

STATE OF GEORGIA
COUNTY OF FULTON

**AN ORDINANCE TO AMEND ARTICLE 9, COMMERCIAL DISTRICT REGULATIONS, OF
THE SANDY SPRINGS ZONING ORDINANCE**

WHEREAS, the Mayor and City Council adopted a resolution on June 1, 2010 directing staff to review, clarify, and recodify the Zoning Ordinance with the assistance of the City Attorney's office; and

WHEREAS, this recodification will address recent developments in the law and issues that have been raised during the implementation, administration, and enforcement of the Zoning Ordinance; and

WHEREAS, this recodification will not include any policy changes to the ordinance.

NOW, THEREFORE, to accomplish the foregoing, the Mayor and City Council of the City of Sandy Springs, Georgia, pursuant to their authority, do hereby adopt the following Ordinance:

1.

Article 9, *Commercial District Regulations*, of the City of Sandy Springs Zoning Ordinance is hereby amended by the deletion in its entirety and the following inserted therefor:

ARTICLE IX

SECTION 9.1

C-1 COMMUNITY BUSINESS DISTRICT

9.1.1. C-1 DISTRICT SCOPE AND INTENT. Regulations set forth in this section are the C-1 district regulations. Article XIX should be consulted to determine uses and minimum standards for uses allowed by administrative permits or use permits. The C-1 district is intended to provide locations in which neighborhood and community-oriented retail and service activities conclude a transition, or land areas which complement a transition into a more intense activity area. Complementary non-commercial uses are also permitted.

9.1.2. USE REGULATIONS. Within the C-1 district, land and structures shall be used in accordance with standards herein. Any use not specifically designated as a permitted use in this section or as a use allowed by administrative permit or use permit shall be prohibited.

A. Permitted Uses. A building or land may be used for the following purposes:

1. Amusement, indoor
2. Apartment, above or behind commercial and office uses in the same

- building
3. Art gallery
 4. Assembly hall
 5. Automotive parking lot
 6. Automotive specialty shop
 7. Catering, carry-out and delivery business
 8. Church, temple or other place of worship
 9. Clinic
 10. Day care facility
 11. Delicatessen
 12. Financial establishment/institution
 13. Funeral home
 14. Garage, automobile repair (except painting, body repair and overhaul of major components)
 15. Group residence
 16. Gymnasium
 17. Hospice
 18. Hotel/motel
 19. Health club/spa
 20. Laundromat
 21. Landscaping business, garden center
 22. Laundry and dry cleaning shop
 23. Lawn service business
 24. Library
 25. Communication service
 26. Millinery or similar trade whenever products are sold retail, exclusively on the site where produced
 27. Museum
 28. Nursing home
 29. Office
 30. Parking garage\deck
 31. Parking lot
 32. Personal care home/assisted living
 33. Personal service, including barber, beauty
 34. Pet grooming (no overnight stay)
 35. Photography studio
 36. Plant nursery
 37. Printing shop, convenience
 38. Recycling center, collecting
 39. Repair shop not involving any manufacturing on the site
 40. Research laboratory
 41. Restaurants
 42. Retail store or shop
 43. School of business, dance, music or similar schools
 44. Service station (except that repair and service offerings shall not include

painting, body repair or overhaul of major components, and no portion of the site shall be used for the display of cars for sale)

- 45. Stadium
- 46. Theater

- B. Accessory Uses. A building or land may be used for uses customarily incidental to any permitted use and the principal dwelling unit may be used for a home occupation. Automobile and/or moving truck rental may be used accessory to a permitted use. Not more than forty-five percent (45%) of the floor area of a building or land may be devoted to storage incidental to a primary use.
- C. Additional Uses. Additional uses may be allowed by administrative or use permit, pursuant to Article XIX of this Ordinance.

9.1.3. DEVELOPMENT STANDARDS.

- A. Height Regulations:

A building shall be no higher than sixty (60) feet or four (4) stories, whichever is higher, except when a permit to exceed the maximum height is approved.

- A. Minimum Front Yard:

Forty (40) feet

- B. Minimum Side Yard:

Twenty-five (25) feet for dwelling units adjacent to interior lot line

None for all other buildings

Forty (40) feet for all buildings adjacent to street

- C. Minimum Rear Yard:

Twenty-five (25) feet for dwelling units adjacent to interior lot lines

None for all other buildings

- D. Minimum Lot Area:

Multifamily dwelling units, including a unit above or behind a commercial use –
Two thousand (2,000) square feet

Single family dwelling unit – Eighteen thousand (18,000) square feet

Two (2) family dwelling units – Eighteen thousand (18,000) square feet

All other buildings – No minimum

E. Minimum Heated Floor Area Per Unit:

Single family dwelling unit - One thousand one hundred (1,100) square feet

Two (2) family dwelling unit – Eight hundred (800) square feet

Multifamily dwelling unit – Seven hundred (700) square feet

Efficiency dwelling unit – Four hundred fifty (450) square feet

F. Minimum Lot Frontage:

Thirty-five (35) feet adjoining a street

G. Minimum Accessory Structure Requirements:

Single family and two (2) family uses – Accessory structures may be located in the rear yard only but shall not be located within a minimum yard.

Other use – Accessory structures shall not be located in the minimum front yard.

