
Sec. 3.5.15. Low-rise mixed-use zone (Tier III).

- A. *Permitted uses and structures.* The principal uses of land and structures allowed in the Tier III: Low-Rise Mixed-Use Zone of the Stonecrest Area Overlay District are as provided below:
1. All uses authorized in the C-1 and C-2 (General Commercial) District, O-I (Office Institutional) District, O-D (Office Distribution) District, M (Light Industrial) District, and MR-2 (Medium Density Residential) District except those listed in B., below.
- B. **Prohibited uses.** The following principal uses of land and structures are prohibited in Tier III: Low-Rise Mixed-Use Zone of the Stonecrest Area Overlay District:
1. Kennels.
 2. Junkyard.
 3. Tire retreading and recapping.
 4. Sexually oriented businesses.
 5. Outdoor amusement service facility.
 6. Outdoor storage.
 7. Automobile repair, major and minor.
 8. **Hotel/motel.**
 9. Automobile sales.
 10. Temporary outdoor sales.
 11. Pawn shops.
 12. Liquor stores.
 13. Nightclubs.
 14. Late-night establishments.
 15. Car wash.
 16. Self-storage.
 17. Funeral home.
 18. Mortuary.
 19. Crematorium.
 20. Farm equipment and supplies sales establishment.
 21. Repair, small household appliance.
 22. Salvage yard.
 23. Automobile service stations, except automobile service stations over 4,000 square feet with special land use permit.
 24. Commercial parking lot.
 25. Check cashing facility.
 26. Automobile emission testing facilities.

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27. Small box discount stores.
- C. *Accessory uses and structures.* The following accessory uses of land and structures shall be authorized in the Tier III: Low-Rise Mixed-Use Zone of the Stonecrest Area Overlay District:
1. Uses and structures which are customarily incidental and subordinate to the permitted principal uses and structures in this district.
 2. Parking lots and parking garages.
 3. Clubhouses, including meeting rooms or recreation rooms.
 4. Swimming pools, tennis courts, and other recreation areas and similar amenities.
- D. *Building setbacks.* The following building setback requirements shall apply to all structures in the Tier III: Low-Rise Mixed-Use Zone of the Stonecrest Area Overlay District:
1. Minimum front yard setback: 15 feet from right-of-way of public street, except that front-facing garages of residential units shall be set back a minimum of 25 feet from rights-of-way.
 2. Minimum interior side yard: Ten feet. There shall be a minimum of 15 feet between buildings and structures less than two stories in height and a minimum of 20 feet between any two buildings and structures when one of them is greater than two stories in height.
 3. Minimum rear yard: Ten feet.
- E. *Height of buildings and structures.* Maximum height, three stories
- F. *Density:* No development in Tier III may exceed 30 dwelling units per acre and a combined FAR of one and a half, unless it also provides additional public space or other amenities singly, or in combination as provided in subsection G, below.
- G. *Bonus density:* In exchange for providing one or more of the amenities shown in Table 3.3 an applicant may receive a density bonus as provided in Table 3.3, not to exceed a total FAR of three.

Table 3.3 Bonus FAR: Tier III

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

- H. *Required parking.* Required parking may be provided through a combination of off-street, on-street, or shared parking. All required parking must be located within 700 feet of the principal entrance of the building that the parking is intended to serve. The minimum number of required parking spaces must be as provided in article 6, except as follows:
1. Retail uses, personal service uses, and other commercial and general business uses, including food stores: Minimum of four spaces per 1,000 square feet of gross floor area.

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2. Office and clinic uses: Minimum of three spaces per 1,000 square feet of gross floor area.
 3. Hotel and motel uses: Minimum of one space per unit.
 4. Multifamily residential uses-Minimum of one and one-half spaces per dwelling unit.
- I. *Parking space area requirements.* Parking space area requirements must comply with the provisions of section 6.1.3.
 - J. *Sidewalks.* Sidewalks must be provided on all public streets. Sidewalks must be at least five feet in width.
 - K. *New or used motor vehicle dealers.* New or used motor vehicle dealers are authorized in Tier III of the Stonecrest Overlay District only if they comply with the following requirements:

New or used motor vehicle dealers must be located on a parcel with a lot area of no less than three acres, and must contain at least 6,000 square feet of building floor space.

New or used motor vehicle dealers must provide vegetative screening along any automobile display areas that abut a public right-of-way. Said vegetative screening shall be located outside any guard rails or security fencing abutting such public right-of-way. Within three years of planting, the vegetative screening must be of sufficient height to screen all guard rails or security fencing abutting the public right-of-way. Planting materials shall be subject to the approval of the City of Stonecrest Arborist.

New or used motor vehicle dealers must provide screening of all maintenance areas and storage yards for automobiles stored for service. Such screening shall be sufficient to shield the maintenance areas and storage yards from visibility from any adjacent properties or public rights-of-way. Should vegetative screening be used, planting material shall be subject to the approval of the City of Stonecrest Arborist.

No overhead bay doors opening into vehicle service areas shall be visible from a public right-of-way.
- (Ord. of 8-2-2017, § 1(3.5.15); Ord. No. 2018-12-01, § 1(3.5.15), 12-1-2018; Ord. No. 2019-11-001, § 1, 11-25-2019; Ord. No. 2019-11-03, § 1, 11-25-2019; Ord. No. 2019-11-05, § I, 11-25-2019)

Sec. 3.5.15.1. Transitional mixed use zone (Tier IV).

