

Agenda Item

File ID: 2020-1175

Substitute

6/22/2021

Public Hearing: YES NO

Department: Planning and Sustainability

SUBJECT:

COMMISSION DISTRICTS: 3 & 6

SECTION 27-3.39.3 (PERMITTED USES AND STRUCTURES –BOULDERCREST OVERLAY DISTRICT LAND USE TABLE), SECTION 27-9.1.3 (DEFINITIONS), SECTION 27-3.39.8 (SUPPLEMENTAL REGULATIONS—BOULDERCREST OVERLAY DISTRICT)

Petition No.: TA-20-1244234 2020-1175

Proposed Use: N/A

Location: N/A

Parcel No.: N/A

Information Contact: John Reid

Phone Number: 404-275-3944

PURPOSE:

The Bouldercrest-Cedar Grove-Moreland Overlay District establishes standards and procedures that apply to any development, use, alteration, or redevelopment on any lot or portion thereof within its boundaries. The overlay district takes precedence over the underlying zoning district regulations. The intent of these text amendments is to enhance the long-term economic viability of the overlay district while protecting surrounding properties.

RECOMMENDATION:

COMMUNITY COUNCIL: (No quorum) Deferral.

PLANNING COMMISSION: Withdrawal (based on 3/2/21 Staff Recommendation
Planning Staff Recommendation

PLANNING STAFF: Approval.

PLANNING STAFF ANALYSIS: The proposed amendments included changes to the land use table (See attached Land Use Table) and to the development standards. The proposed amendments primarily impact Tiers 2, 4, and 4a which are the industrial/heavy commercial tiers of the overlay district. Tier 4(a) is the industrial area along the east side of I-675 and south of Henrico Road, and is only separated from the single-family residential areas to the east by an existing Georgia Power Overhead Utility Easement. Therefore, land uses and development standards should be more stringent in this tier. To help ensure compatibility with the nearby residential areas, there are several nonresidential land uses that are proposed to be changed to either prohibited uses or uses that require a SLUP. Tier 4 (including “Gateway 2” and “Corridor 2”) is the existing industrial zoned area along Moreland Avenue that contains auto and truck-related businesses as well as warehousing and light manufacturing uses, and the intent of this tier is to encourage the redevelopment of industrial properties at higher design standards. While most properties in Tier 4 are located west of Interstate 675, there is a small portion of Tier 4 on the east side of that interstate that abuts residential zoning. All land uses in Tier 4 that are currently permitted, but abut residential zoning on the east side of Interstate 675, are now proposed to require a SLUP to ensure

compatibility with nearby residential areas. Additionally, all land uses in Tier 4 which have frontage along Bowman Industrial Court are now proposed to require a SLUP to ensure compatibility with nearby residential areas on the east side of Interstate 675 which might be impacted by truck traffic. There are also proposed changes to the development standards to help enhance future economic development opportunities within this industrial tier which include but are not limited to increased building height, decreased required open space, increased maximum lot coverage, and eliminating the requirement for tree islands in the middle of truck parking lots since such trees islands would likely be damaged by semi-trailer trucks trying to maneuver and back in and out of parking spaces. Perimeter parking lot landscaping is still required to maintain an attractive appearance for properties in the overlay district. Tier 2 is a moderate-intensity, light industrial-zoned area centered at the Moreland Avenue and Cedar Grove Road intersection which contains many auto and truck-related businesses. This tier does not abut any residential zoning or land use. Heavy construction contractors, special-trade contractors, and multi-story and mini-self-storage are proposed to be changed from prohibited to permitted land uses since Tier 2 does not abut residential areas. Definitions and supplemental regulations for Self-storage mini (one-story with exterior access) and Self-storage multi (multi-story accessed only from the interior) are also being created to apply county-wide and include, but are not limited to architectural standards and required landscape buffers. Major and minor truck repair land categories along with Supplemental Regulations have also been created to address the repair of semi-trailer trucks. Additionally, there are proposed changes to the development standards to help enhance future economic development opportunities as noted for Tier 4 above. There are no proposed changes to Tier 5 which is the residential tier. There are only minor changes proposed for Tiers 1 and 3. For land uses in Tiers 1 and 3 that are currently permitted by right and abut single-family residential zoning or use, then in those situations a Special Land Use Permit (SLUP) would be required. Otherwise, land uses that don't abut residential zoning or use would continue to be permitted by right.

Community Input from Area Residents and Business Organizations:

Planning Department Staff, Commissioners Johnson and Terry, and area resident and business stakeholders (including the Conley Area Business Association (CABA) and Metro South Community Improvement District (CID) have been meeting on a weekly basis for the past several weeks to discuss important topics related to land use and development standards in the Bouldercrest Overlay District. The land use table has been changed to reflect the community consensus of these discussions (See attached *Land Use Table*). The development standards have also been discussed and changes have been proposed by Planning Department to reflect community consensus.

Planning Department Recommendation:

During the November 2020 zoning cycle, community members raised a number of code enforcement, traffic/transportation, public safety, and other issues in addition to a much wider assortment of concerns regarding then Bouldercrest Overlay District zoning standards than were initially raised by Staff. In response to community concerns, staff elected to defer continued deliberation of the proposed text amendments and recommended full cycle deferral to both Planning Commission and the Board of Commissioners. At the March Board of Commissioners meeting, this agenda item was deferred until May 25th to allow the opportunity for continued discussion among residential and business community stakeholders to reach consensus on land use and development standards of the Bouldercrest Overlay District. The item was deferred 30 days to the June 22nd Board of Commissioners meeting to allow additional time for community consensus.

The land use table has been changed to reflect the community consensus of these discussions over the past several weeks (See attached Land Use Table). The development standards have also been discussed and changes have been proposed by Planning Department to reflect community consensus. Therefore, it is the recommendation of the Planning & Sustainability Department that the request be “Approved.”

BOARD OF COMMISSIONERS: 2-cycle deferral (November 2020); 60-day deferral (March 2021); 30-day deferral (May 2021)

PLANNING COMMISSION: 2-cycle deferral (November 2020); Withdrawal—based on Staff’s recommendation (March 2021)

COMMUNITY COUNCIL VOTE/RECOMMENDATION: Denial (October 2020 & February 2021). The Community Council (District 3) considers the changes proposed in the text amendment to be detrimental to the residential neighborhoods in the Bouldercrest-Cedar Grove-Moreland Overlay District.

AN ORDINANCE

AN ORDINANCE TO AMEND CHAPTER 27, ARTICLES 3 AND 9, OF THE CODE OF DEKALB COUNTY, GEORGIA, AS REVISED 1988, PERTAINING TO THE BOULDERCREST-CEDAR GROVE-MORELAND OVERLAY DISTRICT, TO ADOPT RELATED DEFINITIONS, AND FOR OTHER PURPOSES.

WHEREAS, on March 26, 2013, the DeKalb County Board of Commissioners enacted the Bouldercrest-Cedar Grove-Moreland Overlay District (the “District”) for the purpose of protecting the health, safety and welfare of persons and the value of property within and around the District; and

WHEREAS, certain uses in various Tiers of the District have proven contrary to the District’s objectives of protecting the health, safety and welfare of persons and the value of property within and around the District; and

WHEREAS, the DeKalb County Board of Commissioners therefore seeks to amend the uses allowed in various Tiers of the District, to implement supplemental regulations relating to certain uses within the District, and to add related definitions to Article 9 of Chapter 27; and

NOW, THEREFORE, BE IT ORDAINED by the DeKalb County Board of Commissioners, and it is hereby ordained by the authority of the same, that Chapter 27, Articles 3 and 9 of the Code of DeKalb County, as Revised 1988, is hereby amended as follows:

PART I. ENACTMENT

By amending the Bouldercrest-Cedar Grove-Moreland Overlay District Table of Uses to read as follows:

* * *

**BOULDERCREST-CEDAR GROVE-MORELAND OVERLAY DISTRICT
TABLE OF USES**

LEGEND:

YES = Permitted Use

EXCEPTIONS

1= Permitted Use by right except when: east of Interstate 675 and directly adjacent to Tier 5, a single-family residential use, or underlying single-family residential zoning; exceptions must be requested via Special Land Use Permit (SLUP) from the DeKalb County Board of Commissioners.

2=Permitted Use by right except when: directly abutting or has frontage along Bowman Industrial Court; exceptions must be requested via Special Land Use Permit (SLUP) from the DeKalb County Board of Commissioners.

NO = Prohibited Use

SP = Allowed with Special Land Use Permit ("SLUP") Granted by the DeKalb County Board of Commissioners

SA = Allowed With Special Administrative Permit from the Director of the Department of Planning and Sustainability

MX = Mixed Use Development

DESCRIPTION OF USES:	TIER 1 GATEWAY 1	TIER 2	TIER 3	TIERS 4 & 4A. GATEWAY 2 CORRIDOR 2	TIER 5 CORRIDOR 1
MIXED USE DEVELOPMENT					
Mixed use development (MX) shall include two or more different uses that include both permitted primary residential and nonresidential uses with residential not to exceed seventy percent (70%) of the total development floor area in a single structure.	YES ¹	NO	YES ¹	NO	NO
AGRICULTURAL					
AGRICULTURE & FORESTRY:					

Agricultural produce stand, off-site	SA	SA	SA	YES ¹² /4a SP	NO
Agricultural produce stand, on-site	NO	NO	NO	NO	NO
Agricultural crop production, processing and product storage	NO	NO	NO	NO	NO
Commercial greenhouse or plant nursery	NO	YES	NO	YES ¹² /4a-SP	NO
Community garden	SA	SA	SA	NO	SA
Temporary or portable sawmill	NO	NO	NO	NO	NO
ANIMAL ORIENTED AGRICULTURE:					
Dairy	NO	NO	NO	NO	NO
Grazing and pastureland	NO	NO	NO	NO	NO
Keeping of livestock	NO	NO	NO	NO	NO
Keeping of poultry/pigeons	NO	NO	NO	NO	NO
Kennels (Commercial)	NO	NO	NO	NO	NO
Kennels (Non-commercial)	NO	NO	NO	NO	NO
Livestock sales pavilion	NO	NO	NO	NO	NO
Riding academies and stables	NO	NO	NO	NO	NO
RESIDENTIAL					
DWELLINGS:					
Dwelling, cluster home	YES ¹	NO	YES ¹	NO	NO

Dwelling, mobile home	NO	NO	NO	NO	NO
Dwelling, multi-family	YES ¹	NO	NO/unless MX, IF MX ABUTS SINGLE- FAMILY ZONING THEN SLUP REQUIRED	NO	NO
Dwelling, multi-family age restricted, 55 and over	YES ¹	NO	YES ¹	NO	NO
Dwelling, multi-family supportive living	YES ¹	NO	YES ¹	NO	NO
Dwelling, single-family (accessory, owner-occupied additional dwelling)	YES ¹	NO	YES ¹	NO	NO
Dwelling, single family (attached)	YES ¹	NO	YES ¹	NO	NO
Dwelling, single-family (detached)	NO	NO	NO	NO	YES
Dwelling, three family	NO	NO	NO	NO	NO
Dwelling, two-family	NO	NO	NO	NO	NO
High-rise apartment	NO	NO	NO	NO	NO
Home occupation (type I) - No customer contact	YES ¹	NO	YES ¹	NO	YES
Home occupation (type II) - Customer contact	YES ¹	NO	YES ¹	NO	SP
Live work unit	YES ¹		YES ¹		

		NO		NO	NO
Mobile home park	NO	NO	NO	NO	NO
LODGING:					
Bed & breakfast inn	YES ¹	NO	YES ¹	NO	SP
Boarding/rooming house	NO	NO	NO	NO	NO
Convents and monasteries	NO	NO	NO	NO	NO
Dormitory	NO	NO	NO	NO	NO
Extended stay hotel/motel	NO	NO	NO	NO	NO
Fraternity house or sorority house	NO	NO	NO	NO	NO
Home stay bed and breakfast	YES ¹	NO	YES ¹	NO	NO
Hotel/Motel with exterior access to rooms	NO	NO	NO	NO	NO
Hotel/Motel with only interior access to rooms	YES ¹	YES	NO	YES ¹² /4a-SP	NO
Nursing or convalescent home/hospice	YES ¹	NO	NO	NO	NO
Personal care home, community	NO	NO	NO	NO	NO
Personal care home, group	NO	NO	NO	NO	NO
Senior housing	YES ¹	NO	YES ¹	NO	NO

Shelter for homeless persons	NO	NO	NO	NO	NO
Shelter for homeless persons for no more than six (6) persons	NO	NO	NO	NO	NO
Transitional housing facility	NO	NO	NO	NO	NO
Transitional housing facility for no more than six (6) persons	NO	NO	NO	NO	NO
INSTITUTIONAL/PUBLIC					
COMMUNITY FACILITIES:					
Cemetery, columbarium, mausoleum	NO	NO	NO	NO	NO
Coliseum or stadium/gymnasium	NO	NO	NO	NO	NO
Fraternal club or lodge	YES ¹	YES	NO	NO	NO
Funeral home, mortuary	YES ¹	NO	NO	NO	NO
Golf course and clubhouse, public and private	NO	NO	NO	NO	NO
Hospital and accessory ambulance service	YES ¹	YES	NO	NO	NO
Library	YES ¹	NO	YES ¹	NO	NO
Museums and cultural facilities	YES ¹	NO	YES ¹	NO	NO

Neighborhood recreation club (center-pool allowed)	YES ¹	NO	YES ¹	NO	NO
Non-commercial clubs or lodge (except fraternal club or lodge)	NO	NO	NO	NO	NO
Parks and open space	YES ¹	YES	YES ¹	YES ¹² /4a-SP	NO
Post Office	YES ¹	YES	YES ¹	NO	NO
Places of worship	SP	YES	SP	YES ¹² /4a- NO	NO
Recreation, outdoor	YES ¹	NO	NO	NO	NO
Swimming pools as principal uses (does not apply to accessory swimming pools for single-family detached homes)	YES ¹	NO	YES ¹	NO	SP
Temporary art shows, carnival rides and special events of community	SA	SA	SA	SA	NO
Temporary outdoor social, religious, entertainment or recreation activity	SA	SA	SA	SA/4a-NO	NO
Temporary rodeos, horse shows, carnivals, athletic events and community fairs	SA	SA	NO	SA	NO

Tennis courts and other play and recreation areas, public	YES ¹	NO	YES ¹	NO	SP
EDUCATION:					
Colleges, universities (research and training facilities) and accessory dormitories	YES ¹	YES	NO	NO	NO
Private kindergarten, elementary middle and high schools	YES ¹	NO	YES ¹	NO	NO
Specialized degree or non-degree school focusing on fine arts and culture, to include ballet, music, martial arts and sports	YES ¹	NO	YES ¹	NO	NO
Vocational and specialized schools	YES ¹	YES	YES ¹	YES ¹² /4a-SP	NO
COMMERCIAL					
AUTOMOBILE, BOAT AND TRAILER SALES AND SERVICE:					
Automobile and truck rental and leasing facilities	NO	YES	NO	YES ¹² /4a-NO	NO
Automobile/truck repair and maintenance (minor)	SP	YES	NO	YES ¹² /4a NO	NO
Automobile repair and paint (major)	NO	YES	NO	YES ¹² /4a NO	NO
Automobile sales and truck sales (new and used dealerships)	NO	YES	NO	YES ¹² /4a NO	NO
Automobile upholstery shop	NO	YES	NO	YES ¹² /4a-SP	NO

