

**STATE OF GEORGIA
CITY OF TUCKER**

ORDINANCE O2024-02-02

**AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF TUCKER, GEORGIA,
FOR THE PURPOSE OF AMENDING ARTICLE III OF THE TUCKER CODE
CHAPTER 46 ZONING TO ADD LANGUAGE TO DIVISION 3 - NORTHLAKE ZONING
DISTRICTS.**

WHEREAS, The Mayor and City Council desires to promote the public health, safety, morals and general welfare of the residents of the city; and,

WHEREAS, the Mayor and City Council desires to facilitate the creation of a convenient, attractive and harmonious community; and

WHEREAS, the Mayor and City Council desires to encourage an aesthetically attractive environment, both built and natural, and to provide for regulations that protect and enhance these aesthetic considerations; and

WHEREAS, the Mayor and City Council desires to encourage economic development activities; and

WHEREAS, the Mayor and City Council desires to achieve compliance with all applicable state and federal regulations; and

WHEREAS, the Mayor and City Council desires to provide for protection of the constitutional rights and obligations of all citizens within the city; and

WHEREAS, notice to the public regarding said amendment has been duly published in The Champion, the Official News Organ of Tucker; and

WHEREAS, a Public Hearing was held by the Mayor and City Council of Tucker on February 12, 2024 and March 11, 2024; and

WHEREAS, The Mayor and City Council is the governing authority for the City of Tucker, and;

WHEREAS, the Mayor and City Council wish to revise Sec. 46-1031 to add a new zoning designation of "NL-PUD (Northlake Planned Unit Development);" and

WHEREAS, the Mayor and City Council desires to amend Sec. 46-1032 to add subsection (f) regarding the intent of the new NL-PUD zoning district; and

WHEREAS, the Mayor and City Council wish to revise Sec. 46-1035 to add subsection (f) in regards to permitted uses in the NL-PUD zoning district; and

WHEREAS, the Mayor and City Council wish to amend Sec. 46-1036 to add subsection (d) pertaining to dimensional requirements in the NL-PUD zoning district; and

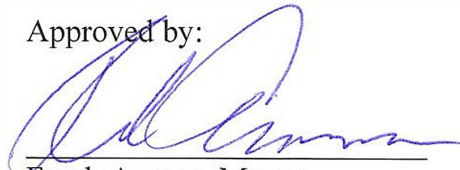
WHEREAS, the Mayor and City Council wish to add Sec. 46-1050 for NL-PUD standards which includes minimum standards and application requirements for the NL-PUD zoning district; and

WHEREAS, the Mayor and City Council desires to continue to reserve Sec. 46-1051 to 46-1070.


NOW THEREFORE, the Mayor and City Council of the City of Tucker while in Regular Session on March 11, 2024 hereby ordains and approves the amendment of Chapter 46 Article 3 as shown in Exhibit A, which is attached to this ordinance.

SO EFFECTIVE this 11th day of March 2024.

Approved by:


Frank Auman, Mayor

Attest:


Bonnie Warne, City Clerk



DIVISION 3. NORTHLAKE ZONING DISTRICTS

Sec. 46-1031. Northlake zoning districts established.

- (a) The following "Northlake Zoning Districts" are established:
- (1) NL-1 (Northlake High-Intensity Commercial)
 - (2) NL-2 (Northlake Office Park)
 - (3) NL-3 (Northlake Employment Center)
 - (4) NL-4 (Northlake Residential)
 - (5) NL-PUD (Northlake Planned Unit Development)
- (b) References in this zoning ordinance to "Northlake Zoning Districts or "NL" districts are references to these districts.
- (Ord. No. O2019-04-15, exh. A(3.3.1), 6-26-2019; Ord. No. O2023-05-06 , exh. A, 6-12-2023)

Sec. 46-1032. Purpose and intent.

- (a) The intents of all NL districts are:
- (1) To encourage development and redevelopment of properties in order to achieve a mixed-use community;
 - (2) 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;
 - (3) To promote a physically attractive, environmentally safe and economically sound mixed-use community;
 - (4) To permit and to encourage mixed-use developments containing commercial and residential uses in order to create a pedestrian-oriented community where people can live, work, and play;
 - (5) To improve the visual appearance and increase property values;
 - (6) To implement the policies and objectives of the Comprehensive Plan, the Zoning Ordinance, and other official policies and plans within the NL districts;
 - (7) To enhance the long-term economic viability of the Northlake area by encouraging new commercial and residential developments that increase the tax base and provide jobs to the citizens of the City of Tucker;
 - (8) To establish and maintain a balanced relationship between industrial, commercial, and residential development to ensure a stable and healthy tax base;
 - (9) To provide a balanced distribution of regional and community-focused commercial and mixed-use office centers;

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- (10) To support higher-density housing, office, and mixed-use centers which have appropriate access and infrastructure;
 - (11) To create regulations that meet the goals and objectives of the Atlanta Regional Commission's Livable Centers Initiatives program;
 - (12) To allow design flexibility in order to encourage innovative development projects that set high standards for landscaping, green space, urban design, and public amenities;
 - (13) 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;
 - (14) To allow and encourage development densities and land use intensities that are capable of making productive use of alternative transportation modes such as transit, ridesharing, bicycling, and walking;
 - (15) 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 the City of Tucker;
 - (16) To protect nearby established single-family residential areas from the encroachment of commercial, retail, office, and industrial uses by providing for increased density of development within the NL districts;
 - (17) To protect the health, safety, and welfare of the citizens of the City of Tucker; and
 - (18) To promote uniform and visually aesthetic architectural features which serve to unify the distinctive visual quality of the Northlake area.
- (b) *NL-1 (Northlake High-Intensity Commercial)*. The intent of the NL-1 district is to allow for the most intense mixed-use development in Tucker. It encourages the redevelopment of parking lots into a mix of retail, office, and residential uses in the same development.
 - (c) *NL-2 (Northlake Office Park)*. The intent of the NL-2 district is to reflect established office, retail, and multifamily areas. It allows residents to live close to employment and to provides accessibility to shopping areas.
 - (d) *NL-3 (Northlake Employment Center)*. The intent of the NL-3 district is to recognize and protect the existing employment base. It encourages light manufacturing, distribution, showroom and small supporting retail uses.
 - (e) *NL-4 (Northlake Residential)*. Formerly Northlake Vista Dale Court. The intent of the NL-4 district is to provide low to medium density residential development opportunities and a mix of housing types. This district also serves as a type of transitional zoning along with the perimeter of the Northlake Zoning Districts. Along Vista Dale Court, this district preserves the existing scale and character of the street by encouraging compatible new development and provides a transition between the more intense development to the west and neighborhoods to the east.
 - (f) *NL-PUD (Northlake Planned Unit Development)*. The intent of the NL-PUD district is to encourage creative mixed-use developments on large scale development sites within the existing Northlake zoning districts. Each area of NL-PUD zoning will be unique with its own set of development standards and conceptual site plan.

(Ord. No. O2019-04-15, exh. A(3.3.2), 6-26-2019; Ord. No. O2023-05-06 , exh. A, 6-12-2023)

Sec. 46-1033. Definitions.

The following terms have the meanings indicated below:

Sec. An abbreviation for "section."

(Ord. No. O2019-04-15, exh. A(3.3.3), 6-26-2019)

Sec. 46-1034. Use of graphics.

Illustrations, photos, and graphics are included in this division to illustrate the intent and requirements of the text. In the case of a conflict between the text and any illustrations, photos, or graphics, the text governs.

(Ord. No. O2019-04-15, exh. A(3.3.4), 6-26-2019)

Sec. 46-1035. Use regulations.

