

AMENDMENT(S):
AMD-2009-001

Ordinance Number: AMD-2009-001

A RESOLUTION/ORDINANCE TO AMEND **ARTICLE III. DEFINITIONS** and
ARTICLE XVI. SIGNS OF THE CITY OF SUWANEE ZONING ORDINANCE;
AND OTHER PURPOSES

WHEREAS, the Mayor and Council of the City of Suwanee have adopted and enacted the 1998 Zoning Ordinance of the City of Suwanee, Georgia in order to promote the health, safety, morals, convenience, order, prosperity, and general welfare of the present and future inhabitants of the City of Suwanee; and

WHEREAS, the City of Suwanee Zoning Ordinance provides rules, regulations, requirements and standards for various land uses within the City of Suwanee; and

WHEREAS, the Mayor and Council of the City of Suwanee find that the City of Suwanee Zoning Ordinance serves to promote the health, safety, morals, convenience, order, prosperity or the general welfare of the present and future inhabitants of the City of Suwanee; lessen congestion in the streets; secure safety from fire, panic and other danger; provide adequate light and air; prevent the overcrowding of land, avoid both undue concentration of population and urban sprawl; facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements; protect property against blight and depreciation; encourage the most appropriate use of land, buildings and other structures throughout the City; secure economy in government expenditures; and other purposes; and

WHEREAS, the Mayor and Council find that the regulation of blade signs, projecting signs, and wall signs in the city directly affect the public health, safety, welfare and property values. The city finds that many signs are distracting and dangerous to motorists and pedestrians, are confusing to the public, and can substantially detract from the beauty and appearance of the city and associated property values. The city finds that there is a substantial need directly related to the public health, safety and welfare to address these concerns through the amendment of the sign ordinance.

WHEREAS, the Mayor and Council find that the attached amendment accomplishes said goals; and

WHEREAS, notice of said amendment has been duly advertised as required by local rules and State laws in the City's legal organ; and

WHEREAS, a duly advertised public hearing was held on the 24th of February, 2009 by the Suwanee City Council; and

NOW THEREFORE, be it ordained and resolved and it is hereby resolved by the Mayor and Council of the City of Suwanee this the 24th day of February, 2009, that the City of Suwanee Zoning Ordinance, specifically Article III & Article XVI Section 1612, presented on the following Attachment "A", which is adopted and herein incorporated by reference, is hereby approved.

SUWANEE CITY COUNCIL, A
GEORGIA MUNICIPAL
CORPORATION

By:

Dave Williams, Mayor

By:

Jimmy Burnette, Mayor Pro Tem

By:

Jace Brooks, Councilmember

By:

Kevin McOmber, Councilmember

By:

Daniel F. Foster, Councilmember

By:

Jeannine Rispin, Councilmember

ATTESTED TO BY:

Elvira Rogers, City Clerk

APPROVED AS TO FORM BY:

Gregory D. Jay, City Attorney
Chandler & Britt, LLC

Exhibit "A"

ARTICLE XVI.
SIGNS

SECTION 1604. Definitions.

The following definitions shall apply to this chapter unless specifically stated otherwise. Any words or phrases not defined below shall be given their common ordinary meaning unless the context clearly indicates otherwise.

~~Under canopy Sign. A sign suspended below the ceiling or roof of a canopy or marquee. For the purposes of this chapter, this term includes under marquee sign.~~

Blade Sign – A smaller pedestrian oriented sign that extends perpendicularly (or approximately perpendicularly) more than 12 inches from the first floor of a supporting building and is located near the entrance of commercial establishments. It does not require support from the ground.

Projecting Sign – a larger vehicular oriented sign that extends perpendicularly (or approximately perpendicularly) more than 12 inches from an elevation above the first floor of a supporting building. It does not require support from the ground and does not extend above the roofline of the building.

SECTION 1612. Sign Standards.

References herein to zoning districts refer to districts established pursuant to the City of Suwanee Zoning Ordinance. This chapter does not create zones or districts. Unless otherwise provided in this chapter, any sign not specifically permitted in a zoning district as provided in this chapter shall be prohibited in that zoning district.

C. Non-Residential Signs. The following signs are permitted in non-residential areas within a PMUD zoned development, and the O-1, C-1, C-2, C-2A, C-3, and M-1 Zoning Districts as follows:

(2) Individual establishment on an individual lot (except for Convenience Stores with gasoline pumps).

b. Canopy and Wall Signs.

Maximum Height:

Not greater than height of wall.

Maximum Size of Wall Sign:

Maximum of 5% of wall area where sign is affixed, not to

exceed 200 square feet of sign/copy area **or 20 s.f., whichever is greater.**

Number and Type Permitted: One (1) wall sign per wall elevation; Maximum of 4 elevations per building.

