

AN ORDINANCE

AN ORDINANCE TO AMEND THE CODE OF DEKALB COUNTY, GEORGIA, CHAPTER 27, ARTICLE III, PERTAINING TO THE NORTHLAKE COMMERCIAL CENTER COMPATIBLE USE OVERLAY DISTRICT, AND FOR OTHER PURPOSES.

WHEREAS, the board of commissioners has determined that there exists a need to amend the Code of Ordinances governing zoning in order to create a zoning overlay district for the Northlake Commercial Center; and

WHEREAS, the board of commissioners desires to protect the Northlake Commercial Center, and the surrounding residential areas in DeKalb County from encroachment of incompatible uses, and structures and seeks to ensure compatibility of the heights of structures within the Northlake Commercial Center with general redevelopment which occurs around new mixed use developments; and

WHEREAS, the board of commissioners desires to stimulate growth and development by allowing compatible uses in the Northlake Commercial Center; and

WHEREAS, the Northlake Commercial Center Compatible Use Overlay District (herein after referred to as the “Northlake Overlay District”) regulations will create a positive real estate investment climate which will stimulate economic development and job creation; and

WHEREAS, the Northlake Overlay District will encourage good design, signage, landscaping and the relocation of parking to attract new business and development; and

WHEREAS, the Northlake Overlay District regulations will encourage existing property owners to upgrade and reinvest in their properties, will encourage site assemblage and redevelopment of underutilized and vacant lots, will eliminate uses that are too intensive, will encourage mixed use developments with more office and neighborhood retail uses, will allow for the reuse of previously developed lots that have become obsolete, will reduce the size and number of signs to help alleviate clutter and unsafe conditions for both motorists and pedestrians; and

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners and it is hereby ordained by the authority of same, that Chapter 27, Article III of the Code of DeKalb County is amended to read as follows:

PART I. ENACTMENT

Chapter 27, Article III, of the Code of DeKalb County, Georgia, is hereby amended as follows:

Section 27—31 is hereby amended to add the following definitions in alphabetical order to read as follows:

Pedestrian Zone in the Northlake Overlay District means that portion of a sidewalk area that offers a clear and unobstructed pathway which provides a safe travel lane for pedestrians within the public right-of-way.

Street Furniture Zone in the Northlake Overlay District means that portion of a sidewalk area that is intended to enhance that street's physical character and used by pedestrians, such as benches, trash receptacles, kiosks and newspaper racks.

Sec. 27-730.2.1. Scope of regulations.

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

Sec. 27-730.2.2. Applicability of regulations.

This division applies to each application for a business license, land disturbance permit, building permit or sign permit which involves the development, use, exterior alteration, exterior modification, or addition of any structure where the subject property is in whole or in part contained within the boundaries of the Northlake Overlay District. The procedures, standards, and criteria herein apply only to that portion of the subject property within the boundaries of the Northlake Overlay District.

Sec. 27-730.2.3. Statement of purpose and intent.

The purpose and intent of the board of commissioners in establishing the Northlake Overlay District is as follows:

- (a) To encourage development and redevelopment of properties within the district so as to achieve a mixed-use community;

- (b) To provide for the development of sidewalks and walkways in order to promote safe and convenient pedestrian access and to reduce dependence on automobile travel;
- (c) To promote a physically attractive, environmentally safe and economically sound mixed-use community;
- (d) To permit and to encourage mixed-use developments containing both commercial and residential uses to create a pedestrian oriented community in which people can live, work and play; and
- (e) To improve the visual appearance and increase property values within the Northlake Overlay District. To implement the policies and objectives of the DeKalb County 2025 Comprehensive Plan and the policies and objectives of the Design Guidelines for the Northlake Overlay District;
- (f) To enhance the long term economic viability of this portion of DeKalb County by encouraging new commercial and residential developments that increase the tax base and provide jobs to the citizens of DeKalb County;
- (g) To establish and maintain a balanced relationship between industrial, commercial, and residential development to ensure a stable and healthy tax base in DeKalb County;
- (h) To provide a balanced distribution of regional and community focused commercial and mixed-use office centers;
- (i) To support higher density housing, office and mixed-use centers which have appropriate access and infrastructure as approved by the planning director, or designee;
- (j) To encourage mixed-use developments that meet the goals and objectives of the Atlanta Regional Commission's Smart Growth and Livable Centers Initiatives;
- (k) To allow flexibility in existing underlying development standards in order to encourage the design of innovative development projects that set high standards for landscaping, green space, urban design, and public amenities;
- (l) To encourage an efficient land use and development plan by forming a live-work-play environment that offers employees and residents the opportunity to fulfill their daily activities with minimal use of single-occupant automobiles;
- (m) To allow and encourage development densities and land use intensities that are capable of making productive use of alternative transportation modes such as bus transit, rail transit, ridesharing, bicycling and walking;

- (n) To encourage the formation of a well designed, pedestrian-friendly activity center with high-density commercial and residential development that increases vitality and choices in living environments for the citizens of DeKalb County;
- (o) To protect established single-family residential areas surrounding the Northlake Overlay District from encroachment of commercial, retail, office, and industrial uses by providing for increased density of development within the boundaries of the Northlake Overlay District;
- (p) To protect the health, safety and welfare of the citizens of Dekalb County; and
- (q) To promote uniform and visually aesthetic architectural features which serve to unify the distinctive visual quality of the Northlake Overlay District.

Sec. 27-730.2.4. Maps and boundaries.

- (a) The boundaries and tiers (development categories) of the Northlake Overlay District shall be established by a zoning map amendment adopted pursuant to this chapter which amendment shall be incorporated herein and made a part of this chapter 27.
- (b) The planning director, or designee, shall be the final authority to determine whether any property is located within the boundaries of the Northlake Overlay District.
- (c) The Northlake Overlay District shall be divided into three tiers to guide future development and redevelopment. The tiers are based on the Future Land Use Recommendations-Ten Year Planning Horizon as adopted in the Northlake Livable Centers Initiative / Activity Center Town Center Investment Policy Study.
 - (1) *Tier 1 – A High Intensity Commercial Area* focused around the intersections of Lavista Road with Briarcliff Road, Henderson Mill Road, and Northlake Parkway, and including Northlake Mall and around the Northlake Tower Festival Center.
 - (2) *Tier 2 – An Office Park Area* which follows both the east and west sides of I-285 and includes Northlake Parkway and Crescent Center Boulevard, and an eastern portion of Lavista Road.
 - (3) *Tier 3 – An Employment Center Area* immediately north of the CSX Railroad track between Montreal Road and I-285.

Sec. 27-730.2.5. Principal uses and structures.

All principal uses of land and structures which are allowed in the Northlake Overlay District are as provided by the underlying zoning district, subject to the

limitations and standards contained within this division. All properties, excluding those zoned under any "R" (Residential) designation, may be used in accordance with the uses authorized in the underlying zoning district or for the following principal uses of land and structures or a combination of these uses in a mixed use development subject to the standards and limitations contained within this division.