- (a) Table 3.9 indicates the permitted uses within the NL districts.
- (b) The uses listed in table 3.9 are only permitted in the district identified, and no use may be established and no structure associated with such use may be erected, structurally altered or enlarged unless the use is permitted as:
 - (1) A permitted use (P);
 - (2) A special use (SP) subject to the special land use permit application procedures specified in article VII;
 - (3) An administratively approved use (SA) subject to the special administrative permit procedures specified in article VII;
 - (4) An accessory use (Pa) as regulated by article IV or the applicable NL district. Table 3.9 does not list all accessory uses but clarifies uses acceptable as accessory, though not typically considered principal uses for the zoning classification.
 - (5) Uses lawfully established prior to the effective date of this Division or this Zoning Ordinance, as applicable.
- (c) Multiple uses are allowed in a single building and on a single site.
- (d) Any use not listed in table 3.9 or interpreted to not be allowed by the community development director by section 46-1124 is not allowed. Any applicant denied a permit to allow a use of property in an NL district other than as provided in this section may file an appeal before the zoning board of appeals as provided in article VII.
- (e) Uses subject to additional regulations in article IV, division 2 of this chapter are indicated. Unless otherwise expressly stated, compliance with these regulations is required regardless of whether the use is permitted as-of-right, as an accessory use, by special administrative permit, or by special land use permit.
- (f) Permitted uses for each NL-PUD zoning district and development shall be project specific and shall be set by the Master Development Plan as part of the rezoning process.
 - (1) The permitted uses in NL-PUD shall generally follow the list of permitted uses under the NL-1 zoning district.

(2) Uses that are allowed by SLUP in NL-1, NL-2, NL-3, and NL-4 may be approved by right through the NL-PUD rezoning process.

(3) No use that is prohibited in all four traditional NL zoning districts (NL-1, NL-2, NL-3, and NL-4) can be permitted in NL-PUD.

(4) See Sec. 46-1050 for additional use regulations.

Table 3.9 Northlake District Allowed Uses					
Use	Northlake District				See Art. IV, Div. 2
	NL-1	NL-2	NL-3	NL-4	
AGRICULTURAL					
Agriculture and Forestry					
Commercial greenhouse or plant nursery	P	P	P	P	✓
Temporary or portable sawmill	P	P	P	P	✓
Urban, community garden, up to 5 ac.	P	P	P	P	✓
Urban, community garden, over 5 ac.	SA	SA	SA	SA	
Animal Oriented Agriculture					
Dairy					
Keeping of livestock	Pa [1]	Pa [1]	Pa [1]	Pa [1]	✓
Keeping of poultry/pigeons	Pa [1]	Pa [1]	Pa [1]	Pa [1]	✓
Livestock sales pavilion					
Riding academies or stables					
RESIDENTIAL					
Dwellings					
Dwelling, cottage home				P	✓
Dwelling, mobile home					
Dwelling, multi-family (24 units per acre or less)	P	P	P	SP	
Dwelling, multi-family (over 24 units per acre)	SP	SP	SP		
Dwelling, multi-family (supportive living)	P	P	P	SP	✓
Dwelling, townhouse				P	✓
Dwelling, single-family (attached)				P	
Dwelling, single-family (detached)				P	
Dwelling, three-family				P	
Dwelling, two-family				P	
Dwelling, single-family, accessory (guesthouse, in-law suite)				Pa	✓
Home occupation, no customer contact	P	P	P	P	✓
Home occupation, with customer contact	SP	SP	SP	SP	✓
Live/work unit	P	P	P	P	✓
Mobile home park					
Accessory uses or structures	Pa	Pa	Pa	Pa	✓
Housing and Lodging					
Bed and breakfast	P	P		P	✓

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Boarding/rooming house					
Convents or monasteries		P			✓
Dormitory	Pa	Pa	Pa	Pa	
Extended stay hotel					
Fraternity house or sorority house		Pa		Pa	
Hotel	SP	SP			
Nursing care facility or hospice	P	P		P	
Personal care home, community, 7 or more persons	SP	SP	SP		✓
Personal care home, group, 4-6 persons				SP	✓
Child caring institution, group, 4-6	SP	SP	SP	SP	✓
Child caring institution, community, 7 or more	SP	SP	SP		✓
Shelter for homeless persons, 7-20 persons					
Shelter for homeless persons for no more than six (6) persons					
Transitional housing facility, 7-20 persons					
INSTITUTIONAL/PUBLIC					
Community Facilities					
Cemetery, columbarium, mausoleum	SP	SP			✓
Club, order or lodge, fraternal, non-commercial	P	P	P	P	
Coliseum or stadium/not associated with church or school	P	P			✓
Funeral home, mortuary	P	P			
Golf course or clubhouse, public or private	P	P	P		✓
Government facilities	P	P	P	P	
Hospital or accessory ambulance service		P	P		
Library or museum	P	P	P	P	
Cultural facilities	P	P	P	P	
Recreation club	P	P	P	P	✓
Neighborhood or subdivision clubhouse or amenities	Pa	Pa	Pa	Pa	✓
Places of worship	P	P	P	P	✓
Recreation, outdoor	P	P	P	P	✓
Swimming pools, commercial	Pa	Pa	Pa	Pa	✓
Tennis courts, swimming pools, play or recreation areas, community	Pa	Pa	Pa	Pa	✓
Education					
Colleges, universities, research and training facilities	P	P	P	P	
Private educational services, home occupation	Pa	Pa	Pa	Pa	✓
Private kindergarten, elementary, middle or high schools	P	P	P	P	✓
Vocational schools	P	P	P	P	✓
Specialized schools	P	P	P	P	✓
COMMERCIAL					
Automobile, boat and trailer sales and service					
Automobile or truck rental or leasing facilities					

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Automobile brokerage					
Auto recovery, storage					
Automobile repair or maintenance, minor	SP	SP	SP		✓
Automobile repair, major			SP		✓
Automobile sales or truck sales					
Automobile service stations	SP	SP	SP		✓
Automobile upholstery shop	SP	SP	SP		
Boat sales					
Car wash, hand wash	SP	SP	SP		✓
Car wash, automatic	SP	SP	SP		✓
Emission station					
Retail automobile parts or tire store	SP	SP	SP		✓
Service area, outdoor					
Trailer or RV salesroom and lot					
Used Parts Dealer					
Office					
Accounting office	P	P	P	P	
Building or construction office	P	P	P	P	✓
Building, landscape, heavy construction contractor office (material, equipment, storage)	P	P	P	P	✓
Engineering or architecture office	P	P	P	P	
Finance office or banking	P	P	P	P	
General business office	P	P	P	P	
Insurance office	P	P	P	P	
Legal office	P	P	P	P	
Medical office	P	P	P	P	
Real estate office	P	P	P	P	
Recreation and Entertainment					
Adult entertainment establishments					
Adult service facility					
Drive-in theater		P	P		✓
Fairground or amusement park					
Indoor recreation (bowling alleys, movie theatres and other activities conducted wholly indoors)	P	P	P	P	
Nightclub or late night establishment	SP	SP	SP		✓
Outdoor recreation (miniature golf, batting cages, tennis, go-cart, and other outdoor activities)					
Special events facility	SP				✓
Theaters with live performance, assembly or concert halls, or similar entertainment within an enclosed building	P	P	P	P	
Retail					
Alcohol outlet, retail sales, primary or accessory (excludes wine retailer)	SP		P		✓
Retail sales	P	P	P	SP [2]	

