

Thomas

The 3 properties located at the NE corner of Edison Drive & Sullivan Road are all zoned M2, Heavy Industrial with a Hospitality Overlay. Those district regulations are attached as well as the M1 & C2 regulations, which is referenced in the M2 regulations as far as permitted uses. Please call us should you need any further assistance.

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ARTICLE XVI. "M-2" HEAVY INDUSTRIAL DISTRICT REGULATIONS*

***Editor's note:** Ord. No. 92-9, § 3, adopted June 1, 1992, repealed Art. XVI, §§ 1-6, which pertained to the M-2 district regulations. Said ordinance also enacted provisions designated as a new Art. XVI to read as herein set out. See the Code Comparative Table.

Sec. 1. Scope and purpose.

The regulations set forth in this article, or set forth elsewhere in this ordinance when referred to in this article, are the regulations of the "M-2" Heavy Industrial District. This district is to provide for the broadest range of industrial operations permitted in the city.

(Ord. No. 92-9, § 3, 6-1-92)

Sec. 2. Use regulations.

Provided that all outdoor storage of materials or equipment is completely screened from public view by an opaque fence or other screening device approved by the building inspector, a building or premise may be used for any of the following uses:

- (1) Any use in the "M-1" Light Industrial District, subject to the same requirements and limitations set forth under the "M-1" Light Industrial District Regulations.
- (2) *Reserved.*
- (3) Accessory buildings.

(Ord. No. 92-9, § 3, 6-1-92; Ord. No. 2001-12, § 15, 4-9-01; Ord. No. 2001-16, § 17, 5-7-01)

Sec. 3. Conditional structures and uses.

(a) Provided that all outdoor storage of materials or equipment is completely screened from public view by an opaque fence or other screening device approved by the building inspector, upon application to, and favorable decision thereon by the city council, the Conditional structures and uses specified herein are permitted in this district provided that their establishment promotes the health, safety, morals, and general welfare of the city. Prior to city council action on any such application, said application shall be referred to the planning commission for its review and recommendation to the city council. As part of any action of approval of a conditional structure or use, the city council may require specific design and/or operation features which have as their purpose protection of the public health, safety, morals and/or general welfare. Specific conditional structures and uses which may be so permitted as so specified are as follows:

- (1) Airports, heliports, and related landing areas.
- (2) Asphalt and concrete batching plants.
- (3) Brick, tile and terra cotta manufacture.
- (4) Cement, lime, gypsum or plaster or paris manufacture.
- (5) Central mixing plant for cement, mortar, plaster, and/or the storage of such materials.
- (6) Concrete, cement products or clay products manufacture.
- (7) Foundry or forging plants.
- (8) Grain elevators or commercial feed mills.
- (9) Poultry killing, lucking or processing.
- (10) Rocks, sand or gravel distribution or storage.
- (11) Truck terminals.
- (12) Recycling operations.

(Ord. No. 92-9, § 3, 6-1-92; Ord. No. 93-8, § 1, 7-6-93)

Sec. 4. Parking and loading regulations.

The parking and loading regulations are the same as those of the "M-1" Light Industrial District.

(Ord. No. 92-9, § 3, 6-1-92)

Sec. 5. Height regulations.

No building shall exceed three (3) stories in height, nor shall exceed thirty-five (35) feet in height, except when a conditional height zoning permit is granted as defined and described in Article XX, Section 2, Subsection (b).

(Ord. No. 92-9, § 3, 6-1-92)

Sec. 6. Area regulations.

- (a) *Front yard.* There shall be a front yard having a depth of not less than forty (40) feet.
- (b) *Side yard.* There shall be a side yard of not less than five (5) feet.
- (c) *Rear yard.* There shall be a rear yard of not less than fifteen (15) feet in depth.

