

STATE OF GEORGIA

COUNTY OF CLAYTON

ORDINANCE NO. 2012 – 55

AN ORDINANCE TO AMEND THE CLAYTON COUNTY ZONING ORDINANCE, SPECIFICALLY ARTICLE 6 “DEVELOPMENT STANDARDS” SO AS TO DELETE SECTION 6.13 “PLACES OF WORSHIP, THEATER AND AMPHITHEATER STANDARDS (POW)” AND INSERT IN LIEU THEREOF A NEW SECTION 6.13; TO PROVIDE AN EFFECTIVE DATE OF THIS ORDINANCE; TO PROVIDE FOR REPEAL OF CONFLICTING ORDINANCES; TO PROVIDE FOR CODIFICATION; TO PROVIDE FOR SEVERABILITY; AND FOR OTHER PURPOSES.

WHEREAS, the Board of Commissioners have determined there is a need to revise Article 6 “Development Standards”, Section 6.13 “Places of Worship, Theater, and Amphitheater Standards (POW)”.

**NOW THEREFORE, BE IT ORDAINED BY THE CLAYTON COUNTY**

**BOARD OF COMMISSIONERS AND IT IS HEREBY ORDAINED**

**PART I**

Section 1. The Clayton County Zoning Ordinance, as amended, is hereby further amended by deleting Article 6 “Development Standards”, Section 6.13 “Places of Worship, Theater, and Amphitheater Standards (POW)” and inserting in lieu thereof a new Article 6 “Development Standards”, Section 6.13 “Places of Worship, Theater, and Amphitheater Standards (POW)” to read as follows:

**6.13 Places of Worship, Theater, and Amphitheater Standards (POW)**

**POW-01: This Places of Worship, Theater, and Amphitheater Standards section applies to all districts.**

The following shall apply to places of worship, convents and monasteries, theaters, amphitheaters, public parks, playgrounds, and recreation centers, and other related uses:

- A. Any building or structure established in connection with places of worship, monasteries or convents, theaters, amphitheaters, and other related uses in residential districts shall be located at least fifty (50) feet from any property line
- B. A **forty (40)** feet wide landscaped buffer in accordance with Buffer Yard, Type 3, as identified within Article 6.35, Buffer Yard Standards, shall be planted along the

side and rear property lines when located one hundred (100) feet or less to any property line of a residential zoned lot or lot containing a residential dwelling.

- C. Places of worship, convents and monasteries, theaters, amphitheaters, and other related uses, in residential districts shall be located on a minimum lot area of five (5) acres and shall have frontage of at least two hundred (200) feet along a public street.
- D. Places of worship, convents and monasteries, theaters, amphitheaters, and other related uses in residential districts shall be located on a major thoroughfare having a street classification of at least that of a collector street.
- E. Meet all commercial building regulations as identified in the adopted building code and all adopted fire codes.
- F. Meet all parking standards as identified within Article 6.32, Parking Standards (PK).
- F. The establishment of sites and tents for temporary religious meetings, theaters, amphitheaters, requires the granting of a special building permit from the Department of Community Development. Such sites may not be used for a purpose covered by this Article for a cumulative period of more than fourteen (14) days during any calendar year.

## PART II

(a) It is hereby declared to be the intention of the Board of Commissioners that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are and were, upon their enactment, believed by the Board of Commissioners to be fully valid, enforceable and constitutional.

(b) It is hereby declared to be the intention of the Board of Commissioners that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other section, paragraph, sentence, clause or phrase therein. It is hereby further declared to be the intention of the Board of Commissioners, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Ordinance.

(c) In the event that any phrase, clause, sentence, paragraph or section of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Board of Commissioners that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of the Ordinance and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and

sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

**PART III.**

All Ordinances or parts of Ordinances in conflict with this Ordinance are, to the extent of such conflict, hereby repealed.

**PART IV.**

The preamble of this Ordinance shall be considered to be and is hereby incorporated by reference as if fully set out herein.

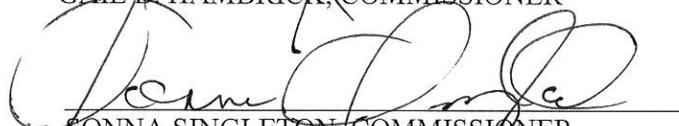
SO ORDAINED this 13<sup>th</sup> day of March 2012.

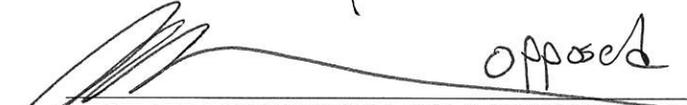
CLAYTON COUNTY BOARD OF COMMISSIONERS

  
ELDRIN BELL, CHAIRMAN

  
WOLF RALPH, VICE CHAIRMAN

  
GAIL B. HAMBRICK, COMMISSIONER

  
SONNA SINGLETON, COMMISSIONER

 *opposed*  
MICHAEL EDMONDSON, COMMISSIONER

ATTEST:

  
SHELBY D. HAYWOOD, CLERK