SANDY SPRINGS
GEORGIA

CITY COUNCIL AGENDA ITEM

TO: Mayor & City Council **DATE:** October 20, 2010

FROM: John McDonough, City Manager

AGENDA ITEM: **TA10-010** - An Ordinance to Amend Article 5, Agricultural District Regulations, of the Sandy Springs Zoning Ordinance

MEETING DATE: For Submission onto the November 2, 2010, City Council Work Session Meeting Agenda

BACKGROUND INFORMATION: (Attach additional pages if necessary)

See attached:

Memorandum
Ordinance

APPROVAL BY CITY MANAGER: JM _____ *APPROVED*

_____ *NOT APPROVED*

PLACED ON AGENDA FOR: 11/2/2010

CITY ATTORNEY APPROVAL REQUIRED: (✓) *YES* ( ) *NO*

CITY ATTORNEY APPROVAL: _____

REMARKS:

SANDY SPRINGS
GEORGIA

To: John McDonough, City Manager

From: Blake J. Dettwiler, AICP, Director of Community Development BD

Date: October 26, 2010 for Submission onto the November 2, 2009 City Council Work Session

Subject: Proposed TA10-010, An Ordinance to Amend Article 5, Agricultural District, of the Sandy Springs Zoning Ordinance

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Please find enclosed a proposed text amendment to Article 5, Agricultural District, with corresponding mark-up.

Background:
Staff has had issues regarding the City's Zoning Ordinance. Therefore, it has been determined that the Zoning Ordinance should be reviewed in its entirety to ameliorate these issues and provide clarification of the current text.

Discussion:
Staff has determined to revise Article 5, Agricultural District of the City's Zoning Ordinance as part of the comprehensive overhaul of the ordinance.

Planning Commission Recommendation:
The Planning Commission heard the amendment at the October 21, 2010 meeting and recommended approval as presented by staff (6-0, Thatcher, Pond, Maziar, Rubenstein, Rupnow, and Tart for; Duncan not voting).

Alternatives:
The City Council could choose to not recommend the changes prepared by staff.

cc: Wendell K. Willard, City Attorney

~~ADOPTED BY MAYOR AND CITY COUNCIL, DECEMBER 27, 2005~~

ARTICLE V

SECTION 5.1

AG-1 AGRICULTURAL DISTRICT

5.1.1. AG-1 DISTRICT SCOPE AND INTENT. Regulations set forth in this ~~Article~~ **section** are the AG-1 ~~District~~ **district** regulations. Article XIX should be consulted to determine uses and minimum standards for uses allowed by ~~Administrative~~ **administrative** or ~~Use~~ **use** ~~Permit~~**permit**. The AG-1 ~~District~~ **district** is intended to encompass lands devoted to a wide range of uses including individual parcels devoted to residential use, single~~-~~ family subdivisions, agricultural and closely related uses.

5.1.2. ~~—~~USE REGULATIONS. **Within the AG-1 district, land and structures shall be used in accordance with standards herein. Any use not specifically designated as a permitted use in this section or as a use allowed by administrative permit or use permit shall be prohibited.**

A. Permitted Uses. A building or ~~property~~ **land** may be used for ~~only~~ the following purposes:

1. Single family dwelling **unit.**

2. Agriculture, general and specialized farming, including: horticulture, plant nursery, greenhouse, dairy farming, livestock raising and poultry raising**;** provided, however, that **a** building~~s~~ used for housing animals must be at least **one hundred (**100**)** feet from all property lines.

3. Roadside stand for the sale of agricultural products produced on the property.

4. Riding ~~Stable~~ **stable** other than **an** accessory **use**~~,~~**;** provided**, however, that a** ~~-~~buildings **used for** housing animals ~~are~~ **must be** at least **one hundred (**100**)** feet from all property lines and the lot **on which such building is located** ~~is~~ **must** not **be** less than ten **(**10**)** acres. Standards for keeping horses**,** other than for a non**-**accessory **use** ~~Public Riding~~ **riding** ~~Stable~~ **stable,** are the same as the standards contained in Section 4.8.**1. of this Ordinance**~~1~~ pertaining to the keeping of horses in a single family dwelling district.

5. Kennel~~,~~ ~~—~~ **or** ~~Veterinary~~ ~~—~~**veterinary** ~~Hospital or Veterinary~~

~~Clinic~~clinic/hospital~~,~~; provided, however, that a ~~-~~building~~s~~ used for housing animals ~~are~~ must be fully enclosed and must be at least one hundred (100) feet from all property lines. Features including, but not limited to, a~~; and p~~nimal pens and~~,~~ runs~~, etc.~~ which are not located in a fully enclosed building ~~are~~ must be at least two hundred (200) feet from all property lines.

B. Accessory Uses. A building or land may be used for uses customarily incidental to any permitted use and ~~a~~ **the principal** dwelling **unit** may be used for a home occupation.

C. Additional Uses. Additional uses may be allowed by administrative or use permit, pursuant to Article XIX of this Ordinance.

5.1.3. DEVELOPMENT STANDARDS.

A. ~~A.~~ Height Regulations**:**

No building shall exceed forty (40) feet in height.

B. ~~B.~~ Minimum Front Yard**:**

Sixty (60**)** feet

~~A.~~
~~A.~~**C.** ~~C.~~ Minimum Side Yard**:**

~~25~~**Twenty-five (25)** feet adjacent to interior **lot** line
~~40~~**Forty (40)** feet adjacent to street

D. ~~D.~~ Minimum Rear Yard**:**

Fifty (50**)** feet

E. Minimum Lot Area**:**

~~1~~**One (1)** acre with frontage on paved road
~~3~~**Three (3)** acres with frontage on unpaved road

F. Minimum Lot Width**:**

One hundred (100**)** feet

G. Minimum Lot Frontage**:**

Thirty-five (35**)** feet adjoining a street

H. Minimum Heated Floor Area**:**

There is no minimum heated floor area in this district.

I. ~~I.~~ Minimum Accessory Structure Requirements**:**

~~.~~ Accessory structures may be located in rear or side yards **only** but shall not be located within a minimum yard.

5.1.4. OTHER REGULATIONS. The headings below contain provisions applicable to the AG-1 ~~District~~**district**:

A. Development Regulations,~~.~~ ~~Article XXXIV~~**Chapter 103, Code**

~~A.~~
B. Exceptions~~.~~**,** Section 4.3.**, Zoning Ordinance**

~~B.~~
C. Floodplain Management~~.~~**,** ~~Section 4.24~~**Chapter 109, Article II, Code**

~~A.~~ **Off S**
D. ~~Off S~~treet Parking and Loading, ~~.~~Article XVIII**, Zoning Ordinance**

~~A.~~
E. Outside Storage~~.~~**,** Section 4.2.**, Zoning Ordinance**

~~B.~~ **Tree Conservation Ordinance, Administrative Standards and Best Management Practices,**
F. ~~Landscape Area and Buffer Regulations.~~ Section 4.23.**, Zoning Ordinance**

~~C.~~
G. River Protection, ~~.~~Metropolitan River Protection Act

~~D.~~
~~E.~~**H.** Signs, ~~.~~Article XXXIII**, Zoning Ordinance**