

STATE OF GEORGIA

CITY OF STOCKBRIDGE

ORDINANCE NO. OR 18-461

AN ORDINANCE TO PROVIDE FOR A HIGHWAY 138 OVERLAY DISTRICT; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the governing authority of the City of Stockbridge is the Mayor and Council thereof;

WHEREAS, the governing authority of the City of Stockbridge, Georgia desires to adopt an overlay district for portions of Highway 138; and,

WHEREAS, the health, safety, and welfare of the citizens of Stockbridge, Georgia, will be positively impacted by the adoption of this Ordinance.

NOW THEREFORE, THE COUNCIL OF THE CITY OF STOCKBRIDGE HEREBY ORDAINS:

Section 1. That Chapter 12.02 of the Stockbridge Municipal Code is hereby amended by adding a new Section 12.02.105 attached hereto as Exhibit A.

Section 2. The preamble of this Ordinance shall be considered to be and is hereby incorporated by reference as if fully set out herein.

Section 3. (a) It is hereby declared to be the intention of the Mayor and Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were, upon their enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.

(b) It is hereby declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Ordinance.

(c) In the event that any phrase, clause, sentence, paragraph or section of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Mayor and Council that such invalidity, unconstitutionality or unenforceability shall, to the

greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of the Ordinance and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

Section 4. All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

Section 5. Penalties in effect for violations of the City of Stockbridge at the time of the effective date of this Ordinance shall be and are hereby made applicable to this Ordinance and shall remain in full force and effect.

Section 6. The effective date of this Ordinance shall be the date of adoption.

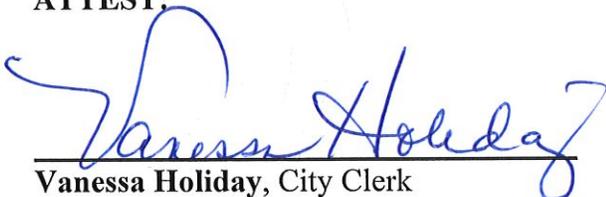
ORDAINED this 25th day of April, 2018.

CITY OF STOCKBRIDGE, GEORGIA



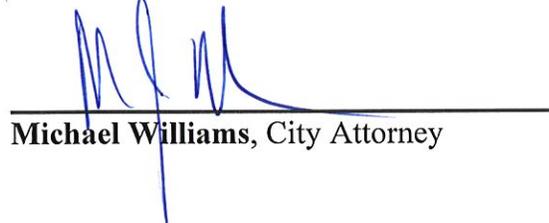
Anthony S. Ford, Mayor

ATTEST:



Vanessa Holiday, City Clerk

APPROVED AS TO FORM:



Michael Williams, City Attorney

Date Presented to Mayor: 4/27/2018

Date Received from Mayor: 5/7/2018

EXHIBIT A
HIGHWAY 138 OVERLAY ORDINANCE

EXHIBIT A

HIGHWAY 138 OVERLAY DISTRICT

SEC. _____

Section _____ Highway 138 overlay district.

A. Purpose. The purpose and intent of the Highway 138 overlay is to:

1. Provide elements that define the street and place for pedestrians
2. Create a safe, attractive environment
3. Encourage high quality design and construction

B. Applicability and General Requirements. The Highway 138 overlay district shall apply to those areas within the City limits of Stockbridge having frontage on Highway 138, from Glenn Devon Road to North Henry Blvd.

1. This section is applicable in the following instances:
 - a. Exterior rehabilitation or modifications to existing buildings or structures;
 - b. New construction, including additions to existing structures and buildings within the affected areas.
2. Any person who plans to build, construct, develop, remodel, expand, or the like, shall submit design plans to the development director for review and recommendation. The development director shall forward the plans and recommendation to the mayor and city council within thirty (30) calendar days of submission for approval or denial.
3. Development shall conform to the Highway 138 Design Guidelines, an official copy of which shall be held at the office of the community development office.

C. Definitions. As used in this section, unless specifically stated otherwise, the following terms shall be defined as indicated.

