



DeKalb County Department of Planning & Sustainability

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Planning Commission Hearing Date: March 7, 2023

Board of Commissioners Hearing Date: March 30, 2023

TEXT AMENDMENT ANALYSIS

AGENDA NO.: 2022-2270 **ZONING CASE NO.:** TA-22-1246101 **COMMISSION DISTRICTS:** All

APPLICANT: Department of Planning & Sustainability

SECTIONS OF ZONING ORDINANCE AFFECTED BY AMENDMENTS: CHAPTER 27-ZONING ORDINANCE, TO CREATE SECTION 5.7.9 TO CONSOLIDATE REGULATIONS SPECIFIC TO COTTAGE HOUSING DEVELOPMENT; TO AMEND ARTICLE 2 (RESIDENTIAL ZONING DISTRICTS: DIMENSIONAL REQUIREMENTS) FOR THE FACILITATION OF COTTAGE HOUSING DEVELOPMENT IN VARIOUS ZONING DISTRICTS; TO AMEND SECTION 5.7.5 (DETACHED HOUSES) RELATED TO COTTAGE HOUSING DEVELOPMENT; AND TO REVISE OTHER APPLICABLE SECTIONS OF THE *ZONING ORDINANCE* TO ACCOMMODATE COTTAGE HOUSING DEVELOPMENT.

REASON FOR REQUEST:

The *Zoning Ordinance* authorizes *cottage dwelling units* and *cottage development* by-right in the following zoning districts: R-60 (Residential Small Lot-60); MR-1 (Medium Density Residential-1); MR-2 (Medium Density Residential-2); HR-1,2,3 (High Density Residential-1, 2, & 3); and RNC (Residential Neighborhood Conservation). The cottage dwelling unit is characterized as small (800-1,200 square feet) and cottage development is categorized by the arrangement of dwelling units around a common open space instead of a linear arrangement along a residential street.

Given the housing challenges that we presently face (cost, availability, affordability, changing preferences, demographic changes, etc.), Commissioner Terry (Super District 6) initiated exploration of cottage dwelling units and cottage development as a potential public policy solution.

Affected sections of the *Zoning Ordinance* include, but may not be limited to:

1. Section 2.2.1. Dimensional requirements.
 - a. Table 2.2 Residential Zoning Districts Dimensional Requirements
2. Section 2.11.2. Dimensional requirements.
 - a. Table 2.4 Medium and High Density Residential Zoning Districts Dimensional Requirements
3. Section 2.11.1. Medium and high density ranges.
 - a. Table 2.4 Summary of Density Ranges for Medium and High Density Residential Zoning Districts
4. Section 2.18.3. Mixed-Use dimensional requirements.
 - a. Table 2.17 Mixed-Use Zoning Districts Dimensional Requirements
5. Section 5.7.5. Detached houses
6. **Section 5.7.9. Cottage Development (NEW)**
7. Section 6.1.3. Parking regulations, off-street parking spaces.
8. Section 6.1.4. Off-street parking ratios.

Community engagement has begun, and feedback has been solicited regarding the proposal. Staff recommends a full-cycle deferral while work continues on this project.

STAFF RECOMMENDATION: Full cycle deferral.

AN
ORDINANCE

**AN ORDINANCE TO AMEND SECTION 27-5 OF THE DEKALB
COUNTY ZONING ORDINANCE TO MODIFY FOR COTTAGE
DEVELOPMENT.**

WHEREAS,;

WHEREAS,;

WHEREAS,; and

WHEREAS,.

**NOW, THEREFORE, BE IT RESOLVED AND IT IS DECLARED
BY THE GOVERNING AUTHORITY OF DEKALB COUNTY,
GEORGIA, AS FOLLOWS:**

LEGEND

Text = proposed addition

~~Text~~ = proposed deletion*italics* = relocated existing textText/~~Text~~ = needs further discussion**PART I. ENACTMENT**

By amending ~~Article III, Section 27-2.2.1 of Chapter 27, Article II, of the Code of DeKalb County, as revised 1988, as follows:~~

Sec. 2.2.1. Dimensional requirements.

Dimensional requirements, such as overall site requirements, individual lot dimensions, and setbacks for residential zoning districts are established in Table 2.2, "Residential Zoning Districts Dimensional Requirements." Residential infill development may also be subject to compatibility regulations as specified in sections 5.2.3 and 5.2.4. (Amended 3/24/15).

