

**ARTICLE 22**  
**E - COMMERCE AND LOGISTICS OVERLAY**

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**Sec. 22-1. E-Commerce and Logistics Overlay Established.**

The City hereby establishes an Overlay District to the Unified Development Code for the purpose of incentivizing the development and redevelopment of targeted annexation areas, designated redevelopment areas (per the Comprehensive Plan) and other areas as may be identified by action of the Mayor and Council.

**Sec. 22-2. E-Commerce and Logistics Overlay Uses and Definitions.**

*E-Commerce Retail Uses:* E-Commerce Retail Uses are established to provide locations for retail uses closely associated with e-commerce as well as other e-commerce related uses such as Alcohol Delivery to individuals in accordance with O.C.G.A. § 3-3-10, Catalog showrooms, general merchandise (except catalog mail-order), Commercial Banking, Couriers and Express Delivery Centers/Facilities, Electronic Vehicle Charging Stations, Local Messengers and Local Delivery Centers/Facilities, Private Mail Centers, Safe Exchange Zones, Shared Workspaces/Coworking Spaces including limited food and beverage sales, Breweries, wineries and distilleries provided that such use shall meet or exceed any applicable county, state or federal law on alcohol, Parcel Delivery Lockers provided no structure exceeds 2,500 square feet, Small cell wireless facilities and antennas which are subject to permitting regulation under the Georgia Streamlining Wireless Facilities and Antennas Act., O.C.G.A. title 36, chapter 66C.

*E-Commerce Business Park Uses:* E-Commerce Business Park Uses are established to provide locations for e-commerce enterprises and office uses and business to consumer logistics uses such as Couriers and Express Delivery Services, Data Processing, Hosting, and Related Services, Electronic Shopping and Mail-Order Houses, Electronic Vehicle Charging Stations, Financial Transactions Processing, Reserve, and Clearinghouse Activities, Freight Transportation Arrangement, General Freight Trucking, General Warehousing and Storage, Local Messengers and Local Delivery, Refrigerated Warehousing and Storage, Shared

Workspaces/Coworking Spaces including limited food and beverage sales, Telephone Call Centers, Virtual Kitchens, Fuel storage for on-site use of vehicles and equipment provided that any fuel storage over 600 gallons must be permitted through the State Fire Marshall, Small Cell Wireless Facilities Small cell wireless facilities and antennas which are subject to permitting regulation under the Georgia Streamlining Wireless Facilities and Antennas Act., O.C.G.A. title 36, chapter 66C.

*Advanced Manufacturing Logistics Uses:* Advanced Manufacturing Logistics Uses are established to provide locations for limited industrial compatible and light manufacturing uses such as Aerospace Product and Parts Manufacturing, Other Transportation Equipment Manufacturing as listed in NAICS Code 336999, Apparel Manufacturing, Computer and Electronic Product Manufacturing, Computer Systems Design and Related Services, Corporate or administrative offices for any permitted uses within this district which may allow ancillary uses including food, infirmary, fitness centers and childcare, Data Processing, Hosting, and Related Services, Electronic Vehicle Charging Station, Fluid Power Pump and Motor Manufacturing, Fuel storage for on-site use of vehicles and equipment, Furniture and Related Product Manufacturing, General Freight Trucking, General Warehousing and Storage, Glass and Glass Product Manufacturing, Medical Equipment and Supplies Manufacturing, Pharmaceutical and Medicine Manufacturing, Refrigerated Warehousing and Storage, Scientific Research and Development Services excluding any biohazards, Trucking terminals, independently operated, Small Cell Wireless Facilities Small cell wireless facilities and antennas which are subject to permitting regulation under the Georgia Streamlining Wireless Facilities and Antennas Act., O.C.G.A. title 36, chapter 66C.

**Sec. 22-3. Procedures For Utilizing E-Commerce and Logistics Overlay.**

- (a) An application to establish an E-Commerce and Logistics Overlay District in accordance with Sec. 22-1, may be initiated by the governing body, or by any person, firm, corporation or agency, provided said individual, firm, corporation or agency is the owner or owner's agent of the property for which an amendment is sought.
- (b) If any new construction, new use, or alteration of the site is proposed, applications to utilize the E-Commerce and Logistics Overlay District shall include a sketch plan, which may be prepared by the applicant, a professional engineer, a registered land surveyor, a landscape architect, a land planner or any other person familiar with land development activities. The sketch plan shall be drawn to an engineering scale on a boundary survey of the tract or on a property map showing the approximate location of the boundaries and dimensions of the tract and shall at minimum include on the information specified in this section. The community development director may waive one or more of the requirements of this section in individual cases when he/she determines that one or more elements of the required information specified in this section are not essential to the review process.
- (c) Name, address, telephone number and e-mail address of the property owner, and of the applicant if different from the property owner;
- (d) If drawn on a boundary survey, the date of survey and source of data;
- (e) Date of sketch plan drawing, and revision dates, if applicable;
- (f) North arrow and graphic engineering scale;

