

CITY OF SMYRNA

COMMUNITY DEVELOPMENT DEPARTMENT

MEMORANDUM

To: Mayor and Council

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

Date: September 25, 2018

CC: Tammi Saddler-Jones – City Administrator

RE: Zoning Code Amendment – Section 704- RAD, single-family residential attached and/or detached district.

BACKGROUND

The Community Development Department recently reviewed the list of allowable residential districts as part of a recommendation from the 2040 Comprehensive Plan. The consultant of the 2040 Comprehensive believed the RAD zoning district had become the city's catch-all zoning district for single-family residential development because the Zoning Ordinance had not been amended to account for denser single-family residential development with densities between 3.4 and 6 units per acre. The consultant proposed looking into adding or modifying zoning districts to accommodate these changes. One of the suggested changes to the code would be to change the name of the RAD zoning district as part of rebranding the zoning district, along with adding more single-family residential zoning districts to reduce the use of the RAD zoning district.

ANALYSIS

Currently, the RAD district is viewed as too all-encompassing and relied on too much during development. The RAD zoning district allows for both attached and detached single-family residential up to 6 units per acre. The RAD zoning district has been used in almost all single-family residential zonings over the past 10 years. By changing the name in conjunction with the addition of the R-10 and the R-8 zoning districts, Community Development hopes to reduce the use of the RAD zoning district and eliminate the negative connotation associated with its use.

Additionally, the RAD zoning district is the most commonly requested district in new rezoning cases, making it a topic of much discussion in the community. With the acronym "RAD", the district seems to focus on the attached aspect of the zoning more prominently. By switching the "A" and the "D", the department would be switching the perceived importance of the designations.

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 the RAD residential district and has made an amendment. The proposed amendment is:

- 1) Change the name of the RAD zoning district from RAD to RDA.

Community Development recommends **approval** of the following code amendment to Section 704, 705, 707, 718, 905 and 1001 of the City's Zoning Ordinance:

Subsections of Article VII of the Zoning Ordinance shall be amended to rename the RAD zoning district from RAD to RDA. The proposed sections shall read as follows (amended portions are highlighted).

ARTICLE VII. - USE PROVISIONS

Sec. 704.- **RAD RDA**, single-family residential attached and/or detached district.

The intent of this section, in establishing the **RAD RDA** district, is to promote the development of single-family, owner-occupied attached and/or detached dwelling units at a low-medium density.

Within any **RAD RDA** residential district, the following uses shall be permitted:

- (704.1) All uses permitted in the R-12 residential district.
- (704.2) Single-family attached dwellings which shall be owner-occupied.
- (704.3) Single-family attached subdivision in accordance with the provisions of section 1013.

Sec. 705.- RMC-8, multifamily residential district.

The intent of this section, in establishing the RMC-8 district, is to promote and provide for the development of two- and multifamily dwellings at a low-medium density.

[Within any RMC-8 residential district, the following uses shall be permitted:]

- (705.1) All uses permitted in the **RAD RDA** residential district.
- (705.2) Two-family and multifamily dwellings.
- (705.3) Apartment development in accordance with the provisions of article X, section 1009.
- (705.4) Residential group projects in accordance with the provisions of article X, section 1013.
- (705.5) Community unit plans in accordance with the provisions of article X, section 1014.

Sec. 707.1.- RD, residential duplex district; residential triplexes or **quadriplexes quadraplexes**.

The intent of this section, in establishing the RD district, is to promote and provide for the development of two-family dwellings at a low density; and within any RD district the following uses shall be permitted:

- (707.1.1) All uses permitted in the **RAD RDA** residential district;
- (707.1.2) Two-family and multifamily dwellings;

(707.1.3) Residential group projects in accordance with the provisions of article X, section 1013.

(707.1.4) Community unit plans in accordance with the provisions of article X, section 1014.

Sec. 707.2.- TD, multifamily residential district.

The intent of this section in establishing TD districts is to promote and provide for the development of single-family attached dwellings in a row or group, each house separated from adjoining houses in a row or group by architectural style, changing of facade, offsets, and by firewalls or fire separations, where ownership of each dwelling unit is in fee simple.

Within any TD residential district, the following uses shall be permitted:

(707.2.1) All uses permitted in the **RAD RDA** residential district;

(707.2.2) Two-family and multifamily dwellings;

(707.2.3) Residential group projects in accordance with the provisions of article X, section 1013.

(707.2.4) Community unit plans in accordance with the provisions of article X, section 1014.

Section 718 of the Zoning Ordinance shall be amended to rename the RAD zoning district from RAD to RDA. The proposed sections shall read as follows (amended portions are highlighted).

Sec. 718. - Conservation subdivision and open space development.

