

DIVISIONS 2-4. Reserved.

## 27-3.5 DIVISION 5 - STONECREST AREA OVERLAY DISTRICT

### Sec. 3.5.1. - Scope of regulations.

This division establishes standards and procedures that apply to any development, use, alteration, height, density, parking, open space, and building on any lot or portion thereof which is in whole or in part contained within the boundaries of the Stonecrest Area Overlay District.

### Sec. 3.5.2. - Applicability of regulations.

This division applies to each application for a permit for the development, use, alteration, or modification of any structure where the subject property is in whole or in part contained within the boundaries of the Stonecrest Area Compatible Use Zone Overlay District. The procedures, standards, and criteria herein apply only to that portion of the subject property within the boundaries of the Stonecrest Area Overlay District.

### Sec. 3.5.3. - Statement of purpose and intent.

The purpose and intent of the city council in establishing the Stonecrest Area Compatible Use Zone Overlay District is as follows:

- A. To preserve, protect and enhance existing and proposed open space networks that are adjacent to or within the Stonecrest Area;
- B. To enhance the long term economic viability of this portion of City of Stonecrest by encouraging new commercial and residential developments that increase the tax base and provide jobs to the citizens of City of Stonecrest;
- C. To implement the policies and objectives of the comprehensive plan and the policies and objectives of the design guidelines for the Stonecrest Overlay District;
- D. To establish and maintain a balanced relationship between industrial, commercial, and residential growth to ensure a stable and healthy tax base in City of Stonecrest;
- E. To provide a balanced distribution of regional and community commercial and mixed-use office centers;
- F. To support high density housing in office and mixed-use centers which have the appropriate location, access, and infrastructure to accommodate it;
- G. To encourage mixed-use developments that meet the goals and objectives of the Atlanta regional commission's smart growth and livable centers initiatives;
- H. To allow flexibility in development standards in order to encourage the design of innovative development projects that set high standards for landscaping, greenspace, urban design, and public amenities;
- I. 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;

- J. To allow and encourage development densities and land use intensities that are capable of making productive use of alternative transportation modes such as bus transit, rail transit, ridesharing, bicycling and walking;
- K. To focus and encourage 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 City of Stonecrest;
- L. To protect established residential areas from encroachment of uses which are either incompatible or unduly cause adverse impacts on such communities, and to protect the health, safety and welfare of the citizens of City of Stonecrest;
- M. To promote uniform and visually aesthetic architectural features which serve to unify the distinctive visual quality of the Stonecrest Area.

Sec. 3.5.4. - District boundaries.

- A. The boundaries of the Stonecrest Area Overlay District shall be divided into five (5) development tiers as follows:
  - 1. Tier I: High-rise mixed use zone;
  - 2. Tier II: Mid-rise mixed use zone;
  - 3. Tier III: Low-rise mixed use zone;
  - 4. Tier IV: Transitional mixed use zone; and
  - 5. Tier V: Cluster/village mixed use zone.

B. The boundaries of the Stonecrest Area Overlay District composed of Tiers I, II, III, IV and V shall be depicted on the official zoning maps entitled "Official Zoning Map, Stonecrest, Georgia, Stonecrest Area Overlay District"(the "Stonecrest overlay maps"). The Official Zoning Map, Stonecrest, Georgia, Stonecrest Area Overlay District, to be adopted contemporaneously with this chapter, together with all explanatory information contained or referenced thereon, is hereby adopted by reference and declared to be a part of this chapter.

The Stonecrest overlay maps shall be adopted contemporaneously with this chapter in digital format and contained on a compact disk to be maintained in its original, unedited and unaltered form by the clerk to the city council. A printed copy of the compact disk's contents depicting the Stonecrest overlay maps on the date of its initial adoption shall also be maintained in its original, unedited and unaltered form by the clerk to the city council.

Sec. 3.5.5. - Public space.

- A. *Public space:* Each lot may provide a minimum of twenty (20) percent public space. To the extent possible, lands containing streams, lakes, one hundred-year floodplains, wetlands, slopes over fifteen (15) percent shall remain undisturbed and included in public space. Natural public space areas shall form an interconnected and continuous network of paths, greenways, and trails throughout the development within the Stonecrest Area Overlay District. Credit for public space areas may be transferred from one (1) parcel to another within overall developments that remain under unified control of a single property owner or group of owners, but must demonstrate interconnectedness of public areas.

N. *Maintenance and protection of public space.* Each applicant that chooses to provide for public space shall present as a part of the application for a building permit within the Stonecrest Area Overlay District a legal mechanism under which all land to be used for public space purposes shall be 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 shall be approved by the city attorney as assuring each of the following mandatory requirements:

- That all subsequent property owners within said Stonecrest Area Overlay District be placed on notice of this development restriction through the deed records of DeKalb County Superior Court;
- That all public space held in common will be properly maintained and insured with no liability or maintenance responsibilities accruing to the city;
- That a legal mechanism exists for notice of deficiencies in maintenance of the public 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;
- When an applicant for a Stonecrest Area Overlay District chooses to utilize a property owners association in order to comply with the requirements of subsection
  - A. above, the applicant, in addition to meeting all of said requirements, shall provide for all of the following:
    - B. Mandatory and automatic membership in the property owners association as a requirement of property ownership;
    - C. A fair and uniform method of assessment for dues, maintenance and related costs;
    - D. Where appropriate, party wall maintenance and restoration in the event of damage or destruction; and
    - E. Continued maintenance of public space held in common and liability through the use of liens or other means in the case of default.

Sec. 3.5.6. - Landscaping requirements.

- A. *Landscape strips.* Landscape strips not less than five (5) feet in width shall be provided along all side and rear property lines and on both sides of all public streets. The landscape strip in the front yard shall be a minimum of ten (10) feet in width and shall be planted with a row of street trees of at least three and one-half (3½) inches in caliper selected from the list of street trees species identified in the design guidelines for the Stonecrest Area Overlay District and planted not less than seventy-five (75) feet on center. Continuous landscaped strips shall be constructed along public rights-of-way where surface parking lots are adjacent to such sidewalks or public right-of-way except at points of ingress or egress into the facility.
- B. *Ground cover.* Ground cover shall also be provided in accordance with the design guidelines for the Stonecrest Area Overlay District in order to protect tree roots and to prevent erosion.