1. *Articulation:* The revealing of how parts of the building fit into the whole by emphasizing each individual part. Commonly this effect can be accomplished through the use of physical offsets, material changes, architectural details, among many other techniques.
2. *Building Frontage Zone:* The portion of the streetscape where people enter and exit buildings adjacent to the street right-of-way.
3. *Cheek walls:* A wall that is adjacent and connected to a stairwell.
4. *Cornice:* A horizontal molded projection that is located at the very top of a building or wall.
5. *Curb cut:* A curb cut is a ramp leading smoothly down from a sidewalk to an intersecting street.
6. *Façade:* The plane of the building that faces a public right-of-way, very important for determining the character of the urban space around it.

7. *Fixtures/Planting Zone*: The portion of the streetscape used for street trees, landscaping, street lights, and site furnishings.
8. *Luminaire*: A lighting fixture complete with a light source, a reflector for directing the light, an opening for light to pass through, an outer shell for protection, and a connection to a source of power.
9. *Massing*: The overall bulk, size, physical volume, or magnitude of a structure or project.
10. *Monument style sign*: Permanent signs where the entire bottom of the sign is affixed to the ground, not to a building.
11. *Offset*: A ledge or recess in a wall formed by an adjacent reduction in thickness.
12. *Parapet*: A portion of a vertical wall of a building that extends above the roofline.
13. *Pedestrian Scale*: The use of human proportioned architectural features and site design elements clearly oriented to pedestrian activity. Such elements are typically smaller in scale and more proportional to the human body, rather than monumental or large scale, and include surface texture and patterns, lighting, colors, materials, and architectural details.
14. *Pedestrian Travel Zone*: The portion of the streetscape for pedestrian travel along the street.
15. *Pilaster*: A column built into or applied to the face of a wall so that it projects slightly. Pilasters are often used in a decorative fashion.
16. *Projecting sign*: A cantilevered sign which is structurally affixed to a building and oriented perpendicularly to the building façade.
17. *Public Right-of-way or ROW*: A publicly-owned strip of land set aside for transportation that encompasses public roadways as well as sidewalks and public space adjacent to those roadways.
18. *Recess*: A small space created by building part of a wall further back from the rest.
19. *Reveal*: A narrow opening, often between two architectural elements, on the surface of a wall showing the wall's thickness.
20. *Shared parking*: Parking spaces assigned to more than one use where persons utilizing the spaces are unlikely to need the spaces at the same time of day.
21. *Street furniture*: A collective term for objects installed on public sections of streets and roads for a variety of purposes, including benches, bike racks, mail boxes, street lamps, traffic lights, traffic signs, bus stops, taxi stands, recycling bins, and waste receptacles.
22. *String course*: A continuous horizontal band of building material, usually along a wall.
23. *Structural bay*: An architectural unit defined as the area between the outside edges of two columns, pilasters, or other vertical elements.
24. *Wall Sign* – A sign which is located on and parallel to a building wall.

D. Streetscape Design Standards. The streetscape along Highway 138 shall be divided into three distinct zones consisting of a Building Frontage Zone, Pedestrian Travel Zone, and Fixtures/Planting Zone. The widths of each zone shall be as provided below.

1. Building Frontage Zones are encouraged to provide outdoor activities and gathering areas and may be permitted at varying widths.
2. Pedestrian Travel Zones shall be a minimum of ten-feet wide, paved in concrete and kept clear and unobstructed for the safe and convenient use of pedestrians.
3. Fixtures/Planting Zones shall be a minimum of ten-feet wide and planted with grass, ground cover or flowering plants. Within the Fixtures/Planting Zone:

- a. Sidewalk benches shall be placed in front of retail locations at a maximum distance of 500 feet from one another.
- b. Trash receptacles shall be placed at street intersections and at a maximum of 500 feet apart from one another.
- c. Bicycle racks should be located at a maximum distance of 250 feet apart.
- d. Pedestrian scale lighting should be incorporated along all pedestrian paths and shall be placed a maximum of every 40 feet on center.

