral homes and mortuaries (both excluding crematoriums) shall be located greater than 500 feet measured in a straight line from residential zoning districts, and subject to the following: <ul style="list-style-type: none"> Hearses or other transport vehicles for the deceased shall not be parked or stored visible from the public right-of-way. An all weather porte-cochere shall be provided at the rear of the facility for the intake of the human remains; however, a side or rear porte-cochere shall be provided for funeral services transport to final resting place. All buildings shall be faced with brick and/or stack stone on all elevations (excluding fenestration) and shall have a pitched style roof. 	P	P
Clinics (out-patient), except veterinary clinic, abortion clinic, reproductive donor clinic, and substance abuse and treatment facilities. All medical personnel shall be licensed by the State of Georgia.	P	X
Clinics for domestic animals, also known as veterinary clinics, are allowed as conditional uses so long as all kenneling, runs, and other activities are performed in a wholly enclosed facility.	CUP	X
Offices, clinics (out-patient) and laboratories, but not blood donor stations and/or blood plasma centers. Blood plasma and blood donor centers shall be prohibited.	P	X
Hospitals and clinics (in-patient), other than veterinary but excluding veterinary clinics and abortion clinics, with all medical personnel licensed by the State of Georgia.	P CUP	X
Human disease testing laboratories. All medical personnel shall be licensed by the State of Georgia.	CUP	X
Massage and spa establishment.	CUP X	X
Optometrist office as shall be licensed by the State of Georgia but excluding eyeglass lab.	P	X
Orthodontist office with all dental personnel licensed by the State of Georgia as required.	P	X
Physician's offices and clinics (out-patient services). Physicians, nursing practitioners, and nursing staff shall be licensed by the State of Georgia.	P	X
Podiatrist office without foot reflexology. All medical personnel shall be licensed by the State of Georgia.	P	X
Reproductive donor clinic with all medical personnel licensed by the State of Georgia.	P	X
Sanatorium with twenty-four-hour nursing care. All medical personnel shall be licensed by the State of Georgia.	CUP	X
Social service agency other than overnight or sleeping accommodations.	CUP	X
Substance abuse and treatment facilities (in-patient) provided twenty-four-hour nursing care and security is provided but excluding the adaptive reuse of single-family or multi-family dwellings. All medical personnel shall be licensed by the State of Georgia.	CUP	X

Exhibit "A"

<u>Veterinary clinics</u> for household animals, provided that such clinics and any treatment rooms, cages, pens, or kennels be maintained within a completely enclosed, air-conditioned, heated, sound insulated building and that such clinic be operated in such a way as to produce no objectionable or noxious odors or noises outside its walls and the provision be made to dispose of all refuse and garbage in a sanitary manner.	P	P
Office	O-I	O-W
Accounting, auditing, and bookkeeping services.	P	
Advertising firm offices.	P	
Attorneys and law offices.	P	
Consulting scientist's offices without laboratory facilities.	P	
Credit reporting, adjustment, and collection agencies but excluding the collection, storage, or sale on-site of motorized vehicles.	P	
Customer service centers (but excluding call centers).	P	

Exhibit "A"

Office		
<p>Business and professional office uses (excluding the sale of goods at retail), but excluding uses as further regulated by Code. Furthermore, except</p> <p><u>However, the following uses are specifically prohibited:</u></p> <ul style="list-style-type: none"> o ambulance service; o bail bond and appearance bond operations; o barter, swap, and trading offices; o body-craft studio; o cash advance; check cashing establishments; o contractor's offices; o exterminating and pest control offices; o conversion therapy for minors. Conversion therapy means any practice or treatment that seeks to change an individual's sexual orientation or gender identity, including efforts to change behaviors or gender expressions or to eliminate or reduce sexual or romantic attractions or feelings toward individuals of the same gender. o firearms dealers office; o lawn care offices; o moving and storage companies; o taxi service and dispatch agencies; o trucking and transport firms; o wrecker service; o blood and/or plasma donor centers; o day labor or labor pool agencies; o delivery services; o driving schools with outdoor driving courses; o escort services; o fortunetellers; handwriting analysts; hypnotists; o massage establishments; o modeling agencies; o palmistry; o pawnshops, including title pawn, and pawnbrokers; o automotive and truck rental; and automotive dealer's office o No vehicle Vehicles whose gross vehicle weight rating (GVWR) of over ten thousand (10,000) pounds, including commercial tractor-trailers, dump trucks, wreckers, or earth moving equipment shall not be parked, stored, or dispatched in connection with a business or professional office use conducted on the premises. No vehicle for hire shall be parked, stored, or dispatched from the site. o Fleet vehicles parked on-site, except a maximum of two automobiles. with the following exception: no more than 25% of the minimum number of required parking spaces for a business shall be allowed to park on-site. In no case, shall the overall number exceed four vehicles. 	P	P
Customer service center with call center.	CUP P	P
Dispatching office but excluding on-site parking, storage or use of dispatched vehicles.	CUP	-
Employment, personnel, and temporary help service (excluding day labor or labor pool).	P	
Engineering, drafting, and architectural services (as shall be licensed by the State of Georgia) but excluding contractor's office.	CUP	
Holding and investment organizations.	P	
Home health care agency office with all medical personnel licensed by the State of Georgia.	P	
Home security alarm monitoring office.	P	
Insurance carriers, agents, and brokers offices as shall be licensed by the State of Georgia.	P	
Interior decorating and home interiors consulting offices.	P	

