

# **ORDINANCE AMENDMENT**

## **OA- 2026-02**

**AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT CODE OF THE CITY OF DALLAS, GEORGIA, BY REPEALING AND REPLACING SECTION 8.14 "PLACES OF WORSHIP" WITH A NEW SECTION 8.14 "PLACES OF ASSEMBLY" ESTABLISHING COMPREHENSIVE REGULATIONS FOR PLACES OF ASSEMBLY; AMENDING CHAPTER XIII BY ADDING NEW DEFINITIONS FOR “COMMUNITY CENTER,” "PLACE OF ASSEMBLY," "ASSEMBLY AREA," AND "ACCESSORY ASSEMBLY USE," PUBLICLY-OWNED BUILDINGS AND FACILITIES” AND DELETING THE DEFINITION OF "PLACE OF WORSHIP"; AMENDING CHART 4.3 TO REPLACE "PLACES OF WORSHIP" WITH "PLACES OF ASSEMBLY" AND ADJUST PERMISSIONS FOR PRIVATE CLUBS OR LODGES, COMMUNITY CENTERS and PUBLICLY OWNED BUILDINGS AND FACILITIES; AND FOR OTHER PURPOSES**

**WHEREAS**, the City of Dallas, Georgia is a municipal corporation organized and existing under the Constitution and laws of the State of Georgia, vested with the authority to adopt comprehensive zoning ordinances and land-use regulations to protect the public health, safety, and welfare of its citizens; and

**WHEREAS**, the City previously adopted a Unified Development Code (UDC) establishing zoning districts, use classifications, and development standards for land within the City's incorporated limits; and

**WHEREAS**, the Mayor and Council of the City of Dallas, Georgia ("City"), desire to establish comprehensive regulations for places of assembly that accommodate religious worship, community gatherings, and similar uses while ensuring compatibility with surrounding development; and

**WHEREAS**, the City seeks to replace the existing "Places of Worship" category with a broader "Places of Assembly" classification that provides clear development standards and reduces regulatory distinctions based on the nature of assembly activities; and

**WHEREAS**, these regulations are intended to promote orderly development, protect property values, ensure adequate infrastructure, while ensuring adequate infrastructure capacity and public safety; and

**WHEREAS**, the Mayor and Council find that these amendments serve the public health, safety, and welfare of the citizens of Dallas.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the City of Dallas, Georgia, as follows:

### **SECTION 1: AUTHORITY**

This Ordinance is enacted pursuant to the City's authority under the Constitution of the State of Georgia, the City's Charter, and applicable state law, including O.C.G.A. § 36-66-1 et seq.

### **SECTION 2: CHAPTER XIII (DEFINITIONS) AMENDMENTS**

Chapter XIII (Definitions) of the Unified Development Code is hereby amended as follows:

**A. DELETE EXISTING DEFINITION**

The definition of "PLACE OF WORSHIP" is hereby deleted in its entirety.

**B. ADD NEW DEFINITIONS**

The following definitions are hereby added to Chapter XIII in alphabetical order:

**ACCESSORY ASSEMBLY USE:** A use that is subordinate and clearly incidental to a Place of Assembly and located on the same lot, including but not limited to, parsonages, parish halls, fellowship halls, Sunday school classrooms, and administrative offices. Accessory Assembly Uses do not include: full-time K–12 schools, daycare centers exceeding fifty (50) enrolled children, homeless shelters, indigent food service facilities, or outdoor recreational facilities with lighting. These high-impact uses require separate Special Exception approval per Section 8.14.

**ASSEMBLY AREA:** Any indoor space designed or customarily used for gatherings of ten (10) or more persons, including but not limited to sanctuaries, auditoriums, fellowship halls, multipurpose rooms, and classrooms. Assembly area shall be measured as the gross floor area of such spaces, excluding lobbies, corridors, restrooms, kitchens, and storage areas. For purposes of calculating intensity thresholds under this Code, only Assembly Area as defined herein shall be counted toward square footage limits.

