

CHAPTER 16-18Q. SPI-17 PIEDMONT AVENUE SPECIAL PUBLIC INTEREST DISTRICT REGULATIONS

Sec. 16-18Q.001. Scope of provisions.

The regulations set forth in this chapter, or set forth elsewhere in this part when referred to in this chapter, are the regulations for the SPI-17 Piedmont Avenue Special Public Interest District. These regulations shall supplant existing districts or portions of existing districts as shown on the attached map referenced in section 16-18Q.003, except that all existing categories of historic protection designated pursuant to chapter 20 of part 16 shall continue in full force and effect and said existing historic protection regulations shall be overlaid upon, and shall be imposed in addition to, the regulations set forth in this chapter. Whenever the following regulations are at variance with said existing historic protection regulations, the historic protection regulations shall apply. Whenever the following regulations conflict with provisions of part 16 other than historic protection regulations, the more stringent regulation shall apply.

The regulations set forth in sections 16-18Q.001 through and including section 16-18Q.024 shall apply to all properties located within the SPI-17 Piedmont Avenue Special Public Interest District, including all subareas within the district. The remaining regulations set forth in section 16-18Q.025 through section 16-18Q.028 shall apply only to the subareas identified therein.

(Ord. No. 2001-85, § 1, 11-14-01)

Sec. 16-18Q.002. Statement of intent.

The intent of the council in establishing SPI-17 Piedmont Avenue Special Public Interest District as a zoning district is as follows:

1. To provide through the administration of specific standards and criteria that new housing achieve architectural, site and street design consistent with the existing historic built environment;
2. Improve the aesthetics of the built environment;
3. Facilitate safe, pleasant, and convenient pedestrian circulation and minimize conflict between pedestrians and vehicles;
4. To encourage owner occupancy and retention of single-family residential structures compatible with the character of the Midtown residential neighborhood while permitting multi-family housing in appropriate locations adjacent to Piedmont Avenue;
5. To develop an appropriate transition between higher densities in Midtown to the west of Piedmont Avenue and lower densities in Midtown to the east of Piedmont Avenue, in such a way as to reinforce visual continuities, urban design linkages, appropriate transportation corridors, and neighborhood street patterns;
6. To provide appropriate and distinct entrances into the Midtown neighborhood;
7. To require general compatibility between and among new structures and historic buildings within the Piedmont Avenue Special Public Interest District;
8. To provide and protect existing single and multi-family housing along Piedmont Avenue that does not detract from adjacent single-family housing;

9. Prevent encroachment of incompatible commercial uses and parking into residential neighborhoods;
10. Protect the historic character of Midtown and the adjoining residential neighborhoods;
11. To protect and enhance traditional buildings and uses within the 10th Street commercial node by retaining historic structures and uses, and encouraging the redevelopment of non-historic properties compatible with historic structures.

(Ord. No. 2001-85, § 1, 11-14-01)

Sec. 16-18Q.003. Boundaries of district established.

The boundaries of the SPI-17 Piedmont Avenue Special Public Interest District are shown on map attachment A which by this reference is incorporated into and made a part of this chapter and this part. The Piedmont Avenue Special Public Interest District is divided into four subareas as shown on said map attachment A and are described as follows:

Subarea 1: 14th and Piedmont.

Subarea 2: Piedmont North.

Subarea 3: 10th and Piedmont.

Subarea 4: Piedmont South.

(Ord. No. 2001-85, § 1, 11-14-01)

Sec. 16-18Q.004. Application procedures.

A special administrative permit shall be required for development in this district as set forth in this section. A special administrative permit (SAP) application and seven copies each of a site plan, landscape plan and elevation drawings of each exterior facade shall be submitted and approved by the director of the bureau of planning prior to the applicant filing for a building permit. All new construction, including additions to existing buildings, expansions of existing outdoor dining, outdoor dining within required sidewalk areas, or any construction which results in increased lot coverage or a modification of the building footprint within this district, shall be subject to said site plan review and approval. Before making application for a special administrative permit, a pre-application conference between the applicant and the director of the bureau of planning or the director's designee is required to discuss the application and relevant requirements of these regulations. Said preapplication conference shall be held within 14 days of the request by the applicant, unless a longer period is mutually agreed upon. All applications for a special administrative permit shall be processed in accordance with the standards and procedures applicable to said SAP applications contained in chapter 25 of part 16 except as otherwise modified by this chapter 18Q.

(Ord. No. 2001-85, § 1, 11-14-01)

Sec. 16-18Q.005. Permitted principal uses and structures.

In all subareas, a building or premise shall be used for the following permitted principal uses and structures. Additional permitted principal uses and structures shall be used only as specified in each subarea (sections 16-18Q.025 through 16-18Q.028).

1. Single-family, two-family, and multi-family dwellings.
2. Structures and uses required for operation of MARTA, public transit or public utility, but does not include uses involving storage, train yards, warehousing, switching, or maintenance shops as the primary purpose.
3. Supportive housing.

Any principal use and structure not specifically listed above is prohibited in this district, unless otherwise specifically authorized in the subarea regulations.

No use or manner of operation shall be permitted which is obnoxious or offensive by reason of odor, smoke, noise, glare, fumes, gas, vibration, unusual danger of fire or explosion, emission of particulate matter, or interference with radio or television communication, or is otherwise incompatible with the character of the district and its relation to adjoining districts.

Pursuant to section 16-28.016 adult businesses are not permitted uses in the district.

(Ord. No. 2001-85, § 1, 11-14-01; Ord. No. 2009-24(08-O-1251), § 2T, 6-9-09)

Sec. 16-18Q.006. Permitted accessory uses and structures.

Accessory uses and structures permitted within this district shall include those customarily accessory and clearly incidental to permitted principal uses and structures and specifically include clubhouses, pools, and other recreation amenities, and parking to serve authorized residential and nonresidential uses within the district subject to the restrictions contained in section 16-18Q.021 and elsewhere in this chapter.

(Ord. No. 2001-85, § 1, 11-14-01)

Sec. 16-18Q.007. Special permits.

The following uses are permissible only by additional special permits of the type indicated subject to limitations and requirements set forth in this chapter 18Q or elsewhere in this part, and subject to the applicable procedures and requirements set forth in section 16-25.001, et seq.

