

Sec. 2--1. E-Commerce and Logistics Overlay Established.

(a) Purpose

The City E-Commerce and Logistics Overlay District is established for the purpose of incentivizing the development and redevelopment of targeted annexation areas, ~~designated redevelopment areas~~ Professional Employment Centers, Commercial Corridors (per the Comprehensive Plan) and other areas as may be identified by action of the Mayor and Council.

(b) Definitions

E-Commerce Retail Uses (For Areas Recommended via the Comprehensive Plan as Professional Employment Centers and Commercial Corridors): 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 (For Areas Recommended via the Comprehensive Plan as Professional Employment Centers and Commercial Corridors): 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 (Limited to Only Areas Recommended via the Comprehensive Plan as Professional Employment Centers): 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.

(c) Minimum Design Requirements

- a. All projects must be reasonably consistent with the goals and intents of the City of Powder Springs Comprehensive Plan.
- b. Within this Overlay, the City Council may approve alternatives standards to those in the Unified Development Code for lot sizes, lot widths, building setbacks, densities, parking requirements, right-of-way widths, street widths, buffers, and other components.
- c. The City will not consider variances to standards or regulations of other regulating jurisdictions, such as erosion control regulations, fire codes, floodplain control, stream buffers, or other similar regulations, without the express written consent and approval of applicable jurisdiction. Furthermore, said consent shall not guarantee nor require the City to waive any or all requirements.

(d) Uses Permitted (Please refer to Table 2-3 for enumerated permitted uses).

All uses permitted shall be as determined by City Council at the time of project review and approval generally consistent with the definitions established for E-Commerce Retail Uses, E-Commerce Business Park Uses and Advanced Manufacturing Logistics Uses.

(e) Off-Street Parking and Loading

Adequate off-street parking and loading areas shall be provided as regulated in Article 6 of the Unified Development Code. However, reductions in total parking requirements is strongly encouraged. The sharing of off-street parking areas between and the use of adjacent on-street parking to satisfy requirements is permitted by right. The use of porous alternative parking areas is allowed and encouraged where appropriate.

(f) Landscaping

Landscaping shall be consistent with the minimum requirements as established in the Unified Development Code. The preservation of mature trees and tree stands is strongly encouraged.

(g) Underground Utilities

All on-site utilities shall be installed underground. Large transformers shall be placed on the ground within pad mounts, enclosures or vaults. The developer shall provide adequate landscaping to screen all above-ground facilities.

(h) Environmental Considerations

Protections of wetlands, creeks and streams and compliance with floodplain requirements should be provided in accordance with Article 9 of the Unified Development Code.

(i) Application Procedures

A. The following procedures, applications and exhibits are required for project approval in the E-Commerce and Logistics Overlay:

i. Before submitting an application for consideration under the Overlay, the applicant shall confer with the Community Development Department to determine the feasibility for the proposed plan and its relationship to the City's Comprehensive Plan, ~~Redevelopment Areas and Targeted Annexation Areas.~~

ii. Any plan or exhibit as part of an application shall certify that the services of two (2) or more of the following professionals were utilized in the design or planning process:

1. A planner who is a member of the American Institute of Certified Planners;
2. A landscape architect registered by the State of Georgia;
3. An architect licensed by the State of Georgia; and/or
4. A professional civil engineer registered by the State of Georgia.

~~iii.~~ No Fees shall be required at the time of submittal of an application provided that the Community Development Director has confirmed the proposed plan's relationship to the City's Comprehensive Plan, ~~Redevelopment Areas and Targeted Annexation Areas.~~

iv. All shall include the following information on the site development plan and supporting documents:

1. A recent (less than two years) boundary survey with north arrow and
2. scale.
3. A full legal description of the property with attached copies of any instruments referred to such as deeds, plats, covenants or restrictions.
4. The names and addresses of the owners of the property to be considered and evidence of unified control of the property.
5. The names and addresses of all adjoining property owners.

6. The total area of the site in acres and square feet.
7. A map indicating the location, arrangement and dimensions of the following existing features within and immediately adjacent to the property: Vegetation including tree preserve areas, state waters, land uses, buildings, structures, utilities, drainage ways, easements, public street rights-of-way, railways, floodplains, and property lines.
- ~~8. A statement as to how the proposed project conforms to the City's adopted Comprehensive Plan, ~~Redevelopment Areas and Targeted Annexation Areas.~~~~
9. Plans showing the location, arrangement and dimensions of all proposed land uses, including the number of floors per building; the height of all non-residential buildings above finished grade; building setbacks from perimeter boundaries and from public rights-of-way; a proposed traffic circulation plan showing the location and dimensions of all streets, driveways, walkways, bikeways, parking spaces, and loading areas; and all proposed common elements including utilities, open spaces and recreation areas.
10. A plan or statement showing the manner of improving common elements, together with provisions, restrictions and conditions anticipated for the use, maintenance, and operation of such common elements.
11. A statement, in tabular form, of the anticipated gross floor area devoted to business or other nonresidential uses.
12. Proposals for providing preliminary storm water drainage and on-site retention areas and at the City's discretion may include rough calculations, approximate size of retention areas, methods of pollutant removal, location of berms, swales, culverts and sewers, anticipated finished grades, and proposed slopes and grades adjacent to bodies of water
13. An architectural sketch or sketches of typical proposed structures.
14. Proposed streetscape sections along existing and new streets.
15. Property owner authorization.
16. Campaign disclosures.

B. With input from Community Development and Economic Development staff, the Planning Commission and DAPS shall make a recommendation to the City Council.

- C. Upon receiving the recommendation of the Planning Commission and DAPS, the City Council shall, at a Public Hearing, review said recommendation and proposed project. The City Council may then approve, approve subject to conditions, or disapprove the application. Any and all variances to the City's UDC shall be outlined in stipulations and illustrated on the Site Plan adopted by the City. In the event the consideration is approved by the City Council, the site development plan shall be certified by the City and said certified copy shall be filed as a permanent record. Without exception, the approved plan shall be binding upon all existing and future owners and assigns.

- D. After approval of a site plan, no permits shall be issued and no development shall commence unless in conformance with the approved site development plan, unless a change or deviation is approved by the City.

- E. The Community Development Director may approve minor changes and deviations from the approved site development plan which are in compliance with the provisions and intent of this article, and which do not depart from the principal concept of the approved site development plan. Should the Director determine that a requested change or deviation from the approved site development plan does not comply with the provisions and intent of this article or departs from the principles and recommendations of the approved Comprehensive Plan, ~~Redevelopment Areas and Targeted Annexation Areas~~, the applicant may apply for approval of such change or deviation to the City Council as a Plan Amendment.

- F. If no construction has been initiated or no use established within an approved E Commerce and Logistics Overlay area within eighteen (18) months from time of project approval, the approved site development plan shall lapse and become null and void until the plan is resubmitted for approval or a new site plan is approved as a Plan Amendment. Resubmittal for a site development plan that has lapsed within eighteen (18) shall require a complete rezoning application fee as described in this Unified Development Code with all required fees, public hearings and advertising requirements.

[Secs. 2-32 to 2-40 Reserved].