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Apparel or accessories store	P	P	P	SP [2]	
Art gallery	P	P	P	SP [2]	
Book, greeting card, or stationery store	P	P	P	SP [2]	
Camera or photography	P	P	P	SP [2]	
CBD Shop					
Computer or computer software store	P	P	P	SP [2]	
Convenience store (see related uses e.g., alcohol outlet, fuel pumps accessory)	SP	SP	SP		✓
Drive-through facility (other than restaurants)	SP	SP	SP		✓
Farm or garden supply store	P	P	P	SP [2]	
Farmer's market, permanent	P	P	P	SP [2]	✓
Farmer's market, temporary/seasonal	SA	SA	SA	SA	✓
Florist	P	P	P	SP [2]	
Fortune telling			P		
Specialty food stores (e.g., coffee, ice cream) (see alcohol outlet)	P	P	P	SP [2]	
Fuel dealers, manufacturers or wholesalers					
Fuel pumps, accessory	SP	SP	P		✓
Gold buying, precious metals	P	P			
Grocery stores (see alcohol outlet)	P	P	P		
Hardware store or other building materials store	P	P	P	SP [2]	
Hobby, toy or game store	P	P	P	SP [2]	
Jewelry store	P	P	P	SP [2]	
Music or music equipment store (retail)	P	P	P	SP [2]	
News dealer or news store	P	P	P	SP [2]	
Office supplies and equipment store	P	P	P	SP [2]	
Outdoor display	P	P	P		✓
Pawn shop, title loan					
Pet supply store	P	P	P	SP [2]	
Pharmacy or drug store (see alcohol outlet)	P	P	P	SP [2]	
Radio, television or consumer electronics store	P	P	P	SP [2]	
Retail warehouses/wholesales providing sales of merchandise with no outdoor storage	P		P		
Shopping center	P	P	P	P	
Sporting goods or bicycle sale	P				
Tattoo establishment and piercing studio					
Thrift, secondhand, antique store					
Trade shops: electrical, plumbing, heating/cooling, roofing/siding, with no outside storage	P	P	P	SP [2]	
Vape shop					
Wine retailer (< 5,000 sq. ft.)	P	P	P	SP [2]	
Temporary Commercial Uses					
Temporary outdoor sales, seasonal	SA	SA	SA	SA	✓
Temporary produce stand	SA	SA	SA	SA	✓
Temporary outdoor retail sales	SA	SA	SA	SA	✓

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Temporary outdoor events	SA	SA	SA	SA	✓
Temporary trailer, as home sales office or construction trailer	SA	SA	SA	SA	✓
Restaurant/Food establishments					
Brewpub/beer growler	P	P	P	SP [2]	
Catering establishments	P	P	P	SP [2]	
Outdoor seating	P	P	P		✓
Restaurants (non-drive-thru)	P	P	P	SP [2]	
Restaurants with a drive-thru configuration	SP	SP	SP		✓
Hookah/vapor bar or lounge					
Transportation and Storage					
Bus or rail stations or terminals for passengers	SP	SP	SP		
Heliport					
Parking, commercial lot	Pa	Pa	Pa	Pa	✓
Parking, commercial garage	Pa	Pa	Pa	Pa	
Taxi, ambulance or limousine service, dispatching or storage					
Taxi, ambulance, limousine dispatch office only (no vehicle parking)					
Taxi stand	P	P	P	P	
Transit shelter					
Services					
Adult day care center - 7 or more persons	P	P	P	P	✓
Adult day care facility - up to 6 persons	P	P		P	✓
Animal care specialist	P	P	P		
Animal hospitals, veterinary clinic	P		P	P	✓
Animal shelter/rescue center					
Banks, credit unions or other similar financial institutions	P	P	P	P	
Barbershop/ beauty salon or similar establishments	P	P	P	P	
Check cashing establishment, primary					
Check cashing establishment, accessory					
Child day care center (Kindergarten) - 7 or more children	P	P	P	P	✓
Child day care center (in a place of worship)					
Child day care facility - up to 6 children	P	P	P	P	✓
Coin laundry	P	P	P	P	
Pet day care		SP	SP		✓
Pet grooming	P		P	P	✓
Dry cleaning agencies, pressing establishments, or laundry pick-up stations	P	P	P	P	
Fitness center	P	P	P	P	
Health spa	SP	SP	SP	SP	✓
Kennel, breeding or boarding					✓
Kennel, commercial					

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Kennel, noncommercial					
Landscape business with no outdoor storage	P	P	P	P	
Massage establishment	SP	SP	SP	SP	✓
Mini-warehouse					
Multi-warehouse		SP	SP		✓
Outdoor storage, commercial					
Personal services establishment	P	P	P	P	
Photoengraving, typesetting, electrotyping	P	P	P	P	
Photographic studios	P	P	P	P	
Plumbing, HV/AC equipment establishments with no outdoor storage	P	P	P	P	
Publishing or printing establishments	P	P	P	P	
Quick copy printing store	P	P	P	P	
Services, Medical and Health					
Ambulance service or emergency medical services, private	P	P	P	P	
Health services clinic	P	P	P	P	
Home healthcare service	P	P	P	P	
Kidney dialysis center	P	P	P	P	
Medical or dental laboratories	P	P	P	P	
Services, Repair					
Furniture upholstery or repair; home appliance repair or service	P	P	P	P	
Personal service, repair (watch, shoes, jewelry)	P	P	P	P	
Service area, outdoor					
INDUSTRIAL					
Contractor, general (See also Building or Construction Office)			P		✓
Industrial, light			P		
Alcohol Manufacturing (brewery)	P	P	P		
Alcohol Manufacturing (distilled spirits)	P	P	P		
All other industrial uses not listed above					
COMMUNICATION — UTILITY					
Amateur radio service or antenna	P	P	P	P	✓
Electric transformer station, gas regulator station or telephone exchange	P	P	P	P	
Radio or television broadcasting studio	P	P	P	P	
Radio or television broadcasting transmission facility	P	P	P	P	
Satellite television antennae	P	P	P	P	✓
WIRELESS TELECOMMUNICATION (cell tower)					
Attached wireless telecommunication facility, used for non-residential purposes (prohibited if used as residential)	P	P	P	P	✓
Wireless Telecommunications (small cell structures)	P	P	P	P	✓
Stealth design up to 150'	P	P	P	P	✓
New support structure or stealth design up to 199'	P	P	P	P	✓

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COWs (non-emergency or event, no more than 120 days)	P	P	P	P	✓
COWs (declared emergency)	P	P	P	P	✓
Attached wireless telecommunication facility	P	P	P	P	✓
Monopole or attached facility in utility company's easements or rights-of-way	P	P	P	P	✓
CERTAIN ACCESSORY USES					
Drive-thru facilities (other than restaurants)	SP	SP	SP		✓

Table 3.9 Notes:

- [1] Only allowed on lots used for a single-family detached dwelling that meet the requirements of article IV, division 2 of this chapter.
- [2] Not to exceed 5,000 square feet per use unless approved by special land use permit. Not to exceed 10,000 square feet by special land use permit.

(Ord. No. O2019-04-15, exh. A(3.3.5), 6-26-2019; Ord. No. O2020-03-07 , exh. A, 3-23-2020; Ord. No. O2021-07-12 , Exh. A, 8-9-2021; Ord. No. O2021-10-21 , Exh. A, 11-8-2021; Ord. No. O2022-06-45 , Exh. A, 7-11-2022; Ord. No. O2022-10-52 , Exh. A, 11-14-2022; Ord. No. O2023-09-16 , Exh. A, 10-10-2023)

Sec. 46-1036. Dimensional requirements.

- (a) Dimensional requirements are as shown in table 3.10, Northlake District dimensional requirements.
- (b) Compatibility rules and transitional buffers per article V and section 46-1043 also apply.

Table 3.10 Northlake District Dimensional Requirements				
Element	Northlake District			
	NL-1	NL-2	NL-3	NL-4
Overall Site Requirements				
Mixed-use requirement				
Under 400,000 sq. ft. of floor area:	None	None	None	None
400,000 sq. ft. or more of floor area:	Min. 2 uses; min. 65% office and/or residential		Min. 2 uses; min. 70% industrial	None
Dwelling units per acre (for residential uses)				
Controlled by lot size and use regulations.				
Open space				
Sites less than 2 acres:	10% min.	10% min.	10% min.	10% min.
Sites 2 or more acres:	20% min.	20% min.	20% min.	20% min.

