

AN ORDINANCE TO AMEND CHAPTER 27, ARTICLE 3, OF THE CODE OF DEKALB COUNTY, GEORGIA, AS REVISED 1988, PERTAINING TO THE BOULDERCREST-CEDAR GROVE-MORELAND OVERLAY DISTRICT; TO ALLOW OFFICE USES IN TIER V, CORRIDOR 1 SUBJECT TO A SPECIAL LAND USE PERMIT; TO ESTABLISH ELIGIBILITY CRITERIA, ACCESS REQUIREMENTS, MAXIMUM FLOOR AREA, USE, TRAFFIC, PARKING LOCATION, AND PARKING RATIO LIMITATIONS; AND FOR OTHER PURPOSES.

WHEREAS, the Bouldercrest-Cedar Grove-Moreland Overlay District establishes tier-specific land use standards intended to protect adjacent residential neighborhoods while promoting compatible economic development; and

WHEREAS, office uses are permitted or conditionally permitted in multiple Tiers of the Overlay District subject to development standards, buffering, architectural design, and operational requirements; and

WHEREAS, the DeKalb County Board of Commissioners finds that limited office uses, when subject to a Special Land Use Permit, strict eligibility and access criteria, and additional safeguards, may be compatible with Tier V when carefully reviewed.

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

SECTION 1.

Amendment to Section 27-3.39.3 – Permitted Uses (Table of Uses)

Office uses shall be allowed within Tier V of the Bouldercrest-Cedar Grove-Moreland Overlay District only by approval of a Special Land Use Permit (SLUP).

SECTION 2.

Applicability of Existing Office-Use Regulations

Any office use approved in Tier V by Special Land Use Permit shall comply with all regulations, standards, restrictions, limitations, and conditions applicable to office uses in any other Tier of the Bouldercrest-Cedar Grove-Moreland Overlay District, except where expressly modified by this ordinance.

SECTION 3.

Eligibility and Access Requirements for SLUP – Tier V, Corridor 1 Office Uses

A. Eligible Parcels. Only those parcels having frontage along Bouldercrest Road with a non-residential underlying zoning are eligible for obtaining a SLUP for office space.

B. Minimum Frontage Requirement. A Special Land Use Permit for office use within Tier V, Corridor 1 may only be granted for parcels that have a minimum of one hundred (100) linear feet of frontage on a roadway classified by DeKalb County as a major arterial or minor arterial.

C. Primary Access Requirement. The principal vehicular access for any office use approved within Tier V, Corridor 1 shall be taken directly from the major or minor arterial roadway upon which the parcel has the required frontage. Secondary or emergency access may be permitted from other streets as approved by the DeKalb County Department of Transportation.

SECTION 4.

Additional Tier V Office Supplemental Regulations

A. Maximum Floor Area. No individual office use or office tenant space approved within Tier V shall exceed five thousand (5,000) square feet of gross floor area.

B. Entrances. Ground-floor buildings shall have entrances at grade, clearly visible from the street, and opening directly onto a public sidewalk or publicly accessible open space adjacent to the public sidewalk.

C. Ground Floor Façades. A minimum of 50 percent of the ground-floor façade (facing the public right-of-way shall be windows with clear glass or with tinted glass that allows at least 70 percent of light to filter through the window. Exception: single tenant developments are not required to comply with this requirement but have other façade design requirements regarding fenestrations and variations as specified in the district design guidelines.

D. Setback Requirements. The minimum front yard and side corner yard is 0 feet, and the maximum front yard and side corner yard setback shall be 40 feet from the public right-of-way with a minimum 10-foot landscape zone, and minimum 10-foot sidewalk within the public right-of-way.

E. Transitional Buffer. A 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 R zoned properties.

F. Parking Space Location. All parking spaces shall be located to the side or rear of the building. No parking space be allowed between the building and the public right-of-way.

G. Parking Ratios. Notwithstanding any other provision of Chapter 27, office uses approved within Tier V, Corridor 1 shall be subject to the following parking requirements:

1. Maximum parking: One (1) off-street parking space per two hundred fifty (250)

square feet of gross floor area.

2. Minimum parking: One (1) off-street parking space per five hundred (500) square feet of gross floor area.

H. Mechanical equipment and other building service items. Mechanical equipment and other building service items may not be located within the setback area between the public sidewalk and the building façade and may not be visible from the public right-of-way.

I. Pedestrian Access. Pedestrian access shall be provided from all public parking areas directly to a public sidewalk.

J. Sidewalks. Sidewalks along the fronts of buildings and internal to the property shall be connected to sidewalks on the right-of-way to encourage pedestrian use, including connecting into any multi-use trail system located adjacent to the property which is apart of the DeKalb County trail master plan. They must form direct connections and have clear crosswalks across all drives and parking lots and must be clearly marked with pavement striping, staining or change in materials. Sidewalks must be continuous across driveway entrances.

K. Height. Building Height shall be limited to 2-stories not to exceed 40 feet in height.

SECTION 5.

Special Land Use Permit Review Criteria

In addition to the general SLUP criteria set forth in Chapter 27, the Board of Commissioners shall consider compatibility with residential uses, adequacy of buffers, building scale, parking placement, arterial access compliance, traffic impacts, consistency with the Overlay District intent, and consistency with the DeKalb County Comprehensive Plan.

SECTION 6.

Severability

If any section, subsection, clause, or provision of this ordinance shall be declared invalid, such invalidity shall not affect the remaining provisions.

SECTION 7.

Effective Date

This ordinance shall become effective upon adoption by the DeKalb County Board of Commissioners and approval as required by law.