- (a) Animal hospital, veterinary clinic, pet supply store, animal grooming shop, or pet boarding only in conjunction with a veterinary clinic.
- (b) Art gallery or art supply store.
- (c) Automobile services as follows:
 - (1) Automobile service station.
 - (2) Automobile full service wash.
 - (3) Minor automobile repair and maintenance.
 - (4) Retail automobile parts or tire stores.
- (d) Bank, credit union or other similar financial institution.
- (e) Business service establishment.
- (f) Child day care center or kindergarten.
- (g) Communications uses as follows:
 - (1) Radio or television broadcasting station.
 - (2) Telephone business office.
- (h) Community facilities as follows:
 - (1) Cultural facilities.
- (i) Dwellings, multifamily, subject to the requirements of the Development Categories as described within section 27-730.2.9.
- (j) Education uses as follows:
 - (1) Vocational schools.
 - (2) Private elementary, middle or high school.

- (3) Specialized non-degree schools.
- (k) Lodging uses, as follows:
 - (1) Bed and breakfast inn.
- (l) Movie theater, bowling alley, or other recreational facilities where such activities are wholly enclosed within a building.
- (m) Office uses, and similar service, business and professional office uses as follows:
 - (1) Accounting, auditing or bookkeeping office.
 - (2) Engineering or architectural office.
 - (3) Building or construction contractor office.
 - (4) Financial services office.
 - (5) Insurance office.
 - (6) Legal office.
 - (7) Medical or dental office.
 - (8) Real estate office.
 - (9) Wholesale sales office.
- (n) Place of worship.
- (o) Restaurants, as follows:
 - (1) Restaurant, excluding drive-through facilities.
- (p) Retail sales as follows, including but not limited to:
 - (1) Apparel and accessories store.
 - (2) Book, greeting card, or stationery store.
 - (3) Camera and photographic supply store.
 - (4) Computer and computer software store.
 - (5) Convenience store.

- (6) Farm and garden supply store.
 - (7) Florist.
 - (8) Food stores, including bakeries.
 - (9) Furniture, home furnishings and equipment store.
 - (10) General merchandise store.
 - (11) Gift, novelty, or souvenir store
 - (12) Hardware store.
 - (13) Hobby, toy or game store.
 - (14) Jewelry store.
 - (15) Music and musical equipment store.
 - (16) News dealers or newsstand.
 - (17) Office supplies and office equipment store.
 - (18) Pharmacy or drugstore.
 - (19) Quick copy printing store.
 - (20) Radio, television and consumer electronics store.
- (q) Retail sales, building supplies and farm equipment, as follows:
- (1) Electrical supply store.
 - (2) Hardware or other building materials establishments.
 - (3) Paint, glass and wallpaper store.
- (r) Services, medical and health as follows:
- (1) Health service clinic.
 - (2) Medical and dental laboratories.
 - (3) Offices of health service practitioners.

- (4) Pharmacy.
- (s) Services, personal, as follows:
 - (1) Barber shop, beauty shop, or similar personal service establishments.
 - (2) Funeral home.
 - (3) Laundry and dry-cleaning establishment and pickup station.
 - (4) Linen and diaper service, garment pressing, alteration and repair.
 - (5) Photographic studios.
- (t) Services, repair, as follows:
 - (1) Home appliance repair and service including radio, television, and computer repair and service.
 - (2) Jewelry repair service.
 - (3) Radio, television or similar home appliance repair service.
 - (4) Furniture upholstery and repair shop within a shopping center.
 - (5) Shoe repair store.
- (u) Shopping center.
- (v) Taxi stands and limousine/livery rental only in conjunction with hotels, motels or entertainment facilities.
- (w) Tennis center, club and facilities.
- (x) Utility structure necessary for the transmission or distribution of service, subject to the requirements of all relevant sections of the DeKalb County Code of Ordinances and a maximum height of seventy-five (75) feet.

Sec. 27-730.2.6. Prohibited uses.

The following principal uses of land and structures shall be prohibited within the Northlake Overlay District:

- (1) Storage yard for damaged, inoperable, or confiscated automobiles.
- (2) Tire re-treading or recapping.

- (3) Adult entertainment establishments, including adult bookstores, adult video sales/rental, and smoking paraphernalia.
- (4) Adult service facility, including massage parlors not associated with medical uses.
- (5) Go-cart concession.
- (6) Outdoor equipment or materials storage.
- (7) Heavy repair shop or trade shop.
- (8) Flea markets.
- (9) Store front churches.
- (10) Extended stay motels or hotels.
- (11) Used appliances stores.
- (12) Title and pawn shops.
- (13) Night clubs.
- (14) Salvage yards/junk yards.
- (15) Thrift stores.
- (16) Coin operated self service car wash.
- (17) Self storage facilities.
- (18) On-site dry cleaning facilities.
- (19) Check cashing or payday loan office.
- (20) Automobile sales, new or used.
- (21) Truck or trailer sales or rental.
- (22) Boat or recreational vehicle sales or rental.
- (23) Freestanding commercial parking lot or deck, except as an accessory use to a principal retail or office use.
- (24) Heliport.

- (25) Rooming house.
- (26) Transitional housing or half-way house.
- (27) Homeless shelter.
- (28) Tattoo parlor/establishments.
- (29) Boarding or breeding kennel as a primary use.
- (30) Taxi and limousine/ livery dispatch.
- (31) Special event facility.

Sec. 27-730.2.7. Accessory uses and structures.

The following accessory uses of land and structures shall be authorized within the Northlake Overlay District.

- (a) Accessory uses and structures incidental to any authorized use or structure, specifically including clubhouses, pools and other recreational amenities.
- (b) Parking lots and parking garages.
- (c) Club house, including meeting room or recreation room.
- (d) Swimming pools, tennis courts, and other recreation areas and similar amenities.
- (e) Signs, in accordance with the provisions of chapter 21 and this chapter of the Code.

Sec. 27-730.2.8. Special permits.

The following uses and structures shall be authorized only by permits of the type indicated:

- (a) Special administrative permit from the director of Public Works:
 - (1) Art shows, carnival rides and special events of community interest.
 - (2) Temporary outdoor social, religious, entertainment or recreation activity where the time period does not exceed fourteen (14) days duration, adequate parking is provided on the site, and where the same lot or any portion thereof is so used for no more than one such fourteen (14) day time period within any calendar year.

- (b) Special administrative permit from the planning director or designee:
 - (1) Temporary seasonal outdoor sales.
- (c) Special exception permits from the zoning board of appeals. None.
- (d) Special land use permit from the board of commissioners:
 - (1) Drive-through facilities.
 - (2) Hotel.
 - (3) Motel.
 - (4) Personal care home, congregate.
 - (5) Personal care home, family.
 - (6) Personal care home, group.
 - (7) Personal care home, registered.

Sec. 27-730.2.9. Development categories.

The Northlake Overlay District shall be divided into three development categories described below as Tier 1, Tier 2, and Tier 3.

