

**AN ORDINANCE TO AMEND THE CITY OF SANDY SPRINGS ZONING ORDINANCE  
TO ALLOW SENIOR HOUSING DEVELOPMENTS**

**WHEREAS**, the Mayor and City Council of the City of Sandy Springs find that from time to time it is necessary to amend sections of the Zoning Ordinance to correct, clarify, and update the provisions of the Ordinance; and

**WHEREAS**, the Mayor and City Council finds that Senior Housing is a necessary component of a well-rounded and sustainable community; and

**WHEREAS**, the Mayor and City Council of the City of Sandy Springs find that current demographic trends indicate a substantial increase in the aging population and deems it necessary and desirable to address such trends by providing proper housing for seniors who wish to remain residents of the city; and

**NOW, THEREFORE**, to accomplish the foregoing, the Mayor and City Council of the City of Sandy Springs, Georgia, pursuant to their authority, do hereby adopt the following Ordinance:

**1.**

Chapter 3, *Definitions*, Section, 3.3, *Definitions*, Section 3.3.19, *S*, of the City of Sandy Springs Zoning Ordinance is hereby amended by the insertion of Senior Housing and the definition thereof:

Senior Housing. A single family or multi-family development intended for, operated for and designed for older persons in accord with the Fair Housing Amendments Act. Senior housing communities are designed for seniors to live on their own, but with the security and conveniences of community living. Senior housing communities may provide communal dining rooms and planned recreational activities (congregate living or retirement communities), while others provide housing with only minimal amenities or services.

**2.**

Chapter 19, *Administrative Permits and Use Permits*, Section, 19.4, *Use Permits*, of the City of Sandy Springs Zoning Ordinance is hereby amended by the insertion of Section 19.4.44, *Senior Housing* to read as follows:

19.4.44. SENIOR HOUSING

- A. Required Districts: TR, A, A-L, O-I, MIX, C-1 and C-2
- B. Standards: In circumstances where conflict exists between overlay guidelines and this ordinance: (1) Overlay guidelines will generally supersede general ordinance; (2) If the issue is specifically excluded in the Overlay, the ordinance will apply; (3) If the issue is addressed in both documents, the more restrictive will apply.

1. Total acreage for senior housing developments shall be a minimum of five (5) acres.
2. Housing shall be designed, constructed and operated in accord with the Fair Housing Amendments Act. On an annual basis, the controlling entity shall verify compliance with all provisions of the Fair Housing Act related to occupancy in a manner deemed acceptable pursuant to policies and procedures adopted by the Director of Community Development. Dwelling units shall have a minimum heated floor area of 850 square feet.
3. Each senior housing development may have at least one (1) unit designated as guest quarters for visitors of residents, but the total number of guest units may not exceed 1% of the total number of units within the development. Guest units shall have maximum heated floor area of 500 square feet.
4. Parking spaces shall be calculated as one and four tenths (1.4) spaces per dwelling unit. Guest parking shall be calculated as one (1) space per every three (3) dwelling units.
5. Landscape strips and buffers shall be provided as specified in the O-I district in Article 4.23.
6. Not less than 20% of the total acreage shall be maintained as common outdoor open space for the use and benefit of the residents. Said common outdoor open space shall be marked by appropriate signage and must be accessible via a road or walking trail to the rest of the development.
7. The property shall be deed restricted to senior housing except as provided for by Fair Housing laws. Each senior housing development shall post on its premises notice of its status as a senior housing development in a manner readily visible to and accessible to the residents. Such notices shall be subject to the approval of the Department of Community Development.
8. The property shall comply with all applicable local, state, and federal regulations and copies of any applicable permits shall be provided to the Department of Community Development prior to the issuance of a certificate of occupancy.
9. Projects are encouraged to incorporate Easy Living and applicable accessibility standards (as administered and copyrighted by a coalition of Georgia citizens including but not limited to AARP of Georgia, Atlanta Regional Commission, Concrete Change, Georgia Department of Community Affairs, Governor's Council on Developmental Disabilities, Home Builders Association of Georgia, Shepherd Center and the Statewide Independent Living Council of Georgia).
10. Home occupations shall be permitted in accordance with Section 4.12, Home Occupation, of the Zoning Ordinance.
11. Any proposed change in the use of a senior housing project that does comply with the Fair Housing Amendments Act shall conform to all current zoning and density requirements. Any such conversion shall be considered a zoning

12. Modification and be required to be brought into conformance with city standards.
13. Projects are encouraged to incorporate features to enhance the quality of the senior housing development including, but not limited to, laundry rooms on each floor, lounges on each floor with automated external defibrillators (AEDs), balconies on each floor for fresh air, theater-style media centers, library, dining halls, wall-mounted emergency pull cords in each unit's bathroom, aerobics and fitness centers.

3.

All ordinances, parts of ordinances, or regulations in conflict herewith are repealed.

4.

*Severability.* Should any court of competent jurisdiction declare any section of this Ordinance invalid or unconstitutional, such declaration shall not affect the validity of the Ordinance as a whole or any part thereof, which is not specifically declared to be invalid or unconstitutional.

5.

*Repeal of Conflicting Provisions.* It is the intention of the Mayor and Council, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances, City of Sandy Springs, Georgia and the sections of this Ordinance may be renumbered to accomplish such intention.

6.

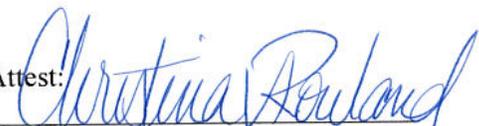
This Ordinance is effective June 17, 2008; and

**ORDAINED** this the 17<sup>th</sup> day of June, 2008.

Approved:

  
Eva Galambos, Mayor

Attest:

  
Christina Rowland, City Clerk  
(Seal)

