

Ordinance No. 01-2015

An Amendment to the City Code of Ordinances

TO CREATE AN ORDINANCE TO PROVIDE LAND USE CONTROLS FOR PEACHTREE INDUSTRIAL BLVD.-HOLCOMB BRIDGE RD. (PIB-HBR) OVERLAY DISTRICT IN ACCORDANCE WITH O.C.G.A. § 44-14-14

CHAPTER AND PURPOSE. Chapter 115, Article III Zoning Districts and Use Provisions

ENACTING CLAUSE. The Council of the City of Norcross, Georgia, Hereby ordains that the adopted Code of Ordinances is hereby amended by adding a new section. It is the intention of the Mayor and the Council, and it is hereby ordained that the following provisions shall become and be made a part of the Code of the City of Norcross, and the Sections of the Code in the Ordinance may be renumbered to accomplish that intention. Section 115-96, which shall read as follows:

SECTION 115-96, PEACHTREE INDUSTRIAL BLVD.-HOLCOMB BRIDGE RD. (PIB-HBR) OVERLAY

115-96.1 **Title**

This Article shall be known as the “PEACHTREE INDUSTRIAL BLVD.-HOLCOMB BRIDGE RD. OVERLAY ORDINANCE.”

115-96.2 **Purpose**

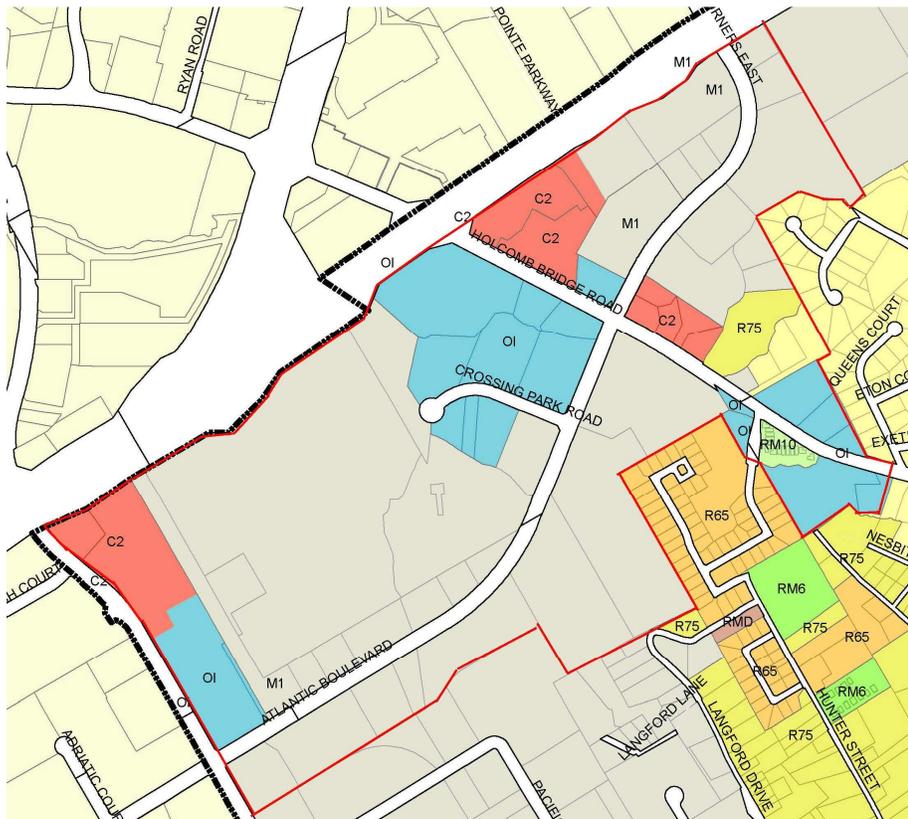
To create an overlay ordinance that will enhance the entry to the city from Peachtree Industrial Boulevard along Holcomb Bridge Road utilizing design standards and land use controls that will provide a transition from the more urban character of the Holcomb Bridge Rd. corridor into the historic areas of the City while maintaining opportunity for growth and economic vibrancy. In addition the overlay will:

- 1- Encourage the revitalization of older office and commercial areas into pedestrian-oriented developments that provide a complementary mix of uses, including residential options, within convenient walking distance.
- 2- Encourage efficient land use and redevelopment plans 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.
- 3- Allow and encourage development densities and land use intensities that will allow for making productive use of alternative transportation modes such as bus transit, ridesharing, bicycling, and walking.
- 4- Encourage formation of a well designed, pedestrian-friendly activity center with high-density mixed use development that increases choices for living environments.