1. *Special use permits.*
 - a. Churches, synagogues, temples, mosques and other religious worship facilities where lot area is greater than one acre.
 - b. Childcare centers, kindergartens and special schools.
 - c. Nursing homes, personal care homes, assisted living facilities and rehabilitation centers.
2. *Special administrative permits.* Outdoor displays of merchandise or sales areas within the supplemental zone.
3. *Special exceptions.*
 - a. Accessory outdoor amplified music.
 - b. Churches, synagogues, temples, mosques and other religious worship facilities where lot area is less than one acre.
 - c. Reduction or transfer of parking requirements. Parking requirements may be reduced or transferred off-site within 400 feet of the primary use and within the district only upon a determination that:

- i. The character or use of the building is such as to make unnecessary the full provisions of parking facilities; or
- ii. That the applicant has established a valid shared or off-site parking arrangement. Said shared or off-site parking arrangement shall avoid conflicting parking demands and provide for safe pedestrian circulation and access, and meet all other criteria of section 16-25.002(3). Additionally, all shared or off-site parking spaces shall be clearly marked and signed as reserved during specified hours. An applicant shall submit the following information establishing conformance to the above criteria in order to share or transfer parking requirements and avoid conflicting parking demands:
 - a). A to-scale map indicating location of all proposed parking spaces;
 - b). Indicate hours of business operation(s);
 - c). Written consent of all property owners agreeing to the shared or off-site parking arrangement;
 - d). Copies of parking leases for shared or off-site parking arrangements. Renewed leases shall be provided to the director of the bureau of planning. Lack of a current lease shall automatically terminate the special exception authorization.
- d. Variations in parking deck treatment. When topographical conditions prevent the parking deck treatment requirements of section 16-18Q.013(5) and section 16-18Q.013(9) from being met, a continuous minimum five-foot wide landscaped strip between the structure and the public sidewalk shall be provided. The landscaped strip shall be planted with street trees spaced a maximum distance of 20 feet on center, which shall also meet the tree requirements in section 16-18Q.012(4). The landscape strip shall also be planted with evergreen ground cover such as mondo grass, *Liriope spicata*, ivy or evergreen shrubs with a maximum mature height of 24 inches. All plantings, planting replacement and planting removal shall be approved by the city arborist.
- e. Alterations in transitional height planes and transitional yards.

(Ord. No. 2001-85, § 1, 11-14-01; Ord. No. 2004-53, § 25A, 8-20-04; Ord. No. 2005-21, §§ 1, 2, 3-25-05)

Sec. 16-18Q.008. Redevelopment requirements.

Any property wherein 60 percent or greater of the principal building is removed or destroyed by any means shall be redeveloped in accordance with the requirements of this chapter and any paving or other accessory structural elements within any required transitional yard shall be removed and buffers provided as required herein, notwithstanding any other provisions in part 16 to the contrary.

(Ord. No. 2001-85, § 1, 11-14-01)

Sec. 16-18Q.009. Transitional uses and yards.

1. *Transitional height planes.* Where this district adjoins an R-1 through R-G or PD-H district without an intervening street, height within this district shall be limited as follows: No portion of any structure shall protrude through a height limiting plane beginning 35 feet above the buildable area boundary nearest to the common residential district (R-1 through R-G or PD-H) district and extending inward over this district at an angle of 45 degrees.

2. *Transitional yards.*

a. Where this district subarea No. 3 adjoins an R-1 through R-G, or PD-H district or other SPI-17 subareas without an intervening street, a minimum of 20 feet is required which shall not be used for the purpose of parking, paving, loading, servicing or any other activity with the exception of private alleys or drives a maximum of ten feet in width. Such yards shall be planted as approved by the city arborist and maintained as a landscaped strip.

b. *Screening.* In addition to the above transitional yard requirements, permanent opaque walls six feet in height shall be provided and shall be maintained in slightly condition.

3. *Fire safety code requirements.* Notwithstanding any other provisions of this chapter, the applicant shall be responsible for ensuring that the plans submitted meet all fire safety code requirements.

(Ord. No. 2001-85, § 1, 11-14-01)

Sec. 16-18Q.010. Development controls.

1. *Bulk limitations.* See specific regulations for each subarea at sections 16-18Q.025 through 16-18Q.028. For purposes of this chapter, and notwithstanding the provisions of Code section 16-29.001(24), mixed-use development is defined as any development which contains as principle uses both residential and nonresidential uses on the same development site, and in which each of such uses constitute at least 20 percent of the total floor area, excluding accessory uses.

2. *Yards and supplemental zones.* See specific regulations for each subarea at sections 16-18Q.025 through 16-18Q.028.

3. *Single-family detached.* Minimum lot width of 50 feet and minimum net lot area of 5,000 square feet.

4. *Two-family dwellings.* Minimum unit width of 20 feet and minimum net lot area of 2,000 square feet.

5. *Minimum open space requirements.* When either the residential or nonresidential component of the development is a minor use of less than 20 percent of the total floor area minimum open space requirements do not apply to such minor use.

a. For residential uses, including all residential components of mixed use developments, open space requirements as indicated on Table I, "Land Use Intensity Ratios" shall be required for useable open space (UOSR) only.

b. For nonresidential uses, including all nonresidential components of mixed-use developments, a minimum of 20 percent of the net lot area shall be public space. See also section 16-28.012 for definitions and measurements. Required yards and requirements for sidewalk widths which are constructed on private property may be counted towards this requirement. Such public space may include planted areas, fountains, plazas, hardscape elements related to sidewalks and plazas, and similar features which are located on private property.

- c. For mixed uses, the sum of minimum open space requirements specified in subsections a. and b. above for nonresidential and residential shall be met.
 - d. Residential balconies. Balconies for residential units, which are enclosed on three sides, may be counted towards UOSR for a maximum depth of six feet.
 - e. New streets incentive. New public streets, or private streets which function as public streets may be counted towards UOSR and public space requirements provided the following criteria are met:
 - i. Connects two other public streets;
 - ii. Meets sidewalk requirements for the district subarea;
 - iii. The maximum width shall be 40 feet which shall include, two on-street parallel parking lanes, two travel lanes and sidewalk extensions at intersections and shall have granite curbs;
 - iv. When surrounding a park area, new streets shall meet all above requirements along each park edge; and
 - v. Gates shall not be permitted across said streets.
 - f. On-street parking incentive. New on-street parking may be counted towards UOSR or public space requirements provided the following criteria are met:
 - i. No on-street parking currently exists in the public right-of-way adjacent to the project area for which credit is sought;
 - ii. The new on-street parking is located where there is no existing street lane;
 - iii. The on-street parking occupies an entire block face or a minimum distance of 200 feet;
 - iv. Sidewalk bulbouts are provided at street intersections; and
 - v. All other sidewalk requirements of this chapter are met.
6. Pedestrian circulation requirements. All sidewalk widths and pedestrian circulation requirements specified in this chapter shall be reflected in the pedestrian space plan map. Substitute or alternative pedestrian routes through or between buildings for part or all of the requirements in this chapter may be authorized by special administrative permit, upon a finding by the bureau of planning that: (i) such pedestrian ways are not inconsistent with the purpose and intent of this chapter; and (ii) such pedestrian ways provide equal or improved pedestrian circulation. That portion of the pedestrian circulation requirement which lies within the net lot area shall constitute a corresponding portion of the open space requirements.
7. All building and structural roofs shall be constructed of a heat-reflective material as approved by the director of the bureau of planning.