Table 2.2 Residential Zoning Districts Dimensional Requirements

Residential Single-Family Zoning Districts								
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	RLG	R-100	R-85	R-75	R-60	MHP	RNC*
Lot Dimensions (minimum)								
Lot area (square feet)	43,560 (1 acre)	20,000	15,000	12,000/ <i>5,000 cottage</i>	10,000/ <i>3,500 cottage</i>	6,000/ <i>2,000</i>	Parks: 20 acres Lots: 4,000	*
Lot width, street frontage (feet)	150	65	100	85	75	60	Parks: 400 Lots: 50	*
Lot width at building line (feet)	150	65	100	85	75	60	N/A	*
Lot width fronting cul-de-sac (feet)	35	35	35	35	35	35	N/A	*

Lot coverage (maximum %)	25	30	35	35/ 55 cottage	35 / 55 cottage	35 / 55 cottage	N/A	*
Unit Size, heated living area (minimum)								
Unit size (square feet)	2,000	2,000	2,000	1,800 If cottage: up to 1,200	1,600 If cottage: up to 1,200	1,200 If cottage: up to 1,200	N/A	*

* See division 10 of this article

By amending Article III, Section 27-2.18.3 of Chapter 27, Article II, of the Code of DeKalb County, as revised 1988, as follows:

Sec. 2.18.3. Mixed-Use dimensional requirements.

Dimensional requirements including overall site requirements, individual lot dimensions, setbacks, and heights for Mixed-Use Districts are provided in Table 2.17, "Mixed-Use Zoning Districts Dimensional Requirements." Compatibility rules and transitional buffers as defined and required in article 5 may apply.

Table 2.17 Mixed-Use Zoning Districts Dimensional Requirements

Mixed-Use Districts				
KEY: Development Types: SFD: Single-Family Detached, SFA: Single-Family Attached, TTF: Two/Three-Family, MF: Multi-Family, U-SF: Urban Single-Family, MU: Mixed-Use, CM: Commercial, OF: Office Character Areas: SUB: Suburban, TN: Traditional Neighborhood, NC: Neighborhood Center, TC: Town Center, RC: Regional Center				
Element	MU-1	MU-2	MU-3	MU-4 and MU-5
Overall Site Requirements (minimum, unless otherwise specified)				
Dwelling units per acre (with bonus)	4—8	8—12	12—24	MU-4=24—40; MU-5=40—60
Individual Lot Dimensions by Residential Type (minimum, unless specified)				
Single-Family Detached (SFD) **				
Lot area (square feet)	3,500/1,000 cottage	3,500/2,000 1,000 cottage	3,500/1,000 cottage	Not permitted
Lot width (feet)	35/20	35/20	35/20	Not permitted
Lot coverage (maximum percentage)	55	55	55	Not permitted
Unit Size, heated living area (minimum, unless specified)				

Single-Family Detached (square feet)	1,200 / n/a cottage	1,200 / 800 n/a cottage	1,200 / 800 n/a cottage	Not permitted
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** SFD Cottage type exempt; see article 5 for standards

By amending Article III, Section 27-5.4.4 (A) of Chapter 27, Article V, of the Code of DeKalb County, as revised 1988, as follows:

Sec. 5.4.4. Site and parking area landscaping.

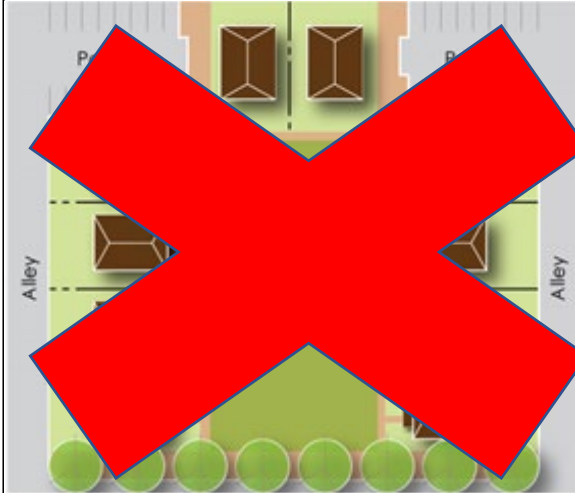
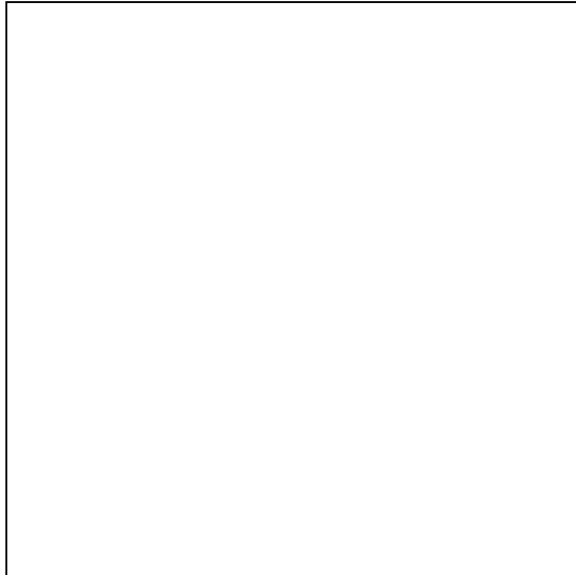
- A. *Single-family residential lots.* Each single-family residential lot on which new development occurs shall be planted with a minimum of three (3) new trees, ~~with the exception of cottages which shall be planted with a minimum of one (1) new tree or alternatively three (3) new small trees.~~ Street trees along the lot frontage shall count towards this requirement ~~and for cottages, trees planted in common areas shall count toward this requirement so long as the average of trees per unit is met for the overall development.~~ The species and specifications for the trees to be planted in compliance with this requirement shall meet the requirements of a list approved by the county arborist.

