

DeKalb County Zoning Code Update: Hits, near Hits, and Misses

**Presentation to the Georgia Planning
Association**

**Department of Planning &
Sustainability**

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Welcome & Introductions

Andrew Baker, AICP, DeKalb County
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Presentation Outline:

- What were the objectives of the Zoning Code Update?
- What was updated to meet objectives?
- **Hits:** How did the 2015 code meet objectives? 
- **Near Hits:** What's in place but needs improvement? 
- **Misses:** What would have been useful, but wasn't included in the updated zoning code? 

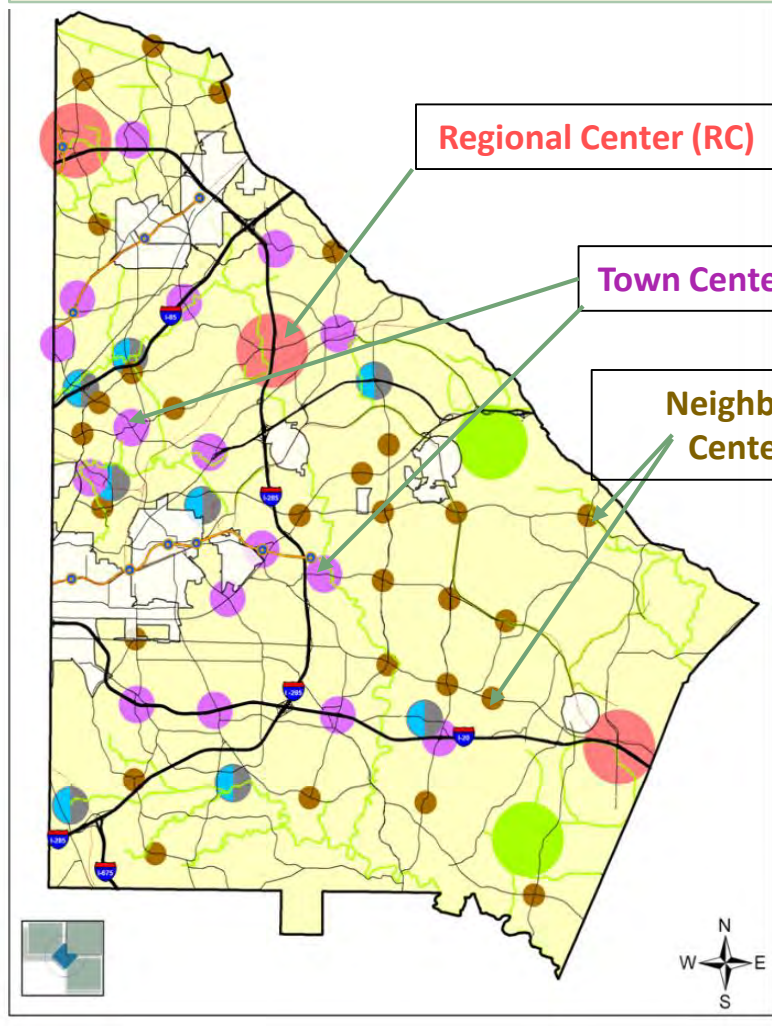
Objectives:

- 1. Implement the 2025 Comprehensive Plan**
 - Further the activity node concept
 - Allow for mixture of uses and encourage mixed-use developments
 - Add requirements for pedestrian improvements
 - Facilitate urbanization (compact residential development)
- 2. Create a user-friendly document.**
 - Illustrate technical concepts
 - Consolidate regulations to allow for comparison
 - Re-name and consolidate residential districts
 - Consistent regulations (guidance) for the professional
- 3. Respond to trends in uses of land**
 - Accessory dwellings & senior housing
 - After-school programs
 - Urban gardens, keeping of backyard chickens
 - New housing types
- 4. Create new design standards and criteria for development**
 - Create density ranges and incentivize density
 - Establish thresholds for traffic studies
 - Architectural standards
 - Require incorporation of more passive and active green space

Objective: Implement the Land Use Concepts of the 2025 Comprehensive Plan.

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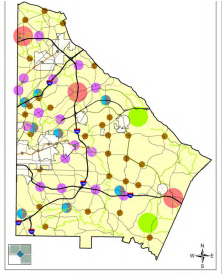
Adopted Concept Map



Benefits of Activity Centers

- Identify the best locations for more compact development and mixture of residential with non-residential.
- Cut down on traffic by reducing travel time between destinations or reduce vehicular trips by creating walkable development nodes.
- Promote redevelopment of underutilized retail centers.
- Protect single family neighborhoods by concentrating compact development at designated locations