(Ord. No. 2001-85, § 1, 11-14-01)

Sec. 16-18Q.011. Site limitations.

1. Minimum building facade heights and maximum building heights. See specific regulations for each subarea at sections 16-18Q.25 through 16-18Q.28.
2. New development proposing to contain an entire block face greater than 600 feet in length shall be traversed by streets which create block faces no more than 400 feet in length. Such streets shall function as public streets and shall connect two other public streets.

3. Drive-through service windows and drive-in facilities are prohibited.

(Ord. No. 2001-85, § 1, 11-14-01)

Sec. 16-18Q.012. Sidewalks.

Public sidewalks shall be located along all public streets and shall have minimum widths as specified herein and on the pedestrian space plan map. Sidewalks shall consist of two zones: A street furniture and tree planting zone and a clear zone. The following regulations shall apply to all public sidewalks:

1. Street furniture and tree planting zone requirements. The street furniture and tree planting zone shall be located immediately adjacent to the curb and shall be continuous. Said zone shall meet the tree planting requirements of section 16-18Q.012(4). In addition to the required planting of trees, this zone may also be used for the placement of street furniture including utility poles, waste receptacles, fire hydrants, traffic signs, newspaper vending boxes, bus shelters, bicycle racks and similar elements in a manner that does not obstruct pedestrian access or motorist visibility and as approved by the director of the bureau of planning.
2. Clear zone requirements. The clear zone shall be located immediately contiguous to the street furniture and tree planting zone and shall be continuous. Said zone shall be hardscape, and shall be unobstructed for a minimum width as specified in each subarea at sections 16-18Q.025 through 16-18Q.028 and a minimum height of eight feet, by any permanent or nonpermanent element except as authorized in section 16-18Q.013(6).
3. Where on-street parking is provided along Piedmont Avenue, required street trees may be placed in grates adjacent to the curb and in-line with the parking space stripes.
4. Street tree planting requirements. Unless otherwise specified in section 16-18Q.028(4), street trees are required and shall be planted in the ground a maximum of 40 feet on center within the street furniture and tree planting zone and spaced equal distance between street lights. All newly planted trees shall be a minimum of three inches in caliper measured 36 inches above ground, shall be a minimum of 12 feet in height, shall have a minimum mature height of 40 feet, and shall be limbed up to a minimum height of seven feet. Trees shall have a minimum planting area of 32 square feet. All plantings, planting replacement and planting removal shall be approved by the city arborist. The area between required plantings shall either be planted with evergreen ground cover such as mondo grass or *Liriope spicata*, or shall be paved in accordance with the Midtown Streetscape Plan.
5. Tree grates. Where tree grates are required or otherwise installed, they shall be a minimum of four feet by eight feet, shall be a type specified by the director of planning in accordance with uniform design standards utilized by the director for placement of such objects in the public right-of-way, and shall be placed within the street furniture and tree planting zone. Where tree grates are not required or otherwise installed, tree planting areas shall be permitted to be planted with evergreen ground cover such as mondo grass or *Liriope spicata*.
6. Nothing shall be erected, placed, planted or allowed to grow in such a manner as to impede visibility within visibility triangles at street intersections between the heights of two and one-half feet and eight feet above grade. See also section 16.28.009, Visibility at intersections.
7. No awning or canopy shall encroach beyond the clear zone.

8. Where property within this district abuts an R, RG, or PD-H district without an intervening street, the sidewalk area within 20 feet of such districts shall taper as necessary to provide a smooth transition to the existing R, RG, or PD-H districts sidewalk. In the event that the abutting R, RG, or PD-H district has no existing sidewalk, the sidewalk shall taper to a width of six feet.

9. Decorative pedestrian lights, where installed, shall be placed a maximum of 40 feet on center and spaced equal distance between required trees along all streets. Where installed, said lights shall be located within either the street furniture and tree planting zone or the supplemental zone. All said lights shall be Atlanta type "C" as approved by the director of the bureau planning bureau.

10. Every commercially reasonable effort shall be made to place utilities underground or to the rear of structures to allow for unobstructed use of sidewalks.

11. Trash receptacles or similar elements, where installed, shall be a type specified by the director of planning in accordance with uniform design standards utilized by the director for placement of such objects in the public right-of-way and shall be placed within the street furniture and tree planting zone.

(Ord. No. 2001-85, § 1, 11-14-01)

Sec. 16-18Q.013. Relationship of building to street.

1. For purposes of this chapter, sidewalk-level shall be defined as any floor of a building with a finished-floor elevation less than or equal to five feet above the adjacent sidewalk or less than or equal to five feet below the adjacent sidewalk.
2. Building floors shall be delineated at third story above sidewalk level and lower and shall be executed through windows, belt courses, cornice lines or similar architectural detailing.
3. The primary pedestrian entrance for pedestrians to access all uses with street frontage:
 - a. Shall face and be visible from the street. When located adjacent to Piedmont Avenue, said entrance shall face and be visible from said street.
 - b. Shall be directly accessible and visible from the sidewalk.
 - c. Shall remain unlocked during business hours for nonresidential uses.
4. A street address number shall be located directly above the primary building entrance, shall be clearly visible from the sidewalk and shall be a minimum of six inches in height.
5. Buildings with residential uses at the sidewalk level shall meet the following regulations:
 - a. All primary pedestrian entrances not adjacent to a public sidewalk shall be linked to the public sidewalk with a pedestrian walkway a minimum of five-feet wide. Said pedestrian walkway shall be perpendicular to the street and shall be permitted to share said walkway with one adjacent unit.
 - b. All such buildings with more than four residential units that are adjacent to the sidewalk shall have individual entrances to such units directly accessible from the sidewalk and shall open directly onto the adjacent sidewalk, park, plaza, terrace or porch adjacent to the sidewalk. All pedestrian walkways providing such access shall be perpendicular to the street and shall be permitted to share said walkway with no more than one adjacent unit.
 - c. Such buildings shall have windows at sidewalk level on each street frontage facade which are substantially similar in size to the sidewalk level front facade

windows.

