



**Planning, Zoning, and Inspections**

509 N. McDonough St.

Decatur, Georgia 30030

404-370-4104 ■ Fax 404-370-0691

info@decaturga.com ■ www.decaturga.com

October 5, 2022

TO: The Honorable Debra DeBerry  
Clerk of Superior Court  
DeKalb County, Georgia

FROM: Kristin Allin  
Planner, Affordable Housing Initiatives  
City of Decatur, Georgia

SUBJECT: Proposed Text Amendments to the Code of Ordinances City of Decatur, Georgia

---

Dear Honorable Debra DeBerry,

The purpose of this letter is to present documents to the Superior Court of DeKalb County in compliance with House Bill 1405, which amends Title 36, Chapter 66 of the Official Code of Georgia, and in compliance with the Zoning Procedures Law of the State of Georgia. The City of Decatur has provided posted notice and published notice of proposed zoning decision to authorize multifamily uses within single-family residential zoning properties within the City of Decatur.

The proposed zoning decision is a request for Text Amendments to Articles 2, 3, 6, 7, and 12 of the Decatur Unified Development Ordinance to allow duplex, triplex, and quadplex construction in R-50, R-60, R-85, and RS-17 zoning districts in the City of Decatur.

This serves as a copy of notice of the proposed amendment on file in the office of the clerk of the superior court of the county of the legal situs of the local government, which is the Superior Court of DeKalb County.

Thank you,

Kristin Allin  
Planner, City of Decatur



**City of Decatur  
Planning Commission**

**October 11, 2022 Regular Meeting  
AGENDA**

Decatur City Hall  
City Commission Room  
509 North McDonough Street  
7:00 PM

**I. Call to Order.**

**II. Old Business:**

- a. Approval of Minutes from August 9, 2022 regularly scheduled meeting.

**III. New Business:**

- a. The City of Decatur Community and Economic Development Department has requested text amendments to Article 2, Article 3, Article 6, Article 7 and Article 12 of the Unified Development Ordinance to allow duplex, triplex, and quadplex residential units in R-50, R-60, R-85, and RS-17 single-family residential zoning districts.
- b. Talia and Joe Bunting have requested a conditional use permit to allow an 8-bedroom lodging house to function as a boutique inn within a R-60 zoning district for the property located at 620 Pinetree Drive.
- c. The City Manager's Office has requested text amendments to Article 7, Article 11, and Article 12 of the Unified Development Ordinance for the purpose of substituting gender-neutral pronouns.

**IV. Other Business.**

**V. Adjourn.**

*Consistent with requirements of O.C.G.A. §50-14-1(e)(1) this agenda was posted by Tuesday, September 27, 2022.*

Information about live broadcasts of the Decatur Planning Commission, how to participate via Zoom, and where to email comments regarding the above matters for inclusion into the official record are found at <https://www.decaturga.com/bc-pc/page/planning-commission-33> All persons whose interests are affected by the proposed requests are hereby notified of the Public Hearings to present their comments herein as interests require.






**Memorandum**

TO: Decatur Planning Commission

FROM: Kristin Allin, City Planner

CC: Angela Threadgill, Planning & Economic Development Director 

DATE: September 26, 2022

SUBJECT: Application for Proposed Text Amendments to Articles 2, 3, 6, 7, and 12 of the UDO

---

The purpose of this memorandum is to present an application for certain text amendments to Article 2, Article 3, Article 6, Article 7, and Article 12 of the Unified Development Ordinance to allow duplex, triplex, and quadplex residential units in R-50, R-60, R-85, and RS-17 single-family residential zoning districts. The Planning Commission will hold a regularly scheduled public meeting on October 11, 2022 to hear the application and provide a recommendation for further consideration by the City Commission on Monday, October 17, at 7:30 p.m. Additional public hearings on this application will be heard by the City Commission on January 17 and February 6, 2023, each at 7:30 p.m.

**Background.** One of the outcomes of the 2018 Decatur Housing Summit was the creation of an ad-hoc Affordable Housing Task Force to evaluate multiple tools and strategies to open the doors to those who are underserved by Decatur's real estate market. The Decatur City Commission then selected and appointed 26 members to serve on the task force from a variety of backgrounds, including, local activists, city planners, bankers, for and nonprofit developers, housing consultants, concerned citizens, local housing agency, religious leaders, bankers, realtors, and gerontologists. The Affordable Housing Task force issued its report in February 2020: *A Report on the Findings and Recommendations for Decatur's Future Affordability and Inclusivity*, to inform policy strategies to increase a variety of housing options to attract new residents, retain existing residents, and to build a more resilient and vibrant city for decades to come. This report recommends to increase the supply of affordable housing options by allowing duplex, triplex, and quadplex construction in current single family zoning, listed in the report as Recommendation 13. This recommendation along with the full report was accepted by the Decatur City Commission, and also fully incorporated into the City's adopted 2020 Strategic Plan: *Destination 2030*.

Memorandum to Planning Commission

Re: Application for Proposed Text Amendments to Articles 2, 3, 6, 7, and 12 of the UDO

September 26, 2022

***Summary of Code Sections Affected by Proposed Text Amendments.*** The following code sections of Part IV of the Code of Ordinances of the City of Decatur Unified Development Ordinance would be affected:

- Article 2 – Rules of Interpretation, Section 2.1 – Rules Applicable to All Districts
- Article 3 – Residential Districts, Section 3.1 – R-85 Single-Family Residential District; Section 3.2 – R-60 Single Family Residential District; Section 3.3 – R-50 Single-Family Residential District; Section 3.4 – RS-17 Single-Family Residential District
- Article 6 – Use Provisions, Section 6.2 – Allowed Use Table; Section 6.3 – Residential Uses
- Article 7 – Site Development, Section 7.1 – Parking and Access
- Article 12 – Definitions, Section 12.1 – Defined Terms

The proposed ordinance reflects Recommendation 13 of the Affordable Housing Task Force Report and incorporates recommendations from the community and further research by City staff. The text amendments allow, in addition to single-family detached homes, the construction of 2-unit dwellings (duplex) and 3-4 unit dwellings (walk up flat) to be constructed as new units or as converted units inside an existing single-family homes in the following zoning districts: R-85, R-60, R-50, and RS-17. Dwellings with 2, 3, or 4 units must comply with the same building regulations applied to a single-family home per the Unified Development Ordinance. Dwellings with 2, 3, or 4 units are required to provide one parking space per dwelling, consistent with the requirements of a single-family home; however, a duplex or walk up flat may satisfy up to 50% of its parking (rounded up) on the street provided 1) parking is allowed on street on the curb frontage adjacent the parcel and 2) the curb frontage contains the required frontage space to accommodate the requested number of cars per dimensions of a compact car. This curb space may not include curb cuts, fire hydrants, or driveway space. A limited review is required for all duplex and walk up flats prior to permitting.

***Purpose of Review.*** The above mentioned Articles constitute a portion of the City’s zoning ordinance within the meaning of O.C.G.A. § 36-66-1, et. seq. Changes to the text of these articles require compliance with the public notice and hearing procedures provided in Article 11, Administration, and in said state statute. An application for text amendments is heard by the Planning Commission and City Commission at public hearings, prior to final action by the City Commission.

