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## 134-286 Mableton Form-based Redevelopment

### General Procedures

#### Intent

Due to the sustained lack of private investment in the old Downtown Mableton, it is necessary to institute development incentives to assist residences and businesses in having the community they desire. Therefore, the intent and purpose of this Section is to enable and encourage the implementation of the South Cobb Town Center-Mableton Lifelong Community Plan (as adopted February 8, 2011) as depicted and expressly limited to the boundaries shown on Table 1C. The following policies provides further clarification on the intent for this section:

- 1) The Mableton Community
  - a) That Mableton should retain its natural infrastructure and visual character.
  - b) That growth strategies should encourage infill development in parity with the development of new communities.
  - c) That development within or contiguous to urbanized areas should support Traditional Neighborhood Development (TND) or Regional Corridor Development (RCD) patterns.
  - d) That transportation corridors should be planned and reserved in coordination with land use.
  - e) That green corridors should be used to define and connect the urbanized areas.
  - f) That the community should include a framework of transit, pedestrian, and bicycle systems that provide alternatives to the automobile.
  - g) That compact, pedestrian-oriented and mixed use development should be enabled as a pattern of development.
  - h) That ordinary activities of daily living should occur within walking distance of most dwellings, allowing independence to those who do not drive.
  - i) That interconnected networks of thoroughfares should be designed to disperse traffic and reduce the length of vehicle trips.
  - j) That a range of housing types, sizes and price levels should be distributed throughout the community to accommodate diverse ages and incomes.
  - k) That appropriate building densities and land uses should be provided within walking distance of transit stops.
  - l) That civic, institutional, and commercial activity should be in downtowns, not isolated in remote single-use complexes.
  - m) That schools should be sized and located to enable most children to walk or bicycle to them.
  - n) That a range of open space, specifically parks, squares, and playgrounds should be distributed within neighborhoods and downtowns.
- 2) The Block and the Building
  - a) That buildings and landscaping should be disciplined to contribute to the spatial definition of thoroughfares.
  - b) That block structure should adequately accommodate automobiles while respecting the pedestrian and the spatial form of public areas.
  - c) That the design of streets and buildings should reinforce safe environments, but not at the expense of accessibility.

- d) That architecture and landscape design should grow from local climate, topography, history, and building practice.
  - e) That the architectural design of buildings should respond to climate through energy efficient methods.
  - f) That civic buildings and public gathering places should be distributed to locations that reinforce community identity and support local governance.
  - g) That civic buildings should be distinctive and appropriate to a role more important than the other buildings that constitute the fabric of the city.
  - h) That the preservation and re-use of historic buildings should be facilitated.
  - i) That the harmonious and orderly evolution of urban areas should be secured through regulating the form of buildings.
- 3) The Transect
- a) That communities should provide meaningful choices in living arrangements as enabled by distinct physical environments.
  - b) That the transect zone descriptions on Table 1 shall constitute the intent of this Code with regard to the general character of each of these environments.

#### Applicability

- 1) Provisions of this Section are activated by "shall" or "are" when required, "should" when recommended, and "may" when optional.
- 2) Areas that are outside of the Mableton Form-based Redevelopment District, as depicted in Table 1C, which may request to utilize form-based coding will need to demonstrate a specific need as to why the normal zoning process will not accommodate their needs. Reasons to authorize the use of form-based codes shall include all of the following:
  - a) A lack of development in comparison to the county average for a period of at least 15 years;
  - b) Blight, which includes social, economic, and physical factors; and
  - c) Areas that have been part of a Board of Commissioners approved Master Plan or Corridor Study.
- 3) If an area of Cobb County desires to have the Board of Commissioners consider applying form-based type standards to an area outside of that which is depicted in Table 1C, the requesting party will be required to undertake a process similar to that of the South Cobb Town Center-Mableton Lifelong Community Plan (as adopted February 8, 2011) and the Mableton Form-based Redevelopment District. This shall include, but is not limited to the following:
  - a) A week long Design Workshop, which culminates in a joint-presentation to the Planning Commission and Board of Commissioners. The Design Workshop shall include multiple designers and planners that will create the Illustrative Master Plan, Illustrations, Graphics, and Maps which sets the vision for the future of the area.
  - b) Community participation and involvement in all aspects of the Design Workshop;
  - c) Public notification of the week long Design Workshop through road signs, direct mailing to all property owners impacted by the plan and code, e-mail, website, and print media;
  - d) An Illustrative Master Plan document shall be compiled and approved by the Board of Commissioners prior to final consideration of draft form-based code.