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Individual Lot Dimensions by Use				
Non-Residential or Mixed-Use				
Lot area:	20,000 sq. ft. min.	20,000 sq. ft. min.	30,000 sq. ft. min.	30,000 sq. ft. min.
Lot width:	50 ft. min.	50 ft. min.	50 ft. min.	50 ft. min.
Lot coverage:	80% max.	80% max.	80% max.	50% max.
Lot Dimensions: Townhouse dwellings				
Lot area:	n/a	n/a	n/a	1,000 sq. ft. min.
Unit width:	n/a	n/a	n/a	20 ft. min.
Lot coverage:	n/a	n/a	n/a	80% max. (individual lot), 50% max. (overall site)
Lot Dimensions: Other residential uses				
Lot area:	4,000 sq. ft. min.	4,000 sq. ft. min.	4,000 sq. ft. min.	4,000 sq. ft. min.
Lot width:	40 ft. min.	40 ft. min.	40 ft. min.	40 ft. min.
Lot coverage:	80% max.	80% max.	80% max.	50% max.
Setbacks for All Uses (See section 46-1036(c) for additional setback requirements)				
Front:	No min. / 20 ft. max.	No min. / 30 ft. max.	20 ft. min. / 30 ft. max.	30 ft. max.
Side (interior):	No min.	20 ft. min.	20 ft. min.	7.5 ft. min.
Side (corner):	See front	See front	See front	See front
Rear:	20 ft. min.	20 ft. min.	20 ft. min.	20 ft. min.
Height				
Main Buildings:	15 stories max. or 180 ft. max., whichever is less	9 stories max. or 135 ft. max., whichever is less	4 stories or 60 ft. max, whichever is less	3 stories or 52 ft. max. whichever is less
Parking Decks:	10 stories max. [1]	7 stories max. [1]		

Table 3.10 Note:

[1] Parking deck height limit applies to both freestanding decks and those incorporated into buildings.

(c) *Additional setback requirements.*

(1) Buildings may exceed the maximum setback to allow for stoops, front porches, balconies, canopies, or steps, a public space or park, and or outdoor dining.

(2) Parking is not allowed in the front yard or any other yard along public streets (not including 1-285).

(d) Dimensional requirements for each NL-PUD district and development shall be project specific, with the exception of open space requirements, and shall be set by the Master Development Plan as part of the rezoning process.

(Ord. No. O2019-04-15, exh. A(3.3.6), 6-26-2019; Ord. No. O2020-03-07 , exh. A, 3-23-2020)

Sec. 46-1037. Blocks and lots.

- (a) The following applies in addition to article V, division 1 of this chapter.
- (b) New developments over four acres in size in the NL-1 and NL-2 districts must incorporate existing or new streets that result in the following block sizes:
 - (1) Along Lavista Road, a maximum block length allowed of 700 feet.
 - (2) Along all other streets, a maximum block length allowed of 300 feet.
- (c) Streets may not be gated.
- (d) Blocks must form an interconnected system of streets.
- (e) The maximum radius at any street intersection is 20 feet.
- (f) Stub-out streets in new development must be installed to allow future development on adjacent properties to meet the block standards of subsection (a) above. Depending on the nature of the adjacent property, the stub-out street pavement, and curbing must extend to the boundary of the abutting parcel to the point where the connection to the anticipated street is expected.
- (g) If a stub-out street exists on an abutting parcel, the street system of any new development must connect to the stub-out street to form a through street.
- (h) The director of community development may modify or eliminate the block size and stub street requirements when steep slopes in excess of 18 percent, pre-existing development, railroads, interstates, tree protection areas, stream buffers, cemeteries, open space, or easements would make the provision of a new street infeasible.

(Ord. No. O2019-04-15, exh. A(3.3.7), 6-26-2019)

Sec. 46-1038. Vehicle access.

- (a) All parking must be accessed via shared alleys, private drives, or inter-parcel access.
- (b) Shared driveways between two parcels along a common property line may be required by the community development director during the land disturbance permitting process. In such cases, each property owner must grant an access easement to facilitate the movement of motor vehicles and pedestrians across the site. The property owner's obligation to comply with this requirement will be limited to the extent of legal permission to construct and utilize the required shared drive can be obtained from the neighboring property owner.
- (c) Driveway curb cuts may not exceed 24 feet in width. When a curb cut includes a median or one left turn lane, neither are included in the curb cut width.
- (d) Driveway curb cut intersection radii may not exceed 30 feet.
- (e) Driveways must be perpendicular to the adjacent street.

(Ord. No. O2019-04-15, exh. A(3.3.8), 6-26-2019)

Sec. 46-1039. Inter-parcel access.

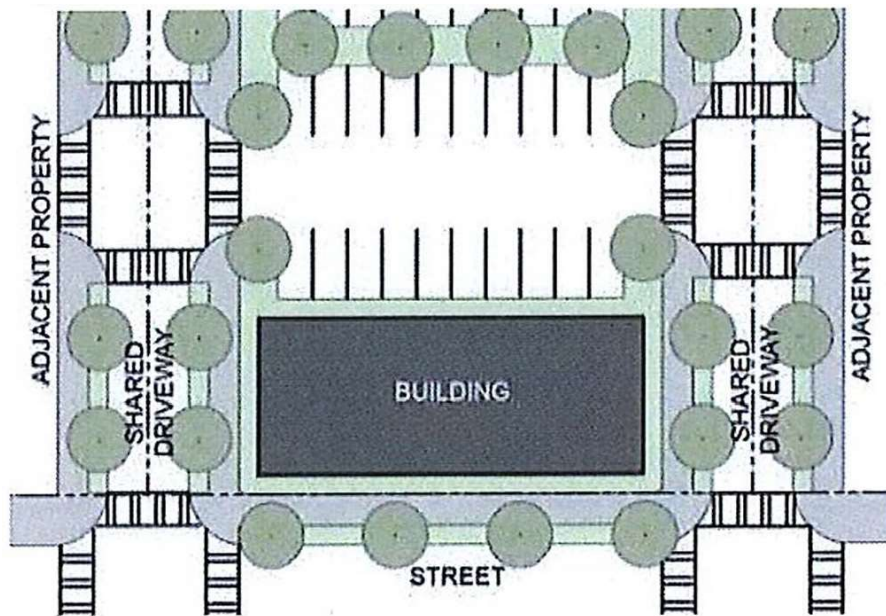
- (a) *Applicability.* The following applies to all new development, except the construction of detached single-family dwellings when no street is proposed.
- (b) *Inter-parcel access requirements.* Inter-parcel access for vehicles between abutting and nearby properties must be provided so that access to individual properties can be achieved between abutting and nearby developments as an alternative to forcing all movement onto highways and public roads, unless the community development director during the land disturbance permitting process determines that it is unnecessary to provide inter-parcel access due to the unlikelihood of patrons traveling among abutting or nearby sites, or due to inability after reasonable efforts by the property owner to obtain legal permission.

(Ord. No. O2019-04-15, exh. A(3.3.9), 6-26-2019)

Sec. 46-1040. Building form and design.

- (a) *Applicability.* The following applies to all buildings, including parking decks, and is in addition to those building form and configuration standards contained in article V, division 7 of this chapter.
- (b) *Pedestrian entrances.*
 - (1) All buildings adjacent to a public street must provide a direct pedestrian entrance from it.
 - (2) All commercial tenant spaces adjacent to a public street must provide a direct entrance from it, except when a common lobby is provided for office uses.
 - (3) The required pedestrian entrance must provide ingress and egress and must be operable to residents or customers at all times.
 - (4) The required pedestrian entrance must face the public street.
 - (5) Additional entrances off another street, pedestrian areas, open space, or parking areas are allowed.
- (c) *Pedestrian access.*
 - (1) Pathways must be provided from the closest public sidewalks to all required pedestrian entrances.
 - (2) Pathways must be provided from a public sidewalk to all parking areas, parking decks, and required open spaces.
 - (3) Pathways must be provided between all parking areas, parking decks, buildings, and required open spaces on a site.
 - (4) Required pathways must have a minimum width of five feet unless it serves an individual ground floor dwelling unit, where a four-foot wide pathway is allowed.
 - (5) Required pathways must be continuous (except at vehicular crossings) and constructed of concrete, brick, stone, or similar durable paver materials. Asphalt is not allowed.

