

STATE OF GEORGIA

CITY OF MORROW

ORDINANCE NO. 2018-07

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP, CITY OF MORROW, GEORGIA, AS AMENDED; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the governing authority of the City of Morrow, Georgia("City")are the Mayor and Council thereof;

WHEREAS, the governing authority of the City desires to modify the zoning designation of certain properties located in the City; and,

WHEREAS, the health, safety, and welfare of the citizens of Morrow, Georgia, will be positively impacted by the adoption of this Ordinance.

NOW THEREFORE, BE IT AND IT IS HEREBY ORDAINED BY THE GOVERNING AUTHORITY OF THE CITY OF MORROW, GEORGIA:

Section 1: The following properties are hereby rezoned from BG (General Business) to MU (Mixed Use):

- (A) 1546 Millirons Way, Morrow, Georgia, with Parcel Number 12146A B018 and more particularly depicted by said Parcel Number on the Clayton County, Georgia tax map shown in Exhibit "A," a copy of which is attached hereto and incorporated herein by reference.
- (B) 5765 Jonesboro Road, Morrow, Georgia, with Parcel Number 12146A B012 and more particularly depicted by said Parcel Number on the Clayton County, Georgia tax map shown in Exhibit "A," a copy of which is attached hereto and incorporated herein by reference.
- (C) 1555 Millirons Way, Morrow, Georgia, with Parcel Number 12146A B011 and more particularly depicted by said Parcel Number on the Clayton County, Georgia tax map shown in Exhibit "A," a copy of which is attached hereto and incorporated herein by reference.
- (D) 5803 Jonesboro Road, Morrow, Georgia, with Parcel Number 12146A B010 and more particularly depicted by said Parcel Number on the Clayton County, Georgia tax map shown in Exhibit "A," a copy of which is attached hereto and incorporated herein by reference.
- (E) 0 Jonesboro Road, Morrow, Georgia, with Parcel Number 12146A B013 and more particularly depicted by said Parcel Number on the Clayton County, Georgia tax map shown in Exhibit "A," a copy of which is attached hereto and incorporated herein by reference.

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Such rezoning to be noted on the City of Morrow Official Zoning Map approved by Mayor and Council as soon as reasonably possible following adoption of this Ordinance by the Zoning Administrator along with an editorial note on the City of Morrow Official Zoning Map approved by Mayor and Council specifying the parcel(s) affected by this Ordinance and the date of adoption of this Ordinance. Until the rezoning is indicated on the City of Morrow Official Zoning Map approved by Mayor and Council, this ordinance shall govern over the City of Morrow Official Zoning Map approved by Mayor and Council to the extent of any discrepancy between this Ordinance and the City of Morrow Official Zoning Map approved by Mayor and Council.

Section 2: The following properties are hereby rezoned from CUPD (Community University Planned District) to MU (Mixed Use):

- A. All parcels or properties currently within the CUPD (Community University Planned Development) zoning district as indicated on the Official Zoning Map of the City of Morrow

Such rezoning to be noted on the City of Morrow Official Zoning Map approved by Mayor and Council as soon as reasonably possible following adoption of this Ordinance by the Zoning Administrator along with an editorial note on the City of Morrow Official Zoning Map approved by Mayor and Council specifying the parcel(s) affected by this Ordinance and the date of adoption of this Ordinance. Until the rezoning is indicated on the City of Morrow Official Zoning Map approved by Mayor and Council, this ordinance shall govern over the City of Morrow Official Zoning Map approved by Mayor and Council to the extent of any discrepancy between this Ordinance and the City of Morrow Official Zoning Map approved by Mayor and Council.

Section 3: The preamble of this Ordinance shall be considered to be and is hereby incorporated by reference as if fully set out herein.

Section 4: This Ordinance shall be codified in a manner consistent with the laws of the State of Georgia and the City of Morrow.

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Section 5: 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.

- (a) 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.
- (b) 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 6: All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

Section 7: Penalties in effect for violations of the Zoning Ordinance of the City of Morrow at the time of the effective date of this Ordinance shall be and are hereby made applicable to this Ordinance and shall remain in full force and effect.

Section 8: The effective date of this Ordinance shall be the date of adoption unless otherwise specified herein.

ORDAINED this 22nd day of May, 2018.

