

City of Canton  
State of Georgia  
County of Cherokee  
Ordinance \_\_\_\_\_

## 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 ORDINANCE, DEVELOPMENT CODE, Chapter 102, ZONING DISTRICTS AND LAND USES, BE AMENDED AS FOLLOWS:**

That **Section 102.01.02(F)** of the ordinances of the City of Canton, Georgia is hereby amended by deleting **Section 102.01.02(F)** in its entirety and replacing with:

*RA-6 residential attached (six du/acre).* This district is intended to provide for residential attached residences (duplexes, tri-plexes, and quad-plexes) which are connected to public water and public sewer systems. This district shall not be construed to permit stacked attached units or manufactured homes. Tri-plex dwelling units and quad-plex dwelling units are multiple family dwelling units and require conditional use approval.

That **Section 102.01.02(G)** of the ordinances of the City of Canton, Georgia is hereby amended by deleting **Section 102.01.02(G)** in its entirety and replacing with:

*RA-8 residential attached (eight du/acre).* This district is intended to provide for high density residential attached residences (duplexes, tri-plexes, and quad-plexes) which are connected to public water and public sewer systems. This district shall not be construed to permit stacked attached units or manufactured homes. Tri-plex dwelling units and quad-plex dwelling units are multiple family dwelling units and require conditional use approval.

That **Section 102.01.02(I)** and **Section 102.01.02(J)** be amended by adding the following:

Multiple family residential dwelling units shall require conditional use approval.

**Furthermore,**

That **Table 102-4**, Land Use Table shall be amended by amending multiple-family dwelling, and such use shall be designated as “Conditional” in all zoning districts which allow multiple-family dwellings. Also, tri-plex dwelling units and quad-plex dwelling units shall be separated from duplex dwelling units and creating a new permitted use line for tri-plex dwelling units and quad-plex dwelling units. Tri-plex and quad-plex shall be designated as “Conditional” in all zoning districts, which allow tri-plex dwelling units and quad-plex dwelling units.

**Furthermore,**

That **Section 102.01.06(B)** shall be amended by adding the following statement to the end of said section: All special conditions and special stipulations imposed as conditions of rezoning of property and conditions of master plan approval for multiple-family dwellings shall require a conditional use approval.

**Furthermore,**

That **Section 106.01.02 – Definitions** shall be amended by deleting the existing definitions for dwelling, multi-family, dwelling, quad-plex and dwelling, tri-plex and replacing them with the following:

*Dwelling, multi-family* – A building designed and constructed or altered which contains three or more living units which connected by walls, ceiling or floor. Individual units may be accessed by an interior corridor or external walkway.

*Dwelling, quad-plex* – A building containing four living units which are connected by one or two common, shared wall(s). Each unit shall have a minimum of two exposed exterior walls. Access to each unit may be gained through a front or back entrance. The living units are not to be stacked.

*Dwelling, tri-plex* – A building containing three living units which are connected by one or two common, shared wall(s). Each unit shall have a minimum of two exposed exterior walls. Access to each unit may be gained through a front or back entrance. The living units are not to be stacked.

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 affect 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 16<sup>th</sup> day of May, 2017.

\_\_\_\_\_  
Gene Hobgood, Mayor  
Approved as to form and content:

Attest:\_\_\_\_\_  
Susan Stanton, City Clerk

\_\_\_\_\_  
Robert M. Dyer, City Attorney

First Reading \_\_\_\_\_

Adopted by Council \_\_\_\_\_

Approved by Mayor \_\_\_\_\_

Veto by Mayor \_\_\_\_\_

Second Vote by Council \_\_\_\_\_

Effective Date \_\_\_\_\_

\_\_\_\_\_  
Susan C. Stanton, City  
Clerk