

1 **FULTON COUNTY, GEORGIA**
2 **CITY of EAST POINT**

3 **AN ORDINANCE TO AMEND THE EAST POINT CODE OF ORDINANCES PART 10-ZONING CODE AND**
4 **DEVELOPMENT REGULATIONS CHAPTER 2.- ZONING REGULATIONS, ARTICLE D.- ADMINISTRATIVE**
5 **PERMITS AND USE PERMITS TO ADD THE NEW SECTIONS xxx; TO REPEAL CONFLICTING ORDINANCES;**
6 **TO PROVIDE AN EFFECTIVE DATE AND FOR OTHER PURPOSES**
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8
9 **CASE NO:**

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

11 **WHEREAS**, the duly elected governing authority of the City of East Point, Georgia is the Mayor and
12 Council thereof; and

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14 **WHEREAS**, the governing authority is empowered to provide for the health, safety, and welfare of the
15 residents, employees, businesses, and visitors within the city; and

16 **WHEREAS**, in accordance with Section 10-1009 – Transmittal of commission results to mayor and city
17 council of the Zoning Ordinance, the Planning and Zoning Commission of the City of East Point has forwarded its
18 recommendation to the Mayor and City Council that the amendments to Chapter 2, Article D. Administrative
Permits and Use Permits to add the new Sections be approved; and

19 **WHEREAS**, pursuant to the requirements of the Zoning Procedures Act and the City Zoning Ordinance, a
20 properly advertised public hearing on the text amendment to the zoning ordinance was held not less than 15 nor
21 more than 45 days from the date of publication of notice, and which public hearing was held on the __ day of _____,
22 2020; and

23 **WHEREAS**, after the aforementioned public hearing, the governing authority has determined that adoption
24 of the amendments to Chapter 2. Zoning Regulations, Article D- Administrative Permits and Use Permits to add the
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1 certain industrial uses in order to require use permit development standards is necessary in order to provide a
2 permitting process and regulations within the City of East Point and would be in the best interests of the residents,
3 property owners, businesses and citizens of the City of East Point; and
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5 **NOW, THEREFORE BE IT ORDAINED, by the Mayor and City Council of the City of East Point, Georgia, and it**
6 **is hereby ordained by the authority of same that Chapter 2 Zoning Regulations, Article D. – Administrative**
7 **Permits and Use Permits be amended in the City of East Point Zoning Ordinances as follows:**

8 **Section 1.**

9 **Section 10-**** Dry Cleaning Plants.**

10 (a) Standards.

11 (1) Such use shall be at least 5,280 feet from any property zoned or used for residential properties.

12 (2) All applicable state, federal and local codes must be complied with.

13 Section 10-****.1 Reserved.

14 **Section 10-**** Fuel and ice dealers, manufacturers and wholesalers.**

15 (a) Standards.

16 (1) No activity which produces liquid effluent, odor, fumes or dust which can be detected beyond the
17 walls of the building is permitted.

18 (2) Such use shall be at least 5,280 feet from any property zoned or used for residential properties.
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22 Section 10-****.1 Reserved.

23 **Section 10 -**** Gas Station Minimart.**

24 (a) Standards.