Fig. 3.5 Inter-Parcel and Pedestrian Access



- (d) *Development and architectural controls.* Buildings and parking decks must comply with the following:
- (1) *Exterior materials.* The following applies to building facades:
 - a. Buildings facades must be faced in brick, natural or synthetic stone, true hard coat stucco, ceramics or tile, or pre-cast concrete, except as provided for in subsection (1)c. below.
 - b. Building facades may not be faced in aluminum, metal, corrugated steel, vinyl or plastic, plywood, pressed wood, imitation wood, EIFS, synthetic stucco, or concrete masonry units (except ribbed or rusticated units).
 - c. Buildings with five or more stories may incorporate a glass curtain wall above the third floor, in place of the materials identified in subsection (1)a. above.
 - d. Exterior finish materials may only be combined horizontally, with the visually heavier material below the lighter material as shown in table 3.11, general visual weight table. This does not apply to architectural accents.

Table 3.11 General Visual Weight Table

General Visual Weight Table	
This table shows the visual weight of allowed exterior finish materials. Those at the top are lighter than those at the bottom and must be combined accordingly.	
Visually Lighter	Glass curtain wall
	Hard coat stucco
	Brick
Visually Heavier	Natural or synthetic stone

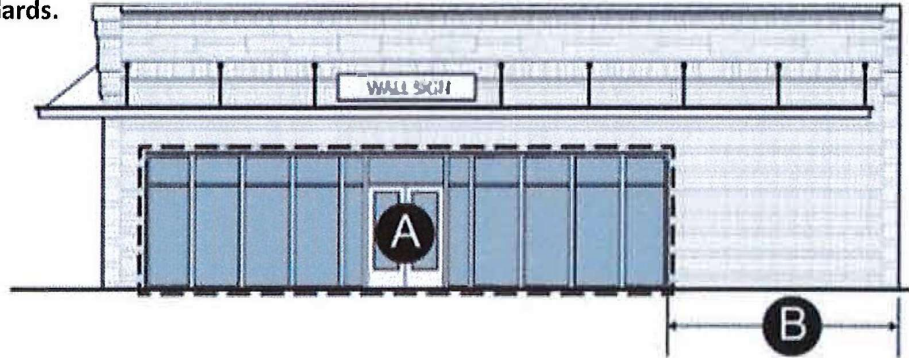
- (2) Architectural accents, if used, must consist of non-reflective glass, glass block, natural or synthetic stone, precast concrete, brick, terra cotta, true hard coat stucco, wood, cast stone, cast-iron, or decorative architectural grade steel or other equivalents subject to review and approval by the community development director.
 - (3) Service bays for automobile service and repair uses must be designed so that the openings of service bays are not visible from a public street.
 - (4) Corrugated Metal or temporary awnings are not allowed.
 - (5) Dumpsters must be screened on three sides by a wall at least eight feet high and on the fourth side by a solid gate at least eight feet high.
 - (6) Awnings must be designed to last for at least five years, per manufacturer's warranty. Torn, faded, damaged, or otherwise degraded awnings are not allowed.
 - (7) Mansard roofs are not allowed.
 - (8) Reflective roof finishes are allowed only on roofs sloped less than one inch per foot.
 - (9) Ground floor commercial uses must provide one canopy directly above each ground floor entrance that is at least as wide as the ground floor entrance;
 - (10) Linear lighting around windows, rooflines, doors, signs, or building structures is prohibited. Linear lighting may include, but is not limited to, neon tubes, rope lighting, and other similar lighting devices. Linear lighting devices that form letters or words are considered signs.
- (e) *Active ground floor uses.* The ground floor of all buildings, including parking decks, adjacent to a public street or as required around open spaces, must incorporate one or more of the following along the entire street-facing or open space-facing facade:
- (1) *Storefront active ground floor uses.*

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- a. The space must contain retail, restaurant/food establishment, or service uses for a minimum depth of 20 feet, except at breaks for pedestrian pathways or parking access.
 - b. The minimum floor to ceiling height is 14 feet.
 - c. The space must be equipped with utilities.
 - d. The space's primary use may not be storage, vehicular uses, equipment, coolers, computer servers, or computer/telecommunication exchanges.
 - e. The space must conform to section 46-1040(g).
- (2) *Non-residential active ground floor uses.*
- a. Provide other non-residential uses not included in subsection (1) above for a minimum depth of 30 feet, except at breaks for pedestrian pathways or parking access.
 - b. The minimum floor to ceiling height is 14 feet.
 - c. The space must be equipped with utilities.
 - d. The space's primary use may not be storage, vehicular uses, equipment, coolers, computer servers or exchanges.
 - e. The space must have at least 30 percent fenestration and may not provide more than 30 linear feet without fenestration.
- (3) *Residential active ground floor uses.*
- a. The space must contain residential uses for a minimum depth of 20 feet, except at breaks for pedestrian pathways or parking access.
 - b. The minimum floor to ceiling height is ten feet.
 - c. The space must be equipped with utilities.
 - d. The space must have at least 20 percent fenestration.
- (f) *Fenestration.*
- (1) *Defined.* Fenestration is the minimum percentage of window and door glass area that must cover a facade.
- (2) *Glass standards.* Glass used to satisfy fenestration requirements must be unpainted, must have a transparency (visible light transmission) higher than 70 percent, and must have an external reflectance of less than 15 percent. Transparency and external light reflectance must be established using the manufacturer's specifications.
- (3) *Measurement.* Fenestration is measured from the top of the finished floor to the top of the finished floor above. When there is no floor above, fenestration is measured from the top of the finished floor to the top of the wall plate.
- (4) *Minimum standards.* All buildings, including parking decks, must conform to the following along public streets or as required along certain open spaces:
- a. All ground floors must incorporate fenestration as required by the active use standards of section 46-1040(e).
 - b. All other floors must provide a minimum 20 percent fenestration for residential uses and a minimum of 30 percent fenestration for non-residential uses.
- (g) *Storefront.* Ground floor storefront along a public street, or as required along an open space, must:

- (1) Provide fenestration for at least 65 percent of the exterior facade area, with each facade calculated separately.
- (2) Provide no more than 30 linear feet without fenestration.
- (3) Allow views into the building interior for a depth of at least five feet.

Fig. 3.6. Storefront standards.

A: Min. 65% fenestration
B: Max. 30 ft blank wall



(h) *Building massing.*

- (1) Street-facing building facades greater than 150 feet in length must be modulated with breaks in wall surfaces, materials, and rooflines at intervals not to exceed 150 feet (measured parallel to the street).
- (2) Stories on street-facing building facades must be delineated up to and including the third story through the use of windows, belt courses, cornice lines, or similar architectural detailing.
- (3) Parking decks along a public street must comply with subsection (2) above, except that the number of stories used will be based on standard building story heights, not the actual height of the parking levels.

(i) *Roofs.*

- (1) Roof-mounted mechanical equipment and appurtenances must be located or screened so that they are not visible from the ground level.
- (2) Screening must be of a material and design that match the building.
- (3) Rooftop appurtenances must be painted to be compatible with the colors of the roof.
- (4) Roofing materials for sloped roofs must have a minimum 25-year roof life (per manufacturer's warranty) and must have no visible roll roofing.

(j) *Additional townhouse and multi-family development standards.*

- (1) Mechanical equipment and other building service items may not be located between the public sidewalk and building facade.
- (2) Individual townhouse units and ground floor multi-family units adjacent to a public street must provide a direct pedestrian entrance from it. They must also provide a front porch or a front stoop facing said street.
- (3) The pedestrian entrance required by subsection (2) above may be raised above the average grade of the sidewalk directly in front of it a maximum of three feet.
- (4) Access to parking is only allowed via an alley or private drive located behind the units. Garages may not face a public street.

