

CHAPTER 18I. SPI-9 BUCKHEAD VILLAGE DISTRICT REGULATIONS

Sec. 16-18I.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 in the SPI-9 Buckhead Village Special Public Interest District. These regulations shall supplant existing districts or portions of existing districts as shown on the attached map referenced in section 16-18I.003, except that:

1. All conditions of zoning for parcels within the SPI-9 District that were adopted by the governing authority either by conditional zoning or in a PD district, and that were in effect as of the date of enactment of this ordinance shall remain in effect unless modified by action of the governing body pursuant to the procedures provided in Sec. 16-02.003. Said conditions of zoning shall prevail whenever the following regulations are at variance.
2. 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 prevail.

Comment [ESB1]: Verify reference-Chapter 27 of Part 16?

Comment [ESB2]: We have asked the City of Atlanta to review conditions of zoning and site plan based approvals in the area to consider whether SPI-9's sidewalk requirements should impact pre-existing approvals.

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

The intent of the Council in establishing the SPI-9 Buckhead Village Special Public Interest District is as follows:

1. To provide for a balanced mix of office, retail, commercial, residential and related uses within the SPI-9 District so as to serve the needs of the Buckhead Community, surrounding residential neighborhoods, and specialty shoppers and visitors;
2. To ensure the safe and convenient movement of pedestrians within Buckhead Village through the provision of adequate and accommodating streetscapes, and to reduce pedestrian and vehicular conflicts by providing clear and delineated streetscapes for pedestrian movement;
3. To encourage the redevelopment of properties within the Buckhead Village, consistent with the community vision established in the City of Atlanta Comprehensive Development Plan, the 1994 Buckhead Blueprint, the 1999 Vision for the Buckhead Village, the 2001 Buckhead LCI Plan, 2005 Buckhead Village Parking & Circulation Study, and the 2007 Piedmont Area Transportation Plan;
4. To implement the community vision through the provision of specific Design Guidelines detailed within this overlay to provide a cohesive aesthetic for the district;
5. To provide a cooperative means for meeting parking needs within the Buckhead Village;
6. To increase connectivity for all transportation modes within the district and between the district and other areas;
7. To create incentives for the provision of public facilities and functional, publicly-accessible open spaces;

8. To provide for appropriate transitions from the high intensity areas along Peachtree Road to the mixed-use character of the surrounding village areas and the lower density residential neighborhoods that border the district;
9. To reduce auto dependency, create opportunities for increasing the use of alternative transportation modes, and mitigate traffic congestion, noise, and other negative impacts that detract from the Village and surrounding neighborhoods;
10. To encourage and implement environmentally-responsible development;
11. To provide a range of housing types and prices to meet varying housing needs;
12. To prevent incompatible commercial uses and minimize commercial parking in residential neighborhoods;
13. To improve Buckhead Village by creating an aesthetically pleasing urban environment through vibrant, quality design;
14. To implement the intent of the SPI-9 district through modifications of underlying district zoning regulations; and
15. To make more predictable, streamline, and expedite the approval process for developments meeting the intent and requirements of the district regulations.

Sec. 16-18I.003. Boundaries of the district established.

The boundaries of the SPI-9 Buckhead Village Special Public Interest District are shown on map Attachment A which by this reference is incorporated into and made part of this chapter and this part. The Buckhead Village Special Public Interest District is divided into four subareas as is shown on said Map Attachment A. The subareas are described as follows:

1. Subarea 1: Core Village
2. Subarea 2: Corridor Areas
3. Subarea 3: Extended Village
4. Subarea 4: Peachtree/Piedmont

Sec. 16-18I.004. Design Standards and Guidelines

The SPI-9 Buckhead Village Special Public Interest Design Guidelines (Appendix A) are hereby adopted and made part of this ordinance and shall apply to property in the SPI-9 District. In cases of a conflict between the Design Standards and the text of this Section, the text of this Section shall govern.

Sec. 16-18I.005. Application procedures and permits.

1. Special administrative permit (SAP) application:
 - a. A SAP application and a specified number of copies each of a site plan, landscape plan, and elevation drawings of each exterior facade shall be submitted, as applicable, and approved by the Director of the Bureau of Planning prior to an applicant filing for a building permit. All exterior demolition, new construction (including additions to existing buildings), modifications of outdoor dining, or any construction which results in increased lot coverage, modification of the building footprint, or modification of building facades that alters the configuration of openings, shall be subject to said SAP approval.
 - b. Before making application for a SAP, 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 the requirements of this Chapter. Said pre-application conference shall be held within 14 days of the date of the request by the applicant, unless a longer period is mutually agreed upon. All SAP applications shall be processed in accordance with the standards and procedures applicable to SAP applications contained in Chapter 25 of Part 16 except as otherwise modified by this Chapter 18I.

- c. Where regulations require the approval of a SAP for purposes other than those so specified, processing by the Director of the Bureau of Planning or the Director's designee shall include consideration of other special administrative permits, without additional application. Where regulations require special exception or special use permit action, the SAP for building permit purposes shall not be issued until the necessary approval has been obtained for such special exception or special use permit.
2. Unified development plans: For the purposes of this chapter, properties subject to a unified development plan approved under a single SAP and meeting all floor area ratio requirements, open space requirements, and off-street parking requirements, may be subdivided, even if the resultant parcels do not meet these requirements. Any changes from the approved SAP shall require a new or amended SAP, which shall be based on the geographic extent of the original SAP and shall meet floor area ratio requirements, open space requirements, and off-street parking requirements of such; and shall indicate built or planned improvements on all parcels. Where a single property owner no longer owns all parcels, the applicant shall obtain authorization from all property owners and include such authorization with the SAP application.
 3. Administrative variations: As part of general action when plans require approval of a SAP, the Director of the Bureau of Planning or the Director's designee may authorize variations from regulations generally applying based on written findings that either:
 - a. A plan proposed by an applicant, while not strictly in accordance with regulations applying generally within the district, satisfies the public purposes and intent of such regulations, and provides public protection to an equivalent or greater degree than strict enforcement of such regulations would provide; or
 - b. 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.

Administrative variations may not result in a reduction of required transitional height planes or yards where the boundaries of SPI-9 adjoin any residential district that is outside of SPI-9 without an intervening street, may not reduce SPI-9 open space requirements, may not materially reduce public access or public spaces required in SPI-9, and may not allow structures above the maximum FAR or taller than the maximum heights detailed in Sec. 16-18I.012. Notation concerning the existence of administrative variations shall be made by written findings of SAP approval to be filed in the office of the Bureau of Buildings as a

public record.

4. FAR Amendments. Allowable Base FAR for each parcel within SPI-9 is as depicted on Map Attachment A. Any amendments to the Base FAR shall be made in conformance with the process for rezoning as set forth in Chapter 27 of Part 16, with the following modifications:
 - a. The application shall include current maximum FAR without bonuses permitted on the property and the proposed maximum FAR without bonuses.
 - b. The analysis of the impact of the proposed change with respect to each of the matters enumerated in section 16-27.004 shall consider the proposed maximum allowable FAR without bonuses rather than a proposed zoning classification.
 - c. The public notice issued pursuant to 16-27.007 shall include the present maximum allowable FAR without bonuses on the property, and the proposed maximum allowable FAR without bonuses on the property in lieu of the present zoning classification of the property and the proposed zoning classification of the property.
5. Use Amendments. No parcel may be used except as provided in Sec. 16-18I.007 unless such use is approved as provided by the process for rezoning as set forth in Chapter 27 of Part 16.
6. Exemptions: The following activities shall be exempt from requirements of Sections 16-18I.015, 16-18I.016 and 16-18I.017 of this Chapter 18I.
 - a. Interior renovations or exterior repairs that do not increase the floor area of the existing buildings.
 - b. Renovation and/or expansion of an existing building that increases the floor area by no more than the lesser of 8,000 square feet or 40% of the existing floor area of the existing building or buildings on the subject parcel.

Comment [ESB3]: Is it necessary to add a definition for Base FAR here or under Definitions? Is it necessary for this paragraph to be its own section and not embedded in Section 5?

Comment [GAC4]: How are permitted uses changed for an individual parcel in SPI-9? Do we need to have a simple process to address the situation in which a property owner in SPI-9 desires a use that is not allowed in any form under the Table of Uses? How could we set it up so that the only change would be in the use of the parcel, but all the other provisions of SPI-9 apply?

Sec. 16-18I.006. Definitions.

Words or phrases used herein shall be defined, and requirements, restriction or limitations applied as provided in Chapter 16-29, excepting the following words, terms and phrases which, when used in this Chapter 16-18I, shall have the meanings ascribed to them in this Section 16-18I.006, except where the context clearly indicates a different meaning:

1. *Sidewalk-level*: Any finished floor level within eight vertical feet of the adjacent required sidewalk or provided supplemental zone. See Figure 1 of SPI-9 Design Guidelines.
2. *Net Lot Area (NLA)*: Within the SPI-9 District, the net area of a regular commercial lot, or a regular residential lot utilizing bonuses as provided in Section 16-18I.013 shall be construed as the total area within its boundaries as provided in Section 16-28.007(2)(a) at the time of application for development. The land area of any public dedication of land made in accordance with Chapter 16-18S or after January 1, 2010 that was formerly part of the subject lot prior to application for a SAP pursuant to this Section shall be included in the Net Lot Area.