- 1 (1) All gasoline pumps, tanks and other service facilities shall be set back at least 25 feet from all
property lines.
- 2 (2) Canopies over fuel islands shall not encroach within fifteen (15) feet of any property line.
- 3 (3) Minor automobile repair shall be allowed in conjunction with such use provided all such activities
shall take place within an enclosed building.
- 4 (4) No outside storage or engine/body dismantling is allowed.
- 5 (5) The following minimum landscaped improvements shall be installed and permanently maintained:
 - 6 (a) A fifteen (15)-foot-wide planter area adjacent to any property line along a public street, with the
exception of driveway entrances approved by the Director of Community Development. Minimum
planter width shall be measured from the street right-of-way or official plan line.
 - 7 (b) A five-foot-wide planter area adjacent to all other property lines.
 - 8 (c) Each planter area shall be landscaped with ground cover, screening shrubs, and trees. Trees
9 shall be spaced at either a minimum distance of thirty-six (36) feet on center or in an alternative
design to accomplish an equivalent density of screening and degree of shading, as approved by
10 the Director of Community Development or his or her designee.
 - 11 (d) Each planter area shall be surrounded with a six-inch raised concrete curbing or planning
12 division-approved equivalent. An automatic irrigation system shall be installed and permanently
maintained in working order in each separate planter area.
 - 13 (e) Service station roofs shall be well designed with generous overhangs; the roofing shall be
14 incombustible materials such as simulated shake or shingle, clay tile, cement tile, slate or other
similar materials.
 - 15 (f) Exterior walls of service stations shall be well designed and compatible with adjoining
16 properties.
 - 17 (g) The entire service area of the service station shall be paved with a permanent surface of
18 concrete or asphalt. Any unpaved area of the site shall be landscaped and separated from the
paved areas by a six-inch concrete curb or other equivalent planning division-approved barrier.
 - 19 (h) Gasoline pump islands, canopies, compressed air connections, restrooms and similar facilities
20 shall be set back a minimum of twenty-five (25) feet from any street right-of-way or official plan line.
 - 21 (i) Points of cash or other payment shall be designed so as to provide a safe and adequate
22 customer queuing area. Outdoor walk-up service facilities shall be located and designed so as to
prevent adverse impacts on adjacent properties zoned residential or designated as residential in
23 the general plan.
 - 24 (j) Hydraulic hoists, pits and all lubrication, greasing, automobile washing and other service
25 equipment shall be entirely enclosed within a building.
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1 (k) Except as otherwise provided in this title, a solid masonry fence or wall a minimum of six feet in
2 height and similar in color, module, and texture to those materials utilized in the building shall be
3 erected and permanently maintained along all common property lines with residentially zoned
4 property or with property designated as residential in the general plan, or as approved by the
5 Director of Community Development.

6 (l) Exterior lighting shall be designed so that it is deflected away from adjacent properties and
7 screened from direct view from the street right-of-way.

8 (m) Signs on the service station premises shall be so located as to not obstruct visibility for drivers
9 or pedestrians. A minimum sight-distance triangle shall be maintained, as determined by the
10 Engineering Department.

11 (n) Auto service buildings shall be set back from the street right-of-way lines a minimum distance of
12 forty (40) feet to provide an adequate area for maneuvering vehicles in the service area and to
13 provide adequate visibility, particularly at intersections.

14 (o) Driveway locations and accesses shall be provided in accordance with adopted City standards.

15 (p) An adequate and accessible trash disposal area shall be provided. Said disposal area shall be
16 screened from public view by a masonry enclosure, with solid wood gates, at least six feet in
17 height.

18 (q) A minimum of eight marked parking spaces shall be provided for customers and employees.
19 For self-service stations with no accessory uses, such as tune-ups or accessory sales, only two
20 such marked spaces need be provided. All such spaces shall be located at least fifteen (15) feet
21 from any street right-of-way or official plan line.

22 (r) Water and compressed air services shall be available and functioning for public use during
23 station operating hours.

24 (s) A fully stocked or equipped restroom shall be consistently maintained so as to be available to
25 the public during operating hours. Restroom facilities shall be designed to accommodate the
26 disabled.

27 Section 10-****.1 Reserved.

28 **Section 10-**** Laundry and Dry-Cleaning Pickup Stations**

(a) Standards.

(1) The use shall employ best management practices regarding the venting of odors, gas and fumes. Such
vents shall be located a minimum of ten (10) feet above grade and shall be directed away from residential
uses.

1 Section 10-***.1 Reserved.

2 **Section 10-**** Light assembly and fabrication.**

3 (a) Standards.

4 (1) No activity which produces liquid effluent, odor, fumes or dust which can be detected beyond the walls
of the building is permitted.

5 (2) Shall not be located with 5280 feet of a school, lake, stream, water body, or residential property.

6 (3) The portion of the use dedicated to production and processing activities shall not exceed five thousand
7 (5,000) square feet of gross floor area.

8 (4) The main entrance shall open to a retail, dining or office component equal to not less than fifteen (15)
9 percent of the floor area of the use.

10 Section 10-****.1 Reserved.

11 **Section 10-**** Research and experimental testing laboratories including medical and dental laboratories.**

12 (a) Standards.

13 (1) No activity which produces liquid effluent, odor, fumes or dust which can be detected beyond the walls
of the building is permitted.

14 Section 10-****.1 Reserved.

15 **Section 10-**** Night Club.**

16 (a) Standards

17 (1) Where alcoholic beverages are served, the use shall comply with the requirements of Liquor and
Beer, of the City of East Point Code of Ordinances.