- (g) Location (land district and land lot, address, and tax map and parcel number) and size of the property in acres (or in square feet if less than an acre);
- (h) Vicinity map, showing the property in relation to the surrounding area with regard to well-known landmarks such as arterial streets or railroads. Vicinity maps may be drawn in freehand and at a scale sufficient to show clearly the information required. U.S. Geological Survey maps at a scale of 1 inch equals 2,000 feet may be used for vicinity maps.
- (i) Zoning district classification of the subject property and all adjacent properties;
- (j) Man-made features within and adjacent to the property, including existing streets and names, city limit lines, and other significant information such as location of bridges, major utility lines, existing buildings and structures to remain, and other features as appropriate to the nature of the request;
- (k) The proposed project layout, including the approximate location of all buildings, and the location of all minimum building setback lines, outdoor storage areas, buffers, parking areas, driveways, and approximate location of proposed storm water detention facilities;
- (l) Proposed use or uses of the property, including for special use applications such pertinent operating characteristics as hours of operation, outdoor activities, and lighting;
- (m) A statement as to the source of water supply and the provision for sanitary sewage
- (n) disposal;
- (o) Other information as may be required by the community development director.

**Sec. 22-4. Criteria for E-Commerce and Logistics Overlay Decisions.**

Applications for E-Commerce and Logistics Overlay Districts shall provide a written analysis demonstrating that the application is consistent with incentivizing the development and redevelopment of targeted annexation areas, designated redevelopment areas (per the Comprehensive Plan) and other areas as may be identified by action of the Mayor and Council in accordance with the following:

- (a) Whether the overlay use is consistent with the stated purpose of the zoning district in which it will be located as well as applicable Comprehensive Plan policies;
- (b) Whether the establishment of the overlay use will impede the normal and orderly development of surrounding property for uses predominate in the area;
- (c) Whether the location and character of the proposed overlay use are consistent with a desirable pattern of development in general;
- (d) Whether the type of street providing access to the use is or will be adequate to serve the proposed overlay use;
- (e) Whether access into and out of the property is or will be adequate to provide for traffic and pedestrian safety, the anticipated volume of traffic flow, and access by emergency vehicles;
- (f) Whether public facilities such as schools, water or sewer utilities, and police or fire protection are or will be adequate to serve the overlay use;

(g) Whether refuse, service, parking and loading areas on the property will be located or screened to protect other properties in the area from such adverse effects as noise, light, glare or odor;

(h) Whether the hours and manner of operation of the overlay use will have adverse effects on other properties in the area; and

(i) Whether the height, size or location of the buildings or other structures on the property are or will be compatible with the height, size or location of buildings or other structures on neighboring properties.

**Sec. 22-5. Administrative Processing of E-Commerce and Logistics Overlay Applications.**

The community development director is hereby authorized to establish administrative deadlines for the receipt of applications specified in this division. Upon a finding by the community development director that an application is complete and complies with the requirements of this division and administrative deadlines, the application shall be marked received and approved for initiation, and the date of such consideration shall be indicated in the file of the application.

**Sec. 22-6. Investigations and Recommendation.**

(a) The community development director may send the application out for review by internal municipal departments and external agencies as may be appropriate (i.e., inter-agency review). Any written comments received in a timely manner shall be submitted to the applicant and governing body for consideration, and any such comments shall become an official public record.

(b) The community development director or designee shall investigate and make a recommendation regarding any or all of the relevant matters concerning the application. Any such investigation and recommendation shall if in writing be made available to the applicant, and governing body prior to public hearings and shall become an official public record.

**Sec. 22-7. Public Hearing Notice – Newspaper.**

To incentivize the development and redevelopment of targeted annexation areas, designated redevelopment areas (per the Comprehensive Plan) there shall be no required public hearing by the Planning Commission. There shall however, be a public hearing required (by Mayor and City Council) for all applicants seeking to utilize the E-Commerce and Logistics Overlay District.

(a) Mayor and City Council. At least 15 but not more than 45 days prior to the date of the public hearing before the governing body, the city shall cause to be published within a newspaper of general circulation within the City a notice of the public hearing before the governing body. The notice shall state the time, place, and purpose of the public hearing and shall include the location of the property. The notice shall also include the existing zoning classification and a summary of the E-Commerce and Logistics uses proposed within the Overlay District application.

