



PLANNING & ZONING BOARD MEETING AGENDA
TUESDAY, NOVEMBER 18, 2025 - 7:00 PM
736 PARK NORTH BOULEVARD, SUITE 120 ♦ CLARKSTON, GEORGIA 30021
(404) 296-6489 ♦ WWW.CLARKSTONGA.GOV

1. CALL TO ORDER

2. ROLL CALL

3. APPROVAL OF THE AGENDA

- A.** Approval of the November 18, 2025 Planning & Zoning Board Agenda

4. MEETING MINUTES

- A.** Approval of the September 23, 2025 Meeting Minutes
B. Approval of the October 21, 2025 Meeting Minutes

PUBLIC HEARING

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

5. PRESENTATIONS

6. OLD BUSINESS

- A.** To make a recommendation on REZ2025-002, applicant James Smith, to rezone 3734 Poplar Drive (Parcel ID: 18 096 13 008) from NR-1 to NR-2.
B. To make a recommendation on PUD2025-002, applicant James Smith, for a Planned Unit Development (PUD) at 3734 Poplar Drive (Parcel ID: 18 096 13 008) for the construction of six (6) townhouse units.

7. NEW BUSINESS

- A. Proposed Text Amendments to the City of Clarkston Zoning Ordinance, Appendix A, Article VII to add a definition for Townhomes and amend definitions for Duplex, Triplex, Quadplex, and Multiple Family Dwelling.
- B. Proposed Text Amendments to the City of Clarkston Zoning Ordinance, Appendix A, Article IV to add amend the Use Table to expand the allowance of duplexes, townhomes, and home occupations.
- C. Proposed Text Amendments to the City of Clarkston Zoning Ordinance, Appendix A, Articles III, Sec. 305 to amend residential zoning district dimensional requirements in the NR-1, NR-2, and NR-3 zoning districts.
- D. Proposed Text Amendments to the City of Clarkston Zoning Ordinance, Appendix A, Article III to update development standards for townhomes in the NR-CD, RC, and TC zoning districts.
- E. *Proposed Text Amendments to the City of Clarkston Zoning Ordinance, Appendix A, Article VI to add amend the off-street parking requirements.*
- F. Proposed text amendment to the City of Clarkston Zoning Ordinance, Appendix A, Article II to amend the written notice to adjacent and nearby property owners requirements.

8. ADJOURNMENT

MINUTES OF A WORK SESSION
OF THE PLANNING & ZONING BOARD OF CLARKSTON, GEORGIA
HELD IN PERSON AT 736 PARK NORTH BLVD, STE 120,
CLARKSTON, GA 30021 ON TUESDAY, SEPTEMBER 23, 2025

On Tuesday, September 23, 2025, the Planning & Zoning Commission of Clarkston, Georgia met in a Work Session in-person. Chairman Chuck McFarland called the meeting to order at 7:01 PM. The following members of the Planning & Zoning Commission were present: Vice-Chair Felicia Weinert, Birendra Dhakal, Lisa Williams, and Amy Medford. The following staff members were present, Richard Edwards (Planning and Economic Development Director).

NOTE: Items appearing in these minutes are in the order they were discussed, not necessarily in the order they appeared on the agenda.

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. APPROVAL OF THE AGENDA**

Lisa Williams moved to approve the September 23, 2025 Agenda; seconded by Amy Medford. Motion passed (5-0).

- 4. MEETING MINUTES**

- A. August 19, 2025 Meeting Minutes**

Felicia Weinert moved to approve the August 19, 2025 meeting minutes; seconded by Amy Medford. Motion passed (5-0).

- PUBLIC HEARING**

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

- 5. PRESENTATIONS**

6. OLD BUSINESS

7. NEW BUSINESS

- A. Clemsil Overlay review and concurrent variance from Sec. 540(a) to not install a 5' sidewalk along a local street at 1212 Patricia Davis Drive (Parcel ID: 18 119 02 004).

Richard Edwards presented the case to the board.

The applicant, Penny Dominguez, presenter her case to the board.

Martha Brown spoke in favor of the development review and to not install a sidewalk.

Maudie Wynn spoke in favor of the development review and to not install a sidewalk.

Debroah Johnson spoke in favor of the development review and to not install a sidewalk.

Lisa Williams asked for clarification on the right-of-way widths along Patricia Davis Drive.

Amy Medford mentioned that the board has recommended denial of similar developments that did not meet the criteria for granting a variance.

Felicia Weinert stated that she thought this was a special situation, as there are no sidewalks in the neighborhood and the right-of-way challenges.

Birendra Dhakal asked for clarification on when sidewalks are required to be installed.

Lisa Williams asked for clarification on the lot width and right-of-way measurements for this lot.

Amy Medford moved to recommend approval of the development review and deny the request to not install a sidewalk. Motion passed (3-2) with Felicia Weinert and Birendra Dhakal voting in opposition.

- B. Text amendment to add Sec. 527(c)(6)(ii) to allow City Council to waive the requirement for a Homeowners Association (HOA), if the proposed Planned Unit Development does not have shared amenities or open space.

Richard Edwards presented the text amendment to the board.

Megha Ramani spoke in favor of the text amendment.

Martha Brown spoke in favor of the text amendment.

Lisa Williams asked for clarification on how property maintenance is handled when a homeowners association (HOA) is unresponsive or becomes defunct.

Amy Medford recommended staff to provide a list of requirements for an applicant to address whether an HOA should be required or not.

Amy Medford moved to approve the text amendment; seconded by Birendra Dhakal. Motion passed (5-0).

- C. Review of a Planned Unit Development (PUD) - Planned Residential Development consisting of 13 single-family homes at 905, 911, 917, 929, & 935 Mell Avenue (Parcel ID: 18 097 10 048, 047, 046, 059, & 050).

Richard Edwards presented the case to the board.

The applicant, Megha Ramani, presented her case to the board.

Martha Brown spoke in favor of the development.

Felicia Weinert stated that she appreciated the applicant for their community engagement and their efforts to work with the community.
Amy Medford moved to recommend approval of the PUD without a homeowners association, as long as there are no shared amenities, open space, or infrastructure; seconded by Felciai Weinert. Motion passed (5-0).

- D. Text amendment to Sec. 205(b)(1-2) to remove the public hearing requirement for Planning & Zoning Board reviews of zoning applications and establish public meeting notification for the Planning & Zoning Board.

Richard Edwards presented the text amendment to the board.

Martha Brown spoke in opposition of the text amendment.

Felicia Weinert requested that staff

Richard Edwards provided an explanation of the difference between a public hearing and a public meeting.

Lisa Williams asked for clarification on the cost of publish legal ads and state law requirements for public notice.

Lisa Williams asked for clarification on the procedures and format for a public hearings and public meetings.

Amy Medfod asked for clarification on how the proposed text amendment would effect bylaws and rules of procedures.

Amy Medford stated that she believed that the seven (7) day publication of the staff report and applicant documents seemed acceptable.

Amy Medford spoke in favor of requiring a mailed notice for public meetings for the Planning and Zoning Board meetings.

Amy Medford moved to recommend approval of the text amendment with the addition of a written mailed notice within 300' of the property; seconded by Felicia Weinert. (Passed 5-0).

- E. *Text Amendments to the City of Clarkston Code of Ordinances, Chapter 16 – Streets, Sidewalks and Other Public Ways to add Sec. 16-16 to incorporate a fee in lieu of sidewalk construction program.*

Richard Edwards presented the text amendment to the board.

Martha Brown spoke in favor of the text amendment.

Amy Medford asked for clarification on why two (2) independent quotes were to be required.

Amy Medford stated that she would like to have requirements for how and when the city spends the collected funds.

Lisa Williams stated that she liked the idea of having an annual sidewalk inventory to guide how the funds are spent.

Chuck McFarland moved to recommend deferral of this text amendment to the October 21, 2025 meeting; seconded by Amy Medford. Motion passed (5-0).

8. ADJOURNMENT

Lisa Williams moved to adjourn at 8:38 p.m.; seconded by Amy Medford. Motion passed (5-0).

ATTEST:

Richard Edwards
Secretary

Chuck McFarland
Chairman

MINUTES OF A
OF THE PLANNING & ZONING BOARD OF CLARKSTON, GEORGIA
HELD IN PERSON AT 736 PARK NORTH BLVD, STE 120,
CLARKSTON, GA 30021 ON TUESDAY, OCTOBER 21, 2025

On Tuesday, October 21, 2025 at 7:00 PM, the Planning & Zoning Commission of Clarkston, Georgia met in a Work Session in-person. Chairman Chuck McFarland called the meeting to order at 7:02 PM. The following members of the Planning & Zoning Commission were present: Vice-Chair Felicia Weinert, Birendra Dhakal, Lisa Williams, and Amy Medford. The following staff members were present, Richard Edwards (Planning and Economic Development Director) and Jacob Bouie (Economic Development Coordinator).

NOTE: Items appearing in these minutes are in the order they were discussed, not necessarily in the order they appeared on the agenda.

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. APPROVAL OF THE AGENDA**

Amy Medford moved to approve the October 21, 2025 agenda; seconded by Felicia Weinert. Motion passed (5-0).

4. MEETING MINUTES

PUBLIC HEARING

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

- 5. PRESENTATIONS**
- 6. OLD BUSINESS**

A. To make a recommendation on an ordinance to add Sec. 16-16 to the City Code to establish a Fee in Lieu of Sidewalk Construction Program.

Richard Edwards presented the text amendment to the board.

Dean Moore spoke in favor of the text amendment.

Amy Medford asked for clarification on how a denial would be processed for the proposed program.

Felicia Weinert asked if there were more sources to provide additional funding to the fund.

Amy Medford stated that it is not always a developer building homes but it could be a property owner renovating their home that could potentially require sidewalk installation.

Chuck McFarland moved to recommend approval of this text amendment; seconded by Amy Medford. Motion passed (5-0).

7. NEW BUSINESS

- A.** To make a recommendation on REZ2025-002, applicant James Smith, to rezone 3734 Poplar Drive (Parcel ID: 18 096 13 008) from NR-1 to NR-2.

Richard Edwards presented the case to the board.

Lisa Williams asked for clarification on parking requirements and buffers to protect the 40 Oaks Preserve.

The applicant, James Smith, presented his case to the board.

Lisa Williams asked if the applicant had considered constructing two (2) single-family homes instead of the six (6) townhomes.

Felicia Weinert asked for clarification from the applicant on the shared driveway and parking.

Birendra Dhakal asked for clarification on the applicant's desire to keep the proposed townhomes affordable.

Lisa Williams asked for clarification on the square footage of the proposed units.

Felicia Weinert asked for clarification on the bedroom counts for the proposed units.

Amy Medford asked if the applicant knew the difference in the cost to build a single-family home and build townhomes.

Chairman Chuck McFarland combined the public comments section for REZ2025-002 and PUD2025-002.

The following people spoke in opposition of REZ2025-002 and PUD 2025-002, in this order: Jon C., Barbara Helms, Jim Helms, Coralee Hall, Courtney Hall, Kelly Pattillo, Michele Maserjian, Erica Barton, Mike Firsawicz, Robert Adair, Tabitha Adair, Alice Schubile, Robyn Sands, Christina Holloway, Martha Brown, Renita Knight, Dean Moore, and Tonya M.

Richard Edwards addressed questions from public comments related to stormwater, parking requirements, Jamieson Place Townhomes in unincorporated DeKalb County, utility installation, proposed architectural requirement, tree removal, accessory dwelling units, spot zoning, and historic district designation of the area.

Lisa Williams asked for clarification on the Comprehensive Plan connects to zoning proposals.

Amy Medford asked for clarification on the homeowners association.

Amy Medford asked if the applicant had considered four (4) townhome units, as opposed to six (6).

Lisa Williams stated that this type of development could have unintended consequence based on precedence with future development proposals.

Chuck McFarland asked for clarification on water and sewer requirements for the site.

Amy Medford moved to recommend deferral of REZ2025-002 to the November 18, 2025 Planning and Zoning Board meeting; seconded by Birendra Dhakal. Motion passed (5-0).

- B.** To make a recommendation on PUD2025-002, applicant James Smith, for a Planned Unit Development (PUD) at 3734 Poplar Drive (Parcel ID: 18 096 13 008) for the construction of six (6) townhouse units.

Amy Medford moved to recommend deferral of PUD2025-002 to the November 18, 2025 Planning and Zoning Board meeting; seconded by Birendra Dhakal. Motion passed (5-0).

- C.** To make a recommendation on an ordinance to amend the text of the Clarkston Zoning Ordinance, Appendix A, Articles III and VI of the city code.

Richard Edwards presented the text amendment to the board.

Councilman Jamie Carroll presented his case to the board.

Lisa Williams asked for further information on how the Glendale Rowes Townhomes were approved.

Lisa Williams expressed concerns on parking for townhome developments.

Amy Medford asked if there was a way to add density incentives for missing middle housing.

Dean Moore spoke in opposition to the text amendment.

Robyn Sands spoke in opposition to the text amendment.

Erica Barton spoke in opposition to the text amendment.

Felicia Weinert asked how the proposed parking requirements effect single-family homes.

Lisa Williams expressed concerns over lower parking requirements and on-street parking effecting neighborhoods.

Amy Medford moved to recommend deferral of this text amendment to the November 18, 2025 Planning and Zoning Board meeting; seconded by Lisa Williams. Motion passed (5-0).

8. ADJOURNMENT

Felicia Weinert moved to adjourn at 9:44 PM; seconded by Amy Medford. Motion passed (5-0).

ATTEST:

Richard Edwards
Secretary

Chuck McFarland
Chairman

STAFF ANALYSIS AND REPORT

APPLICANT: James Smith

CASE: REZ2025-02

LOCATION: 3734 Poplar Drive (Parcel ID: 18 096 13 008)

ZONING: NR-1: Low Density Neighborhood Commercial

REQUEST: Rezoning from NR-1 to NR-2 and a concurrent Planned Unit Development submittal a six (6) unit townhome development.

ZONING/ADJACENT LAND USE:

North	NR-1: Forty Oaks
South	NR-1: Single-Family Residential
West	NR-1: Vacant Residential
East	NR-1: Single-family Residential

MEETING INFORMATION:

Planning & Zoning Commission:	10/21/2025 – 7:00 P.M
Mayor & City Council Public Hearing:	11/25/2025 – 7:00 P.M.
Mayor & City Council Regular Meeting:	12/02/2025 – 7:00 P.M.

RECOMMENDATION:

Staff recommends **APPROVAL** of the rezoning from NR-1 to NR-3 with conditions.

BACKGROUND:

The property at 3734 Poplar Drive is currently developed with a 1,021 square foot ranch style single-family home that was constructed in 1949 with an accessory structure in the rear along Market Street. The property consists of approximately 0.424 acres or 18,501.42 square feet of land area.

The applicant is requesting to rezone the property from low-density neighborhood residential (NR-1) to medium density neighborhood residential (NR-2) to allow for a Planned Unit Development – Planned Residential Development for the construction of six (6) attached residential townhome units across three (3) buildings.

Below are the residential development dimensional requirements for the NR-1 and NR-2 zoning districts. The differences between the two districts include reduced minimum unit size, lot size, and setbacks. Further, the NR-2 zoning district allows for townhomes and Planned Unit Development submittals, whereas the NR-1 district does not allow either.

Table 3.4 Residential Zoning District Dimensional Requirements

	NR-1	NR-2
Primary Structure		
Maximum FAR	0.4	0.4
Minimum Unit Size	1000 s.f.	900 s.f.
Maximum Lot Coverage	50%	50%
Maximum Building Height	35'	35'
Minimum Lot Size	9,000 s.f.	7,500 s.f.
Minimum Lot Width	75'	60'
Minimum Front Setback (SF detached)	30'	25'
Minimum Front Setback (duplex/triplex)	N/A	N/A
Minimum Front Setback (townhome)	N/A	15'
Minimum Side Setback	10'	7'
Minimum Rear Setback (SF detached)	25'	20'
Minimum Rear Setback (duplex/triplex)	N/A	N/A
Accessory Dwelling Unit		
Maximum Height		See Section 413
Minimum Side Setback	10'	7'
Minimum Rear Setback	10'	7'

The following are nearby and similar residential developments within the city and their residential units per acre:

- Glendale Rows (NR-CD) – 60 units on 4.98 acres or 12.10 units per acre.
- Woodland Avenue Townhomes (NR_CD)– 14 units on 1.3993 acres or 10 units per acre (plat approved but pending DeKalb County Fire review on LDP).
- Carroll Park Single-Family (R-1) – 17 units on 3.327 acres or 5.11 units per acre.
- Parkside at East Avenue Single-Family (NR-3) – 36 units on 6.292 acres or 5.72 units per acre.
- Lovejoy Street Townhomes (NR-3) – 12 units on 0.79 acres or 15.1 units per acre.

The following are nearby and similar residential developments within the city and their Floor Area Ratio (FAR):

- Glendale Rows (NR-CD) – ~0.46 FAR (30 units at 1,732 sq ft and 30 units at 1,622 sq. ft.)
- Woodland Avenue Townhomes (NR-CD) - ~0.53 (2,310 unit size)
- Carroll Park Single-Family (R-1) – ~0.32 FAR (homes range from 5,158 sq ft to 1,789 sq ft)

- Parkside at East Avenue Single-Family (NR-3) – ~0.29 FAR (average unit size of 2,200)
- Lovejoy Street Townhomes (NR-3) – ~0.44 FAR (all 12 units are 1,280 sq ft)

The applicant provided a sign-in sheet from the community meeting that was held on September 30, 2025, at 6:00pm at 3734 Poplar Drive. Four (4) people attended the meeting, and the following topics were discussed environmental impacts, density and compatibility, tree removal, neighboring property impacts, and ongoing engagement.

Analysis: Pursuant to Article II of the City of Clarkston Zoning Ordinance, Staff has reviewed the application for rezoning in accordance with the required review criteria.

1. The effect upon the health, safety, or general welfare of the public compared to any hardship imposed upon the individual property owner seeking rezoning should rezoning be denied.

There are not any anticipated effects on the health, safety, or general welfare of the public with this request.

2. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.

The adjacent properties are all residential in nature and this rezoning would permit new residential development. The proposed townhome development would have a greater density than the surrounding properties with six (6) units on 0.424 acres or approximately 14.15 units per acre.

3. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.

This proposed rezoning would increase traffic along Market Street and Poplar Drive but it is not anticipated to adversely affect the existing use or usability of adjacent or nearby properties.

4. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.

The property as currently zoned could be subdivided and developed into two (2) single-family lots, which would be an increase in economic use compared to the existing one (1) single-family home.

5. Whether the zoning proposal will result in a use that may cause an excessive or burdensome use of existing transportation facilities and other infrastructure, such as schools, water, and sewer.

It is not anticipated that the proposed rezoning would cause excessive or burdensome use of existing transportation facilities nor other infrastructure, such as schools, water, and sewer.

6. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.

Staff is unaware of other existing or changing conditions affecting the use and development of this property, which may give supporting grounds for disapproval.

7. Whether the zoning proposal is compatible with the principles of the city's comprehensive plan.

The 2040 Comprehensive Plan labels this property within the “Single-Family Homes Areas.” This designation calls for the preservation of single-family homes, both historic as well as new development. “Townhomes and single-family homes are allowed in this area.”

The proposed rezoning from NR-1 to NR-2 would allow for the development of townhomes and Planned Unit Development – Planned Residential Development submittals. The rezoning request is compatible with the city’s 2040 Comprehensive Plan.

8. Whether the zoning proposal is compatible with the most current adopted version of the future land use map of the comprehensive plan.

Staff has found that this request is compatible with the most current, adopted version of the future land use map in the Comprehensive Plan.

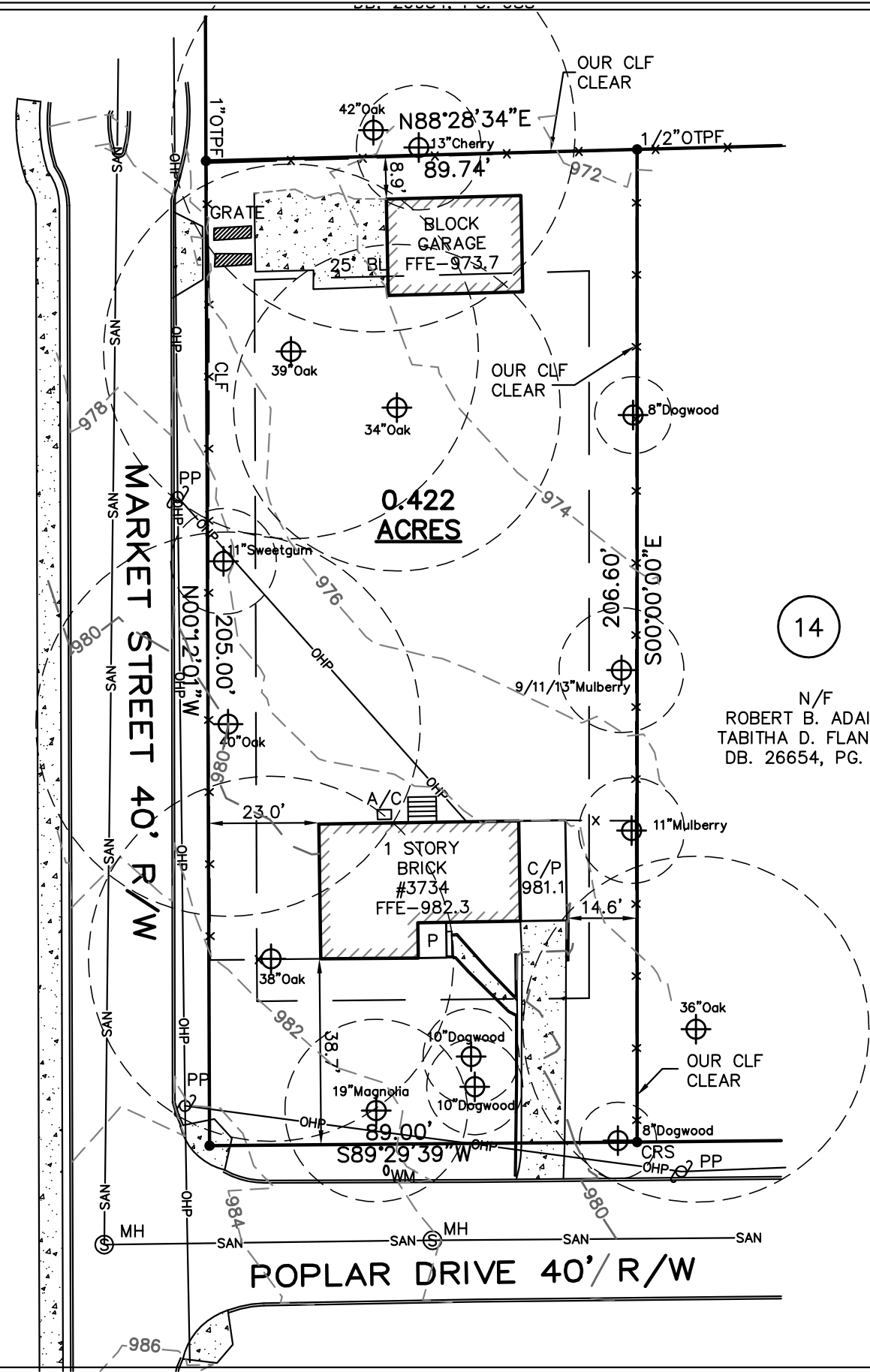
Recommendation:

Pursuant to Article II of the City of Clarkston Zoning Ordinance, Staff has reviewed the request in accordance with the required review criteria and recommends **APPROVAL** of the rezoning request from NR-1 to NR-2 at 3734 Poplar Drive with the following conditions:

1. The maximum floor area ratio (FAR) for the site shall be 0.5 or 9,236.72 square feet of floor area as measured to the outside surfaces of exterior walls and including halls, stairways, elevator shafts, excluding attached garages, porches, balconies and unfinished basements.
2. The architectural elevations shall be substantially similar to the conceptual drawings titled “Clarkston Townhomes 3828 Market St,” as included in this packet.
3. The site plan shall be substantially similar to the site plan dated, received September 30, 2025, as included in this packet.
4. Vinyl shall be excluded from the allowed building material with the exception of the fascia and soffits.
5. The driveway shall be a one-way private street with a right entrance only off Market Street and a right exit only onto Poplar Drive.
6. A homeowner association (HOA) shall be required. The developer shall execute, record, and maintain documents for the HOA which establishes dues, fees, and responsibilities related to maintenance of units and common facilities. The HOA bylaws shall be reviewed and approved by the Planning and Economic Development Director prior to being recorded with the DeKalb County Superior Court.
7. All utilities shall be installed underground throughout the development.
8. An engineer’s report shall be submitted as part of the land disturbance permit for certification on all pervious surface areas being installed.
9. This rezoning approval shall be expressly contingent upon the approval of Planned Unit Development application PUD2025-002. In the event that PUD2025-002 is not approved, the subject property shall automatically revert to its prior zoning designation of NR-1, without the need for further action by the governing body.

