

STATE OF GEORGIA
COUNTY OF CLAYTON

ORDINANCE 2024-____

1 AN ORDINANCE BY MAYOR ANGELYNE BUTLER AND COUNCILMEMBERS
2 KIMBERLY JAMES, HECTOR GUTIERREZ, LATRESA AKINS-WELLS, AND ALLAN
3 MEARS OF THE CITY OF FOREST PARK, GEORGIA TO AMEND TITLE 8 (PLANNING
4 AND DEVELOPMENT), CHAPTER 8 (ZONING), ARTICLE A (GENERAL PROVISIONS)
5 AND ARTICLE B (ZONING DISTRICTS, OVERLAY DISTRICTS, AND DESIGN
6 GUIDELINES ESTABLISHED) IN THE CITY’S CODE OF ORDINANCES; TO PROVIDE AN
7 ADOPTION DATE; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER LAWFUL
8 PURPOSES.

9 **WHEREAS**, the duly elected governing authority of the City of Forest Park, Georgia
10 (“City”) is the Mayor and Council thereof; and

11 **WHEREAS**, these changes adhere to all zoning procedures as well as notice and hearing
12 requirements pursuant to O.C.G.A. § 36-66-1, *et seq.*; and

13 **WHEREAS**, the City Council desires to amend its Code of Ordinances (“Code”) to include
14 tiny homes and cottage dwellings as permissible and conditional uses in the Urban Village District
15 and the Gillem District, respectively.

16 **WHEREAS**, the amendments contained herein would benefit the health, safety, morals,
17 and welfare of the citizens of the City.

18 **BE IT AND IT IS HEREBY ORDAINED** by the Mayor and Council of the City of Forest
19 Park, Georgia, and by the authority thereof:

20 **Section 1.** Title 8 (“Planning and Development”), Chapter 8 (“Zoning”), Article A
21 (“General Provisions”), Section 8-8-4 (“Definitions”) in the City’s Code of Ordinances is hereby

22 amended to be read and codified by inserting the following definition alphabetically behind the
23 term “Construction plan(s)” and before the term “Covenants”:

24 “*Cottage dwelling* means a stick-built dwelling unit that shall not exceed six
25 hundred (600) square feet in floor area, excluding lofts, with a minimum height of
26 six feet and eight inches (6’8”). Cargo containers and trailers cannot be used as
27 cottage dwellings.”

28 **Section 2.** Title 8 (“Planning and Development”), Chapter 8 (“Zoning”), Article A
29 (“General Provisions”), Section 8-8-4 (“Definitions”) in the City’s Code of Ordinances is hereby
30 amended to be read and codified by inserting the following definition alphabetically behind the
31 term “Temporary use / structure” and before the term “Townhouse”:

32 “*Tiny home* means a stick-built dwelling unit that shall not exceed five hundred
33 (500) square feet in floor area, excluding lofts, with a minimum height of six feet
34 and eight inches (6’8”). Cargo containers and trailers cannot be used as tiny
35 homes.”

36 **Section 3.** Title 8 (“Planning and Development”), Chapter 8 (“Zoning”), Article B
37 (“Zoning Districts, Overlay Districts, and Design Guidelines Established”), Section 8-8-42
38 (“Urban Village District (UV)”) in the City’s Code of Ordinances is hereby amended to be read
39 and codified with permanent additions in **bold** and deletions in ~~striketrough~~ font as set forth in
40 **Exhibit A** attached hereto and incorporated herein.

41 **Section 4.** Title 8 (“Planning and Development”), Chapter 8 (“Zoning”), Article B
42 (“Zoning Districts, Overlay Districts, and Design Guidelines Established”), Section 8-8-50
43 (“Gillem District (GZ)”) in the City’s Code of Ordinances is hereby amended to be read and

44 codified with permanent additions in **bold** and deletions in ~~striketrough~~ font as set forth in
45 **Exhibit B** attached hereto and incorporated herein.

46 **Section 5.** The preamble of this Ordinance shall be considered to be and is hereby
47 incorporated by reference as if fully set out herein.