6. Sidewalk arcades. Buildings with nonresidential uses at the sidewalk level may have sidewalk arcades, which shall meet the following regulations:
 - a. Shall provide an at grade sidewalk surface.
 - b. Arcade supports shall be a maximum width of five feet.
 - c. Shall provide a minimum of 25 feet of clear unobstructed space between arcade supports.
 - d. A building with a sidewalk arcade shall meet the requirements of section 16-18Q.013(9).
7. Fences and walls shall meet the following regulations:
 - a. For residential uses adjacent to the sidewalk, fences shall not exceed 42 inches in height when located between the primary building and the street or between any supplemental zone and the adjacent street. For nonresidential uses adjacent to the sidewalk, fences are prohibited when located between the building and the sidewalk except where specifically authorized elsewhere in this chapter for outdoor dining.
 - b. Retaining walls located adjacent to a sidewalk along a public street shall not exceed a height of two feet and the combined height of a fence where otherwise authorized and retaining wall shall not exceed a height of five feet, unless existing topography prohibits retaining walls of a lesser height. Retaining walls shall be finished poured concrete or shall be faced with stone, brick or smooth stucco. See also section 16-29.001(25)(b).
 - c. No walls, except retaining walls, shall be located between the street and any building, with the exception of screening for authorized off-street loading areas.
 - d. Fences and walls located between the primary building and the lot line and not exceeding six feet in height may be erected, but shall not be permitted between the primary building and the street.
8. No barbed wire, razor wire, chain link fence or similar elements shall be visible from any public plaza, ground level or sidewalk level outdoor dining area or public right-of-way.
9. Street-fronting buildings with nonresidential uses shall meet the following sidewalk level requirements.
 - a. The length of facade without intervening fenestration or entryway shall not exceed 20 feet.
 - b. Fenestration shall be provided for a minimum of 65 percent of the length of the frontage:
 - i. Beginning at a point not more than three feet above the sidewalk, to a height no less than ten feet above the sidewalk; or
 - ii. Beginning at the finished floor elevation to a height no less than ten feet above the finished floor elevation when the finished floor elevation is three or more feet above the sidewalk; or
 - iii. Beginning at a point not more than sidewalk level, to a height no less than ten feet above the finished floor elevation when the finished floor elevation is below the sidewalk.
 - c. Fenestration shall not utilize painted glass, reflective glass or other similarly treated or opaque windows. Entrances may be counted towards fenestration

requirements.

(Ord. No. 2001-85, § 1, 11-14-01)

Sec. 16-18Q.014. Signage.

Refer to section 16-28A: Sign Ordinance.

(Ord. No. 2001-85, § 1, 11-14-01)

Sec. 16-18Q.015. Lighting and storefront illumination.

1. All lighting including all parking decks, surface parking lots and lit canopies shall reduce light spillage onto residentially used properties by providing cutoff luminaries which have a maximum 90 degree illumination. See also section 16-18Q.019.

2. All lighting that up-lights trees, buildings or other elements, shall be located a minimum height of eight feet above the sidewalk, driveway or pedestrian area when not located within completely landscaped areas.

(Ord. No. 2001-85, § 1, 11-14-01)

Sec. 16-18Q.016. Loading areas, loading dock entrances and building mechanical and accessory features.

1. Loading areas. Dumpsters and loading areas shall be screened so as not to be visible from any public plaza, ground level or sidewalk level outdoor dining area, public sidewalk or public right-of-way. In addition, dumpsters and loading areas serving residential uses shall be enclosed with opaque walls a minimum of six feet in height.

2. Loading dock entrances for nonresidential uses shall be screened so that loading docks and related activity are not visible from the public right-of-way.

3. Building mechanical and accessory features.

a. Shall be located to the side or rear of the principal structure and shall be in the location of least visibility from the public right-of-way. Screening with plant or fence materials shall be required if the equipment is otherwise visible from the public right-of-way.

b. When located on rooftops shall be incorporated in the design of the building and screened with building materials similar to the building.

c. Shall not be permitted between the building and any public street.

(Ord. No. 2001-85, § 1, 11-14-01)

Sec. 16-18Q.017. Off-street loading requirements.

See Table of Loading Requirements, section 16-28.015 Off-street loading requirements.

(Ord. No. 2001-85, § 1, 11-14-01)

Sec. 16-18Q.018. Curb cuts and parking structures.

1. Driveways shall have a band of textured concrete adjacent to the street which is in-line with and equal in width to the street furniture zone and shall have a textured band of concrete adjacent to the sidewalk which is in-line with and equal in width to the supplemental zone.
2. Except as authorized in section 16-18Q.018(4), and in section 16-18Q.011(2), no more than one curb cut shall be permitted for each development, provided that properties with more than one street frontage may have two curb cuts.
3. Driveway and curb cuts shall be limited to one-way entrances a width of 12 feet or two-way entrances a width of 24 feet, unless otherwise permitted by the commissioner of the department of public Works.
4. No circular drives shall be located between any building and any public street with the exception of hotels.
5. Curb cuts and driveways shall not be permitted on Piedmont Avenue when access may be provided from a side or rear street located immediately adjacent to a contiguous property, with the exception of hotel patron drop-off drives.
6. Unless authorized by section 16-18Q.018(4), driveways, except for a driveway to reach the side yard or rear yard or an on-site parking facility, are not permitted between the sidewalk and a building, and shall be perpendicular to any adjacent street.
7. Entrances to garages and carports that serve a single residential unit shall face the rear yard, or a side yard which has no street frontage.
8. All contiguous ground-floor residential units shall share one common drive, located in rear yards or side yards without street frontage, to serve garages, carports and parking areas.
9. Parking deck facades shall conceal automobiles from visibility from any public right-of-way or private drive or street that are open to the general public, and shall have the appearance of a horizontal storied building.
10. In addition to section 16-28.028, parking deck facades shall have the appearance of a horizontal storied building.
11. Notwithstanding the provisions of section 16-28.006(10), a common or joint driveway may be authorized by the director of the bureau of planning when adjacent lots have direct vehicular access to a street, and a driveway from a private street which functions as a public street may be authorized by the director of the bureau of planning, based on traffic considerations, when a perpetual easement agreement is agreed upon by all affected property owners and a copy of such agreement is provided to the bureau of planning.
12. All developments, including parking decks, shall have sidewalks a minimum width of four feet connecting ground level parking to the public sidewalks and to all building entrances. See also section 16-18Q.020.
13. No drop-off lanes shall be permitted along public streets.
14. Parking decks shall meet either the requirements of section 16-18Q.013(5) and section 16-18Q.013(9) except at ingress and egress points into the structure and when topographical conditions prevent such treatment.

(Ord. No. 2001-85, § 1, 11-14-01; Ord. No. 2008-67(08-O-0196), § 9, 7-21-08)

Sec. 16-18Q.019. Lighting, security, and maintenance requirements for parking

structures and surface parking lots.

