

STATE OF GEORGIA
COUNTY OF
CLAYTON

ORDINANCE 24-08

AN ORDINANCE BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FOREST PARK, GEORGIA TO AMEND TITLE 8 (PLANNING AND DEVELOPMENT), CHAPTER 8 (ZONING), ARTICLE I (PERMITS AND CERTIFICATES), SECTION 8-8-238 (ZONING VERIFICATION PROCESS) IN THE CITY'S CODE OF ORDINANCES; TO PROVIDE AN ADOPTION DATE; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER LAWFUL PURPOSES.

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

WHEREAS, this change adheres to all zoning procedures pursuant to O.C.G.A. § 36-66-36 and notice and hearing requirements pursuant to O.C.G.A. § 36-66-1, *et seq.*; and

WHEREAS, the City Council desires to add timeline provisions concerning the zoning verification process for permits and certificates; and

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

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

Section 1. Title 8 ("Planning and Development"), Chapter 8 ("Zoning"), Article I ("Permits and Certificates"), Section 8-8-238 ("Zoning Verification Process") in the City's Code of Ordinances is hereby amended to be read and codified with permanent additions in **bold** and deletions in ~~striketrough~~ font as set forth below:

"Sec. 8-8-238. - Zoning verification process.

(a) To determine in advance whether a structure or use existing or proposed for any property located within the city is or may be used or developed in compliance with this chapter, the owner of the property or his agent ("owner") may request a zoning verification letter from the director. Such request shall be in writing and on the form developed by the city, which form, at a minimum, shall require that the following information be provided regarding the property for which the certificate is being requested:

- (1) Identity of the owner of the subject property;
- (2) Identity of any agent of the owner of the subject property;
- (3) ~~A legal description~~ **Parcel Identification Number** of the subject property;
- (4) A complete description and inventory of all existing structures on the subject property;
- (5) A complete description and inventory of all proposed structures to be located on the subject property;
- (6) A ~~complete~~ **detailed** description and inventory of any and all activities presently **and proposed to occur** ~~occurring~~ on the subject property. ~~;~~ ~~and~~
- (7) ~~A complete description and inventory of any and all activities proposed to occur on the subject property.~~

(b) The issuance of a zoning verification letter shall merely constitute confirmation that the structures and/or uses located on or proposed for the subject property have been determined to be in compliance with the zoning ordinance of the city as effective on the date of issuance of the certificate and may be legally conducted thereon as of the date of issuance of the certificate.

(c) Zoning Verification Approval Timeline:

- (1) **A zoning verification letter shall cease to be authorized and expire without any further action if business license or construction has not been approved, completed, started and/or occupancy granted within six (6) calendar months of the date Planning & Community Development Staff approved the zoning verification.**
- (2) **If zoning verification letter date of issuance has exceeded six (6) calendar months past the approval date, the owner of the**

property or his agent ("owner") will be required to reapply for zoning approval to determine if property still is in compliance with the zoning ordinance of the city as effective on the date of issuance of the certificate."

Section 2. The preamble of this Ordinance shall be considered to be and is hereby

incorporated by reference as if fully set out herein.

Section 3. This Ordinance shall be codified in a manner consistent with the laws of the

State of Georgia and the City of Forest Park.

Section 4. (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 or were, 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 this 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, clause, or phrase of this Ordinance is mutually dependent upon any other section, paragraph, sentence, clause, or phrase of this Ordinance.

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 Mayor and Council 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 5. All ordinances and parts of ordinances in conflict herewith are hereby expressly

repealed.

Section 6. This ordinance shall become effective immediately upon its adoption by the

Mayor and City Council of the City of Forest Park as provided in the City Charter.

Section 7. The City Clerk, with the concurrence of the City Attorney, authorized to correct

any scrivener's errors found in this Ordinance, including any exhibits, as enacted.

ORDAINED this 4th day of November 2024.

CITY OF FOREST PARK, GEORGIA

Angelyne Butler, *Mayor*

ATTEST:

Randi Rainey, *City Clerk* (SEAL)

APPROVED AS TO FORM:

City Attorney