3. *Gross Lot Area (GLA)*: Within the SPI-9 District, gross area of a regular residential lot not utilizing bonuses as provided in Section 16-18I.013, where used for computation of allowable floor area for multifamily residential use through application of floor area ratios shall be determined as provided in Section 16-28.007(2)(b).
4. *Floor Area Ratio (FAR)*: FAR expresses the relationship between the amount of usable floor area permitted in a building (or buildings) and the net lot area (NLA) of the lot on which the building stands with the following exception; FAR for residential buildings not utilizing bonuses as provided in Section 16-18I.013 shall be calculated using the gross lot area (GLA) of the lot on which the building stands. Floor area shall be computed as including the sum of the gross horizontal area of the heated portions of the occupied space contained in the several stories of a building measured from the exterior faces of the exterior walls, but not including floor space with headroom less than seven feet; basement space, public lobbies, elevators, or floor area devoted primarily to parking or mechanical equipment except that residential floor area for a building not utilizing bonuses as provided 16-18I.013 shall be computed as outlined in 16-28.010(3).
5. *Density Bonus*: A provision of this Chapter that allows a parcel to accommodate additional square footage or additional residential units beyond the maximum otherwise permitted, in exchange for the provision of an amenity specified in this Chapter that provides a public benefit.
6. *Public Art Display*: A privately-owned and maintained permanent work of visual art intended for the enjoyment of the general public and adornment of public space and accessible to view from the public right-of-way. Examples may include, but are not limited to, one or more of the following: sculptures, monuments, statuary, murals, mosaics, and mobiles.
7. *Public Space*: Exterior spaces appropriately improved as a pedestrian amenity or for aesthetic appeal that are visible and accessible from the public right of way. Public space includes useable open space areas that are open to public access during normal operating hours except for special events. Driveways, parking areas, and other areas intended for vehicular use, except for incidental service, maintenance or emergency actions only may not be counted as public space.
8. *Area-wide Stormwater Management Facility*: Stormwater management facilities designed to control stormwater runoff from multiple properties, where the owners or developers of one or several individual properties may assist in the financing of the facility, and the requirement for individual on-site controls is either eliminated or reduced.
9. *Director*: The Director of the Bureau of Planning or the Director's designee.
10. *Useable Open Space*. For purposes of this Chapter, useable open space shall mean open space appropriately improved and located outside of the amenity zone (including improved areas within the net lot area, supplemental zone and walk zone) intended as outdoor living and recreation space for occupants and their guests or patrons and for aesthetic appeal. Such open space includes lawns and other landscaped areas, plazas, terraces, patios, observation decks, fountains, sidewalks, common areas, open spaces for outdoor recreation, green/

vegetated roofs, and other similar areas. Such areas shall not be used for vehicles, except for incidental service, maintenance or emergency actions. The minimum required useable open space for a development project subject to this Chapter shall be computed based on a percentage of the net lot area or gross lot area as applicable of the subject development project as specified in Sec.

16.18I.012. Useable open space may be located within the land area of any public dedication of land made in accordance with Chapter 16-18S or after January 1, 2010 that was formerly part of the subject lot prior to application for a SAP pursuant to this Section.

Sec. 16-18I.007. Permitted principal uses and structures.

1. Permitted principal uses and special permits. See SPI-9 Buckhead Village Table of Uses for permitted principal uses and special permits.
2. Permitted principal uses: A building or premises shall be used only for the principal purposes as indicated with a "P" in SPI-9 Buckhead Village Table of Uses.
3. Special permits: The following uses are permissible only by special permits of the type indicated subject to 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.
 - a. Special use permits shall be required as indicated with "SUP" in the SPI-9 Buckhead Village Table of Uses.
 - b. Special administrative permits shall be required as indicated with "SAP" in the SPI-9 Buckhead Village Table of Uses.
 - c. Special exceptions: shall be required as indicated with "SE" in the SPI-9 Buckhead Village Table of Uses.

SPI-9 Buckhead Village Table of Uses				
Uses	Subareas			
	1 CORE VILLAGE	2 CORRIDOR AREAS	3 EXTENDED VILLAGE	4 PEACHTREE/ PIEDMONT
Active Sidewalk Level Uses, See Section 16-18I.007(6)	P	P	P	P
Banks, savings and loan associations, and similar financial institutions.	P	P	P	P
Barbershops, beauty shops, and similar personal service establishments.	P	P	P	P

SPI-9 Buckhead Village Table of Uses				
Uses	Subareas			
	1 CORE VILLAGE	2 CORRIDOR AREAS	3 EXTENDED VILLAGE	4 PEACHTREE/ PIEDMONT
Broadcasting towers and line-of-site relay devices for telephonic, radio or television communications as contemplated by section 16-25.002(3)(i)(iv)(i).	P	P		
Broadcasting towers and line-of-site relay devices for telephonic, radio or television communications greater than 70 feet in height, except 1) alternative design mounting structures and 2) new or additional uses of existing structures as contemplated by section 16-25.002(3)(i)(iv)(k).	SUP	SUP	SUP	SUP
Broadcasting towers and line-of-site relay devices for telephonic, radio or television communications 70 feet or less in height, alternative design mounting structures, and new or additional uses of existing structures as contemplated by section 16-25.002(3)(i)(iv)(k).	SAP	SAP	SAP	SAP
Business or commercial schools.	P	P	P	P
Catering establishments,	P	P		

SPI-9 Buckhead Village Table of Uses				
Uses	Subareas			
	1 CORE VILLAGE	2 CORRIDOR AREAS	3 EXTENDED VILLAGE	4 PEACHTREE/ PIEDMONT
delicatessens, and bakeries.				
Cemeteries and mausoleums,			SUP	
Child care centers, day care centers, pre-kindergartens, kindergartens, play and other special schools for young children.	P	P	P	P
Clubs or lodges.	P	P	P	P
Churches, synagogues, temples, mosques and other religious worship facilities on lots of one acre or more.	P	P	P	P
Churches, temples, synagogues, mosques and other religious worship facilities, where lot area is less than one acre.	SE	SE	SE	SE
Colleges and universities, other than trade schools, business colleges and similar uses.	P	P	P	P
Commercial greenhouses.	P	P	P	P
Commercial recreation establishments, including bowling alleys, theaters, convention halls, places of assembly, and similar uses, with primary activities conducted within fully	P	P	P	P

Comment [ESB5]: Stakeholders wish to change institutions to SUP- Could present non-conforming uses and subsequent legal issues?

SPI-9 Buckhead Village Table of Uses				
Uses	Subareas			
	1 CORE VILLAGE	2 CORRIDOR AREAS	3 EXTENDED VILLAGE	4 PEACHTREE/ PIEDMONT
enclosed buildings.				
Continuing care retirement communities as defined in Section 16-29.001(16)(b).	SUP	SUP	SUP	SUP
Dormitories, fraternity houses and sorority houses, officially affiliated with an accredited college, university or private school and only for the time period that such affiliation is in effect, such that loss of affiliation shall result in the loss of permission for the use.	SUP	SUP	SUP	SUP
Eating and drinking establishments as defined in 16-29.001(5) and including those establishments which operate as another use under Chapter 10 of the City Code (Alcoholic Beverages).	P	P	P	P
Helicopter landing facilities or pickup or delivery stations.	SUP	SUP		SUP
Hospitals.	P	P	P	P
Hotels, motels.	P	P	SUP	P

Comment [ESB6]: Added clarification to Eating and Drinking establishments

SPI-9 Buckhead Village Table of Uses				
Uses	Subareas			
	1 CORE VILLAGE	2 CORRIDOR AREAS	3 EXTENDED VILLAGE	4 PEACHTREE/ PIEDMONT
Laundry and dry cleaning collection stations.	P	P	P	P
Laundry establishments where equipment is operated by customers.	P	P	P	P
Laundry and dry cleaning plants.				SUP
Mortuary and funeral homes.	P	P	SUP	P
Multifamily dwellings, two-family dwellings and single-family dwellings.	P	P	P	P
Museums, galleries, auditoriums, libraries and similar cultural facilities.	P	P	P	P
New and used car sales, including other motorized vehicle sales such as mopeds and motorcycles.	P	P	P	P
<u>Nightclubs as defined under Chapter 10 of the City Code.</u>	<u>SUP</u>	<u>SUP</u>		<u>SUP</u>
Nursing homes, assisted living facilities, rehabilitation centers and personal care homes.	SUP	SUP	SUP	SUP

SPI-9 Buckhead Village Table of Uses				
Uses	Subareas			
	1 CORE VILLAGE	2 CORRIDOR AREAS	3 EXTENDED VILLAGE	4 PEACHTREE/ PIEDMONT
Offices, clinics (including veterinary), laboratories, studios, and similar uses, but not blood donor stations except at hospitals. Veterinary clinics shall be located within soundproof buildings when located within 300 feet of any residential use.	P	P	P	P
Outdoor amusement enterprises, exhibits, entertainments, meetings, displays, or sales area, or outdoor areas for religious ceremonies of 90 days' or more duration.	SUP	SUP	SUP	SUP
Outdoor amusement enterprises, exhibits, entertainments, meetings, displays or sales areas, or outdoor areas for religious ceremonies of less than 90-day duration.	SAP	SAP	SAP	SAP
Park for hire facilities	SUP	SUP	SUP	
Parks; playgrounds and community centers.	P	P	P	P
Parking structures.	P	P	P	P
Plumbing, air conditioning service and repair.	P	P	P	P
Poolrooms, billiard parlors, amusement arcades.	SUP	SUP	SUP	SUP
Printing shops.	P	P	P	P

Comment [MW7]: Surface lots are prohibited, parking structures are permitted and should not have park for hire restrictions. Ensure that deletion of this line does not prevent parking structures from being "for hire."

