

Proposed Phase I Zoning Amendments

November 14, 2018
City Council Work Session Meeting



Purpose:

- Promote economic development and attract investment by creating more opportunities for diversification and expansion of Doraville's business sector and employment base
- Establish and maintain a rational land use pattern through periodic revision of the Zoning Ordinance
- Update the Zoning Ordinance to remove outdated/obsolete items and respond to current trends and best practices
- Create a more user-friendly Zoning Ordinance:
 - Update the format
 - Update permitted/conditional uses and consolidate similar uses
 - Clarify zoning terms and remove conflicting code sections
- 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
- Streamline administrative procedures (business license, permits)

Two-Phased Approach (begun August 2017)

- Phase I: Minor amendments
- Phase II: Major amendments to Ordinance and document format

Guiding Principles:

- 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)

Phase I (continued) Zoning Amendments:

- Update certain uses for zoning districts:
 - O-I (Office/Institutional)
 - O-W (Office/Warehouse)
 - C-1 (Neighborhood Commercial)
 - C-2 (General Business)

- Parking and Loading Ordinance:
 - Minimum requirements for certain uses

1) Reformat document layout within each zoning district:

- Converting the lists of permitted and conditional uses into a **Table** format
- Group uses by **category**

Table Example:

Commercial/Retail
Education/Child Care
Institutional
Manufacturing
Medical/Health
Office

Recreation/Entertainment
Residential Dwellings/Lodgings
Transportation/Parking
Utilities
Other
Accessory Uses

2) **Uses Table:**

Update 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 all office uses into “office”
- Consolidate all retail uses into “retail”
- Remove or further restrict certain uses

3) **Parking and Loading Ordinance:**

- Update requirements for certain uses.

4) **Drive-through facilities:**

- Add site layout restrictions on placement of drive-through lanes for all drive-throughs.

O-I District

Proposed changes

O-I District: Update Uses

Use <small>P= permitted CUP= Conditional Use Permit</small>	Existing	Proposed Change
<ul style="list-style-type: none"> • Automatic teller machine (walk up only) subject to design guidelines. 	<p style="text-align: center;">CUP</p>	<p style="text-align: center;">P</p>
<ul style="list-style-type: none"> • Libraries, Public • Museums • Philanthropic institution offices • Clubs and lodges of a business character which are nonprofit but excluding alcohol sales. 	<p style="text-align: center;">CUP</p>	<p style="text-align: center;">P</p>

O-I District: Update Uses

<p style="text-align: center;">Use</p> <p><small>P= permitted CUP= Conditional Use Permit</small></p>	<p style="text-align: center;">Existing</p>	<p style="text-align: center;">Proposed Change</p>
<ul style="list-style-type: none"> • Audiologist's office as shall be licensed by the State of Georgia. • Chiropractic offices as shall be licensed by the State of Georgia. • Dentist office with all dental personnel licensed by the State of Georgia as required. • Denture fitting and lab. • Optometrist office as shall be licensed by the State of Georgia but excluding eyeglass lab. 	<p>CUP</p>	<p>P</p> <p>Consolidate under "Medical office, with medical personnel licensed by the State of Georgia"</p>

O-I District: Update Uses

<p style="text-align: center;">Use</p> <p><small>P= permitted CUP= Conditional Use Permit</small></p>	<p style="text-align: center;">Existing</p>	<p style="text-align: center;">Proposed Change</p>
<ul style="list-style-type: none"> • Orthodontist office with all dental personnel licensed by the State of Georgia as required. • Physician's offices and clinics (out-patient services). Physicians, nursing practitioners, and nursing staff shall be licensed by the State of Georgia. • Podiatrist office without foot reflexology. All medical personnel shall be licensed by the State of Georgia. 	<p>CUP</p>	<p>P</p> <p>Consolidate under “Medical office, with medical personnel licensed by the State of Georgia”</p>

