

<b>Article 3 Special and Overlay District Regulations .....</b>	<b>3</b>
DIVISION 1 RULES FOR ALL SPECIAL AND OVERLAY DISTRICTS.....	3
3.1.1 Special districts generally.....	3
3.1.2 Overlay districts generally.....	3
3.1.3 Plan submittal, review and approval.....	3
3.1.4 Conceptual plan package review.....	4
3.1.5 Final design package.....	6
DIVISION 2 DOWNTOWN TUCKER ZONING DISTRICTS.....	8
3.2.1 Downtown zoning districts established.....	8
3.2.2 Purpose and intent.....	8
3.2.3 Definitions.....	9
3.2.4 Use of graphics.....	9
3.2.5 Use regulations.....	9
3.2.6 Dimensional requirements.....	17
3.2.7 Block and lots.....	18
3.2.8 Vehicle access.....	19
3.2.9 Inter-parcel access.....	19
3.2.10 Building form and design.....	19
3.2.11 Fences.....	23
3.2.12 Open space.....	24
3.2.13 Neighborhood compatibility.....	24
3.2.14 Streets and streetscapes.....	24
3.2.15 Drive-thru facilities.....	27
3.2.16 Parking.....	27
3.2.17 Landscaping.....	28
3.2.18 Outdoor lighting.....	30
3.2.19 Administration.....	31
DIVISION 3 . NORTHLAKE ZONING DISTRICTS.....	32
3.3.1 Northlake zoning districts established.....	32
3.3.2 Purpose and intent.....	32
3.3.3 Use of graphics.....	33
3.3.4 Use regulations.....	33
3.3.5 Dimensional requirements.....	41
3.3.6 Blocks and lots.....	42

3.3.7	Vehicle access .....	42
3.3.8	Inter-parcel access. ....	42
3.3.9	Building form and design. ....	43
3.3.10	Fences.....	47
3.3.11	Open space. ....	47
3.3.12	Neighborhood compatibility .....	47
3.3.13	Streets and streetscapes.....	48
3.3.14	Drive-thru facilities. ....	51
3.3.15	Parking. ....	51
3.3.16	Landscaping. ....	52
3.3.17	Outdoor lighting.....	54
3.3.18	Administration.....	55
DIVISION 4 MOUNTAIN INDUSTRIAL BOULEVARD OVERLAY DISTRICT .....		56
3.4.1	Scope of regulations. ....	56
3.4.2	Applicability of regulations.....	56
3.4.3	Statement of purpose and intent. ....	56
3.4.4	District boundaries and maps. ....	56
3.4.5	Principal uses and structures.....	56
3.4.6	Prohibited uses. ....	56
3.4.7	Architectural regulations. ....	57
3.4.8	Signs.....	58

## Article 3 Special and Overlay District Regulations

### DIVISION 1 RULES FOR ALL SPECIAL AND OVERLAY DISTRICTS

#### 3.1.1 Special districts generally.

- A. Special districts are zoning district classifications other than those established in Article 2 of this chapter that are intended to apply to specific areas area of the city in accordance with the Comprehensive Plan and other officially adopted City plans.
- B. If special district regulations conflict with other regulations contained in this Chapter, the special district regulations shall prevail.

#### 3.1.2 Overlay districts generally.

Overlay districts are supplemental to the zoning district classifications established as special districts or in Article 2 of this Chapter. This section shall supersede the applicability statements in each overlay district, and are applicable as follows:

- A. All development and building permits for lots located, in whole or in part, within any overlay district must meet all of the regulations of the underlying zoning district in which they are located as well as all of the regulations of the applicable overlay district.
- B. For new development after the effective date of this Chapter, when no complete application for a land disturbance or building permit has been filed with respect to a property located within an overlay district and the property has conditions of zoning that were approved prior to, and in conflict with the overlay district regulations contained in this article, the overlay district regulations shall prevail. If a condition of zoning does not conflict with the overlay district regulations, the condition of zoning shall remain applicable to the property.
- C. For existing development, if overlay district regulations conflict with the conditions of zoning applicable to property within in an overlay district, the

existing zoning conditions remain applicable to the property.

- D. If a use is permitted in the overlay district, but the underlying zoning requires a special land use permit for the same use, the overlay shall govern, and no special land use permit is required.
- E. If overlay district regulations conflict with other regulations contained in this Chapter, the overlay district regulations shall prevail.
- F. The use of property may be permitted without rezoning if listed as allowed by the overlay. Uses allowed by the underlying zoning in Article 4, may also be permitted in the overlay district, unless it is listed as prohibited or if the zoning district is not applicable in the overlay.
- G. Each application for a business license, land disturbance permit, building permit or sign permit, which involves the development, use, exterior alteration, exterior modification or addition of any structure, must demonstrate compliance with all overlay district regulations, subject to Article 8, Nonconforming uses, structures and buildings.
- H. The overlay districts include some uses which require a special land use permit.

#### 3.1.3 Plan submittal, review and approval.

- A. *Applicability.* This section applies to all special and overlay districts.
- B. *Pre-submittal conference.* Prior to the submittal for review of a land disturbance or building permit application for property located within a special district or an overlay district, the applicant and the staff shall have a preliminary meeting to discuss the submittal requirements.
- C. Conceptual plan submittal requirements. As part of any land-disturbance permit, building permit, or sign permit application, the applicant

must submit to the community development director a conceptual plan package and a final design package. Each package must include full architectural and landscape plans and specifications. The submitted plans must include a site plan, architectural elevations and sections; renderings depicting the building design including elevations and architectural details of proposed buildings, exterior materials and colors, and plans and elevations of all hardscape, landscape and signs, all of which must demonstrate that the proposed design is in compliance with all the requirements of the applicable requirements of this Article 3 and any underlying zoning classification. The community development director must provide a copy of the submittals to the mayor and city council and the citizen stakeholder in the area the property is located for review and comments. If the proposed development is also located in an historic district as designated in the Code, the development must also comply with the regulations established for the historic district in Chapter 13.5 of the Code.

- D. *Review by staff.* Staff will review the conceptual plans for compliance with specifications contained in this Zoning Ordinance. If the application fails to comply with any section in this Zoning Ordinance, the application will be marked “failed compliance,” will be returned to the applicant with any comments and/or redlines for revisions, and may be re-submitted with corrections addressing the staff’s comments and/or redlines for further consideration. Once the application is found to be in compliance, the final design will be forwarded to the community development director for approval.
1. Where the community development director determines that said plans comply with the requirements of the applicable special or overlay district, the community development director will approve the plans for

compliance as part of the application for land disturbance, building or signs permits.

2. Where the community development director determines that submitted conceptual plans do not comply with the requirements of this Chapter, then the community development director will notify the applicant in writing of the manner in which the conceptual plans fail to comply with such requirements. All applications must be considered and decided by the community development director within 30 days of receipt of a complete application.
  3. Any appeal to the requirements of a special or overlay district must be made to the zoning board of appeals pursuant to Article 7.
- E. *Fees.* Plans must be accompanied by an application and payment of a fee in an amount determined by mayor and city council.

### **3.1.4 Conceptual plan package review.**

- A. *Applicability.* This section applies to all special and overlay districts.
- B. The conceptual plan package must include the following:
  1. A narrative addressing the proposed development explaining how it meets the purpose, intent, and standards of this Article. The narrative must include a tabulation of the approximate number of acres for each different land use type within the project, the approximate number of dwelling units by type, the approximate gross residential density, the approximate commercial density as well as square feet, the common open space acreage, the approximate open space acreage, the anticipated number, type and size of recreational facilities and other public amenities, and the legal mechanism for protecting and

- maintaining open, as required in Article 5;
2. A site location map showing the proposed development, abutting properties, the access connections of the proposed development to surrounding and existing development, and transitional buffer zones, if required;
  3. A multimodal access plan, prepared at a scale not greater than one inch equals 100 feet, to demonstrate a unified plan of continuous access to and between all structures in the proposed development and adjacent properties where connections are appropriate. The multimodal access plan must cover the entire proposed development along with public right-of-way of adjoining streets and any other property lying between the subject property and any primary or secondary streets. Safe and convenient pathways must be provided from sidewalks along streets to each structure entrance, including pedestrian access routes across parking lots and between adjacent buildings within the same development. Connections to available transportation nodes, such as driveways, sidewalks, and bike paths must be shown along adjacent streets and those entering adjoining properties. Where an existing or planned public transportation station or stop is within 1,250 feet from the nearest boundary of the subject property, the access plan must show how pedestrians may safely travel from such station or stop to the subject property. Where an existing or planned bike path is located within 1,500 feet from the nearest boundary of the subject property, the access plan must show how safe, continuous and convenient bicycle access must be provided to the subject property.
  4. Two copies of a plan drawn to a designated scale of not less than one inch equals 100 feet, certified by a professional engineer or land surveyor licensed by the state, presented on a sheet having a maximum size of 24 by 36 inches, and one 8.5- by 11-inch reduction of the plan. A “.pdf” copy of the plan must be e-mailed to the community development director for distribution to the to the mayor and city council and the citizen stakeholder in the area the property is located for review and comments. If presented on more than one sheet, match lines must clearly indicate where the several sheets join. Such plan must contain the following information:
    - a. Boundaries of the entire property proposed to be included in the development, with bearings and distances of the perimeter property lines;
    - b. Scale and north arrow, with north, to the extent feasible, oriented to the top of the plat and on all supporting graphics;
    - c. Location and approximate dimensions in length and width, for landscape strips and required transitional buffers, if any;
    - d. Existing topography with a maximum contour interval of 5 feet and a statement indicating whether it is an air survey or field run;
    - e. Delineation of any floodplain designated by the Federal Emergency Management Agency, United States Geological Survey, or the City of Tucker;
    - f. Delineation of any jurisdictional wetlands as defined by section 404 of the Federal Clean Water Act;

- g. Approximate delineation of any significant historic or archaeological feature, grave, object or structure marking a place of burial if known, and a statement indicating how the proposed development will impact it;
  - h. Delineation of all existing structures and whether they will be retained or demolished;
  - i. General location, in conceptual form, of proposed uses, lots, buildings, building types and building entrances;
  - j. Height and setback of all existing and proposed buildings and structures;
  - k. Location, size and number of all on-street and off-street parking spaces, including a shared parking analysis, if shared parking is proposed;
  - l. Identification of site access points and layout, width of right-of-way and paved sections of all internal streets;
  - m. Conceptual plans for drainage with approximate location and estimated size of all proposed storm water management facilities and a statement as to the type of facility proposed;
  - n. Development density and lot sizes for each type of use;
  - o. Areas to be held in joint ownership, common ownership or control;
  - p. Identification of site access points and layout, width of right-of-way and paved sections of all internal streets;
  - q. Location of proposed sidewalks and bicycle facilities, trails, recreation areas, parks, and other public or community uses, facilities, or structures on the site;
  - r. Conceptual layout of utilities and location of all existing and proposed utility easements having a width of 10 feet or more;
  - s. Standard details of signs, sidewalks, streetlights, driveways, medians, curbs and gutters, landscaped areas, fencing, street furniture, bicycle lanes, streets, alleys, and other public improvements demonstrating compliance; and
  - t. Seal and signature of the professional preparing the plan.
5. Two copies of the conceptual building designs including elevation drawings drawn to a scale of not less than one-sixteenth (1/16) inch equals one foot showing architectural details of proposed building, exterior materials, all of which demonstrate that the proposed design is in compliance with the Subarea Overlay District in which it is located. Drawings must be presented on a sheet having a maximum size of 24 by 36 inches along with one 8.5- by 11-inch reduction of each sheet. A “.pdf” copy of the drawings must be e-mailed to the community development director or designee for distribution to the mayor and city council and the citizen stakeholder in the area the property is located for review and comments. If the drawings are presented on more than one sheet, match lines must clearly indicate where the several sheets join.
6. *Lighting plan.* See Article 5.
7. *Traffic study.* See Article 5.

### **3.1.5 Final design package.**

- A. *Applicability.* This section applies to all special and overlay districts.

B. Upon receiving and addressing the city's comments with respect to the conceptual design package for a site with a special or overlay district, the applicant must submit the final design package, including color ".pdf" copies, for review and approval. The final design package must contain full architectural and landscape plans, site plan, elevations, section renderings depicting the building design containing elevations and architectural detailing of proposed

buildings, exterior materials and color, and plans and elevations of hardscape landscape and signs all of which must demonstrate compliance with overlay district regulations. All items and specifications necessary for obtaining land disturbance and building permits must be submitted with the final design package. The applicant may submit the final design package simultaneously with the land disturbance or building permit application, as applicable.

## **DIVISION 2 DOWNTOWN TUCKER ZONING DISTRICTS**

### **3.2.1 Downtown zoning districts established.**

- A. The following “Downtown Tucker Zoning Districts” are established:
  - 1. Neighborhood Zone (DT-1)
  - 2. Corridor zone (DT-2)
  - 3. Village zone (DT-3)
- B. References in this zoning ordinance to “Downtown Tucker Zoning Districts or “DT” districts are references to these districts

### **3.2.2 Purpose and intent.**

- A. *General.* The intents of all DT districts are:
  - 1. To promote the development of a more dynamic, mixed-use district of appropriate scale and magnitude in downtown Tucker;
  - 2. To ensure that new structures and developments are consistent with the vision and recommendations of the downtown Tucker LCI plan with significant community involvement and input;
  - 3. To provide a variety of housing types and promote mixed-income residential opportunities;
  - 4. To design and arrange structures, buildings, streets, and open spaces to create an inviting, walkable, human-scale environment;
  - 5. To provide for connectivity of streets and communities and reduce the dependence on automobile use by increasing the ease of movement and opportunities for alternative modes of travel;
  - 6. To ensure a compatible relationship between building placement, building mass and scale, and street by using techniques such as:
    - a. Use of additional facade detail; proportion of facade elements,

doorways, projections and insets; windows design; and creation of strong shadow lines as decorative elements;

- b. Use of consistent setbacks from property lines;
- c. Development of quality sidewalks and a more active, interesting pedestrian environment;
- d. Use of landscaping, lighting and street furniture to unify district buildings and define space;
- e. Use of compatible materials to promote a design and aesthetic compatible with the desired character; and

7. To implement the policies and objectives of the Comprehensive Plan, the Zoning Ordinance of the City of Tucker, and other official policies and plans within the DT districts.

B. *Neighborhood zone (DT-1).* The intent of the neighborhood zone (DT-1) is to preserve the existing residential neighborhood character and uses while allowing compatible mixed use and commercial uses along major roads. This neighborhood character is guided by residential architecture such as pitched roofs, smaller scale, fenestration, cornices, columns, etc.

C. *Corridor zone (DT-2).* The intent of the corridor zone (DT-2) is to encourage mixed-use development along Lawrenceville Highway and LaVista Road that creates a more aesthetically pleasing and pedestrian friendly environment. Commercial, residential and mixed-use developments are desired. Although a mixture of uses is allowed, multifamily and townhouse, uses are preferred. The orientation of any development must be toward

Lawrenceville Highway and LaVista Road but access may be from the rear.

- D. *Village zone (DT-3)*. The intent of the village zone (DT-3) is to revitalize Main Street and create a well-defined core area for Tucker. Mixed-use development with commercial and office uses is encouraged to create the downtown, “Main Street” atmosphere. Additionally, the intent of the district is to incorporate the varying institutional uses such as places of worship, schools, squares and plazas, and government uses into the character of the district. The urban character of this district is guided by shallow or no setbacks, urban edges, and common architectural themes, continuation of architectural rhythms, and building materials and massing.

### 3.2.3 Definitions.

The following terms have the meanings indicated below:

**Primary Street:** Lawrenceville Highway, Main Street, La Vista Road, Fellowship Road, and 1st Avenue.

**Secondary Street.** A street other than a primary street.

### 3.2.4 Use of graphics.

Illustrations, photos, and graphics are included in this division to illustrate the intent and requirements of the text. In the case of a conflict between the text and any illustrations, photos, or graphics, the text governs.

### 3.2.5 Use regulations.

- A. Table 3.1 indicates the permitted uses within DT districts.
- B. The uses listed in Table 3.1 are only permitted in the district identified, and no

use may be established and no structure associated with such use may be erected, structurally altered or enlarged unless the use is permitted as:

1. A permitted use (P);
  2. A special use (SP) subject to the special land use permit application procedures specified in Article 7;
  3. An administratively approved use (SA) subject to the special administrative permit procedures specified in Article 7;
  4. An accessory use (Pa) as regulated by Article 4 or the applicable DT district. Table 3.1 does not list all accessory uses but clarifies uses acceptable as accessory, though not typically considered principal uses for the zoning classification.
  5. Uses lawfully established prior to the effective date of this Division or this Zoning Ordinance, as applicable.
- C. Any use not listed in Table 3.1 or interpreted to be allowed by the community development director by Section 4.1.2 is not allowed. Any applicant denied a permit to allow a use of property in a DT district other than as provided in this section may file an appeal before the zoning board of appeals as provided in Article 7.
- D. Uses subject to additional regulations in Section 4.2 are indicated for reference only. Unless otherwise expressly stated, compliance with these regulations is required regardless of whether the use is permitted as-of-right, as an accessory use, by special administrative permit, or by special land use permit.