SPI-9 Buckhead Village Table of Uses				
Uses	Subareas			
	1 CORE VILLAGE	2 CORRIDOR AREAS	3 EXTENDED VILLAGE	4 PEACHTREE/ PIEDMONT
Professional or personal service establishments, but not hiring halls.	P	P	P	P
Public schools or private schools having similar academic curricula and special schools for exceptional children.		P	P	
Repair establishments for shoes, clocks, watches and similar articles.	P	P	P	P
Repair establishments for home appliances, bicycles, lawn mowers, and similar devices.	P	P	P	P
Repair garages, paint and body shops.	P	P	P	P
Retail establishments, including catering establishments, delicatessens and bakeries with wholesale operations.	P	P	P	P
Sales and leasing agencies for new passenger automobiles, bicycles, mopeds, and commercial vehicles not exceeding one ton in rated capacity, selling, servicing and repairing new vehicles, and dealing in their disposal, servicing or repairing of used vehicles in connection	P	P	P	

Comment [ESB8]: Ensure that existing facilities can remain until redevelopment

SPI-9 Buckhead Village Table of Uses				
Uses	Subareas			
	1 CORE VILLAGE	2 CORRIDOR AREAS	3 EXTENDED VILLAGE	4 PEACHTREE/ PIEDMONT
therewith and all located on the same site.				
Mixed-use storage facility		P	P	P
Service stations, car washes.	SUP	SUP	SUP	SUP
Structures and uses required for operation of a public utility, except uses involving storage, train yards, warehousing, and switching or maintenance shops as a primary purpose.	SE	SE	SE	SE
Structures and uses required for operation of MARTA or a public utility but not including uses involving storage, train yards, warehousing, and switching or maintenance shop as the primary purpose.	P	P	P	P
Supportive housing.	SUP	SUP	SUP	SUP
Tailoring, custom dressmaking, millinery and similar establishments.	P	P	P	P
Zero-lot-line development. See section 16-28.011(6).	SAP	SAP	SAP	SAP

Comment [ESB9]: Added new definition to replace security storage above (include "secured storage facility" as well? Confirm with COA

Comment [ESB10]: Is this necessary? Confirm definition and need

4. Prohibited uses: Any principal use and structure not specifically listed in the SPI-9 Buckhead Village Table of Uses is prohibited in this district, unless otherwise

specifically authorized in the subarea regulations. Additionally:

- a. Surface parking lots as defined in Section 16-29.001(34) are not a permitted principal use within the district.
 - b. 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.
5. Supplemental use regulations. The following uses shall be subject to further restrictions as contained herein:
- a. Digital industry switchboards, power generators and other relay equipment and rooms housing such equipment shall be permitted when located on subterranean levels, the second floor above sidewalk-level or higher, or on sidewalk-level where the minimum active use depth as specified in Section 16-18I.017.4 is provided.
 - b. Gasoline fuel dispenser structures and associated vehicular services such as air pumps and car washes shall not be located between the principal structure and the street.
 - c. [Nightclubs shall adhere to the parking requirements provided in Chapter 10 of the City Code.](#)
6. Active sidewalk-level uses are required along all Type 1, 2, and 3 street fronts within subareas 1, 2, and 4. See Section 16-18I.017.4.
- a. Active sidewalk-level uses shall be limited to the following:
 - i. Banks; saving and loan associations and similar financial institutions;
 - ii. business or commercial schools;
 - iii. child care centers, day care centers, pre-kindergartens, kindergartens, play and special schools for young children;
 - iv. civic, service, garden, neighborhood clubs and lodges;
 - v. colleges, and universities, other than trade schools
 - vi. commercial recreation establishments;
 - vii. eating and drinking establishments;
 - viii. laundry and dry cleaning collection stations or establishments;
 - ix. multi-family dwellings;
 - x. hotel and residential lobbies, business centers, and fitness centers
 - xi. museums, galleries, auditoriums, libraries, and similar cultural facilities;
 - xii. offices, clinics (not including blood donation centers), laboratories, studios, and similar uses;
 - xiii. professional or personal service establishments, excluding hiring halls;
 - xiv. retail establishments, including catering establishments, delicatessens and bakeries.
 - b. Ground floor commercial uses along Type 1, 2, and 3 streets, see Section 16-18I.029, shall have entrances opening directly onto the sidewalk

adjacent to the street or to a required useable open space (UOSR) area connected to the street.

Sec. 16-18I.008. 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 shall specifically include clubhouses, pools and other recreation amenities, child care facilities, and parking to serve authorized residential and nonresidential uses within the district subject to the restrictions contained in Section 16-18I.026 and elsewhere in this chapter.

Sec. 16-18I.009. Special permits.

The following uses are permissible only by special permits of the kinds indicated, subject to any conditions of approval of such special permit and to any additional limitations and requirements set forth herein or elsewhere in this part, subject to the procedures and requirements set forth in Sections 16-25.001, et. seq.

1. Special use permits: As shown in the SPI-9 Buckhead Village Table of Uses, see Section 16-18I.007 and as follows,
 - a. Transfer of development rights. Transfer of development rights shall be permissible pursuant to a special use permit or any other method that may in the future be designated by the City of Atlanta. Transfer of development rights within SPI-9 is permissible provided each of the following criteria are met in addition to those set forth in Section 16-28.023:
 - i. Both the donor and recipient parcels must be located within SPI-9.
 - ii. Properties designated as sending areas as shown on Map Attachment C may transfer development rights to properties that are designated as receiving areas as shown on Map Attachment C. See also Section 16-18I.012.
 - iii. Rights may be transferred in FAR increments of 0.5 from the donor property.
 - iv. The total height of buildings on receiving properties shall not exceed the maximum building height permitted in said subarea. See Section 16-18I.012.
 - v. Properties sending development rights are limited to transferring no more than 50 percent of their maximum FAR without bonuses as displayed on Map Attachment A.
 - vi. See also Section 16-28.023 for further requirements of the transfer of development rights process. For purposes of application of this subsection to said Section 16-28.023, properties shall be deemed to be closely proximate if both lie within the SPI 9 District.
 - vii. See Figure 2 of the SPI-9 Design Guidelines.
2. Special administrative permits: As shown in the SPI-9 Buckhead Village Table of Uses, see Section 16-18I.007 and as follows:
 - a. Relocation of required useable open space (UOSR). See also Section 16-18I.012.
 - b. Density bonuses. See also Section 16-18I.013.

- c. Outdoor displays of merchandise or sales areas within the supplemental zone.
 - d. Reduction or transfer of parking requirements: See also Section 16-18I.025.
3. Special Exceptions: As shown in the SPI-9 Buckhead Village Table of Uses. See Section 16-18I.007.

Sec. 16-18I.010. Redevelopment requirements.

Any property wherein the principal building is removed or destroyed by any means to an extent of more than 60 percent of the replacement cost at the time of destruction or removal shall be redeveloped in accordance with the requirements of this chapter and any paving or other accessory structure elements within any required transitional yard shall be removed and buffers provided as required herein, notwithstanding any other provision in Part 16 to the contrary.

Sec. 16-18I.011. Transitional height planes and yards.

1. Transitional height plane: Where properties within SPI-9 adjoin an R-1, R-2, R-2A, R-2B, R-3, R-3A, R-4, R-4A, R-4B, R-5, or R-G district that is outside of SPI-9 without an intervening street, height shall be limited as follows: No portion of any structure shall protrude through a height-limit plane beginning 35 feet above the buildable area boundary nearest to the common district boundary extending inward over this district at an angle of 45 degrees. See Figure 3 of SPI-9 Design Guidelines.
2. Transitional yards: Where properties within SPI-9 adjoin an R-1, R-2, R-2A, R-2B, R-3, R-3A, R-4, R-4A, R-4B, R-5, or R-G district without an intervening street or where new development taller than 65 feet is adjacent to properties within the district where structures are less than 35 feet and the base FAR of the adjacent property as depicted on Map Attachment A, is less than 1.0.
 - i. Side yard: There shall be a side yard of a minimum of 20 feet which shall not be used for the purpose of parking, paving, loading, servicing or storage activity and shall be planted and/or maintained in a natural state.
 - ii. Rear yard: There shall be a rear yard of a minimum of 10% the depth of the lot, however it shall not be less than 20 feet or greater than 35 feet. Rear yard shall not be paved or used for parking, loading or servicing, but shall be left in an undisturbed state except where additional planting or screening shall be required.
3. Screening. In addition to any transitional yard requirements, where this district adjoins an R-1, R-2, R-2A, R-2B, R-3, R-3A, R-4, R-4A, R-4B, R-5 or R-G district without an intervening street or where new development taller than 65 feet is adjacent to properties where structures are less than 35 feet and the Base FAR of the property as depicted on Map Attachment A, is less than 1.0, a permanent opaque fence or wall not less than 6 feet in height shall be provided and maintained in sound and sightly condition. Alternatively, a landscaped buffer may be located within the required transitional yard as follows:
 - i. The buffer shall contain a minimum five-foot tall berm at 3 to 1 slope

- ii. The berm shall be planted with three staggered rows of evergreen trees at a minimum of 8 feet in height at the time of planting, planted 10 feet on center.
- iii. Sufficient groundcover shall be planted to prevent erosion and maintain the stability of the berm.

Sec. 16-18I.012. Development controls.

See SPI-9 Buckhead Village: Development Controls Table for Bulk Limitations, Yard Requirements, Open Space Requirements, the SPI-9 Buckhead Village Special Public Interest Design Guidelines (Appendix A) and other requirements subject to the sections 1 through 10 below:

SPI-9 Buckhead Village: Development Controls Table

		Subarea 1	Subarea 2	Subarea 3	Subarea 4
Bulk Limitations ¹	Max. FAR without Bonuses	According to Map Attachment A			
	Max. FAR with Bonuses	8.2	5.0 for mixed use buildings 3.0 for single-use buildings	5.0 for mixed use buildings 3.0 for single-use buildings	5.0
Transfer of Development Rights		Properties designated as sending areas as shown on Map Attachment C with excess allowable floor area available that cannot be accommodated on the subject property may transfer floor area to properties designated as receiving areas as shown on Map Attachment C pursuant to Section 16-18I.009.			Not permitted.
Maximum Front Yard Setback from back of required sidewalk ^{2,3}	Type 1 Street	25 feet			
	Type 2 Street	25 feet			
	Type 3 Street	20 feet			
	Type 4 Street	10 feet			

	Subarea 1	Subarea 2	Subarea 3	Subarea 4
Open Space Requirements for developments with residential uses (See also Section 16-18I.012.1	20 percent UOSR of Net Lot Area or Gross Lot Area, as applicable, is required for all parcels over 1 acre. Required UOSR may be relocated as per Section 16-18I.012.6		25 percent UOSR of Net Lot Area or Gross Lot Area, as applicable, is required for all parcels over 1 acre. Required UOSR may be relocated as per Section 16-18I.012.6	20 percent UOSR of Net Lot Area or Gross Lot Area, as applicable, is required for all parcels over 1 acre. Required UOSR may be relocated as per Section 16-18I.012.6
Open Space Requirements for developments without residential uses (See also Section 16-18I.012.1)	10 percent UOSR of Net Lot Area is required for all parcels over 1 acre. Required UOSR may be relocated as per Section 16-18I.012.6		10 percent UOSR of Net Lot Area is required for all parcels over 1 acre. Required UOSR may be relocated as per Section 16-18I.012.6	10 percent UOSR of Net Lot Area is required for all parcels over 1 acre. Required UOSR may be relocated as per Section 16-18I.012.6
Maximum Height with bonuses or transfer of development rights ^{1,4}	225 feet	150 feet	150 feet	225 feet

Footnotes to Table above

¹ Maximum FAR and lot area calculations for development projects not seeking bonus density or bonus GFA as provided for in this Chapter shall be as shown in Map Attachment A. Increased FAR and/or GFA may be allowed in exchange for specific amenities or qualities of development as described in this chapter. See Section 16-18I.013.