Automobile wash/wax centers	YES ¹	YES	NO	YES ¹² /4a-SP	NO
Boat sales	NO	YES	NO	YES ¹² /4a-SP	NO
Retail automobile parts and tire store	YES ¹	YES	NO	YES ¹² /4a-SP	NO
Self-service car wash and detailing	NO	NO	NO	NO	NO
Tire store where the majority of the tires offered for sale are used tires	NO	NO	NO	NO	NO
Trailer salesroom and sales lot	NO	YES	NO	YES ¹² /4a- NO	NO
Truck repair, major	NO	YES	NO	YES ¹² /4a NO	NO
OFFICE:					
Accounting office	YES ¹	YES	YES ¹	YES ¹²	NO
Engineering and architecture office	YES ¹	YES	YES ¹	YES ¹²	NO
Finance office	YES ¹	YES	YES ¹	YES ¹²	NO
Insurance office	YES ¹	YES	YES ¹	YES ¹²	NO
Legal office	YES ¹		YES ¹	YES ¹²	

		YES			NO
Medical office	YES ¹	YES	YES ¹	YES ^{1 2}	NO
Real estate office	YES ¹	YES	YES ¹	YES ^{1 2}	NO
General Office	YES ¹	YES	YES ¹	YES ^{1 2}	NO
Auto Brokerage Office	YES ¹	YES	YES ¹	YES ^{1 2}	NO
Auto Internet Sales Office	YES ¹	YES	YES ¹	YES ^{1 2}	NO
Brokerage Office	YES ¹	YES	YES ¹	YES ^{1 2}	NO
Finger Printing Office	YES ¹	YES	YES ¹	YES ^{1 2}	NO
Hair Follicle Testing Office	YES ¹	YES	YES ¹	YES ^{1 2}	NO
Logistics Office	YES ¹	YES	YES ¹	YES ^{1 2}	NO
Truck Brokerage Office	YES ¹	YES	YES ¹	YES ^{1 2}	NO
Truck Parking Office	YES ¹	YES	YES ¹	YES ^{1 2}	NO
Trucking Office	YES ¹	YES	YES ¹	YES ^{1 2}	NO
RECREATION AND ENTERTAINMENT:					
Adult entertainment establishments	NO	NO	NO	NO	NO
Adult service facility	NO	NO	NO	NO	NO
Drive-in theater	NO	NO	NO	NO	NO
Fairground and amusement park	NO	NO	NO	NO	NO

Indoor recreation (bowling alleys, movie theaters & other activities wholly indoors)	YES ¹	YES	YES ¹	YES ¹² /4a-SP	NO
Nightclub and/or late night establishment	NO	NO	NO	NO	NO
Special events facility	YES ¹	NO	SP	NO	NO
Theaters, assembly or concert halls, or similar entertainment within enclosed building	YES ¹	NO	YES ¹	NO	NO
RETAIL:					
Adult materials	NO	NO	NO	NO	NO
Apparel and accessories store	YES ¹	YES	YES ¹	NO	NO
Art gallery and art supply store and art theatre	YES ¹	YES	YES ¹	NO	NO
Book, greeting card, and stationery store	YES ¹	YES	YES ¹	NO	NO
Camera and photographic supply store	YES ¹	YES	YES ¹	NO	NO
Computer and computer software store	YES ¹	YES	YES ¹	NO	NO
Convenience store (with or without gasoline sales)	YES ¹	YES	YES ¹	<u>YES ¹²/4a NO</u>	NO

Drive-through facilities	SP	SP	NO	NO	NO
Farm and garden supply store	YES ¹	YES	YES ¹	NO	NO
Farmer's market, permanent	YES ¹	NO	NO	NO	NO
Farmer's market, temporary	SA	NO	SA	NO	NO
Florist	YES ¹	YES	YES ¹	NO	NO
Food stores, including bakeries	YES ¹	YES	YES ¹	NO	NO
Fuel dealers, manufacturers and wholesalers	NO	YES	NO	YES ¹² /4a-NO	NO
General merchandise store	YES ¹	YES	YES ¹	NO	NO
Gift, novelty and souvenir store	YES ¹	YES	YES ¹	NO	NO
Gold and precious metal buying establishments	NO	NO	NO	NO	NO
Grocery stores including bakery	YES ¹	YES	YES ¹	YES ¹²	NO

Hardware store and other building materials (larger = > 25,000 square feet of floor area)	YES ¹	YES	NO	YES ¹² /4a SP	NO
Hardware store and other building materials (neighborhood under 25,000 square feet of floor area)	YES ¹	YES	YES ¹	YES ¹² /4a SP	NO
Hobby, toy and game store	YES ¹	YES	YES ¹	NO	NO
Jewelry store	YES ¹	YES	YES ¹	NO	NO
Music and music equipment store (retail)	YES ¹	YES	YES ¹	NO	NO
News dealer and newsstand	YES ¹	YES	YES ¹	NO	NO
Office supplies and equipment store	YES ¹	YES	YES ¹	NO	NO
Outdoor open sales and flea market	NO	NO	NO	YES ¹² /4a- NO	NO
Paint, glass and wallpaper store	YES ¹	YES	YES ¹	YES ²	NO
Pawn shop, title loan	NO	SP	NO	T4-YES ¹² G2-SP ¹² 4a-NO	NO
Pet supply store	YES ¹		YES ¹		

		YES		NO	NO
Pharmacy and drug store	YES ¹	YES	YES ¹	NO	NO
Radio, television and consumer electronics store	YES ¹	YES	YES ¹	NO	NO
Retail automobile parts and tire store	YES ¹	YES	YES ¹	NO	NO
Retail, large scale at least 75,000 square feet (see also shopping center)	SP	NO	NO	T4-NO G2 YES ¹² 4a-NO	NO
Retail liquor store	SP	SP	NO	T4-NO G2-SP 4a-NO	NO
Retail warehouses/wholes providing sales of merchandise with no outdoor storage	NO	YES	NO	T4-YES ¹² G2-NO 4a-NO	NO
Shopping center	YES ¹	YES	YES ¹	NO	NO
Specialty store	YES ¹	YES	YES ¹	NO	NO
Sporting goods and bicycle sale	YES ¹	YES	YES ¹	NO	NO

Telephone, retail and/or business office	YES ¹	YES	YES ¹	YES ¹² /4a-SP	NO
Temporary outdoor sales of merchandise as an accessory to on-site principal use	SA	SA	SA	SA	NO
Temporary outdoor sales of Christmas trees, pumpkins or other seasonal sales	SA	SA	SA	SA	NO
Thrift and consignment store, which is an establishment selling pre-owned	NO	NO	NO	NO	NO
Variety store	YES ¹	YES	YES ¹	NO	NO
Video tape sales and rental store	NO	NO	NO	NO	NO
RESTAURANTS/FOOD ESTABLISHMENTS:					
Brewpub	YES ¹	YES	YES ¹	SP	NO
Catering establishments	YES ¹	YES	NO	YES ¹² /4a-SP	NO
Restaurants (non-drive-through)	YES ¹	YES	YES ¹	YES ¹² /4a-SP	NO
Restaurants with a drive-through configuration	SP	SP	NO	SP	NO
TRANSPORTATION AND STORAGE:					

Bus and rail stations and terminals for passengers, publicly owned and run	YES ¹	SP	NO	YES ¹² /4a NO	NO
Heliport	SP	SP	SP	SP	NO
Parking, commercial lot	NO	YES	NO	YES ¹² /4a-NO	NO
Parking, commercial garage	NO	NO	NO	NO	NO
Taxi stand and dispatching office with no permanent car storage	NO	YES	NO	YES ¹² /4a-SP	NO
Taxi stand and dispatching office with permanent car storage	NO	YES	NO	YES ¹² /4a-NO	NO
SERVICES:					
Adult day care center	NO	NO	NO	NO	NO
Adult day care facility	YES ¹	NO	YES ¹	NO	NO
Animal hospitals, veterinary clinic, boarding, with indoor runs only	YES ¹	YES	YES ¹	YES ¹² /4a-SP	NO
Animal shelter/rescue center	NO	NO	NO	NO	NO
Banks, credit unions and other similar financial institutions	YES ¹	YES	YES ¹	YES ¹²	NO
Barbers shop, beauty salon, nail salon	YES ¹	NO	YES ¹	YES ¹²	NO

Health spa (i.e. day spa)	YES ¹	NO	YES ¹	YES ¹²	NO
Breeding kennel	NO	NO	NO	NO	NO
Check cashing establishment Primary	NO	SP	NO	NO	NO
Child caring institution, group	NO	NO	NO	NO	NO
Child day care center (Kindergarten)	YES ¹	YES	YES ¹	NO	NO
Child day care facility	YES ¹	YES	YES ¹	NO	NO
Child caring institution, community	NO	NO	NO	NO	NO
Coin laundry/self-service laundry, only with hours 7:00 a.m.-10:00 p.m. & attendant on duty	SP	SP	NO	NO	NO
Dog day care, indoor runs only	YES ¹	YES	YES ¹	YES ¹² /4a-SP	NO
Dog grooming, indoor runs only	YES ¹	YES	YES ¹	YES ¹² /4a-SP	NO
Dry cleaning agencies, pressing establishments, and laundry pick-up service	YES ¹	YES	YES ¹	NO	NO
Fitness center	YES ¹	YES	YES ¹	NO	NO
Kennel (commercial)	NO	NO	NO	NO	NO
Landscape business				YES ¹² /4a-SP	

	NO	YES	NO		NO
Personal services establishment	NO	NO	NO	NO	NO
Photoengraving, typesetting, electrotyping	NO	YES	NO	YES ¹² /4a-SP	NO
Photographic studios	YES ¹	YES	YES ¹	NO	NO
Plumbing, heating and air-conditioning equipment establishments, and other contractors having no outdoor storage	YES ¹	YES	NO	YES ¹² /4a-No	NO
Production studio for movie, television and/or music	NO	YES	NO	YES ¹² /4a-SP	NO
Publishing and printing establishments	YES ¹	YES	YES ¹	YES ¹² /4a-SP	NO
Tattoo establishment	NO	NO	NO	NO	NO
Quick copy, printing store	YES ¹	YES	YES ¹	NO	NO
SERVICES, MEDICAL AND HEALTH:					
Ambulance service and emergency medical services, private	YES ¹	YES	NO	YES ¹² /4a-NO	NO

Blood collection center, donation only	YES ¹	NO	NO	NO	NO
Health services clinic	YES ¹	YES	YES ¹	YES ¹² /4a-SP	NO
Home healthcare service	YES ¹	NO	YES ¹	NO	NO
Kidney dialysis center	YES ¹	NO	NO	NO	NO
Medical and dental laboratories	YES ¹	YES	NO	YES ¹² /4a-SP	NO
SERVICES, REPAIR:					
Furniture upholstery and repair shop, home appliance repair and service, with no outdoor storage or display	YES ¹	YES	NO	YES ¹² /4a-SP	NO
Personal service, repair (watch and jewelry), with no outdoor storage	YES ¹	YES	YES ¹	NO	NO
INDUSTRIAL					
Alcohol or alcoholic beverage manufacturing, providing noise and odors are restricted per zoning and environmental codes	NO	YES	NO	YES ¹² /4a-SP	NO
Automobile and truck manufacturing	NO	YES	NO	YES ¹² /4a-NO	NO
Biomedical waste disposal facility, disposal facility, landfill, materials	NO	NO	NO	NO	NO

recovery center, solid waste landfill, private industry solid waste disposal facility, recovered materials processing facility, solid waste handling facility, solid waste thermal treatment technology facility, and disposal facility for hazardous and/or toxic materials including radioactive materials					
Brick, clay, tile or concrete products, terra cotta manufacturing	NO	NO	NO	YES ¹² /4a-NO	NO
Building materials and lumber supply establishment	YES ¹	YES	NO	YES ¹² /4a-SP	NO
Cement, lime, gypsum or plaster of Paris manufacturing	NO	NO	NO	NO	NO
Chemical manufacture, organic or inorganic	NO	NO	NO	NO	NO
Contractor, general	NO	YES	NO	YES ¹² /4a-SP	NO
Contractor, heavy construction	NO	YES	NO	YES ¹² /4a-SP	NO
Contractor, special trade (e.g. plumbing, painting, carpentry, roofing, electrical, and other similar trades)	NO	YES	NO	YES ¹² /4a SP	NO
Crematoriums	NO	NO	NO	YES ¹² /4a-NO	NO
Distillation of bones and glue manufacture	NO	NO	NO	NO	NO

Dry cleaning plant	NO	YES	NO	YES ¹² /4a-SP	NO
Dye works	NO	NO	NO	NO	NO
Explosive manufacture or storage	NO	NO	NO	NO	NO
Fabricated metal manufacture	NO	YES	NO	YES ¹² /4a-SP	NO
Fat rendering and fertilizer manufacture	NO	NO	NO	NO	NO
Fuel and ice dealers, manufacturers and wholesalers	NO	YES	NO	YES ¹² /4a-SP	NO
General aviation airport	NO	NO	NO	NO	NO
Heavy equipment repair service	NO	NO	NO	YES ¹² /4a-NO	NO
Ice manufacturing plant	NO	YES	NO	YES ¹² /4a-SP	NO
Incidental retail sales of goods produced and processed on the premises	YES ¹	YES	YES ¹	YES ¹² /4a-SP	NO
Incineration of garbage or refuse when conducted within an enclosed plant	NO	NO	NO	NO	NO
Industrial establishments engaged in the manufacturing, processing, creating, repairing, renovating, painting, cleaning or assembly of goods, merchandise or equipment, or	NO	YES	NO	YES ¹² /4a-SP	NO

the wholesale or distribution of said goods, merchandise or equipment					
Industrial or business service activities which utilize, manufacture or process radioactive materials which emit or could emit radioactive levels of one thousand (1,000) curies or more and are licensed by the radiological health division of the Georgia Department of Human Resources	NO	NO	NO	NO	NO
Intermodal freight terminal, bus or rail freight or passenger terminal	NO	YES	NO	YES ¹² /4a-NO	NO
Leather manufacturing and processing	NO	NO	NO	NO	NO
Light malt beverage manufacturer	NO	YES	NO	YES ¹² /4a-SP	NO
Light manufacturing establishment	NO	YES	NO	YES ¹² /4a-SP	NO
Manufacturing operations not housed within a building	NO	NO	NO	YES ¹² /4a-NO	NO
Mines and mining operations, quarries, asphalt plants, gravel pits and sand pits	NO	NO	NO	NO	NO
Self-storage, multi	YES ¹	YES	NO	YES ¹² /4a SP	NO

Self-storage, mini	NO	YES	NO	YES ¹² /4a NO	NO
Paper and pulp manufacture	NO	NO	NO	NO	NO
Petroleum or Inflammable liquids production, refining	NO	NO	NO	NO	NO
Railroad car classification yards and team truck yards	NO	NO	NO	NO	NO
Recycling plant, indoor	NO	NO	NO	T4-YES ¹² G1-NO 4a-SP	NO
Recycling plant with any outdoor activities or outdoor storage	NO	NO	NO	T4-SP/4a-NO	NO
Repair and manufacture of clocks, watches, toys, novelties, electrical appliances, electronic devices, light sheet metal products, mining equipment, machine tools, and machinery not requiring the use of press punch over 100 tons rated capacity or drop hammer	NO	YES	NO	YES ¹² /4a-SP	NO
Research, experimental or testing laboratories	NO	SP	NO	YES ¹² /4a-SP	NO
Rubber and plastics manufacture	NO	NO	NO	NO	NO
Salvage yard (Junkyard)	NO	NO	NO	NO	NO
Smelting of copper, iron, zinc or ore	NO	NO	NO	NO	NO

Storage yard	NO	NO	NO	T4-SP/4a-NO	NO
Storage yard for damaged or confiscated vehicles	NO	NO	NO	NO	NO
Sugar refineries	NO	NO	NO	NO	NO
Tire retreading & recapping establishment with NO outdoor storage	NO	YES	NO	YES ¹² /4a NO	NO
Towing and wreckage service if wrecked/non-running vehicles are at rear of property, storage area is no greater than ½ acre, and wrecked/non-running vehicles must be screened from public view behind a fence	NO	SP	NO	SP	NO
Transportation equipment manufacture	NO	NO	NO	SP	NO
Transportation equipment storage and maintenance (vehicle) if wrecked/non-running vehicles are at rear of property, storage area is no greater than ½ acre in Tier 2, and wrecked/non-running vehicles must be screened from public view behind a fence	NO	SP	NO	YES ¹² /4a-No	NO
Truck stop	NO	YES	NO	YES ¹² /4a-NO	NO
Truck Terminal	NO	YES	NO	YES ¹² /4a-NO	NO
Waste oil transfer station, applicant must present a plan showing antipollution safeguards that satisfy the Commission	NO	NO	NO	NO/T4-SP	NO

Warehousing and storage	NO	YES	NO	YES ¹² /4a-SP	NO
COMMUNICATION-UTILITY					
Amateur radio service and antenna	YES ¹	YES	NO	YES ¹² /4a-SP	NO
Communication equipment and temporary utility structures	SA	SA	SA	SA	NO
Electric transformer station, gas regulator station and telephone exchange	NO	NO	NO	YES ¹² /4a-NO	NO
Public utility facilities	NO	NO	NO	YES ¹² /4a-SP	NO
Radio and television broadcasting studio	YES ¹	YES	NO	YES ¹² /4a-SP	NO
Radio and television broadcasting transmission	SP	SP	NO	SP	NO
Telecommunications facility/tower and alternative antenna	SP	SP	SP	YES ¹² /4a-SP	NO
Telecommunications antenna on existing tower	SA	SA	SA	SA	SA
Utility structures for the transmission or distribution of services	SA	SA	SP	YES ¹² /4a-SP	SP

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Sec. 3.39.3. Permitted uses.

