



Planning and Zoning Commission Meeting - Final

November 12, 2024
6:00 PM

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- A. **ORD2024-002** Public Hearing - Allow a code amendment to Section 713 of the zoning ordinance to allow an animal crematory as a permitted use in the OD (Office-Distribution) Zoning District.



City of Smyrna

Issue Sheet

A Max Bacon
City Hall
2800 King Street
Smyrna, GA 30080

File Number: ORD2024-002

Agenda Date: 11/12/2024

In Control: .

File Type: Ordinance

Agenda Section:

Formal Business

Department: Community Development

Agenda Title:

Public Hearing - Allow a code amendment to Section 713 of the zoning ordinance to allow an animal crematory as a permitted use in the OD (Office-Distribution) Zoning District.

Citywide

ISSUE AND BACKGROUND:

Community Development is proposing a code amendment to the Zoning Ordinance to allow animal cremation as a permitted use within the Office-Distribution (OD) zoning district. The Heavy Industrial (HI) zoning district allows human and animal crematories, but no other zoning district allows animal cremation as a singular use.

RECOMMENDATION / REQUESTED ACTION:

Community Development proposes a code amendment to allow animal cremation as a permitted use within the Office-Distribution zoning district. Therefore, Community Development recommends approval of the proposed code amendments below to the City's Zoning Ordinance:

Section 713 of the Zoning Ordinance shall be amended to add animal crematory to the list of permitted uses under the Office-Distribution (OD) zoning district. The proposed sections shall read as follows:

(713.3) Animal crematory.

CITY OF SMYRNA

COMMUNITY DEVELOPMENT DEPARTMENT

MEMORANDUM

To: Mayor and Council

From: Russell Martin, AICP, Community Development Director
Joey Staubes, AICP, Planner II

Date: November 6, 2024

CC: Joe Bennett, City Administrator
Planning and Zoning Board

RE: **Zoning Code Amendment – Animal Crematory**

BACKGROUND

Community Development is proposing a code amendment to the Zoning Ordinance to allow animal cremation as a permitted use within the Office-Distribution (OD) zoning district. The Heavy Industrial (HI) zoning district allows human and animal crematories, but no other zoning district allows animal cremation as a singular use.

ANALYSIS

Community Development has reviewed the City's Zoning Ordinance and found that animal and human crematories are identified as permitted use within the Heavy Industrial (HI) zoning district. However, animal cremation is not permitted in any other zoning district. The proposed code amendment would allow animal cremation as a permitted use within the Office-Distribution zoning district.

Community Development is proposing to amend Section 713 of the Zoning Ordinance to add animal cremation as a permitted use under the Office-Distribution (OD) zoning district.

STAFF COMMENTS

Community Development proposes the following code amendment to allow animal cremation as a permitted use within the Office-Distribution zoning district. Therefore, Community Development recommends approval of the proposed code amendments below to the City's Zoning Ordinance:

Section 713 of the Zoning Ordinance shall be amended to add animal crematory to the list of permitted uses under the Office-Distribution (OD) zoning district. The proposed sections shall read as follows (amended portions are highlighted).

(713.3) ~~Reserved.~~ Animal crematory.

Sec. 713. OD, office-distribution district.

The intent of this section in establishing the OD district is to provide for office and distribution facilities not involving the manufacturing, fabrication, repair or servicing of any commodity or product and for limited commercial activities not devoted primarily to the retail sale of merchandise.

Within any OD, office-distribution district, the following uses shall be permitted:

(713.1) Financial institutions, including banks and savings and loan establishments.

(713.2) Health clubs and other similar physical fitness establishments.

(713.3) ~~Reserved.~~ **Animal crematory.**

(713.4) Reserved.

(713.4.1) Miniwarehouses, for self-storage only and services accessory to the operation of the miniwarehouse including and limited to truck rental, provided the lot area is one acre or larger, the truck to property area ratio is not greater than two trucks per one acre of lot area, and the limited retail sale of storage related items. Miniwarehouses may include one apartment for a security guard or caretaker provided the apartment is an integral part of the warehouse complex and not a freestanding unit and provided said apartment shall not be leased or rented to any second party.

(713.5) Offices, including the following:

- (1) Offices of health service practitioners, including physicians, chiropractors and other licensed practitioners similar to those listed;
- (2) Other professional offices, including legal, accounting, auditing, engineering, architectural and others similar in character to those listed;
- (3) General business offices, including financial, real estate, insurance, manufacturers and sales representatives and others similar in character to those listed, provided that no goods are for sale at retail;
- (4) Governmental offices, including federal, state, county and city.

(713.6) Office supply establishments, including accessory printing operations.

(713.7) Parking lot and parking garage, both private and public.

(713.8) Planned office development in accordance with the provisions of article X, section 1012.

(713.9) Public buildings and uses other than those already permitted, provided that there is no outdoor storage of equipment and materials.

(713.10) Retail sales and services accessory to the operation of an office building, institutional use, motel or hotel, conducted wholly within the building housing the use to which such activities are accessory, provided that the floorspace used or to be used for such secondary uses shall be limited to 25 square feet per room in hotel or motel, or ten percent of the net floor area in an office building or institutional use, and provided that:

- (a) Every public entrance to such a use shall be from a lobby, hallway or other interior portion of the primary use structure;
 - (b) No show window, advertising or display shall be visible from the exterior of the primary use structure; and
 - (c) No merchandise shall be stored or displayed outside of the primary use structure.
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However, the requirements of [subsections] (a) and (b) above shall not apply to restaurants and cafeterias secondary to a hotel or motel and office building or institutional use; these secondary uses may be located in a structure other than the primary use structure. The following accessory uses are permitted:

- (1) Barbershops, beauty shops, laundry and dry cleaning pickup and distribution stations and other similar personal service establishments;
 - (2) Bookstores;
 - (3) Drugstores and apothecary shops;
 - (4) Florists;
 - (5) Convenience food stores;
 - (6) Gift shops;
 - (7) Cafeterias and restaurants;
 - (8) Lounge and/or package store for the consumption, and/or sale of alcoholic beverages;
 - (9) Newsstands.
- (713.11) Wholesale trade sales and distribution establishments and warehousing facilities, including offices.