

STATE OF GEORGIA  
COUNTY OF FULTON

**AN ORDINANCE TO AMEND ARTICLE 10, INDUSTRIAL 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 10, *Industrial 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 X

SECTION 10.1

M-1A INDUSTRIAL PARK DISTRICT

10.1.1. M-1A DISTRICT SCOPE AND INTENT. Regulations set forth in this section are the M-1A district regulations. Article XIX should be consulted to determine uses and minimum standards for uses allowed by administrative permits or use permits. The M-1A district is intended to provide land areas for the development of industrial parks which meet the needs for manufacturing, fabricating, processing, warehousing, distributing, research, office and related uses in an attractive environment.

10.1.2. USE REGULATIONS. Within the M-1A 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. Prohibited Uses. A building or land may be used for manufacturing, processing, warehousing, research, office and similar uses except as enumerated below or in Article XIX of this Ordinance.

1. Bone distillation

2. Dwelling
3. Fat rendering
4. Incinerator
5. Manufacturing of acetylene gas, acid, ammonia, asphalt, bleaching powder, brick, cement, chlorine gas, coal tar, explosives, fertilizer, glue, gypsum board, linoleum, mineral dye, oil, oilcloth, paint, paper, paper pulp, patent leather, petroleum products, plaster of paris, pottery, shellac, terra cotta, tile, turpentine, varnish, or yeast
6. Mineral extraction
7. Slaughter house
8. Smelting
9. Stockyard
10. Storage of explosives or animal hides
11. Truck terminal
12. Blast furnace
13. Boiler works
14. Ore reduction
15. Rolling mill
16. Tanning
17. Tar distillation
18. Landfill, inert waste disposal
19. Landfill, solid waste disposal
20. Private correction facility

B. Accessory Uses. A building or land may be used for uses customarily incidental to any permitted use.

C. Additional Uses. Additional uses may be allowed by administrative or use permit, pursuant to Article XIX of this Ordinance.

10.1.3. 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.

B. Minimum Front Yard:

Thirty (30) feet

C. Minimum Side Yard:

None

D. Minimum Rear Yard:

None

E. Minimum Accessory Structure Requirements:

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

F. Rail Access:

Railroad spurs and service rails shall be permitted only within the side and rear yards

G. Minimum Lot Frontage:

Thirty-five (35) feet adjoining a street

H. Maximum Lot Coverage:

The area of the footprint of all buildings shall not exceed seventy percent (70%) of the total land area.

10.1.4. EXTERIOR BUILDING WALLS.

No wood siding shall be permitted. Exposed exterior walls visible from a street siding shall be composed of the following maximum and minimum percentages of materials if each classification. The percentages apply to the siding on each exposed exterior wall of each building.

	<u>Maximum</u>	<u>Minimum</u>
Type A - Materials	100%	40%
Type B - Materials	60%	0%
Type C - Materials	25%	0%
Type D - Materials	10%	0%

Type A materials consist of: brick; stone with weathered, polished or fluted face; marble aggregate masonry block with fluted, split-face, or broken-face finish; tilt-up, poured-in-place or precast concrete either fluted or with exposed aggregate finish; insulated window wall panels of stainless steel, porcelain treated steel, anodized or other permanently finished aluminum; and stucco or synthetic stucco.

Type B materials consist of metal panels with baked-on enamel or acrylic finish.

Type C materials consist of plain reinforced concrete slabs.

Type D materials consist of corrugated steel and aluminum, wood, and composite board.

1. Materials not listed may be presented to the Director and the Director of Public Works for classification.
2. Buildings having walls over twenty-five (25) feet high may be given special material percentages by the Director and the Director of Public Works.

10.1.5. NUISANCE PROVISIONS. The following provisions are intended to promote compatibility of the M-1A district with surrounding areas.

1. No activity shall be permitted which is offensive or hazardous to the workers in the area, or produces smoke, odor, noises, fumes, vibrations or other objectionable elements or emanations that may be detrimental to the health and safety of the citizens of the City.
2. Accepted smoke and odor abatement practices shall be followed to eliminate objectionable smoke and odor, in so far as possible.

10.1.6. OTHER REGULATIONS. The headings below contain provisions applicable to the M-1A 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

- 10.1.7. ENVIRONMENTAL IMPACT REPORT. In accordance with Section 28.4.3.2 of this Ordinance, submit an Environmental Impact Report as required.

