CITY OF DUNWOODY
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MEMORANDUM

To: Mayor and City Council

From: Jennifer Peterson, Community Development Director

Date: August 24, 2009

Subject: **Dunwoody Village Overlay Text Amendment**

A text amendment to revise the Dunwoody Overlay was presented to Council as a first read and public hearing on May 26th. At that time Council tabled the item to allow for the City, DHA, and other interested parties to discuss options and solutions pertaining to the creation of a Design Review Board or Committee. City representatives and DHA representatives have met and present this new draft to Council for consideration. The ordinance presented does create a Mayor appointed Design Review Committee that will make advisory rulings for the City staff to consider. The committee would review all requests for land disturbance permits, building permits, and sign permits.

According to the City Charter there cannot be more than 60 days between the first and second read of an ordinance. Therefore, the Council has the authority to conduct a first read tonight and a second read with an advertised public hearing on September 14th. The other option available to Council is begin the process anew and remand the ordinance back to the Community Council.

Staff Recommendation:

Staff recommends that prior to a Council vote on this text amendment, the item should be remanded back to the Community Council and recomplete the public meeting and hearing path of text amendments. As you can see from the May 26th staff report, both groups discussed and formed public options about the drafts they were presented. The current draft is the product discussion outside of the public forums and after the public hearing opportunities of the Planning Commission and first read by City Council. Should Council support this recommendation, this item could be discussed by the Community Council in October, the Planning Commission in November, and return to Council on November 23rd and December 14th.

Attachments:
Draft Ordinance (Version August 17, 2009)
Staff Memo from May 26, 2009 Council Meeting (First Read & Public Hearing)

Ken Wright – Mayor
Denis Shortal – City Council Post 1
Adrian Bonser – City Council Post 2
Tom Taylor – City Council Post 3
Robert Wittenstein – City Council Post 4
Danny Ross – City Council Post 5
John Heneghan – City Council Post 6

Warren Hutmacher – City Manager
Brian Anderson – City Attorney

Action: **Amendment to the Zoning Ordinance**

Petitioner: **City of Dunwoody, Georgia**

Petitioner's Request: **An amendment to the Zoning Ordinance to revise the text of §3C, the Dunwoody Village Overlay District.**

At the direction of the Mayor and City Council, there was formed a task force in the City of Dunwoody to review, revise and modernize the standards found in the Dunwoody Zoning Ordinance related to the Dunwoody Village Overlay District, found in section 3C. The result of that work performed by the overlay task force, in conjunction with meetings and agreements with city staff, is presented here for your review.

Be advised that no changes to the signage requirements in the Dunwoody Village Overlay District were made nor addressed; only the aesthetic design qualities of the area were examined as a part of this committee review.

Community Council

At their regular April meeting, the Community Council voted 5-0 **to approve** the text amendment, as well as the following additional recommendations:

1. Change the word 'Counsel' in the Statement of purpose and intent to read 'Council'.
2. Change letter (c) of the Statement of purpose and intent to read: "To strengthen the identity of the Dunwoody Village commercial core as the heart of the Dunwoody District 1 neighborhood.
3. In the District Boundaries section, remove the Roman numeral 'X', thereby incorporating the text into the Zoning Ordinance (Chapter 27 of the City Code).
4. Remove "(d) Sequence" it its entirety from the 'Design Review' section.

Planning Commission

The Planning Commission at this item's first Public Hearing held in May, again took up the issue and had more discussion centered around not only the text of the proposed amendment but the Community Council recommendations and staff's recommendation as well.

The first point mentioned was to remove the changes noted in item 2 above, as it was agreed that the Dunwoody Village can be recognized as the heart of all of the City of Dunwoody. The next item causing debate was first the idea that adhering to the Community Council's recommendation number 4 above, would remove the Dunwoody Home Owner's Association from the review

process for new projects in the Dunwoody Village Overlay district. It was explained to the Commission that this point was agreed upon by the Community Council after recommended to them on the specific advice from staff. It is the position of staff that it is inappropriate to empower a non-governmental organization (NGO) by specific reference in any official rule, code, law or ordinance for a number of reasons. Causing an applicant to appear before an NGO for approval, denial, or simply a tertiary review ending in recommendation is an inappropriate delegation of staff duties and functions. Staff believes there is no cause for an outside entity to "...review [an] application for Zoning, and suitability for the community and location contemplated..." in the official municipal process of land development. Further, to couch the requirement that an applicant present themselves and their application for a non-binding and amicable review by an NGO in and of itself still empowers that reviewing authority, whether the product of that review is binding or not. Finally, the text makes no delineation for projects permitted by right to be constructed without review, thereby creating an indirect Conditional Use permit process for each and every project considered for construction.

In a larger context, the very idea of the Design Review Committee was discussed. Staff very much supports the idea of a Design Review Committee for the implementation of Dunwoody Village Overlay District design guidelines, but not as it has been presented to you in this amendment. To begin, a committee charged with oversight should have the ability to review and approve a range of architectural treatments according to a set of wide-ranging guidelines which allow for that broad interpretation; this document presented as written is a *shall* or *shall not* ordinance. Meaning there is no room for leniency on the part of any review board; the review of submitted plans is an analytic exercise where the application either meets the code or does not. Further, requiring an applicant to endure a review to build a project which is in all aspects code compliant removes the idea that the project is permitted by right; in effect, each and every application is conditional and subject to review against a set of standards not published and available to all persons who seek the information.

The plan of action that staff would like to implement is to create the Design Review Committee as an appellate review board that could grant permission for an applicant to construct his/her project in the event that some aspect(s) of their design do not meet the letter of the code. Individuals trained in the practice of design and construction could review the proposal for its architectural appropriateness in the context of the site's location in the Village. This idea makes the development process fair for all parties involved: the citizens of Dunwoody get to establish the baseline criteria of what they're willing to accept in their city, and developers are permitted to build projects deemed permissible by right, or in the instance they can't do that, there is an appellate process adjudicated by professionals to grant leniency when necessary.

Ultimately, the Planning Commission supported the work of the Dunwoody Village Overlay District, and **recommended approval** of the updated text amendment, with the following conditions:

1. Further investigation needs to occur to implement parking incentives for area businesses that incorporate parking reserved exclusively for the use of motorcycles and scooters on their property.
2. In the section dealing with height and architectural variances, the text reading '5 stories' should specifically reference that those 5 stories are above grade stories, not total building height.
3. Add the section about the DHA back into the Design Review Committee text.
4. Remove the District 1 verbiage, added by the Community Council, from the opening paragraph.

Overall staff **supports** the proposed text amendment in its ability to modernize design criteria and construction standards. Significant points of concern revolve around (1) empowering a non-governmental organization with staff review items, (2) utilizing a design review committee in the absence of guidelines that permit lawful and fair review, and additionally staff would like to suggest (3) that the list of street trees permitted to be used more closely resemble those native, non-invasive, species with a columnar, upright and/or conical habit noted on the University of Georgia's Cooperative Extension Agency's latest edition of "Native Plants for Georgia".