- C. *Nuisance restrictions.* Principal uses authorized in the table of uses are not authorized to engage in outdoor operations between 10:00 p.m. and 6:00 a.m. that are likely to create noise and/or odor(s) that would disturb occupants of nearby properties.
- D. *Open space standards and requirements.* Publicly accessible open space is required in Tiers 1 and 3 for all new developments, in Tiers 4 and 4a for all new developments when abutting residential uses or Tier 5-zoned properties, and is required in Tier 5 only when the new development consists of ten (10) or more new lots, as follows:
1. A minimum of twenty (20) percent of the total land area of the new development shall be dedicated as usable open space for each new multi-family, commercial or mixed-use development. Publicly accessible open space areas may be transferred from one (1) parcel to another within developments that remain under unified control of a single property owner or group of owners, but must demonstrate inter-connectedness of public areas.
 2. Publicly accessible open spaces shall be consistent with standards of the Americans with Disability Act (ADA) and be directly accessible from a public sidewalk and from primary entrances of adjacent buildings.
 3. Publicly accessible open space that is provided as part of a new development shall provide connectivity to adjacent existing or planned public amenities including, but not limited to, sidewalks, trail networks, and active or passive park facilities.
 4. Publicly accessible open spaces may include any combination of the following: planted areas, fountains, parks, plazas, trails and/or paths, hardscape elements related to sidewalks and plazas, and similar features which are located on private property and accessible to the general public. Required buffers (including, but not limited to stream buffers), flood plain areas, building setbacks and parking areas shall not be included in any calculations for satisfying open space requirements.
 5. Private courtyards and outdoor amenities shall not be counted toward the twenty (20) percent publicly accessible open space requirement.
 6. The installation and construction of all required open space improvements shall be completed prior to issuance of a certificate of occupancy for the primary structure.
 7. As a part of the application for a building permit within the district, each applicant shall present a legal mechanism under which all land to be used for publicly accessible open space purposes shall be maintained and protected by the property owner and subsequent owners, at no cost to the county. 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 county attorney to ensure compliance with each of the following mandatory requirements:
 - a. All subsequent property owners shall be placed on notice of this development restriction through the deed records maintained in the DeKalb County Superior Court;
 - b. All publicly accessible open space held in common ownership will be properly maintained and insured with no liability or maintenance responsibilities accruing to the county. A mechanism for providing notice of maintenance deficiencies, required correction of the deficiencies, and assessments and liens against the property and property owners for the cost of the correction of the deficiencies, must be provided;

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- c. The property owners' association shall create and provide evidence of the following: mandatory and automatic membership in the property owners' association as a requirement of property ownership; a fair and uniform method of assessment for dues, maintenance and related costs; and continued maintenance of publicly accessible open space held in common and liability through the use of liens or other means in the case of default.

(Ord. No. 15-06 , 8-25-2015)

Sec. 3.39.4. Development standards applicable to Tiers 1, 2, 3 and 4.

The director of planning and sustainability shall be the final authority to determine whether a proposed development meets the development standards and requirements for density bonus, except where a special land use permit (SLUP) is required. In cases where a SLUP is required, the board of commissioners shall determine if the development standards are met. In the case of a conflict with underlying zoning district regulations, requirements specified in Table 1 of the Bouldercrest-Cedar Grove-Moreland Overlay District Building and Site Development Standards for Tiers 1, 2, 3, and 4 ("Table of Building and Site Development Standards") shall govern. The following standards shall apply to property and improvements located in Tiers 1, 2, 3 and 4 of the district:

- F. *Maximum Lot Coverage.* Maximum lot coverage for Tiers 2, 4, and 4a shall not exceed 90%. However, maximum lot coverage shall be limited to 80% in Tiers 4 and 4a for all new developments abutting residential uses or properties within Tier 5.

Sec. 3.39.6. Standards applicable to all tiers.

The following standards shall apply to all structures and improvements within the district except where otherwise noted, and the architectural style within the district shall be consistent with the district design guidelines. The director of planning and sustainability shall be the final authority to determine whether the standards in this section are met.

- A. *Architectural design standards applicable to all tiers.* Requirements for site improvements are illustrated in the district design guidelines. Site improvements shall meet the following architectural design standards:
 - 7. Chain-link fences shall not be located closer than eighty-five (85) feet to a public right-of-way, unless the chain-link fence is in Tier 4 and is not visible from the public right-of-way. In Tiers 1, 2, 3 and 5, chain-link shall be vinyl coated, and in Tier 4, chain-link fencing may have any finish. Chain-link fences shall be screened with evergreen shrubs and trees with a mature height of five (5) feet or greater, planted no closer than three (3) feet to the fence. Shrubs and trees shall be planted to fully screen the fence within five (5) years. Such screening shall be required for all chain-link fences in all tiers. Barbed wire fencing or razor wire fencing in Tiers 1, 2, 3, 4, and 4a may only be used where not visible from the public right-of-way and where used in conjunction with evergreen landscape screening to hide the fence within 5 years. Geo-fencing ("flock cameras" or similar devices) may be installed adjacent to driveway entrances and adjacent to and within parking lots to provide appropriate security.
- C. *Site improvements.* Standards and requirements for site improvements are as follows:
 - 1. *Streetscape requirements.* Streetscapes shall include a public sidewalk which is parallel to the edge of the right-of-way and landscaping constructed along all public street frontages according to the following table:

Street Description	Landscape Strip Minimum Width	Sidewalk Minimum Width	Parallel Parking Width	Street Trees Maximum Spacing
Moreland Avenue	Varies*	8 feet	N/A	60 ft. spacing
Bouldercrest (north of 285)	Varies*	10 feet	N/A	60 ft. spacing
Other streets in Tiers 1 and 3	Varies*	15 feet	9 feet	60 ft. spacing
Other streets in Tiers 2 and 4	Varies*	10 feet	N/A	60 ft. spacing
New streets in Tier 5	Varies*	6 feet	9 feet	40 ft. spacing
Corridor 1	Varies*	8 feet	N/A	N/A

- a. The landscape strip (the area between the sidewalk and the street) will vary in width depending on the width of the right-of-way.
 - b. If small trees (as defined by the small tree species list in the District Design Guidelines) are necessary due to overhead utility lines, then maximum spacing between trees shall be 40 feet.
2. *Street tree planting.* Street planting shall be required as follows:
- a. Street trees of a caliper not less than three (3) inches shall be planted in accordance with the streetscape requirements of paragraph C.1., above. Tree species shall be selected from the plant list provided in the district design guidelines. If such tree species are not available, the county arborist may allow substitutions.
 - b. Street trees shall have a minimum planting area of two hundred (200) square feet. The planting area must be pervious, must have structured soils for a depth of two (2) feet, and must have a root barrier adjacent to both the curb and the sidewalk for the entire length of the planting area.
 - c. Tree-planting areas shall provide porous drainage systems approved by the county arborist that allow for drainage of the planting area.
 - d. When the size of the right-of-way results in a landscape strip that is less than five (5) feet wide, the landscape strip shall be planted in groundcovers and shrubs as provided in the plant list in the district design guidelines. Tree planting will still be required, and the trees shall be planted outside of the right-of-way within ten (10) feet of the outer edge of the sidewalk. No root barrier will be required within the landscape strip, but a root barrier is required along the outer edge of the sidewalk.
 - e. When overhead utilities are present, small trees shall be utilized. Small tree species shall be selected from the plant list provided in the district design guidelines.
5. *Landscaping requirements and plans.* The following landscaping requirements shall apply to all uses in the district. Any new development or redevelopment applying for a land development permit shall include in the application a written landscape plan, which shall include the following elements:
- a. *Landscape zone.* A landscape zone shall be provided outside the public right-of-way along all primary and secondary street frontages. The landscape zone(s) shall have a minimum width of ten (10) feet and shall be planted with a row of street trees approved by the county arborist. Such trees shall be at least three (3) inches in caliper and planted not more than sixty (60) feet apart on center, unless small trees (as defined by the District Design

Guidelines) must be utilized due to overhead utility lines or unless property is located in Tier 5, in which case, the trees shall be planted not more than forty (40) feet apart on center. In all gateway sub-areas, this landscape zone shall be twenty (20) feet. EXCEPTION: In Tiers 1 and 3 where building setbacks are less than ten (10) feet, no landscape zone is required.

6. *Parking lot landscaping requirements.* In Tiers 2, 4, and 4a, truck (semi-trailer) parking lots are not required to meet these tree planting standards. Parking spaces for customer or employee parking shall be required to meet these tree planting standards. In addition to landscaping described above, parking lots shall have at least one tree at least three (3) inches in diameter per eight (8) parking spaces within a row. Each tree must be surrounded by no less than two hundred twenty (220) square feet of pervious ground area. This ground area must be prepared properly to meet the needs of the trees - eliminating heavy clays, providing organic matter and drainage. In parking lot design, every row of parking can have no more than ten (10) parking spaces between planting islands. In addition to trees, the islands must have shrubs and groundcover plant materials. All other landscaping requirements for parking lots shall be applicable per section 5.4.4.
7. *Underground utilities.* All new utilities in the district, except for major electric transmission lines and substations, are required to be placed underground except where the director of planning and sustainability 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.
8. *Streetlights and street furnishings.* Streetlights and furnishings are required for all streets in the district and shall comply with district design guidelines:
 - a. Street and pedestrian lighting shall be provided along all roadways.
 - b. Street and pedestrian lighting shall be provided along a private drive or a private street if it services at least four (4) residences and/or businesses and is at least one hundred (100) feet in length.
 - c. Street lights along all public rights-of-way and new streets within the district shall be located within the landscape strip spaced at a maximum distance of eighty (80) feet on center. The Planning Director may grant an exception to this standard based on the following:
 1. Review of a photometric study submitted by the property owner providing justification for a different requirement; and
 2. Review and approval of the photometric study by Georgia Power and the DeKalb County Transportation Division.
 - d. Pedestrian lights are not required in Tiers 2, 4, and 4a. Pedestrian lights along all public rights-of-way and new streets within Tiers 1, 3, and 5 of the district shall be located within the landscape strip spaced at a maximum distance of forty (40) feet on center. The Planning Director may grant an exception to this standard in Tiers 1, 3, and 5 based on the following:
 1. Review of a photometric study submitted by the property owner providing justification for a different requirement; and
 2. Review and approval of photometric study by Georgia Power and the DeKalb County Transportation Department.

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- e. Benches, trash receptacles, and bike racks shall be placed within the sidewalk zone, the landscape strip or the landscape zone on all arterial streets.
9. *Street and inter-parcel access.*
- a. *Alleys.* New residential subdivisions with lots less than sixty (60) feet in width and all townhouse developments shall be accessed from the rear via a private alley or drive.
 - b. *Inter-parcel access.* Sidewalks and parking lots shall be designed and constructed to be interconnected to provide continuous driveway connections and pedestrian connections between adjoining uses, lots and streets, but this requirement shall not apply to lots zoned for single-family residential development. Where necessary, DeKalb County may require access easements be provided to ensure continuous access and egress routes connecting commercial, office and multifamily lots.
- D. *Multimodal access plans.* Multimodal access plans and parking requirements for all tiers are as follows:
- 1. *Multimodal access.* Each new application for a land development permit in the district shall be accompanied by a multimodal access plan prepared at a scale not greater than one (1) inch = one hundred (100) feet. The multimodal 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 multimodal 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 along travel routes from any boundary of the subject property, the access plan shall show how pedestrians and bicycle access may safely travel from such station or stop to the subject property.
- E. *Parking requirements.* Parking requirements for all tiers are as follows:
- 3. *Bicycle parking.* Each multi-family or mixed-use development which provides more than sixty (60) automobile parking spaces shall provide bicycle parking facilities in on-site parking structures, parking lots, or within a designated area of the landscape zones adjoining the sidewalk. Mixed-use developments shall provide bicycle parking at a ratio of one (1) bicycle parking space for every twenty (20) vehicular spaces. Multifamily residential developments shall provide bicycle parking facilities at a minimum ratio of one (1) bicycle parking space for every ten (10) multifamily units. No mixed-use or multifamily development shall have fewer than three (3) bicycle parking spaces nor exceed a maximum of fifty (50) bicycle parking spaces.

(Ord. No. 15-06 , 8-25-2015)

Table 2

BOULDERCREST-CEDAR GROVE-MORELAND OVERLAY DISTRICT
BUILDING SETBACKS STANDARDS TABLE FOR TIERS 1, 2, 3, AND 4
This "Building Setbacks Table" is cross-referenced in section 3.37.4

Section 3.37.4 Development Standards Applicable to Tiers 1, 2, 3 and 4	Tier 1	Tier 2	Tier 3	Tiers 4 and 4a
	Gateway			Gateway 2 and Corridor 2
(8) Setbacks for parking lots and other improvements	Minimum 15 feet outside of buffers unless shared parking or use agreements are in place			Minimum 15 feet outside of buffers. Additional requirement for Tier 4A.: all setbacks can be no closer than 15 feet from the western edge of the utility easement.

