

STATE OF GEORGIA
COUNTY OF FULTON

**AN ORDINANCE TO AMEND SECTION 8.2, MIXED USE DISTRICT, SECTION 4.23.2,
PARKING LOT LANDSCAPING, AND SECTION 12B.8, MAIN STREET DISTRICT
STANDARDS, OF THE SANDY SPRINGS ZONING ORDINANCE**

WHEREAS, On April 19, 2011, the Main Street Alliance Report was presented to the Mayor and City Council; and

WHEREAS, the report detailed existing conditions influencing redevelopment in the Main Street Overlay District including aesthetics and sense of place, economics, infrastructure and traffic, and regulatory changes; and

WHEREAS, the report also detailed general recommendations to the Mayor and City Council regarding changes to the Zoning Ordinance; and

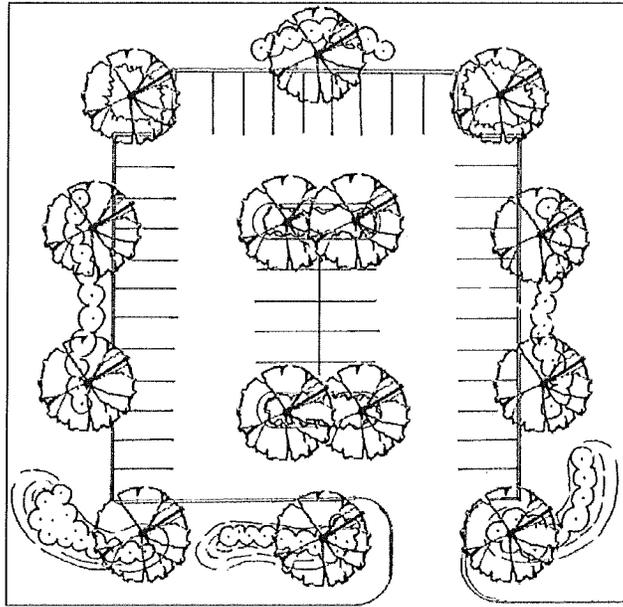
WHEREAS, the Mayor and City Council directed staff to prepare amendments to address a portion of the recommendations presented by the Main Street Alliance.

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.

Section 4.23.2, *Parking Lot Landscaping*, of the Sandy Springs Zoning Ordinance is hereby amended to read as follows:

4.23.2 . **PARKING LOT LANDSCAPING.** At-grade, non-single family parking lots shall have a landscaped area equal to or greater than 10% of the total paved area. The 10% or greater area to be landscaped shall be located in islands within the paved area and within ten (10) feet of the perimeter of the paved area. Such landscape areas shall include minimum three (3) inch caliper shade trees as approved by the City Arborist and minimum soil volume as stated in Section A.12, *Landscape Strips, Buffers, and Parking*, of the Administrative Standards. Landscaping in landscape areas shall preserve and maintain adequate sight lines from the minor lane to the major lane. Alternate methods of landscaping parking lots (i.e. vegetative systems that can be used to quantify a reduction in parking lot runoff and improvement of water quality, and/or an overall reduction in the heat island effect of parking lots) may be approved whenever the Director determines that the alternate method equals or exceeds this standard.



2.

Section 8.2, *Mixed Use District*, of the Sandy Springs Zoning Ordinance is hereby amended to read as follows:

SECTION 8.2

MIX MIXED USE DISTRICT

8.2.1. MIX DISTRICT SCOPE AND INTENT. Regulations in this section are the MIX district regulations. Article XIX should be consulted to determine uses and minimum standards for uses allowed by administrative permit or use permit. The MIX district is intended to encourage flexible, innovative and creative concepts in site planning and efficient use of land and to provide a stable multiple use environment that is compatible with surrounding uses. The MIX district is particularly encouraged in areas designated by the Comprehensive Plan Land Use Map as suitable for commercial (including retail, service commercial and office) uses and in living-working corridors.

8.2.2. USE REGULATIONS. The MIX district mandates:

1. A residential component of single family dwellings, duplexes, townhouses, multifamily dwellings or any combination thereof along with at least two (2) of the following for a multi-structure development: retail, service commercial, office or institutional uses; or
2. For a single-structure development, retail, service commercial, office, and/or institutional uses on the ground-level of the building and any other use permitted in subsection A below on the upper levels of the building.