STATE OF GEORGIA
CITY OF DUNWOODY **ORDINANCE 2009-XX-XX**

AN ORDINANCE AMENDING CHAPTER 27 OF THE CITY OF DUNWOODY CODE OF ORDINANCES BY A TEXT AMENDMENT TO THE DUNWOODY VILLAGE OVERLAY DISTRICT

WHEREAS, The City of Dunwoody first adopted the Dunwoody Zoning Ordinance, Chapter 27 of the City of Dunwoody Code of Ordinances, on December 18, 2008; and

WHEREAS, A task force was formed to review, revise and modernize the standards in Chapter 27 related to the Dunwoody Village Overlay District, being Article 3C of the City of Dunwoody Zoning Ordinance, including a possible creation of the Design Review Committee; and

WHEREAS, Pursuant to the recommendations of the task force, the Community Council and Planning Commission of the City of Dunwoody approved certain changes to the text of the Dunwoody Village Overlay District Regulations, with the exception of signage requirements in Section 3C-13, which were left undisturbed; and

WHEREAS, The First Read of this Ordinance has been held on August 24, 2009 and a properly-advertised public hearing is being held on September 14, 2009 followed by the Second Read and adoption of this ordinance.

THEREFORE, Mayor and City Council of the City of Dunwoody hereby ordain as follows:

Section 1: The City of Dunwoody Zoning Ordinance, Chapter 27 of the City Code of Ordinances, is hereby amended by removing Article 3, Division 3C (Dunwoody Village Overlay District) in its entirety and replacing as follows:

DIVISION 3C: DUNWOODY VILLAGE OVERLAY DISTRICT

3C-1: Applicability of Regulations.

This Division establishes standards and procedures that apply to any development, use, alteration, structure, or natural growth on any lot or portion thereof which is in whole or in part contained within the boundaries of the Dunwoody Village Overlay District.

3C-2: Statement of purpose and intent.

The purpose and intent of the Dunwoody City Council is to reaffirm the Dunwoody Village Overlay District as follows:

(a) To implement the policies and objectives of the City of Dunwoody Comprehensive Plan 2008-2028 and the policies and objectives of the Dunwoody Village Commercial Core Design Guidelines;

(b) To ensure that new developments and additions to existing buildings are compatible with the pre-1900 Mid Atlantic American Colonial Architecture that is characteristic of the district;

(c) To strengthen the identity of the Dunwoody Village commercial core as the heart of the Dunwoody District 1 neighborhood;

(d) To create new opportunities for public open spaces and gathering spaces in the commercial core of Dunwoody;

(e) To assure that new developments within the commercial core are pedestrian-friendly, provide places for civic activities and encourage pedestrian gathering and strolling;

(f) To improve the visual appearance resulting in increased property values, and reduce vacancy rates within the Dunwoody Village Overlay District Area.

(g) To enhance and soften the environment by striving to increase the quantity and quality of landscaping associated with new and existing development, reduce the amount of paved surfaces associated with public and private spaces and make the entire community more attractive and pedestrian friendly.

3C-3: District boundaries.

The boundaries of the Dunwoody Village Overlay District shall be established by a zoning map amendment adopted by the City Council pursuant to this Chapter which amendment shall be incorporated herein and made a part of this Chapter 27 of the Code of Ordinance.

3C-4: Principal uses and principal structures.

The principal uses of land and structures which are allowed in the Dunwoody Village Overlay District are as provided by the applicable zoning district, subject to the limitations and standards contained within this division.

3C-5: Accessory uses and accessory structures.

The accessory uses of land and structures which are allowed in the Dunwoody Village Overlay District are as provided by the applicable zoning district, subject to the limitations and standards contained within this division.

3C-6: Architectural regulations.

The following architectural regulations shall apply to all uses and structures, within the Dunwoody Village Overlay District:

(a) *Exterior materials.* The exterior portions of any building that are within the Overlay District shall comply with the following requirements:

(1) Exterior cladding material shall consist of stone, earth tone brick, which is the preferred material, or white/cream painted horizontal lap siding. Lap siding shall be wood or a material that exhibits wood-like properties such as cementatous lap siding. Where lap siding is used, the base of the structure must have brick or stone cladding from the grade to the first floor elevation. Vertical siding, stucco, external insulating finishing system ("EIFS"), metal siding, metal trim, vinyl siding, vinyl trim, marble siding, marble trim, exposed concrete, and block are prohibited.

(2) Siding material shall be consistent and uniform on all exterior elevations. Siding material shall be predominantly brick, stone or lap siding. Buildings with masonry on the front face only are prohibited. Buildings with first floor masonry and second floor lap siding are prohibited.

(3) All exposed bricks shall be approximately eight (8) inches wide by three (3) inches deep by two and two-thirds (2-2/3) inches high and shall be laid in a running bond. Flemish Bond is acceptable. Engineer size brick is acceptable. All joints shall be tooled with grapevine joint, and mortar will be buff or ochre. Stone veneers must have Ochre tooled mortar joint.

(4) When lap siding is used, the maximum allowable exposure on lap siding is eight (8) inches.

(5) The roofing material shall be constructed of asphalt (fiberglass) shingles, slate or cedar shake. Roofs shall be black, a dark shade of gray or weathered wood color. All asphalt (fiberglass) shingles shall be dimensional. Standing seam copper or bronze color metal roofs are permitted only as accents on porches or dormers.

(6) Applied trim materials, cornice and window casings shall consist of painted wood or other painted materials that exhibit wood-like properties. Metal, vinyl, stucco, block stone and concrete are prohibited, provided however that wrought iron handrails are permitted. Non-masonry trim colors shall be equal to colors available in Martin Senour Williamsburg Paint chart.

(7) Exposed portions of the foundation shall be covered in masonry veneer. Exposed block, stucco and concrete are prohibited.

(b) *Roofs*. The roof of any building that is visible from the public right of way shall comply with the following requirements:

(1) Gabled roofs, hipped roofs, or combinations thereof are permitted. Flat roofs or shed roofs are prohibited.

(2) Roof material shall comply with section above.

(3) Roof overhangs shall be at least eight (8) inches but not greater than twelve (12) inches. Gabled ends may have either an overhang or a flush rake.

(4) Eave lines shall be consistent, largely unbroken, and horizontal. All eaves shall be architecturally detailed with one or more of the following elements: dental molding, crown molding, built-up fascia, or frieze board. The total width of fascias/cornices and rake trim shall be no less than nine and one-quarter (9-1/4) inches.

(5) Roofs shall contain at least one roof projection for every seventy-five (75) lineal feet of building frontage. Roof projections may include cupolas, dormers, balustrade walks, chimneys, or gables.

(c) *Massing.* The massing of all buildings shall comply with the following requirements:

(1) Any building that is longer than seventy-five (75) feet shall be designed so as to appear as multiple structures through the use of varied roof forms, building projections, or architectural details.