By amending Article III, Section 27-5.7.5 of Chapter 27, Article V, of the Code of DeKalb County, as revised 1988, as follows:

Section 27-5.7.5. – Detached houses.

Sec. 5.7.5. - Detached houses.

- A. This section shall apply to the following housing types:
1. *Conventional single-family detached.* A development with one (1) dwelling unit per lot of record with private yards on all four (4) sides.
 - ~~2. *Single-family cottage.* A development with one (1) or one and one-half (1.5) story small detached dwelling units arranged whereby cluster around a commonly shared open space and each dwelling unit is located on a separate lot with private rear, side, and front yards.~~
 3. *Urban single-family detached.* A development with single-family detached dwelling units located on small lots. Urban single-family (Urban-SF) residential buildings share similar configurations to townhouse developments; however, they are detached and may have lot lines that coincide with the building envelope, provided that a yard area is provided in the dimensions required by the zoning district.
- B. Dimensional and use requirements. Minimum lot size, width, and setbacks shall meet the dimensional requirements set forth for the applicable base zoning district in article 2.



Cottage housing orientation

C. Orientation.

1. Lots along the perimeter of a development of single family detached residences shall be oriented so that dwellings front internal local streets instead of a thoroughfare. Lots with rear yards abutting a thoroughfare shall provide a ten-foot no access easement and: a twenty-foot landscape strip, a six-foot-high decorative fence, or a five-foot-high landscaped berm to screen the rear view of houses from the thoroughfare.

~~2. Single family cottage lots shall be oriented toward the enhanced open space.~~

32. Street frontage requirements in section 14-258 of the Code shall not apply to individual lots within an ~~cottage or~~ urban type residential development provided the overall site complies with minimum street frontage requirements and an alley or private drive provides access directly to a public street.

D. Each dwelling unit shall be metered for water individually.

E. An easement for water and sewer shall be required and subject to the approval of the watershed division of the public works department.

F. Access driveway, internal private drive and alley standards.

1. ~~Single family cottage or~~ Urban residences shall have vehicular access from the rear of the property from an alley or similar private drive, or may have an off-street parking area located on the side or rear of the development. Such parking area may not occupy more than thirty (30) feet of frontage and be located no more than two hundred (200) feet from the unit's entrance. The alley shall be at least twenty (20) feet in width and meet the standards of International Fire Code (IFC) 503, unless another width is approved by the director for one-way direction only.
2. Single-family detached residences may share a driveway serving two (2) lots, provided that the width of the driveway at the street shall not exceed the width requirements

established in chapter 14 of the Code, and that the driveway width not increase for the first ten (10) feet of drive.

