

ARTICLE IX

SCHEDULE OF DISTRICT REGULATIONS ADOPTED

SECTION 9.14 TC, TOWN CENTER OVERLAY DISTRICT.

PURPOSE: The purposes of this district are 1) to restore a viable commercial, residential, and entertainment district at the city core; and 2) to encourage the redesign and redevelopment of existing shopping centers along U.S. 78 / Main Street. This district allows a denser mix of land uses built for pedestrian access as well as being an origin point for public transit and a destination for persons arriving by automobile.

This district provides locations for a wide range of commerce of a character traditionally found in the core business districts of small cities and towns at a scale convenient for walking and biking. These uses include office, department stores, small retail, restaurants and taverns with residential uses located above and mixed within these uses. The Town Center district also includes the prominent public governmental buildings and important civic buildings such as museums, theatres for the performing arts, art galleries, and large religious buildings. Formal public open spaces are also a critical element of this Overlay District. This district allows a wide range of land uses but carefully regulates building design.

- (1) **RELATION TO UNDERLYING ZONING:** The requirements of the TC, Town Center Overlay district shall apply to all buildings, lots, and uses located within the geographic area defined on the Official Zoning Map as the Town Center District. Whenever the requirements of the TC, Town Center Overlay district impose a more or less restrictive standard than the provisions of the underlying zoning district stated elsewhere in this Ordinance, the requirements of the Overlay District shall govern.
- (2) **PRINCIPAL PERMITTED USES:** Retail and service establishments of the following types provided all activities and display of goods are carried on within an enclosed building except as specified herein.
 - A. Any use permitted in the BG, General Business district; except consumer fireworks retail sales facilities are prohibited;
 - B. Banks, savings and loan institutions;
 - C. Museums and libraries;
 - D. Shopping centers; and
 - E. Town center residential dwellings.
- (3) **DESIGN:**
 - A. All buildings, structures, and streetscape improvements shall conform to the requirements illustrated and stated in the Architectural Design Standards,

hereby adopted by reference. (exception: Restaurant design does not apply in TC, Town Center Overlay District.)

- B. All such uses shall front on a public street although vehicular and service access may be obtained through an alley on the rear lot line.
- C. No building with a single use, tenant, or occupant shall exceed forty-five-thousand (45,000) square feet without obtaining a special approval from the Mayor and City Council after public hearing.
- 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 administrative permit as set forth in the Supplemental Zone.
- E. Town Center Residential Dwellings shall consist of the following:
 - 1. Dwelling units shall not be located on the first floor. All units shall be located on the second or higher floors of a building;
 - 2. Individual dwelling units shall be accessed through an interior hallway and shall not have direct access to the exterior of the building (except through the central lobby or as otherwise determined by fire code);
 - 3. Individual dwelling units shall have a minimum of seven-hundred-fifty (750) square feet of finished, heated floor space; and
 - 4. Individual dwelling units shall provide a full bathroom and kitchen in accordance with residential building codes.
- F. 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 non-residential uses within the district.
- G. Other light retail and service establishments, which may be determined by the Zoning Enforcement Officer to be similar to the above listed principal permitted uses and which are in harmony with the purpose of this district, may be permitted.
- H. Sidewalks shall meet the following criteria:
 - 1. Public sidewalks shall be located along all public streets and shall have minimum widths as specified herein. No sidewalk shall be less than fifteen feet (15') in width. Sidewalks shall consist of two (2) zones: a street furniture and tree planting zone and a clear zone. The following regulations shall apply to all public sidewalks:
 - a. Street furniture and tree planting zone requirements: The street furniture and tree planting zone shall have a minimum width of

five-feet (5'). Said zone shall be located immediately adjacent to the curb and shall be continuous. Said zone shall meet the tree planting requirements of Section 9.16(H)(1)(c) of this article. 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 (containing no advertisements or signage) in a manner that does not obstruct pedestrian access or motorist visibility and as approved by the Director of Planning and Development;