(2) The apparent exterior floor-to-floor height of each story of a building shall be limited to twelve (12) feet. Individual floors shall be delineated on the building facade through the use of window placement and horizontal details.

(3) Buildings shall have at least one building projection on the front facade below the eave line. Building projections consist of stoops, bay windows, covered porches, extruded entrances, and pedestrian arcades.

(4) Building height is limited to thirty-five (35) feet when measured from the first floor (street elevation floor) elevation to the peak of the highest ridge line. Cupolas or widow's walk are not considered roof and are not included in the height measurement.

(5) Primary building walls shall be rectilinear and simplified in form. With the exception of bay projections, curved walls or non-ninety-degree corners are prohibited.

(6) Buildings that are longer than one hundred (100) feet shall provide no less than ten lineal feet of pedestrian arcade or covered porch.

(7) Porches shall be not less than eight (8) feet in any direction. Metal columns are prohibited. Columns shall contain a base and a capital, and shall generally align with story heights. Two-story columns are prohibited. All exterior columns will be traditional in style.

(d) *Fenestration.* The fenestration of all buildings visible from the public right of way shall comply with the following requirements:

(1) Doors shall be compatible with pre 1900 Mid Atlantic American Colonial Architecture style. All-glass doors and flush doors are prohibited. Solid doors shall be six-panel and can have sidelights or a transom sashes. Windowed doors shall contain a solid border a minimum of six (6) inches wide panels and include mullions or divided lights not exceeding twelve (12) inches in any direction. Mullions shall be $1^{1}/_{4}$" in size. French, three quarter glass or 9 light doors are acceptable if they meet the former restrictions.

(2) Individual doors shall be of a single color and shall be equal to or similar to colors available in Martin Senour Williamsburg Paint chart. Dark stained doors are permitted if shade is equal to or darker than Minwax special walnut.

(3) Primary doors shall not exceed forty-two (42) inches in width and ninety-six (96) inches in height. Larger doors are prohibited.

(4) All windows shall be vertically proportioned standard sizes with minimum width of 2'4" and minimum height of 5'6" high. Transom windows are not subject to vertical proportions and do not count in the overall window proportion. Vertical windows may be grouped to create storefront windows but shall be limited to fifteen (15) foot sections with a minimum of four (4) inch mulls. Group windows shall be separated by at least five (5) feet of unbroken wall space.

(5) Slit windows, strip windows, and ribbon windows are prohibited.

(6) Windows and doors shall be provided on at least ten (10) percent of the front facade but shall be no more than fifty (50) percent of the total area of the front facade. Window shall be measured at the sash sizes and doors the swinging part only. Casing is not included in the measurement. Blank facades are prohibited. Windows shall generally be spaced in an even rhythm. Windowless sections of the front facade shall not exceed twenty (20) feet in width.

(7) All windows shall be rectilinear double hung, provided however, that arch top and fixed sash windows are permitted. Triangular or otherwise angular windows are prohibited. Round windows are permitted as accent windows in locations such as gables. Louvered gable vents are acceptable but they must be rectilinear and surrounding by 1x4 and backband.

(8) Primary windows shall be at least twenty-eight (28) inches wide and at least sixty-six (66) inches tall. Fixed windows shall be no wider than five (5) feet and no taller than six feet six inches tall.

(9) All windows shall have the appearance of mullions or divided lights. Mullions shall be $1^{1}/_{4}$" in width. Panes shall be vertical rectilinear, generally square in proportion. Diagonal panes are not permitted except in arch windows.

(10) All windows should be surrounded with casing – 1 x 4 and backband, 1 x 6 and backband, Howe casing and backband or Mrs. Jenny Casing and backband.

(11) Shutters shall be constructed of wood or a material with wood-like properties other than vinyl, shall be sized to fit the window, and shall either have horizontal slats or raised panel. Shutter colors shall be equal to or similar to colors available in Martin Senour Williamsburg Paint chart. Shutters must appear operable, with hinges and tie backs.

(12) All windows shall have sill and header trim details. Cut brick jack arches shall be install on all windows visible from the street or parking lot.

(13) The bottom of windows shall be at least twenty (20) inches above grade.

3C-7: Sidewalk and Pedestrian Walkways

The following sidewalks and pedestrian crosswalks and regulations shall apply to all uses and within the Dunwoody Village Commercial Overlay District:

(a) Public sidewalks shall be located adjacent to all public streets and be a minimum of fifteen (15) feet wide as follows:

(1) Along the curb there shall be a clear four (4) foot grass strip to provide a buffer between the pedestrian and the traffic (this strip can be planted with either warm season grass or mondo grass).

(2) Next to the buffer strip there should be a seven (7) foot concrete sidewalk.

(3) Next to the sidewalk and away from the street there shall be a four (4) foot furniture/ tree/landscape zone:

a. Park Benches are to be installed every one hundred (100) foot on a ten (10) foot wide by four (4) foot deep brick pad. Benches shall be Victory Stanley "Classic" Model c-138 series. Bench colors shall be natural wood stain, with dark green.

b. Each bench shall have an approved dark green trash container (style to be selected).

c. Street trees are to be installed at fifty (50) foot intervals (between the benches). Trees shall be either Hightower Willow Oak, Highpoint Nuttall Oaks or Allee Lacebark Elm. Tree sizing shall be a minimum of three (3) inch caliper and shall be no less than ten (10) feet in height. As the street

trees mature, they shall be limbed to seven (7) feet above the sidewalk.

d. Street lights shall be installed at one hundred (100) foot intervals. Street lights shall be Generation ARC by Cooper 150 watt from Georgia Power. Poles for the lights shall be Grandville by Hapco from Georgia Power. Poles and lamps shall be dark green.

e. Between the brick bench area and the tree base a slightly raised bed shall be installed planted either with controlled low growing evergreen bushes (needled plants not permitted), annual flowers or mondo grass.

(4) Behind the landscape bench area warm season grass shall be planted.

(5) Maintenance of the entire planting area is the responsibility of the property owner.

(6) Owners are encouraged to install drip sprinkler systems to insure proper development and prosperity of the plant material.

(7) The tree area and landscape zone may have to be adjusted due to overhead wires, but any adjustment must be approved by the Design Review Committee.

(b) Pedestrian walkways shall be located at all building entrances. All buildings shall provide a ten (10) foot minimum pedestrian zone between the building and parking area. The pedestrian zone shall contain walkways, planting areas, plazas, and similar landscaped spaces. All pedestrian walkways shall be a minimum of six (6) feet wide finished with brick pavers.

(c) All public sidewalks and pedestrian walkways shall be continuous where possible and shall connect to other pedestrian areas through painted or raised crosswalks. All entrances to crosswalks and sidewalks should include handicap ramps per code.

(d) All utilities shall be placed under ground.

(e) The front entrance of all buildings shall be easily and safely accessible to pedestrians from the public sidewalk through a combination of pedestrian walkways and crosswalks.