- G. Urban single-family dwellings may gain access through private drives that meet the standards of section 5.6.7C.4.
- H. Driveways shall not exceed ten (10) feet between garage door and sidewalk.
- I. Maximum size.
 - 1. Conventional, single-family, detached residences shall follow the size requirements set forth in article 2.
 - ~~2. Single-family cottages shall not exceed a building footprint of eight hundred (800) square feet and gross floor area of twelve hundred (1,200) square feet. Single-family, detached cottages, which are restricted to seniors ages 55 and older, shall not exceed a building footprint and gross floor area of twelve hundred (1,200) square feet.~~
- J. Architectural variability.
 - 1. Residential subdivisions of three (3) or more lots intended for conventional single-family detached residences shall include distinctly different front façade designs within each phase of the development. [This section shall not apply to cottages.](#) "Distinctly different" shall mean that each front façade must differ from adjacent buildings' front façades in at least four (4) of the following six (6) ways:
 - a. The use of different primary exterior materials;
 - b. Variation in the width or height of the front façade by four (4) feet or more;
 - c. Variation of the type, placement or size of windows and doors on the front façades;
 - d. Variations in rooflines, including the use of dormers and changes in the orientation of rooflines;
 - e. Variation in the location and proportion of front porches; and
 - f. Variation in the location or proportion of garages and garage doors.
 - 2. No conventional single-family detached residence shall be of the same front façade design as any other conventional single-family detached residence along the same block face within eight (8) lots of the subject residence. Mirror images of the same configuration are not permitted on the same block face.
 - 3. No single front façade design may be used for more than twenty-five (25) percent of the total units of any single phase of a conventional single-family detached residence subdivision.
- K. Porches and stoops. Any porch shall have minimum dimensions of four (4) feet by eight (8) feet for porches, and any stoop shall have minimum dimensions of and four (4) feet by four (4) feet. Porches and stoops shall be no closer than two (2) feet from a utility easement.
- L. Façades. Any conventional single-family detached residence with a front façade width of forty (40) feet or more shall incorporate wall offsets in the form of projections or recesses in

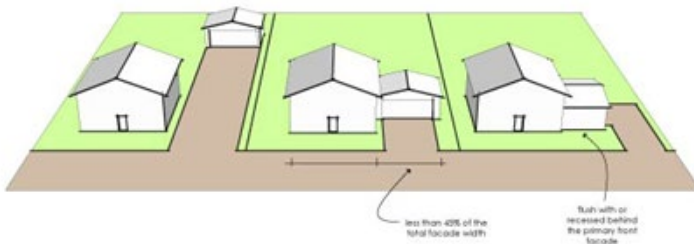
the front façade plane. Wall offsets shall have a minimum depth or projection of two (2) feet so that no single wall plane exceeds twenty-five (25) feet in width.

M. Roof and overhangs. Conventional single-family detached residences shall incorporate the following standards:

1. Roofs covering the main body of the structure shall be symmetrical gables, hip-style, or mono-pitch (shed) style.
2. Mono-pitch roofs shall have a minimum pitch of 4:12, and all other roofs covering the main body of a detached house shall have a minimum roof pitch of 6:12.
3. Overhanging eaves shall extend at least twelve (12) inches beyond the exterior wall.
4. To the maximum extent practicable, all roof vents, pipes, antennas, satellite dishes, and other roof penetrations and equipment (except chimneys) shall be located on the rear façades or configured to have a minimal visual impact as seen from an adjacent street.

N. Garages. The following standards shall apply:

1. Street-facing garage façades shall not comprise more than forty-five (45) percent of the total width of the conventional single family detached residence's front façade. Street-facing garages shall be at least two (2) feet behind the primary front façade plane of a conventional single-family detached residence.



Acceptable garage configurations

O. Enhanced open space.

1. Clubhouse/pool amenity areas, greens, playgrounds, pocket parks, neighborhood parks, or detention facilities designed to serve as amenities shall meet dimensional requirements in the base zoning district (article 2) and the standards of article 5, division 5, open space standards.
2. ~~Cottage residential development enhanced open space.~~
 - a. ~~Single-family cottages shall be clustered around an enhanced open space green that is a minimum of three thousand (3,000) square feet or four hundred (400) square feet per cottage served by the enhanced open space, whichever is greater.~~
 - b. ~~The enhanced open space green shall have a minimum dimension of twenty (20) feet on each side.~~
 - c. ~~At least two (2) sides of the enhanced open space green shall have cottages along its perimeter.~~

~~By amending Article III, Section 27-5.7.5 of Chapter 27, Article V, of the Code of DeKalb County, as revised 1988, as follows:~~

Section 27-5.7.9. – Single-Family Cottage Development.

