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Memo

Date: 02/18/2010

To: Planning & Zoning Commission

Cc:

From: Christine Dobbs, Community Development Director

RE: Proposed Text Amendments to the Zoning Ordinance

As you are aware, the City has had several proposed age-restricted developments that will allow a more diverse housing inventory in our community. The Marietta Housing Authority has also approached City Staff in preparation for the redevelopment of one of the housing projects with a multi-story structure that will also be age-restricted. This has given Staff the opportunity to relook at the SLC (Senior Living Community) Zoning District more closely to see what may be necessary to amend as more of these projects are being constructed in nearby communities. Attached is the proposed SLC District regulations being proposed for consideration and adoption. This is still intended to be a "planned" district that would warrant P&Z review and Council approval prior to any development/construction. These projects would also remain to be "site plan" specific as well.

Staff is also opening for discussion the possibility of amending the OIT (Office Institution Transitional) District to allow for some "retail sales" with no onsite customers allowed. This would typically be a vendor that sells product online or travels to locations conducting sales and utilizing the property for office use primarily. Bear in mind, there are many in-home business licenses that allow for these type of uses (e-bay sales, etc). Please ponder this and offer your thoughts to a discussion at Tuesday's evening (or e-mail me if you can't be present).

If you have any questions, please let me know.

50.16 SLC, Senior Living Community

A. Purpose and Intent.

The SLC district is intended to provide opportunities for development of residential facilities, to include assisted and independent, for residents aged 55 years and older. These areas are established to provide senior housing designed in a compatible and complementary manner so as to function as a singular and integrated land use. This zoning district may serve as a transitional zone between commercial/office uses and residential districts of a lesser intensity.

B. Effect and Procedure.

The site plan for development within the Senior Living Community District shall be in conjunction with a master development plan approved by the Board of Planning and Zoning and the Mayor and Board of Aldermen. The owner and/or developer of the tract of land proposed to be included in the development shall file a general site plan with the Zoning Administrator for recommendation to the Boards of Planning and Zoning and Aldermen. The plan shall contain information and representations required or deemed necessary by the Zoning Administrator, Public Works Director, Board of Planning and Zoning, and Board of Aldermen for proper review. The site plan will be reviewed and a determination will be made as to whether the plan is consistent with the intent and standards of the Senior Living Community District and whether the development of the property serves the public welfare.

C. Permitted Uses.

The following uses are permitted in the Senior Living Community District:

1. Senior Independent Living Facilities
2. Assisted Living Facilities

D. Temporary/Conditional Uses Allowed by the Zoning Administrator.

Not applicable in this district.

E. Special Uses Permitted by Board of Aldermen.

Not applicable in this district.

F. Accessory Structures.

1. All such structures shall be located upon the same lot and to the side or rear of the principal use at least 10 feet from side or rear lot lines. In cases of corner lots, the accessory structure may not be closer to any right-of-way than the principal building.
2. When an accessory building is attached to the principal building in any manner, it shall be deemed part of the principal structure and subject to all bulk and area requirements of same.
3. No accessory building shall be constructed upon a lot before the principal building.
4. No accessory structure may exceed the mean height of the principal building.
5. Swimming pools must be enclosed by a fence not less than 5 feet in height with a self closing, self-latching gate and must comply with all applicable safety and health ordinances.

G. Use Limitations.

1. There shall not be a similar age restricted residential facility located on property within a 200 hundred radial foot perimeter of the subject property.
2. Requires all State of Georgia licenses and permits prior to certificate of occupancy.
3. All units must be accessed through a central lobby.
4. Each facility shall have a central gathering area for dining, residents' activities and socializing.
5. Each individual unit within the facility may have a kitchen.
6. A binding legal instrument of deed restriction that prevents the facility from future conversion into apartments shall be placed on the property concurrent with the issuance of a land disturbance permit.

