

FULTON COUNTY, GEORGIA

CITY of EAST POINT

AN ORDINANCE TO AMEND THE EAST POINT CODE OF ORDINANCES PART 10-ZONING CODE  
AND DEVELOPMENT REGULATIONS CHAPTER 2.- ZONING REGULATIONS, ARTICLE D.-  
ADMINISTRATIVE PERMITS AND USE PERMITS TO ADD THE NEW SECTIONS; TO REPEAL  
CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE AND FOR OTHER PURPOSES

CASE NO:

ASSOCIATED CASE NO: N/A

**WHEREAS**, the duly elected governing authority of the City of East Point, Georgia is the Mayor  
and Council thereof; and

**WHEREAS**, the governing authority is empowered to provide for the health, safety, and welfare  
of the residents, employees, businesses, and visitors within the city; and

**WHEREAS**, in accordance with Section 10-1009 – Transmittal of commission results to mayor  
and city council of the Zoning Ordinance, the Planning and Zoning Commission of the City of East Point  
has forwarded its recommendation to the Mayor and City Council that the amendments to Chapter 2,  
Article D. Administrative Permits and Use Permits to add the new Sections be approved; and

**WHEREAS**, pursuant to the requirements of the Zoning Procedures Act and the City Zoning  
Ordinance, a properly advertised public hearing on the text amendment to the zoning ordinance was held  
not less than 15 nor more than 45 days from the date of publication of notice, and which public hearing was  
held on the 29th day of December, 2020; and

1 WHEREAS, after the aforementioned public hearing, the governing authority has determined that  
2 adoption of the amendments to Chapter 2. Zoning Regulations, Article D- Administrative Permits and Use  
3 Permits to add the certain industrial uses in order to require use permit development standards is  
4 necessary in order to provide a permitting process and regulations within the City of East Point and would  
5 be in the best interests of the residents, property owners, businesses and citizens of the City of East Point;  
6 and

7  
8 **NOW, THEREFORE BE IT ORDAINED, by the Mayor and City Council of the City of East Point,**  
9 **Georgia, and it is hereby ordained by the authority of same that Chapter 2 Zoning Regulations,**  
10 **Article D. – Administrative Permits and Use Permits be amended in the City of East Point Zoning**  
11 **Ordinances as follows:**

12 **Section 1.**

13 **Section 10- 2147. Dry Cleaning Plants.**

14 (a) Standards.

15 (1) Such use shall be at least 5,280 feet from any property zoned or used for residential  
16 properties.

17 (2) All applicable state, federal and local codes must be complied with.

18 **Section 10-2147.1. Reserved.**

19 **Section 10-2148. Fuel and ice dealers, manufacturers and wholesalers.**

20  
21 (a) Standards.

22 (1) No activity which produces liquid effluent, odor, fumes or dust which can be detected  
23 beyond the walls of the building is permitted.

(2) Such use shall be at least 5,280 feet from any property zoned or used for residential properties

**Section 10-2148.1. Reserved.**

**Section 10 -2149. Gas Station Minimart.**

(a) Standards.

- all activities maintained:
- (1) All gasoline pumps, tanks and other service facilities shall be set back at least 25 feet from property lines.
  - (2) Canopies over fuel islands shall not encroach within fifteen (15) feet of any property line.
  - (3) Minor automobile repair shall be allowed in conjunction with such use provided all such activities shall take place within an enclosed building.
  - (4) No outside storage or engine/body dismantling is allowed.
  - (5) The following minimum landscaped improvements shall be installed and permanently maintained:

(a) A fifteen (15)-foot-wide planter area adjacent to any property line along a public street, with the exception of driveway entrances approved by the Director of Community Development. Minimum planter width shall be measured from the street right-of-way or official plan line.

(b) A five-foot-wide planter area adjacent to all other property lines.

(c) Each planter area shall be landscaped with ground cover, screening shrubs, and trees. Trees shall be spaced at either a minimum distance of thirty-six (36) feet on center or in an alternative design to accomplish an equivalent density of screening and degree of shading, as approved by the Director of Community Development or his or her designee.

(d) Each planter area shall be surrounded with a six-inch raised concrete curbing or planning division-approved equivalent. An automatic irrigation system shall be installed and permanently maintained in working order in each separate planter area.

(e) Service station roofs shall be well designed with generous overhangs; the roofing shall be incombustible materials such as simulated shake or shingle, clay tile, cement tile, slate or other similar materials.

1 (f) Exterior walls of service stations shall be well designed and compatible with adjoining  
2 properties.