Table 3

BOULDERCREST-CEDAR GROVE-MORELAND OVERLAY DISTRICT
TRANSITIONAL BUFFERS AND SCREENING STANDARDS TABLE FOR TIERS 1, 2, 3, AND 4
This "Transitional Buffers and Screening Standards Table" is cross-referenced in section 3.39.6

Section 3.39.6 Development Standards Applicable to Tiers 1, 2, 3 and 4	Tier 1	Tier 2	Tier 3	Tiers 4 and 4a
	Gateway			Gateway 2 and Corridor 2
Section 3.39.6.C. Transitional Buffers, Screening and Heights				
(1) Fencing/walls visible from any public plaza, open space ground level or sidewalk level outdoor dining area, internal main private drive or public street or right-of-way.				
a. Fencing/walls materials	Materials allowed are brick, stone, hard-coat stucco, wrought iron or wood. Chain-link fencing, barbed wire fencing, or razor wire fencing in Tiers 1, 2, 3, 4, and 4a may only be used where not visible from the public right-of-way and where used in conjunction with evergreen landscape screening to hide the fence within 5 years. Geo-fencing ("flock cameras" or similar devices) may be installed adjacent to driveway entrances and adjacent to and within parking lots to provide appropriate security.			

b. Fencing/walls materials - detention areas	Detention areas shall be designed as open space features with landscaping. Where fencing is required, it must be decorative and approved by the Director of the Department of Planning and Sustainability.	Detention areas shall be designed as open space features with landscaping and attractive fencing if visible to public or private view, and fencing materials for detention areas must be approved prior to installation by the Director of the Department of Planning and Sustainability.	Detention areas shall be designed as open space features with landscaping. Where fencing is required, it must be decorative and approved by the Director of the Department of Planning and Sustainability.	Detention areas shall be designed as open space features with landscaping and attractive fencing if visible to public or private view, and fencing materials for detention areas must be approved prior to installation by the Director of the Department of Planning and Sustainability.
c. Fencing/walls height	Allowed height for fences and walls is 3-foot maximum height within 20 feet of a public right-of-way and 6-foot maximum height for fences/walls to the rear or side of a building or within 85 feet of public right-of-way.		Allowed height for fences and walls is 3-foot maximum height within 20 feet of a public right-of-way and 6-foot maximum height for fences/walls to the rear or side of a building or within 85 feet of a public right-of-way.	
(2) Transitional buffers				
a. Paving or impervious surfaces	Paving and/or impervious surfaces, parking, loading, storage or any other use is not allowed in the transitional buffer zones			
b. Special buffer requirements—adjacent to easement	Not applicable		A 15-foot wide evergreen buffer is required on the west side of the power easement in Tier 4A. and must be comprised of evergreen plants (minimum 15-foot maturity) installed to create a visual screen within 5 years.	

c. Special buffer requirements—for nonresidential properties adjacent to property with an R zoning classification	Transitional buffer of not less than 30 feet in width shall be provided and maintained with vegetation that adequately screens buildings from adjacent R zoned properties	Not applicable	Transitional buffer of not less than 30 feet in width shall be provided and maintained with vegetation that adequately screens buildings viewed at eye level from adjacent properties in the R zoned area.
d. Special buffer requirements—buildings in excess of thirty-five (35) feet in height and adjacent to property with an R zoning classification	The width of the transitional buffer feet (not less than 30 feet) shall increase at a ratio of 1:1; specifically, one additional foot of buffer width is required for each foot by which building height exceeds 35 feet	Not applicable	The width of the transitional buffer shall increase at a ratio of 1:1; specifically, one additional foot of buffer width is required for each foot by which building height exceeds 35 feet
e. Utility installations	May be located in the buffer zone subject to replantings per 27-785[sic]	Not applicable	May be located in the buffer zone if adequate screening of both building and utilities is provided
f. Water detention ponds	Shall not be located within the transitional buffer zone	Not applicable	Shall not be located within the transitional buffer zone
g. Vegetation—existing	If existing vegetation provides adequate visual screen at eye level, it shall remain undisturbed, unless it can be demonstrated that removing all or a portion of existing vegetation and replacing with new vegetation will provide a better visual screen and it is	Not applicable	If existing vegetation provides adequate visual screen at eye level, it shall remain undisturbed unless it can be demonstrated that removing all or a portion of existing vegetation and replacing with new vegetation will provide a better visual screen and it is approved by the County Arborist.

	approved by the County Arborist.		
h. Vegetation—additional	If existing vegetation does not provide adequate screening at eye level, existing vegetation shall be enhanced with native or naturalized trees, shrubs and groundcover adequate to provide an effective visual screen at eye level front adjacent properties. If there is no existing vegetation, the transitional buffer zone shall be planted with double staggered rows of approved evergreens and other plants to form a dense visual screen .	Not applicable	If existing vegetation does not provide adequate screening at eye level, existing vegetation shall be enhanced with native or naturalized trees, shrubs and groundcover adequate to provide an effective visual screen at eye level from adjacent properties. If there is no existing vegetation, the transitional buffer zone shall be planted with double staggered rows of approved evergreens and other plants to form a dense visual screen.

Table 4

BOULDERCREST-CEDAR GROVE-MORELAND OVERLAY DISTRICT
HEIGHT AND DENSITY STANDARDS TABLE FOR TIERS 1, 2, 3, AND 4
This "Height and Density Standards Table" is cross-referenced in section 3.39.6

Section 3.39.6 Development Standards Applicable to Tiers 1, 2, 3	Tier 1	Tier 2	Tier 3	Tiers 4 and 4a
	Gateway			Gateway 2 and Corridor 2
Section 3.39.6.D. Height and density standards				
(1) Height standards	Height of buildings shall be limited to five (5) stories, not to exceed sixty feet (60') for Tier 1	Height of buildings shall be limited to eight (8) stories, not to exceed one hundred feet	Height of buildings shall be limited to three (3) stories, not to exceed forty feet (40'). An	Height of buildings shall be limited to 4 stories, not to exceed 50 feet, for Tier 4 properties

	<p>properties that do not abut Tier 5, an underlying single-family residential zoning district, or a single-family residential use. An increase in height shall be subject to a Special Land Use Permit (SLUP). Building height is limited to 2 stories not to exceed 40 feet for any Tier 1 property which abuts Tier 5 zoned properties, an underlying single-family residential zoning district, or a single-family residential use. An increase in height above 40 feet shall be subject to a Special Land Use Permit (SLUP).</p>	<p>(100'). An increase in height shall be subject to a Special Land Use Permit (SLUP).</p>	<p>increase in height shall be subject to a Special Land Use Permit (SLUP).</p>	<p>that do not abut Tier 5, an underlying single-family residential zoning district, or a single-family residential use. An increase in height up to 60 feet shall be subject to an administrative variance approval by the Planning Director based on justification considering building setbacks, screening, and/or building heights in the surrounding area. An increase in height above 60 feet shall be subject to a Special Land Use Permit (SLUP)". Building height is limited to 2 stories not to exceed 40 feet for any property in Tier 4(a) or for Tier 4 properties which abut Tier 5 zoned properties, an underlying single-family residential zoning district, or a single-family residential use. An increase in height above 40 feet shall be subject to a Special Land Use Permit (SLUP).</p>
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Sec. 3.39.8 Proposed Supplemental use regulations.

- A. Major Truck Repair establishments shall meet the following requirements:
1. Upon the minor redevelopment of existing buildings or structures, as defined in Section 27-8.1.16, that also requires a land development permit or building permit, the director or his/her designee may require additional improvements to landscaping, signage, parking lots, sidewalks, or building facades. Any minor redevelopment of existing structures, buildings, and physical appurtenances is permitted by right if such changes result in greater conformity with the specifications of this section.
 2. Establishments shall not be permitted on property located within three hundred (300) feet of any property used for a school, park, playground or hospital.
 3. All repair activities must be contained entirely within an enclosed building. For purposes of determining whether a building is enclosed, the use of open overhead bay doors that can be closed after business hours shall be permitted.
 4. Trucks awaiting service shall be parked on-site. If stored overnight, they shall be stored inside an enclosed building or in the side or rear yard enclosed with an opaque fence made of masonry or wood and at least eight (8) feet in height. If abutting property in Tier 5 or if abutting properties with an underlying single-family residential zoning district or single-family residential use. Wood fences shall be constructed with quality wood products. Both sides shall be equally attractive, they must be of #2 or better pressure treated pine, cedar or redwood. Posts must be firmly anchored. They must then be painted or stained and sealed. If abutting property is not zoned Tier 5 or does not contain an underlying single-family residential zoning or single-family residential use, then the fence may be up to a maximum of 50% translucent and may consist of wood or a chain link fence with a tarp. If property does not abut Tier 5, single-family residential zoning, or single-family residential use, barbed wire or razor wire security fencing not to exceed two (2) feet in height may be erected on top of permitted fencing where not visible from the public right of way and where used in conjunction with evergreen landscape screening to hide the fence within five years. All outdoor truck storage areas shall be at least 50 feet from the public right-of-way.
 5. Outdoor displays of merchandise shall be prohibited beyond ten (10) feet from the primary building and shall only be displayed during business hours.
 6. Overnight outdoor storage of any materials, equipment, tires, or rims is prohibited.
 7. New facilities must be designed with truck bays facing away from the primary street frontage.
 8. Junk vehicles shall not be stored on the property.
 9. A minimum of one automobile parking space for each employee on the largest shift shall be provided to accommodate employee parking. In tiers where parking in front of the primary building is allowed, all parking located in front of the primary building shall be limited to automobile parking for employees only and not for storing vehicles overnight waiting to be repaired.
 10. No truck sales or leasing shall be permitted on the property. The provision of gasoline/fuel sales is prohibited.
 11. For the purpose of this section, distance shall be measured by the most direct route of travel on the ground.

12. A minimum of (1) semi-trailer/tractor trailer parking space shall be required for each four hundred (400) square feet of floor space, and a maximum of one (1) semi-trailer/tractor trailer parking space shall be allowed for each one hundred fifty (150) square feet of floor space. All spaces designated for semi-trailer or tractor-trailer parking shall be at least twelve (12) feet in width by fifty-five (55) feet in length, with a minimum 50-foot driveway aisle width, or as approved by the Transportation Department. Maneuvering areas shall not include required parking spaces or any portion of a public right-of-way. No off-street maneuvering area shall require vehicles to back in from or out to a public street.

B. Minor Truck Repair establishments shall meet the following requirements:

1. Upon the minor redevelopment of existing structures or buildings, as defined by Section 27-8.1.16, that also requires a land development permit or building permit, the director or his/her designee may require additional improvements to landscaping, signage, parking lot, sidewalks, or building facades. Any minor redevelopment of existing structures, buildings, and physical appurtenances is permitted by right if such changes result in greater conformity with the specifications of this sections.
2. Operations, including the servicing of vehicles, storage of materials and similar activities connected with the use, must be contained entirely within an enclosed building. For the purpose of determining whether a building is enclosed, the use of open overhead bay doors that can be closed after business hours shall be permitted.
3. Trucks awaiting service shall be parked on-site. If stored overnight, they shall be stored inside an enclosed building or in the side or rear yard enclosed with an opaque fence made of masonry or wood and at least eight (8) feet in height if abutting property in Tier 5 or if abutting properties with an underlying single-family residential zoning district or single-family residential use. Wood fences shall be constructed with quality wood products. Both sides shall be equally attractive, they must be of #2 or better pressure treated pine, cedar or redwood. Posts must be firmly anchored. They must then be painted or stained and sealed. If abutting property is not zoned Tier 5 or does not contain an underlying single-family residential zoning or single-family residential use, then the fence may be up to a maximum of 50% translucent and may consist of wood or a chain link fence with a tarp. If property does not abut Tier5, single-family residential zoning, or single-family residential use, barbed wire or razor wire security fencing not to exceed two (2) feet in height may be erected on top of permitted fencing where not visible from the public right of way and where used in conjunction with evergreen landscape screening to hide the fence within five years. All outdoor truck storage areas shall be at least 50 feet from the public right-of-way.
4. Outdoor displays of merchandise shall be prohibited beyond ten (10) feet from the building and shall only be displayed during business hours.
5. Overnight outdoor storage of any materials, equipment, tires, or rims is prohibited.
6. New facilities must be designed with truck bays facing away from the primary street frontage.
7. Junk vehicles shall not be stored on the property.
8. No truck sales or leasing shall be permitted on the property. The provision of gasoline/fuel sales is prohibited.
9. A minimum of one automobile parking space for each employee on the largest shift shall be provided to accommodate employee parking. In tiers where parking in front of the primary building is allowed,

all parking located in front of the primary building shall be limited to automobile parking for employees and not for storing vehicles overnight waiting to be repaired.

10. A minimum of (1) semi-trailer/tractor trailer parking space shall be required for each four hundred (400) square feet of floor space, and a maximum of one (1) semi-trailer/tractor trailer parking space shall be allowed for each one hundred fifty (150) square feet of floor space. All spaces designated for semi-trailer or tractor-trailer parking shall be at least twelve (12) feet in width by fifty-five (55) feet in length, with a minimum 50-foot driveway aisle width, or as approved by the Transportation Department. Maneuvering areas shall not include required parking spaces or any portion of a public right-of-way. No off-street maneuvering area shall require vehicles to back in from or out to a public street.

CHAIN LINK FENCE WITH GREEN TARP (50% TRANSLUCENT—ESTIMATED)



WOOD FENCE WITH APPROXIMATE 50% TRANSLUCENT



C. Restaurants with a drive-through configuration shall meet the following requirements:

1. Drive-through facilities shall not be located within sixty (60) feet of a residentially zoned property, as measured from any menu or speaker box to the property line of adjacent residential property, unless part of a mixed-use development.
2. No drive-through facility shall be located on a property less than ten thousand (10,000) square feet in area, unless part of a mixed-use development. Stacking spaces for queuing of cars shall be provided for the drive-through area as required in Article 6.
3. Drive-through lanes and service windows serving drive-through lanes shall only be located to the side or rear of buildings.
4. Drive-through canopies and other structures, where present, shall be constructed from the same materials as the primary building and with a similar level of architectural quality and detailing. Article 4.
5. Speaker boxes shall be pointed away from any adjacent residential properties and shall require masonry sound attenuation walls with landscaping or other speaker volume mitigation measures. Speaker boxes shall not play music but shall only be used for communication for placing orders.

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6. All lighting from drive-through facilities shall be shaded and screened so as to be directed away from any adjacent residential property.
 7. Stacking spaces shall be provided for any use having a drive-through facility or areas having drop-off and pick-up areas in accordance with the following requirements. Stacking spaces shall be a minimum of ten (10) feet wide and twenty-five (25) feet long. Stacking spaces shall begin at the last service window for the drive-through lane (typically the “pick-up” window).
 8. All drive-through facilities with the exception of drive-through restaurants shall provide at least three stacking spaces for each window or drive-through service facility.
 9. The following standards shall apply to all stacking spaces and drive-through facilities:
 - a. Drive-through lanes shall not impede on- and off-site traffic movements, shall not cross or pass through off-street parking areas, and shall not create unsafe conditions where crossed by pedestrian access to a public entrance of a building.
 - b. Drive-through lanes shall be separated by striping or curbing from off-street parking areas. Individual lanes shall be striped, marked, or otherwise distinctly delineated.
 - c. All drive-through facilities shall include a bypass lane with a minimum width of ten (10) feet, by which traffic may navigate around the drive-through facility without traveling in the drive-through lane. The bypass lane may share space with a parking access aisle.
 - d. Drive-through lanes must be set back five (5) feet from all lot lines and roadway right-of-way lines.
 - e. Owner and operator are responsible for daily litter clean-up to ensure the property remains free of trash, litter, and debris.
 - f. Drive-through restaurants shall not be located within five hundred (500) feet of an elementary, middle, or high school.
 10. Semi-trailers and tractor trailer parking/loading shall be provided for establishments within 1,500 linear feet from an interstate right-of-way. At least one semi-trailer parking space shall be provided on the side or rear of the lot. All spaces designated for semi-trailer or tractor-trailer parking shall be at least twelve (12) feet in width by fifty-five (55) feet in length. The Director may administratively permit a reduction of an equivalent number of passenger parking spaces to accommodate semi-trailer parking/loading. Maneuvering areas shall not include required parking/loading spaces or any portion of a public right-of-way, subject to Transportation Department approval. No off-street maneuvering area shall require vehicles to back in from or out to a public street.

D. All sit-down restaurants (Non-Drive-Through) shall comply with the following:

-
1. Semi-trailers and tractor trailer parking/loading shall be provided for establishments within 1,500 linear feet from an interstate right-of-way. At least one semi-trailer parking space shall be provided on the side or rear of the lot. All spaces designated for semi-trailer or tractor-trailer parking shall be at least twelve (12) feet in width by fifty-five (55) feet in length. The Director may administratively permit a reduction of an equivalent number of passenger parking spaces to accommodate semi-trailer parking/loading. Maneuvering areas shall not include required parking/loading spaces or any portion of a public right-of-way, subject to Transportation Department approval. No off-street maneuvering area shall require vehicles to back in from or out to a public street.

Sec. 9.1.3. - Defined terms

Major Truck Repair: A business that services tractor-trailers and semi-trailers including the dismantling and repair of engines, transmissions, carburetors, drive shafts, and similar major vehicle parts, the provision of collision repair services including body frame straightening and body part replacement, or the painting or re-painting of tractor trailers and semi-trailers. Major truck repair establishments may also perform minor truck repairs.