Exhibit "A"

Internet-based business offices but excluding on-site shipping services. In O-I districts, establishments providing on-site shipping services shall be limited in size to 2,000 gross square feet.	P	P
Maid, nanny, and household help agency (excluding day labor and labor pools).	P	
Management, consulting, and public relations offices.	P	
Membership organizations including automobile clubs (office only), better business bureaus, chamber of commerce, labor unions (except labor or assembly halls), political organizations, and professional organizations.	P	
Money management and investment services.	P	
Newspaper office and news syndicates, but excluding on-site printing, publication, and distribution. Establishments providing on-site printing, publication, and distribution shall be located greater than 500 feet measured in a straight line from residential zoning districts.	P	P
News syndicates.	P	
Notary service as shall be licensed by Georgia Superior Court Clerk's Cooperative Authority/Office of the Secretary of State without any attendant copying, duplicating, facsimile, or mail services.	P	
Public relations firms.	P	
Real estate brokers, managers, appraisers, and real estate title.	P	
Rediscount and financing institutions for credit agencies other than banks.	P	
Research scientist office with laboratory and testing facilities including the production of prototype products provided they are not objectionable by reason of emission of noise, vibration, smoke, dust, fumes, odors, or radiation and that do not create fire or explosion hazards and do not require any outdoor storage. Such facilities shall be limited to a P-3 (Protection level) laboratory testing and research, and restricted to biosafety levels no higher than BSL-3.	CUP P	P
Securities commodities, brokers, dealers, and exchanges.	P	
Surveyor's offices as shall be licensed by the State of Georgia but excluding contractor's offices.	CUP	
Tax preparation and filing service.	P	
Telegraph office.	CUP	
Telephone office.	CUP	
Telephone exchange facility.	CUP	
Ticket agency office but excluding on-site retail sales to customers coming to the office.	P	
Tourist or visitor bureau offices.	CUP	
Translation services.	P	
Travel agencies.	P	
Urban planning services.	P	
Utility billing or payment offices.	P	
Recreation/Entertainment	O-I	O-W
Assembly halls and community centers when operated on a nonprofit basis.	CUP	CUP
Park, passive use.	CUP	-
Parks, playgrounds, soccer, baseball, football or other athletic fields, golf courses.	CUP	CUP
Sexually oriented businesses.	X	X
Residential Dwellings/Lodgings	O-I	O-W

Exhibit "A"