H. Bulk and Area Regulations.

Minimum Tract Size:	5 acres (if located within the City's designated Redevelopment Area, the minimum tract size shall be no less than 3 acres)
Minimum Tract Width:	100 ft.
Maximum Density:	As approved by Mayor and Aldermen
Maximum Building Height:	3 to 10 acre site – 3 stories (if located within the City's designated Redevelopment Area, the maximum height may increase to 4 stories) Greater than 10 acres – 4 stories
Maximum Building Coverage:	60%
Maximum Impervious Surface:	75%
Minimum Parking Required (Independent Living)	Studio or 1-bedroom units, 1.0 spaces/unit 2-bedroom units, 1.2 spaces/unit In addition – one guest space provided for each 5 dwelling units In addition – one space provided for each employee
Minimum Parking Required (Assisted Living)	0.4 parking spaces per dwelling unit In addition – one guest space provided for each 5 dwelling units In addition – one space provided for each employee
Front Setback (arterial):	45 ft.
Front Setback (other):	35 ft.
Side Setback (major):	35 ft.
Side Setback (minor):	25 ft.
Rear Setback:	40 ft.

I. Landscape and Buffer Requirements.

When a SLC District abuts a single family residential district or use, a 30 foot greenbelt buffer shall be established. When abutting all other zoning districts, a 25 greenbelt buffer shall be established. Such buffer shall be undisturbed where practical or enhanced where devoid of significant vegetation and must include a fence no less than six feet in height (finished side to the exterior). If located within the City's designated Redevelopment Area, the buffer may be reduced to incorporate solid fencing and enhanced plantings. This shall be determined by staff on a case by case basis.

J. Bulk and Area Regulations – Exceptions.

1. Relationship to Redevelopment Strategies

When the proposed SLC District is located within an area designated by the City of Acworth as a redevelopment area, City staff may recommend reductions in selected bulk and area requirements, increases in the ratio of lot coverage, building height, increases in the number of units and adjustments to the requirement for fences.

2. Parking

- a. For assisted living and nursing home SLC developments, City staff may recommend reductions in the number of required parking spaces.
- b. For independent living SLC developments that provide permanent shuttle, van or bus for residents' use, City staff may recommend reductions in the number of required parking spaces.
- c. Mixed-use developments may be given consideration for shared parking.

K. Open Space Requirement:

- a. A minimum of 100 square feet of common useable space area per residential unit. Indoor common areas and amenities to facilitate program activities may be counted towards this requirement up to a maximum of 75% of the total open space area required.
- b. Outdoor areas provided shall be designed to provide amenities and recreational areas compatible with the needs of the residents, such as pathways and sitting areas, flower or vegetable gardens, or similar active or passive recreation areas.
- c. Where additional building stories prohibit easy access to open space areas on the ground floor, open roof decks, balconies, or lanais shall be provided.
- d. The proposed improvement of all required open space shall be clearly designated on the plans submitted with the conceptual plan, and upon the approval of said plans, shall be considered a required part of the land use, site and structural improvements.

L. Site Plan

A site analysis map shall be required concurrent with the submission of a site concept plan. 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 green space will meet the requirements of this article. The required conceptual site plan shall be drawn to scale and shall include, at a minimum, the following features:

1. Property boundaries;
2. All streams, rivers, lakes, wetlands and other hydrologic features;
3. Topographic contours of no less than (2)-foot intervals;
4. Complete chart of calculations illustrating full compliance with regulations;
5. General vegetation characteristics;
6. General soil types;
7. Existing roads and structures;
8. Potential connections with existing green space and trails.
9. Proposed roads, alleys, sidewalks, trails
10. Lot configuration/layout, including setback lines
11. Proposed detention areas
12. Proposed amenity areas
13. Example building footprint layout
14. Surrounding property owners
15. Zoning information (current and proposed) for the subject property and current zoning information for the surrounding parcels
16. Estimated impervious surface calculation for the development
17. Unit count
18. Proposed detention areas;
19. Proposed amenity areas;
20. Example building footprint layout;
21. Surrounding property owners;
22. Zoning information (current and proposed) for the subject property and current zoning information for the surrounding parcels;
23. Estimated impervious surface calculation for the development;