O-I District: Update Uses

Use <small>P= permitted CUP= Conditional Use Permit</small>	Existing	Proposed Change
<ul style="list-style-type: none"> • Accounting, auditing, and bookkeeping services. • Advertising firm offices. • Attorneys and law offices. • Consulting scientist's offices without laboratory facilities. • Credit reporting, adjustment, and collection agencies but excluding the collection, storage, or sale on-site of motorized vehicles. • Detective agencies. • Holding and investment organizations. • Home health care agency office with all medical personnel licensed by the State of Georgia. • Home security alarm monitoring office. 	P	P Consolidate under “Office”

O-I District: Update Uses

Use <small>P= permitted CUP= Conditional Use Permit</small>	Existing	Proposed Change
<ul style="list-style-type: none"> • Insurance carriers, agents, and brokers offices as shall be licensed by the State of Georgia. • Internet-based business offices but excluding on-site shipping services. • Maid, nanny, and household help agency (excluding day labor and labor pools). • Management, consulting, and public relations offices. • Money management and investment services. • Newspaper office but excluding on-site printing, publication, and distribution. • News syndicates. 	P	P Consolidate under “Office”

O-I District: Update Uses

Use <small>P= permitted CUP= Conditional Use Permit</small>	Existing	Proposed Change
<ul style="list-style-type: none"> • 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. • Public relations firms. • Real estate brokers, managers, appraisers, and real estate title. • Rediscount and financing institutions for credit agencies other than banks. • Securities commodities, brokers, dealers, and exchanges. 	<p style="text-align: center;">P</p>	<p style="text-align: center;">P</p> <p style="text-align: center;">Consolidate under “Office”</p>

O-I District: Update Uses

Use P= permitted CUP= Conditional Use Permit	Existing	Proposed Change
<ul style="list-style-type: none"> • Tax preparation and filing service. • Ticket agency office but excluding on-site retail sales to customers coming to the office. • Translation services. • Travel agencies. • Urban planning services. • Utility billing or payment offices. • Customer service centers (but excluding call centers). 	P	P Under “Office”

Call center (Webster dictionary): an office equipped to handle a large volume of telephone calls for an organization, especially for taking orders and providing customer service.

O-I District: Update Uses

Use <small>P= permitted CUP= Conditional Use Permit</small>	Existing	Proposed Change
<ul style="list-style-type: none"> • Customer service center with call center. • Dispatching office but excluding on-site parking, storage or use of dispatched vehicles. • Engineering, drafting, and architectural services (as shall be licensed by the State of Georgia) but excluding contractor's office. • Telegraph office. • Telephone office. • Telephone exchange facility. • Tourist or visitor bureau offices. • Social service agency other than overnight or sleeping accommodations. • Surveyor's offices as shall be licensed by the State of Georgia but excluding contractor's offices. 	CUP	P Consolidate under “Office”

O-I District: Update Uses

Use P= permitted CUP= Conditional Use Permit	Existing	Proposed Change
<ul style="list-style-type: none"> Government and public buildings but excluding for profit correctional or detention facilities. 	<p>CUP</p>	<p>delete</p>
<ul style="list-style-type: none"> <u>Research scientist office with laboratory and testing facilities</u> 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 no create fire or explosion hazards and do not require any outdoor storage. <i>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.</i> 	<p>CUP</p>	<p>P Update with new language</p>

O-I District: Update Uses

Use P= permitted CUP= Conditional Use Permit	Existing	Proposed Change
<p><u>Business and professional office uses*</u> (including the sale of goods at retail), but excluding uses as further regulated by Code. Furthermore, <u>except the following uses shall be prohibited:</u></p> <ul style="list-style-type: none"> • ambulance service; • bail bond and appearance bond operations; • barter, swap, and trading offices; • body craft studio; • cash advance; check cashing establishments; • contractor's offices; • exterminating and pest control offices; • firearms dealers office; • lawn care offices; 	<p>P</p>	<p>P (with updated language)</p>