(Ord. No. 92-9, § 3, 6-1-92)

ARTICLE XV. "M-1" LIGHT INDUSTRIAL DISTRICT REGULATIONS*

***Editor's note:** Ord. No. 92-9, § 1, adopted June 1, 1992, repealed Art. XV, §§ 1-7, which pertained to the M-1 district regulations. Said ordinance also enacted provisions designated as a new Art. XV to read as herein set out. See the Code Comparative Table.

Sec. 1. Scope and purpose.

The regulations set forth in this article, or set forth elsewhere in this ordinance when referred to in this article, are the regulations of the "M-1" Light Industrial District. This district is to provide for heavy commercial and light industrial uses, all of which shall be nuisance free and not generators of hazardous wastes.

(Ord. No. 92-9, § 1, 6-1-92)

Sec. 2. Use regulations.

Provided that all outdoor storage of materials and equipment is completely screened from public view by an opaque fence or other screening device approved by the building inspector, a building or premise may be used for any of the following uses:

- (1) Any use in the C-2 Central Business District, subject to the same requirements and limitations set forth under the C-2 Central Business District regulations.
- (2) Any commercial or industrial use which involves manufacturing, processing or assembly operations or the storage and sale of materials, products or equipment, provided all such activities are housed entirely

within an enclosed building; but not including uses which may cause injurious or noxious noise, vibrations, smoke, gas, fumes, odor, dust, fire hazard or other objectionable conditions to nearby areas.

(3) Bakeries and other establishments manufacturing prepared foods and/or other miscellaneous food products.

(4) Body shops for automotive equipment and vehicles.

(5) Bottling plants.

(6) Cabinet shops.

(7) Clinics, cafeterias, employee credit unions and recreational facilities for employees.

(8) Cold storage, ice plants and freezer lockers.

(9) Dairy plants and ice cream manufacturing.

(10) Distribution of products and merchandise,

(11) Dry cleaning and laundering establishments.

(12) Education and training facilities.

(13) Electrical appliances and equipment sales and repairs.

(14) Electronic manufacturing and assembly plants.

(15) Fabricating shops such as woodworking, upholstery and sheet metal shops.

(16) Garages, repair shops, and machine shops for automotive equipment and vehicles.

(17) Mini-warehouses, provided that all such mini-warehouses shall be utilized exclusively for the storage of wares, goods, or personal property. Any use or activity other than the storage of wares, goods and/or personal property is specifically prohibited. Prohibited activities include, but are not limited to; the installation or use of mechanical equipment or appliances; the operation of a business, or service enterprise; or the use of space as living or sleeping quarters. In addition, wares, goods, and/or personal property stored therein shall not include living animals or carcasses, gasoline, explosive, paint, flammable chemicals, or other material or property which might be corrosive, hazardous, or offensive to the sense of environment.

(18) Offices and administrative facilities.

(19) Plumbing shops and other contractors, including open storage of materials.

(20) Printing, publishing and reproducing establishments.

(21) Resident watchman and/or caretaker employed on the premises.

(22) Service stations.

(23) Sign painting and fabricating shops.

- (24) Textile manufacturing plants.
- (25) Tire recapping and retreading shops.
- (26) Wholesaling and warehousing.
- (27) *Reserved.*
- (28) Accessory buildings.

(Ord. No. 92-9, § 1, 6-1-92; Ord. No. 2001-12, § 14, 4-9-01; Ord. No. 2001-16, § 16, 5-7-01)

Sec. 3. Parking and loading regulations.

(a) The parking and loading regulations for uses permitted in the "C-2" Central Business District shall apply to such uses when located in the "M-1" Light Industrial District.

(b) For the industrial uses permitted in this district, one (1) parking space shall be provided on the lot for each six hundred (600) square feet of floor area or for each three (3) employees on any one work-shift, whichever is greater, and in addition, standing space shall be provided to accommodate the trucks and other vehicles owned or in custody of the industry.

(c) One (1) loading space shall be provided for each ten thousand (10,000) square feet of floor area or fraction thereof in excess of five (5) thousand square feet, devoted to industrial or commercial uses. Where such space is so located that the truck must back directly from a thoroughfare into the loading space, a maneuvering space of forty-nine (49) feet shall be provided. In addition, adequate maneuvering space shall be provided for other required movements.