**Table 3.1 Downtown District Allowed Uses**

Use	Downtown District			See Sec. 4.2
	DT-1	DT-2	DT-3	
<b>AGRICULTURAL</b>				
<b>Agriculture and Forestry</b>				
Commercial greenhouse or plant nursery				✓
Temporary or portable sawmill				✓
Urban, community garden, up to 5 ac.	P	P	P	✓
Urban, community garden, over 5 ac.	SA	SA	SA	
<b>Animal Oriented Agriculture</b>				
Dairy				✓
Keeping of livestock				✓
Keeping of poultry/pigeons				✓
Livestock sales pavilion				✓
Riding academies or stables				✓
<b>RESIDENTIAL</b>				
<b>Dwellings</b>				
Dwelling, cottage home	P	P	P	✓
Dwelling, mobile home				✓
Dwelling, multi-family (24 units per acre or less)		P [4]	P [4]	
Dwelling, multi-family (over 25 units per acre)		SP	SP	
Dwelling, multi-family (supportive living)		P	P	✓
Dwelling, townhouse	P	P	P	✓
High-rise apartment				✓
Dwelling, single-family (attached)	P	P	P	
Dwelling, single-family (detached)	P	P	P	
Dwelling, three-family	P	P	P	
Dwelling, two-family	P	P	P	
Dwelling, single-family, accessory (guesthouse, in-law suite)	Pa	Pa	Pa	✓
Home occupation, no customer contact	P	P	P	✓
Home occupation, with customer contact	P	P	P	✓
Live/work unit	P [3]	P	P	✓
Mobile home park				✓
Accessory uses or structures	Pa	Pa	Pa	✓
<b>Housing and Lodging</b>				
Bed and breakfast	SP	P	P	✓
Bed and breakfast, home stay	SP	P	P	✓
Boarding/Rooming house	SP	SP	SP	
Convents or monasteries	SP	SP	SP	✓

**Table 3.1 Downtown District Allowed Uses**

Use	Downtown District			See Sec. 4.2
	DT-1	DT-2	DT-3	
Dormitory		Pa	Pa	
Extended stay hotel/motel				✓
Fraternity house or sorority house				
Hotel/Motel		P	P	
Nursing care facility or hospice	P	P	P	
Personal care home, community, 7 or more	SP	SP	SP	✓
Personal care home, group, 4-6	SP	SP	SP	✓
Child caring institution, group, 4-6	SP	SP	SP	✓
Child caring institution, community, 7 or more	SP	P	P	✓
Shelter for homeless persons, 7-20		SP		✓
Shelter for homeless persons for no more than 6 persons		SP		✓
Transitional housing facility, 7-20 persons		SP		✓
<b>INSTITUTIONAL/PUBLIC</b>				
<b>Community Facilities</b>				
Cemetery, columbarium, mausoleum				✓
Club, order or lodge, fraternal, non-commercial	P	P	P	
Coliseum or stadium/not associated with church or school		P	P	✓
Funeral home, mortuary		P	P	
Golf course or clubhouse, public or private	P	P	P	✓
Government facilities	P	P	P	
Hospital or accessory ambulance service		P	P	
Library or museum	P	P	P	
Cultural facilities		SP	SP	
Recreation club	SP	SP	SP	✓
Neighborhood or subdivision clubhouse or amenities	Pa	Pa	Pa	✓
Places of worship	P	P	P	✓
Recreation, outdoor	P	P	P	✓
Swimming pools, commercial	Pa	Pa	Pa	✓
Tennis courts, swimming pools, play or recreation areas, community	Pa	Pa	Pa	✓
<b>Education</b>				
Colleges, universities, research and training facilities		P	P	
Private educational services, home occupation	Pa	Pa	Pa	✓
Private kindergarten, elementary, middle or high schools	SP	SP	SP	✓
Vocational schools		SP	SP	✓
Specialized schools		SP	SP	✓

**Table 3.1 Downtown District Allowed Uses**

Use	Downtown District			See Sec. 4.2
	DT-1	DT-2	DT-3	
<b>COMMERCIAL</b>				
<b>Automobile, boat and trailer sales and service</b>				
Automobile or truck rental or leasing facilities				✓
Automobile brokerage				✓
Auto recovery, storage				✓
Automobile repair or maintenance, minor				✓
Automobile repair, major				✓
Automobile sales or truck sales				✓
Automobile service stations				✓
Automobile upholstery shop				
Automobile wash/wax service				✓
Boat sales				✓
Retail automobile parts or tire store				✓
Service area, outdoor				✓
Trailer or RV salesroom and lot				✓
<b>Office</b>				
Accounting office	P [1]	P	P	
Building or construction office	P [1]	P	P	✓
Building, landscape, heavy construction contractor office (material, equipment, storage)				✓
Engineering or architecture office	P [1]	P	P	
Finance office or banking	P [1]	P	P	
General business office	P [1]	P	P	
Insurance office	P [1]	P	P	
Legal office	P [1]	P	P	
Medical office	P [1]	P	P	
Real estate office	P [1]	P	P	
<b>Recreation and Entertainment</b>				
Adult entertainment establishments				✓
Adult service facility				✓
Drive-in theater				✓
Fairground or amusement park				✓
Indoor recreation (bowling alleys, movie theatres and other activities conducted wholly indoors)		P	P	
Nightclub or late night establishment				✓
Outdoor recreation (miniature golf, batting cages, tennis, Go-cart and other outdoor activities)				✓

**Table 3.1 Downtown District Allowed Uses**

Use	Downtown District			See Sec. 4.2
	DT-1	DT-2	DT-3	
Special events facility	SP	P	P	
Theaters with live performance, assembly or concert halls, or similar entertainment within enclosed building		P	P	
<b>Retail</b>				
Alcohol outlet, retail sales, primary or accessory				✓
Retail sales	P [2]	P	P [5]	
Apparel or accessories store	P [2]	P	P [5]	
Art gallery	P [2]	P	P [5]	
Book, greeting card, or stationery store	P [2]	P	P [5]	
Camera or photography	P [2]	P	P [5]	
Computer or computer software store	P [2]	P	P [5]	
Convenience store (see alcohol outlet or fuel pumps accessory)	P [2]	P	P [5]	✓
Farm or garden supply store	P [2]	P	P [5]	
Farmer's market, permanent	P [2]	P	P [5]	✓
Farmer's market, temporary/seasonal	SA	SA	SA	✓
Florist	P [2]	P	P [5]	
Fortune Telling				
Specialty food stores (e.g., coffee, ice cream) (see alcohol outlet)	P [2]	P	P [5]	
Fuel dealers, manufacturers or wholesalers	P [2]	P	P [5]	
Fuel pumps, accessory		SP	SP	✓
Gift, novelty, or souvenir store	P [2]	P	P [5]	
Gold buying, precious metals	P [2]	P	P [5]	
Grocery stores (see alcohol outlet)	P [2]	P	P [5]	
Hardware store or other building materials store	P [2]	P	P [5]	
Hobby, toy or game store	P [2]	P	P [5]	
Jewelry store	P [2]	P	P [5]	
Music or music equipment store (retail)	P [2]	P	P [5]	
Liquor store (see alcohol outlet)				✓
News dealer or news store	P [2]	P	P [5]	
Office supplies and equipment store	P [2]	P	P [5]	
Pawn shop, title loan				✓
Pet supply store	P [2]	P	P [5]	
Pharmacy or drug store (see alcohol outlet)	P [2]	P	P [5]	
Radio, television or consumer electronics store	P [2]	P	P [5]	
Retail warehouses/wholesales providing sales of merchandise with no outdoor storage	P [2]	P	P [5]	
Specialty store	P [2]	P	P [5]	
Sporting goods or bicycle sale	P [2]	P	P [5]	

**Table 3.1 Downtown District Allowed Uses**

Use	Downtown District			See Sec. 4.2
	DT-1	DT-2	DT-3	
Tattoo Parlor and Piercing Studio	P [2]	P	P [5]	
Thrift, secondhand, antique store	P [2]	P	P [5]	
Trade shops: electrical, plumbing, heating/cooling, roofing/siding, with no outside storage	P [2]	P	P [5]	
Variety store	P [2]	P	P [5]	
<b>Temporary Commercial Uses</b>				
Temporary outdoor sales, seasonal	SA	SA	SA	✓
Temporary produce stand	SA	SA	SA	✓
Temporary outdoor retail sales	SA	SA	SA	✓
Temporary outdoor events	SA	SA	SA	✓
Temporary trailer, as home sales office or construction trailer	SA	SA	SA	✓
<b>Restaurant/Food establishments</b>				
Brewpub/Beer Growler	P [2]	P	P [5]	
Catering establishments	P [2]	P	P [5]	
Restaurants (non-drive-thru)	P [2]	P	P [5]	
Restaurants with a drive-thru configuration		SP	SP	✓
<b>Transportation and Storage</b>				
Bus or rail stations or terminals for passengers	SP	SP	SP	
Heliport	SP	SP	SP	✓
Parking, commercial lot	Pa	Pa	Pa	✓
Parking, commercial garage	Pa	Pa	Pa	
Taxi, ambulance or limousine service, dispatching or storage.				✓
Taxi, ambulance, limousine dispatch office only (no vehicle parking)				
Taxi stand	P	P	P	
<b>Services</b>				
Adult day care center - 7 or more	SP	SP	SP	✓
Adult day care facility - up to 6	SP	SP	SP	✓
Animal hospitals, veterinary clinic	P	P	P	✓
Animal shelter/rescue center	P	P	P	✓
Banks, credit unions or other similar financial institutions	P	P	P	
Barber shop/ beauty salon or similar establishments	P	P	P	
Check cashing establishment, primary				✓
Check cashing establishment, accessory				✓
Child day care center (Kindergarten) - 7 or more	P	P	P	✓
Child day care facility - up to 6	SP	SP	SP	✓
Coin laundry	P	P	P	

**Table 3.1 Downtown District Allowed Uses**

Use	Downtown District			See Sec. 4.2
	DT-1	DT-2	DT-3	
Dog day care	P	P	P	✓
Dog grooming	P	P	P	✓
Dry cleaning agencies, pressing establishments, or laundry pick-up stations	P	P	P	
Fitness center	P	P	P	
Health Spa	SP	SP	SP	✓
Kennel, breeding or boarding				✓
Kennel, commercial				
Kennel, noncommercial				
Landscape business	P	P	P	
Massage Establishment	SP	SP	SP	✓
Mini-warehouse				✓
Multi-warehouse				✓
Outdoor storage, commercial				✓
Personal services establishment	P	P	P	
Photoengraving, typesetting, electrotyping	P	P	P	
Photographic studios	P	P	P	
Plumbing, HV/AC equipment establishments with no outdoor storage	P	P	P	
Publishing or printing establishments	P	P	P	
Quick copy printing store	P	P	P	
<b>Services, Medical and Health</b>				
Ambulance service or emergency medical services, private	P	P	P	
Health services clinic	P	P	P	
Home healthcare service	P	P	P	
Kidney dialysis center	P	P	P	
Medical or dental laboratories	P	P	P	
<b>Services, Repair</b>				
Furniture upholstery or repair; home appliance repair or service	P	P	P	
Personal service, repair (watch, shoes, jewelry)	P	P	P	
Service area, outdoor		P	P	✓
<b>INDUSTRIAL</b>				
All industrial uses				
<b>COMMUNICATION - UTILITY</b>				
Amateur radio service or antenna	P	P	P	✓
Electric transformer station, gas regulator station or telephone exchange				
Radio or television broadcasting studio	P	P	P	

**Table 3.1 Downtown District Allowed Uses**

Use	Downtown District			See Sec. 4.2
	DT-1	DT-2	DT-3	
Radio or television broadcasting transmission facility	P	P	P	
Satellite television antennae	P	P	P	✓
<b>WIRELESS TELECOMMUNICATION (cell tower)</b>				
Attached wireless telecommunication facility, used for non-residential purposes (prohibited if used as residential)	SP [6]	SP [6]	SP [6]	✓
Stealth design up to 150'				✓
New support structure or stealth design up to 199'				✓
COW's (non-emergency or event, no more than 120 days)	SA	SA	SA	✓
COW's (declared emergency)	P	P	P	✓
Attached wireless telecommunication facility	P	P	P	✓
Monopole or attached facility in utility company's easements or rights-of-way				✓
<b>CERTAIN ACCESSORY USES</b>				
Drive-thru facilities (other than restaurants)		SP	SP	✓

**Table 3.1 Notes**

- [1] Not to exceed 5,000 square feet per use and only allowed along primary streets.
- [2] Not to exceed 5,000 square feet per use and only allowed along primary streets.
- [3] Only allowed on primary streets. Permitted uses include all office uses, tutorial/educational services; fine arts studios and/or galleries; and photographic studios. The minimum size of the live-work unit is 1,200 square feet with at least one-third of the unit must designated for residential space.
- [4] A special land use permit is required when a multifamily use abuts a residential zoning district.
- [5] Not to exceed 10,000 square feet per use unless approved by special land use permit.
- [6] Telecommunications antennas must be incorporated in architectural features such as steeples, clock towers, water towers and attached to the top of high-rise buildings subject to the requirements of section 4.2.50.

### 3.2.6 Dimensional requirements

- A. Dimensional requirements for sites and individual lots in are provided in Table 3.2 Downtown District Dimensional Requirements.
- B. Compatibility rules and transitional buffers per Article 5 and **Section 3.2.13B** also apply.

**Table 3.2 Downtown District Dimensional Requirements**

Element	Downtown District		
	DT-1	DT-2	DT-3
<b>Overall Site Requirements</b>			
<b>Dwelling units per acre:</b>	Controlled by lot size	Controlled by lot size and use regulations	
<b>Open space:</b>			
Development with over 10% of floor area as residential uses	20% min.	20% min.	10% min.
<b>Individual Lot Dimensions by Use</b>			
<b>Non-Residential or Mixed-Use:</b>			
<b>Lot area:</b>	5,000 sf min.	5,000 sf min.	5,000 sf. min.
<b>Lot width:</b>	50 ft. min.	50 ft. min.	50 ft. min.
<b>Lot coverage:</b>	80% max.	80% max.	80% max.
<b>Lots Dimensions: Townhouse dwellings</b>			
<b>Lot area:</b>	1,000 sf min.	1,000 sf min.	1,000 sf. min.
<b>Lot width:</b>	20 ft. min.	20 ft. min.	20 ft. min.
<b>Lot coverage:</b>	80% max.	80% max.	80% max.
<b>Lot Dimensions: Other residential uses</b>			
<b>Lot area:</b>	6,000 sf min	6,000 sf min.	4,000 sf. min.
<b>Lot width:</b>	40 ft. min. (alley), 50 ft. min (no alley)	40 ft. min. (alley), 50 ft. min (no alley)	40 ft. min. (alley), 50 ft. min (no alley)
<b>Lot coverage:</b>	80% max.	80% max.	80% max.
<b>Setbacks for All Uses (See Section <b>Section 3.2.6C</b> for additional setback requirements and setback averaging)</b>			
<b>Front:</b>			
LaVista Rd, Hugh Howell Rd, Lawrenceville Hwy	Setback averaging applies	5 ft. min. / No max.	5 ft. min. / 20 ft. max.
Main Street	Setback averaging applies		
Other streets	Setback averaging applies	0 ft. min. / 20 ft. max.	0 ft. min. / 20 ft. max.
<b>Side (interior):</b>	5 ft. min.	0 ft. min.	0 ft. min.
<b>Side (corner):</b>	See front	See front	See front
<b>Rear:</b>	20 ft. min.	20 ft. min.	0 ft. min.
<b>Height by Use (min. / max.) (See <b>Section 3.2.6D</b> for additional restrictions along Main Street)</b>			
<b>Single-family:</b>	No min. / 3 stories or 45 ft. max., whichever is less	No min. / 3 stories or 45 ft. max., whichever is less	No min. / 3 stories or 45 ft. max., whichever is less
<b>All other residential:</b>	2 stories or 28 feet min, whichever is less / 3 stories or 45 ft. max., whichever is less.	2 stories or 28 feet min, whichever is less / 4 stories max. or 60 ft. max., whichever is less.	
<b>All non-residential:</b>			
<b>Mixed-use:</b>			

C. *Additional setback requirements.*

1. *Street orientation.* If a lot is bound by more than one public street, the front of the lot along the primary street will be considered the front. If the building is on a lot at the intersection of two primary streets, the building must be oriented towards the intersection.
  2. *Increased setbacks.* When a maximum front setback applies it may be increased when an open space, such as a park or plaza, is provided between the respective building and the adjacent street.
  3. *Setback averaging.* The following setback averaging applies:
    - a. As shown in Table 3.2 along LaVista Road, Hugh Howell Road, Lawrenceville Highway, and other streets, the minimum front setback is the average front setback of the existing buildings along the same blockface, except for those containing institutional/public uses. When no buildings exists on the block face the minimum setback will be 5 feet.
    - b. As shown in Table 3.2 along Main Street, the maximum front setback is than the average setback of buildings on the block built before 1950.
- D. *Height.* The following building height standards apply in addition to those of Table 3.2 or otherwise allowed in this Zoning Ordinance.
1. *Main Street setback.* Along Main Street all stories above the second must be set back at least 10 feet from the front facade of the story immediately below.
  2. *Relief limitations.* Special land use permits and variances cannot be used to increase the number of stories allowed.

