



## Resolution

File Number: 20120678

**A RESOLUTION TO TRANSMIT** the City of Marietta 5-Year Short Term Work Program 2012 Update to the Comprehensive Plan 2006-2030.

**WHEREAS**, to retain its "Qualified Local Government" status pursuant to the Georgia Planning Act 1989, the City of Marietta must remain in compliance with the requirements of the State of Georgia's Minimum Planning Standards and Procedures for Local Comprehensive Planning; and

**WHEREAS**, the state's Minimum Planning Standards and Procedures require that the City, update its Comprehensive Plan; and

**WHEREAS**, appropriate notice has been provided and a public hearing was held on August 8<sup>th</sup>, 2012, that meets the minimum procedural requirements for preparing the 5 – Year Update to the Comprehensive Plan;

**NOW, THEREFORE BE IT HEREBY ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF MARIETTA, GEORGIA, THAT:**

The City of Marietta 5 – Year Short Term Work Program 2012 Update to the Comprehensive Plan 2006-2030 is hereby transmitted to the Department of Community Affairs and the Atlanta Regional Commission . This Resolution shall be effective upon signature or without the signature of the Mayor, subject to Georgia laws 1983, page 4119.

**DATE:** August 8<sup>th</sup>, 2012

Approved: R. Steve Tumlin, Jr.  
R. Steve Tumlin,  
Mayor

ATTEST: Stephanie Guy  
Stephanie Guy, City Clerk

Approved as to form: Douglas R. Haynie  
Douglas R. Haynie, City Attorney



## MEMORANDUM

TO: Honorable Mayor and City Council

THROUGH: Bill Bruton, City Manager  
Brian Binzer, AICP, Director of Development Services *BBR*  
Rusty Roth, AICP, Planning & Zoning Manager *RR*

FROM: Kyethea Clark, Senior Urban Planner *KC*

SUBJECT: Comprehensive Plan 5-Year Short Term Work Program (STWP) Update

DATE: August 8, 2012

**ISSUE:** The Department of Development Services Staff has completed the State mandated Comprehensive Plan 5-Year STWP Update and has included an update to the Mixed Use (MXD) Future Land Use (FLU) category. Staff has spoken with Atlanta Regional Commission (ARC) and the Georgia Department of Community Affairs (DCA), and the proposed amendments constitute a major amendment. A major amendment requires that once the City Council has adopted the update and transmittal resolution, Staff forwards the update to the ARC and DCA for their review. In order to maintain qualified local government certification, and thereby remain eligible for many state and federal funding and permitting programs, each local government must prepare, adopt, maintain, and implement a comprehensive plan that meets the State's minimum planning requirements.

This request is a mandated update to the City's Comprehensive Plan 5-year project list. There are two project lists that are presented for your review including the Report of Accomplishments and a new 2012 Short Term Work Program project list. The Report of Accomplishments is a review of the last 2005 project list, which updates the status of the listed projects or programs that were identified within the 5-year horizon (2005-2010). There are many projects that are classified as "Ongoing," and are also listed on the new 5-year project list (2012 STWP).

The second project list is the new 5-Year Project Update that identifies the projects and programs for the next 5-Year horizon (2012-2018). Please note that an extra year has been added to show the project accomplishments that have taken place in 2012 with the Park Bond improvement projects and the 2011 Special Purpose Local Optional Sales Tax (SPLOST) program. The proposed change to the Comprehensive Plan 2012 STWP project list includes the following:

- Inclusion of the City Council approved 2009 Park Bond park improvement project list.
- Inclusion of the City Council approved 2011 Special Purpose Local Optional Sales Tax (SPLOST) project list.
- Inclusion of the Atlanta Regional Commission's (ARC) mandated Local Government Performance Standards that staff has reviewed and which are directly related to the Qualified Local Government (QLG) status.
- Inclusion of projects that were identified by City Departments.

There is one request to update the Mixed Use (MXD) FLU category. The purpose of the request is to permit office uses as compatible zoning within the MXD FLU category. This change is a result of concerns voiced by property owners in the Tower Road area who have intentions to develop more medical office buildings. The proposed zoning categories to include as MXD compatible zoning are OIT (Office Institution Transitional), LRO (Low Rise Office), OI (Office Institutional), OS (Office Service), OHR (Office High Rise).

As part of the discussion of Future Land Use in the Tower Road area, there was also a concern by two Councilmembers regarding the designation of some properties for High Density Residential (HDR). The Future Land Use Map (see attached) indicates an area north of Tower Road and an area south of Tower Road that are designated High Density Residential (HDR). The Future Land Use in this area was designated as High Density Residential as part of the "Cherokee – Church Street Historic District & Kennestone Area Study" in November 2006. The area is currently a mix of single family residential properties, some vacant properties and an industrial property. Staff is seeking direction from Council regarding the appropriate Future Land Use Designation for these properties.

The purpose of FLU is to designate future land use patterns, densities and intensities of land uses in areas which will best accommodate the projected population and development. FLU is an important component to the overall comprehensive planning process. The designations listed in this section act as a guide and policy framework for making land use decisions within the community. The FLU designations should be used in association with the Character Areas and policy statements.

In the City's Comprehensive Plan, the location of the FLU categories has been determined based on the analysis of existing or proposed road improvements, the availability of water and sewer, existing land uses, environmental constraints, and other accepted planning principles. When used in association with one another, these materials provide a clear understanding of what the community expects for new development in areas throughout the city.

**BACKGROUND:** The O.C.G.A. 50-8-1 et seq gives the Georgia Department of Community Affairs (DCA) the authority to require local governments in Georgia to prepare comprehensive plans, with the purpose of developing a vision for the community's future; generate local pride and enthusiasm about the future of the community; and provide a guide to everyday decision-making for use by local government officials and other community leaders.

Also, the planning requirements provide technical guidance to communities in advancing the state's planning goals of:

- A growing and balanced economy;
- Protection of environmental, natural and cultural resources;
- Provision of infrastructure and serves to support efficient growth and development patterns;
- Access to adequate and affordable housing for all residents;



- Coordination of land use planning and transportation planning to support sustainable economic development, protection of natural and cultural resources and provision of adequate and affordable housing; and
- Coordination of local planning efforts with other local service providers and authorities, neighboring communities and state and regional plans.

In order to maintain qualified local government certification, and thereby remain eligible for several state funding and permitting programs, each local government must prepare, adopt, maintain, and implement a comprehensive plan that meets the States planning requirements. All local governments in Georgia must adhere to these planning requirements.

On July 13, 2005, the Mayor and City Council adopted the Comprehensive Plan 2006-2030. At that time, Staff made plans to update the Comprehensive Plan periodically to keep it current and a usable “fresh” planning document, also satisfying the DCA’s planning requirements; thus keeping the planning document active and eligible.

*This item was discussed at the Judicial Legislative committee on July 25, 2012, and Council directed staff to make a change to the 2005 STWP – Report of Accomplishments. That change is highlighted in yellow.*

*Also, the issue of the proposed Future Land Use change in the Tower Road area was discussed, and Council directed staff to bring that specific item back to the Judicial Legislative committee in August to be discussed.*

**RECOMMENDATION:** Staff recommends review and approval of the proposed updates to the Comprehensive Plan and resolution.