## ARTICLE X

## SECTION 10.2

## M-1 LIGHT INDUSTRIAL DISTRICT

- 10.2.1. M-1 DISTRICT SCOPE AND INTENT. Regulations in this section are the M-1 district regulations. Article XIX should be consulted to determine uses and minimum standards for uses allowed by administrative permits or use permits. The M-1 district is intended to provide locations which meet the needs of processing, manufacturing, fabricating and warehousing, research and office uses, and related uses.
- 10.2.2. USE REGULATIONS. Within the M-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. Prohibited Uses. A building or land may be used for manufacturing, processing, warehousing, distribution, research, office and similar uses except as enumerated below or in Article XIX.
1. Blast furnace
  2. Boiler works
  3. Bone distillation
  4. Dwelling
  5. Fat rendering
  6. Incinerator
  7. Manufacturing of acetylene gas, acid, ammonia, asphalt, bleaching powder, brick, chlorine gas, cement, coal tar, explosives, fertilizer, glue, gypsum board, linoleum, oil, oilcloth, mineral dye, paint, paper, paper pulp, patent leather, petroleum products, plaster of paris, pottery, shellac, terra cotta, tile, turpentine, varnish, or yeast
  8. Mineral extraction
  9. Ore reduction
  10. Rolling mill
  11. Slaughter house
  12. Smelting
  13. Stockyard
  14. Storage of explosives or animal hides
  15. Tanning
  16. Tar distillation
  17. Truck terminal
  18. Landfill, solid waste disposal
- B. Accessory Uses. A building or land may be used for uses customarily incidental to any permitted use.

- C. Additional Uses. Additional uses may be allowed by administrative or use permit, pursuant to Article XIX of this Ordinance.

10.2.3. DEVELOPMENT STANDARDS.

- A. Height Regulations:

Whenever a use or building permitted in the M-1 district adjoins a dwelling district, the building shall be set back at least twelve (12) additional feet for each foot of height in excess of fifty (50) feet.

Otherwise, a building shall be no higher than one hundred (100) feet or eight (8) 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:

None

- D. Minimum Rear Yard:

None

- E. Minimum Lot Area:

None

- F. Minimum Accessory Structure Requirements:

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

- G. Minimum Lot Frontage:

Thirty-five (35) feet adjoining a street

10.2.4. OTHER REGULATIONS. The headings below contain provisions applicable to the M-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

10.2.5. ENVIRONMENTAL IMPACT REPORT. In accordance with Section 28.4.3.2 of this Ordinance, submit an Environmental Impact Report as required.

ARTICLE X

SECTION 10.3

M-2 HEAVY INDUSTRIAL DISTRICT

10.3.1. M-2 DISTRICT SCOPE AND INTENT. Regulations in this Section are the M-2 district regulations. Article XIX should be consulted to determine uses and minimum standards for uses allowed by administrative permits or use permits. The M-2 district is intended to provide locations for a full range of manufacturing, processing, extraction, terminal and warehousing uses, and closely related uses.

10.3.2. USE REGULATIONS. Within the M-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. Prohibited Uses. A building or land may be used for manufacturing, processing, warehousing, distribution, research, office and similar uses except as enumerated below or in Article XIX.

Uses listed below are prohibited unless specifically approved by the City Council in a rezoning resolution.

1. Blast furnace
2. Bone distillation
3. Dwelling
4. Explosives storage
5. Fat rendering
6. Incinerator
7. Manufacturing of acid, cement, explosives, fertilizer, glue, gypsum board, oil, paper, paper pulp, petroleum products, or plaster of paris
8. Slaughter house
9. Smelting
10. Stockyard

B. Accessory Uses. A building or land may be used for uses customarily incidental to any permitted use.

C. Additional Uses. Additional uses may be allowed by administrative or use permit, pursuant to Article XIX of this Ordinance.

10.3.3. DEVELOPMENT STANDARDS.

A. Height Regulations:

Whenever a use or building permitted in the M-2 district adjoins a dwelling district, the building shall be set back at least twelve (12) additional feet for each foot of height in excess of fifty (50) feet.

Otherwise, a building shall be no higher than one hundred (100) feet or eight (8) 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:

None

D. Minimum Rear Yard:

None

E. Minimum Lot Area:

None

F. Minimum Accessory Structure Requirements:

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

G. Minimum Lot Frontage:

Thirty-five (35) feet adjoining a street

10.3.4. OTHER REGULATIONS. The headings below contain provisions applicable to uses allowed in the M-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

10.3.5. ENVIRONMENTAL IMPACT REPORT. In accordance with Section 28.4.3.2 of this Ordinance, submit an Environmental Impact Report as required.

2.

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.

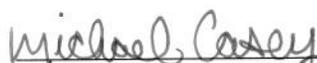
This Ordinance is effective November 16, 2010; and

**ORDAINED** this the 16<sup>th</sup> day of November, 2010.

Approved:

  
Eva Galambos, Mayor

Attest:

  
Michael Casey, City Clerk

(Seal)