² A minimum of 60 percent of each property shall be fronted by buildings positioned no greater from the back of the required walk zone (see Section 16-18I.029) than the maximum distance listed by street type classification. See also supplemental zone requirements at Section 16-18I.016

³ Buildings located on a corner of two public streets shall be considered to front the street with the higher average daily traffic count. Side elevations along a public street will be subject to the maximum front setback unless the side street is a Type 4 street; see Section 16-18I.029.

⁴ Maximum height of any development that utilizes density bonuses (Section 16-181.013) or transfer of development rights. Developments utilizing only base FAR and density restrictions are limited to a maximum height of 225 feet, except by special exception or as otherwise specified by transitional height restrictions where applicable.

1. Useable open space requirement (UOSR):
 - a. UOSR shall be calculated utilizing net lot area (NLA) with the following exception; for residential uses not utilizing bonuses as provided in Section 16-181.013 or a transfer of development rights, UOSR shall be calculated utilizing gross lot area (GLA).
 - b. For all uses within SPI-9 with a lot area in excess of one acre, the UOSR shall be as indicated in SPI-9 Buckhead Village: Development Controls Table. See also Section 16-28.006 for definitions and measurements.
 - c. Green/vegetated roofs may be counted toward UOSR requirements.
 - d. For all uses, a minimum of 50 percent of the useable open space requirement (UOSR) shall be public space. See Section 16-181.006 for definitions and measurements. See Figure 4 of the SPI-9 Design Guidelines and Section 16-181.012.4 for open space character examples. Public space shall be computed as the sum of all exterior public spaces located within the net lot area of the parcel.
2. New streets incentive: New public streets and private streets that function as public streets (See Section 16.181.014.4) may be counted towards UOSR and public space requirements provided they conform to the Connect Atlanta Plan adopted November 2008 and the following criteria are met:
 - a. The new street connects two other public and/or publicly accessible streets;
 - b. The new street meets sidewalk requirements for the district, (See Section 16.181.5); and
 - c. Gates or other physical obstructions shall not be permitted across said streets.
3. On-street parking incentive: New on-street parking may be counted towards UOSR and public space requirements provided the following criteria are met:
 - a. No on-street parking currently exists in the public right-of-way adjacent to the project area for which credit is sought;
 - b. New on-street parking is located where there is no existing street lane;
 - c. New on-street parking occupies more than 60% of an entire block face or a minimum distance of 200 feet for properties that occupy more than 300 feet of street frontage;
 - d. Sidewalk bulbouts are provided at street intersections; and
 - e. All other sidewalk requirements of this chapter are met.
4. Minimum design criteria for public spaces:
 - a. Areas counted towards the required public space are intended to provide green space within the Buckhead Village and/or form an inter-connected and continuous network of paths, greenways, and trails throughout the SPI-9 district and areas directly adjacent to the district.
 - b. Areas counted towards the required public space shall have more than a

- single point of entry from adjacent sidewalks and surrounding buildings.
- c. Sidewalks and associated amenities may be credited toward UOSR and public space calculations if the sidewalk and streetscape is continuously accessible to the public and constructed consistent with the standards of the applicable SPI-9 Design Guidelines.
 - d. Landscaped strips located on private property along roadways may be credited toward UOSR and public space calculations if the landscaped strip is no less than 4 feet in width and adjacent to other publicly accessible areas.
 - e. Stormwater management facilities may be located within UOSRs, if designed and improved as an amenity, subject to review and approval of the Director.
5. Additional open space incentive: Useable open space, meeting the definition of public space as provide in Section 16-18I.006 provided in excess of the required UOSR may be eligible for a density bonus as provided in Section 16-18I.013.
6. Relocation of open space. At the option of the property owner and upon approval of a special administrative permit (SAP), up to 50 percent of UOSR required for residential uses and up to 80 percent of UOSR required for non- residential uses may be relocated to an offsite parcel as follows:
- a. UOSR within subarea 1 shall only be transferred to another parcel within subarea 1 or subarea 3.
 - b. Within subareas 2, 3, and 4 UOSR may be transferred to a parcel within subarea 3;
 - c. For all UOSR transfers the following criteria must be met:
 - i. The receiving parcel must contain the amount of open space required for any development/redevelopment of the receiving parcel in addition to the transferred amount of useable open space (UOSR), not including floodplain, wetlands, slopes over 15%, or other factors that reduce its utility for public access, recreation, and enjoyment;
 - ii. The loss of UOSR from the sending parcel does no public detriment;
 - iii. The receiving parcel is owned and maintained either by a public agency, private property owner, or by a private property owners' association and a copy of a valid maintenance agreement stating the property owner and the entity who will be responsible for maintaining the open space is submitted to the Director;
 - iv. Transferred open space in the receiving parcel is located adjacent to and visible from a public street;
 - v. Open space in the receiving parcel is accessible to the public during normal city park hours; and
 - vi. The open space in the receiving parcel:
 1. Shall provide active or passive recreational amenities.
 2. Shall be no greater than 24 inches above or below the adjacent public sidewalk for a minimum distance of 15 feet from the adjacent sidewalk.

- 3. Shall be visible and accessible (having no walls, fences, or other vertical obstructions) along a minimum of 60 percent of any adjacent sidewalk.
- 4. Shall permit and encourage pedestrian access on a minimum of 60 percent of the surface of the open space including landscaped areas, fountains, pedestrian furniture, public art, and similar elements.
- 7. Maintenance and Protection of Common Areas. A property owner, property owner's association, or other similar entity, shall be responsible for the continuous maintenance and protection of common open space areas created through the receipt of UOSR from sending parcels pursuant to this Section. If maintenance and protection are to be provided through a property owner's association, said association's bylaws or covenants, at a minimum, shall contain the following provisions:
 - a. Governance of the association by the Georgia Property Owner's Association Act (OCGA Section 44-3-220 et seq.) or a successor to that Act that grants lien rights to the association for maintenance expenses and tax obligations;
 - b. Responsibility for maintenance of common areas and recreation areas;
 - c. Responsibility for insurance and taxes;
 - d. Automatic compulsory membership of all property owners and their successors and compulsory assessments; and
 - e. Conditions and timing of transferring control of the association from the developer to the property owners.
- 8. Affordable new for-sale housing units or rental housing unit incentive. The provision of new affordable workforce housing units may make SPI-9 properties eligible for a density bonus and/or reduction in required parking as provided in the City of Atlanta Affordable Workforce Housing Ordinance. Section 16.28.029.
- 9. Area-wide Stormwater Management Facilities. The owner of property upon which an area-wide stormwater management facility is constructed shall be eligible for bonus GFA credit, as provided in Section 16-18l.13 provided that:
 - a. The area-wide stormwater management facility is part of an approved stormwater management plan that includes each land development project being served by the area-wide facility;
 - b. The area-wide stormwater management facility serves as the stormwater detention/retention area for at least 2 acres in the same drainage basin;
 - c. The developer of the area-wide stormwater management facility provides the Director with written agreements to serve at least five additional properties that would otherwise be required by local regulations to construct separate facilities;
 - d. The area-wide stormwater management facility is designed and sized to provide a level of stormwater quantity and quality control that is equal to or greater than the stormwater quantity and quality control that would be afforded by separate on-site facilities;
 - e. The area-wide stormwater management facility is controlled by an entity that is legally obligated to accept responsibility for long-term operation and

Comment [MW11]: CoA to determine if this will remain or be deleted

Amenities	FAR Bonus
subsequent assemblages are not eligible.	
Increased useable open space (UOSR) that meets the definition of public space as provided in Section 16-181.006 and the standards of Section 16-181.012.4.	Additional 0.2 FAR for each 1% of lot area in qualifying public space in excess of the minimum public space required. <u>Credit may be earned for additional public space located within 1,200 feet of the development or any sidewalk or open space improvement prioritized within a Buckhead Village Area Open Space and Public Improvements Plan.</u> A minimum of 2,000 square feet of additional public space is required for the bonus to apply.
Structured Parking when provided for a minimum of 70 percent of the required off street parking for a development project. See Section 16-181.025.	Additional 0.5 FAR
LEED Certification (or similar) – Silver or an equivalent level using other similar rating system approved by the City of Atlanta. See Section 16-181.012.10.	0.5 FAR for non-residential buildings 1.0 FAR for multi-family, residential-only buildings

2. Additional GFA Bonus. To encourage public dedication of right-of-way and construction of streets, multi-use paths, public art displays, and other improvements, the property owner shall be entitled to additional gross floor area (GFA), in addition to that otherwise allowed in accordance with the SPI-9 Buckhead Village: GFA Bonus Table.