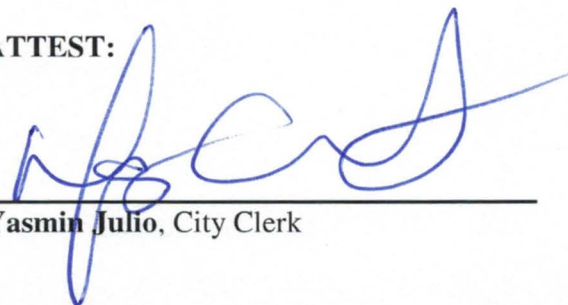
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CITY OF MORROW, GEORGIA


Jeffrey A. DeTar, Mayor

ATTEST:


Yasmin Julio, City Clerk

APPROVED AS TO FORM BY:


City Attorney

First Reading & Public Hearing- April 24, 2018

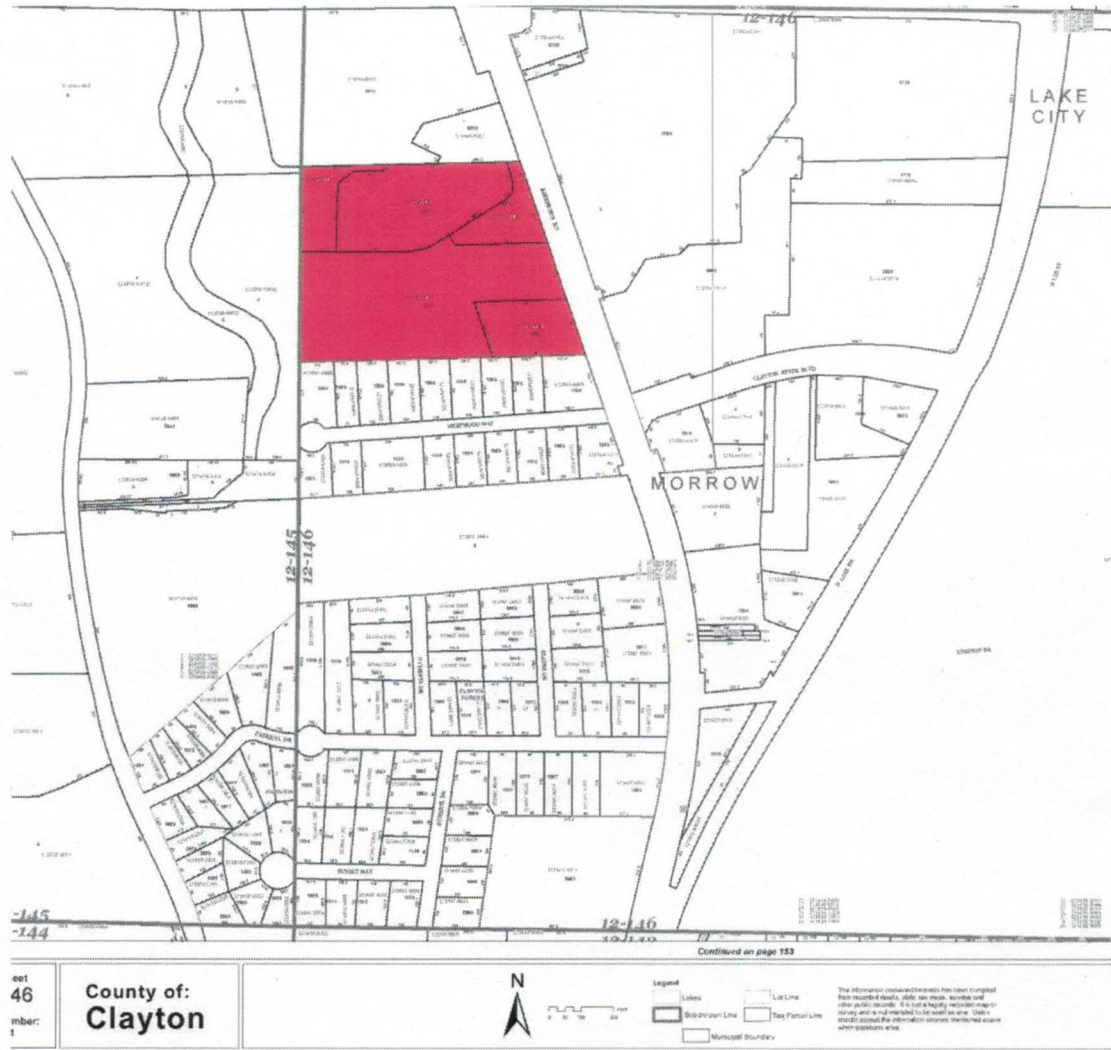
Second Reading and Adoption- May 22, 2018