18 (2) The premises, all adjacent streets, sidewalks and alleys, and all sidewalks and alleys within one
hundred (100) feet shall be inspected regularly for purposes of removing any litter found thereon.

19 (3) Nightclubs established or expanded after the effective date of this ordinance shall be located at
at least five hundred (500) feet from a residence or office residence district boundary

20 Section 10-****.1 Reserved.

21 **Section 10-**** Commercial Parking Lot, Garages.**

22 (a) Standards

The following design requirements are to be incorporated into the project, garages:

23 (1) Parking reduction in density requirements;

24 (2) Shared parking with contiguous businesses;

25 (3) Pervious/permeable material for parking areas and roadways under 25 mph;

- 1 (4) Use of bio-retention islands and other storm water practices with parking lot landscaped and setback areas;
- 2 (5) Use of pervious/permeable materials for walking paths;
- 3 (6) Use of pervious materials for driveways;
- 4 (7) Use of green roofs;
- 5 (8) Use of rain gardens, rain barrels and other residential rain collection practices;
- 6 (9) Discharge of roof drainage into pervious areas;
- 7 (10) Preservation of natural vegetation and shade within the lot.
- 8 (11) Downcast lighting
- 9 (12) Refuse screening
- 10 (13) Natural vegetative transitional buffer
- 11 (14) Combination of masonry materials: brick, stone
- 12 (15) Landscaping/screening must include noninvasive plant species

13 Section 10-****.1 Reserved.

14 **Section 10-**** Manufacturing, wholesaling, repairing, compounding, assembly, processing,**
15 **preparation, packaging of treatment articles:** foods (smoking, curing and canning), components, products,
16 clothing, machines and appliances and the like, where character of operations, emissions and by-products do not
17 create adverse effects beyond the boundaries of the property.

18 (a) Standards.

- 19 (1) All activities shall be carried on entirely within an enclosed building.
- 20 (2) Such use shall not be established on a lot which is adjacent to or directly across the street from any single-family residential district.
- 21 (3) All outdoor storage must be in the rear of the principal structure and enclosed by opaque fence no less than eight feet in height.
- 22 (4) Permitted curb cut access shall be only from a major thorough fare.
- 23 (5) When located adjacent or within 50 feet to residential properties, schools, parks, playgrounds or hospitals, streams and rivers:
 - 24 i. A 20 ft setback and 10 ft landscaped strip-natural vegetative buffer along the perimeter of the adjacent property line.

25 (b) Development Standards.

- 26 (1) Setbacks for front, rear and side yards:

- i. Structures fronting or adjoining a public street shall be located at least 45 feet from the front property;
- ii. Structures, except fences shall be at least eight feet from the side-line of any tract;
- iii. Structures shall be at least thirty (30) feet from the rear line of any tract;
- iv. Only driveways, parking spaces, permitted signs, and landscaped areas shall be allowed between a structure and the front property line;
- v. All paved areas must have concrete curbs.

(c) Buildings.

(1) Exterior wall materials shall be one or more of the following:

- i. Hard burned clay brick;*
- ii. Stone with either a weathered face or a polished, fluted or broken face. No quarry faced stone shall be used except in the retaining walls;*
- iii. Concrete masonry. Units shall be those generally described by the National Concrete Masonry Association as "Customize Architectural Concrete Masonry Units" or shall be broken-faced brick-type units with marble aggregate. There shall be no exposed concrete block on the exterior of any building, however, rear walls which do not front any street or building may be painted concrete block. Any concrete masonry units that have a gray cement color shall be coated with a coating approved by the building inspector;*
- iv. Concrete may be poured in-place, tilt-up or precast. Poured in-place and tilt-up walls shall have a finish of stone, a texture or a coating. Textured finishes shall be coated. Coating shall be an approved cementitious type*

(2) Roof-mounted equipment. Roof-mounted equipment shall be located and/or screened to minimize visibility from streets or surrounding buildings.