**3.2.7 Block and lots**

This section applies in addition to Section 27-5.1.

- A. New developments over 4 acres in size in the DT-2 and DT-3 districts must incorporate existing or new streets that result in the following block sizes:
  1. Along Lawrenceville Highway and LaVista Road a maximum block length of 700 feet.
  2. Along all other streets a maximum block length of 300 feet.
- B. Streets cannot be gated.
- C. Blocks must form an interconnected system of streets.
- D. The maximum radius at any street intersection is 30 feet.
- E. Stub-out streets in new development must be installed to the allow future development on adjacent properties to meet the block standards of paragraph "A" immediately above. Depending on the nature of the adjacent property, the stub-out street pavement, and curbing must extend to the boundary of the abutting parcel to the point where the connection to the anticipated street is expected.
- F. If a stub-out street exists on an abutting parcel, the street system of any new development must connect to the stub-out street to form a through street.
- G. The director of community development may modify or eliminated the block size and stub street requirements when steep slopes in excess of 18%, preexisting development, railroads, tree protection areas, stream buffers, cemeteries, open space, or easements would make the provision of a new street infeasible.

### **3.2.8 Vehicle access**

- A. All parking must be accessed via shared alleys, private drives, or inter-parcel access.
- B. Shared driveways between two parcels along a common property line may be required by the Planning Commission during subdivision plat review or by the community development director during the land disturbance permitting process. In such cases, each property owner must grant an access easement to facilitate the movement of motor vehicles and pedestrians across the site. The property owner's obligation to comply with this requirement will be limited to the extent legal permission to construct and utilize the required shared drive can be obtained from the neighboring property owner.
- C. No curb cuts are allowed on primary streets if the development can be accessed from another street. If an existing block face on a primary street exceeds 700 linear feet, then one curb cut per 700 linear feet is allowed. If a development is accessible from more than one secondary street, the development is limited to one curb cut per block face. If a development is only accessible from one street, the development is limited to two curb cuts on that street.
- D. Curb cuts cannot exceed 24 feet in width.
- E. Curb cut intersection radius cannot exceed 30 feet.
- F. Driveways must be perpendicular to the adjacent street. Circular driveways are not allowed.

### **3.2.9 Inter-parcel access.**

- A. *Applicability.* This section applies to all new commercial, institutional, multifamily, mixed use, or industrial developments and any building renovations and repaving projects of commercial, institutional, or industrial developments that require a land disturbance permit.

- B. *Inter-parcel access requirements.* Inter-parcel access for vehicles between abutting and nearby properties must be provided so that access to individual properties can be achieved between abutting and nearby developments as an alternative to forcing all movement onto highways and public roads, unless the community development director during the land disturbance permitting process determines that it is unnecessary to provide inter-parcel access due to the unlikelihood of patrons traveling among abutting or nearby sites, or due to inability after reasonable efforts by the property owner to obtain legal permission

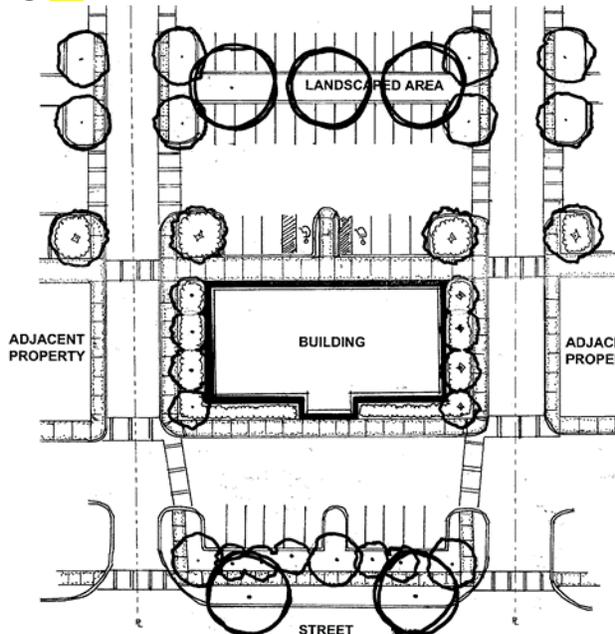
### **3.2.10 Building form and design.**

- A. *Applicability.* This section applies to all buildings, including parking decks, and are in addition to those building form and configuration standards contained in Section 27-5.7.
- B. *Pedestrian entrances.*
  - 1. All buildings adjacent to a public street must provide a direct pedestrian entrance from said street.
  - 2. All commercial tenant spaces adjacent to a public street must provide a direct entrance from said street, except when a common lobby is provided for office uses.
  - 3. The required pedestrian entrance must provide ingress and egress and must be operable to residents or customers at all times,
  - 4. Additional entrances off another street, pedestrian areas, open space, or parking areas are permitted.
- C. *Pedestrian access.*
  - 1. Pathways must be provided from the closest public sidewalks to all required pedestrian entrances.
  - 2. Pathways must be provided from a public sidewalk to all parking areas,

- parking decks, and required open spaces.
- 3. Pathways must be provided between all parking areas, parking decks, buildings, and required open spaces on a site.
- 4. Required pathways must have a minimum width of 5 feet unless it serves an individual ground floor unit, where a 4 feet wide pathway is allowed.
- 5. Required pathways must be continuous (except at vehicular crossings) and constructed of brick, stone, or similar durable paver materials. Asphalt is not allowed.

- b. Facades cannot be faced in aluminum, metal, corrugated steel, vinyl or plastic, plywood, pressed wood, imitation wood, EIFS, true or synthetic stucco, or concrete masonry units.
- c. Exterior materials of street-facing facades along Main Street are limited to brick and natural or synthetic stone.
- d. No unpainted brick on a building or portion of building built before 1950 may be painted within the DT-3 district.
- e. Exterior finish materials may only be combined horizontally, with the visually heavier below the lighter as shown in Table 3.2 General Visual Weight Table. This does not apply to architectural accents.

**Fig. 3.1.. Inter-Parcel and Pedestrian Access**



D. *Development and architectural controls.* Buildings and parking decks must comply with the following:

- 1. *Exterior materials.* The following apply to facades:
  - a. Facades must be faced in brick, natural or synthetic stone, or painted wood/cementitious clapboard, subject “c” and “d” below.

**Table 3.3 General Visual Weight Table**

General Visual Weight Table	
This table shows the visual weight of permitted materials. Those at the top are lighter than those at the bottom and must be combined accordingly.	
<b>Visually Lighter</b>	Clapboard
↑	
↓	
<b>Visually Heavier</b>	Natural or synthetic stone

- 2. Architectural accents, if used, must consist of non-reflective glass, glass block, natural or synthetic stone, precast concrete, brick, terra cotta, true hard coat stucco, wood, cast stone, cast-iron, or decorative architectural grade steel or other equivalents subject to review and approval by the community development director.
- 3. Service bays for automobile service and repair uses must be designed so the openings of service bays are not visible from a public street.

4. Dumpsters cannot be visible from a public street and must be fenced or screened to not to be visible from any adjoining residential use.
  5. Fabric and canvas awnings and all other building materials must be of durable quality.
  6. Linear lighting around windows, rooflines, doors, signs or building structures is prohibited. Linear lighting may include, but is not limited to neon tubes, rope lighting, and other similar lighting devices. Linear lighting devices that form letters or words are considered signs.
- E. *Active ground floor uses.* The ground floor of all buildings, including parking decks, adjacent to a public street or as required around open spaces must incorporate one or more of the following along the entire street-facing or open space-facing facade:
1. *Storefront active ground floor uses.*
    - a. Provide retail, restaurant/food establishment, or service uses for a minimum depth of 20, except at breaks for pedestrian pathways or parking access.
    - b. The minimum floor to ceiling height is 14 feet.
    - c. The space must be equipped with utilities.
    - d. The space's primary use cannot be storage, vehicular uses, equipment, coolers, computer servers or exchanges.
    - e. The space must conform to **Section 3.2.10G**.
  2. *Non-residential active ground floor uses.*
    - a. Provide other non-residential uses not included in paragraph "1" above for a minimum depth of 30, except at breaks for pedestrian pathways or parking access.
      - b. The minimum floor to ceiling height is 14 feet.
      - c. The space must be equipped with utilities.
      - d. The space's primary use cannot be storage, vehicular uses, equipment, coolers, computer servers or exchanges.
      - e. The space must have at least 50% fenestration and cannot provided more than 30 linear feet without fenestration.
  3. *Residential active ground floor uses.*
    - a. Provide residential uses for a minimum depth of 20 feet, except at breaks for pedestrian pathways or parking access.
    - b. The minimum floor to ceiling height is 10 feet.
    - c. The space must be equipped with utilities.
    - d. The space must have at least 20% fenestration and cannot provided more than 30 linear feet without fenestration.
- F. *Fenestration.*
1. *Defined.* Fenestration is the minimum percentage of window and door glass area that must cover a facade.
  2. *Glass standards.* Glass used to satisfy fenestration requirements must be unpainted, must have a transparency (visible light transmission) higher than 70%, and must have an external reflectance of less than 15%. Transparency and external light reflectance must be established using the manufacturer's specifications.
  3. *Measurement.* Fenestration is measured from the top of the finished floor to the top of the finished floor above. When there is no floor above, fenestration is measured from the top of the

finished floor to the top of the wall plate.

4. *Minimum standards.* All buildings, including parking decks, must conform to the following along public streets or as required along certain open spaces:
  - a. All ground floors must incorporate fenestration as required by the active use standards of **Section 3.2.10E**.
  - b. All other floors along a must provide a minimum 20% fenestration for residential uses and a minimum of 30% fenestration for non-residential uses.

**G. Storefront.**

1. Ground floor storefronts along a public street or as required along an open space must:
  - a. Provide fenestration for at least 65% of the exterior facade area, with each facade calculated separated.
  - b. Provide no more than 20 linear feet without fenestration.
2. Along Main Street storefronts must also include:
  - a. A non-glass bulkhead of 12 to 24 inches in height directly above the finished floor; and
  - b. A glass display window directly above the bulkhead and

extending to at least 10 feet above finished floor; and

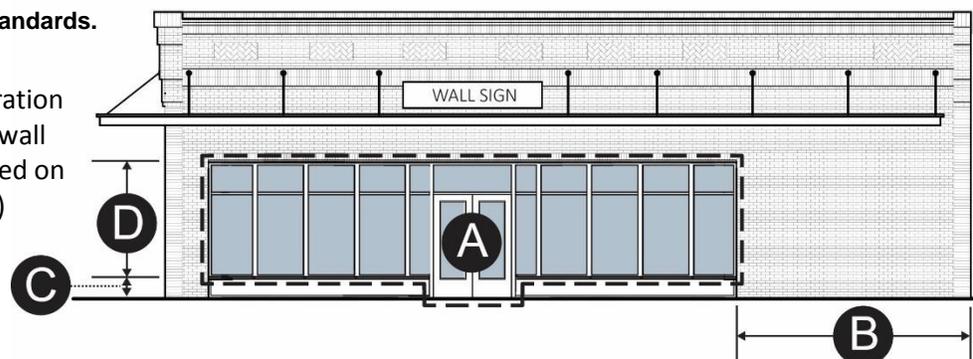
- c. Non-glass portions of storefront systems faced in painted or unpainted wood, in or metal that is painted on-site. On-site painted synthetic materials may also be approved by the community development director when they are visually indistinguishable from an otherwise allowed painted material to normal human senses.

**H. Buildings massing.**

1. Street-facing facades greater 100 feet in length must be modulated with breaks in wall surfaces, materials and rooflines at intervals not to exceed 100 feet, (measured parallel to the street).
2. Stories on street-facing building facades taller than five stories must be delineated at third story above sidewalk level and lower and must be executed through windows, belt courses, cornice lines or similar architectural detailing.
3. Parking decks along a public street must comply with “2” immediately above, except that the number of stories used will be based on standard building story heights, not the actual height of the parking levels.

**Fig. 3.2. Storefront standards.**

- A:** Min. 65% fenestration
- B:** Max. 20 ft blank wall
- C:** Bulkhead (required on Main Street only)
- D:** Display window



*I. Roofs.*

1. Roof-mounted mechanical equipment and appurtenances must be located or screened so that they are not visible from the ground level.
2. Screening must be of a material and design that are compatible with the surrounding building materials and architectural.
3. Rooftop appurtenances must be painted to be compatible with the colors of the roof.
4. Roof-mounted radio, TV, and telecommunication towers and antennas are not allowed.
5. Roof structures visible from the public right of way may only be sloped or flat.
6. Sloped roofs must be hip roofs of less than 45 degrees in pitch or gable roofs of at least 30 degrees in pitch.
7. Sloped roofs must overhang at least 12 inches on all sides and cannot exceed one 100 feet in length without a change in plane.
8. Roofing materials for sloped roofs may only be asphalt or fiberglass shingles, solar shingles used with asphalt or fiberglass shingles, standing seam metal roof, ceramic tile, and slate or synthetic slate.
9. Flat roofs must have decorative and/or corbelled parapets on all sides visible from public rights of way and drain to internal roof drains and/or to the rear of the structure, limiting downspouts on facades along primary and secondary streets.
10. Simple barrel vaults or roofs are allowable. Mansard, gambrel, and shed roof forms are not allowed.

*J. Additional live-work unit standards.*

1. Garages cannot face a public street.

2. The front entrance to each unit must be at grade opening directly onto the public sidewalk or a open space adjacent to the public sidewalk.

*K. Additional commercial and mixed-use buildings standards.*

1. Commercial and mixed-use buildings are required along Main Street. No other building type may front Main Street.
2. Buildings must provide a storefront active ground floor uses that conforms to [Section 3.2.10E.1](#).
3. The size of leasable commercial tenant spaces must vary to allow for diversity of tenants.

*L. Additional townhouse and multifamily development standards.*

1. Mechanical equipment and other building service items cannot be located between the public sidewalk and building facade.
2. Individual townhouse units and ground floor multifamily units adjacent to a public street must provide a direct pedestrian entrance from said street. They must also provide a front porch or a front stoop facing said street.
3. The pedestrian entrance required by paragraph "2" immediately above may be raised above the average grade of the sidewalk directly in front of it a maximum of 3 feet.
4. Access to parking is only permitted via an alley or private drive located behind the units. Garages cannot face a public street.

**3.2.11 Fences.**

- A. Decorative fencing may only be made of brick, stone, wrought iron, or wood.
- B. Fencing in front of a building cannot exceed 4 feet in height.
- C. Fencing to the rear or side of a building cannot exceed 6 feet in height.

- D. No barbed wire, razor wire, chain-link fence or similar elements may be visible from any public park or right-of-way.

### **3.2.12 Open space.**

- A. *Open space required.* New developments must incorporate open space as required in Table 3.2 and this section.
- B. *Enhanced open space.* Open spaces used to satisfy open space requirements must conform to enhanced open spaces types established in Section 27-5.5, except as otherwise allowed by paragraph “C” immediately below. Enhanced open space must also:
  - 1. Adjoin buildings with active ground floor uses conforming to [Section 3.2.10E](#) on at least one side and for not less than 25% of the open space’s perimeter;
  - 2. Be directly accessible from a public sidewalk.
- C. *Amenity open space.* Amenity open space may also be used to satisfy open space requirements. Amenity open space is intended to small covered or uncovered, unenclosed, outdoor areas limited to at-grade hardscape or landscape areas improved for pedestrian enjoyment; rooftop decks; patios and porches; balconies; or yards, lawns, and gardens. Interior or exterior stairs or elevators may provide access to rooftop decks, patios, porches, and balconies.
- D. *Landscaping.* In addition to the requirements referenced in paragraph “B” immediately above, required open spaces must:
  - 1. Include at least one tree within or directly adjacent to the open space for every 2,000 square feet of open space. The tree must conform to [Section 3.2.17D](#).
- E. *Maintenance.* Covenants or other legal arrangements must specify ownership of all open spaces, the method of and

responsibility for maintenance, taxes, and insurance, compulsory membership and assessment provisions, and must be incorporated into legal instruments sufficient to ensure that the open space requirements of this section are maintained.