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EXHIBIT A



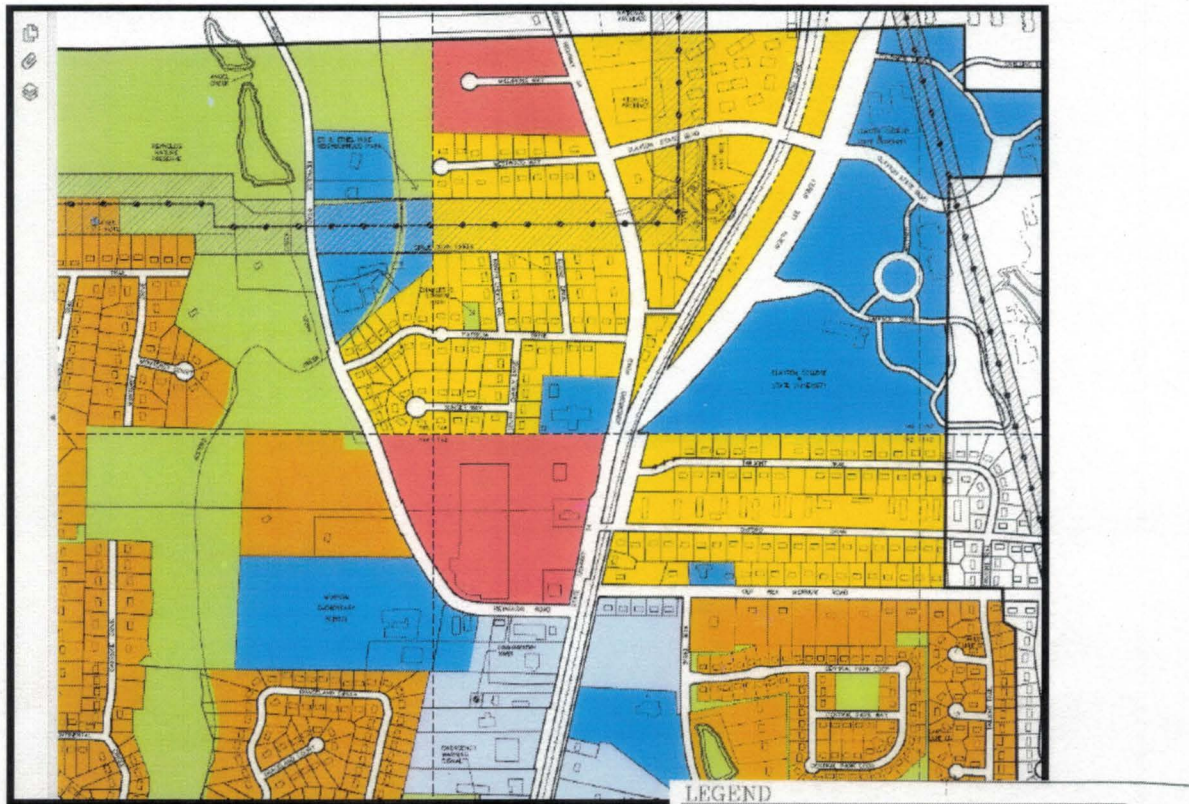
east
46
number:
1

County of:
Clayton

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EXHIBIT A



Proposed zoning map amendment:

To revise all current CUPD zoned
(Community University Planned Development) parcels
to MU zoning (Mixed Use)

LEGEND

- RS-80 SINGLE FAMILY RESIDENCE DISTRICT
- RS-30 FEE SIMPLE TOWNHOUSES DISTRICT
- MIXED USE DEVELOPMENT DISTRICT
- COMMUNITY UNIVERSITY PLANNED DISTRICT
- BC-GENERAL BUSINESS DISTRICT
- LIGHT MANUFACTURING DISTRICT
- PUBLIC/INSTITUTIONAL DISTRICT
- COMMUNICATION/UTILITIES
- PARK/RECREATION/CONSERVATION DISTRICT
- AGRICULTURE/FORESTRY DISTRICT