Memorandum to Planning Commission

Re: Application for Proposed Text Amendments to Articles 2, 3, 6, 7, and 12 of the UDO  
September 26, 2022

***Review Standards and Statement of Reasons for Proposed Text Amendments.*** The following review standards, per Section 11.2.2.F.1 of the UDO shall be considered in determining whether the residential use shall be approved:

- a. *Whether the zoning proposal permits a use that is suitable in view of the use and development of adjacent and nearby property.*

The proposed text amendments are suitable in view of the current use and development of adjacent and nearby properties in the R-85, R-60, R-50, and RS-17 single family zoning districts. The proposed missing middle housing ordinance would permit the construction of or conversion to duplex (2 unit) or walk up flat (3-4 units) dwellings. The proposed text amendments limit the size, height, setbacks, floor area ratio, and other requirements for the duplex (2 unit) and walk up flat (3-4 unit) buildings as the same as for a single-family home in order to ensure the fit of these buildings within the traditional development patterns of existing single-family neighborhoods. There is a precedence for this increased density approach as well, as the duplexes, triplexes, quadplexes, and small apartment buildings currently scattered throughout Decatur were allowed in single-family neighborhoods until gradually disallowed over several decades, with the last housing type (duplexes) disallowed in 1988.

- b. *Whether the zoning proposal adversely affects the existing use or usability of adjacent or nearby property.*

The proposed text amendment do not adversely affect the existing use or usability of adjacent or nearby property. The Affordable Housing Task Force report recommended maintaining current design requirements, scale, setbacks, and height limitations to help ensure that new two, three, and four unit buildings are compatible with surrounding single-family detached homes and blend into the surrounding neighborhood fabric. There is a precedence for this increased density approach as well, as the duplexes, triplexes, quadplexes, and small apartment buildings currently scattered throughout Decatur were formerly allowed in single-family neighborhoods.

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

Decatur's single-family residential districts allow for low-density residential uses. In zones R-85, R-60, and R-50 zoning districts, older low-density developments include not only single-family homes but small apartment buildings, duplexes, triplexes, and quadplexes. However, although these different housing types exist in Decatur's residential zoning districts, they are no longer allowed to be constructed, nor are existing single-family homes allowed to be converted to multiple units. This zoning change, which occurred in the 1980s, has set Decatur on a trajectory wherein many of the "missing middle" (duplex, triplex, and

Memorandum to Planning Commission

Re: Application for Proposed Text Amendments to Articles 2, 3, 6, 7, and 12 of the UDO

September 26, 2022

quadplex) units throughout Decatur's neighborhoods have been replaced with larger, single-family homes and where the size and prices of homes in Decatur, as well as the property tax valuations, has increased dramatically over the past decades.

From 2000 to 2020, Decatur lost 342, 2-4 unit homes and lost 184, 5-19 unit homes. Over the same time period, Decatur added 478 single-family detached homes, added 410 single-family attached homes, and added 1,100, 20-or-more-unit apartments. This trend, accompanied by rising single-family home prices, property assessments, and rents has resulted in displacement of existing residents, a decline in diversity of race and income, an increase in the size of households, an increase in the number of children in the school system, and an increase in the number of vehicles per home in Decatur. Because Decatur's single-family residential districts have lost the flexibility to build or convert to smaller units, younger residents age 20-34 as well as older residents age 55 and over have fewer housing options at attainable price points.

The City's adopted 2020 Strategic Plan: *Destination 2030*, includes policy action items to implement the vision as prioritized by the community, with action item AH-01-i to "amend single-family zoning districts to allow duplexes, triplexes, and quadplexes." A goal and strategy of *Destination 2030*, AH.02, is to "ensure that each neighborhood provides its fair share of affordable housing." Decatur also participates in an annual National Citizen Survey wherein only 21% of respondents believe Decatur offers availability of quality affordable housing and only 44% of respondents are satisfied with Decatur's variety of housing options. Current zoning allows for only single-family home construction will further Decatur's current trajectory of larger, more expensive homes. The current zoning will not allow for the diversity of housing opportunities called for by both the Affordable Housing Task Force Report and *Destination 2030*.

- d. *Whether the zoning proposal would result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools.*

Decatur is projected by the Atlanta Regional Commission to grow by 10,500 residents by 2050. Because 67% of land in Decatur is zoned as single-family residential, these areas are indicated in past reports as a critical part of the solution for adding new homes to accommodate projected growth. Allowing smaller, 2-4 unit homes within single-family zoning districts will ease the impacts of this projected population growth. By allowing smaller units, more of Decatur's workforce will be able to live close to where they work. The impact will help to reduce traffic by reducing commutes. This type of development is also called "urban infill" housing and is defined as *adding new development to already developed neighborhoods, thus increasing density through new housing*. Urban infill housing is projected to be the most effective way to decrease greenhouse gas production through local policy changes through 2030 (Cool Climate Report, 2018) by reducing commute traffic.



Memorandum to Planning Commission

Re: Application for Proposed Text Amendments to Articles 2, 3, 6, 7, and 12 of the UDO  
September 26, 2022

Smaller size households also have fewer vehicles than larger households, and Decatur's trajectory has seen the number of vehicles per household increase as household size and income have increased. The proposed amendments would require duplexes and walk up flat buildings to provide a minimum of one parking space per dwelling unit, though up to 50% of required parking may be provided by on-street parking, if allowed, as determined in the limited review process to comply with dimensions of a compact car and not to include curb cuts or other obstructions. On-street parking allows the use of existing infrastructure without the need for additional impervious surfaces and stormwater runoff. A reduction in car speed and an increase in pedestrian safety are also achieved where on-street parking is allowed.

Smaller units have less school age children than larger, single-family homes. A projection of the redevelopment of 25 older, single-family homes using the City Schools of Decatur Student Yield Analysis Report 2020 multipliers reveals that these 25 older homes, converted to new, larger single-family homes would result in an estimated 14 school age children. However, converting these same 25 older homes to new quadplexes, each with four one-bedroom units, would result in an estimated 13 school age children. Therefore, 25 single family homes are projected to result in one more school age child than 100 quadplex units.

Having 2-4 units on a single-family lot will also result in 2 to 4 times the amount of sanitation fees paid to the City of Decatur to offset any increase in pickup for added units. Permitting policies are in place through DeKalb County to assess impact and levy potential fees for new development through their capacity evaluation and sewer credit bank.

- e. *Whether the zoning proposal conforms with the policy and intent of the Comprehensive Land Use Plan.*

The Comprehensive Land Use Plan defines R-50, R-60, R-85 zoning districts as low-density residential land use areas and defines RS-17 zoning districts primarily as medium-density land use areas, although some RS-17 zoning districts are considered low-density residential land use areas. Low density land use areas in Decatur currently have a mix of single-family homes, duplexes, triplexes, quadplexes, and small apartment buildings. This precedence of the existing diversity of smaller, multi-unit housing types coexisting with single-family homes is consistent with the recommended text amendments to the Unified Development Ordinance. *Decatur 2030*, the City's adopted strategic plan, recommends keeping the balance of low-density land as described in the comprehensive land use map even as infill development occurs in single-family areas.