### **3.2.13 Neighborhood compatibility.**

- A. *Across from single-family detached dwellings.* Where development is on a primary or secondary street and also across the street from existing single-family homes which face said street, the development must contain buildings along the primary or secondary street and the existing single-family development.
- B. *Transitional buffer zones.* DT districts must conform to the transitional buffer requirements in Section 27-5.4.5 except as modified below:
  - 1. There is no transitional buffer requirement between lots that are both within a DT district.
  - 2. When a DT district adjoins any other zoning district the following applies:
    - a. DT-1 will have the same transitional buffer requirements of R-60 in Table 5.2(a).
    - b. DT-2 and DT-3 will have the transitional buffer requirements of MU-5 in Table 5.2(a).

### **3.2.14 Streets and streetscapes.**

- A. *Street design.*
  - 1. *Applicability.* Public and private streets must comply with the requirements for public streets found in Chapter 14, except as specifically otherwise provided for in this section.
  - 2. *Travel lane width exception.* Eleven feet wide travel lanes are required on all streets except alleys and designated truck routes. Further lane reductions may also be approved by the community

- development director when the proposed width conforms to the published best practices of American Association of State Highway Transportation Officials (AASHTO) and/or the Institute of Transportation Engineers (ITE).
3. *Street Dimensions.* All new or extended public or private streets must conform to Table 3.4 New Street Dimensions unless modified by the community development director for the following public purposes:

- a. To provide alternative bicycle facilities;
- b. To provide wider streetscapes;
- c. To provide turn lanes;
- d. To provide traffic calming or pedestrian safety measures;
- e. To serve truck routes; or
- f. To increase lane width and right-of-way along state and federal routes.

**Table 3.4 New Street Dimensions**

New Streets					
Street Type	Number of Lanes	Median Width	Bicycle Facilities	Parallel Parking	Right-of-Way Width
Major Collector	4	n/a	n/a	Required both sides, 9 ft.	105 ft.
Minor Collector	2	n/a	n/a	Required both sides, 9 ft.	80 ft.
Local Street	2	n/a	n/a	Required both sides, 9 ft.	60 ft.

*B. Bicycle facilities.*

1. Bicycle facilities must be incorporated in conformance with any plan that has been adopted by the City of Tucker, DeKalb County, or the Georgia Department of Transportation.
2. Bicycle lanes cannot be less than 5 feet in width.
3. Multi-use trails cannot be less than 12 feet in width.
4. Bicycle facilities must incorporate signs and pavement markings as required by the latest version of the Manual for Uniform Traffic Control Devices.

*C. Streetscape elements and dimensions.*

1. Streetscapes must be installed as required by Section 5.4.3 and in conformance with Table 3.5, except when paragraph “2” immediately below applies. .
2. A multi-use trail may be required instead of a sidewalk along any new or existing street when the location has been identified as a multi-use trail any plan that has been adopted by the City of Tucker, DeKalb County, or the Georgia Department of Transportation.

**Table 3.5 Streetscape Dimensions**

Existing and New Streets					
Street Type	Streetscape Zone			Landscape strip Elements	
	Total Width	Landscape Strip	Sidewalks	Street Light Spacing	Street Tree Spacing (typ.)
Main Street:	15 ft. [1]	5 ft. [1]	10 ft. [1]	80 ft. [3]	30 ft.
First Avenue:	15 ft.	5 ft.[2]	10 ft.	80 ft. [3]	30 ft.
Lawrenceville Hwy, LaVista Rd, Fellowship Rd	15 ft.	8 ft. [2]	7 ft.	80 ft. [3]	30 ft.
All other existing and new streets	10 ft.	5 ft.	6 ft.	80 ft.[3]	30 ft.

**Table 3.3 Notes**

- [1] Main Street right-of-way variations and the current conditions cannot provide for a uniform application of this requirement. As such, the community development director, in consultation with the director of public works, will determine the requirements along Main Street on a case by case basis.
- [2] Benches, trash receptacles, and bike racks must be placed within the landscape strip.
- [3] This requirement applies to street light poles only. Additional pedestrian light requirements apply.

*D. Landscape strip design.*

1. Landscape strips must be planted with trees, grass, ground cover or flowering plants, or consist of brick pavers, concrete pavers, or granite pavers where on-street parking is provided or pedestrian crossing and/or congregation is likely.
2. Street trees must conform to **Section 3.2.17D**.
3. Street trees must have a minimum planting area of 4 feet by 8 feet. Tree-planting areas must provide porous drainage systems that allow for drainage of the planting area.
4. Street tree species or planting patterns of varied species must be consistent for an entire block length. Similarly-shaped species may be changed on an individual block face due to: limited supply or concerns regarding disease or the health of existing and proposed trees with approval from the community development director and consultation from a certified arborist.

*E. Sidewalk design.*

1. Sidewalk paving materials must continue across driveways at the same prevailing grade and cross slope as the adjacent sidewalk area.
2. Sidewalks must be broom finished poured-in-place concrete or pavers of brick, concrete, or stone. Other materials may be allowed by approval of the community development director.
3. When new sidewalks abut existing sidewalks the new sidewalks must provide safe facilitation of pedestrian traffic flow to adjacent sidewalks. Any development that disturbs existing sidewalks on the adjacent property must replace disturbed areas to their predisturbance state and condition.

*F. Underground utilities required.* All utilities except for major electric transmission lines and sub-stations are required to be placed underground unless the community development director determines that underground utilities are not feasible due to existing physical conditions, such as conflicting underground structures or utilities,

shallow rock, high water table, or other similar geologic or hydrologic conditions.

G. *Street lights and street furnishings.*

1. Light poles are required and must be spaced at a maximum of 80 feet on-center and of a type identified in **Section 3.2.18E.**
2. Pedestrian lights are required and must be spaced at a maximum of 90 feet on-center and of a type identified in **Section 3.2.18E.**
3. Street and pedestrian lights must alternate.
4. Street furnishing may only be placed in the landscape strip or between the sidewalk and the building.
5. Street furnishings are required must be of a type identified in Table 3.6, which includes specific products by specific brands. The use of specific products and brands is not required and similar designs may be used.
6. Street furnishings must be comfortable, damage and vandalism resistant, and be easy to maintain.

H. Crosswalks. The use of approved brick, concrete, or stone paving materials to identify crosswalk areas is encouraged.

**Table 3.6: Street Furniture Specifications**

Location	Fixture Type	Specification
<b>Landscape Strip, Buildings</b>	Benches	Victor Stanley Model #RB-28 in 6' length, Color: black
<b>Landscape Strip, Buildings</b>	Trash	Victor Stanley - The Bethesda Series Model # S-424, Color: black
<b>Landscape Strip, Buildings</b>	Receptacles	DuMor Inc. - Leisure Lines Model # 130-30, surface mount, Color: black

**3.2.15 Drive-thru facilities.**

A. All drive-thru areas, including but not limited to menu boards, stacking lanes, trash receptacles, ordering box, drive up

windows, and other objects associated with the drive-through, must be located to the side or rear of the building. Drive-thru windows and lanes may not be placed between a public street (not including an alley) and the associated building.

- B. Drive thru windows and lanes must be screened by a continuous compact evergreen hedge. At the time of installation, the screening must be at least 3 feet in height and reach a height of 4 feet within 3 years of planting.
- C. In lieu of the compact evergreen hedge, a screening wall with a minimum height of 4 feet may be installed. The wall must be compatible with the principal building in terms of texture, quality, material and color.

**3.2.16 Parking.**

A. *Off-street parking ratios.* DT districts must conform to the maximum off-street parking ratios contained in Table 6.2: Off Street Parking Ratios and the following minimum off-street parking ratio requirements, except when a lower minimum is allowed by Table 6.2:

1. Non-residential uses must provide at least of one space per 500 square feet of floor area.
2. Residential uses must provide a minimum of one space per dwelling unit and a maximum of two spaces per dwelling unit.

B. *Off-street parking location and design.*

1. All off-street parking including surface lots and parking decks must be located behind or beside a street-fronting building.
2. *Parking lot screening.* Parking lots must be screened from view of public streets using one of the following options.
  - a. *Shrubs.* Plant a minimum of ten 10 shrubs per 35 linear feet of street frontage, excluding driveway openings. Shrubs must be 18 inches tall at time of

planting. They must be planted 2 rows deep, and provide a screen within 3 years of planting.

- b. *Walls.* Install a minimum 2.5 feet high wall as close to the parking lot as possible. Wall must be opaque and compatible with the principal building material.
3. *Parking deck screening.* Parking decks must provide screening on all stories by providing a facade designed to resemble an office or residential building and conform to the applicable building form and design requirements of [Section 3.2.10](#).
4. *Duration of parking.* Surface parking provided to the side of any building along a public street must be designated for short-term (no longer than two hours) parking.
5. *Landscape strips.* The following landscape strip standards apply around parking lots and decks:
  - a. *Adjacent to a street.* A landscape strip with a minimum width of 10 feet is required adjacent to public or private streets. Evergreen shrubbery at least 18 inches in height is required.
  - b. *Not adjacent to a public or private street.* A landscape strip with a minimum width of 6 feet is required along all sides of the facility that are not adjacent to public or private streets.
  - c. *Exceptions.* Landscape strips are not required at driveways, walkways, pedestrian plazas, or where adjacent active ground floor uses are provided.
  - d. *Planting.* The landscape strips may contain no less than one understory or overstory tree per 50 linear feet, ten shrubs per 50

linear feet, and a minimum of ninety 90% living groundcover, sod and/or annual or perennial color in the landscape strip surface area. Landscaping must conform to [Section 3.2.17](#).

6. *Restrictions.* No parking area may be used for the sale, repair, dismantling, servicing, or long-term storage of any vehicles or equipment.

### 3.2.17 Landscaping.

- A. *Plans required.* Landscape planting and irrigation plans must be prepared by a landscape architect registered in the State of Georgia for each application for a land-disturbance permit.
- B. *Maintenance.* When a private property owner provides landscaping within the public right-of-way and the landscaping dies within one year of installation, it must be replaced within the earliest possible planting season.
- C. *Ground cover.*
  1. Ground cover must be provided to protect tree roots, to prevent erosion, and in as otherwise required by this division.
  2. Ground cover must consist of evergreen shrubs or groundcover plant material mulched with pine bark mulch, or other similar landscaping material.
  3. Evergreen groundcover planting must be used on all slopes steeper than 2.5:1 to aid in erosion control.
- D. *Trees.*
  1. Newly planted must be a minimum of 3.5 inches in caliper measured 12 inches above the ground, must be a minimum of 16 feet in height, must have a minimum mature height of 30 feet.
  2. No tree may be planted closer than 2.5 feet from the street or sidewalk, and no closer than 8 feet from a fire

hydrant, sign post, street light standard, utility pole, or similar structure.

E. *Irrigation.* All newly planted landscape areas (including parking lot islands) shall be irrigated by a fully automatic, commercial, underground irrigation system in according with the following standards:

1. All irrigation systems must be provided with backflow preventers approved by DeKalb County. Such devices shall be located or screened so that they are not visible or accessible to the public from adjacent sidewalks, streets, alleys, or parking lots.
2. Spray heads must be located to provide 100%, overlapping coverage. Overspray onto sidewalks and other paved areas should be minimized.
3. Control boxes and panels shall be located inside buildings or where they will not be visible or subject to vandalism.
4. All main and lateral lines shall be commercial grade PVC pipe.
5. Irrigation systems are not required in undisturbed buffers or in areas where they would disrupt existing native vegetation.

F. *Plant materials.* Plant materials required along streets to meet the requirements of this division must be selected from the species and minimum sizes shown in Table 3.7. Plant materials provided in locations other than along streets, and plant materials provided along streets in excess of those required to meet this division may be any species appropriate to the design and location subject to the approval of the plan reviewer.

**Table 3.7 Plant List**

Name	Min. Size.
<b>Shade &amp; Street Trees</b>	
Willow Oak	3-3 ½" cal.
"Red Sunset" Maple	3-3 ½" cal.
Sugar Maple	3-3 ½" cal.
Pin Oak	3-3 ½" cal.
Overcup Oak	3-3 ½" cal.
Nuttall Oak	3-3 ½" cal.
Japanese Zelkova	3-3 ½" cal.
Lacebark Elm	3-3 ½" cal.
<b>Smaller Deciduous Trees</b>	
River Birch	10-12' ht.
Japanese Maple	6-8' ht.
Star Magnolia	6-8' ht.
Saucer Magnolia	6-8' ht.
Trident Maple	10-12' ht.
Golden Raintree	10-12' ht.
<b>Evergreen Trees</b>	
Tree Form Burford Holly	6-7' ht.
Virginia Pine	5-6' ht.
"East Palatka" Holly	10-12' ht.
Nellie R. Stevens Holly	10-12' ht.
Emily Brunner Holly	10-12' ht.
Loblolly Pine	5-6' ht.
Southern Magnolia	10-12' ht.
"Little Gem" Magnolia	10-12' ht.
Tree Form Ligustrum	8-10' ht.
Foster Holly	10-12' ht.
Savannah Holly	10-12' ht.
Tree Form Waxmyrtle	6-7' ht.
Cryptomeria	10-12' ht.
<b>Flowering Trees</b>	
Yoshino Cherry	7-8' ht.
Redbud	7-8' ht.
Flowering Dogwood	7-8' ht.
Kousa Dogwood	7-8' ht.
Crape Myrtle	7-8' ht.
<b>Shrubs</b>	
"Sherwood" Abelia	3 gal.
Parson's Juniper	1 gal.
"Carissa" Holly	3 gal.
"Helleri" Holly	3 gal.

**Table 3.7 Plant List**

Name	Min. Size.
Needlepoint Holly	3 gal.
Dwarf Burford Holly	3 gal.
Azalea (Kurume, Indica)	3 gal.
Nandina	3 gal.
Wax Myrtle	3 gal.
Dwarf Japanese Acuba	3 gal.
Bearberry Cotoneaster	1 gal.
Dwarf Chinese Holly	3 gal.
Compacta Holly	3 gal.
“Anthony Waterer” Spirea	1 gal.
Dwarf Pfitzer Juniper	1 gal.
Parsoni Juniper	1 gal.
Zabel Laurel	3 gal.
Bearberry Cotoneaster	1 gal.
Dwarf Chinese Holly	3 gal.
Compacta Holly	3 gal.
“Anthony Waterer” Spirea	1 gal.
Dwarf Pfitzer Juniper	1 gal.
Parsoni Juniper	1 gal.
Zabel Laurel	3 gal.
Otto Luyken Laurel	3 gal.
Redleaf Japanese Barberry	1 gal.
Flowering Quince	3 gal.
Border Forsythia	3 gal.
Burning Bush	3 gal.
<b>Ground Cover</b>	
“Big Blue” Liriope	4” pot
Pachysandra	4” pot
Dwarf Nandina “Bartharbour”	1 gal.
Variegated Liriope	4” pot
Sargent’s Juniper	1 gal.
Blue Rug Juniper	1 gal.
Carolina Jessamine	1 gal.
“Big Blue” Liriope	4” pot
<b>Perennial/Seasonal Color</b>	
Pennisetum	1 gal.
Miscanthus	1 ga.

**3.2.18 Outdoor lighting.**

- A. Light levels of 1.5 foot candles are recommended for parking lots and 4 foot candles at vehicular drives, entrances, and pedestrian and bicycle ways.
- B. Ground-mounted floodlights must be screened with planting or other means so that the light source is not visible.
- C. The use of flashing, rotating, or oscillating lighting is not allowed in any manner that may be visible from the exterior of buildings.
- D. After-hours security lighting must equal at least 25% of the normal parking lot lighting level for security.
- E. Outdoor lighting must be of a type identified in Table 3.8, which includes specific products. The use of specific products is not required when similar designs from other manufacturers are available.