- i. Parking and maneuvering. Parking shall not be permitted on streets. Parking spaces and loading docks shall be so located as to make maneuvering in the streets unnecessary. Ample parking spaces shall be provided as required in Article E to accommodate the parking for the subject development. All parking areas and driveways shall be paved with concrete, asphalt, their equivalent or better.*
- ii. Outside storage. No outside storage of any type will be permitted without specific approval of the Planning and Zoning Commission. When such approval is given, the outside storage area shall be enclosed with an approved screen so that storage is not from neighboring property or streets and in no event may storage exceed the height of the screen. In no event shall outside storage be permitted in front of any building.*
- iii. The entire area of any lot containing a building site, including the area between the lot line and street curb line, shall be landscaped except for areas covered by buildings and paved areas. A*

1 *minimum strip of landscaping ten feet wide shall be installed and maintained along any portion*
2 *of the lot bordering a public street right-of-way except for entrance driveways onto the lot. The*
3 *landscaping plan submitted to the planning and zoning commission for approval shall identify*
4 *such features as the planting of trees, shrubs and grass and the installation of screens as*
5 *appropriate. The landscaping, as approved by the Planning and Zoning Commission, shall be*
6 *installed prior to the issuance of a certificate of occupancy. The maintenance of the landscaping*
7 *shall be the responsibility of the owner and shall include the operation and maintenance of an*
8 *irrigation system.*

9 *iv. Exterior lighting. At minimum, an outdoor lighting plan shall include the following:*

10 *(1) Manufacturer specification sheets, cut sheets, or other manufacturer provided information*
11 *for all proposed outdoor lighting fixtures to show fixture diagrams, light source type, and*
12 *light output levels (in watts or lumens per fixture).*

13 *a. Dark Sky Compliance is highly encouraged for outdoor lighting fixtures, in which*
14 *the lighting will be installed, that meets specific requirements to*
15 *minimize light pollution, light trespass, glare and offensive light sources.*

16 *(2) The proposed location, mounting height, and aiming point of all outdoor lighting fixtures (a*
17 *site plan is preferred).*

18 *(3) If building elevations are proposed for illumination, the plan shall include drawings for all*
19 *relevant building elevations showing the placement of fixtures, the portions of the elevations*
20 *to be illuminated, and the aiming point for any remote light fixture.*

21 *(4) The outdoor lighting plan shall be correlated with any required landscaping plan that is*
22 *submitted with the building permit application package and shall demonstrate that outdoor*
23 *lighting shall not be unreasonably obscured or obstructed by existing or future foliage*
24 *growth.*

25 *(d) Required Plans.*

26 *The above required plans and descriptions shall be sufficiently complete to enable the City of East*
27 *Point Planning and Community Development Department to readily determine whether the proposal*
28 *is in compliance with zoning ordinance regulations. If such plans and descriptions do not enable this*
29 *determination, the director of that department may require additional information following the initial*
30 *outdoor lighting plan submittal, including but, not limited to; a written narrative to demonstrate the*
31 *objectives of the lighting and manufacturer data as determined by that department as being necessary*
32 *to determine compliance with the provisions of this chapter.*

33 *All exterior lighting shall be designed, erected, altered and maintained in accordance with plans and*
34 *specifications approved by the Planning Commission.*

35 *(e) Loading areas.*

36 *No materials, supplies, merchandise or equipment shall be stored in any area on a lot except inside of a*
37 *closed building, or behind an approved visual barrier screening*

1 such areas so that they are not unsightly from surrounding properties or public streets. Loading doors and
2 docks shall not be constructed facing any public street or highway without the express prior approval
3 of the Planning and Zoning Commission.

4 (f) *Prohibited activities, materials or products.*

5 No activities involving the storage, utilization, or manufacture of materials or products which decompose by
6 detonation shall be permitted within the City of East Point, except such as are licensed by the Fire Prevention
7 Bureau. The list of such prohibited materials or products shall include, but shall not be limited to, the
8 following:

- 9 1. *Acetylides.*
- 10 2. *Azides.*
- 11 3. *Chlorates.*
- 12 4. *Dynamite.*
- 13 5. *Blasting Gelatin.*
- 14 6. *Fulminates.*
- 15 7. *Anhydrous Hydrazine.*
- 16 8. *Ammonium Nitrate.*
- 17 9. *Dinitroresorcinol.*
- 18 10. *Dinitrotoluene.*
- 19 11. *Guanidine Nitrate.*
- 20 12. *Guncotton (Cellulose Nitrate or Pyroxylin).*
- 21 13. *Hexamine.*
- 22 14. *Nitroglycerine.*
- 23 15. *Petn (Pentaerythritoltetranitrate).*
- 24 16. *Picric Acid.*
- 25 17. *Tetryl (Trinitrophenylmethyltramine).*
- 26 18. *Cylonite or Hexogen (Trimethylene Trinitramine).*
- 27 19. *Dinol.*
- 28 20. *Petryl.*
- 21 21. *TNT (Trinitrotoluene).*
- 22 22. *Perchlorates (when mixed with carbonaceous materials).*
- 23 23. *Black Powder.*
- 24 24. *Fireworks.*
- 25 25. *Greek Fire.*
- 26 26. *Permanganates.*
- 27 27. *Peroxides.*

23 Section 10-****.1 Reserved.

25 Section 10-****.1 Reserved.

1 **Section 10-**** Truck Terminals.**

2 (a) Standards.

