

Text Amendments

Planning Commission

April 21, 2016



Proposed Amendments:

- TA16-0001: Alcoholic Beverage Production
- ~~TA16-0002: Main Street Overlay Tenant Space~~ *(administrative hold)*
- TA16-0003: Rezoning Procedures
- TA16-0004: Variances and Appeals
- TA16-0005: Design Review Board
- TA16-0006: Nonconforming Structures

TA16-0003: Rezoning Procedures (Art. XXVIII)

- Purpose: Update the ordinance to our new process
- New process for land use petitions (rezonings, use permits and zoning modifications) now in place:
 - Two Community Meetings, two Public Hearings;
 - CM1 before filing to get community feedback upfront;
 - Larger signs advertising public hearings
- Amendment codifies the meetings sequence



TA16-0003 (*continued*)

Proposed amendment:

- All land use petitions to follow the same procedures;
- Notices regulated by the City but are the applicant's responsibility;
- PC may defer for 30 or 60 days (rather than only 30);
- Maximum 5 petitions accepted each month (rather than 7);
- Deadline for changes to application: 30 days prior to PC;
- Includes procedures for text amendments

TA16-0003 (continued)

Rezoning, Zoning Modification, and Use Permit Process



1.

Pre-Application Meeting

Required 5 weeks prior to application submittal. Held at City Hall.

2.

Community Meeting #1

Required 2 weeks prior to application submittal. Held in the community.

3.

Application Submittal Deadline

This is due by the first Tuesday of each month.

4.

Community Meeting #2

Due 1 month prior to Planning Commission Meeting. Held at City Hall.

5.

Staff Reports Posted Online

You can check this online at sandyspringsga.gov

6.

Planning Commission Meeting

This is on the 3rd Thursday of the second month. Meeting is held at City Hall.

7.

Mayor & City Council Meeting

This is on the 3rd Tuesday of the third month. Meeting is held at City Hall.

TA16-0004: Variances and Appeals (Art. XXII)

- Purpose: Clarify terminology, update the criteria, and simplify administrative recourses
- Current ordinance:
 - Confusion around the use of the word “appeal”;
 - Three different kinds of administrative relief;
 - Criteria for variances are too subjective;
 - Criteria for modifications are non-existent

TA16-0004 (*continued*)

Proposed amendment:

- Call variances, modifications and appeals “petitions for relief”;
- Updated criteria for evaluating variances (regular, administrative and concurrent; excluding stream buffers):
 - Unnecessary hardship, not an inconvenience;
 - Unique characteristics to the property;
 - Not the result of the owner’s actions;
 - Variance requested is minimum necessary;
 - Result to be consistent with intent of Zoning Ordinance and Comp Plan.

TA16-0004 (*continued*)

- Administrative variances:
 - Reduction of maximum 10% on a development standard (Art. V-XI);
 - Reduction of maximum 10% on landscape areas, zoning buffers and improvement setbacks (Sec. 4.23.1).
- Secondary variances are merged with appeals
- Deadline for changes to an application: 21 days prior to BOA
- Petitioner to mail notices (City continues to provide signs)

TA16-0004 (*continued*)

- Requirements for BOA membership:
 - Maximum 3 consecutive terms;
 - Owner of property in Sandy Springs;
 - Minimum 4 members to have relevant professional background

TA16-0005: Design Review Board (Sec. 12B.2)

- Purpose: Define the DRB role
- Proposed amendment:
 - DRB to review only variance requests;
 - New review standards:
 - Complies with goals of Sandy Springs Overlay regulations
 - Provides equal or greater quality than required
 - Lists application material required
 - Filing deadline: 21 days prior to PC

TA16-0006: Nonconforming Structures (Sec. 4.3.1)

- Purpose: Allow existing, legal nonconforming structures to be expanded, altered or rebuilt without going to BOA
- Current code: Any modification of a nonconforming structure goes before the BOA
- Proposed amendment:
 - Only an administrative review will be required if the degree of nonconformity does not increase;
 - Permit to rebuild after damage must be applied for within 6 months (Director may extend if extenuating circumstances)

Next Steps

- Conduct public hearing to receive comment
- Discussion and recommendations from Planning Commission to Staff;
- Staff to work with City Attorney's Office to finalize draft text amendments;
- Present to Mayor and City Council for discussion, public hearing and possibly adoption in May.