- C. Ground cover shall consist of evergreen shrubs or groundcover plant material mulched with pine bark mulch, or other similar landscaping material.
- O. Newly planted trees shall conform to the design guidelines for the Stonecrest Area Overlay District.
- P. No tree shall be planted closer than two (2) feet from the street or sidewalk, and no closer than five (5) feet from a fire hydrant, sign post, streetlight standard, utility pole, or similar structure.
- Q. Parking lots shall be landscaped as follows:
- Each such parking lot shall have a minimum of five (5) percent of the total lot area of the interior of the parking lot in landscaped space.
  - A minimum of one (1) tree per twelve (12) parking spaces shall be included in the required landscaped areas. For the purpose of satisfying this requirement, existing trees that are three (3) inches or more in caliper as measured at a height of thirty-six (36) inches above the ground level shall be considered to be equivalent to one (1) or more newly planted trees on the basis of one (1) tree for each three (3) inches of caliper.
  - Where the landscaped area is in the interior of a parking lot, the landscaped area shall be a minimum of six (6) feet in width and six (6) feet in length, with a minimum area of thirty-six (36) square feet.
  - All landscaped areas shall be properly maintained in accordance with approved landscape plans. In the event that a tree or any plant material dies, it shall be replaced within ninety (90) days of such occurrence, so as to meet all requirements of this section and to allow for planting in the appropriate planting season.
  - All trees planted pursuant to the requirements of section 5.4.4 shall be counted for the purpose of meeting the tree planting and tree replacement requirements imposed by chapter 14.

Sec. 3.5.7. -Transitional buffer zone requirements.

Where a lot on the external boundary of the Stonecrest Area Overlay District adjoins the boundary of any property outside the overlay district that is zoned for any R classification, RM classification, MHP classification, or TND classification, a transitional buffer zone not less than fifty (50) feet in width shall be provided and maintained in a natural state or so as to maintain an effective visual screen. Said transitional buffer zone shall not be paved and shall not be used for parking, loading, storage, or any other use, except where necessary to grade or modify a portion of the transitional buffer zone for the installation of utilities necessitated by the development. Water detention ponds shall not be located within transitional buffer zones. No trees, other than dead or diseased trees, shall be removed from said transitional buffer zone, but additional trees and plant material may be added to the transitional buffer zone.

Sec. 3.5.8. - Streets standards.

Streets within the Stonecrest Area Overlay District may be either public or private streets. Private streets shall comply with requirements of public streets found in chapter 14 and all other applicable sections of the City of Stonecrest Code, with the following exceptions:

- Streets in the Stonecrest Area Overlay District may be constructed with travel lanes at eleven (11) feet in width, measured inside curb and gutter.
- A. Private or public alleys shall be permitted, providing secondary or service access within developments consisting of at least four (4) occupied structures. An alley shall provide a continuous connection between two (2) streets. Alleys shall be paved and constructed to the same standards as the connecting streets except that:
  - No alley shall be longer than four hundred (400) feet;
  - No alley shall have a slope greater than seven (7) percent;
  - The paved width of an alley shall be not less than twelve (12) feet;
  - Alleys shall be constructed with flush curbs;
  - Alleys shall be bordered on both sides by unobstructed seven-foot-wide shoulders constructed of grass sod or gravel; and
  - Buildings shall be set back at least ten (10) feet from the back of curb of an alley.

Sec. 3.5.9. - Underground utilities.

All utilities except for major electric transmission lines and substations are required to be placed underground except where the director of planning determines that underground utilities are not feasible due to pre-existing physical conditions, such as conflicting underground structures or utilities, shallow rock, high water table, or other similar geologic or hydrologic conditions.

Sec. 3.5.10. - Streetlights.

Streetlights are required for all public streets and shall conform to the design guidelines for the Stonecrest Area Overlay District.

Sec. 3.5.11. - Interparcel access.

To the maximum extent possible, sidewalks and parking lots serving adjacent lots shall be interconnected to provide continuous driveway connections and pedestrian connections between adjoining lots and streets, except that this requirement shall not apply to lots zoned for single family or duplex residential units. Where necessary, City of Stonecrest may require access easements be provided to ensure continuous access and egress routes connecting commercial, office, and multifamily lots.

Sec. 3.5.12. - Multi-modal access plans required.

Each new application for a development permit within the Stonecrest Area Overlay District shall be accompanied by a multi-modal access plan prepared at a scale not greater than one inch equals one hundred feet (1"=100'). The multi-modal access plan shall cover the full extent of the proposed development along with public rights-of-way of adjoining streets and any other property lying between the subject property and the nearest public streets on all sides. The purpose of the multi-modal access plan is to demonstrate a unified plan of continuous access to and between all buildings in the proposed development and adjacent properties. Connections to

available transportation modes, such as driveways, sidewalks, and bike paths shall be shown along adjacent streets and those entering adjoining properties. Safe and convenient pedestrian ways shall be provided from sidewalks along streets to each building entrance, including pedestrian access routes across parking lots and between adjacent buildings within the same development. Where an

existing or planned public transportation station or stop is within one thousand two hundred fifty (1,250) feet (straight line distance) from any boundary of the subject property, the access plan shall 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 one thousand five hundred (1,500) feet of the subject property, the access plan shall show how safe, continuous and convenient bicycle access shall be provided to the subject property.

#### Sec. 3.5.12.1 Gas Stations, Auto Repair facilities and Self- Storage

- A. Gas Stations may be permitted in Tier (s) I, II, IV, in accordance with the overlay standards and the following:

Building Materials should be Brick or stone, Stucco or Masonry units

Side and rear walls visible to the public streets shall include windows, articulated recesses, three-dimensional trim, cornices lines or other architectural features. Such detail should be consistent with the finishing on the front façade.

