

1 **FULTON COUNTY, GEORGIA**

2 **CITY of EAST POINT**

3
4 **AN ORDINANCE**

5 **TO AMEND CHAPTER 14, ARTICLE B, SECTION 10-14007 TO PROVIDE DESIGN**
6 **GUIDELINES FOR DOWNTOWN OVERLAY DISTRICT AND C-R (COMMERCIAL**
7 **REDEVELOPMENT) ZONING DISTRICT.**
8

9 **CASE NO: 2020M-002-07**

10 **ASSOCIATED CASE NO: N/A**

11
12 **WHEREAS**, Section 10-14007 (The Downtown Architectural Overlay District) applies to all properties
13 zoned "CR" Commercial Redevelopment .

14
15 **WHEREAS**, Within the Downtown Architectural Overlay District ("the District"), land and structures shall
16 be used in accordance with the standards underlying the district. Whenever provisions of this article conflict with
17 any other Article in the East Point Zoning Ordinance and Development Regulations or any other East Point
18 ordinances, regulations, or resolutions, these standards shall prevail.

19
20 **WHEREAS**, In 2018, the City applied for a comprehensive rewrite of the regulations that were specified
21 in the Downtown Overlay District as well as recommendations for amendments to be made for the commercial
22 redevelopment known as the (C-R) zoning district); and

23
24 **WHEREAS**, The purpose was to focus land use and transportation study to support the TOD around the
25 Marta Stations; and

26
27 **WHEREAS**, The scope of the project was a rewrite of downtown architectural overlay; recommendation
28 for amendments for the (C-R) district will be consistent with the LCI Main Street Corridor Transit-Oriented
Development Plan and complements the new streetscape and Government Center; and

1 **WHEREAS.** The overlay is rearranged for easier reading; drive-thrus would be permit in Downtown
2 transition only; when utilizing regulations that were already in our codes such as sidewalk standard, streetlights
3 and street trees, architect wall standard and drive-thru standard within the CR District.

4 **NOW BE IT ORDAINED BY THE CITY COUNCIL OF EAST POINT, GEORGIA AS FOLLOWS:**

5
6 Section 1. The text amendment is **APPROVED** to amend Chapter 14, Article B, Section 10-14007 to provide design
7 guidelines for downtown overlay district and C-r (Commercial redevelopment) zoning district.

8
9 Section 2. This ORDINANCE shall be codified in a manner consistent with the laws of the State of Georgia and the
10 City of East Point.

11 Section 3. (a) It is hereby declared to be the intention of the Mayor and Council that all Sections, paragraphs,
12 sentences, clauses and phrases of this ORDINANCE are upon, their enactment, believed by the Mayor and Council
13 to be fully valid, enforceable and constitutional.

14
15 (b) It is hereby declared to be the intention of the Mayor and council that, to the greatest extent allowed by
16 law, each and every section, paragraph, sentence, clause or phrase of this ORDINANCE, is severable from every
17 other section, paragraph, sentence, clause or phrase of the ORDINANCE. It is hereby further declared to be the
18 intention of the Mayor and Council that, to the greatest extent allowed by law, no section, paragraph, sentence,
19 clause or phrase of this ORDINANCE is mutually dependent upon any other section, paragraph, sentence, clause
20 or phrase of this ORDINANCE.

21 (c) In the event that any phrase, clause, sentence, paragraph, or section of this ORDINANCE shall, for any
22 reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree
23 of any court of competent jurisdiction, it is the express intent of the Mayor and Council that such invalidity,
24 unconstitutionally or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional
25 or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of the
26 ORDINANCE and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs
27 and sections of the ORDINANCE shall remain valid, constitutional, enforceable, and of full force and effect.

28 Section 4. ALL ORDINANCES and parts of ORDINANCES in conflict herewith are hereby expressly repealed.

1 Section 5. Penalties in effect for violations of Part 1 of the Code of Ordinances, City of East Point, Georgia at the
2 time of the effective date of this ORDINANCE shall be and are hereby made applicable to this ORDINANCE and
3 shall remain in full force and effect.

4 Section 6. The effective date of this ORDINANCE shall be the date of adoption unless otherwise specified herein.


6 **Public Hearing:** April 5, 2021

7 **First Reading:** waived

10 **SO PASSED AND APPROVED** this 5th day of April 2021

14 **SPONSORED BY:**

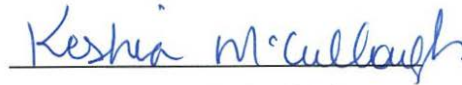


15 
16 Deana Holiday Ingraham, Mayor

18 **APPROVED AS TO FORM:**

19 
20 Brad Bowman, City Attorney

18 **ATTEST:**

19 
20 Keshia McCullough, City Clerk