

CITY OF SNELLVILLE

STATE OF GEORGIA

ORDINANCE NO. _____

AN ORDINANCE TO AMEND PORTIONS OF ARTICLE IX OF THE ZONING ORDINANCE OF THE CITY OF SNELLVILLE, TO ALLOW BUSINESS AND DRIVING SCHOOLS IN THE OP (OFFICE PROFESSIONAL) DISTRICT; 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 Article 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 IX of the Zoning Ordinance of the City of Snellville is hereby amended as follows:

Section 9.8 OP, OFFICE PROFESSIONAL DISTRICT is hereby amended by deleting the existing Section (1) Principal Permitted Uses in its entirety, and in its place inserting the following language:

(1) PRINCIPAL PERMITTED USES:

1. Accounting offices;
2. Architecture or engineering offices;
3. Business or Driving Schools, provided:
 - (a) Facility does not exceed 5,000 sq. ft. of gross building or tenant space area.
4. Chiropractor offices;

5. Dentist offices, doctor's offices, and medical clinics;
6. Government agencies, offices, and associated uses;
7. Insurance offices;
8. Internet car sales offices, provided:
 - (a) There is no temporary or permanent storage, parking, delivery, or display of inventory; and
 - (b) Applicant shall submit an application to the Planning & Development Department for administrative review. The Planning and Development Director or his/her designee shall review and prepare a recommendation of the request. The City Manager, after having reviewed the Planning and Development Director's recommendation(s) shall have final authority to grant administrative variances. Application for an administrative variance shall contain the following:
 - (1). Administrative Variance Application
 - (2). Sworn/Notarized Affidavit by the applicant/owner certifying that there will be no temporary or permanent storage, parking, delivery or display of vehicles/inventory.
9. Law offices;
10. Massage therapy establishments, provided massage therapists provide evidence of licensure by the Professional Licensing Board of the State of Georgia and obtain a Massage Establishment License in accordance with Article III of Chapter 26 of the City of Snellville Code of Ordinances;
11. Photography studios;
12. Professional and business offices, provided no retail sales occur on premises;
13. Real estate sales offices; and
14. Travel agencies.

Section 2. (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 3. All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

Section 4. This Ordinance was adopted May 14, 2018. The effective date of this Ordinance shall be the date of adoption unless otherwise stated herein.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

ORDAINED this 14th day of May, 2018.

Barbara Bender, Mayor Pro Tem

ATTEST:

Dave Emanuel, Council Member

Melisa Arnold, City Clerk

Cristy Lenski, Council Member

APPROVED AS TO FORM:

Roger Marmol, Council Member

Anthony O. L. Powell, City Attorney

Gretchen Schulz, Council Member