Community shelter or single room occupancy (SRO) operated not-for-profit with twenty-four-hour on-site management and security. Lodging shall not exceed fifteen (15) continuous hours within a twenty-four-hour period.	CUP	X
Dormitory for student housing as an on-site adjunct to a college or university.	CUP	X
Fraternity house as an on-site adjunct to a college or university.	CUP	X
Dormitories, fraternity houses and sorority houses, officially affiliated with an accredited college, university or private school and only for the time period that such affiliation is in effect.	CUP	X
Group or congregate personal care centers, assisted living, and nursing homes for the elderly, disabled, or infirmed (all with twenty-four-hour nursing services) as shall be licensed and/or regulated by the State of Georgia but excluding the adaptive re-use of single-family dwellings and multi-family dwellings. All medical personnel shall be licensed by the State of Georgia.	CUP P	X
Orphanage with twenty-four-hour on-site management. All medical personnel shall be licensed by the State of Georgia.	CUP	X
Sorority house as an adjunct to an on-site college or university.	CUP	X
Transportation/Parking	O-I	O-W
<p>Parking garages subject to design guidelines when the site is located within a one-half (½) mile radius of the existing Doraville Marta station property located in the vicinity of New Peachtree Road and Park Avenue and furthermore provided:</p> <ol style="list-style-type: none"> (1) Parking garages shall provide ground floor occupancy office space subject to the exclusions listed herein, for the first sixty (60) feet of building depth along the enfronting facade facing a vehicular right-of-way. (2) All enfronting ground floor office uses shall have a primary pedestrian entrance which faces, is visible from, and is directly accessible from the adjacent required sidewalk. (3) Parking garages shall conceal automobiles from view; shall have the appearance of a horizontal storied building on all levels and elevations with fenestration; shall be faced in brick, stacked stone, and cast stone and/or any combination thereof as shall be approved by the City Council. 	CUP	CUP
Other	O-I	O-W
Residential habitation shall be prohibited except where specifically provided for in conjunction with care facilities which offer twenty-four-hour nursing care.	X	X
The adaptive reuse of multi-family dwellings shall be prohibited.	X	X
The adaptive re-use of single-family and multi-family dwellings shall be prohibited within the O-W district.	X	X
The City Council may further limit the allowed uses when approving a rezoning or conditional use involving the adaptive reuse of a single-family dwelling (where permitted) or when said use shall be proximate (within one thousand (1,000) feet measured from the lot line) of a single-family detached dwelling district. Development shall be restricted to lands with public water and sewer available.	P	X

Exhibit "A"

<p><u>Office/warehouse facilities</u> when the warehouse is an integral portion of the office structure but excluding mini-storage or self-storage facilities, <u>provided:</u></p> <ul style="list-style-type: none"> • <u>The warehouse portion of the facility must be a minimum of fifty-one (51) percent of the gross floor area regardless of any of heated square footage ratio; however, no less than A minimum of twenty-five (25) percent of the facility shall be devoted to office use.</u> • No warehouse doors shall face a public right-of-way nor shall any shipping/receiving/loading/unloading area face a public right-of-way. • No vehicle whose gross vehicle weight rating (GVWR) of over ten thousand (10,000) pounds, including commercial tractor-trailers, dump trucks, wreckers, or earth moving equipment shall be parked, stored, or dispatched in connection with an office/warehouse use conducted on the premises. • No vehicle for hire shall be parked, stored, or dispatched from the site. 	<p>X</p>	<p>P</p>
<p>Open space when part of a planned office/warehouse park and provided there is established and maintained a mandatory property owner's association.</p>	<p>X</p>	<p>A</p>
<p>Any use not specifically permitted or uses not permitted upon approval of a conditional use shall be prohibited. Food service and entertainment venues (e.g., nightclubs, bars, taverns, discotheques, lounges, social clubs, billiards and pool halls, etc.) and motorized vehicle sales or rental (except wheelchairs) shall be specifically prohibited. All drive-in and drive-through services shall be prohibited within this district.</p>		<p>X</p>
<p>Other</p>	<p>O-I</p>	<p>O-W</p>
<p>Climate-controlled self-storage or mini-storage warehouses subject to design guidelines when located on lots one (1) acre or greater (forty-three thousand five hundred sixty (43,560) square feet) exclusive of wetlands and floodplain.</p> <ol style="list-style-type: none"> a. Climate-controlled self-service storage facilities shall be limited to dead storage use only. b. No activities other than the rental of storage units and pick-up and deposit of dead storage shall be allowed on the premises. c. Examples of activities <u>prohibited</u> in self-storage facilities include, but are not limited to, the following: <ol style="list-style-type: none"> 1) Auctions (except those of the self-storage facility owner to dispose of items within unit which has become derelict of fee payment and/or abandonment), wholesale or retail uses, yard or garage sales. 2) The servicing, repair, or fabrication of motor vehicles, boats, trailers, lawn mowers, appliances or other similar equipment. 3) The operation of power tools, spray painting equipment, table saws, lathes, compressors, welding equipment, kilns, or other similar equipment. 4) The establishment of a transfer and storage business. 5) The storage of hazardous or flammable materials (including, but not limited to alcohol and propane). 6) The storage of food or food stuffs. 7) Any use that is noxious or offensive because of odors, dust, noise, fumes, or vibrations. 8) Residential habitation of storage units. d. Incidental manager's office but excluding residential habitation. e. Outside storage and display shall be prohibited. f. No door openings for any self-service storage facility unit shall be constructed facing a public right-of-way or a single-family residential district even when visible or viewed through a glass surface. g. Access to every individual storage unit shall be provided on-grade; neither requiring the use of stairs or steps. There shall be no preclusion of multi-story facilities which contain an elevator for patrons' use. 	<p>X</p>	<p>CUP</p>

