



PLANNING & ZONING BOARD MEETING

**July 21, 2020 7:00 PM
TELECONFERENCE**

Call in Number:

404. 902. 5066

Call in Code:

326629

AGENDA

A. CALL TO ORDER

B. ROLL CALL

C. APPROVAL OF MAY 2020 MEETING MINUTES

PUBLIC HEARING:

Any member of the public may address the Planning and Zoning Board, during the time allotted for public hearing. Each attendee will be allowed 3 minutes. If your public comment contains a series of questions, please provide those questions to staff in writing on the Public Comment Card prior to the meeting. This will facilitate follow-up by the Board or Staff. The Planning and Zoning Board desires to allow an opportunity for public comment; however, the business of the Board must proceed in an orderly and timely manner.

D. NEW BUSINESS

1. **PUBLIC HEARING:** To solicit input on a proposed text amendment to amend the Clarkston Zoning Ordinance, Appendix A of the City Code of Ordinances, Article III-Administration-To Require a Site Plan for Rezoning Applications seeking the NR-3 designation.

E. OTHER BUSINESS

F. ADJOURNMENT

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE CLARKSTON ZONING ORDINANCE, APPENDIX A OF THE CITY CODE OF ORDINANCES, ARTICLE III – ADMINISTRATION – TO REQUIRE A SITE PLAN FOR REZONING APPLICATION SEEKING THE NR-3 DESIGNATION.

WHEREAS, the City Council has determined that requiring a “site plan” for rezoning applications seeking the NR-3 designation is in the best interests of the community.

NOW THEREFORE, BE IT ORDAINED by the City of Clarkston, Georgia, that the City’s Zoning Ordinance be amended as follows:

SECTION ONE

Zoning Ordinance § 302, subsection (b)(1) is hereby amended to add NR-3 to the list of zoning districts for which an applicant seeking rezoning must provide a site plan along with the application, so that subsection 302(b)(1) shall read as follows:

“(1) Applications to rezone property to NC-1, NC-2, NR-3, NR-CD, RC or TC.”

SECTION TWO

This Ordinance shall become effective upon the date of its adoption by the City Council. Any provision of any ordinance in conflict herewith is hereby repealed.

SO ORDAINED, this _____ day of _____, 2020.

CITY COUNCIL, CITY OF CLARKSTON, GEORGIA

Awet Eyasu, Vice Mayor

Attest:

Tracy Ashby, City Clerk

Approved as to Form:

Stephen Quinn, City Attorney

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Sec. 703. - NR-3, high-density neighborhood residential district.

- (a) *Purpose and intent:* The NR-3 zoning district is intended for single-family and multi-family residences at a greater density on smaller lots in order to provide for a variety of housing types, including townhomes, cluster homes and condominiums. This district may also serve as a transitional zone between light commercial/office uses and districts reserved for lower density single-family uses.
- (b) *Permitted uses:*
- (1) Single-family detached residential dwellings.
 - (2) Multi-family residential dwellings.
 - a. Duplexes.
 - b. Triplexes.
 - (3) Townhomes, provided:
 - a. For all developments containing eight (8) units or more, a mandatory homeowners association shall be created that will be responsible for the upkeep and maintenance of all front yards and common areas including all fencing, landscaping, amenities and buffers, and shall include architectural control oversights for the development.
 - b. The development shall be constructed and governed in conformity with the requirements of the Georgia Condominium Act (O.C.G.A. § 44-3-70 et seq.). A declaration of condominium shall be submitted and recorded in compliance of this act.
 - c. All townhouses shall have two-car garages, and the parking pads/driveway in front of the garage shall be a minimum of twenty (20) feet in length in order to accommodate two (2) additional cars. The garages shall be used for the parking and storage of vehicles and may not be enclosed to provide for additional residential space. A recital of this requirement shall be contained within the covenants to ensure enforcement.
 - d. A guest parking area shall be provided at a ratio of two-tenths (0.2) spaces per dwelling unit.
 - e. A recreation area shall be provided at a ratio of one (1) acre per fifty (50) units (or a proportional percentage thereof) with a minimum of ten thousand (10,000) square feet provided. Such area shall be developed with at least one (1) passive recreational feature, such as a walking trail, pavilion, gazebo or picnic area, and at least one (1) active recreational feature, such as a swimming pool, playground or tennis courts. Active recreational areas must be outside of any floodplain area and located in such a manner that at least seventy-five (75) percent of the townhouses are within three hundred (300) feet, as measured from the building footprints. All recreation areas must meet ADA requirements for accessibility.
 - (4) Accessory structures and uses incidental to any legal permitted use, including home occupations.
 - (5) Accessory dwellings in compliance with section 603(n).
- (c) *Conditional uses:*
- (1) Places of assembly, including religious institutions, provided:
 - a. Lighting shall be established in such a way that no direct light shall cast over any property line nor adversely affect neighboring properties.
 - b. Any building or structure established in connection with such use must be set back no less than fifty (50) feet from any property line.
- (d) *Accessory structures/uses:*

- (1) All such structures shall be located upon the same lot and to the side or rear of the principal use at least ten (10) feet from side or rear lot lines or within the side-or-rear-yard setback, whichever is greater. In cases of corner lots, the accessory structure may not be closer to any right-of-way than the principal building.
- (2) When an accessory structure is attached to the principal building in any manner, it shall be deemed part of the principal structure and subject to all bulk and area requirements of same.
- (3) No accessory structure shall be constructed upon a lot before the principal building.
- (4) Accessory structures greater than fifteen (15) feet in height, but less than thirty-five (35) feet in height, must be set back at least ten (10) feet from the side property line, and must be set back from the rear property line a distance of thirty (30) feet, or a distance equal to the height of the structure, whichever is less.
- (5) The area of the accessory building's footprint may not exceed five (50) percent that of the principal structure.
- (6) Swimming pools must be enclosed by a fence not less than six (6) feet in height with a self-closing, self-latching gate and must comply with all applicable safety and health ordinances.
- (7) Heating and air conditioning units may encroach five (5) feet into the required rear or side setback.

(e) *Use limitations:*

- (1) All outdoor storage must be stored in a side or rear yard and screened from all streets and adjacent properties by a wood fence at least six (6) feet in height. The city planner may approve the substitution of plantings for the required fence.
- (2) Unenclosed carports and front porches may not be used for storing any materials other than firewood or recyclable materials within a city approved container.
- (3) Minimum parking provided shall be two (2) spaces per dwelling unit.

(f) *Bulk and area regulations:*

Floor Area Ratio (FAR) (Max.)	0.4
Min. Residential Unit Size (finished, heated floor area)	800 sq. ft.
Building Coverage (Max, a % of lot area)	50%
Min. Open Space	N/A
Max. Building Height	35'
Min. Lot Size	5,000 sq. ft.
Min. Lot Width	50'
Minimum Front Yard Setback	15'

Minimum Side Yard Setback	5'
Minimum Rear Yard Setback	20'

(g) *Buffer requirements:*

- (1) When attached single-family housing, duplex or triplex housing directly abuts the NR-1 or NR-2 districts, a twenty-foot landscaped buffer shall be required.

(Ord. No. 375, § 8(Attach.), 10-1-13; [Ord. No. 417](#), § 5, 12-5-17)