LEGEND

- RBF REBAR FOUND (1/2" REBAR)
- CRS CAPPED REBAR SET (1/2" REBAR)
- CRBF CAPPED REBAR FOUND
- OTF OPEN TOP FOUND
- CTF CRIMP TOP FOUND
- ☆ LIGHT POLE
- BL BUILDING LINE
- C.L.F CHAIN LINK FENCE
- R/W RIGHT-OF-WAY
- TPED PHONE PEDASTAL
- CATV CABLE BOX
- WM WATER METER
- PB TRANSFORMER
- U/E UTILITY EASEMENT
- (12.34'D) DEED DISTANCE
- 12.34'(M) MEASURED DISTANCE
- DE DRAINAGE EASEMENT
- SSE SEWER EASEMENT
- AE ACCESS EASEMENT
- HW HEADWALL
- JB JUNCTION BOX
- CB CATCH BASIN
- YI YARD INLET
- P PORCH
- C/P CARPORT
- YI YARD INLET
- ST STORAGE ROOM
- OHP- OVERHEAD POWER
- AGL- ATLANTA GAS LINE



14

N/F
ROBERT B. ADAIR &
TABITHA D. FLANNERY
DB. 26654, PG. 458

GENERAL NOTES

THIS PLAT HAS BEEN CALCULATED FOR CLOSURE BY LATITUDES AND DEPARTURES AND IS FOUND ACCURATE TO WITHIN ONE FOOT IN 121.245 FEET.

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 10,000± FEET AND AN ANGULAR ERROR OF 02" PER ANGLE POINT AND WAS ADJUSTED USING COMPASS RULE.

A NIKON - TOTAL STATION WAS USED TO OBTAIN THE LINEAR AND ANGULAR MEASUREMENTS USED IN THE PREPARATION OF THIS PLAT.

FENCES SHOULD NOT BE PLACED USING SIDE DIMENSIONS FROM HOUSE OR STRUCTURE.

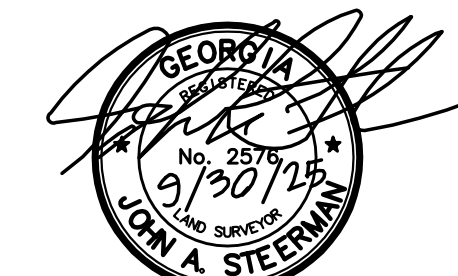
CERTIFICATION IS MADE TO PERSON(S) NAMED ON THIS PLAT AND IS NOT TRANSFERABLE TO OTHERS.

UTILITIES SHOWN ARE LOCATIONS OF GROUND IDENTIFIABLE ITEMS. ADDITIONAL UTILITIES MAY EXIST ABOVE OR BELOW GROUND. THE SURVEYOR ACCEPTS NO RESPONSIBILITY FOR THE COMPLETENESS OF THIS DATA.

THIS PROPERTY IS SUBJECT TO ALL RIGHT OF WAYS AND EASEMENTS SHOWN OR NOT SHOWN, RECORDED OR UNRECORDED

FLOOD NOTE:

BASED ON GRAPHIC DETERMINATION, THIS PROPERTY DOES NOT LIE WITHIN A FEMA/FIRM SPECIAL FLOOD HAZARD AREA PER COMMUNITY PANEL NO. 13089C0086K DATED 8/15/19.



IN MY OPINION, THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF LAW.

NOTE: THE PUBLIC RECORDS REFERENCED HEREON REFLECT ONLY THOSE RECORDS NECESSARY TO ESTABLISH THE BOUNDARIES SHOWN HEREON, AND REFERENCE TO THE SAME DOES NOT AND IS NOT INTENDED TO CONSTITUTE A TITLE SEARCH OR OPINION. EASEMENTS OR OTHER ENCUMBRANCES MAY EXIST ON PUBLIC RECORD BUT NOT BE SHOWN HEREON.

SCI Development Services
ENGINEERS - SURVEYORS - LAND PLANNERS
2020 WESTSIDE COURT-SITE E-SNELLVILLE GEORGIA 30078
(770) 736-7666 FAX (770) 736-4623
MAIL@SURVEYCONCEPTS.NET

PROJECT: 56802
DWG BY: DCP
CHKD BY: JAS
DATE: 9/29/25
SCALE: 1"=30'

SURVEY FOR:
JAMES SMITH
LOT 15, BLOCK "B"
SUBDIVISION: MILAM-ARMISTLEAD
LAND LOT 96 18th DISTRICT
CITY OF CLARKSTON
DEKALB COUNTY, GEORGIA
REFERENCED IN PLAT BOOK 16, PAGE 118



REZONING APPLICATION

Form # 200-RZ

James Smith V

9/19/2025

Applicant Signature

Date

Property Owner

Owner's Agent



REZONING APPLICATION

Form # 200-RZ

PROPERTY INFORMATION/OWNER AUTHORIZATION

If more than one parcel is the subject of review, owner-applicant shall complete information for each parcel on additional page attachments; authorized agent-applicants must complete this page for EACH parcel.

PROPERTY # ____ OF ____ TOTAL

PARCEL (PROPERTY) INFORMATION

3734 Poplar Dr		Clarkston, GA	30021
Property Address/Location	Suite/Apt. #	City, State	Zip Code
18 096 13 008		.41	
Parcel ID/Property Tax Identification Number		Total Acreage	
Single Family Residential		NR-1	
Present Use(s)		Present Zoning (Official Zoning Map)	
NR-2 Lot with 6 Townhomes			
Proposed Use(s)			

PROPERTY OWNER

James T Smith, IV & Derek A. Smith			
Owner (Person, Firm, Corporation, or Agency)		Company Name	
1768 Trotters Ln		Stone Mountain, GA	30087
Mailing Address	Suite/Apt. #	City, State	Zip Code
404-557-3052			
Primary Phone #	Alternate Phone #	Fax #	
j4deatur@outlook.com			
Email Address			

PROPERTY OWNER'S AGENT (If applicable; must match applicant contact information on page #1)

James T. Smith, V			
Name and Company (Owner's Agent or Attorney)		Lilburn, GA	
5614 Laurel Ln NW		30047	
Mailing Address	Suite/Apt. #	City, State	Zip Code
404-539-6236			
Primary Phone #	Alternate Phone #	Fax #	
jtsmit1960@gmail.com			
Email Address			

AUTHORIZATION FOR AGENT (If applicable)

[Signature] _____ Date 9/19/25

Owner Signature _____

James T. Smith, IV & Derek A. Smith _____

Print Name _____

Subscribed and sworn before me this 19 day of September, 2025.

[Signature]
Signature of Notary Public in the State of Georgia



FILE # R05-033
SMITH
3734 POPLAR DR
CLARKSTON, GA

EXHIBIT "A"

All that tract or parcel of land lying and being in Land Lot 96 of the 18th District, Dekalb County, Georgia, and being more particularly described as follows:

BEGINNING at an iron pin found at the northeast corner of the intersection of Poplar Drive and Market Street (formerly McLendon Avenue); thence running east along the north side of Poplar Drive 89.0 feet to an iron pin found; thence north along the west line of Lot 14 of the block and subdivision hereinafter referred to 206.6 feet to an iron pin found; thence west 89.8 feet to an iron pin found on the east side of Market Street (formerly McLendon Avenue) thence running south along the east side of Market Street (formerly McLendon Avenue) 205.0 feet to the iron pin found at the POINT OF BEGINNING; also being Lot 15, Block B of the subdivision or property of Millam-Armistead as shown on survey prepared by Georgia Land Surveying Co., Inc., dated February 6, 1976, and as shown on plat recorded at Plat Book 16, Page 118, Dekalb County Records, being improved property known as 3734 Poplar Drive, according to the present system of numbering houses in the City of Clarkston, Dekalb County, Georgia.

Handwritten initials or signature

also being Lot 15, Block B of the subdivision of property of Millam-Armistead as shown on survey prepared by Georgia Land Surveying Co., Inc., dated February 6, 1976, and as shown on Plat recorded at Plat book 16, Page 118, DeKalb County records, being improved property known as 3734 Poplar Drive, according to the present system of numbering houses in the City of Clarkston, DeKalb County, Georgia.

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantees, their heirs and assigns, forever, in Fee Simple.

AND THE SAID Grantors for their heirs, executors and administrators, will warrant and forever defend the right and title to the above described property, unto the Grantees, their heirs and assigns, against the claims of all persons whomsoever.

IN WITNESS WHEREOF, the Grantors have hereunto set their hands and seals on the day and year first above written.

Signed, sealed and delivered in our presence this 22 day of February, 2004.

Signed, sealed and delivered in our presence this 22 day of Feb, 2004

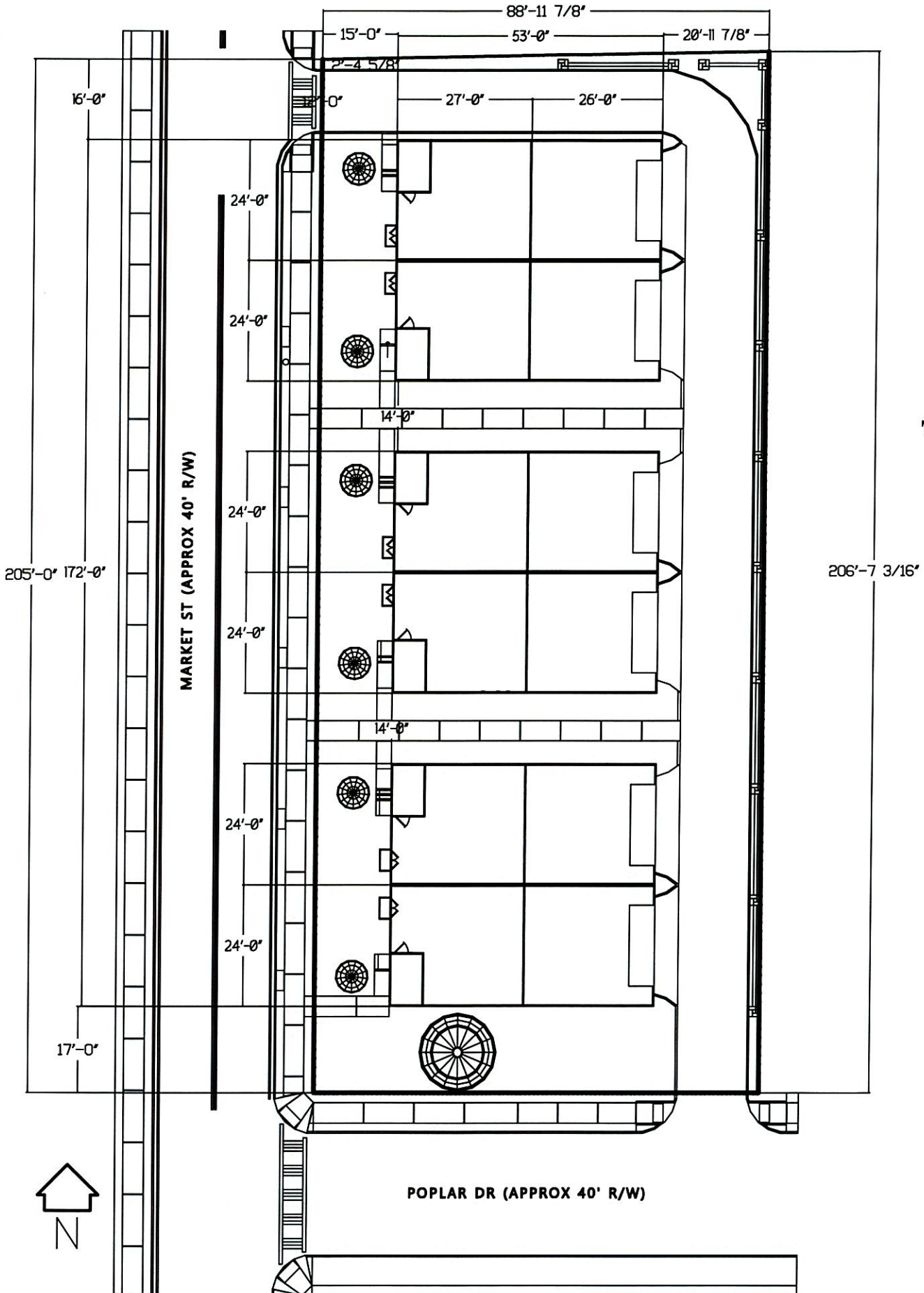
[Signature]
Unofficial Witness

[Signature] (SEAL)
Lisa R. Arrendale Talley

[Signature]
Notary Public
My commission expires: _____

My Commission Expires March 8, 2007

Deed Book 15894 Pg 774
[Signature]
Linda Carter
Clerk of Superior Court DeKalb Cty., Ga.

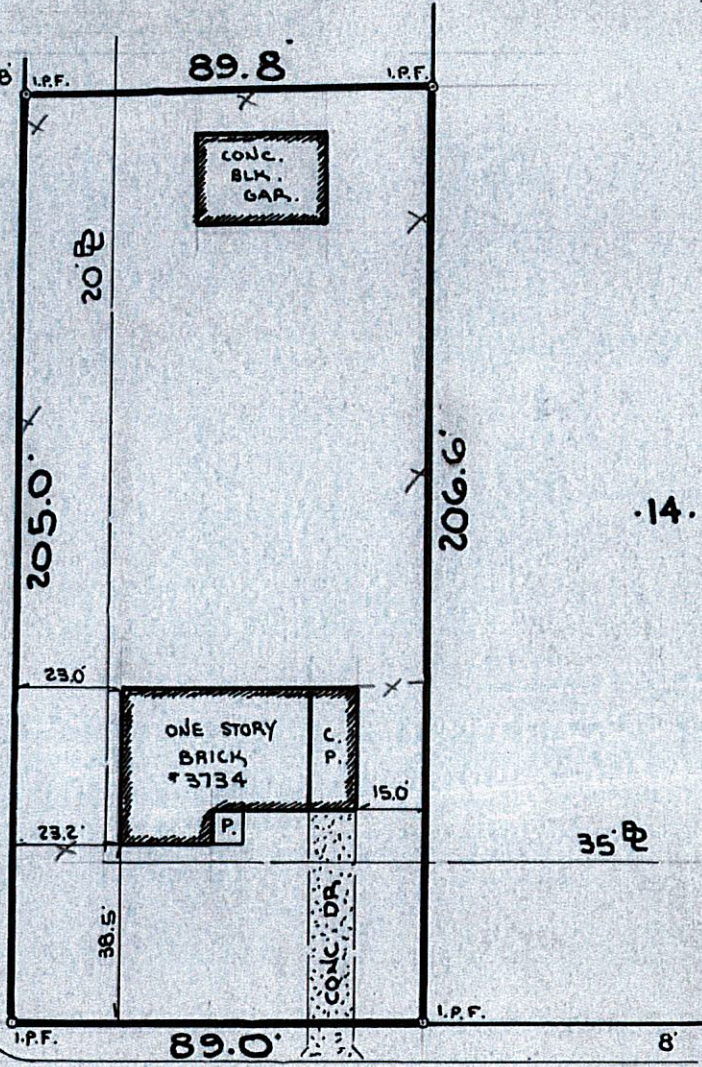


PD 15 006 IS 088
3742 POPLAR DR
ROBERT ADAMS
ZONING E3

LOT 15
BLOCK 15
UNIT 15
SUB. MILAM-ARMISTEAD
SUBDIVISION

MAG. NORTH

MARKET STREET 40' R/W
(FORMERLY McLENDON AVENUE)



POPLAR DRIVE 24'

SURVEY FOR

STUART T. LIGHT
PAULA T. LIGHT

LAND LOT 96 18TH DISTRICT

DEKALB COUNTY, GEORGIA

SCALE 1" = 40' DATE: 8-15-86

REG. LAND SURVEYOR NO. 1751

GEORGIA LAND SURVEYING CO., INC.

I CERTIFY THAT THE INFORMATION SHOWN ON THIS PLAT IS TRUE AND CORRECT.

John L. Lewis III

I have, this date, examined the "FIA OFFICIAL FLOOD HAZARD MAP" and found referenced lot (IS NOT) in an area having special flood hazards.

NO. 8375



Disclosure of Campaign Contributions

Pursuant to OCGA, Section 36-67A-3(a), the following disclosure is mandatory when an applicant or any representative has made campaign contributions aggregating \$250.00 or more to a local government within two (2) years immediately preceding the filing of this application.

It shall be the duty of the applicant and the attorney representing the applicant to file a disclosure with the governing authority of the respective local government. The following questions **must** be answered:

Have you, the applicant, made \$250.00 or more in campaign contributions to a **local** government official within two years immediately preceding the filing of this application?

Yes No

If the answer is **yes**, you must file a disclosure report with the governing authority of City of Clarkston showing:

- 1. The name and official position of the local governing authority in City of Clarkston to whom the campaign contribution was made.

N/A

Name and official position of the applicant/representative (Please Print)

- 2. The dollar amount and description of each campaign contribution made during the two (2) years immediately preceding the filing of this application and the date of each such contribution was made.

N/A

Description of Campaign Contribution
(Please Print)

\$ N/A

Dollar Amount

This disclosure must be filed within ten (10) days after the application is first filed and must be submitted to the City of Clarkston, 3921 Church Street, Clarkston, GA 30021.

[Signature]

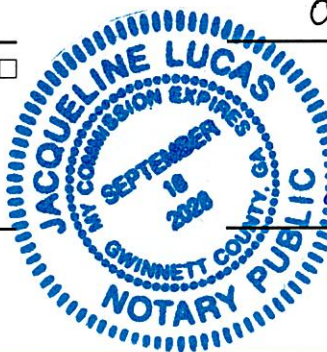
Signature (choose one) Applicant Owner

09/26/2025

Date

Jacqueline Lucas

Notary Signature

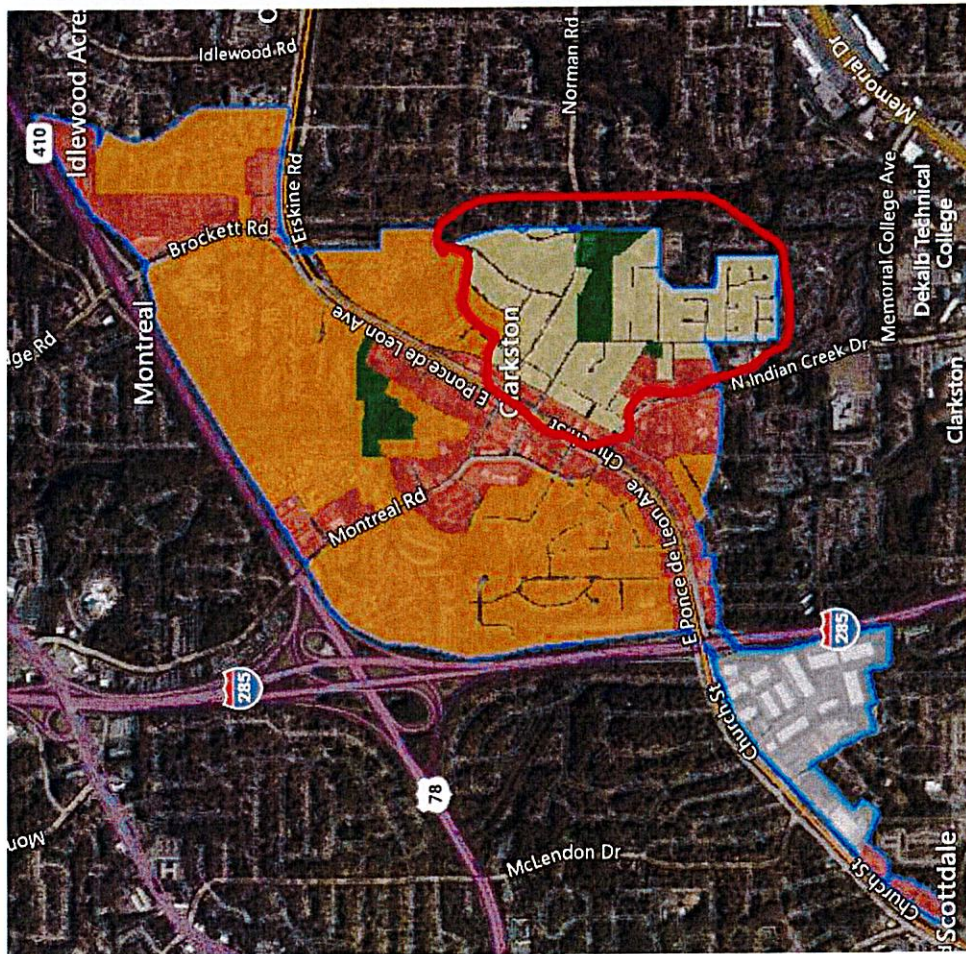


09/26/2025

Date

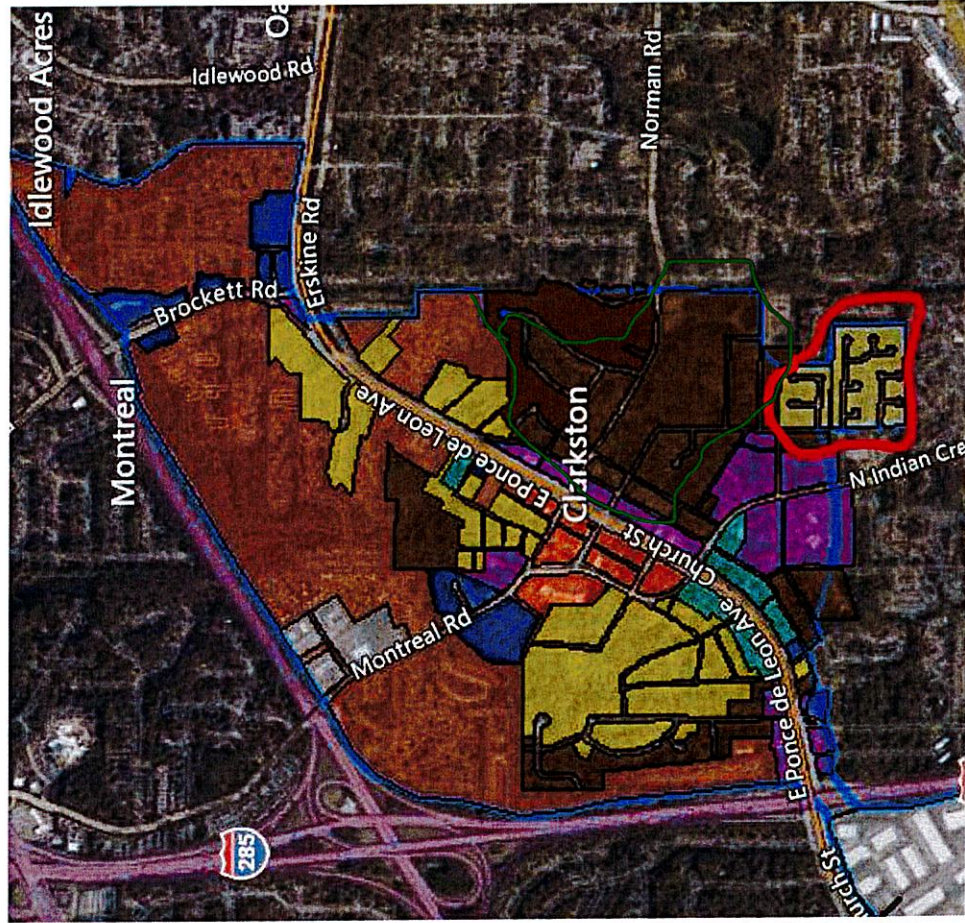
Future Use Map

- Area circled in Red: "Single Family Home Areas"
- "Townhomes and single family homes are allowed in this area."



