

7.8 M-1 Light Industrial Zoning District

The M-1 zone is established to protect and promote a suitable environment for light industrial purposes, including accessibility to major transportation facilities, and availability of adequate utilities and other public services. Industrial uses that cause obnoxious noise, vibrations, smoke, gas, fumes, odor, dust, glare, fire hazards or other objectionable environment conditions are prohibited from this Zoning District. Adult Entertainment Business is prohibited in this district. All property developed under this zoning classification, shall meet the requirements of §7.8.2.

7.8.1 Permitted Uses. Within the M-1 Zoning District, only the following uses are permitted.

- 7.8.1.1 Accessory buildings and accessory uses provided that requirements under §§9.1.1.5 and 9.4 are met.
- 7.8.1.2 Any C-1 or C-2 district permitted use.
- 7.8.1.3 Any establishment for manufacture, repair, assembly or processing of materials which are not objectionable by reason of smoke, dust, odors, bright light, noise or vibrations, or which will not contribute to the congestion of traffic.
- 7.8.1.4 Contractor's storage and equipment yards when located entirely within a building or fenced area as required by §6.7.
- 7.8.1.5 Mini-warehouse provided the mini-warehouse facility is enclosed within a solid fence and an evergreen hedge is planted outside the solid fence. The evergreen hedge should reach a height of 8 feet within 5 years.
- 7.8.1.6 Processing of raw or semi-finished materials.
- 7.8.1.7 Trade shops including sheet metal, roofing, upholstery, electrical, plumbing, cabinet making and carpentry, provided that all operations are conducted entirely within a building which shall not have any opening, other than stationary windows, within 100 feet of any residential Zoning District.
- 7.8.1.8 Utility facilities, provided a complete site development sketch is submitted to and approved by the Hoschton Building Inspector, and a minimum 20 foot planted buffer strip is provided as suitable screening along property lines or within 60 feet of the developed area. (An appropriate planted buffer shall contain vegetation that will attain a height of 20 feet within 3 years.)
- 7.8.1.9 Retail sales of goods or products produced or processed on the site, provided sufficient paved off-street parking and loading space is constructed to accommodate retail customers.
- 7.8.1.10 Signs, provided the requirements of Article X are met.
- 7.8.1.11 Towers provided the requirements of §9.12 are met.

7.8.2 Hoschton Industrial Park

7.8.2.1 Definition of Terms:

1. "Building Site" shall mean any lot, or portion thereof, or two or more contiguous lots or portions thereof or a parcel of land upon which an industrial building or buildings and appurtenant structures may be erected in conformance with the requirements of these covenants.
2. "Improvements" shall mean and include an industrial building or buildings, outbuildings appurtenant thereto, parking area, loading areas, fences, masonry walls, hedges, mass plantings and any structures of any type or kind located above ground.

3. "Building Line or Lines" shall mean the minimum distance which an industrial building and outbuildings or any structure of any type or kind located above ground shall be set back from the property or street lines, and reference is hereby made to the recorded plat of the industrial park in which is located real property hereby subjected to these covenants for the location of such building lines.
4. "Side Building Site Line" shall mean the boundary or property line dividing two adjoining building sites.

7.8.2.2 Prohibited Land Uses. The use of any portion of M-1 zoned property for any of the following purposes is expressly prohibited: rendering plants, poultry processing plants, junk yards, oil storage facilities, cement plants, foundries or any other industry or business which is or becomes a nuisance by reason of the excessive emission of smoke, dust, noise, glare, odor, fumes or vibrations.

7.8.2.3 Temporary Facilities.

Temporary offices, storage sheds, trailers, barricades, fences, and the like will be permitted as necessary during the construction period of a permanent building.

Temporary facilities shall be removed promptly as each becomes no longer required and the area which each facility occupies completely cleaned of all debris, dressed and shaped neatly and temporarily grassed as required to stabilize the soil. No temporary facility shall remain for more than fourteen (14) days after the completion of the building for which they are used unless written permission is granted by the Mayor and Council.