Sidewalks should be installed along street fronting property lines with a 2 ft grass space between the sidewalk and the road

Street trees shall be installed very 50 linear ft of side walk

- B. Gas Stations maybe permitted by Special Land Use Permit (SLUP) in Tier (s) III and V.
- C. Self -Storage facilities and Minor Auto Repair facilities maybe permitted in Tier (s) I, II, II IV and V by Special Land Use Permit (SLUP) in accordance with and Sec. 4.2 Supplemental Use Regulations, Article 5 Site Design and Building Form and the Stonecrest Overlay Design guidelines (as applicable).
- D. These uses can not be with in 1,000 ft of the same use.



Sec. 3.5.13. - High-Rise Mixed-Use Zone (Tier I Zone).

R. *Principal uses and structures.* A combination of the following principal uses of land and structures shall be authorized within Tier I. High-Rise Mixed-Use Zone of the Stonecrest Area Overlay District:

- All uses authorized in the C-1 and C-2 (General Commercial) District, except those listed in B., below.
- All uses authorized in the O-I (Office Institutional) District, except those listed in B., below.
- All uses authorized in the O-D (Office-Distribution) District, except those listed in B., below.
- All uses authorized in the HR-3 (High Density residential) District.
- Buildings that contain a mixture of two (2) or more uses selected from those authorized in this district, a minimum of one residential and one non-residential use must be selected



S. *Prohibited uses.* The following principal uses of land and structures shall be prohibited within Tier I: High-Rise Mixed-Use Zone of the Stonecrest Area Overlay District:

- Kennels.
- Storage yards.
- Tire dealers and tire repair.
- Sexually oriented businesses.
- Reserved
- Outdoor storage.
- Appliance and equipment repair shops.
- Motels.
- Used motor vehicles dealers.
- Temporary and seasonal outdoor sales.
- Automobile title loan establishments.
- Pawn shops.
- Liquor stores.
- Salvage yards and junk yards.
- Major automobile repair and maintenance shops.
- Automotive rental and leasing.
- Commercial parking lots.
- Carwashes and detail shops.
- Check cashing establishments.
- Automobile emission testing facilities.

- T. *Accessory uses and structures.* The following accessory uses of land and structures shall be authorized in the Tier I: High-Rise Mixed-Use Zone of the Stonecrest Area Compatible Use Overlay District:
- Accessory uses and structures incidental to any authorized use.
  - Parking lots and parking garages.
  - Club house, including meeting room or recreation room.
  - Swimming pools, tennis courts, and other recreation areas and similar amenities.
  - Signs, in accordance with the provisions of chapter 21 and this chapter.
  -
- U. *Building setbacks.* The following requirements shall apply to all structures in the Tier I: High- Rise Mixed-Use Zone of the Stonecrest Area Overlay District:
- I. *Minimum front yard setback:* Fifteen (15) feet from right-of-way of public street except that garages of residential units shall be set back a minimum of twenty-five (25) feet from right-of-way.
- F. *Minimum interior side yard:* Ten (10) feet. There shall be a minimum of fifteen (15) feet between buildings and structures less than two (2) stories in height and a minimum of twenty (20) feet between any two (2) buildings and structures when one (1) of them is greater than two (2) stories in height, and a minimum of twenty-five (25) feet between any two (2) buildings when one (1) of them is greater than five (5) stories in height.
- G. *Minimum rear yard:* Ten (10) feet.
- D. *Height of buildings and structures.* A building in the High-Rise Mixed-Use Zone may exceed the five-story height limit without the necessity of obtaining a special land use permit. A parking deck may exceed five (5) stories in height; however, a parking deck shall not exceed ten (10) stories either as a separate deck structure or as part of an office building.
- E. *Density.* No development in a Tier I zone shall exceed a FAR of three and one-half (3.5), unless it also provides additional public space or other amenities singly, or in combination as provided in paragraph G. below.
- F. *Bonus density:* The maximum allowable FAR of a building or development in a Tier I zone shall be increased to a FAR not to exceed a total of six (6.00) in exchange for one (1) or more of the additional amenities provided in the table below:

**Table 3.1. Maximum Bonus FAR:  
Tier I**

Additional Amenity	Increased FAR
Increase public space to 25 percent while providing connectivity	0.75
Increase public space to 30 percent while providing connectivity	1.50



Mixed-use building that combines office-institutional with commercial retail uses. Each mixed-use building shall include one principal use and at least one secondary use. No primary or secondary use shall constitute less than ten percent of the gross floor area of the building.	0.25
--	------

[2194187/1) Page 11

Mixed-use building that includes multifamily residential units constituting at least 8 units per acre of land, and constructed in the same building with office, institutional, commercial or retail uses.	0.5
--	-----

V. *Required parking.* Required parking may be provided through a combination of off-street, on- street, or shared parking provided that all required parking is located within seven hundred (700) feet of the principal entrance of buildings which it is intended to serve. The minimum number of required parking spaces shall be as provided in article 6, except as follows:

- Retail uses, personal service uses, and other commercial and general business uses, including food stores-Minimum of four (4) spaces per one-thousand (1,000) square feet of gross floor area.
- Office and clinic uses-Minimum of three (3) spaces per one thousand (1,000) square feet of gross floor area.
- Hotel and motel uses-Minimum of one (1) space per unit.
- Multifamily residential uses-Minimum of one and one-quarter (1.25) spaces per dwelling unit.

W. *Sidewalks.* Sidewalks at least five (5) feet in width shall be provided on both sides of all public streets. Sidewalks along streets and in front of proposed high-rise buildings shall be a minimum often (10) feet in width.

Sec. 3.5.14. - Mid-Rise Mixed-Use Zone (Tier II Zone).

H. *Principal uses and structures.* A combination of the following principal uses of land and structures shall be authorized within Tier II: Mid-Rise Mixed-Use Zone of the Stonecrest Area Overlay District:

1. All uses authorized in the C-1 and C-2 (General Commercial) District, except as excluded in B., below.
2. All uses authorized in the O-I (Office Institutional) District, except as excluded in B., below.
3. All uses authorized in the O-D (Office Distribution) District, except as excluded in B., below.
4. All uses authorized in the HR-2 High -Density Residential) District.

