

CITY OF SMYRNA

COMMUNITY DEVELOPMENT DEPARTMENT

MEMORANDUM

To: Mayor and Council

From: Ken Suddreth, Community Development Director
Caitlin Crowe, Planner I
Russell Martin, AICP, Senior Planner

Date: September 25, 2018

CC: Tammi Saddler-Jones – City Administrator

RE: Zoning Code Amendment – Section 1502- Application for Map Amendments Review

BACKGROUND

The Community Development Department recently reviewed Section 1502 of Zoning Ordinance related to the review process for map amendments. A few documents and requirements that are currently listed on the rezoning, zoning amendment and special land use permit applications are not currently in the Zoning Ordinance. To improve the zoning process and eliminate any inconsistencies, Community Development is proposing to amend Section 1502 of the Zoning Ordinance to add these documents and requirements.

ANALYSIS

The application requirements in the Zoning Ordinance are currently inconsistent with the physical applications that are currently used for rezonings, zoning amendments and special land use permits.

Section 1502 of the Zoning Ordinance only requires an applicant to submit a plat of the property, site plan of proposed improvements, legal description of the property, the name and address of the owner and their agent, and the present and proposed zoning of the property. Due to infill redevelopments and the tightness of many development sites, staff has been requesting additional information to provide thorough analysis and information during the zoning process. These items have been added to the zoning applications through the years, but have not been formally adopted as part of the zoning ordinance. These additional items include the following:

- 1) An impact statement for developments over 100,000 sq. ft. or 75 dwelling units;
 - 1) The applicant is required to provide an impact statement regarding water and sewer usage, traffic generation and school impact for the city due to the proposed development.
- 2) A preliminary hydrology study;
 - 1) This is a verification that the applicant has set aside enough area to accommodate a stormwater management facility that will meet the city's stormwater management requirements.

- 3) A water and sewer availability letter;
 - 1) This is a verification from the Public Works Department or Cobb County Water System that water and sewer are available to the subject property and can support the development.
- 4) A copy of the deed for the property;
 - 1) The deed provides verification of ownership of the property.
- 5) A copy of paid tax receipts;
 - 1) The tax receipts are used to verify the subject property is in good standing with both the City and County with respect to property taxes.
- 6) Building elevations and floor plans; and
 - 1) The building elevations provide information related to building size and scale for comparison to other buildings in the immediate area.
- 7) A tree survey and protection plan.
 - 1) The tree plan provides information regarding specimen trees and development impact to existing trees.

By adding the items above, the Zoning Ordinance would reflect the current documents and requirements used for the review and processing of zoning requests.

STAFF COMMENTS

The Zoning Ordinance amendment was heard by the Planning and Zoning Board on August 13, 2018. It was recommended for approval by a vote of 6-0.

Community Development has reviewed the City's Zoning Ordinance with respect to application for map amendments (rezonings, zoning amendments and special land use permits) and has made several code amendments to bring the Zoning Ordinance up to current practices. The proposed amendments include:

1. The addition of an impact statement;
2. The addition of a preliminary hydrology study;
3. The addition of a water and sewer availability letter;
4. The addition of a deed for verification of ownership;
5. The addition of paid tax receipts;
6. The addition of building elevations and floor plans; and
7. The addition of a tree survey and protection plan.

Community Development recommends **approval** of the following code amendments to Section 1502 of the City's Zoning Ordinance:

Section 1502 of the Zoning Ordinance shall be amended to require additional documents for a zoning request. The proposed sections shall read as follows (amended portions are highlighted).

ARTICLE XV. – AMENDMENTS

Sec. 1502.- Application for map amendments.

Each application to amend the official zoning map shall be filed with the city clerk.

Each application shall include the following information:

(1502.1) A legal description of the tract(s) proposed to be rezoned.

(1502.2) A plat showing the dimensions, acreage and location of the tract(s) prepared by an architect, engineer or land surveyor whose state registration is current and valid. An appropriate seal shall be affixed to the plat.

(1502.3) The present and proposed zoning classification for the tract(s).

(1502.4) The name and address of the owner of the tract and his[/her] agent, if any.

(1502.5) A site plan at an appropriate scale showing the proposed use, location and dimensions of any existing and/or proposed buildings, including off-street parking areas, located on or to be located on the property to be rezoned.

(1502.6) Any other information which may be required by the city to ensure compliance with the provisions of this ordinance.

(1502.7) Any development that exceeds 100,000 net square feet or 75 dwelling units will be required to submit a traffic, water, sewer, and school impact statement. A development that is less than 100,000 net square feet or 75 dwelling units may be required to submit one or all of the above statements upon request.

(1502.8) A preliminary hydrology study for the proposed tract(s).

(1502.9) A water and sewer availability letter from the Public Works Department or Cobb County Water System.

(1502.10) A copy of the deed that reflects the current owner(s) of the property.

(1502.11) A copy of the paid tax receipts for the subject property or a signed statement by an official in the Tax Commissioner's Office.

(1502.12) A set of building elevations and floor plans, along with a description of exterior wall coverings and finishes to be used.

(1502.13) A Tree Protection Plan in accordance with Section 106-36 of the City's Code of Ordinances.