



CITY COUNCIL AGENDA ITEM

TO: Mayor & City Council

DATE: July 31, 2014

FROM: John McDonough, City Manager

AGENDA ITEM: **TA14-004** - An Ordinance to Amend Article 7, Two Family and Multifamily Dwelling District Regulations, Article 8, Multiple Use District Regulations, Article 9, Commercial District Regulations, and Article 11, Planned Unit District Regulations, of the Sandy Springs Zoning Ordinance to allow Townhouse Dwelling Units

MEETING DATE: For Submission onto the August 5, 2014, City Council Work Session Agenda

BACKGROUND INFORMATION: (Attach additional pages if necessary)

See attached:

Memorandum
Draft Mark-up
Draft Ordinance

APPROVAL BY CITY MANAGER: JMM APPROVED

PLACED ON AGENDA FOR: 8/5/2014

CITY ATTORNEY APPROVAL REQUIRED: () YES () NO

CITY ATTORNEY APPROVAL: SMJ

REMARKS:



To: John McDonough, City Manager

From: Angela Parker, Director of Community Development (PD) FOR

Date: July 22, 2014 for Submission onto the August 5, 2014 City Council Regular Meeting

Subject: TA14-004 An Ordinance to Amend Article 7, Two Family and Multifamily Dwelling District Regulations, Article 8, Multiple Use District Regulations, Article 9, Commercial District Regulations, and Article 11, Planned Unit District Regulations, of the Sandy Springs Zoning Ordinance to allow Townhouse Dwelling Units

Department of Community Recommendation:

APPROVAL of an amendment to the Zoning Ordinance to allow townhouse dwelling units in various zoning districts.

Background:

Historically, townhouse developments were permitted by Fulton County in apartment districts, though townhouses were not specifically called out as a permitted use. While the apartment districts allow for both single family and two-family dwelling units, townhouses are not a permitted use in apartment districts. In reviewing the Zoning Ordinance, staff found that there were other districts that also do not include townhouses as a permitted use.

Development of townhouses is desirable based on the policies of the Comprehensive Plan which reference a mix of housing types and the need for workforce housing; therefore staff recommends the Zoning Ordinance be amended to reflect that desire and allow townhouses as a permitted in these districts.

Additionally, allowing townhouse development within commercial zoning districts can provide a viable development option for redevelopment of some of the vacant commercial properties within the City.

Discussion:

Staff has prepared a draft ordinance to allow townhouse dwelling units in various zoning districts.

Planning Commission Recommendation:

During Work Session at the June 19, 2014 meeting, the Commission recommended approval of the mark-up as presented.

COMMUNITY DEVELOPMENT

The item was heard at the July 17, 2014 Planning Commission meeting. The Commission recommended approval as presented by staff (5-0, Maziar, Porter, Tart, Frostbaum and Squire for; Nickles absent and Duncan not voting).

Amendment Schedule:

Planning Commission Work Session – June 12, 2014
Planning Commission Public Hearing – July 17, 2014
City Council Work Session – August 5, 2014
City Council Public Hearing – August 19, 2014

Attachment(s)

Draft Mark-up
Draft Ordinance

MARK-UP PURSUANT TA14-XXX

ARTICLE VII

SECTION 7.3

A MEDIUM DENSITY APARTMENT DISTRICT

7.3.2. USE REGULATIONS. Within the A district, land and structures shall be used in accordance with standards herein. Any use not specifically designated as a permitted use in this section or as a use allowed by administrative permit or use permit shall be prohibited.

A. Permitted Uses. A building or land may be used for the following purposes:

1. Single family dwelling unit
2. Two (2) family dwelling unit
- ~~2.3.~~ Townhouse dwelling unit
- ~~3.4.~~ Multifamily dwelling unit
- ~~4.5.~~ Rooming house and boarding house
- ~~5.6.~~ Nursing home and hospice
- ~~6.7.~~ Personal care home/assisted living
- ~~7.8.~~ Medical related lodging
- ~~8.9.~~ Group residence/shelter

MARK-UP PURSUANT TA14-XXX

ARTICLE VIII

SECTION 8.1

O-I OFFICE INSTITUTIONAL DISTRICT

8.1.2. USE REGULATIONS. Within the O-I district, land and structures shall be used in accordance with standards herein. Any use not specifically designated as a permitted use in this section or as a use allowed by administrative permit or use permit shall be prohibited.

A. Permitted Uses. A building or land may be used for the following purposes:

1. Single family dwelling unit
2. Two (2) family dwelling units
- ~~2,3.~~ Townhouse dwelling units
- ~~3,4.~~ Rooming house and boarding house
- ~~4,5.~~ Art gallery
- ~~5,6.~~ Assembly hall
- ~~6,7.~~ Church, temple or other place of worship
- ~~7,8.~~ Clinics
- ~~8,9.~~ Community center building
- ~~9,10.~~ Nursing home/hospice
- ~~10,11.~~ Dancing school
- ~~11,12.~~ Day care facility
- ~~12,13.~~ Financial establishment/institution
- ~~13,14.~~ Funeral home
- ~~14,15.~~ Group residence/shelter
- ~~15,16.~~ Gymnasium
- ~~16,17.~~ Health club/spa
- ~~17,18.~~ Hospital
- ~~18,19.~~ Hotel/motel
- ~~19,20.~~ Institution of higher learning, business college, music conservatory, and similar institutions
- ~~20,21.~~ Library
- ~~21,22.~~ Museum
- ~~22,23.~~ Office
- ~~23,24.~~ Parking garage/deck
- ~~24,25.~~ Parking lot
- ~~25,26.~~ Personal care home/assisted living
- ~~26,27.~~ Recording studio
- ~~27,28.~~ Research laboratory
- ~~28,29.~~ Stadium

MARK-UP PURSUANT TA14-XXX

ARTICLE IX

SECTION 9.1

C-1 COMMUNITY BUSINESS DISTRICT

9.1.2. USE REGULATIONS. Within the C-1 district, land and structures shall be used in accordance with standards herein. Any use not specifically designated as a permitted use in this section or as a use allowed by administrative permit or use permit shall be prohibited.