E. Site Design Standards. All development in this district must meet the following minimum site design standards.

1. **Parking.** The following parking lot design standards are intended to coordinate with the specific parking requirements set forth in the Section 12.08.020.
 - a. Parking shall be located to the rear or side of buildings.
 - b. Parking lots shall be directly connected to a sidewalk leading to the main entrances of all buildings on site and include marked crosswalks across interior driveways and vehicular aisle
2. **Access.**
 - a. Adjoining properties shall be encouraged to share curb cuts to reduce interruptions to the sidewalks.
 - b. Properties that are adjoining shall be encouraged to enter into an agreement to create space for a connection between the two properties. This keeps traffic off the main road and increases the likelihood that a customer will only have to look for a parking space once if desired.
3. **Landscaping/buffering.**
 - a. At least 30 percent of the paved surface area of each surface parking lot shall be shaded by mature landscaping within 5 years of construction to provide a cool environment.
 - b. The area between a parking lot and the public ROW shall have a boundary strip of at least 5 feet. Trees within the boundary shall be planted a maximum of 40 feet on center, and no boundary shall have less than one tree. A brick or stone wall 30 inches tall, or shrubs maintained at a minimum mature height of 24 inches and a maximum height of 30 inches, shall be provided within the strip.
 - c. All areas along the corridor not developed with buildings or prepared surfaces for parking, circulation, utilities or the like, shall be landscaped and maintained with ornamental plantings. These plantings should be native or drought-tolerant plants to minimize the need for irrigation. Green field and wooded areas should be left as is, until developed into another use. Paved areas of the site shall be limited in size to the area required to accommodate the intended use.
4. **Exterior Lighting.**
 - a. Lighting should be provided at all entrances, pathways, parking areas, and recessed areas.
 - b. All exterior lighting fixtures shall use full cutoff luminaires to reduce both energy usage and glare, as well as prevent light pollution.
 - c. Lighting shall be pointed at the ground or the building directly to prevent glare onto

neighboring areas.

- d. Light fixtures, light pole bases, and poles, shall be consistent with each other, the architecture of buildings (if any), and/or nearby street lighting.

5. Building Orientation.

- a. The required building setbacks of the underlying zoning district may be reduced in order to encourage new commercial buildings to develop closer to the street.
- b. Buildings may be set back further to allow for an appropriate building frontage zone which may include balconies or steps, public plazas, outdoor dining areas, or additional landscaping.
- c. Corner lots should be oriented to the corner and used to create focal points at the four corners of major street intersections.
- d. When adjacent to existing commercial developments that are set further back, a step-back design may be utilized to transition to the desirable setback pattern, reducing excessive variation.

F. Building Design Standards. All structures in this district must meet the following minimum site design standards.

1. Building Height and Massing.

- a. Building facades facing the public sidewalk along the western segment of Highway 138, should not exceed 40 feet or 4 stories.
- b. On the eastern segment of Highway 138 where the right-of-way is more narrow, the maximum facade height shall be limited to 30 feet or 2 stories.
- c. For each additional 10 feet back from the front face of the building, the building may rise another 10 feet, or fraction thereof. This measure should allow sufficient light to reach the street below and enclose the public right-of-way in such a way that promotes walkability.

2. Building Facades and Materials.

- a. Facades shall be finished with durable architectural materials. Appropriate materials include brick, stone, concrete stucco, decorative terra-cotta, and clear glass panels. Concrete masonry units (CMU), Exterior Insulation Finish Systems (EIFS), metal siding, vinyl siding, synthetic stucco and any material deemed by City staff to be less durable products are prohibited.
- b. Bright colors should be used for detail in small areas while earth tones or raw materials can be used for larger areas. The intrinsic color of durable materials is preferred over painted materials, however when buildings must be painted the color should complement the building use and the coloring of adjacent buildings.
- c. It is recommended that more than one material or color of material be used in each building to give texture and to avoid monotony.
- d. Street-facing building facades shall be horizontally divided at least every third floor using architectural means such as string courses, recesses, reveals or other architectural detailing.

- e. Street-facing building facades shall also be vertically divided utilizing major and minor articulations to create visual interest and avoid monotony. Major articulations shall occur at least every 60 feet of horizontal façade length and may be accomplished through: a change of façade materials extending from grade through the cornice; physical offsets; and/or similar means intended to convey the impression of separate buildings. Minor articulations shall occur approximately every 30 feet of horizontal façade length and may be accomplished by: the use of pilasters; the use of smaller offsets; or similar means intended to create the appearance of structural bays.

3. Windows and Transparency.

- a. All street-fronting first stories shall have windows that meet the following requirements along the portion of the building fronting a public street or public sidewalk.
 - 1) They shall be of clear, un-painted or similarly treated glass to allow views of store interior or display windows.
 - 2) Windows shall be located along a minimum of 75% of street frontage.
 - 3) They shall start a maximum of three feet above the sidewalks and shall have a minimum height of ten feet above the sidewalks.
 - 4) The maximum façade length without windows shall be ten feet. Glass doors may count towards these requirements.
- b. All building stories above the first story shall have windows and doors that equal a minimum of 30% of the total facade area, with each story being calculated independently. Additionally, all street-facing upper story windows shall be predominately arranged in a grid, subject to individual window variation.

