

ORDINANCE 2018-18

**AN ORDINANCE BY THE CITY OF SMYRNA, GEORGIA, PROVIDING FOR
THE AMENDMENT OF THE CODE OF ORDINANCES (ZONING), SECTIONS
601, 700, 801 AND 802 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 Sections 601, 700, 801, and 802 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.

Zoning Code Amendment – Table Revisions

Section 601 of the Zoning Ordinance shall be amended to add two new residential zoning districts called R-8 & R-10 and the MU zoning district and rename the RAD zoning district to RDA. The proposed sections shall read as follows (amended portions are underlined or deleted)

ARTICLE VI. – ESTABLISHMENT OF DISTRICTS

Sec. 601. – District designation.

For the purpose of this article, the City of Smyrna, Georgia, is divided into 25 districts, designated as follows:

R-30	Single-family residential, 30,000 square feet, 1.3 dwelling units per acre.
R-20	Single-family residential, 20,000 square feet, 2 dwelling units per acre.
R-15	Single-family residential, 15,000 square feet, 2.7 dwelling units per acre.
R-12	Single-family residential, 12,000 square feet, 3.4 dwelling units per acre.
<u>R- 10</u>	<u>Single-family residential, 10,000 square feet, 4 dwelling units per acre.</u>
<u>R-8</u>	<u>Single-family residential, 8,000 square feet, 5 dwelling units per acre.</u>

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<u>RDA</u>	Residential <u>detached</u> and/or <u>attached</u> , 6 dwelling units per acre.
RMC-8	Multifamily residential condominium ownership, 8 dwelling units per acre.
RM-10	Multifamily residential, 10 dwelling units per acre.
RM-12	Multifamily residential, 12 dwelling units per acre.
RM-15	Redevelopment district - Multifamily residential, 15 dwelling units per acre.
RD	Multifamily residential, maximum 2 units per 12,500-square-foot lot.
RD-4	Multifamily residential, maximum 4 units per 17,000-square-foot lot.
TD	Multifamily residential, maximum 10 units per acre.
FC	Future commercial
RHR	Residential high-rise, 12 dwelling units per acre, or as provided in article X.
LC	Limited commercial
OI	Office-institutional
NS	Neighborhood shopping
CBD	Central business district
GC	General commercial
OD	Office-distribution
LI	Light industrial
TS	Tourist services
<u>MU</u>	<u>Mixed use</u>

Section 700 of the Zoning Ordinance shall be amended to update the number of zoning districts. The proposed sections shall read as follows (amended portions are underlined or deleted).

ARTICLE VII. – USE PROVISIONS

[Sec. 700. – Scope.]

This article identifies those uses of buildings, structures and land which are permitted within each of the 25 zoning districts. It is the intent of this article to promote the most desirable use of land in accordance with the "Smyrna Land Use Plan." Any use or use similar thereto which is not designated as permitted within a district shall be deemed to be prohibited.

Article VIII of the Zoning Ordinance shall be amended to add two new residential zoning districts called R-8 & R-10 and update setback requirements. The proposed sections shall read as follows (amended portions are underlined or deleted).

ARTICLE VIII. – AREA, YARD AND HEIGHT REQUIREMENTS

Sec. 801- Residential districts.

This article identifies those uses of buildings, structures and land which are permitted within each of the 25 zoning districts. It is the intent of this article to promote the most desirable use of land in accordance with the "Smyrna Land Use Plan." Any use or use similar thereto which is not designated as permitted within a district shall be deemed to be prohibited.