48 **Section 6.** This Ordinance shall be codified in a manner consistent with the laws of the
49 State of Georgia and the City of Forest Park.

50 **Section 7.** (a) It is hereby declared to be the intention of the Mayor and Council that all
51 sections, paragraphs, sentences, clauses, and phrases of this Ordinance are or were, upon their
52 enactment, believed by the Mayor and Council to be fully valid, enforceable, and constitutional.

53 (b) It is hereby declared to be the intention of the Mayor and Council that, to the greatest
54 extent allowed by law, each and every section, paragraph, sentence, clause, or phrase of this
55 Ordinance is severable from every other section, paragraph, sentence, clause, or phrase of this
56 Ordinance. It is hereby further declared to be the intention of the Mayor and Council that, to the
57 greatest extent allowed by law, no section, paragraph, sentence, clause, or phrase of this Ordinance
58 is mutually dependent upon any other section, paragraph, sentence, clause, or phrase of this
59 Ordinance.

60 (c) In the event that any phrase, clause, sentence, paragraph or section of this Ordinance
61 shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable
62 by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of
63 the Mayor and Council that such invalidity, unconstitutionality or unenforceability shall, to the
64 greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any
65 of the remaining phrases, clauses, sentences, paragraphs or sections of the Ordinance and that, to
66 the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and

67 sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and
68 effect.

69 **Section 8.** All ordinances and parts of ordinances in conflict herewith are hereby expressly
70 repealed.

71 **Section 9.** This ordinance shall become effective immediately upon its adoption by the
72 Mayor and City Council of the City of Forest Park as provided in the City Charter.

73 **Section 10.** The City Clerk, with the concurrence of the City Attorney, authorized to correct
74 any scrivener’s errors found in this Ordinance, including any exhibits, as enacted.

75 **ORDAINED** this ____ day of _____, 2024.

CITY OF FOREST PARK, GEORGIA

Angelyne Butler, *Mayor*

ATTEST:

City Clerk (SEAL)

APPROVED AS TO FORM:

City Attorney

EXHIBIT A

76 TITLE 8 – PLANNING AND DEVELOPMENT

77 [...]

78 CHAPTER 8. – ZONING

79 [...]

80 ARTICLE B. – ZONING DISTRICTS, OVERLAY DISTRICTS, AND DESIGN GUIDELINES
81 ESTABLISHED

82 [...]

83 *Sec. 8-8-42. – Urban village district (UV).*

UV – Urban Village District
District Intent, Permitted Uses, and Conditional Uses
<i>Intent</i>
The intent of the UV district is to allow a mixture of residential, commercial, and office uses within close proximity to each other.
The goal is to provide interconnected urban scale development in nodal and corridor areas that offer pedestrian connectivity and eliminate additional commuter trips for regionally oriented goods and services.
The creation of a regional destination with design amenities that accommodate mixed-use buildings with neighborhood serving retail, service, and other uses on the ground floor and residential units above the non-residential space.
Encouraging development that exhibits the physical design characteristics of pedestrian orientated, store-front style shopping streets; and promote the health and wellbeing of residents by encouraging physical activity, alternative transportation, and greater social interaction.
The district promotes a maximum density twenty-four (24) dwelling units per acre.
<i>Permitted Uses</i>
Residential
<ul style="list-style-type: none">• Residential dwellings on upper floors• Tiny homes / Cottage dwellings
Retail and Business Uses
<ul style="list-style-type: none">• Apparel and retail stores• Artisan galleries and theaters• Bank and loan associations• Barber shop and beauty salon• Breweries and distilleries• Convenience store with gasoline sales• Conference center

- Dancing schools and other group instruction
- Day spa and aesthetician
- Department stores
- Fitness centers, gyms, yoga studios, and similar group instruction
- Florist and gift shops
- Food trucks and courts
- Furniture sales and showrooms
- Grocery store
- Hotels and hospitality
- Indoor/outdoor recreation, including bowling alleys, golf, racing electronic gaming machines, etc.
- Medical and professional offices
- Night club, dance club, tavern, and similar establishments
- Restaurants, including outdoor dining
- Theaters, assembly halls, concert hall, or similar places of assembly

