

ARTICLE XII. SOUTH FORSYTH LIVABLE CENTER OVERLAY DISTRICT:

21-12.1 **Purpose.** The purpose and intent of the Forsyth County Board of Commissioners in establishing this overlay district is as follows:

- (A) To support flexibility and innovation for regional mixed-use developments through the complementary integration of office, retail, restaurants, commercial, entertainment, hotel, residential and recreational land uses.
- (B) To encourage pedestrian circulation, integrate open space, and create a regional retail and mixed-use development.
- (C) To enhance the long term economic viability of the Peachtree Parkway Corridor by encouraging regional retail and mixed-use development that increases the tax base and generates a substantial employment base;
- (D) To foster a more balanced relationship between commercial and residential growth to ensure a stable and healthy tax base in Forsyth County;
- (E) To encourage a livable community that provides housing options and employment opportunities for those residents accessible by pedestrian means;
- (F) To provide a community gathering place for residents and those employed in South Forsyth County; and
- (G) To encourage an efficient and sustainable community development plan.

21-12.2 **Boundaries and Description of Area.** The boundaries of the South Forsyth Livable Center Overlay District (the “Overlay District”) consist of 63.37 acres depicted on the incorporated South Forsyth Livable Center Overlay Map and shall be as shown on the Official Overlay District Map of Forsyth County. All property within the Overlay ~~shall~~ may be developed simultaneously or in phases in accordance with this Article.

21-12.3 **Design Standards.** Development within the Overlay District shall comply with all requirements of the Peachtree Parkway-Bethelview Road Overlay District of UDC, Chapter 21, Article VIII; subject to the provisions of this UDC, Chapter 21, Article XII. In the event of a conflict or inconsistency between the provisions of this Article and any other provision of the UDC, applicable conditional use permits, the Peachtree Parkway-Bethelview Road Overlay District, or applicable site-specific zoning conditions, this Article shall govern the development of the property within the boundaries of the Overlay.

21-12.4 **Permitted Uses.** The following uses are permitted within the Overlay:

- (A) **Generally.** Within any portion of the Overlay District, all uses allowed by the applicable zoning category and zoning conditions affecting the respective properties located within the Overlay are permitted except the following:
 - (i) Gas stations.
 - (ii) Adult novelty stores.
 - (iii) Pawn shops.
 - (iv) Tattoo parlors.
 - (v) Tire Stores.
- (B) **Community Zone.** Within the Overlay District shall be an area known as the “Community Zone,” within which may be developed a mixture of residential, commercial, recreational and park uses. The Community Zone will be developed generally in accordance with the master development plan for the Community Zone attached hereto and incorporated herein by reference (the “Community Zone Plan”). The Community Zone Plan is intended to provide a conceptual context in which property within the Community Zone may be developed in accordance with this Article. The reassignment of land uses for buildings depicted on the Plan shall not require a formal plan amendment unless such land use reassignment constitutes a major plan amendment, as determined by the Planning Director.
 - (1) Within the Community Zone, in addition to all uses allowed by UDC Section

21-12.4(A), the following uses are permitted:

- (i) Outdoor park.
 - (ii) Amphitheater.
 - (iii) Fairgrounds, including art and food festivals, recitals, performances and similar events.
 - (iv) Multi-family dwelling units (i.e. apartments and condominiums).
 - (A) Each two-bedroom unit shall contain a minimum heated floor space of 1,000 square feet, except the one-bedroom units shall contain a minimum heated floor space of 650 square feet. No units may have more than two-bedrooms.
 - (B) Buildings containing multi-family dwelling units may include more than six (6) residential units.
 - (C) Buildings containing multi-family dwelling units must provide underground or covered parking for Overlay District residents in an aggregate amount of at least 125 parking stalls.
 - (D) Buildings may be five (5) stories over a one (1) story podium parking deck but the Buildings may not exceed seventy-five (75) in height as measured from the finished grade adjacent to the front of the building to the highest finished roof surface; provided, however, the building shall be allowed to incorporate architectural accents and elements that exceed seventy-five (75) feet in height but are less than eighty-five (85) feet.
- (2) A total of three hundred, nine (309) multi-family dwelling units are allowed in the Overlay District. Residential density within the Overlay District shall, including multi-family, will be calculated on a per acre basis. The residential density of allowed within the entire Overlay District shall be limited/allocated to six (6) dwelling units per acre. To determine the maximum number of residential dwelling units, six (6) dwelling units per acre shall be multiplied by One hundred (100) percent of Community Zone as provided on the land located within the entire Overlay District/Community Zone Plan.
- (3) Retail trade establishments, offices, and restaurants may be located in multi-story buildings occupied by residential uses.
 - (4) Exterior building materials on all buildings located within the Community Zone shall consist of a minimum of fifty (50) percent per vertical wall plane of brick, natural or pre-cast stone, and/or glass. Accent wall materials on all buildings containing multi-family dwelling units shall not exceed fifty (50) percent per vertical wall plane. Accent building materials include, but are not limited to, cement-based board and shake, exterior finish insulation systems, stucco, and painted dimension wood. If multiple establishments are contained within one contiguous structure, the percentages pertain to the entire façade rather than individual façade fronts.
 - (5) Smooth, split face and/or rib faced concrete masonry units, aluminum siding, vinyl siding, and corrugated steel are prohibited on the exteriors of all buildings located within the Community Zone.
 - (6) All residential development within the Community Zone shall be allowed

separate signage as permitted per the Residential Zoning Standards of the Forsyth County Sign Ordinance, in addition to that allowed for commercial developments.

- (7) Buildings located within the Community Zone may be located on public roads or private streets.
- (8) Minimum performance standards for buildings located within the Community Zone:

- (A) Front yard setback from a public or private street: ~~40~~ feet
- (B) Side yard setback: 5 feet
- (C) Rear yard setback: 10 feet
- (D) Exterior yard setback: 25 feet
- (E) Minimum Building Separation 20 feet

21-12.5 **Reciprocal Easements to Ensure Maintenance.** The owner of the majority of the acreage comprising the retail component of the Overlay District (the “retail owner”) shall enter into Reciprocal Easement Agreements with the owner of the multi-family component in the Community Zone to ensure ongoing and continued maintenance of the multi-family component as Class A, premier, residential leased space with the retail owner having lien and self-help rights.

21-12.6 **Interchange Beautification.** The retail owner shall beautify the Georgia 400 Exit 13 interchange as generally depicted in the attached Beautification Map that is appended and made a part of this South Forsyth Liveable Center Overlay. The Georgia 400 Exit 13 interchange shall not become a part of the Overlay District, but implementation of the beautification project as set forth in the Beautification Map shall be necessary for Overlay compliance. Full completion of the beautification project consistent with the attached Beautification Map shall occur prior to receiving a Certificate of Occupancy for the final structure to be erected on the Community Zone Plan.

21-12.7 **Community Policing.** The multi-family component of the Overlay District shall adopt and comply with any neighborhood watch, citizen crime prevention, or similar community policing programs that are adopted or implemented by the Forsyth County Board of Commissioners or the Forsyth County Sheriff.

Community Zone Plan