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	Minimum Lot Area (square feet)						Minimum Front Yard Setback from Street Right-of-Way (feet)					
Districts	Single-Family Dwelling	Two-Family Dwelling (per unit)	Multi-Family Dwelling (per unit)	Minimum ¹ Floor Area (square feet)	Maximum Lot Coverage by Buildings and Other Structures Including Paving (percent)	Minimum Lot Width at Setback Line (feet)	Major Thoroughfare	Minor Thoroughfare	Other	Minimum Side Yard (feet)	Minimum Rear Yard (feet)	Maximum Height of Structures (feet)
R-30	30,000	-	-	2,200	25	110	60	50	45	15	40	35
R-20	20,000	-	-	2,100	35	100	50	40	35	12	35	35
R-15	15,000	-	-	2,000	35	85	50	40	35	10	30	35
R-12	12,000	-	-	1,900	35	85	50	40	35	10	30	35
<u>R-10</u>	<u>10,000</u>	<u>-</u>	<u>-</u>	<u>1,500</u>	<u>45</u>	<u>50</u>	<u>50</u>	<u>40</u>	<u>25</u>	<u>7.5</u>	<u>25</u>	<u>35</u>
<u>R-8</u>	<u>8,000</u>	<u>-</u>	<u>-</u>	<u>1,500</u>	<u>45</u>	<u>50</u>	<u>50</u>	<u>40</u>	<u>25</u>	<u>5</u>	<u>25</u>	<u>35</u>
RDA-single-family detached	7,260	-	-	1,800	45	<u>50</u>	<u>50</u>	40	<u>25</u>	<u>5</u>	<u>30</u>	35
<u>RDA-single-family attached</u>	<u>7,260 (6 units per acre)</u>	<u>-</u>	<u>-</u>	<u>1,800</u>	<u>45</u>	<u>100</u>	<u>75</u>	<u>40</u>	<u>40</u>	<u>35</u>	<u>40</u>	<u>35</u>
RMC-8	12,000	6,000	5,445 (8 units per acre)	1 bedroom-750 2 bedrooms-850 3 bedrooms-1,000	35	100	75	50	50	35	40	35
RM-10	12,000	5,000	4,356 (10 units per acre)	1 bedroom-600 2 bedrooms-850 3 bedrooms-1,000	35	100	75	50	50	35	40	35
RM-12	12,000	5,000	3,630 (12 units per acre)	1 bedroom-600 2 bedrooms-750 3 bedrooms-900	35	100	75	50	50	35	40	35
RD	12,500 (2 units per lot, maximum)	-	-	1,200 (per unit)	35	75	50	40	35	7.5	30	35 (2 stories)
RD-4	17,000 (4 units per lot, maximum)	-	-	1,200 (per unit)	35	100	50	40	35	10	30	35 (2 stories)
TD	80,000 (6 units per row, maximum)	-	-	1,200 (per unit)	30	20 (30 for an end unit)	75	50	Outside Development:			
									50	35	40	35 (2 ½ stories)
									Inside Development:			

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									<u>25</u>	<u>30</u>	<u>10*</u>	
									(with 0 for attached units)			
RM-15 Redevelopment District	-	-	2,904 (15 units per acre)	1 bedroom- 750 2 bedrooms- 850 3 bedrooms- 1,000	50	200	75	50	50	40	40	35
FC	12,000	-	-	-	35	85	50	40	35	10	30	35
RHR	-	-	3,630 (12 units per acre)	1 bedroom- 600 2 bedrooms- 75 3 bedrooms- 900 Efficiency- 500	35	200	75	50	50	40	40	35

*Exception: If building contains no more than two units, then the side yard may be reduced to eight feet, inside the development.

¹ Single-family detached dwelling in an RM district shall meet the minimum floor area requirements specified for the RDA detached district.

² Single-family detached dwellings in RM districts shall meet the minimum side and rear yard requirements specified for the R-15 district.

Where an RMC-8, RM-10 or RM-12 or RHR use abuts or adjoins any other single-family district, a buffer area with a minimum width of 50 feet for an RMC-8 use and 75 feet for an RM-10, RM-12 or RHR use and a six-foot fence or wall which provides visual screening shall be established and maintained between the use and the R district. However, the requirement for fence or wall may be waived by the mayor and council upon the presentation of field survey data by the owner or developer which shows that construction of the fence or wall would destroy existing vegetation which, in itself, provides visual screening between the use and the R district, or when the use abuts undeveloped property.

Within the R-30, R-20, R-15 and R-12 zoning districts no more than 25 percent of the required front or street side yard shall be covered by paving or other impervious surfaces. No driveway or other parking area shall be located closer than five feet to a side property line.

(Mo. of 3-10-75; Ord. of 12-29-77, § 1; Ord. of 6-15-81, § 1; Ord. No. 98-01, 1-5-98; Ord. No. 2004-9, 2-16-04; Ord. No. 2005-15, 6-6-05; Ord. No. 2011-11, 6-20-11)

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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 1st day of October, 2018.

Max Bacon, Mayor

Attest:

Terri Graham, City Clerk

SEAL

As to form:

Scott Cochran, City Attorney