3 (g) The entire service area of the service station shall be paved with a permanent surface  
4 of concrete or asphalt. Any unpaved area of the site shall be landscaped and separated  
5 from the paved areas by a six-inch concrete curb or other equivalent planning division-  
6 approved barrier.

7 (h) Gasoline pump islands, canopies, compressed air connections, restrooms and similar  
8 facilities shall be set back a minimum of twenty-five (25) feet from any street right-of-way or  
9 official plan line.

10 (i) Points of cash or other payment shall be designed so as to provide a safe and adequate  
11 customer queuing area. Outdoor walk-up service facilities shall be located and designed  
12 so as to prevent adverse impacts on adjacent properties zoned residential or designated  
13 as residential in the general plan.

14 (j) Hydraulic hoists, pits and all lubrication, greasing, automobile washing and other service  
15 equipment shall be entirely enclosed within a building.

16 (k) Except as otherwise provided in this title, a solid masonry fence or wall a minimum of  
17 six feet in height and similar in color, module, and texture to those materials utilized in the  
18 building shall be erected and permanently maintained along all common property lines with  
19 residentially zoned property or with property designated as residential in the general plan,  
20 or as approved by the Director of Community Development.

21 (l) Exterior lighting shall be designed so that it is deflected away from adjacent properties  
22 and screened from direct view from the street right-of-way.

23 (m) Signs on the service station premises shall be so located as to not obstruct visibility for  
24 drivers or pedestrians. A minimum sight-distance triangle shall be maintained, as  
25 determined by the Engineering Department.

26 (n) Auto service buildings shall be set back from the street right-of-way lines a minimum  
27 distance of forty (40) feet to provide an adequate area for maneuvering vehicles in the  
28 service area and to provide adequate visibility, particularly at intersections.

(o) Driveway locations and accesses shall be provided in accordance with adopted City  
standards.

(p) An adequate and accessible trash disposal area shall be provided. Said disposal area shall be screened from public view by a masonry enclosure, with solid wood gates, at least six feet in height.

(q) A minimum of eight marked parking spaces shall be provided for customers and employees. For self-service stations with no accessory uses, such as tune-ups or accessory sales, only two such marked spaces need be provided. All such spaces shall be located at least fifteen (15) feet from any street right-of-way or official plan line.

(r) Water and compressed air services shall be available and functioning for public use during station operating hours.

(s) A fully stocked or equipped restroom shall be consistently maintained so as to be available to the public during operating hours. Restroom facilities shall be designed to accommodate the disabled.

**Section 102149.1 Reserved.**

#### **Section 10-2150. Laundry and Dry-Cleaning Pickup Stations**

(a) Standards.

(1) The use shall employ best management practices regarding the venting of odors, gas and fumes. Such vents shall be located a minimum of ten (10) feet above grade and shall be directed away from residential uses.

**Section 10-2150.1 Reserved.**

#### **Section 10-2150.2 Light assembly and fabrication.**

(a) Standards.

(1) No activity which produces liquid effluent, odor, fumes or dust which can be detected beyond the walls of the building is permitted.

(2) Shall not be located within 5280 feet of a school, lake, stream, water body, or residential property.

(3) The portion of the use dedicated to production and processing activities shall not exceed five thousand (5,000) square feet of gross floor area.

(4) The main entrance shall open to a retail, dining or office component equal to not less than fifteen (15) percent of the floor area of the use.

1 **Section 10-2150.2a.** Reserved.

2 **Section 10-2150.3** Research and experimental testing laboratories including medical and dental  
3 laboratories.

4 (a) Standards.

5 (1) No activity which produces liquid effluent, odor, fumes or dust which can be detected beyond  
6 the walls of the building is permitted.

7 **Section 10-2150.3a.** Reserved.

8 **Section 10-2150.4. Night Club.**

9 (a) Standards

10 (1) Where alcoholic beverages are served, the use shall comply with the requirements of  
Liquor and Beer, of the City of East Point Code of Ordinances.

11 (2) The premises, all adjacent streets, sidewalks and alleys, and all sidewalks and alleys  
within one hundred (100) feet shall be inspected regularly for purposes of removing any  
litter found thereon.

12 (3) Nightclubs established or expanded after the effective date of this ordinance shall be  
13 located at least five hundred (500) feet from a residence or office residence district  
boundary

14 **Section 10-2150.4a.** Reserved.