Current Zoning Map

- Area circled in Green current NR-1 zoning
- Area circled in Red current NR-2 zoning



Both NR-1 and NR-2 zones are found in the Future Use Area designated "Single Family Homes Area". Therefore, the rezoning of a lot from NR-1 to NR-2 within the "Single Family Home Area" would not need a Future Use Amendment.

ii. Whether the amendment proposal can be adequately served by existing transportation facilities and other infrastructure, such as schools, water, and sewer.

The proposed six-unit townhome development at 3734 Poplar Drive can be adequately served by existing infrastructure. Market Street and Poplar Drive provide direct vehicular and pedestrian access, and the small scale of the project will not burden traffic. Public sewer is available beneath Market Street, and water service is provided by DeKalb County. Fire hydrants are located along Market Street and will be confirmed for compliance during site plan review. The project's limited size will have minimal impact on school enrollment and will be fully supported by existing services.

iii. Whether the amendment proposal negatively impacts natural and historic resources identified by the city.

The proposed rezoning and development at 3734 Poplar Drive will not negatively impact natural or historic resources identified by the City. In informal discussions with members of the Historic Preservation Commission (Ashton Walker and Robyn Sands), no concerns were raised regarding historic resources. With respect to natural resources, the site does not contain unique features, and potential impacts will be mitigated through an appropriate stormwater management plan to prevent erosion into adjacent Forty Acres Park and through replanting of trees removed during construction.

iv. Whether the amendment proposal is in the best interest of the city and the public good and proposal protects the health and welfare of its citizens.

The proposed rezoning and six-unit townhome development supports the City of Clarkston's goals of providing diverse, affordable, and high-quality housing options in walkable, connected neighborhoods. The project replaces an underutilized lot with well-designed residences that enhance the character of Market Street while maintaining compatibility with surrounding uses. By adding new housing within existing infrastructure, the proposal promotes efficient land use, supports local businesses, and strengthens the tax base. Adequate stormwater, utility, and fire protection measures will ensure the health, safety, and welfare of Clarkston's residents are protected.

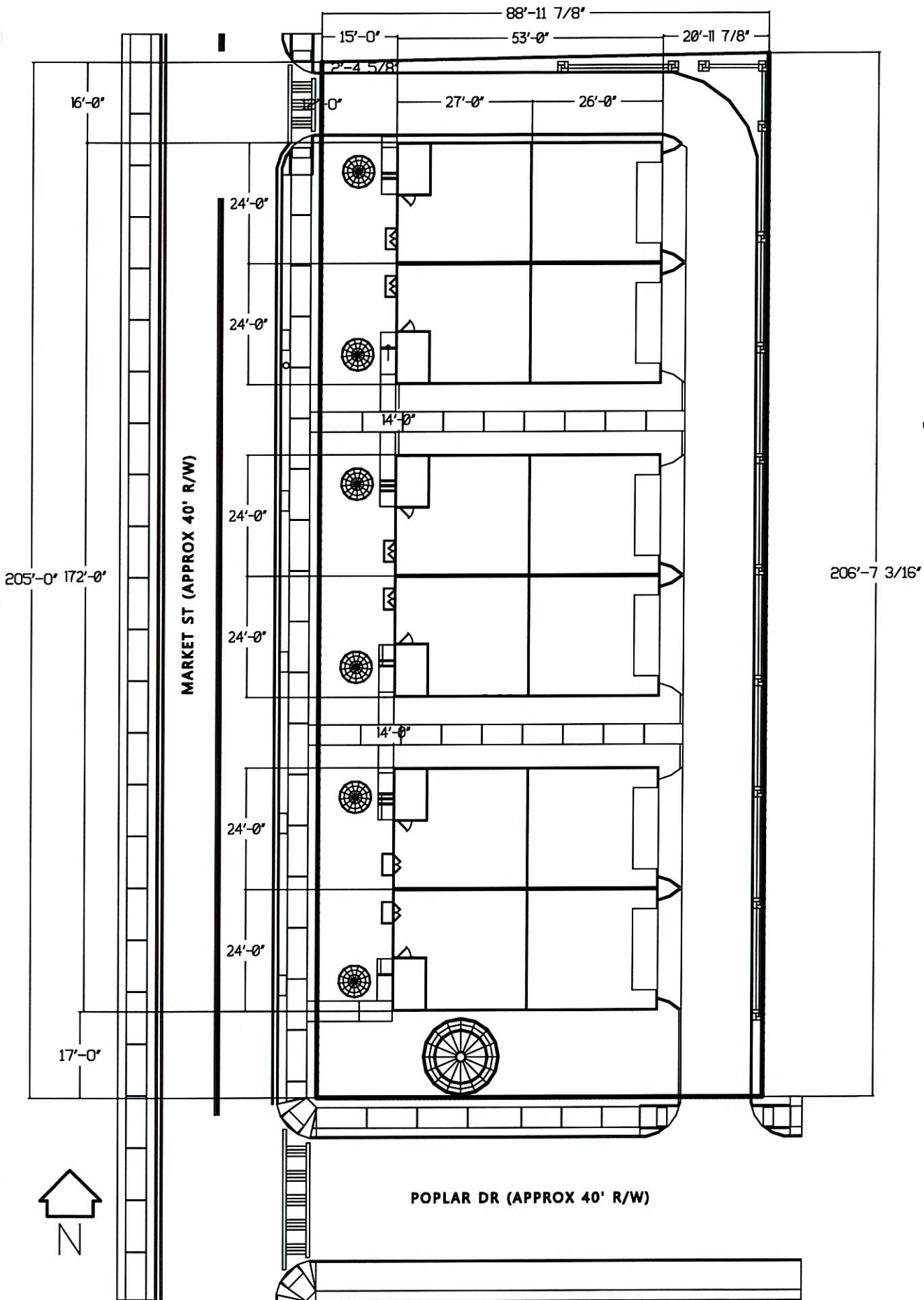
v. Whether the property to be affected by the amendment proposal has a reasonable economic use as currently designated on the future development map

The property at 3734 Poplar Drive is currently designated for single-family use on the Future Development Map. While this allows for continued use of the existing residence, the lot size and location along Market Street limit its long-term economic potential under the current designation. Rezoning to NR-2 will allow a modest townhome development that aligns with the Future Development Map's intent, provides a more efficient and reasonable economic use of the property, and contributes additional housing and tax revenue to the City.

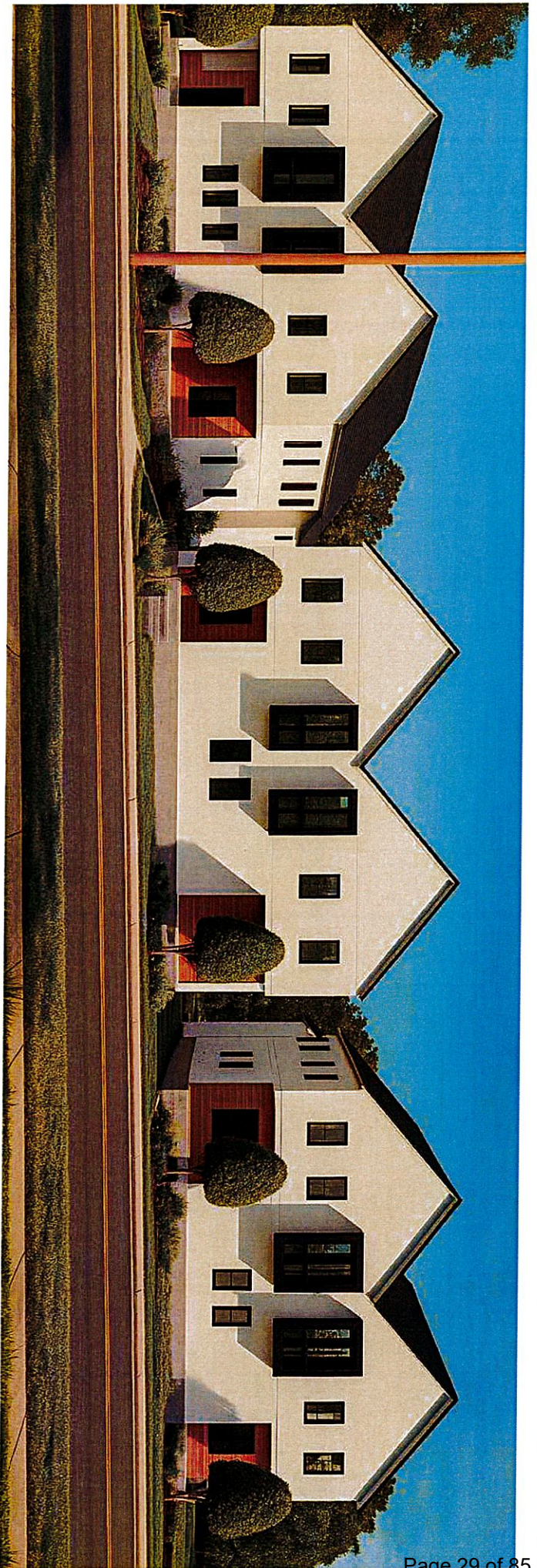
vi. Whether the amendment proposal meets the policies and intent established in the comprehensive plan

The proposed rezoning from NR-1 to NR-2 for six townhomes at 3734 Poplar Drive is consistent with the policies and intent of the Clarkston 2040 Comprehensive Plan. The Plan identifies housing diversity and compact growth as key priorities for guiding development in the city.

- **Housing Variety and Affordability:** Community engagement for Clarkston 2040 highlighted the need for “*more housing at all price points*” and a “*greater variety of housing types*”. Allowing townhomes within the NR-2 district directly supports this policy by expanding the range of housing choices available to residents.
- **Compact, Walkable Development:** The Plan calls for encouraging development patterns that are “*transit supportive*” and enhance walkability. This project is located on Market Street, within walking distance of neighborhood amenities and transit access, reinforcing the city’s goal of connected, pedestrian-friendly neighborhoods.
- **Efficient Use of Existing Infrastructure:** The Plan promotes infill and redevelopment in already-served areas over greenfield development. This proposal makes full use of existing water, sewer, and transportation facilities, advancing the City’s intent to grow responsibly.



PD 15 806 IS 889
3743 POPLAR DR
ROBERT ADAIR
ZONING E3



Clarkston Townhomes

3828 Market St.



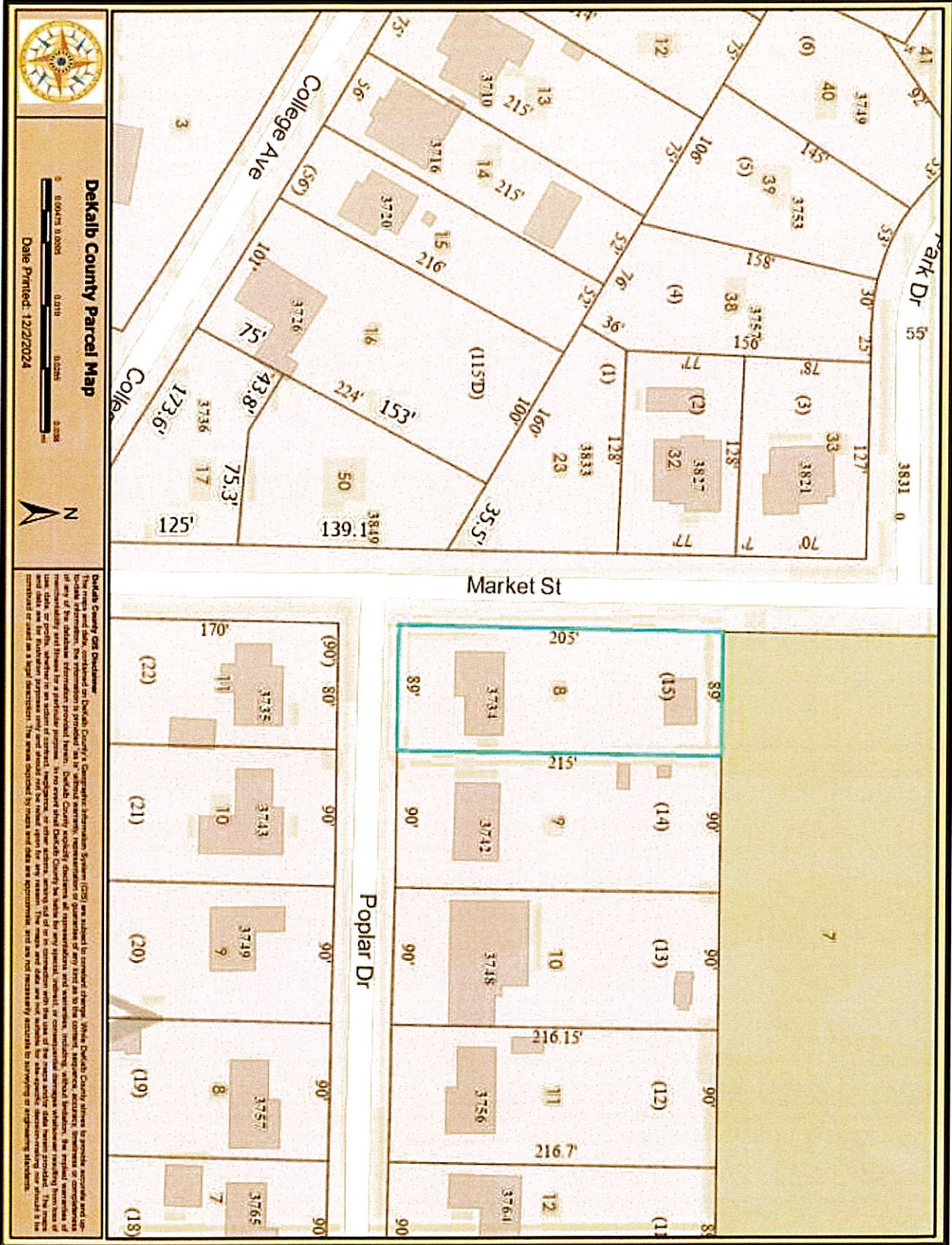
Clarkston Plat Satellite



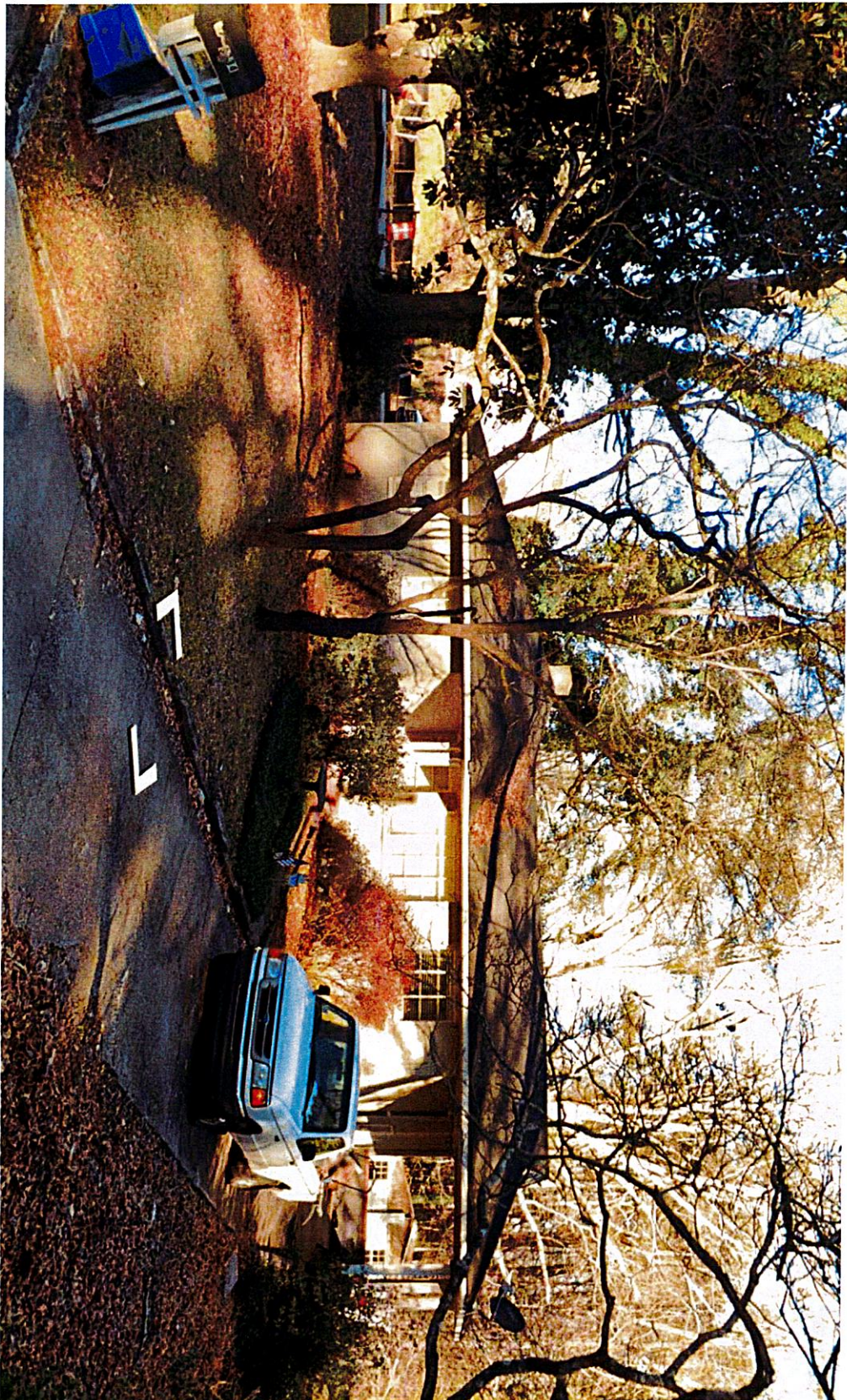
Date Printed: 2/21/2023



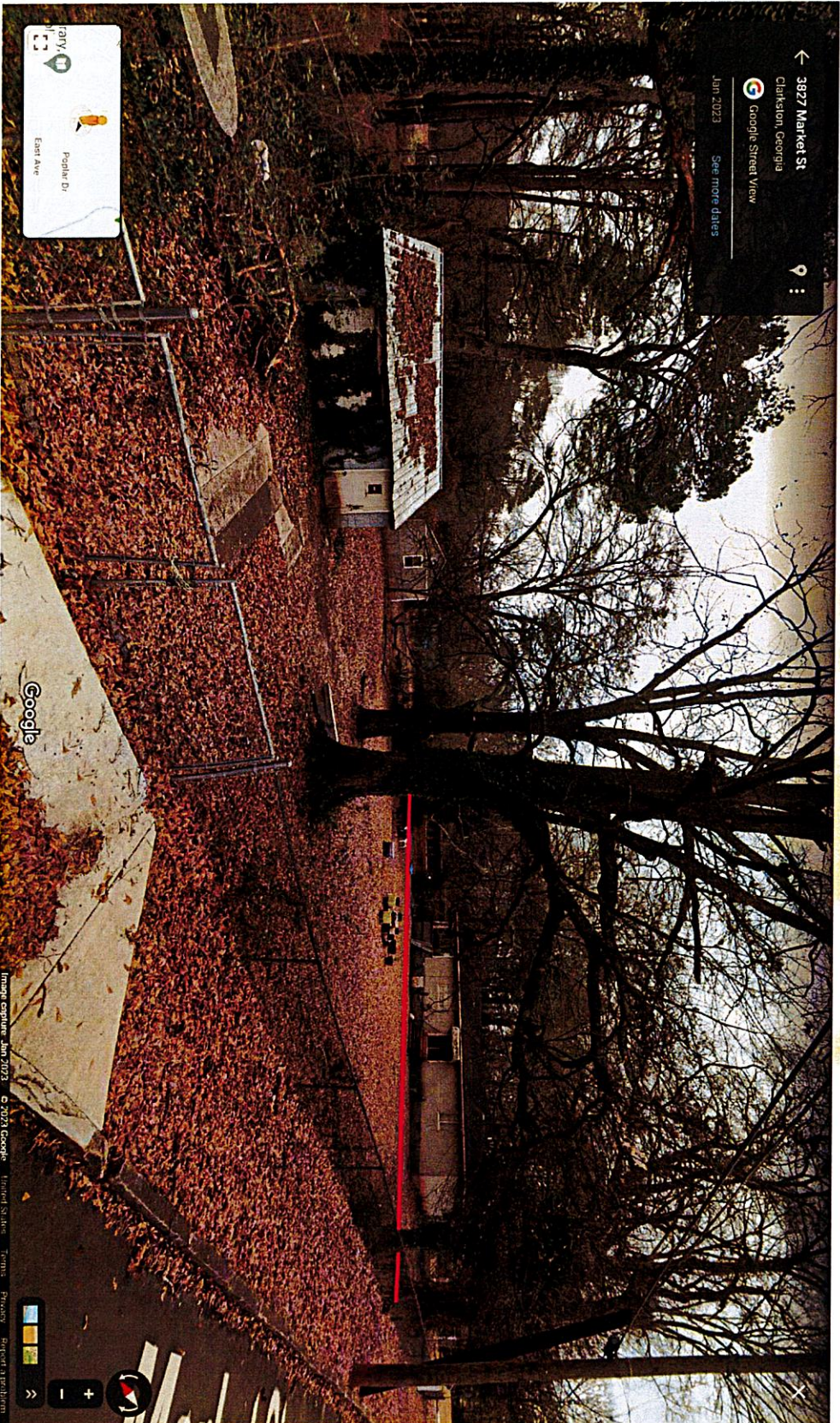
Dakota County GIS Disclaimer:
The maps and/or data combined on Dakota County's Geographic Information System (GIS) are subject to constant change. While Dakota County strives to provide accurate and up-to-date information, the information provided is a "best effort" representation of the current state of affairs. Dakota County does not warrant the accuracy, completeness, or timeliness of any of the data or information provided herein. Dakota County expressly disclaims all representations and warranties, including, without limitation, the implied warranties of merchantability and fitness for a particular purpose. Users must use the data at their own risk. Dakota County is not responsible for any damages, including consequential damages, arising from the use of the data or information provided herein. The maps and data are not suitable for any specific decision-making purposes. The maps and data are not suitable for any specific decision-making purposes. The maps and data are not suitable for any specific decision-making purposes. The maps and data are not suitable for any specific decision-making purposes.



