

**AN ORDINANCE
BY ZONING COMMITTEE.**

AN ORDINANCE TO AMEND VARIOUS SECTIONS OF THE ATLANTA ZONING ORDINANCE FOR THE PURPOSE OF DEFINING URBAN GARDENS AND MARKET GARDENS AS A PERMITTED USE; TO PROVIDE WHERE AND UNDER WHAT CONDITIONS SUCH USES SHALL BE PERMITTED; AND FOR OTHER PURPOSES.

WHEREAS, within the City there is an increased interest and demand for access to locally grown and raised food; and

WHEREAS, the Mayor's Office of Sustainability seeks to promote policies for a sustainable future growing, developing and consuming with the least possible impact on nature; and

WHEREAS, the City desires to increase access to healthy, local, and affordable foods; encourage community-building; and support local agriculture and economic development; and

WHEREAS, such goals can be accomplished by providing producers of locally grown and raised food the ability to directly reach residents without requiring that such products be sold in fixed location storefronts; and

WHEREAS, if locations where local food producers are allowed to sell directly to residents are permitted in locations that are zoned residential, close regulation of the use is necessary to prevent the sale of other types of goods that could change the character of the use into a type of commercial venture that is inappropriate for residential neighborhoods; and

WHEREAS, if such use is permitted in residential neighborhoods, its character is unlikely to have detrimental effects in zoning districts that allow other types of uses; and

WHEREAS, the City finds it to be in the public health, safety and general welfare to adopt zoning regulations governing the definition, location and operation of urban gardens and market gardens within the various zoning districts of the Atlanta Zoning Ordinance.

**THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY ORDAINS,
as follows:**

SECTION 1: That Section 16-29.001 of the Atlanta Zoning Ordinance be amended by adding a new item (80) as follows:

(80) (a) *Urban Garden*: A lot, or any portion thereof, managed and maintained by a person or group of persons, for growing and harvesting, farming, community gardening, or any other use, which contributes to the production of agricultural, floricultural, or horticultural products for Beautification, education, recreation, community or personal use, consumption, off-site sale, or off-

site donation. An Urban Garden may be a principal use on lots.

1. *Scope of Provisions*: Urban Gardens must comply with all requirements set forth in the Atlanta City Code, unless otherwise expressly set forth herein.

2. *Urban Garden Structures*: Notwithstanding any provision in the Atlanta Zoning Ordinances to the contrary, hoop-houses, greenhouses, trellises, raised beds, tool sheds, and any other structure used by the Urban Garden for the purposes set forth in Section 16-29.001 (80)(a) are expressly allowed.

3. *Machinery and Equipment*: Notwithstanding any provision in the Atlanta Zoning Ordinances to the contrary, machinery and equipment used by the Urban Garden for the purposes set forth in Section 16-29.001 (80)(a) are expressly allowed. When not in use, all such machinery and equipment (with the exception of machinery and equipment that is (i) intended for ordinary household use, (ii) borrowed or rented for a period not to exceed seven (7) days, or (iii) located in an Urban Garden in I-1 Light Industrial District or I-2 Heavy Industrial District) shall be stored so as not to be visible from any public street, sidewalk, or right-of-way.

(b) *Market Garden*: A lot, or any portion thereof, managed and maintained by a person or group of persons for growing and harvesting, farming, community gardening, or any other use, which contributes to the production of agricultural, floricultural, or horticultural products for community supported agriculture or on-site sales. All products sold on-site must be grown on-site. A Market Garden may be a principal or accessory use on lots.

1. *Scope of Provisions*: Market Gardens must comply with all requirements set forth in the Atlanta City Code, unless otherwise expressly set forth herein.

2. *Market Garden Structures*: Notwithstanding any provision in the Atlanta Zoning Ordinances to the contrary, hoop-houses, greenhouses, trellises, raised beds, tool sheds, and any other structure used by the Market Garden for the purposes set forth in Section 16-29.001 (80)(b) are expressly allowed.

3. *Machinery and equipment*: Notwithstanding any provision in the Atlanta Zoning Ordinances to the contrary, machinery and equipment used by the Market Garden for the purposes set forth in Section 16-29.001 (80)(b) are expressly allowed. When not in use, all such machinery and equipment (with the exception of machinery and equipment that is (i) intended for ordinary household use, (ii) borrowed or rented for a period not to exceed seven (7) days, or (iii) located in a Market Garden in I-1 Light Industrial District or I-2 Heavy Industrial District) shall be stored so as not to be visible from any public street, sidewalk, or right-of-way.