15 **Section 10-2150.5. Commercial Parking Lot, Garages.**

16 (a) Standards

17 The following design requirements are to be incorporated into the project,  
garages:

18 (1) Parking reduction in density requirements;

19 (2) Shared parking with contiguous businesses;

20 (3) Pervious/permeable material for parking areas and roadways under 25  
mph;

21 (4) Use of bio-retention islands and other storm water practices with parking lot  
22 landscaped and setback areas;

23 (5) Use of pervious/permeable materials for walking paths;

24 (6) Use of pervious materials for driveways;

25 (7) Use of green roofs;

- (8) Use of rain gardens, rain barrels and other residential rain collection practices;
- (9) Discharge of roof drainage into pervious areas;
- (10) Preservation of natural vegetation and shade within the lot;
- (11) Downcast lighting;
- (12) Refuse screening;
- (13) Natural vegetative transitional buffer;
- (14) Combination of masonry materials: brick, stone;
- (15) Landscaping/screening must include noninvasive plant species.

**Section 10-2150.5a.** Reserved.

**Section 10-2150.6. Manufacturing, wholesaling, repairing, compounding, assembly, processing, preparation, packaging of treatment articles:** foods (smoking, curing and canning), components, products, clothing, machines and appliances and the like, where character of operations, emissions and by-products do not create adverse effects beyond the boundaries of the property.

(a) Standards.

- (1) All activities shall be carried on entirely within an enclosed building.
- (2) Such use shall not be established on a lot which is adjacent to or directly across the street from any single-family residential district.
- (3) All outdoor storage must be in the rear of the principal structure and enclosed by opaque fence no less than eight feet in height.
- (4) Permitted curb cut access shall be only from a major thorough fare.
- (5) When located adjacent or within 50 feet to residential properties, schools, parks, playgrounds or hospitals, streams and rivers:
  - i. A 20 ft setback and 10 ft landscaped strip-natural vegetative buffer along the perimeter of the adjacent property line.

(b) Development Standards.

- (1) Setbacks for front, rear and side yards:

- i. Structures fronting or adjoining a public street shall be located at least 45 feet from the front property;
- ii. Structures, except fences shall be at least eight feet from the side-line of any tract;
- iii. Structures shall be at least thirty (30) feet from the rear line of any tract;
- iv. Only driveways, parking spaces, permitted signs, and landscaped areas shall be allowed between a structure and the front property line;
- v. All paved areas must have concrete curbs.

(c) Buildings.

*(1) Exterior wall materials shall be one or more of the following:*

- i. Hard burned clay brick;*
- ii. Stone with either a weathered face or a polished, fluted or broken face. No quarry faced stone shall be used except in the retaining walls;*
- iii. Concrete masonry. Units shall be those generally described by the National Concrete Masonry Association as "Customize Architectural Concrete Masonry Units" or shall be broken-faced brick-type units with marble aggregate. There shall be no exposed concrete block on the exterior of any building, however, rear walls which do not front any street or building may be painted concrete block. Any concrete masonry units that have a gray cement color shall be coated with a coating approved by the building inspector;*
- iv. Concrete may be poured in-place, tilt-up or precast. Poured in-place and tilt-up walls shall have a finish of stone, a texture or a coating. Textured finishes shall be coated. Coating shall be an approved cementitious type.*

*(2) Roof-mounted equipment. Roof-mounted equipment shall be located and/or screened to minimize visibility from streets or surrounding buildings.*

- i. Parking and maneuvering. Parking shall not be permitted on streets. Parking spaces and loading docks shall be so located as to make maneuvering in the streets unnecessary. Ample parking spaces shall be provided as required in Article E to accommodate the parking for the subject development. All parking areas and driveways shall be paved with concrete, asphalt, their equivalent or better.*
- ii. Outside storage. No outside storage of any type will be permitted without specific approval of the Planning and Zoning Commission. When such approval is given, the outside storage area shall be enclosed with an approved screen so that storage is not from neighboring property or streets and in no event may storage exceed the height of the screen. In no event shall outside storage be permitted in front of any building.*



1           iii.    *The entire area of any lot containing a building site, including the area between the lot*  
2               *line and street curb line, shall be landscaped except for areas covered by buildings and*  
3               *paved areas. A minimum strip of landscaping ten feet wide shall be installed and*  
4               *maintained along any portion of the lot bordering a public street right-of-way except for*  
5               *entrance driveways onto the lot. The landscaping plan submitted to the planning and*  
6               *zoning commission for approval shall identify such features as the planting of trees,*  
7               *shrubs and grass and the installation of screens as appropriate. The landscaping, as*  
8               *approved by the Planning and Zoning Commission, shall be installed prior to the*  
9               *issuance of a certificate of occupancy. The maintenance of the landscaping shall be the*  
10              *responsibility of the owner and shall include the operation and maintenance of an*  
11              *irrigation system.*