Street View 1: Front Current House 3734 Poplar Dr

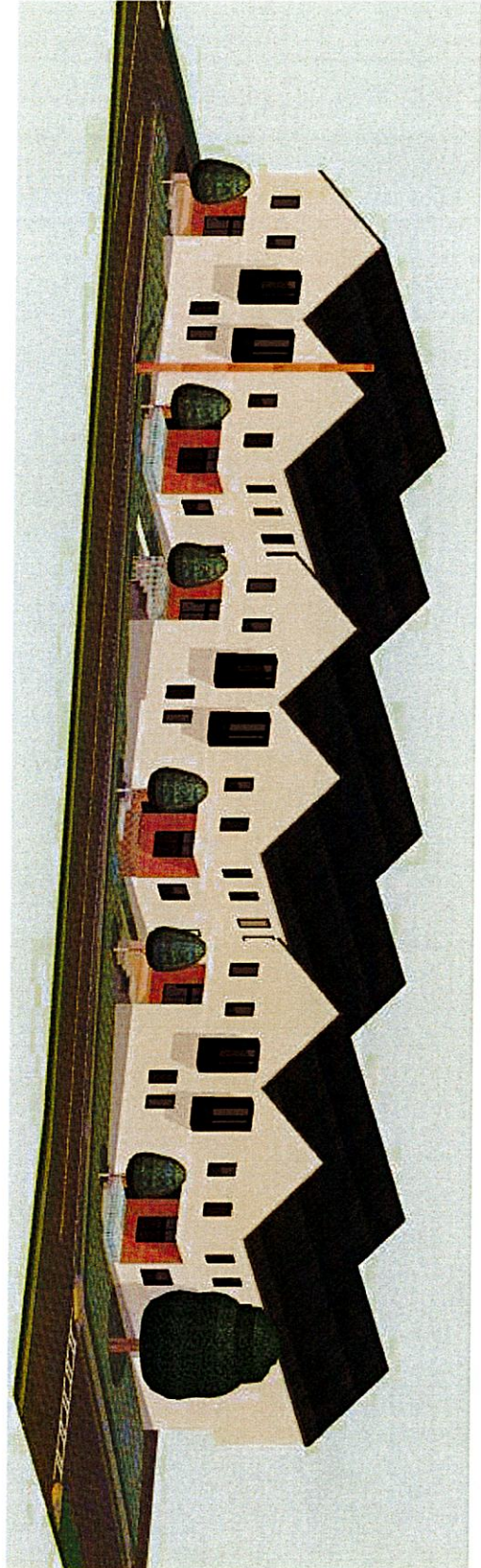
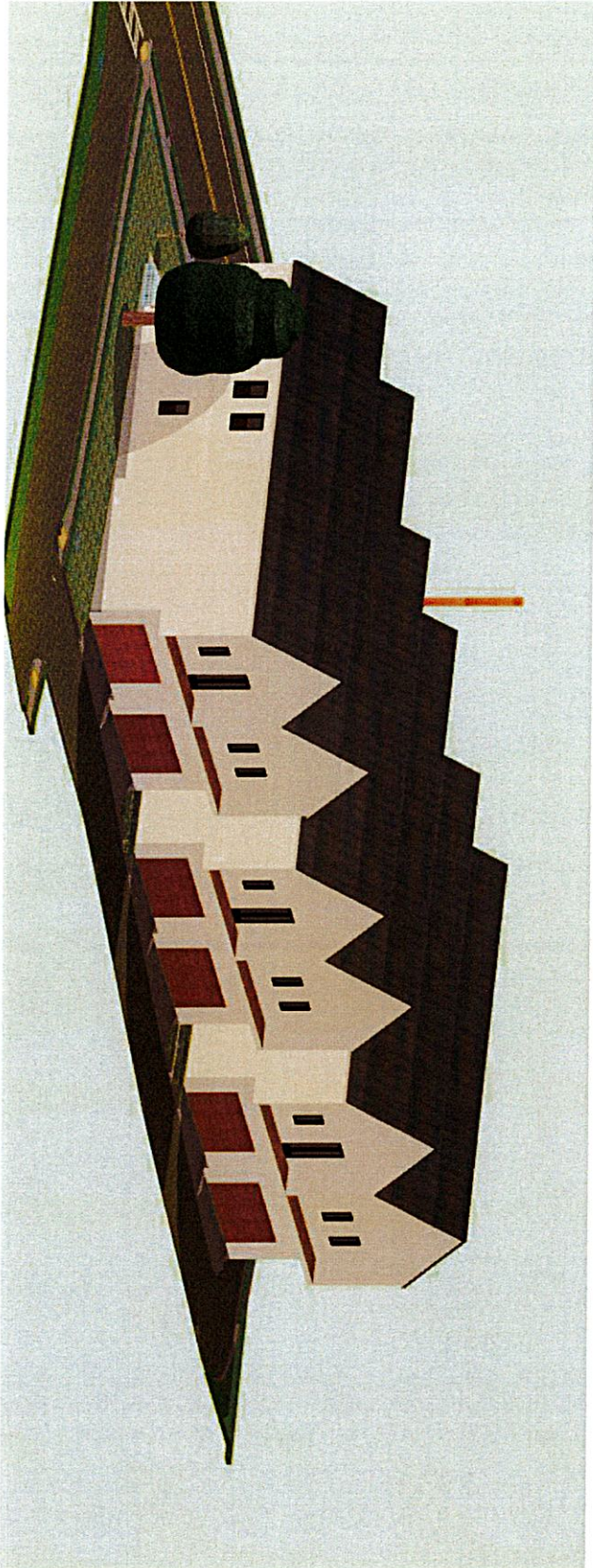


Street View 2: Rear Current House Viewing from Market St



Proposed Townhome View: Initial Concept





As Built in Austin, Texas:





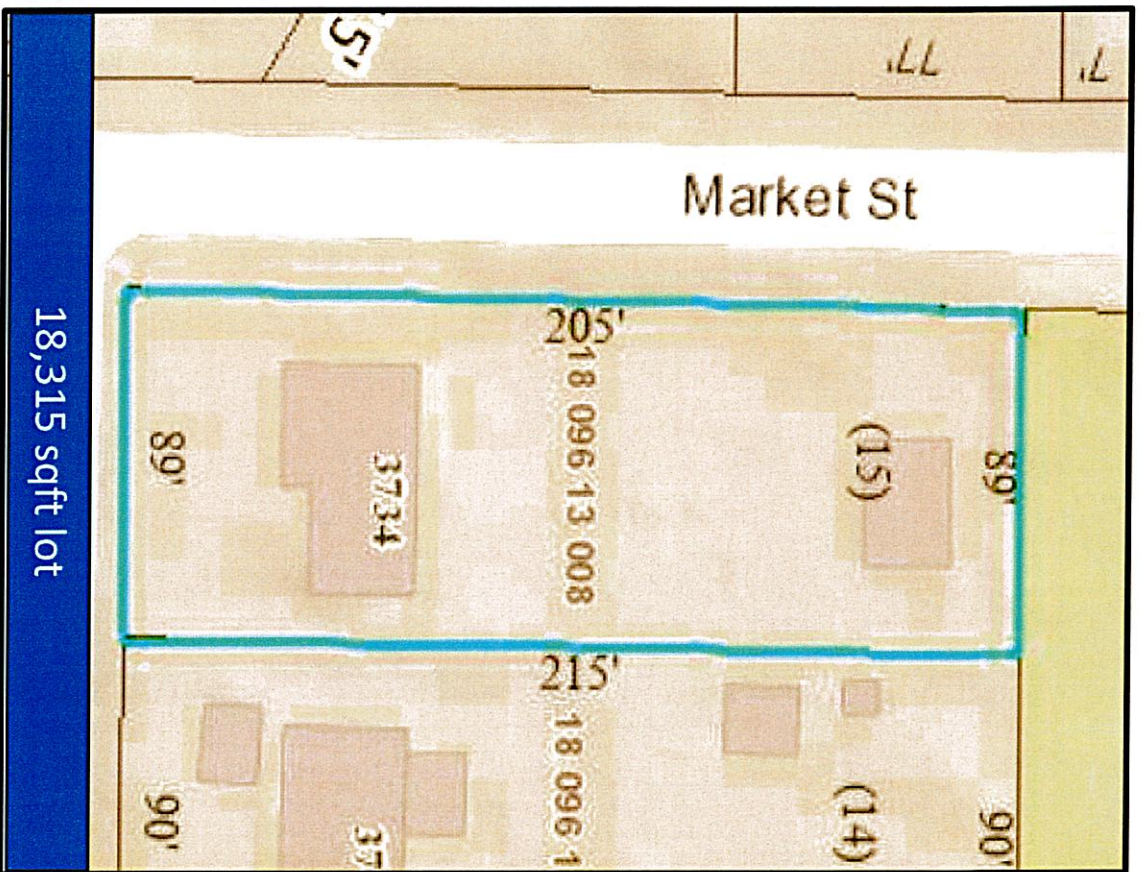
Proposed Townhomes for 3828 Market St.

Townhome	
• 1 st Floor	691 sqft
• 2 nd Floor	1,227 sqft
Total Living Area Per Unit	1,918 sqft
6 Unit Total	11,508

Table 3.2 Residential Zoning District Dimensional Requirements

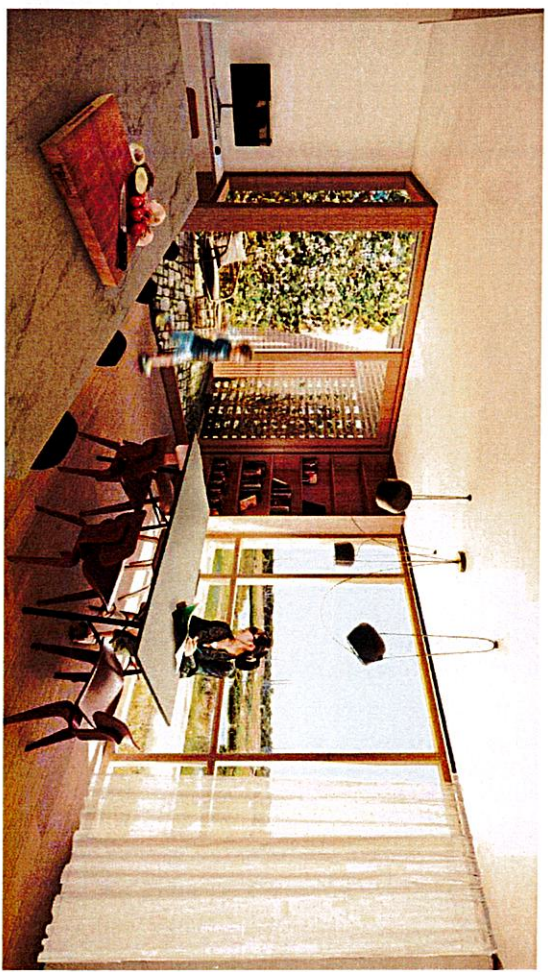
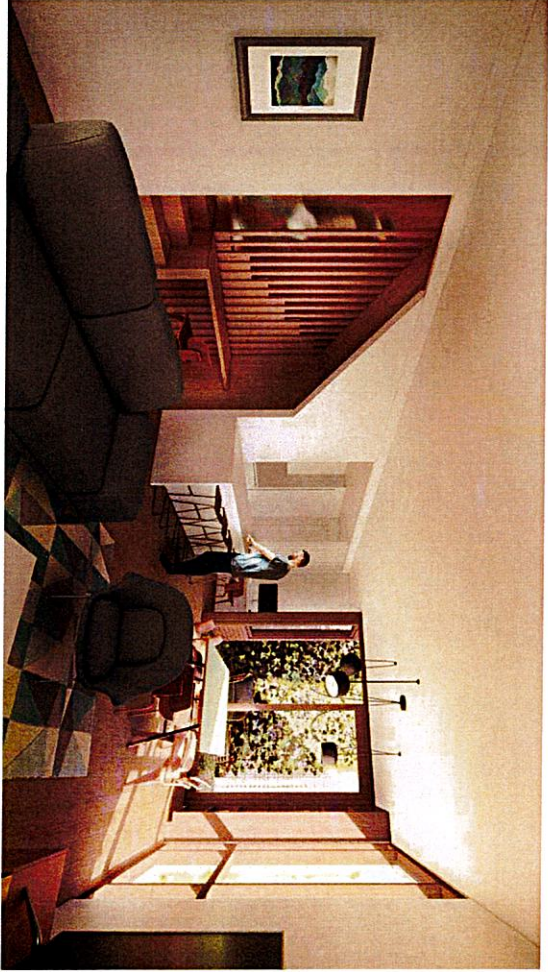
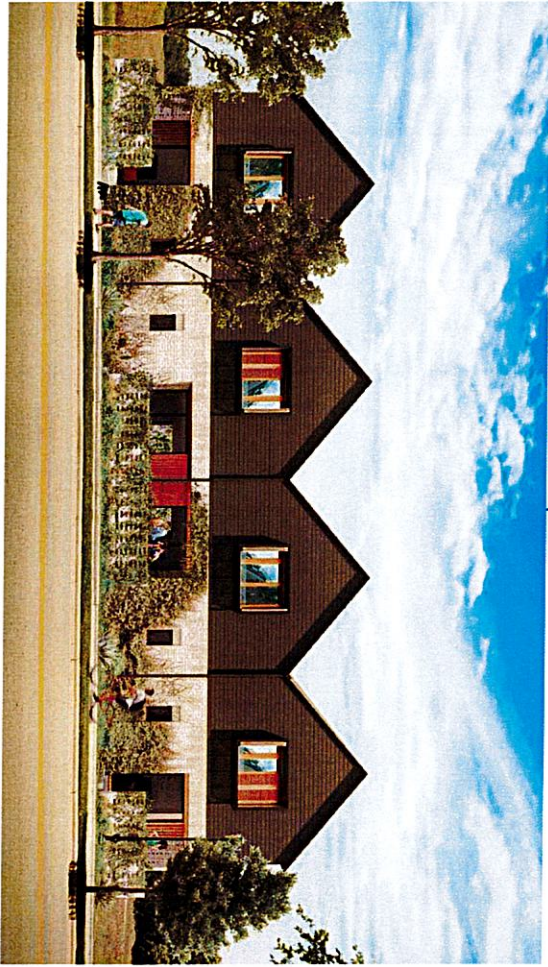
	NR-1	NR-2	NR-3
Primary Structure			
Maximum FAR	0.4	0.4	0.4
Minimum Unit Size	1000 s.f.	900 s.f.	800 s.f.
Maximum Lot Coverage	50%	50%	50%
Maximum Building Height	35'	35'	45'
Minimum Lot Size	8,000-10,000 s.f.	7,500 s.f.	5,000 s.f.
Minimum Lot Width	75'	60'	50'
Minimum Front Setback (SF detached)	30'	25'	15'
Minimum Front Setback (duplex/triplex)	N/A	15'	5'
Minimum Front Setback (townhome)	N/A	15'	5'
Minimum Side Setback	10'	7'	5'
Minimum Rear Setback (SF detached)	25'	20'	20'
Minimum Rear Setback (duplex/triplex)	N/A	15'	15'
Accessory Structure			
Maximum Height*	25'	25'	25'
Minimum Side Setback	10'	7'	5'
Minimum Rear Setback	15'	7'	5'

* Accessory structure cannot be taller than the primary structure



Purpose and Intent: The NR-2 zoning district is intended for single-family detached, townhomes, and attached residences on smaller lots where large amounts of open space are not required and/or desired

Precedents and Concepts:



NOTICE OF COMMUNITY OPEN HOUSE MEETING

Dear Neighbor,

You are receiving this letter because you own property within 300 feet of **3734 Poplar Dr** for which a zoning application has been filed. As part of the rezoning process, the applicant is required to hold a community open house meeting to share information about the proposed project and to answer questions from interested residents.

Meeting Information:

- **Date:** September 30th 2025
- **Time:** 6:00 pm- 7:00 pm
- **Location:** On the subject property in front of the shed in the backyard of 3734 Poplar Drive, Clarkston, GA. Please enter from the gate off that is off Market St.
- **Purpose:** The applicant is proposing to rezone the property to the NR-2 zoning district in order to construct six (6) new townhomes. Each unit will be approximately 1,900 square feet of living space, arranged in three buildings of two units each facing Market Street, with a shared rear driveway and two car garages. The meeting will provide details of the proposal and give neighbors the opportunity to ask questions and provide feedback.

We encourage you to attend this meeting to learn more about the proposal and provide any comments or feedback you may have.

Sincerely,

James Smith

A handwritten signature in black ink that reads "James Smith" with a stylized flourish at the end.

Sec. 307. - NR-2, medium-density neighborhood residential district.

- a. Purpose and intent. The NR-2 zoning district is intended for single-family detached, townhomes, and attached residences on smaller lots where large amounts of open space are not required and/or desired.
- b. Permitted and conditional uses shall be as provided in Table 4.1 of this zoning ordinance. In cases where a use is permitted but there are supplemental use regulations for that use specified in Article IV of this chapter, such regulations shall also apply.
- c. Dimensional requirements shall be as provided in Table 3.4.

Table 3.4 Dimensional Requirements	NR-2	As Drawn	Compliant
Maximum FAR	0.4	.62 for 6 units ~14 u/a*	Variance needed
Minimum Unit Size	900 s.f.	1,918 s.f.	☑
Maximum Lot Coverage	50%	Buildings: 41% (7,632 s.f.) Driveway pervious: 20% (3,744 s.f.) Walkway impervious: 8% (1,484 s.f.)	☑**
Maximum Building Height	35'	~32'	☑
Minimum Lot Size	7,500 s.f.	18,315 s.f.	☑
Minimum Lot Width	60'	89'	☑
Minimum Front Setback (townhome)	15'	15'	☑
Minimum Side Setback	7'	15'	☑
Minimum Rear Setback (SF detached)	20'	20'	☑

* This medium-density zoning standard is comparable to Decatur’s RS-17 (17 u/a) and Atlanta’s RG-2/3 (14–20 u/a)

** Compliant if pervious surface does not count against maximum lot coverage.

Community Meeting Summary

On September 30th at 6:00 pm, a community meeting was held regarding the proposed townhome development at 3734 Poplar Drive. Four residents attended:

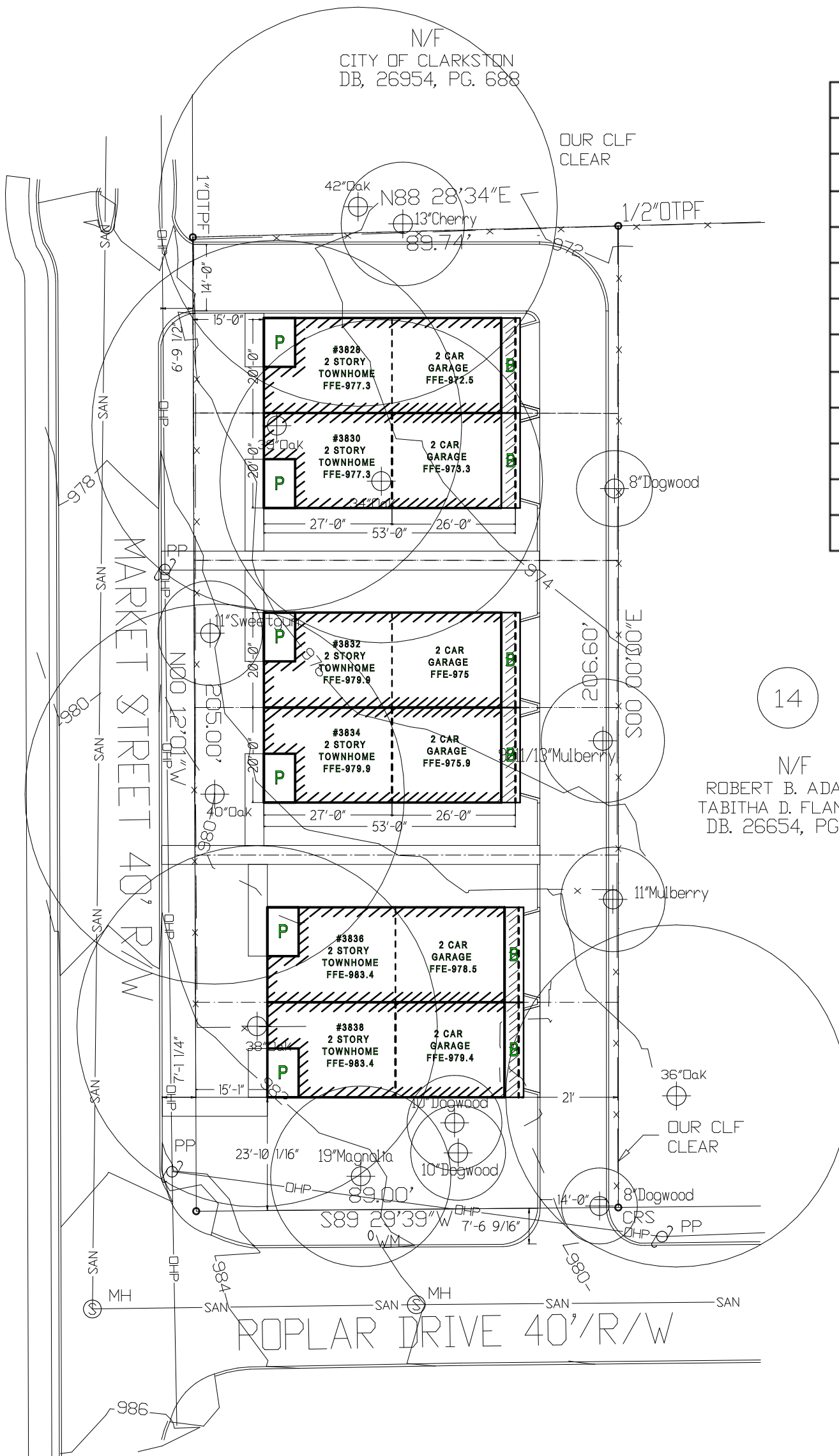
- Michele Maserjian, 3756 Poplar Dr
- Tabitha Adair, 3742 Poplar Dr
- Ann McCormack, Belle Glade Dr
- Jamie Carroll, 3827 Market St

The following concerns were raised:

- **Environmental impacts:** Potential effects on the Forty Oaks Nature Preserve, with specific attention to stormwater runoff, impervious surface area, and the balance of pervious surfaces.
- **Density and compatibility:** Several attendees expressed a preference for fewer homes (2–4 units instead of 6) to better align with the surrounding neighborhood’s character.
- **Tree removal:** Concern over the loss of two large oak trees and questions regarding their replacement.
- **Neighboring property impacts:** Specific concerns were raised about noise, views, and the effect on the marketability of adjacent homes (particularly by Tabitha Adair).
- **Ongoing engagement:** Residents requested additional opportunities for community meetings to continue dialogue as the project progresses.

