

STATE OF GEORGIA

COUNTY OF CLAYTON

ORDINANCE NO. 2019-38

AN ORDINANCE TO AMEND THE CODE OF CLAYTON COUNTY, GEORGIA, AS AMENDED, SPECIFICALLY, CODE OF CLAYTON COUNTY, GEORGIA, APPENDIX A “ZONING”, ARTICLE 2 “ZONING DISTRICTS ESTABLISHED” TO ADD PROVISIONS TO SECTION 2.1 FOR WH – WAREHOUSE; ARTICLE 3 “ZONING DISTRICT INTENT, PERMITTED USES AND CONDITIONAL USES” TO ADD SUBSECTIONS 3.34.5 AND 3.34.6 ESTABLISHING THE INTENT, PERMITTED USES, AND STANDARDS FOR WH - WAREHOUSE DISTRICT, AND TO ADD SUCH DISTRICT TO THE LAND USE MATRIX IN SECTION 3.35; TO REPEAL CONFLICTING LAWS, ORDINANCES, AND RESOLUTIONS; TO PROVIDE SEVERABILITY; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

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

Section 1. The Code of Clayton County, Georgia, as amended, is hereby further amended by amending Article 2 “Zoning Districts Established”, Section 2.1 “Establishment of Standard Districts” to delete the current language and substituting in lieu thereof a new Section 2.1 “Zoning Districts Established” to read as follows:

Sec. 2.1 – Establishment of Standard Districts

For the purpose of this Ordinance, the planning jurisdiction is divided into the following zoning districts for the general uses as stated. These districts shall be indicated on the Official Zoning Map and labeled using the codes noted below. Each of the zoning districts stands alone and is not part of a hierarchy-system of zoning.

Only those uses and development standards which are expressly permitted and noted for each district apply to that district.

AG – Agriculture:

This district is established primarily for agricultural uses. The intent of this district is to promote and protect agricultural uses while providing limited low density rural residential development and related commercial activity.

ER – Estate Residential District:

This district is established to preserve the large lot, estate type residential character of land which presently serves as a transition between rural land and lands becoming more urban in character.

RS – 180 Residential District:

This district is established to provide for the low density development of large single-family detached homes on medium-sized lots.

RS – 110 Residential District:

This district is established to provide for the medium density development of medium-sized single-family detached homes on medium-sized lots.

RG – 75 Residential District:

This district is established to provide for the high density development of medium to small-sized single-family detached and two-family homes on small-sized lots.

RM – Multiple Family Residential:

This district is established to provide for the development of multiple family residential units, including apartments, townhomes, fee simple townhomes, condominiums, and structures containing three or more dwelling units.

RMH – Manufactured Home Park:

This district is established to provide for the development of lease-lot residential parks which provide dwelling sites for mobile and type III manufactured homes.

OI – Office Institutional:

This district is established to provide a land use category for appropriate office, institutional, and public uses that are non-conflicting with residential uses.

GB – General Business District:

This district accommodates a wide variety of retail, service, and entertainment uses and generates an intense commercial district.

MCD – Medical Center District:

This district focuses on medical services to the exclusion of uses that do not complement the delivery of those services and are not supportive of those services. This district includes residences for the elderly and others needing convenient access to medical services.

MXI – Mixed Use Commercial-Industrial District:

This district allows a mixture of office, commercial, and light industrial uses as well as recreational uses. Industrial uses shall be oriented towards producing value added products rather than extracting materials.

UV – Urban Village District:

The UV District is established to foster compact urban settings accommodating a mix of office, hospitality, and service uses. Such settings are intended as gathering places for convenience shopping and employment, and recreation and to enhance urban living. An emphasis on public art and open space linked by walkable and multimodal urban settings in which a comingling of uses is designed to create a diverse community. The district promotes

unique settings through cutting edge architecture and site design. Public improvements such as multimodal trails and public parking will promote establishment of the urban village.

CS – Conservation Subdivision District:

The district is intended to provide a non-farm residential development option that supports sustainable development, protects open space and natural resources, and retains the predominantly rural character of areas outside the urbanized areas.

Lake Marina District:

The district is established to accommodate a limited spectrum of uses associated with boating and serving the recreational and consumer needs of the boating public. These encompass outfitter shops, small cafes and grills, bait and tackle shops and boat fuel sales. As the marina is open to the public, temporary parking for private vehicles will be provided. In order to maintain the quiet character of the lake and to limit the scale of the marina, such facilities as are common to larger marinas such as boat storage and boat repairs are not contemplated by the Marina District.