4. *Parking Requirements*: In zoning districts where there is no minimum parking requirement, there shall be no parking required. In all other districts, the Market Garden shall provide parking during the hours of operation at a rate of a minimum of one (1) space per one-half (1/2) acre, in any one or combination of the following means:

i. *On-site parking* shall be applicable toward meeting the required parking.

ii. *Off-site parking* within 500 feet shall be applicable toward meeting the required parking.

5. *Sales Hours*: Market Garden sales hours shall be between 7 a.m. to 9 p.m. Set up of sales operations shall begin no earlier than 6 a.m. and take-down and clean-up shall end no later than 10 p.m. Community Supported Agriculture (CSA) pickups are allowed at any time during the sales hours.

6. *Fencing*: All fences shall comply with all applicable sections in the Atlanta Zoning Ordinance pertaining to the relevant zoning district in which the Market Garden is located

7. *Waste Removal*: The Market Garden shall recycle and remove waste in accordance with all applicable sections of the Atlanta City Code.

SECTION 2: That Urban Gardens and Market Gardens be permitted in various zoning districts as follows:

Subsection 2-A-i. That the principal uses and structures permitted in **R-1 zoning districts** be amended by the adoption of a new subsection (5) to 16-03.003 which reads:

(5) Urban Gardens.

Subsection 2-A-ii. That the accessory uses and structures permitted in **R-1 zoning districts** be amended by the adoption of a new subsection (9) to 16-03.004 which reads:

(9) Urban Gardens.

(10) Market Gardens are limited to parcels that are used as schools, churches, synagogues, temples, mosques and other religious worship facilities.

Subsection 2-B-i. That the principal uses and structures permitted in **R-2 zoning districts** be amended by the adoption of a new subsection 16-04.003(5), which reads:

(5) Urban Gardens.

Subsection 2-B-ii. That the accessory uses and structures permitted in **R-2 zoning districts** be amended by the adoption of a new subsection (9) to 16-04.004 which reads:

(9) Urban Gardens.

(10) Market Gardens are limited to parcels that are used as schools, churches, synagogues, temples, mosques and other religious worship facilities.

Subsection 2-C-i. That the principal uses and structures permitted in **R-2A zoning districts** be amended by the adoption of a new subsection (4) to 16-04A.003 which reads:

(4) Urban Gardens.

Subsection 2-C-ii. That the accessory uses and structures permitted in **R-2A zoning districts** be amended by the adoption of a new subsection (8) to 16-04A.004 which reads:

(8) Urban Gardens.

(9) Market Gardens are limited to parcels that are used as schools, churches, synagogues, temples, mosques and other religious worship facilities.

Subsection 2-D-i. That the principal uses and structures permitted in **R-2B zoning districts** be amended by the adoption of a new subsection (4) to 16-04B.003 which reads:

(4) Urban Gardens.

Subsection 2-D-ii. That the accessory uses and structures permitted in **R-2B zoning districts** be amended by the adoption of a new subsection (8) to 16-04B.004 which reads:

(8) Urban Gardens.

(9) Market Gardens are limited to parcels that are used as schools, churches, synagogues, temples, mosques and other religious worship facilities.

Subsection 2-E-i. That the principal uses and structures permitted in **R-3 zoning districts** be amended by the adoption of a new subsection (5) to 16-05.003 which reads:

(5) Urban Gardens.

Subsection 2-E-ii. That the accessory uses and structures permitted in **R-3 zoning districts** be amended by the adoption of a new subsection (9) to 16-05.004 which reads:

(9) Urban Gardens.

(10) Market Gardens are limited to parcels that are used as schools, churches, synagogues, temples, mosques and other religious worship facilities.

Subsection 2-F-i. That the principal uses and structures permitted in **R-3A zoning districts** be amended by the adoption of a new subsection (4) to 16-05A.003 which reads:

(4) Urban Gardens.

Subsection 2-F-ii. That the accessory uses and structures permitted in **R-3A zoning districts** be amended by the adoption of a new subsection (8) to 16-05A.004 which reads:

(8) Urban Gardens.