All surface parking lots and structures, whether a nonconforming principle use (see also section 16-18Q.021) or accessory in use, and whether serving commercial or noncommercial uses, shall have the following minimum requirements:

1. Lighting shall be provided throughout all parking facilities to equal a minimum of one-half footcandle of light. A footcandle of light is a uniformly distributed flux of one lumen on a surface of one square foot in area. Where applicable, public street lighting may be utilized to either partially or totally fulfill the lighting requirements; however, where such street lighting is removed, it shall be the responsibility of the parking facility to independently provide these required levels of illumination. See also section 16-18Q.015.
2. [*Reserved.*]
3. Parking facilities shall be maintained in a clean, safe and sanitary condition. Parking spaces and driving lanes shall be clearly defined and maintained as such. Parking lots shall not be operated when any damage impairs the drivability of the parking lot. See also section 16-28.014 for additional requirements.

(Ord. No. 2001-85, § 1, 11-14-01; Ord. No. 2008-67(08-O-0196), § 10, 7-21-08)

Sec. 16-18Q.020. Minimum landscaping for surface parking lots, barrier requirements.

The requirements of City of Atlanta Code of Ordinances, chapter 158 Vegetation, article II Tree protection, section 30 Parking lot requirements shall apply to this district except as modified as follows:

1. Said surface parking lot requirements shall apply to all lots regardless of size;
2. All required landscaped areas shall be planted with evergreen groundcover or shrubs with a maximum height of 30 inches; and
3. All landscaped buffer strips along sidewalks and public rights-of-way shall have a minimum of one tree with a minimum caliper of two and one-half inches.
4. Surface parking lots operating before the effective date of this section shall have 48 months to comply herewith.

(Ord. No. 2001-85, § 1, 11-14-01)

Sec. 16-18Q.021. Off-street parking requirements.

In addition to the provisions of section 16-28.008(7), which shall apply and are incorporated herein, the following parking requirements shall apply to all uses approved by special permits as well as permitted uses. (See also sections 16-28.013 and 16-28.014):

1. Off-street surface parking.
 - a. Shall not be located between a building and the street without an intervening building;
 - b. Shall be accessory to a permitted principal use only, provided that parking spaces serving another principal permitted use may use such facility for shared parking as specified in section 16-18Q.007(3);

- c. Shall be permitted to be constructed of pervious concrete utilizing pervious concrete standards established by the commissioner of the department of public works.
2. Electric vehicle charging stations. All automobile parking facilities shall include electric vehicle charging stations, or similar facilities, in a ratio of at least one station for every 100 automobile parking spaces. No development shall be required to exceed a maximum of 12 stations.
3. For residential uses. See Table I, "Land Use Intensity Ratios", for minimum parking requirements under appropriate FAR for the development.
4. Single room occupancy residence. One parking space for each four dwelling units, plus one space for each employee, shall be provided on the site.
5. For nonresidential uses minimum requirements unless otherwise stated:
 - a. Banks, savings and loan institutions, and the like: One space for each 200 square feet of floor area.
 - b. Child care centers, day care centers, prekindergartens, play and other special schools or day care centers for young children. One space per 600 square feet of floor area. In addition to providing off-street parking, such establishments shall provide safe and convenient facilities for loading and unloading children, as approved by the director of the bureau of public works.
 - c. Clubs, lodges and commercial recreational establishments. One space for each 200 square feet of floor area.
 - d. Eating and drinking establishments indoor minimum requirements. One space for each 100 square feet of floor area. Where an eating and drinking establishment derives more than 60 percent of its gross income from the sale of malt beverages, wine and/or distilled spirits, it shall be required to have one space for each 75 square feet of floor area. Floor area shall include, in addition to those areas defined in section 16-29.001(13)(b), areas within the existing building footprint where walls have been removed and a permanent roof remains.
 - e. Eating and drinking establishments accessory outdoor dining which is 25 percent or less than the total gross floor area of the building or business, and is not covered with a permanent structure: None.
 - f. Eating and drinking establishments accessory outdoor dining which exceeds 25 percent of the total gross floor area of the building or business shall have the following minimum requirements: One space for each 200 square feet of the total accessory outdoor dining floor area including the 25 percent non-exempt floor area.
 - g. Hotels and motels. One space per rental unit plus one-half space per employee; one space per 100 square feet of restaurant/lounge gross leasable area; one space per 300 square feet of other convention facilities (GLA).
 - h. Laundry and dry cleaning plants, laundry and dry cleaning establishments where customers operate equipment. One space for each 200 square feet of floor area.
 - i. Repair establishments for home appliances, bicycles, shoes, clocks and similar household goods. One space for each 200 square feet of floor area.
 - j. Retail establishments, including catering, clothing and tailor shops,

delicatessen and bakeries, but not other uses, minimum requirements. One space for each 200 square feet of floor area.

k. Schools, colleges, churches, recreation or community centers and other places of assembly. One space for each four fixed seats (with 18 inches if bench length counted as one seat or one space for each 35 square feet of enclosed floor area for the accommodation of movable seats in the largest assembly room, whichever is greater, plus the following:

- i. Public or private elementary or middle school. Two spaces for each classroom.
- ii. High school. Four spaces for each classroom.
- iii. Colleges and universities. Eight spaces for each classroom.

l. For all other nonresidential uses. One parking space for each 300 square feet of floor area shall be provided on the site.

6. Notwithstanding any provision of the City of Atlanta Code of Ordinances to the contrary, park-for-hire surface parking lots are prohibited.

(Ord. No. 2001-85, § 1, 11-14-01; Ord. No. 2005-41(06-O-0381), § 39, 7-12-05)

Sec. 16-18Q.022. Minimum bicycle parking requirements.

All nonresidential developments which provide automobile parking facilities shall provide bicycle/moped parking facilities at a ratio of at least one bicycle/moped parking space for every 20 automobile parking spaces. Multi-family developments shall provide said facilities at a ratio of at least one bicycle/moped parking space for every five multi-family units. No development, except a one- or two-family development, shall have fewer than three bicycle/moped parking spaces nor be required to exceed a maximum of 50 spaces. Bicycle/moped spaces shall be located within the street furniture zone a maximum distance of 100 feet of the building entrance, or shall be located at least as close as the closest automobile space, except for handicapped parking spaces. Each space shall include a metal anchor sufficient to secure the bicycle/moped frame when used in conjunction with a user-supplied lock. The additional requirements of section 16-28.014(6) shall also apply.

(Ord. No. 2001-85, § 1, 11-14-01)

Sec. 16-18Q.023. Pedestrian bridges and tunnels.

Pedestrian bridges and tunnels are prohibited when located above or below public streets, private streets which function as public streets connecting two other public streets, or other public rights-of-way.

