

**CITY COUNCIL
ATLANTA, GEORGIA**

23-O-1650

Z-23-86 AN ORDINANCE BY COUNCILMEMBER MARCI COLLIER OVERSTREET TO AMEND PART III LAND DEVELOPMENT CODE PART 16 CHAPTER 43 SECTION 16-43.003 USE REGULATIONS OF THE CAMPBELLTON ROAD OVERLAY; AND FOR OTHER PURPOSES.

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WHEREAS, the growth corridor Campbellton Road is located primarily within City Council District 11 as designated by the City of Atlanta 2021 Comprehensive Development Plan (CDP); and

WHEREAS, the 2006 Campbellton-Cascade Corridor Redevelopment Plan identified catalyst sites bases on current land use and utilization, market opportunity, and location within the corridor, for significant development; and

WHEREAS, the City Charter, at Section 1-102(b), provides that the City shall have all powers necessary and proper to promote the safety, health, peace, and general welfare of the City and its inhabitants; and

WHEREAS, this ordinance is adopted pursuant to Georgia Constitution Article IX, Section II, Paragraph IV which empowers the governing authority of each county and of each municipality to adopt plans and exercise the power of zoning; and

WHEREAS, the City Council of the City of Atlanta finds that this rezoning in the best interest of the public health, safety, and welfare.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY ORDAINS, as follows:

Section 1: Section 16-43.003 that currently reads:

The following use restrictions and regulations shall apply to all property within this district:

1. Prohibited uses:

- a. Adult businesses as defined in section 16-29.001(3). See section 16-28.016 for locational requirements;
- b. Any establishment offering check cashing services pursuant to a license issued pursuant to Article 4A of Title 7 of the Official Code of Georgia or that loans money to the public except for any state or federally chartered bank, trust company, credit union, savings and loan association, or savings bank with deposits that are federally insured;
- c. Automobile service stations including locations where gasoline, oil, grease, batteries, tires, and automobile accessories may be supplied, sold, or dispensed at retail in connection therewith or where



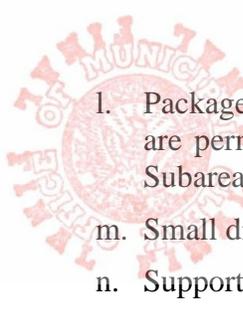
general automotive servicing is performed;

- d. Automotive repair garages, paint tire and body repair shops, auto parts retail stores, or carwashes (handwashing or automated);
- e. Barber shops, beauty shops, beauty supply, manicure shops and similar personal service establishments;
- f. Cemetery, mausoleum, or mortuary;
- g. Convenience stores meaning a small retail establishment stocked to sell primarily prepackaged food items, but may also sell alcoholic beverages, periodicals, and other household supplies to customers who purchase relatively few items per visit;
- h. Package store as defined in section 10-1, provided that two wine specialty shop and two brewpubs and are permitted in Subarea 1 and 2 and that one wine specialty shop and one brewpub is permitted in Subarea 5;
- i. New and used car sales, including other motorized vehicles such as mopeds and motorcycles;
- j. Nightclubs as defined by section 10-1;
- k. Small discount variety stores; and
- l. Supportive housing.

Shall be amended to read:

1. Prohibited uses:

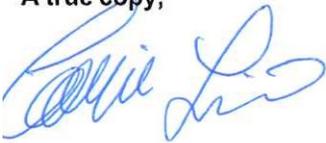
- a. Adult businesses as defined in section 16-29.001(3). See section 16-28.016 for locational requirements;
- b. Any establishment offering check cashing services pursuant to a license issued pursuant to Article 4A of Title 7 of the Official Code of Georgia or that loans money to the public except for any state or federally chartered bank, trust company, credit union, savings and loan association, or savings bank with deposits that are federally insured;
- c. Automobile service stations including locations where gasoline, oil, grease, batteries, tires, and automobile accessories may be supplied, sold, or dispensed at retail in connection therewith or where general automotive servicing is performed;
- d. Automotive repair garages, paint tire and body repair shops, auto parts retail stores, or carwashes (handwashing or automated);
- e. Barber shops, beauty shops, beauty supply, manicure shops and similar personal service establishments;
- f. Cemetery, mausoleum, or mortuary;
- g. Convenience stores meaning a small retail establishment stocked to sell primarily prepackaged food items, but may also sell alcoholic beverages, periodicals, and other household supplies to customers who purchase relatively few items per visit;
- h. Digital industry switchboards, power generators and other relay equipment and rooms housing such equipment;
- i. Mixed-use storage facility.
- j. New and used car sales, including other motorized vehicles such as mopeds and motorcycles;
- k. Nightclubs as defined by section 10-1;

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1. Package store as defined in section 10-1, provided that two wine specialty shop and two brewpubs and are permitted in Subarea 1 and 2 and that one wine specialty shop and one brewpub is permitted in Subarea 5;
 - m. Small discount variety stores; and
 - n. Supportive housing;

Section 2. All ordinances or parts of ordinances in conflict with this ordinance are waived to the extent of any conflict.

Section 3. It is declared the intention of the City of Atlanta that the provisions of any part of this ordinance are severable. If any court of competent jurisdiction shall adjudge any provision of this ordinance to be invalid, such judgment shall not affect any other provision of this ordinance not specifically included in the judgment. If a court of competent jurisdiction shall adjudge invalid the application of any provision of this ordinance to a particular property, development, building or structure, such judgment shall not affect the application of said provision to any other property, development, building or structure not specifically included in said judgment.

A true copy,



Corrine A. Lindo

Municipal Clerk

ADOPTED by the Atlanta City Council
APPROVED by Mayor Andre Dickens

SEP 03, 2024

SEP 10, 2024