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

Single-family attached detached units that are part of a master planned community so long as such single-family detached units are part of a mixed-use development and the development provides opportunities for lifelong and aging-in-place communities as defined by the Atlanta Regional Commission.

D. **Prohibited uses.** The following principal uses of land and structures are prohibited in Tier IV: Transitional Mixed-Use Zone:

1. Kennels.
2. Tire retreading and recapping.
3. Sexually oriented businesses.
4. Outdoor amusement services facilities.
5. Outdoor storage.
6. Farm equipment and supplies sales establishments.
7. Repair, small household appliance.
8. **Hotel/motels.**
9. Automobile title loan establishments.
10. Pawn shops.
11. Liquor stores.
12. Salvage yards.
13. Automobile repair and maintenance, major.
14. Automobile wash/wax service.
15. Nightclubs.
16. Late-night establishments.
17. Check cashing facility.
18. Automobile emission testing facilities.
19. Car wash, self-service.
20. Self-storage.
21. Funeral home.
22. Crematorium.
23. Mortuary.
24. Small box discount stores.

E. *Accessory uses and structures.* The following accessory uses of land and structures are permitted in Tier IV: Transitional Mixed-Use Zone:

- a. Uses and structures which are customarily incidental and subordinate to the permitted principal uses and structures in this district.
- b. Open space, clubhouse or pool amenity area.
- c. Parking lots and decks.

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- d. Signs, in accordance with the provisions of chapter 21 and this chapter.
- F. *Mixed-use developments*: Lot width, lot area and setbacks.
- 1. *Lot width and area*. All lots shall have at least 100 feet of frontage as measured along the public street frontage.
 - a. Minimum lot area: One acre.
 - 2. *Setback requirements*.
 - 1. *Front yard*. Minimum of zero feet and a maximum of 20 feet to allow for architectural features, outdoor seating, and other project site amenities.
 - 2. *Side yard*. Minimum of zero feet and a maximum of 20 feet to allow for architectural features, outdoor seating, plazas and other project site amenities.
 - 3. *Rear yard*. Minimum of 20 feet.
 - 4. *Interior side yard*. Minimum of zero feet. However, where an interior side yard is facing a structure with windows on an adjoining lot the distance between the existing structure and the proposed structure shall be a minimum of 20 feet.
- G. *Single-family detached units*: Lot width, lot area and setbacks.
- 1. *Lot width and area*. All lots must have at least 50 feet of frontage as measured along the public street frontage.
 - a. *Minimum lot area*. 5,000 square feet.
 - 2. *Setback requirements*.
 - a. *Front yard*. Minimum of ten feet and a maximum of 20 feet.
 - b. *Side yard*. Minimum of ten feet.
 - c. *Interior side yard*. Minimum of five feet.
 - d. *Rear yard*. Minimum of 30 feet.
- H. *Single-family attached units*: Lot width, lot area and setbacks.
- 1. Lot width and area. All lots must have at least 30 feet of frontage as measured along the public street frontage.
 - a. Minimum lot area. 3,000 square feet. Maximum of eight units or 240 feet.
 - 2. Setback requirements:
 - a. Front yard: Minimum of five feet and a maximum of 20 feet.
 - b. Side yard: Minimum often feet between buildings.
 - c. Rear yard: Minimum often feet.
 - d. Structures which are front face to front face, back face to back face, or front face to back face shall be not less than 60 feet apart. Structures which are side face to side face shall not be less than 20 feet apart. Structures which are side face to front face or back face shall be not less than 40 feet apart.
- I. *Height of buildings and structures*. The maximum height of any mixed-use building or structure shall not exceed five stories or 75 feet. Buildings in excess of three stories must be approved by the director of planning to assure adequacy of fire protection facilities and services. The maximum height of any residential

single-family detached building or structure shall not exceed a height of 35 feet and shall not exceed two stories.

- J. *Density and floor area ratios.* Multifamily dwellings may be developed at a density not exceeding 30 dwelling units per acre and the combined floor area ratio for any development shall not exceed one and one-half.
1. Density bonus. The maximum allowable FAR of a building or development in Tier IV shall be increased to a FAR not to exceed a total of three if one or more of the additional amenities is provided as described in the table below:

Table 3.4 Bonus FAR: Tier IV

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

- K. *Required parking.* Required parking may be provided through a combination of off-street, on- street, or shared parking. All required parking must be located within 700 feet of the principal entrance of the building the parking is intended to serve. The minimum number of required parking spaces must be as provided in the underlying zoning district regulations for the lot except as follows:
1. Retail uses, personal service uses, and other commercial and general business uses, including food stores: Minimum of four spaces per 1,000 square feet of gross floor area.
 2. Office and clinic uses: Minimum of three spaces per 1,000 square feet of gross floor area.
 3. Hotel and motel uses: Minimum of one space per unit.
 4. Multifamily residential uses-Minimum of one and one-half spaces per dwelling unit.
 5. Parking space area requirements shall comply with the provisions of section 6.1.3.
 6. Single-family detached residential dwelling units shall have two spaces per unit. Garages and any surface parking areas are to be accessed by shared driveways located at the rear of the residential structure. Garages that face the public right-of-way shall be setback a minimum of 20 feet.
- L. *Sidewalks.* Sidewalks must be at least five feet in width and must be provided along the right-of-way of all public streets.

(Ord. of 8-2-2017, § 1(3.5.15.1); Ord. No. 2019-11-001, § 1, 11-25-2019; Ord. No. 2019-11-03 , § 1, 11-25-2019; Ord. No. 2019-11-05 , § I, 11-25-2019)