- 5- Allow flexibility in development standards in order to encourage the design of innovative development projects that set high standards for landscaping, greenspace, urban design, and public amenities.
- 6- Promote a distinct, unified theme that will reinforce the branding of the City and improve the market attractiveness of the area for investments from the private and public sectors.
- 7- Provide appropriate incentives to encourage reinvestment and renewal necessary to realize the potential of the Peachtree Industrial/Holcomb Bridge character area, consistent with the city comprehensive plan.
- 8- Provide for connectivity of streets and sidewalks for improved vehicular and pedestrian circulation and reduce the dependence on automobile uses by increasing the ease of movement and opportunities for alternative modes of travel.

115-96.3 Extent

The overlay district will extend from the Center line of Holcomb Ridge Road to either side of the road from Peachtree Industrial Blvd. to the intersection with Queen’s Court as shown in the accompanying map.



115-96.4 Permitted Uses & Regulations

Permitted Land Uses:

Within the overlay district the base zoning will remain in place. Any uses permitted in the base zoning for sites within the overlay area will be permitted except as noted in the Use Regulations.

Use Regulations:

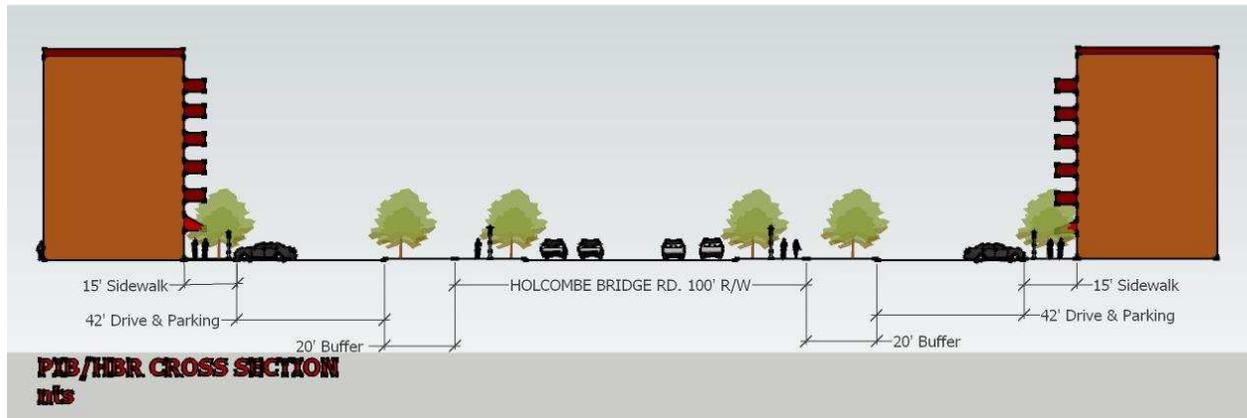
- 1- The requirements of the Norcross Architectural and Site Design Standards will apply.
- 2- Prohibited uses.
 - a. Adult entertainment.
 - b. Automotive and/or truck body repair, , alteration, customization, fabrication, and/or restoration.
 - c. Boat sales establishments.
 - d. Building, electrical, or plumbing contractors, with the exception of those businesses performing office and administrative functions only.
 - e. Building material sales with outdoor storage.
 - f. Equipment rental, sales, or service (including heavy equipment, farm equipment, bulldozers, backhoes forklifts, cranes, etc.).
 - g. Emissions inspection stations.
 - h. Extended stay hotels.
 - i. Funeral homes, mausoleums, and crematories.
 - j. Heavy equipment and farm equipment sales and service, and truck rental.
 - k. Lawnmower repair shops.
 - l. Liquor stores.
 - m. Log-splitting and storage lots.
 - n. Manufactured homes.
 - o. Mobile home or mobile building leasing or sales lots.
 - p. Machine or welding shops.
 - q. Mini-warehouse facilities.
 - r. New and used automobile sales and/or rental along with any auto brokerage uses.
 - s. Pawnshops; title pawn; check cashing as carried out by nondepository institutions, including industrial loan institutions making loans of \$20,000 or less, which are not state, national or federal banks.
 - t. Pest control businesses that store toxic chemicals on site.
 - u. Recovered materials processing.