(9) Market Gardens are limited to parcels that are used as schools, churches, synagogues, temples, mosques and other religious worship facilities.

Subsection 2-G-i. That the principal uses and structures permitted in **R-4 zoning districts** be amended by the adoption of a new subsection (5) to 16-06.003 which reads:

(5) Urban Gardens.

Subsection 2-G-ii. That the accessory uses and structures permitted in **R-4 zoning districts** be amended by the adoption of a new subsection (9) to 16-06.004 which reads:

(9) Urban Gardens.

(10) Market Gardens are limited to parcels that are used as schools, churches, synagogues, temples, mosques and other religious worship facilities.

Subsection 2-H-i. That the principal uses and structures permitted in **R-4A zoning districts** be amended by the adoption of a new subsection (4) to 16-06A.003 which reads:

(4) Urban Gardens.

Subsection 2-H-ii. That the accessory uses and structures permitted in **R-4A zoning districts** be amended by the adoption of a new subsection (8) to 16-06A.004 which reads:

(8) Urban Gardens.

(9) Market Gardens are limited to parcels that are used as schools, churches, synagogues, temples, mosques and other religious worship facilities.

Subsection 2-I-i. That the principal uses and structures permitted in **R-4B zoning districts** be amended by the adoption of a new subsection (4) to 16-06B.003 which reads:

(4) Urban Gardens.

Subsection 2-I-ii. That the accessory uses and structures permitted in **R-4B zoning districts** be amended by the adoption of a new subsection (7) to 16-06B.004 which reads:

(7) Urban Gardens.

(8) Market Gardens are limited to parcels that are used as schools, churches, synagogues, temples, mosques and other religious worship facilities.

Subsection 2-J-i. That the principal uses and structures permitted in **R-5 zoning districts** be amended by the adoption of a new subsection (5) to 16-07.003 which reads:

(5) Urban Gardens.

Subsection 2-J-ii. That the accessory uses and structures permitted in **R-5 zoning districts** be amended by the adoption of a new subsection (9) to 16-07.004 which reads:

(9) Urban Gardens.

(10) Market Gardens are limited to parcels that are used as schools, churches, synagogues, temples, mosques and other religious worship facilities.

Subsection 2-K-i. That the principal uses and structures permitted in **R-G zoning districts** be amended by the adoption of a new subsection (10) to 16-08.003 which reads:

(10) Urban Gardens.

Subsection 2-K-ii. That the accessory uses and structures permitted in **R-G zoning districts** be amended by the adoption of a new subsection (8) to 16-08.004 which reads:

(8) Urban Gardens.

(9) Market Gardens are limited to parcels that are used as schools, churches, synagogues, temples, mosques and other religious worship facilities.

Subsection 2-L. That the principal uses and structures permitted in **R-LC zoning districts** be amended by the adoption of new subsections (14) and (15) to 16-09.003 which read:

(14) Urban Gardens.

(15) Market Gardens.

Subsection 2-M. That the principal uses and structures permitted in **O-I zoning districts** be amended by the adoption of new subsections (18) and (19) to 16-10.003 which read:

(18) Urban Gardens.

(19) Market Gardens.

The first sentence of the second paragraph of section 16-10.003 be amended to read: “Except for off-street parking, *Market Gardens*, and other authorized outdoor uses, all commercial, sales and service activities shall be within completely enclosed buildings, and there shall be no unenclosed displays of merchandise.”

Subsection 2-N. That the principal uses and structures permitted in **C-1 zoning districts** be amended by the adoption of new subsections (30) and (31) to 16-11.003 which read:

(30) Urban Gardens.

(31) Market Gardens.

The first sentence of the second paragraph of section 16-11.003 be amended to read: “Except for off-street parking, automobile sales lots, *Market Gardens*, and necessary activities at commercial greenhouses and service stations, or as authorized by special permit, all commercial sales and service activities shall be conducted within completely enclosed buildings, and there shall be no unenclosed displays of merchandise.”

Subsection 2-O That the principal uses and structures permitted in **C-2 zoning districts** be amended by the adoption of new subsections (36) and (37) to 16-12.003 which read:

(36) Urban Gardens.

(37) Market Gardens.

Subsection 2-P That the principal uses and structures permitted in **C-3 zoning districts** be amended

by the adoption of new subsections (36) and (37) to 16-13.003 which read:

(36) Urban Gardens.

(37) Market Gardens.