12           iv.    *Exterior lighting. At minimum, an outdoor lighting plan shall include the following:*

- 13               (1) *Manufacturer specification sheets, cut sheets, or other manufacturer provided*  
14               *information for all proposed outdoor lighting fixtures to show fixture diagrams, light*  
15               *source type, and light output levels (in watts or lumens per fixture).*  
16                   a. *Dark Sky Compliance is highly encouraged for outdoor lighting fixtures, in*  
17                   *which the lighting will be installed, that meets specific requirements to*  
18                   *minimize light pollution, light trespass, glare and offensive light sources.*  
19               (2) *The proposed location, mounting height, and aiming point of all outdoor lighting*  
20               *fixtures (a site plan is preferred).*  
21               (3) *If building elevations are proposed for illumination, the plan shall include drawings*  
22               *for all relevant building elevations showing the placement of fixtures, the portions of*  
23               *the elevations to be illuminated, and the aiming point for any remote light fixture.*  
24               (4) *The outdoor lighting plan shall be correlated with any required landscaping plan that*  
25               *is submitted with the building permit application package and shall demonstrate that*  
26               *outdoor lighting shall not be unreasonably obscured or obstructed by existing or*  
27               *future foliage growth.*

28           (d) *Required Plans.*

*The above required plans and descriptions shall be sufficiently complete to enable the City of*  
          *East Point Planning and Community Development Department to readily determine whether*  
          *the proposal is in compliance with zoning ordinance regulations. If such plans and descriptions*  
          *do not enable this determination, the director of that department may require additional*  
          *information following the initial outdoor lighting plan submittal, including but, not limited to; a*  
          *written narrative to demonstrate the objectives of the lighting and manufacturer data as*  
          *determined by that department as being necessary to determine compliance with the*  
          *provisions of this chapter.*

1 All exterior lighting shall be designed, erected, altered and maintained in accordance with  
2 plans and specifications approved by the Planning Commission.

3 (e) Loading areas.

4 No materials, supplies, merchandise or equipment shall be stored in any area on a lot except inside  
5 of a closed building, or behind an approved visual barrier screening

6 such areas so that they are not unsightly from surrounding properties or public streets. Loading  
7 doors and docks shall not be constructed facing any public street or highway without the  
8 express prior approval of the Planning and Zoning Commission.

9 (f) Prohibited activities, materials or products.

10 No activities involving the storage, utilization, or manufacture of materials or products which  
11 decompose by detonation shall be permitted within the City of East Point, except such as are  
12 licensed by the Fire Prevention Bureau. The list of such prohibited materials or products shall  
13 include, but shall not be limited to, the following:

- 14 1. Acetylides.
- 15 2. Azides.
- 16 3. Chlorates.
- 17 4. Dynamite.
- 18 5. Blasting Gelatin.
- 19 6. Fulminates.
- 20 7. Anhydrous Hydrazine.
- 21 8. Ammonium Nitrate.
- 22 9. Dinitroresorcinol.
- 23 10. Dinitrotoluene.
- 24 11. Guanidine Nitrate.
- 25 12. Guncotton (Cellulose Nitrate or Pyroxylin).
- 26 13. Hexamine.
- 27 14. Nitroglycerine.
- 28 15. Petn (Pentaerythritoltetranitrate).
- 16 16. Picric Acid.
- 17 17. Tetryl (Trinitrophenylmethyltramine).
- 18 18. Cylonite or Hexogen (Trimethylene Trinitramine).
- 19 19. Dinol.
- 20 20. Petryl.
- 21 21. TNT (Trinitrotoluene).
- 22 22. Perchlorates (when mixed with carbonaceous materials).
- 23 23. Black Powder.
- 24 24. Fireworks.

- 1                   25. *Greek Fire.*  
2                   26. *Permanganates.*  
3                   27. *Peroxides.*

4 **Section 10-2150.6a. Reserved.**

5 **Section 10-2150.7. Truck Terminals.**

6           (a) Standards.

7           (1) Trucking, transit, or transportation terminals, including facilities for the repair or storage of  
8 trucks, shall front on a major or secondary highway as designated on the city master plan of highways.

9           (2) The site shall have a minimum area of two acres.

10           (3) The site shall not be located within five hundred feet of a residential use.

11           (4) The site must be fenced and screened from view from all public rights-of-way.