- Buildings that contain a mixture of two (2) or more uses selected from those authorized in this district a minimum of one residential and one non-residential use must be selected

5.

I. *Prohibited uses.* The following principal uses of land and structures shall be prohibited within Tier II: Mid-Rise Mixed Use Zone of the Stonecrest Area Overlay District:

1. Kennels.
  2. Storage yards.
  3. Tire dealers and tire repair.
  4. Sexually oriented businesses.
  5. Reserved.
- X. Outdoor storage.  
 Y. Appliance and equipment repair shops.  
 Z. Motels.  
 AA. Used motor vehicles dealers.  
 BB. Automobile title loan establishments.  
 CC. Pawn shops.  
 DD. Liquor stores.  
 EE. Salvage yards and junk yards.  
 FF. Self storage facilities except in M and M-2 zoning districts.  
 GG. Major automobile repair and maintenance shops.  
 HH. Automotive rental and leasing.

J. *Accessory uses and structures.* The following accessory uses of land and structures shall be authorized in the Tier II: Mid-Rise Mixed-Use Zone of the Stonecrest Area Overlay District.

1. Accessory uses and structures incidental to any authorized use.
2. Parking lots and parking garages.
3. Club house, including meeting room or recreation room.
4. Swimming pools, tennis courts, and other recreation areas and similar amenities.
5. Signs, in accordance with the provisions of chapter 21 and this chapter.

K. *Building setbacks.* The following requirements shall apply to all structures in the Tier II: Mid- Rise Mixed-Use Zone of the Stonecrest Area Overlay District:

1. *Minimum front yard setback:* Fifteen (15) feet from right-of-way of public street, except that garages of residential uses shall be set back a minimum of twenty-five (25) feet from right-of-way.

- G. *Minimum interior side yard:* Ten (10) feet. There shall be a minimum of fifteen (15) feet between buildings and structures less than two (2) stories in height and a minimum of twenty (20) feet between any two (2) buildings and structures when one (1) of them is greater than two (2) stories in height, and a minimum of twenty-five (25) feet between any two (2) buildings when one (1) of them is greater than five (5) stories in height.
- H. *Minimum rear yard:* Ten (10) feet.
- E. *Height of buildings and structures.* Maximum height, ten (10) stories. A building in the Mid- Rise Mixed-Use Zone may exceed the five (5) stories without the necessity of obtaining a special land use permit. A parking deck may exceed five (5) stories in height; however, a parking deck shall not exceed ten (10) stories either as a separate deck structure or as part of an office building.
- F. *Density:* No development in the Tier II Zone shall exceed a FAR of two and one half (2.5), unless it also provides additional public space or other amenities singly, or in combination as provided in paragraph G., below.
- NN. *Bonus density:* The maximum allowable FAR of a building or development in a Tier II Zone shall be increased to a FAR not to exceed a total of four (4) in exchange for one (1) or more of the additional amenities provided in the table below:

**Table 3.2. Maximum Bonus FAR: Tier II**

<i>Maximum Bonus Floor Area Ratio in Stipulated Area, Tier II Zone</i>	
<b>Additional Amenity</b>	<b>Increased FAR</b>
Increase public space to 25 percent while providing connectivity	0.75
Increase public space to 30 percent while providing connectivity	1.50
Mixed-use building that combines office-institutional, commercial, or retail uses. Each mixed-use building shall include one principal use and at least one secondary use. No primary or secondary use shall constitute less than ten percent of the gross floor area of the building.	0.25
<sup>1</sup> Mixed-use building that includes multifamily residential units constituting at least 8 units per acre of land, and constructed in the same building with office, institutional, commercial or retail uses.	0.5

- OO. *Required parking.* Required parking may be provided through a combination of off-street, on- street, or shared parking provided that all required parking is located within seven hundred (700) feet of the principal entrance of buildings which it is intended to serve. The minimum number of required parking spaces shall be as provided in article 6, except as follows:

- L. Retail uses, personal service uses, and other commercial and general business uses, including food stores-Minimum of four (4) spaces per one thousand (1,000) square feet of gross floor area.
  - M. Office and clinic uses-Minimum of three (3) spaces per one thousand (1,000) square feet of gross floor area.
  - N. Hotel and motel uses-Minimum of one (1) space per unit.
  - O. Multifamily residential uses-Minimum of one and one and one-quarter (1.25) spaces per dwelling unit.
- I. Parking space area requirements shall comply with the provisions of section 6.1.3.
- J. Sidewalks. Sidewalks at least five (5) feet in width shall be provided on both sides along the right-of-way of all streets.

Sec. 3.5.15. - Low-Rise Mixed-Use Zone {Tier III}.

A. *Principal uses and structures.* A combination of the following principal uses of land and structures shall be authorized within Tier III: Low-Rise Mixed-Use Zone of the Stonecrest Area Compatible Use Overlay District:

- PP. All uses authorized in the C-1 and C-2 (General Commercial) District, except those listed in B., below.
- QQ. All uses authorized in the O-I (Office Institutional) District, except those listed in B., below.
- RR. All uses authorized in the O-D (Office Distribution) District, except those listed in B., below.
- SS. All uses authorized in the HR-1 (High Density Residential) District.
- TT. Buildings that contain a mixture of two (2) or more uses selected from those authorized in this district.
- UU. Single -Family attached or detached units that are part of a planned community so long as such urban single family detached units are part of a mixed-use development.

P. *Prohibited uses.* The following principal uses of land and structures shall be prohibited within Tier III: Low-Rise Mixed-Use Zone of the Stonecrest Area Overlay District:

1. Kennels.
2. Storage yards.
3. Tire dealers and tire repair.
4. Sexually oriented businesses.
5. Reserved.
6. Outdoor amusement services facilities.
7. Outdoor storage.
8. Appliance and equipment repair shops.
9. Motels.
10. Used motor vehicle dealers, except those used motor vehicle dealers satisfying the requirements of subsection K. which is also applicable to new auto sales dealerships.
11. Temporary and seasonal outdoor sales.
12. Automobile title loan establishments.
13. Pawn shops.

