

AN ORDINANCE 10-139  
ENTITLED

AN ORDINANCE AMENDING THE CITY OF ALBANY'S  
ZONING ORDINANCE REGULATING REQUIREMENTS  
FOR RELIGIOUS INSTITUTIONS, AUXILIARY  
MINISTRIES, SOCIAL/FRATERNAL CLUB, LODGE,  
UNION HALL, ETC.; REPEALING PRIOR ORDINANCES  
IN CONFLICT AND FOR OTHER PURPOSES.

WHEREAS, it is in the best interest of the City of Albany that the Zoning Ordinance be amended to regulate requirements for religious institutions, auxiliary ministries, social/fraternal club, lodge, union hall, etc.; and

WHEREAS, this ordinance will amend Title II, Article 2, Section 2.01 PERMITTED USES of the City's Zoning Ordinance so as to provide for a new section 2.01(6),

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the City of Albany, Georgia and it is hereby ordained by authority of same:

SECTION 1. Title II, Article 2, Section 2.01 PERMITTED USES shall hereinafter contain paragraph 6 to read as follows:

6. Requirements for religious institutions as relates to the corporate limits of the City of Albany.

When religious institutions, such as churches and auxiliary ministries, are located in the city:

- 1) Religious institutions are permitted in the following zoning districts (C-1, C-2, C-3, C-5, C-6, C-8, and AG) provided they meet the following site conditions:
  - i) The site is not less than one (1) acre, and
  - ii) The site fronts on an arterial or collector street, and
  - iii) Parking is prohibited in the required front yard.
- 2) Religious institutions are permitted only after Special Approval (See Title II, Article 5, Section 5.01 Application for Special Approval of the City/County Commission) in the following zoning districts (R-1, R-2, R-3, C-R, and C-7) and provided they meet the following site conditions:
  - i) The site is not less than one (1) acre, and
  - ii) The site fronts on an arterial or collector street, and
  - iii) Parking is prohibited in the required front yard.
- 3) Religious institutions are not permitted in the following zoning districts (R-MHS, R-MHP, M-1, and M-2).

SECTION 2. There is hereby enacted new pages 2 of 3 and 3 of 3 (copies attached) of the TABLE II.2.01 PERMITTED USES TABLE.

SECTION 3. This Ordinance shall become effective immediately upon adoption.

SECTION 4. All Ordinances, or parts of Ordinances, in conflict herewith are repealed.

  
MAYOR

ATTEST:

  
CITY CLERK

Adopted: *November 23, 2010*

Introduced By Commissioner: *Roger Manetta*  
Date(s) read: *November 23, 2010*

Zone	R-E	R-G	R-1	R-2	R-3	R-MHS	R-MHP	C-R	C-1	C-5	C-6	C-7	C-2	C-3	C-8	M-1	M-2	FH	AG
<b>Zoning Districts</b>																			
<b>Commercial, not otherwise specified</b>																			
All Retail Sales, except motorized vehicles or parts, and manufacturing or farm equipment								Max 2k sf	Max 8k sf*	Max 4k sf	Max 12k sf	CC	Max 25k sf**	Y		Y		H	
Retail Storage and Display of Goods Outside of Fully Enclosed Building									100 sf AR	< 100 sf AR	< 100 sf AR	CC	< 1,000 sf	Y	Y	Y	H		
Offices of any type, including clinical, research and services								Y	Y	Y	Y	CC	Y	Y			H		
Personal and Office Support Services								Y	Y	Y	Y	CC	Y	Y			H		
Repair, not large vehicles such as cars or trucks								Max 8k sf	Max 8k sf				Y	Y					
Eating and drinking establishment, except bars and nightclubs								Max 8k sf	Max 8k sf	4k sf	Max 8k sf	CC	Y	Y	Y	Y	H		
Drive-In and Drive-Through, except banks								Max 8k sf	Max 8k sf			CC	Y	Y	Y	Y	H		
Bars, Night Clubs <sup>u</sup>								Max 8k sf AR	Max 8k sf AR	Max 4k sf AR		CC	Y	Y	Y	Y	H		
Drive-Through Bank Windows only								AR	AR	AR		CC	Y	Y	Y	Y	H		
Small Animal Veterinary, household pets only								Y	Y	Y	Y	CC	Y	Y	Y	Y	H	Y	
Small and Large Animal Veterinary												CC	Y	Y	Y	Y	H	Y	
Motor Vehicle Related												CC	Y	Y	Y	Y	H		
Sales only												CC	Y	Y	Y	Y	H		
Sales Maintenance Repair Body Shop												CC	Y	Y	Y	Y	H		
Vehicle Service Wash												CC	Y	Y	Y	Y	H		
Service Station Convenience Store								AR	AR	AR		CC	Y	Y	Y	Y	H		
Truck and Tractor Sales, Trucking												CC	Y	Y	Y	Y	H		
Mobile Home Sales												CC	Y	Y	Y	Y	H		
Wholesale Businesses												CC	Y	Y	Y	Y	H		
<b>Manufacturing</b> : process, create, repair, paint, renovate and assemble goods and equipment																			
Operations permitted only within fully enclosed buildings. Adverse effects contained on-site									Max 8k sf	Max 4k sf			Y	Y	Y	Y	H		
Operations permitted outside and inside. Adverse effects contained within the zoning district.													CC	CC	CC	Y	Y	H	
<b>Private Entertainment, Amusement and Recreation</b>																			
Social Fraternal Club, Lodge, Union Hall, Similar (County Only)								AR	Y	Y	AR	CC	Y	Y	Y	Y	Y	H	Y
Social Fraternal Club, Lodge, Union Hall, Similar (City Only)								CC	Y	Y	AR	CC	Y	Y	Y	Y	Y	H	Y
Indoor & Special Event Facility less than 1 acre									8k sf			CC	Y	Y	Y	Y	H		
Indoor & Special Event Facility 1 acre or more										CC		CC	CC	AR	CC		H		
Outdoor & Special Event Facility less than 1 acre										CC		CC	Y	Y	CC	Y	H		
Outdoor & Special Event Facility 1 acre or more										CC		CC	CC	CC	CC		H		
Movie Performance Theater Indoor Only									8k sf	AR		CC	Y	Y	Y	Y	H		
Recreation Vehicle Park															CC		H		
Adult Entertainment establishments and stores														CC	CC	CC	CC	H	