- A. The purpose single-family cottage development design is to:
1. Encourage a stronger sense of community and security among nearby neighbors, while preserving personal privacy;
 2. Promote a variety of housing choices to meet the needs of a population diverse in age, income, household composition and individual needs; especially small households (one to three-person households);
 3. Encourage affordability, innovation and variety in housing design and site development while ensuring compatibility with surrounding land uses;
 4. Encourage the creation of more usable open space for residents of the development through flexibility in density and lot standards;
 5. Maximize resident- and pedestrian-oriented outdoor spaces, and minimize impact of automobile traffic and parking.
- B. This section shall apply to this housing type: *Single-family cottage. A development with small, detached dwelling units that are one (1), one and one-half (1.5) and/or two (2) stories arranged whereby cluster around a commonly shared open space and each dwelling unit is located on a separate lot with private rear, side, and front yards with a mandatory homeowners' association that maintains the common shared space ("Cottage Development" also referred to as a "single family cottage development").*
- C. *Minimum lot size, width, and setbacks shall meet the dimensional requirements set forth for the applicable base zoning district in article 2. Cottage developments shall have a minimum of 4 units and minimum overall parcel size of 8,000 SF. Building separation between cottages shall be at least 10 feet.*

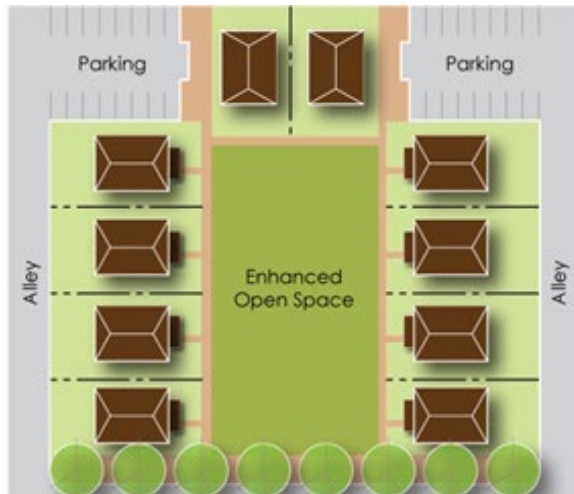


Figure 5.7.9A

- D. *Single-family cottage lots shall be oriented toward the enhanced open space. Street frontage requirements in section 14-258 of the Code shall not apply to individual lots within a cottage development provided the overall site complies with minimum street frontage requirements and an alley or private drive provides access from parking area(s) directly to a public street.*
- E. *Cottages may be individually metered or treated as an apartment complex on a single meter but with submetering required.*
- F. *Single-family cottage shall have vehicular access from the rear of the property from an alley or similar private drive, or may have an off-street parking area located on the side or rear of the development. Such parking area may not occupy more than thirty (30) feet of frontage and be located no more than two hundred (200) feet from the unit's entrance. The alley shall be at least twenty (20) feet in width and meet the standards of International Fire Code (IFC) 503, unless another width is approved by the director for one-way direction only.*
- G. *Single-family cottages shall not exceed twelve hundred (1,200) square feet, heated living area.*
- H. *Porches and stoops. Any porch shall have minimum dimensions of four (4) feet by eight (8) feet for porches, and any stoop shall have minimum dimensions of and four (4) feet by four (4) feet. Porches and stoops shall be no closer than two (2) feet from a utility easement.*
 - 1. *Additional Porch Requirements on single family cottages:*
 - a. *Location. Every dwelling shall have a covered entry porch oriented toward the common open space or street. This porch shall be open on at least two sides and shall not be enclosed.*
 - i. *Exception: Live-work units may have covered entry porches located off of an access alley or private drive.*

- b. Size. The covered porch shall be greater than 70 square feet in area, with a minimum of dimension of 6 feet.
 - i. Exception: Dwellings less than 700 square feet in size may have a porch greater than 50 square feet in area and 5 feet minimum dimension.
- c. Use. Front Porches are intended as supplementary living space, not storage space, as well as shelter from the weather for entering and exiting the dwelling; therefore, overnight storage of bicycles, tricycles shall not be allowed.
- d. Back and side, wrap porches allowed and encouraged.

I. *Façades. Any conventional single-family detached residence with a front façade width of forty (40) feet or more shall incorporate wall offsets in the form of projections or recesses in the front façade plane. Wall offsets shall have a minimum depth or projection of two (2) feet so that no single wall plane exceeds twenty-five (25) feet in width.*

- 1. Street-Facing Facades for cottages.
 - a. All street-facing facades of dwellings shall avoid blank walls or appear to “turn their backs” to the street. Such facades shall include one or more of the following:
 - i. Porch minimum size 4x8; or
 - ii. Porch with a door minimum 4x8

With one or more of the following:

- iii. Windows, including bay windows;
- iv. Dormers;
- v. Changes in exterior siding material or paint color;
- vi. Building modulation with a depth measuring at least one foot

J. *Cottage residential development enhanced open space.*

- a. *Single-family cottages shall be clustered around an enhanced open space green that is a minimum of three thousand (3,000) square feet or four hundred (400) square feet per cottage served by the enhanced open space, whichever is greater.*
- b. *The enhanced open space green shall have a minimum dimension of twenty (20) feet on each side.*
- c. *At least two (2) sides of the enhanced open space green shall have cottages along its perimeter.*
- d. Buildings serving all residents in the cottage development may be included in the required area.
- e. Parking areas, yard setbacks, spaces between buildings of 15 feet or less in width, private open space, and driveways do not qualify as common open space.