Minor Truck Repair: A business that repairs, replaces, or services tires, ignitions, hoses, spark plugs, and other minor vehicle parts as part of the regular upkeep of tractor trailers and semi-trailers, and may perform regular maintenance such as brake repair and replacement, lubrication, or replacement of small or incidental automobile parts. Minor truck repair and maintenance may also, as an accessory function, include detailing, including the application of paint protectors, the cleaning or polishing of a vehicles interior, exteriors, or engine, and the installation of aftermarket parts and accessories such as tinting, alarms, sound systems, or headlight covers. Minor truck repair and maintenance does not include the dismantling and repair of engines, transmissions, or drive shafts, the provision of collision repair services including body frame straightening and body part replacement, or the painting or re-painting of tractor trailers and semi-trailers.

AN ORDINANCE

AN ORDINANCE TO AMEND CHAPTER 27, ARTICLES 3 AND 9, OF THE CODE OF DEKALB COUNTY, GEORGIA, AS REVISED 1988, PERTAINING TO THE BOULDERCREST-CEDAR GROVE-MORELAND OVERLAY DISTRICT, TO ADOPT RELATED DEFINITIONS, AND FOR OTHER PURPOSES.

WHEREAS, on March 26, 2013, the DeKalb County Board of Commissioners enacted the Bouldercrest-Cedar Grove-Moreland Overlay District (the “District”) for the purpose of protecting the health, safety and welfare of persons and the value of property within and around the District; and

WHEREAS, certain uses in various Tiers of the District have proven contrary to the District’s objectives of protecting the health, safety and welfare of persons and the value of property within and around the District; and

WHEREAS, the DeKalb County Board of Commissioners therefore seeks to amend the uses allowed in various Tiers of the District, to implement supplemental regulations relating to certain uses within the District, and to add related definitions to Article 9 of Chapter 27; and

NOW, THEREFORE, BE IT ORDAINED by the DeKalb County Board of Commissioners, and it is hereby ordained by the authority of the same, that Chapter 27, Articles 3 and 9 of the Code of DeKalb County, as Revised 1988, is hereby amended as follows:

PART I. ENACTMENT

By amending the Bouldercrest-Cedar Grove-Moreland Overlay District Table of Uses to read as follows:

* * *

BOULDERCREST-CEDAR GROVE-MORELAND OVERLAY DISTRICT TABLE OF USES

LEGEND:

YES = Permitted Use

EXCEPTIONS

1= Permitted Use by right except when: east of Interstate 675 and directly adjacent to Tier 5, a single-family residential use, or underlying single-family residential zoning; exceptions must be requested via Special Land Use Permit (SLUP) from the DeKalb County Board of Commissioners.

2=Permitted Use by right except when: directly abutting or has frontage along Bowman Industrial Court; exceptions must be requested via Special Land Use Permit (SLUP) from the DeKalb County Board of Commissioners.

NO = Prohibited Use

SP = Allowed with Special Land Use Permit ("SLUP") Granted by the DeKalb County Board of Commissioners

SA = Allowed With Special Administrative Permit from the Director of the Department of Planning and Sustainability

MX = Mixed Use Development

DESCRIPTION OF USES:	TIER 1 GATEWAY 1	TIER 2	TIER 3	TIERS 4 & 4A. GATEWAY 2 CORRIDOR 2	TIER 5 CORRIDOR 1
MIXED USE DEVELOPMENT					
Mixed use development (MX) shall include two or more different uses that include both permitted primary residential and nonresidential uses with residential not to exceed seventy percent (70%) of the total development floor area in a single structure.	YES YES¹	NO	YES YES¹	NO	NO
AGRICULTURAL					
<i>AGRICULTURE & FORESTRY:</i>					

Agricultural produce stand, off-site	SA	SA	SA	YES ¹² /4a SP	NO
Agricultural produce stand, on-site	NO	NO	NO	NO	NO
Agricultural crop production, processing and product storage	NO	NO	NO	NO	NO
Commercial greenhouse or plant nursery	NO	YES	NO	YES YES ¹² /4a-SP	NO
Community garden	SA	SA	SA	NO	SA
Temporary or portable sawmill	NO	NO	NO	NO	NO
<i>ANIMAL ORIENTED AGRICULTURE:</i>					
Dairy	NO	NO	NO	NO	NO
Grazing and pastureland	NO	NO	NO	NO	NO
Keeping of livestock	NO	NO	NO	NO	NO
Keeping of poultry/pigeons	NO	NO	NO	NO	NO
Kennels (Commercial)	NO	NO	NO	NO	NO
Kennels (Non-commercial)	NO	NO	NO	NO	NO
Livestock sales pavilion	NO	NO	NO	NO	NO
Riding academies and stables	NO	NO	NO	NO	NO
RESIDENTIAL					
<i>DWELLINGS:</i>					
Dwelling, cluster home	YES YES ¹	NO	YES YES ¹	NO	NO

Dwelling, mobile home	NO	NO	NO	NO	NO
Dwelling, multi-family	YES YES ¹	NO	NO/unless MX, IF MX ABUTS SINGLE- FAMILY ZONING THEN SLUP REQUIRED	NO	NO
Dwelling, multi-family age restricted, 55 and over	YES YES ¹	NO	YES YES ¹	NO	NO
Dwelling, multi-family supportive living	YES YES ¹	NO	YES YES ¹	NO	NO
Dwelling, single-family (accessory, owner-occupied additional dwelling)	YES YES ¹	NO	YES YES ¹	NO	NO
Dwelling, single family (attached)	YES YES ¹	NO	YES YES ¹	NO	NO
Dwelling, single-family (detached)	NO	NO	NO	NO	YES
Dwelling, three family	NO	NO	NO	NO	NO
Dwelling, two-family	NO	NO	NO	NO	NO
High-rise apartment	NO	NO	NO	NO	NO
Home occupation (type I) - No customer contact	YES YES ¹	NO	YES YES ¹	NO	YES
Home occupation (type II) - Customer contact	YES YES ¹	NO	YES YES ¹	NO	SP
Live work unit	YES		YES		

	YES ¹	NO	YES ¹	NO	NO
Mobile home park	NO	NO	NO	NO	NO
<i>LODGING:</i>					
Bed & breakfast inn	YES YES ¹	NO	YES YES ¹	NO	SP
Boarding/rooming house	NO	NO	NO	NO	NO
Convents and monasteries	NO	NO	NO	NO	NO
Dormitory	NO	NO	NO	NO	NO
Extended stay hotel/motel	NO	NO	NO	NO	NO
Fraternity house or sorority house	NO	NO	NO	NO	NO
Home stay bed and breakfast	YES YES ¹	NO	YES YES ¹	NO	NO
Hotel/Motel with exterior access to rooms	NO	NO	NO	NO	NO
Hotel/Motel with only interior access to rooms	YES YES ¹	YES	NO	YES YES ^{12/4a-SP}	NO
Nursing or convalescent home/hospice	YES YES ¹	NO	NO	NO	NO
Personal care home, community	NO	NO	NO	NO	NO
Personal care home, group	NO	NO	NO	NO	NO
Senior housing	YES YES ¹	NO	YES YES ¹	NO	NO

Shelter for homeless persons	NO	NO	NO	NO	NO
Shelter for homeless persons for no more than six (6) persons	NO	NO	NO	NO	NO
Transitional housing facility	NO	NO	NO	NO	NO
Transitional housing facility for no more than six (6) persons	NO	NO	NO	NO	NO
INSTITUTIONAL/PUBLIC					
<i>COMMUNITY FACILITIES:</i>					
Cemetery, columbarium, mausoleum	NO	NO	NO	NO	NO
Coliseum or stadium/gymnasium	NO	NO	NO	NO	NO
Fraternal club or lodge	YES YES ¹	YES	NO	NO	NO
Funeral home, mortuary	YES YES ¹	NO	NO	NO	NO
Golf course and clubhouse, public and private	NO	NO	NO	NO	NO
Hospital and accessory ambulance service	YES YES ¹	YES	NO	NO	NO
Library	YES YES ¹	NO	YES YES ¹	NO	NO
Museums and cultural facilities	YES YES ¹	NO	YES YES ¹	NO	NO

Neighborhood recreation club (center-pool allowed)	YES YES ¹	NO	YES YES ¹	NO	NO
Non-commercial clubs or lodge (except fraternal club or lodge)	NO	NO	NO	NO	NO
Parks and open space	YES YES ¹	YES	YES YES ¹	YES YES ^{12/4a-SP}	NO
Post Office	YES YES ¹	YES	YES YES ¹	NO	NO
Places of worship	SP	SP YES	SP	NO YES ^{12/4a-} NO	NO
Recreation, outdoor	YES YES ¹	NO	NO	NO	NO
Swimming pools as principal uses (does not apply to accessory swimming pools for single-family detached homes)	YES YES ¹	NO	YES YES ¹	NO	YES SP
Temporary art shows, carnival rides and special events of community	SA	SA	SA	SA	NO
Temporary outdoor social, religious, entertainment or recreation activity	SA	SA	SA	SA/4a-NO	NO
Temporary rodeos, horse shows, carnivals, athletic events and community fairs	SA	SA	NO	SA	NO

Tennis courts and other play and recreation areas, public	YES YES ¹	NO	YES YES ¹	NO	YES SP
<i>EDUCATION:</i>					
Colleges, universities (research and training facilities) and accessory dormitories	YES YES ¹	YES	NO	NO	NO
Private kindergarten, elementary middle and high schools	YES YES ¹	NO	YES YES ¹	NO	NO
Specialized degree or non-degree school focusing on fine arts and culture, to include ballet, music, martial arts and sports	YES YES ¹	NO	YES YES ¹	NO	NO
Vocational and specialized schools	YES YES ¹	YES	YES YES ¹	YES YES ¹² /4a-SP	NO
COMMERCIAL					
<i>AUTOMOBILE, BOAT AND TRAILER SALES AND SERVICE:</i>					
Automobile and truck rental and leasing facilities	NO	YES	NO	#VALUE! YES ¹² /4a-NO	NO
Automobile/truck broker, office only (duplicate, is now listed under office uses)	YES	YES	YES	YES	NO
Automobile/truck parking lots or parking garages, commercial (duplicate, is now listed under commercial parking lot)	NO	YES	NO	YES*/4a-SP	NO
Automobile/truck repair and maintenance (minor)	SP	SP YES	NO	YES /4a NO	NO

				YES ¹² /4a NO	
Automobile repair and paint (major)	NO	SP YES	NO	YES /4a NO YES ¹² /4a NO	NO
Automobile sales and truck sales (new and used dealerships)	NO	YES	NO	YES /4a NO YES ¹² /4a NO	NO
Automobile service stations, including gasoline sales (Removed since this use is already accounted for under "Convenience Store" land use category under Retail Heading)	SP	SP	SP	YES	NO
Automobile upholstery shop	NO	YES	NO	YES YES ¹² /4a-SP	NO
Automobile wash/wax centers	YES YES ¹	YES	NO	YES YES ¹² /4a-SP	NO
Boat sales	NO	YES	NO	YES YES ¹² /4a-SP	NO
Retail automobile parts and tire store	YES YES ¹	YES	NO	YES YES ¹² /4a-SP	NO
Self-service car wash and detailing	NO	NO	NO	NO	NO
Tire store where the majority of the tires offered for sale are used tires	NO	NO	NO	NO	NO
Trailer salesroom and sales lot	NO	YES	NO	YES /4a-NO	NO

				YES ¹² /4a- NO	
Truck repair, major	NO	NO YES	NO	YES/4a NO YES ¹² /4a NO	NO
Truck stop, service station including sales of gasoline (Duplicate; this use is listed under the Industrial Land Use Heading)	NO	SP	NO	YES/4a NO	NO
<i>OFFICE:</i>					
Accounting office	YES YES ¹	YES	YES YES ¹	YES YES ¹²	NO
Building and construction office, including offices for general, heavy and special trade contractors (Duplicate—General, Heavy, and Special Trade Contractors are listed under Industrial land use category)	YES	YES	YES	YES	NO
Engineering and architecture office	YES YES ¹	YES	YES YES ¹	YES YES ¹²	NO
Finance office	YES YES ¹	YES	YES YES ¹	YES YES ¹²	NO
Insurance office	YES YES ¹	YES	YES YES ¹	YES YES ¹²	NO
Legal office	YES YES ¹	YES	YES YES ¹	YES YES ¹²	NO

Medical office	YES YES ¹	YES	YES YES ¹	YES YES ¹²	NO
Real estate office	YES YES ¹	YES	YES YES ¹	YES YES ¹²	NO
General Office	YES ¹	YES	YES ¹	YES ¹²	NO
Auto Brokerage Office	YES ¹	YES	YES ¹	YES ¹²	NO
Auto Internet Sales Office	YES ¹	YES	YES ¹	YES ¹²	NO
Brokerage Office	YES ¹	YES	YES ¹	YES ¹²	NO
Finger Printing Office	YES ¹	YES	YES ¹	YES ¹²	NO
Hair Follicle Testing Office	YES ¹	YES	YES ¹	YES ¹²	NO
Logistics Office	YES ¹	YES	YES ¹	YES ¹²	NO
Truck Brokerage Office	YES ¹	YES	YES ¹	YES ¹²	NO
Truck Parking Office	YES ¹	YES	YES ¹	YES ¹²	NO
Trucking Office	YES ¹	YES	YES ¹	YES ¹²	NO
<i>RECREATION AND ENTERTAINMENT:</i>					
Adult entertainment establishments	NO	NO	NO	NO	NO
Adult service facility	NO	NO	NO	NO	NO
Drive-in theater	NO	NO	NO	NO	NO
Fairground and amusement park	NO	NO	NO	NO	NO

Indoor recreation (bowling alleys, movie theaters & other activities wholly indoors)	YES YES ¹	YES	YES YES ¹	YES YES ¹² /4a-SP	NO
Nightclub and/or late night establishment	NO	NO	NO	NO	NO
Special events facility	YES YES ¹	NO	SP	NO	NO
Theaters, assembly or concert halls, or similar entertainment within enclosed building	YES YES ¹	NO	YES YES ¹	NO	NO
<i>RETAIL:</i>					
Adult materials	NO	NO	NO	NO	NO
Apparel and accessories store	YES YES ¹	YES	YES YES ¹	NO	NO
Art gallery and art supply store and art theatre	YES YES ¹	YES	YES YES ¹	NO	NO
Book, greeting card, and stationery store	YES YES ¹	YES	YES YES ¹	NO	NO
Camera and photographic supply store	YES YES ¹	YES	YES YES ¹	NO	NO
Commercial greenhouse or plant nursery -(This is a Duplicate; use is listed under the Agriculture and Forestry Heading)	YES	YES	NO	NO	NO
Computer and computer software store	YES		YES		

	YES ¹	YES	YES ¹	NO	NO
Convenience store (with or without gasoline sales)	YES YES ¹	YES	YES YES ¹	NO <u>YES¹²/4a NO</u>	NO
Drive-through facilities	SP	SP	NO	NO	NO
Farm and garden supply store	YES YES ¹	YES	YES YES ¹	NO	NO
Farmer's market, permanent	YES YES ¹	NO	NO	NO	NO
Farmer's market, temporary	SA	NO	SA	NO	NO
Florist	YES YES ¹	YES	YES YES ¹	NO	NO
Food stores, including bakeries	YES YES ¹	YES	YES YES ¹	NO	NO
Fuel dealers, manufacturers and wholesalers	NO	YES	NO	YES/NO 4a YES ¹² /4a- NO	NO
General merchandise store	YES YES ¹	YES	YES YES ¹	NO	NO
Gift, novelty and souvenir store	YES YES ¹	YES	YES YES ¹	NO	NO
Gold and precious metal buying establishments	NO	NO	NO	NO	NO