(Ord. No. 2001-85, § 1, 11-14-01)

Sec. 16-18Q.024. Zero-lot-line development.

Zero-lot-line subdivision is permitted for residential uses provided a minimum of 1,000 square feet in lot area is provided. The additional requirements of section 16-28.007 shall also apply.

(Ord. No. 2001-85, § 1, 11-14-01)

Sec. 16-18Q.025. Specific regulations for subarea 1: 14th and Piedmont.1. *Development controls.*

- a. Side and rear yards. Minimum width of 15 feet, of which five feet shall be landscaped. Rear yards shall be permitted to have private alleys or drives a maximum of ten feet in width.
- b. Bulk limitations.
 - i. For nonresidential uses: None.
 - ii. For residential uses, floor area shall not exceed an amount equal to six hundred ninety-six one thousandths times net lot area.
 - iii. Open space bonus. Residential uses shall be permitted to calculate any of the above floor area ratios in section 16-18Q.025(1) utilizing gross lot area, for purposes of providing additional density based on such calculation. Developments utilizing the open space bonus shall not be permitted any reduction in open space requirements.

2. *Site limitations.*

- a. Minimum building facade heights: 24 feet along each facade visible from any public right-of-way.
- b. Maximum building heights: 40 feet.
- c. Minimum landscape requirements. There shall be a minimum number of trees within the sidewalk and within the setback areas that shall equal one tree per 25 linear feet of property line. Such trees shall have a minimum mature height of 60 feet, as approved by the city arborist.

3. *Sidewalks.*

- a. Street furniture and tree planting zone. The street furniture and tree planting zone shall have a minimum width of five feet.
- b. Clear zone. The clear zone shall be a minimum width of ten feet.

4. *Supplemental zones.* For purposes of these regulations, the area between any building, parking deck, or surface parking lot and the required sidewalk, when no intervening building exists, shall be defined as the supplemental zone. Supplemental zones shall meet the following requirements. Except as otherwise specified below, the square footage contained within a supplemental zone which meets all the following supplemental zone requirements may be counted towards UOSR or public space requirements. Supplemental zones shall meet the following additional requirements:

- a. Minimum width: 15 feet, including landscaping a minimum width of five feet adjacent to the sidewalk and traversed only by steps or walkways.
- b. Terraces, porches and stoops shall have a maximum finished floor height of 24 inches above finished-grade, unless existing topographical considerations render this requirement unreasonable.
- c. When sidewalk level residential units are provided, supplemental zone shall be landscaped with the exception of terraces, porches, stoops and walkways, which may occupy a maximum of two-thirds of the front yard or supplemental zone area;
- d. The supplemental zone shall be no more than 24 inches above the adjacent public sidewalk for a minimum distance of 15 feet from the nearest edge of the adjacent

public sidewalk, unless existing topographical considerations render this requirement unreasonable; and

e. Any authorized walls surrounding landscaped and grassed areas shall not exceed a maximum height of 24 inches, except retaining walls, which shall not exceed a maximum height of 36 inches unless existing topography requires a retaining wall of greater height.

5. *Curb cuts and parking structures.* All sidewalk paving materials shall be continued across any intervening driveway.

(Ord. No. 2001-85, § 1, 11-14-01)

Sec. 16-18Q.026. Specific regulations for subarea 2: Piedmont North.

1. *Permitted uses.* In addition to those uses authorized in section 16-18Q.005, a building or premise may be used for the following permitted uses and structures:

a. The following commercial uses are authorized provided they do not exceed 2,000 square feet of floor area and subject to the restrictions below:

- i. Barber shops, beauty shops, manicure shops and similar personal service establishments.
- ii. Laundry and dry cleaning collection stations, laundry and dry cleaning establishments where customers operate equipment.

b. The following commercial uses are authorized provided they do not exceed 5,000 square feet of floor area and subject to the restrictions below:

- i. Offices, studios, clinics (including veterinary), laboratories and similar uses, but not blood donor stations except at hospitals. Veterinary clinics including all kennels and accessory areas shall be enclosed within soundproof buildings.
- ii. Repair establishments for home appliances, bicycles, shoes, clocks and similar household goods, with the exception of motorized vehicles.
- iii. Retail establishments and grocery stores.

c. All commercial sales and service shall be conducted within enclosed permanent structures and there shall be no unenclosed displays of merchandise with the exception of off-street parking and outdoor dining. Unenclosed outdoor sales or displays are permissible only by special permit as set forth below.

2. *Special permits.* The following uses are permissible only by special permits subject to limitations and requirements set forth herein or elsewhere in this part, subject to the procedures and requirements set forth in sections 16-18Q.005 and 16-25.004:

a. Special use permits. Eating and drinking establishments provided they do not exceed 5,000 square feet of floor area.

3. *Development controls.*

a. Side and rear yards. Minimum width of 15 feet, of which five feet shall be landscaped. Side and rear yards shall be permitted to have private alleys or drives a maximum of ten feet in width.

b. All nonresidential uses authorized in section 16-18Q.026(1) shall be permitted only under the following conditions:

- i. The use shall be located within a building that contains frontage on a street intersection;
 - ii. The use shall be located on the street-level floor only;
 - iii. The use shall be located in the building corner nearest the intersection; and
 - iv. The use shall not exceed a maximum linear distance of 100 feet measured from the building corner along the street right-of-way.
- c. Bulk limitations.
- i. For nonresidential uses. For nonresidential uses, floor area shall not exceed an amount equal to five percent of total built residential floor area. No nonresidential building shall be constructed until construction of the residential building has begun, and no nonresidential building shall be used or occupied until the residential building is completed and in use, or in the case of multi-family building complexes no nonresidential use shall commence operation until at least 50 percent of the total proposed dwelling units are occupied.
 - ii. For residential uses. For residential uses, floor area shall not exceed an amount equal to one and forty-nine one hundredths times net lot area.
 - iii. Open space bonus. Residential uses shall be permitted to calculate any of the above floor area ratios in section 16-18Q.026(3) utilizing gross lot area, for purposes of providing additional density based on such calculation. Developments utilizing the open space bonus shall not be permitted any reduction in open space requirements.

4. *Site limitations.*

- a. Minimum building facade heights: 24 feet along each facade visible from any public right-of-way.
- b. Maximum building heights: 50 feet.
- c. Minimum landscape requirements. There shall be a minimum number of trees within the sidewalk and within the setback areas that shall equal one tree per 25 linear feet of property line. Such trees shall have a minimum mature height of 60 feet, as approved by the city arborist.