Subsection 2-Q That the principal uses and structures permitted in **C-4 zoning districts** be amended by the adoption of new subsections (36) and (37) to 16-14.003 which read:

(36) Urban Gardens.

(37) Market Gardens.

Subsection 2-R That the principal uses and structures permitted in **C-5 zoning districts** be amended by the adoption of new subsections (38) and (39) to 16-15.003 which read:

(38) Urban Gardens.

(39) Market Gardens.

Subsection 2-S That the principal uses and structures permitted in **I-1 zoning districts** be amended by the adoption of new subsections (25) and (26) to 16-16.003 which read:

(25) Urban Gardens.

(26) Market Gardens.

Subsection 2-T That the principle uses and structures permitted in **I-2 zoning districts** be amended by the adoption of new subsections (24) and (25) to 16-17.003 which read:

(24) Urban Gardens.

(25) Market Gardens.

Subsection 2-U. That the **SPI-1 Downtown zoning districts** regulations be amended by the adoption of new entries in the "Other" portion of the table which follows section 16-18A.006 to provide that Urban Gardens are a permitted use, as indicated by a "P" for Urban Gardens in Subareas 1, 2, 3, 4, 5, 6, and 7. An additional table entry will provide that Market Gardens are a permitted use, as indicated by a "P" for Market Gardens in Subareas 1, 2, 3, 4, 5, 6, and 7.

Subsection 2-V-i. That the principal uses and structures permitted in **SPI-5 Inman Park** be amended by the adoption of a new subsection (4) to 16-18E.007 which reads:

(4) Urban Gardens.

Subsection 2-V-ii. That the accessory uses and structures permitted in **SPI-5 Inman Park** be amended by the adoption of a new subsection (8) to 16-18E.008 which reads:

(8) Market Gardens are limited to parcels that are used as schools, churches, synagogues, temples,

mosques and other religious worship facilities.

Subsection 2-W-i. That the uses permitted in **SPI-6 Poncey-Highland (Subarea 1) zoning districts** be amended by the adoption of a new subsection (d) to 16-18F.005(1) which reads:
(d) Urban Gardens.

Subsection 2-W-ii. That the accessory uses and structures permitted in **SPI-6 Poncey-Highland (Subarea 1) zoning districts** be amended by the adoption of a new subsection (c) in section 16-18F.005(2) which reads:

(c) Market Gardens are limited to parcels that are used as schools, churches, synagogues, temples, mosques and other religious worship facilities.

Subsection 2-W-iii. That the uses permitted in **SPI-6 Poncey-Highland (Subarea 2) zoning districts** be amended by the adoption of a new subsection (e) to 16-18F.006(1) which reads:
(e) Urban Gardens.

Subsection 2-W-iv. That the accessory uses and structures permitted in **SPI-6 Poncey-Highland (Subarea 2) zoning districts** be amended by the adoption of a new subsection (c) to 16-18F.006(2) which reads:

(c) Market Gardens are limited to parcels that are used as schools, churches, synagogues, temples, mosques and other religious worship facilities.

Subsection 2-W-v. That the uses permitted in **SPI-6 Poncey-Highland (Subarea 3) zoning districts** be amended by the adoption of a new subsection (e) to 16-18F.007(1) which reads:
(e) Urban Gardens.

Subsection 2-W-vi. That the accessory uses and structures permitted in **SPI-6 Poncey-Highland (Subarea 3) zoning districts** be amended by the adoption of a new subsection (c) to 16-18F.007(2) which reads:

(c) Market Gardens are limited to parcels that are used as schools, churches, synagogues, temples, mosques and other religious worship facilities.

Subsection 2-W-vii. That the uses permitted in **SPI-6 Poncey-Highland (Subarea 4) zoning districts** be amended by the adoption of a new subsection (f) to 16-18F.008(1) which reads:
(f) Urban Gardens.

Subsection 2-W-viii. That the accessory uses and structures permitted in **SPI-6 Poncey-Highland (Subarea 4) zoning districts** be amended by the adoption of a new subsection (g) to 16-18F.008(2) which reads:

(g) Market Gardens are limited to parcels that are used as schools, churches, synagogues, temples, mosques and other religious worship facilities.

