

## **Attachment A**

### **Section 16-18C.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 of the English Avenue Special Public Interest District (SPI-3). These regulations shall supplant existing districts or portions of existing districts as shown on the attached map referenced in Section 16-18C.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. The SPI-3 English Avenue Special Public Interest District regulations shall take precedence over the Atlanta Zoning Ordinance whenever a conflict between the two exists. When specific reference is not provided in the SPI ordinance, the Atlanta Zoning Ordinance, as amended, shall apply.

The regulations set forth in Sections 16-18C.001 through Section 16-18C.019 shall apply to all properties located within the SPI-3 English Avenue Special Public Interest District, including all subareas within the District.

### **Section 16-18C.002. Statement of intent.**

The intent of the Council in establishing SPI-3 as a zoning district is as follows:

1. Preserve, protect and foster the redevelopment of English Avenue through the integration of transportation and land use planning in a way that balances local, regional, and state economic benefits;
2. Preserve and protect English Avenue's historic buildings and sites as recognized by the inclusion of several buildings on the National Register of Historic Places;
3. Encourage the development of housing that provides a range of opportunities for citizens within the District;
4. Encourage a compatible mixture of residential, commercial, industrial, cultural and recreational uses;
5. Create an urban environment where people can live, work, meet and play;
6. Promote pedestrian safety by providing for pleasant and convenient sidewalk level pedestrian circulation that minimizes impediments by vehicles;
7. Encourage the use of MARTA, other public transit facilities and alternative transportation modes; and
8. Enhance the efficient utilization of accessible and sufficient parking facilities in an unobtrusive manner, including encouraging shared parking and alternative modes of transportation.

**Section 16-18C.003. Boundaries of district established.**

The boundaries of the SPI-3 English Avenue Special Public Interest District are shown on map Attachment B which by this reference is incorporated into and made a part of this chapter and this part. The SPI-3 English Avenue Special Public Interest District is divided into nine (9) subareas as shown on said map Attachment B and which are described as follows.

The intent of these standards is to establish clear minimum development standards, allow for the orderly progression of development, and provide flexibility over time without compromising the goals and objectives of SPI-3.

SPI-3 English Avenue Subareas	
1	- English Avenue Single Family
2	- Brawley North Low Density
3	- Gardens Medium Density Residential
4	- Village Low Density Mixed Use
5	- Lowery Boone Perimeter Medium Density Mixed Use
6	- Northside Medium Density Mixed Use
7	- Northside Village High Density Mixed Use
8	- Donald Lee Hollowell I-MIX
9	- Echo Street High Density Mixed Use

*Table 1: English Avenue Subareas*

**Section 16-18C.004. Application procedures.**

1. A Special Administrative Permit (SAP) application and a specified number of copies each of a site plan, landscape plan, and elevation drawings of each exterior façade shall be submitted, as applicable, and approved by the Office of Zoning and Development prior to filing for a building permit. All exterior demolition, new construction (including additions to existing buildings), new or expanded outdoor dining, or work which results in increased lot coverage, modification of the building footprint, or modification of building facades that would reduce the configuration of street facing openings, shall be subject to said SAP approval. All applications for an SAP 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 18C. No SAP shall be issued until after such time any other required Special Use Permit or Board of Zoning Adjustment action has been obtained.
  
2. Provisions for administrative variations from regulations:
  - a. As part of general action when plans require approval of an SAP, the director of the office of zoning and development may authorize variations from regulations generally applying based on written findings that either:

- i. A plan proposed by an applicant, while not strictly in accord with regulations applying generally within the district, satisfies the public purposes and intent, and provides public protection to an equivalent or greater degree; or
  - ii. In the particular circumstances of the case, strict application of a particular regulation or regulations is not necessary for the accomplishment of public purposes or the provision of public protection, at the time or in the future.
- b. Notation concerning the existence of such variation shall be made by written findings of SAP approval to be filed in the office of zoning and development as public record. Variances and special exceptions shall be required from the board of zoning adjustment in cases such as, minimum transitional yards, transitional height planes, minimum open spaces, maximum building height, maximum fence height, minimum parking and loading requirements, and signage limitations.

#### **Section 16-18C.005. 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 notwithstanding any other provisions in Part 16, Chapter 24 to the contrary. Destruction made necessary by repairs, maintenance and/or remodeling shall not be construed to be removal or destruction.