(f) Covered sidewalks that are a part of the building and that are located within the buildable area of the lot are encouraged where possible. Such covered sidewalks may be used for outdoor seating and dining, and as terraces and arcades.

(g) In multi-tenant retail buildings, a continuous, unimpeded walkway shall be provided to connect all business entrances.

3C-8: Landscaping.

The following landscaping regulations shall apply to all uses and structures with the Dunwoody Village Overlay District:

(a) The use of a registered Landscape Architect is strongly recommended but not required.

(b) Each lot shall provide a planted area or areas in the front yard near the building entrance that consists of a total area no less than five (5) percent of the building area. Such planted area or areas may consist of grassed areas, linear beds along the building, raised planters, and similar landscaped areas.

(c) The landscaping on each lot shall contain the following landscape elements: flowerbeds, shrubs, and at least two (2), three (3) inch caliper trees.

(d) With the exception of trees, landscape elements including shrubs shall not exceed four (4) feet in height when mature.

(e) As stated above, street trees are required along all public streets

(f) All medians shall be landscaped with plant material that does not interfere with vehicle safety and driver visibility. Plant material and placement should be approved by the City of Dunwoody Public Works Department prior to approval of the Design Review Committee. Concrete-only medians are prohibited.

3C-9: Lighting.

The following lighting regulations shall apply to all permitted uses within the Dunwoody Village Overlay District:

(a) All lots shall provide streetlights, parking lights, pedestrian lights, and indirect building lights. With the exception of indirect building lights, all light fixtures shall be of a design that is compatible with the Village/Colonial style. All freestanding exterior light fixtures shall be black or dark green.

(b) Public streetlights shall be provided along public as specified above.

(c) Parking lights shall be provided in all parking areas where it is anticipated that parking usage will occur after dark. The owner shall submit designs for approval. The style shall be consistent with the pre-1900 Mid Atlantic American Colonial Architecture, but if the fixtures exceed fifteen feet in height, they shall project downward, and shall be spaced in a uniform manner so as to provide full lighting for the parking area.

(d) Pedestrian lights shall be provided within high-volume pedestrian areas, and around public and private open space. Pedestrian lights shall be spaced a

maximum of twenty-five (25) feet apart and shall be evenly spaced so as to provide full lighting for pedestrian areas.

(e) Indirect building lighting is encouraged and when installed it shall be located no more than ten (10) feet from the face of the building and in a location and direction that does not impair vehicular safety or cross pedestrian walkways.

3C-10: Parking.

The following parking regulations shall apply to all uses within the Dunwoody Village Overlay District:

(a) Each lot shall provide no less than one parking space for each seven hundred fifty (750) square feet of floor area and no more than two (2) parking spaces for each seven hundred and fifty (750) square feet of floor area.

(b) Parking areas shall be separated from buildings by a planted area or other landscaped area that is no less than ten (10) feet in width. Parking areas shall be separated from the main road by thirty (30) feet and include a hedge/landscaping barrier to reduce the visibility of parked vehicles. Wherever possible, parking should be confined to the rear of structures or underground.

(c) Shared parking is encouraged and may be authorized by the Director of Community Development. Applicants may make application to the Director for authorization for a special exception for shared parking. Said applications shall be considered and decided by the director pursuant to the standards and procedures set forth in this section.

(d) Parking lots shall be landscaped in accordance with the requirements of "Landscaping" above.

(e) The use of bicycle racks is encouraged. Bicycle racks shall be located near building entries. The racks shall be equal to or similar to Urban Accessories Circle Bike Rack Model D.

3C-11: Public areas, curb cuts and service areas.

The following regulations apply to the public areas, curb cuts and service areas for the Dunwoody Village Overlay District.

(a) Public plazas and outdoor dining areas are encouraged. Such areas shall be protected from vehicular traffic by location, vegetation and landscape walls, and shall be easily accessible to pedestrians.

(b) All dumpsters and other building service areas shall be located where they are concealed from view from the public right of way and neighbors. All dumpsters shall be concealed with secured gates and vegetative or solid screening.

(c) Curb cuts along public streets shall be minimized and shall be shared with adjacent development where possible. Curb cuts shall be permitted only where twenty-five (25) feet away from a curb cut on an adjoining property, and shall not be permitted within one hundred (100) feet of the intersection of any two public streets. Curb cuts shall not exceed a width of twenty-four (24) feet.

(d) All air conditioning units must be hidden from view of the road and neighbors either by landscaping, approved fencing or located on the roof out of sight. All must be shown on the site plan submitted for approval.

(e) Retaining walls must meet City Building Code with the visible areas covered with the face brick or stone of the down hill neighbor with a roll lock at the top. Where horizontal expanses exceed twenty (20) feet, offset pilasters must be installed with the same brick or stone rising three courses above the top of the adjoining wall and finished with a double course capital made from the same brick or stone.

3C-12: Street furniture.

The following regulations apply to street furniture for the Dunwoody Village Overlay District:

(a) At least one (1) bench and one (1) trash receptacle per seven thousand five hundred (7,500) square feet of retail area shall be provided on each lot and shall be located no more than fifty (50) feet from a building entry. This is in addition to the requirements in the Public Sidewalk section above.

(b) All benches and trash receptacles shall be accessible from a building entrance by a pedestrian walkway. Benches and trash receptacles shall be used in conjunction with other pedestrian amenities such as planters, landscaped areas, and outdoor tables. Benches and trash receptacles shall not contain signs.

(c) Benches shall be Victory Stanley "Classic" Model c-138 series. Bench colors shall be natural wood stain, with dark green. Each bench shall have an approved trash container.

(d) Trash receptacles shall be Victor Stanley "Concourse" series. Trash receptacles shall be dark green. Trash receptacles shall be firmly anchored to the ground.

3C-13: Signs regulations.

All lots in the Dunwoody Village Overlay District shall comply with all requirements of Chapter 21 of this Code subject to the following additional regulations:

(a) Signs shall be designed so as to be compatible with the Village/Colonial style that is characteristic of the Dunwoody Village Overlay District area (standard sign layouts and shapes are attached);

(b) All ground signs shall be monument style signs with a base and framework made of brick.

(c) Free-standing signs shall not be permitted in the Main Street Zone as defined on the Dunwoody Overlay District Map, described in section 27-720.3, on frontages where any portion of the principal structure is located within thirty-two (32) feet of the front property line;

(d) For lots containing nine (9) or fewer store fronts, ground signs shall not exceed six (6) feet in height and eight (8) feet in width;

(e) For lots containing nine (9) or fewer store fronts, ground signs shall not exceed thirty-two (32) square feet in sign area;

(f) For lots containing nine (9) or fewer store fronts, signs shall be located no more than thirty-two (32) feet from the principal building;

(g) For lots containing ten (10) or more store fronts, ground signs shall not exceed ten (10) feet in height and eight (8) feet in width;

(h) For lots containing ten (10) or more store fronts, ground signs shall not exceed fifty-four (54) square feet in sign area;

(i) Wall signs shall be located on the primary building facade and within fifteen feet (15) of the primary building entrance;

(j) Window signs are prohibited;

(k) Banners are prohibited;

(l) Signs shall have a matte finish consistent with a wood or wood-like appearance;

(m) Sign colors shall be equal to or similar to colors available in Martin Senour Williamsburg Paint;

(n) All signs shall be indirectly lighted;

(o) Internally lighted neon, gas, colored, flashing, animated, marquee, sound emitting, fluorescent, rotating or otherwise moving signs are prohibited; and

(p) Sign shape and lettering shall be limited as follows:

(1) All signs shall be rectangular, circular, or oval in proportion.