**COMMUNITY CENTER:** A Place of Assembly providing civic, cultural, recreational, educational, or social services to neighborhood or community residents. Community Centers include facilities operated by municipalities, counties, homeowners associations, nonprofit organizations, or private entities for assembly and gathering purposes. Examples include neighborhood clubhouses, civic halls, recreation centers, senior centers, and similar assembly facilities. Community Centers are subject to the development standards in Section 8.14 (Places of Assembly). For purposes of use permissions in Chart 4.3, Community Centers are classified and regulated as Places of Assembly based on their scale (Neighborhood-Scale or Regional) as defined herein.

**PLACE OF ASSEMBLY:** A building or structure, or groups of buildings or structures, designed, intended, or primarily used for regular assembly for religious worship, religious education, secular community gatherings, or associated activities. This definition includes but is not limited to churches, synagogues, mosques, temples, meditation centers, community centers, fraternal organizations, and private membership clubs. This definition excludes Community Centers as defined and regulated separately under this Code.

- a) Place of Assembly, Neighborhood-Scale: A Place of Assembly that does not exceed 5,000 square feet of total assembly area and has a maximum occupancy of 300 persons or fewer. This includes but is not limited to churches, synagogues, temples, mosques, fraternal lodges, small event spaces, and similar small-scale assembly facilities.
- b) Place of Assembly, Regional: A place of Assembly with more than 5,000 square feet of total assembly area or a maximum occupancy exceeding 300 persons, or which includes high-intensity accessory uses such as weekday educational programs, gyms, or recurring non-worship activities generating more than 100 peak-hour trips.

**PUBLICLY-OWNED BUILDINGS AND FACILITIES:** Buildings, structures, or land owned and operated by the City of Dallas, Paulding County, the State of Georgia, the federal government, or any agency, authority, or political subdivision thereof, used for governmental, administrative, public safety, public works, educational, cultural, or recreational purposes. This definition includes but is not limited to city halls, courthouses, police stations, fire stations, public libraries, public parks, public schools, government offices, maintenance facilities, water and

wastewater treatment facilities, and similar governmental operations. This definition excludes Community Centers as separately defined and regulated under this Code, and excludes publicly-owned utilities infrastructure and rights-of-way. *Publicly-owned buildings and facilities operated by the City of Dallas for essential emergency services (police, fire, emergency medical services, water supply, wastewater treatment, or emergency operations) shall be exempt from Special Exception application fees and shall receive expedited review with approval or denial within thirty (30) days of complete application submittal.*

### **SECTION 3: CHAPTER VIII, SECTION 8.14 REPEAL AND REPLACEMENT**

Section 8.14 of Chapter VIII (Supplementary Conditions for Specific Uses) is hereby repealed in its entirety and replaced with the following:

#### **Sec. 8.14 – PLACES OF ASSEMBLY**

##### **A. Purpose**

The purpose of this Section is to establish clear and consistent development standards for Places of Assembly that:

- (1) Ensure compatibility with surrounding land uses and development patterns;
- (2) Provide adequate off-street parking and vehicular circulation;
- (3) Protect the character and integrity of residential neighborhoods;
- (4) Minimize potential impacts on traffic, infrastructure, and public services;
- (5) Accommodate the need for religious, civic, and community gathering spaces while protecting neighborhood character, ensuring infrastructure adequacy, and promoting public safety.

##### **B. Applicability**

The provisions of this section apply to all Places of Assembly, including both Neighborhood-Scale and Regional as defined in Chapter XIII. Where intensity-based distinctions are necessary, Neighborhood-Scale uses shall be subject to Sections B–G of this Article. Regional Places of Assembly shall additionally comply with Sections H–J and require Special Exception approval in all districts where permitted.

##### **C. Lot Area Requirements**

The minimum lot area for a Place of Assembly shall be two (2) acres, except in the MXU (Mixed Use) and C-1 (Neighborhood Commercial) zoning districts, where the minimum lot area shall be one (1) acre.

##### **D. Parking Requirements**

Off-street parking shall be provided at a ratio of one (1) space per four (4) fixed seats, or where seating is not fixed, one (1) space per sixty (60) square feet of assembly area as defined in Chapter XIII. Accessible parking spaces shall be provided in accordance with the Americans with Disabilities Act and Georgia Accessibility Code. The Community Development Director may approve a reduction of up to twenty-five percent (25%) of required parking spaces upon submission of a shared parking agreement demonstrating that peak parking demands for the place of assembly do not coincide with peak demands of adjacent uses. Parking areas shall be paved, striped, and comply with all applicable standards in Section 7.02 (Off-Street Parking and Loading) of this Code.