#### **Section 16-18C.006. Permitted principal uses and structures**

1. See SPI-3 Use Table for permitted principal and accessory uses and special permits.
2. Permitted Principal Uses:
  - a. A building or premise shall be used only for the principal purposes as indicated with a “P” in the SPI-3 Use Table.
  - b. For the purposes of this Chapter, uses at sidewalk-level in what would otherwise be classified as an independent primary parking structure shall not constitute principal uses.
3. Permitted Accessory Uses and Structures: Accessory structures and uses permitted within this district shall include those indicated with an “PA” in the SPI-3 Use Table as well as those customarily accessory and clearly incidental to permitted principal uses and structures and specifically includes parking to serve authorized residential and non-residential uses within the district, subject to the restrictions contained in this Chapter.
  - a. Accessory uses in Subarea 5 shall be located on the ground floor of a building containing a principal use and shall not occupy more than 50% of the ground floor area.

- b. Accessory structures shall be placed to the rear of the principle structure and shall not exceed 80% of the height of the principle structure.
  - c. Accessory structures shall be located so as to minimize the view from the public right-of-way.
4. Special Use Permits: Special use permits shall be required as indicated with “SUP” in the SPI-3 Use Table. These uses shall be subject to the limitations and requirements set herein or elsewhere in this part, and subject to the applicable procedures and requirements set forth in Section 16-25.001 et seq.

**Table 2: SPI-3 Use Table**

	Subarea 1	Subarea 2	Subarea 3	Subarea 4	Subarea 5	Subarea 6	Subarea 7	Subarea 8	Subarea 9
<b>PERMITTED USE</b>									
Accessory Dwelling Units	PA	PA	PA	PA	PA	PA	PA	PA	PA
Bakeries & catering, including wholesale operations	X	P*	X	P	P	P	P	P	P
Banks, S&L and similar financial institutions	X	X	X	P	P	P	P	P	P
Barber & Beauty shops & similar personal services	X	X	X	P	P	P	P	P	P
Bed & Breakfast Inn	X	X	X	X	X	P	P	X	X
Broadcasting Towers & line-of-sight relay devices (telephones, radio, tv)	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP
Business or Commercial Schools	X	X	X	P	P	P	P	P	P
Car Washes	X	X	X	SUP	SUP	SUP	SUP	SUP	SUP
Child care centers, kindergarten & special schools	X	X	SUP	SUP	SUP	SUP	SUP	SUP	SUP
Churches, Synagogues, Temples, Mosques &	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP

religious worship facilities									
Civil, service, garden, neighborhood or private clubs	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP
Clubs & Lodges	X	X	X	X	P	P	P	X	X
Commercial Greenhouses	X	X	X	X	P	P	P	P	P
Commercial Recreation, Theatres, Convention Halls, Assembly Halls	X	X	X	P	P	P	P	P	P
Community Centers, Community Services, Recreational Centers	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	P
Devices for generation of energy, solar panels, wind generators, similar	PA	PA	PA	PA	PA	PA	PA	PA	PA
Dormitories, fraternity houses & sorority houses	X	X	X	X	SUP	SUP	SUP	X	SUP
Eating & Drinking Establishments	X	P	P	P	P	P	P	P	P
Farmers' Market <sup>1</sup>	P	P	P	P	P	P	P	P	P
Grocery Stores	X	X	X	P*	P	P	P	P	P
Guest House,	PA	PA	PA	PA	PA	PA	PA	PA	PA

Servant Quarters, Lodging for caretakers/watchmen									
Hotels	X	X	X	X	P	P	P	X	P
Institutions of higher learning, colleges & universities	X	X	X	SUP	SUP	SUP	SUP	SUP	SUP
Laundry & dry cleaning & Collection Stations, no more than 5,000 sf	X	X	X	P	P	P	P	P	P
Market Gardens	PA <sup>1</sup>	PA <sup>1</sup>	X	X	X	X	X	X	X
Multi-family dwellings	X	X	P	P	P	P	P	P	P
Museums, Galleries, Auditoriums, Libraries & similar Cultural Facilities	X	X	X	P	P	P	P	SUP	P
Nursing Homes & Convalescent Centers	X	X	X	X	SUP	SUP	SUP	X	X
Offices, Arts & Crafts galleries and studios	X	X	X	P	P	P	P	SUP	P
Outdoor Amusement, exhibits, entertainment, meetings (>90 days)	X	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP
Outdoor Amusement,	X	X	X	X	P	P	P	P	P