- f. Proximity to Enhanced Common Open Space. At least 75 percent of the dwelling units of a cottage development shall abut an enhanced common open space; and all of the dwelling units shall be within 60 feet walking distance measured from the nearest entrance of the dwelling along the shortest safe walking route to the nearest point of the common open space.

K. Additional Single Family Cottage Development Elements:

1. Community Buildings and Elements.
 - a. Every cottage development shall contain at least two of the following elements shared and managed by residents of the cluster:
 - i. Barbeque, pizza oven, campfire circle, or outdoor terrace;
 - ii. Picnic table(s) and or shelter;
 - iii. Heated commons building, with optional bathroom and kitchenette, built to single family residential standards
 - iv. Kitchen garden or flower garden.
2. Fences.
 - a. Fence height requirements:
 - i. Front yard: maximum 24 inch recommended;
 - ii. Side yard: maximum 36 inches from property line to face of dwelling, and maximum 72 inches behind the face of dwelling;
 - iii. Rear yard: maximum 72 inches
 - iv. Street Facing: maximum 36 inch;
 - b. Allowed materials include: wood, metal (not including chain link), vinyl or fiberglass.
 - c. Hedges shall be limited to the same height requirements.
3. Pedestrian Network. Single Family Cottage Developments shall provide a network of pedestrian pathways, including sidewalks along at least one side of streets, mid-block walkways, and shared local streets and access alleyways. Connections to the wider neighborhood shall be made where appropriate and allowed. All such pathways shall be accessible by the general public, except that walkways into and through the cottage development clusters may be limited to residents and their guests.
4. Maintenance. The applicant shall prove to the County, based upon review by the planning director, that there will be a suitable legally binding system in place, such as homeowner or condominium association agreements, to ensure proper maintenance and funding of shared facilities, such as shared parking areas, common open spaces, alleys and other improvements.

{Provisions not captured here, then Sec. 5.7.5 shall apply.}

~~By amending Article III, Section 27-6.1.4 Table 6.2 of Chapter 27, Article V, of the Code of DeKalb County, as revised 1988, as follows:~~

Table 6.2: Off-street Parking Ratios

Minimum and Maximum Parking Spaces		
Residential		
Use	Minimum Parking Spaces Required	Maximum Parking Spaces Allowed
Detached single-family dwelling	Two (2) spaces per dwelling unit.	Four (4) spaces per dwelling unit.
Single-Family cottage dwellings	One (1) space per dwelling unit, plus one-half (0.50) space per dwelling unit to accommodate guest parking.	Two (2) spaces per dwelling unit, plus one-quarter (0.25) space per dwelling unit to accommodate guest parking.

~~By amending Article III, Section 27-5.4.4 (A) of Chapter 27, Article V, of the Code of DeKalb County, as revised 1988, as follows:~~

Sec. 9.1.3. Definitions.

Dwelling unit, single-family cottage: detached dwelling units that are one (1) to two (2) stories (not to exceed twenty-two (22) feet); no greater than 1,200 square feet; arranged or clustered around a commonly shared open space; and each dwelling unit is located on a separate lot with private rear, side, and front yards.

ADOPTED by the DeKalb County Board of Commissioners, this

_____ day of

_____, 2022.

ROBERT J. PATRICK
 Presiding Officer

3/21/2023

Board
of
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APPROVED by the Chief Executive Officer of DeKalb County, this

day of

_____, 2022.

MICHAEL L. THURMOND

Chief
Execut
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Officer
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ATTEST:

BARBARA H. SANDERS-NORWOOD, CCC

Clerk to the Board of
Commissioners and
Chief Executive Officer
DeKalb County, Georgia

APPROVED AS TO SUBSTANCE:

ANDREW A. BAKER

Director of Planning and Sustainability

APPROVED AS TO FORM:

VIVIANE H. ERNSTES

County Attorney

DRAFT