Exhibit "A"

Retail, wholesaling, and warehousing would be a customary accessory use to any business located within the O-W district.	X	P
Wholesaling and warehousing of goods, subject to restrictions noted elsewhere in the zoning district.	X	P

3) Development Controls:

Development Controls		
	O-I	O-W
Development	<ul style="list-style-type: none"> Restricted to lands with public water and sewer available. 	<ul style="list-style-type: none"> Restricted to lands with public water and sewer available.
Drive-in and drive-through facilities	<ul style="list-style-type: none"> Prohibited 	<ul style="list-style-type: none"> Prohibited
Driveway curb cuts	<p>Driveway curb cut limitations are required to ensure adequate provisions are made for ingress and egress to a property, with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or other catastrophe. Along state routes, final driveway curb cut approval is subject to Georgia Department of Transportation.</p> <p>a. Shall be a maximum of 24 feet for two-way entrances and 12 feet for one-way entrances, unless a greater width is otherwise permitted by the Director of Community Development upon its finding of necessity of such greater width.</p> <p>b. Maximum permitted number of driveway curb cuts for each development. (For the purposes of this section, two curb cuts serving two one-way driveways shall only be counted as one curb cut):</p> <p>i. Developments with only one street frontage, which is less than 300 feet in length: One (1) curb cut;</p> <p>ii. Developments with only one street frontage, which is greater than or equal to 300 feet in length: Two (2) curb cuts;</p> <p>iii. Developments with more than one street frontage: One (1) per street frontage.</p> <p>c. Along City and private streets, the location of driveway curb cuts shall be subject to approval by the Director of Community Development.</p>	
Outdoor display and storage	<ul style="list-style-type: none"> Prohibited 	<ul style="list-style-type: none"> Prohibited
Minimum Lot Area:	<ul style="list-style-type: none"> Ten thousand two hundred (10,200) square feet exclusive of wetlands and floodplain whether developed or being developed as single use or multi-tenant facility. 	<ul style="list-style-type: none"> Thirty-five thousand (35,000) square feet exclusive of wetlands and floodplain whether developed or being developed as single use or multi-tenant facility. Climate-controlled mini-storage or self-storage warehouse facilities when located on lots which are one (1) acre or greater (forty-three thousand five hundred sixty (43,560) square feet) exclusive of wetlands and floodplain.

Exhibit "A"

