

ARTICLE I. – TITLE, APPLICABILITY AND PURPOSE

Sec. 100 - Title.

This Appendix A to the City of Clarkston, Georgia Code of Ordinances shall be known and may be cited as the “Clarkston Zoning Ordinance.”

Sec. 101 - Applicability.

These regulations shall apply to all present and future land development located within the incorporated area of Clarkston, Georgia. The requirements contained herein are declared to be minimum requirements necessary to carry out the purpose of this article. This article shall regulate the height, number of stories, and the size of buildings and other structures; the percentage of lot that may be occupied; the size of yards and other open spaces; the density and distribution of population; the location and use of buildings and other structures: and the use, condition of use or occupancy of land and trade, industry, housing, recreation, transportation, agriculture or for any other purpose; creating districts for said purposes and establishing the boundaries thereof; defining certain terms used herein; providing for the method of administration, enforcement and amendment; creating a Planning & Zoning Board and defining the powers and duties thereof; providing penalties and resolutions and for other purposes.

Sec. 102 - Purpose

The purpose of the Clarkston Zoning Ordinance shall be to improve and protect the aesthetic values of land and property, public health and the following purposes listed below:

- A. To protect existing development in the City.
- B. To improve the property within the City through redevelopment, where appropriate.
- C. To prevent damage to improved property by way of natural disasters.
- D. To prevent overcrowding of schools and other public facilities.
- E. To achieve such timing, density, and distribution of land development and use as will prevent overloading public infrastructure systems for providing water supply, sewage disposal, drainage, sanitation, police and fire protection, and other public services.
- F. To achieve such density, distribution and design of land development and use as will protect the traffic movement capabilities of streets within the City and prevent traffic hazards.
- G. To encourage such distribution of population, land development and use as will facilitate the efficient and adequate provision of public services and facilities.

- H. To achieve such density, design, and distribution of housing as will protect and enhance residential property values and facilitate the provision of adequate housing for every citizen.
- I. To secure such accessibility, design and density of land development and use as will reduce fire hazards and fire losses.
- J. To promote the health, safety, morals, convenience, order, prosperity, and welfare of the present and future inhabitants of the City of Clarkston.
- K. To encourage greater efficiency and economy of land development through natural resource conservation.
- L. To preserve the City's natural beauty and encourage architecturally pleasing development.
- M. To improve the quality of life through protection of the City's total environment including the prevention of air, visual, water and noise pollution.

Sec. 103. - General Use Regulations

No building, structure or land shall hereafter be used or occupied and no building or structure or part thereof shall be erected, constructed, reconstructed, moved or altered, except in conformity with the regulations of this Clarkston Zoning Ordinance. Any use of property not expressly permitted by this Clarkston Zoning Ordinance shall be deemed to be prohibited.

Sec. 104 - Development projects under construction.

Nothing in this article shall require any change in the development or proposed use of properties which are legally under construction or for which a development plan or preliminary plat has been approved within 5 years of the effective date of this article and the development of which shall be commenced within 1 year after the effective date of this article. Actual construction is hereby defined to include the placing of construction materials in permanent position and fastened in a permanent manner. Where excavation or demolition or removal of an existing building has been substantially begun preparatory to rebuilding, such excavation or demolition or removal shall be deemed to be actual construction, provided that work shall be carried on diligently.