14. Liquor stores.
15. Salvage yards and junk yards.
16. Self storage facilities.
17. Gasoline service stations.
18. Major and minor automobile repair and maintenance shops.
19. Commercial parking lots.
20. Carwashes and detail shops.
21. Night clubs and late-night establishments.
22. Check cashing establishments.
23. Automobile emission testing facilities.

Q. *Accessory uses and structures.* The following accessory uses of land and structures shall be authorized in the Tier III: Low-Rise Mixed-Use Zone of the Stonecrest Area Overlay District:

1. Accessory uses and structures incidental to any authorized use.
2. Parking lots and parking garages.
3. Clubhouse, including meeting room or recreation room.
4. Swimming pools, tennis courts, and other recreation areas and similar amenities.
5. Signs, in accordance with the provisions of chapter 21 and this chapter.

Accessory uses and structures incidental to any authorized new or used motor vehicle dealer; including automobile rental/leasing, major and minor automobile repair, new tiresales, emissions testing, non-public fuel pumps and carwashes, and outdoor storage and automobile display.

D. *Building setbacks.* The following requirements shall apply to all structures in the Tier III: Low-Rise Mixed-Use Zone of the Stonecrest Area Overlay District:

1. *Minimum front yard setback:* Fifteen (15) feet from right-of-way of public street, except that front-facing garages of residential units shall be set back a minimum of twenty(20) feet from rights-of-way.

VV. *Minimum interior side yard:* Ten (10) feet. There shall be a minimum of fifteen (15) feet between buildings and structures less than two (2) stories in height and a minimum of twenty (20) feet between any two (2) buildings and structures when one (1) of them is greater than two (2) stories in height.

WW. *Minimum rear yard :* Ten (10) feet.

R. *Height of buildings and structures.* Maximum height, three (3) stories or 45 ft.

S. *Single -Family attached or detached units*

1. *Lot with and area.* All residential lots shall have at least twenty-five (25) feet of frontage as measured along the public street frontage
2. *Minimum Lot area.* 3000 sq. ft.
3. *Setback requirements.*
  - *Front yard minimum: 15ft*
  - *Side yard: 10ft*
  - *Interior side yard: 3ft with a min. of 10ft separation*

- *Rear yard: 10ft*

4. *Required Parking*

- *Urban Single-family attached or detached units shall have two (2) spaces per unit.*
- T. *Density:* No development in the Tier III Zone shall exceed a FAR of one (1), unless it also provides additional public space or other amenities singly, or in combination as provided in G., below.
- U. *Bonus density:* The maximum allowable FAR of a building or development in a Tier III Zone shall be increased to a FAR not to exceed a total of two (2) in exchange for one (1) or more of the additional amenities provided in the table below:

**Table 3.3 Maximum Bonus FAR: Tier III**

Additional Amenity	Increased FAR
Increase public space to 25 percent while providing connectivity	0.5
Increase public space to 30 percent while providing connectivity	1.0
Mixed-use building that combines office-institutional with commercial or retail uses. Each mixed-use building shall include one principal use and at least one secondary use. No primary or secondary use shall constitute less than ten percent of the gross floor area of the building.	0.25
Mixed-use building that includes multifamily residential units constituting at least 8 units per acre of land, and constructed in the same building with office, institutional, commercial or retail uses.	0.5

- V. *Required parking.* Required parking may be provided through a combination of off-street, on- street, or shared parking provided that all required parking is located within seven hundred (700) feet of the principal entrance of buildings which it is intended to serve. The minimum number of required parking spaces shall be as provided in article 6, except as follows:

- XX. Retail uses, personal service uses, and other commercial and general business uses, including food stores-Minimum of four (4) spaces per one thousand (1,000) square feet of gross floor area.
- YY. Office and clinic uses-Minimum of three (3) spaces per one thousand (1,000) square feet of gross floor area.
- ZZ. Hotel and motel uses-Minimum of one (1) space per unit.
- AAA. Multifamily residential uses-Minimum of one and one-half (1.5) spaces per dwelling unit.

- W. *Parking space area requirements.* Parking space area requirements shall comply with the provisions of section 6.1.3.
- X. *Sidewalks.* Sidewalks at least five (5) feet in width shall be provided on both sides along the right-of-way of all public streets.
- Y. *New or used motor vehicle dealers.* New or used motor vehicle dealers are authorized in Tier III of the Stonecrest Overlay District only if they comply with the following requirements:
1. New or used motor vehicle dealers must be located on a parcel with a lot area of no less than three (3) acres, and must contain at least six thousand (6,000) square feet of building floor space.
  2. New or used motor vehicle dealers must provide vegetative screening along any automobile display areas that abut a public right-of-way. Said vegetative screening shall be located outside any guard rails or security fencing abutting such public right-of-way. Within three (3) years of planting, the vegetative screening must be of sufficient height to screen all guard rails or security fencing abutting the public right-of-way. Planting materials shall be subject to the approval of the City of Stonecrest Arborist.
  3. New or used motor vehicle dealers must provide screening of all maintenance areas and storage yards for automobiles stored for service. Such screening shall be sufficient to shield the maintenance areas and storage yards from visibility from any adjacent properties or public rights-of-way. Should vegetative screening be used, planting material shall be subject to the approval of the City of Stonecrest Arborist.
  4. No overhead bay doors opening into vehicle service areas shall be visible from a public right-of-way.

Z.

Sec. 3.5.15.1. -Transitional Mixed Use Zone (Tier IV).

- I. *Statement of purpose and intent.* The intent of this tier is to encourage mixed use development in a well-planned community and encourage principally office, residential and commercial uses to serve the convenience needs of the local community. This tier provides an economic balance to the other Stonecrest Area Compatible Use Overlay District development categories which focus more on retail uses.
- J. *Mixed use requirements.* All properties in Tier IV which are proposed for new development shall comply with the minimum requirements of this mixed use development category. Permits for repairs, interior alterations or tenant buildout improvements that do not alter the exterior appearance or the building footprint of the structure shall be exempt from the requirements of this division. Properties in Tier IV shall contain a minimum of two (2) principal uses and any residential use shall not exceed seventy (70) percent of the total floor area. The mixed use development may be combined vertically or horizontally in one (1) or
- more buildings or may be provided in separate buildings or areas within a mixed-use development. A minimum of one residential and one non-residential use must be selected.