**Table 3.8: Outdoor Lighting Specifications**

Location	Type	Specification
<b>Street Light</b>	Fixture type	King Luminaire – K803-EGD
	Pole type	Hapco – 78828-002-P43
<b>Pedestrian Light</b>	Fixture type	King K445 – Sol Lux Acorn Luminaire
	Pole type	Hapco Granville Decorative Fluted Pole
<b>Parking Lot Light</b>	Fixture type	Gardco – CA-22-2-3-250MH-VTBS-BLA
	Pole type	Gardco – RA5-25H-TBS-TBS-BLA

**Fig. 3.3. Pedestrian Light Fixture**



**Fig. 3.4 Parking Lot Light Fixture and Pole**



### **3.2.19 Administration**

This section applies in addition to the general requirements of special and overlay districts:

- A. *Application for district compliance.* No permit or license may be issued until the applicant for such a permit or license has submitted an application for district compliance to the Community Development Department that meets all requirements of this division and such application has been approved as an application provision provided herein.
- B. *Administrative variations.*
  - 1. The community development director may grant administrative variances in addition to those allowed by Section 27-7.6 when the variance is used to permit a practice that is not consistent with a specific provision, but is justified by the division's purpose and intent.
  - 2. Administrative variances cannot be used to:
    - a. Increase the permitted site density;
    - b. Increase the maximum permitted number of stories in a building; or
    - c. Permit a use that is not allowed by district regulations.

## **DIVISION 3 . NORTHLAKE ZONING DISTRICTS**

### **3.3.1 Northlake zoning districts established.**

- A. The following “NorthLake Zoning Districts” are established:
  - 1. High Intensity Commercial (NL-1)
  - 2. Office Park (NL-2)
  - 3. Employment (NL-3)
  - 4. Vista Dale Court (NL-4)
- B. References in this zoning ordinance to “Northlake Zoning Districts or “NL” districts are references to these districts.

### **3.3.2 Purpose and intent.**

The intents of all NL districts are:

- A. To encourage development and redevelopment of properties so as to achieve a mixed-use community.
- B. To provide for the development of sidewalks and walkways in order to promote safe and convenient pedestrian access and to reduce dependence on automobile travel;
- C. To promote a physically attractive, environmentally safe and economically sound mixed-use community;
- D. To permit and to encourage mixed-use developments containing commercial and residential uses in order to create a pedestrian oriented community where people can live, work, and play;
- E. To improve the visual appearance and increase property values;
- F. To implement the policies and objectives of the Comprehensive Plan, the Zoning Ordinance of the City of Tucker, and other official policies and plans within the NL districts;
- G. To enhance the long-term economic viability of the NorthLake area by encouraging new commercial and residential developments that increase the tax base and provide jobs to the citizens of the City of Tucker;

- H. To establish and maintain a balanced relationship between industrial, commercial, and residential development to ensure a stable and healthy tax base;
- I. To provide a balanced distribution of regional and community focused commercial and mixed-use office centers;
- J. To support higher-density housing, office and mixed-use centers which have appropriate access and infrastructure;
- K. To create regulations that meet the goals and objectives of the Atlanta Regional Commission's and livable centers initiatives program;
- L. To allow design flexibility in order to encourage innovative development projects that set high standards for landscaping, green space, urban design, and public amenities;
- M. To encourage an efficient land use and development plan by forming a live-work-play environment that offers employees and residents the opportunity to fulfill their daily activities with minimal use of single-occupant automobiles;
- N. To allow and encourage development densities and land use intensities that are capable of making productive use of alternative transportation modes such as transit, ridesharing, bicycling and walking;
- O. To encourage the formation of a well-designed, pedestrian-friendly activity center with high-density commercial and residential development that increases vitality and choices in living environments for the citizens of the City of Tucker;
- P. To protect nearby established single-family residential areas from encroachment of commercial, retail, office, and industrial uses by providing for increased density of development within the NL districts;

- Q. To protect the health, safety and welfare of the citizens of the City of Tucker; and
- R. To promote uniform and visually aesthetic architectural features which serve to unify the distinctive visual quality of the NorthLake area.

### **3.3.3 Use of graphics.**

Illustrations, photos, and graphics are included in this division to illustrate the intent and requirements of the text. In the case of a conflict between the text and any Illustrations, photos, or graphics, the text governs.

### **3.3.4 Use regulations.**

- A. Table 3.4 indicates the permitted uses within the NL districts.
- B. The uses listed in Table 3.4 are only permitted in the district identified, and no use may be established and no structure associated with such use may be erected, structurally altered or enlarged unless the use is permitted as:
  - 1. A permitted use (P);
  - 2. A special use (SP) subject to the special land use permit application procedures specified in Article 7;
  - 3. An administratively approved use (SA) subject to the special administrative permit procedures specified in Article 7;
  - 4. An accessory use (Pa) as regulated by Article 4 or the applicable NL district. Table 3.2 does not list all accessory uses but clarifies uses acceptable as accessory, though not typically considered principal uses for the zoning classification.
  - 5. Uses lawfully established prior to the effective date of this Division or this Zoning Ordinance, as applicable.
- C. Any use not listed in Table 3.9 or interpreted to be allowed by the community development director by Section 4.1.2 is not allowed. Any applicant denied a permit to allow a use of property in a NL district other than as provided in this section may file an

appeal before the zoning board of appeals as provided in Article 7.

- D. Uses subject to additional regulations in Section 4.2 are indicated for reference only. Unless otherwise expressly stated, compliance with these regulations is required regardless of whether the use is permitted as-of-right, as an accessory use, by special administrative permit, or by special land use permit.

**Table 3.9 NorthLake District Allowed Uses**

Use	NorthLake District				See Sec. 4.2
	NL-L	NL-2	NL-3	NL-4	
<b>AGRICULTURAL</b>					
<b>Agriculture and Forestry</b>					
Commercial greenhouse or plant nursery	P	P	P	P	✓
Temporary or portable sawmill	P	UZ	P	P	✓
Urban, community garden, up to 5 ac.	P	P	P	P	✓
Urban, community garden, over 5 ac.	SA	SA	SA	SA	
<b>Animal Oriented Agriculture</b>					
Dairy					✓
Keeping of livestock					✓
Keeping of poultry/pigeons					✓
Livestock sales pavilion					✓
Riding academies or stables					✓
<b>RESIDENTIAL</b>					
<b>Dwellings</b>					
Dwelling, cottage home				P	✓
Dwelling, mobile home					✓
Dwelling, multi-family	P	P	P	P	
Dwelling, multi-family (15 units per acre or less)	P	P	P	P	
Dwelling, multi-family (24 units per acre or less)	P	P			
Dwelling, multi-family (more 24 but not more than 30 units per acre)		SP			
Dwelling, multi-family (more 24 but not more than 60 units per acre)	SP				
Dwelling, multi-family (supportive living)	P	P	P	P	✓
Dwelling, townhouse	P	P	P	P	✓
High-rise apartment	P	P	P		✓
Dwelling, single-family (attached)				P	
Dwelling, single-family (detached)				P	
Dwelling, three-family	P	P		P	
Dwelling, two-family	P	P		P	
Dwelling, single-family, accessory (guesthouse, in-law suite)				Pa	✓
Home occupation, no customer contact	P	P	P	P	✓
Home occupation, with customer contact	P	P	P	P	✓
Live/work unit (on primary street)	P	P	P	P	✓
Live/work unit (not on primary street)	P	P	P	P	✓
Mobile home park					✓
Accessory uses or structures	Pa	Pa	Pa	Pa	✓

**Table 3.9 NorthLake District Allowed Uses**

Use	NorthLake District				See Sec. 4.2
	NL-L	NL-2	NL-3	NL-4	
<b>Housing and Lodging</b>					
Bed and breakfast	P	P		P	✓
Bed and breakfast, home stay	P	P		P	✓
Boarding/Rooming house					
Convents or monasteries		P			✓
Dormitory	Pa	Pa	Pa	Pa	
Extended stay hotel/motel					✓
Fraternity house or sorority house		Pa		Pa	
Hotel/Motel	SP	SP		SP	
Nursing care facility or hospice	P	P		P	
Personal care home, community, 7 or more	SP	SP	SP	SP	✓
Personal care home, group, 4-6	SP	SP	SP	SP	✓
Child caring institution, group, 4-6	SP	SP	SP	SP	✓
Child caring institution, community, 7 or more	SP	SP	SP	SP	✓
Shelter for homeless persons, 7-20					✓
Shelter for homeless persons for no more than six (6) persons					✓
Transitional housing facility, 7-20					✓
<b>INSTITUTIONAL/PUBLIC</b>					
<b>Community Facilities</b>					
Cemetery, columbarium, mausoleum	SP	SP			✓
Club, order or lodge, fraternal, non-commercial	P	P	P	P	
Coliseum or stadium/not associated with church or school	P	P			✓
Funeral home, mortuary	P	P			
Golf course or clubhouse, public or private	P	P	P		✓
Government facilities	P	P	P	P	
Hospital or accessory ambulance service		P	P		
Library or museum	P	P	P	P	
Cultural facilities	P	P	P	P	
Recreation club	P	P	P	P	✓
Neighborhood or subdivision clubhouse or amenities	Pa	Pa	Pa	Pa	✓
Places of worship	P	P	P	P	✓
Recreation, outdoor	P	P	P	P	✓
Swimming pools, commercial	Pa	Pa	Pa	Pa	✓
Tennis courts, swimming pools, play or recreation areas, community	Pa	Pa	Pa	Pa	✓
<b>Education</b>					
Colleges, universities, research and training facilities	P	P	P	P	

**Table 3.9 NorthLake District Allowed Uses**

Use	NorthLake District				See Sec. 4.2
	NL-L	NL-2	NL-3	NL-4	
Private educational services, home occupation	Pa	Pa	Pa	Pa	✓
Private kindergarten, elementary, middle or high schools	P	P	P	P	✓
Vocational schools	P	P	P	P	✓
Specialized schools	P	P	P	P	✓
<b>COMMERCIAL</b>					
<b>Automobile, boat and trailer sales and service</b>					
Automobile or truck rental or leasing facilities					✓
Automobile brokerage					✓
Auto recovery, storage					✓
Automobile repair or maintenance, minor	SP	SP	P	SP	✓
Automobile repair, major					✓
Automobile sales or truck sales					✓
Automobile service stations	P	P	P		✓
Automobile upholstery shop	P	P	P		
Automobile wash/wax service	P	P	P		✓
Boat sales					✓
Retail automobile parts or tire store	P	P	P	P	✓
Service area, outdoor	Pa	Pa	Pa	Pa	✓
Trailer or RV salesroom and lot					✓
<b>Office</b>					
Accounting office	P	P	P	P	
Building or construction office	P	P	P	P	✓
Building, landscape, heavy construction contractor office (material, equipment, storage)	P	P	P	P	✓
Engineering or architecture office	P	P	P	P	
Finance office or banking	P	P	P	P	
General business office	P	P	P	P	
Insurance office	P	P	P	P	
Legal office	P	P	P	P	
Medical office	P	P	P	P	
Real estate office	P	P	P	P	
<b>Recreation and Entertainment</b>					
Adult entertainment establishments					✓
Adult service facility					✓
Drive-in theater		P	P		✓
Fairground or amusement park		P	P		✓
Indoor recreation (bowling alleys, movie theatres and other activities conducted wholly indoors)	P	P	P	P	

**Table 3.9 NorthLake District Allowed Uses**

Use	NorthLake District				See Sec. 4.2
	NL-L	NL-2	NL-3	NL-4	
Nightclub or late night establishment					✓
Outdoor recreation (miniature golf, batting cages, tennis, Go-cart and other outdoor activities)					✓
Special events facility					
Theaters with live performance, assembly or concert halls, or similar entertainment within enclosed building	P	P	P	P	
<b>Retail</b>					
Alcohol outlet, retail sales, primary or accessory	SP		P		✓
Retail sales	P	P	P	SP [1]	
Apparel or accessories store	P	P	P	SP [1]	
Art gallery	P	P	P	SP [1]	
Book, greeting card, or stationery store	P	P	P	SP [1]	
Camera or photography	P	P	P	SP [1]	
Computer or computer software store	P	P	P	SP [1]	
Convenience store (see alcohol outlet or fuel pumps accessory)	P	P	P	SP [1]	✓
Farm or garden supply store	P	P	P	SP [1]	
Farmer's market, permanent	P	P	P	SP [1]	✓
Farmer's market, temporary/seasonal	SA	SA	SA	SA	✓
Florist	P	P	P	SP [1]	
Fortune Telling			P		
Specialty food stores (e.g., coffee, ice cream) (see alcohol outlet)	P	P	P	SP [1]	
Fuel dealers, manufacturers or wholesalers			P		
Fuel pumps, accessory	SP	SP	P		✓
Gift, novelty, or souvenir store	P	P	P	SP [1]	
Gold buying, precious metals	P	P			
Grocery stores (see alcohol outlet)	P	P	P	SP [1]	
Hardware store or other building materials store	P	P	P	SP [1]	
Hobby, toy or game store	P	P	P	SP [1]	
Jewelry store	P	P	P	SP [1]	
Music or music equipment store (retail)	P	P	P	SP [1]	
Liquor store (see alcohol outlet)					✓
News dealer or news store	P	P	P	SP [1]	
Office supplies and equipment store	P	P	P	SP [1]P	
Pawn shop, title loan					✓
Pet supply store	P	P	P	SP [1]	
Pharmacy or drug store (see alcohol outlet)	P	P	P	SP [1]	
Radio, television or consumer electronics store	P	P	P	SP [1]	

**Table 3.9 NorthLake District Allowed Uses**

Use	NorthLake District				See Sec. 4.2
	NL-L	NL-2	NL-3	NL-4	
Retail warehouses/wholesales providing sales of merchandise with no outdoor storage	P		P		
Shopping center	P	P	P	P	
Specialty store	P				
Sporting goods or bicycle sale	P				
Tattoo Parlor and Piercing Studio					
Thrift, secondhand, antique store					
Trade shops: electrical, plumbing, heating/cooling, roofing/siding, with no outside storage	P	P	P	SP [1]	
Variety store	P	P	P	SP [1]	
<b>Temporary Commercial Uses</b>					
Temporary outdoor sales, seasonal	SA	SA	SA	SA	✓
Temporary produce stand	SA	SA	SA	SA	✓
Temporary outdoor retail sales	SA	SA	SA	SA	✓
Temporary outdoor events	SA	SA	SA	SA	✓
Temporary trailer, as home sales office or construction trailer	SA	SA	SA	SA	✓
<b>Restaurant/Food establishments</b>					
Brewpub/Beer Growler	P	P	P	SP [1]	
Catering establishments	P	P	P	SP [1]	
Restaurants (non-drive-thru)	P	P	P	SP [1]	
Restaurants with a drive-thru configuration	SP	SP	S		✓
<b>Transportation and Storage</b>					
Bus or rail stations or terminals for passengers	SP	SP	SP		
Heliport					✓
Parking, commercial lot	Pa	Pa	Pa	Pa	✓
Parking, commercial garage	Pa	Pa	Pa	Pa	
Taxi, ambulance or limousine service, dispatching or storage.					✓
Taxi, ambulance, limousine dispatch office only (no vehicle parking)					
Taxi stand	P	P	P	P	
<b>Services</b>					
Adult day care center - 7 or more	P	P	P	P	✓
Adult day care facility - up to 6	P	P		P	✓
Animal hospitals, veterinary clinic	P		P	P	✓
Animal shelter/rescue center					✓
Banks, credit unions or other similar financial institutions	P	P	P	P	
Barber shop/ beauty salon or similar establishments	P	P	P	P	
Check cashing establishment, primary					✓

**Table 3.9 NorthLake District Allowed Uses**

Use	NorthLake District				See Sec. 4.2
	NL-L	NL-2	NL-3	NL-4	
Check cashing establishment, accessory					✓
Child day care center (Kindergarten) - 7 or more	P	P	P	P	✓
Child day care facility - up to 6	P	P	P	P	✓
Coin laundry	P	P	P	P	
Dog day care	P	P	P	P	✓
Dog grooming	P		P	P	✓
Dry cleaning agencies, pressing establishments, or laundry pick-up stations	P	P	P	P	
Fitness center	P	P	P	P	
Health Spa	SP	SP	SP	SP	✓
Kennel, breeding or boarding					✓
Kennel, commercial					
Kennel, noncommercial					
Landscape business	P	P	P	P	
Massage Establishment	SP	SP	SP	SP	✓
Mini-warehouse					✓
Multi-warehouse		P	P		✓
Outdoor storage, commercial					✓
Personal services establishment	P	P	P	P	
Photoengraving, typesetting, electrotyping	P	P	P	P	
Photographic studios	P	P	P	P	
Plumbing, HV/AC equipment establishments with no outdoor storage	P	P	P	P	
Publishing or printing establishments	P	P	P	P	
Quick copy printing store	P	P	P	P	
<b>Services, Medical and Health</b>					
Ambulance service or emergency medical services, private	P	P	P	P	
Health services clinic	P	P	P	P	
Home healthcare service	P	P	P	P	
Kidney dialysis center	P	P	P	P	
Medical or dental laboratories	P	P	P	P	
<b>Services, Repair</b>					
Furniture upholstery or repair; home appliance repair or service	P	P	P	P	
Personal service, repair (watch, shoes, jewelry)	P	P	P	P	
Service area, outdoor					✓
<b>INDUSTRIAL</b>					
Contractor, general (See also Building or Construction Office)			P		✓
Industrial, light			P		

**Table 3.9 NorthLake District Allowed Uses**

Use	NorthLake District				See Sec. 4.2
	NL-L	NL-2	NL-3	NL-4	
Light malt beverage manufacturer (See also Brewpub)			P		
All other industrial uses not listed above					
<b>COMMUNICATION - UTILITY</b>					
Amateur radio service or antenna	P	P	P	P	✓
Electric transformer station, gas regulator station or telephone exchange	P	P	P	P	
Radio or television broadcasting studio	P	P	P	P	
Radio or television broadcasting transmission facility	P	P	P	P	
Satellite television antennae	P	P	P	P	✓
<b>WIRELESS TELECOMMUNICATION (cell tower)</b>					
Attached wireless telecommunication facility, used for non-residential purposes (prohibited if used as residential)	P	P	P	P	✓
Stealth design up to 150'	P	P	P	P	✓
New support structure or stealth design up to 199'	P	P	P	P	✓
COW's (non-emergency or event, no more than 120 days)	P	P	P	P	✓
COW's (declared emergency)	P	P	P	P	✓
Attached wireless telecommunication facility	P	P	P	P	✓
Monopole or attached facility in utility company's easements or rights-of-way	P	P	P	P	✓
<b>CERTAIN ACCESSORY USES</b>					
Drive-thru facilities (other than restaurants)	SP	SP	SP	✓	✓

**Table 3.9 Note**

[1] Not to exceed 5,000 square feet per use unless approved by special land use permit. Not to exceed 10,000 square feet by special land use permit.