- b. Clear zone requirements: The clear zone shall be a minimum width of ten-feet (10'). Said zone shall be located immediately adjacent 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 of ten-feet (10'). Sidewalk arcades shall meet the additional requirements of Section 9.16(H)(3)(e) Sidewalk arcades of this article;
- c. Street tree planting requirements: Street trees shall be planted in the ground thirty-feet (30') to fifty-feet (50' on center within the street furniture and tree planting zone and spaced equal distance between street lights. These trees shall count toward the landscape strip requirements of the landscape ordinance. Root barriers and expandable tree trunk protectors shall be installed in accordance with Article 20 of this ordinance. At time of planting, all new trees shall be a minimum of three-inches (3") in caliper and shall be limbed up to a minimum height of seven-feet (7'). Trees shall be planted a minimum distance of two-feet (2') from the curb. Trees shall have a minimum planting area of thirty-two (32) square feet. The soil surface of the planting area shall be level to sidewalk grade and planted with an evergreen ground cover. All street trees shall be irrigated in accordance with the Landscape Ordinance. Tree species shall be selected in accordance with Appendix XX-A. The area between required plantings shall either be planted with evergreen ground cover, or shall be paved in accordance with the Architectural Design Standards. The City Arborist shall approve all plantings, planting replacement and planting removal;
- d. Tree grates: Tree grates are not required where all sidewalk width requirements are met, unless determined by the City Arborist. Where tree grates are required or otherwise installed, they shall be a minimum of four-feet (4') by eight-feet (8'), shall be a type specified by the Director of Planning and Development or his/her designee 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 planted with an evergreen ground cover;

- e. Paving: All paving within the street furniture and tree planting zone shall utilize pavers and shall be a type specified by the Director of Planning and Development or his/her designee in accordance with uniform design standards utilized by the Engineer for placement of such objects in the public right-of-way;
 - f. 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 (2.5') and eight-feet (8') above grade;
 - g. No awning or canopy shall encroach beyond the clear zone;
 - h. Where property within this district abuts a residential district without an intervening street, the sidewalk area within twenty-feet (20') of such district shall taper as necessary to provide a smooth transition to the existing residential district sidewalk. In the event that the abutting residential district has no existing sidewalk, the sidewalk shall taper to a width of six-feet (6');
 - i. Decorative pedestrian lights shall be placed a maximum of forty-feet (40') on center and spaced equal distance between required trees along all streets. Said lights shall be located within either the street furniture and tree planting zone or the supplemental zone. All said lights shall be Type "C" as approved by the Planning Department;
 - j. All developments shall place utilities underground or to the rear of structures to allow for unobstructed use of sidewalks; and
 - k. Trash receptacles or similar elements, where installed, shall be a type specified by the Director of Planning in accordance with 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.
2. 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. Supplemental zones shall meet the following requirements.
- a. Minimum supplemental zone widths:
 - 1. Scenic Hwy (SR 124) Main Street East/West (Hwy. 78): Ten-feet (10');
 - 2. All other streets: Five-feet (5'); and
 - 3. Supplemental zones may be administratively extended in excess of the maximum front yard by the Planning and Development Director to accommodate courtyard entrances, circular drives between the building and public

street in CI & OP districts or uses, outdoor display and sales areas, and outdoor dining. The extension may be granted only when neighboring buildings exist or are being constructed in conjunction with minimum and maximum setbacks of the Town Center District.