5. *Sidewalks.*

- a. Street furniture and tree planting zone. The street furniture and tree planting zone shall have a minimum width of five feet.
- b. Clear zone. The clear zone shall be a minimum width of ten feet.

6. *Supplemental zones.* For purposes of these regulations, the area between any building, parking deck, or surface parking lot and the required sidewalk, when no intervening building exists, shall be defined as the supplemental zone. Supplemental zones shall meet the following requirements. Except as otherwise specified below, the square footage contained within a supplemental zone which meets all the following supplemental zone requirements may be counted towards UOSR or public space requirements. Supplemental zones shall meet the following additional requirements:

- a. Minimum width: 15 feet, including landscaping a minimum width of five feet adjacent to the sidewalk and traversed only by steps or walkways;
- b. Terraces, porches and stoops shall have a maximum finished floor height of 24 inches above finished-grade, unless existing topographical considerations render this

requirement unreasonable;

c. When sidewalk level residential units are provided, supplemental zone shall be landscaped with the exception of terraces, porches, stoops and walkways, which may occupy a maximum of two-thirds of the front yard or supplemental zone area;

d. The supplemental zone shall be no more than 24 inches above the adjacent public sidewalk for a minimum distance of 15 feet from the nearest edge of the adjacent public sidewalk, unless existing topographical considerations render this requirement unreasonable;

e. Any authorized walls surrounding landscaped and grassed areas shall not exceed a maximum height of 24 inches, except retaining walls, which shall not exceed a maximum height of 36 inches unless existing topography requires a retaining wall of greater height; and

f. Fencing shall be permitted only when:

i. The supplemental zone is located between sidewalk level residential units and the adjacent street; or

ii. Said fencing is used to separate authorized outdoor dining from the required sidewalk.

7. *Curb cuts and parking structures.* All sidewalk paving materials shall be continued across any intervening driveway.

(Ord. No. 2001-85, § 1, 11-14-01)

Sec. 16-18Q.027. Specific regulations for subarea 3: 10th and Piedmont.

1. *Permitted uses.* In addition to those uses authorized in section 16-18Q.005, a building or premise may be used for the following permitted uses and structures:

a. The following commercial uses are authorized provided they do not exceed 2,000 square feet of floor area and subject to the restrictions below:

i. Bakeries and catering establishments.

ii. Eating and drinking establishments, including those licensed for the on-premises consumption of malt beverages, wine and/or distilled spirits.

iii. Laundry and dry cleaning collection stations, laundry and dry cleaning establishments where customers operate equipment.

iv. Tailoring, custom dressmaking, and millinery.

b. The following commercial uses are authorized provided they do not exceed 5,000 square feet of floor area and subject to the restrictions below:

i. Clubs and lodges.

ii. Museums, galleries, auditoriums, libraries and similar cultural facilities.

iii. Repair establishments for home appliances, bicycles, shoes, clocks and similar household goods, with the exception of motorized vehicles.

iv. Retail establishments and grocery stores.

c. The following commercial uses are authorized provided they do not exceed 8,000 square feet of floor area and subject to the restrictions below:

- i. Banks, savings and loan associations, and similar financial institutions but not including any drive-in service window, except walk-up automatic teller machines and night drop.
 - ii. Barber shops, beauty shops, manicure shops and similar personal service establishments.
 - iii. Commercial recreational establishments, including bowling alleys, theaters, convention halls, places of assembly and similar uses with primary activities conducted within fully enclosed buildings.
 - iv. Offices, studios, clinics (including veterinary), laboratories and similar uses, but not blood donor stations except at hospitals. Veterinary clinics including all kennels and accessory areas shall be enclosed within soundproof buildings.
 - v. Professional or personal service establishments.
 - d. All commercial sales and service shall be conducted within enclosed permanent structures and there shall be no unenclosed displays of merchandise with the exception of off-street parking and outdoor dining. Unenclosed outdoor sales or displays are permissible only by special permit as set forth below.
2. *Special permits.* The following uses are permissible only by special permits subject to limitations and requirements set forth herein or elsewhere in this part, subject to the procedures and requirements set forth in sections 16-18Q.005 and 16-25.004:
 - a. Special use permits.
 - i. Accessory outdoor dining in use after 11 p.m. for eating and drinking establishments.
 - ii. Broadcasting towers and line-of-sight relay devices for telephonic, radio or television communications greater than 70 feet in height, except alternative design mounting structures as contemplated by section 16-25.002(3)(h)(iv)(i).
 - iii. Eating and drinking establishments greater than 2,000 square feet of floor area, including those licensed for the on-premises consumption of malt beverages, wine and/or distilled spirits.
 - iv. Hotels containing no more than 30 rooms. Further, said hotels shall contain no more than 500 square feet of meeting facilities and no hotels shall be located within 500 feet of any public school or secondary school boundary.
 - v. Nursing homes and convalescent centers.
 - vi. Outdoor displays of merchandise on or adjacent to the sidewalk provided all other sidewalk requirements are met.
 - b. Special administrative permit. Outdoor amusement enterprises, exhibits, entertainment, meetings, display or sales areas, or outdoor areas for religious ceremonies of less than 30 days duration.
3. *Development controls.*
 - a. Rear and side yards. Side and rear yards shall be permitted to have private alleys or drives a maximum of ten feet in width.
 - i. Rear yards: 20 feet.
 - ii. Side yards.
 - a). *Nonresidential uses:* None.

b). *Residential uses*: Ten feet, except that the side yard may be reduced to zero feet when a residential use has no residential windows adjacent to such yard.

b. Bulk limitations.

i. For nonresidential uses, floor area shall not exceed an amount equal to one and one-half times net lot area.

ii. For residential uses, floor area shall not exceed an amount equal to one and forty-nine one hundredths times net lot area.

iii. For mixed-use development, floor area shall not exceed the sum of the nonresidential (i) and residential (ii) above, but in no event greater than the maximum ratios permitted for each.

iv. Open space bonus. Residential uses shall be permitted to calculate any of the above floor area ratios in section 16-18Q.027(3) utilizing gross lot area, for purposes of providing additional density based on such calculation. Developments utilizing the open space bonus shall not be permitted any reduction in open space requirements.

c. Showering facilities. All office buildings containing over 50,000 square feet of gross office space shall provide showering facilities, which shall include showers and lockers, in a ratio of at least two showering facilities for every 50,000 square feet of gross office space, which facilities shall be available to all building tenants and their employees, provided that no office building shall be required to exceed a maximum of four showering facilities.

4. *Site limitations*.

a. Minimum building facade heights: 18 feet along each facade visible from any public right-of-way.

b. Maximum building heights: 35 feet.

c. Maximum building coverage: 85 percent.