(Ord. No. 92-9, § 1, 6-1-92)

Sec. 4. Height regulations.

No building shall exceed three (3) stories in height, nor shall exceed thirty-five (35) feet in height, except when a conditional height zoning permit is granted as defined and described in Article XX, Section 2, Subsection (b).

(Ord. No. 92-9, § 1, 6-1-92)

Sec. 5. Area regulations.

(a) *Front yard.* There shall be a front yard having a depth of not less than forty (40) feet.

(b) *Side yard.* There shall be a side yard of not less than five (5) feet.

(c) *Rear yard.* There shall be a rear yard of not less than fifteen (15) in depth.

(Ord. No. 92-9, § 1, 6-1-92)

ARTICLE XIII. "C-2" CENTRAL BUSINESS DISTRICT REGULATIONS

Sec. 1. Scope.

The regulations set forth in this article, or set forth elsewhere in this ordinance when referred to in this article are the regulations in the "C-2" Commercial District.

Sec. 2. Use regulations.

A building or premises shall be used only for the following purposes:

- (1) Any use permitted in the "C-1" Community Business District.
- (2) Hotel and motel.
- (3) Plumbing shop employing not more than ten (10) persons on the premises.
- (4) Printing shop employing not more than ten (10) persons on the premises.
- (5) Tinsmithing shop employing not more than ten (10) persons on the premises.
- (6) Radio or television broadcasting stations, studios and offices.
- (7) Milk distributing station, but not involving any bottling on the premises.
- (8) General service and repair establishments similar in character to those enumerated in this article, but employing not more than ten (10) persons on the premises.
- (9) Bowling alley.
- (10) Accessory buildings.
- (11) Minute or quick car wash, not employing more than fifteen (15) persons, providing it does not interfere with normal flow of traffic.
- (12) Manufacturing or processing which is clearly incidental to retail uses permitted. Such manufacturing or processing is limited to that which employs not more than ten (10) persons in the manufacture or process.
- (13) *Reserved.*
- (14) Automobile service station.
- (15) Automotive facilities which include: (i) new and used sale, and (ii) repair and servicing, provided:
 - (a) That the primary purpose of all such facilities and activities shall be to provide retail sales and services to the general public;

(b) That all general automotive repair, paint and body shop operations, and any open lot display of used automotive vehicles for sale shall be submitted only as accessory repair, servicing or sales functions of a new car dealer. Except, however, that repair, paint and body shop operations may be otherwise permitted as specified in Article XX, section 4, "Exceptions and Modifications to Use Regulations;"

(c) That servicing, except customer services in conjunction with the dispensing of gas and oil, is undertaken entirely within enclosed structures;

(d) That all outside automobile storage and parking areas be enclosed with a six (6) foot fence and be paved with asphalt or concrete in accordance with all provisions of Appendix A, Article XI-C;

(e) That no exterior storage of waste materials, or materials to be scrapped or salvaged, be permitted except in substantially constructed structures or containers shielding them from public view;

(f) That such facility is at least three hundred (300) feet from any residentially-zoned property; provided that for any existing nonconforming automotive facility which does not meet this requirement, a ten (10) foot wide buffer area of natural or planted vegetation creating a visual screen and meeting the requirements of Article XXVII, section 7, shall be provided and maintained along the property line adjoining rear or side of any parcel zoned R-1, R-2, R-3, R-4, R-5, R-A, MF and MFL. For the purpose of this subsection, the three hundred (300) foot distance shall be measured from the nearest point of the automotive facility building to the lot line of the nearest residentially zoned property, such measurement to follow and to be taken along public rights-of-way.

