



**Action Requested/Required:**

- Vote/Action Requested
- Public Hearing
- For Discussion Only
- Presentation Only

Department: Community Development Presenter(s) & Title: Steve Green, Zoning Administrator

**Agenda Item Title:**

Update on proposed zoning map.

**Summary:**

The staff will be contacting property owners who's property is currently zoned O-RT (Office-Residential Transition) to inform them of the impending change of zoning to either office or the appropriate residential zoning classification. The NC (Neighborhood Commercial) zoning district will be eliminated and those properties will be GC (General Commercial). The RA-6 (Residential Attached-6 units per acre) will be eliminated and those properties will be RA- (Residential Attached-8 units per acre). There has been discussion as to the elimination of the R-40, R-20, R-15 and R-4 zoning districts and keeping the R-10 zoning district. The PD-Business/Office and PD-Traditional Neighborhood Development zoning districts are also proposed to be eliminated.

**Budget Implications:**

Budgeted?  Yes  No  N/A

Total Cost of Project:  Check if Estimated

Fund Source: General Fund  Water & Sewer  Sales Tax  Other:

**Staff Recommendations:**

**Reviews:**

Has this been reviewed by Management and Legal Counsel, if required?  Yes  No

**Attachments:**

Original ordinance prepared by the City Attorney's office

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE TO AMEND THE CITY OF CANTON UNIFIED DEVELOPMENT CODE TO DELETE ZONING CATEGORIES R-4, R-15, R-20, R-40 AND TO REDESIGNATE THESE CATEGORIES AS R-10; TO PROVIDE FOR CHANGES TO R-10 TO ALLOW VARIANCES FROM DEVELOPMENT STANDARDS WITH MASTER PLAN; TO DELETE RA-6 CATEGORY; TO DELETE NC ZONING DISTRICT; TO AMEND CHAPTER 105 BY REPLACING "BOARD OF ZONING APPEALS" WITH "BOARD OF APPEALS" AND "BZA" WITH "BOA"; TO AMEND TABLE 102-4 BY REPLACING THE "P" WITH A "C" IN THE CBD COLUMN FOR TOWNHOUSE TO MAKE THE USE CONDITIONAL; TO AMEND CHAPTER 104.05(A) TO ALLOW COTTAGE HOUSING IN THE CBD DISTRICT;

WHEREAS, the City council desires to reduce the zoning categories in the Unified Development Code; and

WHEREAS, the City Council desires to change the name of the Board of Zoning Appeals to Board of Appeals in the Unified Development Code; and

WHEREAS, the City Council desires to make townhouses a conditional use in the Central Business District; and

WHEREAS, the City Council desires to amend the Unified Development Code to allow cottage housing in the CBD District;

NOW THEREFORE, IT IS HEREBY ORDAINED BY THE GOVERNING AUTHORITY OF THE CITY OF CANTON as follows:

1. Section 102.01.01 and Table 102-1 of the Unified Development Code are amended to delete R-4, R-15, R-20, R-40, and RA-6 from the residential zoning districts; to delete NC and O-RT from the commercial zoning districts; and to delete PD-Business/Office and PD-Traditional Neighborhood from the mixed use districts.

2. Section 102.01.02 of the Unified Development Code is amended to delete (A) *R-40 single family residential (40,000 square feet)*, (B) *R-20 single-family residential (20,000 square feet)*, (C) *R-15 single-family residential (15,000 square feet)*, (E) *R-4 Single-family residential (4,000 square feet)*, and (F) *RA-6 residential attached (six du/acre)*.

3. Section 102.01.03 of the Unified Development Code is amended to delete (A) *NC neighborhood commercial* and (D) *O-RT office residential transition*.

4. Section 102.01.05 of the Unified Development Code is amended to delete (A) *PD-Business/office* and (C) *PD-Traditional Neighborhood Development*.

5. Table 102-4 Land Use Table of the Unified Development Code is amended to delete R-4, R-15, R-20, R-40, RA-6, NC and O-RT; and to change "P" to a "C" for Townhouse in the CBD zoning district.



6. Table 102-5 Development Standards Table of the Unified Development Code is amended to delete R-4, R-15, R-20, R-40, RA-6, NC and O-RT.

7. Section 102.01.04 of the Unified Development Code is amended to add the following sentence: For residential development in the R-10 zoning category, the development standards may be varied by a master plan and conditional use permit approved by the city council.

8. Table 103-1 Buffer Types by Zoning District of the Unified Development Code is amended to delete R-4, R-15, R-20, R-40, RA-6, NC and O-RT.

8. Section 104.05.00(A) of the Unified Development Code is amended to delete R-4, R-15, R-20, R-40, and RA-6, and to add CBD.

9. Chapter 105 Development Code Administration of the Unified Development Code is amended to change all references to "board of zoning appeals" to "board of appeals" and change all references to "BZA" to "BA".

10. Section 106.01.01 of the Unified Development Code is amended to delete R-4, R-15, R-20, R-40, RA-6 and O-RT.

11. Section 107.10.02 of the Unified Development Code is amended to delete R-15, R-20, and R-40.

12. Section 109.04.03 C(5) is amended to delete "except the R-40 district" from the first sentence.

13. If any portion of this Ordinance be declared invalid or unconstitutional by any court or competent jurisdiction or if the provisions of any part of this Ordinance as applied to any particular situation or set of circumstances shall be declared invalid or unconstitutional, such invalidity shall not be construed to affect the portions of this Ordinance not so held to be invalid. It is hereby declared to be the intent of the City Council to provide for separable and divisible parts and does hereby adopt any and all parts hereof as may not be held invalid for any reason.

14. This Ordinance shall become effective on the date the Mayor signs the ordinance indicating approval, ten days after the adoption of the ordinance if the Mayor has not signed nor vetoed, or immediately upon an affirmative vote of the City Council after the Mayor's veto, whichever shall first occur.

Attest:

\_\_\_\_\_  
Bill Grant, MAYOR

Date:

\_\_\_\_\_  
Annie Fortner  
CITY CLERK

Approved as to form:

\_\_\_\_\_  
Robert M. Dyer, City Attorney

ORDINANCE NO. \_\_\_\_\_

First Reading \_\_\_\_\_

Adopted by Council \_\_\_\_\_

Approved by Mayor \_\_\_\_\_

Veto by Mayor \_\_\_\_\_

Second Vote by Council \_\_\_\_\_

Effective Date \_\_\_\_\_

\_\_\_\_\_  
Annie Fortner, City Clerk