- v. Motels that provide outside entries to individual units.
 - w. Self-service laundries that are principal uses.
 - x. Tattoo parlors.
 - y. Taxidermists.
 - z. Yard trimmings composting.
- 3- Auto related uses will abide by the following conditions:
 - a- Gasoline service station pump islands shall have a minimum setback of sixty (60) feet from any street right-of-way or street easement. Unenclosed canopies shall have a minimum setback of fifty (50) feet from any street right-of-way or street easement.
 - b- Automotive repair, service, wash or other maintenance bays shall be enclosed in structures that do not allow the operations to be seen from the right of way of any public street.
 - 4- No development within the overlay will be allowed more than one parking bay in front of the building with a two way drive Isle on the street frontage.
 - 5- All properties will have a 20 foot deep landscape area with a minimum of a 5 foot width sidewalk along the right of way of the adjacent street.

115-96.5 Development Guidelines

- 1- Multifamily dwellings.
 - a. Minimum building height: two floors/stories.
 - b. Ground floor residential units that face a street shall have entrances with a stoop or porch between the sidewalk and building facade.
 - c. If located in a mixed-use building, the following standards apply to the residential portion of the building:
 1. Residential portion shall have at least two entrances/exit ways to the ground floor that are separate from the entrances/exit ways used by occupants of nonresidential portions of the building.
 2. Primary entrance for the residential portion of the building shall be clearly visible from the street and shall face the street. If a building fronts more than one street, the primary entrance shall face the street with the highest classification.
 - d. Buildings containing multifamily dwellings shall be constructed in substantial conformity with the district guidelines.
 - e. Multifamily dwellings in shall be subject to approval of a special use permit and shall be part of a mixed-use development that contains no more than 200 multifamily dwellings.
- 2- Mixed-use buildings.
 - a. Ground floor commercial uses located in a mixed-use building shall have entrances opening directly onto the sidewalk adjacent to the street or to a common area connected to the street.
 - b. No more than 70 percent of the gross floor area of a mixed-use project may consist of multifamily residential uses.
- 3- Parking structures.
 - a. Aboveground decks of parking structures shall be designed so that the only openings at street level are those to accommodate vehicle entrance and pedestrian access to the structure. Any openings for ventilation, service, or emergency access located on the first floor level in the building facade must be decorative and must be an integral part of the overall building design or screened from view with landscaping that is at least ten feet in height. See Figure A.7.1 of the district guidelines.

b. The balance of the street frontage of the aboveground decks of a parking structure shall be occupied by retail/office space or designed with exterior materials, structural elements, and external openings having proportions similar to those of upper floors of occupied buildings.



External openings shall be screened with decorative elements, such as grill-work, brick, or louvers.

c. Aboveground decks of parking structures that have a total length or width of 250 feet or more shall provide a lighted and signed ten-foot-wide pedestrian arcade passing completely through the parking structure near the midpoint of the longest side and connecting with other sidewalks leading to adjacent buildings and to the surrounding streets.

4- Outdoor seating.

Outdoor seating for restaurant service is permitted in the Gateway Overlay district provided that such seating meets all of the following conditions:

- a. All outdoor seating facilities shall not obstruct a six-foot wide clear zone reserved for pedestrian passage along the public sidewalk.
- b. Outdoor seating areas shall be approved by the Fire Marshal and shall not obstruct fire exit ways.

5- Building services.