Within the MIX 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. Structures and land may be used for the following purposes:

1. Single family dwelling unit
2. Two (2) family dwelling units
3. Townhouse dwelling units
4. Multifamily dwelling units
5. Rooming house and boarding house
6. Art gallery
7. Assembly hall
8. Car wash, detail shop and/or service stations located inside a parking garage as long as such uses are not visible from the exterior of the parking garage
9. Church, temple or other place of worship
10. Clinics
11. Community center building
12. Nursing home/hospice
13. Dancing school
14. Day care facility
15. Financial establishment/institution
16. Funeral home
17. Group residence/shelter
18. Gymnasium
19. Health club/spa
20. Hospital
21. Hotel/motel
22. Institution of higher learning, business college, music conservatory, and similar institutions
23. Library
24. Museum
25. Office
26. Parking garage/deck
27. Parking lot
28. Personal care home/assisted living
29. Recording studio
30. Research laboratory
31. Retail and/or commercial service establishment
32. Restaurant and/or fast food restaurant
33. Stadium
28. Theater

B. Accessory Uses. Structures and land may be used for uses customarily incidental to any permitted use and the principal dwelling unit may be used for a home occupation. No more than twenty-five percent (25%) of the total floor area of a building may be devoted to storage.

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

8.2.3. DEVELOPMENT STANDARDS.

A. Height Regulations:

A building shall be no higher than sixty (60) feet except when a use permit to exceed the maximum height is approved.

B. Minimum Front Yard:

As specified in zoning conditions

C. Minimum Side Yard:

As specified in zoning conditions

D. Minimum Rear Yard:

As specified in zoning conditions

E. Minimum Development Frontage:

Thirty-five (35) feet

F. Minimum Internal Setbacks, Separations, Landscaping and Buffering Between Uses:

As specified in zoning conditions

G. Minimum Lot Area:

1. Single family or duplex dwelling unit - As specified in zoning conditions
2. All other uses – Parcels in living-working corridors shall have a minimum parcel size of ten (10) acres.

H. Minimum Lot Frontage for Single Family or Duplex Dwelling Units:

Twenty (20) feet adjoining a street

I. Minimum Lot Width for Single Family or Duplex Dwelling Units:

None, unless specified in zoning conditions

J. Minimum Interior Setbacks for Single Family or Duplex Dwelling Units:

1. Minimum front yard – As specified in zoning conditions
2. Minimum side yard – As specified in zoning conditions
3. Minimum rear yard – As specified in zoning conditions

K. Minimum Building Separations:

All building separations shall be as specified by the International Building Code.

L. Minimum Heated Floor Area Per Dwelling Unit:

As specified in zoning conditions.

M. Minimum Accessory Structure Requirements:

Single family, duplex and townhouse uses – Accessory structures may be located in the rear or side yards only but shall not be located within a minimum yard.

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

N. Minimum Common Outdoor Area:

Twenty percent (20%) of the total site area shall be common outdoor area and shall be maintained by the property owner(s).

O. Pedestrian Connectivity:

All components are required to be interconnected with pedestrian paths constructed of either colored/textured materials or conventional sidewalk materials and clearly identified.

P. Parking:

Subject to the approval of the Director, off-street parking, as required by Article XVIII of this Ordinance, may be reduced and shared parking among uses may be permitted.

8.2.4. OTHER REGULATIONS. The headings below contain some additional, but not necessarily all, provisions applicable to the MIX 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

3.

Section 12B.8., *Main Street District Standards*, of the Sandy Springs Zoning Ordinance is hereby amended to read as follows:

12B.8. MAIN STREET DISTRICT STANDARDS.

12B.8. A. Parking

12B.8.A. Parking Spaces			
	Land Uses	Minimum Number	Maximum Number
A.1.	Retail commercial	1.5 spaces/1,000 gsf	5 spaces/1,000 gsf
A.2.	Office	1.0 space/1,000 gsf	4 spaces/1,000 gsf
A.3.	Restaurant	1.5 spaces/1,000 square feet.	10 spaces/1,000 square feet.
A.4.	Multi-Family Residential	One (1) space per dwelling unit	2.25 spaces per dwelling unit
The minimum standards are available to properties which comply with the streetscape standards and have pedestrian access to the street.			

5. All parking, except residential, shall be shared.
6. Parking spaces are permitted off-site per Article 18.
7. Parking areas are not permitted between the sidewalk and the front of the building.

4.

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

5.

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.

6.

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.

7.

This Ordinance is effective May 15, 2012; and

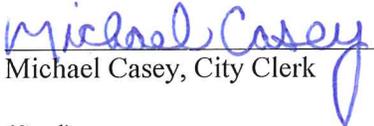
APPROVED AND ADOPTED this the 15th day of May, 2012.

Approved:



Eva Galambos, Mayor

Attest:



Michael Casey, City Clerk

(Seal)