exhibits, entertainment, meetings ( $\leq 90$ days) <sup>1</sup>									
Park for Hire structure with > 2 stories above grade for temp. vehicle storage	X	X	X	X	SUP	SUP	SUP	SUP	SUP
Parking structures & surface lots (accessory)	X	X	PA	PA	PA	PA	PA	PA	PA
Parks & Playgrounds	P	P	P	P	P	P	P	P	P
Personal Care Homes	SUP	SUP	SUP	SUP	SUP	SUP	SUP	X	X
Plumbing, tinsmithing, cabinet shops, service & repair establishments	X	X	X	P	P	P	P	P	P
Printing Shops	X	X	X	P	P	P	P	P	P
Private Greenhouses & Garages	PA	PA	PA	PA	PA	PA	PA	PA	PA
Private Schools	X	X	X	X	SUP	SUP	SUPP	X	SUP
Professional or Personal Service Establishments, not hiring halls	X	X	X	SUP	P	P	P	P	P
Retail Establishments (except auto sales or rental)	X	X	X	P	P	P	P	P	P
Sales & repair for home appliances,	X	X	X	P	P	P	P	P	P



bicycles, lawn mowers, shoes, clocks									
Shelter	X	X	X	X	SUP	SUP	SUP	X	X
Single-Family dwellings	P	P	P	P	P	P	P	P	P
Small Discount Variety Store	X	X	X	P***	P***	P***	P***	P***	P***
Supportive Housing	X	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP
Swimming Pools, Tennis Courts	PA	PA	PA	PA	PA	PA	PA	PA	PA
Tailoring, Custom Dressmaking, Millinery & similar	X	X	X	P	P	P	P	P	P
Telecom Switchboards, power generators, relay equipment	X	X	X	X	X	X	X	SUP	SUP
Two-Family Dwellings	X	P	X	X	X	X	X	X	P
Urban Gardens <sup>1</sup>	P	P	P	P	P	P	P	P	P

P = Permitted Principal uses and Structures

PA = Permitted Accessory Uses and Structures

SAP = Special Administrative Permit

SUP = Special Use Permit

SEP = Special Exception

X = Prohibited

\* = Not to exceed 4,000 sq. ft.

\*\* = Farmer's markets limited to parcels which meet minimum lot size requirements and are uses as places of worship or schools.

\*\*\*= Provided Small discount variety stores may be located within 5,280 feet of another small discount variety store.

<sup>1</sup> Requires a temporary vending SAP

**Section 16-18C.007. Development Controls.**

See SPI-3: Development Controls Table for Bulk Limitations, Building and Lot Coverage, Open Space Requirements, Yard Requirements, and Height Requirements.

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 principal uses both residential and non-residential uses on the same development site, and in which both of such uses are at least 20 percent of the total floor area, excluding accessory uses.

**Table 3: SPI-3 Development Control Table**

<b>Development Controls</b>	<b>Subarea 1</b>	<b>Subarea 2</b>	<b>Subarea 3</b>	<b>Subarea 4</b>	<b>Subarea 5</b>	<b>Subarea 6</b>	<b>Subarea 7</b>	<b>Subarea 8</b>	<b>Subarea 9</b>
<b>Maximum FAR</b>									
a) Residential	0.50	0.696	1.00	1.00	1.30	2.00	4.00	1.30	1.10
b) Non - Residential	N/A	N/A	N/A	0.50	2.00	2.00	2.00	2.00	1.10
c) Combined	N/A	N/A	N/A	1.50	3.30	4.00	6.00	3.30	2.20
Maximum Building Coverage	70%	70%	70%	85%	85%	85%	85%	85%	85%
<b>Open Space Requirements</b>									
a) Non-residential Public Space Requirements	None	None	None or 5%**	None or 5%**	None or 5%**	None or 5%**	10% or 20%*	None or 5%**	None or 5%**
b) Residential Useable Open Space Requirement	None	None	None	None	None	None	None		
Maximum Building Height Along Streets (ft)	35'	40'	40'	40'	55'	75'	105'	45'	Based on Block>