##### **E. Landscape Buffers**

Landscape buffers shall be provided in accordance with Section 7.08 (Tree Conservation, Buffers, and Landscaping Compliance) of this Code. Where a Place of Assembly shares a common property boundary with a residential zoning district or residential use, a minimum twenty-five (25) foot Type C buffer shall be provided unless a more restrictive buffer is required by Section 7.08.

##### **F. Access and Circulation**

Places of Assembly shall have direct access to a public street or private street meeting City of Dallas Public Works standards. Internal circulation and access design shall comply with Section 7.03 (Entrance/Drive Standards) of this Code. Places of Assembly generating more than one hundred (100) vehicle trips during any peak hour shall submit a traffic impact study prepared by a licensed professional engineer for review and approval by the City Engineer prior to issuance of a building permit.

#### **G. Building Design Standards**

Architectural design and building materials shall comply with the applicable standards in Section 9.03 (Non-Residential Design Standards) of this Code. Religious architectural elements including but not limited to steeples, bell towers, minarets, domes, and crosses may exceed the maximum height limit of the underlying zoning district by up to fifteen (15) feet, provided that such elements comply with all applicable building and fire codes.

#### **H. Scale and District Controls**

1. Any Place of Assembly meeting the definition of "Regional" in Chapter XIII (including those exceeding 5,000 square feet of assembly space, 300 persons maximum occupancy, or with high-intensity accessory uses per subsection J below) shall be considered Regional in scale for purposes of this Section.
2. Regional Places of Assembly are permitted only by Special Exception and are subject to the full review criteria in Article 12.
3. Neighborhood-Scale Places of Assembly may be permitted by right in applicable commercial districts only where all intensity thresholds are not exceeded.

#### **I. Downtown and Commercial Area Controls**

Places of Assembly in these districts shall comply with the Traffic Impact Study requirements in subsection F above where applicable based on peak hour trip generation.

#### **J. Accessory Uses and Subclassification**

Any Place of Assembly with accessory daycare, gymnasium, school, or similar weekday high-intensity operations shall be reviewed as a Regional Place of Assembly regardless of size or seating, and shall comply with all parking, traffic, and buffering requirements applicable to institutional uses.

#### **K. Outdoor Lighting**

Outdoor lighting shall comply with Section 7.12 (Outdoor Lighting) of this Code.

#### **L. Accessory Assembly Uses**

Accessory Assembly Uses as defined in Chapter XIII are permitted as part of a Place of Assembly, provided they are clearly incidental and subordinate to the primary use and comply with Section 8.02 (Accessory Use and Structure Standards) of this Code.

#### **M. Signage**

Signage shall comply with Chapter 28 (Dallas Sign Ordinance). Religious symbols and displays that are permanently affixed to the principal structure and do not exceed twenty-five (25) square feet in area are exempt from permitting requirements but must comply with Chapter 28 size and setback standards.

#### **N. Administrative Variances and Special Exception Procedures**

##### **(1) Administrative Variances**

Where strict application of the standards in this Section 8.14 would create practical difficulties due to unique site conditions including but not limited to topography, existing development patterns, or lot configuration, the Community Development Director may approve administrative variances not exceeding ten percent (10%) of any dimensional requirement upon written findings that:

- (a) The variance is the minimum necessary to address the practical difficulty;
- (b) The variance will not adversely impact adjacent properties; and
- (c) The variance is consistent with the purpose of this Section as stated in subsection A.

Administrative variances exceeding ten percent (10%) or involving use modifications shall require approval by special exception in accordance with Section 11.09 (Special Exception Procedure) of this Code.

(2) Special Exception Criteria

Applications for Places of Assembly requiring special exception approval pursuant to Chart 4.3 or for variances exceeding ten percent (10%) shall be evaluated based on the following criteria:

- a) Compatibility with the scale, design, and character of surrounding development;
- b) Adequacy of vehicular and pedestrian access, parking, and internal circulation;
- c) Impact on the capacity of public infrastructure including roads, water, and sewer;
- d) Impact on public services including police, fire, and emergency medical services;
- e) Compliance with all applicable development standards in this Section 8.14;
- f) Provision of adequate buffers and screening to minimize impacts on adjacent properties.