BBB. *Principal uses of land and structures.* The following principal uses of land and structures shall be authorized in mixed-use developments within Tier IV:

- All uses authorized in the OCR (Office-Commercial-Residential) district except those uses prohibited in this section.
- All uses authorized in the C-1 and C-2 (General Commercial) districts except those uses prohibited in this section.
- All uses authorized in the HR-1 (High Density Residential) district except those uses prohibited in this section.
- All uses authorized in the O-1 (Office-Institutional) district except those uses prohibited in this section.
- Single-family detached units that are part of a master planned community so long as such single-family detached units are part of a mixed-use development and so long as the development provides opportunities for lifelong and aging-in-place communities as defined by the Atlanta Regional Commission.

CCC. *Prohibited uses.* The following principal uses of land and structures shall be prohibited in Tier IV:

- Boarding and breeding kennels.
- Storage yard for damaged automobiles or confiscated automobiles.
- Tire retreading and recapping.
- Sexually oriented businesses.
- Reserved.
- Go-cart concession.
- Outdoor equipment and materials storage.
- Heavy repair shop and trade shop.
- Extended-stay motels.
- Used cars sales as a primary use.
- Temporary and/or seasonal outdoor sales.
- Title and pawn shops.
- Liquor stores.
- Nightclubs and late-night establishments.
- Salvage yards/junk yards.
- Self service car wash and detailing.
- Self storage.
- Funeral home.
- Mortuary.
- Crematorium.
- Farm equipment sales, rental or service.
- Extended-stay hotel or motel.

DDD. *Accessory uses and structures.* The following accessory uses of land and structures shall be authorized in the Tier IV:

- Any uses and structures incidental to any authorized use.
- Clubhouse, including meeting rooms and recreation rooms accessory to residential uses.

EEE. Parking lots and decks.



FFF. Swimming pools, tennis courts, and other recreation areas and similar amenities.

AA. *Mixed-use developments*: Lot width, lot area and setbacks.

1. *Lot width and area*. All lots shall have at least one hundred (100) feet of frontage as measured along the public street frontage.

- Minimum lot area: One (1) acre.

K. *Setback requirements*.

- *Front yard*. Minimum of zero (0) feet and a maximum of twenty (20) feet to allow for architectural features, outdoor seating, and other project site amenities.
- *Side yard*. Minimum of zero (0) feet and a maximum of twenty (20) feet to allow for architectural features, outdoor seating, plazas and other project site amenities.
- *Rear yard*. Minimum of twenty (20) feet.
- *Interior side yard*. Minimum of zero (0) feet. However, where an interior side yard is facing a structure with windows on an adjoining lot the distance between the existing structure and the proposed structure shall be a minimum of twenty (20) feet.

G. *Single-family detached units*: Lot width, lot area and setbacks.

- *Lot width and area*. All lots shall have at least fifty (50) feet of frontage as measured along the public street frontage.

- *Minimum lot area*. Five thousand (5,000) square feet.

2. *Setback requirements*.

- a. *Front yard*. Minimum of ten (10) feet and a maximum of twenty (20) feet.
- b. *Side yard*. Minimum of ten (10) feet.
- c. *Interior side yard*. Minimum of five (5) feet.
- d. *Rear yard*. Minimum of thirty (30) feet.

H. *Single-family attached units*: Lot width, lot area and setbacks.

1. *Lot width and area*. All lots shall have at least thirty (30) feet of frontage as measured along the public street frontage.

- a. *Minimum lot area*. Three thousand (3,000) square feet. Maximum of eight (8) units or two hundred forty (240) feet.

2. *Setback requirements*:

- a. *Front yard*. Minimum of five (5) feet and a maximum of twenty (20) feet.
- b. *Side yard*. Minimum of fifteen (15) feet between buildings.
- c. *Rear yard*. Minimum of thirty (30) feet.
- d. Structures which are front face to front face, back face to back face, or front face to back face shall be not less than sixty (60) feet apart. Structures which are side

face to side face shall not be less than twenty (20) feet apart. Structures which are side face to front face or back face shall be not less than forty (40) feet apart.

- I. *Height of buildings and structures.* The maximum height of any mixed-use building or structure shall not exceed five (5) stories or seventy-five (75) feet. Buildings in excess of three (3) stories must be approved by the director of planning to assure adequacy of fire protection facilities and services. The maximum height of any residential single-family detached building or structure shall not exceed a height of thirty-five (35) feet and shall not exceed two stories.
- J. *Density and floor area ratios.* Multifamily dwellings may be developed at a density not exceeding thirty (30) dwelling units per acre and the combined floor area ratio for any development shall not exceed one and one-half (1.50).
  - *Density bonus.* The maximum allowable FAR of a building or development in Tier IV shall be increased to a FAR not to exceed a total of three (3.0) if one (1) or more of the additional amenities is provided as described in the table below:

**Table 3.4 Maximum Bonus FAR: Tier IV**

Additional Amenity	Increased FAR
Increase public space to twenty five (25) percent while providing interparcel access for pedestrians and vehicles.	0.5
Increase public space to thirty (30) percent while providing interparcel access for pedestrians and vehicles.	1.0
Mixed-use building that combines office-institutional with commercial or retail uses. Each mixed-use building shall include one principal use and at least one secondary use. No primary or secondary use shall constitute less than ten (10) percent of the gross floor area of the building.	0.25
Mixed-use building that includes multifamily residential units constituting at least eight (8) units per acre of land, and constructed in the same building with office, institutional, commercial or retail uses.	0.5

GGG. *Required parking.* Required parking may be provided through a combination of off-street, on- street, or shared parking provided that all required parking is located within seven hundred (700) feet of the principal entrance of buildings which it is intended to serve. The minimum number of required parking spaces shall be as provided in the underlying zoning district regulations for the lot except as follows:

- BB. Retail uses, personal service uses, and other commercial and general business uses, including food stores-Minimum of four (4) spaces per one thousand (1,000) square feet of gross floor area.