Minimum Lot Width:	<ul style="list-style-type: none"> fifty (50) feet. 	<ul style="list-style-type: none"> Thirty (30) feet.
Minimum Public Road Frontage:	<ul style="list-style-type: none"> Thirty (30) feet. 	<ul style="list-style-type: none"> Thirty (30) feet.
Maximum Front Yard Building Setback:	<ul style="list-style-type: none"> Twenty-five (25) feet but no less than five (5) feet with full masonry front, side, and rear facade elevations (brick and/or stone). Uses which allow twenty-four-hour continuous care residential habitation as specified herein shall observe a forty-foot front building setback. 	<ul style="list-style-type: none"> Twenty-five (25) feet but no less than five (5) feet with full masonry front facade elevation (brick and/or stone).
Minimum Rear Yard Building Setback:	<ul style="list-style-type: none"> None, but buffer requirements where applicable per Code plus five-foot structure setback. 	<ul style="list-style-type: none"> None, but buffer requirements where applicable per Code plus five-foot structure setback.
Minimum Side Yard Building Setback:	<ul style="list-style-type: none"> None, but buffer requirements where applicable per Code plus five-foot structure setback. 	<ul style="list-style-type: none"> None, but buffer requirements where applicable per Code plus five-foot structure setback.
Maximum Building Height:	<ul style="list-style-type: none"> Five (5) stories subject to FAA approval if within an airport approach zone and where abutting single-family detached dwellings the structure setback from the buffer (e.g., along side or rear lot lines) shall be increased five (5) feet for each one (1) story or portion thereof above two (2) stories in height. 	<ul style="list-style-type: none"> Three (3) stories or thirty-five (35) feet, whichever is less.
Maximum Impervious Lot Coverage:	<ul style="list-style-type: none"> Adaptive reuse (where permitted)—Eighty (80) percent. All other—Eighty-five (85) percent. 	<ul style="list-style-type: none"> Eighty (80) percent.
Mechanical and accessory features (such as HVAC condensers, electrical transformers, heat pumps, and similar features, including satellite dishes)	<p>Notwithstanding Sections 23-1704 and 23-1705, the following screening requirements are required:</p> <ul style="list-style-type: none"> Shall be in the location of least visibility from the public right-of-way and/or private street and shall be prohibited between the building and the street. Screening with fence or plant materials shall be required. Fencing shall be 100% opaque and of a material that matches or is similar to the material of the principal building. Vegetative screening shall consist of evergreen shrubs having a minimum of 42 inches in height at time of planting, and reaching a minimum height of six (6) feet within two years of planting. When located on rooftops, said features shall be incorporated in the design of the building and/or screened with building materials similar to those of the building. <u>Administrative variations:</u> Administrative approval from full compliance with the screening requirements is subject to approval by the Director of Community Development due to unique site and/or building constraints, instances where such equipment is not visible from adjacent properties, and/or where screening poses conflicts with Georgia Power requirements for equipment access. 	
Dumpsters	Shall comply with the screening requirements of Chapter 15, Article VI.	

Exhibit "A"

<p>Sidewalks</p>	<p>Sidewalks shall be required along all streets:</p> <ul style="list-style-type: none"> • Arterial and collector streets: minimum of 15 feet wide which shall include a five (5) foot wide tree planting zone next to the curb and a 10 foot wide concrete sidewalk clear zone for pedestrian access. • Local streets, and Flowers Road, Oakcliff Road (south of the southern leg of Pin Oak Circle): minimum of 11 feet wide which shall include a five (5) foot wide tree planting zone next to the curb and a six (6) foot wide concrete sidewalk clear zone for pedestrian access.
<p>Sidewalks: Notwithstanding Sec. 23-402, sidewalks in both of these zoning districts shall be located along all streets and shall consist of two zones: a tree planting/street furniture zone and a sidewalk clear zone.</p>	<p>Streetscape Requirements</p> <ul style="list-style-type: none"> • <u>Tree Planting/street furniture zone:</u> located adjacent to back of street curb, is reserved for the placement of street trees, street furniture including utility and light poles, waste receptacles, fire hydrants, traffic signs, traffic control boxes, newspaper boxes, transit shelters, bicycle racks, seating and similar elements in a manner that does not obstruct pedestrian access or motorist visibility. • <u>Sidewalk Clear Zone:</u> The portion of a sidewalk that is unobstructed by any permanent objects to a vertical height of eight (8) feet and is reserved for pedestrian circulation and passage. No fixed elements, including traffic control boxes, fire hydrants or other utility structures, shall be placed above ground in the clear zone. The clear zone shall consist of concrete pavement shall have a consistent cross-slope not exceeding two percent unless existing site topography is greater. • <u>Street trees:</u> Trees shall be required in the tree planting/street furniture zone and spaced at a maximum distance of 40 feet apart, all newly planted street trees shall be single-stemmed with a minimum caliper of three inches measured 36 inches above ground, shall be a minimum of 10 feet in height, shall have a minimum mature height of 40 feet, and shall be limbed up to a minimum height of seven (7) feet. Trees shall have a minimum planting area of 40 square feet planted with evergreen ground cover such as mondo grass or liriopie spicata or covered with hardwood mulch. Flowers and seasonal plantings may be planted in tree planting areas but shall be supplemented by hardwood mulch when not planted. Tree grates shall be prohibited. • <u>Street Lights:</u> decorative pedestrian lights shall be located in the tree planting/street furniture zoned as required by the Director of Community Development and shall be placed a maximum distance of 80 feet on-center and spaced equidistant between required street trees. • <u>Uniform Design Standards:</u> All pavement materials, street tree species (varying by corridor), light fixtures and street furniture shall be a type specified by the Director of Community Development in accordance with uniform design standards utilized by the director for placement of such objects in the public right-of-way. • <u>Sidewalk Taper:</u> Where property abuts a residentially zoned property, the sidewalk area within twenty (20) feet shall taper as necessary to provide a smooth transition to the width of the existing sidewalk. If the abutting residentially zoned property has no existing sidewalk, the sidewalk shall taper to a width of six (6) feet. • <u>Administrative variations:</u> Administrative approval from the streetscape requirements are subject to approval by the Director of Community Development in instances of overhead powerlines, protection of existing trees, significant topography, and/or other site constraints, and along state routes where Georgia Department of Transportation requirements may require design adjustments. <p>Minimum Width Requirements</p> <p><u>Tree Planting/Street Furniture Zone:</u></p> <ul style="list-style-type: none"> • <u>State Routes:</u> 10 feet wide. • <u>Other Streets:</u> five (5) feet wide <p><u>Sidewalk Clear Zone:</u></p> <ul style="list-style-type: none"> • <u>Arterial and collector streets:</u> 10 feet wide. • <u>Local streets, Flowers Road, Oakcliff Road (south of the southern leg of Pin Oak Circle):</u> six (6) feet.