Minimum Lot Size (sq. ft.)	3,000	3,000	2,000	2,000	None	None	None	None	None
Minimum Frontage (ft)	20'	20'	35'	100'	20'	None	None	None	None
<b>Setbacks</b>									
a) Minimum Street Furniture Zone/Tree Planting Zone (width in ft)	Match existing block face	Match existing block face	Match existing block face	5'	5'	5'	5'	5'	5'
b) Minimum Sidewalk Clear Zone (width in ft)	Match existing block face	Match existing block face	Match existing block face	10' arterials & collectors. 6' all other streets.	10' arterials & collectors. 6' all other streets.	10' arterials & collectors. 6' all other streets.	10' arterials & collectors. 6' all other streets.	10' arterials & collectors. 6' all other streets.	10' arterials & collectors. 6' all other streets.
c) Minimum Supplemental Zone (width in ft)	N/A	N/A	N/A	5'	5'	5'	5'	5'	5'
d) Minimum Front Yard (ft)	Match existing block#	Match existing block#	Match existing block#	Not Required	Not Required	Not Required	Not Required	Not Required	Not Required
e) Minimum Side Yard (ft) not adjacent to street	5'	5'	5'	None	None	None	None	None	None
f) Minimum Side Yard (ft) adjacent to street	10'	10'	10'	None	None	None	None	None	None

g) Minimum Rear Yard (ft) not adjacent to street	7' or matching existing block	10'	10'	None	None	None	None	None	None
h) Minimum Rear Yard (ft) adjacent to street	5'	5'	5'	None	None	None	None	None	None
<b>Transitional Height Requirements</b>	N/A	N/A	Required	Required	Required	Required	Required	Required	Required

Notes:

\*Developments < or = 0.5 acre - a minimum of 10% of the net lot shall be public space. Developments > 1 acre - a minimum of 20% of the net lot area shall be public space.

\*\*Development less than one acre - no open space requirements. Developments greater than one acre - a minimum of five percent of the net lot area shall be public space.

#None for residential units without windows or non-residential uses. 5' for residential uses with windows.

^None for residential units without windows or non-residential uses. 20' for residential uses with windows.

>155' - for blocks bound by James P. Brawley Drive to the West, Echo Street to the East, Bedford Street to the North, and Beltline Spur Trail to the South. 105' - for blocks bound by Echo Street to the West, Wheeler Street to the South, Jefferson Street to the North and Northside Drive to the East. 45' All others.

Transitional Height Requirements: where required see Section 16-29.062

# Front yard setback: the building setback shall be consistent with the historic character as it existed in 1945 for the block face with such like contributing buildings. As such the building setback shall either: i) conform to the setback of the previously existing contributing building of like use; or ii) shall be no closer to the street than the closest and no farther from the street than the farthest contributing structure of like use on that side of the block.

### **Section 16-18C.008. Site Limitations**

1. English Avenue Future Street Connection map shall govern the following:
  - a. New conventional streets shall be constructed as shown in Attachment D in order to create pedestrian oriented blocks and vehicular connectivity.
  - b. New conventional streets created per section 16-18C.008(1) above, shall meet the requirements of section 16-18C.008 (3) below.
  - c. All other regulations within this district applicable to streets and street frontages shall be applied to the new English Avenue Future Street Connection map required in Attachment D.
  - d. The area of any such new street connection shall be allowed to be included in the net or gross area calculation for density purposes.
2. Cul-de-sacs are prohibited. However, mid-block roadways constructed to provide future connectivity between public streets shall not be considered a cul-de-sac.
3. New streets incentive. New public streets, or private streets which function as public streets may be counted towards public space requirements provided the following criteria are met:
  - i. Connects two other public streets or private streets which meet the requirements of items ii, iii, and iv below; and
  - ii. Meets the requirements of section 16-18C.012; and
  - iii. The maximum width shall be 36 feet which shall include, two on-street parallel parking lanes, two travel lanes and sidewalk extensions at intersections and shall have granite curbs; and
  - iv. When adjacent to a park area, new streets shall meet all above requirements along each park edge.
  - v. Gates shall not be permitted across said streets

### **Section 16-18C.009. Transitional Uses and Yards**

1. Adjoining lot with same frontage: Where SPI-3 Subareas 5, 6, 7 and 8 adjoin an R-1 through R-G, or PD-H district or SPI-3 Subareas 1, 2, 3 and 4 at the side along the same street frontage, and without an intervening street, such lot within this district, or the first 100 feet on such lot if it is wider than 100 feet, shall not be used for any drive-through service window or drive-in facility, car wash, service station, mortuary or funeral home, sales lot for automobiles, repair garage, or paint and body shop even where otherwise specifically authorized.