(3) Publicly-owned buildings and facilities operated by the City of Dallas for essential emergency services (police, fire, emergency medical services, water supply, wastewater treatment, or emergency operations) shall be exempt from Special Exception application fees and shall receive expedited review with approval or denial within thirty (30) days of complete application submittal.

**SECTION 4: AMENDMENTS TO CHART 4.3 - ZONING DISTRICT USE PERMISSIONS**

Chart 4.3 (Use Permissions by Zoning District) in Section 4.03 of the Unified Development Code is hereby amended as follows:

**A. The use category "Places of Worship" is hereby deleted in its entirety and replaced with two new use categories of:**

**"Places of Assembly (Neighborhood Scale)" with the following permissions by zoning district:**

|      |                   |
|------|-------------------|
| R-1: | Special Exception |
| R-2  | Special Exception |
| R-3  | Special Exception |
| MF-1 | Special Exception |
| MF-2 | Special Exception |
| TH   | Special Exception |
| CBD  | Special Exception |
| C-1: | Permitted Use     |
| C-2  | Permitted Use     |
| MXU  | Special Exception |
| OMI  | Permitted Use     |
| I-1  | Not Permitted     |
| I-2  | Not Permitted     |

**and**

**"Places of Assembly (Regional)" with the following permissions by zoning district:**

|      |                   |
|------|-------------------|
| R-1: | Special Exception |
| R-2  | Special Exception |
| R-3  | Special Exception |
| MF-1 | Special Exception |
| MF-2 | Special Exception |
| TH   | Special Exception |
| CBD  | Special Exception |
| C-1: | Special Exception |
| C-2  | Special Exception |
| MXU  | Special Exception |
| OMI  | Special Exception |
| I-1  | Not Permitted     |
| I-2  | Not Permitted     |

**B. The use category "Private Clubs or Lodges" shall be amended to reflect the following permissions by zoning district:**

|      |                   |
|------|-------------------|
| R-1: | Special Exception |
| R-2  | Special Exception |
| R-3  | Special Exception |
| MF-1 | Special Exception |
| MF-2 | Special Exception |
| TH   | Special Exception |
| CBD  | Special Exception |
| C-1: | Permitted Use     |
| C-2  | Permitted Use     |
| MXU  | Special Exception |
| OMI  | Permitted Use     |
| I-1  | Not Permitted     |
| I-2  | Not Permitted     |

**C. The use category "Community Center" shall be amended to reflect the following permissions by zoning district:**

|      |                   |
|------|-------------------|
| R-1: | Special Exception |
| R-2  | Special Exception |
| R-3  | Special Exception |
| MF-1 | Special Exception |
| MF-2 | Special Exception |
| TH   | Special Exception |
| CBD  | Special Exception |
| C-1: | Permitted Use     |
| C-2  | Permitted Use     |
| MXU  | Special Exception |
| OMI  | Permitted Use     |
| I-1  | Not Permitted     |
| I-2  | Not Permitted     |

**D. The use category "Publicly-Owned Buildings and Facilities" shall be amended to reflect the following permissions by zoning district:**

|       |                   |
|-------|-------------------|
| R-1:  | Not Permitted     |
| R-2:  | Not Permitted     |
| R-3:  | Special Exception |
| MF-1: | Special Exception |
| MF-2: | Not Permitted     |
| TH:   | Special Exception |
| CBD:  | Special Exception |
| MXU:  | Special Exception |
| C-1:  | Special Exception |
| C-2:  | Special Exception |
| OMI:  | Special Exception |
| I-1:  | Special Exception |
| I-2:  | Special Exception |

**SECTION 5: TRANSITION AND EXISTING APPLICATIONS**

**A. Pending Applications**

Any application for a Place of Worship that has been filed and deemed complete prior to the effective date of this Ordinance shall be processed under the regulations in effect at the time the application was deemed complete.

**B. Legal Nonconforming Status**

Any existing Place of Worship lawfully established under previous regulations shall be deemed a legal nonconforming use and shall be subject to the provisions of Chapter III (Nonconformities) of the Unified Development Code. Such uses may continue to operate and may be modified in accordance with Chapter III, provided that any expansion or substantial modification shall comply with the provisions of Section 8.14 as amended by this Ordinance.