- f. *Whether there are other existing or changing conditions affecting the use and development of the property which, because of their impact on the public health, safety, morality and general welfare of the community, give supporting grounds for either approval or disapproval of the zoning proposal.*

Memorandum to Planning Commission

Re: Application for Proposed Text Amendments to Articles 2, 3, 6, 7, and 12 of the UDO

September 26, 2022

*Decatur 2030*, the City's adopted strategic plan, recommends allowing duplex, triplex, and quadplex construction in existing single-family zoning districts. This recommendation is part of an overall housing strategy, as described in the 2020 Affordable Housing Task Force Report, to help increase the diversity of housing types in Decatur, to allow for more options to increase affordable units in Decatur, to decrease the size and price point of new market rate units, and to increase the supply of housing at all income levels. *Decatur 2030* recognizes that Decatur's population is expected to continue to increase, and that more housing units will be needed to accommodate this growth. *Decatur 2030* also recognizes an increase in older residents in Decatur and increase in demand for different housing types, a large percentage of households without children in Decatur, and a lack of housing options for young people and first time home buyers. Such existing and changing conditions greatly support the proposed revisions to the Unified Development Ordinance to allow missing middle housing types.

Currently approximately 67% of all land in Decatur is zoned single-family; 91% of residential land use is detached single-family homes and 7% is comprised of multi-family, stacked flats, or townhomes per the Decatur 360 Comprehensive Plan. In order to increase the number of affordable units the City of Decatur and to address projected population growth, the City will need to allow for a targeted increase in density in these low-density areas.

**Public Participation.** After the issuance of the Affordable Housing Task Force Report in February of 2020, the Task Force's Education Committee began an outreach process to address Recommendation 22 of the report: *to develop focused messaging around the report's recommended policy initiatives*. New web pages were created as part of the City of Decatur website to provide updates and education around Affordable Housing progress, historical context, resources and definitions, and links to educational materials. The Education Committee and City of Decatur staff focused on education and outreach regarding Recommendation 13: *to increase the supply of affordable housing options by allowing duplex, triplex, and quadplex construction in single-family zoning districts*, and developed specific public input processes, education, and resources around this effort.

The first two public outreach resources developed and posted to the website include a storymap entitled *The Crisis of Affordable Housing Decatur's housing history, past policies, and how its past has contributed to a crisis in housing + ideas to foster an inclusive community* created by the Education Committee and the City of Decatur's Planning & Economic Development Department on April 29, 2021; and a video featuring volunteer residents and employees of the City of Decatur and City Schools of Decatur to share their stories on the difficulty of finding and keeping affordable and accessible housing in Decatur.

The City of Decatur opened a Missing Middle Housing Hotline and an online portal to submit comments and questions from April 26th thru July 31<sup>st</sup>, 2021. A survey posted online received

Memorandum to Planning Commission

Re: Application for Proposed Text Amendments to Articles 2, 3, 6, 7, and 12 of the UDO  
September 26, 2022

over 240 responses from the community. Questions received from the community, along with answers and comments, were then posted to the City's website for public review.

The City of Decatur hosted three virtual community “focused conversations” in September and October 2021 to discuss missing middle housing (duplexes, triplexes, and quadplexes) in single-family neighborhoods. The sessions helped the City gather input from residents to shape the policy recommended by Decatur’s 2020 Affordable Housing Task Force Report for future consideration by the Decatur City Commission. Video recaps of each session are posted to the website. Prior to the last of the three sessions, a post card was mailed to each household in Decatur to alert residents of the upcoming session and next steps. Sessions were also advertised in the Decatur Focus.

Input from the Community informed the creation of the proposed text amendments to the Unified Development Ordinance. The proposed text amendments were drafted, and outreach materials created. This included another postcard mailing to each household to alert residents to the second round of public outreach regarding the proposed text amendments, the creation of a missing middle “one pager” to summarize the recommendations and posted online, graphics designed to illustrate the recommended text amendment changes.

A second method outreach included in-person small group discussion at small groups, neighborhood associations, or other events to discuss Missing Middle housing and answer questions about pending zoning proposals. To date, ten small group sessions have occurred, including neighborhoods, church groups, the Arts Festival, and other public gatherings.

In advance of a virtual Public Forum held on August 17, 2022, a pre-forum questionnaire was posted to the website from May to August 2022 to gather input and questions from the community around the proposed text amendments. Residents were also invited to email or call (via the hotline) the affordable housing fellow to submit questions. Approximately 25 signs were placed at prominent intersections throughout Decatur to raise awareness of the forum, and information about the forum was posted in both the June 2022 and the July/August 2022 Decatur Focus editions, as well as City social media. The purpose of the Missing Middle Housing Forum was to discuss the housing trajectory in the City of Decatur and to describe where missing middle housing fits in the overall goals of the community as illustrated in past and current adopted plans. The forum enlisted the assistance of a panel of both residents and professionals to assist in addressing questions from the community. The City of Decatur hosted this virtual forum with panel discussion on August 17th from 6-7:30PM and posted the forum summary and recorded video to the website.

City staff appreciate your consideration and look forward to discussing the proposed text amendments at your meeting on October 11, 2022.

**PART IV - Unified Development Ordinance of the City of Decatur, Georgia**

**ARTICLE 2. - RULES OF INTERPRETATION**

**Section 2.1. - Rules Applicable to All Districts**

Section 2.1.7. - First Floor Elevation. The finished floor elevation of the first floor of detached house, cottage court, duplex, walk up flat and attached house shall be determined as follows: [no further text changes to this section]

**Section 2.2. – Building Types**






Section 2.2.1. – Descriptions

D. Duplex - A building type designed to accommodate two principal dwelling units, vertically or horizontally integrated, that share a common wall, floor or ceiling, or attached building element on a single individual lot.

G. Walk Up Flat (3-6 4 units) - A building type designed to accommodate 3 to 6 4 dwelling units, vertically and/or horizontally integrated, that share a common wall, floor or ceiling, or attached building element on a single individual lot.

H. Stacked Flat (7 5+ units) - A building type designed to accommodate 7 5 or more dwelling units vertically and horizontally integrated.

2.2.2. – Building Types Allowed by the District

	R-85	R-60	R-50	RS 17	RM 18	RM 22	RM 43	PO	NMU	C-1	C-2	C-3	MU	I
Duplex 	■	■	■	■	■	■	■	■	—	—	—	—	n/a	n/a
Attached House 	—	—	—	■	■	■	■	■	—	—	—	—	n/a	n/a
Townhouse 	—	—	—	■	■	■	■	■	—	■	■	—	n/a	n/a
Walk Up Flat (3-6 units) (3-4 units) 	■	■	■	■	■	■	■	■	—	■	■	■	n/a	n/a
Stacked Flat (7+ units) (5+ units) 	—	—	—	■	■	■	■	■	—	■	■	■	n/a	n/a

Section 2.2.3. – Rules Specific to Building Types

D. Duplex - A building type designed to accommodate two principal dwelling units, vertically or horizontally integrated, that share a common wall, floor or ceiling, or attached building element on a single individual lot.

Let	
Duplex units per lot	2 max
Height	
Ground floor elevation	See Sec. 2.1.5. ●
Pedestrian Access	
Entrance facing primary street	Required, 1 min. ●

Re: Application for Proposed Text Amendments to Articles 2, 3, 6, 7, and 12 of the UDO  
 Current Provisions of the Text to be Affected by the Proposed Amendment  
 September 26, 2022

24 G. Walk Up Flat (3-6 4 units) - A building type designed to accommodate 3 to 6 4 dwelling units,  
 25 vertically and/or horizontally integrated, that share a common wall, floor or ceiling, or attached  
 26 building element on a single individual lot.

