

27-3.4 DIVISION 40. MOUNTAIN INDUSTRIAL BOULEVARD OVERLAY DISTRICT

3.40.1 Scope of regulations.

This division establishes standards and procedures that apply to any development, use, or redevelopment on any lot or portion thereof which is, in whole or in part, contained within the boundaries of the Mountain Industrial Boulevard Overlay District, hereinafter referred to as the "District."

3.40.2 Applicability of regulations.

This division applies to each application for a permit which involves the development, use, construction, exterior alteration or modification of any structure where the subject property is, in whole or in part, contained within the boundaries of the District. The procedures, standards, and criteria herein apply only to that portion of the subject property within the boundaries of the District. All procedures, standards, and criteria not specifically identified herein shall be as provided by the applicable underlying zoning district regulations. In cases where a conflict exists between the requirements of this District and the underlying zoning district, the requirements of this District shall apply.

3.40.3 Statement of purpose and intent.

The purpose and intent of the mayor and city council in establishing the District is as follows:

- A. To preserve and enhance the long-term economic viability of the Mountain Industrial Boulevard corridor by encouraging investment that increases the tax base and provides employment opportunities to the citizens of the City of Tucker;
- B. To improve the visual appearance and increase property values within the corridor;
- C. To allow flexibility in development standards in order to encourage the design of innovative development projects that set high standards for landscaping, green space, urban design, and public amenities; and
- D. To promote uniform and visually aesthetic architectural features which serve to unify the distinctive visual quality of the corridor.

3.40.4 District boundaries and maps.

The boundaries of the District shall be established by the zoning map which is adopted contemporaneously with the adoption of this division and is hereby incorporated by this reference as if fully set forth herein and is hereby made a part of this chapter 27. Said zoning map amendment shall be maintained by the community development director or designee and shall be available for public inspection in the office of the community development director.

3.40.5 Principal uses and structures.

The uses of land and structures which are allowed in this District as principal, accessory, or by special permit or special land use permit are as provided by the applicable underlying zoning district regulations, subject to the requirements, limitations and standards contained within this division, with the exception of the following:

- A. Special Permits

The following uses and structures shall be authorized only by permits of the type indicated:

- 1. Special land use permit from the mayor and city council.
 - a. Health Spa
 - b. Massage Establishment

**This section was amended by Ordinance 2017-06-69, dated June 28, 2017.*

3.40.6 Prohibited uses.

The following principal uses of land shall be prohibited within the District:

- A. Storage yard for damaged automobiles or confiscated automobiles;
- B. Tire retreading and recapping;
- C. Adult entertainment establishments;
- D. Adult service facility;
- E. Late night establishments;
- F. Extended stay motels;
- G. Title and pawn shops;
- H. Salvage yards/junk yards and automobile wrecking yards, not including recovered material or recycling yards;
- I. Self-service car wash and detailing;
- J. Temporary and portable saw mills;
- K. Mines and mining operations, quarries, gravel pits, and sand pits;
- L. Sewage treatment plants;
- M. Asphalt plants;
- N. Fat rendering and fertilizer manufacture; and
- O. Distillation of bones and glue manufacture.
- P. Parking or storing of trucks and trailers between the hours of 11:00 p.m. to 5:00 a.m., unless such truck or trailer is parked or stored pursuant to an accessory use incidental to the permitted principal use of the land

3.40.7 Architectural regulations.

The following architectural regulations shall apply to all uses and structures within the District.

- A. Building exteriors shall be limited solely to the following materials:
 - 1. Brick or brick veneers;
 - 2. Stone or stone veneers of natural stone such as granite, limestone and marble. Terra Cotta and/or cast stone, which simulate natural stone, are also allowed. Painted stone is not allowed;
 - 3. Pre-cast concrete;
 - 4. Painted concrete block, which may only be used on a side or rear facade that does not face a public right-of-way;
 - 5. Split-face block/concrete masonry unit; and
 - 6. Hard coat stucco and synthetic stucco.
- B. Architectural accents, where utilized, shall consist of metal, non-reflective glass, glass block, natural stone, pre-cast concrete, brick, or terra cotta. Architectural accents shall only cover ten (10) percent of the surface area of each exterior wall. When calculating the ten (10) percent limitation on architectural accents, the surface area covered by a window(s) shall not be used in the calculation.
- C. Service bays for automobile service and repair uses shall be designed or screened so that the openings of service bays are not visible from a public right-of-way.

- D. Chain-link fences shall be screened from the public right-of-way and shall be galvanized or vinyl coated. Uncoated chain-link is prohibited.
- E. Within a front or exterior side yard, the keeping of goods, materials, merchandise, or inoperable vehicles in the same place for more than twenty-four (24) consecutive hours is prohibited.
- F. Within a side yard that adjoins a public right-of-way, the keeping of goods, materials, merchandise, or inoperable vehicles in the same place for more than twenty-four (24) consecutive hours is only permitted when the side yard is fenced, screened, or otherwise screened from view from the public right-of-way.
- G. Outdoor storage that is not prohibited by this section, and outdoor areas housing service areas, trash dumpsters, trash compactors, equipment, or mechanical devices shall be screened so that such outdoor area cannot be seen from any public right-of-way. Screening shall be permitted to include landscaping, and/or fencing and walls with architectural treatment of color and material similar to the building.
- H. Any linear lighting around windows, rooflines, doors, signs or building structures is prohibited. Linear lighting may include, but is not limited to neon tubes, rope lighting, and other similar lighting devices. Linear lighting devices that form letters or words shall be considered signs.