(Ord. No. O2019-04-15, exh. A(3.3.10), 6-26-2019)

Sec. 46-1041. Fences.

Barbed wire, razor wire, chain-link fence, and similar elements are not allowed.

(Ord. No. O2019-04-15, exh. A(3.3.11), 6-26-2019)

Sec. 46-1042. Open space.

- (a) *Open space required.* New developments must incorporate open space as required in table 3.5 and this section.
- (b) *Enhanced open space.* Open spaces used to satisfy open space requirements must conform to enhanced open spaces types established in article V, division 5 of this chapter, except as otherwise allowed by subsection (c) below. Enhanced open space must also:
 - (1) Adjoin buildings with active ground floor uses conforming to section 46-1040(e) on at least one side and for not less than 25 percent of the open space's perimeter; and
 - (2) Be directly accessible from a public sidewalk.
- (c) *Amenity open space.* Amenity open space may also be used to satisfy open space requirements. Amenity open space is small covered or uncovered, unenclosed, outdoor areas. It is limited to at-grade hardscape or landscape areas improved for pedestrian enjoyment; rooftop decks; patios and porches; balconies; or yards, lawns, and gardens. Interior or exterior stairs or elevators may be used to provide access to rooftop decks, patios, porches, and balconies.
- (d) *Maintenance.* Each applicant must present, as a part of the application for a building permit, a legal mechanism under which all land to be used for open space purposes will 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 must be approved by the city attorney as assuring each of the following mandatory requirements:
 - (1) That all subsequent property owners be placed on notice of this development restriction through the deed records of DeKalb County Superior Court;
 - (2) That all open space held in common will be properly maintained and insured with no liability or maintenance responsibilities accruing to the city;
 - (3) That a legal mechanism exists for notice of deficiencies in the maintenance of the open 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 city; and
 - (4) When an applicant chooses to utilize a property owners' association in order to comply with the requirements of subsection (d) above, the applicant, in addition to meeting all of said requirements, must 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

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- d. Continued maintenance of open space held in common and liability through the use of liens or other means in the case of default.

(Ord. No. O2019-04-15, exh. A(3.3.12), 6-26-2019)

Sec. 46-1043. Neighborhood compatibility.

Transitional buffer zones. NL districts must conform to the transitional buffer requirements in section 46-1338, except as follows:

- (a) There is no transitional buffer requirement between lots that are both within an NL district.
- (b) When an NL district adjoins an RE, RLG, R-100, R-85, R-75, or R-60 district, a Buffer Class C is required.

(Ord. No. O2019-04-15, exh. A(3.3.13), 6-26-2019)

Sec. 46-1044. Streets and streetscapes.

(a) *Street design.*

- (1) *Applicability.* Public and private streets must comply with the requirements for public streets found in chapter 22, except as specifically otherwise provided for in this section.
- (2) *Travel lane width exception.* Eleven feet wide travel lanes are required on all streets except alleys and designated truck routes. Further lane reductions may also be approved by the community development director when the proposed width conforms to the published best practices of American Association of State Highway Transportation Officials (AASHTO) and/or the Institute of Transportation Engineers (ITE).
- (3) *Street dimensions.* All new or extended public or private streets must conform to table 3.12, new street dimensions, unless modified by the community development director for the following public purposes:
 - a. To provide alternative bicycle facilities;
 - b. To provide wider streetscapes;
 - c. To provide turn lanes;
 - d. To provide traffic calming or pedestrian safety measures;
 - e. To serve truck routes; or
 - f. To increase lane width and right-of-way along state and federal routes.

(4) *Medians.*

- a. Medians must be designed to provide for safe and convenient crossings for persons with disabilities and must provide refuge for pedestrians at crosswalks.
- b. Medians must be landscaped with trees, shrubbery, landscaping, and other approved groundcover materials.

(b) *Bicycle facilities.*

- (1) Bicycle facilities must be incorporated in conformance with any plan that has been adopted by the City of Tucker or the Georgia Department of Transportation.

- (2) Bicycle lanes may not be less than five feet in width. Gutters may not be counted towards this requirement.
- (3) Multi-use trails may not be less than ten feet in width.
- (4) Bicycle facilities must incorporate signs and pavement markings as required by the latest version of the Manual for Uniform Traffic Control Devices.

Table 3.12 New Street Dimensions					
New streets must incorporate all of the elements shown below and with the indicated dimensions.					
Street Type	Number of Lanes	Median Width	Bicycle Facility	Parallel Parking	Right-of-Way Width
Boulevard	4	16 ft.	Bicycle lane required	n/a	110 ft.
Avenue	4	12 ft.	Bicycle lane required	n/a	100 ft.
Major Collector	4	n/a	Bicycle lane required	Required both sides, 9 ft.	105 ft.
Minor Collector	2	n/a	n/a	Required both sides, 9 ft.	80 ft.
Local Street	2	n/a	n/a	Required both sides, 9 ft.	60 ft.

Fig. 3.7 New Boulevard, Avenues, and Major Collector Streets

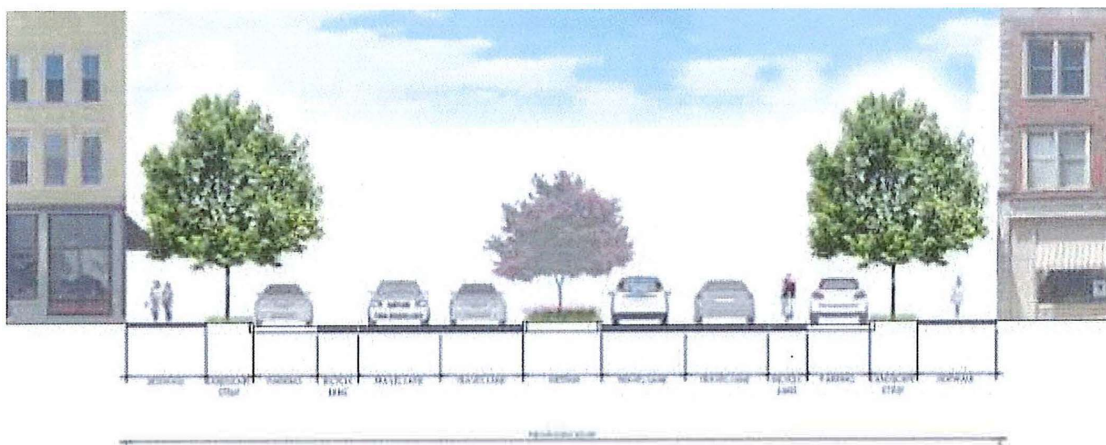
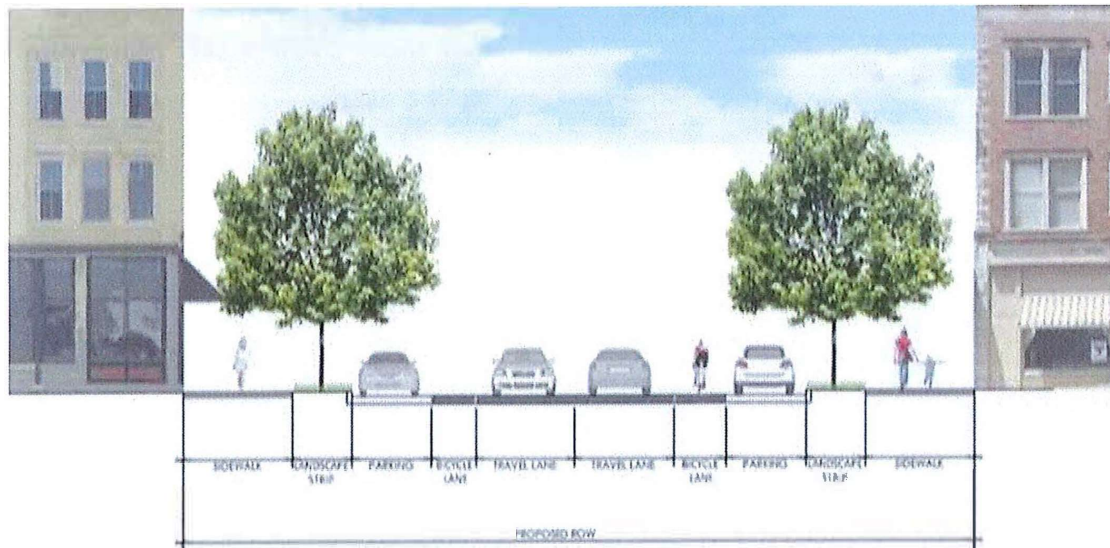


