

CITY OF SMYRNA

COMMUNITY DEVELOPMENT DEPARTMENT

MEMORANDUM

To: Mayor and Council

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

Date: January 18, 2019

CC: Tammi Saddler-Jones – City Administrator

RE: **Zoning Code Amendment – Repealing Appendices F, G, H, and I**

BACKGROUND

The Community Development Department recently reviewed Appendices F, G, H, and I of the City's Code of Ordinance related to urban design guidelines along the Atlanta Road, Spring Road, South Cobb Drive and Windy Hill Road. There were several discrepancies between Section 717 of the Zoning Ordinance (CDD, Corridor Design Districts) and Appendices F, G, H, and I of the Code of Ordinances. To eliminate any inconsistencies and redundancies, Community Development is proposing to repeal Appendices F, G, H, and I of the Code of Ordinance.

STAFF COMMENTS

Community Development has reviewed Appendices F, G, H and I of the Code of Ordinances and the Zoning Ordinance and is proposing several amendments. The proposed amendments include:

- 1) Repealing Appendix F;
- 2) Repealing Appendix G;
- 3) Repealing Appendix H; and
- 4) Repealing Appendix I;

The Zoning Ordinance amendment was heard by the Planning and Zoning Board on December 10, 2018. It was recommended for approval by a vote of 7-0.

Community Development recommends **approval** of the following code amendments to Appendices F, G, H, and I of the City's Code of Ordinance:

Repeal APPENDIX F- SOUTH ATLANTA ROAD URBAN DESIGN GUIDELINES.
Repeal APPENDIX G- SPRING ROAD URBAN DESIGN GUIDELINES.
Repeal APPENDIX H- SOUTH COBB DRIVE URBAN DESIGN GUIDELINES.
Repeal APPENDIX I- WINDY HILL ROAD URBAN DESIGN GUIDELINES.

ANALYSIS

While reviewing the city code, Community Development found several discrepancies between Section 717 (CDD, Corridor Design Districts) and the corresponding Appendices of the Code of Ordinance. Section 717 of the Zoning Ordinance and the Appendices both deal specifically with design requirements along specific corridors in the city. Both Section 717 and the Appendices have redundant design requirements for each corridor. There are also a few conflicting design requirements between the document that leads to confusion amongst staff and the development community with respect to which requirements are applicable. Since the codes are very similar except for the conflicting portions, Community Development recommends repealing the Appendices to eliminate inconsistencies and to keep zoning codes within the Zoning Ordinance.

Community Development has provided a chart for each corridor showing the discrepancies between Section 717 of the Zoning Ordinance and the corresponding appendix (the discrepancies are shown in red):

Appendix F – South Atlanta Road

Section 717- CDD, Corridor Design Districts	Appendix F- South Atlanta Road Urban Design Guidelines
The South Atlanta Road district is abbreviated as CDD-1 throughout the ordinance	“The South Atlanta Road Urban Design District (abbreviated at UDD1)...” (listed at UDD1 throughout the appendix)
“Upon advice of staff and/or the planning commission, the city council may waive certain requirements of these district regulations when the geometry of a specific land parcel makes compliance impossible or creates an undue hardship.”	“Upon recommendation of staff, the planning commission may waive certain requirements of these guidelines, when the geometry of a specific parcel makes compliance impossible.”
“All projects within the Corridor Design Districts involving the demolition of, or exterior changes to, a building constructed before 1945 shall be first referred for review by the Smyrna Urban Design Commission.”	“Any project involving the demolition of, or exterior changes to, a building constructed before 1940 will be referred first for review by the downtown design review committee (DDRC).”
“If the city council denies an application, the applicant may follow an appeals procedure. However, any request for review by the city council which relates to these regulations shall be deferred until the next monthly meeting of the urban design commission, so that it may examine the original application and appeal, and make a recommendation to the city council .”	“If an application is denied by the Smyrna Planning and Zoning Commission , the applicant may follow normal appeals procedure. However, any request for review by the Smyrna Board of Zoning Appeals , which relates to these urban design guidelines, will be deferred until the next monthly meeting of the downtown design review committee, so that it may examine the application and make a recommendation to the board of zoning appeals .”
“All transformers and access panels shall be screened by landscaping or architecture and/or painted to match existing landscaping.”	“All transformers and access panels shall be screened by landscaping or architecture, in such a manner that they are not visible from the public right-of-way.”
“All free-standing signs may be internally or indirectly illuminated. If internally illuminated,	“All free-standing signs shall be illuminated indirectly.”

