COUNTY OF CLAYTON

STATE OF GEORGIA

ORDINANCE NO. 2014-333

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP FOR CLAYTON COUNTY, GEORGIA; TO PROVIDE AN EFFECTIVE DATE OF THIS ORDINANCE; TO PROVIDE FOR REPEAL OF CONFLICTING ORDINANCES; TO PROVIDE FOR CODIFICATION; AND FOR OTHER LAWFUL PURPOSES.

WHEREAS, zoning is a matter within the purview of local governments pursuant to Article IX, Section II, Paragraph IV of the Constitution of the State of Georgia of 1983; and

WHEREAS, the Board of Commissioners has been vested with substantial powers, rights and functions to generally regulate the practice, conduct or use of property for the purposes of maintaining health, morals, safety, security, peace and the general welfare of Clayton County; and

WHEREAS, in October 2008, the Board adopted a new Zoning Map, thereby initiating an effort to create a comprehensive digitalized map of approximately 90,000 parcels of land located within the County; and

WHEREAS, since the initial adoption of the Zoning Map, Clayton County has amended and re-adopted the Zoning Map which has become increasingly more reflective of the County's current zoning districts; and

WHEREAS, the Clayton County Department of Information Technology and the Clayton County Tax Assessor's Office have recently generated and provided the Department of Community Development with the most accurate parcel data to date, thereby necessitating this Zoning Map amendment; and

WHEREAS, the amended Zoning Map is in conformity with the policy and intent of the County's land use plan; and

WHEREAS, the Board has considered the possible effects of the change in the Zoning Map on the character of a zoning district and determined that the changes pose no substantial negative effects upon the properties; and

WHEREAS, this Map is amended pursuant to authority granted to Clayton County, Georgia by Article IX, Section II, Paragraph III of the Constitution of the State of Georgia 1983, and more specifically the plenary policy powers delegated to the County by said section and by operation of law.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF CLAYTON COUNTY, GEORGIA AND IT IS HEREBY ORDAINED AS FOLLOWS:

SECTION I.

The Clayton County Board of Commissioners hereby adopts the attached amended Zoning Map, attached hereto as Exhibit A.

SECTION 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.

SECTION III.

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

SECTION IV.

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

SECTION V.

This Ordinance shall become effective on January 1, 2015.

SO ORDAINED this 16th day of December 2014.

CLAYTON COUNTY BOARD OF COMMISSIONERS

JEFFREY E. TURNER, CHAIRMAN

SHANA M. ROOKS, VICE CHAIRMAN

MICHAEL EDMONDSON, COMMISSIONER

SONNA GREGORY, COMMISSIONER

GAIL B. HAMBRICK, COMMISSIONER

ATTEST:

SANDRA T. DAVIS, CLERK