(3) Planned Multi-Tenant Office, Institutional, Industrial or Shopping Center. Each lot containing such a building is allowed signs as follows:

b. Canopy and Wall Signs. Signs for individual tenants within planned commercial, industrial, office and shopping centers (retail shopping center tenant signs).

Maximum Height: Not greater than height of wall.
Maximum Size per Sign Allowed: Maximum of 5% of wall area per business; Measured by using the leasable exterior wall area per business **or 20 s. f., whichever is greater.** Maximum of 200 s.f. per sign.

Number and Type Permitted: One (1) sign per wall per business

~~c. Under Canopy Signs. Under canopy signs are permitted for each tenant within a planned center.~~

~~Number and Type Permitted: One (1) sign per tenant.
Maximum Size: Not exceed two (2) square feet in sign/copy area.
Height and Location: Shall be located high enough to assure clearance for pedestrians, but with a bottom edge no lower than 7 feet.~~

Blade Signs. Signs for individual tenants within planned commercial, industrial, office and shopping centers (retail shopping center tenant signs).

**Max Size: 6 square feet.
Max projection: 4 feet.
Location: within 5 feet of a tenant entrance.
Maximum Number: One (1) per tenant.
Illumination: No internal illumination.
Minimum Clearance: Bottom edge must provide 7.5 feet.**

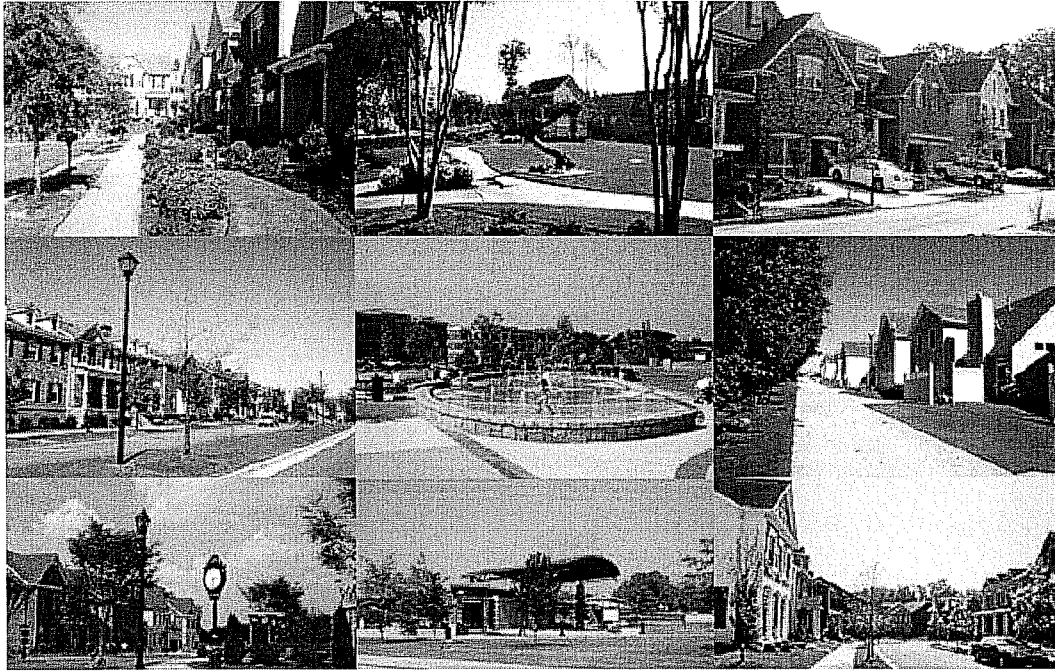
Right-of-way: Project a maximum of 3 feet into locally maintained right-of-way with written permission from the Planning Director.

Projecting Sign. One per Multi-Tenant Office, Institutional, Industrial or Shopping Center Building.

Max Size: 32 square feet
Max projection: 8 feet
Location: Must be located above the first floor but cannot extend above the roof line of the building. The building must be at least 2 stories.
Minimum clearance: 7.5 feet
Right-of-way: Project a maximum of 3 feet into locally maintained right-of-way with written permission from the Planning Director.

- d.e. Temporary signs. Temporary advertising devices shall be allowed per the requirements of Section 1608.C provided that all temporary advertising devices are located no further than 10 feet from the applicants tenant space (leased or owned). Except that a property owner (or designee) may apply for a temporary advertising device located on common area, and farther than 10 feet from the building, as indicated above (three times per year) and the permit will be issued to the landlord or property owner only.