SPI-9 Buckhead Village: GFA Bonus Table

Publicly-Dedicated or Accessible Improvement	GFA Bonus
Connectivity improvements. New streets as described in Section 16-181.012.2 and meeting the standards of Section 16-181.014.	GFA equal to 10 times the land area improved and/or dedicated.
Public Art Display	Shall be counted as an additional 15,000 sq. ft. toward the required public space and may result in a density bonus if total public space, including this credit, exceeds the required UOSR for the applicable subarea. See also Section 16-181.012.
Cultural facilities such as libraries, not-for-profit educational facilities and similar uses with a minimum size of 2,500 square feet.	GFA equal to 2 times the square footage of the facility provided.
Daycare facilities (open to the public) with a minimum size of 2,500 square feet.	GFA equal to 2 times the square footage of the facility provided.

Area-wide stormwater management facility meeting the standards of Section 16-18I.012.9.	GFA equal to 4 times the land area dedicated and improved.
---	--

3. For sites meeting the requirements of this Chapter for a FAR bonus or Bonus GFA, as-built drawings of the improvements meriting the award of bonus GFA or FAR, shall be attached to the final plat or approved development plan for the property and recorded with the property deed by the Office of Clerk of Superior Court of Fulton County. The density bonus shall be specific to the property to which it was initially conferred. Current and future property owners shall maintain the property and/or improvements meriting the award of bonus GFA or FAR in an attractive and fully operable condition.
4. Land dedicated to the City pursuant to these bonuses shall be deemed part of the area of the parcel from which it was subdivided when computing maximum allowable FAR and GFA for a development. Such land shall not be included in the area of a private lot for the purposes of establishing minimum yards and setbacks.
5. In no case may the total GFA of a development, including all bonuses earned in Section 16-18I.013, result in development that exceeds the maximum FAR or maximum building height allowable for the applicable subarea. See Section 16-18I.012 and Figure 5 of the SPI-9 Design Guidelines for an example of the application of bonuses.

Sec. 16-18I.014 Roadways.

The following regulations shall apply to all new roadways within SPI-9:

1. Streets shall be constructed to create an inter-connected network of grid-patterned streets.
2. No new development may be constructed along any single block face longer than 400 feet along a Type 1, Type 2 or Type 3 street without an intervening street or publicly accessible walkway/path. Such intervening streets or walkways are intended to enhance connectivity and provide alternative connections between existing public streets and walkways and should not be gated or otherwise obstructed. If an intervening street or walkway cannot connect two publicly accessible roadways or walkways, variations in the location or number of streets/paths shall be allowed by the Director. This paragraph shall not apply to block faces located on a Type 4 street per Map Attachment B.
3. Cul-de-sacs are prohibited. Mid-block roadways that are constructed to provide future connectivity between two public streets will not be considered cul-de-sacs.
4. In order for a developer/owner to receive GFA bonus credit for constructing a new street connection, as provided in Section 16-18I.013 such new street shall contribute to an inter-connected network and meet all of the following standards:
 - a. Location of the new street shall be reviewed and approved by the Director. Such approval shall be contingent on a finding that the new street will serve a public purpose by improving traffic safety, reducing traffic congestion, or improving vehicular and pedestrian circulation and access to major thoroughfares.

- b. Right-of-way and design of the new streets shall meet applicable requirements of provided in Section 16-18I.029 and the SPI-9 Design Guidelines.
- c. Each new street shall connect at least two other streets.
- d. Access to the new street shall not be gated or otherwise obstructed.

Sec. 16-18I.015. Sidewalks.

Public sidewalks shall be located along all public streets and shall have minimum widths as specified herein and in Section 16-18I.029. Public sidewalks shall consist of two zones: an amenity zone and a walk zone. See Buckhead SPI-9 Design Guidelines Figures 10-15. The following regulations shall apply to all public sidewalks:

1. Amenity zone requirements: The amenity zone shall be located immediately adjacent to the curb; width shall be measured from back (building side) of curb to the walk zone. Minimum width shall be as specified for the applicable street type and as more specifically provided in Section 16-18I.029. This zone is reserved for the placement of street trees as required in Section 16-18I.029 and street furniture including utility and light poles, waste receptacles, fire hydrants, traffic signs, traffic control boxes, newspaper boxes, transit shelters and similar elements in a manner that does not obstruct pedestrian access or motorist visibility. Such elements, where installed, shall be of a type specified by the Director in accordance with uniform design standards for placement of such objects in the public right-of-way.
2. Walk zone requirements: The walk zone shall be located immediately contiguous to the amenity zone and shall be a continuous hardscape for a minimum width as specified for the applicable street type as more specifically provided in Section 16-18I.029, with a consistent cross-slope not exceeding two percent. No fixed elements, including pole mounted signage, traffic control boxes or other utility structures, shall be placed above ground in the walk zone for a minimum height of eight feet (see also Section 16-18I.016).
3. Paving: All sidewalk paving shall be of a type specified by the in accordance with uniform design standards for placement of such objects in the public right-of-way. Any existing decorative hardscape treatment of sidewalks, including amenity zone and sidewalk walk zone areas, shall be retained as part of any new development or replaced with materials that match in size, shape, and color.
4. Street tree planting requirements: Street trees are required and shall be planted in the ground within the amenity zone and spaced an equal distance between street lights. All newly planted trees shall be single-stemmed with a minimum of three inches in caliper measured 36 inches above ground, shall be a minimum of 12 feet in height at the time of planting, shall have a minimum mature height of 40 feet, and shall be limbed up to a minimum height of 7 feet. Trees shall have a minimum planting area of 40 square feet. All tree plantings, replacement and removal shall be approved by the city arborist. Tree planting areas shall be planted with evergreen ground cover such as mondo grass or liriopie spicata. Street tree planning intervals shall be as specified for the applicable street type, see Section 16-18I.029.
5. The sidewalk area shall taper as necessary to provide a smooth transition to

- existing sidewalks of an adjacent zoning district. In the event that the abutting district has no existing sidewalk, the walk zone shall taper to a width of six feet.
6. Pedestrian and street lights, where required, shall be placed equidistant between required street trees within the amenity zone. Lighting placement intervals shall be as specified for the applicable street type, see Section 16-18I.029.
 7. Objects in the amenity zone: Trash receptacles, benches, bicycle racks, directional signage, or other similar elements shall be placed within the amenity zone and be a type specified by the Director in accordance with uniform design standards for placement of such objects in the public right-of-way. Awning, canopies or similar elements shall be prohibited within the amenity zone.
 8. Visibility at intersections: Nothing shall be erected, placed, planted or allowed to grow in such a manner as to impede visibility within visibility triangles at street intersections, as measured from the curb, between the heights of two and one-half feet and eight feet above grade. See Section 16-28.008(9), visibility at intersections.
 9. Overhead utilities: Upon development or redevelopment of a parcel reasonable efforts shall be made to place utilities underground or to the rear of structures where they are not visible or less visible from public streets and sidewalks.
 10. New streets: Any new streets created shall conform to the standards identified in Section 16-18I.029 for the applicable street type.
 11. Sidewalk and supplemental zone minimum width requirements as specified in Section 16-18I.029 shall supplant any minimum setback requirements for any yards immediately adjacent to any public or private street, except as noted in Section 6-18I.029 for properties less than 100 feet in depth.

Sec. 16-18I.016. Supplemental Zone.

For purposes of these regulations, the area between any building, parking lot or parking structure and the back of the required sidewalk when no intervening building exists shall be defined as the supplemental zone. The supplemental zone shall have the minimum widths specified herein and in Section 16-18I.029 and meet the following requirements:

1. Shall be no more than 30 inches above the adjacent public sidewalk for a minimum linear distance of 15 feet from the nearest edge of the adjacent sidewalk unless existing topographical considerations render this requirement impractical as determined by the Director.
2. Plazas, terraces, porches and stoops within the supplemental zone shall have a maximum finished floor height of 30 inches above either:
 - a. The provided supplemental zone elevation; or
 - b. The finished sidewalk grade unless existing topographical considerations render this requirement impractical as determined by the Director.
3. Dimensions and components within the supplemental zone:
 - a. Adjacent to all uses:
 - i. Shall provide a pedestrian walkway with a minimum width of four feet through said supplemental zone to connect to the adjacent required sidewalk. Said walkway shall be perpendicular to the street unless topography prohibits.
 - ii. Retail display windows may project into the required supplemental

zone but shall not occupy more than two-thirds of the supplemental zone area shall have a minimum depth of three feet and shall be internally illuminated serviced by electricity, and accessible from the interior of a building.

- b. Adjacent to sidewalk-level residential uses:
 - i. Shall be required at a minimum width of five feet.
 - ii. Said zone shall be landscaped except for terraces, porches, stoops and walkways which may occupy a maximum of two-thirds of the supplemental zone area.
 - iii. For all such buildings with more than four residential units: Shall be permitted to share said required pedestrian walkway with one adjacent unit.
- c. Adjacent to sidewalk-level non-residential uses:
 - i. Shall permit and allow pedestrians to walk on a minimum of 80 percent of the surface of the supplemental zone excluding water features, pedestrian furniture, public art, and similar elements.
 - ii. Along Peachtree Road: Shall be required at a minimum width of five feet.
 - iii. Along all other streets:
 - 1. The minimum area shall be no less than 20 percent of the total square footage of the total of both the amenity zone and walk zone; and
 - 2. The supplemental zone shall be a minimum width of five feet and a minimum linear distance of ten consecutive feet tangent to the adjacent sidewalk; and
 - 3. No more than 150 uninterrupted linear feet of sidewalk frontage on any parcel shall be without an adjacent supplemental zone.

Sec. 16-18I.017. Relationship of Building to Street.