2. Transitional height planes: Where SPI-3 Subareas 5, 6, 7 and 8 adjoin an R-1 through R-G, or PD-H district or SPI-3 Subareas 1, 2, 3 and 4 with or without an intervening street, height within this district shall be limited by the Transitional Height Plane requirements as defined in section 16-29.001.
3. Transitional yards:
  - a. Where SPI-3 Subareas 5, 6, 7 and 8 adjoin an R-1 through R-G, or PD-H district or SPI-3 Subareas 1, 2, 3 and 4 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 sightly condition.
4. Zero-lot-line development. Zero-lot-line subdivision is permitted for residential uses provided a minimum of 800 square feet in lot area is provided.

**Section 16-18C.010. Sidewalks.**

Sidewalks shall be located along all public and private streets and shall have the components and widths specified in the SPI-3 Development Controls Table. The following regulations shall apply to all sidewalks:

1. Sidewalks shall consist of at least two zones, a street furniture zone and a clear zone.
  - a. The street furniture zone shall be located immediately adjacent to the curb. Said zone shall be used for the required planting of trees and the placement of street furniture including 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 Office of Zoning and Development.
  - b. The clear zone shall be located immediately contiguous to the street furniture zone and shall be continuous. Said zone shall be unobstructed for a minimum height of eight (8) feet and shall have a consistent cross-slope not exceeding two (2%) percent.
2. Street trees are required along all streets and shall be planted in the street furniture zone.
  - a. All streets where no trees exist, new trees shall be planted in the ground a maximum of 30 feet on center within the street furniture 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 40 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.

5. Decorative Pedestrian Street lights, where installed, shall be placed approximately sixty (60) feet on center and spaced equidistant between required street trees. Where installed, said lights shall be located within the street furniture zone. Applicant shall coordinate with the Department of Public Works regarding the final decision of the proposed layout.
6. No awning or canopy shall encroach into the street furniture zone.
7. Trash receptacles or similar elements, where installed, shall be a type specified by the director of zoning and development 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 zone.
8. Entryway doors shall not open into the clear zone.

**Sec. 16-18C.011. - Supplemental zone.**

For purposes of these regulations, the area between any building, parking garage, or 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 public space requirements.

1. Supplemental zone general requirements.
  - a. Where sidewalk level residential units are located, the supplemental zone shall be landscaped with the exception of terraces, porches, stoops and walkways, which may occupy a maximum of two-thirds of the supplemental zone area;
  - b. Terraces, porches and stoops shall have a maximum finished floor height of 36 inches above finished grade, unless existing topographical considerations render this requirement unreasonable;
  - c. The supplemental zone shall be no more than 24 inches above the adjacent public sidewalk, unless existing topographical considerations render this requirement unreasonable; and

2. Developments of greater than one acre in area and adjacent to existing transit stops which have no shelters shall provide a shelter within the supplemental zone for a minimum of one such stop. The design and location of such stop shall be approved by the Director of the Office of Zoning and Development.
3. 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 non-residential 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 36 inches. The combined height of a fence, where otherwise authorized and retaining wall shall not exceed a height of 42 inches, 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 section 16-29.001(25)(b) for definition of retaining wall.
  - c. No walls, except retaining walls, shall be located between the street and any building, except for screening for authorized off-street loading areas.
  - d. Fences and walls between the primary building and the lot line may be erected but shall not exceed 6 feet in height and are not permitted between the primary building and the street.
  - e. For outdoor dining, movable planters, movable fencing, or similar movable barriers are allowed to separate outdoor dining from the sidewalk, provided they do not exceed a height of 36 inches, including any plant material.
  - f. Barbed wire, razor wire, and chain link fencing are prohibited permanent fencing materials.

#### **Section 16-18C.012. Relationship of Building to Street**

1. Delineation of building floors at the third story above sidewalk level and lower shall be articulated through windows, belt courses, cornice lines or similar architectural detailing.
2. Roofs: All detached single family residential buildings shall have a gable, pitched, or hipped roof with a minimum roof pitch of 4/12. Flat roofs for detached single family



residential buildings are not permitted. Multi-family and mixed-use buildings with flat roofs shall be designed with a 3-foot minimum height parapet.

