

STATE OF GEORGIA  
COUNTY OF FULTON

First Reading: March 11, 2013  
Second Reading: April 8, 2013

**AN ORDINANCE TO AMEND SECTION 15.4.1 OF THE CITY OF ROSWELL ZONING ORDINANCE REGARDING THE EXCLUSION OF SINGLE FAMILY AND DUPLEX RESIDENTIAL LOTS OF ANY SIZE FROM MINIMUM TREE DENSITY REQUIREMENTS CONTAINED IN ARTICLE 15 TREE PROTECTION.**

WHEREAS, the City of Roswell now desires to amend its Zoning Ordinance for specific provisions dealing with the type of residential develop and lot size requirement; and

WHEREAS, the Mayor & City Council have determined that regulations for the minimum tree density should be amended; and

NOW, THEREFORE, pursuant to their authority, the Mayor & City Council adopt the following ordinance:

**1.**

The City of Roswell is hereby amending Article 15 TREE PROTECTION of the *City of Roswell Zoning Ordinance*, Chapter 15.4.1 Minimum Tree Density Requirements, as follows:

**Section 15.4.1 - Minimum Tree Density Requirements**

- (a) *Requirement.* A basic requirement of this article is that all applicable sites, including all single family and/or duplex residential lots one (1) acre or greater in size, shall maintain a minimum tree density of thirty (30) units per acre. The term "unit" is an expression of basal area, and is not synonymous with "tree". The density requirement must be met whether or not a site had trees prior to development for the issuance of a development permit.

Notwithstanding the foregoing, the Zoning Director may grant an exemption for single family and/or duplex residential lots one (1) acre or greater in size, if the applicant for the exemption demonstrates that the lot has not met the minimum tree density requirements for ten (10) years before the year the application is made and that the lot has never been a part of a previous site plan subject to the tree density requirements.

**2.**

This Ordinance is enacted pursuant to the authority granted to municipal governing authorities in Chapter 35 of Title 36 of the O.C.G.A., known as the *Municipal Home Rule Act of 1965*.

3.

All ordinances, parts of ordinances and regulations in conflict here are repealed as of the effective date of this Ordinance.

4.

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 Zoning Ordinance, City of Roswell, Georgia and the sections of such text may be renumbered to accomplish such intention.

5.

This Ordinance shall take effect and be in force from and after the date of its adoption on April 8, 2013, the public welfare demanding it.

Attest:

Marlee Press  
Marlee Press, City Clerk  
(SEAL)

Jere Wood  
Jere Wood, Mayor



Jerry Orlans  
Councilmember Jerry Orlans

Rebecca Wynn  
Councilmember Rebecca Wynn

Betty Price  
Councilmember Betty Price

Richard Dippolito  
Councilmember Richard Dippolito

Kent Igleheart  
Councilmember Kent Igleheart

Nancy Diamond  
Councilmember Nancy Diamond