Objective: Implement the Land Use Concepts of the 2025 Comprehensive Plan



Differences Between Mixed Use Districts – Uses

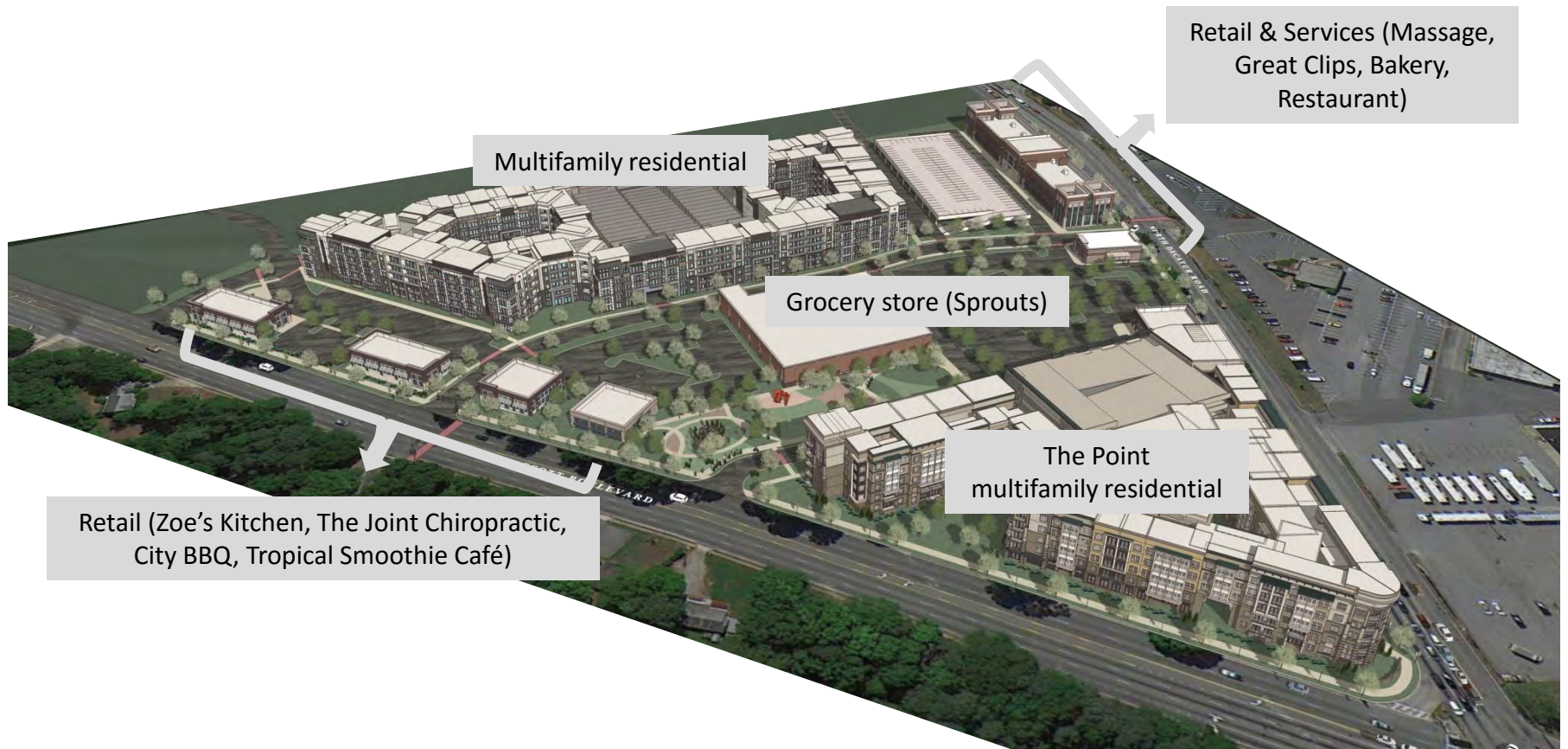
NC				
TC, & RC				
MU-1	MU-2	MU-3	MU-4	MU-5
greenhouse				
s-f homes and associated uses (home occupations, private educational services)				
	adult day care center (7+) child day care facility (child day care centers allowed in all) pet day care, boarding			
		theaters w/ live performances, concert halls frats, sororities, private schools		
			high-rise apartments stadiums (as special uses)	
				stadiums (by right) rec. clubs (as special uses)



Objective: Implement the Land Use Concepts of the 2025 Comprehensive Plan

Differences Between Mixed Use Districts -- Base Residential Densities

- MU-1 (Mixed Use Low Density) 4 units/acre
- MU-2 (Mixed Use Low-Medium Density) 8 units/acre
- MU-3 (Mixed Use Medium Density) 12 units/acre
- MU-4 (Mixed Use High Density) 24 units/acre
- MU-5 (Mixed Use Very High Density) 40 units/acre



Phase I -- The Point (310 units multifamily residential) – zoned O-I, 2014

Phase II -- Decatur Marketplace (450 units multifamily residential, 84,000 s.f. retail & services) – zoned MU-4, 2015



Aldi grocery

Chick-fil-A drive-through

Multifamily residential

Self storage

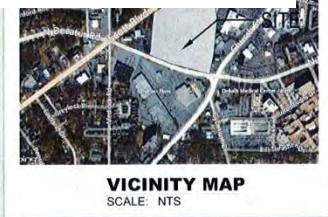
Senior Residential

Multifamily residential

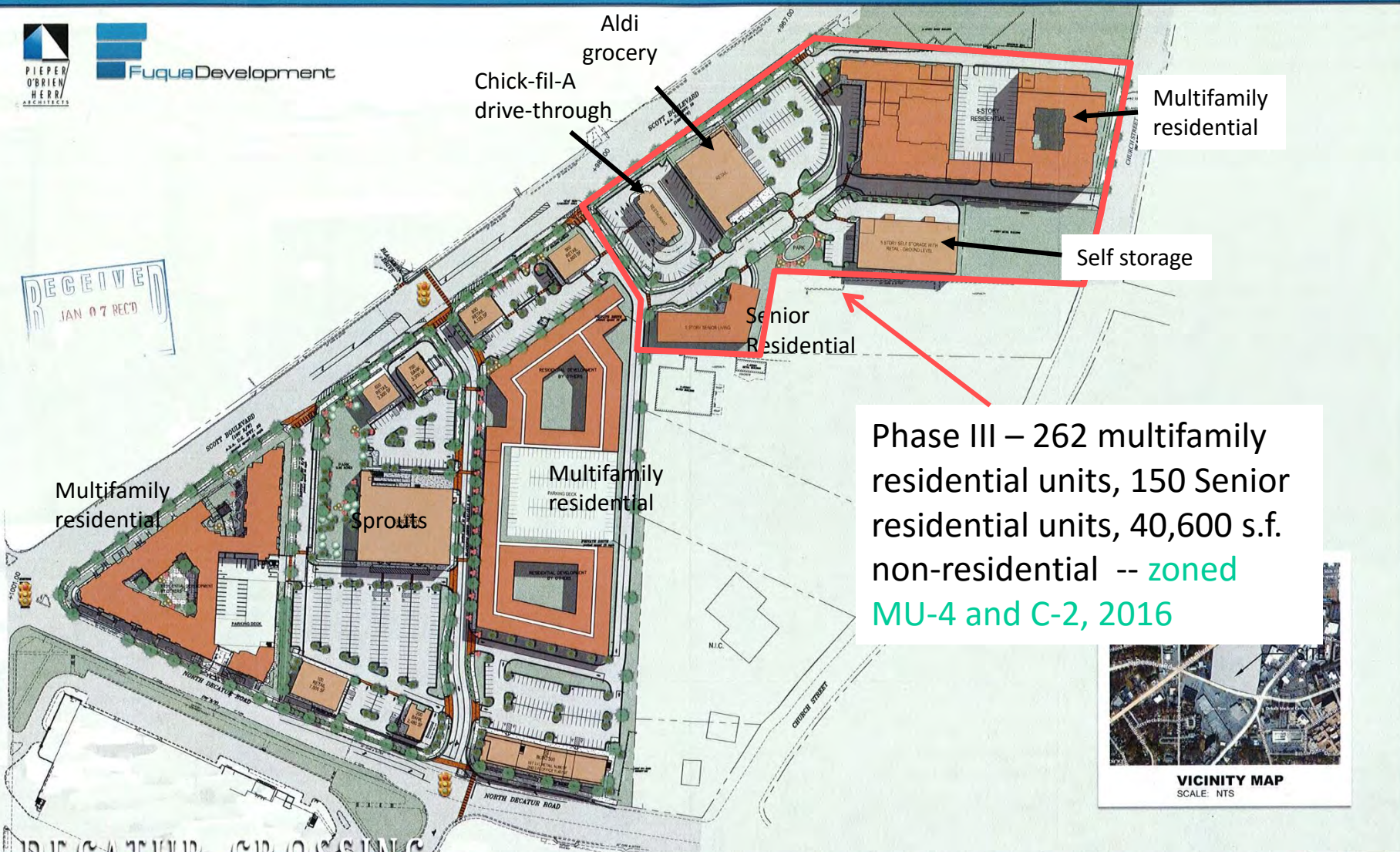
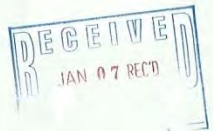
Sprouts