4. Building Service Elements.

- a. Mechanical or utility equipment including utility meters shall be screened from public view.
 - 1) The method of screening may be architecturally integrated with the structure in terms of materials, color, shape and size in such a manner that the equipment is not visible from street level.
 - 2) Vegetation and landscaping may be used to screen on-grade elements. Landscaping must be maintained.
- b. Refuse containers or dumpsters shall be located in the rear or side yard of a property and shall be screened from view of the public right of way.
 - 1) Enclosures shall reflect the architecture of the proposed development and include walls constructed with appropriate and compatible materials.
 - 2) The enclosure shall have a minimum height of eight (8) feet, or two (2) feet taller than the highest point of the waste/grease container, compactor or dumpster, whichever is greater.
 - 3) Gates shall allow access to refuse containers while denying open views of the contents within.
 - 4) The use of chain link fencing is not acceptable as concealment of mechanical units or waste/grease containers.
- c. Rooftop mechanical units or other services and utilities located above grade shall be screened from public view. The method of screening can be met by implementing one

or more of the following strategies:

- 1) Enclosing the utility within a roof that is integrated into the building form;
 - 2) Locating the utility within an enclosed mechanical penthouse whose materials and detailing complement the building architecture;
 - 3) Locating the utility far enough from the parapet so as to be effectively invisible from adjacent public rights-of way.
- d. New development shall bury utilities when possible to avoid a visually cluttered streetscape and to promote a more aesthetically pleasing environment.

5. Entrances.

- a. All first story uses shall have a primary pedestrian entrance, which faces, is visible from, and is directly accessible from the sidewalk.
- b. All first story businesses with more than 60 feet of frontage along sidewalks shall provide one pedestrian entrance for every 60 linear feet of frontage or fraction thereof.
- c. Some form of protection is required at all retail frontage along the corridor for relief from inclement weather. This can take the form of awnings, canopies, or other accessory shade structures as approved by the Zoning Administrator.
- d. Awnings should be architecturally consistent with the building and made of durable opaque materials such as cloth or canvas; the use of shiny, high-gloss, translucent materials such as vinyl or plastic is prohibited.
- e. The color of awnings shall be compatible with the building façade.
- f. The scale of the awning (height, length, depth and overall bulk) shall be compatible with the building storefront
- g. Columns to support canopies are not permitted in the public right of way.
- h. Awnings and canopies shall only include signage when such signage is located within an apron that is less than twelve inches in height and is subject to all other applicable sign requirements of this document.

6. Signage. The number and sizes for signs are established by Section XXX.

- a. Signs should be externally illuminated and must use durable materials that match the main structure.
- b. All signs, except wall and window signs, shall be located a minimum of 8 feet above the adjacent sidewalk.
- c. The following signs are permitted: Canopy signs (apron only), wall signs, projecting signs, and window signs.
- d. The following signs are prohibited: Roof signs, portable signs, pole-mounted signs, internally lit signs, electronic signs, and moving signs of anykind.
- e. Other restrictions: All projecting signs shall have a maximum area of 8 square feet per side and a maximum width of 3 feet. No projecting sign shall extend more than 4 feet from the building façade.
- f. Large Projection Signs: Large projection signs may be placed on corner buildings at the vehicular entrance to developments along Highway 138 only. These signs shall be no higher than the height of the building and no wider than 6 feet, they must also be 10 feet off the face of the sidewalk
- g. Ground Signs: Ground signs shall be monument style signs with a base and framework made of durable materials and complementary in design to the applicable main

building. Landscaping is required around the base of ground signs.

7. Commercial Rehabilitation.

- a. Commercial rehabilitation of aging buildings shall be encouraged and may include:
 - 1) Constructing narrow buildings fronting the street (see Figure 9 below)
 - 2) Removing dated/ aging features and replacing them with more appropriate details,
 - 3) Adding a false facade of an approved material,
 - 4) Removing signage that is no longer compliant with the guidelines,
 - 5) Adding potted plants, landscaping, and adding awnings and other pedestrian friendly amenities.