

CITY OF SMYRNA

COMMUNITY DEVELOPMENT DEPARTMENT

MEMORANDUM

To: Mayor and Council

From: Russell Martin, AICP, Community Development Director
Joey Staubes, AICP, Planner II

Date: July 31, 2020

CC: Tammi Saddler-Jones, City Administrator
Planning and Zoning Board

RE: Zoning Code Amendment – Automobile Broker Office

BACKGROUND

The City's Zoning Ordinance is silent on automobile broker offices and does not list the use as a permitted use under any zoning district in the city. Community Development is proposing a code amendment to the Zoning Ordinance to identify the zoning districts where automobile broker offices can be permitted to assist with enforcement of relevant provisions and to differentiate between automobile dealerships and storage yards.

ANALYSIS

Community Development has reviewed the City's Zoning Ordinance and found that automobile broker office is not identified as permitted use within any zoning district in the city. As currently written, Community Development staff would have to make an interpretation as to which zoning districts an automobile broker office would be permitted. The proposed code amendment would clearly define what an automobile broker office is, as well as identify the specific zoning districts where they would be permitted.

Community Development is proposing to amend Section 402 of the Zoning Ordinance to add specific definitions related to an automobile broker office. The definitions will also provide a clear distinction between an automobile broker office and automobile dealerships and storage yards. An automobile broker office is used solely to complete sales within an office, while automobile dealerships and storage yards allow cars to be displayed for sale at the subject property.

Community Development is proposing to amend Sections 709, 710, 711, 712 and 716 of the Zoning Ordinance to add automobile broker office as a permitted use under the Limited Commercial (LC), Office-Institutional (OI), Neighborhood Shopping (NS), General Commercial (GC) and Central Business District (CBD) zoning districts. These are the five zoning districts staff feels are the most appropriate zoning districts for an automobile broker office.

STAFF COMMENTS

Community Development proposes the following code amendments to ensure consistent permitting and enforcement of automobile broker offices throughout the City, as well as to differentiate between automobile broker offices and automobile dealerships and storage yards. Therefore, Community Development recommends **approval** of the proposed code amendments below to address automobile broker offices within the City's Zoning Ordinance:

Section 402 of the Zoning Ordinance shall be amended to add new sections to provide definitions related to breweries and distilleries. The proposed sections shall read as follows (amended portions are highlighted).

(402.4.2) Automobile Broker Office: an office used by a dealer to provide the service of arranging, negotiating, assisting, or effectuating the purchase of a motor vehicle, not owned by the dealer for another. No vehicles will be allowed for sale, displayed, or stored at the location. The location may be used as an office only. The only vehicles allowed on the property shall be the employees and clients. Any exterior signs shall indicate automobile broker's office only.

Section 709 of the Zoning Ordinance shall be amended to add automobile broker office to the list of permitted uses under the Limited Commercial (LC) zoning district. The proposed sections shall read as follows (amended portions are highlighted).

(709.1) Automobile Broker Office.

(709.1.1) Barbershops and beauty shops and other similar personal service establishments.

Section 710 of the Zoning Ordinance shall be amended to add automobile broker office to the list of permitted uses under the Office-Institutional (OI) zoning district. The proposed sections shall read as follows (amended portions are highlighted).

(710.2.1) Automobile Broker Office.

Section 711 of the Zoning Ordinance shall be amended to add automobile broker office to the list of permitted uses under the Neighborhood Shopping (NS) zoning district. The proposed sections shall read as follows (amended portions are highlighted).

(711.1.2) Automobile Broker Office.

Section 712 of the Zoning Ordinance shall be amended to add automobile broker office to the list of permitted uses under the General Commercial (GC) zoning district. The proposed sections shall read as follows (amended portions are highlighted).

(712.4.1) Automobile Broker Office.

Section 716 of the Zoning Ordinance shall be amended to add automobile broker office to the list of permitted uses under the Central Business District (CBD) zoning district. The proposed sections shall read as follows (amended portions are highlighted).

(716.1) Automobile Broker Office

(716.1.1) Colleges; universities, commercial schools; schools providing adult training in any of the arts, sciences, trade and professions; and dormitories for students or staff for hospitals.