

**CITY OF DALTON
ORDINANCE NO. 22-03**

To Establish Architectural Design Standards For The Area Within Tax Allocation District No. 5 Otherwise Known As “The Gateway Corridor” As An Overlay To Existing Zoning And Land Use Regulations; To Incorporate Findings Of Fact; To Specify Standards Including Use Of Outdoor Signage; To Establish An Effective Date; To Repeal Laws And Ordinances In Conflict Therewith; To Provide For Severability; And For Other Purposes.

BE IT ORDAINED by the Mayor and Council of the City of Dalton and by authority of same IT IS HEREBY ORDAINED as follows:

PREAMBLE

The Mayor and Council finding a necessity therefor as stated within the body of Section 1 hereof and in order to promote the health, prosperity, safety, and general welfare of the citizenry of the City of Dalton, the “Gateway Corridor” Overlay District Regulations as set forth hereafter in Sections 1 through 12 are hereby enacted.

Sec. 1. - Declaration of purpose, scope and intent.

The Dalton City Council finds that as a matter of public policy that the aesthetic, economic and functional qualities of the City of Dalton are worthy of enhancement, preservation, and protection and are essential to the promotion of the health, prosperity, safety, and general welfare of the existing and future residents of the City of Dalton. Included within the scope are the site, buildings and other structures, parking, landscape and screening, signs, utilities and lighting. The following standards shall control building materials, site lighting, parking, landscaping and commercial signs in conjunction with other ordinances of the City of Dalton. These standards shall apply to all construction within the Gateway Corridor Overlay District in the City of Dalton and only to property within the city limits of the City of Dalton. The purpose and intent of the Gateway Corridor Overlay architectural design standards that encompasses Tax Allocation District 5, and includes portions of Walnut Avenue, Market Street, Tibbs Road, Dug Gap Road and Shields Road, shall be:

- A. To foster civic pride; to raise the level of community understanding and expectation for quality in the built environment; and, to promote attention to accepted design principals in areas of new development and redevelopment;
- B. To implement the comprehensive plan;
- C. To guide certain aspects of development such as the appearance of buildings and open spaces as they contribute to the attractiveness, function, economy and character of an area;
- D. To protect and enhance the visual qualities and character of an area;
- E. To provide guidance to design professionals, property and business owners undertaking construction in the district;
- F. To prevent functional and visual disunity in an area;
- G. To protect property against blight and depreciation;
- H. To encourage the most appropriate development of land; and
- I. To provide an attractive gateway to the community.

Sec. 2. - Definitions.

Words not defined herein shall be construed to have the meaning given in Article II of the zoning ordinance of the City of Dalton, or, by Webster's Ninth New Collegiate Dictionary. The words "shall" and "must" are mandatory, and the words "may" and "should" are permissive. As used in this article, the following terms shall be defined as follows:

Appearance. The outward aspect that is visible to the public.

Appropriate. Fitting to the context of a site, neighborhood or community.

Appurtenances. The visible, functional, or ornamental objects accessory to and part of buildings.

Architectural concept. The basic aesthetic idea of a structure, or group of structures, including the site, signs, building and landscape development that produces the architectural character.

Architectural feature. A significant element of a structure or site.

Attractive. Having qualities that give satisfaction to numerous, but not necessarily all, observers.

Building. A building is a structure created to shelter any form of human activity, including, but not limited to, a house, store, barn, church, and hotel.

Building massing. The visual and physical mass of a building.

Design Review Board. Board appointed by the Mayor and City Council for reviewing projects for conformity with the Gateway Corridor Overlay District Regulations. This Board would have authority over issuing variances to the Regulations.

External design feature. The general arrangement of any portion of structures or landscaping, including the type, and texture of the materials, the type of roof, windows, doors, lights, signs and fixtures of portions which are open to the public view.