<b>Lot</b>		
Walk Up Flat units per building	3 min/6 max 3 min/4 max	
<b>Height</b>		
Ground story height	10' min	●
Ground floor elevation	2' min/4' max	●
<b>Transparency</b>		
Ground story	20% min	●
Upper story	20% min	●
Blank wall area	30' max	●
<b>Pedestrian Access</b>		
Entrance facing primary street	Required, 1 min.	●
<b>Parking Location</b>		
No on-site parking is allowed between the building and the street		

27  
 28 H. Stacked Flat (7 5+ units) - A building type designed to accommodate 7 5 or more dwelling units  
 29 vertically and horizontally integrated.

<b>Lot</b>		
Stacked Flat units per building	7 min 5 min	
Street-facing facade length	200' max	●
<b>Height</b>		
Ground story height (floor to ceiling)	9' min	●
Ground floor elevation	2' min/4' max	●
<b>Transparency</b>		
Ground story	20% min	●
Upper story	20% min	●
Blank wall area	30' max	●
<b>Pedestrian Access</b>		
Entrance facing primary street	Required for each ground floor street-facing unit	●

30  
 31  
 32 **ARTICLE 3. RESIDENTIAL DISTRICTS**  
 33 **Section 3.1. - R-85 Single-Family Residential District**  
 34 Section 3.1.2 – Building types allowed

	<b>Detached House</b>	see also Sec. 2.2.3.A.
	<b>Carriage House</b>	see also Sec. 2.2.3.B.
	<b>Duplex</b>	See also Sec. 2.2.3.D.
	<b>Walk Up Flat</b>	See also Sec. 2.2.3.G.
	<b>Civic Building</b>	see also Sec. 2.2.3.L.

35  
 36 3.1.3. - Lot Dimensions

Lot	A	Area	B	Width	C	Depth	
Detached house		15,000 SF min		85' min		150' min	
Carriage house		Same as principal structure					
Duplex		15,000 SF min		85' min		150' min	
Walk Up Flat		15,000 SF min		85' min		150' min	
Civic building		15,000 SF min		85' min		150' min	
Lot Coverage							
D	Detached house lot					40% max	
D	Duplex lot					40% max	
D	Walk Up Flat lot					40% max	
D	Civic building lot					50% max	

37

38 **Section 3.2. – R-60 Single-Family Residential District**

39 Section 3.2.2. - Building Types Allowed

Detached House	see also Sec. 2.2.3.A.
Carriage House	see also Sec. 2.2.3.B.
Duplex	see also Sec. 2.2.3.D.
Walk Up Flat	see also Sec. 2.2.3.G.
Civic Building	see also Sec. 2.2.3.L.

40

41 Section 3.2.3. - Lot Dimensions

Lot	A	Area	B	Width	C	Depth	
Detached house		9,000 SF min		60' min		120' min	
Carriage house		Same as principal structure					
Duplex		9,000 SF min		60' min		120' min	
Walk Up Flat		9,000 SF min		60' min		120' min	
Civic building		9,000 SF min		60' min		120' min	
Lot Coverage							
D	Detached house lot:						
	Lot less than 9,000 SF			see Sec. 2.1.4.			
	Lot 9,000 SF or more			40% max/lot			
D	Duplex lot:						
	Lot less than 9,000 SF			See Sec. 2.1.4.			
	Lot 9,000 SF or more			40% max/lot			
D	Walk Up Flat lot:						
	Lot less than 9,000 SF			See Sec. 2.1.4.			
	Lot 9,000 SF or more			40% max/lot			
D	Civic building lot					50% max/lot	

42

43 **Section 3.3. – R-50 Single Family Residential District**

44 Section 3.3.2 - Building Types Allowed

Re: Application for Proposed Text Amendments to Articles 2, 3, 6, 7, and 12 of the UDO  
 Current Provisions of the Text to be Affected by the Proposed Amendment  
 September 26, 2022

	Detached House	see also Sec. 2.2.3.A.
	Carriage House	see also Sec. 2.2.3.B.
	Duplex	see also Sec. 2.2.3.D.
	Walk Up Flat	see also Sec. 2.2.3.G.
	Civic Building	see also Sec. 2.2.3.L.

45

46 Section 3.3.3. - Lot Dimensions

Lot	A Area	B Width	C Depth
Detached house	5,000 SF min	50' min	100' min
Duplex	5,000 SF min	50' min	100' min
Walk Up Flat	5,000 SF min	50' min	100' min
Carriage house	Same as principal structure		
Civic building	5,000 SF min	50' min	100' min
<b>Lot Coverage</b>			
<b>D Detached house lot</b>			
Less than 5,000 SF		see Sec. 2.1.4.	
5,000 to 5,499 SF		58% max/lot	
5,500 to 5,999 SF		56% max/lot	
6,000 to 6,499 SF		54% max/lot	
6,500 to 6,999 SF		52% max/lot	
7,000 to 7,499 SF		50% max/lot	
7,500 to 7,999 SF		47% max/lot	
8,000 to 8,499 SF		45% max/lot	
8,500 to 8,999 SF		43% max/lot	
9,000 SF or more		40% max/lot	
<b>D Duplex lot</b>			
Less than 5,000 SF		see Sec. 2.1.4.	
5,000 to 5,499 SF		58% max/lot	
5,500 to 5,999 SF		56% max/lot	
6,000 to 6,499 SF		54% max/lot	
6,500 to 6,999 SF		52% max/lot	
7,000 to 7,499 SF		50% max/lot	
7,500 to 7,999 SF		47% max/lot	
8,000 to 8,499 SF		45% max/lot	
8,500 to 8,999 SF		43% max/lot	
9,000 SF or more		40% max/lot	
<b>D Walk Up Flat lot</b>			
Less than 5,000 SF		see Sec. 2.1.4.	
5,000 to 5,499 SF		58% max/lot	
5,500 to 5,999 SF		56% max/lot	
6,000 to 6,499 SF		54% max/lot	
6,500 to 6,999 SF		52% max/lot	
7,000 to 7,499 SF		50% max/lot	
7,500 to 7,999 SF		47% max/lot	

8,000 to 8,499 SF	45% max/lot
8,500 to 8,999 SF	43% max/lot
9,000 SF or more	40% max/lot
ⓓ Civic building lot	50% max/lot

47

48 **Section 3.4. – RS-17 Single-Family Residential District**

49 Section 3.4.2. – Building Types Allowed

Detached House	see also Sec. 2.2.3.A.
Cottage Court	see also Sec. 2.2.3.C.
Duplex	see also Sec. 2.2.3.D.
Attached House	see also Sec. 2.2.3.E.
Townhouse	see also Sec. 2.2.3.F.
Walk Up Flat	see also Sec. 2.2.3.G.
Civic Building	see also Sec. 2.2.3.L.