Subsection 2-X-i. That the principal uses and structures permitted in **SPI-7 Candler Park (Subareas 2 and 3) zoning districts** in 16-18G.007 be amended to read:

(1) *Subarea 2:* A building or premise shall be used only for a single-family detached dwelling *or an Urban Garden*. In no case shall there be more than one main building and one main use on a lot.

(2) *Subarea 3:* A building or premise shall be used for two-family, multi-family attached dwellings, supportive housing, *or an Urban Garden*.

Subsection 2-X-ii. That subsection (a) of the accessory and structures permitted in **SPI-7 Candler Park (Subareas 2 and 3) zoning districts** section 16-18G.008(7) be amended to read:

(a) Except in the case of home occupation *and Market Gardens*, no accessory use shall be of a commercial nature.

Subsection 2-X-iii. That the accessory uses and structures permitted in **SPI-7 Candler Park (Subareas 2 and 3) zoning districts** be amended by the adoption of a new subsection (8) to 16-18G.008 which reads:

(8) *Market Gardens are limited to parcels which are used as churches, synagogues, temples, mosques and other religious worship facilities or schools*

Subsection 2-Y. That the **SPI-9 Buckhead Village zoning districts** be amended by the adoption of new entries in the "Recreation/Entertainment" portion of the table which follows section 16-18I.007 to provide that Urban Gardens are a permitted use, as indicated by a "P" for Urban Gardens, and a "P" for Market Gardens in Subareas 1, 2, 3, and 4.

Subsection 2-Z-i. That the **SPI-11 Vine City & Ashby Station District Regulations** be amended by the adoption of new entries in the table which follows section 16-18K.004 to provide that notwithstanding anything in this chapter to the contrary, Urban Gardens are a permitted principal use, as indicated by a "P" for Urban Gardens in Subareas 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12. Market Gardens are a permitted principal use, as indicated by a "P" for Market Gardens in Subareas 1, 2, 3, 9, 10, 11, and 12, and shall further indicate that Market Gardens are a conditional permitted accessory use indicated by a "PA¹" in Subareas 4, 5, 6, 7, and 8. The corresponding note beneath the table shall read: "¹Market Gardens are limited to parcels that are used as schools, churches, synagogues, temples, mosques and other religious worship facilities".

Subsection 2-Z-ii. That the **SPI-11 Vine City & Ashby Station District Regulations** be amended by the adoption of new entries in the table which follows section 16-18K.004 to provide that notwithstanding anything in this chapter to the contrary, Urban Gardens are a permitted principal use, as indicated by a "P" for Urban Gardens in Subareas 1, 2, 3, 4, 5, 6, 7, and 8. Market Gardens are a permitted principal use, as indicated by a "P" for Market Gardens in Subareas 1, 2, 3, and 8

Subsection 2-AA. That the **SPI-12 Buckhead/Lenox Stations zoning districts** be amended by the adoption of new entries in the table which follows section 16-18L.006 under "NON-RESIDENTIAL USES (ALL OTHER USES)" to provide that notwithstanding anything in this chapter to the contrary, Urban Gardens are a permitted principal use, as indicated by a "P" for Urban Gardens in Subareas 1, 2, and 3. Market Gardens are a permitted principal use, as indicated by a "P" in Subarea 1, and by special use permit, as indicated by a "SUP" in Subareas 2 and 3.

Subsection 2-BB-i. That the principal uses and structures permitted in **SPI-15 Lindbergh Transit Station Area zoning districts** be amended by the adoption of a new subsection (16) to 16-18O.005 which reads:

(16) Urban Gardens.

Subsection 2-BB-ii. That the principal uses and structures permitted in **SPI-15 Lindbergh Transit**

Station Area zoning districts be amended by the adoption of a new subsection (x) to Sec. 16-18O.028(1) which reads:

(x) Market Gardens.

Subsection 2-BB-iii. That the principal uses and structures permitted in **SPI-15 Lindbergh Transit Station Area zoning districts** be amended by the adoption of a new subsection (c) to Sec. 16-18O.029(2) which reads:

(c) Market Gardens are limited to parcels that are used as schools, churches, synagogues, temples, mosques and other religious worship facilities.

Subsection 2-CC. That the principal uses and structures permitted in **SPI-16 Midtown zoning districts** be amended by the adoption of new subsections (21) and (22) to 16-18P.005 which read:

(21) Urban Gardens.

(22) Market Gardens .