- (a) Tier 1 – High Intensity Commercial.
 - (1) *Purpose and goal:* The purpose of Tier 1 is to allow for the most intense mixed-use development. The goal is to allow for redevelopment of the over-sized parking areas with new buildings, including retail, office, and residential on one lot to decrease the need for automobile trips. The desirable tier-wide development mix in this tier should be 60% retail, 30% residential and 10% office.
 - (2) *Building setbacks.* The following requirements shall apply to all structures in the Tier I – High Intensity Commercial Development Category of the Northlake Overlay District:
 - (A) The minimum front yard setback shall be zero (0) feet where the public right-of-way allows room for sidewalks as prescribed in section 27-730.2.10. A maximum front yard setback of twenty (20) feet shall be imposed where the public right of way does not allow the required sidewalk width. Buildings shall be permitted to be setback from the public sidewalk to allow for building stoops, front porches, balconies, canopies, or steps, a public space or park, and/or outdoor dining. All ground floor uses shall have a sidewalk or paved walkway that connects the building entrances to the public sidewalk along the street. Parking shall not be permitted between the building and the public right-of-way.

- (B) The minimum interior side yard setbacks shall be zero (0) feet. However, if the property is adjacent to a building with windows or other materials that allow for ventilation that faces the adjoining property line, the setback shall be a minimum of twenty (20) feet from the property line. The side of a building facing a public street shall be permitted to set back from the public sidewalk to allow only for building stoops, porches, balconies or steps, a public plaza or park, outdoor dining or landscaping that does not obstruct the façade of the building. All ground floor uses must have a sidewalk or other paved walkway that connects the building entrances to the public sidewalk along the street.
 - (C) The minimum rear yard setbacks shall be twenty (20) feet.
- (3) *Height of buildings and structures.* The maximum height of all buildings and structures shall be fifteen (15) stories and no building or structure shall exceed one hundred eighty (180) feet in height. Parking decks and other accessory structures shall not exceed ten (10) stories either as a separate deck or as part of an office building.
 - (4) *Mixed Use Developments.* Tier 1 mixed use developments shall contain a minimum of two principal uses that are planned in accordance with the following provisions. Proposed mixed use developments shall be comprised of a floor area that has a minimum of 65% office and/or residential components.
 - (5) *Density.* The maximum residential density shall be sixty (60) dwelling units per acre. No development within the Tier 1 Development Category shall exceed a floor area ratio (FAR) of two and one half (2.5), and/or it provides additional public space or other amenities singly or in combination as provided below.
 - (A) *Bonus density.* The maximum allowable floor area ratio (FAR) of a building or development in a Tier 1 zone shall be increased to a floor area ratio (FAR) not to exceed a total of four and one half (4.50) in exchange for one or more of the additional amenities provided in the table below:

<i>Additional Amenity</i>	<i>Increased FAR</i>
Increase public space to 25 percent while providing inter-parcel access for pedestrians and vehicles.	0.75
Increase public space to 30 percent while providing inter-parcel access for pedestrians and vehicles.	1.50
Mixed-use building that includes multifamily residential units and commercial retail uses. Each mixed-use building shall include one principal use and at least one secondary use. No primary or secondary use shall constitute less than 30 percent of the gross floor area of the building.	0.25
Mixed-use building that includes multifamily residential units constituting at least 8 units per acre of land, and constructed in the same building with office institutional, commercial and retail uses.	0.5

(b) Tier 2 – Office Park.

(1) *Purpose and goal:* The purpose of this tier is to recognize the existing office, retail, and infill multifamily development in the area. The intent is to allow opportunities for residents to live close to employment and to provide accessibility to shopping areas. This development concept will thereby decrease the number of automobile trips and traffic congestion. The desirable tier-wide development mix in this tier should be 60% office, 30% residential and 10% retail.

(2) *Building setbacks.* The following requirements shall apply to all structures in the Tier 2 – Office Park Development Category of the Northlake Overlay District:

(A) The minimum front yard setback shall be zero (0) feet where the public right-of-way allows room for sidewalks as prescribed in section 27-730.2.10. A maximum front yard setback of thirty (30) feet shall be imposed where the public right of way does not allow the required sidewalk width. Buildings shall be permitted to be setback from the public sidewalk to allow for building stoops, front porches, balconies, canopies or steps, a public space or park, and/or outdoor dining. All ground floor uses shall have a sidewalk or other paved walkway that connects the building entrances to the public sidewalk along the street. Parking shall not be permitted between the building and the public right-of-way.

(B) Interior side yard and rear yard setbacks shall be a minimum of twenty (20) feet. The side of a building facing a public street shall be permitted to allow encroachments in the setback area for building stoops, porches, balconies or steps, a public plaza or park, outdoor dining or landscaping that does not obstruct the façade of

the building. All ground floor uses must have a sidewalk or other hardscaped walkway that connects the building entrances to the public sidewalk along the street.

- (3) *Height of buildings and structures.* The maximum height of all buildings and structures shall be nine (9) stories and no building or structure shall exceed one hundred thirty-five (135) feet in height. Parking decks and other accessory structures shall not exceed seven (7) stories either as a separate deck or as part of an office building.
- (4) *Mixed Use Developments.* Tier 2- mixed use developments shall contain a minimum of two principal uses that are planned in accordance with the following provisions. Proposed mixed use developments shall be comprised of a floor area that that has a minimum of 65% office and/or residential components.
- (5) *Density:* The maximum density for residential uses shall be thirty (30) dwelling units per acre. No development within the Tier 2 Development Category shall exceed a floor area ratio (FAR) of one and one half (1.5), unless it additional public space or other amenities singly or in combination as provided below.
 - (A) *Bonus density.* The maximum allowable floor area ratio (FAR) of a building or development in a Tier 2 zone shall be increased to a floor area ratio (FAR) not to exceed a total of three and one half (3.50) in exchange for one or more of the additional amenities provided in the table below:

<i>Additional Amenity</i>	<i>Increased FAR</i>
Increase public space to 25 percent while providing inter-parcel access for pedestrians and vehicles.	0.75
Increase public space to 30 percent while providing inter-parcel access for pedestrians and vehicles.	1.50
Mixed-use building that includes multifamily residential units and commercial retail uses. Each mixed-use building shall include one principal use and at least one secondary use. No primary or secondary use shall constitute less than 30 percent of the gross floor area of the building.	0.25
Mixed-use building that includes multifamily residential units constituting at least 8 units per acre of land, and constructed in the same building with office institutional, commercial and retail uses.	0.5

(c) Tier 3 –Employment Center.

