

City of Stone Mountain

DeKalb County

Atlanta MSA

2003 Population Estimate 7,097; -0.9% change from 2000 Census.

Not a Tree City USA.

No tree board established by ordinance.

APPENDIX A ZONING

ARTICLE VIII. BUFFER PROVISIONS

Year first adopted or last revised unknown.

Addresses private property.

Includes buffer requirements.

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APPENDIX A ZONING*

***Editor's note:** This appendix contains the city's 1988 zoning ordinance. Future amendments will be indicated by history notes in parentheses () following new or amended sections. A uniform system of capitalization has been used. Any material in brackets [] has been added by the editor for clarity. Obviously misspelled words have been corrected.

Charter references: Municipal powers, § 1.12.

Cross references: Alcoholic beverages, Ch. 3; animals, Ch. 4; buildings, Ch. 5; cemeteries, Ch. 6; environment and land development, Ch. 8; erosion and sediment control, Ch. 9; licenses and business regulations, Ch. 12; signs, Ch. 23; subdivision regulations, Ch. 26; location of beer gardens, § 3-114; drainage under environment and land development ordinance, § 8-12; certain transient or temporary retail and wholesale sales, § 12-3; noise disturbances, § 15-5; exempt signs, § 23-5; permitted signs, § 23-7; definitions for land subdivision regulations, § 26-2; policy and purpose of land subdivision regulations, § 26-6; final plat specifications under land subdivision regulations, § 26-47; sewerage facilities under land subdivision regulations, § 26-83.

State constitution references: Planning and zoning, Art. IX, § II, Par. IV.

State law references: Zoning procedures, O.C.G.A. § 36-66-1 et seq.; conflict of interest in zoning actions, O.C.G.A. § 36-67A-1 et seq.

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AN ORDINANCE OF THE CITY OF STONE MOUNTAIN, GEORGIA REGULATING THE LOCATION AND USE OF BUILDINGS, STRUCTURES, AND LAND FOR RESIDENCE, TRADE, INDUSTRY AND OTHER PURPOSES; THE SIZE OF YARDS; THE DENSITY OF POPULATION; CREATING DISTRICTS FOR SAID PURPOSES AND ESTABLISHING THE BOUNDARIES ON AN OFFICIAL ZONING MAP FOR THE CITY; DEFINING CERTAIN TERMS USED HEREIN; AND PROVIDING FOR THE IMPOSITION OF PENALTIES FOR THE VIOLATION OF PROVISIONS OF THIS ORDINANCE.

(Ord. No. 04-01, Pt. I, 2-3-04)

ARTICLE VIII. BUFFER PROVISIONS

Section 8-1 Buffer areas

8-1.1--*Buffer required:* It is recognized that the location of commercial or industrial land uses directly adjacent to single-family residence uses can create an incompatible situation. Accordingly, in commercial and industrial districts, when a principal structure is expanded or modified, a planted screening buffer shall be provided along all side and rear property lines contiguous with a residential district. The city council may require a similar buffer strip between other districts and land uses deemed to be incompatible.

8-1.2--*General provisions for buffer areas:* A planted buffer strip is required to protect residential land uses from excessive heat, dust, wind, light, spill, unsightly views, odors, and other characteristics commonly associated with commercial and industrial land uses and related vehicular and pedestrian traffic, which can adversely impact the quality of residential life. The required buffer shall provide necessary visual and acoustical privacy for the conduct of residential lifestyles in an undisturbed environment, and shall provide for the protection and preservation of property values in residential districts.

Required buffers shall be established and maintained by the owner of the incompatible land use. The required buffer must:

1. Be depicted in detail (the type and location of natural and planted vegetation are to be illustrated) on each site plan or plat prior to approval, and shall be designated as a permanent easement.
2. Not be disturbed by grading, property improvements or construction activities except where necessary to prevent a nuisance, or to thin such natural growth, where too dense to permit normal growth, or to remove diseased, misshapen, or dangerous and decayed timbers. Any contemplated disturbance shall first be brought to the attention of the planning and zoning committee and formal approval secured prior to initiating activity within required buffer area.
3. Utilize existing vegetation where it has been determined that existing vegetation is appropriate for inclusion within the buffer strip, or when required be supplemented with approved, additional plantings.
4. Retain the natural topography of the land, except when a portion must be cleared and graded as required by the local law to prevent soil erosion or sedimentation.
5. Be completely installed in accordance with the approved plan prior to issuance of a certificate of occupancy.
6. Not be used for temporary or permanent parking or loading, other than for provision of drainage improvements as mandated by the local law or for a structure other than a fence.
7. Attain a height of not less than six (6) feet within three (3) years of the planting date.

(Ord. No. 98-12, 11-5-98)

Section 8-2 Minimum buffer specifications

8-2.1--*Buffer widths:* The following specifications for buffer strip widths will be used by the planning and zoning committee and city council to determine buffer strip requirements:

1. Where a commercial or industrial district is contiguous with a single-family residential district, the width of the required buffer strip shall not be less than 40 feet, nor more than 75 feet.

2. In other instances, where an incompatible situation is determined, the width of the buffer strip shall be recommended by the planning and zoning committee, but shall not be less than 15 feet, nor more than 75 feet. The buffer strip required can include the minimum yard area as specified in the appropriate zoning district.

8-2.2--*Buffer composition:* In those instances where the natural vegetation and topography are insufficient to achieve the desired level of screening as determined by this ordinance, a planted buffer shall be provided and shall consist of plant material of such growth characteristics as will provide an acoustical and visual screen. The following plants are approved for use as part of the screening buffer:

TABLE INSET:

1.	Trees:	Loblolly Pine
		White Pine
		Yaupon Holly
		American Holly
		Eastern Red Cedar
		Laurel Cherry
		Arizona Cypress Redbay
		Virginia Pine
2.	Shrubs:	Cleyera
		Euonymus
		Japanese Privet
		European Privet
		California Privet
		Southern Waxmyrtle
		Northern Bayberry
		Pittosporum
		Japan Yew
		Red Tip Photinia
3.	Ground cover:	Short Juniper
		Periwinkle
		Lippia
		Evergreen Candytuft
		Elysum

Other evergreen plant materials having the same growth characteristics as the aforementioned may be substituted, subject to approval by the planning and zoning committee prior to installation.

8-2.3--*Buffer maintenance:* The screening buffer planting and any required landscaped open space planting shall be guaranteed for the life of the commercial, industrial or residential development. Necessary trimming and maintenance shall be performed by the installing property owner to maintain the health of the plant materials, to provide an aesthetically pleasing appearance, and to assure that the buffer actually serves the purpose for which it is intended.

(Ord. No. 98-12, 11-5-98)

Section 8-3 Other screening

8-3.1--*Screening requirements:* Certain uses such as junk or salvage yard operations and other commercial and industrial operations requiring the storage of inoperative equipment or vehicles for prolonged periods of time could present unsightly views or health hazards. To preclude this from occurring, the planning and zoning committee shall require owners of such properties to completely enclose such operations by a fence which completely obscures views of the property from adjacent sidewalks and streets, built to a height greater than that of the height of the highest piece of equipment or vehicle stored on the property; however, the minimum height of any fence shall be eight (8) feet. Such fences shall be constructed of solid materials. Construction of cyclone fencing which utilizes metal inserts as screening shall be prohibited.

(Ord. No. 98-12, 11-5-98)