**Planned Mixed Use Development
Ordinance Review**



City of Suwanee
Planned Mixed Use Development (*PMUD*)
Ordinance Review



Prepared by:

City of Suwanee
Planning and Inspections Department
373 Highway 23
Suwanee, GA 30024
January 2, 2009

Executive Summary

The current Planned Mixed-Use Development (PMUD) ordinance has resulted in the construction of several high quality mixed-use projects within the City of Suwanee. The PMUD ordinance has functioned, without any major amendments, since adopted by City Council in 1999. A review of the city's current mixed-use projects and the results of a Mixed-Use Development Assessment, completed in 2007, reveal several areas that could be improved through an amendment to the ordinance. There are four major areas addressed in this analysis. These include issues related to minimum required site area, application procedures, implementation of mixed-use design guidelines, and providing a range of housing types.

The PMUD zoning district requires that eligible sites be a minimum of five (5) contiguous acres. The City of Suwanee has developed at a rapid pace over the past several years. As time passes, it is likely that smaller tracts of land will be suitable for PMUD development. Reducing the minimum required site area, would allow for the development of mixed-use projects on smaller parcels.

Development plans are in concept form during the initial PMUD zoning change process. Further details are submitted, as required by the conditions of zoning, during development of a mixed-use project. While flexibility is essential to a successful mixed-use project, it might be beneficial to require more details at the beginning of the process. Several municipalities require that the developer essentially write their own version of the zoning ordinance that applies to their mixed-use project exclusively. Requiring that a comprehensive master plan document be submitted, would result in a better understanding of what the final development will look like before zoning approval.

The 2030 Comprehensive Plan includes mixed-use design guidelines that are used by staff when reviewing PMUD projects. Several of these guidelines are not being implemented when mixed-use projects are developed in the city. This is largely due to the lack of staff's ability to strongly enforce them. Staff plans to create an evaluation tool and scoring system, would ensure that the mixed-use design guidelines are consistently implemented within mixed-use projects.

According to a Mixed-Use Development Assessment completed in 2007, Suwanee's PMUD projects do not meet the housing objectives within the city's Comprehensive Plan. Less than half of current PMUD neighborhoods achieve the goal of providing a variety of housing choices as to size and cost. Providing a range of housing types allows for young families, senior citizens and the retail/skilled labor workforce to live within the community. These housing types are designed to visually blend into mixed-use projects and often go unnoticed. Amending the ordinance to better address the need for a variety of housing types, would help to achieve a healthy balance of housing choices within the city.

The issues identified in this analysis are the result of reviews of various ordinances from other communities, from an assessment of PMUD projects completed in 2007 and the experience of staff in its efforts to implement the PMUD ordinance. Further research and analysis into each area of concern will result in methods to address each issue following input from the Planning Commission and City Council.

If you have any questions about this analysis please contact Matt Dickison.

Introduction

Purpose:

Historically, the separation of housing from other uses, such as commercial and industrial uses, was more typical of development in the U.S. However, with a deeper understanding of the positive impacts of mixed-use development this trend reversed. The City of Suwanee's current Planned Mixed-Use Development Zoning District (PMUD) was initially adopted in December of 1999. Several planned mixed-use developments have been constructed since that time or are currently under construction. It is now possible to analyze the effectiveness of the PMUD zoning district based on the development of PMUD zoned developments. An amendment might be appropriate to ensure continued successful implementation of the ordinance.

Current Ordinance:

The current PMUD zoning district was created to provide for appropriate planned developments of quality mixed-use projects. This is achieved by allowing greater freedom of design through permitting flexibility and creativity in the land development process. There are currently two variations allowed under the district, which include Mixed-Use Village and Mixed-Use Center. These areas are delineated in the official Future Land Use Map within the City's Comprehensive Plan. Planned Mixed-Use Villages are primarily residential in character where Planned Mixed-Use Centers are primarily non-residential.

Land Development requirements are flexible, but must at a minimum meet or exceed current City of Suwanee standards. According to the Zoning Ordinance, the final plan should foster community and pedestrianism by providing connectivity and community gathering places. In order to be considered a PMUD project, the plan must include a minimum of two discrete types of land uses. It is encouraged that these uses be integrated both horizontally and vertically, where appropriate.

The focus of this analysis will be on areas that may need to be updated. The issues that are identified are the result of reviews of various ordinances from other communities, from an assessment of PMUD projects completed in 2007 and the experience of staff in its efforts to implement the PMUD ordinance over the last 8 years.

Issues

Minimum Site Area:

The PMUD zoning district requires that eligible sites be a minimum of five (5) contiguous acres. The intention of this requirement is to ensure that there is adequate space to provide a mixture of uses and a community gathering space/focal point. The smallest mixed-use development either constructed or under construction within the City of Suwanee is Highland Station. Highland Station is approximately twenty-four (24) acres.