- (1) *Purpose and goal:* The purpose of this tier is to recognize and protect the existing employment base in the area. The intent is to allow light manufacturing, distribution, showroom and small supporting retail uses. The desirable tier-wide development mix in this tier should be 70% industrial, 20% retail and 10% residential.
- (2) *Building setbacks.* The following requirements shall apply to all structures in the Tier 3 – Employment Center Development Category of the Northlake Overlay District:
 - (A) The minimum Front yard setback shall be a minimum of twenty (20) feet where site conditions allow room for sidewalks as prescribed in section 27-730.2.10. A maximum front yard setback of thirty (30) feet shall be imposed where the public right of way does not allow the required sidewalk width. Buildings shall be permitted to be setback to allow for building stoops, front porches, balconies or steps, a public space or park, and/or outdoor dining. All ground floor uses shall have a sidewalk or other paved walkway that connects the building entrances to the public sidewalk along the street. Parking shall not be permitted between the building and the public right-of-way.
 - (B) The minimum interior side yard and rear yard setbacks shall be a minimum of twenty (20) feet. The side of a building facing a public street shall be permitted to allow encroachments in the setback area for building stoops, porches, balconies, canopies or steps, a public plaza or park, outdoor dining or landscaping that does not obstruct the façade of the building. All ground floor uses must have a sidewalk or other paved walkway that connects the building entrances to the public sidewalk along the street.
- (3) *Height of buildings and structures.* The maximum height of all buildings and structures shall be four (4) stories and no building or structure shall exceed sixty (60) feet in height.
- (4) *Mixed Use Developments.* Tier 3- mixed use developments shall contain a minimum of two principal uses that are planned in accordance with the following provisions. Proposed mixed use developments shall be comprised of a floor area that has a minimum of 70% for industrial components.
- (5) *Density:* The maximum density for residential uses shall be fifteen (15) development units per acre. No development within the Tier 3 Development Category shall exceed a floor area ratio (FAR) of one (1.0),

unless it provides additional public space or other amenities singly or in combination as provided below:

- (A) *Bonus density.* The maximum allowable floor area ratio (FAR) of a building or development in a Tier 3 zone shall be increased to a floor area ratio (FAR) not to exceed a total of three (3.00) in exchange for one or more of the additional amenities provided in the table below:

<i>Additional Amenity</i>	<i>Increased FAR</i>
Increase public space to 25 percent while providing inter-parcel access for pedestrians and vehicles.	0.75
Increase public space to 30 percent while providing inter-parcel access for pedestrians and vehicles.	1.50
Mixed-use building that includes multifamily residential units and commercial retail uses. Each mixed-use building shall include one principal use and at least one secondary use. No primary or secondary use shall constitute less than 30 percent of the gross floor area of the building.	0.25
Mixed-use building that includes multifamily residential units constituting at least 8 units per acre of land, and constructed in the same building with office institutional, commercial and retail uses.	0.5

Sec. 27-730.2.10. Sidewalks/streetscapes.

- (a) Sidewalks shall be provided on all streets and shall consist of a Street Furniture Zone and a Pedestrian Zone of widths that are based on the Development Category and location. The Street Furniture Zone shall consist of landscape and hardscape items. This zone shall be the location of all signage, seating, trash receptacles, bus shelters, and other site amenities. The landscape elements will vary by development category. They shall consist of trees, grasses, and groundcovers. The Pedestrian Zone shall be paved and kept clear and unobstructed for the safe and convenient use of pedestrians.
- (b) Sidewalks along LaVista Road in Tier 1 shall be a minimum of twenty (20) feet wide, consisting of a minimum fifteen (15) foot wide pedestrian zone and a minimum five (5) foot wide street furniture zone.
- (c) Sidewalks along other streets within Tier 1 shall be a minimum of fifteen (15) feet wide, consisting of a minimum ten (10) foot wide pedestrian zone and a minimum five (5) foot wide street furniture zone.
- (d) Sidewalks in Tier 2 shall be a minimum of fifteen (15) feet wide, consisting of a minimum ten (10) foot wide pedestrian zone and a minimum five (5) foot wide street furniture zone.

- (e) Sidewalks in Tier 3 shall be a minimum of ten (10) feet wide, consisting of a minimum five (5) foot wide pedestrian zone and a minimum five (5) foot wide street furniture zone.
- (f) All sidewalk paving materials shall be continued across any intervening driveway at the same prevailing grade and cross slope as on the adjacent pedestrian sidewalk area.
- (g) Pedestrian sidewalk areas shall be paved with either broom finished poured-in-place concrete, or pavers of brick, concrete, or stone. Other materials may be allowed with the approval of the director of planning, or designee.
- (h) Where newly constructed sidewalks abut existing adjacent sidewalks, the newly constructed sidewalk shall provide safe facilitation of pedestrian traffic flow to adjacent sidewalks. A ten (10) foot long taper shall be provided in cases where an existing sidewalk is a different width than the new sidewalk. Any development that disturbs existing sidewalks on an adjacent property shall replace disturbed areas to their original state and condition.
- (i) Safe and convenient pedestrian pathways shall be provided from sidewalks along streets to each structure's entrance, including pedestrian access routes to parking decks, and through parking lots and between adjacent buildings within the same development. All such pathways shall be concrete and have a minimum width of five (5) feet.

Sec. 27-730.2.11. Street furniture zone.

- (a) The street furniture zone component of a required sidewalk shall be located immediately adjacent to the street, between the street and the pedestrian zone component of the sidewalk. All hardscape items shall comply with the requirements set forth in the Northlake Overlay Design Guidelines dated May 2008, (hereinafter referred to as "the Northlake Overlay Design Guidelines") a copy of which shall be maintained by the planning director and available for public inspection. Street furniture shall match The Northlake Lavista Road Streetscape Improvement Project standards.
- (b) The Street Furniture Zone shall contain all landscape and hardscape elements that will provide for the comfort and enjoyment of pedestrians. This zone shall also serve as a transitional edge between pedestrian traffic and vehicular traffic. The Street Furniture Zone shall include all street trees, pedestrian lights, benches, bus shelters, traffic lights, and other such elements.
 - (A) Pedestrian lights shall be located within the landscape zone spaced at a maximum distance of sixty (60) feet on center.
 - (B) Benches, trash receptacles, and bike racks may be placed either within the Street Furniture Zone, or in the space between the sidewalk and the building.

Sec. 27-730.2.12. Street trees.

- (a) Street trees shall be planted in all street furniture zones spaced at a maximum distance of thirty (30) feet on center at a distance of two and a half (2.5) feet behind the curb.
- (b) New street trees must be a minimum of three and one half (3.5) inches in caliper measured six (6) inches above the ground, shall be a minimum of sixteen (16) feet in height, shall have a minimum mature height of thirty (30) feet and shall be limbed up to a minimum of eight (8) feet.
- (c) Street trees shall have a minimum unpaved planting area of four feet by eight feet (4'x 8'). Tree planting areas shall provide porous drainage systems that allow for drainage of the planting area. Tree grates are prohibited. Ground cover in accordance with section 27-730.2.18. shall be provided and maintained for the entire planting area.
- (d) Street tree species or planting patterns of varied species shall be consistent for an entire block length. Similar species shall be permitted to change on individual block faces only when approved by the planning director, or designee. Ground cover in accordance with section 27-730.2.18 shall be provided and maintained for the full extent of the planting area.
- (e) All initial plantings and plant removal other than routine maintenance or replacement shall be approved by the planning director, or designee.

Sec 27-730.2.13. Public space requirements.