5. *Sidewalks*.

a. The street furniture and tree planting zone shall have a minimum width of five feet.

b. Clear zone.

i. The clear zone shall be a minimum width of ten feet.

ii. When outdoor dining is provided: Up to two feet of the clear zone nearest the building may be used for outdoor dining. No permanent element may be placed within the clear zone area.

6. *Supplemental zone*. For purposes of these regulations, the area between any building, parking deck, or surface parking lot and the required sidewalk, when no intervening building exists, shall be defined as the supplemental zone. Except as otherwise specified below, the square footage contained within a supplemental zone which meets all the following supplemental zone requirements may be counted towards UOSR or public space requirements.

a. Minimum supplemental zone widths: Five feet.

b. Supplemental zones containing a depth of 15 feet or less shall meet the following additional requirements:

- i. No balcony shall encroach more than five feet into the supplemental zone area.
 - ii. Shall not be counted towards UOSR or public space requirements unless visible and accessible to the general public from the adjacent public sidewalk, with the exception of areas adjacent to sidewalk level residential units.
- c. Supplemental zones containing a depth greater than 15 feet shall be counted towards UOSR or public space requirements only when the following additional requirements are met:
- i. Shall permit and encourage pedestrians to walk on a minimum of 80 percent of the surface of the parcel excluding fountains, pedestrian furniture, public art and similar elements.
 - ii. When adjacent nonresidential ground floor uses are provided, shall be visible and accessible from any point along 90 percent of any adjacent sidewalk.
 - iii. When adjacent nonresidential ground floor uses are provided, all sides of buildings fronting said zone meet the requirements of section 16-18Q.013(9).
 - iv. When adjacent residential ground floor uses are provided, shall be visible from any point along 90 percent of the adjacent sidewalk.
 - v. When adjacent residential ground floor uses are provided, shall provide a pedestrian walkway from said space to the adjacent public sidewalk. Said pedestrian walkway shall be perpendicular to the street and shall connect directly to the public sidewalk and shall be open to the sky along its entire length.
- d. Terraces, porches and stoops shall have a maximum finished floor height of 24 inches above finished-grade, unless existing topographical considerations render this requirement unreasonable.
- e. When sidewalk level residential units are provided, supplemental zone shall be landscaped with the exception of terraces, porches, stoops and walkways, which may occupy a maximum of two-thirds of the front yard or supplemental zone area;
- f. The supplemental zone shall be no more than 24 inches above the adjacent public sidewalk for a minimum distance of 15 feet from the nearest edge of the adjacent public sidewalk, unless existing topographical considerations render this requirement unreasonable;
- g. Any authorized walls surrounding landscaped and grassed areas shall not exceed a maximum height of 24 inches, except retaining walls, which shall not exceed a maximum height of 36 inches unless existing topography requires a retaining wall of greater height; and
- h. Fencing shall be permitted only when:
- i. The supplemental zone is located between sidewalk level residential units and the adjacent street; or
 - ii. Said fencing is used to separate authorized outdoor dining from the required sidewalk.

7. *Curb cuts and parking structures.* All sidewalk paving materials shall be continued across any intervening driveway.

(Ord. No. 2001-85, § 1, 11-14-01; Ord. No. 2005-41(06-O-0381), §§ 40, 41, 7-12-05)

Sec. 16-18Q.028. Specific regulations for subarea 4: Piedmont South.

1. *Permitted uses.* The following regulations shall apply to all permitted accessory uses and structures:

- a. No accessory building shall be constructed until construction of the principal building has actually begun, and no accessory building shall be used or occupied until the principal building is completed and is in use.
- b. Accessory buildings shall not cover more than 25 percent of the rear yard.
- c. Accessory structures shall be placed to the rear of the main structure within the buildable area of the lot, with the exception of structures located in the rear yard setback which do not exceed a maximum width of 24 feet.
- d. Accessory buildings shall not exceed 24 feet in height or the height of the main structure, whichever is less, shall not contain a total floor area greater than 30 percent of the main structure, and shall not exceed a maximum height of two stories.

2. *Development controls.*

- a. Front yards.
 - i. 40 feet minimum.
 - ii. Shall have a maximum of 25 percent paved area, such area to be used for pedestrian access and drives to the rear or side of the building.
 - iii. Shall have a minimum of one shade tree as approved by the city arborist.
 - iv. Shrubs and hedges within ten feet of the public sidewalk shall have a maximum mature height of 36 inches.
 - v. When sidewalk level residential units are provided, shall be landscaped with the exception of terraces, porches, stoops and walkways, which may occupy a maximum of two-thirds of the front yard or supplemental zone area.
 - vi. Shall be no more than 24 inches above the adjacent public sidewalk for a minimum distance of 15 feet from the nearest edge of the adjacent public sidewalk, unless existing topographical considerations render this requirement unreasonable.
 - vii. Any authorized walls surrounding landscaped and grassed areas shall not exceed a maximum height of 24 inches, except retaining walls, which shall not exceed a maximum height of 36 inches unless existing topography requires a retaining wall of greater height.
 - viii. Fencing shall be permitted only when the front yard is located between sidewalk level residential units and the adjacent street.
- b. Rear and side yards. Side and rear yards shall be permitted to have private alleys or drives a maximum of ten feet in width.
 - i. Rear yards: Minimum of 20 feet. Rear yards shall be permitted to have private alleys or drives up to ten feet in width.
 - ii. Side yards: Minimum of ten feet.

3. *Bulk limitations.*

- a. For nonresidential uses: None.

b. For residential uses, floor area shall not exceed an amount equal to six hundred ninety-six one thousandths times net lot area.

c. Open space bonus Residential uses shall be permitted to calculate any of the above floor area ratios in section 16-18Q.028(2) utilizing gross lot area, for purposes of providing additional density based on such calculation. Developments utilizing the open space bonus shall not be permitted any reduction in open space requirements.

4. *Maximum building coverage:* 50 percent.

5. *Minimum pervious surface:* 35 percent.

6. *Site limitations.*

a. Minimum building facade heights: 24 feet.

b. Maximum building heights: 35 feet.

7. *Sidewalks.* Sidewalks shall be a minimum width of nine feet and shall be paved using either standard concrete or brick.

a. Standard concrete paving.

i. Street furniture and tree planting zone The street furniture and tree planting zone shall have a minimum width of three feet and shall be planted with evergreen groundcover such as mondo grass or Liriope spicata. When provided, street trees shall have a maximum mature diameter of no greater than five inches.

ii. Clear zone. The clear zone shall be a minimum width of six feet.

b. Brick paving.

i. Street furniture and tree planting zone: None required.

ii. Clear zone: The clear zone shall be a minimum width of nine feet.

(Ord. No. 2001-85, § 1, 11-14-01)