Y = Permitted AR = Administrative Review CC = City County Commission Approval k = Thousand sf = square feet H = All uses in the FH zoning regulated by Title II, Article 6. District in County only  
 \* Except drug and grocery stores max 15 k sf \*\* Except grocery stores max 50 k sf \*\*\* Locate only on sidewalk level at intersections with arterial or collector streets and max 5% of floor area of total development  
 \*\*\*\* C-6 Retail restaurants close after 7 pm, & corners only. NOTE: u Existing C-1(N) & C-2(N) districts have the same permitted uses as C-1 and C-2, except alcohol is not permitted. Table II 2.01 page 2 of 3



Zoning Districts	R-E CP	R-G CP	R-1	R-2	R-3	R- MHS	R- MHP	C-R	C-1	C-5	C-6	C-7	C-2	C-3	C-8	M-1	M-2	FH	AG
<b>Storage of Goods Not related to sale or use of such goods on the same lot where stored</b>																			
All storage within completely enclosed structure																			
Storage Outside, not scrap, salvage, junk or wrecked motor vehicle														Y		Y	Y	H	
Mini Warehouse self-storage max size unit 300sqft														CC		Y	Y	H	
Junk, Scrap, Salvage, Cntrl. vehicles not for repair														CC		Y	Y	H	
<b>Agricultural, Mining, Quarrying</b>																			
Agricultural, excluding livestock, min 5 acres																			H
Agricultural, with livestock, min 20 ac county	Y												Y	Y		Y	Y	H	Y
Commercial Greenhouse Operations and Sales																			H
Chicken Houses Feed Lot Operations																			H
Mining, Quarrying, Excavation and on-site sales																			H
<b>Public, Semi-Public and Institutional</b>																			CC
Cemetery	CC	CC	CC	CC	CC	CC	CC	CC	CC	CC	CC	CC	CC	CC	CC				H
Detention Facility																			CC
Funeral Home									AR	AR	AR	CC	Y	Y					CC
Governmental, such as library and fire station	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	H	CC
Hospital																			H
Medical and Dental Clinic									15k	AR	Y	CC	Y	Y					H
Nursing Home										AR	Y	CC	Y	Y					H
Park, Non-Commercial Recreation Stadium	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	H	Y
<b>Religious Institutions ***</b>																			
County	CC	CC	CC	CC	CC	CC	CC	CC	CC	CC	CC	CC	CC	CC	CC	CC	CC	H	CC
City	CC	CC	CC	CC	CC	CC	CC	CC	Y	Y	Y	Y	Y	Y	Y	Y	Y	H	Y
Private School	CC	CC	CC	CC	CC	CC	CC	CC	CC	CC	CC	CC	CC	CC	CC	CC	CC	H	
Private University School and College	CC	CC	CC	CC	CC	CC	CC	CC	CC	CC	CC	CC	CC	CC	CC	CC	CC	H	
<b>Miscellaneous Uses</b>																			
Accessory Uses																			
Airport	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	H	Y
Bus and other Transit Station																			CC
Home Business Occupation	Y	Y	Y	Y	Y	Y	Y	Y	AR	Y	Y	CC	Y	Y					H
Landfills: Sundry, Inert C&D, and Solid Waste									Y	Y	Y	Y	Y	Y	Y	Y	Y	H	
Open Air Markets *																			CC
Farm and Craft Market *																			CC
Outdoor Flea Market *									AR										H
Public Utilities, such as power and gas																			CC
Railroad, Transit and Utility Corridor	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	H	CC

Y - Permitted AR - Administrative Review CC - City County Commission Approval k - Thousand s - square feet H - All uses in the FH zoning regulated by Title II, Article 6. CP - District in County only  
 NOTE: The following restrictions will apply:  
 \* Farm, craft and flea markets located on and accessed by an arterial or major collector road only, and all retail wholesale shall be in that portion of the building fronting the arterial or major collector.  
 \*\* Within M-1 Districts, farm product manufacturing, fabrication or assembly shall employ no more than 40 persons and shall not comprise greater than 70 percent of the total floor area of the business.  
 \*\*\* See Title II, Article 2, Section 2.01 For additional requirements.