N/F
CITY OF CLARKSTON
DB, 26954, PG. 688

Site Data	
Gross Acreage	0.422
Gross Square Footage	18,390
Existing Zoning	NR-1
Proposed Zoning	NR-2
Proposed Lots	6
Proposed Conditioned Floor Area per unit	1,534
Proposed FAR	.5
Proposed Max Building Height	33'7"
Proposed Lot Density	14 U/A
Landscape Zone	~7'6"



14
N/F
ROBERT B. ADAIR &
TABITHA D. FLANNERY
DB, 26654, PG. 458

LEGEND

- RBF REBAR FOUND (1/2" REBAR)
- CRS CAPPED REBAR SET (1/2" REBAR)
- CRBF CAPPED REBAR FOUND
- OTF OPEN TOP FOUND
- CTF CRIMP TOP FOUND
- ☆ LIGHT POLE
- BL BUILDING LINE
- C.L.F CHAIN LINK FENCE
- R/W RIGHT-OF-WAY
- TPED PHONE PEDASTAL
- CATV CABLE BOX
- WM WATER METER
- PB TRANSFORMER
- U/E UTILITY EASEMENT
- (12.34'D) DEED DISTANCE
- 12.34'(M) MEASURED DISTANCE
- DE DRAINAGE EASEMENT
- SSE SEWER EASEMENT
- AE ACCESS EASEMENT
- HW HEADWALL
- JB JUNCTION BOX
- CB CATCH BASIN
- YI YARD INLET
- P PORCH
- C/P CARPORT
- YI YARD INLET
- ST STORAGE ROOM
- OHP- OVERHEAD POWER
- AGL- ATLANTA GAS LINE



NOTE: THE PUBLIC RECORDS REFERENCED HEREON REFLECT ONLY THOSE RECORDS NECESSARY TO ESTABLISH THE BOUNDARIES SHOWN HEREON, AND REFERENCE TO THE SAME DOES NOT AND IS NOT INTENDED TO CONSTITUTE A TITLE SEARCH OR OPINION. EASEMENTS OR OTHER ENCUMBRANCES MAY EXIST ON PUBLIC RECORD BUT NOT BE SHOWN HEREON.

STAFF ANALYSIS AND REPORT

APPLICANT: James Smith

CASE: PUD2025-02

LOCATION: 3734 Poplar Drive (Parcel ID: 18 096 13 008)

ZONING: NR-1: Low Density Neighborhood Commercial

REQUEST: Planned Unit Development – Planned Residential Development for the construction of six (6) townhome units.

ZONING/ADJACENT LAND USE:

North	NR-1: Forty Oaks
South	NR-1: Single-Family Residential
West	NR-1: Vacant Residential
East	NR-1: Single-family Residential

MEETING INFORMATION:

Planning & Zoning Commission:	10/21/2025 – 7:00 P.M
Mayor & City Council Public Hearing:	11/25/2025 – 7:00 P.M.
Mayor & City Council Regular Meeting:	12/02/2025 – 7:00 P.M.

RECOMMENDATION:

Staff recommends **APPROVAL** of the PUD with conditions.

BACKGROUND:

The property at 3734 Poplar Drive is currently developed with a 1,021 square foot ranch style single-family home that was constructed in 1949 with an accessory structure in the rear along Market Street. The property consists of approximately 0.424 acres or 18,501.42 square feet of land area.

The applicant is requesting a Planned Unit Development – Planned Residential Development for the construction of six (6) attached residential townhome units across three (3) buildings. This proposal is approximately 14.15 units per acre. Below is an analysis of how the proposed PUD compares to the existing zoning and proposed zoning.

	NR-1 Requirements	NR-2 Requirements	Proposed PUD
Max. FAR	0.4	0.4	.62
Minimum Unit Size	1,000 sf	900 sf	1,918 sf
Lot Coverage	50%	50%	49% impervious 20% pervious paver
Lot Width	75'	60'	89'
Building Height	35'	35'	~32'
Lot Size	9,000 sf	7,500 sf	18,315 sf
Front Setback	30'	15' (townhome)	15'
Side Setback	10'	7'	15'
Rear Setback	25'	20'	20'

The following are nearby and similar residential developments within the city and their residential units per acre:

- Glendale Rowes (NR-CD) – 60 units on 4.98 acres or 12.10 units per acre.
- Woodland Avenue Townhomes (NR_CD)– 14 units on 1.3993 acres or 10 units per acre (plat approved but pending DeKalb County Fire review on LDP).
- Carroll Park Single-Family (R-1) – 17 units on 3.327 acres or 5.11 units per acre.
- Parkside at East Avenue Single-Family (NR-3) – 36 units on 6.292 acres or 5.72 units per acre.
- Lovejoy Street Townhomes (NR-3) – 12 units on 0.79 acres or 15.1 units per acre.

The following are nearby and similar residential developments within the city and their Floor Area Ratio (FAR):

- Glendale Rowes (NR-CD) – ~0.46 FAR (30 units at 1,732 sq ft and 30 units at 1,622 sq. ft.)
- Woodland Avenue Townhomes (NR-CD) - ~0.53 (2,310 unit size)
- Carroll Park Single-Family (R-1) – ~0.32 FAR (homes range from 5,158 sq ft to 1,789 sq ft)
- Parkside at East Avenue Single-Family (NR-3) – ~0.29 FAR (average unit size of 2,200)
- Lovejoy Street Townhomes (NR-3) – ~0.44 FAR (all 12 units are 1,280 sq ft)

The applicant provided a sign-in sheet from the community meeting that was held on September 30, 2025, at 6:00pm at 3734 Poplar Drive. Four (4) people attended the meeting, and the topics discussed were environmental impacts, density and compatibility, tree removal, neighboring property impacts, and ongoing engagement.

Analysis: Pursuant to Article II of the City of Clarkston Zoning Ordinance, Staff has reviewed the application for rezoning in accordance with the required review criteria.

- 1. The effect upon the health, safety, or general welfare of the public compared to any hardship imposed upon the individual property owner seeking rezoning should rezoning be denied.**
There are not any anticipated effects on the health, safety, or general welfare of the public with this request.
- 2. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.**

The adjacent properties are all residential in nature and this rezoning would permit new residential development. The proposed townhome development would have a greater density than the surrounding properties with six (6) units on 0.424 acres or approximately 14.15 units per acre.

The following are nearby and similar residential developments within the city and their residential units per acre:

- Glendale Rowes (NR-CD) – 60 units on 4.98 acres or 12.10 units per acre.
- Woodland Avenue Townhomes (NR_CD)– 14 units on 1.3993 acres or 10 units per acre (plat approved but pending DeKalb County Fire review on LDP).
- Carroll Park Single-Family (R-1) – 17 units on 3.327 acres or 5.11 units per acre.
- Parkside at East Avenue Single-Family (NR-3) – 36 units on 6.292 acres or 5.72 units per acre.
- Lovejoy Street Townhomes (NR-3) – 12 units on 0.79 acres or 15.1 units per acre.

3. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.

This proposed rezoning would increase traffic along Market Street and Poplar Drive but it is not anticipated to adversely affect the existing use or usability of adjacent or nearby properties.

4. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.

The property as currently zoned could be subdivided and developed into two (2) single-family lots, which would be an increase in economic use compared to the existing one (1) single-family home.

5. Whether the zoning proposal will result in a use that may cause an excessive or burdensome use of existing transportation facilities and other infrastructure, such as schools, water, and sewer.

It is not anticipated that the proposed rezoning would cause excessive or burdensome use of existing transportation facilities nor other infrastructure, such as schools, water, and sewer.

6. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.

Staff is unaware of other existing or changing conditions affecting the use and development of this property, which may give supporting grounds for disapproval.

7. Whether the zoning proposal is compatible with the principles of the city's comprehensive plan.

The 2040 Comprehensive Plan labels this property within the “Single-Family Homes Areas.” This designation calls for the preservation of single-family homes, both historic as well as new development. “Townhomes and single-family homes are allowed in this area.”

The proposed rezoning from NR-1 to NR-2 would allow for the development of townhomes and Planned Unit Development – Planned Residential Development submittals. The rezoning request is compatible with the city’s 2040 Comprehensive Plan.

8. Whether the zoning proposal is compatible with the most current adopted version of the future land use map of the comprehensive plan.

Staff has found that this request is compatible with the most current, adopted version of the future land use map in the Comprehensive Plan.

Recommendation:

Pursuant to Article II of the City of Clarkston Zoning Ordinance, Staff has reviewed the request in accordance with the required review criteria and recommends **APPROVAL** of the Planned Unit Development (PUD) at 3734 Poplar Street with the following conditions:

1. The maximum floor area ratio (FAR) for the site shall be 0.5 or 9,236.72 square feet of floor area as measured to the outside surfaces of exterior walls and including halls, stairways, elevator shafts, excluding attached garages, porches, balconies and unfinished basements.

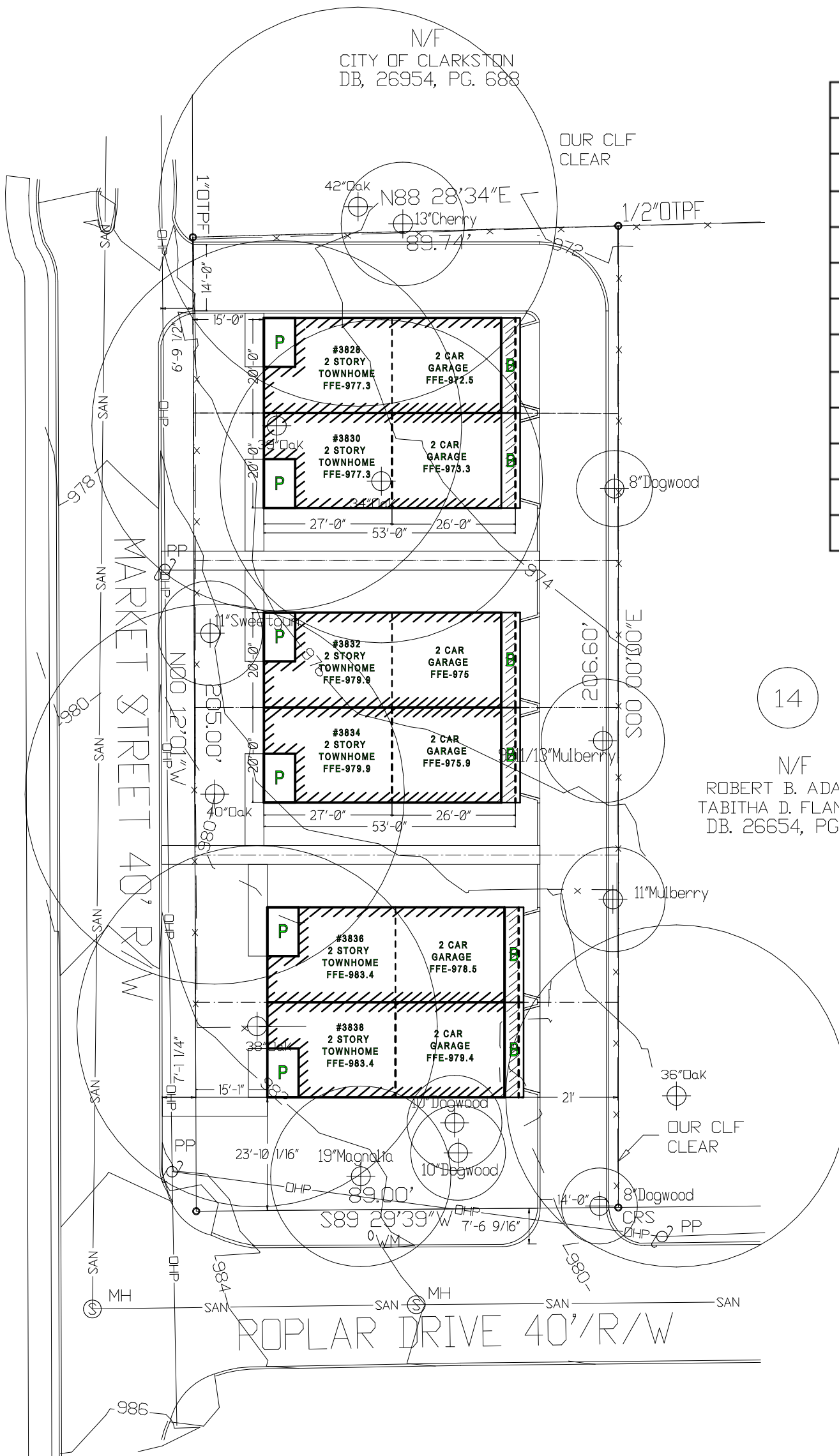
2. The architectural elevations shall be substantially similar to the conceptual drawings titled "Clarkston Townhomes 3828 Market St," as included in this packet.
3. The site plan shall be substantially similar to the site plan dated, received September 30, 2025, as included in this packet.
4. Vinyl shall be excluded from the allowed building material with the exception of the fascia and soffits.
5. The driveway shall be a one-way private street with a right entrance only off Market Street and a right exit only onto Poplar Drive.
6. A homeowner association (HOA) shall be required. The developer shall execute, record, and maintain documents for the HOA which establishes dues, fees, and responsibilities related to maintenance of units and common facilities. The HOA bylaws shall be reviewed and approved by the Planning and Economic Development Director prior to being recorded with the DeKalb County Superior Court.
7. All utilities shall be installed underground throughout the development.
8. An engineer's report shall be submitted as part of the land disturbance permit for certification on all pervious surface areas being installed.

Aerial of the site



N/F
CITY OF CLARKSTON
DB, 26954, PG. 688

Site Data	
Gross Acreage	0.422
Gross Square Footage	18,390
Existing Zoning	NR-1
Proposed Zoning	NR-2
Proposed Lots	6
Proposed Conditioned Floor Area per unit	1,534
Proposed FAR	.5
Proposed Max Building Height	33'7"
Proposed Lot Density	14 U/A
Landscape Zone	~7'6"



14
N/F
ROBERT B. ADAIR &
TABITHA D. FLANNERY
DB. 26654, PG. 458

LEGEND

- RBF REBAR FOUND (1/2" REBAR)
- CRS CAPPED REBAR SET (1/2" REBAR)
- CRBF CAPPED REBAR FOUND
- OTF OPEN TOP FOUND
- CTF CRIMP TOP FOUND
- ☆ LIGHT POLE
- BL BUILDING LINE
- C.L.F CHAIN LINK FENCE
- R/W RIGHT-OF-WAY
- TPED PHONE PEDASTAL
- CATV CABLE BOX
- WM WATER METER
- PB TRANSFORMER
- U/E UTILITY EASEMENT
- (12.34'D) DEED DISTANCE
- 12.34'(M) MEASURED DISTANCE
- DE DRAINAGE EASEMENT
- SSE SEWER EASEMENT
- AE ACCESS EASEMENT
- HW HEADWALL
- JB JUNCTION BOX
- CB CATCH BASIN
- YI YARD INLET
- P PORCH
- C/P CARPORT
- YI YARD INLET
- ST STORAGE ROOM
- OHP- OVERHEAD POWER
- AGL- ATLANTA GAS LINE



NOTE: THE PUBLIC RECORDS REFERENCED HEREON REFLECT ONLY THOSE RECORDS NECESSARY TO ESTABLISH THE BOUNDARIES SHOWN HEREON, AND REFERENCE TO THE SAME DOES NOT AND IS NOT INTENDED TO CONSTITUTE A TITLE SEARCH OR OPINION. EASEMENTS OR OTHER ENCUMBRANCES MAY EXIST ON PUBLIC RECORD BUT NOT BE SHOWN HEREON.

Community Meeting Summary

On September 30th at 6:00 pm, a community meeting was held regarding the proposed townhome development at 3734 Poplar Drive. Four residents attended:

- Michele Maserjian, 3756 Poplar Dr
- Tabitha Adair, 3742 Poplar Dr
- Ann McCormack, Belle Glade Dr
- Jamie Carroll, 3827 Market St

The following concerns were raised:

- **Environmental impacts:** Potential effects on the Forty Oaks Nature Preserve, with specific attention to stormwater runoff, impervious surface area, and the balance of pervious surfaces.
- **Density and compatibility:** Several attendees expressed a preference for fewer homes (2–4 units instead of 6) to better align with the surrounding neighborhood’s character.
- **Tree removal:** Concern over the loss of two large oak trees and questions regarding their replacement.
- **Neighboring property impacts:** Specific concerns were raised about noise, views, and the effect on the marketability of adjacent homes (particularly by Tabitha Adair).
- **Ongoing engagement:** Residents requested additional opportunities for community meetings to continue dialogue as the project progresses.

STAFF ANALYSIS AND REPORT

To: City of Clarkston Planning & Zoning Board

From: Richard Edwards, AICP

Subject: Proposed Text Amendments to the City of Clarkston Zoning Ordinance, Appendix A, Article VII to add a definition for Townhomes and amend definitions for Duplex, Triplex, and Quadplex.

Date: November 18, 2025

Purpose:

The purpose of this staff report and analysis is to present the proposed text amendments to *Appendix A. Article VII* to provide clarity on definitions related to attached single-family dwellings. The Planning Commission is requested to provide a recommendation at their public hearing on November 18, 2025, which will be forwarded to the City Council for further consideration at their public hearing scheduled for November 25, 2025.

Background:

The current zoning code does not provide for a definition of townhomes and staff is proposing a text amendment to provide clarity for all future development.

Analysis:

The proposed definitions are as follows:

Dwelling, multiple family: A building designed to be occupied by five (5) or more dwellings living independently of each other, and doing their cooking in the said building. Also known as 'multi-family.'

Dwelling, townhome: Attached single-family dwellings with a minimum of three (3) and a maximum of seven (7) single-family dwellings that are attached horizontally by a common side wall with each dwelling unit being designed to be occupied by not more than one (1) family.

Dwelling, triplex: A building containing not more than three (3) kitchens, designed to be occupied by not more than three (3) families living independently of each other that may be attached horizontally and/or vertically.

Dwelling, two-family (duplex): A building containing not more than two (2) kitchens, designed to be occupied by not more than two (2) families living independently of each other that may be attached horizontally or vertically.

Dwelling, quadruplex: A single structure containing four (4) dwelling units that may be attached horizontally and/or vertically.

ARTICLE VII. DEFINITIONS

Except as specifically defined herein, all words used in this ordinance have their customary dictionary definitions. For the purposes of this ordinance certain words or terms used herein shall be defined as follows:

- Words used in the singular include the plural and words used in the plural include the singular.
- Words used in the present tense include the future tense.
- The word "erected" includes the words "constructed" "moved" "located" or "relocated".
- The word "lot" includes the words "plot" or "parcel".
- The word "map" or "zoning map" means the zoning map of Clarkston, Georgia.
- The word, "person" includes the words "individuals", "firms", "partnerships", "corporations", "associations", "governmental bodies" and all other legal entities.
- The word "shall" is always mandatory and never discretionary.
- The word "structure" includes the word "building".
- The words "used" or "occupied" include the words "intended, arranged or designed to be used or occupied".

Accessory building: A structure that is incidental and subordinate to the primary structure, located on the same lot, and operated or maintained under the same ownership as the primary structure."

Accessory use: A land use that is incidental and subordinate to the primary use.

Adult day care center: An "adult day care center" as defined by the State of Georgia, as may be amended by the State. O.C.G.A. Section 49-6-82 currently defines an "adult day care center" as a facility serving aging adults that provides adult day care or adult day health services (as such terms are defined by O.C.G.A. Section 49-6-82) for compensation, to three (3) or more persons. The term "adult day care center" shall not include a respite care services program. This definition shall automatically be updated if the State of Georgia amends its definition of "adult day care center."

Agriculture: The production, rearing or storage of crops and/or livestock for sale, lease or personal use, or lands devoted to a soil conservation or forestry management program.

Alley: A public street which ordinarily affords only a secondary means of access to abutting property and is not intended for general traffic circulation.

Alteration: A change or rearrangement in the exterior walls or structural parts, or in the exit facilities, or an enlargement, whether by extending on a side or by increasing the height, or the moving of said building or structure from one (1) location or position to another. In addition to the foregoing, any building or structure shall be considered as being altered whenever it is repaired, renovated, remodeled, or rebuilt at a cost in excess of fifty (50) percent of its fair sales value immediately prior to the beginning of such repairs, renovation, remodeling, or rebuilding.

Assisted living: A profit or nonprofit facility, home, or structure, licensed by the state, for the protective care of two (2) or more adults who need a watchful environment, but do not have an illness, injury, or disability, which requires chronic or convalescent care, including medical and nursing services. Protective care and watchful oversight includes, but is not limited to, a daily awareness by management of the residents' whereabouts, the asking and reminding of residents of their appointments for medical checkups, the ability and readiness of

PART II - CODE OF ORDINANCES
APPENDIX A - ZONING
ARTICLE VII. DEFINITIONS

management to intervene if a crisis arises for a resident, and supervision by management in areas of nutrition, medication, and actual provision of transient medical care, with a twenty-four (24) hour responsibility for the well-being of residents of the facility. This use shall not include hospitals, convalescent centers, nursing homes, hospices, clinics, halfway house, a treatment center for alcoholism or drug abuse, or similar institutions devoted primarily to the diagnosis and treatment of the sick or injured.