50

51 Section 3.4.3. – Lot Dimensions

Site		
Density, units per acre		17 u/a max
ⓐ Amenity space		5% min
ⓑ Street frontage		100' min
Lot	Ⓒ Area	Ⓓ Width
Detached house	5,000 SF min	50' min
Cottage court	1,500 SF min	20' min
Duplex	5,000 SF min	50' min
Attached house	2,500 SF min	25' min
Townhouse	1,500 SF min	20' min
Walk Up Flat	5,000 SF min	50' min
Civic building	5,000 SF	50' min
Lot Coverage		
Ⓔ Developments ≤ 20,000 SF		60% max/lot
Ⓕ Developments > 20,000 SF		75% max/lot
Ⓖ Detached House lot		60% max/lot
Ⓗ Cottage court lot		75% max/lot
Ⓙ Duplex lot		60% max/lot
Ⓚ Townhouse		60% max/site
Ⓛ Walk Up Flat lot		60% max/lot
Ⓜ Civic building lot		50% max/lot

52

53 Section 3.4.6. – Supplementary Regulations

54 F. Building Standards

55 2. Fire Safety



- 56 a. ~~Attached houses and townhouses must provide two exits as remote from each other as possible. All~~
- 57 ~~exits shall provide continuous means of egress to the exterior which is accessible to a street or to a~~
- 58 ~~landscaped open space leading to a street.~~
- 59 b. ~~Walls separating attached houses or townhouses must be provided in accordance with Sec.~~
- 60 ~~10.1.2.D.2.a. Exterior walls shall be masonry walls if the exterior wall is less than 10 feet from the overall~~
- 61 ~~site property lines.~~
- 62 c. ~~A separation of any existing building and new construction shall be with a masonry wall or a minimum~~
- 63 ~~distance of 10 feet of open space.~~
- 64 d. ~~Masonry walls shall be constructed to provide a minimum fire rating of two hours. No opening shall~~
- 65 ~~be permitted in masonry walls and such walls shall not be loadbearing, unless constructed of a 12-inch,~~
- 66 ~~75% solid concrete block or the equivalent.~~
- 67 e. ~~One fire hydrant shall be located within 500 feet of any dwelling unit inside a development. Hydrants~~
- 68 ~~can be located on a public street or on a drive within the development.~~
- 69 Dwelling units shall comply with Article 10 of the Code of Ordinances of Decatur, Georgia: Buildings and
- 70 Fire.

**ARTICLE 6. – USE PROVISIONS**

**Section 6.2. – Allowed Use Table**

								PO	NMU	C	C	C	NMU		Def./Stds
								10	11	12	13	14	15	16	
<b>Residential Uses</b>															
All household living, as listed below:															
Single-family detached dwelling	P							P	---	---	---	---	---	C	6.3.1.
Accessory dwelling unit (ADU)	L							L	---	---	---	---	---	---	6.3.1.
Single-family attached dwelling	L	L	L	L	L	L	L	P	---	C	C	---	P	---	6.3.1.
Two-family dwelling Duplex	L	L	L	L	L	L	L	P	---	---	---	---	---	C	6.3.1.
Walk Up Flat	L	L	L	L	L	L	L	P	---	---	---	---	---	C	6.3.1
Multiple-family dwelling								P	L	C	L	C	P	C	6.3.1.

Downtown multiple dwelling									—	—	—	L	—	—	—	6.3.1.
Townhouse				P	P	P	P		P	---	C	C	--	P	--	6.3.1
Home occupation									L	L	L	L	L	L	L	6.8.3.
Inclusionary dwelling									L	L	L	L	L	L	L	6.3.1.
Live-work									L	L	L	L	L	L	—	6.3.1.

73

74 **Section 6.3. – Residential Uses**

75 Section 6.3.1. – Household Living

76 F. Inclusionary Dwelling. Where single-family detached dwelling, single-family attached dwelling, ~~two-~~  
 77 ~~family dwelling~~, duplex, walk up flat, multiple-family dwelling, or downtown multiple dwelling is  
 78 permitted, or allowed as a limited use or as a conditional use, it is subject to the following: [no further  
 79 text changes to this section]

80

**ARTICLE 7. SITE DEVELOPMENT**

81 **Section 7.1. Parking and Access.**

82 Section 7.1.2. Development Standards

83 N. On Street Parking

84 For Duplex and Walk Up Flat dwelling units in R-50, R-60, R-85 and RS-17 zoning districts, on-street  
 85 parking may count for up to 50% of the off-street parking requirement, provided:

- 86 1. Parking on-street is not prohibited per section 98-18 of the Code of Ordinances of the City of  
 87 Decatur; and
- 88 2. For every 15 feet of street frontage of lot width, one qualifying on-street space may be counted  
 89 towards off-street parking requirements. Restricted parking per section 98-18 of the Code of  
 90 Ordinances of the City of Decatur and curb cuts shall be excluded from length of lot width.

91

92 Section 7.1.3. – Off-Street Parking Requirements

Use	Parking Space Ratio
Single-Family Dwellings, detached	1 per dwelling unit
<del>Single-Family Dwellings, Attached</del> Townhouse	1 per dwelling unit
<del>Two-Family Dwellings</del> Attached House, Duplex, Walk Up Flat	1 per dwelling unit
Multiple-Family Dwellings, in General	1 per dwelling unit
[no further text changes to this section]	

93

94

95

96

## ARTICLE 12. DEFINITIONS

### 97 Section 12.1. - Defined Terms

98 **Duplexes.** A building designed for or occupied exclusively by two families. Duplexes shall mean  
99 developed land containing two (duplex) residential dwelling units located within the same building on  
100 one or more parcels of land, vertically or horizontally integrated on a single individual lot.

101 **Dwelling, multiple-family.** A building designed for or occupied exclusively by ~~three~~ five or more  
102 families.

103 **Multiple-family dwelling.** A building containing ~~three~~ five or more living units with independent  
104 cooking and bathroom facilities, whether designated as apartment house, tenement, garden apartment, or  
105 by any other name.

106 **Multiple-family dwelling unit residential properties.** Multiple-family dwelling unit residential  
107 properties shall mean developed land whereon ~~three~~ five or more residential dwelling units are located,  
108 and shall include, but not be limited to apartment houses, structures containing multiple residential  
109 condominiums located on a single parcel, boarding houses, group homes, personal care homes, homes for  
110 the elderly, retirement and nursing homes, and other structures in which more than one family group  
111 commonly and normally reside or could reside. In the application of storm water service fees, multiple-  
112 family dwelling unit residential properties shall be treated as other developed lands as defined in this  
113 article.

114 **Single-family dwelling unit.** Single-family dwelling unit shall mean developed land upon which is  
115 located one principal structure that contains one dwelling unit designed for occupancy by one family,  
116 with a bathroom and kitchen facilities. Single-family dwelling units may include houses, duplexes,  
117 ~~triplexes~~-walk up flats, manufactured homes, mobile homes located on one or more individual lots or  
118 parcels of land, and fee-simple ownership or condominium townhomes and attached single-family  
119 residential structures located on individual lots or parcels of land and such single units located on more  
120 than one individual lot or parcel of land. For the purposes of this article, developed land may be  
121 classified as a single-family dwelling unit despite the presence of incidental and/or accessory structures  
122 associated with residential uses such as garages, carports or small storage buildings, accessory  
123 dwellings or the presence of a commercial use within the dwelling unit so long as such use does not  
124 result in additional areas of impervious surfaces such as parking spaces, playgrounds or structures or  
125 additions to the building which are used as offices, storage facilities, meeting rooms, classrooms,  
126 houses of worship or similar nonresidential uses. Single-family dwelling units shall not include  
127 developed land containing structures used primarily for nonresidential purposes, manufactured homes  
128 and mobile homes located within manufactured home or mobile home parks where the land is owned  
129 by others than the owners of the manufactured homes or mobile homes, or multiple-family residential  
130 units that are individually owned but are located on a single parcel of developed land, such as  
131 condominiums and cooperatively-owned apartments.