Exterior architectural features. The architectural style, general design and general arrangement of the exterior of a structure and site, including, but not limited to, the kind or texture of the building material and the type and style of all windows, doors, signs, facade, landscaping and other architectural fixtures, features, details, or elements relative thereto.

Harmony. A quality that represent an attractive arrangement of parts, as in an arrangement of various architectural elements.

Landscape. Plant materials, topography and other physical elements combined in relation to one another and to structures including pavement.

Logic of design. Widely accepted principals and criteria in the solution of design problems.

Gateway Corridor overlay district. The boundaries of this overlay district include the areas outlined in Exhibit "A" in Article XXV.

Material change in appearance. A change in a structure or a parking lot within said districts that exceed ordinary maintenance or repair or requires either a sign permit, building permit or land disturbance permit such as, but not limited to: the erection, alteration, restoration, addition, or removal of any structure, sign or parking lot.

Monument sign. A freestanding sign supported by an internal structure framework or integrated into landscaping or other solid structural features other than support poles.

Ordinary maintenance or repair. Exempt from inclusion in "material change in appearance" defined above. Ordinary maintenance or repair of any exterior of any structure, parking lot or sign in or on an overlay district property to correct deterioration, decay, damage, or to sustain the existing form, and that does not involve a material change in outer design, material or appearance thereof. Painting, reroofing, resurfacing, replacement or a broken sign face and other similar types of ordinary maintenance shall be deemed ordinary maintenance and repair.

Overlay district. A geographically definable area, possessing a significant concentration or linkage of sites, buildings, structures, object of landscapes, including the adjacent area necessary for the property treatment thereof, united by plan and/or physical development. An overlay district shall further mean an area designated as such by the Mayor and City Council of the City of Dalton.

Proportion. Balanced relationship of parts of a building, signs and other structures, and landscape to each other and to the whole.

Scale. Proportional relationships of the size of parts to one another and to humans.

Street hardware. Objects other than buildings that are part of the streetscape. Examples are: streetlight fixtures, utility poles, traffic lights and their fixtures, benches, litter containers, planting containers, fire hydrants, etc.

Underlying zoning. The zoning category established with respect to a parcel of property by the Mayor and City Council of the City of Dalton.

Where any existing zoning within the overlay district allows for any other specific use, such allowed use shall continue until such time as the owner of the real property applies to change the zoning and then the only portion of the real property that will change its existing zoning use will be the specific portion of any real property that is included within any approved application.

Sec. 3. - Maintenance of properties—Building code and zoning provisions.

A. Ordinary maintenance or repair. Ordinary maintenance or repair of any exterior feature visible from a public street in or on any overlay district property to correct deterioration, decay or damage, or to sustain the existing form, and that does not involve a material change in design, material or outer appearance thereof, does not require a building, sign, or land disturbance permit.

B. Affirmation of existing building codes and zoning. Nothing in this article shall be construed to exempt property and business owners from complying with other existing city regulations whenever this article does not apply. The underlying zoning classification of property and all other provisions of the unified zoning ordinance shall remain in effect unless provisions in the overlay district conflict with the other provisions of the zoning ordinance, in which case, the stricter provisions of the overlay district shall apply.

Sec. 4. - Scope.

These Gateway Corridor Overlay architectural design standards shall control (1) architectural design including building scale, massing, type, siting and building materials; (2) site lighting; (3) landscaping, (4) utility design and placement; and (5) signs in conjunction with other ordinances of the City of Dalton. Where any part of this article conflicts with other city ordinances, the more restrictive standard shall apply. All new construction and/or site construction or any alteration of currently existing buildings or developed sites having an estimated construction, installation

and/or fabrication costs (as referenced in building and land disturbance permit applications) equal to or exceeding fifty (50) percent of said existing site development or building valuation shall conform to the standards set forth in this article. Every application for a building permit for construction of a new building, modification or addition to an existing building within the district, shall be submitted together with plans, elevations and specifications. Alterations and repairs not affecting the exterior appearance of existing buildings are specifically exempted from the provision of this article. However, all fire safety and International Building Code (IBC) as amended, and other relevant interior codes and standards shall continue in full force and effect.