(718.1) Purposes:

- A. To provide for the preservation of greenspace as a nonstructural stormwater runoff and watershed protection measure.
- B. To provide a residential zoning district that permits flexibility of design in order to promote environmentally sensitive and efficient uses of the land.
- C. To preserve in perpetuity unique or sensitive natural resources such as groundwater, floodplains, wetlands, streams, steep slopes, woodlands and wildlife habitat.
- D. To permit clustering of houses and structures on less environmentally sensitive soils which will reduce the amount of infrastructure, including paved surfaces and utility easements, necessary for residential development.
- E. To reduce erosion and sedimentation by minimizing land disturbance and removal of vegetation in residential development.
- F. To promote interconnected greenways and corridors throughout the community.
- G. To promote contiguous greenspace with adjacent jurisdictions.
- H. To encourage interaction in the community by clustering houses and orienting them closer to the street, providing public gathering places and encouraging use of parks and community facilities as focal points in the neighborhood.
- I. To encourage street designs that reduce traffic speeds and reliance on main arteries.

- J. To promote construction of convenient landscaped walking trails and bike paths both within the subdivision and connected to neighboring communities, businesses, and facilities to reduce reliance on automobiles.
- K. To conserve scenic views and reduce perceived density by maximizing the number of houses with direct access to and views of open space.
- L. To preserve important historic and archaeological sites.

(718.2) General Regulations:

- A. Applicability of regulations. This conservation subdivision option is available in the following zoning districts: R-12, **RAD RDA**, RMC-8, RM-10, RM-12, RD, and TD. Applicant shall comply with all other provisions of the Zoning Code and all other applicable laws, except those that are incompatible with the provisions contained herein.
- B. Ownership of development site. The tract of land to be subdivided may be held in single and separate ownership or in multiple ownership. If held in multiple ownership, however, the site shall be developed according to a single plan with common authority and common responsibility.
- C. Housing density determination. The maximum number of lots in the conservation subdivision shall be determined by either of the following two methods, at the discretion of the local jurisdiction:
 - (1) Calculation: The maximum number of lots is determined by dividing the area of the tract of land by any minimum lot size specified in the underlying zoning. In making this calculation, the following shall not be included in the total area of the parcel:
 - a. Slopes over 25 percent of at least 5,000 square feet contiguous area;
 - b. The 100-year floodplain;
 - c. Bodies of open water over 5,000 square feet contiguous area;
 - d. Wetlands that meet the definition of the Army Corps of Engineers pursuant to the Clean Water Act; or,
 - e. Anticipated right-of-way needs for roads and utilities.
 - (2) Yield plan: The maximum number of lots is based on a conventional subdivision design plan, prepared by the applicant, in which the tract of land is subdivided in a manner intended to yield the highest number of lots possible. The plan does not have to meet formal requirements for a site design plan, but the design must be capable of being constructed given site features and all applicable regulations.

(718.3) Application requirements:

- A. Site analysis map required. Concurrent with the submission of a site concept plan, Applicant shall prepare and submit a site analysis map. The purpose of the site analysis map is to ensure that the important site features have been adequately identified prior to the creation of the site design, and that the proposed open space will meet the requirements of this article. The preliminary site plan shall include the following features:
 - (1) Property boundaries;
 - (2) All streams, rivers, lakes, wetlands and other hydrologic features;
 - (3) Topographic contours of no less than ten-foot intervals;
 - (4) All primary and secondary conservation areas labeled by type, as described in subsection (718.4);

- (5) General vegetation characteristics;
 - (6) General soil types;
 - (7) The planned location of protected open space;
 - (8) Existing roads and structures; and,
 - (9) Potential connections with existing greenspace and trails.
- B. Open space management plan required. An open space management plan, as described in subsection (718.4), shall be prepared and submitted prior to the issuance of a land disturbance permit.
- C. Instrument of permanent protection required. An instrument of permanent protection, such as a conservation easement or permanent restrictive covenant and as described in subsection (718.4), shall be placed on the open space concurrent with the issuance of a land disturbance permit.
- D. Other requirements. The applicant shall adhere to all other applicable requirements of the underlying zoning and the City of Smyrna Code of Ordinances.

Section 905 of the Zoning Ordinance shall be amended to rename the RAD zoning district from RAD to RDA. The proposed sections shall read as follows (amended portions are highlighted).

ARTICLE IX. – OFF-STREET PARKING AND LOADING REQUIREMENTS ^[2]

Sec. 905. – Parking in single-family residential districts.

Within all single-family residential zoning districts (R-30, R-20, R-15 and ~~RAD~~ RDA), the parking or storage of motor vehicles shall be prohibited within the required front yard except upon a hard-surface driveway which serves a dwelling structure located on the property.

Section 1001 of the Zoning Ordinance shall be amended to rename the RAD zoning district from RAD to RDA. The proposed sections shall read as follows (amended portions are highlighted).

ARTICLE X. – PLANNED DEVELOPMENT

Sec. 1001. - Types of planned development and where permitted.

(1001.1) *Apartment development*: Permitted in RMC-8, RM-10 and RM-12 districts.

(1001.2) *Planned industrial park*: Permitted in LI district.

(1001.3) *Planned shopping development*: Permitted in NS and GC districts.

(1001.4) *Planned office development*: Permitted in IO [OI] and GC districts.

(1001.5) *Residential group projects*: Permitted in ~~RAD~~ RDA, RM-8, RM-10 and RM-12 districts.

(1001.6) *Community unit plan*: Permitted in RM-8, RM-10 and RM-12 districts.

(1001.7) *High-rise apartment development*: Permitted in RHR and OI districts.