- (a) A minimum of twenty percent (20%) of the gross land area shall be provided as public space for each new development. Public space areas may be transferred from one lot to another within overall developments that remain under unified control of a single property owner or group of owners, but must demonstrate inter-connectedness of public areas.
- (b) Public spaces shall be at grade, and surrounded on at least one side by buildings with active uses on the ground floor facing the space, and directly accessible from a public sidewalk and building entrance.
- (c) Public spaces may include any combination of the following: yards, planted areas, fountains, parks, plazas, trails and paths, hardscape elements related to sidewalks and plazas, and similar features which are located on private property and accessible to the general public; and natural stream buffers may be counted toward the twenty percent (20%) public space requirement.
- (d) Private courtyards and other private outdoor amenities may be located at the interior of the block, behind buildings or on rooftops. Private courtyards and outdoor amenities shall not be counted toward the twenty percent (20%) public space requirement.

- (e) All public space including buffers, setbacks, sidewalk clear zones, sidewalk zones and open spaces shall be fully constructed prior to issuance of a certificate of occupancy for the principle structure.
- (f) Each applicant shall present as a part of the application for a building permit within the Northlake Overlay District a legal mechanism under which all land to be used for public space purposes shall be maintained and protected. Such legal mechanism may include deed restrictions, property owner associations, common areas held in common ownership or control, maintenance easements, or other legal mechanisms, provided that said legal mechanism shall be approved by the county attorney as assuring each of the following mandatory requirements:
 - (1) That all subsequent property owners within said Northlake Overlay District be placed on notice of this development restriction through the deed records of DeKalb County Superior Court;
 - (2) That all public space held in common will be properly maintained and insured with no liability or maintenance responsibilities accruing to the county;
 - (3) That a legal mechanism exists for notice of deficiencies in maintenance of the public space held in common, correction of these deficiencies, and assessment and liens against the properties for the cost of the correction of these deficiencies by a third-party or the county;
 - (4) When an applicant chooses to utilize a property owners association in order to comply with the requirements of subsection (f) above, the applicant, in addition to meeting all of said requirements, shall provide for all of the following:
 - (A) Mandatory and automatic membership in the property owners association as a requirement of property ownership;
 - (B) A fair and uniform method of assessment for dues, maintenance and related costs;
 - (C) Where appropriate, party wall maintenance and restoration in the event of damage or destruction; and
 - (D) Continued maintenance of public space held in common and liability through the use of liens or other means in the case of default.

Sec. 27-730.2.14. Maintenance of common land.

Covenants or other legal arrangements shall specify ownership of all public spaces, the method of and responsibility for maintenance, taxes and insurance, compulsory membership and assessment provisions, and shall be incorporated into legal instruments sufficient to ensure that the public space requirements of section 27-730.2.13 are maintained.

Sec 27.730.2.15. Transitional buffer zone and transitional height requirements.

- (a) Where a lot on the external boundary of the Northlake Overlay District adjoins the boundary of any property outside the district that is zoned for any R, RM, MHP, or TND zoning classification, a transitional buffer of not less than thirty (30) feet in width, in addition to the required setbacks, shall be provided and maintained in a natural state or so as to maintain an effective visual screen. Said transitional buffer zone shall not be paved or otherwise covered with impervious surfaces and shall not be used for parking, loading, storage or any other use, except that portions of the transitional buffer zone may be utilized for installation of utilities when necessitated by the development, and when the applicant shows that the utilities cannot be located outside of the transitional buffer zone. Storm water detention ponds shall not be located within the transitional buffer zones. No trees, other than dead or diseased trees, shall be removed from said transitional buffer zone, but additional trees, shrubs and plant material may be added to the transitional buffer zone to provide an effective visual screen.
- (b) Where a lot on the external boundary of the Northlake Overlay District adjoins the boundary of any property outside the district that is zoned for any residential zoning classification, a transitional height plane as described herein shall apply. No portion of any structure within the Northlake Overlay District shall exceed such transitional height plane. The transitional height plane shall be determined by beginning forty-five (45) feet above the property line between the district and the adjacent property outside the district, then extending parallel to the ground toward the interior of the district thirty (30) feet over the transitional buffer zone and then at an upward angle of forty-five (45) degrees over the Northlake Overlay District.

Sec. 27.730.2.16. Required parking.

In order to promote a pedestrian oriented community, required parking may be provided through a combination of off-street, or shared parking, provided that all required parking is located within seven hundred (700) feet of the principal entrance of the building which it is intended to serve. In this pedestrian oriented district, parking shall be encouraged in the rear of proposed structures, in parking decks and internal to new developments. The minimum number of required parking spaces shall be as follows:

- (a) Shopping centers, retail uses, personal service uses, and other commercial and general business uses, including food stores – minimum of four (4.0) spaces per one-thousand (1,000) square feet of gross floor area.
- (b) Office and clinic uses – minimum of three (3.0) spaces per one thousand (1,000) square feet of gross floor area.
- (c) Hotel and motel uses – minimum of one (1.00) space per room and one (1.00) space per employee based on the largest shift.

- (d) Multifamily residential uses – minimum of one (1.00) space per unit for the first bedroom, plus one-half (0.50) space per additional bedroom.
- (e) Restaurant uses – minimum of five (5.00) spaces per one thousand (1.000) square feet.
- (f) Shared parking is encouraged and may result in permitted reductions of off-street parking requirements. Parking facilities within a lot may be shared if multiple uses cooperatively establish and operate parking facilities, and if these uses generate parking demands primarily when the remaining uses are not in operation, so that the above stated off-street parking requirements for each use are met during said use’s operational hours. Applicants shall make an application to the planning director, or designee, for authorization for shared parking. Applicants shall include proof of a written formal shared-parking agreement between all applicants prior to consideration. Shared parking lots shall be fully implemented prior to issuance of a Certificate of Occupancy for the development. A majority of shared spaces must lie within seven hundred (700) feet of the main entrance to the principal use for which the parking is provided. A minimum of fifty percent (50%) of the minimum parking requirement must be met onsite before qualifying for shared parking. Required parking for residential units shall be prohibited from being shared.
- (g) Required residential parking shall be segregated from parking for all other uses with the exception of additional parking provided for live/work single-family detached units.
- (h) All non-residential developments which provide automobile parking facilities shall provide bicycle parking facilities in parking structures, parking lots or the landscape zone of the sidewalk at a ratio of one (1) bicycle parking space for every twenty (20) automobile spaces. Multi-family residential developments shall provide bicycle parking facilities at a ratio of at least one (1) bicycle parking space for every five (5) multi-family units. No non-residential development shall have fewer than three (3) bicycle parking spaces nor be required to exceed a maximum of fifty (50) bicycle parking spaces.
- (i) All off-street parking including surface lots and parking decks shall be located behind or beside buildings. Off-street parking shall be screened from view from any public street using buildings and/or landscaping.
- (j) Any portion of a parking deck that is visible from a public street shall be screened from public view with ground-floor retail, and any upper stories shall have a façade constructed with materials permitted in the Northlake Overlay Design Guidelines and designed to resemble office or residential buildings with fenestration.
- (k) Surface parking provided to the side of any building along a public street shall be designated for short-term (no longer than 2 hours) parking and must be buffered from the public street and sidewalk with a landscape strip no less than six (6) feet in width containing a minimum of ninety percent (90%) living shrubs, groundcover, sod and/or annual or perennial flowering plants the landscape strip surface area.
- (l) Wheel stops or bumpers shall be placed at the head of all parking spaces that abut a landscape strip or sidewalk.