Subsection 2-DD-i. That the principal uses and structures permitted in **SPI-17 Piedmont Avenue zoning districts** be amended by the addition of a new subsection (4) to 16-18Q.005 which reads:

(4) Urban Gardens.

Subsection 2-DD-ii. That the accessory uses and structures permitted in **SPI-17 Piedmont Avenue zoning districts** in 16-18Q.006 be amended to read:

“Accessory uses and structures permitted within this district shall include those customarily accessory and clearly incidental to permitted principal uses and structures and specifically include *Market Gardens limited to parcels that are used as schools, churches, synagogues, temples, mosques and other religious worship facilities in subareas 1 and 4*, clubhouses, pools, and other recreation amenities, and parking to serve authorized residential and nonresidential uses within the district subject to the restrictions contained in section 16-18Q.021 and elsewhere in this chapter.

Subsection 2-DD-iii. That the permitted uses permitted in **SPI-17 Piedmont Avenue zoning districts** be amended by the addition of a new subsection (iv) to 16-18Q.026(1)(b) which reads:

(iv) Market Gardens,

and that section 16-18Q.026(1)(c) be amended to read:

“All commercial sales and service shall be conducted within enclosed permanent structures and there shall be no unenclosed displays of merchandise with the exception of *Market Gardens*, off-street parking and outdoor dining. Unenclosed outdoor sales or displays are permissible only by special permit as set forth below.”

Subsection 2-DD-iv. That the permitted uses permitted in **SPI-17 Piedmont Avenue zoning districts** be amended by the addition of a new subsection (v) to 16-18Q.027(1)(b) which reads:

(v) Market Gardens.

and that section 16-18Q.027(1)(d) be amended to read:

“All commercial sales and service shall be conducted within enclosed permanent structures and there shall be no unenclosed displays of merchandise with the exception of *Market Gardens*, off-street parking and outdoor dining. Unenclosed outdoor sales or displays are permissible only by

special permit as set forth below.”

Subsection 2-EE. That the permitted principal uses and structures, permitted accessory uses and structures, and special permits in **SPI-18 Mechanicsville Neighborhood zoning districts** be amended by the adoption of new entries in the table which follows 16-18R.005 to provide that notwithstanding anything in this chapter to the contrary, Urban Gardens are a permitted principal use, as indicated by a “P” for Urban Gardens, in Subareas 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10. Market Gardens are a permitted use indicated by a “P” for Market Gardens in Subareas 1, 2, 3, 7, 8, 9 and 10, and Market Gardens are an accessory use, as indicated by a “PA¹” in subareas 4, 5, and 6. The corresponding note beneath the table shall read: “¹Market Gardens are limited to parcels which are used as churches, synagogues, temples, mosques and other religious worship facilities or schools.”

Subsection 2-FF. That the principal uses and structures in **SPI-20 Greenbriar zoning districts** be amended by the adoption of new entries in the “Other” portion of the table which follows 16-18T.005 to provide that Urban Gardens are a permitted use, as indicated by a “P” for Urban Gardens in Subareas 1, 2, 3, 4, 5, and 6. Market Gardens are a permitted use indicated by a “P” for Market Gardens in Subareas 1, 2, and 3, and as indicated by a “P¹⁷” in subareas 4, 5, and 6. The corresponding note beneath the table shall read: “¹⁷Market Gardens are limited to parcels which are used as churches, synagogues, temples, mosques and other religious worship facilities or schools.”

Subsection 2-GG. That the permitted principal uses and structures, permitted accessory uses and structures, and special permits in **SPI-21 Historic West End/Adair Park zoning districts** be amended by the adoption of new entries in the “Other” portion of the table which follows 16-18U.008 to indicate that Urban Gardens are a permitted use, as indicated by a “P” for Urban Gardens in Subareas 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10, that Market Gardens are a permitted use as indicated by a “P” for Market Gardens in Subareas 1, 2, 3, 4, 5, 6, 8, 9, and 10, and shall further indicate that Market Gardens are a conditional permitted use as indicated by a “P²⁶” in Subarea 7. The corresponding note beneath the table shall read: “²⁶Market Gardens are limited to parcels which are used as churches, synagogues, temples, mosques and other religious worship facilities or schools.”

