

**AN ORDINANCE TO AMEND ARTICLE VI, DIVISION 2, AS IT PERTAINS TO FENCING
AND WALLS OF THE CITY OF MILTON ZONING ORDINANCE (CHAPTER 64 OF THE
CITY CODE OF ORDINANCES)**

BE IT ORDAINED by the City Council of the City of Milton, GA while in a regularly called council meeting on March 18, 2013 at 6:00 p.m. as follows:

SECTION 1. That the amendment of Article VI Division 2, as it pertains to fencing and walls of the City of Milton Zoning Ordinance is hereby adopted and approved; and is attached hereto as if fully set forth herein, and;

SECTION 2. All ordinances, parts of ordinances, or regulations in conflict herewith are repealed.

SECTION 3. That this Ordinance shall become effective upon its adoption.

ORDAINED this the 18th day of March, 2013.

Joe Lockwood, Mayor

Attest:

Sudie AM Gordon, City Clerk

- THE CODE OF THE CITY OF MILTON, GEORGIA
Chapter 64 - ZONING
ARTICLE VI. - ZONING TEXT, DISTRICT CLASSIFICATIONS AND BOUNDARIES
DIVISION 2. - AG-1 AGRICULTURAL DISTRICT

Sec. 64-414. - Scope and intent.

The regulations set forth in this division are the AG-1 district regulations. Article IX should be consulted to determine uses and minimum standards for uses allowed by administrative or use permit. The AG-1 district is intended to encompass lands devoted to a wide range of uses, including:

- (1) Individual parcels devoted to residential use;
- (2) Single-family subdivisions;
- (3) Agricultural; and
- (4) Closely related uses.

(Ord. No. 12-03-129, § 1, 3-19-2012)

Sec. 64-415. - Use regulations.

(a) *Permitted uses.* A building or property may be used for only the following purposes:

- (1) Single-family dwelling.
- (2) Agriculture, general and specialized farming, including: horticulture, plant nursery, greenhouse, dairy farming, livestock raising and poultry raising; provided, however, that buildings used for housing animals must be at least 100 feet from all property lines.
- (3) Roadside stand for the sale of agricultural products produced on the property.
- (4) a. For property with a single-family dwelling being the principal use, structures housing livestock, which may be located in the front, rear, or side yards, provided that the structure must be located at least 100 feet from all property lines and at least 150 feet from any occupied structure located on any other property.

- b. 1. For property without a single-family dwelling being the principal use, and containing five or more acres, structures housing livestock, which may be located in the front, rear, or side yards, provided that the structure must be located at least 100 feet from all property lines and at least 150 feet from any occupied structure located on any other property.

For property without a single-family dwelling being the principal use, and containing less than five acres, structures housing livestock, which may be located in the front, rear, or side yards, provided that the structure must be located at least 100 feet from all property lines and at least 150 feet from any occupied structure located on any other property, and provided also that a use permit must first be approved by the city council.

- (5) a. For property with a single-family dwelling being the principal use, an uncovered riding area, which may be located in the front, rear, or side yards.
- b. 1. For property without a single-family dwelling being the principal use, and containing five or more acres, an uncovered riding area, which may be located in the front, rear, or side yards.

For property without a single-family dwelling being the principal use, and containing less than five acres, provided that a use permit must first be approved by the city council.