12           (5) All repair and washing shall occur within a completely enclosed building.

13           (6) A traffic study shall be completed that demonstrates all adverse traffic impacts can be  
14 mitigated.

15           7) A combination of the following materials shall be used for Commercial and Industrial  
16 Buildings and Structures, on each building wall:

- 17               i. brick, granite, stone, marble, terrazzo, architecturally treated reinforced concrete  
18 slabs, either fluted or with exposed aggregate, insulated window wall panels or  
19 stainless steel, porcelain-treated steel, anodized or other permanently finished  
20 aluminum.

21           8) Breaks, of at least sixteen (16) inches in depth, in the front building wall no less than every  
22 (40) feet.

23           9) Minimum office space of twenty (20) percent for the total non-repair use structures.

24           10) Truck courts, trucks, and trailers must be located behind a fence or masonry wall no less  
25 than eight (8) feet in height. The fence may not encroach into the front yard area past the  
26 front edge of the building. In addition, trucks and trailers must be parked in an orderly  
27 fashion and on surfaces paved with asphalt or concrete.

28           11) Any truck repair must be performed inside an enclosed building.

              12) Each site shall have a landscaped buffer of twenty (20) feet in width along any right-of-  
way.

**Section 10-2150.7a. Reserved.**

**Section 10-2150.8. Warehousing and Storage.**

(a) Standards.

1 (1) All activities shall be carried on entirely within an enclosed building.

2 (2) Such use shall not be established on a lot which is adjacent to or directly across the street  
3 from any single-family residential district.

4 (3) All outdoor storage must be in the rear of the principal structure and enclosed by opaque  
5 fence no less than eight feet in height.

6 (4) Permitted curb cut access shall be only from a major thorough fare.

7 (5) When located adjacent or within 50 feet to residential properties, schools, parks,  
8 playgrounds or

9 hospitals, streams and rivers:

10 i. A 20 ft setback and 10 ft landscaped strip-natural vegetative buffer along the perimeter of  
11 the adjacent property line.

12 (b) Development Standards.

13 (1) Setbacks for front, rear and side yards:

14 i. Structures fronting or adjoining a public street shall be located at least 45 feet from  
15 the front property;

16 ii. Structures, except fences shall be at least eight feet from the side-line of any tract;

17 iii. Structures shall be at least thirty (30) feet from the rear line of any tract;

18 iv. Only driveways, parking spaces, permitted signs, and landscaped areas shall be  
19 allowed between a structure and the front property line;

20 v. All paved areas must have concrete curbs.

21 (c) Buildings.

22 (1) Exterior wall materials shall be one or more of the following:

23 i. *Hard burned clay brick;*

24 ii. *Stone with either a weathered face or a polished, fluted or broken face. No quarry faced  
25 stone shall be used except in the retaining walls;*

26 iii. *Concrete masonry. Units shall be those generally described by the National Concrete  
27 Masonry Association as "Customize Architectural Concrete Masonry Units" or shall be broken-  
28 faced brick-type units with marble aggregate. There shall be no exposed concrete block on  
the exterior of any building, however, rear walls which do not front any street or building may  
be painted concrete block. Any concrete masonry units that have a gray cement color shall  
be coated with a coating approved by the building inspector;*

iv. *Concrete may be poured in-place, tilt-up or precast. Poured in-place and tilt-up walls shall  
have a finish of stone, a texture or a coating. Textured finishes shall be coated. Coating shall  
be an approved cementitious type*

1  
2 (2) *Roof-mounted equipment. Roof-mounted equipment shall be located and/or screened to minimize visibility from streets or surrounding buildings.*

3 i. *Parking and maneuvering. Parking shall not be permitted on streets. Parking spaces and loading docks shall be so located as to make maneuvering in the streets unnecessary. Ample parking spaces shall be provided as required in Article E to accommodate the parking for the subject development. All parking areas and driveways shall be paved with concrete, asphalt, their equivalent or better.*

6 ii. *Outside storage. No outside storage of any type will be permitted without specific approval of the Planning and Zoning Commission. When such approval is given, the outside storage area shall be enclosed with an approved screen so that storage is not from neighboring property or streets and in no event may storage exceed the height of the screen. In no event shall outside storage be permitted in front of any building.*

