



To: John McDonough, City Manager

From: Blake J. Dettwiler, AICP, Director of Community Development *BD*

Date: October 26, 2010 for Submission onto the November 2, 2009 City Council Work Session

Subject: Proposed TA10-015, An Ordinance to Amend Article 10, Industrial District Regulations, of the Sandy Springs Zoning Ordinance

Please find enclosed a proposed text amendment to Article 10, Industrial District Regulations, with corresponding mark-up.

Background:

Staff has had issues regarding the City's Zoning Ordinance. Therefore, it has been determined that the Zoning Ordinance should be reviewed in its entirety to ameliorate these issues and provide clarification of the current text.

Discussion:

Staff has determined to revise Article 10, Industrial District Regulations of the City's Zoning Ordinance as part of the comprehensive overhaul of the ordinance.

Planning Commission Recommendation:

The Planning Commission heard the amendment at the October 21, 2010 meeting and recommended approval as presented by staff (6-0, Thatcher, Pond, Maziar, Rubenstein, Rupnow, and Tart for; Duncan not voting).

Alternatives:

The City Council could choose to not recommend the changes prepared by staff.

cc: Wendell K. Willard, City Attorney

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~~ **section** are the M-1A ~~District~~ **district** regulations. Article XIX should be consulted to determine uses and minimum standards for uses allowed by ~~Administrative~~ **administrative** ~~Permits~~ **permits** or ~~Use~~ **use** ~~Permits~~ **permits**. The M-1A ~~District~~ **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~~ **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.**

~~Any use not specifically designated as prohibited or allowed with approval of a Use Permit shall be permitted.~~

A. ~~A.~~ Prohibited Uses. ~~Structures and~~ **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~~ **distillation**
2. Dwelling
3. Fat ~~Rendering~~ **rendering**
4. Incinerator
5. Manufacturing of ~~acetylene gas, acid, ammonia, asphalt, bleaching powder, brick, cement, chlorine gas, coal tar, explosives, fertilizers, 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~~ **extraction**
7. Slaughter ~~House~~ **house**
8. Smelting
9. Stockyard
10. Storage of ~~explosives,~~ **or** animal hides
11. Truck ~~Terminal~~ **terminal**
12. Blast ~~Furnace~~ **furnace**
13. Boiler ~~Works~~ **works**
14. ~~Ore~~ ~~Reduction~~ **reduction**
15. Rolling ~~Mill~~ **mill**

- 16. Tanning
- 17. Tar ~~Distillation~~ **distillation**
- 18. Landfill, ~~Inert inert Waste-waste Disposal~~ **disposal**
- 19. Landfill, ~~Solid-solid Waste-waste Disposal~~ **disposal**
- 20. Private ~~Correction~~ **correction Facility**

B. ~~_____~~ Accessory Uses. ~~Structures and~~ **A building or** land may be used for uses customarily ~~i~~ 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.

~~Height Regulations. No structure shall exceed the higher of 4 stories or sixty (60) feet in height except as approved pursuant to Article XIX.~~

~~B. Minimum Front Yard - 30 feet~~

~~C. Minimum Side Yard - None. See Section 4.23 for buffer and landscape requirements.~~

~~D. Minimum Rear Yard - None. See Section 4.23 for buffer and landscape requirements.~~

~~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 - 35 feet adjoining a street~~

~~H. Maximum Lot Coverage - The area of the footprint of all buildings shall not exceed 70 percent 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 ~~of the Department of Community Development~~ and the Director of Public Works for classification.
2. Buildings having walls over **twenty-five (25)**~~25~~ feet high may be given special material percentages by the Director ~~of the Department of Community Development~~ and the Director of Public Works.

10.1.5. NUISANCE PROVISIONS. The following provisions are intended to promote compatibility of the M-1A ~~District~~**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 ~~Sandy Springs~~**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~~**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**
~~Development Regulations, Article XXXIV~~
~~Exceptions, Section 4.3~~

~~Floodplain Management. Section 4.24~~
~~Off Street Parking and Loading. Article XVIII~~
~~Outside Storage. Section 4.2~~
~~Landscape Area and Buffer Regulations. Section 4.23~~
~~River Protection. Metropolitan River Protection Act~~
~~Signs. Article XXXIII~~

- 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~~**section** are the M-1 ~~District~~**district** regulations. Article XIX should be consulted to determine uses and minimum standards for uses allowed by ~~Administrative~~**administrative Permits permits** or ~~Use~~**use Permitspermits**. The M-1 ~~District~~**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~~**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.**
~~Any use not specifically designated as prohibited or allowed with approval of a Use Permit shall be permitted.~~

A. Prohibited Uses. A building or ~~Structures and~~land may be used for manufacturing, processing, warehousing, distribution, research, office and similar uses except as enumerated below or in Article XIX.