132 **Walk up flat.** A building designed for or occupied exclusively by 3 or 4 families. Walk up flats shall  
133 mean developed land containing 3 or 4 residential units vertically or horizontally integrated on a single  
134 individual lot.

135



**AN ORDINANCE TO AMEND ARTICLE 2, ARTICLE 3,  
ARTICLE 6, ARTICLE 7 AND ARTICLE 12 OF PART IV OF THE CODE OF  
ORDINANCES OF THE CITY OF DECATUR, GEORGIA**

WHEREAS, the City Commission adopted Ordinance O-14-Z-26 in November 2014, known as the Unified Development Ordinance, which required changes in the City of Decatur's zoning and development regulations to implement the 2010 Strategic Plan; and

WHEREAS, the Unified Development Ordinance was codified as Part IV of the 1967 City Code; and

WHEREAS, the Unified Development Ordinance allowed for a variety of building types and developments according to standards that reinforce the existing building character and scale of the City; and

WHEREAS, the City Commission recognizes that land is a finite resource to accommodate residential growth, that the diversity of its housing stock has declined for many reasons including increased property values and construction costs, and that there has been a substantial decrease in affordable workforce housing development within the City of Decatur; and

WHEREAS, the City Commission has reviewed and considered reports and analyses of the "missing middle" building types; and

WHEREAS, the City Commission recognizes that approximately 67% of land in Decatur is zoned single family and within which 91% of residential land use is single family homes; and

WHEREAS, only single-family home construction is allowed in R-60, R-50, R-85 single family zoning districts; and

WHEREAS, the City Commission recognizes that the City has lost 342 two, three, and four unit missing middle dwellings from 2000 to 2020 per the American Community Survey; and

WHEREAS, the City Commission recognizes that without intervention, the trends of decreased missing middle housing types and increased larger, single family homes will result in an increase in the number of City residents and local employees who are underserved by the City's real estate market; and

WHEREAS, the City Commission, at the recommendation of the 2018 Decatur Housing Summit Report recommended the creation of an ad hoc Affordable Housing Task Force; and

WHEREAS, the City Commission then selected and appointed 26 members to serve on the task force; and

WHEREAS Recommendation 13 of the 2020 Affordable Housing Task Force Report is that the City increase the supply of affordable housing options by allowing duplex, triplex, and quadplex construction in current single-family zoning; and

WHEREAS the 2020 Affordable Housing Task Force Report and recommendations were

accepted by the Decatur City Commission and incorporated into *Destination 2030*, the adopted City of Decatur 2020 Strategic Plan; and

WHEREAS, at the request of the City Commission, City staff has prepared proposed amendments to the City’s Code of Ordinances to allow duplex (2 unit) and walk up flat (3-4 unit) construction or conversions in single family zoning districts; and

WHEREAS, the City Commission wishes to approve proposed amendments to Article 2, Article 3, Article 6, Article 7, and Article 12 of Part IV of the Code of Ordinances of the City of Decatur in order to allow the construction of duplex and walk up flat housing types in neighborhoods throughout the City for households of a variety of income levels, ages and sizes in order to meet the City's goal of preserving and promoting a demographically diverse population in the City; and

WHEREAS, the proposed amendments will further the goals of the City’s 2020 Strategic Plan and the 2020 Affordable Housing Task Force Report to make Decatur a more welcoming, diverse, and inclusive place to live; and

WHEREAS, the proposed amendments will implement further one of the high-priority recommendations of the 2020 Affordable Housing Task Force Report, to increase the supply of affordable housing options by allowing duplex, triplex and quadplex construction in current single-family zoning; and

WHEREAS, said amendments will promote the health, sanitation, cleanliness, safety, morals, good order, security, prosperity and the general welfare of present and future inhabitants of the City of Decatur; and

WHEREAS, required public hearings were held by the Planning Commission of the City of Decatur and the City Commission for the proposed changes to the text of the Unified Development Ordinance of the City of Decatur, all in compliance with the Zoning Procedures Law as well as the applicable provisions of the Unified Development Ordinance; and

NOW THEREFORE, BE IT ORDAINED by the City Commission of the City of Decatur, Georgia, and it is hereby ordained by the authority of the same, as follows:

SECTION 1.

Article 2 of Part IV, Section 2.1.7. First Floor Elevation is amended as follows:

**Item 1.**

Amend description First Floor Elevation to read as follows:

“The finished floor elevation of the first floor of detached house, cottage court, duplex, walk up flat, and attached house shall be determined as follows:”

## SECTION 2.

Article 2 of Part IV, Section 2.2.1. Descriptions is amended as follows:

### **Item 1.**

Amend subsection D. Duplex, to read as follows:

“A building type designed to accommodate two principal dwelling units, vertically or horizontally integrated, that share a common wall, floor or ceiling, or attached building element on a single individual lot.”

### **Item 2.**

Amend subsection G. “Walk Up Flat (3-6 units)” to “Walk Up Flat (3-4 units).”

### **Item 3.**

Amend subsection G. Walk Up Flat (3-4 units), to read as follows:

“A building type designed to accommodate 3 to 4 principal dwelling units, vertically or horizontally integrated, that share a common wall, floor or ceiling, or attached building element on a single individual lot.”

### **Item 4.**

Amend subsection H. “Stacked Flat (7+units)” to “Stacked Flat (5+ units).”

### **Item 5.**

Amend subsection H. Stacked Flat (5+ units), to read as follows:

“A building type designed to accommodate 5 or more dwelling units vertically and horizontally integrated.”

## SECTION 3.

Article 2 of Part IV, Section 2.2.2. Building Types Allowed by District is amended as follows:

### **Item 1.**

Amend row for “Duplex” as being allowed in the R-85, R-60, R-50, and RS-17 zoning districts, indicated as an orange box in the R-85, R-60, R-50, and RS-17 zoning district columns.

### **Item 2.**

Amend “Walk Up Flat (3-6 units)” to “Walk Up Flat (3-4 units).”

### **Item 3.**

Amend row for “Walk Up Flat (3-4 units)” as being allowed in the R-85, R-60, R-50, and RS-17 zoning districts, indicated as an orange box in the R-85, R-60, R-50, and RS-17 zoning district columns.

**Item 4.**

Amend “Stacked Flat, 7+ units” to “Stacked Flat, 5+ units.”

SECTION 4.

Article 2 of Part IV, Section 2.2.3. Rules Specific to Building Types is amended as follows:

**Item 1.**

Amend subsection D. Duplex, to read as follows:

“A building type designed to accommodate two principal dwelling units, vertically or horizontally integrated, that share a common wall, floor or ceiling, or attached building element on a single individual lot.”

**Item 2.**

Amend the table of Rules in subsection D. Duplex to modify Pedestrian Access, Entrance facing primary street, from “Required” to “Required, 1 min.”

**Item 3.**

Amend subsection G. “Walk Up Flat (3-6 units)” to “Walk Up Flat (3-4 units).”