A. Permitted Uses. A building or land may be used for the following purposes:

1. Amusement, indoor
2. Apartment, above or behind commercial and office uses in the same building
3. Art gallery
4. Assembly hall
5. Automotive parking lot
6. Automotive specialty shop
7. Catering, carry-out and delivery business
8. Church, temple or other place of worship
9. Clinic
10. Day care facility
11. Delicatessen
12. Financial establishment/institution
13. Funeral home
14. Garage, automobile repair (except painting, body repair and overhaul of major components)
15. Group residence
16. Gymnasium
17. Hospice
18. Hotel/motel
19. Health club/spa
20. Laundromat
21. Landscaping business, garden center
22. Laundry and dry cleaning shop

23. Lawn service business
24. Library
25. Communication service
26. Millinery or similar trade whenever products are sold retail, exclusively on the site where produced
27. Museum
28. Nursing home
29. Office
30. Parking garage\deck
31. Parking lot
32. Personal care home/assisted living
33. Personal service, including barber, beauty
34. Pet grooming (no overnight stay)
35. Photography studio
36. Plant nursery
37. Printing shop, convenience
38. Recycling center, collecting
39. Repair shop not involving any manufacturing on the site
40. Research laboratory
41. Restaurants
42. Retail store or shop
43. School of business, dance, music or similar schools
44. Service station (except that repair and service offerings shall not include painting, body repair or overhaul of major components, and no portion of the site shall be used for the display of cars for sale)
45. Stadium
46. Theater
- 46.47. Townhouse dwelling units

ARTICLE XI

SECTION 11.1

CUP COMMUNITY UNIT PLAN DISTRICT

11.1.2. USE REGULATIONS. Within the CUP district, land and structures shall be used in accordance with standards herein. Any use not specifically designated as a permitted use in this section or as a use allowed by administrative permit or use permit shall be prohibited.

A. Permitted Uses. A building or land may be used for the following purposes:

1. Single family dwelling unit
- ~~2.~~ Two (2) family dwelling unit
- ~~2,3.~~ Townhouse dwelling unit
- ~~3,4.~~ Multifamily dwelling unit
- ~~4,5.~~ Day care facility located in a multifamily or community building, or place of worship
- ~~5,6.~~ Golf, country club, pool and recreation court
- ~~6,7.~~ Community facility
- ~~7,8.~~ Place of worship

ORDINANCE NO. _____

TA14-004

Reading: August 19, 2014

STATE OF GEORGIA
COUNTY OF FULTON

AN ORDINANCE TO AMEND ARTICLE 7, TWO FAMILY AND MULTIFAMILY DWELLING DISTRICT REGULATIONS, ARTICLE 8, MULTIPLE USE DISTRICT REGULATIONS, ARTICLE 9, COMMERCIAL DISTRICT REGULATIONS, AND ARTICLE 11, PLANNED UNIT DISTRICT REGULATIONS, OF THE SANDY SPRINGS ZONING ORDINANCE TO ALLOW TOWNHOUSE DWELLING UNITS

WHEREAS, the Mayor and City Council of the City of Sandy Springs find that from time to time it is necessary to amend sections of the Code to correct, clarify, and update the provisions of the Ordinance; and

WHEREAS, historically, townhouse developments were permitted by Fulton County in apartment districts, though townhouses were not specifically called out as a permitted use; and

WHEREAS, apartment districts allow for both single family and two-family dwelling units and townhouses have been left out of these districts; and

WHEREAS, the development of townhouses is desirable based on the policies of the Comprehensive Plan which reference a mix of housing types and the need for workforce housing.

NOW, THEREFORE, to accomplish the foregoing, the Mayor and City Council of the City of Sandy Springs, Georgia, pursuant to their authority, do hereby adopt the following Ordinance:

1.

Article 7, *Two Family and Multifamily Dwelling District Regulations*, Article 8, *Multiple Use District Regulations*, Article 9, *Commercial District Regulations*, and Article 11, *Planned Unit District Regulations*, of the Sandy Springs Zoning Ordinance are hereby amended pursuant to the attached mark-up.

2.

All ordinances, parts of ordinances, or regulations in conflict herewith are repealed.

3.

Severability. Should any court of competent jurisdiction declare any section of this Ordinance invalid or unconstitutional, such declaration shall not affect the validity of the Ordinance as a whole or any part thereof, which is not specifically declared to be invalid or unconstitutional.

4.

Repeal of Conflicting Provisions. It is the intention of the Mayor and City 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 Sandy Springs, Georgia and the sections of this Ordinance may be renumbered to accomplish such intention.

5.

This Ordinance is effective August 19, 2014; and

ORDAINED this the 19th day of August, 2014.

Approved:

Rusty Paul, Mayor

Attest:

Michael Casey, City Clerk
(Seal)