10 iii. *The entire area of any lot containing a building site, including the area between the lot line and street curb line, shall be landscaped except for areas covered by buildings and paved areas. A minimum strip of landscaping ten feet wide shall be installed and maintained along any portion of the lot bordering a public street right-of-way except for entrance driveways onto the lot. The landscaping plan submitted to the planning and zoning commission for approval shall identify such features as the planting of trees, shrubs and grass and the installation of screens as appropriate. The landscaping, as approved by the Planning and Zoning Commission, shall be installed prior to the issuance of a certificate of occupancy. The maintenance of the landscaping shall be the responsibility of the owner and shall include the operation and maintenance of an irrigation system.*

17 iv. *Exterior lighting. At minimum, an outdoor lighting plan shall include the following:*

18 (1) *Manufacturer specification sheets, cut sheets, or other manufacturer provided information for all proposed outdoor lighting fixtures to show fixture diagrams, light source type, and light output levels (in watts or lumens per fixture).*

21 a. *Dark Sky Compliance is highly encouraged for outdoor lighting fixtures, in which the lighting will be installed, that meets specific requirements to minimize light pollution, light trespass, glare and offensive light sources.*

23 (2) *The proposed location, mounting height, and aiming point of all outdoor lighting fixtures (a site plan is preferred).*

1 (3) If building elevations are proposed for illumination, the plan shall include drawings for  
2 all relevant building elevations showing the placement of fixtures, the portions of the  
3 elevations to be illuminated, and the aiming point for any remote light fixture.

4 (4) The outdoor lighting plan shall be correlated with any required landscaping plan that  
5 is submitted with the building permit application package and shall demonstrate that  
6 outdoor lighting shall not be unreasonably obscured or obstructed by existing or future  
7 foliage growth.

8 (d) Required Plans.

9 The above required plans and descriptions shall be sufficiently complete to enable the City of  
10 East Point Planning and Community Development Department to readily determine whether  
11 the proposal is in compliance with zoning ordinance regulations. If such plans and descriptions  
12 do not enable this determination, the director of that department may require additional  
13 information following the initial outdoor lighting plan submittal, including but, not limited to; a  
14 written narrative to demonstrate the objectives of the lighting and manufacturer data as  
15 determined by that department as being necessary to determine compliance with the  
16 provisions of this chapter.

17 All exterior lighting shall be designed, erected, altered and maintained in accordance with  
18 plans and specifications approved by the Planning Commission.

19 (e) Loading areas.

20 No materials, supplies, merchandise or equipment shall be stored in any area on a lot except inside  
21 of a closed building, or behind an approved visual barrier screening

22 such areas so that they are not unsightly from surrounding properties or public streets. Loading  
23 doors and docks shall not be constructed facing any public street or highway without the  
24 express prior approval of the Planning and Zoning Commission.

25 (f) Prohibited activities, materials or products.

26 No activities involving the storage, utilization, or manufacture of materials or products which  
27 decompose by detonation shall be permitted within the City of East Point, except such as are  
28 licensed by the Fire Prevention Bureau. The list of such prohibited materials or products shall  
include, but shall not be limited to, the following:

1. Acetylides.
2. Azides.
3. Chlorates.
4. Dynamite.
5. Blasting Gelatin.
6. Fulminates.

7. *Anhydrous Hydrazine.*
8. *Ammonium Nitrate.*
9. *Dinitroresorcinol.*
10. *Dinitrotoluene.*
11. *Guanidine Nitrate.*
12. *Guncotton (Cellulose Nitrate or Pyroxylin).*
13. *Hexamine.*
14. *Nitroglycerine.*
15. *Petrn (Pentaerythritoltetranitrate).*
16. *Picric Acid.*
17. *Tetryl (Trinitrophenylmethyltramine).*
18. *Cylonite or Hexogen (Trimethylene Trinitramine).*
19. *Dinol.*
20. *Petryl.*
21. *TNT (Trinitrotoluene).*
22. *Perchlorates (when mixed with carbonaceous materials).*
23. *Black Powder.*
24. *Fireworks.*
25. *Greek Fire.*
26. *Permanganates.*
27. *Peroxides.*

**Section 10-2150.8a. Reserved.**

**Section 10-2150.9. Wholesale trade and distribution establishments and warehousing facilities, including offices.**

(a) Standards.

(1) All activities shall be carried on entirely within an enclosed building.

(2) Such use shall not be established on a lot which is adjacent to or directly across the street from any single-family residential district.

(3) All outdoor storage must be in the rear of the principal structure and enclosed by opaque fence no less than eight feet in height.

(4) Permitted curb cut access shall be only from a major thorough fare.

(5) When located adjacent or within 50 feet to residential properties, schools, parks, playgrounds or

hospitals, streams and rivers:

- i. A 20 ft setback and 10 ft landscaped strip-natural vegetative buffer along the perimeter of the adjacent property line.