** Update the language to clarify prohibited uses*

O-I District: Update Uses

<p style="text-align: center;">Use</p> <p>P= permitted CUP= Conditional Use Permit</p>	<p style="text-align: center;">Existing</p>	<p style="text-align: center;">Proposed Change</p>
<p><u>Business and professional office uses*</u> (including the sale of goods at retail), but excluding uses as further regulated by Code. Furthermore, <u>except the following uses shall be prohibited:</u></p> <ul style="list-style-type: none"> • moving and storage companies; • taxi service and dispatch agencies; • trucking and transport firms; • wrecker service; • for profit blood and/or plasma donor centers; • day labor or labor pool agencies; • delivery services; • driving schools; • escort services; • <i>Outdoor storage of merchandise, equipment, vehicles</i> 	<p>P</p>	<p>P (with updated language)</p>

** Update the language to clarify prohibited uses*

O-I District: Update Uses

<p>Use</p> <p>P= permitted CUP= Conditional Use Permit</p>	<p>Existing</p>	<p>Proposed Change</p>
<p><u>Business and professional office uses*</u> (including the sale of goods at retail), but excluding uses as further regulated by Code. Furthermore, <u>except the following uses shall be prohibited:</u></p> <ul style="list-style-type: none"> • fortunetellers; handwriting analysts; hypnotists; • massage establishments unless the massage therapist are licensed by the Georgia Board of Massage Therapy and are otherwise allowed as a conditional use under this chapter; • modeling agencies; • palmistry; • pawnshops, including title pawn and pawnbrokers; 	<p>P</p>	<p>P (with updated language)</p>

** Update the language to clarify prohibited uses*

O-I District: Update Uses

<p style="text-align: center;">Use</p> <p>P= permitted CUP= Conditional Use Permit</p>	<p style="text-align: center;">Existing</p>	<p style="text-align: center;">Proposed Change</p>
<p><u>Business and professional office uses*</u> (including the sale of goods at retail), but excluding uses as further regulated by Code. Furthermore, <u>except the following uses shall be prohibited:</u></p> <ul style="list-style-type: none"> • the sale of goods at retail at business or professional offices; • automotive and truck rental; and automotive dealer's offices are specifically included. • 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 a business or professional office use conducted on the premises. No vehicle for hire shall be parked, stored, or dispatched from the site. • <i>No fleet vehicles</i> 	<p style="text-align: center;">P</p>	<p style="text-align: center;">P (with updated language)</p>

** Update the language to clarify prohibited uses*

O-I District: Update Uses

Use <small>P= permitted CUP= Conditional Use Permit</small>	Existing	Proposed Change
<p>New uses proposed:</p> <ul style="list-style-type: none"> Child care centers, day care centers, prekindergartens, kindergartens, play and other special schools for young children. 	<p>Allowed with church only.</p>	<p>P</p>
<ul style="list-style-type: none"> Special training and schooling services including art and music schools, barber and beauty schools, business schools, dancing schools, exercise studios, and tutoring. 	<p>None</p>	

O-W District

Proposed changes:

- Add certain uses allowed “by right” in the O-I district to the O-W district

C-1 and C-2 Districts

Proposed Changes:

- Update list of permitted and conditional uses

Update C-1 and C-2 districts:

<p style="text-align: center;">Use</p> <p>P= permitted CUP= Conditional Use Permit</p>	<p style="text-align: center;">Existing</p>	<p style="text-align: center;">Proposed Change</p>
<ul style="list-style-type: none"> • Antique <u>specialty</u> store (<u>no clothing</u>) without consignment provided no outdoor storage or display. (Not allowed in C-1) • Associations for physically or mentally handicapped persons and nonprofits. (not allowed in C-1) • Automatic teller machine (walk up or drive-through) without associated retail banking facility provided adequate stacking and pass lane(s) are provided.** • Childcare/daycare • Consignment furniture or clothing store but excluding outdoor display or storage. (not allowed in C-1) • Food service (take-out only). 	<p>CUP</p>	<p>P</p>