Multifamily residential

Phase III – 262 multifamily residential units, 150 Senior residential units, 40,600 s.f. non-residential -- zoned MU-4 and C-2, 2016



Phases I, II, and III





Scott Boulevard frontage



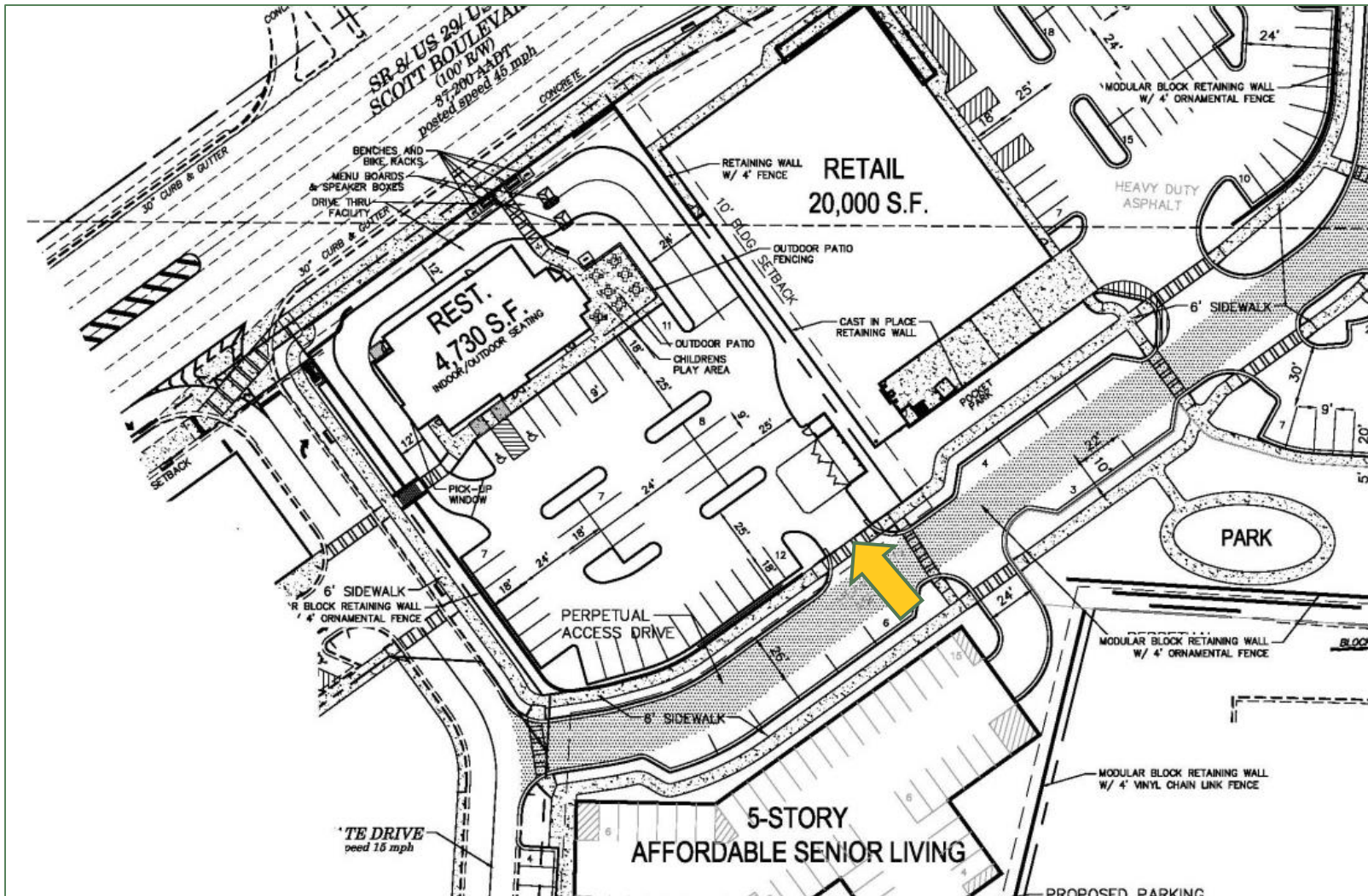
Interior of Decatur Marketplace



(above) Interior of Decatur Marketplace – multi-tenant commercial building



(right) N. Decatur Road frontage



Drive-through restaurant with interior access

Non-residential building setbacks are reduced in urban activity centers.