Automobile repair center or garage: General repair, rebuilding, or reconditioning of engines, motor vehicles, or trailers such as collision service, body repair and frame straightening; painting and upholstering; vehicle steam cleaning; and undercoating.

Automobile service center: Any building, structure or land used for the dispensing or sale of any automobile fuels, oils, or accessories and where general automotive servicing is performed, such as replacement of mufflers, shocks and tires and motor tune-ups, as distinguished from major automotive repairs.

Automobile service station (filling station): A building or structure used for the retail sale and dispensing of fuel, lubricants, tires, batteries, accessories, and supplies, including installation or minor services, customarily incidental thereto; facilities for washing and for chassis and gear lubrication of vehicles are permitted if enclosed in a building.

Automobile storage yard or used car lot: A lot or group of continuous lots used for the storage, display or sale of operable automobiles where no repair work is done. This would include secondhand car lots.

Automobile sales: The use of any building, land area or other premises for the display and sale of new or used motor vehicles, and including any warranty repair work or other repair service; provided, however, that such definition shall not include the sale by an individual of motor vehicles acquired for such individual's own use and actually so used.

Automobile storage yard and wrecker service: An establishment used for the short-term storage of damaged or confiscated vehicles.

Basement (daylight): A story partly underground and having at least one-half (½) of its height above the average level of the adjoining ground. A basement shall be counted as one-half (½) story for the purpose of height measurement if used for dwelling or business purposes.

Bed and breakfast inn: A business establishment operated within a dwelling by the owner-occupant, offering temporary lodging and one (1) or more meals to the traveling public while away from their normal places of residence.

Boarding house: A dwelling in which meals or lodging or both are furnished for compensation to more than two (2) but not more than ten (10) non-transient persons.

Buffer: An undisturbed area that shall remain in its natural state and enhanced with additional landscaping in order to provide separation and screening for adjacent properties and adjacent rights-of-way.

Buffer area: A strip of land established to protect 1 type of land use from another with which it is incompatible containing a continuous visual screening of vegetation and fencing.

Buffer, landscape: An area using transitional screening elements such as fences, walls, and/or landscape plantings to separate and partially screen adjacent properties and adjacent rights-of-way.

Building: Any structure attached to the ground which has a roof and which is designed for the shelter, housing or enclosure of persons, animals or property of any kind.

Building coverage: The horizontal area measured from the outside of the exterior walls of the ground floor of all primary and accessory buildings on a lot.

PART II - CODE OF ORDINANCES
APPENDIX A - ZONING
ARTICLE VII. DEFINITIONS

Building facade: The portion of any exterior elevation of a building extended from grade to the top of the parapet wall or eaves and the entire width of the building elevation fronting a public street, excluding alleys and lanes, and which may also be referred to as the building face.

Building height, residential: For all single-family residential detached buildings and structures, building heights shall be the vertical distance measured from the highest point of the front door threshold of the existing or previously existing house on the property, to the highest point of the roof. See "threshold, front door" definition.

Building height, non-residential: For all buildings and structures not classified as residential, building heights shall be the vertical distance measured from the finished front yard grade to the highest point of the roof.

Building line or front yard set back line: A line, usually fixed parallel to the lot line, beyond which a building, or any projection thereof, cannot extend, excluding uncovered steps, terraces, stoops or similar fixtures.

Canopy: A roof-like covering that projects from the wall of a building, or is freestanding, for the purpose of shielding from the elements.

Canopy, gas station: A permanent structure above gasoline pumps supported independently or partially by other means, such as via a connection to the main building at the gas station location.

Carport or garage, private: An accessory building or a portion of a main building used for the parking or storage of automobiles of the occupants of main building. A carport would be considered a private garage.

Car wash: A building, or portion thereof, where automobiles are washed by mechanical or high pressure water devices.

- (1) Automatic car wash means a car wash where the labor is not supplied by the patron.
- (2) Coin operated car wash means a car wash where the patron supplies the labor.

Child care learning center: "Child care learning center" as defined by the State of Georgia, as may be amended by the State. O.C.G.A. Section 20-1A-2 currently defines a "child care learning center" as any place operated by a person, society, agency, corporation, institution, or group wherein are received for pay for group care for less than twenty-four (24) hours per day, without transfer of legal custody, seven or more children under eighteen (18) years of age; provided, however, that this term shall not include a private school which provides kindergarten through grade 12 education, meets the requirements of O.C.G.A. Section 20-2-690, and is accredited by one or more of the entities listed in subparagraph (A) of paragraph (6) of O.C.G.A. Section 20-3-519 and which provides care before, after, or both before and after the customary school day to its students as an auxiliary service to such students during the regular school year only. This definition shall automatically be updated if the State of Georgia amends its definition of "child care learning center."

Child day care: The use of a premises for the care and supervision of children who do not reside on the property for periods less than 24 hours. A child day care facility or center may also be a day nursery, kindergarten or preschool. Child day cares must be licensed by the state where required and shall receive all necessary county board of health and fire marshal approvals prior to issuance of a permit for construction and/or operation and follow the provisions of Section 406 of this Zoning Code.

City: The City of Clarkston, Georgia.

City council: The City Council of Clarkston, Georgia.

Club: Buildings and facilities owned and operated by a corporation or association of persons for social or recreational purposes, but not operated primarily for profit or to render a service which is customarily carried on as a business.

PART II - CODE OF ORDINANCES
APPENDIX A - ZONING
ARTICLE VII. DEFINITIONS

Comprehensive plan: A policy guideline including the future land use map adopted by the mayor and council representing issues, goals, policies, and actions for the growth and development of the city. While adopted by the mayor and council, it does not serve as a development ordinance nor does it carry the force of law, but rather serves as a guide to desired and/or continued growth and development citywide.

Conditional use: A use permitted in a particular zoning district only upon showing that such use would not be detrimental to public health, safety or general welfare. Such uses may be required to meet additional standards and may be controlled as to the number, area and spacing from other uses and each other.

Condominium: Individual ownership units in a multi-family residential, commercial, and/or industrial structure(s), combined with joint ownership of common areas and facilities.

Convalescent home: An intermediate care facility primarily engaged in providing inpatient nursing or rehabilitative services to residents who require watchful care or medical attention or treatment, but not on a continuous basis, although staff is on duty twenty-four (24) hours per day.

Convenience store: Any retail establishment offering for sale prepackaged food products, household items, and other goods commonly associated with the same and having a gross floor area of less than two thousand (2,000) square feet.

Cottage housing development: Planned unit developments comprised of cottage housing residential units, organized in clusters. Cottage housing is a style of small lot/home development designed for single-family dwelling, and is restricted in square footage, density, and architectural standards as defined within section 529. CHDs are characterized by a shared central open space.

Density: The number of families, individuals, dwelling units, or housing structures per unit of land. The standard for density shall be the gross density which includes all the land within the boundaries of the area excluding floodplains, wetlands and standing bodies of water.

Developed floor area: The enclosed areas of a building that are heated or cooled.

Development: The construction, reconstruction, conversion, structural alteration, relocation or enlargement of any structure; any mining, excavation, landfill or land disturbance, and any use or extension of the use of land.

Driveway: A private roadway providing access for vehicles to a parking space, garage, dwelling or other structure.

Dwelling: A building or portion thereof designed exclusively for residential occupancy, including one-family, two-family and multifamily dwellings, but not including hotels, boarding and lodging houses.

Dwelling, multiple family: A building designed to be occupied by ~~five (5) three (3)~~ or more ~~families-dwellings~~ living independently of each other, and doing their cooking in the said building. Also known as 'multi-family.'

Dwelling, single-family: A building containing but one (1) housekeeping unit designed to be occupied by not more than one (1) family.

Dwelling, townhome: Three (3) or more single-family dwellings that are attached horizontally by a common side wall with each dwelling unit being designed to be occupied by not more than one (1) family.

Dwelling, triplex: A building containing not more than three (3) kitchens, designed to be occupied by not more than three (3) families living independently of each other that may be attached horizontally and/or vertically.

Dwelling, two-family (duplex): A building containing not more than two (2) kitchens, designed to be occupied by not more than two (2) families living independently of each other that may be attached horizontally or vertically.

PART II - CODE OF ORDINANCES
APPENDIX A - ZONING
ARTICLE VII. DEFINITIONS

Dwelling, quadruplex: A single structure containing four (4) dwelling units [that may be attached horizontally and/or vertically.](#)

Dwelling unit: One (1) or more rooms designed for the occupancy, cooking, and sleeping of one (1) or more persons living as a family.

Easement: An incorporeal interest in land owned and legally titled by another, permitting its limited use or enjoyment on, over, or under said land without actual occupancy.

Economic Impact Study: A report which measures and analyzes data pertinent to the size and impacts of large scale commercial development to determine impact on the citizens within a neighborhood or affected area.

Erect: To build, construct, attach, hang, place, suspend, or affix, and shall also include the painting of wall signs.

Erosion: The detachment and movement of soil or rock fragments, or the wearing away of the land surface by water, wind, ice and gravity.

Family: One (1) or more related persons or four (4) or fewer unrelated persons occupying a dwelling and living as a single housekeeping unit. The term "family" shall not be construed to mean fraternity, sorority, club, student center, group care homes, foster homes and is to be distinguished from persons occupying a boarding house, rooming house, hotel, or apartment unit as herein defined.

Family child care learning home: "Family child care learning home" as defined by the State of Georgia, as may be amended by the State. O.C.G.A. Section 20-1A-2 currently defines a "family child care learning home" as a private residence operated by any person who receives therein for pay for supervision and care less than (24) hours per day, without transfer of legal custody, at least three (3) but not more than six (6) children under thirteen (13) years of age who are not related to such person and whose parents or guardians are not residents in the same private residence; provided, however, that the total number of unrelated children cared for in such home, for pay and not for pay, may not exceed six (6) children under thirteen (13) years of age at one time. This definition shall automatically be updated if the State of Georgia amends its definition of "family child care learning home."

Fence: An artificially constructed barrier of any material or combination of materials erected to enclose or screen areas of land.

Floodplain: That area within the intermediate regional flood contour elevations subject to periodic flooding as designated by the DeKalb County Roads and Bridges Director based upon the U.S. Corps of Engineers' Floodplain Information Reports and other federal, state or county hydraulic studies.

Floor area: The total area of all floors of a building as measured to the outside surfaces of exterior walls and including halls, stairways, elevator shafts, excluding attached garages, porches, balconies and unfinished basements.

Floor area ratio (FAR): A mathematical expression determined by dividing the total floor area of a building by the area of the lot on which it is located as: $\text{Floor area/Lot area} = \text{Floor area ratio}$.

Frontage: The length of any property line of a premises which abuts public rights-of-way.

Future land use map: Adopted as part of the comprehensive plan, the future land use map establishes future development areas in the City of Clarkston. The intent for future land use and development in each area is established by supporting text in the comprehensive plan.

Garage apartment: An accessory or subordinate building, not a part of or attached to the main building where a portion thereof contains for not more than one (1) family and the enclosed space for at least one (1) automobile is attached to such living quarters.

PART II - CODE OF ORDINANCES
APPENDIX A - ZONING
ARTICLE VII. DEFINITIONS

Garage, commercial: A commercial structure or any portion thereof in which one (1) or more automobiles are housed, or kept or repaired; not including exhibition or showrooms or storage of cars for sale.

Garage, private residential: A structure which is accessory to a residential building and which is used for the parking and storage of vehicles owned and operated by the residents thereof, and which is not a separate commercial enterprise available to the general public.

Grade: An average level of the finished surface of the ground adjacent to the exterior walls of the building or structure.

Greenspace: The portion of a property which is left undeveloped or natural and occupied with naturally occurring native species.

Gross leasable area (GLA): The total gross floor area within building(s) which is occupied exclusively by individual tenants and upon which the tenants pay rent.

Guest cottage: Living quarters within a detached accessory building located on the same premises as the main building to be used exclusively for housing members of the family occupying the main building and their non-paying guests; such quarters having no kitchen facilities and not to be rented or otherwise used as a separate dwelling.

Home occupation: Any occupation or activity carried on by a member of the family residing on the premises, in connection with which there is no group instruction, assembly or activity; there is no commodity stored on the premises or held for sale to the public from the premises; no more than three (3) total persons (including residents) may be employed by the home occupation at any given time; and no mechanical or electronic equipment is used for commercial purposes. See Sec. 407 for supplemental provisions.

Hotel or motel: Any building or group of buildings containing principally sleeping rooms in which transient guests are lodged with or without meals with payment on a daily or weekly basis.

Junkyard: Property used for indoor or outdoor storage, keeping or abandonment, whether or not for sale or resale, of junk, including scrap metal, rags, paper or other scrap materials, used lumber, salvaged house wrecking and structural steel materials and equipment, or for the dismantling, demolition or abandonment of automobiles or other vehicles or machinery or parts thereof.

Landfill: See "sanitary landfill."

Landscaping: The installation and permanent maintenance of trees, shrubs, ground covers, mulch, grass and other planting materials.

Landscape strip: A ground area installed with landscape materials such as street trees, shrubs, ground cover, etc. (Paving material such as gravel and concrete pavers may be used in combination with plant material.)

Laundry, self-service: A business rendering a retail service by renting to the individual customer equipment for the washing, drying and otherwise processing laundry, with such equipment to be serviced and its use and operation supervised by the management, and does not include processing the laundry by the management on behalf of the customer.

Loading space, off-street: Space logically and conveniently located for bulk pickups and deliveries, scaled to the size of delivery vehicles expected to be used.

Lot: A portion or parcel of land devoted to a common use or occupied by a building or group of buildings devoted to a common use, together with the customary accessories and open spaces belonging to the same.

PART II - CODE OF ORDINANCES
APPENDIX A - ZONING
ARTICLE VII. DEFINITIONS

Corner lot: A lot fronting on two (2) streets or their intersection, provided that the interior angle formed by the intersection is less than one hundred thirty-five (135) degrees. When the frontage on one (1) street exceeds the frontage on the other, the one with the least frontage shall be deemed the front of the lot.

Interior lot: A lot other than a corner lot.

Through lot: An "interior lot" having frontage on two (2) parallel or approximately parallel streets. When the frontage on one (1) street exceeds the frontage on the other, the one (1) with the least frontage shall be deemed the front of the lot.

Lot depth: The distance measured in a mean direction of the side lines of the lot from the midpoint of the front lot line to the midpoint of the opposite rear line of the lot.

Lot of record: A part of land subdivision, the map of which has been recorded in the office of the clerk of DeKalb County, Georgia.

Lot width: The horizontal distance between the side lines of a lot measured at the front building line.

Major recreational equipment: Boats and boat trailers, travel trailers, pickup campers or coaches (designed to be mounted on automobile vehicles), motorized dwellings tent trailers, and cases or boxes used for transporting recreational equipment, whether occupied by such equipment or not.

Microbrewery: An establishment primarily engaged in manufacturing (i.e., brewing) beer and/or malt beverage in an amount not to exceed two million gallons per calendar year.

Mixed-use development: Development projects that incorporate new residential and non-residential (commercial, community facility and light industrial) uses and are permitted as-of-right in certain zoning districts.

Modular home: A modular home is a factory fabricated transportable building consisting of units designed to be incorporated at a building site on a permanent foundation into a structure to be used for residential purposes.

Nursing home: A facility that admits patients on medical referral only and for whom arrangements have been made for continuous medical supervision, maintains the services and facilities for skilled nursing care, rehabilitative nursing care, and has a satisfactory agreement with a physician and dentist who will be available for any medical or dental emergency and who will be responsible for the general medical and dental supervision of the home.

Official zoning map: A legally adopted map that conclusively shows the location and boundaries of zoned districts.

Open space: An open, unoccupied, unobstructed space that provides a usable amenity area on the same lot as a building. Required yards and requirements for sidewalk zones and landscape zones which are constructed on private property may be counted towards this requirement. Open space may also include balconies, roof-top terraces, front yards, planted areas, fountains, parks, plazas, trails and paths, hardscape elements related to sidewalks and plazas, and similar features which are located on private property. Open space shall not include areas devoted to public or private vehicular access.

Outdoor storage: The location of any goods, wares, merchandise, commodities, junk, debris or any other item outside of a completely enclosed building for a continuous period longer than twenty-four (24) hours.

Parking lot: An area or plot of ground used for the storage or parking of motor vehicles either for compensation or to provide an accessory service to a business, industrial or residential use.

Permitted use: Any use allowed in a zoning district and subject to the restrictions applicable to that zoning district.

PART II - CODE OF ORDINANCES
APPENDIX A - ZONING
ARTICLE VII. DEFINITIONS

Personal care home: Any dwelling, whether operated for profit or not, which undertakes through its ownership or management to provide or arrange for the provision of housing, food service, and one or more personal services for two or more adults who are not related to the owner or administrator by blood or marriage. This term shall not include host homes, as defined in paragraph (18) of subsection (b) of O.C.G.A. Section 37-1-20.

Pervious paving: A surface that allows water to pass through voids in or between paving materials while providing a stable, load bearing surface for vehicles.

Planned unit development (PUD): A provision that allows more flexibility to development projects that incorporate two (2) or more buildings on a tract or several tracts of land than would otherwise be allowed by the underlying zoning district regulations. The following types of PUDs are allowed by this ordinance: Planned Residential Developments; Cottage Housing Developments, and Planned Mixed-use Developments; Planned Commercial Development.

Planning and zoning board: Refers to the planning and zoning board of the City of Clarkston as described in Chapter 15 of the Clarkston Code of Ordinances.

Poultry: Any domesticated fowl whether kept for the production of eggs, meat, feathers, or otherwise.

Private deed restrictions or covenants: Private deed restrictions or covenants are imposed on land by private land owners. They bind and restrict the land in the hands of present owners and subsequent purchasers. They are enforced only by the land owners involved and not by the city or other public agency.

Quasi-judicial officers, boards, or agencies: Quasi-judicial officers, boards, or agencies shall have the same meaning as defined in O.C.G.A. § 36-6-3.

Restaurant, carry-out: A building or portion thereof where food and/or beverages are sold in a form ready for consumption and where all or a significant portion of the consumption takes place or is designed to take place outside the confines of the building.

Restaurant, dine-in: A retail establishment where food and beverages are offered for sale to the public for either on-site consumption or for carry out to consume off-site.

Restaurant, drive-through: Any restaurant where all or a portion of the business activity is dedicated to serving customers by way of a drive-through window that allows customers to be served while inside an automobile.

Retail services: Establishments providing services or entertainment, as opposed to products, to the general public, including eating and drinking places, hotels and motels, finance, real estate and insurance, personal services, motion pictures, amusement and recreation services, health, educational and social services, museums and galleries.

Retail trade: Establishments engaged in selling goods or merchandise to the general public and for personal or household consumption and rendering services incidental to the sale of such.

Right-of-way: A strip of land acquired by reservation, dedication, forced dedication, prescription or condemnation and intended to be occupied or occupied by a road, crosswalk, railroad, electric transmission lines, oil or gas pipeline, water line, sanitary storm sewer and other similar uses.

Sanitary landfill: An area of land utilized for sanitary disposal by filling with solid waste refuse and garbage, then covering with layers of earth.

Setback: The required space between a property line and a building or specified structure.

PART II - CODE OF ORDINANCES
APPENDIX A - ZONING
ARTICLE VII. DEFINITIONS

Sidewalk clear zone: An unobstructed walkway with a minimum width of seven (7) feet and hardscaped located between the building face and landscape strip.

Story: That portion of a building included between the surface of any floor and the surface of the next floor above it, or if there is no floor above it, then the space between such floor and the ceiling next above. Attic or daylight basement space is construed as one-half (½) story. A fully underground basement is not a story.

Street: A thoroughfare that affords the principal means of access to abutting property.

Street grade: The established grade of the front street or other higher street upon which the lot abuts at the midpoint of the frontage of the plot thereon.

Street line or highway margin: The dividing line between a lot, tract or plot of land and a contiguous street, road or highway right-of-way.

Structure: Anything constructed or erected on the ground or attached to something on the ground.

Structural alterations: Any change, except for repair or replacement, in the supporting members of a building such as load-bearing walls, columns, beams or girders, floor joists or roof joists.

Structural trim: The molding, battens, cappings, nailing strips, latticing, and platforms which are attached to any structure, including signs.

Subdivision: All divisions of a tract or parcel of for the purpose (whether immediate or future) of sale, lease, legacy or building development; it includes all divisions of land involving a new street to which the public has access (whether private or public) or change in an existing street and includes re-subdivision. Subdivision is also the process (and the result) of dividing a parcel of raw land into smaller buildable sites, blocks, streets, open space and public areas and the designation of the location of utilities and other improvements.

Temporary housing: Any tent, trailer, or other structure used for human shelter which is designed to be transportable, and which is not attached to the ground, to another structure, or to any utilities systems and which is not on the same premises for more than thirty (30) consecutive days.

Threshold, front door: Establishes location of new residential construction for purposes of controlling proportion of mass and building height to lot size.

Traffic Impact Study: A report which measures and analyzes data pertinent to the flow, rate of speed and density of traffic, to determine its impact on the safety of citizens within a neighborhood or affected area.

Variance: A grant of relief that modifies the strict dimensional or numerical requirements of this ordinance to permit construction in a manner that would otherwise be prohibited by this Code. A variance from the terms of this ordinance may be granted per criteria established here within and provided that the variance not be contrary to the public interest.

Yard: An open space on a lot situated between the primary building or use on the lot and a lot line and unoccupied by any structure except as otherwise provided herein.

Yard, front: An open, unoccupied space on the same lot with a primary building or use, extending the full width of the lot and located between the street line and the front line of the building projected to the side lines of the lot.

Yard, rear: An open, unoccupied space not including parking on the same lot with a primary building or use or an accessory building or use, extending the full width of the lot and located between the rear line of the lot and the rear line of the building or use projected to the side lines of the lot.

PART II - CODE OF ORDINANCES
APPENDIX A - ZONING
ARTICLE VII. DEFINITIONS

Yard, side: An open, unoccupied space on the same lot with a primary building or use, located between the building or use and the side line of the lot and extending from the rear line of the front yard to the front line of the rear yard.

Zoning decision: Zoning decision shall have the same meaning as defined in O.C.G.A. § 36-6-3.
(Ord. No. 480, § 1, 6-6-23)

STAFF ANALYSIS AND REPORT

To: City of Clarkston Planning & Zoning Board

From: Richard Edwards, AICP

Subject: Proposed Text Amendments to the City of Clarkston Zoning Ordinance, Appendix A, Article IV to add amend the Use Table to expand the allowance of duplexes, townhomes, and home occupations.

Date: November 18, 2025

Purpose:

The purpose of this staff report and analysis is to present the proposed text amendments to *Appendix A. Article IV* to expand the allowance of duplexes, townhomes, and home occupations within the Use Table. The Planning Commission is requested to provide a recommendation at their public hearing on November 18, 2025, which will be forwarded to the City Council for further consideration at their public hearing scheduled for November 25, 2025.