the background and body of the sign shall be of a darker color than the letters of the sign.”	
“See section 717.175 for wall-mounted signs.”	“(See Article IV, Section 15(5) and (6) for wall-mounted signs.)”
“Sidewalks adjacent to secondary streets shall be a minimum of five feet wide and shall be set back two feet from the curbs, or aligned with existing sidewalks in front of adjacent properties.”	“Sidewalks adjacent to secondary streets shall be a minimum of four feet wide, and shall be set back two feet from the curb unless a sidewalk already exists on the street.”
“Parking requirements for the appropriate zoning district apply unless the owner is renovating a structure built before 1945.”	“Parking requirements for the appropriate zoning district apply unless the owner is renovating a structure built before 1940.”
“A landscaped buffer of no less than 15 feet shall separate all new or expanded parking lots from any public right-of-way.”	“A landscaped buffer of no less than 15 feet shall separate all new or expanded parking lots from any public right-of-way or sidewalk.”
“A planned unit development shall be defined as a commercial, institutional or residential development that has a total area of ten acres or greater, and whose plan has been reviewed by the city planning commission and approved by the mayor and city council.”	“A planned unit development shall be defined as a commercial, institutional or residential development that has a total area of five acres or greater, and whose plan has been reviewed by the City of Smyrna's Planning Commission and approved by the mayor and city council of the City of Smyrna.”
“All new construction shall be rendered in an architectural style typical of Cobb County in the period 1845—1945.”	“All new construction shall be rendered in an architectural style typical of Cobb County, 1845 - 1940.”
“Facade materials shall be typical of those used in Cobb County, 1845—1945.”	“Facade materials shall be typical of those used in Cobb County, 1845 - 1940.”
“Wall-mounted signage shall not exceed 40 square feet in area per store or building.”	“Wall-mounted signs shall not exceed 48 square feet in total area each.”
“Wall-mounted signs may be internally or indirectly illuminated.”	“Wall-mounted signs shall be indirectly illuminated.”
Not currently in use by the Community Development Department	Sec. 16- Existing residential structures

Appendix G – Spring Road

Section 717- CDD, Corridor Design Districts	Appendix G- Spring Road Urban Design Guidelines
The South Atlanta Road district is abbreviated as CDD-2 throughout the ordinance	“The Spring Road Urban Design District (abbreviated at UDD2)...” (listed at UDD2 throughout the appendix)
“Upon advice of staff and/or the planning commission, the city council may waive certain requirements of these district regulations when the geometry of a specific land parcel makes compliance impossible or creates an undue hardship.”	“Upon recommendation of staff, the planning commission may waive certain requirements of these guidelines, when the geometry of a specific parcel makes compliance impossible.”

<p>“If the city council denies an application, the applicant may follow an appeals procedure. However, any request for review by the city council which relates to these regulations shall be deferred until the next monthly meeting of the urban design commission, so that it may examine the original application and appeal, and make a recommendation to the city council.”</p>	<p>“If an application is denied by the Smyrna Planning and Zoning Commission, the applicant may follow normal appeals procedure. However, any request for review by the Smyrna Board of Zoning Appeals, which relates to these urban design guidelines, will be deferred until the next monthly meeting of the downtown design review committee, so that it may examine the application and make a recommendation to the board of zoning appeals.”</p>
<p>“CDD-2, accessed by Spring Road = 1 acre”</p>	<p>“Minimum accessed by Spring Road- Three acres”</p>
<p>Not mentioned in residential primary arteries.</p>	<p>“Detached housing units shall either face Spring Road, front a private driveway, or otherwise, not be visible from Spring Road.”</p>
<p>“Detached housing units shall either face the primary artery, front a private driveway, or otherwise not be visible from a public right-of-way. Attached housing units may face a street or be oriented in another direction.”</p>	<p>“Detached and attached housing units shall either face a public right-of-way, or front a private driveway, or otherwise, not be visible from a public right-of-way.”</p>
<p>“All free-standing signs may be internally or indirectly illuminated. If internally illuminated, the background and body of the sign shall be of a darker color than the letters of the sign.”</p>	<p>“All free-standing signs shall be illuminated indirectly.”</p>
<p>“All entrances and exits shall be clearly noted with free-standing entrance signs or bollards one to 2 feet high.”</p>	<p>“All entrances and exits shall be clearly noted with free-standing signs one to two feet high with a maximum of two square feet per sign.”</p>
<p>“Any commercial project that does not have a sidewalk shall have one installed and paid for by the owner when the property is developed or redeveloped.”</p>	<p>“Any parcel that does not have a sidewalk shall have one installed and paid for by the owner when the property is developed or redeveloped.”</p>
<p>“Sidewalks adjacent to primary arteries shall be a minimum of four feet wide and shall be set back two feet from the curbs, or aligned with existing sidewalks in front of adjacent properties.”</p>	<p>“Sidewalks adjacent to Spring Road shall be a minimum of five feet wide, and shall be set back two feet from the curb.”</p>
<p>“Sidewalks adjacent to secondary streets shall be a minimum of five feet wide and shall be set back two feet from the curbs, or aligned with existing sidewalks in front of adjacent properties.”</p>	<p>“Sidewalks adjacent to secondary streets shall be a minimum of four feet wide, and set back two feet from the curb unless a sidewalk already exists on the street.”</p>
<p>Bike lane regulations are not mentioned.</p>	<p>“(a) All future residential, institutional and commercial projects adjacent to Spring Road shall dedicate a five-foot bicycle lane easement within the required 15-foot landscaping buffer easement.</p>