CC. Office and clinic uses-Minimum of three (3) spaces per one thousand (1,000) square feet of gross floor area.

DD. Hotel and motel uses-Minimum of one (1) space per unit.

HHH. Multifamily residential uses-Minimum of one and one-half (1.5) spaces per dwelling unit.

III. Parking space area requirements shall comply with the provisions of section 6.1.3.

JJJ. Single-family detached residential dwelling units shall have two (2) spaces per unit. Garages and any surface parking areas are to be accessed by shared driveways located at the rear of the residential structure. Garages that face the public right-of-way shall be setback a minimum of twenty (20) feet.

L. *Sidewalks.* Sidewalks at least five (5) feet in width shall be provided on both sides along the right-of-way of all public streets.

Sec. 3.5.15.2. - Cluster Village Mixed-Use Zone (Tier V).

EE. *Statement of purpose and intent.* The primary intent of Tier V is to encourage single-family detached residential developments with associated neighborhood commercial and office uses to serve the convenience needs of the local community in a village or cluster concept. This tier provides for the preservation of open space while allowing compatible development that complements the other Stonecrest Overlay District development categories. Tier V also seeks to preserve the rural and scenic beauty of Arabia Mountain Preserve while providing flexibility to allow for creativity in site design and development. The goal of Tier V is to minimize the environmental and visual impacts of new development on natural resources and historically and culturally significant sites and structures while encouraging residential and neighborhood commercial development in a well planned community.

FF. *Principal uses and structures.* All properties in Tier V shall be governed by all of the underlying zoning district regulations and the requirements of this section. In addition, all properties in Tier V may be used for the following principal uses of land and structures:

1. Adult day care facility.
2. Bed and breakfast inn.
3. Child day care facility.
4. Community facility limited to the location, size and use provisions of this section.
5. Cultural facility.
6. Detached single-family dwelling.
7. Office uses.
8. Personal care home, group.
9. Place of worship.
10. Retail, excluding drive-through facilities, gas and service stations, commercial amusements, liquor stores, video arcades, pool halls, and discount retail shops.
11. Services, medical and health.
12. Services, personal.

GG. *Accessory uses and structures.* The following accessory uses of land and structures shall be authorized in Tier V:

1. Accessory uses and structures incidental to any authorized use.
2. Club house, including meeting rooms and recreation rooms.
3. Swimming pools, tennis courts, and other recreation areas and similar amenities.
- D. Prohibited uses. The following principal uses of land and structures shall be prohibited in Tier V:

- KKK. Boarding and breeding kennels.
- LLL. Storage yard for damaged automobiles or confiscated automobiles.
- MMM. Tire retreading and recapping.
- NNN. Sexually oriented businesses.
- OOO. Reserved.
- PPP. Go-cart concession.
- QQQ. Outdoor equipment and materials storage.
- RRR. Heavy repair shop and trade shop.
- SSS. Extended-stay motels.
- TTT. Used cars sales as a primary use.
- UUU. Temporary and/or seasonal outdoor sales.
- VVV. Title and pawn shops.
- WWW. Liquor stores.
- XXX. Nightclubs and late-night establishments.
- YYY. Salvage yards/junk yards.
- ZZZ. Self-service car wash and detailing.
- AAAA. Self-storage.
- BBBB. Funeral home.
- CCCC. Mortuary.
- DDDD. Crematorium.
- EEEE. Farm equipment sales, rental or service.
- FFFF. Extended-stay hotel or motel.
- GGGG. Multifamily dwelling unit.

*HH. Lot width, lot area and setbacks.*

1. All single-family detached residential lots which are located on Klondike Road, Plunkett Road or Rockland Road shall have a minimum of one hundred (100) feet of frontage as measured along the public street frontage.
  - *Minimum lot area.* Fifteen thousand (15,000) square feet.
  - *Minimum setback requirements.*
    - i. *Front yard.* Thirty-five (35) feet.
    - ii. *Side yard.* Thirty-five (35) feet.
    - iii. *Rear yard.* Forty (40) feet.
    - iv. *Interior side yard.* Ten (10) feet.
2. All single-family detached residential lots which are located on new roadways shall have a minimum of fifty (50) feet of frontage as measured along the public street frontage.
  - *Minimum lot area.* Five thousand (5,000) square feet.

- *Minimum setback requirements.*
  1. From public street:
    - *Front yard.* Minimum of ten (10) feet and a maximum of twenty-five (25) feet.
    - *Side yard.* Fifteen (15) feet.
    - *Rear yard.* Twenty (20) feet.
    - *Interior side yard.* Five (5) feet.

HHHH. Reserved.

III. Office and commercial uses shall not be located along Klondike or Rockland Road. Any uses otherwise authorized in Tier V shall be clustered together in a "village" or "hamlet" setting and shall include convenient access to neighboring residential communities in a manner that preserves the open space on the lot. Such uses shall be developed in a manner that also preserves the rural and scenic nature of Tier V and is compatible with the natural design and forestation of the Arabia Mountain Preserve. Such uses shall be developed in a manner that minimizes the environmental and visual impact of new development on the existing natural landscape and the historically and culturally significant sites and structures. To the extent possible, developments shall be constructed in a manner that preserves the bucolic nature and farming community appearance of Tier V.

- Office and commercial uses shall be a maximum of two thousand five hundred (2,500) square feet per tenant space.
- Single-use structures shall be a maximum of ten thousand (10,000) square feet.
- Lot width and lot area. Office and commercial lots shall be a minimum of twenty thousand (20,000) square feet.

II. *Height of buildings and structures.* No building or structure shall exceed thirty-five (35) feet in height. All buildings and structures are limited to a two-story height limitation.

JJ. *Required parking.* The minimum number of required parking spaces shall be as provided in the underlying zoning district regulations except as follows:

1. Residential, single-family detached-Two (2) spaces.
2. Retail uses, personal service uses, and other commercial and general business uses, including food stores-Minimum of four (4) spaces per one thousand (1,000) square feet of gross floor area.
3. Office and clinic uses-Minimum of three (3) spaces per one thousand (1,000) square feet of gross floor area.
4. Parking space area requirements shall comply with the provisions of section 6.1.3.