1. Building floors shall be delineated at the second or third story above sidewalk level and lower. Delineation shall be expressed through varied window openings, belt courses, cornice lines or other means of architectural detailing.
2. Pedestrian entrances for access to all sidewalk level uses and business establishments with street frontage:
 - a. Shall face and be visible from the street.
 - b. Shall be directly accessible and visible from the sidewalk.
 - c. Shall remain unlocked during business hours for nonresidential uses.
3. 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.
4. When active sidewalk-level uses are required by Section 16-18I.007:
 - a. All buildings shall have a defined sidewalk-level for purposes of the active-use requirement
 - b. Said uses shall be provided for a minimum depth of 20 feet from any building facade along the public sidewalk, unless existing topographical

- considerations render this requirement impractical as determined by the Director, and
- c. Entrances to said uses shall be architecturally articulated, face, be visible from, and be directly accessible from the required sidewalk along such street.
5. Buildings with residential uses at the sidewalk level shall meet the following standards:
 - 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
 - b. When multi-family housing is located on the ground floor in a building the supplemental zone shall be landscaped with a combination of shrubs and/or flowering plants. See Figure 8 of the SPI-9 Design Guidelines for character examples.
 - c. All buildings containing more than four residential units that are adjacent to the sidewalk shall have 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 one adjacent unit.
 - d. Buildings with multiple street frontages shall have windows at sidewalk level on all street facing facades.
 6. Fenestration, (the total area of all window and door openings) shall be provided at the sidewalk level for a minimum of 65 percent of the length of the building multiplied by 12 (typical floor height) for nonresidential uses in subareas 1, 2 and 3:
 - a. Beginning at a point not more than three feet above the sidewalk, to a height no less than ten feet above the sidewalk; or
 - b. 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
 - c. 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.
 - d. Fenestration shall not utilize painted glass, reflective glass or other similarly treated or opaque windows.
 - e. Entrances may be counted towards fenestration requirements.
 - f. Display windows may be counted towards fenestration requirements, provided display windows do not make up more than 25 percent of the required openings.
 7. Fences and walls shall meet the following regulations:
 - a. Fences and walls shall only be allowed in the supplemental zone when meeting the following regulations:
 - i. For all sidewalk-level residential uses:
 1. Fences shall not exceed 42 inches in height.
 2. Walls shall not exceed 30 inches in height unless existing

topography requires a retaining wall of greater height.

- ii. Outdoor dining may be separated from the sidewalk only with movable planters, movable fencing, or similar movable barriers provided they do not exceed a height of 36 inches including any plant material.
- iii. For all other non-residential sidewalk-level uses: Fencing and walls are prohibited with the exception of screening for authorized off-street loading areas and retaining walls as permitted below:
 - 1. Retaining walls located adjacent to a sidewalk along a public street shall not exceed a height of 24 inches.
 - 2. 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.
 - 3. Retaining walls shall be finished poured concrete or shall be faced with stone, brick or smooth stucco and shall be compatible with the adjacent building's design. See also Section 16-29.001(25)(b).
- b. 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.
- c. 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.
- 8. Massing and articulation. Edifices longer than 100 continuous feet shall include variations in the façade treatment, depth (minimum 2 feet), materials, textures, colors and/or window and door patterns to provide visual interest and prevent monotonous building facades.
- 9. Minimum building façade height. The minimum height of a building façade facing a Type 1 or Type 2 street, see Section 16-18I.029, shall be no less than 18 feet.

Sec. 16-18I.018. Signage.

- 4. ~~General regulations: All signs within SPI-9, Buckhead Village are subject to the regulations set forth within this section, provided however that where a regulation in a particular subarea conflicts with a specific general regulation, the subarea regulation shall control.~~
- 2. ~~Definitions: For purposes of this section the following words, terms and phrases shall, when used in this Section 16-18I.018, have meanings ascribed to them in this article except where the context clearly indicates a different meaning:~~
 - a. ~~Sidewalk-level: shall be defined per Section 16-18I.006(1).~~
 - b. ~~Public street: any public right-of-way including such right of way that is only accessible by pedestrians.~~
 - c. ~~Private street: any area that is fully accessible to vehicular traffic but that is not interior to a building or parking structure.~~
 - d. ~~Monument sign: A permanent sign not attached to a building and constructed directly and continuously upon the ground or a grade level~~

Comment [MW13]: There are no subarea specific regulations related to signs.

- support structure with no separation between the sign and the grade. Such signs shall not be supported by columns, uprights, poles or braces and shall be of continuous solid construction without holes, gaps, or spacing; otherwise they shall be considered freestanding signs.
- e. Freestanding Sign: A sign that does not extend over any portion of a building and is not attached to a building or any structure other than its own support by one (1) or more columns, uprights or braces in or upon the ground.
3. Type, number, and area of building signs:
- a. Type: Wall signs, projecting signs, canopy signs, parapet wall signs, monument signs, freestanding signs, suspended signs, and marquee signs shall be permitted.
 - b. Number:
 - i. Three (3) business identification signs shall be allowed on the premises of active sidewalk level uses having a frontage along a public street or a private street where visible from a public street. One business identification sign may be suspended from the wall or project over any frontage if approved in the manner required for its placement ~~unless such signs are restricted by specific sub-area regulations.~~
 - ii. Two (2) business identification signs shall be allowed on the premises of businesses located on a building floor above sidewalk-level and having a frontage along a public street or a private street where visible from a public street. One business identification sign may be suspended from the wall or project over any frontage if approved in the manner required for its placement.
 - iii. For businesses or having frontage on more than on public street or private street, one additional business identification sign for the business establishment shall be permitted on the premises of such business, provided that no sidewalk level frontage contains more than three business identification signs and no frontage above sidewalk level contains more than two business identification signs. The total area of increase for any additional sign allowed by this subsection shall not cause all signs on a frontage to exceed 10 percent of the area of the wall area of said building occupied by such business establishment on that frontage or 60 square feet, whichever is less.
 - c. Area: The combined area of permitted business identification signs shall not exceed 10 percent of the total aggregate area of the walls that face the public right of way or which face a private drive and are visible from a public right of way provided however that but at least 60 square feet of combined sign area is allowed. No individual sign shall exceed 200 square feet.
4. Maximum height of business identification signs: Section 16-28A.007(m) shall be supplanted for SPI 9 by the following height limitations provided however that no portion of any business identification sign shall extend above the top of the

Comment [MW14]: See comment above.

- building upon which it is located where the building height is less than the height permitted for business identification signs.
- a. Where a business establishment is permitted to have business identification signs, the following regulations shall apply:
 - b. Sidewalk-level business establishments: For such establishments signs are permitted to a maximum height of 35 feet above the adjacent sidewalk-level.
 - c. Above sidewalk-level business establishments: For such establishments signs are permitted to a maximum height of 50 feet above the lowest point of the adjacent sidewalk-level on that frontage provided that
 - i. The sign shall be located directly above the independent entrance to the upper floor use; or
 - ii. The sign shall be located directly above or adjacent to windows for such upper floor use.
5. Pedestrian directories: Pedestrian directories may be located within or on the amenity zone of public sidewalks as defined in Section 16-18I.016 in accordance with the ordinances administered by the Department of Public Works and subject to the following limitations:
- a. No pedestrian directory shall be permitted in a public right of way without the written permission of the department of public works through a permit obtained according to the procedures for allowing such encroachments.
 - b. In addition to the required permission for encroachment, such pedestrian directories shall not be located within 400 feet of another pedestrian directory. The distance set forth in this subsection shall be measured based on the most direct route of pedestrian travel and not be limited by intervening streets or drives.
 - c. No pedestrian shall be located within 18 inches of the back of the curb.
 - d. No pedestrian directory shall exceed 36 cubic feet in size nor be greater in height than 8 feet. Displays consistent with these regulations and the regulations set forth by the department of public works shall be permitted on both sides of the pedestrian directory.
 - e. No pedestrian directory shall contain any display except for that which is permitted for pedestrian way finding as set forth in the regulations of the department of public works applicable to pedestrian directories.
6. Shopping center signs: Shopping centers shall be permitted one business identification sign in addition to the business identification signs of the businesses therein. Said sign shall be erected as a wall sign or monument sign and shall not exceed 200 square feet in sign area. Where a shopping center has frontage on two or more streets, one additional wall sign or monument sign shall be permitted for each additional street frontage.
7. Signs extending over the public right-of-way or private drives: Signs extending or projecting over any property line onto sidewalk or street right-of-way or extending over a private drive and visible from a public street shall not be permitted without the written permission of the Department of Public Works obtained according to their procedures for allowing such encroachments. Any suspended or projecting sign that extends into any private drive on the exterior of any building shall be

- reviewed and approved by the department of public works
- 8. General advertising signs prohibited: General advertising signs shall not be permitted.
- 9. Animated, flashing, changing and internally illuminated signs: No animated, flashing, changing signs or internally illuminated shall be allowed.

Sec. 16-18I.019. Lighting.

- 1. All lighting, including that on parking decks, surface parking lots, and lit canopies shall reduce light spillage onto residential use properties by providing cutoff luminaries which have a maximum 90 degree illumination. Additionally, all surface parking lots and structures shall have the following minimum requirements:
 - a. 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.
- 2. All lighting fixtures that up-light trees, buildings, or other elements shall be located a minimum height of eight feet above the sidewalk, driveway, or pedestrian area except when located within completely landscaped areas.

Deleted: See Section 16-28.028 for additional standards for parking deck lighting.

Sec. 16-18I.020. Loading areas, loading dock entrances and building mechanical and accessory features.

- 1. Off-street loading docks and servicing areas shall be located to the rear of all buildings or screened from public view by a combination of opaque walls, gates, or screens and landscaping so that related activities are not visible from the public right-of-way of Type 1, 2, or 3 streets or from any adjacent single-family residential area.
- 2. Access ways and loading areas used for delivery trucks, service vehicles, and driveway and loading areas for garbage trucks shall provide safe means of ingress and egress from public streets such that delivery vehicles and garbage trucks are not required to back into Type 1 streets, Type 2 streets, Pharr Road between Peachtree Road and Piedmont Road, West Paces Ferry Road, and East Paces Ferry Road (See also Section 16-18I.029). All access ways and loading areas shall provide a minimum horizontal and vertical clearance of 14 ft. at all points.
- 3. Building mechanical equipment:
 - a. Except when located on rooftops, 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 walls or landscaping 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 compatible with those of the principal building facade.