### 3.3.5 Dimensional requirements

- A. Dimensional requirements for sites and individual lots in are provided in Table 3.10 NorthLake District Dimensional Requirements.
- B. Compatibility rules and transitional buffers per Article 5 and Section 3.2.12 also apply.

**Table 3.10 NorthLake District Dimensional Requirements**

Element	NorthLake District			
	NL-1	NL-2	NL-3	NL-4
<b>Overall Site Requirements</b>				
<b>Mixed-use requirement</b>				
<b>Under 400,000 sf. of floor area:</b>	None	None	None	None
<b>400,000 sf. or more of floor area:</b>	Min. 2 uses; min. 65% office and/or residential		Min. 2 uses; min. 70% industrial	None
<b>Floor area ratio (for non-residential uses)</b>				
<b>All sites:</b>	4.5 max	3.5 max.	3.0 max.	n/a
<b>Dwelling units per acre (for residential uses)</b>				
Controlled by lot size and use regulations.				
<b>Open space</b>				
<b>Sites less than 2 acres:</b>	10% min.	10% min.	10% min.	10% min.
<b>Sites 2 or more acres:</b>	20% min.	20% min.	20% min.	10% min.
<b>Individual Lot Dimensions by Use</b>				
<b>Non-Residential or Mixed-Use</b>				
<b>Lot area:</b>	20,000 sf. min.	20,000 sf. min.	30,000 sf. min.	30,000 sf. min.
<b>Lot width:</b>	50 ft. min.	50 ft. min.	50 ft. min.	50 ft. min.
<b>Lot coverage:</b>	90% max.	80% max.	80% max.	50% max.
<b>Lots Dimensions: Townhouse dwellings</b>				
<b>Lot area:</b>	1,000 sf min.	1,000 sf min.	1,000 sf. min.	1,000 sf. Min
<b>Lot width:</b>	20 ft. min.	20 ft. min.	20 ft. min.	20 ft. min.
<b>Lot coverage:</b>	90% max.	80% max.	80% max.	80% max.
<b>Lot Dimensions: Other residential uses</b>				
<b>Lot area:</b>	4,000 sf min.	4,000 sf min.	4,000 sf. min.	4,000 sf min.
<b>Lot width:</b>	40 ft. min.	40 ft. min.	40 ft. min.	40 ft. min
<b>Lot coverage:</b>	80% max.	80% max.	80% max.	80% max.
<b>Setbacks for All Uses (See <a href="#">Section 3.3.5C</a> for additional setback requirements)</b>				
<b>Front:</b>	No min. / 20 ft. max.	No min. / 30 ft. max.	20 ft. min. /30 ft. max.	30 ft. max.
<b>Side (interior):</b>	No min.	20 ft. min.	20 ft. min.	7.5 ft. min.
<b>Side (corner):</b>	See front	See front	See front	See front
<b>Rear:</b>	20 ft. min.	20 ft. min.	20 ft. min.	20 ft. min.
<b>Height</b>				
<b>Buildings:</b>	15 stories max. or 180 ft. max., whichever is less	9 stories max. or 135 ft. max., whichever is less	4 stories or 60 ft. max, whichever is less	3 stories or 52 ft. max, whichever is less
<b>Parking Decks:</b>	10 stories max. [1]	7 stories max. [1]		

**Table 3.10 Note:**

[1] Parking deck height limit applies to both freestanding decks and those incorporated into buildings.

C. *Additional setback requirements.*

1. Buildings may exceed the maximum setback to allow for stoops, front porches, balconies, canopies, or steps, a public space or park, and or outdoor dining.
2. Parking is not allowed in the front yard or any other yard along a public streets (not including I-285).

**3.3.6 Blocks and lots**

- A. This section applies in addition to Section 27-5.1.
  1. Along LaVista Road a maximum block length of 700 feet.
  2. Along all other streets a maximum block length of 300 feet.
- B. Streets cannot be gated.
- C. Blocks must form an interconnected system of streets.
- D. The maximum radius at any street intersection is 20 feet.
- E. Stub-out streets in new development must be installed to the allow future development on adjacent properties to meet the block standards of paragraph “A” immediately above. Depending on the nature of the adjacent property, the stub-out street pavement, and curbing must extend to the boundary of the abutting parcel to the point where the connection to the anticipated street is expected.
- F. If a stub-out street exists on an abutting parcel, the street system of any new development must connect to the stub-out street to form a through street.
- G. The director of community development may modify or eliminated the block size and stub street requirements when steep slopes in excess of 18%, preexisting development, railroads, interstates, tree protection areas, stream buffers, cemeteries, open space, or easements would make the provision of a new street infeasible.

**3.3.7 Vehicle access**

- A. All parking must be accessed via shared alleys, private drives, or inter-parcel access.
- B. Shared driveways between two parcels along a common property line may be required by the Planning Commission during subdivision plat review or by the community development director during the land disturbance permitting process. In such cases, each property owner must grant an access easement to facilitate the movement of motor vehicles and pedestrians across the site. The property owner’s obligation to comply with this requirement will be limited to the extent legal permission to construct and utilize the required shared drive can be obtained from the neighboring property owner.
- C. Curb cuts cannot exceed 24 feet in width.
- D. Curb cut intersection radius cannot exceed 20 feet.
- E. Driveways must be perpendicular to the adjacent street.

**3.3.8 Inter-parcel access.**

- A. *Applicability.* This section applies to all new office, commercial, institutional, multifamily mixed use, and industrial developments and any building renovations and repaving projects of office, commercial, institutional, or industrial developments for which a land disturbance permit is required.
- B. *Inter-parcel access requirements.* Inter-parcel access for vehicles between abutting and nearby properties must be provided so that access to individual properties can be achieved between abutting and nearby developments as an alternative to forcing all movement onto highways and public roads, unless the community development director during the land disturbance permitting process determines that it is unnecessary to provide inter-parcel access due to the unlikelihood of patrons traveling among abutting or nearby sites, or due to

inability after reasonable efforts by the property owner to obtain legal permission

stone, or similar durable paver materials. Asphalt is not allowed.

### 3.3.9 Building form and design.

This section applies to all buildings, including parking decks, and is in addition to those building form and configuration standards contained in Section 27-5.7.

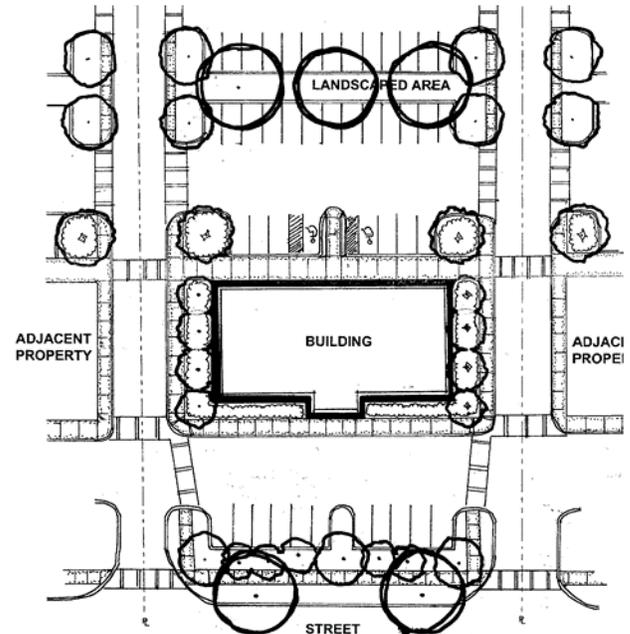
#### A. Pedestrian entrances.

1. All buildings adjacent to a public street must provide a direct pedestrian entrance from said street.
2. All commercial tenant spaces adjacent to a public street must provide a direct entrance from said street, except when a common lobby is provided for office uses.
3. The required pedestrian entrance must provide ingress and egress and must be operable to residents or customers at all times,
4. Additional entrances off another street, pedestrian areas, open space, or parking areas are permitted.

#### B. Pedestrian access.

1. Pathways must be provided from the closest public sidewalks to all required pedestrian entrances.
2. Pathways must be provided from a public sidewalk to all parking areas, parking decks, and required open spaces.
3. Pathways must be provided between all parking areas, parking decks, buildings, and required open spaces on a site.
4. Required pathways must have a minimum width of 5 feet unless it serves an individual ground floor unit, where a 4 feet wide pathway is allowed.
5. Required pathways must be continuous (except at vehicular crossings) and constructed of brick,

Fig. 3.5 Inter-Parcel and Pedestrian Access



#### C. Development and architectural controls.

Buildings and parking decks must comply with the following:

1. *Exterior materials.* The following apply to building facades:
  - a. Buildings facades must be faced in brick, natural or synthetic stone, true hard coat stucco, ceramics or tile, or pre-cast concrete except as provided for in paragraph "c" immediately below.
  - b. Building facades cannot be faced in aluminum, metal, corrugated steel, vinyl or plastic, plywood, pressed wood, imitation wood, EIFS, synthetic stucco, or concrete masonry units (except ribbed or rusticated units).
  - c. Buildings with five or more stories may incorporate a glass curtain wall above the third floor, in place of the materials identified in "a" above.

- d. Exterior finish materials may only be combined horizontally, with the visually heavier below the lighter as shown in Table 3.11 General Visual Weight Table. This does not apply to architectural accents.

**Table 3.11 General Visual Weight Table**

General Visual Weight Table	
This table shows the visual weight of permitted materials. Those at the top are lighter than those at the bottom and must be combined accordingly.	
	<p><b>Visually Lighter</b></p> <p>Glass curtain wall</p> <p>Hard coat stucco</p> <p>Brick</p> <p>Natural or synthetic stone</p> <p><b>Visually Heavier</b></p>

- 2. Architectural accents, if used, must consist of non-reflective glass, glass block, natural or synthetic stone, precast concrete, brick, terra cotta, true hard coat stucco, wood, cast stone, cast-iron, or decorative architectural grade steel or other equivalents subject to review and approval by the community development director.
- 3. Service bays for automobile service and repair uses must be designed so that the openings of service bays are not visible from a public street.
- 4. Metal or temporary awnings are not permitted.
- 5. Dumpsters cannot be visible from the public street and must be fenced or screened so as not to be visible from any adjoining residential district or any residential unit in a mixed-use building.
- 6. Fabric and canvas awnings and all other building materials must be of durable quality.
- 7. Mansard roofs are prohibited.

- 8. Reflective roof finishes are permitted only on roofs sloped less than one inch per foot.
- 9. Ground-floor commercial uses must have a canopy not less than 6 feet wide across the entire length of ground-floor entrances and fenestration. Where multiple ground-floor commercial uses exist in the same building along the same facade, the canopies must be continuous between them. Canopies over commercial entrances and/or windows must be mounted at a single consistent height for each building.
- 10. Linear lighting around windows, rooflines, doors, signs or building structures is prohibited. Linear lighting may include, but is not limited to neon tubes, rope lighting, and other similar lighting devices. Linear lighting devices that form letters or words are considered signs.

- D. *Active ground floor uses.* The ground floor of all buildings, including parking decks, adjacent to a public street or as required around open spaces must incorporate one or more of the following along the entire street-facing or open space-facing facade:

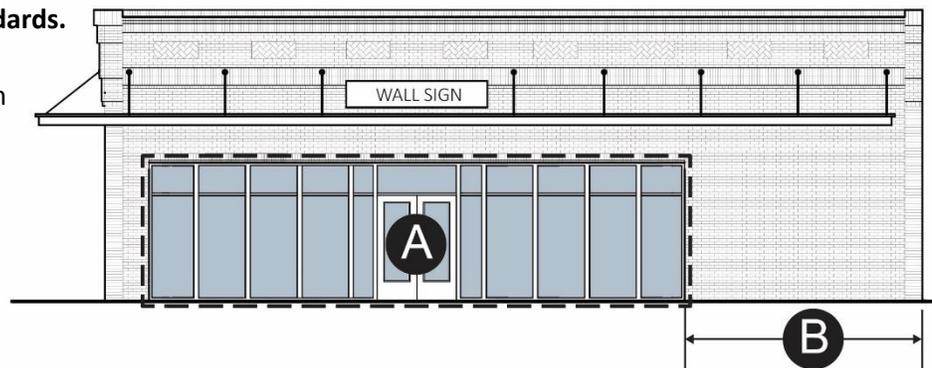
- 1. *Storefront active ground floor uses.*
  - a. Provide retail, restaurant/food establishment, or service uses for a minimum depth of 20, except at breaks for pedestrian pathways or parking access.
  - b. The minimum floor to ceiling height is 14 feet.
  - c. The space must be equipped with utilities.
  - d. The space's primary use cannot be storage, vehicular uses, equipment, coolers, computer servers or exchanges.

- e. The space must conform to **Section 0**.
  2. *Non-residential active ground floor uses.*
    - a. Provide other non-residential uses not included in paragraph “1” immediately above for a minimum depth of 30, except at breaks for pedestrian pathways or parking access.
    - b. The minimum floor to ceiling height is 14 feet.
    - c. The space must be equipped with utilities.
    - d. The space’s primary use cannot be storage, vehicular uses, equipment, coolers, computer servers or exchanges.
    - e. The space must have at least 30% fenestration and cannot be provided more than 30 linear feet without fenestration.
  3. Residential active ground floor uses.
    - a. Provide residential uses for a minimum depth of 20 feet, except at breaks for pedestrian pathways or parking access.
    - b. The minimum floor to ceiling height is 10 feet.
    - c. The space must be equipped with utilities.
    - d. The space must have at least 20% fenestration.
- E. *Fenestration.*
1. *Defined.* Fenestration is the minimum percentage of window and door glass area that must cover a facade.
  2. *Glass standards.* Glass used to satisfy fenestration requirements must be unpainted, must have a transparency (visible light transmission) higher than 70%, and must have an external reflectance of less than 15%. Transparency and external light reflectance must be established using the manufacturer’s specifications.
3. *Measurement.* Fenestration is measured from the top of the finished floor to the top of the finished floor above. When there is no floor above, fenestration is measured from the top of the finished floor to the top of the wall plate.
  4. *Minimum standards.* All buildings, including parking decks, must conform to the following along public streets or as required along certain open spaces:
    - a. All ground floors must incorporate fenestration as required by the active use standards of **Section 3.3.9D**.
    - b. All other floors along a must provide a minimum 20% fenestration for residential uses and a minimum of 30% fenestration for non-residential uses.

