

City of Canton
State of Georgia
County of Cherokee

Ordinance 2016 - 21

ORDINANCE OF THE CITY OF CANTON

WHEREAS, the City of Canton is authorized by the constitution of the State of Georgia to adopt rules, regulations, laws, and ordinances protecting the public health, safety and welfare of the citizens of the City.

WHEREAS, the City by and through its Mayor and Council have deemed it in the best interest of the health, safety and welfare of the citizens of the City of Canton, to adopt an ordinance governing Zoning.

NOW THEREFORE, be it ordained by the Mayor and Council of the City of Canton, Georgia and it is hereby ordained by the authority thereof, that:

THE CITY OF CANTON CODE OF ORDINANCES, DEVELOPMENT CODE, CHAPTER 102, ZONING DISTRICTS and LAND USES, Table 102-4, LAND USE TABLE BE AMENDED AS FOLLOWS:

That, Restaurant with drive-through facility be permitted in the CBD (Central Business District)

Furthermore,

That, CHAPTER 104, Standards for Specific Uses, Section 104.03.19, Restaurant, with drive-through facility shall be amended by adding the following language:

In the CBD (Central Business District), a restaurant with drive-through facility shall:

1. Be part of a minimum 3 acre mixed use site
2. Submit a Master Plan of the mixed use project for City Council approval
3. Not be adjacent to residential use
4. Not utilize a back-lighted menu board sign
5. Provide ingress-egress area on site, no que area allowed to encroach into city street
6. Only operate the drive-through facility between the hours of 6:00 a.m. until 10:00 p.m.

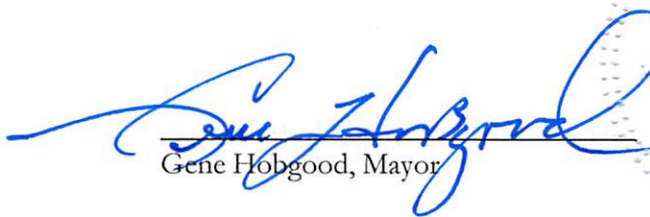
All ordinances or parts of ordinances or regulations in conflict herewith are hereby repealed.

Should any section or provision of this ordinance be declared invalid or unconstitutional by any court of competent jurisdiction, such declaration shall not affect the validity of the ordinance as a whole or any part thereof which is not specifically declared to be invalid or unconstitutional.

It is the intention of the Mayor and Council, and it is hereby ordained that the provisions of the ordinance shall become and be made part of the Code of Ordinances, City of Canton, Georgia and the section of this ordinance may be renumbered to accomplish such intention.

This ordinance shall take effect and be in force on the date of approval appearing below, the public welfare demanding it.


The above ordinance was read and approved by the Mayor and Council this 15th day of September, 2016.


Gene Hobgood, Mayor

Attest:


Susan C. Stanton, City Clerk

Approved as to form and content:


Robert M. Dyer, City Attorney

First Reading _____

Adopted by Council _____

Approved by Mayor _____

Veto by Mayor _____

Second Vote by Council 09.15.16

Effective Date _____