Sec. 5. - Design standards.

In addition to development standards required elsewhere by the City of Dalton zoning ordinance and other ordinances, the following standards shall apply to all development and redevelopment within the Gateway Corridor Overlay District.

- A. Gable, hip, mansard, or pyramid roofs, when visible from adjoining streets (public or private) or any other adjoining property within the overlay district, shall have a minimum roof pitch of 6:12.
- B. Gable, hip, mansard, or pyramid roofs, when visible from adjoining streets (public or private) or any other adjoining property within the overlay district, shall have a minimum overhanging eave on all sides that will extend a minimum of one (1) foot beyond the exterior building wall of the building.
- C. Flat roofs shall not be allowed on buildings having exterior walls of twenty (20) feet or less in height, on average. The project Architect shall certify that the average height requirements are met. For purposes of this paragraph, parapet walls may be included in determining height of an exterior building wall. Additionally, parapet walls shall be equal to or exceed the height of roof-mounted mechanical equipment (typically four (4) feet). The project Architect shall prepare a screening plan that demonstrates the ability to screen proposed roof-top mechanical equipment. Shed roofs are prohibited as a primary roof design.
- D. Permitted exterior building materials shall be brick, stucco, EIFS, stone, wood, glass, vinyl, concrete fiberboard, architectural metal (sheet metal panels are prohibited), or architectural block.
- E. Exposed standard concrete block is not allowed, even if it is painted.
- F. Where more than one (1) adjoining property is developed as part of an overall planned development, side and rear setbacks may be modified or waived to encourage creativity and efficiency in site design, in the discretion of and with approval of the Design Review Board.
- G. In order to foster greater harmony and more appropriate community image, individual site developers are encouraged to coordinate site design elements such as pedestrian interconnections, exterior building materials/architecture, shared driveways and signage, with adjacent site developers. Shared parking is encouraged to reduce impervious surface areas. Shared parking counts must still meet the minimum standards established in the Unified Zoning Ordinance.
- H. Placement of roof-top mechanical equipment (e.g. air-conditioning units, vents, satellite dishes, etc.) shall be accomplished without detracting from the architectural integrity of the building or site. Generally, such equipment must be installed to the rear of the building or on the side, provided the equipment is screened from view from the public

right-of-way and adjoining properties. Accessory structures located on the roof shall be located to the rear, and shall be screened by a parapet or other architectural features.

I. Color: Primary or fluorescent colors shall not be employed except as accent colors.

J. Utilities: All utility lines within this overlay district are required to be placed underground, including city-owned utilities.

Sec. 6. - Additional design regulations.

A. The primary building entrance with public or private street frontage shall face and/or be visible from the public or private street and sidewalk when located adjacent to such street. The primary building entrance may face and/or be visible from portions of Walnut Avenue, Market Street, Tibbs Road, Dug Gap Road and Shields Road if the site is located adjacent to, but not on, this arterial corridor.

B. Building massing. Street fronting building facades greater than one hundred fifty (150) feet in length shall be modulated with breaks in wall surfaces and materials at intervals not to exceed one hundred fifty (150) feet, measured parallel to the street. For buildings that are three (3) stories or less in height, each floor shall be delineated through windows, belt courses, cornices lines, or similar architectural detailing.

C. Location of vehicle facilities and services. Drive-through service windows, drive-in facilities and associated vehicular services such as air pumps (excluding gasoline fuel dispenser structures) shall not be located between the principal structure and portions of Walnut Avenue, Market Street, Tibbs Road, Dug Gap Road and Shields Road without an intervening building. Such shall be located to the side or rear of the principal structure.