**C. Special Exception Approvals**

Any Place of Worship operating under a previously approved Special Exception shall retain the rights and conditions of that approval. Modifications to previously approved Special Exceptions shall be processed in accordance with Section 11.09 of the Unified Development Code.

#### **SECTION 6: SEVERABILITY**

Should any section, subsection, sentence, clause, or phrase of this Ordinance be declared or adjudged invalid or unconstitutional, such adjudication shall in no manner affect the other sections, subsections, sentences, clauses, or phrases of this Ordinance, which shall remain in full force and effect as if the section, subsection, sentence, clause, or phrase so declared or adjudged invalid or unconstitutional were not originally a part hereof. The Mayor and Council hereby declare that they would have passed the remaining parts of this Ordinance if they had known that such part or parts hereof would be declared or adjudged invalid or unconstitutional.

#### **SECTION 7: REPEALER**

All ordinances and parts of ordinances in conflict with this Ordinance are hereby repealed to the extent of such conflict.

#### **SECTION 8: CODIFICATION**

The provisions of this Ordinance shall be codified in the Unified Development Code of the City of Dallas, Georgia, and the City Clerk is hereby authorized and directed to make such codification.

#### **SECTION 9: ZONING MAP RE-ADOPTION AND CERTIFICATION**

Pursuant to O.C.G.A. § 36-66-4(b), the Official Zoning Map of the City of Dallas, Georgia, as adopted by Ordinance No. and Re-Adopted in Ordinance No. , is hereby re-adopted and re-certified to reflect the amendments to Chart 4.3 (Use Permissions by Zoning District) established by this Ordinance and to correct any clerical, typographical, or drafting errors appearing on prior versions of the Official Zoning Map that do not conform to the legislative intent of previously adopted zoning decisions. The Community Development Director is hereby authorized and directed to:

1. Cause appropriate notations to be made on the Official Zoning Map indicating the effective date of this Ordinance and the amendments to use permissions contained herein;
2. Update all copies of the Official Zoning Map maintained by the City to reflect the revised use permissions for Places of Assembly (Neighborhood-Scale and Regional), Community Centers, Private Clubs or Lodges, and Publicly-Owned Buildings and Facilities as established in Section 4 of this Ordinance;
3. Correct any clerical, typographical, or drafting errors on the Official Zoning Map that are inconsistent with previously adopted zoning ordinances, rezoning approvals, or annexation actions, including but not limited to incorrect zoning district labels, misaligned district boundaries, omitted parcels, or outdated reference information;
4. Re-certify the Official Zoning Map as accurate and current following the incorporation of said amendments and corrections; and
5. Make the re-certified Official Zoning Map available for public inspection in the office of the Community Development Director and such other locations as required by law.

This re-adoption and re-certification does not alter the legislative intent of any previously adopted zoning decision, but solely corrects any administrative or clerical errors and incorporates the text amendments to use permissions adopted by this Ordinance. Where corrections are made pursuant to subsection (3) above, the Community Development Director shall prepare and maintain a written record of such corrections, including the nature of the error corrected and the legal basis for the correction.

#### **SECTION 9: EFFECTIVE DATE**

This Ordinance shall become effective immediately upon its adoption by the Mayor and Council of the City of Dallas, Georgia.

First read \_\_\_\_\_

**SO SHALL IT BE ORDAINED BY THE MAYOR AND COUNCIL OF THE  
CITY OF DALLAS, GEORGIA, THIS THE \_\_\_\_ DAY OF \_\_\_\_\_, 2025.**

\_\_\_\_\_  
L. James Kelly, Mayor

\_\_\_\_\_  
James R. Henson, Councilmember

\_\_\_\_\_  
Cooper Cochran, Councilmember

\_\_\_\_\_  
Nancy R. Arnold, Councilmember

\_\_\_\_\_  
Christopher B. Carter, Councilmember

\_\_\_\_\_  
Leah Alls, Councilmember

\_\_\_\_\_  
Candace Callaway, Councilmember

ATTEST:

\_\_\_\_\_  
Tina Clark, City Clerk  
City of Dallas, Georgia

\_\_\_\_\_  
Date