Public/Office/Institutional

- Commercial parking garages and lots
- Commuter transit, such as bus and train
- Municipal, county, state or federal buildings
- Parks and amphitheaters

Conditional Uses

Retail and Business Uses

- Places of assembly
- Places of worship
- Pre-K and day care centers

Accessory Uses

- Home occupation

EXHIBIT B

84 TITLE 8 – PLANNING AND DEVELOPMENT

85 [...]

86 CHAPTER 8. – ZONING

87 [...]

88 ARTICLE B. – ZONING DISTRICTS, OVERLAY DISTRICTS, AND DESIGN GUIDELINES
89 ESTABLISHED

90 [...]

91 *Sec. 8-8-50. – Gillem district (GZ).*

GZ – Gillem District
District Intent, Permitted Uses, and Conditional Uses
<i>Intent</i>
The intent of the GZ district is to allow an appropriate mix of industrial, commercial, office, residential and public uses, while improving the aesthetics of the built environment.
By further establishing uses that complement the city's main street development efforts and allow for the repurpose of the former Fort Gillem area, the city can encourage a grid of connected street improvements to improve access and reduce congestion near the Interstate.
It is further intended to promote 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.
<i>Permitted Uses</i>
Retail and Business Uses
<ul style="list-style-type: none">• Pre-K and adult and child day care centers• Apparel and retail stores• Auditoriums, stadiums, and coliseums• Bank and loan associations• Breweries and distilleries• Catering establishments• Convenience store with gasoline sales• Conference center• Dancing schools and other group instruction• Fitness centers and gyms• Florist and gift shops• Furniture sales and showrooms• Grocery store• Fruit, vegetable, meat, seafood markets

- Hotels and hospitality
- Indoor/outdoor recreation, including bowling alleys, golf, racing electronic gaming machines, etc.
- Medical and professional offices
- Professional/business schools and colleges or other private schools offered for profit
- Recreational facilities, including tennis, badminton, basketball courts, batting cages, golf range, racing, and other open or enclosed facilities
- Restaurants
- Retail and commercial bakeries
- Shopping centers and department stores
- Theaters, assembly halls, concert hall, or similar places of assembly

Public/Institutional

- Commercial parking garages and lots
- Commuter transit, such as bus and train
- Municipal, county, state or federal buildings
- Parks, recreation, and amphitheaters

Communications/Utilities

- Utility substation
- Water tower

Industrial and Warehousing

- Agricultural implementation and equipment establishments
- Building materials and lumber supply establishments
- Convenience stores
- Coin laundry, dry cleaning, and pick up stations
- Commercial parking garages and lots
- Cafeteria/food courts and recreational services when completely enclosed solely for employees of businesses
- Computer and data processing services
- Consumer fireworks retail sales
- Gasoline service stations and truck stops
- Greenhouses and nurseries, including landscaping services
- Manufacturing, compounding, processing, or assembling food or consumer goods
- Mini-warehouses and storage
- Newspaper and printing plants
- Offices and administrative facilities
- Public utilities such as electric substations, storage of materials and trucks, repair facilities, offices, and electric generating plants
- Radio stations and transmission towers
- Railway lines, passenger depots, intermodal facilities, and rail yards
- Recycling centers for collection only
- Repair, reconditioning, and manufacturing
- Research, experimental, or testing laboratories
- Trade/industrial/vocational schools

- Waste to energy facilities
- Wholesale business, warehouse, distribution, trucking terminal, and similar non processing storage and distribution uses

Accessory Uses

- Gate and security buildings
- Outdoor storage

Conditional Uses

Residential

- Triplex
- Quadraplex
- Apartments
- Townhouses
- Condominiums
- **Tiny homes / Cottage dwellings**

Retail and Business Uses

- Places of assembly
- Places of worship

Communications/Utilities

- Wireless telecommunications