3. The primary pedestrian entrance for access to all sidewalk level uses and business establishments with public or private street frontage
  - a. Shall face and be visible from the public street when located adjacent to such street. When located adjacent to a street that functions as an arterial street or a collector street, said entrance shall face and be visible from such street.
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. Fenestration:
  - a. Street-fronting non-residential uses, with the exception of churches and fire stations, along streets that function as arterial streets and collector streets shall meet the following sidewalk level requirements:
    - i. The length of the facade without intervening fenestration or entryway shall not exceed 20 feet.
    - ii. Fenestration shall not utilize painted glass, reflective glass or other similarly treated or opaque windows. Entrances may be counted towards fenestration requirements.
    - iii. Fenestration shall be provided for a minimum of 65 percent of the length of all street frontages:
      1. Beginning at a point not more than 3 feet above the sidewalk, or
      2. 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
      3. Beginning at a point not more than sidewalk level, to a height no less than 10 feet above the finished floor elevation, when the finished floor elevation is below the sidewalk.
  - b. Fenestration shall be provided for the length of the sidewalk level frontage for residential uses on all streets, and for non-residential uses with the exception of churches and fire stations, it shall be 30 percent on all streets other than streets that function as arterial streets and collector streets.
6. 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.
- 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, , plaza, terrace or porch adjacent to the sidewalk. All pedestrian walkways providing such access shall be perpendicular to the street, unless topography prohibits, and shall be permitted to share said walkway with one adjacent unit.
- c. Such buildings shall have windows at sidewalk-level or on each street frontage which are substantially similar in size to the sidewalk level front facade windows.

7. Siding and Foundation:

- a. A building's main/street facing facade should have a maximum of two different cladding materials, excluding the fenestration material.
- b. Single family and two-family: All exterior facades shall be brick, wood, or Hardiplank, (cementitious siding). Hardiplank siding shall be a maximum of 6 inches in width.
- c. Multi-family, Mixed Use, and non-residential:
  - i. All exterior facades adjacent to a public street, public park, and/or trail shall be brick, Hardiplank (cementitious siding) stone, cast stone, architectural metal panels, or true stucco.
- d. All exterior facades not adjacent to a public street shall be brick, stone, cast stone, true stucco, concrete masonry units, split-faced concrete, or split-faced block.
- e. Single family and Two Family: foundations are required in Subareas 1 and 2 and shall be finished with brick, smooth stucco, or smooth finish concrete at least 2 ft above grade.

8. Active use provisions along arterial and collector streets. The following additional provisions shall apply:

- a. Sidewalk-level active uses shall not include parking, non-residential storage areas, driveways, or queuing lanes parallel to the adjacent street.
- b. Active uses shall be provided for a minimum depth of 20 feet, as measured from the sidewalk-level building façade.

**Section 16-18C.013. Signage.**

Sign regulations shall be the same as 16-28.010(41).

**Section 16-18C.014. Dumpsters, loading areas and entrances, mechanical and accessory features, and fences and walls.**

1. Off-street loading requirements shall be in accordance with the provisions of Section 16-28.015 of the Atlanta Zoning Ordinance.
2. Dumpsters and loading docks shall not be located between any building and the street, public park, and/or trail and shall be located in the side or rear yard, screened from public view with opaque walls or fences a minimum of six (6) feet in height, and paved with impervious materials.
3. Where provided, all loading spaces shall provide vertical clearance of fourteen (14) feet and shall not be located within the required sidewalk.

Building mechanical and accessory features:

- a. Shall not be permitted between the building and any public street and public park;
  - b. Shall be located to the side or rear of the principal structure and shall not be visible from the public right-of-way. Screening with plant or building materials shall be required where the equipment would otherwise be visible from the public right-of-way.
  - c. When mechanical and accessory equipment is located on building roofs, they shall be incorporated into the design of the building and screened with building materials similar to the building, such as a penthouse or parapet wall.
4. Gasoline fuel dispenser structures and associated vehicular services, such as air pumps and car washes, shall not be located between a building and the street.

**Section 16-18C.015. Driveways, curb cuts, parking and drive-through facilities.**

1. Driveways:

- a. Driveways are not permitted between the sidewalk and a building, and shall be perpendicular to any adjacent street, except for a driveway to reach the side yard or rear yard or an on-site parking facility.

- b. Entrances to garages and carports that serve a single residential unit, and are not located behind the principal structure, shall face the rear yard, or a side yard which has no street frontage.
- c. 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.
- d. All sidewalk paving materials shall be continued across any intervening driveway at the same prevailing grade and cross slope as on the adjacent sidewalk clear zone.
- e. No circular drives shall be located between any building and any public street with the exception of hotels, child care centers, and senior centers.
- f. Drive-through service windows and drive-in facilities shall not be located between the principal structure and the street.