The City of Suwanee has developed at a rapid pace over the past several years. The availability of large tracts of land or the ability to complete large assemblages has greatly diminished during this time. There has been a shift in philosophy from the 2020 Comprehensive Plan to the 2030

Comprehensive Plan. The prior plan encouraged the assemblage of parcels to create large, integrated, mixed-use projects. The likelihood of these opportunities today is much lower. The 2030 Comprehensive Plan is more focused on redevelopment which will take place on smaller tracks, in most cases. As time passes, it is likely that smaller tracts of land will be suitable for a PMUD development. For instance, it could be possible that a light industrial user would incorporate some commercial use and accessory residences. It is also possible that a smaller parcel adjacent to an existing PMUD development would be suitable for a mixture of uses that compliment the adjoining development. The 2030 Comprehensive Plan expresses a desire for taller commercial/office buildings in the Suwanee Gateway Area. It is possible, that a building with a vertical mix of uses, requiring a PMUD zoning designation, might be constructed on a site less than 5 acres.

Application Procedures

Currently, PMUD developments are approved or denied by the City Council following a recommendation by staff and the Planning Commission. All applications for rezoning to a PMUD district must be accompanied by a site development plan and supporting documents. Plans are in concept form during the initial approval process. Further details are submitted, as required by the conditions of zoning, during development of the project. These details include signage, landscaping, lighting, parking, etc.

While flexibility is essential to a successful mixed-use project, it might be beneficial to require more details at the beginning of the process. This will ensure better clarity of what the final outcome might look like. Several municipalities require that the developer essentially write their own version of the zoning ordinance that applies to their mixed-use project exclusively. This Master Plan document includes site design standards which would specify density, intensity, dimensional and bulk standards such as minimum lot size, lot width, setbacks, FAR and building height for each type of land use. Architectural design standards would also be established in the document. Other standards include those for signage, exterior lighting, landscaping, fences and walls, off-street parking, etc.

Mixed-use Design Guidelines

Mixed-use design guidelines are included in the 2030 Comprehensive Plan. These design guidelines include general principles for all mixed-use developments and principles that apply to mixed-use villages and mixed-use centers separately. The mixed-use design guidelines are used by staff when reviewing PMUD projects. While they are not regulatory, projects are assessed for how well they reflect an understanding of these principles.

In 2006, the City of Suwanee hired Ross and Associates to lead a study that assessed Suwanee's mixed-use developments. The study measured the quality of mixed-use developments based on how well they adhere to the mixed-use design guidelines. The study concluded that several of these guidelines were not being implemented in mixed-use projects developed in the city.

A major recommendation within the final report was that the city should develop a "check list" based on the design guidelines to use in evaluating each new mixed-use project. The report further recommended that a scaling system be devised to assign points to each development proposal. This scoring system could evolve into a tool to ensure that new mixed-use projects

will implement the mixed-use design guidelines in the Comprehensive Plan. For example, the evaluation tool could include a mandatory list of guidelines that must be addressed in all mixed-use projects. The remaining principles would be optional, though each project would have to implement a combination of the guidelines to achieve a specific minimum score set by the ordinance. An alternative to a mandatory evaluation tool is to provide certain “bonuses” to developers if a specific point total is achieved. This could be in the form of a density bonus or some other allowance beyond what would otherwise be permitted.

Range of Housing Types

The PMUD zoning district is intended to allow for diversification of uses, structures, densities and open spaces. According to the ordinance, residential uses within a PMUD project may be attached, semi-attached, detached and/or located within multi-story buildings above non-residential office or commercial development. The current ordinance does not strongly encourage or require a range of housing types.

According to a Mixed-Use Development Assessment completed in 2007, Suwanee’s PMUD projects do not meet the housing objectives of the city’s Comprehensive Plan. The Comprehensive Plan suggests that limited scale multi-family, rental housing, “granny flats” and garage apartments should be incorporated into mixed-use development. According to the assessment, all of Suwanee’s PMUD projects fail to adequately provide these housing types. In addition, the study found that less than 50% of PMUD projects achieve the goal of providing a variety of housing choices as to size and cost. Taking action to encourage or require a range of housing types should improve this outcome in the future.

Providing a range of housing types allows for the creation of workforce and intergenerational housing. This housing comes in many forms and allows for young families, senior citizens and the retail/skilled labor workforce to live within the community. A healthy mix of housing types will provide options that allow a resident to live within the community from young adulthood through retirement and into their senior years. These housing types are designed to visually blend into mixed-use projects and often go unnoticed. Examples include two-family homes that are constructed to appear as single family homes and in-law suites located above accessory buildings.

Encouraging a variety of housing types can occur in multiple ways. At a minimum, the ordinance could be amended to require that PMUD projects address the need for a range of housing types. A more aggressive option would be to amend the ordinance to require that a certain portion of all housing units within a mixed-use development fall below a specified square footage. Further research into what other municipalities are doing to achieve a variety of housing types will result in an understanding of the tools used to achieve more balance within the city.