Grocery stores including bakery	YES YES ¹	YES	YES YES ¹	NO YES ¹²	NO
Hardware store and other building materials (larger = > 25,000 square feet of floor area)	YES YES ¹	YES	NO	YES YES ^{12/4a SP}	NO
Hardware store and other building materials (neighborhood under 25,000 square feet of floor area)	YES YES ¹	YES	YES YES ¹	YES YES ^{12/4a SP}	NO
Hobby, toy and game store	YES YES ¹	YES	YES YES ¹	NO	NO
Jewelry store	YES YES ¹	YES	YES YES ¹	NO	NO
Music and music equipment store (retail)	YES YES ¹	YES	YES YES ¹	NO	NO
News dealer and newsstand	YES YES ¹	YES	YES YES ¹	NO	NO
Office supplies and equipment store	YES YES ¹	YES	YES YES ¹	NO	NO
Outdoor open sales and flea market	NO	NO	NO	NO/T4-YES YES ^{12/4a-NO}	NO
Paint, glass and wallpaper store	YES YES ¹	YES	YES YES ¹	YES ²	NO

Pawn shop, title loan	NO	SP	NO	NO/G2-SP T4-YES ¹² G2-SP ¹² 4a-NO	NO
Pet supply store	YES YES ¹	YES	YES YES ¹	NO	NO
Pharmacy and drug store	YES YES ¹	YES	YES YES ¹	NO	NO
Radio, television and consumer electronics store	YES YES ¹	YES	YES YES ¹	NO	NO
Retail automobile parts and tire store	YES YES ¹	YES	YES YES ¹	NO	NO
Retail, large scale at least 75,000 square feet (see also shopping center)	SP	NO	NO	NO/G2-YES T4-NO G2-YES ¹² 4a-NO	NO
Retail liquor store	SP	SP	NO	NO/G2-SP T4-NO G2-SP 4a-NO	NO
Retail warehouses/wholes providing sales of merchandise with no outdoor storage	NO	YES	NO	NO/G2, 4a T4-YES ¹² G2-NO	NO

				4a-NO	
Shopping center A223	YES YES ¹	YES	YES YES ¹	NO	NO
Specialty store	YES YES ¹	YES	YES YES ¹	NO	NO
Sporting goods and bicycle sale	YES YES ¹	YES	YES YES ¹	NO	NO
Telephone, retail and/or business office	YES YES ¹	YES	YES YES ¹	YES YES ¹² /4a-SP	NO
Temporary outdoor sales of merchandise as an accessory to on-site principal use	SA	SA	SA	SA	NO
Temporary outdoor sales of Christmas trees, pumpkins or other seasonal sales	SA	SA	SA	SA	NO
Thrift and consignment store, which is an establishment selling pre-owned	NO	NO	NO	NO	NO
Trade shops, including electrical, plumbing, heating/cooling, and roofing/siding, having no outside storage (Duplicate—see “plumbing, heating, and air conditioning under Services Land Use Heading)	YES	YES	NO	YES	NO
Variety store	YES YES ¹	YES	YES YES ¹	NO	NO

Video tape sales and rental store	NO	NO	NO	NO	NO
<i>RESTAURANTS/FOOD ESTABLISHMENTS:</i>					
Brewpub	YES YES ¹	YES	YES YES ¹	SP	NO
Catering establishments	YES YES ¹	YES	NO	YES YES ¹² /4a-SP	NO
Restaurants (non-drive-through)	YES YES ¹	YES	YES YES ¹	YES YES ¹² /4a-SP	NO
Restaurants with a drive-through configuration	SP	SP	NO	SP	NO
<i>TRANSPORTATION AND STORAGE:</i>					
Bus and rail stations and terminals for passengers, publicly owned and run	YES YES ¹	YES SP	NO	YES YES ¹² /4a NO	NO
Heliport	SP	SP	SP	SP	NO
Parking, commercial lot	NO	YES	NO	YES YES ¹² /4a- NO	NO
Parking, commercial garage	NO	NO	NO	NO	NO
Taxi stand and dispatching office with no permanent car storage	NO	YES	NO	YES ¹² /4a-SP	NO

Taxi stand and dispatching office with permanent car storage	NO	YES	NO	YES YES ¹² /4a- NO	NO
<i>SERVICES:</i>					
Adult day care center	NO	NO	NO	NO	NO
Adult day care facility	YES YES ¹	NO	YES YES ¹	NO	NO
Animal hospitals, veterinary clinic, boarding, with indoor runs only	YES YES ¹	YES	YES YES ¹	YES YES ¹² /4a-SP	NO
Animal shelter/rescue center	NO	NO	NO	NO	NO
Banks, credit unions and other similar financial institutions	YES YES ¹	YES	YES YES ¹	YES YES ¹²	NO
Barbers shop, beauty salon, nail salon and day spa	YES YES ¹	YES NO	YES YES ¹	YES YES ¹²	NO
Health spa (i.e. day spa)	YES ¹	NO	YES ¹	YES ¹²	NO
Breeding kennel	NO	NO	NO	NO	NO
Check cashing establishment Primary	NO	SP	NO	NO	NO
Child caring institution, group	NO	NO	NO	NO	NO
Child day care center (Kindergarten)	YES YES ¹	YES	YES YES ¹	NO	NO
Child day care facility	YES		YES	NO	NO

	YES ¹	YES	YES ¹		
Child caring institution, community	NO	NO	NO	NO	NO
Coin laundry/self-service laundry, only with hours 7:00 a.m.-10:00 p.m. & attendant on duty	SP	SP	NO	NO	NO
Dog day care, indoor runs only	YES YES ¹	YES	YES YES ¹	YES YES ^{12/4a-SP}	NO
Dog grooming, indoor runs only	YES YES ¹	YES	YES YES ¹	YES YES ^{12/4a-SP}	NO
Dry cleaning agencies, pressing establishments, and laundry pick-up service	YES YES ¹	YES	YES YES ¹	NO	NO
Fitness center	YES YES ¹	YES	YES YES ¹	NO	NO
Kennel (commercial)	NO	NO	NO	NO	NO
Landscape business	NO	YES	NO	YES YES ^{12/4a-SP}	NO
Personal services establishment	NO	NO	NO	NO	NO
Photoengraving, typesetting, electrotyping	NO	YES	NO	YES YES ^{12/4a-SP}	NO
Photographic studios	YES YES ¹	YES	YES YES ¹	NO	NO
Plumbing, heating and air-conditioning equipment establishments, and other	YES			YES	

contractors having no outdoor storage	YES ¹	YES	NO	YES ^{12/4a-No}	NO
Production studio for movie, television and/or music	NO	YES	NO	YES YES ^{12/4a-SP}	NO
Publishing and printing establishments	YES YES ¹	YES	YES YES ¹	YES YES ^{12/4a-SP}	NO
Tattoo establishment	NO	NO	NO	NO	NO
Quick copy, printing store	YES YES ¹	YES	YES YES ¹	NO	NO
<i>SERVICES, MEDICAL AND HEALTH:</i>					
Ambulance service and emergency medical services, private	YES YES ¹	YES	NO	YES YES ^{12/4a-NO}	NO
Blood collection center, donation only	YES YES ¹	NO	NO	NO	NO
Health services clinic	YES YES ¹	YES	YES YES ¹	YES YES ^{12/4a-SP}	NO
Home healthcare service	YES YES ¹	NO	YES YES ¹	NO	NO
Kidney dialysis center	YES				

	YES ¹	NO	NO	NO	NO
Medical and dental laboratories	YES YES ¹	YES	NO	YES YES ^{12/4a-SP}	NO
<i>SERVICES, REPAIR:</i>					
Furniture upholstery and repair shop, home appliance repair and service, with no outdoor storage or display	YES YES ¹	YES	NO	YES YES ^{12/4a-SP}	NO
Personal service, repair (watch and jewelry), with no outdoor storage	YES YES ¹	YES	YES YES ¹	NO	NO
INDUSTRIAL					
Alcohol or alcoholic beverage manufacturing, providing noise and odors are restricted per zoning and environmental codes	NO	YES	NO	YES YES ^{12/4a-SP}	NO
Automobile and truck manufacturing	NO	YES	NO	NO/ T4-YES YES ^{12/4a-NO}	NO
Biomedical waste disposal facility, disposal facility, landfill, materials recovery center, solid waste landfill, private industry solid waste disposal facility, recovered materials processing facility, solid waste handling facility, solid waste thermal treatment technology facility, and disposal facility for hazardous and/or	NO	NO	NO	NO	NO

toxic materials including radioactive materials					
Brick, clay, tile or concrete products, terra cotta manufacturing	NO	NO	NO	NO/T4-YES YES ¹² /4a-NO	NO
Building materials and lumber supply establishment	YES YES ¹	YES	NO	YES YES ¹² /4a-SP	NO
Cement, lime, gypsum or plaster of Paris manufacturing	NO	NO	NO	NO	NO
Chemical manufacture, organic or inorganic	NO	NO	NO	NO	NO
Contractor, general	NO	YES	NO	YES YES ¹² /4a-SP	NO
Contractor, heavy construction	NO	NO YES	NO	NO/T4-YES YES ¹² /4a-SP	NO
Contractor, special trade (e.g. plumbing, painting, carpentry, roofing, electrical, and other similar trades)	NO	NO YES	NO	YES YES ¹² /4a SP	NO
Crematoriums	NO	NO	NO	NO/T4-YES YES ¹² /4a-NO	NO
Distillation of bones and glue manufacture	NO	NO	NO	NO	NO
Dry cleaning plant				YES	

	NO	YES	NO	YES ¹² /4a-SP	NO
Dye works	NO	NO	NO	NO	NO
Explosive manufacture or storage	NO	NO	NO	NO	NO
Fabricated metal manufacture	NO	YES	NO	YES YES ¹² /4a-SP	NO
Fat rendering and fertilizer manufacture	NO	NO	NO	NO	NO
Fuel and ice dealers, manufacturers and wholesalers	NO	YES	NO	YES YES ¹² /4a-SP	NO
General aviation airport	NO	NO	NO	NO	NO
Heavy equipment repair service	NO	NO	NO	NO/T4-YES YES ¹² /4a- NO	NO
Ice manufacturing plant	NO	YES	NO	YES YES ¹² /4a-SP	NO
Incidental retail sales of goods produced and processed on the premises	YES YES ¹	YES	YES YES ¹	YES YES ¹² /4a-SP	NO
Incineration of garbage or refuse when conducted within an enclosed plant	NO	NO	NO	NO	NO
Industrial establishments engaged in the manufacturing, processing, creating, repairing, renovating, painting, cleaning or assembly of goods, merchandise or equipment, or	NO	YES	NO	YES YES ¹² /4a-SP	NO

the wholesale or distribution of said goods, merchandise or equipment					
Industrial or business service activities which utilize, manufacture or process radioactive materials which emit or could emit radioactive levels of one thousand (1,000) curies or more and are licensed by the radiological health division of the Georgia Department of Human Resources	NO	NO	NO	NO	NO
Intermodal freight terminal, bus or rail freight or passenger terminal, or truck terminal	NO	SP YES	NO	NO/T4-YES YES ¹² /4a-NO	NO
Leather manufacturing and processing	NO	NO	NO	NO	NO
Light malt beverage manufacturer	NO	YES	NO	YES YES ¹² /4a-SP	NO
Light manufacturing establishment	NO	YES	NO	YES YES ¹² /4a-SP	NO
Manufacturing operations not housed within a building	NO	NO	NO	NO/T4-YES YES ¹² /4a-NO	NO
Mines and mining operations, quarries, asphalt plants, gravel pits and sand pits	NO	NO	NO	NO	NO
Mini-warehouse and storage buildings, with only inside access to	YES	NO		YES	

storage units and only if climate controlled Self-storage, multi	YES ¹	YES	NO	YES ¹² /4a SP	NO
Self-storage, mini	NO	YES	NO	YES ¹² /4a NO	NO
Paper and pulp manufacture	NO	NO	NO	NO	NO
Petroleum or Inflammable liquids production, refining	NO	NO	NO	NO	NO
Railroad car classification yards and team truck yards	NO	NO	NO	NO	NO
Recycling plant, indoor	NO	NO	NO	YES /G1-NO T4-YES ¹² G1-NO 4a-SP	NO
Recycling plant with any outdoor activities or outdoor storage	NO	NO	NO	T4-SP/4a-NO	NO
Repair and manufacture of clocks, watches, toys, novelties, electrical appliances, electronic devices, light sheet metal products, mining equipment, machine tools, and machinery not requiring the use of press punch over 100 tons rated capacity or drop hammer	NO	YES	NO	YES YES ¹² /4a-SP	NO
Research, experimental or testing laboratories	NO	SP	NO	YES YES ¹² /4a-SP	NO
Rubber and plastics manufacture	NO	NO	NO	NO	NO

Salvage yard (Junkyard)	NO	NO	NO	NO	NO
Smelting of copper, iron, zinc or ore	NO	NO	NO	NO	NO
Storage yard	NO	NO	NO	NO/T4 SP T4-SP/4a-NO	NO
Storage yard for damaged or confiscated vehicles	NO	NO	NO	NO	NO
Sugar refineries	NO	NO	NO	NO	NO
Tire retreading & recapping establishment with NO outdoor storage	NO	YES	NO	T4-YES/4a NO YES ¹² /4a NO	NO
Towing and wreckage service if wrecked/non-running vehicles are at rear of property, storage area is no greater than ½ acre, and wrecked/non-running vehicles must be screened from public view behind a fence	NO	SP	NO	SP	NO
Transportation equipment manufacture	NO	NO	NO	SP	NO
Transportation equipment storage and maintenance (vehicle) if wrecked/non-running vehicles are at rear of property, storage area is no greater than ½ acre in Tier 2, and wrecked/non-running vehicles must be screened from public view behind a fence	NO	SP	NO	YES YES ¹² /4a-No	NO
Truck stop or terminal (Truck Terminal is separate use and different from Truck Stop; is eliminated from	NO	YES	NO	YES	NO

this land use category and shown as its own land use category in row below)				YES ¹² /4a-NO	
Truck Terminal	NO	YES	NO	YES YES ¹² /4a-NO	NO
Waste oil transfer station, applicant must present a plan showing antipollution safeguards that satisfy the Commission	NO	NO	NO	NO/T4-SP	NO
Warehousing and storage	NO	YES	NO	YES YES ¹² /4a-SP	NO
COMMUNICATION-UTILITY					
Amateur radio service and antenna	YES YES ¹	YES	NO	YES YES ¹² /4a-SP	NO
Communication equipment and temporary utility structures	SA	SA	SA	SA	NO
Electric transformer station, gas regulator station and telephone exchange	NO	NO	NO	NO/T4-YES YES ¹² /4a-NO	NO
Public utility facilities	NO	NO	NO	YES YES ¹² /4a-SP	NO
Radio and television broadcasting studio	YES YES ¹	YES	NO	YES YES ¹² /4a-SP	NO

Radio and television broadcasting transmission	SP	SP	NO	SP	NO
Telecommunications facility/tower and alternative antenna	SP	SP	SP	SP/T4-YES YES ¹² /4a-SP	NO
Telecommunications antenna on existing tower	SA	SA	SA	SA	SA
Utility structures for the transmission or distribution of services	SA	SA	SP	SP/T4-YES YES ¹² /4a-SP	SP

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Sec. 3.39.3. Permitted uses.