**Item 4.**

Amend subsection G. Walk Up Flat (3-4 units), to read as follows:

“A building type designed to accommodate three to four principal dwelling units, vertically or horizontally integrated, that share a common wall, floor or ceiling, or attached building element on a single individual lot.”

**Item 5.**

Amend the table of Rules in subsection G. Walk Up Flat to modify Lot, Walk Up Flat units per building, from “3 min/6 max” to “3 min/4 max.”

**Item 6**

Amend the table of Rules in subsection G. Walk Up Flat to modify Pedestrian Access, Entrance facing primary street, from “Required” to “Required, 1 min.”

**Item 7.**

Amend subsection H. “Stacked Flat (7+ units)” to “Stacked Flat (5+ units).”

**Item 8.**

Amend subsection H. Stacked Flat (5+ units), to read as follows:

“A building type designed to accommodate 5 or more dwelling units vertically and horizontally integrated.”



**Item 9**

Amend the table of Rules in subsection H. Stacked Flat (5+ units) to modify Lot, Stacked Flat units per building, from “7 min” to “5 min.”

SECTION 5.

Article 3 of Part IV, Section 3.1.2. Building Types Allowed is amended as follows:

**Item 1.**

Add a new row after “Carriage House” that states “Duplex” and “see also Sec. 2.2.3.D.”

**Item 2.**

Add a new row before “Civic Building” that states “Walk Up Flat” and “see also Sec. 2.2.3.G.”

SECTION 6.

Article 3 of Part IV, Section 3.1.3. Lot Dimensions is amended as follows:

**Item 1.**

In the table, in the section for Lot, add a new row after “Carriage house” that states “Duplex,” and add “15,000 SF min” in the column for Area, “85’ min” in the column for Width, and “150’ min” in the column for Depth.

**Item 2.**

In the table, add a new row before “Civic Building” that states “Walk Up Flat” and add “15,000 SF min” in the column for Area, “85’ min” in the column for Width, and “150’ min” in the column for Depth.

**Item 3.**

In the table, in the section for Lot Coverage, add a new row after “Detached house lot” that states “Duplex lot” and “40% max.”

**Item 4.**

In the table, in the section for Lot Coverage, add a new row before “Civic building lot” that states “Walk Up Flat lot” and “40% max.”

SECTION 7.

Article 3 of Part IV, Section 3.2.2. Building Types Allowed is amended as follows:

**Item 1.**

In the table, add a new row after “Carriage House” that states “Duplex” and “see also Sec. 2.2.3.D.”

**Item 2.**

In the table, add a new row before “Civic Building” that states “Walk Up Flat” and “see also Sec. 2.2.3.G.”

SECTION 8.

Article 3 of Part IV, Section 3.2.3. Lot Dimensions is amended as follows:

**Item 1.**

In the table, in the section for Lot, add a new row after “Carriage house” that states “Duplex,” and add “9,000 SF min” in the column for Area, “60’ min” in the column for Width, and “120’ min” in the column for Depth.

**Item 2.**

In the table, in the section for Lot, add a new row before “Civic Building” that states “Walk Up Flat,” and add “9,000 SF min” in the column for Area, “60’ min” in the column for Width, and “120’ min” in the column for Depth.

**Item 3.**

In the table, in the section for Lot Coverage, add a new row after “Detached house lot” that states “Duplex lot” and “Lot less than 9,000 SF” and “See Sec. 2.1.4.” and “Lot 9,000 SF or more” and “40% max/lot.”

**Item 4.**

In the table, in the section for Lot Coverage, add a new row before “Civic Building lot” that states “Walk Up Flat lot” and “Lot less than 9,000 SF” and “See Sec. 2.1.4.” and “Lot 9,000 SF or more” and “40% max/lot.”

SECTION 9.

Article 3 of Part IV, Section 3.3.2. Building Types Allowed is amended as follows:

**Item 1.**

In the table, add a new row after “Carriage House” that states “Duplex” and “see also Sec. 2.2.3.D.”

**Item 2.**

In the table, add a new row before “Civic Building” that states “Walk Up Flat” and “see also Sec. 2.2.3.G.”

## SECTION 10.

Article 3 of Part IV, Section 3.3.3 Lot Dimensions is amended as follows:

### **Item 1.**

In the table, in the section for Lot, add a new row after “Detached house” that states “Duplex,” and add “5,000 SF min” in the column for Area, “50’ min” in the column for Width, and “100’ min” in the column for Depth.

### **Item 2.**

In the table, in the section for Lot, add a new row before “Carriage house” that states “Walk Up Flat,” and add “5,000 SF min” in the column for Area, “50’ min” in the column for Width, and “100’ min” in the column for Depth.

### **Item 3.**

In the table, in the section for Lot Coverage, add a new row after the dimensions for “Detached house lot” that states “Duplex lot” and add the lot dimensions in the following rows:

“less than 5,000 SF” and “See Sec. 2.1.4,”  
“5,000 to 5,499 SF” and “58% max/lot,”  
“5,500 to 5,999 SF” and “56% max/lot,”  
“6,000 to 6,499 SF” and “54% max/lot,”  
“6,500 to 6,999 SF” and “52% max/lot,”  
“7,000 to 7,499 SF” and “50% max/lot,”  
“7,500 to 7,999 SF” and “47% max/lot,”  
“8,000 to 8,499 SF” and “45% max/lot,”  
“8,500 to 8,999 SF” and “43% max/lot,”  
and “9,000 SF or more” and “40% max/lot.”

### **Item 4.**

In the table, in the section for Lot Coverage, add a new row after the dimensions for “Duplex lot” that states “Walk Up Flat lot” and add the lot dimensions in the following rows:

“less than 5,000 SF” and “See Sec. 2.1.4,”  
“5,000 to 5,499 SF” and “58% max/lot,”  
“5,500 to 5,999 SF” and “56% max/lot,”  
“6,000 to 6,499 SF” and “54% max/lot,”  
“6,500 to 6,999 SF” and “52% max/lot,”  
“7,000 to 7,499 SF” and “50% max/lot,”  
“7,500 to 7,999 SF” and “47% max/lot,”  
“8,000 to 8,499 SF” and “45% max/lot,”  
“8,500 to 8,999 SF” and “43% max/lot,”  
and “9,000 SF or more” and “40% max/lot.”

## SECTION 11.

Article 3 of Part IV, Section 3.4.2. Building Types Allowed is amended as follows:

**Item 1.**

Add a new row in the table after “Cottage Court” that states “Duplex” and “see also Sec. 2.2.3.D.”

**Item 2.**

Add a new row in the table before “Civic Building” that states “Walk Up Flat” and “see also Sec. 2.2.3.G.”

SECTION 12.

Article 3 of Part IV, Section 3.4.3. Lot Dimensions is amended as follows:

**Item 1.**

In the table, in the section for Lot, add a new row after “Cottage court” that states “Duplex” and add “5,000 SF min” in the column for Area, and “50’ min” in the column for Width.

**Item 2.**

In the table, in the section for Lot, add a new row before “Civic Building” that states “Walk Up Flat,” and add “5,000 SF min” in the column for Area, and “50’ min” in the column for Width.

**Item 3.**

In the table, in the section for Lot Coverage, add a new row after “Developments > 20,000 SF” that states “Detached House lot” and “60% max/lot.”