Sec. 3.40.8 Signage

Properties within the District are required to comply with the sign regulations of Chapter 21 of the Code except as follows:

- A. Definitions
 - i. Portable sign shall mean any sign designed to be transported by trailer or by a design element that includes wheels attached to the sign, or wheels attached to the sign but detachable, the removal of such wheels creating an "A" or "T" frame sign that may attach temporarily or permanently to the ground. Portable sign shall also include vehicles with signs painted or mounted thereon that are parked or immobilized in a single location for more than fourteen (14) consecutive days.
 - ii. Sandwich board sign shall mean any sign that rests on the ground that is not anchored or otherwise securely attached thereto.
- B. Prohibited signs:
 - 1. Sandwich board signs are prohibited except within five (5) feet of a building entrance;
 - 2. Banner signs of any size, except as a special event sign.
- C. *Convenience Store and Service Stations.* Convenience store and service stations with pump islands may have one (1) sign per canopy face per public street frontage up to a maximum of thirty-six (36) square feet of total canopy sign space.
- D. *Directional Signs.* Directional signs are permitted up to six (6) feet above the ground.
- E. Non-residential zoning districts.
 - 1. All lots located in non-residential districts not developed as a planned commercial center may display signs as follows:

	Ground Sign	Canopy or Wall Sign	Projecting Sign	Directional Sign	Entrance Sign	Subdivision Sign	Window Sign
Maximum Height	20 ft.	N/A	20 ft. or Height of building	6 ft.	8 ft.	12 ft.	N/A ²
Maximum width	15 ft.	80% of the wall or canopy width	N/A	4 ft.	10 ft.	15 ft.	N/A
Maximum sq. ft.	160 sq. ft.	30 sq. ft. or 2 sq. ft. per linear foot of the wall or canopy, whichever is greater, up to a maximum of 150 sq. ft. for buildings 12 stories or more.	40 sq. ft.	16 sq. ft.	60 sq. ft.	100 sq. ft.	10% of the window space
Maximum number allowed	1/façade (See Note 1)	1/primary façade and 1/secondary façade	1/primary façade and 1/secondary façade	2/authorized curb cut	1/entrance	1/subdivision	N/A

² N/A means not applicable.

	Ground Sign	Canopy or Wall Sign	Projecting Sign	Directional Sign	Entrance Sign	Subdivision Sign	Window Sign
Maximum projection from structure	N/A	6 ft.	2 ft.	N/A	N/A	N/A	N/A
Required setback from electrical transmission lines	10 ft.	N/A	0 ft.	10 ft.	N/A		
Maximum sq. ft.	160 sq. ft.	30 sq. ft. or 2 sq. ft. per linear foot of the wall or canopy, whichever is greater, up to a maximum of 150 sq. ft. for buildings 12 stories or more.	40 sq. ft.	16 sq. ft.	60 sq. ft.	100 sq. ft.	10% of the window space

2. A lot located in a non-residential district developed as a planned commercial center may display signs as follows:

	Ground Sign	Canopy or Wall Sign	Directional Sign	Entrance Sign	Window Sign
Maximum height	20 ft.	N/A	6 ft.	8 ft.	N/A
Maximum width	20 ft.	80% of the wall or canopy width	4 ft.	10 ft.	N/A
Maximum sq. ft.	200 sq. ft.	30 sq. ft. or 2 sq. ft. per linear foot of the wall or canopy, whichever is greater, up to a maximum of 150 sq. ft. for buildings 12 stories or more.	16 sq. ft.	60 sq. ft.	30% of the window space for buildings under 50,000 sq. ft.; 10% of the window area for buildings 50,000 sq. ft. or over
Maximum number allowed	One per façade (See Note 1)	1/primary façade and 1/secondary façade	2/authorized curb cut	1/entrance	N/A
Required setback from electrical transmission lines	10 ft.	N/A	0 ft.	10 ft.	N/A

- 3 Property zoned for non-residential use may have only one (1) ground sign per street that is oriented towards travelers along that same street.
 - 4 The District is exempt from total aggregate sign area requirements in Chapter 21 of this Code.
 - 5 Wood and Flexible plastic are prohibited for use in permanent signs in non-residential zoning districts.
- F. *Special Event Signage.* All special event signs are subject to the requirements of Chapter 21 of the Code, including section 21-21, except that the maximum number of special even sign permits to be issued to a single site or location shall be one (1) per year for a period of time not to exceed thirty (30) days for each permit issued.