(b) Development Standards.

(1) Setbacks for front, rear and side yards:

- i. Structures fronting or adjoining a public street shall be located at least 45 feet from the front property;
- ii. Structures, except fences shall be at least eight feet from the side-line of any tract;
- iii. Structures shall be at least thirty (30) feet from the rear line of any tract;
- iv. Only driveways, parking spaces, permitted signs, and landscaped areas shall be allowed between a structure and the front property line;
- v. All paved areas must have concrete curbs.

(c) Buildings.

(1) Exterior wall materials shall be one or more of the following:

- i. Hard burned clay brick;
- ii. Stone with either a weathered face or a polished, fluted or broken face. No quarry faced stone shall be used except in the retaining walls;
- iii. Concrete masonry. Units shall be those generally described by the National Concrete Masonry Association as "Customize Architectural Concrete Masonry Units" or shall be broken-faced brick-type units with marble aggregate. There shall be no exposed concrete block on the exterior of any building, however, rear walls which do not front any street or building may be painted concrete block. Any concrete masonry units that have a gray cement color shall be coated with a coating approved by the building inspector;
- iv. Concrete may be poured in-place, tilt-up or precast. Poured in-place and tilt-up walls shall have a finish of stone, a texture or a coating. Textured finishes shall be coated. Coating shall be an approved cementitious type

(2) Roof-mounted equipment. Roof-mounted equipment shall be located and/or screened to minimize visibility from streets or surrounding buildings.

- i. Parking and maneuvering. Parking shall not be permitted on streets. Parking spaces and loading docks shall be so located as to make maneuvering in the streets unnecessary. Ample parking spaces shall be provided as required in Article E to accommodate the parking for the subject development. All parking areas and driveways shall be paved with concrete, asphalt, their equivalent or better.



1 ii. Outside storage. No outside storage of any type will be permitted without specific approval of the  
2 Planning and Zoning Commission. When such approval is given, the outside storage area  
3 shall be enclosed with an approved screen so that storage is not from neighboring property or  
streets and in no event may storage exceed the height of the screen. In no event shall outside  
storage be permitted in front of any building.

4 iii. The entire area of any lot containing a building site, including the area between the lot line and  
5 street curb line, shall be landscaped except for areas covered by buildings and paved areas.  
6 A minimum strip of landscaping ten feet wide shall be installed and maintained along any  
7 portion of the lot bordering a public street right-of-way except for entrance driveways onto the  
8 lot. The landscaping plan submitted to the planning and zoning commission for approval shall  
9 identify such features as the planting of trees, shrubs and grass and the installation of screens  
as appropriate. The landscaping, as approved by the Planning and Zoning Commission, shall  
be installed prior to the issuance of a certificate of occupancy. The maintenance of the  
landscaping shall be the responsibility of the owner and shall include the operation and  
maintenance of an irrigation system.

10 iv. Exterior lighting. At minimum, an outdoor lighting plan shall include the following:

11 (1) Manufacturer specification sheets, cut sheets, or other manufacturer provided  
12 information for all proposed outdoor lighting fixtures to show fixture diagrams, light  
source type, and light output levels (in watts or lumens per fixture).

13 a. Dark Sky Compliance is highly encouraged for outdoor lighting fixtures, in  
14 which the lighting will be installed, that meets specific requirements to  
minimize light pollution, light trespass, glare and offensive light sources.

15 (2) The proposed location, mounting height, and aiming point of all outdoor lighting  
16 fixtures (a site plan is preferred).

17 (3) If building elevations are proposed for illumination, the plan shall include drawings for  
18 all relevant building elevations showing the placement of fixtures, the portions of the  
elevations to be illuminated, and the aiming point for any remote light fixture.

19 (4) The outdoor lighting plan shall be correlated with any required landscaping plan that  
20 is submitted with the building permit application package and shall demonstrate that  
21 outdoor lighting shall not be unreasonably obscured or obstructed by existing or future  
foliage growth.

22 (d) Required Plans.

23 The above required plans and descriptions shall be sufficiently complete to enable the City of  
24 East Point Planning and Community Development Department to readily determine whether  
25 the proposal is in compliance with zoning ordinance regulations. If such plans and descriptions  
do not enable this determination, the director of that department may require additional  
information following the initial outdoor lighting plan submittal, including but, not limited to; a

1 written narrative to demonstrate the objectives of the lighting and manufacturer data as  
2 determined by that department as being necessary to determine compliance with the  
3 provisions of this chapter.