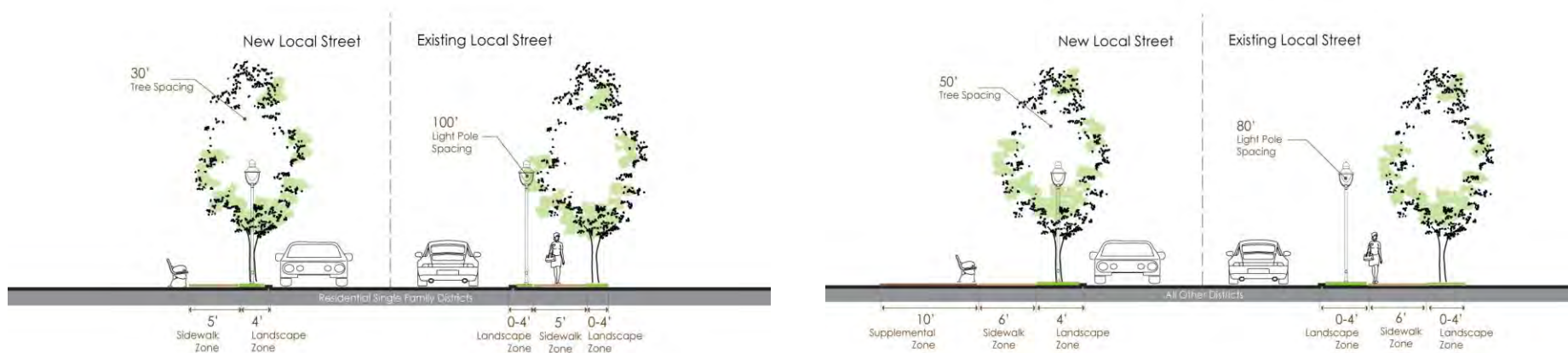
Table 2.2 Non-Residential Zoning Districts Dimensional Requirements

Non-Residential Districts								
KEY:								
Character Areas: RC: Regional Center, TC: Town Center, NC: Neighborhood Center, SUB: Suburban								
Element	OIT	OI	NS	C-1	C-2	OD	M	M-2
Overall Site Requirements (minimum unless specified)								
Dimensional Requirements								
↓								
Building Setback Requirements (minimum, unless specified)								
Urban Character Areas (Town Center, Regional Center)								
Front - Thoroughfares and Arterials (min/max feet)	20 / 60	20 / 50*	10 / 60	20 / 60	20 / 60	Not Permitted	Not Permitted	Not Permitted
Front - all other streets (min/max feet)	10 / 60	10 / 60*	5 / 60	10 / 60	10 / 60	Not Permitted	Not Permitted	Not Permitted
Side - interior lot (feet)	20	20*	20	15	15	Not Permitted	Not Permitted	Not Permitted
Side - corner lot on public streets (feet)	30	15*	15	30	30	Not Permitted	Not Permitted	Not Permitted
Rear (feet)	20	20*	20	20	20	Not Permitted	Not Permitted	Not Permitted
All Other Character Areas								
Front - Thoroughfares and Arterials (feet)	40	60*	30	60	60	75	60	60
Front - all other streets (feet)	30	50*	20	50	50	75	60	60
Side - interior lot (feet)	20	20*	20	20	20	20	20	20
Side - corner lot on public street (feet)	40	50*	15	50	50	50	60	60
Rear (feet)	30	30*	20	30	30	30	30	30
Unit Size (residential; heated living area)								
Floor Area of Attached Dwelling	1,000	1,000	Not Permitted	Not Permitted	Not Permitted	Not Permitted	1,000	Not Permitted



Pedestrian Improvements

- Consolidated parking table with **minimum and maximum** allowable parking spaces.
- Improved regulations for:
 - Shared parking
 - Shared driveways and interparcel access
 - Alternative fuel parking
 - Bicycle and moped parking
- Added countywide streetscaping standards



Objective:

Implement the Land Use Concepts of the 2025 Comprehensive Plan.



HIT!

Objective:

Create a user-friendly document.

Objective: Create a user-friendly document

- Graphics to illustrate technical concepts
- Tables for comparison of:
 - Allowed and special uses
 - Height bonuses
 - Density bonuses
- Parking standards consolidated in a single Article
- Residential district names changed to reflect gradations in densities
- Consistent regulations (guidance) for the professional
- Underused zoning districts were consolidated with other zoning districts

R-A5, R-A8, R-CH, R-CD, RDT, TND, RM-150

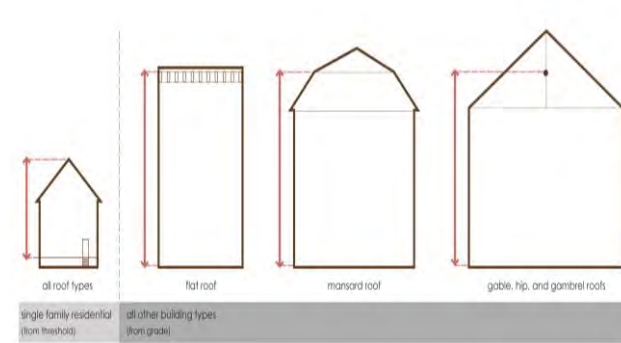


RSM (Residential Small Lot Mix)

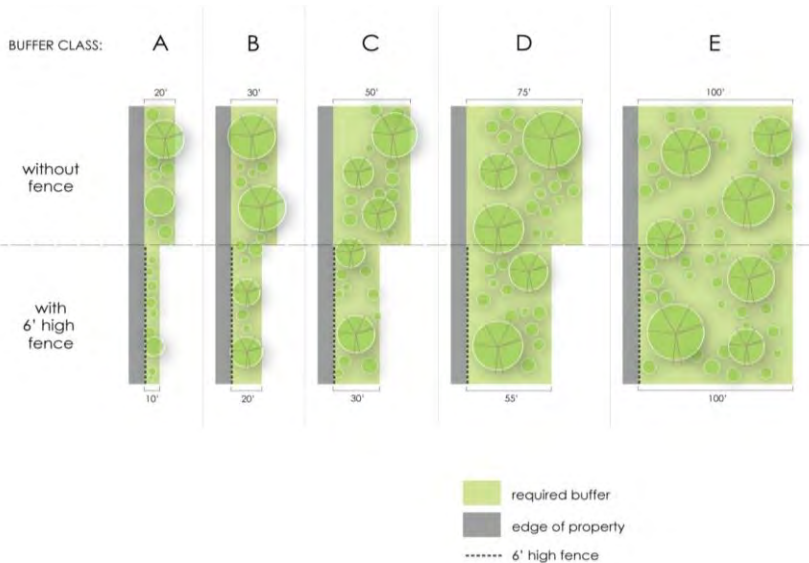
Objective: Create a user-friendly document -- Graphics and Tables