**Sec. 22-8. Public Hearing Notice – Sign on Property.**

(a) Requirement and locations. The applicant shall be required to post and maintain signs supplied by the City on or near the right-of-way of the nearest public street, so as to be visible from the street for at least 15 days and not more than 45 days immediately preceding the date for the governing body's public hearing on the Overlay District application. One such sign shall be placed in a conspicuous location along each street frontage of the property for which the Overlay District approval has been requested. If the

property has no street frontage, the sign shall be placed on each street where access to the property will be gained.

(b) Content. The sign providing notice shall state the time, place, and purpose of the public hearing and shall include the location of the property.

(c) Time period. It is the responsibility of the applicant to post the signs and to maintain the signs during the posting period. Said signs pertaining to the governing body's public hearing shall remain posted until a final decision by the governing body has been rendered.

(d) Consequences of non-maintenance. Failure to post and maintain the signs continuously may prohibit consideration of the application at any scheduled public hearing. In the event the signs are not posted continuously, the City, in its sole discretion, may require the reposting and readvertising prior to any future public hearing, for which the applicant shall pay an additional readvertising fee. The City may also in its sole discretion, continue, hold, approve, or dismiss the application. Any dismissal under the provisions of this paragraph shall be without prejudice.

**Sec. 22-9. Public Hearing Notice – Surrounding Property Owners.**

(a) Prior to the public hearing before the planning commission, the applicant may be required by the community development director to mail a notice to all persons owning property located in whole or in part within 200 feet of any portion of the property that is the subject of the Overlay District.

(b) The written notice, if provided, is to be mailed to the property owners as such names and addresses appear on the County's current ad valorem tax records.

(c) The notice if provided shall state the time, place, and purpose of the public hearing before the governing body and shall include the location of the property. In addition, the notice if provided shall include a page size copy of the sketch plan submitted with the application.

(d) When required to provide notices per this section, the applicant shall submit an affidavit to the community development director or designee certifying the date that the notices were mailed.

**Sec. 22-10. Recommendation and Decision.**

(a) Governing Body decision. Within 65 calendar days of the date of its public hearing, the governing body shall render a decision on the application for the Overlay District. This time limit may be extended if the applicant consents to extend the time frame. The governing body may approve or disapprove the proposed Overlay District use as applied for and may also reduce the boundaries of the area pertaining to the Overlay District less than that requested by the applicant. In rendering a decision on any such application, the governing body shall consider all information supplied by the applicant, community development director, and other interested parties.

(c) Mayoral Veto. The mayor shall have four business days after the date at which the governing body rendered a decision to file with the city clerk in writing his/her veto. Any Overlay District application regarding which a veto has been filed may be heard again at a public hearing to be held no later than 60 days from the date of the meeting which the governing body acted on the application for the Overlay District. For said hearing, the application shall be republished and posted as described in this section.

**Sec. 22-11. Withdrawal of Application.**

(a) Prior to public notice. If a request for withdrawal is received prior to the publication of notice for a public hearing, the application shall be withdrawn administratively by the community development director without restriction on the refiling of an Overlay District application on the property in the future, as described in this section.

(b) After public notice. If notice has been published or is irretrievably set for publication but the Overlay District application has not been heard by the governing body, the application shall be withdrawn administratively by the community development director, provided that: the applicant shall mail written notice of the withdrawal to the property owners previously notified and shall submit an affidavit to the community development director listing the property owners and certifying the date that the notices were mailed.

**Sec. 22-12. Amendments to Stipulations or Site Plan Specific Approvals.**

(a) On any approved Overlay District which is conditioned upon a site plan or upon a stipulation or stipulations, proposed minor modifications which do not alter or conflict with the basic intent of the plan may be approved by the Community Development Director if the minor modification does not:

1. Reduce the size of an approved buffer adjacent to property that is zoned the same or in a more restrictive zoning district.
2. Relocate a structure closer to the property line of an adjacent property that is zoned the same or in a more restrictive zoning district.
3. Increase the height of a building that is adjacent to property that is zoned the same or in a more restrictive zoning district.
4. Change access location to a different roadway or alter storage areas or freight/product loading areas.
5. Increase the total building square footage proposed.

Exhibit 1. Addendum for informational purposes.

eCommerce and Logistics Overlay proposed for Professional Employment Centers and Community Activity Centers (In addition to what is mentioned in 22-1) as shown on the proposed future land use map from the pending comprehensive plan update. Interactive Future Land Use Map available at <https://tsw.mysocialpinpoint.com/springsinmotionupdate/map#/>