Background:

On October 7, 2025, the Clarkston City Council voted to adopt the City of Clarkston Summit Data and Recommendations from the Atlanta Regional Commission (ARC). One of the recommendations was for a zoning update for by-right zoning to diversify the housing types. Another of the recommendations was to consider adding residential uses to non-residential areas. This proposed text amendment to the Use Table is following those adopted recommendations from ARC's findings.

Analysis:

This text amendment is proposing the following changes:

1. Allow duplexes in the NR-2 and the RC zoning districts.
2. Allow townhomes in the TC zoning district with approval from City Council.
3. Allow home occupations in the NR-CD and RC zoning districts.

These recommendations are aligned with the City's 2040 Comprehensive Plan for the TC and RC zoned lots fall within the Mixed-Use future land use designation. This designation calls for the vertical and horizontal mix of uses.

The NR-2 zoned lots fall within the Single-Family future land use designation, which recommends townhomes and single-family homes. This is not a clear alignment with the Comprehensive Plan but the Zoning Code does call for the allowance of "attached residences."

The text amendment to allow home occupations in the NR-CD and RC zoning district will align the Use Table with the language found in Sec. 407, which states "in all residential zoning districts, any building used for residential occupancy may conduct a home occupation use..."

Further, these text amendments are aligned with the Zoning Code. Below are the purposed and intent statements found in the zoning code for each of the districts included in this text amendment.

NR-2, medium- density neighborhood residential district

Sec. 307(a) Purpose and intent. The NR-2 zoning district is intended for single-family detached, townhomes, and attached residences on smaller lots where large amounts of open space are not required and/or desired.

NR-CD, neighborhood residential-community development district

Sec. 315(a) Purpose and intent. The NR-CD zoning district is primarily intended for multi-family housing developments. However, the district allows for a mix of housing types, including single-family attached, townhomes, and detached structures, as well as some limited institutional and personal service uses that would be convenient to nearby residents.

RC, residential/commercial district

Sec. 316(a) Purpose and intent. The RC zoning district is intended to allow converted residential structures with commercial uses to coexist with residential uses. Commercial uses will be limited in order to maintain the current balance and aesthetic in the surrounding area. Residences converted to office uses are acceptable when kept at current scale.

TC, town center district

Sec. 317(a) Purpose and intent.

- (1) Promote development of a compact, pedestrian-oriented town center consisting of a high-intensity employment center, vibrant and dynamic mixed-use areas;*
- (2) Promote a diverse mix of residential, business, commercial, office, institutional, cultural and entertainment activities for workers, visitors, and residents;*
- (3) Encourage bicycle and pedestrian-oriented development at densities and intensities that will help to support transit usage and town center businesses;*
- (4) Promote the health and well-being of residents by encouraging physical activity, alternative transportation, and greater social interaction;*
- (5) Create a place that represents a unique, attractive, and memorable destination for visitors and residents; and*
- (6) Enhance the community's character through the promotion of high-quality urban design.*

Sec. 403. Use Table.

Table 4.1 indicates the permitted uses within the city zoning districts. Additional use restrictions or conditions may apply to permitted or conditional uses as set forth in the supplemental standards found in this Article.

- (a) The uses listed in table 4.1 shall be permitted only within the zoning districts identified, and no use shall be established, and no structure associated with such use shall be erected, structurally altered or enlarged unless the use is permitted as:
 - (1) A permitted use (P);
 - (2) A conditional use (C) subject to the conditional use permit application procedures specified in article II of this chapter;
 - (3) An administratively approved use (AP);
 - (4) An accessory use (Pa) as regulated by Article IV of this chapter. Table 4.1 does not list all accessory uses but clarifies uses acceptable as accessory, though not typically considered primary uses for the zoning classification;
 - (5) Uses lawfully established prior to the effective date of the ordinance from which this chapter is derived.
- (b) Any use not listed in Table 4.1 or interpreted to be allowed by the city manager pursuant to subsection d in this section is prohibited.
- (c) If there is a conflict between table 4.1 and the text of this chapter, the text shall prevail.
- (d) Interpretation of unlisted uses:
 - (1) Where a particular use is not specifically listed in table 4.1, the city manager shall have the authority to permit the use if the use is similar to uses permitted by this article. The city manager shall give due consideration to the purpose and intent statements contained in this zoning ordinance concerning the base zoning districts involved, the character of the uses specifically identified and the character of the uses in question.

Table 4.1 Use Table											
P: Permitted use C: Conditional use subject to the conditional use permit application procedures specified in article II of this chapter AP: Administratively approved use Pa: Accessory use as regulated by article IV of this chapter.											
	NR-1	NR-2	NR-3	NC-1	NC-2	TC	I	R-OS	NR-CD	RC	Supplemental Standards
Residential											
Apartment childcare or tutoring			P	P	P	P			P		Sec. 404
Assisted Living									P	P	
Boarding or Rooming House, except halfway houses									C	C	
Dwelling, Accessory	P	P	P						P	P	Sec. 413
Dwelling, Duplex		<u>P</u>	P						P	<u>P</u>	
Dwelling, Multi-family				P	P	P			P	P	
Dwelling, Single-family detached	P	P	P						P	P	

Dwelling, Townhome		P	P				P*			P		
Dwelling, Triplex			P							P		
Dwelling, Quadruplex			P									
Home Occupation	P	P	P							P	P	Sec. 407
Non-commercial horticulture and agriculture	P	P	P									Sec. 408
Non-commercial poultry	P	P	P									Sec. 409
Personal Care Home										C	C	
Planned Unit Developments												
Cottage Housing Developments		P*	P*							P*	P*	
Planned Commercial Development				P*	P*	P*				P*	P*	
Planned Mixed-Use Development				P*	P*	P*				P*		
Planned Residential Development		P*	P*								P*	
Commercial and Retail												
Adult entertainment or establishment								C				
Antique shop				P	P	P					P	
Apparel store				P	P	P						
Art store/gallery				P	P	P				P	P	
Banks and financial institutions				P	P	P					P	
Bed and breakfast inns			C			P					C	Sec. 405
Book and video store (non-adult oriented)				P	P	P					P	
Bottle shop/package store					C	P	P					
Bowling Alleys						P	P			C		
Camera shop				P	P	P				P		
Car washes					C		C					
Child day care, adult day care												Sec. 406
Dry cleaner (except drive thru)				P	P							
Eating and drinking establishment, excluding drive-thru/drive-in establishments				P	P	P	P			P	P	
Electronics and appliance store						P						
Entertainment venues (non-adult oriented)							P					
Florist				P	P	P				P	P	
Funeral home (no on-site crematory services)							P					
Furniture and home furnishings						P						
Greenhouses and horticultural nurseries				P	P					P	P	
Grocery store						P						
Hookah/Vape Store												
Hospital							P					
Hotel						C						
Jewelry store				P	P	P				P	P	
Laundry, self-service				C	C		C					
Massage establishment							C					

Microbrewery				P	P	P	P		C		
Movie Theater (non-adult oriented)						P	P				
Non-automotive repair services (cameras, jewelry, shoes)				P	P	P	P				
Parking structure				Pa	Pa	Pa	Pa	Pa	Pa		
Personal service establishment (barber shop, hair salon, nail salon)				P	P	P			P	P	
Pet boarding/breeding kennel							P				
Pet grooming and supply shop				P	P	P					
Pharmacy or Drug store				P	P						
Recycling collection				Pa	Pa	Pa	Pa			Pa	
Recycling collection/drop off centers									Pa		
Research and experimental testing laboratories							C				
Retail, 2,500 - 5,000 s.f.					P	P			P	C	
Retail, 2,500 s.f. or less				P	P				P	P	
Retail, over 5,000 s.f.						P	P				
Shoe store				P	P	P					
Sporting goods store				P	P	P					
Tattoo parlor and piercing studio					P	P	P				
Title loan businesses, pawn shops							C				
Toy store				P	P	P					
Office, Institutional, and Cultural											
Library, Public				C	C	C	C	C	C	C	
Pre-schools and similar establishments				P	P	P			P	P	
Office (Professional)				P	P	P	P			P	
Office (Medical)				P	P	P	P			P	
Office (Veterinary without boarding)				P	P	P	P			P	
Parks/Green Space	P	P	P	P	P	P	P	P	P	P	
Places of assembly, including religious institutions	C	C	C	C	C		P		C	C	Sec. 411
Tutoring Establishments				P	P	P	P		P	P	
Industrial and Manufacturing											
Automobile, truck, motorcycle and heavy equipment sales/service/rental/parts/repair establishments					C		P				
Building and equipment supply/repair services (no outdoor storage)							P				
Commercial dry-cleaning plants							C				
Communications towers (cellular)							C				
Crematories							C				
Manufacturing and assembly, provided no gas, fumes or odors are emitted as a result of the activity							P				
Outdoor storage, commercial											

Trade shops (locksmith, gunsmith, sheet metal, upholstery, furniture, appliance, electrical, carpentry)								P				
Wholesaling and warehousing (entirely indoors)								P				
Temporary Uses												
Farmer's market				AP	AP	AP	AP	AP	AP	AP	AP	Sec. 414
Festival				AP	AP	AP	AP	AP	AP	AP	AP	Sec. 414
Food truck				AP	AP	AP	AP	AP	AP	AP	AP	Sec. 414
Seasonal activities and sales				AP	AP	AP	AP	AP	AP	AP	AP	Sec. 414
Storage of construction equipment				AP	AP	AP	AP	AP	AP	AP	AP	Sec. 414
Tent sale/sale of goods from temporary location				AP	AP	AP	AP	AP	AP	AP	AP	Sec. 414
* When approved by City Council												

(Ord. No. 480, § 1, 6-6-23)

STAFF ANALYSIS AND REPORT

To: City of Clarkston Planning & Zoning Board

From: Richard Edwards, AICP

Subject: Proposed Text Amendments to the City of Clarkston Zoning Ordinance, Appendix A, Articles III, Sec. 305 to amend residential zoning district dimensional requirements in the NR-1, NR-2, and NR-3 zoning districts.

Date: November 18, 2025

Purpose:

The purpose of this staff report and analysis is to present the proposed text amendments to *Appendix A. Articles III* to update development standards related to duplexes and townhomes. The Planning Commission is requested to provide a recommendation at their public meeting on November 18, 2025, which will be forwarded to the City Council for further consideration at their public hearing scheduled for November 25, 2025.

Background:

In 2024, the Housing and Infrastructure Committee put forth a set of proposed text amendments to increase maximum floor area ration (FAR), reduce minimum lot and increase maximum lot coverage for the NR-3 zoning district; to reduce the minimum lot width and remove side setback requirements for single-family attached dwelling units (townhomes); to increase the maximum building height for the TC district; and to reduce the parking requirements for certain dwelling types. These measures were not approved by the Mayor and City Council. However, the conversations on the need for updated development standards and definitions for townhomes developments have continued with the Housing Summit that was coordinated by the Atlanta Regional Commission (ARC).

On October 7, 2025, the Clarkston City Council voted to adopt the City of Clarkston Summit Data and Recommendations from the Atlanta Regional Commission (ARC). Some of the top concerns that were raised by citizens included:

- Low percentage of home ownership
- Increase housing types, quantity
- Old residents are being priced out
- Redo zoning code to make it easier to build missing middle housing
- Aging housing stock is in bad shape but with a high price
- Not enough options for young people
- Housing Unaffordability (69.2% of responses included affordability)

On May 22, 2025, the ARC presented at the City of Clarkston Housing Summit that the average cost of construction for a single-family home in 2024 was \$428,215 for the average single-family home, which consist of 2,647 sq. ft or \$162 per square foot. This cost excludes the purchase of land.

Based on citizen input and research by ARC, the City of Clarkston Summit Data and Recommendations included recommendations for zoning updates to help address affordability and diversifying housing types.

Analysis:

This packet includes the following proposed text amendments:

1. Increase the floor area ration (FAR) for NR-2 to 0.6 and NR-3 to 1.0. This would keep these zoning districts in line with their intent, as NR-2 is medium density residential and NR-3 is high density residential.
2. Creating a minimum 20% open space requirement for townhomes in NR-2 and NR-3.
3. Creating a minimum site area, which would be the minimum area required for a new lot in the applicable zoning district. This also includes reducing the total site area for NR-3 from 5,000 s.f. to 4,000 s.f..
4. Updating the minimum lot size to include 1,400 s.f. lots for townhomes in the NR-2 and NR-3 zoning districts and reducing the minimum lot size for single-family detached, duplex, and quadruplex to 4,000 s.f. in the NR-3 zoning district.
5. Creating a minimum site width, which would be the new width of any new lot created.
6. Updating the minimum lot width for duplex and townhomes in the NR-2 zoning district and updating the minimum lot widths for duplex, triplex/quadplex, and townhomes in the NR-3 zoning district.
7. Updating the minimum front setback for duplex and townhomes in the NR-2 zoning district to 25’ and updating the minimum front yard setback for duplex, triplex/quadplex, and townhomes in the NR-3 zoning district to 15’.
8. Creating a 10’ minimum building separation requirements for townhomes in the NR-2 and NR-3 zoning.
9. Adding a footnote at the bottom of Table 3.4 to clarify a 0’ setback between attached townhome units.

Below are two tables comparing the proposed and current Clarkston regulations with other cities throughout DeKalb County. These regulations particularly focus on townhome developments.

NR-2 Comparison	Maximum Density (units/acre)	FAR	Maximum Lot Coverage	Minimum Site/Lot Size	Minimum Site Width	Minimum Lot width
Clarkston Proposed	--	0.6	50%	7,500 (1,400)	60’	60’ (18’)
Brookhaven (RSA-8)	8	-	50%	6,000	100’	20’
Tucker (MR-1)	8	-	80%	1,000	-	24’
Stone Mountain (MR-1)	20	-	60%	7,000	40’	-

There are currently three (3) single-family subdivision that are zoned NR-2 and below is an analysis of the existing development standards of those subdivisions.

Existing NR-2 Neighborhoods	Density (units/acre)	FAR	Lot Coverage	Minimum Lot Size	Lot Width
Market Street Commons	5.68 (36u /6.34a)	0.40-0.48	55%-60%	4,792	48’
Maclaren	5.1 (75u/14.7a)	0.40-0.45	50%-64%	4,356	50’
Market’s Walk	4.26 (38u/8.92a)	0.40-0.46	25%-52%	4,356	55’

Townhome developments would still have to meet the “minimum site area” of 7,500 sq ft before a new 1,400 sq ft townhome lot could be created.

Based on the proposed NR-2 regulations, the approximate maximum townhome density would be 9 units per acre assuming 0.6 FAR, 50% maximum lot coverage, 20% minimum open space, and 20% of lot coverage for parking, driveways, and walkways.

This would be a density increase for townhomes and the density for single-family homes would be similar to the existing NR-2 zoned subdivisions.

The proposed amendment would increase density site size, site width, and allowable floor area while decreasing the maximum lot coverage compared to the existing NR-2 developments.

NR-3 Comparison	Units/Acre	FAR	Maximum Lot Coverage	Minimum Site/Lot Size	Minimum Site Width	Minimum Lot Width
Clarkston		1.0	65%	4,000 (1,400)	50'	50' (18')
Brookhaven (RSA-18)	18	-	80%	6,000	100'	20'
Tucker (MR-2)	12	-	85%	1,000	-	20
Stone Mountain (MR-1)	20	-	60%	7,000	40'	-

Based on the proposed NR-3 regulations, the approximate maximum density would be 19-20 units per acres. This calculation includes the 20% open space, 65% maximum lot coverage, and 20% lot coverage for driveways, streets, fire lanes, and parking.

Existing NR-3 Neighborhoods	Density (units/acre)	FAR	Lot Coverage	Minimum Lot Size	Lot Width
Twin Oaks Apts	20.51 (32u/1.56a)	0.37	56%	6,534 s.f.	79'
Clarkston Townhomes*	13.38 (91u/6.8a)	0.37	57%	6.8 acres	393'
Smith Street Apartments	15 (18u/1.2a)	0.31	50%	1.2 acres	157'
Brockett Place Condos	16.6 (40u/2.41a)	-	62%	2.41 acres	313'
Lovejoy Street Townhomes	15.1 (12u/0.79a)	0.44	65%	1,742	20'

*Peachtree Creek runs through the eastern part of this property deeming it undevelopable.

The proposed townhome regulations would increase the density for townhome developments from approximately 8.7 units per acre, based on a minimum 5,000 square foot lot, to 19-20 units per lot. This proposed amendment is similar to neighboring cities in DeKalb County for high-density residential zoning districts.

The proposed amendment would increase density while also decreasing lot coverage when compared to the existing high-density NR-3 developments.

Single-Family	Density (units/acre)	FAR	Minimum Lot Coverage	Minimum Lot Size	Lot Width
Existing Single-Family Regs.	8.7	0.4	50%	5,000 sf	50'
Proposed Single-Family Regs.	10.89	0.6	50%	4,000 sf	50'

The proposed single-family amendment would slightly increase density and increase the allowable floor area of new homes while maintaining the lot coverage and lot width requirements. The proposed text amendment changes would resemble the lot sizes found in the Clemsil Neighborhood, which are as small as 3,485 sq ft.

These text amendments are aligned with the City of Clarkston 2040 Comprehensive Plan. The NR-2 zoned lots fall within the Single-Family future land use designation, which recommends preservation of single-family homes, both historic as well as new development. This designation also recommends allowance of townhomes and single-family homes.

The NR-3 zoning district predominantly falls within the Traditional Neighborhood future land use designation, which recommends the nurturing of traditional neighborhood development patterns and housing types. This includes walkable areas of single-family homes, duplexes and triplexes, cottage courtyard housing, 4-6 unit walk-up apartment buildings, and townhomes.

Further, these amendments are aligned with the city’s Zoning Code. Below are the purpose and intent statements for the NR-2 and NR-3 zoning districts.

NR-2, medium- density neighborhood residential district

Sec. 307(a) Purpose and intent. The NR-2 zoning district is intended for single-family detached, townhomes, and attached residences on smaller lots where large amounts of open space are not required and/or desired.

NR-3, high-density neighborhood residential district

Sec. 308(a) Purpose and intent. The NR-3 zoning district is intended for residences at a greater density on smaller lots in order to provide for a variety of housing types, including single family detached, single-family attached, duplexes, triplexes, quadruplexes, cluster homes and condominiums. This district may also serve as a transitional zone between light commercial/office uses and districts reserved for lower density single-family uses.

Sec. 305. Dimensional Standards.

Dimensional requirements for residential zoning districts are established in Table 3.4, Residential Zoning Districts Dimensional Requirements. Buffer requirements on Table 5.3 also apply.

Table 3.4 Residential Zoning District Dimensional Requirements			
	NR-1	NR-2	NR-3
Primary Structure			
Maximum FAR	0.4	0.6 0.4	1.0 0.4
Minimum Unit Size	1000 s.f.	900 s.f.	800 s.f.
Maximum Lot Coverage	50%	50%	65% 50%
<u>Minimum Open Space (townhome)</u>	<u>N/A</u>	<u>20%</u>	<u>20%</u>
Maximum Building Height	35'	35'	35'
Minimum <u>Site Area Lot Size</u>	9,000 s.f.	7,500 s.f.	54,000 s.f.
<u>Minimum Lot Size</u>	<u>SF detached – 9,000 s.f.</u> <u>Duplex – N/A</u> <u>Triplex/Quadplex – N/A</u> <u>Townhome – N/A</u>	<u>SF detached – 7,500 s.f.</u> <u>Duplex – 7,500 s.f.</u> <u>Triplex/Quadplex – N/A</u> <u>Townhome – 1,400 s.f.</u>	<u>SF detached – 4,000 s.f.</u> <u>Duplex – 4,000 s.f.</u> <u>Triplex/Quadplex – 4,000</u> <u>Townhome – 1,400 s.f.</u>
<u>Minimum Site Width</u>	<u>75'</u>	<u>60'</u>	<u>50'</u>
Minimum Lot Width	<u>SF detached - 75'</u> <u>Duplex – N/A</u> <u>Triplex/Quadplex – N/A</u> <u>Townhome – N/A</u>	<u>SF detached - 60'</u> <u>Duplex – 60'</u> <u>Triplex/Quadplex – N/A</u> <u>Townhome – 18'</u>	<u>SF detached - 50'</u> <u>Duplex – 50'</u> <u>Triplex/Quadplex – 50'</u> <u>Townhome – 18'</u>
Minimum Front Setback (SF detached)	<u>SF detached - 30'</u> <u>Duplex – N/A</u> <u>Triplex/Quadplex – N/A</u> <u>Townhome – N/A</u>	<u>SF detached - 25'</u> <u>Duplex – 25'</u> <u>Triplex/Quadplex – N/A</u> <u>Townhome – 25'</u>	<u>SF detached - 15'</u> <u>Duplex – 15'</u> <u>Triplex/Quadplex – 15'</u> <u>Townhome – 15'</u>
Minimum Front Setback (duplex/triplex)	N/A	N/A	15'
Minimum Front Setback (townhome)	N/A	15'	15'
Minimum Side Setback [1]	10'	7'	5'
<u>Minimum Building Separation (Townhome)</u>	<u>N/A</u>	<u>10'</u>	<u>10'</u>
Minimum Rear Setback (SF detached)	25'	20'	15'
Minimum Rear Setback (duplex/triplex)	N/A	N/A	15'
Accessory Dwelling Unit			
Maximum Height	See Section 413		
Minimum Side Setback	10'	7'	5'
Minimum Rear Setback	10'	7'	5'

[1] Townhomes shall have 0' setback between attached units.

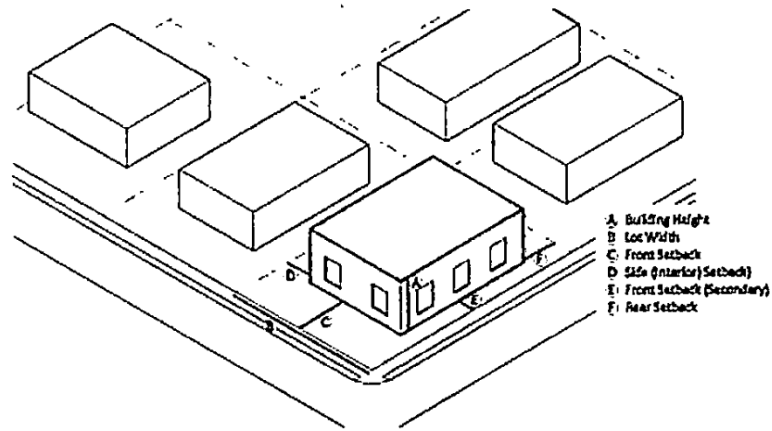


Figure 3.1 Residential Standards

(Ord. No. 480, § 1, 6-6-23)

STAFF ANALYSIS AND REPORT

To: City of Clarkston Planning & Zoning Board

From: Richard Edwards, AICP

Subject: Proposed Text Amendments to the City of Clarkston Zoning Ordinance, Appendix A, Article III to update development standards for townhomes in the NR-CD, RC, and TC zoning districts.