- C. *Nuisance restrictions.* Principal uses authorized in the table of uses are not authorized to engage in outdoor operations between 10:00 p.m. and 6:00 a.m. that are likely to create noise and/or odor(s) that would disturb occupants of nearby properties.
- D. *Open space standards and requirements.* Publicly accessible open space is required in Tiers 1, ~~2~~ and 3 for all new developments, **in Tiers 4 and 4a for all new developments when abutting residential uses or Tier 5-zoned properties**, and is required in Tier 5 only when the new development consists of ten (10) or more new lots, as follows:
1. A minimum of twenty (20) percent of the total land area of the new development shall be dedicated as usable open space for each new multi-family, commercial or mixed-use development. Publicly accessible open space areas may be transferred from one (1) parcel to another within developments that remain under unified control of a single property owner or group of owners, but must demonstrate inter-connectedness of public areas.
 2. Publicly accessible open spaces shall be consistent with standards of the Americans with Disability Act (ADA) and be directly accessible from a public sidewalk and from primary entrances of adjacent buildings.
 3. Publicly accessible open space that is provided as part of a new development shall provide connectivity to adjacent existing or planned public amenities including, but not limited to, sidewalks, trail networks, and active or passive park facilities.
 4. Publicly accessible open spaces may include any combination of the following: planted areas, fountains, parks, plazas, trails and/or paths, hardscape elements related to sidewalks and plazas, and similar features which are located on private property and accessible to the general public. Required buffers (including, but not limited to stream buffers), flood plain areas, building setbacks and parking areas shall not be included in any calculations for satisfying open space requirements.
 5. Private courtyards and outdoor amenities shall not be counted toward the twenty (20) percent publicly accessible open space requirement.
 6. The installation and construction of all required open space improvements shall be completed prior to issuance of a certificate of occupancy for the primary structure.
 7. As a part of the application for a building permit within the district, each applicant shall present a legal mechanism under which all land to be used for publicly accessible open space purposes shall be maintained and protected by the property owner and subsequent owners, at no cost to the county. 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 county attorney to ensure compliance with each of the following mandatory requirements:
 - a. All subsequent property owners shall be placed on notice of this development restriction through the deed records maintained in the DeKalb County Superior Court;
 - b. All publicly accessible open space held in common ownership will be properly maintained and insured with no liability or maintenance responsibilities accruing to the county. A mechanism for providing notice of maintenance deficiencies, required correction of the deficiencies, and assessments and liens against the property and property owners for the cost of the correction of the deficiencies, must be provided;

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- c. The property owners' association shall create and provide evidence of the following: mandatory and automatic membership in the property owners' association as a requirement of property ownership; a fair and uniform method of assessment for dues, maintenance and related costs; and continued maintenance of publicly accessible open space held in common and liability through the use of liens or other means in the case of default.

(Ord. No. 15-06 , 8-25-2015)

Sec. 3.39.4. Development standards applicable to Tiers 1, 2, 3 and 4.

The director of planning and sustainability shall be the final authority to determine whether a proposed development meets the development standards and requirements for density bonus, except where a special land use permit (SLUP) is required. In cases where a SLUP is required, the board of commissioners shall determine if the development standards are met. In the case of a conflict with underlying zoning district regulations, requirements specified in Table 1 of the Bouldercrest-Cedar Grove-Moreland Overlay District Building and Site Development Standards for Tiers 1, 2, 3, and 4 ("Table of Building and Site Development Standards") shall govern. The following standards shall apply to property and improvements located in Tiers 1, 2, 3 and 4 of the district:

F. *Maximum Lot Coverage.* Maximum lot coverage for Tiers 2, 4, and 4a shall not exceed 90%. However, maximum lot coverage shall be limited to 80% in Tiers 4 and 4a for all new developments abutting residential uses or properties within Tier 5.

Sec. 3.39.6. Standards applicable to all tiers.

The following standards shall apply to all structures and improvements within the district except where otherwise noted, and the architectural style within the district shall be consistent with the district design guidelines. The director of planning and sustainability shall be the final authority to determine whether the standards in this section are met.

- A. *Architectural design standards applicable to all tiers.* Requirements for site improvements are illustrated in the district design guidelines. Site improvements shall meet the following architectural design standards:
 - 7. Chain-link fences shall not be located closer than eighty-five (85) feet to a public right-of-way, unless the chain-link fence is in Tier 4 and is not visible from the public right-of-way. In Tiers 1, 2, 3 and 5, chain-link shall be vinyl coated, and in Tier 4, chain-link fencing may have any finish. Chain-link fences shall be screened with evergreen shrubs and trees with a mature height of five (5) feet or greater, planted no closer than three (3) feet to the fence. Shrubs and trees shall be planted to fully screen the fence within five (5) years. Such screening shall be required for all chain-link fences in all tiers. **Barbed wire fencing or razor wire fencing in Tiers 1, 2, 3, 4, and 4a may only be used where not visible from the public right-of-way and where used in conjunction with evergreen landscape screening to hide the fence within 5 years. Geo-fencing ("flock cameras" or similar devices) may be installed adjacent to driveway entrances and adjacent to and within parking lots to provide appropriate security.**
- C. *Site improvements.* Standards and requirements for site improvements are as follows:
 - 1. *Streetscape requirements.* Streetscapes shall include a public sidewalk which is parallel to the edge of the right-of-way and landscaping constructed along all public street frontages according to the following table:

Street Description	Landscape Strip Minimum Width	Sidewalk Minimum Width	Parallel Parking Width	Street Trees Maximum Spacing
Moreland Avenue	Varies*	8 feet	N/A	60 ft. spacing
Bouldercrest (north of 285)	Varies*	10 feet	N/A	40 60 ft. spacing
Other streets in Tiers 1 and 3	Varies*	15 feet	9 feet	40 60 ft. spacing
Other streets in Tiers 2 and 4	Varies*	10 feet	N/A	40 60 ft. spacing
New streets in Tier 5	Varies*	6 feet	9 feet	40 ft. spacing
Corridor 1	Varies*	8 feet	N/A	N/A

- a. The landscape strip (the area between the sidewalk and the street) will vary in width depending on the width of the right-of-way.
 - b. **If small trees (as defined by the small tree species list in the District Design Guidelines) are necessary due to overhead utility lines, then maximum spacing between trees shall be 40 feet.**
2. *Street tree planting.* Street planting shall be required as follows:
- a. Street trees of a caliper not less than three (3) inches shall be planted in accordance with the streetscape requirements of paragraph C.1., above. Tree species shall be selected from the plant list provided in the district design guidelines. If such tree species are not available, the county arborist may allow substitutions.
 - b. Street trees shall have a minimum planting area of two hundred (200) square feet, ~~with a minimum width of five (5) feet.~~ The planting area must be pervious, must have structured soils for a depth of two (2) feet, and must have a root barrier adjacent to both the curb and the sidewalk for the entire length of the planting area.
 - c. Tree-planting areas shall provide porous drainage systems approved by the county arborist that allow for drainage of the planting area.
 - d. When the size of the right-of-way results in a landscape strip that is less than five (5) feet wide, the landscape strip shall be planted in groundcovers and shrubs as provided in the plant list in the district design guidelines. Tree planting will still be required, and the trees shall be planted outside of the right-of-way within ten (10) feet of the outer edge of the sidewalk. No root barrier will be required within the landscape strip, but a root barrier is required along the outer edge of the sidewalk.
 - e. When overhead utilities are present, small trees shall be utilized. Small tree species shall be selected from the plant list provided in the district design guidelines.
5. *Landscaping requirements and plans.* The following landscaping requirements shall apply to all uses in the district. Any new development or redevelopment applying for a land development permit shall include in the application a written landscape plan, which shall include the following elements:
- a. *Landscape zone.* A landscape zone shall be provided outside the public right-of-way along all primary and secondary street frontages. The landscape zone(s) shall have a minimum width of ten (10) feet and shall be planted with a row of street trees approved by the county arborist. Such trees shall be at least three (3) inches in caliper and planted not more than ~~forty (40)~~ **sixty (60)** feet **apart** on center, **unless small trees (as defined by the District**

Design Guidelines) must be utilized due to overhead utility lines or unless property is located in Tier 5, in which case, the trees shall be planted not more than forty (40) feet apart on center. In all gateway sub-areas, this landscape zone shall be twenty (20) feet. EXCEPTION: In Tiers 1 and 3 where building setbacks are less than ten (10) feet, no landscape zone is required.

6. *Parking lot landscaping requirements.* **In Tiers 2, 4, and 4a, truck (semi-trailer) parking lots are not required to meet these tree planting standards. Parking spaces for customer or employee parking shall be required to meet these tree planting standards.** In addition to landscaping described above, parking lots shall have at least one tree at least three (3) inches in diameter per eight (8) parking spaces within a row. Each tree must be surrounded by no less than two hundred twenty (220) square feet of pervious ground area. This ground area must be prepared properly to meet the needs of the trees - eliminating heavy clays, providing organic matter and drainage. In parking lot design, every row of parking can have no more than ten (10) parking spaces between planting islands. In addition to trees, the islands must have shrubs and groundcover plant materials. ~~In Tiers 2, and 4, parking lots that are behind a building and fully screened from view are not required to meet these tree planting standards.~~ All other landscaping requirements for parking lots shall be applicable per section 5.4.4.
7. *Underground utilities.* All new utilities in the district, except for major electric transmission lines and substations, are required to be placed underground except where the director of planning and sustainability 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.
8. *Streetlights and street furnishings.* Streetlights and furnishings are required for all streets in the district and shall comply with district design guidelines:
 - a. Street and pedestrian lighting shall be provided along all roadways.
 - b. Street and pedestrian lighting shall be provided along a private drive or a private street if it services at least four (4) residences and/or businesses and is at least one hundred (100) feet in length.
 - c. Street lights along all public rights-of-way and new streets within the district shall be located within the landscape strip spaced at a maximum distance of eighty (80) feet on center. **The Planning Director may grant an exception to this standard based on the following:**
 1. **Review of a photometric study submitted by the property owner providing justification for a different requirement; and**
 2. **Review and approval of the photometric study by Georgia Power and the DeKalb County Transportation Division.**
 - d. **Pedestrian lights are not required in Tiers 2, 4, and 4a.** Pedestrian lights along all public rights-of-way and new streets within ~~the~~ **Tiers 1, 3, and 5 of the** district shall be located within the landscape strip spaced at a maximum distance of forty (40) feet on center. **The Planning Director may grant an exception to this standard in Tiers 1, 3, and 5 based on the following:**
 1. **Review of a photometric study submitted by the property owner providing justification for a different requirement; and**
 2. **Review and approval of photometric study by Georgia Power and the DeKalb County Transportation Department.**

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- e. Benches, trash receptacles, and bike racks shall be placed within the sidewalk zone, the landscape strip or the landscape zone on all arterial streets.
9. *Street and inter-parcel access.*
- a. *Alleys.* New residential subdivisions with lots less than sixty (60) feet in width and all townhouse developments shall be accessed from the rear via a private alley or drive.
 - b. *Inter-parcel access.* Sidewalks and parking lots shall be **designed and constructed to be** interconnected to provide continuous driveway connections and pedestrian connections between adjoining uses, lots and streets, but this requirement shall not apply to lots zoned for single-family residential development. Where necessary, DeKalb County may require access easements be provided to ensure continuous access and egress routes connecting commercial, office and multifamily lots.
- D. *Multimodal access plans.* Multimodal access plans and parking requirements for all tiers are as follows:
- 1. *Multimodal access.* Each new application for a land development permit in the district shall be accompanied by a multimodal access plan prepared at a scale not greater than one (1) inch = one hundred (100) feet. The multimodal 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 multimodal 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 along travel routes from any boundary of the subject property, the access plan shall show how pedestrians and bicycle access may safely travel from such station or stop to the subject property.
- E. *Parking requirements.* Parking requirements for all tiers are as follows:
- 3. *Bicycle parking.* Each **multi-family or mixed-use** development which provides more than sixty (60) automobile parking spaces shall provide bicycle parking facilities in on-site parking structures, parking lots, or within a designated area of the landscape zones adjoining the sidewalk. ~~Non-residential~~ **Mixed-use** developments shall provide bicycle parking at a ratio of one (1) bicycle parking space for every twenty (20) vehicular spaces. Multifamily residential developments shall provide bicycle parking facilities at a minimum ratio of one (1) bicycle parking space for every ten (10) multifamily units. No ~~non-residential mixed-use~~ or multifamily development shall have fewer than three (3) bicycle parking spaces nor exceed a maximum of fifty (50) bicycle parking spaces.

(Ord. No. 15-06 , 8-25-2015)

Table 2

BOULDERCREST-CEDAR GROVE-MORELAND OVERLAY DISTRICT
BUILDING SETBACKS STANDARDS TABLE FOR TIERS 1, 2, 3, AND 4
 This "Building Setbacks Table" is cross-referenced in section 3.37.4

Section 3.37.4 Development Standards Applicable to Tiers 1, 2, 3 and 4	Tier 1	Tier 2	Tier 3	Tiers 4 and 4a
	Gateway			Gateway 2 and Corridor 2
(8) Setbacks for parking lots and other improvements	Minimum 10 15 feet outside of buffers unless shared parking or use agreements are in place			Minimum 10 15 feet outside of buffers. Additional requirement for Tier 4A.: all setbacks can be no closer than 15 feet from the western edge of the utility easement.

Table 3

BOULDERCREST-CEDAR GROVE-MORELAND OVERLAY DISTRICT
TRANSITIONAL BUFFERS AND SCREENING STANDARDS TABLE FOR TIERS 1, 2, 3, AND 4
 This "Transitional Buffers and Screening Standards Table" is cross-referenced in section 3.39.6

Section 3.39.6 Development Standards Applicable to Tiers 1, 2, 3 and 4	Tier 1	Tier 2	Tier 3	Tiers 4 and 4a
	Gateway			Gateway 2 and Corridor 2
Section 3.39.6.C. Transitional Buffers, Screening and Heights				
(1) Fencing/walls visible from any public plaza, open space ground level or sidewalk level outdoor dining area, internal main private drive or public street or right-of-way.				
a. Fencing/walls materials	Materials allowed are brick, stone, hard-coat stucco, wrought iron or wood. Black, vinyl-coated Chain-link fencing, barbed wire fencing, or razor wire fencing in Tiers 1, 2, 3, 4, and 4a may only be used where not visible from the public right-of-way and where used in conjunction with evergreen landscape screening to hide the fence within 5 years. Geo-fencing ("flock cameras" or similar devices) may be installed adjacent to driveway entrances and adjacent to and within parking lots to provide appropriate security.			

b. Fencing/walls materials –prohibited	No barbed wire, razor wire or similar elements are allowed.	No barbed wire, razor wire, chain-link fence or similar elements shall be visible from any public plaza, open space, ground level or sidewalk level, outdoor dining area, internal main private drive or public street or right-of-way.	No barbed wire, razor wire or similar elements are allowed.	No barbed wire, razor wire, chain-link fence or similar elements shall be visible from any public plaza, open space, ground level or sidewalk level, outdoor dining area, internal main private drive or public street or right-of-way.
c. Fencing/walls materials - detention areas	Detention areas shall be designed as open space features with landscaping. Where fencing is required, it must be decorative and approved by the Director of the Department of Planning and Sustainability.	Detention areas shall be designed as open space features with landscaping and attractive fencing if visible to public or private view, and fencing materials for detention areas must be approved prior to installation by the Director of the Department of Planning and Sustainability.	Detention areas shall be designed as open space features with landscaping. Where fencing is required, it must be decorative and approved by the Director of the Department of Planning and Sustainability.	Detention areas shall be designed as open space features with landscaping and attractive fencing if visible to public or private view, and fencing materials for detention areas must be approved prior to installation by the Director of the Department of Planning and Sustainability.
d. Fencing/walls height	Allowed height for fences and walls is 3-foot maximum height within 20 feet of a along public right-of-way and 6-foot maximum height for fences/walls to the rear or side of a building or within 85 feet of public right-of-way.		Allowed height for fences and walls is 3-foot maximum height within 20 feet of a public right-of-way and 6-foot maximum height for fences/walls to the rear or side of a building or within 85 feet of a public right-of-way.	
(2) Transitional buffers				
a. Paving or impervious surfaces	Paving and/or impervious surfaces, parking, loading, storage or any other use is not allowed in the transitional buffer zones			

b. Special buffer requirements—adjacent to easement	Not applicable		A 15-foot wide evergreen buffer is required on the west side of the power easement in Tier 4A. and must be comprised of evergreen plants (minimum 15-foot maturity) installed to create a visual screen within 5 years.
c. Special buffer requirements—for nonresidential properties adjacent to property with an R zoning classification	Transitional buffer of not less than 30 feet in width shall be provided and maintained with vegetation that adequately screens buildings from adjacent R zoned properties	Not applicable	Transitional buffer of not less than 30 feet in width shall be provided and maintained with vegetation that adequately screens buildings viewed at eye level from adjacent properties in the R zoned area.
d. Special buffer requirements—buildings in excess of thirty-five (35) feet in height and adjacent to property with an R zoning classification	The width of the transitional buffer feet (not less than 30 feet) shall increase at a ratio of 1:1; specifically, one additional foot of buffer width is required for each foot by which building height exceeds 35 feet	Not applicable	The width of the transitional buffer shall increase at a ratio of 1:1; specifically, one additional foot of buffer width is required for each foot by which building height exceeds 35 feet
e. Utility installations	May be located in the buffer zone subject to replantings per 27-785[sic]	Not applicable	May be located in the buffer zone if adequate screening of both building and utilities is provided
f. Water detention ponds	Shall not be located within the transitional buffer zone	Not applicable	Shall not be located within the transitional buffer zone
g. Vegetation—existing	If existing vegetation provides adequate visual screen at	Not applicable	If existing vegetation provides adequate visual screen at eye level, it shall remain undisturbed unless it can be demonstrated that removing all or a

