

ORDINANCE 2019-03

AN ORDINANCE BY THE CITY OF SMYRNA, GEORGIA, PROVIDING FOR THE AMENDMENT OF THE CODE OF ORDINANCES (ZONING), APENDIX A, ARTICLE IX, OFF STREET PARKING AND LOADING REQUIREMENTS, SECTION 908 OF THE CODE OF ORDINANCES OF THE CITY OF SMYRNA

BE IT ORDANINED BY THE MAYOR AND COUNCIL OF THE CITY OF SMYRNA, GEORGIA

WHEREAS, State law provides that the governing authority of each municipal corporation shall have legislative power to adopt clearly reasonable ordinances, resolutions, or regulations relating to its property, affairs, and local government for which no provision has been made by general law; and

WHEREAS, the Mayor and Council of the City of Smyrna are charged with the protection of the public health, safety, and welfare; and

WHEREAS, the Mayor and Council now wish to update the City of Smyrna Code of Ordinances regarding Appendix A, Article IX, Off Street Parking and Loading Requirements, Section 908 of the City’s Zoning Ordinances

NOW, THEREFORE, the Mayor and Council of the City of Smyrna, pursuant to their authority, do hereby adopt the following amendments.

Subsections of Section 908 of the Zoning Ordinance shall be amended to correct typing errors. The proposed sections shall read as follows (amended portions are underlined or deleted).

ARTICLE IX. – OFF-STREET PARKING AND LOADING REQUIREMENTS

Sec. 908.- Required loading spaces.

The number of spaces required for a particular use shall be as follows:

(908.1) Retail operations, and all first-floor nonresidential uses, with a gross floor area of less than 20,000 square feet, and all wholesale and light industrial operations with a gross floor area of less than 10,000 square feet: One loading space.

(908.2) Retail operations, including restaurant and dining facilities within hotels and office buildings, with a total usable floor area of 20,000 square feet or more devoted to

such purposes: One loading berth for every 40,000 square feet of floor area or fraction thereof; one loading space for every 20,000 square feet of floor area or fraction thereof.

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(908.3) Office buildings and hotels with total usable floor area of 100,000 square feet or more devoted to such purposes: One loading berth for every 100,000 square feet of floor area or fraction thereof.

(908.4) Industrial and wholesale operations with a gross floor area of 10,000 square feet or over shall conform to the following schedule:

Gross Floor Area	Required Loading Berths
10,000 - <u>39,999</u> square feet	1
40,000 - <u>99,999</u> square feet	2
100,000 - <u>159,999</u> square feet	3
160,000 - <u>239,999</u> square feet	4
240,000 - <u>319,999</u> square feet	5
320,000 - <u>400,000</u> square feet	6
Each 90,000 above 400,000 square feet	1

Renumbering. It is the intention of the Mayor and Council, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances, City of Smyrna, Georgia and the sections of this Ordinance may be renumbered to accomplish such intention.

The above Ordinance was read and approved by the Mayor and Council of the City of Smyrna, Georgia, on the 18th day of February 2019.

Max Bacon, Mayor

Attest:

Terri Graham, City Clerk

SEAL

As to form:

Scott Cochran, City Attorney