D. Parking and driveways. Unless topography, public utilities, or storm drainage make it prohibitive, surface parking and related parking facilities between the principal structure and portions of Walnut Avenue, Market Street, Tibbs Road, Dug Gap Road and Shields Road right-of-way shall be limited to two (2) rows of parking in front of the principal structure. All other surface parking shall be located to the side or rear of the principal structure, except as stated hereinabove.

E. Demolition of existing structure – A demolition plan, including a landscaping plan, shall be required in order to secure a demolition permit within the overlay district. The demolition plan will require removal of the full slab and foundations of the building and all demolition debris from the site. A land disturbance permit may be required depending on the area to be disturbed.

Sec. 7. - Screening and fencing.

Shall be required as follows:

A. Refuse areas (dumpster) shall be placed in the least visible location from public streets (i.e. near the rear of the building), and shall be enclosed on three (3) sides with brick or stone opaque walls, with the fourth side being an opaque closing gate. Height of an opaque wall shall be at least twelve (12) inches higher than the receptacle.

B. Chain link fences are not allowed in the front yards. Where allowed, all chain link fences shall be vinyl coated, hunter green, brown or black.

C. Opaque fences are prohibited adjacent to a public street.

D. All loading areas shall be screened from view of any public street by either a minimum six-foot high opaque fence matching the material of the building, or a fifteen-foot-wide landscape strip planted with a continuous hedge of evergreen shrubs. Shrubs

shall be moderately growing, be a minimum height of three and one-half (3½) feet to four (4) feet at time of planting, and reach a height of six (6) feet within two (2) years of planting. Other loading area screening concepts can be reviewed/considered by the Design Review Board.

E. All detention ponds shall have a minimum five-foot-wide landscape strip with plantings (shrubbery) based on a plan submitted to and approved by the City Arborist.

Sec. 8. - Landscaping.

Landscape standards must be in accordance with City of Dalton Code, Chapter 122, Vegetation, with the following modifications:

A. Impervious surface areas shall not be allowed to cover more than eighty-five (85) percent of the lot. The area to be landscaped shall be devoted to vegetative landscaping which includes, but is not limited to, grass, shrubs, vines, and trees.

B. All trees required to be planted by this section shall be increased to: (a) Shade trees shall be a minimum of two and one-half (2½) inch caliper; (b) Flowering trees shall be at least ten (10) feet minimum height. A minimum of fifty (50) percent of planted trees shall be large maturing shade trees.

C. *Building perimeter landscaping.* The perimeter of each building (excluding the rear elevation) shall at a minimum have a four (4) foot landscape area and a six (6) foot sidewalk. If the area is planted, it shall be landscaped with appropriate materials. In no case shall asphalt paving be contiguous to the base of a building.

Sec. 9. - Lighting.

Proposed developments shall submit for approval a lighting plan that meets the following specifications prior to the issuance of a land disturbance or building permit.

A. The maximum to minimum foot-candle level shall not exceed a twelve to one (12:1) ratio.

B. Light fixture poles cannot exceed forty (40) feet in height.

C. All site lighting shall be directed onto the site and strive for "dark sky" objectives.

D. All building entrances, walks and vehicular access shall be lit.

Sec. 10. - Sign Regulations.

The following standards shall control signs in conjunction with other ordinances of the City of Dalton within the overlay district. These standards shall apply to all construction within the Gateway Corridor Overlay District in the City of Dalton and only to property within the city limits of the City of Dalton. Additionally, the standards and requirements of this section shall take precedence over city-wide standards and requirements within the boundaries of said overlay district.

(1) Individual buildings or business storefront signs (wall signs) shall be limited to one (1) sign per street frontage. One parcel with multiple business shall be limited to one (1) freestanding sign.

(2) Maximum allowed sign area of all freestanding signs shall be one hundred twenty (120) square feet.

(3) Any corner lot adjacent to portions of Walnut Avenue, Market Street, Tibbs Road, Dug Gap Road and Shields Road shall be allowed one (1) additional freestanding sign.