Temporary signs are permitted in accordance with the sign regulations hereinafter set forth.

7.8.2.4 Pollution. No air pollutant or odorous matter shall be discharged or emitted into the atmosphere from any source in such quantities as to be readily detectable at any point beyond the individual tract or lot line to produce a public nuisance or health hazard. Any condition or operation that results in the creation of odors or air pollution of such intensity and character is prohibited.

7.8.2.5 Fire and Explosion. All areas which involve the use and/or storage of flammable explosive material shall be adequately provided with safety and fire-fighting devices as called for in the City of Hoschton Building Code and Fire Prevention Code. No use or storage of flammable and/or explosive material which increases the insurance rates of adjoining property shall be permitted.

7.8.2.6 Radioactive Materials, Explosives and Solid Wastes. Handling and disposing of radioactive materials, and solid wastes shall be in conformance with all State and Federal laws and regulations, as well as regulations and ordinances of the City of Hoschton, as now in existence or as may be hereinafter promulgated.

7.8.2.7 Site Requirements.

Materials resulting from clearing, grubbing and demolition operations and all other debris shall be removed from the site promptly. A development shall not adversely affect the developed or undeveloped neighboring property. Finished grading shall be such as to prevent ponding or washing of water on the site and on adjacent property. All corrugated metal pipe used for storm drainage shall be bituminous coated.

Location of top soil stock piles, borrow pits on site and excess material disposal areas are subject to the approval of the designated representative of the City of Hoschton or Jackson County.

7.8.2.8 Screening.

Screening between loading and parking areas for more than two (2) vehicles and public streets or neighboring property shall be required. Unless specifically approved by the City of Hoschton or its designated representative in writing, no materials, supplies or equipment shall be stored in any area on a site except inside a closed building or behind a visual barrier screening such area so that they are not visible from the neighboring properties or public streets. No woven metal insert fencing will be permitted. When the use of chain link fencing is necessary for security reasons to enclose an approved exterior storage area, this fencing must be behind barrier screening if visible from neighboring properties or public streets.

The screening may be a wall or fence of a material similar and compatible with that of the building or it may consist of a planting, which plants have a minimum height of three (3) feet installed and which will in normal growth attain a height of six (6) to eight (8) feet within three years, with spacing suitable to the particular plant, but which must form an effective visual screen.

7.8.2.9 Maintenance. Each owner and/or occupant of any portion of property located within said park shall be responsible for keeping its building site, whether or not improved, buildings, improvements and appurtenances in a safe, clean, neat and orderly condition and shall have removed any rubbish or trash of any kind which may accumulate on its premises. Rubbish and trash shall not be disposed of on the premises by burning in open fires or by burying on site.

7.8.2.10 Utilities. All electrical and telephone service lines shall be underground.

7.8.2.11 Easements. Each owner shall agree to execute all easements necessary and reasonable for the further development of Hoschton Industrial Park. Reference to easements include those existing for gas, water, sewerage, telephone, entrance and access roads, rights-of-way and electrical line to be set forth. In addition, easements essential for the further development of the park shall not exceed a width of fifteen (15) feet above or below the ground, and shall run along the boundary lines of each lot or tract.

7.8.2.12 Building Requirements. *(Amended 5/02/05)*

Each main building hereafter erected, together with its accessory buildings, shall be located on a lot having an area of at least one acre (1 acre), with the exception of public buildings and structures necessary for public convenience and service.

Any buildings constructed on the sites within the industrial park shall be of masonry construction or its equivalent, or better. No building shall be constructed with a wooden frame. The exterior finish shall be common brick, concrete blocks, title bricks, enamel metal siding, their equivalent or better, but no building thereon shall be covered with asbestos siding or galvanized sheet metal. When the exterior walls are constructed of concrete or concrete blocks, the exterior finish is to be stucco, gunite or their equal. All other types of construction not covered in the above must have the written approval of the Mayor and Council.

