

**CITY OF RIVERDALE**

**STATE OF GEORGIA**

**ORDINANCE NO. 4- 2023**

AN ORDINANCE TO AMEND THE CERTAIN SECTIONS OF APPENDIX A – ZONING OF THE CODE OF ORDINANCES OF THE CITY OF RIVERDALE, GEORGIA; TO AMEND ARTICLE 4 DEVELOPMENT STANDARDS; SECTION 4.3.2.5 AUTO BROKERS; TO ADD A SECTION 4.3.2.36 OFFICES; TO AMEND ARTICLE 3 ZONING DISTRICT, INTENT, USES AND STANDARDS, SECTION 3.0 USE TABLE; TO PROVIDE FOR CODIFICATION; TO PROVIDE SEVERABILITY; TO PROVIDE FOR REPEAL OF CONFLICTING ORDINANCES; TO PROVIDE AN ADOPTION AND EFFECTIVE DATE; AND TO PROVIDE FOR OTHER LAWFUL PURPOSES.

**THE COUNCIL OF THE CITY OF RIVERDALE HEREBY ORDAINS:**

**Section 1.** That the certain sections and portions of APPENDIX A – ZONING be amended so that as amended the sections referenced herein of APPENDIX A – ZONING shall read as it appears in the following sections.

**Section 2.** That the Zoning Map of the City of Riverdale, as described on file with the City of Riverdale and incorporated by reference, be amended and adopted, if necessary, to provide for and be congruent with the amendments to the zoning ordinance existing at Appendix A of the Code of Ordinances.

**Section 3.** That a public hearing was held in accordance with the State’s Zoning Procedures Law, codified at O.C.G.A. § 36-66-4.

**Section 4.** That Section 4.3.2.5 Auto Brokers be amended in its entirety so that as amended, Section 4.3.2.5 reads as follows:

***Sec. 4.3.2.5. Auto brokers.***

~~*The offices of an auto broker Auto Broker offices may be established in a GC general commercial district, provided that no sale, storage or display of any vehicle or vehicle parts shall be permitted on the premises. Each individual office must be minimum 500 square feet in size, and shall have the usual office furnishings (desk, chairs, file cabinets, etc.), telephone and electricity.*~~

**Section 5.** That Section 4.3.2.36 Office(s) be added to Article 4 so that as added, Section 4.3.2.36 reads as follows:

***Sec. 4.3.2.36. Office(s).***

*Any commercial office (building) space individually leased or rented shall be a minimum of 200 sq. ft. Spaces may be furnished or unfurnished and should have shared amenities, i.e. copy room, breakroom, restroom, or conference room (if applicable).*

**Section 6.** That Article 3 Zoning District Intent, Uses and Standards, Section 3.0 Use Table be amended only at the Commercial Uses section and shall read as follows:

COMMERCIAL USES										
<b>Automotive</b>					GC				M	
New Car Dealerships, Sales Lot (automobiles and light					S					Sec. 4.3.2.32
Auto Broker Offices (no vehicles stored or for sale on site)					A					Sec. 4.3.2.5
Used Car Sales Lot (cars and light trucks)					S					Sec. 4.3.2.32
Recreational Vehicle Sales Lot, Boat, ATV etc.					S				A*	Sec. 4.3.2.23*
Automotive Parts and Accessories Stores					A					Sec. 4.3.2.29
Tire Store/Garage					S				A*	Sec. 4.3.2.33*
Vehicle Service Stores					S				A*	Sec. 4.3.2.33*
Vehicle specialty shop/Store					A					Sec. 4.3.2.33
Vehicle Repair Garage (Auto system repairs)									A*	Sec.4.3.2.33*
Auto paint, Custom Store/ Garage									A*	Sec.4.3.2.33*
Oil Change Shop/Garage					S				A*	Sec. 4.3.2.33*
Car Wash (Accessory use, only)					A					Sec. 4.3.2.35
Gas Station w/o Convenience store; Convenience store w/fuel pumps					A					Sec. 4.3.2.15

**Section 7.** That the preamble of this Ordinance shall be considered to be and is hereby incorporated by reference as if fully set out herein.

**Section 8.** That this Ordinance shall be codified in a manner consistent with the laws of the State of Georgia and the City of Riverdale.

**Section 9.** That this Ordinance shall take effect immediately upon its adoption. All Ordinances in conflict herewith are expressly repealed. It is the intention of the governing body, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances, City of Riverdale, Georgia, and the sections of this Ordinance may be renumbered, if necessary, to accomplish such intention.

**Section 10.**

- 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.
- 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 and 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 Article shall remain valid, constitutional, enforceable, and of full force and effect.

**Section 11.** All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

**Section 12.** The effective date of this Ordinance shall be the date of adoption unless otherwise specified herein.

**SO ORDAINED**, this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

**Attest:**

**THE CITY OF RIVERDALE, GEORGIA**

\_\_\_\_\_  
Sylvia Vaughan, City Clerk

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Evelyn Wynn-Dixon, Mayor

**Approved as to form:**

\_\_\_\_\_  
Wanda Wallace, Mayor Pro Tem

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L'Erin Barnes Wiggins, City Attorney

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Kenny Ruffin, Councilmember

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Frank Cobbs Jr., Councilmember

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Mary Granison, Councilmember