KK. *Sidewalks.* A planting strip shall be provided between the curb and the pedestrian travel lane in compliance with land development standards. Sidewalks shall be provided on both sides along the right-of-way of all public streets.

Sec. 3.5.16. - Shared parking.

Shared parking is encouraged and may be authorized by the director of planning. Applicants may make application to the director of planning for authorization for a special exception for shared parking. Said applications shall be considered

and decided by the director of planning pursuant to the standards and procedures set forth in section 7.6.5.

Sec. 3.5.17. -Permits for uses.

Any use authorized by this division shall require that a development permit be issued before property improvements can be made in accordance with section 7.7.2 and a building permit required in accordance with the provisions of section 7.7.3.

Sec. 3.5.18. - Design guidelines.

The Stonecrest Overlay District Design Guidelines dated May 2008 in DeKalb County, shall apply to all uses and structures within the Stonecrest Overlay District and shall be maintained by the planning director and available for public inspection. The design guidelines provide acceptable minimum standards to guide design and development within this overlay district. The planning director or designee is authorized to create, administer, and amend design guidelines for the Stonecrest Area Overlay District. These guidelines provide acceptable architectural design controls, landscaping, detail drawings, signage, fencing, lighting, street and site furniture, and grating criteria. These guidelines shall be used to promote proper design criteria and shall guide the planning director or designee in deciding whether a proposed design complies with the requirements of the Stonecrest Area Overlay District.

Sec. 3.5.19. - Plans required; certificates of compliance.

JJJJ. *Plans required.* Prior to the issuance of any land disturbance permit, building permit, or sign permit, the applicant shall submit to the director of planning an application which shall include a conceptual plan package as defined by this chapter which shall demonstrate that the proposed design is in compliance with all of the requirements of this Stonecrest Overlay District and the underlying zoning classification.

KKKK. *Fees.* Plans shall be accompanied by an application and payment of a fee in an amount determined by the City of Stonecrest City council.

LLLL. *Review.* The director of planning shall review each application for compliance with all requirements of the Stonecrest Overlay District and the underlying zoning classification. Where the director determines that said plans comply with the requirements of the Stonecrest Overlay District a certificate of compliance shall be issued in the form of the director or the director's designee signing the plans and drawings after which the applicant shall then apply for land disturbance, building or signs permits. Where the director determines that said plans do not comply with the requirements of this chapter, then the director shall notify the applicant in writing stating the manner in which said applicant fails to comply with such requirements. All applications shall be considered and decided by the director of planning within thirty (30) days of receipt of a complete application. Any appeal of the director of planning's decision in this regard shall be to the zoning board of appeals pursuant to section 7.5.2.

Sec. 3.5.20. - Conceptual plan package review.

LL. The conceptual plan package shall be composed of the following:

1. A narrative addressing the proposed development explaining how it meets the purpose, intent, and standards of this chapter. The narrative shall include a tabulation of the approximate number of acres in each land use, the approximate number of dwelling units by type, the approximate gross residential density, the approximate commercial density, the approximate public space acreage, the anticipated number, type and size of recreational facilities and other public amenities; the legal mechanism for protecting and maintaining public space, as required in section 3.5.5.A.1.;
2. A site location map showing the proposed development, abutting property, the relationship of the proposed development to surrounding natural features and existing development, and transitional buffer zones, if required; and
3. A multi-modal access plan meeting the requirements of section 3.5.12.

MMMM. The plan to be submitted in the conceptual plan package shall contain the following information:

- Six (6) copies of a plan drawn to a designated scale of not less than one inch equals one hundred feet (1"=100'), certified by a professional engineer or land surveyor licensed by the State of Georgia, presented on a sheet having a maximum size of twenty-four (24) inches by thirty-six (36) inches, and one (1), eight and one-half-inch by eleven-inch reduction of the plan. If presented on more than one (1) sheet, match lines shall clearly indicate where the several sheets join. Such plan shall contain the following information:
  - Boundaries of the entire property proposed to be included in the development, with bearings and distances of the perimeter property lines.
  - Scale and north arrow, with north, to the extent feasible, oriented to the top of the plat and on all supporting graphics.
  - Location and approximate dimensions in length and width, for landscape strips and required transitional buffers, if any.
  - Existing topography with a maximum contour interval of five (5) feet and a statement indicating whether it is an air survey or field run.
  - Approximate delineation of any floodplain designated by the Federal Emergency Management Agency, United States Geological Survey, or City of Stonecrest.
  - The delineation of any jurisdictional wetlands as defined by Section 404 of the Federal Clean Water Act.
  - 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.
  - A delineation of all existing structures and whether they will be retained or demolished.
  - General location, in conceptual form, of proposed uses, lots, buildings, building types and building entrances.

- J. Height and setback of all buildings and structures.
  - k. Approximate areas and development density for each type of proposed use.
  - l. Location, size, and number of all on-street and off-street parking spaces, including a shared parking analysis, if shared parking is proposed.
  - MM. Identification of site access points and layout, width of right-of-way and paved sections of all internal streets.
  - NN. Conceptual plans for drainage with approximate location and estimated size of all proposed stormwater management facilities and a statement as to the type of facility proposed.
  - OO. Development density and lot sizes for each type of use.
  - PP. Areas to be held in joint ownership, common ownership or control.
  - QQ. Identification of site access points and layout, width of right-of-way and paved sections of all internal streets.
  - RR. Location of proposed sidewalks and bicycle facilities trails, recreation areas, parks, and other public or community uses, facilities, or structures on the site.
  - SS. Conceptual layout of utilities and location of all existing or proposed utility easements having a width of twenty-five (25) feet or more.
- 
- A. Standard details of signs, sidewalks, streetlights, driveways, medians, curbs and gutters, landscaped areas, fencing, grating, street furniture, bicycle lanes, streets, alleys, and other public improvements demonstrating compliance with the design guidelines for the Stonecrest Area Overlay District.
  - B. Seal and signature of professional preparing the plan.