- c. Shall not be permitted between the building and any public street.
- 4. Dumpsters, trash compactors, and other similar waste receptacles shall not be located in any required front yard. Dumpsters shall be placed on a concrete pad of sufficient size and strength to support service vehicles without failure. Dumpsters that would be visible from a public street or from abutting or adjacent property shall be completely screened from such visibility by an opaque wall that is a minimum of 6 ft. in height, but not less than the height of the dumpster. Service access shall be via an opaque metal gate. Dumpsters may be enclosed within the building and accessible through a roll up door or service entry. Access to any dumpster must remain closed when not in use.
- 5. Screening walls for dumpsters, loading docks, and mechanical equipment shall be constructed of materials that are compatible with those of the principal building facade.
- 6. All dumpsters, loading docks and other service areas must post signage limiting idling to no more than 5 minutes.

Sec. 16-181.021. Off-street loading requirements.

Minimum off-street loading space shall be provided according to the SPI-9 Buckhead Village Loading Table. All loading berths shall provide a vertical clearance of 14 feet and shall not be located within the required sidewalk. See Section 16-181.020 for screening requirements. Reduction of off-street loading requirements may be approved by the Director subject to a shared loading arrangement that avoids conflicting loading demands.

SPI-9 Buckhead Village: Loading Table

	Unit of Measure	Required Loading Spaces	
		12'x 35'	12' x 55'
Residential Dwellings and Lodging	Less than 20 units	None	None
	20 to 50 units	1	None
	51 to 200 units	2	None
	201 units and above	3	None
All Other Uses	Up to 10,000 sq. ft. floor area	None	None
	10,001 sq. ft. to 40,000 sq. ft. floor area	1	None
	40,001 sq. ft. to 100,000 sq. ft. floor area	2	None
	100,001 sq. ft. to 250,000 sq. ft. floor area	2	1
	250,001 sq. ft. to 500,000 sq. ft. floor area	2	2
	500,000 sq. ft. floor area and above	3	2

Sec. 16-18I.022. Driveways, curb cuts and parking structures.

1. Driveway curb cuts:
 - a. Driveways shall be a maximum of 24 feet in width for two-way entrances and 12 feet in width for one-way entrances, unless otherwise permitted by the Commissioner of Public Works.
2. Maximum permitted number of driveway curb cuts for each development, subject to the provisions of Section 16-25.002(3):
 - a. Developments with only one street frontage, which is less than 300 feet in length: One;
 - b. Developments with only one street frontage, which is greater than or equal to 300 feet in length: Two and separated by a minimum distance of 200 linear feet;
 - c. Developments with two street frontages: Two. One located on each street frontage or two curb cuts located on the lower classified street per Map Attachment B.
 - d. Developments with three or more street frontages: One per street frontage. No more than one curb cut may be located on the highest classified street per Map Attachment B. Multiple curb cuts on the lowest classified street and/or adjacent street with the lowest daily traffic are allowed and encouraged to minimize curb cuts on higher traffic streets.
 - e. Generally, driveways should be located no closer than 100 feet from the nearest adjacent intersection or driveway along the same block face.
 - f. For the purposes of this section, two curb cuts serving two one-way driveways shall only be counted as one curb cut.
3. Driveways:
 - a. Drive-through service windows and drive-in facilities shall not be located between the principal structure and the street
 - b. Drive-through service windows shall not be visible from the public right of way along a Type 1 or Type 2 street see Section 16-18I.029.
 - c. Driveways shall be perpendicular to any adjacent street. Circular drives are not permitted between the sidewalk and a building with the exception of hotels, child care centers, kindergartens, and special schools, subject to the provisions contained in Section 16-25.002(3).
 - d. All sidewalk paving materials shall be continued across any intervening driveway at the same prevailing grade and cross slope as the adjacent sidewalk walk zone.
 - e. Bands of textured concrete shall border sidewalk areas across driveways and be installed parallel to the street in-line and equal in width to the street furniture zone or such future standard as developed by the Department of Public Works. See Figure 9 of the SPI-9 Design Guidelines.
4. Inter-parcel Access. Inter-parcel access, joint driveways, cross-access drives, and access easements shall be provided when adjacent lots have direct vehicular access to a street or a driveway from a private street which functions as a public street based on traffic considerations, notwithstanding the provisions of Section 16-28.006.10, as follows, except where the Director determines that they are impractical due to topographic or other site-specific constraints.

5. Parking structures (either principal or accessory use): In addition to requirements contained in Section 16-28.028 the following regulations shall apply:
 - a. When located immediately adjacent to any public right-of-way, private street, public park, or single family residential area:
 - 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 residential, commercial, or mixed-use structure.
 - ii. Facades at sidewalk-level along any public right-of-way, private street or public park: Shall meet the active use and facade treatment requirements as applicable in Section 16-18I.005.5 unless topographic considerations render this requirement impractical as determined by the Director. In all other cases along public right of way, streets or parks, a continuous minimum five feet wide landscaped strip shall be provided between the structure and the public sidewalk, except at ingress and egress points into the structure. Said landscaped strip shall be planted with evergreen trees spaced a maximum distance of 20 feet on center with a minimum caliper and height as specified in Section 16-18I.017. The landscape strip shall also be planted with evergreen ground cover such as mondo grass, liriopse spicata, ivy or evergreen shrubs with a maximum mature height of 24 inches. All tree plantings, replacement, and removal shall be approved by the city arborist.
 - 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 must be decorative and must be an integral part of the overall building design or screened from view with landscaping that is at least 10 ft. in height.
6. Valet Facilities: No valet facilities or uses shall be located within existing travel lanes within the public right of way or upon on-street parking spaces, unless authorized by the Commissioner of Public Works with review comments from the Director.

Sec. 16-18I.023. Lighting, security and maintenance requirements for parking structures and surface parking lots.

All surface parking lots and structures, whether a principal use 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 foot-candle of light. 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 16-18I.019.

2. 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 Section 16-28.026 for additional requirements.
3. Parking facilities operating before the effective date of this section shall have 48 months to comply with the requirements of this section.

Sec. 16-18I.024. Minimum landscaping for surface parking lots, barrier requirements.

The requirements of City of Atlanta Code of Ordinances, Chapter 158 Vegetation, Article II Tree Protection, and Section 30 Parking Lot Requirements shall apply to surface parking lots in this district.

Sec. 16-18I.025. Off-street parking requirements.

In addition to the provisions of Section 16-28.008.7, which shall apply and are incorporated herein, off-street parking for all uses approved by special permit as well as permitted uses shall be provided in accordance with the SPI-9 Buckhead Village Parking Table and subject to subsections 1 through 9 below. See also Sections 16-28.013 and 16-28.014.

1. The maximum allowable off-street parking for permitted uses and uses approved by special permits shall be as shown in the SPI-9 Buckhead Village Parking Table.
2. At a minimum, permitted uses and uses approved by special permits shall provide off-street parking equal to seventy-five percent (75%) of the maximum shown in the SPI-9 Buckhead Village Parking Table, unless reduced in accordance with paragraphs 6, 7, or 8 below.
3. Minimum parking for eating and drinking establishments: Accessory uncovered outdoor dining areas containing over 25 percent of the total gross floor area of the business shall provide one (1) additional space per 600 square feet of such accessory outdoor dining area.
4. Off-street surface parking lots, including those for the authorized sale or lease of vehicles, shall not be located between a building and the adjacent street without an intervening building.
5. Off-street surface parking lots shall be screened from adjacent roadways and sidewalks by a decorative fence or wall, berm, or vegetative screen at least 30 inches in height. Fence or wall shall be of similar design and materials to the surrounding buildings. Screening shall be installed between the parking lot and the sidewalks. Perpendicular driveway crossings and pedestrian paths are allowed through the screening.
6. On-street parking spaces may be used to meet up to 25 percent of the required off-street parking for a development subject to the following:
 - a. Up to 50 percent of all on-street parking spaces within 300 feet of the development entrance may be counted towards the required off-street parking requirement.
 - b. All parking areas and structures shall have delineated walkways with a minimum width of four feet connecting ground-level parking to the public sidewalks and building entrances.

7. Reduction of off-street parking requirements.
 - a. Parking requirements may be reduced at the discretion of the Director upon a written determination that the character or use of the building is such as to make unnecessary the full provision of parking facilities as verified by a valid shared parking analysis based on the Urban Land Institute (ULI) standard or other generally recognized standard.
 - b. An applicant wishing to share or transfer parking requirements and avoid conflicting parking demands shall submit an application to the Director containing the following information:
 - i. A map drawn to scale that indicates the location of proposed parking spaces; and
 - ii. Documentation of the hours of operation of non-residential parking users; and
 - iii. Copies of valid shared parking agreements. Renewed agreements shall be filed with the Bureau of Planning.
 - iv. Documentation of conformance with the standards of paragraph
 - c. Criteria for approval shall be as follows:
 - i. The applicant shall establish a valid shared or off-site parking arrangement that meets all other criteria of Section 16.25.002.3.
 - ii. Safe pedestrian circulation and access must be provided between the principal structure and off-site parking facilities.
 - iii. All shared or off-site parking spaces shall be clearly marked and signed as reserved during specified hours.
 - iv. Required residential parking shall be segregated from parking for all other uses.
 - d. An off-street parking reduction up to 25 percent may be granted by administrative variation where inter-parcel access is provided and a signed shared parking arrangement for use of parking spaces within 600 feet of the property is furnished.
8. Fees in Lieu of Parking. If an entity authorized by the City of Atlanta is created to provide parking on an area-wide basis within SPI-9 pursuant to an agreement approved by a Transportation Management Association (TMA) serving the Buckhead Village Overlay District, then such entity may collect fees from designated properties in lieu of such designated properties being required to meet some or all off-street parking requirements. Fees collected in this manner shall be pursuant to a fee schedule approved by such TMA and shall be used only for the acquisition of land, improvement, or maintenance of off-street parking facilities constructed for the benefit of those buildings, structures, and users paying such fees.
9. Carpool parking: Any development providing more than 50,000 square feet of gross office space shall reserve and designate at least five percent of the required parking spaces as "Carpool Only", or "Vanpool Only". Such spaces shall be located near the building's entrance or other preferable locations. Parking structures accommodating vanpool access at entry level must provide a minimum ceiling height of eight feet two inches.