MX – Mixed Use District:

The Mixed Use District is intended to capitalize on the market demand for reduced commuting times and an environment that offers a wide range of services, activities, and housing options. A full range of urban housing, employment, retail and entertainment options is accommodated by the Mixed Use District.

LI – Light Industrial:

This district is established to provide a land use category for assembly, warehousing, wholesale activities, and other light industrial operations.

HI – Heavy Industrial:

This district is established to provide a land use category for manufacturing, assembling, and fabrication activities including large scale or specialized industrial operations.

WH – Warehouse

This district is established for the express purpose of allowing warehousing and related uses.

Section 2. The Code of Clayton County, Georgia, as amended, is hereby further amended by amending Article 3 “Zoning District Intent, Uses and Standards”, to add new Sections 3.34.5 and 3.34.6 following the current Section 3.34 to read as follows:

Sec. 3.34.5 – WH – Warehouse District

WH District Intent and Permitted Uses

District Intent – *The WH District is intended to provide a land use category specifically for warehousing and other similar industrial operations. This district should be used in areas with convenient access to major transportation routes.*

Permitted Uses – Industrial Uses: *Wholesale business, warehouse, trucking terminal, tractor and trailer storage, offices and administrative facilities, commercial parking garages and lots, and similar storage and distribution uses. Any accessory building and uses customarily incidental to the above permitted uses. **Communication/Utilities:** Public wellfield/pumphouse, Sewage Treatment Plant, Utility substation, Water tower.*

Conditional Uses – Communication/Utilities: *Wireless telecommunications facility/tower.*

Use Notes and Subdivision Specifications – *The Use Matrix at the end of this Article provides detailed use listings. The Overlay Districts shall apply as*

specified in Article 4 of this Ordinance. Any district may be rezoned to "PUD" (Planned Unit Development) as specified in Article 7 of this Ordinance. The subdivision of land in this district shall be consistent with the specifications of the Clayton County Subdivision Ordinance.

Sec. 3.34.6 – WH District Standards

Minimum Lot Area: None.

Minimum Lot Width: None.

Maximum Lot Depth: None.

Minimum Lot Frontage: 100 feet on a public street with direct access from a public street.

Sewer and Water: Requires connection to public water and sewer.

Minimum Front Yard Setback: 50 feet when adjacent to arterial road, 45 feet when adjacent to a collector road, and 40 feet when adjacent to a local road.

Minimum Side Yard Setback: 20 feet.

Minimum Rear Yard Setback: 20 feet.

Maximum Lot Coverage: All primary and accessory structures and impervious surface cannot exceed 70% of the lot area.

Maximum Structure Height: 75 feet for the primary structure, 35 feet for accessory structures, all telecommunication facilities shall conform to the requirements of Article 6.

Section 3. The Code of Clayton County, Georgia, as amended, is hereby further amended by amending Article 3 "Zoning District Intent, Uses and Standards", to add a new category WH to the Land Use Matrix table in Section 3.35 to read as follows:

Sec. 3.35 – Land Use Matrix

WH Agricultural Uses: All listed as "N".

WH Residential Uses: All listed as "N".

WH Institutional Public Uses: All listed as "N".

WH Commercial Uses: All listed as "N" except "Parking garage, deck and lot (accessory use only) listed as "P".

WH Industrial Uses: All listed as "N" except "Wholesale business, warehouse, trucking, terminal, and similar non-processing storage and distribution uses" listed as "P".

WH Commercial/Utility Uses: All listed as "P" except "Wireless Telecommunications Facility/Tower" listed as "C".

Section 4. 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.

Section 5. 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 6. All Ordinances or parts of Ordinances in conflict with this Ordinance are, to the extent of such conflict, hereby repealed.

Section 7. This Ordinance shall become effective immediately upon its approval by the Board of Commissioners.

SO ORDAINED THIS 19 DAY OF March, 2019.

CLAYTON COUNTY BOARD OF COMMISSIONERS


JEFFREY B. TURNER, CHAIRMAN


FELICIA FRANKLIN WARNER, VICE CHAIRMAN


SONNA GREGORY, COMMISSIONER


GAIL HAMBRICK, COMMISSIONER


DEMONT DAVIS, COMMISSIONER

ATTEST:


BRENDA B. JAMES, CLERK