(2) Sign facing shall be flat in profile and shall not exceed a thickness of eight (8) inches.

(3) Signs with more than two (2) faces are prohibited.

(4) Sign lettering shall consist of block lettering in which individual letters do not exceed eighteen (18) inches in height.

(5) Sign lettering material shall be of a material that will not permit the passage of light through the lettering.

3C-14: Design Review Committee.

The Mayor, with the concurrence of the City Council, shall appoint a Design Review Advisory Committee that shall ~~report~~make recommendations to the Community Development Director. The appointment shall be for a period of two years. The committee shall be three volunteers that have qualifications and design experience, and have a budget sufficient to retain expert advice from the professional community when needed. The recommended content would be two individuals with qualified experience in architectural design and a third member who has knowledge of historical submissions. To that end, one member should be held over into a second two year term to allow continuity.

(a) *Plans required.* Prior to the issuance of any land disturbance permit, building permit, or sign permit, the applicant shall submit to the Design Review Committee an application, full plans including a site plan, landscaping plan, building design including elevations and architectural details of proposed buildings, exterior materials and colors, and plans and elevations of all sides, all of which shall demonstrate that the proposed design is in compliance with all of the requirements of this Dunwoody Village Overlay District and the underlying zoning classification (sign applications may be abbreviated, only requiring dimensioned rendering of the sign, color swatches of the colors planned and site plan showing the location. All sign application must include details on planned lighting if applicable).

(b) *Fees.* Plans shall be accompanied by an application and payment of a fee in an amount determined by the City Council.

(c) *Review.* The Design Review Advisory Committee shall review each application for compliance with all requirements of the Dunwoody Village Overlay District and the underlying zoning classification and make a recommendation to the Community Development Director. ~~Where it determines that said plans comply with the requirements of the Dunwoody Village Overlay District, a Certificate of Compliance shall be issued to the~~

~~Applicant to be included with the applications for permits to the Department of Community Development. Attached to the Compliance form will be the plans and specs submitted and approved, and signed by the Chairman of the Design Review Committee.~~

~~(d) Sequence: The committee would get the application after the applicant has appeared before the Dunwoody Homeowners Association which will review the application for Zoning, and suitability for the community and location contemplated and before staff review.~~

~~If the Committee determines that said plans do not comply with the requirements of the overlay district, the Committee Chairmen shall notify the applicant and the Community Development in writing stating the manner in which said applicant fails to comply with such requirements and, if practical, propose modifications to allow conformity.~~

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~~3C-14: Certificate of Occupancy~~
~~Prior to the issuance of the certificate of occupancy the site has to be inspected by a Design Review Committee member and a final Compliance certificate issued. Any deficiencies must be corrected before the CO is issued.~~

3C-15: Height/Architectural Variances

The City Council anticipates that in the future a developer may want to redesign parts of the Village with the intention of revitalization, and the regulations contained herein will be too restrictive to allow necessary creativity. The developers' proposed concept may require more floors, zero set back lines and/or multiuse design. The developer is encouraged to bring forth his proposal in rough form for evaluation and comment. The proposal must:

(a) Embody the pre 1900 Mid Atlantic American Colonial Architecture;

(b) Limit the height to a maximum of five (5) stories; however, the structure will not exceed two stories where within one hundred (100) feet of the property line of home sites zoned residential contiguous to the Overlay District.

(c) Existing buffers will be honored. Abide by all other regulations included in this ordinance.

STATE OF GEORGIA
CITY OF DUNWOODY **ORDINANCE 2009-XX-XX**

Section 2: This Amendment shall become effective immediately upon its adoption by the City Council, and incorporated into the Code of the City of Dunwoody, Georgia. This Amendment hereby repeals any and all conflicting ordinances and amendments.

SO ORDAINED, this ___ day of _____, 2009.

Approved:

_____
Ken Wright, Mayor

ATTEST:

_____
Sharon Lowery, City Clerk
(Seal)

Approved as to Form and Content:

_____
Brian Anderson, City Attorney

DUNWOODY VILLAGE OVERLAY DISTRICT

~~Final~~ Draft Version ~~March 29~~ August 17, 2009

Applicability of Regulations.
This division establishes standards and procedures that apply to any development, use, alteration, structure, or natural growth on any lot or portion thereof which is in whole or in part contained within the boundaries of the Dunwoody Village Overlay District.

Statement of purpose and intent.
The purpose and intent of the Dunwoody City ~~Counsel~~ Council is to reaffirm the Dunwoody Village Overlay District is as follows:

(a) To implement the policies and objectives of the City of Dunwoody Comprehensive Plan 2008-2028 and the policies and objectives of the Dunwoody Village Commercial Core Design Guidelines;

(b) To ensure that new developments and additions to existing buildings are compatible with the pre-1900 Mid Atlantic American Colonial Architecture that is characteristic of the district;

(c) To strengthen the identity of the Dunwoody Village commercial core as the heart of the Dunwoody District 1 neighborhood;

(d) To create new opportunities for public open spaces and gathering spaces in the commercial core of Dunwoody;

(e) To assure that new developments within the commercial core are pedestrian-friendly, provide places for civic activities and encourage pedestrian gathering and strolling;

(f) To improve the visual appearance resulting in increased property values, and reduce vacancy rates within the Dunwoody Village Overlay District Area.

(g) To enhance and soften the environment by striving to increase the quantity and quality of landscaping associated with new and existing development, reduce the amount of paved surfaces associated with public and private spaces and make the entire community more attractive and pedestrian friendly.

District boundaries.
The boundaries of the Dunwoody Village Overlay District shall be established by a zoning map amendment adopted by the City Council pursuant to this chapter which amendment shall be incorporated herein and made a part of this Chapter ~~X~~ of the Code of Ordinance.

Principal uses and principal structures.
The principal uses of land and structures which are allowed in the Dunwoody Village Overlay District are as provided by the applicable zoning district, subject to the limitations and standards contained within this division.

Accessory uses and accessory structures.
The accessory uses of land and structures which are allowed in the Dunwoody Village Overlay District are as provided by the applicable zoning district, subject to the limitations and standards contained within this division.