2. Curb Cuts:

- a. Driveway and curb cut widths shall be 24 feet for two-way entrances and 12 feet for one-way entrances, unless otherwise authorized by the Office of Public Works.
- b. For the purposes of this section, two curb cuts serving two one-way driveways shall only be counted as one curb cut.
- c. Except as authorized in subsection 16-18C.015(2)(b) of the Atlanta Zoning Ordinance, no more than one curb cut shall be permitted for each development, provided that properties with more than one street frontage may have one curb cut located on each street frontage.
- d. No curb cuts on arterial or collector when access can be provided from a local street.
- e. Curb cuts shall constructed of granite.

**Section 16-18C.016. - Off-street parking requirements.**

- 1. Parking requirements: The minimum number of parking spaces required, and maximum number allowed shall be in accordance with the following SPI-3 English Avenue Parking Table. Any variation to increase the maximum allowable parking requirement shall be based upon criteria including, but not limited to the following:
  - a. Tenant demand based upon on-site uses; and
  - b. Parking efficiency and utilization for on-site uses; and
  - c. Parking available off-site within one-quarter-mile radius.

2. All parking areas and structures shall have delineated walkways at a minimum width of 4 feet, connecting parking to the required sidewalks and building entrances.
3. Parking between a building and a street:
  - a. Off-street surface parking shall not be located between a building and the street without an intervening building, with the exception of; religious institutions with more than one street frontage shall not be permitted to have parking located between a building and a street without an intervening building only on the street that fronts the defined front yard. For religious institutions with more than one street frontage, side yards and rear yards with street frontages shall be permitted to have parking located between a building and a street without an intervening building.
4. Parking structures (either principal or accessory use): In addition to requirements contained in section 16-28.028 the following regulations shall apply:
  - a. Active uses shall occupy a minimum depth of 20 feet of the ground floor street frontage beginning at any building facade along the public sidewalk, except at ingress and egress points. Such commercial uses located in this area shall meet the requirements of section 16-18C.012(8).
  - b. When located immediately adjacent to any public right-of-way, private street, public park, trail, or single-family residential district:
    - i. Shall have an appearance of a horizontal storied building on all levels. Said structure shall have an appearance similar to or compatible with that of the adjoining or attached structure, including fenestration patterns and materials;
    - ii. May not have ramping that is visible from the public right-of-way, private street, public park, trail or single-family residential district; and
    - iii. Above-ground parking structures shall be designed so that the only openings at street level are those to accommodate vehicle entrances and pedestrian access to the structure. Any openings for ventilation, service, or emergency access located on the first-floor level in the building facade shall be an integral part of the overall building design or screened from view with landscaping at least 10 feet in height.
5. Office uses, additional requirements:
  - a. All office developments over 10,000 square feet shall reserve and designate, if parking is provided at least five percent of the parking spaces "Carpool Only." Such spaces shall be located near the building's entrance or other preferable locations within the employee parking areas as approved by the commissioner of public works; and
  - b. All new parking structures shall be built to accommodate vanpool access at entry level. The minimum ceiling height for vanpools is 8 feet 2 inches.
6. Loading requirements: Minimum off-street spaces shall be provided in accordance with 16-

**Table 4: SPI-3 English Avenue Parking Table**

	Parking Spaces	
	Minimum	Maximum
<b>Residential Dwellings</b>		
Hotels and motels (spaces per lodging unit)	None	1.0
Residential Dwellings <ul style="list-style-type: none"> <li>• Per each one-bedroom unit</li> <li>• Per each two or more-bedroom unit</li> </ul>	None	1.25 2.25
<b>Non-residential Uses (Spaces per 1,000 sq. ft. of floor area)</b>		
Eating and drinking establishments	None	2.5
Commercial/retail (not eating and drinking establishments)	None	2.5
Institutional	None	2.5
Office	None	2.5
Recreation/Entertainment	None	1.5
All Other Users	None	2.0

**Section 16-18C.017. Bicycle parking.**

1. Minimum bicycle parking spaces shall be provided in accordance with 16-28.014(6).

**Section 16-18C.018. Specific Regulations for Subarea 1, 2, 3, 4, 5 and 6**

The following additional requirements apply to single-family and two-family located within Subareas, 1, 2, 3, 4, 5 and 6. Please refer to the SPI 3: Development Controls Table and section 16-18C.015 driveway curb cuts, driveways and parking structures for additional requirements.

1. Front yard general requirements:

- a. Patio decks shall not be permitted within the front yard or half-depth front yard;
- b. Off-street parking shall not be permitted within the front yard or half-depth front yard.
- c. Driveways shall extend 20 feet beyond the front façade of the principal structure and shall have a maximum width of ten feet in the front yard.