- (m) See section 27-730.2.18(f) for landscaping requirements for parking lots and parking structures.
- (n) If required automobile parking spaces cannot be reasonably provided on the same lot on which the principal use is conducted, such spaces may be provided on adjacent or nearby property within the overlay district, provided a majority of such spaces lie within seven hundred (700) feet of the main entrance to the principal structure for which the parking is provided.
- (o) On-street parking spaces provided by a development shall not be permitted to be counted toward the minimum parking requirements for the respective development.
- (p) No parking area may be used for the sale, repair, dismantling, servicing, or long term storage of any vehicles or equipment.

Sec. 27-730.2.17. Development and architectural controls.

The architectural style within the Northlake Overlay District shall comply with the requirements set forth in the Northlake Overlay Design Guidelines and shall comply with the additional following architectural design controls.

- (a) All building facades visible from the public street shall consist of brick, stone, or cement stucco or other equivalents subject to review and approval by the planning director or designee.
- (b) Architectural accents, where utilized, shall consist of non-reflective glass, glass block, natural stone, pre-cast concrete, brick, terra cotta, stucco, wood, cast stone, cast-iron, or decorative architectural grade steel or other equivalents subject to review and approval by the planning director or designee.
- (c) Building facades, where visible from a public street, shall not consist of aluminum, metal, corrugated steel, vinyl siding, plywood, pressed-wood, synthetic stucco, or concrete block.
- (d) A minimum of thirty percent (30%) of the façade area must be window area. All windows are to be transparent. In addition, in buildings which contain ground level retail uses, a minimum of forty-five percent (45%) of the width of the front façade of the building at the ground level shall consist of window area.
- (e) Burglar bars and steel roll down doors or curtains shall not be visible from the public street.
- (f) Service bays for automobile service and repair uses shall be designed so that the openings of service bays are not visible from a public street.
- (g) Chain-link fences and metal or temporary awnings are not permitted within the Northlake Overlay District.

- (h) Dumpsters shall not be visible from the public street and shall be fenced or screened so as not to be visible from any adjoining residential district or any residential unit in a mixed-use building.
- (i) Fabric and canvas awnings and all other building materials must be of durable quality and shall be compatible with materials used in adjoining buildings.
- (j) Each building shall be designed such that the main entrance and front facade faces the public street. If a building fronts more than one public street, the main entrance and front façade shall face the primary street.
- (k) Mansard roofs are prohibited.
- (l) Reflective roof finishes are permitted only on roofs sloped less than one (1) inch per foot.
- (m) All parking and service areas shall be screened from view from the street with buildings, landscaping, walls or decorative fencing.
- (n) Ground-floor commercial and retail uses shall have entrances at grade opening directly onto the public sidewalk or a public space adjacent to the public sidewalk.
- (o) Pedestrian access shall be provided from parking areas to the public sidewalk either through the ground floor of the building or via sidewalks between buildings.
- (p) Ground-floor commercial and retail uses shall have a canopy not less than six (6) feet wide across the entire length of ground-floor entrances and fenestration for that use. Where multiple ground-floor commercial and retail uses exist in the same building along the same façade, the canopies shall be continuous between them. Canopies over retail and commercial entrances and/or windows shall be mounted at a single consistent height for each building.

Sec. 27-730.2.18. Landscape buffer requirements.

Where the planning director, or designee, deems it necessary and appropriate, there shall be the following landscape buffer requirements between buildings, structures, parking areas, etc, and the public sidewalk:

- (a) *Landscape strips.* Landscape strips not less than five (5) feet in width shall be provided along all side and rear property lines and on both sides of all public streets. The landscape strip in the front yard shall be a minimum of ten (10) feet in width and shall be planted with plant materials identified in the Northlake Overlay Design Guidelines. Continuous landscaped strips shall be constructed along public rights-of-way except at points of ingress or egress into the facility.

- (b) *Ground cover.* Ground cover shall also be provided in accordance with the Northlake Overlay Design Guidelines in order to protect tree roots and to prevent erosion. Ground cover shall consist of evergreen shrubs or groundcover plant material mulched with pine bark mulch, or other similar landscaping material.
- (c) Newly planted trees shall conform to the Northlake Overlay Design Guidelines.
- (d) No tree shall be planted closer than two and a half (2.5) feet from the street or sidewalk, and no closer than eight (8) feet from a fire hydrant, sign post, streetlight standard, utility pole, or similar structure.
- (e) *Plant materials along streets:* Landscaping plant materials required to be provided along streets to meet the minimum requirements of this overlay ordinance shall be selected from the following list of species in the minimum sizes shown. Plant materials provided in locations other than along streets, and plant materials provided along streets in excess of those required to meet this overlay ordinance may be any species appropriate to the design and location subject to the approval of the plan reviewer.
 - (1) Flowering shrubs:
 - (A) Abelia X Grandiflora, three (3) gallon;
 - (B) Jasminum Nudiflorum, three (3) gallon;
 - (C) Coreopsis Auriculata, one (1) gallon;
 - (D) Narcissus.
 - (2) Ground cover:
 - (A) Liriope Muscari, one (1) gallon;
 - (B) Rubus Calcinoides, one (1) gallon;
 - (3) Trees along LaVista Road:
 - (A) Cercis Canadensis, two inch (2") caliper;
 - (B) Chionanthus Virginicus, one and one-half inch (1.5") caliper;
 - (C) Hemerocallis Species, one (1) gallon;
 - (D) Prunus "Okame", one and one-half inch (1.5") caliper;
 - (E) Quercus Shumardii, three and one-half inch (3.5") caliper;

- (F) Lagerstroemia Indica, ten (10) feet high;
- (4) Trees along remaining streets:
- (A) Any tree listed in paragraph (3) above;
 - (B) Crape Myrtle, Standard Trunk;
 - (C) October Glory Red Maple;
 - (D) Sunset Maple;
 - (E) Nuttall Oak (Quercus Nattalli)
 - (F) Shumard Oak (Quercus Shumardii);
 - (G) Willow Oak;
 - (H) Zelkova Serrata;
 - (I) Ginkgo (Gingo Biloba);
 - (J) Trident Maple (Acer Buergeranum);
 - (K) Allee Lacebark Elm (Ulmus Parvifolia Emer II).
- (f) *Parking lot landscaping requirements.* All parking lots within the Northlake Overlay District shall be landscaped in accordance with all the requirements of Code section 27-753 and shall comply with all of the following requirements:
- (1) Each such parking lot shall include a landscaped area that is a minimum of ten (10) percent of the total lot area of the interior of the parking lot in addition to the landscaping required elsewhere in this section and in sections 27-730.2.10, 27-730.2.11, and 27-730.2.18.
 - (2) A minimum of one (1) tree per six (6) parking spaces shall be included in the required landscaped areas. For the purpose of satisfying this requirement, existing trees that are three (3) inches or more in caliper as measured at a height of six (6) inches above the ground shall be considered to be equivalent to one (1) or more newly planted trees on the basis of one (1) tree for each three (3) inches of caliper.
 - (3) Where the landscaped area is in the interior of a parking lot, the landscaped area shall be a minimum of six (6) feet in width and serve as a landscaped median between parking bays. The area of the landscaped median will be

determined by the parking configuration. In no case will the landscaped area be less than sixty (60) square feet.