	(b) At locations where the bikeway easement crosses either public or private roadways, a curb-cut and ramps shall be installed. (d) The property owner shall not be required to construct the bikeway.”
“Parking requirements for the appropriate zoning district apply unless the owner is renovating a structure built before 1945.”	“Parking requirements for the appropriate zoning district apply.”
“All parking lot medians or buffers shall have trees of species approved by the City of Smyrna Tree Preservation and Replacement Ordinance, spaced no less than 25 feet apart.”	“All parking lot medians or buffers shall have trees of species approved by the City of Smyrna Tree Preservation and Replacement Ordinance, spaced no less that 35 feet apart.”
“The width of individual buildings accessed by the primary artery shall not exceed 75 percent of the minimum width of the lot, unless said building(s) are part of a planned unit development.”	“The width of individual buildings accessed by Spring Road shall not exceed 75 percent of the minimum of the lot, nor shall be less than 25 percent of the lot width.”
“Wall-mounted signage shall not exceed 45 square feet in area per store or building.”	“Wall-mounted signs shall not exceed 48 square feet in total area each.”

Appendix H – South Cobb Drive

Section 717- CDD, Corridor Design Districts	Appendix H- South Cobb Drive Urban Design Guidelines
The South Cobb Drive district is abbreviated as CDD-4 throughout the ordinance.	The South Cobb Drive district is abbreviated as UDD-3 throughout the ordinance.
“Upon advice of staff and/or the planning commission, the city council may waive certain requirements of these district regulations when the geometry of a specific land parcel makes compliance impossible or creates an undue hardship.”	“Upon recommendation of staff, the planning commission may waive certain requirements of these guidelines, when the geometry of a specific parcel makes compliance impossible.”
“All projects within the Corridor Design Districts involving the demolition of, or exterior changes to, a building constructed before 1945 shall be first referred for review by the Smyrna Urban Design Commission.”	“Any project involving the demolition of, or exterior changes to, a building constructed before 1940 will be referred first for review by the downtown design review committee.”
“If the city council denies an application, the applicant may follow an appeals procedure. However, any request for review by the city council which relates to these regulations shall be deferred until the next monthly meeting of the urban design commission, so that it may examine the original application and appeal, and make a recommendation to the city council.”	“If an application is denied by the Smyrna Planning and Zoning Commission, the applicant may follow normal appeals procedure. However, any request for review by the Smyrna Board of Zoning Appeals, which relates to these urban design guidelines, will be deferred until the next monthly meeting of the downtown design review committee, so that it may examine the application and make a recommendation to the board of zoning appeals.”