2. Porches:

a. Front porches on the principal structure shall be required and shall be a minimum of 50 percent of the width of the house with a minimum depth of eight feet. Porches may be enclosed with screen wire only, provided that the main characteristics of the porch such as balustrades, columns or porch railings, and front doors are visible;

b. Side porches in the half-depth front yard shall be a minimum of four feet in depth. Porches may be enclosed by glass windows or screen wire only, provided all the main features of a porch are maintained in place.

c. Porches shall not extend more than ten feet into the front yard and five feet into the half-depth front yard.

3. Fenestration:

a. Any façades that face a public or private street shall consist of fenestration that shall be no less than 15 percent and no greater than 40 percent of the total surface wall area. Façades that do not face a public or private street shall consist of fenestration that shall be no less than ten percent of the total surface wall area. Windows may be individual or grouped. No individual window unit shall exceed 28 square feet. Within each individual window unit, no individual window sash, either fixed or operable, shall exceed 16 square feet.

i. Windows shall be double hung.

ii. Each double-hung window shall be surrounded by wood trim between four and six inches wide and shall include a bottom sill. Windows grouped together shall have center mullions two inches wider than the side trim.

iii. Height of window sills on the public or private street fronting façade shall be no less than two and one-half feet and no more than three and one-half feet above finished floor elevation. Windows on said façade shall have a minimum height of three feet.

iv. All windows shall include windowpanes recessed a minimum of two inches from the adjacent façade, unless the façade is constructed as a glass curtain wall.

v. Flat "snap-in" muntins and muntins sandwiched between layers of glass are prohibited.

4. Façade materials shall consist of horizontal wood clapboard siding, horizontal hardiplank siding (cementitious siding), brick, or stone.

5. Foundations:

a. The first floor of the principal structure, including public or private street-facing porches, shall be on foundations and elevated above the grade between two and four feet, unless existing topography is greater, as measured at the front façade of the structure. Slab on grade is not permitted.

b. Foundations shall constitute a distinct building design element and shall contrast with the front façade material. Brick, stone, or three-part hard coat stucco shall be permitted. Standard, unfinished concrete block and stacked stone is prohibited.

### **Section 16-18C.019 Specific Regulations for Subarea 8**

#### *1. Industrial uses required:*

a. All sites, except lots of record under 1 acre in size, shall incorporate industrial uses such that the total minimum combined floor area of all industrial uses on the site is equal to the lesser of:

- i. Thirty percent (30%) of the total floor area on the site; or
- ii. Three-tenths (0.3) times net lot area.

b. Any floor area that is not used for industrial uses may be used for either exclusively residential uses, or exclusively non-residential uses, or any combination of the two.

c. Areas not otherwise defined as floor area by this Zoning Ordinance, such as parking or exterior spaces, shall not be counted towards this requirement or the concurrency requirements.

#### *2. Industrial permitted principal uses: A building or premises shall be used for the following industrial uses and structures:*

(a) Catering establishments.

(b) Microbrewery, microdistillery, or winery, all of which may include an accessory biergarten.

(c) Commercial greenhouses or plant nursery.

(d) Distributions centers.

(e) Laboratories and research facilities where the character of operations, emissions by-products does not create adverse effects beyond the boundaries of the facility.

(f) Manufacturing, wholesaling, repairing, compounding, assembly, processing, preparation, packaging or treatment of articles, foods, components, products, clothing, machines and appliances and the like, where the character of operations, emissions and by-products do not create adverse effects beyond the boundaries of the facility. Use of heavy drop hammers, punch presses or other machinery; or processing methods creating excessive noise or vibration is prohibited in this district. All such uses may include accessory offices, retail, or eating and



drinking establishments when located in the same tenant space and the total floor of when such accessory uses does not exceed 50 percent of the tenant space floor area.

(g) Printing and publishing operations.

(h) Tailoring, custom dressmaking, millinery and similar establishments.

(i) Technical schools.

(j) Training facilities related to other permitted uses.

(k) Veterinary clinics and kennels.

(l) Warehousing and storage, when auxiliary to other permitted uses within the development and specifically excluding self-storage facilities, which shall be prohibited.

(m) Showroom, which means a facility used to display products for sale, such as furniture, appliances, kitchens, carpet, home furnishings, or apparel to business representatives for resale, rather than to the general public for direct consumption, and that may include storage of goods for sale.

(n) Conversion of existing buildings which are 50 years of age or older to other non-residential uses (see section 16-16A.004(3)) or residential uses (see section 16-16A.004(4)).