- 3 (1) Trucking, transit, or transportation terminals, including facilities for the repair or storage of trucks,
 shall front on a major or secondary highway as designated on the city master plan of highways.
- 4 (2) The site shall have a minimum area of two acres.
- 5 (3) The site shall not be located within five hundred feet of a residential use.
- 6 (4) The site must be fenced and screened from view from all public rights-of-way.
- 7 (5) All repair and washing shall occur within a completely enclosed building.
- 8 (6) A traffic study shall be completed that demonstrates all adverse traffic impacts can be mitigated.
- 9 7) A combination of the following materials shall be used for Commercial and Industrial Buildings and
 Structures, on each building wall:
- 10 i. brick, granite, stone, marble, terrazzo, architecturally treated reinforced concrete slabs,
 either fluted or with exposed aggregate, insulated window wall panels or stainless steel,
 porcelain-treated steel, anodized or other permanently finished aluminum.
- 11 8) Breaks, of at least sixteen (16) inches in depth, in the front building wall no less than every (40)
 feet.
- 12 9) Minimum office space of twenty (20) percent for the total non-repair use structures.
- 13 10) Truck courts, trucks, and trailers must be located behind a fence or masonry wall no less than eight
 (8) feet in height. The fence may not encroach into the front yard area past the front edge of the
14 building. In addition, trucks and trailers must be parked in an orderly fashion and on surfaces paved
 with asphalt or concrete.
- 15 11) Any truck repair must be performed inside an enclosed building.
- 16 12) Each site shall have a landscaped buffer of twenty (20) feet in width along any right-of-way.

17 Section 10-****.1 Reserved.

18 **Section 10-**** Warehousing and Storage.**

19 (a) Standards.

- 20 (1) All activities shall be carried on entirely within an enclosed building.
- 21 (2) Such use shall not be established on a lot which is adjacent to or directly across the street from
 any single-family residential district.
- 22 (3) All outdoor storage must be in the rear of the principal structure and enclosed by opaque fence no
 less than eight feet in height.
- 23 (4) Permitted curb cut access shall be only from a major thorough fare.
- 24 (5) When located adjacent or within 50 feet to residential properties, schools, parks, playgrounds or
 hospitals, streams and rivers:
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1 i. A 20 ft setback and 10 ft landscaped strip-natural vegetative buffer along the perimeter of the
adjacent property line.

2 (b) Development Standards.

3 (1) Setbacks for front, rear and side yards:

- 4 vi. Structures fronting or adjoining a public street shall be located at least 45 feet from the
front property;
- 5 vii. Structures, except fences shall be at least eight feet from the side-line of any tract;
- 6 viii. Structures shall be at least thirty (30) feet from the rear line of any tract;
- 7 ix. Only driveways, parking spaces, permitted signs, and landscaped areas shall be allowed
between a structure and the front property line;
- 8 x. All paved areas must have concrete curbs.

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10 (c) Buildings.

11 (1) *Exterior wall materials shall be one or more of the following:*

- 12 v. *Hard burned clay brick;*
- 13 vi. *Stone with either a weathered face or a polished, fluted or broken face. No quarry faced
stone shall be used except in the retaining walls;*
- 14 vii. *Concrete masonry. Units shall be those generally described by the National Concrete
Masonry Association as "Customize Architectural Concrete Masonry Units" or shall be
15 broken-faced brick-type units with marble aggregate. There shall be no exposed concrete
16 block on the exterior of any building, however, rear walls which do not front any street or
building may be painted concrete block. Any concrete masonry units that have a gray
17 cement color shall be coated with a coating approved by the building inspector;*
- 18 viii. *Concrete may be poured in-place, tilt-up or precast. Poured in-place and tilt- up walls shall
19 have a finish of stone, a texture or a coating. Textured finishes shall be coated. Coating
shall be an approved cementitious type*

20 (2) *Roof-mounted equipment. Roof-mounted equipment shall be located and/or screened to minimize
21 visibility from streets or surrounding buildings.*