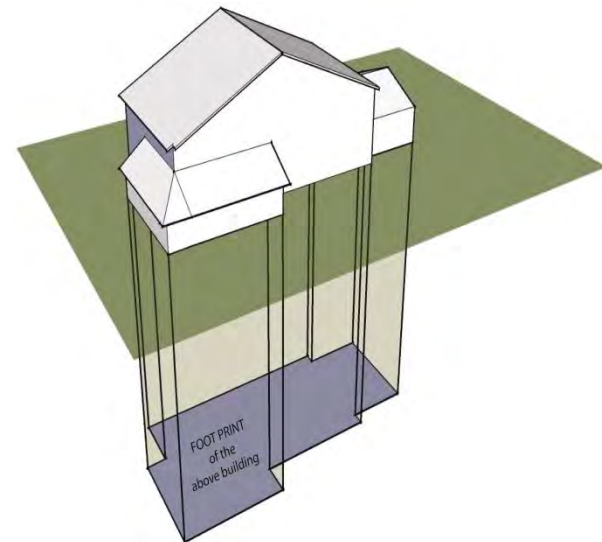
Yards and setbacks



Height measurement



Transitional Buffers



Building Footprint

Objective: Create a user-friendly document -- Graphics and Tables

Single Family - Detached and Conservation Residential Districts							08.17.12 REV PER ME	
KEY:								
Housing Types: SF: Single Family, TF: Two Family, TRF: Three Family, MF: Multi-Family								
Character Areas: RC: Regional Center, TC: Town Center, NC: Neighborhood Center, SUB: Suburban								
Element	RE	R-LG	R-100	R-85	R-75	R-60	MHP	R-NCD*
Lot Dimensions (minimum)								
Lot Area (square feet)	43,560 (1 acre)	20,000	15,000	12,000	10,000	6,000	Parks: 20 Acres Lots: 4,000	Development: 7acres Lots: 6,000
Lot Width, Street Frontage(feet)	150	55	100	85	75	60	Parks: 400 Lots: 50	60
Lot Width at Building Line (feet)	150	55	100	85	75	60	N/A	60
Lot Width Fronting Cul-de-sac (feet)	35	35	35	35	35	35	N/A	35
Lot Coverage (maximum percentage)	25	30	35	35	35	35	N/A	50
Building Setbacks (minimum)								
Subject to Art 5 Averaging Requirements								
Front Major Thoroughfares (feet)	60	70	50	50	45	30	250	30
Front Minor Thoroughfares (feet)	50	60	40	40	35	20	150	30
Front Collector and All Other Streets (feet)	45	55	35	35	30	If RC/NC/TC: 15 If SUB: 20	100	Collector: 30 All Other: 20
Front w/ Alley Access (feet)	N/A	25	25	25	25	10	N/A	10
Side - interior building setback(feet)	20	10	10	8.5	7.5	7.5	Parks: 50 Lots: 7.5	interior lots: 7.5 periphery lots: 20
Side - corner lot on public street (feet)**	same as district indicates front setback, following street type along the corner side property line							
Rear (feet)	40	40	40	40	40	30	Parks: 40 Lots: 7.5	20
Unit Size, heated living area (minimum)								
Unit Size (square feet)	1,600	1,400	2,000	1,800	1,600	1,200	N/A	N/A
Height (maximum)								
Main Building (feet) - (Residential Infill Overlay = 28 feet)	35	35	35	35	35	35	35	35
Accessory Building (feet)	24	24	24	24	24	24	N/A	24
Open Space (minimum %)								
Open Space	20***	20***	20***	20***	20***	20***	20***	30

* Standards for Suburban Character Area listed; see zoning district for standards in Rural Character Area

** See Art 5 Corner Lots section for reduction eligibility

Note: Current Ch 14 Open Space Requirement of new subdivision = 20% if project >5 acres OR > 36 units; **RECOMMEND 3 acres or more OR 20 units or more**

Note: Requirements same as existing zoning district shaded gray

Objective: Create a user-friendly document --

Re-name and consolidate residential districts

Single Family Residential

- **Reduced from 11 districts to 8**
- **No change to R75, R85, R100 (incorporates public input)**

Small Lot & Multi-Family Residential

- **Reduced from 12 to 6**
- **Attached and mixed residential**

Mixed Use

- **Increased from 4 to 5**
- **Implements the Activity Center and Commercial Corridor character areas of the Comprehensive Plan**

Non residential (commercial/industrial)

- **No change – 8 districts**

Consolidated from 35 to 27

Objective: Create a user-friendly document

Consistent regulations (guidance) for the professional

- *“ The director of planning is designated to administer, interpret and enforce the provisions of Chapter 27...”*
- *“ Whenever any conflict arises with Chapter 14, the provisions of this ordinance shall prevail.”*
- Transitional Provisions: *“ The zoning district names in effect prior to the effective date of this development code are converted as shown in Table 1.1*
- Additional definitions: *animal shelter, assisted living facility, compact design, façade, impervious surface, landscape strip, mortuary, open space types*
- Revised definitions for : *auto storage yard (vs. salvage yard vs. junk yard), bed and breakfast, lot coverage, outdoor storage (vs. outdoor display)*
- Both the director and the Zoning Board of Appeals have new criteria for waivers or variances to design standards.

Non-conforming Situations

- Evidence needed to determine “grandfathering”
- Lot mergers -expanded to consider average lot size in existing neighborhoods
- Addresses all Non-Conformities such as uses, structures, parking and landscaping
- Nonconformities caused by government action and “rezoning which causes non-conformities” (NEW)
- Situations of buildings where structures are damaged or destroyed are allowed to build back if within a reasonable time frame.

Objective: Create a user-friendly document

Illustrate technical concepts



HIT!

Consolidate regulations to allow for comparison



HIT!

Re-name and consolidate residential districts



HIT!


Consistent regulations (guidance) for the professional



NEAR HIT . . .

Objective: Respond to trends in uses of land.

