

STATE OF GEORGIA

CITY OF FOREST PARK

ORDINANCE NO. 14+09

AN ORDINANCE TO AMEND TITLE 8, PLANNING AND DEVELOPMENT
AND FOR OTHER LAWFUL PURPOSES.

WHEREAS, the duly elected governing authority of the City of Forest Park, Georgia is the Mayor and Council thereof;

WHEREAS, it has been determined that it is necessary to amend the Code of the City of Forest Park, Georgia with to the zoning code and tree and vegetation protection ordinance; and

WHEREAS, the health, safety, and welfare of the citizens of Forest Park, Georgia, will be positively impacted by the adoption of this Ordinance.

THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF FOREST PARK, GEORGIA and by the authority thereof as follows:

Section 1. Section 8-8-11 of the Code of the City of Forest Park, Georgia is hereby amended by adding a new subsection 14 to read as follows:

“(14) Gillem Zoning District”

Section 2. Section 8-8-57(c) of the Code of the City of Forest Park, Georgia is hereby amended by deleting subsection 35.

Section 3. Section 8-8-65 of the Code of the City of Forest Park, Georgia is hereby amended by deleting said section in its entirety and substituting the following in lieu thereof the following:

“Sec. 8-8-65. GZ Gillem Zoning District.

(a) Intent of District. The intent of the Gillem Zoning District is as follows:

- (1) Allow an appropriate mix of industrial, commercial, office, residential and public uses;*
- (2) Establish uses that complement the city’s Main Street development efforts, investments and goals;*
- (3) Improve the aesthetics of the built environment;*

(4) *Encourage a grid of connected streets to improve access and reduce congestion;*

(5) *Allow for the repurpose of the former Ft. Gillem area of the city.*

It is further intended to encourage development of compatible land uses on a scale larger than that of individual small parcels in a comprehensively planned setting and to promote the purposes set forth in the Gillem Logistics Center Master Declaration of Covenants Plan and other plans approved by the City of Forest Park Urban Redevelopment Authority.

(b) *Required Conditions. Uses, processes or equipment employed shall be limited to those which are not objectionable by reason of odor, dust, bright lights, smoke, noise or vibration to neighboring residential properties.*

(c) *Permitted Uses. Within the GZ Gillem Zoning District the following uses are permitted*

1. *Agriculture, excluding poultry and livestock in violation of portions of this code*
2. *Any retail business or service, including manufacturing in connection with a retail store or shop, provided that such manufacturing is incidental to the retail use and all goods manufactured are sold on the premises.*
3. *Appliance stores, including radio and television service*
4. *Banks and drive-in banks*
5. *Book, stationery, camera or photographic supply stores*
6. *Cafes, grills, lunch counters, and restaurants*
7. *Churches and other places of worship with attendant education and recreational buildings.*
8. *Clinics, medical, dental, chiropractic, osteopathic and other similar uses*
9. *Clothing stores, millinery, dry goods and notions*
10. *Confectionery stores*
11. *Convenience stores*
12. *Convenience stores with gasoline sales*
13. *Distribution of products and merchandise*

14. *Day care centers of every nature, kind and description, provided that such uses are secondary uses to the primary permitted uses.*
15. *Drug stores*
16. *Dry cleaning and laundry establishments including pickup stations but not including self-service laundry*
17. *Fabrication and assembly of products*
18. *Florist, nursery and gift shops*
19. *Furniture, home furnishings, including office furniture and equipment*
20. *Grocery, fruit, vegetable, meat market, delicatessen, catering, and super markets*
21. *Hotels and motels*
22. *Newspapers and printing plants*
23. *Noncommercial public and semipublic recreation facilities and grounds*
24. *Offices and office buildings*
25. *Off-street parking lots and parking garages*
26. *Places of assembly including auditoriums, stadiums, coliseums, and dance halls.*
27. *Waste to energy facilities*
28. *Processing and compounding of materials*
29. *Public and private schools and libraries*
30. *Public utility structures and buildings, including electric and natural gas, substations, telephone exchanges, radio and television stations, and similar structures for the storage of supplies, equipment or service operations when properly screened in accordance with the provisions of this chapter*
31. *Radio stations and transmission towers*
32. *Railway lines, passenger depots, intermodal facilities and rail yards*
33. *Recreational facilities, including but not limited to tennis courts, badminton courts and other open, unenclosed and uncovered recreational facilities*

34. *Recycling centers, provided any such center should be for collection only and no processing shall be permitted therein*
35. *Retail and commercial bakeries*
36. *Scientific or research laboratories*
37. *Shopping centers and malls*
38. *Theaters, but not including drive-in theaters provided, that such uses are not located within five hundred (500) feet of any other such uses*
39. *Warehousing*
40. *Wholesaling*

(d) *The following regulations shall apply within the GZ Gillem Zoning District:*

1. *Height. There are no limitations as to height in this district. Buildings in excess of 110 feet must be approved by the Director of Fire Services*
2. *Front yard setback. On minor streets there shall be a front yard setback of twenty-five (25) feet and on major streets fifty-five (55) feet both being measured from the centerline of the street. The minimum setback from the street right-of-way or the center line of a street shall always be whichever is the greater distance.*