- 22 v. *Parking and maneuvering. Parking shall not be permitted on streets. Parking spaces and loading
23 docks shall be so located as to make maneuvering in the streets unnecessary. Ample parking
spaces shall be provided as required in Article E to accommodate the parking for the subject
24 development. All parking areas and driveways shall be paved with concrete, asphalt, their
equivalent or better.*
- 25 vi. *Outside storage. No outside storage of any type will be permitted without specific approval of
the Planning and Zoning Commission. When such approval is given, the outside storage area*

1 shall be enclosed with an approved screen so that storage is not from neighboring property or
2 streets and in no event may storage exceed the height of the screen. In no event shall outside
storage be permitted in front of any building.

3 vii. The entire area of any lot containing a building site, including the area between the lot line and
4 street curb line, shall be landscaped except for areas covered by buildings and paved areas. A
5 minimum strip of landscaping ten feet wide shall be installed and maintained along any portion
6 of the lot bordering a public street right-of-way except for entrance driveways onto the lot. The
7 landscaping plan submitted to the planning and zoning commission for approval shall identify
8 such features as the planting of trees, shrubs and grass and the installation of screens as
9 appropriate. The landscaping, as approved by the Planning and Zoning Commission, shall be
10 installed prior to the issuance of a certificate of occupancy. The maintenance of the landscaping
11 shall be the responsibility of the owner and shall include the operation and maintenance of an
12 irrigation system.

13 viii. Exterior lighting. At minimum, an outdoor lighting plan shall include the following:

14 (5) Manufacturer specification sheets, cut sheets, or other manufacturer provided information
15 for all proposed outdoor lighting fixtures to show fixture diagrams, light source type, and
16 light output levels (in watts or lumens per fixture).

17 a. Dark Sky Compliance is highly encouraged for outdoor lighting fixtures, in which
18 the lighting will be installed, that meets specific requirements to
19 minimize light pollution, light trespass, glare and offensive light sources.

20 (6) The proposed location, mounting height, and aiming point of all outdoor lighting fixtures (a
21 site plan is preferred).

22 (7) If building elevations are proposed for illumination, the plan shall include drawings for all
23 relevant building elevations showing the placement of fixtures, the portions of the elevations
24 to be illuminated, and the aiming point for any remote light fixture.

25 (8) The outdoor lighting plan shall be correlated with any required landscaping plan that is
26 submitted with the building permit application package and shall demonstrate that outdoor
27 lighting shall not be unreasonably obscured or obstructed by existing or future foliage
28 growth.

(d) Required Plans.

The above required plans and descriptions shall be sufficiently complete to enable the City of East
Point Planning and Community Development Department to readily determine whether the proposal
is in compliance with zoning ordinance regulations. If such plans and descriptions do not enable this
determination, the director of that department may require additional information following the initial
outdoor lighting plan submittal, including but, not limited to; a written narrative to demonstrate the
objectives of the lighting and manufacturer data as determined by that department as being necessary
to determine compliance with the provisions of this chapter.

1 All exterior lighting shall be designed, erected, altered and maintained in accordance with plans and
2 specifications approved by the Planning Commission.

3 (e) Loading areas.

4 No materials, supplies, merchandise or equipment shall be stored in any area on a lot except inside of a
5 closed building, or behind an approved visual barrier screening

6 such areas so that they are not unsightly from surrounding properties or public streets. Loading doors and
7 docks shall not be constructed facing any public street or highway without the express prior approval
8 of the Planning and Zoning Commission.

9 (f) Prohibited activities, materials or products.

10 No activities involving the storage, utilization, or manufacture of materials or products which decompose by
11 detonation shall be permitted within the City of East Point, except such as are licensed by the Fire Prevention
12 Bureau. The list of such prohibited materials or products shall include, but shall not be limited to, the
13 following:

- 14 28. Acetylides.
- 15 29. Azides.
- 16 30. Chlorates.
- 17 31. Dynamite.
- 18 32. Blasting Gelatin.
- 19 33. Fulminates.
- 20 34. Anhydrous Hydrazine.
- 21 35. Ammonium Nitrate.
- 22 36. Dinitroresorcinol.
- 23 37. Dinitrotoluene.
- 24 38. Guanidine Nitrate.
- 25 39. Guncotton (Cellulose Nitrate or Pyroxylin).
- 26 40. Hexamine.
- 27 41. Nitroglycerine.
- 28 42. Petn (Pentaerythritoltetranitrate).
43. Picric Acid.
44. Tetryl (Trinitrophenylmethyltramine).
45. Cylonite or Hexogen (Trimethylene Trinitramine).
46. Dinol.
47. Petryl.
48. TNT (Trinitrotoluene).
49. Perchlorates (when mixed with carbonaceous materials).
50. Black Powder.
51. Fireworks.
52. Greek Fire.
53. Permanganates.
54. Peroxides.

