

P&Z Review: 07/18/12
Public Notice: 07/18/12
Public Hearing: 08/06/12
Ord. No.: 010-12

AN ORDINANCE TO AMEND APPENDIX A (“ZONING”) OF THE TOWN CODE OF THE TOWN OF SMYRNA BY AMENDING SECTION 5 (“DISTRICT REGULATIONS”) BY INSERTING A NEW SUBSECTION 20 “LIMITED MANUFACTURING (LM)”

BE IT HEREBY ENACTED by the Town Council of the Town of Smyrna, a majority thereof concurring in Council duly met, that the Town Code of the Town of Smyrna be and hereby is amended as follows:

Section 1. Amend Appendix A (“Zoning”) of the Town Code of the Town of Smyrna, section 5 (“District Regulations”), by inserting a new subsection 20 “Limited Manufacturing (LM)” as follows:

20. Limited Manufacturing (LM).

A. *Intent.* The Limited Manufacturing (LM) zoning district is composed of land and structures occupied by or suitable for light manufacturing, wholesaling and similar uses. Limited Manufacturing (LM) zoning district regulations are designed to permit a range of light manufacturing activities with few off-site impacts from noise, smoke, waste, odor and other features adversely effecting, adjacent residential, commercial and institutional/recreational districts.

B. *Permitted Uses.* The following uses are permitted when the manufacturing, compounding or processing is conducted entirely within a completely enclosed structure. Where adjacent to residential districts, the buffer shall include, at installation and approved by the Town of Smyrna, landscape screening not less than six feet high. All landscaping shall be properly maintained throughout the life of any use on the lot. That portion of the land with open storage facilities for materials or equipment used in the manufacturing, compounding, final product storage or processing shall be totally obscured by a six-foot wall and/or barrier of suitable material on those sides abutting any residential, commercial or institutional/recreational district or right-of-way.

1) Industrial establishments:

- a) The assembly, fabrication, manufacture, packaging or treatment of such products including but not limited to the following previously prepared materials: bone, canvas, cellophane, cloth, cork, felt fiber, glass, horn, leather, paper, plastics, clay, precious or semi-precious metals or stones, sheet metal, shell, textiles, wax, wire, wood (excluding saw and planing mills) and yarns.

b) Metal working machines and equipment; manufacturing of tools, dies, jigs, and fixtures; musical instruments, electrical instruments, appliances; electronics; ceramics.

2) Retail sale of products manufactured or processed on the premises

3) Public utility uses: All uses related to the provision of public utilities including, but not limited to, renewable energy facilities (such as solar power), electric transformer stations and substations, electric transmission towers, municipal buildings and uses, gas regulators, municipal utility pumping stations, and other uses related to sewer and water utility services.

4) Accessory uses and buildings customarily incidental to the above.

C. *Performance Standards.* All uses permitted within this section shall comply with the limitations and requirements including but not limited to the performance standards in Section 6(9) of this ordinance, including expansion of existing industrial uses. Particularly sensitive to:

1) Vibration. Any industrial operation or activity which shall cause, at any time and at any point along the nearest adjacent lot line, excessive noise or earth borne vibration is hereby declared to be a public nuisance, and shall be prohibited in a Limited Manufacturing (LM) zoning district.

2) Air pollution. The emission from any operation of smoke, particulate matter, toxic matter, or noxious and odorous matter, in such manner or quantity as to be detrimental to, or endanger the public health, safety, welfare, or reasonable comfort, is hereby declared to be a public nuisance, and shall be prohibited in a Limited Manufacturing (LM) zoning district.

3) Humidity, glare, or heat. Any operation producing excessive humidity in the form of steam or moist air, or producing intense glare or heat, shall be performed within an enclosure and in such a manner as not to be perceptible at or beyond any lot line. Exposed sources of light shall be shielded so as not to create a nuisance across lot lines.

D. *Prohibited Uses.* All prohibited uses expressly identified in Section 5(14), Industrial/Office/Research Park (IORP) zoning district shall apply to the Limited Manufacturing (LM) zoning district. Including but not limited to:

1) Storage of explosives, bulk or wholesale storage of gasoline, propane gas, natural gas or other highly flammable or highly combustible gases or liquids above ground; provided however, that the storage of ammunition, gasoline, propane gas, paints, paint thinners, aerosols, and/or other highly flammable or

highly combustible gases or liquids above ground shall not be considered "bulk or wholesale storage" whenever such products or commodities have been placed in the individual packages or containers in which they will ultimately be offered for retail sale to individual consumers. That such individually packaged or contained products or commodities are stored on pallets, flats, crates, boxes, or shelves in large quantities for shipment to retail stores shall not render them as "bulk or wholesale storage"; and further provided that the storage of ammunition under the circumstances described in the preceding proviso shall not be considered the "storage of explosives."

E. *Parking*

Parking shall be in accordance with Section 6, Supplementary district regulations.

F. *Minimum Requirements*

- 1) Minimum lot area, none.
- 2) Minimum lot width, none.
- 3) Minimum lot depth, none.
- 4) Maximum height, three stories, 45 feet.
- 5) Minimum front yard setback, 30 feet.
- 6) Minimum side yard setback, 30 feet.
- 7) Minimum rear yard setback, 30 feet.
- 8) Maximum lot coverage, 80%.
- 9) There shall be a landscaped buffer area of not less than ten feet wide, included in the setback requirement, along all tract property lines.

G. *Special Exceptions*

The following uses are permitted only if approved as a special exception pursuant to Section 9(2) of this ordinance:

- 1) Retail and service establishments
- 2) Other uses determined by the Board of Adjustment to be compatible with the principal permitted uses and special land uses of the district and would not violate the intent of the Limited Manufacturing (LM) zoning district.

SYNOPSIS

This ordinance adds a new subsection 20 "Limited Manufacturing (LM)" and outlines the intent, permitted uses, performance standards, prohibited uses, parking, minimum requirements,

and special exceptions of the Limited Manufacturing (LM) zoning district.

This will certify that this is a true and correct copy of the Ordinance duly adopted by the Town Council of the Town of Smyrna at its regular Council meeting on _____, 2012.

ATTEST:

Council Secretary

Mayor

This shall certify that the title and synopsis of this Ordinance was published in “The Smyrna/Clayton Sun Times” on _____, 2012 and posted at the Town Hall on _____, 2012.

So Certifies:

Town Clerk

This shall certify that the title, effective date and synopsis of this Ordinance was published in “The Smyrna/Clayton Sun Times” on _____, 2012 and posted at the Town Hall on _____, 2012.

So Certifies:

Town Manager