Architectural regulations.
The following architectural regulations shall apply to all uses and structures, within the Dunwoody Village Overlay District:

(a) *Exterior materials.* The exterior portions of any building that are within the Overlay District shall comply with the following requirements:

(1) Exterior cladding material shall consist of stone, earth tone brick, which is the preferred material, or white/cream painted horizontal lap siding. Lap siding shall be wood or a material that exhibits wood-like properties such as cementatous lap siding. Where lap siding is used, the base of the structure must have brick or stone cladding from the grade to the first floor elevation. Vertical siding, stucco, external insulating finishing system ("EIFS"), metal siding, metal trim, vinyl siding, vinyl trim, marble siding, marble trim, exposed concrete, and block are prohibited.

(2) Siding material shall be consistent and uniform on all exterior elevations. Siding material shall be predominantly brick, stone or lap siding. Buildings with masonry on the front face only are prohibited. Buildings with first floor masonry and second floor lap siding are prohibited.

(3) All exposed bricks shall be approximately eight (8) inches wide by three (3) inches deep by two and two-thirds (2-2/3) inches high and shall be laid in a running bond. Flemish Bond is acceptable. Engineer size brick is acceptable. All joints shall be tooled with grapevine joint, and mortar will be buff or ochre. Stone veneers must have Ochre tooled mortar joint.

(4) When lap siding is used, the maximum allowable exposure on lap siding is eight (8) inches.

(5) The roofing material shall be constructed of asphalt (fiberglass) shingles, slate or cedar shake. Roofs shall be black, a dark shade of gray or weathered wood color. All asphalt (fiberglass) shingles shall be

dimensional. Standing seam copper or bronze color metal roofs are permitted only as accents on porches or dormers.

(6) Applied trim materials, cornice and window casings shall consist of painted wood or other painted materials that exhibit wood-like properties. Metal, vinyl, stucco, block stone and concrete are prohibited, provided however that wrought iron handrails are permitted. Non-masonry trim colors shall be equal to colors available in Martin Senour Williamsburg Paint chart.

(7) Exposed portions of the foundation shall be covered in masonry veneer. Exposed block, stucco and concrete are prohibited.

(b) *Roofs.* The roof of any building that is visible from the public right of way shall comply with the following requirements:

(1) Gabled roofs, hipped roofs, or combinations thereof are permitted. Flat roofs or shed roofs are prohibited.

(2) Roof material shall comply with section above.

(3) Roof overhangs shall be at least eight (8) inches but not greater than twelve (12) inches. Gabled ends may have either an overhang or a flush rake.

(4) Eave lines shall be consistent, largely unbroken, and horizontal. All eaves shall be architecturally detailed with one or more of the following elements: dental molding, crown molding, built-up fascia, or frieze board. The total width of fascias/cornices and rake trim shall be no less than nine and one-quarter (9-1/4) inches.

(5) Roofs shall contain at least one roof projection for every seventy-five (75) lineal feet of building frontage. Roof projections may include cupolas, dormers, balustrade walks, chimneys, or gables.

(c) *Massing.* The massing of all buildings shall comply with the following requirements:

(1) Any building that is longer than seventy-five (75) feet shall be designed so as to appear as multiple structures through the use of varied roof forms, building projections, or architectural details.

(2) The apparent exterior floor-to-floor height of each story of a building shall be limited to twelve (12) feet. Individual floors shall be delineated on the building facade through the use of window placement and horizontal details.

(3) Buildings shall have at least one building projection on the front facade below the eave line. Building projections consist of stoops, bay windows, covered porches, extruded entrances, and pedestrian arcades.

(4) Building height is limited to thirty-five (35) feet when measured from the first floor (street elevation floor) elevation to the peak of the highest ridge line. Cupolas or widow's walk are not considered roof and are not included in the height measurement.

(5) Primary building walls shall be rectilinear and simplified in form. With the exception of bay projections, curved walls or non-ninety-degree corners are prohibited.

(6) Buildings that are longer than one hundred (100) feet shall provide no less than ten lineal feet of pedestrian arcade or covered porch.

(7) Porches shall be not less than eight (8) feet in any direction. Metal columns are prohibited. Columns shall contain a base and a capital, and shall generally align with story heights. Two-story columns are prohibited. All exterior columns will be traditional in style.

(d) *Fenestration.* The fenestration of all buildings visible from the public right of way shall comply with the following requirements:

(1) Doors shall be compatible with pre 1900 Mid Atlantic American Colonial Architecture style. All-glass doors and flush doors are prohibited. Solid doors shall be six-panel and can have sidelights or a transom sashes. Windowed doors shall contain a solid border a minimum of six (6) inches wide panels and include mullions or divided lights not exceeding twelve (12) inches in any direction. Mullions shall be $1^{1}/_{4}$" in size. French, three quarter glass or 9 light doors are acceptable if they meet the former restrictions.

(2) Individual doors shall be of a single color and shall be equal to or similar to colors available in Martin Senour Williamsburg Paint chart. Dark stained doors are permitted if shade is equal to or darker than Minwax special walnut.

(3) Primary doors shall not exceed forty-two (42) inches in width and ninety-six (96) inches in height. Larger doors are prohibited.

(4) All windows shall be vertically proportioned standard sizes with minimum width of 2'4" and minimum height of 5'6" high. Transom windows are not subject to vertical proportions and do not count in the

overall window proportion. Vertical windows may be grouped to create storefront windows but shall be limited to fifteen (15) foot sections with a minimum of four (4) inch mulls. Group windows shall be separated by at least five (5) feet of unbroken wall space.

(5) Slit windows, strip windows, and ribbon windows are prohibited.

(6) Windows and doors shall be provided on at least ten (10) percent of the front facade but shall be no more than fifty (50) percent of the total area of the front facade. Window shall be measured at the sash sizes and doors the swinging part only. Casing is not included in the measurement. Blank facades are prohibited. Windows shall generally be spaced in an even rhythm. Windowless sections of the front facade shall not exceed twenty (20) feet in width.

(7) All windows shall be rectilinear double hung, provided however, that arch top and fixed sash windows are permitted. Triangular or otherwise angular windows are prohibited. Round windows are permitted as accent windows in locations such as gables. Louvered gable vents are acceptable but they must be rectilinear and surrounding by 1x4 and backband.

(8) Primary windows shall be at least twenty-eight (28) inches wide and at least sixty-six (66) inches tall. Fixed windows shall be no wider than five (5) feet and no taller than six feet six inches tall.

(9) All windows shall have the appearance of mullions or divided lights. Mullions shall be $1^{1}/_{4}$" in width. Panes shall be vertical rectilinear, generally square in proportion. Diagonal panes are not permitted except in arch windows.

(10) All windows should be surrounded with casing – 1 x 4 and backband, 1 x 6 and backband, Howe casing and backband or Mrs. Jenny Casing and backband.

(11) Shutters shall be constructed of wood or a material with wood-like properties other than vinyl, shall be sized to fit the window, and shall either have horizontal slats or raised panel. Shutter colors shall be equal to or similar to colors available in Martin Senour Williamsburg Paint chart. Shutters must appear operable, with hinges and tie backs.

