

CITY OF MORROW

STATE OF GEORGIA

**ORDINANCE NO. 2016-03**

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF MORROW, GEORGIA TO PROVIDE FOR NEW STANDARDS RELATING TO THE PLANNING AND DEVELOPMENT OF STREETS, PARKING SPACES, AND BUFFERS; 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 (the “City”) are the Mayor and Council thereof;

**WHEREAS**, the Environmental Protection Division of the Clayton County Water Authority has recommended an update to City ordinances to ensure compliance with new State regulations;

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

**THEREFORE, BE IT, AND IT IS HEREBY ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF MORROW:**

**SECTION 1.** Section 8-6-11, Subparagraph (1)(b) of Chapter 6, Title 8 of the Code of Ordinances of the City of Morrow, Georgia is hereby amended by striking the existing text in its entirety and inserting the following text, in lieu thereof, to read as follows:

- “b. Minor arterial—Minimum of two lanes (26 foot pavement) and 45 feet of right-of-way and desired addition of sidewalks.”

**SECTION 2.** Section 1103 – Minimum buffer specifications of ARTICLE XI. –

**BUFFER AND SCREENING REQUIREMENTS** of the Zoning Ordinance of the City of Morrow, Georgia is hereby amended as follows:

- a. By striking the existing text in Paragraph 5 in its entirety and inserting the following text, in lieu thereof, to read as follows:

“5. Buffers from Wetlands. A fifty (50) foot buffer shall be maintained from the upland boundary of all jurisdictional wetlands, as determined by Federal law, which are contiguous to intermittent or perennial streams.”

- b. By adding a new Paragraph 6 to read as follows:

“6. In other instances, where an incompatible situation is determined, the width of the buffer strip shall be determined by the mayor and council.”

**SECTION 3.** Section 1202 – Design standards of ARTICLE XII. – **PARKING AND**

**LOADING** of the Zoning Ordinance of the City of Morrow, Georgia is hereby amended as follows:

- a. By amending Paragraph 1 to read as follows:

“1. *Required dimensions for each parking space.* Each full-size automobile parking space shall be not less than nine feet wide and 18 feet in length. Parking spaces for compact and sub-compact cars shall not be less than eight feet wide and 16 feet in length. Adequate interior driveways shall connect each parking space with a public right-of-way.”

- b. By amending Paragraph 4 to read as follows:

“4. *Sharing of required off-street parking spaces.* One-half of the off-street parking spaces required by a use whose peak attendance will be at night or on Sundays may be shared with a use that will be closed at night or on Sundays. Parking requirements for two or more uses of the same or different types may be satisfied by the allocation of a common or collective parking facility. This facility shall not be less than the sum of the requirements for the individual uses computed separately in accordance with the requirements of the zoning district. The combined parking requirements for two (2) or more uses participating in a cooperative parking arrangement may be partially reduced by the city manager or their representative, provided that the uses will not conflict in time of operation or need for the parking spaces and provided that the parking needs of

each use at a given time of day may be adequately met through the parking arrangements.”

c. By adding a new Paragraph 7 to read as follows:

“7. Where a use is located within three hundred (300) feet of a bus stop on an existing city bus stop within the specified area, the number of parking spaces required for such use shall be reduced by four (4) spaces for uses located within the Southlake Mall Ring road corridor.”

**SECTION 4.** Section 1203 – Minimum offstreet parking and loading requirements of ARTICLE XII. – PARKING AND LOADING of the Zoning Ordinance of the City of Morrow, Georgia is hereby amended by striking the text preceding the chart in its entirety and inserting the following text, in lieu thereof, to read as follows:

“The following are the minimum number of off-street parking spaces and loading stalls required by type of permitted uses. Twenty percent (20%) of the total required parking spaces may be set aside for compact and sub-compact cars. In places of assembly, twenty percent (20%) of the total required parking spaces must be set aside for compact and sub-compact cars. For any use not listed, the planning and zoning board shall determine the proper requirements by classifying the proposed use among the uses specified herein so as to assure equal treatment follows the principles set forth. In making any such determination, the planning and zoning board shall follow the principles set forth at the beginning of this article.”

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

**SECTION 6.** This Ordinance shall be codified in a manner consistent with the laws of the State of Georgia and the City.

**SECTION 7.** (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.

(c) 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 8.** Except as otherwise provided herein, all ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

**SECTION 9.** 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 10.** The effective date of this Ordinance shall be the date of adoption unless otherwise specified herein.

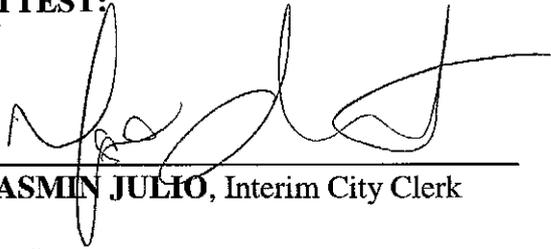
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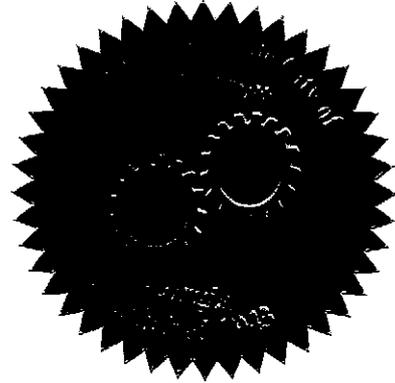
**ORDAINED** this 12th day of April, 2016.

**CITY OF MORROW, GEORGIA**

  
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**JEFFREY A. DETAR, Mayor**

**ATTEST:**

  
\_\_\_\_\_  
**YASMIN JULIO, Interim City Clerk**  
(Seal)



**APPROVED AS TO FORM:**

  
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**STEVEN FINCHER, City Attorney**