

# CITY OF SMYRNA

## COMMUNITY DEVELOPMENT DEPARTMENT

### SUMMARY

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To: Mayor and Council

From: Ken Suddreth, Community Development Director  
Caitlin Walsh, Planner I

Date: August 9, 2018

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

**RE: Zoning Code Amendment – General Zoning Ordinance Corrections & Updates**

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Community Development has reviewed the City's Zoning Ordinance and has made several code amendments. The proposed amendments include:

- Article IV- Definitions
  - o Section 402.- Defined words and terms.
    - Adding a word for clarification in 402.1.2: “*Accessory special event parking area*: The designated area(s) to be used for accessory special event parking as designed per section 901 of the zoning ordinance.”
- Article V- General Provisions
  - o Section 501.- Accessory uses and structures.
    - Moving information within the section for clarity in 501.14 a and b: “A rear roof of a structure is defined as any portion of a roof from the peak or ridge point sloped toward the rear building setback line and which plane cannot be seen from the street adjacent to the front yard setback line or side yard setback line in the case of a corner lot.”  
“A rear wall of a structure is defined as the plane of a structure facing the rear building setback line and to the front yard setback line or side yard setback line in the case of a corner lot.”
    - Deleting the moved information in 501.14.7 and 501.14.8: “A rear roof of a structure is defined as any portion of a roof from the peak or ridge point sloped toward the rear building setback line and which plane cannot be seen from the street adjacent to the front yard setback line or side yard setback line in the case of a corner lot.”  
“A rear wall of a structure is defined as the plane of a structure facing the rear building setback line and to the front yard setback line or side yard setback line in the case of a corner lot.”
- Article VII- Use Provisions
  - o Section 709.- LC, limited commercial district.
    - Fixing a typo in 709.7: “Limited retail sales. The following uses are permitted provided the limited retail sales establishment does not exceed 1,200 square

feet of floor area and the outside display, storage or sale of merchandise is limited to an area which is; within a display area enclosed on three sides by a wall no less than six feet in height or under a building overhang/canopy, or located no greater than five feet from the exterior building wall.”

- Section 712.- GC, general commercial district.
  - Adding in a word for clarification in 712.5: “The storage or display of tires associated with either one **of** these uses shall meet the following requirements:”
- Section 715.- [TS,] tourist services [district].
  - Omitting a repeated phrase: “It is the intent of this section in establishing the TS district to preserve existing tourist services areas and encourage the continued concentration of tourist services areas **and encourage the continued concentration of tourist services** so as to promote the orderly development and economic stability of such areas.”
  - Fixing a typo in 715.2 G: “No guest shall register, reside in, or occupy any room or rooms within the same **licensed** facility for more than a 90-day period.”
- Section 717.- [CDD], corridor design districts.
  - Fixing a typo in 717.1 paragraph 3: “They are composed of all parcels, tracts and structures located within their **prescribed** boundaries.”
  - Changing a term to bring up to modern standards in 717.2: “Initially, crossroads hamlets sprang up along old **Native American** trading paths. In 1845 the Western and Atlantic Railroad closely paralleled the old trail leading between the **Native American** villages of Standing Peachtree and Etowah.”
  - Omitting an outdated boundary reference in 717.3: “The southern boundary shall be the southern city limits of Smyrna on Atlanta Road **(currently near Paces Ferry Road).**”
  - Fixing a typo in 717.4 paragraph 2: “Standard applications for zoning changes, ground disturbance **permits**, sign permits, and building permits shall be utilized for proposed projects in the Corridor Design Districts.”
  - Adding a comma in 717.102 b: “CDD-1-5- When possible, **any** existing streams or ponds shall be maintained in a natural state.”
  - Fixing typos in 717.103 a: “CDD-1-5- The owner and/or developer shall **plan** new construction which **protects** hardwood trees with diameters of greater than 24 inches, whenever possible.”
  - Changing to a numerically-written number for consistency in 717.114 g: “CDD-5- The maximum height for a free-standing sign is **6** feet from the ground surface.”
  - Fix the grammar in 717.122 a: “CDD-1-5- All entrance and exit lanes must be at least 24 feet wide curb to curb, **and** meet all other standards set forth by the Codes and Ordinances of the City of Smyrna.”
  - Change the article for consistency in 717.123 a: “CDD-1-5- Single-family driveways shall be at least 12 feet wide and have a minimum sight distance of at least 150 feet, or as required by **the** city engineer.”
  - Changing to a numerically-written number for consistency in 717.124 c: “CDD-1-5- All entrances and exits shall be clearly noted with free-standing entrance signs or bollards **1-** 2 feet high.”
  - Fixing the grammar of 717.141 b: “CDD-1-5- When possible, the majority of parking spaces should either be located in the rear **or** the side of buildings.”
- Article X- Planned Development

- Section 1013.- Development standards for residential group project.
  - Change a number to create consistency in the ordinance in 1013.7: “Not more than **six** dwelling units shall be permitted in a single-family attached building.”
  - Change a number to create consistency in the ordinance in 1013-A.7: “Not more than **six** dwelling units shall be permitted in a single-family attached building.”
- Article XII- Exceptions and Modifications
  - Section 1201.- Conditional development.
    - Omit a paragraph that is no longer valid (paragraph 5): “~~When conditional zoning has been granted, but no affirmative action to perform said conditions, or to obtain a building permit subject to such conditions [has been taken], and such status continues for 12 months after mayor and council approval of such conditional zoning, the property shall revert to its original status prior to such conditional zoning.~~”
    - Fix a typo in 1201 7: “A grass buffer with a minimum width of two **feet** shall be provided between the back of curb and sidewalk.”
- Article XV- Amendments
  - Section 1510.- Special land use permits (nonresidential use only).
    - Add in a parentheses in 1510 1: “Any use of property not specifically permitted allowed under an existing zoning category, a commercial use in excess of 40,000 square feet of gross area (including outdoor retail display areas and storage areas or any use which also requires a permit from the state environmental protection division of the department of natural resources under the provisions of chapters 5, 8, or 9 of title 12 of the Official Code of Georgia Annotated), may be temporarily allowed through a "special land use permit," issued by the mayor and council of the City of Smyrna.”
    - Change a number to bring the code up to date with modern practices in 1501 7c: “Three copies of the plot plan and one boundary survey, providing they are not larger than 11” × 17”, provide **35.5** copies if larger, drawn to scale by a registered engineer, architect, land planner, or land surveyor currently registered in accordance with applicable state laws (plans must be stamped).”
    - Add a comma in 1510 7f: “If a septic tank is required, approval must be made by Cobb County Environmental Health prior to filing of application.”
    - Change the verbiage to reflect current standards in 1510 7g: “~~Application fee for special land use is \$250.00.~~ **A filing fee, as determined by the governing body, must accompany each request. A schedule of filing fees approved by the governing body shall be maintained by the city administrator or his or her designee.**”
    - Add an apostrophe in 1510 7i: “It shall be the applicant’s responsibility to insure signs remain posted throughout advertisement period.”