

Sec. 708.17. - A-1, Agriculture District.

The A-1 agriculture district is established primarily to encourage the retention and development of suitable areas for common farm practices and various compatible nonfarm uses, preservation of open space, the conservation and management of soil, water, air, game and other natural resources and amenities, and to discourage the creation or continuation of conditions which could detract from the function, operation, and appearance of areas to provide food supplies and to prevent or minimize conflicts between common farm practices and on-farm uses. Within an A-1 agriculture district no building structure, land, or water shall be used except with one or more of the following uses:

- A. All agricultural and horticulture uses provided that any chicken house, meat processing facility, swine enclosure, dairy barn, or stable shall be located not less than 100 feet from the adjoining property line and not less than 500 feet from the closest point to any dwelling located on adjoining property;
- B. Public buildings, structures, and land;
- C. Home occupation;
- D. Single-family dwellings (conventional, manufactured or industrialized units) containing 1,200 square feet minimum floor area and customary accessory usages, including docks and boathouses on a lot not less than 65,000 square feet with 200 foot minimum lot width;
- E. Guest houses and customary accessory uses, including docks and boathouses provided, that if there is located on adjoining property an existing chicken house, meat processing facility, swine enclosure, dairy barn, or stable, then the guesthouse shall be located not less than 100 feet from the closest point to any of the above referred to activities;
- F. Meat processing and temporary holding lot;
- G. Religious institutions, churches, monasteries, mosques, temples and synagogues, provided:
 - 1. Minimum lot size is 5 acres.
 - 2. All buildings shall be set back 75 feet from any property lines except along right-of-ways, in which case the front setback shall apply.
 - 3. Accessory schools and cemeteries are permissible provided an additional 3 acres is provided in addition to the 5 acre church requirement.
- H. Tenant dwellings, one and two-family, where the land is used for bona fide agricultural purposes; provided further, that such dwellings house only those persons and their immediate family employed in carrying out such bona fide agricultural use;
- I. In-home nursery schools (day care) and kindergarten with no more than ten (10) children at any one time; provided that they shall have at least thirty-five (35) square feet of indoor space provided for each child and at least 100 square feet of play area per child in the outdoor play area which shall be enclosed by a fence having a minimum height of six (6) feet; provided further that prior to the submission of the application, the applicant shall show proof of registration and licensing as required by the Georgia Department of Human Resources; and
- J. Family care homes not exceeding six (6) persons, excluding resident staff, licensed by and in compliance with the applicable regulations of the Georgia Department of Human Resources; provided that:
 - 1. There is no external signage or other evidence of the use of the dwelling as other than a residential dwelling unit;
 - 2. The dwelling shall maintain its residential appearance;
 - 3. There is adequate off-street parking for resident, staff and visitors' parking such that, except for planned special events, there are no vehicles parked on the street or road right-of-way; and

4. Visitation hours are restricted as to not create undue traffic congestion.

K. Reserved.

L. Conditional Uses:

The following may be permitted as a special use provided the use is approved in accordance with the requirements of Section 712.01 and further provided that the requirements of this section are met.

1. Cemeteries;

2. Kennels may be approved by a Special Use Permit if the following standards are met:

- a. The entire yard or exercise space where animals are allowed to roam shall be fenced securely by chain link or similar fencing at a height to keep and maintain the animals inside the fenced area;
- b. The fenced area shall be not less than 175 feet from any property line;
- c. The fenced area shall provide not less than 200 square feet of yard or exercise area per animal, and the sheltered space which also shall be secure, shall provide not less than 30 sq ft per animal;
- d. A kennel shall be located on a lot or tract greater than 2 acres;
- e. A kennel's permit on would allow up to 6 animals per acre;
- f. The Board of Commissioners maintains the right to further limit the number of animals if circumstances merit such action;
- g. A kennel shall comply with all applicable provisions of the County Code of Ordinances regarding care and/or control of animals;
- h. A kennel shall comply with all applicable rules and regulations of the Polk County Health Department and the State Department of Agriculture.

