ORDINANCE NO. 2018-07-20
TA18-0002

STATE OF GEORGIA
COUNTY OF FULTON

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF SANDY SPRINGS, GEORGIA TO AMEND ARTICLE XII (DEFINITIONS) OF THE SANDY SPRINGS DEVELOPMENT CODE; TO PROVIDE FOR AN AMENDED DEFINTION OF "STABILIZATION, FINAL"; TO DELETE CONFLICTING PROVISIONS; 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 XII (Definitions) Division 12.2 (Defined Terms) of the Development Code, effective September 15, 2017, provisions for defined terms used 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 HEREBY ORDAINS AS FOLLOWS:

SECTION I: The City of Sandy Springs Development Code is hereby amended by revising Division 12.2 (Defined Terms), of Article XII (Definitions) by amending the definition of "Stabilization, final" to read as follows:

Division 12.2 – Defined Terms.

The following definitions shall apply in the interpretation and enforcement of this article, unless otherwise specifically stated:

...

Stabilization, final. All soil disturbing activities at the site have been completed, and that for unpaved areas and areas not covered by permanent structures and areas located outside the waste disposal limits of a landfill cell that has been certified by EPD for waste disposal, 100% of the soil surface is uniformly covered in permanent vegetation with a density of 70% or greater, or landscaped according to the Plan (uniformly covered with landscaping materials in planned landscape areas) or equivalent permanent stabilization measures as defined in the Manual (excluding a crop of annual vegetation and seeding of target crop perennials appropriate for the region). Final stabilization applies to each phase of construction.

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 III: All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed to the extent of such conflict.

SECTION IV: 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 V: 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)