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- Accessory dwellings (in-law suites)
 - Senior Housing
 - Home-based education
 - Farmers Markets
 - Urban Gardens
 - Backyard Chickens
- 
- New wireless telecommunication standards based on technology changes to FCC laws.
 - Parking maximums, shared parking requirements, etc.
 - New housing types: cottage & urban single-family detached

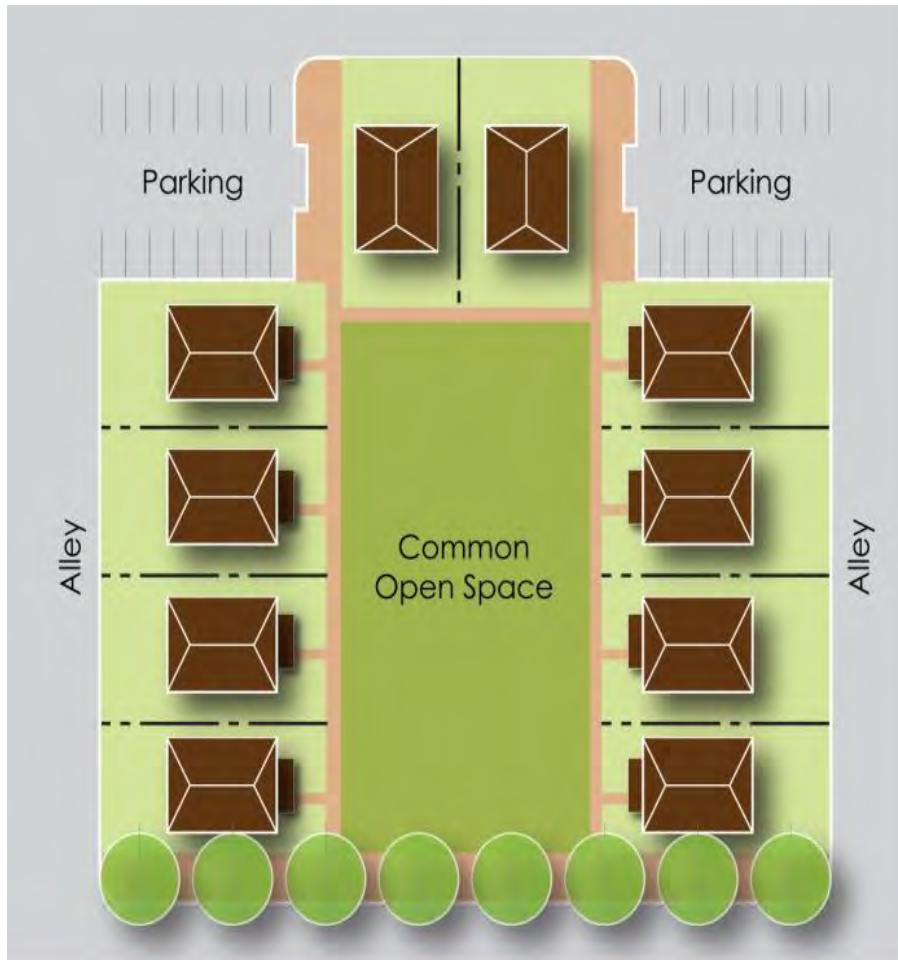
Objective: Respond to trends in uses of land

Urban Single-Family Detached



Objective: Respond to trends in uses of land

Cottage development



Objective: Respond to trends in uses of land.



HIT!

Objective: Create New Design Standards and Criteria for Development.

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- Streetscaping for pedestrian improvements
- Transitions in height and lot size
- Thresholds requiring traffic impact studies for commercial development
- Density ranges with bonuses to link increased density with amenities and services
- Architectural design standards, including higher quality building materials
- Increased open space and recreation requirements

Objective: Create New Design Standards and Criteria for Development

Transition elements are required for compatibility of infill residential with 20 or more lots.

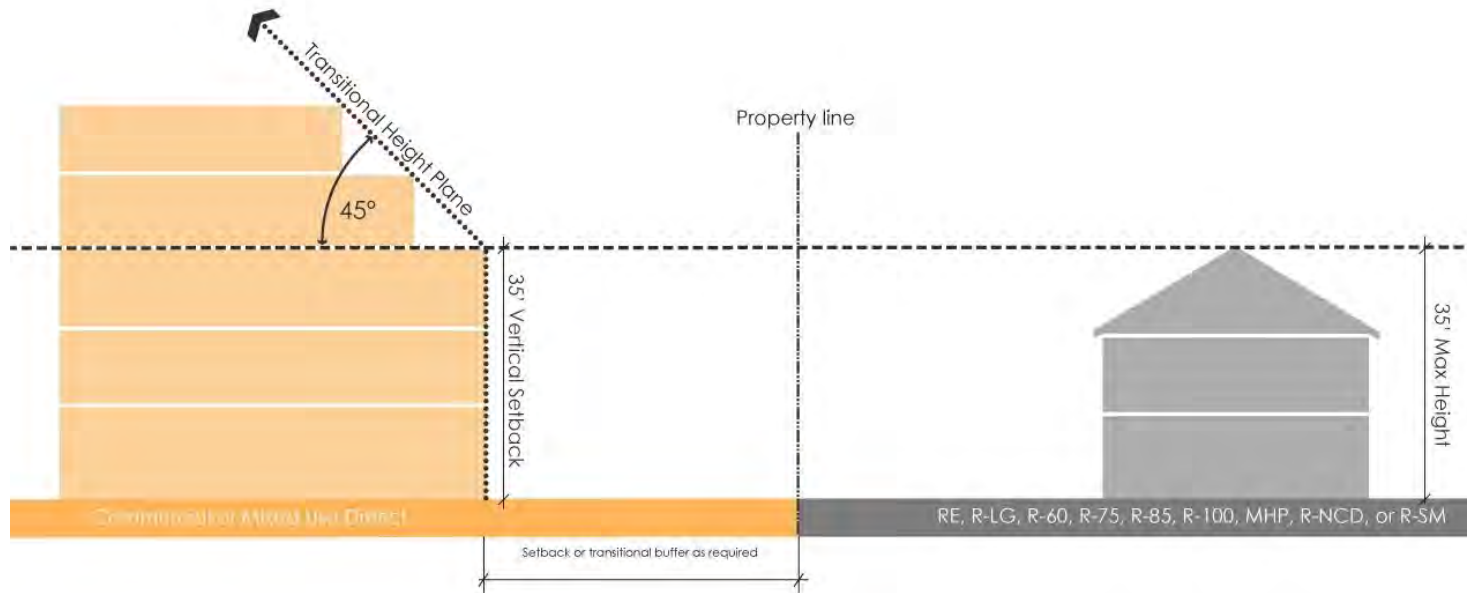
At least two of the following:

- 80% width of adjacent lot
- The lesser of 80% adjacent lot size or .8 acre
- Transitional buffer – min. 20 ft.
- Lot depth 20% greater than depth of adjacent lot



Objective: Create New Design Standards and Criteria for Development

Transitional Height Plane



Objective: Create New Design Standards and Criteria for Development

Thresholds for developments to provide traffic studies

- Multifamily developments with over 300 new units at build-out
- Single-family developments with over 200 new lots or units at build-out
- Retail developments with over 125,000 GSF
- Office development with over 200,000 GSF
- Medical office developments with over 55,000 GSF
- Industrial/warehouse development w/ 280,000 GSF, employing >650 workers, or covering >200 acres
- Any MXD that could reasonably expect to generate 2,000+ gross daily trips
- Special traffic generating uses, incl. truck stops, quarries, landfills, stadiums, which would require DRI review.

Objective: Create New Design Standards and Criteria for Development

- Created density ranges for residential development, consistent with land use plan.

Zoning District		Density	Eligible Character Areas
Small Lot Residential Mix	R-SM	4-8	Suburban, Traditional Neighborhood, Neighborhood Center, Town Center, Institutional, Commercial Redevelopment Corridor
Medium Density Residential -1	MR-1	8-12	Traditional Neighborhood, Neighborhood Center, Town Center, Institutional, Commercial Redevelopment Corridor
Medium Density Residential - 2	MR-2	12-24	Neighborhood Center, Town Center, Institutional, Commercial Redevelopment Corridor
High Density Residential -1	HR-1	24-40	Town Center, Regional Center, Office Park, Highway Corridor
High Density Residential -2	HR-2	40-60	Town Center, Regional Center, Office Park, Highway Corridor
High Density Residential -3	HR-3	60-120	Regional Center

Objective: Create New Design Standards and Criteria for Development

Density is incentivized by quality of development and availability of amenities and services.

20% more density units

- Applicant provides public improvements (bus shelters, public trail, sidewalks beyond site, etc.)
- Locate within ¼ mile of park-n-ride or ride-share
- Non-residential is 10-25% of total GSF (Mixed Use only)
- Locate within ¼ mile from amenities (senior center, schools, shopping, recreational facility)

50% more density units

- LEED or EarthCraft certification
- 10% dwellings for very low income, 20% low income, or 25% seniors
- Non-residential is >25% of total GSF (Mixed Use only)
- Enhanced open space increased to 20% of site

100% more than base

- Enhanced open space increased to 35%+ of site
- Locate within ¼ mile of existing MARTA rail station

Objective: Create New Design Standards and Criteria for Development

Density bonuses – calculation examples

R-SM District: 4-8 units per acre

Character Area/density: Suburban -- 8 units per acre maximum

- If property is within ¼ mile of a senior center – 4.8 units per acre (20% bonus) OR
- If applicant proposes LEED certified homes (50% bonus) – 6 units per acre OR
- If applicant proposes 35% enhanced open space (100% bonus) – 8 units per acre (max. allowed in Suburban)
- If property is within ¼ mile of a senior center AND a public library AND provides sidewalks beyond development site (3 x 20% bonus = $4 + .8 + .8 + .8 = 6.4$ units per acre) AND proposes LEED certified homes (50% bonus = $6.4 + 2 = 8.4$ units per acre) → 8 units per acre (max. allowed in Suburban)

Objective: Create New Design Standards and Criteria for Development

Building Form Regulations

- Applies to all new or substantial redevelopment and renovation
- Exempts structures deemed “grandfathered”
- Exempts historic structures and some infill if new standards incompatible with existing structures in neighborhood



Allowed as primary materials:

- Brick or stone masonry
- Cement wood or fiber cement siding
- Hard coat stucco
- Cedar shingles or fiber cement
- Textured face concrete block
- Architectural concrete
- Glass
- Material not listed, and which contributes to innovative design or green construction

Allowed as secondary materials, up to 40% of each façade:

- Vinyl siding (if it meets ATSM standards and DeKalb standards such as minimum thickness, installation) (residential & non-residential)
- Standing seam or corrugated metal siding (non-residential)
- Exterior Insulation and Finish system (EIFS); if within 3 ft. of grade or within 6 ft. of grade adjoining a ROW or parking lot, must have ultra-high impact resistance. (non-residential)



“Standing seam or corrugated metal siding may be used as a secondary building material or siding, up to 40% of total facing.”

“Where two or more materials are proposed to be combined on a façade, the heavier and more massive material shall be located below the lighter material.”



Variation in façade plane: "Building facades shall not exceed forty (40) feet in length without projections, recesses, or other architectural features."



Half columns project 19" from wall plane

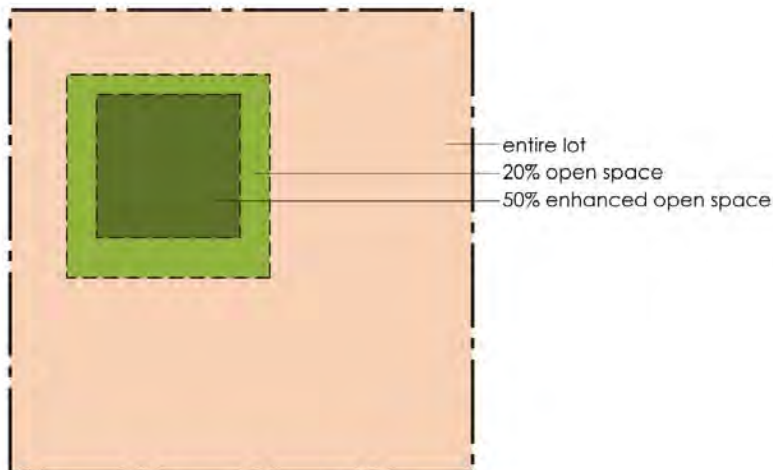


Pilasters project 4" from wall plane



Columns are 2 ft 4" deep

Objective: Create New Design Standards and Criteria for Development







Enhanced Open Space Requirements

- S-F Res. Attached or Detached -- 50% of total OS
- Large retail – 50% of total OS
- Multifamily – none (15 – 20% OS required)
- Cottage – 3,000 s.f. min.
- Mixed-use – site plan specific