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- (6) For property with or without a single-family dwelling being the principal use, and containing five or more acres, a lighted, uncovered riding area and/or an uncovered riding area with designated seating structures for viewing which may be located in the front, rear, or side yards and must be located at least 100 feet from all property lines, provided that a use permit must first be approved by the city council. This use shall not be permitted for property containing less than five acres.
 - (7) For property with or without a single-family dwelling being the principal use, and containing five or more acres, a covered riding area, which may be located in the front, rear, or side yards provided that the covered riding area and must be located at least 100 feet from all property lines, provided that a use permit must first be approved by the city council. This use shall not be permitted for property containing less than five acres.
 - (8) For property with or without a single-family dwelling being the principal use, and containing ten or more acres, a lighted, covered riding area and/or a covered riding area with designated seating structures for viewing, which may be located in the front, rear, or side yards, provided that the covered riding area, lighted riding area and/or designated seating structures for viewing riding areas must be located at least 100 feet from all property lines, and further provide that a use permit must first be approved. This use shall not be permitted for property containing less than ten acres.
 - (9) Kennel, veterinary hospital or veterinary clinic; provided buildings housing animals are fully enclosed and at least 100 feet from all property lines and pens, runs, etc., which are not located in a fully-enclosed building are at least 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 dwelling may be used for a home occupation.

(Ord. No. 12-03-129, § 1, 3-19-2012)

Sec. 64-416. - Development standards.

- (a) No building shall exceed 40 feet in height.
- (b) Minimum front yard shall be 60 feet.
- (c) Minimum side yard shall be as follows:
 - (1) Adjacent to interior line: 25 feet.
 - (2) Adjacent to street: 40 feet.
- (d) Minimum rear yard shall be 50 feet.
- (e) Minimum lot area shall be as follows:
 - (1) One acre with frontage on paved road.
 - (2) Three acres with frontage on unpaved road.
- (f) Minimum lot width shall be 100 feet.
- (g) Minimum lot frontage shall be 35 feet adjoining a street.
- (h) Minimum heated floor area. There is no minimum heated floor area in this district.

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- (i) Minimum accessory structure requirements. Accessory structures may be located in rear or side yards but shall not be located within a minimum yard.
- (j) Fencing along exterior streets shall be as follows:
 - (1) Allowed fencing material shall be three or four board wooden fencing with wood posts.
 - (2) Fences shall not exceed 55 inches from finished grade.
 - (3) Fences shall be white, black, or dark brown in color.
 - (4) Opaque fences are prohibited.
 - (5) Chain link fences are prohibited.
 - (6) Fences shall be set back a minimum of three feet from a public right-of-way.
 - (7) If the side, side corner or rear yard is adjacent to an exterior street, any type of fence including opaque may be installed as long as the opaque fence is not visible from the street at any time of the year.
- (k) Fencing along interior subdivision streets, including front, side corner, side and rear of platted subdivision lots shall be as follows :
 - (1) Allowed fencing material and type along the front is limited to three or four board wooden fencing or as otherwise subject to the approval of the Community Development Director and;
 - (2) Along sides and rear of a lot fencing material can be of any type.
 - (3) Fences shall not exceed 8' in height but not including fencing in the front which shall not exceed 55 inches from finished grade.
 - (4) If a front, side, side corner, or rear lot line borders an exterior street, Section j applies.
- (l) Fencing along side, side corner, or rear of non subdivision lots:
 - (1) Allowed fencing material and type is not limited to three or four board wooden fencing.
 - (2) Fences shall not exceed 8' in height.
 - (3) If a front, side, side corner or rear lot line borders an exterior street, see section j.
- (m) Barbed wire is prohibited on any single family residential lots, except when part of a legitimate agricultural use.

(Ord. No. 12-03-129, § 1, 3-19-2012)

Sec. 64-417. - Other regulations.

The following headings contain provisions applicable to the AG-1 district:

- (1) Development regulations: Article XVII of this zoning ordinance.
- (2) Exceptions: Article II, division 3 of this zoning ordinance.
- (3) Floodplain management: Article IV of this zoning ordinance.
- (4) Off-street parking and loading: Article VIII of this zoning ordinance.
- (5) Outside storage: Article II, division 2 of this zoning ordinance.

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- (6) Landscape area and buffer regulations: Article III of this zoning ordinance.
 - (7) River protection: Metropolitan River Protection Act, O.C.G.A. § 12-5-440 et seq.
 - (8) Signs: Article XVI.
- (Ord. No. 12-03-129, § 1, 3-19-2012)

Secs. 64-418—64-436. - Reserved.