	<p>eye level, it shall remain undisturbed, unless it can be demonstrated that removing all or a portion of existing vegetation and replacing with new vegetation will provide a better visual screen and it is approved by the County Arborist.</p>		<p>portion of existing vegetation and replacing with new vegetation will provide a better visual screen and it is approved by the County Arborist.</p>
h. Vegetation—additional	<p>If existing vegetation does not provide adequate screening at eye level, existing vegetation shall be enhanced with native or naturalized trees, shrubs and groundcover adequate to provide an effective visual screen at eye level front adjacent properties. If there is no existing vegetation, the transitional buffer zone shall be planted with double staggered rows of approved evergreens and other plants to form a dense visual screen .</p>	Not applicable	<p>If existing vegetation does not provide adequate screening at eye level, existing vegetation shall be enhanced with native or naturalized trees, shrubs and groundcover adequate to provide an effective visual screen at eye level from adjacent properties. If there is no existing vegetation, the transitional buffer zone shall be planted with double staggered rows of approved evergreens and other plants to form a dense visual screen.</p>

Table 4

BOULDERCREST-CEDAR GROVE-MORELAND OVERLAY DISTRICT
HEIGHT AND DENSITY STANDARDS TABLE FOR TIERS 1, 2, 3, AND 4
This "Height and Density Standards Table" is cross-referenced in section 3.39.6

Section 3.39.6 Development Standards Applicable to Tiers 1, 2, 3	Tier 1	Tier 2	Tier 3	Tiers 4 and 4a
	Gateway			Gateway 2 and Corridor 2
Section 3.39.6.D. Height and density standards				
(1) Height standards	<p>Height of buildings shall be limited to five (5) stories, not to exceed sixty feet (60') for Tier 1 properties that do not abut Tier 5, an underlying single-family residential zoning district, or a single-family residential use. An increase in height shall be subject to a Special Land Use Permit (SLUP).</p> <p>Building height is limited to 2 stories not to exceed 40 feet for any Tier 1 property which abuts Tier 5 zoned properties, an underlying single-family residential zoning district, or a single-family residential use. An increase in height above 40 feet shall be subject to a Special Land Use Permit (SLUP).</p>	<p>Height of buildings shall be limited to eight (8) stories, not to exceed one hundred feet (100'). An increase in height shall be subject to a Special Land Use Permit (SLUP).</p>	<p>Height of buildings shall be limited to three (3) stories, not to exceed forty feet (40'). An increase in height shall be subject to a Special Land Use Permit (SLUP).</p>	<p>Height of buildings shall be limited to 4 stories, not to exceed 50 feet, for Tier 4 properties that do not abut Tier 5, an underlying single-family residential zoning district, or a single-family residential use. An increase in height up to 60 feet shall be subject to an administrative variance approval by the Planning Director based on justification considering building setbacks, screening, and/or building heights in the surrounding area. An increase in height above 60 feet shall be subject to a Special Land Use Permit (SLUP)". except in Tier 4A, where height is limited to 2 stories not to exceed 40 feet. Building height is limited to 2 stories not to exceed 40 feet for any property in Tier 4(a) or for</p>

				<p>Tier 4 properties which abut Tier 5 zoned properties, an underlying single-family residential zoning district, or a single-family residential use.</p> <p>An increase in height above 40 feet shall be subject to a Special Land Use Permit (SLUP).</p>
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Sec. 3.39.8 Proposed Supplemental use regulations.

A. Major Truck Repair establishments shall meet the following requirements:

1. Upon the minor redevelopment of existing buildings or structures, as defined in Section 27-8.1.16, that also requires a land development permit or building permit, the director or his/her designee may require additional improvements to landscaping, signage, parking lots, sidewalks, or building facades. Any minor redevelopment of existing structures, buildings, and physical appurtenances is permitted by right if such changes result in greater conformity with the specifications of this section.
2. Establishments shall not be permitted on property located within three hundred (300) feet of any property used for a school, park, playground or hospital.
3. All repair activities must be contained entirely within an enclosed building. For purposes of determining whether a building is enclosed, the use of open overhead bay doors that can be closed after business hours shall be permitted.
4. Trucks awaiting service shall be parked on-site. If stored overnight, they shall be stored inside an enclosed building or in the side or rear yard enclosed with an opaque fence made of masonry or wood and at least eight (8) feet in height. If abutting property in Tier 5 or if abutting properties with an underlying single-family residential zoning district or single-family residential use. Wood fences shall be constructed with quality wood products. Both sides shall be equally attractive, they must be of #2 or better pressure treated pine, cedar or redwood. Posts must be firmly anchored. They must then be painted or stained and sealed. If abutting property is not zoned Tier 5 or does not contain an underlying single-family residential zoning or single-family residential use, then the fence may be up to a maximum of 50% translucent and may consist of wood or a chain link fence with a tarp. If property does not abut Tier 5, single-family residential zoning, or single-family residential use, barbed wire or razor wire security fencing not to exceed two (2) feet in height may be erected on top of permitted fencing where not visible from the public right of way and where

used in conjunction with evergreen landscape screening to hide the fence within five years. All outdoor truck storage areas shall be at least 50 feet from the public right-of-way.

5. Outdoor displays of merchandise shall be prohibited beyond ten (10) feet from the primary building and shall only be displayed during business hours.
 6. Overnight outdoor storage of any materials, equipment, tires, or rims is prohibited.
 7. New facilities must be designed with truck bays facing away from the primary street frontage.
 8. Junk vehicles shall not be stored on the property.
 9. A minimum of ~~ten (10) spaces~~ one automobile parking space for each employee on the largest shift shall be provided to accommodate employee parking. In tiers where parking in front of the primary building is allowed, all parking located in front of the primary building shall be limited to automobile parking for employees only and not for storing vehicles overnight waiting to be repaired.
 10. No truck sales or leasing shall be permitted on the property. The provision of gasoline/fuel sales is prohibited.
 11. For the purpose of this section, distance shall be measured by the most direct route of travel on the ground.
 12. A minimum of (1) semi-trailer/tractor trailer parking space shall be required for each four hundred (400) square feet of floor space, and a maximum of one (1) semi-trailer/tractor trailer parking space shall be allowed for each one hundred fifty (150) square feet of floor space. All spaces designated for semi-trailer or tractor-trailer parking shall be at least twelve (12) feet in width by fifty-five (55) feet in length, with a minimum 50-foot driveway aisle width, or as approved by the Transportation Department. Maneuvering areas shall not include required parking spaces or any portion of a public right-of-way. No off-street maneuvering area shall require vehicles to back in from or out to a public street.
- B. Minor Truck Repair establishments shall meet the following requirements:**
1. Upon the minor redevelopment of existing structures or buildings, as defined by Section 27-8.1.16, that also requires a land development permit or building permit, the director or his/her designee may require additional improvements to landscaping, signage, parking lot, sidewalks, or building facades. Any minor redevelopment of existing structures, buildings, and physical appurtenances is permitted by right if such changes result in greater conformity with the specifications of this sections.
 2. Operations, including the servicing of vehicles, storage of materials and similar activities connected with the use, must be contained entirely within an enclosed building. For the purpose of determining whether a building is enclosed, the use of open overhead bay doors that can be closed after business hours shall be permitted.
 3. Trucks awaiting service shall be parked on-site. If stored overnight, they shall be stored inside an enclosed building or in the side or rear yard enclosed with an opaque fence made of masonry or wood and at least ~~fourteen (14) feet~~ eight (8) feet in height if abutting property in Tier 5 or if abutting properties with an underlying single-family residential zoning district or single-family residential use. Wood fences shall be constructed with quality wood products. Both sides shall be

equally attractive, they must be of #2 or better pressure treated pine, cedar or redwood. Posts must be firmly anchored. They must then be painted or stained and sealed. If abutting property is not zoned Tier 5 or does not contain an underlying single-family residential zoning or single-family residential use, then the fence may be up to a maximum of 50% translucent and may consist of wood or a chain link fence with a tarp. If property does not abut Tier5, single-family residential zoning, or single-family residential use, barbed wire or razor wire security fencing not to exceed two (2) feet in height may be erected on top of permitted fencing where not visible from the public right of way and where used in conjunction with evergreen landscape screening to hide the fence within five years. All outdoor truck storage areas shall be at least 50 feet from the public right-of-way.

4. Outdoor displays of merchandise shall be prohibited beyond ten (10) feet from the building and shall only be displayed during business hours.
5. Overnight outdoor storage of any materials, equipment, tires, or rims is prohibited.
6. New facilities must be designed with truck bays facing away from the primary street frontage.
7. Junk vehicles shall not be stored on the property.
8. No truck sales or leasing shall be permitted on the property. The provision of gasoline/fuel sales is prohibited.
9. A minimum of ~~ten (10) spaces~~ one automobile parking space for each employee on the largest shift shall be provided to accommodate employee parking. In tiers where parking in front of the primary building is allowed, all parking located in front of the primary building shall be limited to automobile parking for employees and not for storing vehicles overnight waiting to be repaired.
10. A minimum of (1) semi-trailer/tractor trailer parking space shall be required for each four hundred (400) square feet of floor space, and a maximum of one (1) semi-trailer/tractor trailer parking space shall be allowed for each one hundred fifty (150) square feet of floor space. All spaces designated for semi-trailer or tractor-trailer parking shall be at least twelve (12) feet in width by fifty-five (55) feet in length, with a minimum 50-foot driveway aisle width, or as approved by the Transportation Department. Maneuvering areas shall not include required parking spaces or any portion of a public right-of-way. No off-street maneuvering area shall require vehicles to back in from or out to a public street.

CHAIN LINK FENCE WITH GREEN TARP (50% TRANSLUCENT—ESTIMATED)



WOOD FENCE WITH APPROXIMATE 50% TRANSLUCENT



C. Restaurants with a drive-through configuration shall meet the following requirements:

1. Drive-through facilities shall not be located within sixty (60) feet of a residentially zoned property, as measured from any menu or speaker box to the property line of adjacent residential property, unless part of a mixed-use development.
2. No drive-through facility shall be located on a property less than ten thousand (10,000) square feet in area, unless part of a mixed-use development. Stacking spaces for queuing of cars shall be provided for the drive-through area as required in Article 6.
3. Drive-through lanes and service windows serving drive-through lanes shall only be located to the side or rear of buildings.
4. Drive-through canopies and other structures, where present, shall be constructed from the same materials as the primary building and with a similar level of architectural quality and detailing. Article 4.
5. Speaker boxes shall be pointed away from any adjacent residential properties and shall require masonry sound attenuation walls with landscaping or other speaker volume mitigation measures. Speaker boxes shall not play music but shall only be used for communication for placing orders.
6. All lighting from drive-through facilities shall be shaded and screened so as to be directed away from any adjacent residential property.
7. Stacking spaces shall be provided for any use having a drive-through facility or areas having drop-off and pick-up areas in accordance with the following requirements. Stacking spaces shall be a minimum of ten (10) feet wide and twenty-five (25) feet long. Stacking spaces shall begin at the last service window for the drive-through lane (typically the “pick-up” window).
8. All drive-through facilities with the exception of drive-through restaurants shall provide at least three stacking spaces for each window or drive-through service facility.
9. The following standards shall apply to all stacking spaces and drive-through facilities:
 - a. Drive-through lanes shall not impede on- and off-site traffic movements, shall not cross or pass through off-street parking areas, and shall not create unsafe conditions where crossed by pedestrian access to a public entrance of a building.
 - b. Drive-through lanes shall be separated by striping or curbing from off-street parking areas. Individual lanes shall be striped, marked, or otherwise distinctly delineated.

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- c. All drive-through facilities shall include a bypass lane with a minimum width of ten (10) feet, by which traffic may navigate around the drive-through facility without traveling in the drive-through lane. The bypass lane may share space with a parking access aisle.
 - d. Drive-through lanes must be set back five (5) feet from all lot lines and roadway right-of-way lines.
 - e. Owner and operator are responsible for daily litter clean-up to ensure the property remains free of trash, litter, and debris.
 - f. Drive-through restaurants shall not be located within five hundred (500) feet of an elementary, middle, or high school.

10. Semi-trailers and tractor trailer parking/loading shall be provided for establishments within 1,500 linear feet from an interstate right-of-way. At least one semi-trailer parking space shall be provided on the side or rear of the lot. All spaces designated for semi-trailer or tractor-trailer parking shall be at least twelve (12) feet in width by fifty-five (55) feet in length. The Director may administratively permit a reduction of an equivalent number of passenger parking spaces to accommodate semi-trailer parking/loading. Maneuvering areas shall not include required parking/loading spaces or any portion of a public right-of-way, subject to Transportation Department approval. No off-street maneuvering area shall require vehicles to back in from or out to a public street.

D. All sit-down restaurants (Non-Drive-Through) shall comply with the following:

- 1. Semi-trailers and tractor trailer parking/loading shall be provided for establishments within 1,500 linear feet from an interstate right-of-way. At least one semi-trailer parking space shall be provided on the side or rear of the lot. All spaces designated for semi-trailer or tractor-trailer parking shall be at least twelve (12) feet in width by fifty-five (55) feet in length. The Director may administratively permit a reduction of an equivalent number of passenger parking spaces to accommodate semi-trailer parking/loading. Maneuvering areas shall not include required parking/loading spaces or any portion of a public right-of-way, subject to Transportation Department approval. No off-street maneuvering area shall require vehicles to back in from or out to a public street.

Sec. 9.1.3. - Defined terms

Major Truck Repair: A business that services tractor-trailers and semi-trailers including the dismantling and repair of engines, transmissions, carburetors, drive shafts, and similar major vehicle parts, the provision of collision repair services including body frame straightening and body part replacement, or the painting or re-painting of tractor trailers and semi-trailers. Major truck repair establishments may also perform minor truck repairs.

Minor Truck Repair: A business that repairs, replaces, or services tires, ignitions, hoses, spark plugs, and other minor vehicle parts as part of the regular upkeep of tractor trailers and semi-trailers, and may perform regular maintenance such as brake repair and replacement, lubrication, or replacement of small or incidental automobile parts. Minor truck repair and maintenance may also, as an accessory function, include detailing, including the application of paint protectors, the cleaning or polishing of a vehicles

interior, exteriors, or engine, and the installation of aftermarket parts and accessories such as tinting, alarms, sound systems, or headlight covers. Minor truck repair and maintenance does not include the dismantling and repair of engines, transmissions, or drive shafts, the provision of collision repair services including body frame straightening and body part replacement, or the painting or re-painting of tractor trailers and semi-trailers.

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