

Topic:	Overlay District
Resource Type:	Regulations
State:	Georgia
Jurisdiction Type:	Municipal
Municipality:	County of DeKalb
Year (adopted, written, etc.):	1999
Community Type - applicable to:	Urban; Suburban; Rural
Title:	County of DeKalb Mountain Conservation District Ordinance
Document Last Updated in Database:	April 18, 2017

Abstract

This ordinance establishes a protection overlay district for Arabia Mountain. The overlay district allows for reasonable development, while preserving the natural resources and scenic views of the mountain.

Resource

Sec. 27-702. Purpose and intent.

The purpose and intent of the board of commissioners in establishing the Arabia Mountain Natural Resource Protection Overlay District is as follows:

(a) To provide for the protection of natural resources and of scenic views to and from Arabia Mountain, so as to protect and enhance the public welfare associated with these natural resources and the aesthetic qualities within this area, consistent with the policies of the comprehensive plan, including but not limited to Chapters 1 and 8;

(b) To provide for reasonable development within the Arabia Mountain Natural Resource Protection Overlay District while preserving the natural land form and features, trees and tree canopy, and the viewshed to and from Arabia Mountain;

(c) To assure that all activities and authorized uses of land allowed within the Arabia Mountain Natural Resource Protection Overlay District, whether allowed uses or permitted uses, are activities or uses which are designed so as not to detract from or damage the protected natural resources and scenic beauty of this district; and

(d) To encourage and promote the dedication of conservation easements to appropriate public and not-for-profit entities established and authorized to hold easements in perpetuity pursuant to the Georgia Uniform Conservation Act, for the purposes of protecting the habitat of endangered or threatened animal and plant species, providing

recreational and educational opportunities, preserving the cultural history of the county, protecting open space within the county, and protecting scenic viewsheds to and from Arabia Mountain.

(Ord. No. 99-11, Pt. 1, 4-13-99)

Sec. 27-711. Protection of steep slopes.

No lot or portion of a lot having a grade in excess of fifteen (15) percent shall be altered.

(Ord. No. 99-11, Pt. 1, 4-13-99)

Sec. 27-715. Lighting.

No light standard shall be installed that extends above the height of the tree canopy. No lighting element of any kind shall be placed upon any structure so as to extend above the height of the tree canopy. No light spillage of any kind is permitted above said tree canopy except as may be otherwise required by any applicable requirement of federal, state or local law.

(Ord. No. 99-11, Pt. 1, 4-13-99)

Sec. 27-716. Density bonus.

The director of planning is authorized to approve an increase of up to twenty-five (25) percent in housing density within the district for any parcel of land having a single-family residential zoning classification. In making application to the director of planning the applicant shall present a site plan in which required lot coverage limitations are met. The site plan shall further demonstrate that the tree canopy will be preserved and protected. In approving any such plan, the director of planning is authorized to approve gravel or other permeable surface for driveways and parking areas where it is demonstrated that such permeable surface will aid in minimizing damage to the root system of trees and will prevent the impaction of soil under the canopies of trees. It is the intent of these regulations that houses be spread out rather than clustered in the effort to protect and preserve the tree canopy which is essential to the maintenance of the character of the district.

(Ord. No. 99-11, Pt. 1, 4-13-99)