- (4) All landscaped areas shall be properly maintained in accordance with approved landscape plans. In the event that a tree or any plant material dies, it shall be replaced within ninety (90) days of such occurrence, so as to meet all requirements of this section and to allow for planting in the appropriate planting season.
- (5) All trees planted pursuant to the requirements of Code section 27-753 shall be counted for the purpose of meeting the tree planting and tree replacement requirements imposed by Code section 14-39.
- (g) *Maintenance of trees and ground cover.* All trees and all ground cover required by this chapter or by chapter 14 shall be maintained by the property owner in a healthy condition, and any trees or ground cover which die shall be replaced during the next possible planting season. The property owner must comply with Sections 27-730.2.13 and 27-730.2.14 as they relate to maintenance of property.
- (h) *Curb cuts.* All curb cuts shall comply with the Northlake Overlay Design Guidelines and all other applicable requirements of local and state codes.
- (i) Publicly accessible open spaces, including public space required by section 27-730.2.13, shall include appropriate landscaping including shade trees. At a minimum, one shade tree must be provided within or directly adjacent to the open space for every 2,000 square feet of open space. Shade trees must be a minimum of three and one half (3.5) inches in caliper measured six (6) inches above ground, shall be a minimum of sixteen (16) feet in height, shall have a minimum mature height of thirty (30) feet and shall be limbed up to a minimum height of eight (8) feet.

Sec. 27-730.2.19. Underground utilities.

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

Sec. 27-730.2.20. Pedestrian lights.

Pedestrian lights are required for all public streets and shall be consistent with the Northlake Overlay Design Guidelines.

Sec. 27-730.2.21. Inter-parcel access.

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

Sec. 27-730.2.22. Multi-modal access plans required.

Each new application for a development permit within the Northlake Overlay District shall be accompanied by a multi-modal access plan prepared at a scale not greater than 1"=100'. The multi-modal access plan shall cover the full extent of the proposed development along with public rights of way of adjoining streets and any other property lying between the subject property and the nearest public streets on all sides. The purpose of the multi-modal access plan is to demonstrate a unified plan of continuous access to, and between, all buildings in the proposed development and adjacent properties. Connections to available transportation modes, such as driveways, sidewalks, and bike paths shall be shown along adjacent streets and those entering adjoining properties. Safe and convenient pedestrian ways shall be provided from sidewalks along streets to each building entrance, including pedestrian access routes across parking lots and between adjacent buildings within the same development. Where an existing or planned public transportation station or stop is within 1,250 feet (straight line distance) from any boundary of the subject property, the access plan shall show how pedestrians may safely travel from such station or stop to the subject property, and the access plan shall show how safe, continuous and convenient bicycle access shall be provided to the subject property.

Sec. 27-730.2.23. Sign regulations.

All lots in the Northlake Overlay District shall comply with all requirements of chapter 21 and all of the following additional requirements:

- (a) All signs shall be designed so as to be compatible with the Northlake Overlay Design Guidelines. Such sign design is to be characteristic of the Northlake Overlay District area;
- (b) All freestanding signs shall be ground mounted monument style signs with a base and framework made of brick or stone. Pole mounted signs are prohibited;
- (c) Each lot shall have no more than one ground mounted sign;
- (d) The sign area of ground signs shall not exceed thirty-two (32) square feet, unless the lot contains a shopping center, in which case ground signs are limited to sixty-four (64) square feet;

- (e) Ground mounted signs shall not exceed a height of six (6) feet, unless the lot contains a shopping center, in which case ground signs shall not exceed a height of fifteen (15) feet;
- (f) Each separate store front may have a maximum of two (2) wall signs, each of which shall not exceed an area of ten (10) percent of the area of the facade of the ground- floor of the building or seventy-five (75) square feet, whichever is less. If the store front is more than 200 feet from the public right-of-way as measured from the front of the lot, each separate store front may have a maximum of two (2) wall signs, each of which shall not exceed an area of ten (10) percent of the area of the façade of the ground floor of the building or 150 square feet, whichever is less
- (g) The primary wall sign shall be located on the primary building facade and within fifteen (15) feet of the main entrance. A second wall sign can be located at the side or rear building facade, and may face I-285.
- (h) Window signs are prohibited;
- (i) Banners are prohibited;
- (j) Billboards are prohibited;
- (k) Wall mounted signs shall be channel cut letters applied directly to the building façade. Flashing, animated, marquee, sound emitting, fluorescent, rotating or otherwise moving signs are prohibited; and
- (l) Sign shape and lettering shall be limited as follows:
 - (1) Signs with more than two (2) faces are prohibited;
 - (2) Sign facing shall be flat in profile and shall not exceed a thickness of eight (8) inches; and
 - (3) Sign faces shall be parallel.

Sec. 27-730.2.24. Shared parking.

Shared parking is encouraged and may be authorized by the planning director, or designee. Applicants may make application to the planning director, or designee, for authorization for a special exception for shared parking. Said applications shall be considered and decided by the planning director, or designee, pursuant to the standards and procedures set forth in section 27-922(a)(3) and section 27-922(a)(4).

Sec. 27-730.2.25. Streets, curb cuts, and driveways.

- (a) Public and private streets shall comply with the requirements of public streets found in Chapter 14 and other applicable sections of this Code.
- (b) All new streets must connect to at least two (2) public streets.
- (c) When blocks are subdivided by new streets, the maximum length of resulting new blocks shall be three-hundred (300) linear feet. Along the portion of Lavista Road within the Northlake Overlay District, the maximum block length shall be seven-hundred (700) linear feet.
- (d) All curb cuts shall comply with the Northlake Overlay Design Guidelines and all other applicable requirements of this code and state law.
- (e) The maximum curb radius at any intersection or curb cut shall be twenty (20) feet.
- (f) All curb cuts shall be a maximum of twenty-four (24) feet wide.
- (g) Common or joint driveways are encouraged and may be authorized by the planning director or designee. Common or joint driveways on a state right-of-way may be allowed if approved in writing by the Georgia Department of Transportation by the Georgia DOT.
- (h) Each driveway shall be perpendicular to the street to which it connects.

Sec. 27-730.2.26. Townhouse and multi-family development standards.

- (a) Mechanical equipment and other building service items may not be located within the setback area between the public sidewalk and building façade.
- (b) Each individual townhouse shall have a front entrance with either a front porch or a front stoop between the front façade and the sidewalk.
- (c) The front entrance of each townhouse unit may be above the average grade of the sidewalk directly in front of it to a maximum of three (3) feet above grade.
- (d) All parking shall be hidden behind or within individual units. Access to parking shall be permitted only via an alley or private drive located behind the units. Garages may not face the public street.
- (e) The maximum height of townhouses shall be the lesser of three (3) stories or forty-five (45) feet.

- (f) Multi-family ground-floor residential units that face the street shall have entrances with a stoop or porch between the sidewalk and the building façade. A sidewalk shall connect all ground floor entrances to the public sidewalk.