(12) All windows shall have sill and header trim details. Cut brick jack arches shall be install on all windows visible from the street or parking lot.

(13) The bottom of windows shall be at least twenty (20) inches above grade.

Sidewalk and Pedestrian Walkways

The following sidewalks and pedestrian crosswalks and regulations shall apply to all uses and within the Dunwoody Village Commercial Overlay District:

(a) Public sidewalks shall be located adjacent to all public streets and be a minimum of fifteen (15) feet wide as follows:

1) Along the curb there shall be a clear four (4) foot grass strip to provide a buffer between the pedestrian and the traffic (this strip can be planted with either warm season grass or mondo grass).
2) Next to the buffer strip there should be a seven (7) foot concrete sidewalk.
3) Next to the sidewalk and away from the street there shall be a four (4) foot furniture/ tree/landscape zone:
   - Park Benches are to be installed every one hundred (100) foot on a ten (10) foot wide by four (4) foot deep brick pad. Benches shall be Victory Stanley "Classic" Model c-138 series. Bench colors shall be natural wood stain, with dark green.
   - Each bench shall have an approved dark green trash container (style to be selected).
   - Street trees are to be installed at fifty (50) foot intervals (between the benches). Trees shall be either Hightower Willow Oak, Highpoint Nuttall Oaks or Allee Lacebark Elm. Tree sizing shall be a minimum of three (3) inch caliper and shall be no less than ten (10) feet in height. As the street trees mature, they shall be limbed to seven (7) feet above the sidewalk.
   - Street lights shall be installed at one hundred (100) foot intervals. Street lights shall be Generation ARC by Cooper 150 watt from Georgia Power. Poles for the lights shall be Grandville by Hapco from Georgia Power. Poles and lamps shall be dark green.
   - Between the brick bench area and the tree base a slightly raised bed shall be installed planted either with controlled low growing evergreen bushes (needled plants not permitted), annual flowers or mondo grass.
4) Behind the landscape bench area warm season grass shall be planted.
5) Maintenance of the entire planting area is the responsibility of the property owner.
6) Owners are encouraged to install drip sprinkler systems to insure proper development and prosperity of the plant material.
7) The tree area and landscape zone may have to be adjusted due to overhead wires, but any adjustment must be approved by the Design Review Committee.

(b) Pedestrian walkways shall be located at all building entrances. All buildings shall provide a ten (10) foot minimum pedestrian zone between the building and parking area. The pedestrian zone shall contain walkways, planting areas, plazas, and similar landscaped spaces. All pedestrian walkways shall be a minimum of six (6) feet wide finished with brick pavers.

(c) All public sidewalks and pedestrian walkways shall be continuous where possible and shall connect to other pedestrian areas through painted or raised crosswalks. All entrances to crosswalks and sidewalks should include handicap ramps per code.

(d) All utilities shall be placed under ground.

(e) The front entrance of all buildings shall be easily and safely accessible to pedestrians from the public sidewalk through a combination of pedestrian walkways and crosswalks.

(f) Covered sidewalks that are a part of the building and that are located within the buildable area of the lot are encouraged where possible. Such covered sidewalks may be used for outdoor seating and dining, and as terraces and arcades.

(g) In multi-tenant retail buildings, a continuous, unimpeded walkway shall be provided to connect all business entrances.

Landscaping.
The following landscaping regulations shall apply to all uses and structures with the Dunwoody Village Overlay District:

(a) The use of a registered Landscape Architect is strongly recommended but not required.

(b) Each lot shall provide a planted area or areas in the front yard near the building entrance that consists of a total area no less than five (5) percent of the building area. Such planted area or areas may consist of grassed areas, linear beds along the building, raised planters, and similar landscaped areas.

(c) The landscaping on each lot shall contain the following landscape elements: flowerbeds, shrubs, and at least two (2), three (3) inch caliper trees.

(d) With the exception of trees, landscape elements including shrubs shall not exceed four (4) feet in height when mature.

(e) As stated above, street trees are required along all public streets

(f) All medians shall be landscaped with plant material that does not interfere with vehicle safety and driver visibility. Plant material and placement should be approved by the City of Dunwoody Public Works Department prior to approval of the Design Review Committee. Concrete-only medians are prohibited.

Lighting.
The following lighting regulations shall apply to all permitted uses within the Dunwoody Village Overlay District:

(a) All lots shall provide streetlights, parking lights, pedestrian lights, and indirect building lights. With the exception of indirect building lights, all light fixtures shall be of a design that is compatible with the Village/Colonial style. All freestanding exterior light fixtures shall be black or dark green.

(b) Public streetlights shall be provided along public as specified above.

(c) Parking lights shall be provided in all parking areas where it is anticipated that parking usage will occur after dark. The owner shall submit designs for approval. The style shall be consistent with the pre-1900 Mid Atlantic American Colonial Architecture, but if the fixtures exceed fifteen feet in height, they shall project downward, and shall be spaced in a uniform manner so as to provide full lighting for the parking area.

(d) Pedestrian lights shall be provided within high-volume pedestrian areas, and around public and private open space. Pedestrian lights shall be spaced a maximum of twenty-five (25) feet apart and shall be evenly spaced so as to provide full lighting for pedestrian areas.

(e) Indirect building lighting is encouraged and when installed it shall be located no more than ten (10) feet from the face of the building and in a location and direction that does not impair vehicular safety or cross pedestrian walkways.

Parking.
The following parking regulations shall apply to all uses within the Dunwoody Village Overlay District:

(a) Each lot shall provide no less than one parking space for each seven hundred fifty (750) square feet of floor area and no more than two (2) parking spaces for each seven hundred and fifty (750) square feet of floor area.

(b) Parking areas shall be separated from buildings by a planted area or other landscaped area that is no less than ten (10) feet in width. Parking areas shall be separated from the main road by thirty (30) feet and include a hedge/landscaping barrier to reduce the visibility of parked vehicles. Wherever possible, parking should be confined to the rear of structures or underground.

(c) Shared parking is encouraged and may be authorized by the Director of Community Development. Applicants may make application to the Director for authorization for a special exception for shared parking. Said applications shall

be considered and decided by the director pursuant to the standards and procedures set forth in this section.

(d) Parking lots shall be landscaped in accordance with the requirements of "Landscaping" above.

(e) The use of bicycle racks is encouraged. Bicycle racks shall be located near building entries. The racks shall be equal to or similar to Urban Accessories Circle Bike Rack Model D.

Public areas, curb cuts and service areas.
The following regulations apply to the public areas, curb cuts and service areas for the Dunwoody Village Overlay District.

(a) Public plazas and outdoor dining areas are encouraged. Such areas shall be protected from vehicular traffic by location, vegetation and landscape walls, and shall be easily accessible to pedestrians.

(b) All dumpsters and other building service areas shall be located where they are concealed from view from the public right of way and neighbors. All dumpsters shall be concealed with secured gates and vegetative or solid screening.