No improvements, as that term is hereinabove defined, shall be erected, placed, altered, maintained or permitted to remain on any land subject to these restrictions until plans and specifications showing plot layout and all exterior elevations, with materials and colors thereof and structural design, signs and landscaping shall have been submitted to and approved in writing by the Mayor and Council. Such plans and specifications shall be submitted in writing over the signature of the owner of the site or his authorized agent. Approval shall be based, among other things, on adequacy of site dimensions; adequacy of structural design, conformity and harmony of external design with neighboring structures; effect of location and use of improvements on neighboring sites, improvements, operations and uses, relation of topography, grade and finished ground elevations of the site being improved to that of neighboring site; proper facing of main elevation with respect to nearby streets; and conformity of the plans and specifications to the purpose and general plan and intent of these restrictions.

If the Mayor and Council fail to approve or disapprove such plans and specifications within thirty (30) days after the same have been submitted to it, it shall be conclusively presumed that Grantor has approved said plans and specifications, subject, however, to the restrictions contained herein.

No structures or buildings shall be located closer than fifty (50) feet to the rights-of-way of any dedicated public street, both paved and unpaved, **nor shall any structures or buildings be located closer than twenty (20) feet to the side or rear property line. A one hundred (100) foot undisturbed buffer shall apply where the property line abuts residentially zone property;** any deviation from this restriction so desired should be requested at the time of initial submission of plans and specification to the Mayor and Council.

No building or structures above ground shall extend beyond the building lines, and it is hereby declared that said area between the building lines, and the property lines is to be used either for open landscaped and green areas or for off street surfaced parking areas. Said area is to be landscaped and it shall be done attractively with lawn, trees, shrubs, etc. according to plans first approved by the Mayor and Council. If said area is to be used for off street parking, the parking arrangement and surfacing must likewise be approved in writing by the Mayor and Council. Any landscaped areas shall be properly maintained thereafter in a sightly and well-kept condition. Parking areas shall likewise be maintained in good condition.

All unloading and loading areas, including truck parking, loading and maneuvering space, must be paved with either concrete or asphalt.

Adequate visitor or transient employee parking space shall be provided in keeping with the nature of the anticipated use of the site. All automobile parking areas shall be paved with either concrete or asphalt. Parking shall not be permitted between public street pavement and property lines.

The owner of this tract in this industrial park must at all times keep the premises, buildings, improvements and appurtenances in a safe, clean, wholesome condition and comply in all respects with all governmental, health and policy requirements. Any owner will remove, at his own expense, any rubbish of any character whatsoever which may accumulate on said property.

All improvements to be constructed must be completed within two years (2) from the date improvements begin.

Any materials stored outside of the building including raw materials and finished products shall be visually screened from all streets and shall be confined to the rear two-thirds (2/3) of the property and confined within the building lines.

7.8.2.13 Signs.

All signs to be erected on the premises or affixed or attached to any structure on the premises shall be designed as a part of the architectural design of the building or as a part of the site plan for any lot and submitted and approved by the Mayor and Council and meet the requirements and specifications of Jackson County or its designated representative. No sign shall be altered, reconstructed or removed without obtaining the written permission of the Mayor and Council.

Temporary signs denoting the project name, developer, phone number, architect, landscape architect, engineer and/or contractors will be allowed to identify projects under

construction or alteration. All such signs shall be removed from the site within seven (7) days after completion of the project.

No more than sixty percent (60%) of the lot area may be covered by buildings, including accessory buildings.

7.8.3 Conditional Uses. Within the M-1 Light Industrial Zoning District, the uses enumerated below may be permitted. Conditional Use applications may be approved or denied as submitted or may be approved submit to specified conditions in addition to those described herein. (Amended /20/04).

7.8.3.1 Car Wash. (Amended 1/20/04)

7.8.3.2 Automotive Repair Facility. (Amended 5/03/04)