Date: November 18, 2025

Purpose:

The purpose of this staff report and analysis is to present the proposed text amendments to *Appendix A. Article III* to update development standards related to townhomes. The Planning Commission is requested to provide a recommendation at their public hearing on November 18, 2025, which will be forwarded to the City Council for further consideration at their public hearing scheduled for November 25, 2025.

Background:

On October 7, 2025, the Clarkston City Council voted to adopt the City of Clarkston Summit Data and Recommendations from the Atlanta Regional Commission (ARC). The recommendations from ARC's engagement and research included zoning updates to help address affordability, diversifying housing types, and to consider adding residential uses to non-residential areas. Further, input from citizens included finding ways to address missing middle housing, increasing housing types and quantity, and addressing affordability.

Analysis:

This packet includes the following proposed text amendments:

1. Sec. 314. Dimensional Standards for Mixed Use Districts to include the following:
 - a. Amending "minimum lot size" to "minimum site area," which will allow townhome developments to have a minimum site area but still allow for a smaller lot size for the individual townhome units.
 - b. Increases the maximum building height in the TC zoning district from 5 stories/75' to 7 stories/100'.
 - c. Clarifies minimum site area for townhomes at 5,000 sf in NR-CD zoning districts.
 - d. Reduces the RC site area from 7,200 to 5,000.
 - e. Included minimum site width requirements, which reflect the existing lot width requirements.
 - f. Updates to the minimum lot width requirements for townhomes in the NR-CD zoning district to 14'.
 - g. Updates to the front setback requirements for townhomes in the NR-CD zoning district to 10'.

- h. Updates to the side setback requirements for townhomes in the NR-CD zoning district.
- i. Creates a 10’ minimum building separation for townhomes in the NR-CD zoning district.
- j. Adding a footnote at the bottom of Table 3.6 to clarify a 0’ setback between attached townhome units.

NR-CD Townhomes	Density (units/acre)	FAR	Lot Coverage	Minimum Lot Size	Lot Width
Glendale Rowes	12.10 (60u /4.98a)	0.46	70%	1,800	20’
Woodland Ave Townhomes	10 (14u/1.40a)	0.53	54.5%	1,800	22’

These recommendations are aligned with the City’s 2040 Comprehensive Plan for the TC and RC zoned lots fall within the Mixed-Use future land use designation. This designation calls for the vertical and horizontal mix of uses.

Further, these text amendments are aligned with the Zoning Code. Below are the purposed and intent statements found in the zoning code for each of the districts included in this text amendment.

NR-CD, neighborhood residential-community development district

Sec. 315(a) Purpose and intent. The NR-CD zoning district is primarily intended for multi-family housing developments. However, the district allows for a mix of housing types, including single-family attached, townhomes, and detached structures, as well as some limited institutional and personal service uses that would be convenient to nearby residents.

RC, residential/commercial district

Sec. 316(a) Purpose and intent. The RC zoning district is intended to allow converted residential structures with commercial uses to coexist with residential uses. Commercial uses will be limited in order to maintain the current balance and aesthetic in the surrounding area. Residences converted to office uses are acceptable when kept at current scale.

TC, town center district

Sec. 317(a) Purpose and intent.

- (1) Promote development of a compact, pedestrian-oriented town center consisting of a high-intensity employment center, vibrant and dynamic mixed-use areas;*
- (2) Promote a diverse mix of residential, business, commercial, office, institutional, cultural and entertainment activities for workers, visitors, and residents;*
- (3) Encourage bicycle and pedestrian-oriented development at densities and intensities that will help to support transit usage and town center businesses;*
- (4) Promote the health and well-being of residents by encouraging physical activity, alternative transportation, and greater social interaction;*
- (5) Create a place that represents a unique, attractive, and memorable destination for visitors and residents; and*
- (6) Enhance the community's character through the promotion of high-quality urban design.*

PART II - CODE OF ORDINANCES
 APPENDIX A - ZONING
 ARTICLE III. - ZONING DISTRICT REGULATIONS
 DIVISION 4. MIXED USE DISTRICTS

DIVISION 4. MIXED USE DISTRICTS

Sec. 314. Dimensional Requirements.

Dimensional requirements for mixed use zoning districts are established in Table 3.6, Mixed-Use Zoning Districts Dimensional Requirements. Buffer requirements on Table 5.3 also apply.

Table 3.6 Mixed-Use Zoning District Dimensional Requirements			
	NR-CD	RC	TC
Primary Structure			
Maximum FAR	2	1	5
Minimum Unit Size	700 s.f.	800 s.f.	700 s.f.
Maximum Lot Coverage	80%	50%	80%
Minimum Open Space	20%	20%	20%
Maximum Building Height	50'	35'	<u>7 stories/ 100' 5 stories/75'</u>
Minimum <u>Site Area Lot Size</u>	Single-Family Use: 5,000 sq. ft. Multi-Family Use: N/A Non-Residential Use: N/A <u>Townhome: 5,000 sq. ft.</u>	<u>7,200 5,000-s.f.</u>	N/A
<u>Minimum Lot Size</u>	<u>Single-Family Use: 5,000 sq. ft. Multi-Family Use: N/A Non-Residential Use: N/A</u> <u>Townhome: 1,400 sq. ft.</u>	<u>5,000 s.f.</u>	<u>N/A</u>
<u>Minimum Site Width</u>	<u>Single-Family Use: 60'</u> <u>Multi-Family Use: 75'</u> <u>Non-Residential Use: 75'</u> <u>Townhome: 75'</u>	<u>60'</u>	<u>50'</u>
Minimum Lot Width	Single-Family Use: 60' Multi-Family Use: 75' Non-Residential Use: 75' <u>Townhome: 14'</u>	50'	N/A
Minimum Front Setback	Single-Family Use: 10' Multi-Family Use: 10' Non-Residential Use: 30' <u>Townhome: 10'</u>	15'	0'
Minimum Side Setback <u>[1]</u>	Single-Family Use: 15' between units Multi-Family Use: 10' Non-Residential Use: 15' <u>Townhome: 10'</u>	7'	0'

<u>Minimum Building Separation (Townhome)</u>	<u>10'</u>	<u>N/A</u>	<u>N/A</u>
Minimum Rear Setback	25'	20'	0'
Accessory Dwelling Unit			
Maximum Height	See Section 413		
Minimum Side Setback	5'	5'	5'
Minimum Rear Setback	5'	5'	5'

[1] Townhomes shall have 0' setback between attached units.

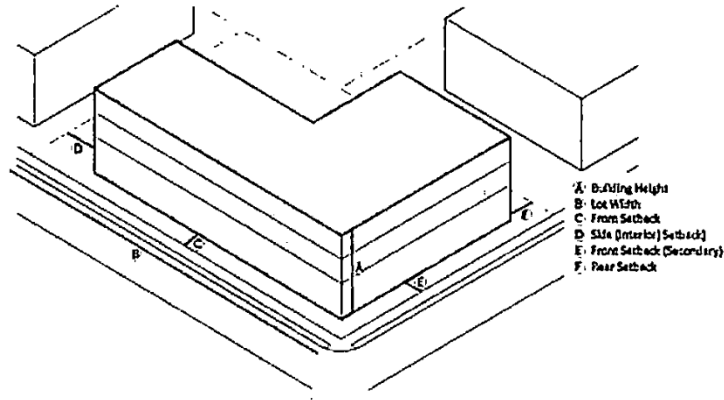


Figure 3.3 Mixed-Use Standards

STAFF ANALYSIS AND REPORT

To: City of Clarkston Planning & Zoning Board

From: Richard Edwards, AICP

Subject: Proposed Text Amendments to the City of Clarkston Zoning Ordinance, Appendix A, Article VI to add amend the off-street parking requirements.

Date: November 18, 2025

Purpose:

The purpose of this staff report and analysis is to present the proposed text amendments to *Appendix A. Article IV* to amend the off-street parking requirements. The Planning Commission is requested to provide a recommendation at their public hearing on November 18, 2025, which will be forwarded to the City Council for further consideration at their public hearing scheduled for November 25, 2025.

Background:

This text amendment is intended to fix some errors in the language of Sec. 607 and to update the off-street parking requirements to be closer aligned with the Institute of Transportation Engineers (ITE) Parking Generation Manual for residential use types.

Analysis:

This text amendment is proposing the following changes:

1. Removes Sec. 607 (a)(b) due to conflicting and redundant language.
2. Amends the off-street parking requirements for apartments, condominiums, and other multi-family attached uses:
 - 0.85 spaces per studio unit
 - 0.9 spaces per 1 bedroom unit
 - 1.65 spaces per 2 bedroom unit
 - 2 spaces per 3 bedroom unit
 - 0.15 spaces per unit for guest parking
3. Amends the off-street parking requirements for cottage housing to require one (1) parking space per dwelling and 0.15 spaces per unit for guest parking.
4. Amends the off-street parking requirements for residences including townhomes, duplexes, triplexes, and quadplexes to require one (1) space per dwelling unit and 0.15 spaces per unit for guest parking.
5. Separates single family residences from other residential use types and maintains the two (2) parking spaces per dwelling unit.
6. Adds accessory dwelling unit (ADU) to Table 6.1 and maintains the required one (1) space per ADU pursuant to Sec. 413.

Sec. 607. Off-street parking requirements.

The following are the minimum number of off-street parking spaces required by type of permitted use. The square footage is the gross square footage unless otherwise indicated.

~~(a) The total number of permitted parking spaces shall not exceed one hundred (100) percent of the minimum number of off-street parking spaces required by type of permitted use.~~

~~(b) The number of off-street parking spaces required by use are as follows:~~

Table 6.1 Parking Requirements	
Use	Minimum Number of Spaces Required
Commercial:	
Government, Office, Retail, Service Establishment, Restaurant, and Similar Commercial Uses	1.5 per 300 square feet of gross floor
Vehicle Repair Garages, Paint and Body Shops, Welding Shops, and Similar Establishments	1 per 200 square feet of gross floor area
Vehicle rental establishment	1 per 200 square feet of gross floor area plus one space for every vehicle for rent
Vehicle service garages	3 spaces per service bay
Hotel and motel	.75 spaces per guest room
Bed and Breakfast Inn	1 parking space per guest room, plus 1 for the owner-operator
Recreation—Subdivision recreation area	1 space per 10 dwelling units
Recreation—Commercial and public	1 space per 200 sq. ft. of recreational space
Wholesale stores	1 space per 600 sq. ft. of gross floor area, plus 1 space 2000 sq. ft. of gross storage area
Institutional:	
Places of worship and other places of assembly	1 per each 8 seats in the sanctuary or meeting room where seating is fixed or 1 per 50 square feet of gross floor area of sanctuary or meeting room where seating is not fixed
Theaters, Auditoriums, Funeral Homes, Community Centers and Other Places of Assembly	1 per each 4 seats where seating is fixed; 1 per 25 square feet of gross floor area of assembly area where seating is not fixed
Social organizations including lodges and fraternal organizations	1 space per 250 sq. ft.
Hospitals or group homes	1 space per 2 beds
Libraries, galleries, and similar uses	1 space per each 400 sq. ft. of gross space to which the public has access
Schools (elementary, middle, high schools)	2 per classroom, plus 1 space per each 8 seats in auditorium or assembly area where seating is fixed or 1 per 50 square feet of gross floor area of auditorium or assembly area where seating is not fixed
Schools (colleges, universities or adult education facilities)	As determined as part of the design approval
Daycare or nursery	2 spaces per classroom
Offices:	

Offices—Government, banks, professional, medical, general	1.5 per 300 square feet of gross floor
Residential:	
Apartments, townhomes , condominiums, and other multi-family attached uses	Minimum of 1 space per dwelling unit 0.85 spaces per studio unit 0.9 spaces per 1 bedroom unit 1.65 spaces per 2 bedroom unit 2 spaces per 3 bedroom unit 0.15 spaces per unit for guest parking
Boarding or rooming houses	1 space per 2 bedrooms
Cottage housing	1.1-2.5 to 2.0 spaces per dwelling unit as regulated in Section 529 and 0.15 spaces per unit for guest parking
Residences including single family townhomes , duplexes, triplexes, and quadruplexes.	2 1 spaces per dwelling units and 0.15 spaces per unit for guest parking
<u>Single Family Residences (detached)</u>	<u>2 Spaces per dwelling unit</u>
<u>Accessory Dwelling Units (ADU)</u>	<u>1 space per ADU pursuant to Sec. 413.</u>
Senior citizen independent living facility	.75 space per unit

(Ord. No. 480, § 1, 6-6-23)

STAFF ANALYSIS AND REPORT

To: City of Clarkston Planning & Zoning Board

From: Richard Edwards, AICP

Subject: Proposed Text Amendments to the City of Clarkston Zoning Ordinance, Appendix A, Article II to amend the written notice to adjacent and nearby property owners requirements.

Date: November 18, 2025

Purpose:

The purpose of this staff report and analysis is to present the proposed text amendments to *Appendix A. Article II* to amend the written notice to adjacent and nearby property owner requirements. . The Planning Commission is requested to provide a recommendation at their public hearing on November 18, 2025, which will be forwarded to the City Council for further consideration at their public hearing scheduled for November 25, 2025.

Background:

This text amendment is intended to amend the written public notice requirement to only require a USPS mailing, as opposed to the current certified mail return receipt requested requirement for the Planning and Zoning Board and City Council notices.

Analysis:

This text amendment is proposing to only require a USPS mailing, as opposed to the current certified mail return receipt requested requirement for the Planning and Zoning Board and City Council notices. Further, it would also extend the mailing period from 15 days to 20 days.

The cost of certified mail return receipt requested is \$8.12 (\$5.30 for certified mail + \$4.40 for return receipt) per letter. Over the past year, the notice requirements have included an average of 30 adjacent and neighboring properties, which would be \$243.60 for each mailing notice period (\$487.20). This is on top of the existing application and public notice signage fees.

Sec. 205. Common procedures.

- (a) *City manager review.* Upon receipt of an application for a rezoning, future land use map amendment, variance, conditional use permit, planned unit development, or upon notice from two (2) or more mayor and city council members of a proposed text amendment, and within thirty (30) days of receipt of the formal application and all required information, the city manager shall review the application (or proposed text amendment) and prepare a written analysis of the application (or proposed text amendment), which shall be provided to the planning and zoning board as well as the mayor and city council.
- (b) *Planning and zoning board review.*
- (1) All applications for rezoning, future land use map amendment, variance, conditional use permit, planned unit development, and all proposed amendments to the text of the zoning ordinance shall be submitted to the planning and zoning board for review. Such review shall be conducted based upon the standards set forth in the appropriate section of this zoning ordinance, depending on the type(s) of the applications. When a complete application is received, the planning and zoning board shall consider the application at its next regularly scheduled meeting, unless deferred pursuant to this section.
 - (2) The city clerk shall cause notice of the time, place, and purpose of the public meeting and a copy of the Planning and Economic Development Director's report on the application to be published on the city's website at least seven (7) days prior to the public hearing.
 - (3) The applicant shall post a sign or signs provided by the city in a conspicuous place on the property a minimum of fifteen (15) calendar days prior to the public meeting that shall comply with the following requirements:
 - i. Be readable from each street on which the property fronts, or if the property has no street frontage, from each street from which access will be gained;
 - ii. Clearly indicate the following information
 - a. Present zoning classification of the property;
 - b. Proposed zoning classification or special use; date and time; and
 - c. Location of the public hearing.
 - iii. Be maintained by the applicant to prevent removal from the property or destruction.
 - (4) Written notice to adjacent and nearby property owners. The applicant shall give written notice by USPS certified mail return receipt requested to all property owners within three hundred (300) feet of the boundaries of the property as appears in DeKalb County tax records. The measurement shall be performed from each boundary of the property that is the subject of a zoning petition or special use application. Public notices shall be mailed ~~such that they are received~~ a minimum of ~~fifteen (15)~~twenty (20) calendar days and a maximum of forty-five (45) calendar days prior to the public hearing. The ~~return~~ receipts shall be provided to the city manager within one (1) week of receipt.
 - (5) Upon motion, the planning and zoning board may defer any application which it deems to be incomplete. The fact that a required community open house meeting has not yet been held shall cause the application to be deemed incomplete and necessitate a deferral. A complete application may be deferred on only one (1) occasion.
 - (6) The planning and zoning board shall make a recommendation to the mayor and city council with respect to its findings. The recommendations shall be a part of the permanent record of the application and shall be reported at any meeting of the mayor and city council which considers the application. In addition, the city clerk shall cause the planning and zoning board's recommendation to be posted on

the city's website from the time that it is available until a final decision on the application is made by the mayor and city council.

(7) Failure to act.

- i. Failure by the planning and zoning board to act upon any application shall not cause a delay of process unless such failure is due to incomplete data or information in an application. Should the planning and zoning board fail to act upon any complete application, it shall pass to the mayor and city council with a notation thereon that the planning and zoning board has reviewed but failed to act upon the application.
- ii. If the planning and zoning board fails to submit a report within thirty (30) days of its first meeting after it has considered an application that is complete in all respects, it shall be deemed to have recommended approval of the proposed amendment. However, the planning and zoning board and the applicant for an amendment may jointly agree to postpone action for a thirty (30) day period.

(8) The mayor and city council shall hear the application at their next meeting which complies with O.C.G.A. § 36-66-1 et seq., as it now exists and may be amended hereafter.

(9) Provisions for application withdrawal shall be as established in Sec. 207.

(c) *Mayor and city council.*

(1) Before the mayor and city council shall approve or deny any rezoning, future land use map amendment, variance, conditional use permit, planned unit development, or text amendment they shall hold a public hearing thereon, to be conducted pursuant to procedures outlined in this zoning ordinance and those provided in O.C.G.A. § 36-66-1 et seq., as it now exists and may be amended hereafter.

(2) Notwithstanding any other provisions of this chapter to the contrary, when a proposed zoning decision relates to an amendment of the zoning ordinance to revise one (1) or more zoning classifications or definitions relating to single-family residential uses of property so as to authorize multifamily uses of property pursuant to such classification or definitions, or to grant blanket permission, under certain or all circumstances, for property owners to deviate from the existing zoning requirements of a single-family residential zoning, or rezoning of property from single-family residential to a category that allows multifamily uses if the rezoning is initiated by the City rather than the property owner, then such zoning decision must be adopted in the following manner:

- i. The zoning decision shall be adopted at two (2) regular meetings of the local government making the zoning decision, during a period of not less than twenty-one (21) days apart.
- ii. Prior to the first meeting provided for in subparagraph (i) of this paragraph, at least two (2) public hearings shall be held on the proposed action. Such public hearings shall be held at least three (3) months and not more than nine (9) months prior to the date of final action on the zoning decision. Furthermore, at least one (1) of the public hearings must be held between the hours of 5:00 P.M. and 8:00 P.M. The hearings required by this paragraph shall be in addition to any hearing required under subsection (i) of this Code section.
- iii. Notice requirements for such hearings are in subsection (d).

(3) Final action.

- i. The mayor and city council shall approve, approve with conditions, or deny the request. Such final zoning action may occur at the time of the public hearing or at the next regularly scheduled mayor and city council meeting.

-
- ii. The mayor and city council shall not be bound by but shall consider the recommendations of the planning and zoning board in its deliberations on the application.
- (4) Provisions for application withdrawal shall be as established in Sec. 207.
- (d) *Public notice of public hearings.*
- (1) Legal notice. Notice of a hearing pursuant to this ordinance shall be published in the legal organ of the city in which the legal advertisements of the city are published. Where the proposed action includes any combination of zoning decisions under subparagraphs (C), (E), or (F) of paragraph (4) of O.C.G.A. § 36-66-3 for the same property, the local government shall cause to be published within a newspaper of general circulation within the territorial boundaries of the local government a notice of the hearing at least fifteen (15) but not more than forty-five (45) days prior to the date of the hearing. The notice shall state the time, place, and purpose of the hearing. Notices announcing public hearing for considering an application to rezone property or an application for a special use shall also include the location of the property, and the present and proposed zoning classification or the proposed special use of the property, as appropriate.
- (2) Property posting. The applicant shall post a sign or signs provided by the city in a conspicuous place on the property a minimum of fifteen (15) calendar days prior to a public hearing that shall comply with the following requirements:
- i. Be readable from each street on which the property fronts, or if the property has no street frontage, from each street from which access will be gained;
- ii. Clearly indicate the following information
- a. Present zoning classification of the property;
- b. Proposed zoning classification or special use; date and time; and
- c. Location of the public hearing.
- iii. Be maintained by applicant to prevent removal from the property or destruction for the period commencing on the date the public notice appears in the newspaper through the date of the public hearing.
- (3) Written notice to adjacent and nearby property owners. The applicant shall give written notice by USPS certified mail return receipt requested to all property owners within three hundred (300) feet of the boundaries of the property as appears in DeKalb County tax records. The measurement shall be performed from each boundary of the property that is the subject of a zoning petition or special use application. Public notices shall be mailed ~~such that they are received~~ a minimum of twenty (20) fifteen (15) calendar days and a maximum of forty-five (45) calendar days prior to the public hearing. The ~~return~~ receipts shall be provided to the city manager within one (1) week of receipt.
- (4) A quasi-judicial officer, board, or agency shall provide for a hearing on each proposed action. Notice of such hearing shall be provided at least 30 days prior to the quasi-judicial hearing, with such notice being made as provided for in subsection (1) of this Code section and with additional notice being mailed to the owner of the property that is the subject of the proposed action.
- (5) The local government shall give notice of such hearings outlined in subsection (d) by:
- i. Posting notice on each affected premises in the manner prescribed by subsection (b) of this Code section; provided, however, that when more than five hundred (500) parcels are affected, in which case posting notice is required every five hundred (500) feet in the affected area; and

-
- ii. Publishing in a newspaper of general circulation within the territorial boundaries of the local government a notice of each hearing at least fifteen (15) days and not more than forty-five (45) days prior to the date of the hearing.
 - iii. Both the posted notice and the published notice shall include a prominent statement that the proposed zoning decision relates to or will authorize multifamily uses or give blanket permission to the property owner to deviate from the zoning requirements of a single-family residential zoning of property in classification previously relating to single-family residential uses. The published notice shall be at least nine (9) column inches in size and shall not be located in the classified advertising section of the newspaper. The notice shall state that a copy of the proposed amendment is on file in the office of the clerk or the recording officer of the local government and in the office of the clerk of the superior court of the county of the legal situs of the local government for the purpose of examination and inspection by the public. The local government shall furnish anyone, upon written request, a copy of the proposed amendment, at no cost.
- (6) The provisions of paragraph (5) of this section shall also apply to any zoning decisions that provide for the abolition of all single-family residential zoning classifications within the territorial boundaries of a local government or zoning decisions that result in the rezoning of all property zoned for single-family residential uses within the territorial boundaries of a local government to multifamily residential uses of property.
 - (7) Posting of property associated with an amendment to the official zoning map initiated by the City of Clarkston shall not be required.
 - (8) All hearings of any quasi-judicial officer, board or agency and city council shall be open to the public and shall comply with the Georgia Open Meetings Act.

(Ord. No. 480, § 1, 6-6-23)