(4) All freestanding signs shall be monument signs and shall not exceed fifteen (30) feet in height. No pylon signs will be allowed.

4a. All monument signs shall be topped with a peaked pediment consisting of a beige/tan stucco façade.

4b. All monument signs shall consist of a brick or stone façade, with the exception of the pediment.

4c. All monument sign lighting shall be directed onto the sign face and strive to achieve the “dark sky” objectives. All lighted signs must be submitted as part of the lighting plan referenced in Section 9 of this ordinance.

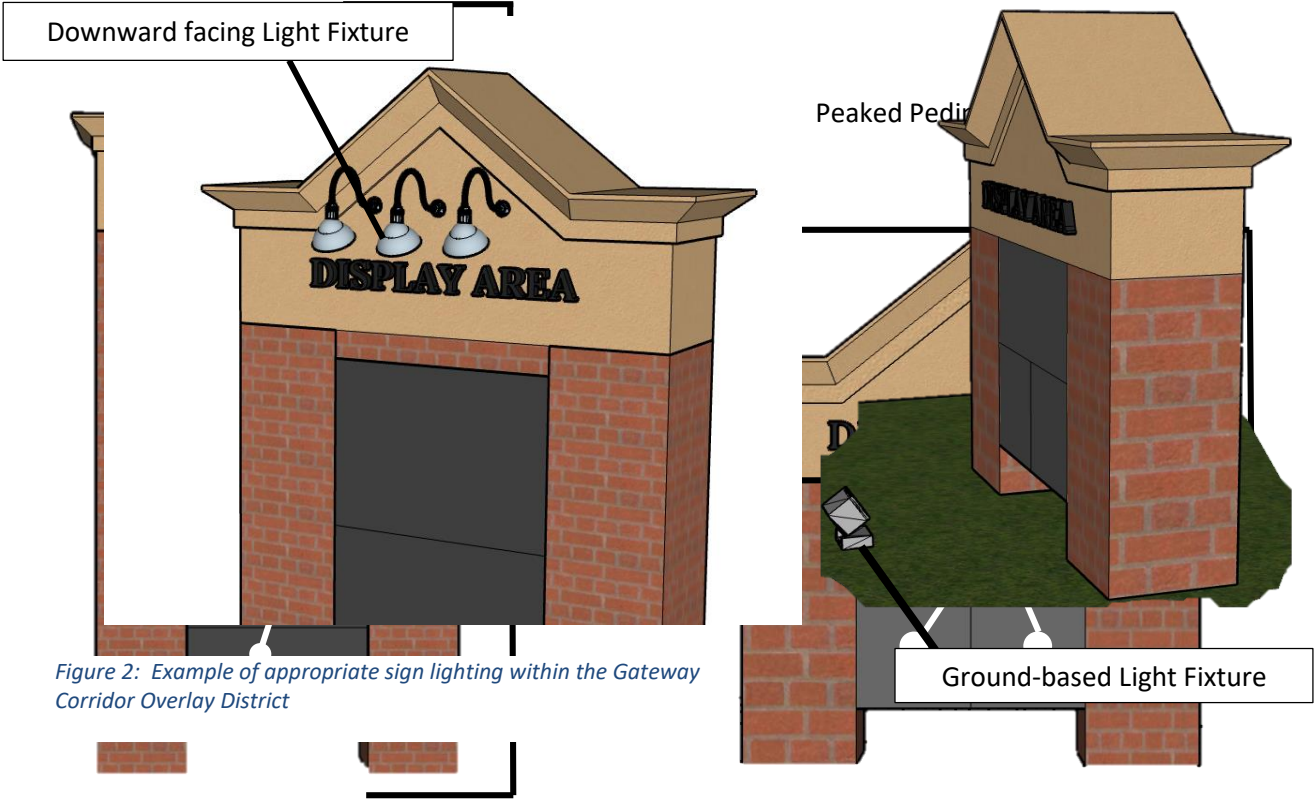


Figure 2: Example of appropriate sign lighting within the Gateway Corridor Overlay District

Figure 1: Examples of appropriate monument signs within the Gateway Corridor Overlay District

(5) Portable signage is not allowed within the overlay district. Portable signage includes corrugated plastic signs, inflatable signs, feather signs, A-frame signs, and other signs held in place with stakes or weighted bases.