Fig. 3.8 New Minor Collector Streets and Local Streets



(c) *Streetscape elements and dimension.*

- (1) Streetscapes must be installed on existing and new streets as required by section 46-1336 and in conformance with table 3.14, except when subsection (2) or subsection (3) below applies.
- (2) A multi-use trail may be required instead of a sidewalk along any new or existing street when the location has been identified as a multi-use trail in any plan that has been adopted by the City of Tucker or the Georgia Department of Transportation.
- (3) Streetscapes must match any ongoing or completed publicly-funded streetscape designs.

(d) *Landscape strip design.*

- (1) Street trees are required and must conform to section 46-1047(d).
- (2) Street trees must have a minimum unpaved planting area of four feet by eight feet. Tree planting areas must provide porous drainage systems that allow for drainage of the planting area. Tree grates are prohibited.
- (3) Street tree species or planting patterns of varied species must be consistent for an entire block length. Similarly-shaped species may be changed on an individual block face due to: limited supply or concerns regarding disease or the health of existing and proposed trees with approval from the community development director and consultation from a certified arborist.

(e) *Sidewalk design.*

- (1) Sidewalk paving materials must continue across driveways at the same prevailing grade and cross slope as the adjacent sidewalk area.
- (2) Sidewalks must be broom finished poured-in-place concrete or pavers of brick, concrete, or stone. Other materials may be allowed by approval of the community development director.
- (3) When new sidewalks abut existing sidewalks the new sidewalk must provide safe facilitation of pedestrian traffic flow to adjacent sidewalks. A minimum ten feet long taper must 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 must replace disturbed areas to their original state and condition.

- (f) *Underground utilities required.* All utilities, except major electric transmission lines and sub-stations, must be buried unless the community development director determines that underground utilities are not feasible due to existing physical conditions, such as conflicting underground structures or utilities, shallow rock, high water table, or other similar geologic or hydrologic conditions.
- (g) *Street lights and street furnishings.*
- (1) Light poles are required and must be spaced at a maximum of 80 feet on-center and of a type identified in section 46-1048.
 - (2) Pedestrian lights are required and must be spaced at a maximum of 60 feet on-center and of a type identified in section 46-1048.
 - (3) Street and pedestrian lights must alternate.
 - (4) Street furnishings may only be placed in the landscape strip or between the sidewalk and the building.
 - (5) Street furnishings are required and must be of a type identified in table 3.13, which includes specific products by specific brands. The use of specific products and brands is not required and similar designs may be used.
 - (6) Street furnishings must be comfortable, damage and vandalism resistant, and be easy to maintain.

Table 3.13: Street Furniture Specifications		
Location	Fixture Type	Specification
Landscape Strip	Benches	Victor Stanley Model #RB-28 in 6' length, Color: black
Landscape Strip	Trash Receptacles	Victor Stanley—the Bethesda Series Model # S-424, Color: black
Landscape Strip	Bicycle Racks	DuMor Inc.—Leisure Lines Model # 130-30, surface mount, Color: black

3.14 Streetscape Dimensions					
Existing and New Streets					
Street Type	Streetscape Zone			Landscape Strip Elements	
	Total Width	Landscape Strip	Sidewalks	Street Light Spacing (max.)	Street Tree Spacing (max.)
Lavista Road:	20 ft.	5 ft.	15 ft.	80 ft. [1]	30 ft.
Other NL-1, NL-2 streets:	15 ft.	5 ft.	10 ft.	80 ft. [1]	30 ft.
Other NL-3 streets:	11 ft.	5 ft.	6 ft.	80 ft. [1]	30 ft.

Table [3.14] Note

[1] This requirement applies to street light poles only. Additional pedestrian light requirements apply.
(Ord. No. O2019-04-15, exh. A(3.3.14), 6-26-2019)

Sec. 46-1045. Drive-thru facilities.

The following applies in addition to any applicable standards of article IV:

- (a) Drive-thru windows and lanes must be screened by a continuous compact evergreen hedge. At the time of installation, the screening must be at least three feet high and reach a height of four feet within three years of planting.
- (b) In lieu of the compact evergreen hedge, a screening wall with a minimum height of four feet may be installed. The wall must be compatible with the principal building in terms of texture, quality, material, and color.

(Ord. No. O2019-04-15, exh. A(3.3.15), 6-26-2019)

Sec. 46-1046. Parking.

(a) *Off-street parking ratios.*

- (1) NL districts must conform to the off-street parking requirements contained in table 6.2, off street parking ratios, except as indicated in subsections (2) and (3) below.
- (2) Office uses may provide a maximum ratio of six spaces per 1,000 square feet of floor area when at least 50 percent of the total number of provided office parking spaces are located underground (on all sides) and/or are within parking decks having two or more parking levels.
- (3) Residential uses must provide a minimum of one space per dwelling unit and a maximum ratio as identified in table 6.2, off-street parking ratios.

(b) *Shared parking.*

- (1) Shared parking is allowed in accordance with section 46-1453 or in accordance with subsections (2) through (5) below.
- (2) Instead using the steps identified in section 46-1453, applicants may submit a shared parking analysis using the Urban Land Institute (ULI) Shared Parking Model (latest edition).
- (3) The study must be provided in a form established by the community development director.
- (4) Reductions in the total number of required spaces for shared parking are not allowed unless the community development director determines a reduction is appropriate on a case-by-case basis through the use of the ULI Shared Parking Model (latest edition).
- (5) Uses using shared parking must have either mutually exclusive or compatibly overlapping normal hours of operation. The community development director will determine whether hours of operation are compatibly overlapping on a case-by-case basis through the use of the ULI Shared Parking Model (latest edition).

(c) *Off-street parking location and design.*

- (1) *Location.* All off-street parking including surface lots and parking decks may only be located behind or beside a street-fronting building, except as allowed for individual townhouse units by section 46-1040(j).

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- (2) *Parking lot screening.* Parking lots must be screened from view of public streets using one of the following:
- Shrubs.* Plant a minimum of ten shrubs per 35 linear feet of street frontage, excluding driveway openings. Shrubs must be 18 inches tall at the time of planting. They must be planted two rows deep, and provide a screen within three years of planting.
 - Walls.* Install a minimum 30 inches high wall as close to the parking lot as possible. Wall must be opaque and compatible with the principal building material.
- (3) *Parking deck screening.* Parking decks must provide screening on all stories by providing a facade designed to resemble an office or residential building and conform to the applicable building form and design requirements of section 46-1040.
- (4) *Landscape strips.* The following applies around parking lots and parking decks:
- Adjacent to a street.* A landscape strip with a minimum width of six feet is required adjacent to public streets. Evergreen shrubbery at least 18 inches high is required.
 - Not adjacent to a public or private street.* A landscape strip with a minimum width of six feet is required along all sides of the facility that are not adjacent to public or private streets.
 - Exceptions.* Landscape strips are not required at driveways, walkways, pedestrian plazas, or where adjacent active ground floor uses are provided.
 - Planting.* The landscape strips may contain no less than one understory or over story tree per 50 linear feet, ten shrubs per 50 linear feet, and a minimum of 90 percent living groundcover, sod, and/or annual or perennial color in the landscape strip surface area. Landscaping must conform to section 46-1047.
- (5) *Restrictions.* No parking area may be used for the sale, repair, dismantling, servicing, or long-term storage of any products, vehicles, or equipment.