***Drive-throughs subject to site layout design standards (e.g. located to the rear or side of buildings).*

Update C-1 and C-2 districts:

<p style="text-align: center;">Use</p> <p><small>P= permitted CUP= Conditional Use Permit</small></p>	<p style="text-align: center;">Existing</p>	<p style="text-align: center;">Proposed Change</p>
<ul style="list-style-type: none"> • Home security alarm (without monitoring) sales office. (Not allowed in C-1 now) • Nail salons without barber or beauty shops with employees licensed by the Georgia State Board of Cosmetology. • Pet store subject to restrictions of Code and without outdoor storage. • Planetariums and aquariums. (not allowed in C-1 now) • Podiatrists office with or without foot reflexology when operated under one (1) occupational tax license. (not allowed in C-1) 	<p>CUP</p>	<p>P</p>

Update C-1 and C-2 districts:

Use <small>P= permitted CUP= Conditional Use Permit</small>	Existing	Proposed Change
<ul style="list-style-type: none"> • Preschools and Kindergartens but excluding day care facilities (not allowed in C-1 now) • Shoe shine stand (not allowed in C-1). • <u>Special training and schooling services</u> including art and music schools, barber and beauty schools, business schools, dancing schools, exercise studios, and tutoring. (Not allowed in C-1) 	<p style="text-align: center;">CUP</p>	<p style="text-align: center;">P</p>

Update C-1 and C-2 districts:

<p style="text-align: center;">Use</p> <p>P= permitted CUP= Conditional Use Permit</p>	<p style="text-align: center;">Existing</p>	<p style="text-align: center;">Proposed Change</p>
<p><i>New uses proposed:</i></p> <ul style="list-style-type: none"> • Hookah lounge • Pet daycare, shall be within an enclosed soundproof building when located within 300 feet from residential uses. • Museums, art galleries, libraries and similar cultural facilities <u>(not allowed in C-2 now)</u> • Health and fitness clubs <u>(not allowed in C-1 now)</u> 	<p>none</p>	<p>P</p>

Update C-1 and C-2 districts:

Use <small>P= permitted CUP= Conditional Use Permit</small>	Existin g	Proposed Change
<p><u>Automotive fuel stations and convenience stores with attendant provided the following:</u></p> <ul style="list-style-type: none"> (1) All pumps and canopy structures are placed not less than twenty-five (25) feet from the nearest right-of-way line. (2) All underground tanks are located outside the right-of-way. (3) Any accessory uses are located behind the front building setback line. (4) All structures shall be faced with brick and/or stone (excluding fenestrations and canopies). (5) No coin operated car wash. (6) No automotive detail, service or repair. (7) No outdoor storage or display of merchandise or vehicles shall be permitted. (8) Shall not be located with 1,500 feet of another fuel station and/or within 500 feet of single-family 	Allowed	<p><u>C-1:</u> Add distance requirements</p> <p><u>C-2:</u> Add distance requirements or Prohibit altogether</p>

Update C-1 and C-2 districts:

<p style="text-align: center;">Use</p> <p><small>P= permitted CUP= Conditional Use Permit</small></p>	<p style="text-align: center;">Existing</p>	<p style="text-align: center;">Proposed Change</p>
<p><u>Manufacturer-authorized car franchise dealership</u> with customary sales and service of primarily new automobiles as well as pre-owned automobiles as a secondary accessory use; having a minimum lot size of two (2) acres; and located within one thousand three hundred (1,300) feet <u>on existing parcels without consolidate prior to January 7, 2018 within four hundred (400) feet</u> of the right-of-way of Peachtree Industrial Boulevard and within the area formed by the Interstate I-285 loop highway, said area also known as being inside of the I-285 Perimeter highway.</p>	<p style="text-align: center;">Prohibited in C-1</p>	<p style="text-align: center;">P</p> <p style="text-align: center;">Update language</p>