**Sec. 11. -
District.**

within
be

- A.
- B.
- C.
- D.



Figure 3: Examples of prohibited portable signs within the Gateway Corridor Overlay District

Uses not allowed in the Gateway Corridor Overlay

Notwithstanding the uses allowed by the underlying zoning classifications of the properties this overlay district, the following uses shall not be allowed therein:

- Accessory apartments.
- Adolescent treatment facilities.
- Adult entertainment establishments.
- Adult video shops.
- E. Amateur radio transmission.
- F. Automotive garages, unless in conjunction with new automotive and truck sales or rental.
- G. Automotive storage yards and wrecker

service.

- H. Car Washes
- I. Check cashing services.
- J. Drive-in theaters.
- K. Farm equipment and supplies stores.
- L. Fortunetellers.
- M. Group homes.
- N. Guest house.
- O. Halfway houses.
- P. Homeless shelters.
- P. In-patient hospice facilities
- Q. Itinerant merchants.
- R. Kennels.
- S. Massage parlors.
- T. Manufactured home sales.
- U. Mini warehouse facilities.
- V. Heavy equipment sales and rental.
- W. Patio houses.
- X. Pawn shops.
- Y. Quarrying.
- Z. Radio, television broadcast stations.
- AA. Radio, television or other communication towers.
- BB. Recycling centers, collecting.
- CC. Pain management clinics
- DD. Repair garages, automotive, unless in conjunction with new automotive and truck sales or rental.
- EE. Repair garages, heavy equipment.
- FF. Repair services, heavy (large appliances and similar).
- GG. Salvage lots.
- HH. Scrap yards.
- II. Self-service storage facilities.

- JJ. Smoke Shops.
- KK. Tattoo/body piercing parlors.
- LL. Taxi stands.
- MM. Transmission shops.
- NN. Truck stops.
- OO. Truck terminals.
- PP. Used automotive, heavy equipment and truck sales or rental unless in conjunction with new automotive and truck sales or rental.
- QQ. Used tire sales/repair shops.
- RR. Vehicle body and paint shops, unless in conjunction with new automotive and truck sales or rental.
- SS. Vehicle engine repair and rebuilding shops, unless in conjunction with new automotive and truck sales or rental.

Sec. 12. - Severability.

The sections, paragraphs, sentences, clauses, and phrases of this article are severable, and if any phase, and if any phase, clause, sentence, paragraph, or section of this chapter be declared unconstitutional or invalid, it shall not affect, any of the remaining phrases, clauses, sentence, paragraphs, and sections of this article.

Sec. 13.

All Ordinances or parts of ordinances in conflict herewith are hereby repealed.

Sec. 14.

This Ordinance be effective five (5) days following passage thereof and its posting in two (2) public places in the City of Dalton.

SO ORDAINED this _____ day of _____, 2022.

The foregoing Ordinance received its first reading on _____ and a second reading on _____ . Upon second reading a motion for passage of the ordinance was made by Alderman _____, second by Alderman _____ and upon the question the vote is _____ ayes, _____ nays and the Ordinance is adopted.

CITY OF DALTON, GEORGIA

MAYOR

Attest:

CITY CLERK

A true copy of the foregoing Ordinance has been published in two public places within the City of Dalton for five (5) consecutive days following passage of the above-referenced Ordinance as of the _____ day of _____, 20__.

CITY CLERK
CITY OF DALTON