1
2 Section 10-****.1 Reserved.
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5 **Section 10-**** Wholesale trade and distribution establishments and warehousing facilities,**
6 **including offices.**

7 (a) Standards.

8 (1) All activities shall be carried on entirely within an enclosed building.

9 (2) Such use shall not be established on a lot which is adjacent to or directly across the street from
10 any single-family residential district.

11 (3) All outdoor storage must be in the rear of the principal structure and enclosed by opaque fence no
12 less than eight feet in height.

13 (4) Permitted curb cut access shall be only from a major thorough fare.

14 (5) When located adjacent or within 50 feet to residential properties, schools, parks, playgrounds or
15 hospitals, streams and rivers:

16 i. A 20 ft setback and 10 ft landscaped strip-natural vegetative buffer along the perimeter of the
17 adjacent property line.

18 (b) Development Standards.

19 (1) Setbacks for front, rear and side yards:

20 xi. Structures fronting or adjoining a public street shall be located at least 45 feet from the
21 front property;

22 xii. Structures, except fences shall be at least eight feet from the side-line of any tract;

23 xiii. Structures shall be at least thirty (30) feet from the rear line of any tract;

24 xiv. Only driveways, parking spaces, permitted signs, and landscaped areas shall be allowed
25 between a structure and the front property line;

26 xv. All paved areas must have concrete curbs.

27 (c) Buildings.

28 (1) *Exterior wall materials shall be one or more of the following:*

ix. *Hard burned clay brick;*

- 1 x. *Stone with either a weathered face or a polished, fluted or broken face. No quarry faced*
2 *stone shall be used except in the retaining walls;*
- 3 xi. *Concrete masonry. Units shall be those generally described by the National Concrete*
4 *Masonry Association as "Customize Architectural Concrete Masonry Units" or shall be*
5 *broken-faced brick-type units with marble aggregate. There shall be no exposed concrete*
6 *block on the exterior of any building, however, rear walls which do not front any street or*
7 *building may be painted concrete block. Any concrete masonry units that have a gray*
8 *cement color shall be coated with a coating approved by the building inspector;*
- 9 xii. *Concrete may be poured in-place, tilt-up or precast. Poured in-place and tilt-up walls shall*
10 *have a finish of stone, a texture or a coating. Textured finishes shall be coated. Coating*
11 *shall be an approved cementitious type*

12 (2) *Roof-mounted equipment. Roof-mounted equipment shall be located and/or screened to minimize*
13 *visibility from streets or surrounding buildings.*

- 14 ix. *Parking and maneuvering. Parking shall not be permitted on streets. Parking spaces and loading*
15 *docks shall be so located as to make maneuvering in the streets unnecessary. Ample parking*
16 *spaces shall be provided as required in Article E to accommodate the parking for the subject*
17 *development. All parking areas and driveways shall be paved with concrete, asphalt, their*
18 *equivalent or better.*
- 19 x. *Outside storage. No outside storage of any type will be permitted without specific approval of*
20 *the Planning and Zoning Commission. When such approval is given, the outside storage area*
21 *shall be enclosed with an approved screen so that storage is not from neighboring property or*
22 *streets and in no event may storage exceed the height of the screen. In no event shall outside*
23 *storage be permitted in front of any building.*
- 24 xi. *The entire area of any lot containing a building site, including the area between the lot line and*
25 *street curb line, shall be landscaped except for areas covered by buildings and paved areas. A*
26 *minimum strip of landscaping ten feet wide shall be installed and maintained along any portion*
27 *of the lot bordering a public street right-of-way except for entrance driveways onto the lot. The*
28 *landscaping plan submitted to the planning and zoning commission for approval shall identify*
such features as the planting of trees, shrubs and grass and the installation of screens as
appropriate. The landscaping, as approved by the Planning and Zoning Commission, shall be
installed prior to the issuance of a certificate of occupancy. The maintenance of the landscaping
shall be the responsibility of the owner and shall include the operation and maintenance of an
irrigation system.
- xii. *Exterior lighting. At minimum, an outdoor lighting plan shall include the following:*
- (9) *Manufacturer specification sheets, cut sheets, or other manufacturer provided information*
for all proposed outdoor lighting fixtures to show fixture diagrams, light source type, and
light output levels (in watts or lumens per fixture).