Subsection 2-HH. That the permitted principal uses and structures, permitted accessory uses and structures, and special permits in **SPI-22 Memorial Drive/Oakland Cemetery zoning districts** be amended by the adoption of new entries in the "Other" portion of the use table which follows Section 16-18V.005 to provide that Urban Gardens are a permitted use, as indicated by a “P” for Urban Gardens in Subareas 1, 2, 3, and 4, and Market Gardens are a permitted use, as indicated by a “P” for Market Gardens in Subareas 1, 2, 3, and 4.

Subsection 2-II. That the principal uses and structures permitted in **PD-H Planned Development zoning districts** be amended by the addition of a new subsection (5) to 16-19A.003 which reads:
(5) Urban Gardens.

Subsection 2-JJ. That the principal uses and structures permitted in **PD-MU Planned Development zoning districts** be amended by the adoption of new subsections (21), and (22) to 16-19B.003 which read:
(21) Urban Gardens.
(22) Market Gardens.

Subsection 2-KK. That the principal uses and structures permitted in **PD-OC Planned Development zoning districts** be amended by the adoption of new subsections (19) and (20) to 16-19C.003 which read:
(19) Urban Gardens.
(20) Market Gardens.

Subsection 2-LL. That the principal uses and structures permitted in **PD-BP zoning districts** be amended by the adoption of new subsections (13) and (14) to 16-19D.003 which read:
(13) Urban Gardens.
(14) Market Gardens.

Subsection 2-MM. That the principal uses and structures permitted in **PD-CS Planned Development zoning districts** be amended by the adoption of a new subsection (3), to 16-19E.003 which reads:
(3) Urban Gardens.

Subsection 2-NN-i. That the principal uses and structures permitted in **Cabbagetown Landmark (Subarea 1) zoning districts** be amended by the addition of new subsections (i), (j) and (k) to 16-20A.007(1) which read:
(i) Urban Gardens.
(j) Market Gardens .

Subsection 2-NN-ii. That the principal uses and structures permitted in **Cabbagetown Landmark (Subarea 2) zoning districts** be amended by the adoption of a new subsection (c) to 16-20A.008(1) which reads:
(c) Urban Gardens.

Subsection 2-NN-iii. That the principal uses and structures permitted in **Cabbagetown Landmark (Subarea 3) zoning districts** be amended by the adoption of a new subsection (d) to 16-20A.009(3) which reads:
(d) Urban Gardens.

Subsection 2-NN-iv. That the principal uses and structures permitted in **Cabbagetown Landmark (Subarea 4) zoning districts** be amended by the adoption of new subsections (d) and (e) to 16-20A.010(1) which read:
(d) Urban Gardens.
(e) Market Gardens.

Subsection 2-NN-v. That the principal uses and structures permitted in **Cabbagetown Landmark (Subarea 5) zoning districts** be amended by the adoption of new subsections (e) and (f) to 16-20A.011(1) which read:
(e) Urban Gardens.
(f) Market Gardens.

Subsection 2-OO-i. That the principal uses and structures permitted in **Druid Hills (Ponce de Leon Corridor) zoning districts** be amended by the adoption of a new subsection (f) to 16-20B.004(1) which reads:

(f) Urban Gardens.

Subsection 2-OO-ii. That the principal uses and structures permitted in **Druid Hills (Fairview Road Subarea) zoning districts** be amended by the adoption of a new subsection (c) to 16-20B.005(1) which reads:

(c) Urban Gardens.

Subsection 2-OO-iii. That the principal uses and structures permitted in **Druid Hills (Springdale/Oakdale/Lullwater subarea) zoning districts** be amended by the adoption of a new subsection (c) to 16-20B.006(1) which reads:

(c) Urban Gardens.

Subsection 2-PP-i. That the principal uses permitted in **Martin Luther King, Jr. (Subarea 1) Landmark zoning districts** be amended by the adoption of a new subsection (f) to 16-20C.004(1) which reads:

(f) Urban Gardens.

Subsection 2-PP-ii. That the accessory uses and structures permitted in **Martin Luther King, Jr. (Subarea 1) Landmark zoning districts** be amended by the adoption of a new subsection (c) to 16-20C.004(2) which reads:

(c) Market Gardens are limited to parcels which are used as churches, synagogues, temples, mosques and other religious worship facilities or schools.

Subsection 2-PP-iii. That the principal uses permitted in **Martin Luther King, Jr. (Subarea 2) Landmark zoning districts** be amended by the adoption of a new subsection (e) to 16-20C.005(1) which reads:

(e) Urban Gardens.