(Ord. No. O2019-04-15, exh. A(3.3.16), 6-26-2019)

Sec. 46-1047. Landscaping.

- Plans required.* Landscape planting and irrigation plans must be prepared by a landscape architect registered in the State of Georgia for each application for a land disturbance permit.
- Maintenance.* When a private property owner provides landscaping within the public right-of-way and the landscaping dies within one year of installation, it must be replaced within the earliest possible planting season.
- Ground cover.*
 - Ground cover must be provided around all trees to protect tree roots, to prevent erosion, and as otherwise required by this division.
 - Ground cover must consist of evergreen shrubs or groundcover plant material mulched with pine bark mulch or other similar landscaping material.
 - Evergreen groundcover planting must be used on all slopes steeper than 2.5:1 to aid in erosion control.
- Trees.*
 - Newly planted trees must be a minimum of 3.5 inches in caliper measured 12 inches above the ground, must be at least 16 feet high and must have a minimum mature height of 30 feet.

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- (2) No tree may be planted closer than 30 inches from the street or sidewalk, and no closer than eight feet from a fire hydrant, signpost, streetlight standard, utility pole, or similar structure.
- (e) *Irrigation.* All newly planted landscape areas (including parking lot islands) shall be irrigated by a fully automatic, commercial, underground irrigation system in accordance with the following standards:
- (1) All irrigation systems must be provided with backflow preventers approved by DeKalb County. Such devices shall be located or screened so that they are not visible or accessible to the public from adjacent sidewalks, streets, alleys, or parking lots.
 - (2) Spray heads must be located to provide 100 percent overlapping coverage. Overspray onto sidewalks and other paved areas should be minimized.
 - (3) Control boxes and panels shall be located inside buildings or where they will not be visible or subject to vandalism.
 - (4) All main and lateral lines shall be commercial grade PVC pipe.
 - (5) Irrigation systems are not required in undisturbed buffers or in areas where they would disrupt existing native vegetation.
- (f) *Plant materials.* Plant materials required or installed along or adjacent to streets must be selected from the following list of species in the minimum sizes shown. Plant materials provided in other locations may be any species appropriate to the design and location, subject to the approval of the plan reviewer, provided that all trees must be native or adaptive to Tucker.
- (1) *Flowering shrubs.*
 - a. Abelia X Grandiflora, three-gallon;
 - b. Jasminum Nudiflorum, three-gallon;
 - c. Coreopsis Auriculata, one-gallon;
 - d. Narcissus.
 - (2) Ground cover.
 - a. Liriope Muscari, one-gallon;
 - b. Rubus Caleinoides, one-gallon;
 - (3) Trees along Lavista Road.
 - a. Cercis Canadensis (single-trunk only), two-inch caliper;
 - b. Chionanthus Virginicus (single-trunk only), one-and-one-half-inch caliper;
 - c. Prunus "Okame", one-and-one-half-inch caliper;
 - d. Quercus Shumardii, three-and-one-half-inch caliper.
 - e. Lagerstroemia Indica, ten feet high;
 - (4) Trees along remaining streets.
 - a. Any tree listed in subsection (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 Biloba (fruitless only);
- j. Trident Maple (*Acer Buergeranum*);
- k. Allee Laechar Elm (*Ulmus Parvifolia Emer II*).

(Ord. No. O2019-04-15, exh. A(3.3.17), 6-26-2019)

Sec. 46-1048. Outdoor lighting.

- (a) Light levels of 1.5 foot-candles are recommended for parking lots and four foot-candles at vehicular drives, entrances, and pedestrian and bicycle facilities.
- (b) Ground-mounted floodlights must be screened with planting or other means so that the light source is not visible.
- (c) The use of flashing, rotating, or oscillating lighting is not allowed in any manner that may be visible from the exterior of buildings.
- (d) After-hours security lighting must equal at least 25 percent of the normal parking lot lighting level for security.
- (e) Outdoor lighting must be of a type identified in table 3.15, which includes specific products. The use of specific products is not required when similar designs from other manufacturers are available.

Table 3.15: Outdoor Lighting Specifications		
Location	Type	Specification
Street Light	Fixture type	Philips Gardco CA-22-1-3-250 MH-VTBS-BLA
	Pole type	Philips Gardco RA5-28H-TBS-TBS-BLA
Parking Lot Light	Fixture type	Philips Gardco CA-22-2-3-250MH-VTBS-BLA
	Pole type	Philips Gardco-RA5-25H-TBS-TBS-BLA
Pedestrian Light	Fixture type	Cooper Lighting Modern Epic Large (MEL) model # MEL 15SWW3SXBLBK
	Arm type	Cooper Lighting model # SA6005-BK4
	Pole type	Hapco model # 89871-003-PI

Fig. 3.9 Parking Lot Light Fixture and Pole



(Ord. No. O2019-04-15, exh. A(3.3.18), 6-26-2019)

Sec. 46-1049. Administrative variations.

- (a) The community development director may grant administrative variances in addition to those allowed by article VII, division 6 when the variance is used to permit a practice that is not consistent with a specific provision but is justified by the division's purpose and intent.
- (b) Administrative variances may not be used to:
 - (1) Provide relief from minimum or maximum parking ratios;
 - (2) Increase the allowed site density;
 - (3) Increase the allowed number of stories in a building; or
 - (4) Permit a use that is not allowed by district regulations.

(Ord. No. O2019-04-15, exh. A(3.3.19), 6-26-2019)

Sec. 46-1050. NL-PUD Standards

(a) Minimum Standards.

- (1) The area proposed for a NL-PUD zoning district shall be a minimum of thirty (30) contiguous acres. If the thirty (30) acres are divided by an existing public road, the proposed site plan shall incorporate land

use planning and design features to connect the separate areas so that they function and appear as one common development.

(2) Each NL-PUD zoning district and development shall incorporate at least two of the following uses:

- a. Residential multifamily units and/or townhomes;
- b. Commercial offices;
- c. Retail;
- d. Hotel.

(3) The minimum open space requirements of the underlying zoning district shall be met, and at least one open space area shall be a minimum of one acre and serve as a focal point of the development that includes active uses.

(4) Any variations to the regulations in Division 3 shall be outlined in the Master Development Plan. If the Master Development Plan is silent of any standard in Division 3, the main provisions shall prevail.

(5) Streetscape standards along the right-of-way, including trail standards, cannot be waived as part of the NL-PUD process.

(6) Due to the mixed-use nature of NL-PUD proposals, designs shall be determined based upon the context and guidance of the comprehensive plan.

(b). Application Requirements. In addition to the application requirements in Sec. 46-1525, the following are required to be submitted when requesting to rezone to NL-PUD.

(1) Conceptual Site Plan

(2) Master Development Plan. The Master Development Plan shall serve as a unique code for each NL-PUD development. Regulations should address permitted and prohibited uses, dimensional requirements, building design and materials, parking requirements, pedestrian and vehicular access, building massing, open space and landscaping standards, fencing, and other specific elements as required by the planning and zoning director.

(3) Phasing Plan. Should a NL-PUD development be expected to require five years or longer to complete, a phasing plan shall be provided by the applicant that indicates the timeframe for construction and development of different aspects of the project. The phasing plan shall meet the following standards.

a. Each phase must maintain or exceed the required percentage of commercial development proposed.

b. Certificates of Occupancy for any multifamily residential unit may only be issued after the issuance of certificates of occupancy of the required percentage of commercial development associated with the multifamily residential units.

(4) Architectural Pattern Book. An architectural pattern book demonstrating approved building forms, materials, features, exterior finishes, windows, doors, colors, and other items. The pattern book shall include conceptual renderings of proposed buildings.

Secs. 46-~~1050~~1051—46-1070. Reserved.