

CITY OF SNELLVILLE

STATE OF GEORGIA

ORDINANCE NO. _____

AN ORDINANCE TO AMEND PORTIONS OF ARTICLES VI, VII & IX OF THE ZONING ORDINANCE OF THE CITY OF SNELLVILLE, TO ALLOW COLUMBARIUM WHEN ASSOCIATED WITH A HOUSE OF WORSHIP, TO REPEAL CONFLICTING ORDINANCES, AND FOR OTHER PURPOSES

WHEREAS the Mayor and the Council of the City of Snellville, Georgia, the governing body of the City of Snellville, Georgia, desire to amend Articles VI, VII & IX of the Zoning Ordinance of the City of Snellville;

WHEREAS, the Mayor and the Council of the City of Snellville, Georgia is authorized by O.C.G.A. § 36-35-3 to adopt ordinances relating to its property, affairs and local government; and

WHEREAS, the Mayor and Council of the City of Snellville, Georgia deem such amendment to be for the betterment and general welfare of the City of Snellville and its inhabitants;

IT IS HEREBY ORDAINED BY THE GOVERNING AUTHORITY OF THE CITY OF SNELLVILLE, GEORGIA, and by the authority thereof:

Section 1. Article VI of the Zoning Ordinance of the City of Snellville is hereby amended as follows:

Section 6.2 Definitions, is hereby amended by adding the following language:

COLUMBARIUM: A structure with niches for the respectful storage of funeral urns.

HOUSE OF WORSHIP: Shall have the same meaning as Place(s) of Worship and means a building or structure, or groups of buildings or structures, that by design and construction are primarily intended for conducting organized religious services and associated accessory uses.

Section 2. Article VII of the Zoning Ordinance of the City of Snellville is hereby amended as follows:

Section 7.1 Accessory Uses or Structures, is hereby amended by deleting the following language:

Accessory uses or structures shall be permitted only in rear yards except as otherwise provided in this ordinance.

In a residential district, accessory structures customarily located within front or side yards, including driveways, sidewalks, flagpoles, basketball goals and decorative landscaping, including, but not limited to, stepping stones, fountains, bird baths, bird houses, light posts and bridges shall be permitted in front, side or rear yards.

No accessory structure except mailboxes, driveways, light posts, and decorative landscaping shall be permitted within a public right-of-way.

Roofed accessory structures: The construction of any roofed accessory structure larger than 20 square feet requires the issuance of a building permit by the city. All permit applications shall indicate the proposed use of the structure and shall include a drawing that shows the exact location on the property with distance(s) from the adjacent property line(s).

and replacing the deleted language with the following:

Accessory uses or structures shall be permitted only in rear yards except as otherwise provided in this ordinance.

In a residential district, accessory structures customarily located within front or side yards, including driveways, sidewalks, flagpoles, basketball goals and decorative landscaping, including, but not limited to, stepping stones, fountains, bird baths, bird houses, light posts and bridges shall be permitted in front, side or rear yards.

Columbarium which are an accessory structure to a house of worship may be permitted in front, side or rear yards.

No accessory structure except mailboxes, driveways, light posts, and decorative landscaping shall be permitted within a public right-of-way.

Roofed accessory structures: The construction of any roofed accessory structure larger than 20 square feet requires the issuance of a building permit by the city. All permit applications shall indicate the proposed use of the structure and shall include a drawing that shows the exact location on the property with distance(s) from the adjacent property line(s).

Section 3. Article IX of the Zoning Ordinance of the City of Snellville is hereby amended as follows:

Section 9.7 CI, Civic/institutional district, is hereby amended by deleting the following language:

(3) *Permitted accessory uses:*

1. All parking shall be prohibited in front of the building extending the full width of the front building line.
2. Dormitories for nurses and interns when part of a medical hospital.
3. Cafeterias when associated with a school, college, day care center, medical hospital or nursing home. Cafeteria must be attached to association and accessed through interior and exterior corridors.

and replacing the deleted language with the following:

(3) *Permitted accessory uses:*

1. All parking shall be prohibited in front of the building extending the full width of the front building line.
2. Dormitories for nurses and interns when part of a medical hospital.
3. Cafeterias when associated with a school, college, day care center, medical hospital or nursing home. Cafeteria must be attached to association and accessed through interior and exterior corridors.
4. Columbarium when associated with a house of worship.

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.

(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 5. All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

Section 6. This Ordinance was adopted _____, 2017. The effective date of this Ordinance shall be the date of adoption unless otherwise stated herein.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

DRAFT

ORDAINED this _____ day of August, 2017.

Tom Witts, Mayor

Barbara Bender, Mayor Pro Tem

ATTEST:

Dave Emanuel, Council Member

Melisa Arnold, City Clerk

Bobby Howard, Council Member

APPROVED AS TO FORM:

Cristy Lenski, Council Member

Anthony O. L. Powell, City Attorney
Webb, Tanner & Powell, P.C.

Roger Marmol, Council Member