- a. Off-street loading and servicing areas shall be located to the rear of all buildings or screened from public view by a combination of opaque walls, fences and landscaping. Walls and fences shall be constructed of materials and colors that are compatible with those of the principal building facade.
- b. Access ways and loading areas used for delivery trucks, service vehicles, and driveway and loading areas for garbage trucks shall provide safe means of ingress and egress from public streets such that delivery vehicles and garbage trucks are not required to back into streets classified as boulevards, thoroughfares, or avenues.
- c. All access ways and loading areas shall provide a minimum horizontal and vertical clearance of 14 feet at all points.
- d. Dumpsters shall not be located in any required front yard. Dumpsters shall be placed on a concrete pad of sufficient size and strength to support service vehicles without failure. Dumpsters that would be visible from a public street or from abutting or adjacent property shall be completely screened from such visibility by an opaque wall that is a minimum of six feet in height, but not less than the height of the dumpster. Service access shall be via an opaque metal gate.
- e. Mechanical equipment located at ground level and roof level shall be screened from view from all streets and public rights-of-way with screening walls or landscaping.

f. Screening walls for dumpsters, loading docks, and mechanical equipment shall be constructed of materials that are compatible with those of the principal building facade.

6- Transit passenger shelters.

Transit passenger shelters and related access areas shall:

- a. Be in a location approved by Gwinnett Transit System; and
- b. Include a canopy, hard surface floor, signs, and landscaping that is approved by the Gwinnett Transit System and is in accordance with the City of Norcross Redevelopment Area Guidelines.

7- Access Easements and Interparcel Access

Inter-parcel access, joint driveways, cross-access drives and cross access easements shall be provided, as follows, except where the Director of Community Development determines that they are not feasible due to topographic or other constraints:

- a- Abutting non-residential or mixed use developments on major thoroughfares, boulevards or avenues shall provide shall provide cross access drive and sidewalks to allow circulation between sites.
- b- Where Joint driveways and cross access easements are established the building sites shall incorporate the following:
 - 1- Continuous access drives connecting all parcels along the street frontage;
 - 2- A two way travel isle of a minimum 20 foot width with a design speed of 15 MPH to accommodate automobiles and service vehicles; and
 - 3- Driveway aprons, stub outs, and other design features to show where the abutting properties will connect into the inter parcel access system.

8- Connectivity

a- Interconnected network.

It is the intent of this section that the public access ways, walkways, transportation facilities, and improvements in the RAOD contribute to an interconnected and continuous network providing convenient vehicular and pedestrian access to abutting properties. The design of developments and related public improvements shall provide for maximum connections for autos, pedestrians, bicycles, and public transportation to offsite and on-site attractions, such as concentrations of employment, shopping, housing and community services, public parking, parks, and public facilities.

b- Vehicular connectivity.

1. Streets shall be constructed to create an interconnected system of grid-patterned streets.
2. No street may be longer than 600 feet without an intersection with another street.
3. Cul-de-sacs are prohibited, except where approved following review and approval by the Director of Community Development due to unusual site conditions such as steep topography, streams, lakes, floodplains, wetlands or stream crossings, safety hazards, or other unusual property development or access constraints.
4. Right-of-way and design of the new streets shall meet applicable requirements provided in subsection (m) of this section and the district guidelines. Each new street shall connect at least two other streets.

5- Access to the new streets shall not be gated.

c- *Pedestrian connectivity.*

1. Sidewalks and other pedestrian walkways within a development shall be constructed of materials that distinguish them from paved surfaces used by motorized vehicles.
2. Safe, convenient, and continuous pedestrian walkways shall be provided:
 - (a) Between building entrances for all buildings in the same block.
 - (b) Along both sides of the street frontage of all streets.
 - (c) Through parking lots and parking structures at regular intervals connecting to building entrances and the public sidewalks on surrounding streets.

115-96.6 Conflicts, Severability and Effective Date

1. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

If any section, clause, sentence or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way effect the validity of the remaining portions of this ordinance.
3. This ordinance shall become effective immediately upon its adoption by the City Council.

115-97-114 Reserved

IN WITNESS WHEREOF, I have hereunto set my hand and caused this seal to be affixed, this the **5th** day of **January, 2015**.

Bucky Johnson, Mayor

Attest: Monique Lang, City Clerk