<p>“CDD-4, accessed by South Cobb Drive – other sections of Zoning Ordinance apply”</p>	<p>“Maximum adjacent to South Cobb Drive- Five acres.”</p>
<p>“CDD-4, accessed by South Cobb Drive = 3 acres (except redevelopment of single house)”</p>	<p>“Minimum adjacent to South Cobb Drive- One acre.”</p>
<p>“CDD-4, accessed by South Cobb Drive = 5 acres”</p>	<p>“CDD-4, accessed by South Cobb Drive = Three acres (except redevelopment of single house)”</p>
<p>“New individual, detached housing units shall not be accessed from the primary artery.”</p>	<p>“New detached housing units, which have driveways entering directly into South Cobb Drive, shall face South Cobb Drive. Detached and attached housing developments shall either face South Cobb Drive, front private driveways or otherwise not be visible from South Cobb Drive.”</p>
<p>“All transformers and access panels shall be screened by landscaping or architecture and/or painted to match existing landscaping.”</p>	<p>“All transformers and access panels shall be screened by landscaping or architecture in such a manner that they are not visible from the public right-of-way.”</p>
<p>A landscape plan is not mentioned.</p>	<p>“A detailed landscape plan must be submitted for review and approval”.</p>
<p>“The maximum height for a free-standing sign is 15 feet from the ground surface.”</p>	<p>“The maximum height for a free-standing sign is eight feet from the ground surface.”</p>
<p>“The maximum area for a free-standing sign advertising a structure of 50,000 square feet or less is 50 square feet, The maximum area for a free-standing sign advertising a structure of greater than 50,000 square feet is 75 square feet.”</p>	<p>“The maximum area for a free-standing sign is 32 feet.”</p>
<p>“All free-standing signs may be internally or indirectly illuminated. If internally illuminated, the background and body of the sign shall be of a darker color than the letters of the sign.”</p>	<p>“All free-standing signs shall be illuminated indirectly.”</p>
<p>Landscaping minimum not mentioned.</p>	<p>“Landscaping area directly adjacent to the building shall equal a minimum of five percent of the gross floor area.”</p>
<p>“No curb cut shall be less than 200 feet from the nearest existing curb cut on the same side of the street.”</p>	<p>“No curb-cut shall be less than 150 feet from the nearest existing curb-cut on the same side of the street.”</p>
<p>“Sidewalks adjacent to primary arteries shall be a minimum of four feet wide and shall be set back two feet from the curbs, or aligned with existing sidewalks in front of adjacent properties.”</p>	<p>“Sidewalks adjacent to South Cobb Drive shall be a minimum of five feet wide, and shall be set back two feet from the curbs.”</p>
<p>“Sidewalks adjacent to secondary streets shall be a minimum of five feet wide and shall be set back two feet from the curbs, or aligned with existing sidewalks in front of adjacent properties.”</p>	<p>“Sidewalks adjacent to secondary streets shall be a minimum of four feet wide, and shall be set back two feet from the curbs.”</p>

“Parking requirements for the appropriate zoning district apply unless the owner is renovating a structure built before 1945.”	“Parking requirements for the appropriate zoning district apply unless the owner is renovating a structure built before 1940.”
“A minimum of five percent of the gross area of the parking lots shall be devoted to landscaping.”	“A minimum of ten percent of the gross area of the parking lots shall be devoted to landscaping.”
“A landscaped buffer of no less than five feet shall separate all new or expanded parking lots from any public right-of-way.”	“A landscaped buffer of no less than 15 feet shall separate all new or expanded parking lots from any public right-of-way or sidewalk.”
“The height of an occupied building shall not exceed the numerical value of the distance between it and the nearest structure, unless it is a planned unit development. The height of an occupied building shall not exceed the height of buildings on adjacent tracks by a factor of greater than 400 percent, unless it is a planned unit development.”	“The height of an occupied building shall not exceed either 35 feet or the height of a building on an adjacent parcel; whichever is greater, unless the distance from the nearest building exceeds 200 feet.”
“A planned unit development shall be defined as a commercial, institutional or residential development that has a total area of ten acres or greater, and whose plan has been reviewed by the city planning commission and approved by the mayor and city council.”	“A planned unit development shall be defined as a commercial, institutional or residential development that has a total area of five acres or greater, and whose plan has been reviewed by the City of Smyrna's Planning Commission and approved by the mayor and city council of the City of Smyrna.”
“Side yards = 20 feet”	“Side yards. Minimum ten feet.”
Architectural style not mentioned for South Cobb Drive.	“All new construction shall be rendered in an architectural style typical of Cobb County, 1845 - 1940.”
Footprint is not mentioned for South Cobb Drive.	“When possible, the “footprint” of new structures should be similar to that of the previous structure on the site, or neighboring buildings.”
Roofs are not mentioned for South Cobb Drive.	“All new structures shall have sloped roofs of at least 6/12 pitch.”
Roofs are not mentioned for South Cobb Drive.	“Only asphaltic, slate, tile, synthetic slate/tile and wood shingles shall be permitted on new construction adjacent to South Cobb Drive. All singles should be earth tone colors.”
“Wall-mounted signage shall not exceed 50 square feet in area per store or building.”	“Wall-mounted signs shall not exceed 40 square feet in total area.”

Appendix I - Windy Hill Road

Section 717- CDD, Corridor Design Districts	Appendix I- Windy Hill Road Urban Design Guidelines
The Windy Hill Road district is abbreviated as CDD-3 throughout the ordinance.	The Windy Hill Road Drive district is abbreviated as UDD-4 throughout the ordinance.