Subsection 2-PP-iv. That the accessory uses and structures permitted in **Martin Luther King, Jr. (Subarea 2) Landmark zoning districts** be amended by the adoption of a new subsection (f) to 16-20C.005(2) which reads:

(f) Market Gardens are limited to parcels which are used as churches, synagogues, temples, mosques and other religious worship facilities or schools.

Subsection 2-PP-v. That the principal uses permitted in **Martin Luther King, Jr. (Subarea 3) Landmark zoning districts** be amended by the adoption of new subsections (k) and (l) to 16-20C.006(1) which read:

(k) Urban Gardens.

(l) Market Gardens .

Subsection 2-PP-vi. That the principal uses permitted in **Martin Luther King, Jr. (Subarea 4) Landmark zoning districts** be amended by the adoption of new subsections (x) and (y) to 16-20C.007(1) which read:

(x) Urban Gardens.

(y) Market Gardens .

Subsection 2-PP-vii. That the principal uses permitted in **Martin Luther King, Jr. (Subarea 5) Landmark zoning districts** be amended by the adoption of a new subsections (w) and (x) to 16-

20C.008(1) which read:

(w) Urban Gardens.

(x) Market Gardens .

Subsection 2-PP-viii. That the Transitional Zone in **Martin Luther King, Jr. (Subarea 6) Landmark zoning districts** in 16-20C.009(1) be amended by the adoption of a new subsection (c) which reads:

(c) Notwithstanding anything to the contrary in the Atlanta Zoning Ordinance, Urban Gardens and Market Gardens are permitted primary uses and accessory uses within the Transitional Zone (Subarea 6).

Subsection 2-QQ. That the principal uses permitted in **Baltimore Block Landmark zoning districts** be amended by the adoption of new subsections (f) and (g) to 16-20F.004(1) which read:

(f) Urban Gardens.

(g) Market Gardens .

Subsection 2-RR-i. That the principal uses and structures permitted in **Castleberry Hill (Subarea 1) zoning districts** be amended by the adoption of new subsections (i) and (j) to 16-20N.007(2) which read:

(i) Urban Gardens.

(j) Market Gardens .

Subsection 2-RR-ii. That the principal uses and structures permitted in **Castleberry Hill (Subarea 2) zoning districts** be amended by the adoption of new subsections (p) and (q) to 16-20N.008 (10) which read:

(p) Urban Gardens.

(q) Market Gardens.

Subsection 2-SS. That the principal uses and structures permitted in **NC Neighborhood Commercial zoning districts** be amended by the adoption of new subsections (10) and (11) to 16-32.005 which read:

(10) Urban Gardens.

(11) Market Gardens.

Subsection 2-TT. That the principal uses and structures permitted in **LW zoning districts** be amended by the adoption of a new subsection (e) to 16-33.004(1) which reads:

(e) Urban Gardens.

and a new subsection (w) to 16-33.004(2) which reads:

(w) Market Gardens .

Subsection 2-UU. That the principal uses and structures permitted in **MRC zoning districts** be amended by the adoption of new subsections (31) and (32) to 16-34.005 which read:

(31) Urban Gardens.

(32) Market Gardens.

Subsection 2-VV-i. That the principal uses and structures permitted in **MR zoning districts** be amended by the adoption of new subsection (7) to 16-35.005 which reads:

(7) Urban Gardens.

The first sentence of the third paragraph of section 16-35.005 be amended to read: “All commercial sales and service shall be conducted within enclosed permanent structures and there shall be no unenclosed displays of merchandise with the exception of *Market Gardens*, off-street parking and outdoor dining. Outdoor sales or displays are permissible only by special permit as set forth below.

Subsection 2-VV-ii. That the first paragraph of section 16-35.006 be amended to read:
“Market Gardens shall be allowed as an accessory use, but limited to parcels that are used as schools, churches, synagogues, temples, mosques and other religious worship facilities. All other accessory uses and structures permitted within this district shall include those customarily accessory and clearly incidental to permitted principal uses and structures, shall be limited to use by residents, and specifically include home occupation subject to limitations set forth in subsection 16-29.001(17), clubhouses, pools, and other recreation amenities, and parking to serve authorized residential and nonresidential uses within the district subject to the restrictions contained elsewhere in this chapter.”