Sec. 27-730.2.27. Northlake Overlay Design Guidelines.

The planning director, or designee, is authorized to create, administer, and amend the Northlake Overlay Design Guidelines dated May 2008. These design guidelines provide acceptable architectural design controls, landscaping, detail drawings, signage, fencing, lighting, street and site furniture and grating. These design guidelines shall be used to promote proper design criteria for the overlay district and shall guide the planning director, or designee, in deciding whether a proposed design complies with the requirements of this overlay district.

Sec. 27-730.2.28. Plans required; certificates of compliance.

- (a) *Plans required.* Prior to the issuance of any land disturbance permit, building permit, or sign permit, the applicant shall submit to the planning director or designee a Conceptual Design Package and a Final Design Package. The Final Design package must include full architectural and landscape architectural plans and specifications. The submitted plans must include a site plan, architectural elevations and sections; renderings depicting the building design including elevations and architectural details of proposed buildings, exterior materials and colors, and plans and elevations of all hardscape, landscape and signs, all of which shall demonstrate that the proposed design is in compliance with all the requirements of this Northlake Overlay District and the underlying zoning classification.
- (b) *Fees.* Plans shall be accompanied by an application and payment of a fee in an amount determined by the board of commissioners.
- (c) *Review.* The director of planning, or designee, shall review each application for compliance with all requirements of the Northlake Overlay District and the underlying zoning classification. Where the planning director, or designee, determines that said plans comply with the requirements of the Northlake Overlay District a certificate of compliance shall be issued in the form of the director or the director's designee signing the plans and drawings after which the applicant shall then apply for land disturbance, building or signs permits. Where the director, or his designee, determines that said plans do not comply with the requirements of this chapter, then the director, or his designee, shall notify the applicant in writing stating the manner in which said applicant fails to comply with such requirements. All applications shall be considered and decided by the director of planning, or his designee, within thirty (30) days of receipt of a complete application. Any appeal of the director of planning's decision in this regard shall be to the zoning board of appeals pursuant to section 27-912.

Sec. 27-730.2.29. Conceptual plan package review.

- (a) The conceptual plan package shall be composed of the following:
 - (1) A narrative addressing the proposed development explaining how it meets the purpose, intent, and standards of this chapter. The narrative shall include a tabulation of the approximate number of acres in each land use, the approximate number of dwelling units by type, the approximate gross residential density, the approximate commercial density, the approximate public space acreage, the anticipated number, type and size of recreational facilities and other public amenities, and the legal mechanism for protecting and maintaining public space, as required in section 27-730.2.13(f);
 - (2) A site location map showing the proposed development, abutting property, the relationship of the proposed development to surrounding and existing development, and transitional buffer zones, if required; and
 - (3) A multi-modal access plan meeting the requirements of section 27-730.2.22.
- (b) The plan to be submitted in the conceptual plan package shall contain the following information:
 - (1) Six (6) copies of a plan drawn to a designated scale of not less than one inch equals one-hundred feet (1" = 100'), certified by a professional engineer or land surveyor licensed by the State of Georgia, presented on a sheet having a maximum size of 24"x36", and one eight and one-half inch by eleven inch (8.5"x11") reduction of the plan. If presented on more than one (1) sheet, match lines shall clearly indicate where the several sheets join. Such plan shall contain the following information:
 - (A) Boundaries of the entire property proposed to be included in the development, with bearings and distances of the perimeter property lines;
 - (B) Scale and north arrow, with north, to the extent feasible, oriented to the top of the plat and on all supporting graphics;
 - (C) Location and approximate dimensions in length and width, for landscape strips and required transitional buffers, if any;
 - (D) Existing topography with a maximum contour interval of five (5) feet and a statement indicating whether it is an air survey or field run;

- (E) Approximate delineation of any floodplain designated by the Federal Emergency Management Agency, United States Geological Survey, or DeKalb County;
- (F) The delineation of any jurisdictional wetlands as defined by Section 404 of the Federal Clean Water Act;
- (G) Approximate delineation of any significant historic or archaeological feature, grave, object or structure marking a place of burial if known, and a statement indicating how the proposed development will impact it;
- (H) A delineation of all existing structures and whether they will be retained or demolished;
- (I) General location, in conceptual form, of proposed uses, lots, buildings, building types and building entrances;
- (J) Height and setback of all buildings and structures;
- (K) Approximate areas and development density for each type of proposed use;
- (L) Location, size and number of all on-street and off-street parking spaces, including a shared parking analysis, if shared parking is proposed;
- (M) Identification of site access points and layout, width of right-of-way and paved sections of all internal streets;
- (N) Conceptual plans for drainage with approximate location and estimated size of all proposed storm water management facilities and a statement as to the type of facility proposed;
- (O) Development density and lot sizes for each type of use;
- (P) Areas to be held in joint ownership, common ownership or control;
- (Q) Identification of site access points and layout, width of right-of-way and paved sections of all internal streets;
- (R) Location of proposed sidewalks and bicycle facilities trails recreation areas, parks, and other public or community uses, facilities, or structures on the site;

- (S) Conceptual layout of utilities and location of all existing or proposed utility easements having a width of twenty-five (25) feet or more;
- (T) Standard details of signs, sidewalks, streetlights, driveways, medians, curbs and gutters, landscaped areas, fencing, street furniture, bicycle lanes, streets, alleys, and other public improvements demonstrating compliance with the design guidelines for the Northlake Overlay District; and
- (U) Seal and signature of professional preparing the plan.

Sec. 27-730.2.30. The final design package.

Upon receiving comments on the Conceptual Design package, the applicant must submit the Final Design Package for review and approval. The Final Design package must contain all plans, elevations, sections and specifications necessary for obtaining development and building permits. The applicant may submit the Final Design Package simultaneously with the submission for permitting in accordance with section 27-730.2.28(a).

PART II. EFFECTIVE DATE

This ordinance shall become effective upon adoption by the Board of Commissioners and approval by the Chief Executive Officer.

PART III. SEVERABILITY

Should any section or provision of this ordinance be declared by a court of competent jurisdiction to be invalid or unconstitutional, such decision shall not affect the validity of the ordinance as a whole nor any part thereof other than the part so declared to be invalid or unconstitutional. All ordinances or resolutions, or parts thereof, in conflict with the ordinance are repealed.

ADOPTED by the DeKalb County Board of Commissioners, this ____ day of _____, 2008.

KATHIE GANNON
Presiding Officer
Board of Commissioners
DeKalb County, Georgia

May 19, 2008

APPROVED by the Chief Executive Officer of DeKalb County, this ____ day of _____, 2008.

VERNON JONES
Chief Executive Officer
DeKalb County, Georgia

ATTEST:

MICHAEL J. BELL
Ex-Officio Clerk
Board of Commissioners and
Chief Executive Officer
DeKalb County, Georgia

APPROVED AS TO FORM;

APPROVED AS TO SUBSTANCE:

William J. Linkous, III
County Attorney
DeKalb County, Georgia

Patrick Ejike Director of Planning & Development
DeKalb County, Georgia