Enhanced Open Space Dimensional Standards – Minimum Square Footage	
Clubhouse/pool Amenity Area	None
Greens/Attached Squares	500
Greenway	None
Pocket Park	2,000
Neighborhood Park	43,560
Plaza	3,000
Square	2,000
Playground	3,000
Detention facilities designed and approved to serve as aesthetic amenities	None

Objective: Create New Design Standards and Criteria for Development

Allowable types of enhanced open space

<p>Clubhouse/Pool or Tennis Amenity Area</p> 	<p>Clubhouses and swimming pools must meet all applicable building and health codes.</p>	<p>Clubhouse Pool Toilet facilities, public or private Ornamental water features and fountains Gazebo/Pavilion/Picnic Areas Accessory concession stands Benches Trash receptacles Tennis courts</p>	<p>Pedestrian connectivity to all residents Parking shall be placed on exterior of pool and clubhouse and not interfere with pedestrian activity or movement</p>
<p>Green</p> 	<p>A Green is an urban open space that is natural in its details. Greens are small, civic, and surrounded by buildings. Tree plantings can be informal and the topography irregular. Greens may be used to protect specimen trees and provide for conservation functions.</p>	<p>Toilet facilities, public or private Ornamental water features and fountains Gazebo/Pavilion/Picnic Areas Benches Trash receptacles Paved walks/trails (not within stream buffer)</p>	<p>Landscaped with trees at the edges and lawns at the center No rear facing lots allowed adjacent to a Green Urban Garden (50% max)</p>
<p>Greenway</p> 	<p>Greenways connect residences and recreational areas. Greenways incorporate natural settings, such as creeks and significant stands of trees within neighborhoods. Greenways details are natural (i.e., informally planted), except along rights-of-way and may contain irregular topography.</p>	<p>Pedestrian trails Picnic tables Benches Trash receptacles Conservation areas for natural, archeological or historic resources Meadows, wetlands, wildlife corridors, game preserves, other</p>	<p>Shall have a minimum width of at least 50' Conserve existing tree canopy and landscape Protect existing natural drainage way and creeks Land shall not be cleared except for trails Water bodies are allowed provided that they do not count toward more than 50% of the required open space</p>
<p>Pocket Park</p> 	<p>Pocket park is a small outdoor space, usually no more than 1/4 of an acre, most often located in an urban area that is surrounded by commercial buildings or houses on small lots.</p>	<p>Toilet facilities, public or private Hardscape materials Gazebo/Pavilion/Picnic areas Trash receptacles Ornamental water features and fountains Public art Recreational courts</p>	<p>Rear facing lots are allowed Attractive landscaping Sufficient natural or man-made screening/buffer areas Minimize negative impacts on adjacent residents Accessory agriculture (25% max)</p>

ETC.

Enhanced open space types



34,125 square feet (.78 acres)
Neighborhood Park: minimum 43,560 s.f.



2,304 square feet (.78 acres)
Pocket park: minimum 2,000 s.f.

Enhanced open space types



16,008 square feet

Neighborhood Park: minimum
43,560 s.f.

Plaza: minimum 3,000 s.f.



4,248 square feet



4,690 square feet

Streetscaping – tree spacing



Trees planted 25.33' on center



Trees planted 42 ' on center

(at right) Trees planted 38' on center

Required:

Local Residential – 30'

Local Non-residential – 50'

Arterial, collector, non-residential, mixed use – 40 in Activity Centers, 50' outside activity centers



Architectural details - steps



19 continuous steps, no break



19 steps with a break between a sequence of 13 steps and 6 steps

Architectural details -- balconies



Balconies project 2.5 feet from façade – Chamblee Downtown

Balconies project to the edge of the firewall. Parkside Development, Old 4th Ward, Atlanta



Architectural details -- balconies



Balconies project 2.5 feet from façade, Old 4th Ward, Atlanta



“Juliette” balconies: no significant projection from façade, Old 4th Ward, Atlanta

Objective: Create New Design Standards and Criteria for Development.



HIT!

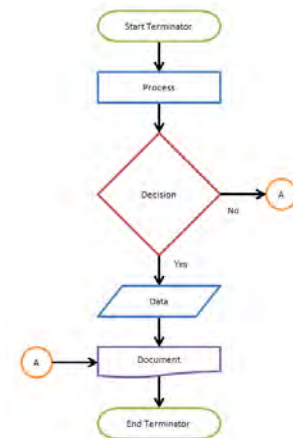
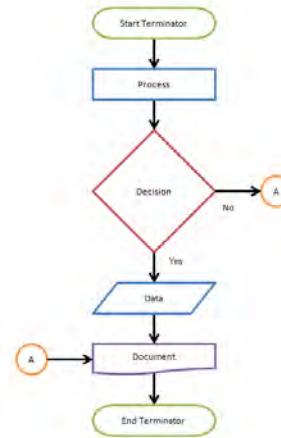


NEAR HIT . . .

Misses



- No concurrent variances
- Glitches such as relatively low lot coverage allowance for R-60 district



R-60 (min. 6000 s.f. lot for s-f house)

RSM (min. 5,000 s.f. lot for s-f house)

Max. lot coverage: 35%

Max. lot coverage: 50%

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Create a user-friendly document.

- Illustrate technical concepts
- Consolidate regulations to allow for comparison
- Re-name and consolidate residential districts
- Consistent regulations (guidance) for the professional.



HIT!



NEAR HIT ...

Respond to trends in uses of land

- Accessory dwellings & senior housing
- Urban gardens, keeping of backyard chickens
- After-school programs



HIT!

Create new design standards to improve the quality of future development.

- Exterior materials
- Relatable scale
- Visual interest
- Require incorporation of more passive and active open space



HIT!



NEAR
HIT ...

DeKalb County Zoning Code:

www.dekalbcountyga.gov/planning-and-sustainability/zoning-code-articles

OR

www.municode.com