(c) Curb cuts along public streets shall be minimized and shall be shared with adjacent development where possible. Curb cuts shall be permitted only where twenty-five (25) feet away from a curb cut on an adjoining property, and shall not be permitted within one hundred (100) feet of the intersection of any two public streets. Curb cuts shall not exceed a width of twenty-four (24) feet.

(d) All air conditioning units must be hidden from view of the road and neighbors either by landscaping, approved fencing or located on the roof out of sight. All must be shown on the site plan submitted for approval.

(f) Retaining walls must meet City Building Code with the visible areas covered with the face brick or stone of the down hill neighbor with a roll lock at the top. Where horizontal expanses exceed twenty (20) feet, offset pilasters must be installed with the same brick or stone rising three courses above the top of the adjoining wall and finished with a double course capital made from the same brick or stone.

Street furniture.
The following regulations apply to street furniture for the Dunwoody Village Overlay District:

(a) At least one (1) bench and one (1) trash receptacle per seven thousand five hundred (7,500) square feet of retail area shall be provided on each lot and shall be located no more than fifty (50) feet from a building entry. This is in addition to the requirements in the Public Sidewalk section above.

(b) All benches and trash receptacles shall be accessible from a building entrance by a pedestrian walkway. Benches and trash receptacles shall be used in conjunction with other pedestrian amenities such as planters, landscaped areas, and outdoor tables. Benches and trash receptacles shall not contain signs.

(c) Benches shall be Victory Stanley "Classic" Model c-138 series. Bench colors shall be natural wood stain, with dark green. Each bench shall have an approved trash container.

(d) Trash receptacles shall be Victor Stanley "Concourse" series. Trash receptacles shall be dark green. Trash receptacles shall be firmly anchored to the ground.

Sec. 27-720.13. Signs regulations.

All lots in the Dunwoody Village Overlay District shall comply with all requirements of Chapter 21 of this Code subject to the following additional regulations:

(a) Signs shall be designed so as to be compatible with the Village/Colonial style that is characteristic of the Dunwoody Village Overlay District area (standard sign layouts and shapes are attached);

(b) All ground signs shall be monument style signs with a base and framework made of brick.

(c) Free-standing signs shall not be permitted in the Main Street Zone as defined on the Dunwoody Overlay District Map, described in section 27-720.3, on frontages where any portion of the principal structure is located within thirty-two (32) feet of the front property line;

(d) For lots containing nine (9) or fewer store fronts, ground signs shall not exceed six (6) feet in height and eight (8) feet in width;

(e) For lots containing nine (9) or fewer store fronts, ground signs shall not exceed thirty-two (32) square feet in sign area;

(f) For lots containing nine (9) or fewer store fronts, signs shall be located no more than thirty-two (32) feet from the principal building;

(g) For lots containing ten (10) or more store fronts, ground signs shall not exceed ten (10) feet in height and eight (8) feet in width;

(h) For lots containing ten (10) or more store fronts, ground signs shall not exceed fifty-four (54) square feet in sign area;

(i) Wall signs shall be located on the primary building facade and within fifteen feet (15) of the primary building entrance;

(j) Window signs are prohibited;

(k) Banners are prohibited;

(l) Signs shall have a matte finish consistent with a wood or wood-like appearance;

(m) Sign colors shall be equal to or similar to colors available in Martin Senour Williamsburg Paint;

(n) All signs shall be indirectly lighted;

(o) Internally lighted neon, gas, colored, flashing, animated, marquee, sound emitting, fluorescent, rotating or otherwise moving signs are prohibited; and

(p) Sign shape and lettering shall be limited as follows:

(1) All signs shall be rectangular, circular, or oval in proportion.

(2) Sign facing shall be flat in profile and shall not exceed a thickness of eight (8) inches.

(3) Signs with more than two (2) faces are prohibited.

(4) Sign lettering shall consist of block lettering in which individual letters do not exceed eighteen (18) inches in height.

(5) Sign lettering material shall be of a material that will not permit the passage of light through the lettering.

Design Review Committee.

The Mayor, with the concurrence of the City Council, shall appoint a Design Review Advisory Committee that shall ~~report~~ make recommendations to the Community Development Director. The appointment shall be for a period of two years. The committee shall be three volunteers that have qualifications and design experience, and have a budget sufficient to retain expert advice from the professional community when needed. The recommended content would be two individuals with qualified experience in architectural design and a third member who has knowledge of historical submissions. To that end, one member should be held over into a second two year term to allow continuity.

(a) *Plans required.* Prior to the issuance of any land disturbance permit, building permit, or sign permit, the applicant shall submit to the Design Review Committee an application, full plans including a site plan, landscaping plan, building design including elevations and architectural details of proposed buildings, exterior materials and colors, and plans and elevations of all sides, all of which shall demonstrate that the proposed design is in compliance with all of

the requirements of this Dunwoody Village Overlay District and the underlying zoning classification (sign applications may be abbreviated, only requiring dimensioned rendering of the sign, color swatches of the colors planned and site plan showing the location. All sign application must include details on planned lighting if applicable).

(b) *Fees.* Plans shall be accompanied by an application and payment of a fee in an amount determined by the City Council.

(c) *Review.* The Design Review Advisory Committee shall review each application for compliance with all requirements of the Dunwoody Village Overlay District and the underlying zoning classification and make a recommendation to the Community Development Director. ~~Where it determines that said plans comply with the requirements of the Dunwoody Village Overlay District, a Certificate of Compliance shall be issued to the Applicant to be included with the applications for permits to the Department of Community Development. Attached to the Compliance form will be the plans and specs submitted and approved, and signed by the Chairman of the Design Review Committee.~~

~~(d) Sequence: The committee would get the application after the applicant has appeared before the Dunwoody Homeowners Association which will review the application for Zoning, and suitability for the community and location contemplated and before staff review.~~

~~If the Committee determines that said plans do not comply with the requirements of the overlay district, the Committee Chairmen shall notify the applicant and the Community Development in writing stating the manner in which said applicant fails to comply with such requirements and, if practical, propose modifications to allow conformity.~~

All applications shall be reviewed ~~considered and decided~~ by the Committee and a recommendation will be made within seven days of receipt of a complete application. ~~Any appeal of the Committee's decision shall be to the Zoning Board of Appeals.~~

~~Certificate of Occupancy~~

~~Prior to the issuance of the certificate of occupancy the site has to be inspected by a Design Review Committee member and a final Compliance certificate issued. Any deficiencies must be corrected before the CO is issued.~~

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multiuse design. The developer is encouraged to bring forth his proposal in rough form for evaluation and comment. The proposal must:

(a) Embody the pre 1900 Mid Atlantic American Colonial Architecture;
(b) Limit the height to a maximum of five (5) stories; however, the structure will not exceed two stories where within one hundred (100) feet of the property line of home sites zoned residential contiguous to the Overlay District.
(c) Existing buffers will be honored.
(d) Abide by all other regulations included in this ordinance.