- F. *Storefront.* Ground floor storefront along a public street or as required along an open space must:
1. Provide fenestration for at least 65% of the exterior facade area, with each facade calculated separated.
  2. Provide no more than 30 linear feet without fenestration.
- G. *Building massing.*
1. Street-facing building facades greater 150 feet in length must be modulated with breaks in wall surfaces, materials and rooflines at intervals not to exceed 150 feet, (measured parallel to the street).
  2. Stories on street-facing building facades taller than five stories must be delineated at third story above sidewalk level and lower and must be executed through windows, belt courses, cornice lines or similar architectural detailing.
  3. Parking decks along a public street must comply with “2” immediately above, except that the number of stories used will be based on standard building story heights, not the actual height of the parking levels.
- H. *Roofs.*
1. Roof-mounted mechanical equipment and appurtenances must be located or screened so that they are not visible from the ground level.
  2. Screening must be of a material and design that are compatible with the surrounding building materials and architectural.
  3. Rooftop appurtenances must be painted to be compatible with the colors of the roof.
  4. Roof-mounted radio, TV, and telecommunication towers and antennas are not allowed.
- I. *Additional townhouse and multifamily development standards.*
1. Mechanical equipment and other building service items cannot be located between the public sidewalk and building facade.
  2. Individual townhouse units and ground floor multifamily units adjacent to a public street must provide a direct pedestrian entrance from said street. They must also provide a front porch or a front stoop facing said street.
  3. The pedestrian entrance required by paragraph “2” immediately above may be raised above the average grade of the sidewalk directly in front of it a maximum of 3 feet.
  4. Access to parking is only permitted via an alley or private drive located behind the units. Garages cannot face a public street.

**Fig. 3.6. Storefront standards.**

**A:** Min. 65% fenestration  
**B:** Max. 30 ft blank wall



### 3.3.10 Fences

- A. Chain line fences are not allowed.

### 3.3.11 Open space.

- A. *Open space required.* New developments must incorporate open space as required in Table 3.5 and this section.

- B. *Enhanced open space.* Open spaces used to satisfy open space requirements must conform to enhanced open spaces types established in Section 27-5.5, except as otherwise allowed by paragraph “C” immediately below. Enhanced open space must also:

1. Adjoin buildings with active ground floor uses conforming to Section **3.3.9D** on at least one side and for not less than 25% of the open space’s perimeter;
2. Be directly accessible from a public sidewalk.

- C. *Amenity open space.* Amenity open space may also be used to satisfy open space requirements. Amenity open space is intended to small covered or uncovered, unenclosed, outdoor areas limited to at-grade hardscape or landscape areas improved for pedestrian enjoyment; rooftop decks; patios and porches; balconies; or yards, lawns, and gardens. Interior or exterior stairs or elevators may provide access to rooftop decks, patios, porches, and balconies

- D. *Maintenance.* Each applicant must present, as a part of the application for a building permit, a legal mechanism under which all land to be used for open-space purposes will be maintained and protected. Such legal mechanism may include deed restrictions, property owner associations, common areas held in common ownership or control, maintenance easements, or other legal mechanisms, provided that said legal mechanism must be approved by the city attorney as assuring each of the following mandatory requirements:

1. That all subsequent property owners be placed on notice of this development restriction through the deed records of DeKalb County Superior Court;
2. That all open space held in common will be properly maintained and insured with no liability or maintenance responsibilities accruing to the city;
3. That a legal mechanism exists for notice of deficiencies in maintenance of the open space held in common, correction of these deficiencies, and assessment and liens against the properties for the cost of the correction of these deficiencies by a third party or the city;
4. When an applicant chooses to utilize a property owners’ association in order to comply with the requirements of paragraph “E” above, the applicant, in addition to meeting all of said requirements, must provide for all of the following:
  - a. Mandatory and automatic membership in the property owners’ association as a requirement of property ownership;
  - b. A fair and uniform method of assessment for dues, maintenance and related costs;
  - c. Where appropriate, party wall maintenance and restoration in the event of damage or destruction; and
  - d. Continued maintenance of open space held in common and liability through the use of liens or other means in the case of default.

### 3.3.12 Neighborhood compatibility

*Transitional buffer zones.* NL districts must conform to the transitional buffer

requirements in Section 27-5.4.5 except as modified below:

- A. There is no transitional buffer requirement between lots that are both within a NL district.
- B. When a DT district adjoins any other zoning district the DT district will have the same transitional buffer requirements of MU-1 in Table 5.2(a).

**3.3.13 Streets and streetscapes.**

A. *Street design.*

- 1. *Applicability.* Public and private streets must comply with the requirements for public streets found in Chapter 14, except as specifically otherwise provided for in this section.
- 2. *Travel lane width exception.* Eleven feet wide travel lanes are required on all streets except alleys and designated truck routes. Further lane reductions may also be approved by the community development director when the proposed width conforms to the published best practices of American Association of State Highway Transportation Officials (AASHTO) and/or the Institute of Transportation Engineers (ITE).
- 3. *Street Dimensions.* All new or extended public or private streets must conform to Table 3.12 New Street Dimensions unless modified by the community development director for the following public purposes:
  - a. To provide alternative bicycle facilities;
  - b. To provide wider streetscapes;

- c. To provide turn lanes;
- d. To provide traffic calming or pedestrian safety measures;
- e. To serve truck routes; or
- f. To increase lane width and right-of-way along state and federal routes.

4. *Medians.*

- a. Medians must be designed to provide for safe and convenient crossings for persons with disabilities and must provide refuge for pedestrians at crosswalks
- b. Medians must be landscaped with trees, shrubbery, landscaping, and other approved groundcover materials.

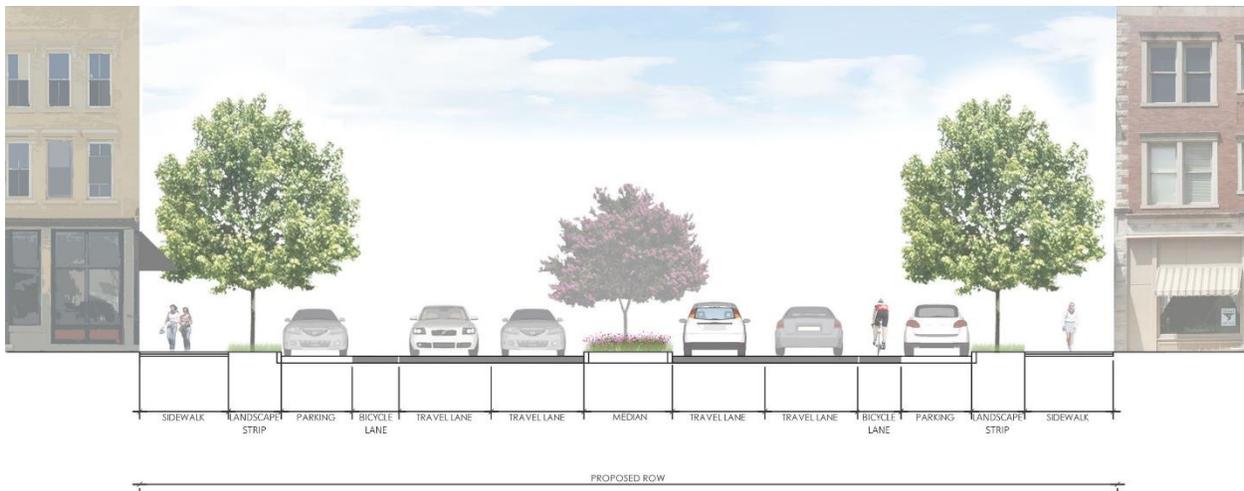
B. *Bicycle facilities.*

- 1. Bicycle facilities must be incorporated in conformance with any plan that has been adopted by the City of Tucker, DeKalb County, or the Georgia Department of Transportation.
- 2. Bicycle lanes cannot be less than 5 feet in width.
- 3. Multi-use trails cannot be less than 12 feet in width.
- 4. Bicycle facilities must incorporate signs and pavement markings as required by the latest version of the Manual for Uniform Traffic Control Devices.

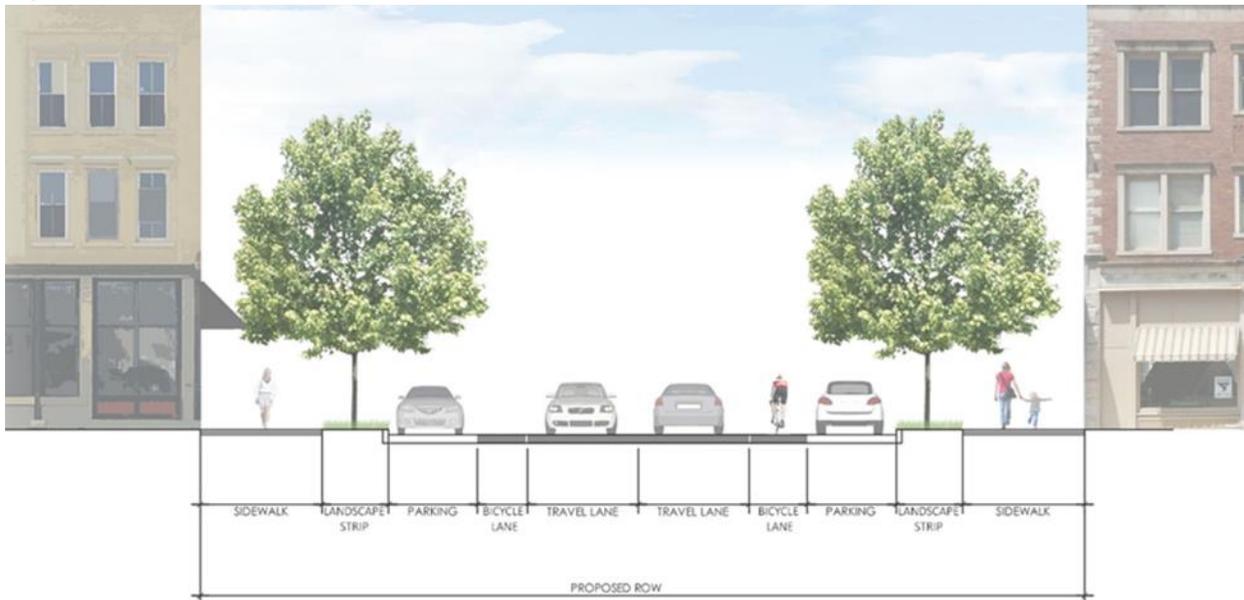
**Table 3.12 New Street Dimensions**

New streets must incorporate all of the elements shown below and with the indicated dimensions.					
Street Type	Number of Lanes	Median Width	Bicycle Facility	Parallel Parking	Right-of-Way Width
<b>Boulevard</b>	4	16 ft.	Bicycle lane required	n/a	110 ft.
<b>Avenue</b>	4	12 ft.	Bicycle lane required	n/a	100 ft.
<b>Major Collector</b>	4	n/a	Bicycle lane required	Required both sides, 9 ft.	105 ft.
<b>Minor Collector</b>	2	n/a	n/a	Required both sides, 9 ft.	80 ft.
<b>Local Street</b>	2	n/a	n/a	Required both sides, 9 ft.	60 ft.

**Fig. 3.7 New Boulevard, Avenues, and Major Collector Streets**



**Fig. 3.8 New Minor Collector Streets and Local Streets**



C. *Streetscape elements and dimension.*

1. Streetscapes must be installed as required by Section 5.4.3 and in conformance with Table 3.14, except when paragraph “2” immediately below applies.
2. A multi-use trail may be required instead of a sidewalk along any new or existing street when the location has been identified as a multi-use trail any plan that has been adopted by the City of Tucker, DeKalb County, or the Georgia Department of Transportation.

D. *Streetscape design.*

1. The design of streetscapes must conform to the Northlake LaVista Road streetscape improvement project standards; and
2. The design of streetscapes must match any ongoing, publically funded streetscape design.

E. *Landscape strip design.*

1. Street trees must conform to **Section 3.3.16D.**
2. Street trees must have a minimum unpaved planting area of 4 feet by 8 feet. Tree planting areas must provide porous drainage systems that allow for drainage of the planting area. Tree grates are prohibited.
3. Street tree species or planting patterns of varied species must be consistent for an entire block length. Similarly-shaped species may be changed on an individual block face due to: limited supply or concerns regarding disease or the health of existing and proposed trees with approval from the community development director and consultation from a certified arborist.

F. *Sidewalk design.*

1. Sidewalk paving materials must continue across driveways at the same prevailing grade and cross slope as the adjacent sidewalk area.

2. Sidewalks must be broom finished poured-in-place concrete or pavers of brick, concrete, or stone. Other materials may be allowed by approval of the community development director.
3. When new sidewalks abut existing sidewalks the new sidewalk must provide safe facilitation of pedestrian traffic flow to adjacent sidewalks. A 10-foot-long taper must be provided in cases where an existing sidewalk is a different width than the new sidewalk. Any development that disturbs existing sidewalks on an adjacent property must replace disturbed areas to their original state and condition.

- G. *Underground utilities required.* All utilities except for major electric transmission lines and sub-stations are required to be placed underground unless the community development director determines that underground utilities are not feasible due to existing physical conditions, such as conflicting underground structures or utilities, shallow rock, high water table, or other similar geologic or hydrologic conditions.

H. *Street lights and street furnishings.*

1. Light poles are required and must be spaced at a maximum of 80 feet on-center and of a type identified in **Section 3.3.17, except along LaVista Road, where** lighting must match the LaVista Road streetscape plan dated December 18, 2006.
2. Pedestrian lights are required and must be spaced at a maximum of 60 feet on-center and of a type identified in **Section 3.3.17, except along LaVista Road, where** lighting must match the LaVista Road streetscape plan dated December 18, 2006.
3. Street and pedestrian lights must alternate.

4. Street furnishing may only be placed in the landscape strip or between the sidewalk and the building.
5. Street furnishings are required must be of a type identified in **Table 3.13**, which includes specific products by specific brands. The use of specific products and brands is not required and similar designs may be used.
6. Street furnishings must be comfortable, damage and vandalism resistant, and be easy to maintain.
  - I. *Crosswalks.* The use of approved brick, concrete, or stone paving materials to identify crosswalk areas is encouraged.

**Table 3.13: Street Furniture Specifications**

Location	Fixture Type	Specification
Landscape Strip	Benches	Victor Stanley Model #RB-28 in 6' length, Color: black
Landscape Strip	Trash Receptacles	Victor Stanley—the Bethesda Series Model # S-424, Color: black
Landscape Strip	Bicycle Racks	DuMor Inc.—Leisure Lines Model # 130-30, surface mount, Color: black

**Table 3.14 Streetscape Dimensions**

Existing and New Streets					
Street Type	Streetscape Zone			Landscape Strip Elements	
	Total Width	Landscape Strip	Sidewalks	Street Light Spacing	Street Tree Spacing (typ.)
LaVista Road:	20 ft.	5 ft.	15 ft.	80 ft. [1]	30 ft.
Other NL-1, NL-2 streets:	15 ft.	5 ft.	10 ft.	80 ft. [1]	30 ft.
Other NL-3 streets:	10 ft.	5 ft.	5 ft.	80 ft. [1]	30 ft.

**Table 3.7 Note**

[1] This requirement applies to street light poles only. Additional pedestrian light requirements apply.

**3.3.14 Drive-thru facilities.**

- A. All drive-thru areas, including but not limited to menu boards, stacking lanes, trash receptacles, ordering box, drive up windows, and other objects associated with the drive-through, must be located to the side or rear of the building. Drive-thru windows and lanes may not be placed between a public street (not including an alley) and the associated building.
- B. Drive thru windows and lanes must be screened by a continuous compact evergreen hedge. At the time of installation, the screening must be at least 3 feet in height and reach a height of 4 feet within 3 years of planting.

- C. In lieu of the compact evergreen hedge, a screening wall with a minimum height of 4 feet may be installed. The wall must be compatible with the principal building in terms of texture, quality, material and color.

**3.3.15 Parking.**

- A. *Off-street parking ratios.*
  1. NL districts must conform to the off-street parking requirements contained in Table 6.2: Off Street Parking Ratios except as indicated in paragraph “2” through “6” immediately below.
  2. Shopping centers, retail uses, personal service uses, and other commercial and general business

uses, including food stores:  
Minimum of 4.0 spaces per 1,000 square feet of gross floor area.

3. Office and clinic uses: Minimum of 3.0 spaces per 1,000 square feet of gross floor area.
  4. Hotel and motel uses: Minimum of 1.0 space per room and 1.0 space per employee based on the largest shift.
  5. Multifamily residential uses: Minimum of 1.0 space per unit for the first bedroom, plus 0.50 space per additional bedroom.
  6. Restaurant uses: Minimum of 5.0 spaces per 1,000 square feet.
- B. Off-street parking location and design.**
1. *Location.* All off-street parking including surface lots and parking decks must be located behind or beside a street-fronting building.
  2. *Parking lot screening.* Parking lots must be screened from view of public streets using one of the following options.
    - a. *Shrubs.* Plant a minimum of ten 10 shrubs per 35 linear feet of street frontage, excluding driveway openings. Shrubs must be 18 inches tall at time of planting. They must be planted 2 rows deep, and provide a screen within 3 years of planting.
    - b. *Walls.* Install a minimum 2.5 feet high wall as close to the parking lot as possible. Wall must be opaque and compatible with the principal building material.
  3. *Parking deck screening.* Parking decks must provide screening on all stories by providing a facade designed to resemble an office or residential building and conform to the applicable building form and

design requirements of [Section 3.3.9](#).