4 All exterior lighting shall be designed, erected, altered and maintained in accordance with  
5 plans and specifications approved by the Planning Commission.

6 (e) Loading areas.

7 No materials, supplies, merchandise or equipment shall be stored in any area on a lot except inside  
8 of a closed building, or behind an approved visual barrier screening

9 such areas so that they are not unsightly from surrounding properties or public streets. Loading  
10 doors and docks shall not be constructed facing any public street or highway without the  
11 express prior approval of the Planning and Zoning Commission.

12 (f) Prohibited activities, materials or products.

13 No activities involving the storage, utilization, or manufacture of materials or products which  
14 decompose by detonation shall be permitted within the City of East Point, except such as are  
15 licensed by the Fire Prevention Bureau. The list of such prohibited materials or products shall  
16 include, but shall not be limited to, the following:

- 17 1. Acetylides.
- 18 2. Azides.
- 19 3. Chlorates.
- 20 4. Dynamite.
- 21 5. Blasting Gelatin.
- 22 6. Fulminates.
- 23 7. Anhydrous Hydrazine.
- 24 8. Ammonium Nitrate.
- 25 9. Dinitroresorcinol.
- 26 10. Dinitrotoluene.
- 27 11. Guanidine Nitrate.
- 28 12. Guncotton (Cellulose Nitrate or Pyroxylin).
- 13 Hexamine.
- 14 Nitroglycerine.
- 15 Petn (Pentaerythritoltetranitrate).
- 16 Picric Acid.
- 17 Tetryl (Trinitrophenylmethyltramine).
- 18 Cylonite or Hexogen (Trimethylene Trinitramine).
- 19 Dinol.
- 20 Petryl.
- 21 TNT (Trinitrotoluene).

22. *Perchlorates (when mixed with carbonaceous materials).*  
23. *Black Powder.*  
24. *Fireworks.*  
25. *Greek Fire.*  
26. *Permanganates.*  
27. *Peroxides.*

**Section 10-2150.9a.** Reserved.

**Section 10-2150.10      Automobile towing**

a. Standards.

1. All outside storage must be in rear of the principal structure and enclosed by opaque fence no less than eight (8) feet in height.

Section 102150.10a Reserved

**Section 10-2150.11      Farm equipment**

Section 10.2150.11a Reserved

**Section 10.2150.12      Railroad car classification yards and train truck yards**

Section 10.2150.12a Reserved

**Section 2.** This ORDINANCE shall be codified in a manner consistent with the laws of the State of Georgia and the City of East Point.

**Section 3.** (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 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 the ORDINANCE. It is hereby further declared to be the intention of the Mayor and Council that, to the greatest extent allowed by

1 law, no section, paragraph, sentence, clause or phrase of this ORDINANCE is mutually dependent upon  
2 any other section, paragraph, sentence, clause or phrase of this ORDINANCE.

3 (c) In the event that any phrase, clause, sentence, paragraph, or section of this ORIDINANCE for  
4 any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid  
5 judgment or decree of any court of competent jurisdiction, it is the express intent of the Mayor and Council  
6 that such invalidity, unconstitutionally or unenforceability shall, to the greatest extent allowed by law, not  
7 render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses,  
8 sentences, paragraphs or sections of the ORDINANCE and that, to the greatest extent allowed by law, all  
9 remaining phrases, clauses, sentences, paragraphs and sections of the ORDINANCE shall remain valid,  
10 constitutional, enforceable, and of full force and effect.

11 **Section 4.** ALL ORDINANCES and parts of ORDINANCES in conflict herewith are hereby expressly  
12 repealed.

13 **Section 5.** Penalties in effect for violations of Part 1 of the Code of Ordinances, City of East Point, Georgia  
14 at the time of the effective date of this ORDINANCE shall be and are hereby made applicable to this  
15 ORDINANCE and shall remain in full force and effect.

16  
17 **Section 6.** The effective date of this ORDINANCE shall be the date of adoption unless otherwise specified  
18 herein.

19  
20  
21 Public Hearing: 12/29/2020

22 First Reading: waived  
23  
24  
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26  
27  
28

1 SO PASSED AND APPROVED the 29<sup>th</sup> day of December 2020.

2 SPONSORED BY:



7

8

Deana Holiday Ingraham, Mayor

9 APPROVED AS TO FORM:

ATTEST:

10 Brad Bowman

Brad Bowman (Dec 31, 2020 10:44 EST)

11 Brad Bowman, City Attorney

12 Keshia McCullough

13 Keshia McCullough, City Clerk