



CITY OF DAHLONEGA

City Council Public Hearing Agenda

March 20, 2023, 4:00 PM

Gary McCullough Chambers, Dahlongega City Hall

In compliance with the Americans with Disabilities Act, those requiring accommodation for Council meetings should notify the City Clerk's Office at least 24 hours prior to the meeting at 706-864-6133.

Vision - To be an open, honest, and responsive city, balancing preservation, and growth, and delivering quality services fairly and equitably by being good stewards of Dahlongega's resources.

CALL TO ORDER

Public Hearing:

- [1.](#) Ordinance 2022-16: An ordinance to exclude off-street parking and loading requirements within the B-3 and CBD zones for restaurants, lounges, offices and retail businesses

Doug Parks, City Attorney

ADJOURNMENT



Ordinances and Resolutions

DATE: 02/15/2023

TITLE: Ordinance 2022-16: An ordinance to exclude off-street parking and loading requirements within the B-3 and CBD zones for restaurants, lounges, offices and retail businesses

PRESENTED BY: Doug Parks, City Attorney

AGENDA ITEM DESCRIPTION:

It appears that compliance with the City's off-street parking requirements in B-3 and CBD is virtually impossible and is generating loss of business relocation to those districts. The impact is being felt most heavily in the restaurant, office, and retail use categories. This ordinance, during the review phase, has been modified by staff to include general and professional offices in addition to the previously discussed restaurant and retail categories. The nominal changes to the existing regs are highlighted in yellow on the suggested revision.

HISTORY/PAST ACTION:

At the present time the zoning ordinance calls for leases or proof of ownership of off-street parking spaces to be located within 1,000 feet of buildings in the B-3 or CBD zones. It would seem that the regulation is impractical and not sustainable because of the inability to obtain off-street parking leases, etc. in the real estate market.

FINANCIAL IMPACT:

None.

RECOMMENDATION:

Recommendation to approve.

SUGGESTED MOTIONS:

Motion to approve Ordinance 2022-16

ATTACHMENTS:

Ordinance 2022-16

AN ORDINANCE TO AMEND ORDINANCE 91-9 OF THE CITY OF DAHLONEGA, GEORGIA WHICH APPEARS AT: SUBPART B LAND USE AND LAND DEVELOPMENT, APPENDIX B: ZONING; ARTICLE VI: OFF-STREET PARKING, LOADING AND ACCESS REQUIREMENTS, SECTION 601: OFF-STREET PARKING AND LOADING SPACES REQUIRED AND SECTION 602: MINIMUM NUMBER OF OFF-STREET PARKING SPACES REQUIRED, APPEARING AS SO IDENTIFIED IN THE CODE OF THE CITY OF DAHLONEGA, GEORGIA.

Short title: "An ordinance to exclude off-street parking and loading requirements within the B-3 and CBD zones for restaurants, lounges, and retail businesses."

WHEREAS, the City Council of Dahlonega, Georgia desires to exclude off-street parking and loading requirements within the B-3 and CBD zones for restaurants, lounges, and retail businesses.

NOW, THEREFORE, be it ordained, and it is so ordained by the authority of the City Council of Dahlonega, that Subpart B, Appendix B, Article VI, Section 601 and 602, of Ordinance 91-9 appearing so identified in the Code of the City of Dahlonega shall be amended in their entirety to read as follows:

Sec. 601. - Off-street parking and loading spaces required.

Off-street automobile parking and loading spaces shall be provided, as specified in this Article, for uses and structures hereafter established in all zoning districts at the time of initial construction of any principal building, unless otherwise exempted from this Article. For developments phased in timing, parking and loading requirements may also be phased in accordance with the requirements applying for each particular time phase of development.

Any building or use that is subsequently enlarged or converted to another use shall meet the off-street parking and loading space requirements of this Article, for the enlarged or new use.

Required parking and loading spaces shall be maintained and shall not be encroached upon by refuse containers, signs or other structures, unless an equal number of spaces are provided elsewhere in conformance with these regulations.

Required parking and loading spaces shall be provided with vehicular access to a public street or alley, unless such access is prohibited by these regulations.

In all zones except B-3 and CBD, off-street parking and loading facilities required shall be located on the same lot as the principal building or use. However, as much as fifty (50%) percent of the required number of parking spaces may be located within four hundred (400) feet of the principal building or use, provided proof of ownership or a valid lease agreement for use of such premises is provided to the Community Development Director or their designee. Such distance shall be measured between the nearest point of the parking facility and the nearest point of the principal building or use.

In the B-3 and CBD zoning districts off-street parking and loading facilities up to one hundred (100%) percent of the required number of parking spaces may be located within one thousand (1,000) feet of the principal building or use, provided proof of ownership or a valid lease agreement for use of such premises is provided to the Community Development Director or their designee. Such distance shall be measured between the nearest point of the parking facility and the nearest point of the principal

building or use. Certain uses are excluded from off-street parking and loading requirements within the B3 and CBD zones as noted in Section 602.