~~A. Prohibited Use~~

1. Blast ~~f~~**Furnace**
2. Boiler ~~Works~~**works**
3. Bone ~~Distillation~~**distillation**
4. Dwelling
5. Fat ~~Rendering~~**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~~**extraction**
9. Ore ~~Reduction~~**reduction**
10. Rolling mill
11. Slaughter ~~House~~**house**
12. Smelting
13. Stockyard
14. Storage of:— explosives, **or** animal hides

- 15. Tanning
- 16. Tar ~~Distillation~~ **distillation**
- 17. Truck ~~Terminal~~ **terminal**
- 18. Landfill, ~~Solid-solid Waste-waste Disposal~~ **disposal**

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

D. 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

Height Regulations

~~Whenever uses or structures permitted in the M-1 District adjoin a Dwelling District, structures shall be set back at least 12 additional feet for each foot of height in excess of 50 feet.~~

~~Otherwise, no structure shall exceed the higher of 8 stories or 100 feet in height.~~

~~B. Minimum Front Yard 40 feet~~

~~C. Minimum Side Yard None. See Section 4.23 for buffer and landscape requirements.~~

~~D. Minimum Rear Yard None. See Section 4.23 for buffer and landscape requirements.~~

~~E. Minimum Lot Area None~~

~~F. Minimum Accessory Structure Requirements~~

~~Accessory structures shall not be located within the minimum front yard.~~

~~G. Minimum Lot Frontage 35 feet adjoining a street~~

10.2.4. OTHER REGULATIONS. The headings below contain provisions applicable to the M-1 ~~District~~**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

~~Development Regulations. Article XXXIV~~

~~Exceptions. Section 4.3~~

~~Floodplain Management. Section 4.24~~

~~Off Street Parking and Loading. Article XVIII~~

~~Outside Storage. Section 4.2~~

~~Landscape Area and Buffer Regulations. Section 4.23~~

~~River Protection. Metropolitan River Protection Act~~

~~Signs. Article XXXIII~~

- 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~~**district** regulations. Article XIX should be consulted to determine uses and minimum standards for uses allowed by ~~Administrative~~**administrative Permits permits** or ~~Use-use~~**Permitspermits**. The M-2 ~~District~~**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~~**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.**
~~Any use not specifically designated as prohibited or allowed with approval of a Use Permit shall be permitted.~~

A. Prohibited Uses. ~~Structures and~~**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.

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

1. Blast ~~Furnace~~**furnace**
2. Bone ~~Distillation~~**distillation**
3. Dwelling
4. Explosives ~~Storage~~**storage**
5. Fat ~~Rendering~~**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~~**house**
9. Smelting

10. Stockyard

- B. Accessory Uses. ~~Structures and~~ **A building or** land may be used for uses customarily incidental to any permitted use.
- E. **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.

D. **Minimum Front Yard:**

Forty (40) feet

E. **Minimum Side Yard:**

None

E. **Minimum Rear Yard:**

None

G. **Minimum Lot Area:**

None

H. **Minimum Accessory Structure Requirements:**

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

H. **Minimum Lot Frontage:**

Thirty-five (35) feet adjoining a street

~~A. Height Regulations~~

~~Adjoining a Dwelling District — Any part thereof shall be set back 12 feet from the required yard lines for each foot of height in excess of 50 feet. Otherwise, no structure shall exceed the higher of 8 stories or 100 feet in height.~~

~~B. Minimum Front Yard — 40 feet~~

~~C. Minimum Side Yard — None. See Section 4.23 for buffer req. adjoining residential.~~

~~D. Minimum Rear Yard — None. See Section 4.23 for buffer req. adjoining residential.~~

~~E. Minimum Lot Area — None~~

~~F. Minimum Accessory Structure Requirements~~

~~Accessory structures shall not be located within the minimum front yard.~~

~~G. Minimum Lot Frontage — 35 feet adjoining a street~~

10.3.4. OTHER REGULATIONS. The headings below contain provisions applicable to uses allowed in the M-2 ~~District~~**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

~~Development Regulations, Article XXXIV~~

~~Exceptions, Section 4.3~~

~~Floodplain Management, Section 4.24~~

~~Off Street Parking and Loading, Article XVIII~~

~~Outside Storage, Section 4.2~~

~~Landscape Area and Buffer Regulations. Section 4.23
River Protection. Metropolitan River Protection Act
Signs. Article XXXIII~~

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