

1 STATE OF GEORGIA
2 CITY OF LITHONIA

3
4 ORDINANCE NO. O-Z-15-01

5
6 AN ORDINANCE READOPTING THE ZONING CODE FOR THE CITY OF
7 LITHONIA, GEORGIA; PROVIDING FOR THE REPEAL OF CERTAIN
8 ORDINANCES NOT INCLUDED THEREIN; PROVIDING A PENALTY FOR
9 THE VIOLATION THEREOF; READOPTING THE OFFICIAL ZONING MAP;
10 AND PROVIDING WHEN SUCH CODE AND THIS ORDINANCE SHALL
11 BECOME EFFECTIVE.

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13 **WHEREAS**, the governing authority of the City of Lithonia, Georgia (the “City”) are the
14 Mayor and Council thereof; and

15 **WHEREAS**, the City has determined it must readopt its zoning code in order to comply with
16 the Georgia Zoning Procedures Law, O.C.G.A. § 36-66-1, et seq.; and

17 **WHEREAS**, the Official Zoning Map of the City of Lithonia was last adopted on May 5,
18 2014; and,

19 **WHEREAS**, the City desires to readopt its Official Zoning Map concomitantly with the
20 readoption of its Zoning Ordinance;

21 **WHEREAS**, the City has determined that taking such action will benefit the general welfare
22 of its citizenry; and

23 **NOW THEREFORE**, BE IT AND IT IS HEREBY ORDAINED BY THE MAYOR AND
24 COUNCIL OF THE CITY OF LITHONIA, AND BY THE AUTHORITY THEREOF:

25 Section 1. The City of Lithonia Zoning Ordinance, including Appendix A, City of Lithonia
26 Form-Based Code for Core, Downtown and Edge Districts, as amended, is adopted. A true and

27 correct copy of the City of Lithonia Zoning Ordinance, including Appendix A, is attached hereto as
28 Exhibit “A” and is incorporated herein by reference.

29 Section 2. The Official Zoning Map of the City of Lithonia, entitled “City of Lithonia,
30 DeKalb County, Georgia Official Zoning Map” and dated May 5, 2014, is hereby restated, amended
31 and readopted in its entirety. A true and correct copy of the Official Zoning Map is displayed in
32 Exhibit “B,” and is attached hereto and incorporated herein by reference. A copy of the City of
33 Official Zoning Map, as is displayed in Exhibit B, is available for inspection during normal business
34 hours in the office of the City Clerk.

35 Section 3. All ordinances of a general and permanent nature enacted on or before July 6,
36 2015, and not included in the Code or recognized and continued in force by reference therein, are
37 repealed.

38 Section 4. The repeal provided for in section 3 hereof shall not be construed to revive any
39 ordinance or part thereof that has been repealed by a subsequent ordinance that is repealed by this
40 ordinance.

41 Section 5. (a) It is hereby declared to be the intention of the Mayor and Council that all
42 sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were, upon their
43 enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.

44 (b) It is hereby declared to be the intention of the Mayor and Council that, to the greatest extent
45 allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is
46 severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. It is
47 hereby further declared to be the intention of the Mayor and Council that, to the greatest extent

48 (c) In the event that any phrase, clause, sentence, paragraph or section of this Ordinance shall, for any
49 reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid
50 judgment or decree of any court of competent jurisdiction, it is the express intent of the Mayor and
51 Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent
52 allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining
53 phrases, clauses, sentences, paragraphs or sections of this Ordinance and that, to the greatest extent
54 allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance
55 shall remain valid, constitutional, enforceable, and of full force and effect.

56 Section 6. Additions or amendments to the Code when passed in such form as to indicate the
57 intention of the City to make the same a part of the Code shall be deemed to be incorporated in the
58 Code, so that reference to the Code includes the additions and amendments.

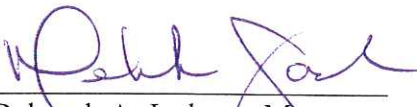
59 Section 7. Ordinances adopted after July 6, 2015 that amend or refer to ordinances that have
60 been codified in the Code shall be construed as if they amend or refer to like provisions of the Code.

61 Section 8. All ordinances and parts of ordinances in conflict herewith are hereby expressly
62 repealed.

63 Section 9. This ordinance shall become effective on the date of its adoption unless
64 otherwise expressly stated herein.

65 **ORDAINED this 6th day of July, 2015.**

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68 BY AND FOR THE CITY OF LITHONIA

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72 Deborah A. Jackson, Mayor

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ATTEST:

Leah Rodriguez
Leah Rodriguez, City Clerk

[SEAL]

APPROVED AS TO FORM:

/s/ Destiny Washington

City Attorney