In B-3 and CBD, applicants may seek administrative variance approval for reduced parking space number using applications provided by the City. The Community Development Director shall have authority to grant an administrative variance reducing otherwise required spaces by an amount not to exceed twenty-five percent (25%) provided good cause for variance is shown. The request shall be accompanied by a parking study conducted by a licensed Professional Engineer or a Certified Planner which demonstrates suitability of the site for single-use or shared multi-use parking at reduced amounts.

Sec. 602. - Minimum number of off-street parking spaces required.

The minimum number of required off-street parking spaces for each type of permitted use shall be as indicated below. For uses not specifically listed, the off-street parking requirements shall be those of the most similar use as determined by the Zoning Administrative Officer. When the application of these parking requirements results in a fractional space requirement, the fractional space requirement shall be construed to mean one (1) additional space.

Use Classification	Parking Space Requirements
Apartment and other multiple-family residential uses	Two spaces per dwelling unit plus four spaces per leasing office and ten spaces per clubhouse or recreation center
Art gallery	One space for each 300 square feet of gross floor area
Auditorium, stadium, assembly hall, gymnasium or community center	One space per four fixed seats in largest assembly room or area
Bank or financial institution	One space for each 200 square feet of gross floor area
Banquet hall	One space per every two persons of capacity
Barber or beauty shop	Three spaces for each operator or chair
Billiard hall, amusement arcade	One space for each 200 feet of gross floor area
Boarding or rooming house	One space for each two guests plus one additional space for each resident manager or owner
Bowling alley	Three spaces for each alley

Use Classification	Parking Space Requirements
Church or place of worship	One space per four fixed seats in largest assembly room
Community center	One space for each five seats, or ten spaces per 1,000 square feet of assembly areas where there are no fixed seats
Conference/convention center	One space per every two persons of capacity or one space per 100 square feet of gross floor area, whichever is greater, plus the requirements of each individual use (i.e. hotels, restaurants, etc.)
Convenience retail store	One space for each 200 square feet of gross floor area
Cultural facility	One per five seats provided for public assembly or one per 250 square feet or gross floor area when no seats are provided, plus one per full-time employee
Dance studio or school	One space for each employee plus one space per 150 square feet of gross floor area
Day care center	One space for each eight children, plus one space per employee
Event Center	One space per every two persons of capacity
Duplex	Two spaces per dwelling unit
Food store	One space per 200 square feet of gross floor area
Funeral home or mortuary	One space for each four seats in largest assembly room
Furniture or appliance store	One space per 600 square feet of gross floor area
Gasoline service station	Two spaces per gasoline pump plus three spaces per service bay
	Three spaces for each hole plus one space for each two employees

Use Classification	Parking Space Requirements
Health club, spa	One space for each 150 square feet of gross floor area
Hospital, clinic, nursing home	One space for each two beds plus one space for each staff or visiting doctor, plus one space for each three employees
Hotel, motel	One space for each guest room plus one space for each two employees on largest shift
Industrial or manufacturing	Two spaces for each three employees on largest shift
Laundry, self service	One space for each washer-dryer combination
Library, museum	One space for each 200 square feet of gross floor area
Lodge, club	One space for each three seats in largest assembly room
Miniature golf course	Three spaces per hole
Mobile home, mobile home park	Two spaces per dwelling unit plus one space for each resident manager and additional spaces for public park or use areas
Office, general or professional	One space for each 250 square feet of gross floor area. None in CBD or B3.
Office, medical or dental	Six spaces per practitioner
Personal service establishment	One space for each 200 square feet of gross floor area
Restaurant or lounge	One space for each 100 square feet of gross floor area. None in CBD or B3.
Retail business	One space for each 200 square feet of gross floor area. None in CBD or B3.
Sanitarium, rest and convalescent home, personal care home	One space for each four patient beds plus one space for each doctor and staff member

Use Classification	Parking Space Requirements
School, elementary	Two spaces per classroom and administrative or staff person
School, high	Ten spaces per classroom plus one space for each administrative or staff person
School, college, trade, vocational	Ten spaces per classroom plus one space for each administrative or staff person
Self-service storage facility, mini-warehouse	One space for each twenty storage stalls, plus two spaces for resident manager's office
Shopping center	One space for each 200 square feet of gross floor area
Single-family residence	Two spaces per dwelling unit
Theater, cinema	One space for each three seats
Wholesale	One space for each 500 square feet of gross floor area

Except as modified herein, The Code of the City of Dahlonega, Georgia, is hereby reaffirmed and restated. The codifier is hereby granted editorial license to include this amendment in future supplements of said Code by appropriate section, division, article or chapter. The City Attorney is directed and authorized to direct the codifier to make necessary minor, non-substantive corrections to the provisions of this Code, including but not limited to, the misspelling of words, typographical errors, duplicate pages, incorrect references to state or federal laws, statutes, this Code, or other codes or similar legal or technical sources, and other similar amendments, without necessity of passage of a corrective ordinance or other action of the Mayor and Council. The City Clerk shall, upon the written advice or recommendation of the city attorney and without the necessity of further council action, alter, amend or supplement any non-codified ordinance, resolution or other record filed in his or her office as necessary to effect similar non-substantive changes or revisions and ensure that such public records are correct, complete and accurate.

It is so ordained this ____ day of _____, 2023.

By: _____
 JoAnne Taylor, Mayor

Attest: _____
 Mary Csukas, City Clerk