<p>“Upon advice of staff and/or the planning commission, the city council may waive certain requirements of these district regulations when the geometry of a specific land parcel makes compliance impossible or creates an undue hardship.”</p>	<p>“Upon recommendation of staff, the planning commission may waive certain requirements of these guidelines, when the geometry of a specific parcel makes compliance impossible.”</p>
<p>“All projects within the Corridor Design Districts involving the demolition of, or exterior changes to, a building constructed before 1945 shall be first referred for review by the Smyrna Urban Design Commission.”</p>	<p>“Any project involving the demolition of, or exterior changes to, a building constructed before 1940 will be referred first for review by the downtown design review committee.”</p>
<p>“If the city council denies an application, the applicant may follow an appeals procedure. However, any request for review by the city council which relates to these regulations shall be deferred until the next monthly meeting of the urban design commission, so that it may examine the original application and appeal, and make a recommendation to the city council.”</p>	<p>“If an application is denied by the Smyrna Planning and Zoning Commission, the applicant may follow normal appeals procedure. However, any request for review by the Smyrna Board of Zoning Appeals, which relates to these urban design guidelines, will be deferred until the next monthly meeting of the downtown design review committee, so that it may examine the application and make a recommendation to the board of zoning appeals.”</p>
<p>“New individual, detached housing units shall not be accessed from the primary artery.”</p>	<p>“New detached housing units, which have driveways entering directly into Windy Hill Road, shall face Windy Hill Road. Detached and attached housing developments shall either face Windy Hill Road, front private driveways or otherwise not be visible from Windy Hill Road.”</p>
<p>“All transformers and access panels shall be screened by landscaping or architecture and/or painted to match existing landscaping.”</p>	<p>“All transformers and access panels shall be screened by landscaping or architecture in such a manner that they are not visible from the public right-of-way.”</p>
<p>A landscape plan is not mentioned.</p>	<p>“A detailed landscape plan must be submitted for review and approval.”</p>
<p>“Every new residential, commercial or institutional development adjacent to a primary street shall grant a landscaped easement, 15 feet in width, measured from the front property line.”</p>	<p>“Every new residential, commercial or institutional development adjacent to Windy Hill Road shall grant a landscaped easement, five feet in width, measured from the front property line.”</p>
<p>“All free-standing signs may be internally or indirectly illuminated. If internally illuminated, the background and body of the sign shall be of a darker color than the letters of the sign.”</p>	<p>“All free-standing signs shall be illuminated indirectly.”</p>
<p>“Sidewalks adjacent to primary arteries shall be a minimum of four feet wide and shall be set back two feet from the curbs, or aligned with existing sidewalks in front of adjacent properties.”</p>	<p>“Sidewalks adjacent to Windy Hill Road shall be a minimum of five feet wide, and shall be set back two feet from the curbs.”</p>

<p>“Sidewalks adjacent to secondary streets shall be a minimum of five feet wide and shall be set back two feet from the curbs, or aligned with existing sidewalks in front of adjacent properties.”</p>	<p>“Sidewalks adjacent to secondary streets shall be a minimum of four feet wide, and shall be set back two feet from the curbs.”</p>
<p>“Parking requirements for the appropriate zoning district apply unless the owner is renovating a structure built before 1945.”</p>	<p>“Parking requirements for the appropriate zoning district apply unless the owner is renovating a structure built before 1940.”</p>
<p>“A planned unit development shall be defined as a commercial, institutional or residential development that has a total area of ten acres or greater, and whose plan has been reviewed by the city planning commission and approved by the mayor and city council.”</p>	<p>“A planned unit development shall be defined as a commercial, institutional or residential development that has a total area of five acres or greater, and whose plan has been reviewed by the City of Smyrna's Planning Commission and approved by the mayor and city council of the City of Smyrna.”</p>
<p>Architectural style not mentioned for Windy Hill Road.</p>	<p>“All new construction shall be rendered in an architectural style typical of Cobb County, 1845 - 1940.”</p>
<p>Footprint is not mentioned for Windy Hill Road.</p>	<p>“When possible, the “footprint” of new structures should be similar to that of the previous structure on the site, or neighboring buildings.”</p>
<p>Roofs are not mentioned for South Cobb Drive.</p>	<p>“Only asphaltic, slate, tile, synthetic slate/tile and wood shingles shall be permitted on new construction adjacent to Windy Hill Road. All singles should be earth tone colors.”</p>
<p>“Wall-mounted signage may be internally or indirectly illuminated.”</p>	<p>“Wall-mounted signage shall be indirectly illuminated.”</p>