

**STATE OF GEORGIA
COUNTY OF FULTON**

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF SANDY SPRINGS, GEORGIA TO AMEND DIVISIONS 7.2 & 7.8 OF THE SANDY SPRINGS DEVELOPMENT CODE; TO PROVIDE FOR AMENDED REGULATIONS FOR HOME OCCUPATIONS; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

WHEREAS, the City of Sandy Springs is charged with providing for the health, safety and welfare of the citizens of the City; and

WHEREAS, the City of Sandy Springs previously adopted and amended the Zoning Ordinance that includes, as Article VII (Use Provisions) Division 7.2 (Defined Terms) and Division 7.8 (Accessory Uses & Structures) of the Development Code, effective September 15, 2017, provisions for home occupations in the Development Code; and

WHEREAS, the Mayor and City Council have conducted a properly-advertised Public Hearing prior to adoption of this Ordinance in accordance with the Zoning Procedures Act.

NOW THEREFORE, THE CITY COUNCIL FOR THE CITY OF SANDY SPRINGS DOES HEREBY ORDAIN AS FOLLOWS:

SECTION I: The City of Sandy Springs Development Code is hereby amended by revising Division 7.2 (Use Table) of Article VII (Use Provisions) by inserting the “Home Occupation (Outdoor)” into the Use Table between “Home occupation” and “Horse stable, non-commercial” and assign zoning districts as follows:

	Protected Neighborhood				Urban Neighborhood				Corridors & Nodes								Perimeter Center		
	RE	RD	PK	CON	RU	RT	RM	RX	ON	OX	CX	SX	TX	CS	IX	CC	PR	PX	PM
Home occupation (outdoor)	C	C	--	--	C	--	--	--	--	--	--	--	--	--	--	--	--	--	--

SECTION II: The City of Sandy Springs Development Code is hereby amended by revising Division 7.8 (Accessory Uses & Structures) of Article VII (Use Provisions) by inserting a definition and use standards for “Home Occupation (Outdoor)” as part of Sec. 7.8.8.

Division 7.8. – Accessory Uses & Structures.

7.8.8. Home Occupation

B. Home Occupation (Outdoor)

1. Defined and Use Standards

ORDINANCE NO. 2018-07-19
TA18-0001

Defined: An occupation that provides an outdoor recreational, educational, or instructional service, which by its nature, must be conducted outside the principal residential structure. This includes swimming lessons and personal athletic coaching.

a. General Provisions

- i. No more than two home occupations (total of any indoor & outdoor home occupations) may be established on a residential lot.
- ii. No more than one outdoor home occupation may be established on a residential lot.
- iii. A home occupation must be clearly incidental and secondary to the use of the dwelling for residence purposes.
- iv. No activity associated with an outdoor home occupation may be conducted between the wall plane of a dwelling and a street.

b. Alterations to the residential lot: The exterior appearance and character of the residential lot must remain that of a residential lot.

c. Vehicles and Parking:

- i. All parking needs in association with the outdoor home occupation must be met on the residential lot. The outdoor home occupation must provide a transportation plan that demonstrates how parking needs can be met on-site. That plan must mark the parking spaces to be used by the home business (outdoor), ingress/egress routes, and anticipated trip generation.
- ii. In addition to the requirements in Div. 8.1, an outdoor home occupation must provide two additional parking spaces on-site. Tandem parking is not allowed for these additional parking spaces (see Sec. 8.1.4.D).

d. Equipment, Off-Site Impacts and Nuisances

- i. No home occupation may generate traffic, sound, smell, vibration, light, or dust that is offensive or that creates a nuisance.
- ii. No equipment that interferes with radio or television reception is allowed.
- iii. Home occupations must exclude the use of machinery or equipment that emits sound (for example, saws, drills, or musical instruments) detectable beyond the property.
- iv. Chemical, electrical, or mechanical equipment that is not normally a part of domestic or household equipment which is used primarily for commercial purposes is not permitted.
- v. Any part of a property used for an outdoor home business must be screened from adjoining properties with an opaque fence or wall. Said wall or fence must be at least 6 feet tall and must meet the standards in Sec. 8.2.10 of the Development Code. In lieu of the 6-foot fence, an outdoor home business may be screened with a 20-foot buffer similar to the standards in Sec. 8.2.7.B of the Development Code.

e. Visitation

- i. Total client visits are limited to 2 students being tutored at one time with a maximum of 4 students per hour.
- ii. Outdoor home occupations are limited to between 8.00am to 6.00pm on weekdays, and to between 8.00am to 5.00pm on Saturdays. No activity is allowed outside these hours, on Sundays, or on legal holidays (New Year's Day (as observed by the City), Memorial Day, Independence Day (as observed by the City), Labor Day, Thanksgiving Day, and Christmas Day (as observed by the City)).
- iii. Outdoor home occupations are limited to a maximum of six hours of operation per day.

f. Employees and Licenses

- i. Only occupants of the dwelling are allowed to work on the premises in connection with a home business (outdoor). Any occupational licenses, including State, County, or City regulations must be obtained.

ii. An operator of any outdoor home occupations with clients under 18 years of age must possess and maintain Red Cross CPR (cardiopulmonary resuscitation) Certification or a similar certification.

7. Swimming Pools

- a. For any outdoor home occupation utilizing a swimming pool, the pool, pool deck, and pool enclosure must meet the requirements of the International Swimming Pool and Spa Code.
- b. An operator of an outdoor home occupation utilizing a swimming pool in any capacity must possess and maintain Red Cross Swim Instructor Certification or a similar certification.

SECTION III: It is the intention of the City Council and it is hereby ordained by the authority of the City Council that the provisions of this Ordinance shall become and be made a part of the City of Sandy Springs Development Code, and the codifier is authorized to make the specified deletions, insertions, additions, and to insert headings, article numbers and section numbers as and where appropriate.

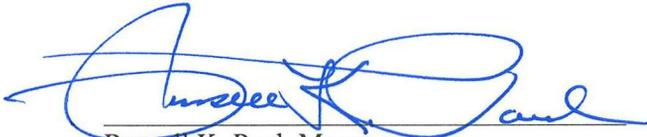
SECTION IV: All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed to the extent of such conflict.

SECTION V: If any section, subsection, provisions, or clause of any part of this Ordinance shall be declared invalid or unconstitutional, 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, or the application of this Ordinance to other circumstances not so held to be invalid. It is hereby declared as the intent of the City Council that this Ordinance would have been adopted in its current form without the invalid or unconstitutional provision contained therein.

SECTION VI: This Ordinance shall become effective immediately upon adoption.

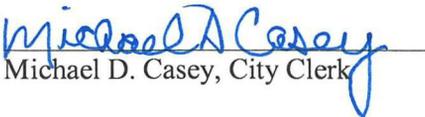
APPROVED AND ADOPTED this the 17th day of July, 2018.

Approved:



Russell K. Paul, Mayor

Attest:



Michael D. Casey, City Clerk

(Seal)