3. Public utility and service structures; commercial antennas subject to approval by the Federal Aviation Administration, if required, and provided that the owner thereof shall purchase or lease sufficient land so that the radius of the antenna base to the leased or purchased property line shall at least equal the height of the tower. Provided further, that the lighting on said antennas shall be dimmed or changed to red lights from sunset to sunrise.

4. Country and golf clubs, fishing clubs, fishing camps, marinas, and gun clubs when located on lands comprising twenty (20) acres or more and making use of land in its predominantly natural state.

5. Riding or boarding stables; provided that the property shall consist of a minimum of ten (10) acres; provided further, the stable shall be located not less than 200 feet from any adjoining property line; provided further, that the land must remain in a predominantly natural state.

6. Recreational vehicle/travel trailer parks and campgrounds: provided the park or campground shall consist of a minimum of twenty (20) acres and developed in accordance with the provisions of this ordinance defining travel trailer parks and campgrounds; provided that the nearest parking space or campsite be located not less than 500 feet from any adjoining property line.

7. Privately sponsored arts and crafts fairs, limited to not more than 14 days in duration per year, provided sufficient space is available to provide a buffer of 500 feet from adjoining property owners and off-street parking and said fair is not open to the public after sundown.

8. Privately owned historic sites regularly open for public visitation, provided the same consist of twenty (20) acres or more and is a component of the National Register of Historic Places and the Georgia Register of Historic Places; provided further, that any fees charged or

revenue generated in connection with the site are used solely to offset the costs of restoring and maintaining the buildings and grounds of said site; provided further, that the only ancillary facilities permitted are a museum, restaurant and gift shop (which may contain a snack bar); provided further, that facilities for parking must be self-contained on the premises and shielded from public view. No activity which would cause sound to travel beyond the limits of the property is allowed. No activity not directly related to the historic nature of the property, shall be permitted. Overnight parking is prohibited.

9. Bed and breakfast inns, provided there is sufficient space to provide adequate parking and the rental is limited to temporary occupancy only; provided further that the nearest parking space shall be located not less than 500 feet from any adjoining property line.
10. Musical festivals and nonprofit fundraising events.
11. Motorcycle and all terrain vehicle riding parks and all auxiliary service. (Amended 12-6-2005)
12. Polk County Sanitary Landfill and all appurtenants thereto, presently being operated under the State of Georgia, Environmental Protection Division Permit No.: 115-008D(SL), and any further addition, annexation, change, development, expansion, and/or extension thereto as may be approved by the Board of Commissioners and permitted by all applicable state and/or federal agencies. (Amended 6-6-2006)
13. Any other use which the Board of Commissioners determines to be appropriate, in its discretion, for the stated use, considering the present zoning of the subject property and its impact on the surrounding area. (Amended 8-8-2006)
14. Solar Farms with a 100 feet front setback from the right-of-way, to include a 40 feet greenbelt buffer along the right-of-way and adjacent property lines, to include a 6 feet solid fence, 100 feet from adjoining property line, 500 feet from closest dwelling on an adjoining property, must be located in the rear of primary residential structure, minimum lot size 10 acres.

Green Belt Buffer: A land use designation used in land use planning as a transition area between different zoning classifications, consisting of largely undeveloped wild or agricultural land.

Solar Farms: a commercial venture consisting of an array of solar panels, which convert light energy from the sun into electrical energy without the use of any fuels to sell energy.

- M. No building or structure, except silos, granaries, windmills, barns, commercial antennas, and other structure concurrent to the operation of an agricultural enterprise, may exceed fifty (50) feet in height.
- N. Accessory buildings and structures which are not used for the housing of livestock or poultry and are ancillary to the residential use shall maintain the same front and side yards [yards] as the main structure; however, they will not project beyond the established building line. Rear yard setbacks shall be a minimum of twenty-five (25) feet.
- O. Buildings or structures which are intended for use or used for the housing or shelter of livestock or poultry and silos, granaries, barns, and similar structures which are concurrent to the operation of an agricultural enterprise shall observe a minimum setback of 500 feet from any residence on an adjacent lot or parcel.
- P. Off-street parking/loading shall be provided in accordance with Section 716

(Ord. of 8-6-2008; Ord. of 1-10-2012(3); Ord. of 8-8-2006; Ord. of 9-9-2014)