4. *Duration of parking.* Surface parking provided to the side of any building along a public street must be designated for short-term (no longer than two hours) parking.
5. *Landscape strips.* The following landscape strip standards apply around parking lots and decks:
  - a. *Adjacent to a street.* A landscape strip with a minimum width of 6 feet is required adjacent to public streets. Evergreen shrubbery at least 18 inches in height is required.
  - b. *Not adjacent to a public or private street.* A landscape strip with a minimum width of 6 feet is required along all sides of the facility that are not adjacent to public or private streets.
  - c. *Exceptions.* Landscape strips are not required at driveways, walkways, pedestrian plazas, or where adjacent active ground floor uses are provided.
  - d. *Planting.* The landscape strips may contain no less than one understory or over story tree per 50 linear feet, ten shrubs per 50 linear feet, and a minimum of ninety 90% living groundcover, sod and/or annual or perennial color in the landscape strip surface area. Landscaping must conform to [Section 3.3.16](#).
6. *Restrictions.* No parking area may be used for the sale, repair, dismantling, servicing, or long-term storage of any vehicles or equipment.

### **3.3.16 Landscaping.**

- A. *Plans required.* Landscape planting and irrigation plans must be prepared by a landscape architect registered in the

- State of Georgia for each application for a land-disturbance permit.
- B. *Maintenance.* When a private property owner provides landscaping within the public right-of-way and the landscaping dies within one year of installation, it must be replaced within the earliest possible planting season.
- C. *Ground cover.*
1. Ground cover must be provided to protect tree roots, to prevent erosion, and in as otherwise required by this division.
  2. Ground cover must consist of evergreen shrubs or groundcover plant material mulched with pine bark mulch, or other similar landscaping material.
  3. Evergreen groundcover planting must be used on all slopes steeper than 2.5:1 to aid in erosion control.
- D. *Trees.*
1. Newly planted must be a minimum of 3.5 inches in caliper measured 12 inches above the ground, must be a minimum of 16 feet in height, must have a minimum mature height of 30 feet.
  2. No tree may be planted closer than 2.5 feet from the street or sidewalk, and no closer than 8 feet from a fire hydrant, sign post, streetlight standard, utility pole, or similar structure.
- E. *Irrigation.* All newly planted landscape areas (including parking lot islands) shall be irrigated by a fully automatic, commercial, underground irrigation system in accordance with the following standards:
1. All irrigation systems must be provided with backflow preventers approved by DeKalb County. Such devices shall be located or screened so that they are not visible or accessible to the public from adjacent sidewalks, streets, alleys, or parking lots.
2. Spray heads must be located to provide 100%, overlapping coverage. Overspray onto sidewalks and other paved areas should be minimized.
  3. Control boxes and panels shall be located inside buildings or where they will not be visible or subject to vandalism.
  4. All main and lateral lines shall be commercial grade PVC pipe.
  5. Irrigation systems are not required in undisturbed buffers or in areas where they would disrupt existing native vegetation.
- F. *Plant materials.* Plant materials required along streets to meet the requirements of this division must be selected from the following list of species in the minimum sizes shown. Plant materials provided in locations other than along streets, and plant materials provided along streets in excess of those required to meet this division may be any species appropriate to the design and location subject to the approval of the plan reviewer.
1. *Flowering shrubs.*
    - a. Abelia X Grandiflora, three-gallon;
    - b. Jasminum Nudiflorum, three-gallon;
    - c. Coreopsis Auriculata, one-gallon;
    - d. Narcissus.
  2. Ground cover.
    - a. Liriope Muscari, one-gallon;
    - b. Rubus Caleinoides, one-gallon;
  3. Trees along LaVista Road.
    - a. Cercis Canadensis, two-inch caliper;
    - b. Chionanthus Virginicus, one-and-one-half-inch caliper;

- c. Hemerocallis Species, one-gallon;
  - d. Prunus "Okame", one-and-one-half-inch caliper;
  - e. Quercus Shumardii, three-and-one-half-inch caliper.
  - f. Lagerstroemia Indica, 10 feet high;
4. Trees along remaining streets.
- a. Any tree listed in paragraph "3" above;
  - b. Crape Myrtle, standard trunk;
  - c. October Glory Red Maple;
  - d. Sunset Maple;
  - e. Nuttal Oak (Quercus Nattalli);
  - f. Shumard Oak (Quercus Shumardii);
  - g. Willow Oak;
  - h. Zelkova Serrata;
  - i. Ginkgo (Ginkgo Biloba);
  - j. Trident Maple (Acer Buergeranum);
  - k. Allee Laechar Elm (Ulmus Parvifolia Emer II).

products is not required when similar designs from other manufacturers are available.

**Table 3.15: Outdoor Lighting Specifications**

Location	Type	Specification
<b>Street Light</b>	Fixture type	Philips Gardco CA-22-1-3-250 MH-VTBS-BLA
	Pole type	Philips Gardco RA5-28H-TBS-TBS-BLA
<b>Parking Lot Light</b>	Fixture type	Philips Gardco CA-22-2-3-250MH-VTBS-BLA
	Pole type	Philips Gardco—RA5-25H-TBS-TBS-BLA
<b>Pedestrian Light</b>	Fixture type	Cooper Lighting Modern Epic Large (MEL) model # MEL 15SWW3SXBLBK
	Arm Type	Cooper Lighting model # SA6005-BK4
	Pole type	Hapco model # 89871-003-PI

**Fig. 3.9 Parking Lot Light Fixture and Pole**



**3.3.17 Outdoor lighting.**

- A. Light levels of 1.5 foot candles are recommended for parking lots and 4 foot candles at vehicular drives, entrances, and pedestrian and bicycle ways.
- B. Ground-mounted floodlights must be screened with planting or other means so that the light source is not visible.
- C. The use of flashing, rotating, or oscillating lighting is not allowed in any manner that may be visible from the exterior of buildings.
- D. After-hours security lighting must equal at least 25% of the normal parking lot lighting level for security.
- E. Outdoor lighting must be of a type identified in Table 3.15, which includes specific products. The use of specific

### 3.3.18 Administration

This section applies in addition to the general requirements of special and overlay districts:

- A. *Application for district compliance.* No permit or license may be issued until the applicant for such a permit or license has submitted an application for district compliance to the Community Development Department that meets all requirements of this division and such application has been approved as an application provision provided herein.
- B. *Administrative variations.*
  - 1. The community development director may grant administrative variances in addition to those allowed

by Section 27-7.6 when the variance is used to permit a practice that is not consistent with a specific provision, but is justified by the division's purpose and intent.

- 2. Administrative variances cannot be used to:
  - a. Increase the permitted site density;
  - b. Increase the maximum permitted number of stories in a building; or
  - c. Permit a use that is not allowed by district regulations.

## **DIVISION 4 MOUNTAIN INDUSTRIAL BOULEVARD OVERLAY DISTRICT**

### **3.4.1 Scope of regulations.**

This division establishes standards and procedures that apply to any development, use, or redevelopment on any lot or portion thereof which is, in whole or in part, contained within the boundaries of the Mountain Industrial Boulevard Overlay District, hereinafter referred to as the "District."

### **3.4.2 Applicability of regulations.**

This division applies to each application for a permit which involves the development, use, construction, exterior alteration or modification of any structure where the subject property is, in whole or in part, contained within the boundaries of the District. The procedures, standards, and criteria herein apply only to that portion of the subject property within the boundaries of the District. All procedures, standards, and criteria not specifically identified herein shall be as provided by the applicable underlying zoning district regulations. In cases where a conflict exists between the requirements of this District and the underlying zoning district, the requirements of this District will apply.

### **3.4.3 Statement of purpose and intent.**

The purpose and intent of the mayor and city council in establishing the District is as follows:

- A. To preserve and enhance the long-term economic viability of the Mountain Industrial Boulevard corridor by encouraging investment that increases the tax base and provides employment opportunities to the citizens of the City of Tucker;
- B. To improve the visual appearance and increase property values within the corridor;
- C. To allow flexibility in development standards in order to encourage the design of innovative development projects that set high standards for landscaping, green space, urban design, and public amenities; and

- D. To promote uniform and visually aesthetic architectural features which serve to unify the distinctive visual quality of the corridor.

### **3.4.4 District boundaries and maps.**

The boundaries of the District are established by the zoning map which is adopted contemporaneously with the adoption of this division and is hereby incorporated by this reference as if fully set forth herein and is hereby made a part of this Chapter 27. Said zoning map amendment will be maintained by the community development director or designee and shall be available for public inspection in the office of the community development director.

### **3.4.5 Principal uses and structures.**

The uses of land and structures allowed in this district as principal, accessory, or by special permit or special land use permit are as provided by the applicable underlying zoning district regulations, subject to the requirements, limitations and standards contained within this division, with the exception of the following:

- A. *Special Permits.* The following uses and structures require a special land use permit from the mayor and city council.
  - 1. Health Spa
  - 2. Massage Establishment

### **3.4.6 Prohibited uses.**

The following principal uses of land are prohibited:

- A. Storage yard for damaged automobiles or confiscated automobiles;
- B. Tire retreading and recapping;
- C. Adult entertainment establishments;
- D. Adult service facility;
- E. Late night establishments;
- F. Extended stay motels;
- G. Title and pawn shops;

- H. Salvage yards/junk yards and automobile wrecking yards, not including recovered material or recycling yards;
- I. Self-service car wash and detailing;
- J. Temporary and portable saw mills;
- K. Mines and mining operations, quarries, gravel pits, and sand pits;
- L. Sewage treatment plants;
- M. Asphalt plants;
- N. Fat rendering and fertilizer manufacture;
- O. Distillation of bones and glue manufacture;
- P. Parking or storing of trucks and trailers between the hours of 11:00 p.m. to 5:00 a.m., unless such truck or trailer is parked or stored pursuant to an accessory use incidental to the permitted principal use of the land; and
- Q. Mobile homes.

### **3.4.7 Architectural regulations.**

This section applies to all uses and structures within the district.

- A. Building exteriors are limited solely to the following materials:
  - 1. Brick or brick veneers;
  - 2. Stone or stone veneers of natural stone such as granite, limestone and marble. Terra Cotta and/or cast stone, which simulate natural stone, are also allowed. Painted stone is not allowed;
  - 3. Pre-cast concrete;
  - 4. Painted concrete block, which may only be used on a side or rear facade that does not face a public right-of-way;
  - 5. Split-face block/concrete masonry unit;
  - 6. Hard coat stucco and synthetic stucco;
  - 7. Glass curtain walls;
  - 8. Architectural ceramic panels;

- 9. Metal exterior wall cladding panels but specifically excluding corrugated metal.
- B. Architectural accents, where utilized, must consist of metal, non-reflective glass, glass block, natural stone, pre-cast concrete, brick, or terra cotta. Architectural accents may only cover 10% of the surface area of each exterior wall. When calculating the 10% percent limitation on architectural accents, the surface area covered by a window(s) cannot be included in the calculation.
- C. Within a front or exterior side yard, the keeping of goods, materials, merchandise, or inoperable vehicles in the same place for more than 24 consecutive hours is not allowed.
- D. Within a side yard that adjoins a public street, the keeping of goods, materials, merchandise, or inoperable vehicles in the same place for more than 24 consecutive hours is only permitted when the side yard is fenced, screened, or otherwise screened from view from the street.
- E. Screening, fences, and walls
  - 1. Screening must meet the requirements of Section 5.4.6 and Section 4.2.3.8.
  - 2. Chain link fences and service bays for automobile service and repair must be screened so as not to be visible from any public street or adjacent property by opaque fences, walls, or vegetation. Required screening shall meet the general screening requirements of Section 5.4.6
  - 3. Chain-link fences must be galvanized or vinyl coated. Uncoated chain-link is not allowed.
  - 4. Fences and walls used to satisfy screening requirements must meet the requirements of Section 5.4.7, except that fence and walls must be compatible with the principal

building in terms of texture, quality, material, and color.

- F. Any linear lighting around windows, rooflines, doors, signs or building structures is prohibited. Linear lighting may include, but is not limited to neon tubes, rope lighting, and other similar lighting devices. Linear lighting devices that form letters or words shall be considered signs.

### 3.4.8 Signs.

Properties within the District are required to comply with the sign regulations of Chapter 21 of the Code except as follows:

#### A. Definitions

- 1. Portable sign means any sign designed to be transported by trailer or by a design element that includes wheels attached to the sign, or wheels attached to the sign but detachable, the removal of such wheels creating an “A” or “T” frame sign that may attach temporarily or permanently to the ground. Portable sign shall also include vehicles with signs painted or mounted thereon that are parked or immobilized in a single location for more than 14 consecutive days.

#### B. Prohibited signs:

- 1. Sandwich board signs, except within 5 feet of a building entrance;
- 2. Banner signs of any size, except as a special event sign.

#### C. Convenience Store and Service Stations.

Convenience store and service stations

with pump islands may have one sign per canopy face per public street frontage up to a maximum of 36 square feet of total canopy sign space.

#### D. Directional Signs.

Directional signs are permitted up to 6 feet above the ground.

#### E. Non-residential zoning districts.

- 1. All lots located in non-residential districts not developed as a planned commercial center may only display signs as allowed in **Table 3.16.**

- 2. A lot located in a non-residential district developed as a planned commercial center may only display signs as allowed in **Table 3.17.**

- 3. Property zoned for non-residential use may have only one ground sign per street that is oriented towards travelers along that same street.

- 4. The District is exempt from total aggregate sign area requirements in Chapter 21 of this Code.

- 5. Wood and Flexible plastic are prohibited for use in permanent signs in non-residential zoning districts.

#### F. Special Event Signage.

All special event signs are subject to the requirements of Chapter 21 of the Code, including section 21-21, except that the maximum number of special even sign permits to be issued to a single site or location shall be one per year for a period of time not to exceed 30 days for each permit issued.

**Table 3.16 Mountain Industrial Boulevard Overlay Non-Residential General Sign Regulations.**

	Ground Sign	Canopy or Wall Sign	Projecting Sign	Directional Sign	Entrance Sign	Subdivision Sign	Window Sign
<b>Maximum Height</b>	20 ft.	n/a	20 ft. or Height of building	6 ft.	8 ft.	12 ft.	n/a
<b>Maximum width</b>	15 ft.	80% of the wall or canopy width	n/a	4 ft.	10 ft.	15 ft.	n/a
<b>Maximum sq. ft.</b>	160 sq. ft.	30 sq. ft. or 2 sq. ft. per linear foot of the wall or canopy, whichever is greater, up to a maximum of 150 sq. ft. for buildings 12 stories or more.	40 sq. ft.	16 sq. ft.	60 sq. ft.	100 sq. ft.	10% of the window space (calculated separately per window)
<b>Maximum Projection from Structure</b>	n/a	6 ft.	2 ft.	n/a	n/a	n/a	n/a
<b>Required setback from electrical transmission lines</b>	10 ft.	n/a	0 ft.	10 ft.	n/a		
<b>Maximum sq. ft.</b>	160 sq. ft.	30 sq. ft. or 2 sq. ft. per linear foot of the wall or canopy, whichever is greater, up to a maximum of 150 sq. ft. for buildings 12 stories or more.	40 sq. ft.	16 sq. ft.	60 sq. ft.	100 sq. ft.	10% of the window space (calculated separately per window)
<b>Maximum number allowed</b>	1 per facade	1/primary facade and 1/secondary facade	1 per primary facade and 1 per secondary facade	2 per authorized curb cut	1 per entrance	1 per subdivision	n/a

**Table 3.17 Mountain Industrial Boulevard Overlay Planned Commercial Center Sign Regulations.**

	Ground Sign	Canopy or Wall Sign	Directional Sign	Entrance Sign	Window Sign
<b>Maximum height</b>	20 ft.	n/a	6 ft.	8 ft.	n/a
<b>Maximum width</b>	20 ft.	80% of the wall or canopy width	4 ft.	10 ft.	n/a
<b>Maximum sq. ft.</b>	200 sq. ft.	30 sq. ft. or 2 sq. ft. per linear foot of the wall or canopy, whichever is greater, up to a maximum of 150 sq. ft. for buildings 12 stories or more.	16 sq. ft.	60 sq. ft.	30% of the window space for buildings under 50,000 sq. ft.; 10% of the window area for buildings 50,000 sq. ft. or over (calculated separately per window)
<b>Maximum number allowed</b>	One per facade	1/primary facade and 1/secondary facade	2 per authorized curb cut	1 per entrance	n/a
<b>Required setback from electrical transmission lines</b>	10 ft.	N/A	0 ft.	10 ft.	n/a