SPI-9 Buckhead Village Parking Table	
Use	Maximum Allowable Parking Spaces¹
Banks, savings and loan institutions, and the like	One (1) space for each 200 square feet of floor area
Barbershops, beauty shops, and similar personal service establishments	One (1) space for each 200 square feet of floor area
Business colleges, commercial schools and similar establishments	One (1) space for each 200 square feet of floor area
Child care centers, day care centers, prekindergartens, kindergartens, play and other special schools or day care centers for young children	One (1) 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, approved by the director, bureau of traffic and transportation.
Civic, service, garden, neighborhood or private clubs and lodges	One (1) space for each 200 square feet of floor area
Commercial recreation establishments, including bowling alleys, theaters, convention halls, places of assembly, and similar uses, with primary activities conducted within fully enclosed buildings	One (1) space for each 100 square feet of floor area
Drive-in establishments	See section 16-28.021
Dormitories, fraternity houses and sorority houses	One (1) space for two beds plus one (1) space for each 200 square feet of floor area designated or occupied other than for sleeping purposes
Eating and drinking establishments	One (1) space for each 300 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 (1) 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

SPI-9 Buckhead Village Parking Table	
Use	Maximum Allowable Parking Spaces¹
Hotels and motels	One (1) space per rental unit plus one-half (1/2) space per employee and one (1) space per 100 square feet of restaurant/lounge gross leasable area as applicable, and one (1) space per 300 square feet of other convention facilities
Laundry and dry cleaning plants, collection stations; self-operated facilities	One (1) space for each 200 square feet of floor area
Nursing homes	One (1) space for each four (4) beds
Office uses	No minimum. A maximum of two and one-half spaces for each 1,000 square feet of floor area. Parking during off-peak hours (after 6:00 p.m.) may be shared for other uses
Personal care homes, assisted living facilities, and rehabilitation centers with a residential component	See section 16-08.007 for applicable ratios according to the appropriate floor area ratio
Plumbing, tinsmithing, or cabinet shops, general service or repair establishment	One (1) space for each 200 square feet of floor area
Poolrooms, billiard parlors, amusement arcades and similar establishments	One (1) space for each 100 square feet of floor area
Printing shops	One (1) space for each 200 square feet of floor area
Recreational establishments	One (1) space for each 400 square feet of floor area
Repair garages, paint and body shops	One (1) space for each 200 square feet of floor area
Repair establishments for home appliances, bicycles, lawn mowers, shoes, clocks and watches, and similar establishments	One (1) space for each 200 square feet of floor area
Residential	See section 16-08.007 table I for applicable ratios according to the appropriate floor area ratio
Retail establishments, including catering, delicatessen and bakeries with wholesale operations	One (1) space for each 300 square feet of floor area

SPI-9 Buckhead Village Parking Table	
Use	Maximum Allowable Parking Spaces¹
Schools, colleges, churches, recreation or community centers and other places of assembly	One (1) space for each four fixed seats (with 18 inches of bench length counted as one (1) seat) or One (1) 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. For elementary or middle schools: Two (2) spaces for each classroom
	ii. For high schools: Four (4) spaces for each classroom
	iii. For colleges and universities: Eight (8) spaces for each classroom
Shelter	One (1) parking space for each on duty staff member, whether paid or unpaid. In addition to staff parking, a space of sufficient size is required for each van, bus or other vehicle used by the facility and one (1) additional parking space shall be provided for each 2,000 square feet of the facility
Single room occupancy residences	One (1) space for each two (2) dwelling units plus one (1) space for each employee
Specialty shops	One (1) space for each 300 square feet of floor area
Tailoring, custom dressmaking, millinery and similar establishments	One (1) space for each 400 square feet of floor area
Temporary storage centers	One (1) space for each 600 square feet of floor area
All other uses non-residential uses	One (1) space for each 300 square feet of floor area
Accessory uses	One (1) space for each 300 square feet of floor area
¹ Minimum parking provided shall be equal to 75% of the maximum allowable parking spaces, see Section 16-18I.025(2).	

Sec. 16-18I.026. Membership in transportation management association and transportation management plans.

Any development providing more than 50,000 square feet of gross leasable floor area shall become a member of an existing Transportation Management Association (TMA) which provides services to the area or shall provide a Transportation Management Plan (TMP) meeting the criteria listed below.

1. The Bureau of Buildings shall not issue certificates of occupancy for any

development in this district until such time as the developer or leasing agent for each of the components has submitted to the Director, written confirmation of TMA membership or has submitted a TMP. The local TMA may assist with the preparation of the TMP.

2. The TMP shall contain strategies to reduce single occupancy vehicle trips generated by the project. Vehicle trips shall be monitored based on an annual commute mode survey. Said survey shall be based on a continuous five-day work week for all estimated employees arriving at the work site and for all residents leaving the residential site between 6:00 a.m. and 10:00 a.m., Monday through Friday. Based on the survey information, the employer and residential manager shall develop a TMP, which shall include, but not be limited to:
 - a. Commute alternatives;
 - b. Incentives for public transit ridership such as transit cards;
 - c. Carpooling and vanpooling;
 - d. Commuter bicycling and walking programs;
 - e. Alternative work hours for commercial components;
 - f. Staggered work hours for commercial components;
 - g. Compressed work weeks for commercial components;
 - h. Flexible work hours (flextime) for commercial components;
 - i. Telecommuting;
 - j. Transportation demand strategies;
 - k. Financial incentives given to employees and/or residents who use commute alternatives;
 - l. Parking management programs;
 - m. Commute alternatives information and marketing;
 - n. Shared parking arrangements;
 - o. Provision for a mixture of uses on-site; and
 - p. Pedestrian links to adjacent uses.
3. The TMP shall include a program to promote and maintain participation in carpooling, vanpooling, and use of mass transit, including a method of monitoring the number of rider sharers and their travel patterns.

Sec. 16-18I.027. Minimum bicycle/moped parking requirements.

Bicycle/Moped parking requirements shall be as specified in the Buckhead SPI-9 Bicycle Parking Table and subject to the following additional requirements:

1. All spaces provided shall include a metal anchor sufficient to secure the bicycle/moped frame when used in conjunction with a user-supplied lock and shall be a type specified by the Director as applicable.
2. A minimum of 20 percent of provided bicycle parking shall be located within the amenity zone. The remainder shall be a maximum horizontal distance of 100 feet from a building entrance and shall be covered from inclement weather or located within an accessory parking structure.

Buckhead SPI-9 Bicycle Parking Table

Use	Minimum Bike Parking Requirement	Maximum Bike Parking Requirement
Multi-family dwellings	The greatest of either: Two (2) spaces or one (1) space for every five (5) multi-family units.	No more than 50 spaces required
Non-residential	The greatest of either: Two (2) spaces or one (1) space for every 4,000 sq. ft.	No more than 50 spaces required.

Sec. 16-18I.028 Pedestrian Bridges and Tunnels.

Pedestrian bridges, tunnels, buildings and parking structures shall be prohibited when located above or below public streets with the exception of tunnels for service, access to reserved parking spaces, and loading purposes only.

Sec. 16-18I.029 Specific Regulations by Street Type.

Streets within SPI-9 Buckhead Village Special Public Interest District are divided into four categories as shown on Map Attachment B. See also Figures 10 through 15 of the SPI-9 Design Guidelines. Specific regulations by street type are as shown in SPI-9 Buckhead Village: Streetscape Regulations Table.

SPI-9 Buckhead Village: Streetscape Regulations Table

Street Type		1	2	3	4
Amenity Zone width		7 feet	7 feet with bicycle lane 5 feet without bicycle lane ¹	5 feet	4 feet
Walk Zone width ³		13 feet	10 feet	10 feet	6 feet minimum
Supplemental Zone width		5 feet minimum	5 feet minimum	5 feet ²	Optional
Street Tree Planting Standards		40 feet on center		30 feet on center	60 feet on center
Pedestrian Lighting	Spacing	Maximum 40 feet on center		Maximum 60 feet on center	
	Type	Alternating Atlanta type "A" and Atlanta type "C"		Alternating Atlanta type "A" and Atlanta type "C"	
¹ Bicycle lanes are required on Piedmont Road south of Peachtree Street.					
² Unless otherwise approved by the Director due to lot dimensions or other hardships					
³ For properties less than 100 feet in depth from the public street to the opposing lot line, the setback shall not be required to be more than 20 percent of the total depth of the lot, but no less than 10 feet to allow for a 5 foot amenity zone and 5 foot sidewalk zone.					

Sec. 16-18I.030 Standards of Architectural Design.

1. Conformity with Design Guidelines. The applicant for a building permit in SPI-9 shall prepare and submit preliminary architectural plans and elevations of all buildings for review by the Director. The Director shall review such plans and elevations in order to determine if they are substantially consistent with the SPI-9 Design Guidelines. No building permit shall be approved in SPI-9 unless the Director finds that the architectural design is substantially consistent with the SPI-9 Design Guidelines.
2. Exterior Building Materials. Exterior building materials for all buildings except single-family residential buildings are restricted to brick, stone, textured concrete masonry, precast concrete, architectural metal, hardiplank, stucco, and glass.
3. The use of textured concrete masonry, hardiplank, stucco or architectural metal is restricted to no more than 30 percent of any building's total exterior wall surface.
4. Vinyl siding and metal siding is prohibited for residential building. Wood or hardiplank siding is permitted on exteriors of residential buildings but is limited to no more than 50 percent of the total exterior wall surface on any building larger than 600 square feet in floor area.

DRAFT