- b. Supplemental zone general requirements:
1. Terraces, porches and stoops shall have a maximum finished floor height of twenty-four-inches (24") above finished-grade, unless existing topographical considerations render this requirement unreasonable. The supplemental zone shall be no more than twenty-four-inches (24") above the adjacent public sidewalk for a minimum distance of fifteen-feet (15') from the nearest edge of the adjacent public sidewalk, unless existing topographical considerations render this requirement unreasonable;
 2. Any authorized walls surrounding landscaped and grassed areas shall not exceed a maximum height of twenty-four-inches (24"), except retaining walls, which shall not exceed a maximum height of thirty-six-inches (36") unless existing topography requires a retaining wall of greater height;
 3. The following uses are prohibited from outdoor displays or merchandise and sales areas: Automotive Sale, Service and Repair; Tire Sale; Service and Repair; Equipment Rental, Sales, or Service Establishments; Pawn Shops; Wholesaling establishments; Plumbing, Electrical, Pool and Homebuilding Supply Showrooms and Sales Centers;
 4. Fencing shall be permitted only when said fencing is used to separate authorized outdoor dining from the required sidewalk;
 5. Special administrative Temporary use permits:
 - a. Outdoor displays of merchandise or sales areas associated with existing business within the supplemental zone during business hours.
 - b. Consumer fireworks retail sales stand, licensed in accordance with O.C.G.A. Title 25 for the New Years' Holiday and/or July 4th Holiday.
 6. Supplemental zones containing a depth of ten-feet (10') or less shall meet the following additional requirements:
 - a. No balcony shall encroach more than five-feet (5') into the supplemental zone area.
3. Relationship of Building to Street:
- a. 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 (5' above the adjacent sidewalk or less than or equal to five-feet (5') below the adjacent sidewalk;
 - b. 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;

- c. The primary pedestrian entrance for pedestrians to access all sidewalk level uses and business establishments with street frontage:
 - 1. Shall face and be visible from the street;
 - 2. Shall be directly accessible and visible from the sidewalk; and
 - 3. Shall remain unlocked during business hours for non-residential uses.
 - d. 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 (6") in height;
 - e. Sidewalk arcades: Buildings may have sidewalk arcades, which shall meet the following regulations:
 - 1. Shall provide an at grade sidewalk surface;
 - 2. Arcade supports shall be a maximum width of five-feet (5');
 - 3. Shall provide a minimum of twenty-five-feet (25') of clear unobstructed space between arcade supports;
 - 4. A building with a sidewalk arcade shall meet the requirements of 9.14(L) Specific Regulations for Storefront Streets of this article; and
 - 5. Shall provide a minimum clear zone width of five-feet (5').
 - f. Fences and walls shall meet the following regulations:
 - 1. Retaining walls located adjacent to a sidewalk along a public street shall not exceed a height of two-feet (2') and the combined height of a fence where otherwise authorized and retaining wall shall not exceed a height of five-feet (5'), unless existing topography prohibits retaining walls of a lesser height. Retaining walls shall be finished poured concrete and shall be faced with stone, brick or smooth stucco;
 - 2. 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;
 - 3. Fences and walls located between the primary building and the lot line and not exceeding six-feet (6') in height may be erected, but shall not be permitted between the primary building and the street; and
 - 4. 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.
 - g. 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.
4. Loading Areas, Loading Dock Entrances and Building Mechanical and Accessory Features.
- a. Loading dock entrances for non-residential uses shall be screened so that loading docks and related activity are not visible from the public right-of-way; and
 - b. Building mechanical and accessory features:

1. 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;
 2. When located on rooftops shall be incorporated in the design of the building and screened with building materials similar to the building; and.
 3. Shall not be permitted between the building and any public street.
5. Curb Cuts and Parking Structures:
- a. All sidewalk paving materials shall be continued across any intervening driveway;
 - b. 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 the supplemental zone, and a minimum width of five-feet (5') from the sidewalk;
 - c. Except as authorized in Section 9.15(H)(5)(d), no more than one (1) curb cut shall be permitted for each development, provided that properties with more than one (1) street frontage may have one (1) curb cut per street frontage;
 - d. Curb cuts and driveways shall not be permitted on any storefront street when access may be provided from a side or rear street located immediately adjacent to a contiguous property, with the exception of CI uses and hotel patron drop-off drives;
 - e. Unless authorized by Section 9.15(H)(5)(d), 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;
 - f. 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;
 - g. Additional parking deck treatment along all streets:
 1. Shall meet the requirements of Section 9.16(H)(5)(L) Storefronts Streets (1) except at ingress and egress points into the structure and when topographical conditions prevent such treatment; or
 2. When topographical conditions prevent the above parking deck treatment requirements of Section 9.16(H)(5)(L) Storefront Streets, a continuous minimum five-feet (5') wide landscaped strip between the structure and the public sidewalk shall be provided. The landscaped strip shall be planted in accordance with Section 9.16(H)(1)(c). All plantings, planting replacement and planting removal shall be approved by the City Arborist.

parking facilities at a ratio of at least one (1) bicycle/moped parking space for every twenty (20) automobile parking spaces. Multi-family developments shall provide said facilities at a ratio of at least one (1) bicycle/moped parking space for every five (5) multi-family units. No development, except a one or two-family development, shall have fewer than three (3) bicycle/moped parking spaces nor be required to exceed a maximum of fifty (50) spaces. Bicycle/moped spaces shall be located within the street furniture zone a maximum distance of one-hundred-feet (100') 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.

- L. Specific Regulations for Storefront Streets. Street-fronting buildings including parking decks shall meet the following sidewalk level requirements:
 - 1. The length of façade without intervening fenestration or entryway shall not exceed twenty-feet (20');
 - 2. Fenestration shall be provided for a minimum of sixty-five-percent (65%) of the length of the frontage:
 - a. Beginning at a point not more than three-feet (3') above the sidewalk, to a height no less than ten-feet (10') above the sidewalk, or;
 - b. Beginning at the finished floor elevation to a height no less than ten-feet (10') above the finished floor elevation when the finished floor elevation is three-feet (3') or more above the sidewalk, or;
 - c. Beginning at a point not more than sidewalk level, to a height no less than ten-feet (10') above the finished floor elevation when the finished floor elevation is below the sidewalk.
 - 3. Fenestration shall not utilize painted glass, reflective glass or other similarly treated or opaque windows. Entrances may be counted towards fenestration requirements.
 - M. Temporary Uses: Any use permitted in the BN, Neighborhood Business district.
 - N. The Planning Director may allow expansion of nonconforming properties (change in use from residential to commercial) and structures (change in height and setback requirements) and/or variation from the overlay district when in his/her opinion the intent of the regulations has been met. All other design requirements of the Town Center overlay shall be required.
- (4) **ALCOHOLIC BEVERAGE LICENSING:** The distance and measurement requirements for alcoholic beverages, which are either sold or offered for sale by licensed establishments as set forth in Section 6-5 [(a) through (e)] of the City of Snellville Alcoholic Beverage Ordinance [Ordinance No. 2004-04, 1-10-2005] shall not apply within the Town Center Overlay District.
- (5) **PERMITTED ACCESSORY USES:** Those normally appurtenant and subordinate to

the principal uses permitted in this district.

(6) SPACE LIMITS:

1. Minimum Lot Area: 1,600 square feet;
2. Minimum Lot Width: 32 feet;
3. Minimum Height of Building: 2 floors;
4. Maximum Height of Building: 5 floors or 80 feet;
5. Minimum Front Yard: Zero-feet (0') feet from right-of-way line;
6. Maximum Front Yard: 10 feet from right-of-way line;
7. Minimum Rear Yard: 15 feet, but 30 feet if abutting a residential district;
8. Minimum Side Yard: Zero-feet (0'), but 40 feet if abutting a residential district;
9. Minimum Side Yard on Street Side of Corner: Zero-feet (0'); and
10. Maximum Ground Coverage: 100 percent.

Setbacks from right-of-way may exceed maximum upon request of State or County DOT with approval of the Planning and Development Director.