

**STATE OF GEORGIA
CITY OF TUCKER**

ORDINANCE O2022-08-49

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF TUCKER, GEORGIA, FOR THE PURPOSE OF AMENDING THE ZONING ORDINANCE CHAPTER 46 FOR TUCKER, GEORGIA, INCLUDING REVISING ARTICLE 6 TO ADD REGULATIONS FOR PERVIOUS PAVEMENT SYSTEM; AND REVISING ARTICLE 9 TO ADD A DEFINITION FOR PERVIOUS PAVEMENT SYSTEM.

WHEREAS, The Mayor and City Council desires to promote the public health, safety, and general welfare of the residents of the city; and,

WHEREAS, the Mayor and City Council desires to provide clarity on existing regulations and provide more environmentally friendly paving solutions; and

WHEREAS, the Mayor and City Council desires to achieve compliance with all applicable state and federal regulations; and

WHEREAS, the Mayor and City Council desires to provide for protection of the constitutional rights and obligations of all citizens within the city; and

WHEREAS, the Mayor and City Council wish to revise Sec. 46-1451(2)f to include a reference to pervious pavement systems, as shown in Exhibit A; and

WHEREAS, the Mayor and City Council wish to revise Sec 46-1459 to reformat the existing sections, as shown in Exhibit A; and

WHEREAS, the Mayor and City Council wish to revise Sec 46-1459 to amend the language for typical paving surfaces, references to pavers, and the removal of the reference to environmentally sensitive areas, as shown in Exhibit A; and

WHEREAS, the Mayor and City Council wish to revise Section 46-1459 to add sections for typical residential paving surfaces and pervious pavement systems, as shown in Exhibit A; and

WHEREAS, the Mayor and City Council wish to revise Article 9 to add a definition for pervious pavement system, as shown in Exhibit A; and

WHEREAS, Notice to the public regarding said amendment has been duly published in The Champion, the Official News Organ of Tucker; and

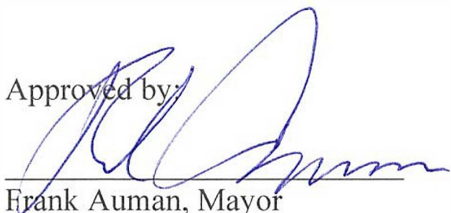
WHEREAS, A Public Hearing was held by the Mayor and City Council of Tucker on August 8, 2022 and September 12, 2022; and

WHEREAS, The Mayor and City Council is the governing authority for the City of Tucker;

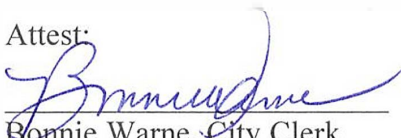
NOW THEREFORE, the Mayor and City Council of the City of Tucker while in Regular Session on September 12, 2022, hereby ordains and approves the amendment of Articles 6 and 9 as shown in Exhibit A, which is attached to this ordinance.

SO EFFECTIVE this 12th day of September 2022.

Approved by:


Frank Auman, Mayor

Attest:


Bonnie Warne, City Clerk



SEAL

ARTICLE VI. PARKING

Sec. 46-1449. Introduction.

This article establishes the standards for the number, location, and development of motor vehicle parking facilities, standards for on-site loading areas, and standards for bicycle parking.

(Ord. No. 2016-06-07, att. (6.1.1), 7-11-2016)

Sec. 46-1450. Interpretation.

- (a) *Fractions.* Where a fractional space results during the calculation of required parking, the required number of parking spaces shall be the next lowest whole number.
- (b) *Parking space requirement not specified.* Where the parking requirement for a particular use is not described in table 6.2, and where no similar use is listed, the planning and zoning director shall determine the number of spaces to be provided based on requirements for similar uses, location of the proposed use, the number of employees on the largest shift, total square footage, potential customer use, or other expected demand and traffic generated by the proposed use. If the planning and zoning director reasonably determines that a parking generation study should be prepared by a qualified professional, the community development director may require submission of such a study to aid the planning and zoning director in making a determination with respect to the number of required parking spaces.
- (c) *Computations for multiple floor uses within a building.* In cases where a building contains some combination of residential use, office space, retail or wholesale sales area, or bulk storage area, the planning and zoning director may determine on a proportional basis the parking and loading requirements based on separate computations for each use.

(Ord. No. 2016-06-07, att. (6.1.2), 7-11-2016; Ord. No. O2020-03-07 , exh. A, 3-23-2020)

Sec. 46-1451. Parking regulations, off-street parking spaces.

Off-street parking spaces shall be provided in accordance with the following requirements:

- (1) Each application for a development permit or building permit, other than for a detached single-family residence, shall be accompanied by a parking plan showing all required off-street parking spaces, driveways, and the internal circulation system for each such parking lot.
- (2) All parking lots and spaces shall conform to the following requirements:
 - a. All vehicles shall be parked on a paved surface that is connected to and has continuous paved access to a public or private street, except as otherwise allowed in this section.
 - b. Each parking space, except those located on a single-family residential lot, shall comply with the minimum dimensions established in table 6.1. Each parking lot shall have adequate space for each car to park and exit every parking space and space for internal circulation within said parking lot.
 - c. Each parking lot, except those parking spaces located on property used for single-family residential purposes, shall comply with section 46-1337, site and parking area landscaping.
 - d. All parking lots and parking spaces, except those located on property used for single-family residential purposes, shall conform to the geometric design standards of the Institute of Traffic Engineers.