- e) The creation of the Regulating Plan and code language shall be a direct reflection of the vision created in the Illustrative Plan.
- f) Prior to a draft code being presented to the Planning Commission and Board of Commissioners, at least two public workshops will need to occur to educate the impacted community about the contents of the code and obtain community input into the specifics of the code.
- g) Finally, consideration of new form-based code areas should be done in accordance with the standard and procedures for other code amendments.
- 4) Specific standards set forth in the Implementation of the Mableton Form-based Redevelopment District are considered part of this code. These standards are available for viewing with the Community Development Agency, the Cobb County Clerks Office, and on-line via the Cobb County website. Alterations to the standards shall be considered amendments to the code and will be undertaken in the manner described below.
- 5) Provisions of this Section, when in conflict, shall take precedence over those of other codes, ordinances, regulations and standards except Chapter 54 (Fire Prevention and Protection) of the Cobb County Code; the Cobb County Commission approved International Building Code; International Fire Code; International Mechanical Code; International Plumbing Code; International Residential Code; National Electrical Code; International Fuel Gas Code; International Energy Conservation Code; and International Property Management Code. These provisions shall not take precedence if owners opt to utilize the existing underlying zoning.
- 6) The existing provisions of the Cobb County Code and Cobb County Development Standards shall continue to be applicable to parcels that opt to utilize the existing underlying zoning as well as applying to issues not covered by this Section except where the existing local codes would be in conflict.
- 7) Definitions & Synonyms contains regulatory language that is integral to this Section. Those terms not defined in Definitions & Synonyms shall be accorded their commonly accepted meanings. In the event of conflicts between these definitions and those of the existing local codes, those of this Section shall take precedence.
- 8) The provisions of this Section or the numerical metrics of its tables, when in conflict with diagrams and illustrations, shall take precedence.
- 9) Illustrations of recommended infrastructure strategies and land use allocations that would support the implementation of the South Cobb Town Center-Mableton Lifelong Community Plan (as adopted February 8, 2011) are located in the Regulating Plan.
- 10) Infrastructure illustrated in The Regulating Plan may be required as part of the routinely applied development approval process, but in no event constitutes a commitment that Cobb County will install the infrastructure.

#### Approvals Process

- 1) A Review Committee (RC) shall process administratively applications and plans for proposed projects.
- 2) An owner may request a variance or appeal a decision of the RC to the Board of Commissioners.

#### Warrants and Variances

- 1) There are two types of deviations from the requirements of this Section: warrants and variances.

- 2) A warrant shall permit a practice that is not consistent with a specific provision of this Section but is justified by the General Procedures Intent. The Warrant Committee (WC) shall have the authority to approve or disapprove administratively a request for a warrant pursuant to the procedures established by the Board of Commissioners. Prior to warrant being considered, notice shall be provided to the entire RC at least 15 days prior to the WC meeting. WC decisions may be appealed to the Board of Commissioners with 30 days of the WC Committee Decision. Appeals should be filed with the Zoning Division Manager, or his/her designee.
- 3) A variance is any ruling on a deviation other than a warrant. Variances shall be granted only by the Board of Commissioners with a recommendation provided by the Planning Commission.
- 4) Variance and appeals requests heard by the Planning Commission and Board of Commissioners shall be heard as per the rules set forth for consideration of Other Business Agenda Items.

#### Incentives

To encourage the use of this Section, an incentives plan shall be presented to the County Board of Commissioners after the adoption of this Section. General items that may be considered in this incentives plan include:

- 1) Fee reduction.
- 2) Density increases (particularly as they relate to workforce housing options).
- 3) Tax relief (tax abatement via Development Authority).
- 4) Green building certifications.

#### Amendments

- 1) There are two types of amendments available for this Section, amendments to the regulating plan and amendments to the metrics of this Section. All Amendments to the regulating plan and metrics of this section shall be approved by Board of Commissioners. Amendments may be permitted, provided they are consistent with the intent of this Section and adhere to the following:
  - a) Amendments to this Section shall be considered as a request by the Community Development Agency or at the discretion of the Board of Commissioners. Modifications to the regulating plan and metrics, including changes in transect zone assignments are considered Amendments.
  - b) The Community Development Agency may prepare or have prepared on its behalf amendments to the regulating plan, subject to review and recommendation by the Planning Commission and approval of the Board of Commissioners. Amendments shall adhere to specific criteria set forth in the Implementation of the Mableton Form-based Redevelopment District, which are hereby considered part of this code.

The Regulating Plan

Table 1C – Transect Zone Allocation