(e) *Within the GZ Gillem Zoning District the following uses are prohibited:*

1. *Automobile or truck repair shops.*
2. *Flea markets, pawn shops, salvage shops, thrift shops, junk shops, used furniture or appliance sales or any establishment which deals primarily in used merchandise. For the purposes of this section, an establishment deals primarily in used merchandise if more than ten (10) percent of the regularly maintained inventory consists of items previously owned or previously used.*
3. *Used car sales.*
4. *Towing or wrecker services.*
5. *Billiard halls and game rooms.*
6. *Tattoo parlors.*
7. *Massage parlors.*
8. *Adult Entertainment Establishments*

(f) Conditional uses. Upon applicant to and recommendation by the planning commission that the same be permitted and, after a review and adoption of the findings of the planning commission by the mayor and council, the uses listed below may be permitted as conditional uses in the GZ Gillem Zoning District:

- 1. Multi Family Dwelling Units. Provided the following specifications are met:
 - a. Must be completely self-contained and occupy a minimum of seven hundred (700) square feet of interior floor space.*
 - b. There must be an interior division to provide for a separate bedroom, a separate kitchen area and a private bathroom.*
 - d. All utilities shall be on separate service meters and construction of the dwelling unit shall be governed by residential building codes.*
 - e. Walls constructed between dwelling units and commercial premises shall be so constructed as to have a firewall rated for two (2) hours.”**

Section 4. Section 8-8-79 of the Code of the City of Forest Park, Georgia is hereby amended by deleting said section in its entirety and substituting the following in lieu thereof the following:

“Sec. 8-8-79. Exemptions from chapter.

The following are exempt from complying with the provisions of this chapter:

- (1) Unless otherwise provided by law or ordinance, all federal, state, county and municipal government agencies and boards of authority owned, operated and leased facilities as well as facilities owned, operated or leased by others that have received the city's permission to be located on land owned or leased by the city shall be exempt from the provisions of this chapter; however, the city shall be required to meet all of its other development codes, regulations and ordinances.*
- (2) Developments located within the Gillem Zoning District and approved by a resolution of the City and the City of Forest Park Urban Redevelopment Authority or its successor in title or function, shall be exempt from the*

provisions of this chapter provided that all other applicable development codes, regulations and ordinances are adhered to.”

Section 5. Section 8-8-161(b) of the Code of the City of Forest Park, Georgia is hereby deleted.

Section 6. Section 8-8-168 of the Code of the City of Forest Park, Georgia is hereby amended by deleting said section in its entirety and substituting the following in lieu thereof the following:

“Sec. 8-8-168. General regulations for landscaped areas.

There are no prescribed criteria for design or formation of the landscaped area. However, it should be consistent with the architectural scheme of the building and surrounding area and should complement the plan for sediment and erosion control of the site.

The requirements of the previous paragraphs shall be in addition to buffer zones and tree protection areas; however, some relief of the above described requirements may be granted, by the mayor and council, for saving existing trees, shrubbery, and ground cover on the site.

Industrial, commercial, office, and institutional, business park, and multi-family sites one (1) acre or more must be landscaped entirely.”

Section 7. Section 8-8-171 of the Code of the City of Forest Park, Georgia is hereby amended by deleting said section in its entirety and substituting the following in lieu thereof the following:

“Sec. 8-8-171. Exemptions from this article.

The following are exempt from complying with the provisions of this chapter:

- (1) Unless otherwise provided by law or ordinance, all federal, state, county and municipal government agencies and boards of authority owned, operated and leased facilities as well as facilities owned, operated or leased by others that have received the city's permission to be located on land owned or leased by the city shall be exempt from the provisions of this chapter; however, the city shall be required to meet all of its other development codes, regulations and ordinances.*

(2) *Developments located within the Gillem Zoning District and approved by a resolution of the City and the City of Forest Park Urban Redevelopment Authority or its successor in title or function, shall be exempt from the provisions of this chapter provided that all other applicable development codes, regulations and ordinances are adhered to."*

Section 8. The sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared illegal by the valid judgment or decree of any court of competent jurisdiction, such illegality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance.

Section 9. All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

Section 10. This Ordinance shall become effective upon its adoption.

SO ORDAINED this 7th day of APRIL, 2014.

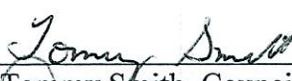
CITY OF FOREST PARK, GEORGIA



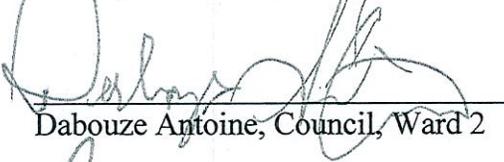
Mayor David Lockhart



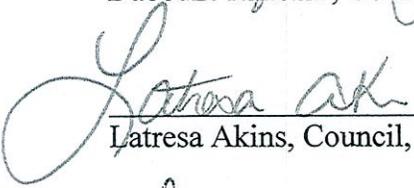
Maudie McCord, Mayor Pro-tem



Tommy Smith, Council, Ward 1



Dabouze Antoine, Council, Ward 2

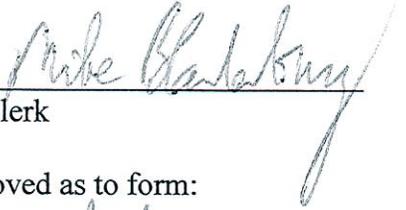


Latresa Akins, Council, Ward 4



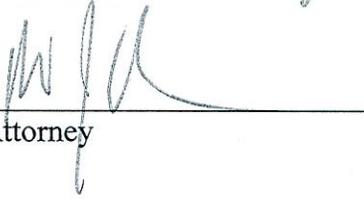
Linda Lord, Council, Ward 5

Attest:



City Clerk

Approved as to form:



City Attorney