9.1.4. OTHER REGULATIONS. The headings below contain provisions applicable to the C-1 district:

- A. Development Regulations, Chapter 103, Code
- B. Exceptions, Section 4.3., Zoning Ordinance
- C. Floodplain Management, Chapter 109, Article II, Code
- D. Off Street Parking and Loading, Article XVIII, Zoning Ordinance
- E. Outside Storage, Section 4.2., Zoning Ordinance
- F. Tree Conservation Ordinance, Administrative Standards and Best Management Practices, Section 4.23., Zoning Ordinance

- G. River Protection, Metropolitan River Protection Act
- H. Signs, Article XXXIII, Zoning Ordinance

ARTICLE IX

SECTION 9.2

C-2 COMMERCIAL DISTRICT

- 9.2.1. C-2 DISTRICT SCOPE AND INTENT. Regulations set forth in this section are the C-2 district regulations. Article XIX should be consulted to determine uses and minimum standards for uses allowed by administrative permits or use permits. The C-2 district is intended to provide locations in which community and regionally-oriented retail and service activities conclude a transition, or locations which complement a transition into a more intense activity area. Complementary non-commercial uses are also permitted.
- 9.2.2. USE REGULATIONS. Within the C-2 district, land and structures shall be used in accordance with standards herein. Any use not specifically designated as a permitted use in this section or as a use allowed by administrative permit or use permit shall be prohibited.
- A. Permitted Uses. A building or land may be used for the following purposes:
1. Any use permitted in the C-1 district
 2. Automotive garage
 3. Automotive repair garage
 4. Automobile and light truck sales\leasing
 5. Batting cage, outdoor
 6. Bowling alley
 7. Car Wash
 8. Check cashing establishment
 9. Drive-in theater
 10. Garage, automobile repair
 11. Landscaping business
 12. Lawn service business
 13. Laundry and/or dry cleaning plant distribution center (not including processing, fabrication or manufacturing)
 14. Pawn shop
 15. Plant nursery
 16. Plumbing shop associated with retail sales
 17. Radio and television stations
 18. Service establishments
 19. Skating rink

20. Tinsmithing shop associated with retail sales

- B. Accessory Uses. A building or land may be used for uses customarily incidental to any permitted use and the principal dwelling unit may be used for a home occupation.
- C. Additional Uses. Additional uses may be allowed by administrative or use permit, pursuant to Article XIX of this Ordinance.

9.2.3. DEVELOPMENT STANDARDS.

A. Height Regulations:

A building shall be no higher than sixty (60) feet or four (4) stories, whichever is higher, except when a permit to exceed the maximum height is approved.

B. Minimum Front Yard:

Forty (40) feet

C. Minimum Side Yard:

Twenty-five (25) feet for dwelling units adjacent to interior lot line

None for all other buildings

Forty (40) feet for all buildings adjacent to street

D. Minimum Rear Yard:

Twenty-five (25) feet for dwelling units adjacent to interior lot lines

None for all other buildings

E. Minimum Lot Area:

Multifamily dwelling units, including a unit above or behind a commercial use –
Two thousand five hundred (2,500) square feet

Single family dwelling unit – Eighteen thousand (18,000) square feet

Two (2) family dwelling units – Eighteen thousand (18,000) square feet

All other buildings – No minimum

F. Minimum Heated Floor Area Per Unit:

Single family dwelling unit - One thousand one hundred (1,100) square feet

Two (2) family dwelling unit – Eight hundred (800) square feet

Multifamily dwelling unit – Seven hundred (700) square feet

Efficiency dwelling unit – Four hundred fifty (450) square feet

G. Minimum Lot Frontage:

Thirty-five (35) feet adjoining a street

H. Minimum Accessory Structure Requirements:

Single family and two (2) family uses – Accessory structures may be located in the rear yard only but shall not be located within a minimum yard.

Other use – Accessory structures shall not be located in the minimum front yard.

9.2.4. OTHER REGULATIONS. The headings below contain provisions applicable to the C-2 district.

- A. Development Regulations, Chapter 103, Code
- B. Exceptions, Section 4.3., Zoning Ordinance
- C. Floodplain Management, Chapter 109, Article II, Code
- D. Off Street Parking and Loading, Article XVIII, Zoning Ordinance
- E. Outside Storage, Section 4.2., Zoning Ordinance
- F. Tree Conservation Ordinance, Administrative Standards and Best Management Practices, Section 4.23., Zoning Ordinance
- G. River Protection, Metropolitan River Protection Act
- H. Signs, Article XXXIII, Zoning Ordinance

All ordinances, parts of ordinances, or regulations in conflict herewith are repealed.

3.

Severability. Should any court of competent jurisdiction declare any section of this Ordinance invalid or unconstitutional, such declaration shall not affect the validity of the Ordinance as a whole or any part thereof, which is not specifically declared to be invalid or unconstitutional.

4.

Repeal of Conflicting Provisions. It is the intention of the Mayor and City Council, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances, City of Sandy Springs, Georgia and the sections of this Ordinance may be renumbered to accomplish such intention.

5.

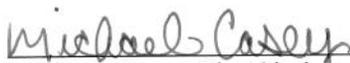
This Ordinance is effective November 16, 2010; and

ORDAINED this the 16th day of November, 2010.

Approved:


Eva Galambos, Mayor

Attest:


Michael Casey, City Clerk

(Seal)