1 a. *Dark Sky Compliance is highly encouraged for outdoor lighting fixtures, in which*
2 *the lighting will be installed, that meets specific requirements to*
3 *minimize light pollution, light trespass, glare and offensive light sources.*

4 (10) *The proposed location, mounting height, and aiming point of all outdoor lighting fixtures (a*
5 *site plan is preferred).*

6 (11) *If building elevations are proposed for illumination, the plan shall include drawings for all*
7 *relevant building elevations showing the placement of fixtures, the portions of the elevations*
8 *to be illuminated, and the aiming point for any remote light fixture.*

9 (12) *The outdoor lighting plan shall be correlated with any required landscaping plan that is*
10 *submitted with the building permit application package and shall demonstrate that outdoor*
11 *lighting shall not be unreasonably obscured or obstructed by existing or future foliage*
12 *growth.*

13 (d) *Required Plans.*

14 *The above required plans and descriptions shall be sufficiently complete to enable the City of East*
15 *Point Planning and Community Development Department to readily determine whether the proposal*
16 *is in compliance with zoning ordinance regulations. If such plans and descriptions do not enable this*
17 *determination, the director of that department may require additional information following the initial*
18 *outdoor lighting plan submittal, including but, not limited to; a written narrative to demonstrate the*
19 *objectives of the lighting and manufacturer data as determined by that department as being necessary*
20 *to determine compliance with the provisions of this chapter.*

21 *All exterior lighting shall be designed, erected, altered and maintained in accordance with plans and*
22 *specifications approved by the Planning Commission.*

23 (e) *Loading areas.*

24 *No materials, supplies, merchandise or equipment shall be stored in any area on a lot except inside of a*
25 *closed building, or behind an approved visual barrier screening*

26 *such areas so that they are not unsightly from surrounding properties or public streets. Loading doors and*
27 *docks shall not be constructed facing any public street or highway without the express prior approval*
28 *of the Planning and Zoning Commission.*

(f) *Prohibited activities, materials or products.*

No activities involving the storage, utilization, or manufacture of materials or products which decompose by
detonation shall be permitted within the City of East Point, except such as are licensed by the Fire Prevention
Bureau. The list of such prohibited materials or products shall include, but shall not be limited to, the
following:

55. *Acetylides.*

56. *Azides.*

57. *Chlorates.*

58. *Dynamite.*

59. *Blasting Gelatin.*

60. *Fulminates.*
61. *Anhydrous Hydrazine.*
62. *Ammonium Nitrate.*
63. *Dinitroresorcinol.*
64. *Dinitrotoluene.*
65. *Guanidine Nitrate.*
66. *Guncotton (Cellulose Nitrate or Pyroxylin).*
67. *Hexamine.*
68. *Nitroglycerine.*
69. *Petrn (Pentaerythritoltetranitrate).*
70. *Picric Acid.*
71. *Tetryl (Trinitrophenylmethyltramine).*
72. *Cylonite or Hexogen (Trimethylene Trinitramine).*
73. *Dinol.*
74. *Petryl.*
75. *TNT (Trinitrotoluene).*
76. *Perchlorates (when mixed with carbonaceous materials).*
77. *Black Powder.*
78. *Fireworks.*
79. *Greek Fire.*
80. *Permanganates.*
81. *Peroxides.*

Section 10-****.1 Reserved.

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

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

(b) It is hereby declared to be the intention of the Mayor and council 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 of the ORDINANCE. It is hereby further declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, no section, paragraph, sentence,

1 clause or phrase of this ORDINANCE is mutually dependent upon any other section, paragraph, sentence, clause
2 or phrase of this ORDINANCE.

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

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

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

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

15
16
17 **Public Hearing:** _____

18 **First Reading:** _____

19
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21 **SO PASSED AND APPROVED** this _____ day of _____ 2020.

22 **SPONSORED BY:**

23
24
25 _____
26 **Deana Holiday Ingraham, Mayor**

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APPROVED AS TO FORM:

ATTEST:

Brad Bowman, City Attorney

Keshia McCullough, City Clerk