Sec. 23-908. - Reserved.

Exhibit "A"

Sec. 23-907. – O-I and O-W districts.

1) Purpose:

- O-I Office/Institutional District: The office/institutional district is intended to encourage development of suitable business and professional enterprise, hospitals, medical and dental facilities of a character and density deemed compatible with the primary purpose of this district. Limited retail uses normally appurtenant to office/institutional uses are also permitted under designated uses provided they are located within a principal use and do not occupy more than twenty (20) percent of the gross floor area subject to exclusions detailed herein.
- O-W Office/Warehouse District: The office/warehouse district is intended to encourage the development of office and office warehouse facilities in combination where the manufacture and/or fabrication of products are not involved.

2) Table of Uses:

Table of Uses		
Permitted Uses and Structures P = Permitted "by right" Principal Uses and Structures CUP = Conditional Use Permit <u>Accessory uses</u> : Customary accessory uses except as furthermore regulated herein. <u>X = Uses prohibited</u> . Furthermore, any use not specifically permitted or uses not permitted upon approval of a conditional use shall be prohibited.	O-I	O-W
Commercial/Retail		
Automatic teller machine (walk up only).	P	P
Catering Services without banquet hall. Said establishments shall be limited to 5,000 gross square feet and shall have no more than two (two) service trucks parked on-site.	X	P
Commercial artist studios and art galleries.	P	P
Computer and data processing services.	P	P
Film, television, photography, music recording, and audio production studios within fully enclosed and soundproof buildings.	P	P
Health and fitness clubs without massage or spa.	P	P
<u>Microbrewery, Microdistillery, and Microwinery</u> . Said uses shall be limited to a maximum building square footage of 20,000 gross square feet and shall be located greater than 500 feet measured in a straight line from residential zoning districts. In addition, a "tasting room" open to the general public shall be provided and shall have a minimum gross floor area of 500 square feet and a maximum gross floor area of 3,000 square feet. Tasting Room hours shall be limited to the "Hours of Sale" authorized in Sec. 3-28 of the Alcoholic Beverage Ordinance. Such establishments shall also be subject to Section 23-911 <i>Performance Standards</i> pertaining to noise, vibration, smoke, dust or other particular matter, toxic or noxious waste materials, odors, and glare. Manufacturing and storage operations shall be contained solely indoors with no outdoor storage permitted with the exception that each establishment shall be permitted to have one (1) storage silo placed outside in a location visible to the public, which shall include signage of the company name and logo displayed prominently on the silos (in compliance with the sign ordinance). Each outdoor silo shall be limited to a maximum size of nine (9) feet in diameter by 35 feet tall.	X	P

Exhibit "A"