**Item 4.**

In the table, in the section for Lot Coverage, add a new row after “Cottage court lot” that states “Duplex lot” and “60% max/lot.”

**Item 5.**

In the table, in the section for Lot Coverage, add a new row after “Townhouse” that states “Walk Up Flat lot” and “60% max/lot.”

SECTION 13.

Article 3 of Part IV, Section 3.4.6. Supplementary Regulations is amended as follows:

**Item 1:**

In the section F. for Building Standards, amend 2. Fire Safety by deleting the existing section and adding the following: “Dwelling units shall comply with Article 10 of the Code of Ordinances of Decatur Georgia: Building and Fire.”

## SECTION 14.

Article 6 of Part IV, Section 6.2. Allowed Use Table is amended as follows:

### **Item 1.**

Amend the column area for “Single Family Attached dwelling” to provide that such use is permitted as a Limited Use in the R-85, R-60, and R-50 zoning districts, indicated as an “L” in the R-85, R-60 and R-50 columns.

### **Item 2**

Amend “Two-family dwelling” to “Duplex.”

### **Item 3**

Amend the column area for “Duplex” to provide that such use is permitted as a Limited Use in the R-85, R-60, R-50, and RS-17 zoning districts, indicated as an “L” in the R-85, R-60, R-50, and RS-17 columns.

### **Item 4.**

Add a new row after “Duplex” that states “Walk Up Flat” and in the column area amend as being permitted as a Limited Use in the R-85, R-60, R-50, and RS-17 zoning districts, indicated as an “L” in the R-85, R-60, R-50, and RS-17 columns; and in the column area amend as being permitted as a Permitted Use in the RM-18, RM-22, RM-43, and PO zoning districts, indicated as a “P” in the RM-18, RM-22, RM-43, and PO columns; and in the column area amend as being permitted as a Conditional Use in the I zoning district, indicated as a “C” in the I column; and in the column “Def./Stds” add “6.3.1.”

### **Item 5.**

Add a new row after “Downtown multiple dwelling” that states “Townhouse” and in the column area amend as being permitted as a Permitted Use in the RS-17, RM-18, RM-22, RM-43, PO, and MU zoning districts, indicated as a “P” in the RS-17, RM-18, RM-22, RM-43, PO, and MU columns; and in the column area amend as being permitted as a Conditional Use in the C-1 and C-2 zoning districts, indicated as a “C” in the C-1 and C-2 columns; and in the column “Def./Stds” add “6.3.1.”

## SECTION 15.

Article 6 of Part IV, Section 6.3.1. Residential Uses, Household Living is amended as follows:

### **Item 1.**

Subsection “F. Inclusionary Dwelling” is amended so that the following portion of the subsection reads as follows:

“Where single-family detached dwelling, single-family attached dwelling, duplex, walk up flat, multiple-family dwelling, or downtown multiple dwelling is permitted, or allowed as a limited use or as a conditional use, it is subject to the following:”

SECTION 16.

Article 7 of Part IV, Section 7.1.2. Development Standards is amended as follows:

**Item 1.**

Add new subsection “N. On Street Parking,” to read as follows:

“For Duplex and Walk Up Flat dwelling units in R-50, R-60, R-85, and RS-17 zoning districts, qualifying on-street parking may count for up to 50% of the off-street parking requirement, provided:

- 1) Parking on-street is not prohibited per section 98-18 of the Code of Ordinances of the City of Decatur;
- 2) For every 15 feet of street frontage of lot width, one qualifying on-street space may be counted towards off-street parking requirements. Restricted parking per section 98-18 of the Code of Ordinances of the City of Decatur and curb cuts shall be excluded from length of lot width.”

SECTION 17.

Article 7 of Part IV, Section 7.1.3. Off-Street Parking Requirements is amended as follows:

**Item 1.**

Modify the row in the Use column that states “Single-Family Dwellings, attached” to “Townhouse.”

**Item 2.**

Modify the row in the Use column that states “Two-Family Dwellings” to “Attached House, Duplex, Walk Up Flat.”

SECTION 18.

Article 12 of Part IV, Section 12.1.1 Defined Terms, Generally, is amended as follows:

**Item 1.**

Modify the definition of “Duplexes” to read as follows:

“A building designed for or occupied exclusively by two families. Duplexes shall mean developed land containing two (duplex) residential dwelling units located within the same building on one or more parcels of land, vertically or horizontally integrated on a single individual lot.”

**Item 2.**

Modify the definition of “Dwelling, multiple family,” to read as follows:

“A building designed for or occupied exclusively by five or more families.”

**Item 3.**

Modify the definition of “Multiple-family dwelling,” to read as follows:

“A building containing five or more living units with independent cooking and bathroom facilities, whether designated as apartment house, tenement, garden apartment, or by any other name.”

**Item 4.**

“Modify the definition of “Multiple-family dwelling unit residential properties,” to read as follows:

“Multiple-family dwelling unit residential properties shall mean developed land whereon five or more residential dwelling units are located, and shall include, but not be limited to apartment houses, structures containing multiple residential condominiums located on a single parcel, boarding houses, group homes, personal care homes, homes for the elderly, retirement and nursing homes, and other structures in which more than one family group commonly and normally reside or could reside. In the application of storm water service fees, multiple-family dwelling unit residential properties shall be treated as other developed lands as defined in this article.

**Item 5.**

Modify the definition of “Single-family dwelling unit” to read as follows:

“Single-family dwelling unit shall mean developed land upon which is located one principal structure that contains one dwelling unit designed for occupancy by one family, with a bathroom and kitchen facilities. Single-family dwelling units may include houses, duplexes, walk up flats, manufactured homes, mobile homes located on one or more individual lots or parcels of land, and fee-simple ownership or condominium townhomes and attached single-family residential structures located on individual lots or parcels of land and such single units located on more than one individual lot or parcel of land. For the purposes of this article, developed land may be classified as a single-family dwelling unit despite the presence of incidental and/or accessory structures associated with residential uses such as garages, carports or small storage buildings, accessory dwellings or the presence of a commercial use within the dwelling unit so long as such use does not result in additional areas of impervious surfaces such as parking spaces, playgrounds or structures or additions to the building which are used as offices, storage facilities, meeting rooms, classrooms, houses of worship or similar nonresidential uses. Single-family dwelling units shall not include developed land containing structures used primarily for nonresidential purposes, manufactured homes and mobile homes located within manufactured home or mobile home parks where the land is owned by others than the owners of the manufactured homes or mobile homes, or multiple-family residential units that are individually owned but are located on a single parcel of developed land, such as condominiums and cooperatively-owned apartments.”

**Item 6.**

Add a new definition for “Walk up flat,” to read as follows:

“Walk up flat. A building designed for or occupied exclusively by 3 or 4 families. Walk up flats shall mean developed land containing 3 or 4 residential units vertically or horizontally integrated on a single individual lot.”

SECTION 19.

This ordinance shall take effect immediately upon its adoption.

SECTION 20.

Should any ordinance or part thereof be found to conflict with this ordinance or the provisions thereof, then those sections contained herein shall be deemed controlling.

SO ORDAINED, this            day of            , 2022.

Signed: \_\_\_\_\_  
Patti Garrett  
Mayor

Attest: \_\_\_\_\_  
Meredith Roark  
City Clerk