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- e. Parking and loading shall not be permitted within the front yard in any MR, HR, O-I, or O-I-T zoning district, except for required handicapped parking. Notwithstanding the previous sentence, parking and loading shall be permitted within the front yard where provision of adequate parking spaces within the rear is impractical and upon issuance of a variance pursuant to article VII of this chapter.
 - f. Parking shall not be permitted within the front yard of any property used for single-family residential purposes, except within a driveway, or in a roofed carport or enclosed garage. Within any single-family residential district, not more than 35 percent of the total area between the street right-of-way line and the front of the principal building shall be paved or covered with a pervious pavement system.
 - g. No parking space, driveway or parking lot shall be used for the sale, repair, dismantling, servicing, or long-term storage of any vehicle or equipment, unless located within a zoning district which otherwise permits such use.
 - h. The parking of business vehicles on private property located within residential zoning districts is prohibited. This section shall not prohibit:
 - 1. Typical passenger vehicles, with or without logos, including automobiles, pickup trucks, passenger vans, and dually trucks;
 - 2. Vehicles engaged in active farming, construction activities or contractor services on the private property, or the temporary parking (12 hours or less) of vehicles for the purpose of loading/unloading within residential zoning districts; nor
 - 3. The parking of vehicles on property located in residential zoning districts, where such property is used for an authorized nonresidential use such as a church;
 - 4. Vehicles used in law enforcement are exempt from the restrictions of this subsection.
 - i. All parking lots shall conform to the requirements of section 46-1455.

Table 6.1. Minimum Parking Space Dimensions

<i>Parking Angle</i>	<i>Minimum Stall Width</i>	<i>Minimum Stall Depth</i>	<i>Minimum Parking Aisle Width</i>
Regular-sized vehicles			
90 degrees	9'	18'	24'
75 degrees	9'	19'	21'
60 degrees	9'	17'	14'
45 degrees	9'	15'	11'
Compact vehicles			
90 degrees	8.5'	15'	22'
75 degrees	8.5'	16	20'
60 degrees	8.5'	15'	14'
45 degrees	8.5'	14'	10'

(Ord. No. 2016-06-07, att. (6.1.3), 7-11-2016)

Sec. 46-1459. Paving surfaces.

- (a) Typical commercial paving surfaces. The paving surface of required minimum on-site and off-site parking areas shall be a dust-free, all-weather material (e.g., asphalt, concrete, or pervious pavement system). The paving surface shall have the parking stalls, loading and unloading zones, fire lanes and any other applicable designations delineated in white or yellow paint.
- (b) Typical residential paving surfaces. Residential driveways, turnarounds, and parking pads shall be a dust free, all-weather material (e.g., asphalt, concrete, or pervious pavement system).
- (c) Alternative commercial paving surfaces may be used for the number of spaces that exceed 105 percent of the minimum required spaces subject to the confirmation by the planning and zoning director of the pervious nature of the alternative paving material and the numerical calculations.
 - (1) Alternative paving surfaces may include living turf grass or similar ground cover, stabilized grass lawn, or other pervious parking surfaces.
 - (2) Driveways, access aisles and parking spaces (excluding handicapped) may be surfaced with grass lawn or other pervious parking surface serving:
 - a. Uses which require parking for less than five days per week during a typical month; and
 - b. Parks, playgrounds, and other similar outdoor recreation areas with less than 200 parking spaces.
- (d) Pervious Pavement System.
 - (1) A minimum 5-foot to 10-foot concrete apron shall be installed at the curb cut before the start of the pervious pavement system.
 - (2) A pervious pavement system shall be self-contained or defined by edging to delineate the boundary of the driveway, etc.
 - (3) A pervious pavement system shall be maintained and free of weeds.
 - (4) When a pervious pavement system is used in a residential zoning district, 50% of the area covered by the pervious pavement shall be considered as impervious surface when determining compliance with lot coverage requirements. The total impervious and pervious pavement surfaces shall not exceed a factor of 1.25 of the maximum percent of lot coverage allowed for the zoning district in which the property is located.

(Ord. No. 2016-06-07, att. (6.1.11), 7-11-2016; Ord. No. O2020-03-07 , exh. A, 3-23-2020)

ARTICLE IX. DEFINITIONS

Sec. 46-1775. - Definitions.

Pervious Pavement System means a hard surface appropriate for parking or driving that provides temporary storage of stormwater runoff and allows water to infiltrate into the subsoil below. The term “pervious pavement” shall include porous asphalt, pervious concrete, permeable interlocking pavers as described within the most current edition of the Georgia Stormwater Management Manual. Plastic grid pavers and gravel driveways are not permitted as a pervious pavement system. See also Lot coverage.