Commercial/Retail	O-I	O-W
<u>Retail uses normally appurtenant to office/institutional uses to include:</u> <ul style="list-style-type: none"> florist shops (maximum two thousand (2,000) square feet gross floor area), barber and beauty shops with personnel licensed by the State of Georgia but excluding massage services (maximum two thousand (2,000) square feet gross floor area), shoe shine stands (maximum two hundred fifty (250) square feet gross floor area); cafeterias and restaurants but excluding the sale of alcohol (maximum five thousand (5,000) square feet gross floor area), and snack shops (maximum one thousand five hundred (1,500) square feet gross floor area), pharmacies (maximum three thousand (3,000) square feet of gross floor area), and gift shops (maximum one thousand five hundred (1,500) square feet gross floor area) when located within office or medical buildings which are a minimum of forty-five thousand (45,000) square feet of gross floor area, but excluding wholesale trade. 	P	X
Staging, lighting, audio and video equipment sales, rental, repair, and installations.	P	P
Tattoo/Body Craft Studios, subject to restrictions of Articles I and XVI of Chapter 6.	P	P
Education/Child Care	O-I	O-W
Child care centers, pre-schools, kindergartens and special schools, and adult daycare	P	X
Colleges and universities, business colleges	CUP	X
<u>Instruction of fine arts</u> including sculpture, painting, writing, music and performing arts, pottery or ceramics production with kiln usage; glass blowing; and welding, subject to the following: <ul style="list-style-type: none"> Shall be within enclosed soundproof buildings when located within 300 feet, measured in a straight line, from residential uses. No outdoor storage permitted. Such schools may provide performances open to the general public as an accessory use, provided minimum parking requirements are met for the main assembly area. Instruction with the use of the nude human figure, subject to restrictions of Article X of Chapter 6. 	P	P
<u>Schools—Private</u> (offering instruction to children from grades one (1) through twelve (12)). All staff shall hold the requisite certification required by the State of Georgia.	CUP	X
Special training and schooling services including barber and beauty schools, business and vocational-technical schools (except those having an external industrial character), GED instruction, dancing schools, exercise studios, and tutoring. Commercial driver's license (CDL) with indoor training only. No outdoor storage or display permitted.	P	P
Institutional	O-I	O-W
<u>Churches and other places of worship</u> but excluding the use of tents.	CUP	CUP
Museums, auditoriums, libraries and similar cultural facilities, when located greater than 500 feet, measured in a straight line, from single-family and two-family residential uses.	P	P
Social, fraternal, union or civic buildings, philanthropic associations; private (nonprofit) clubs, and lodges. Limited to 2,000 gross square feet when located within 500 feet, measured in a straight line, from single-family and two-family residential uses.	P	P

Exhibit "A"

Medical/Health	O-I	O-W
Abortion clinic with all medical personnel licensed by the State of Georgia.	CUP	X
Acupuncture as licensed by the State of Georgia.	P	X
<u>Mental Health Facility</u> with twenty-four-hour nursing care and security. All medical personnel shall be licensed by the State of Georgia.	CUP	X
<u>Crisis center</u> (out-patient).	CUP	X
Cryogenic facility with twenty-four-hour security. All medical personnel shall be licensed by the State of Georgia.	CUP	X
<u>Funeral homes and mortuaries (both excluding crematoriums)</u> shall be located greater than 500 feet measured in a straight line from residential zoning districts, and subject to the following: <ul style="list-style-type: none"> Hearses or other transport vehicles for the deceased shall not be parked or stored visible from the public right-of-way. An all weather porte-cochere shall be provided at the rear of the facility for the intake of the human remains; however, a side or rear porte-cochere shall be provided for funeral services transport to final resting place. All buildings shall be faced with brick and/or stack stone on all elevations (excluding fenestration) and shall have a pitched style roof. 	P	P
Offices, clinics (out-patient) and laboratories. Blood plasma and blood donor centers shall be prohibited.	P	X
Hospitals and clinics (in-patient) with all medical personnel licensed by the State of Georgia.	CUP	X
Massage and spa establishment.	X	X
<u>Substance abuse and treatment facilities (in-patient)</u> provided twenty-four-hour nursing care and security is provided but excluding the adaptive reuse of single-family or multi-family dwellings. All medical personnel shall be licensed by the State of Georgia.	CUP	X
<u>Veterinary clinics</u> for household animals, provided that such clinics and any treatment rooms, cages, pens, or kennels be maintained within a completely enclosed, air-conditioned, heated, sound insulated building and that such clinic be operated in such a way as to produce no objectionable or noxious odors or noises outside its walls and the provision be made to dispose of all refuse and garbage in a sanitary manner.	P	P