(g) *Reserved.*

(16) Light assembly and/or processing operations may be permitted by special permit of the mayor and council, upon a finding by the mayor and council that the proposed assembly and/or processing operations would be compatible with retail commercial operations; that such operations would not cause adverse conditions due to noise, odors, glare, hazardous operations, or significant increases in traffic congestion; and provided further that such proposed assembly and/or processing operations would be located on a parcel of land devoted exclusively to such operation of at least three hundred thousand (300,000) square feet in area.

(17) Single-family and two-family dwelling units established prior to the application of C-2 District zoning to the area in which such uses are located may be continued and maintained and may be reconstructed and restored if damaged or destroyed. In addition, such existing single-family residential units may be converted to two-family units, provided that the existing width, depth, and height of the structure are not increased. Units

shall meet the minimum square footage and parking requirements specified for the R-5, Two-Family Dwelling District.

(18) Pet motel.

(19) Auction business, provided that all items to be auctioned be stored indoors, and that all auction activities be carried out indoors.

(20) Counseling service.

(21) Physical activity center.

(Ord. No. 73-27, 11-5-73; Ord. No. 76-58, 12-6-76; Ord. No. 77-20, 7-5-77; Ord. No. 80-12, 5-19-80; Ord. No. 80-13, § 4, 6-2-80; Ord. No. 81-17, 8-17-81; Ord. No. 82-12A, 6-7-82; Ord. No. 83-5, 4-4-83; Ord. No. 83-11, 6-6-83; Ord. No. 84-18, 9-4-84; Ord. No. 90-1, § 1, 2-19-90; Ord. No. 92-7, § 1, 4-6-92; Ord. No. 92-10A, 5-4-92; Ord. No. 96-30, § 4, 12-2-96; Ord. No. 97-12, § 1, 4-21-97; Ord. No. 2001-12, § 8, 4-9-01; Ord. No. 2001-16, § 8, 5-7-01; Ord. No. 2003-40, § 2, 12-15-03)

Sec. 3. Parking and loading regulations.

(a) The parking regulations for uses permitted in the "C-1" Community Business District shall apply to such uses when located in the "C-2" Central Business District.

(b) One parking space shall be provided upon the lot for every three (3) persons employed in a printing or plumbing shop or similar service establishment.

(c) One parking space shall be provided on the lot for each two hundred (200) square feet of floor area in a building which is used for any other commercial purpose permitted in this district.

(d) Hotels and motels of three (3) stories or less in height shall provide one parking space on the same lot for each guest room in addition to that parking space required by subsection (c) of this section for commercial floor area in the building.

(e) Hotels and motels over three (3) stories in height shall provide one parking space on the same lot for each guest room located on the first three floors, and shall provide three parking spaces on the same lot for every four guest rooms located above the third floor, and in addition shall provide one parking space on the same lot for each three hundred (300) square feet of floor area in a building which is used for any other commercial purpose permitted in this district.

(f) The loading regulations for the "C-2" Central Business District are the same as the loading regulations in the "C-1" Community Business District.

(Ord. No. 87-4, § 1, 1-19-87)

Sec. 4. Height regulations.

No building shall exceed three (3) stories in height nor shall it exceed thirty-five (35) feet in height except when a conditional height zoning permit is granted as defined and described in Article XX, section 2, subsection (b).

(Ord. No. 72-20, 4-3-72)

Sec. 5. Area regulations.

(a) *Front yard.* There shall be a front yard having a depth of not less than forty (40) feet.

(b) *Side yard.* The side yard regulations are the same as those in the "C-1" Community Business District.

(c) *Rear yard.* A rear yard is not required except where a lot abuts upon a dwelling district, in which case there shall be a rear yard of not less than fifteen (15) feet in depth.

(Ord. No. 74-1A, 1-24-74)

ARTICLE XI-A "H" HOSPITALITY DISTRICT*

***Editor's note:** Ord. No. 97-20, § 1, adopted Aug. 4, 1997 set out provisions intended for use as Art. XVI. In order to avoid duplication of article numbers, the editor has redesignated the provisions of § 1, of Ord. No. 97-20 as Art. XI-A.

Sec. 1. Scope.

The regulation set forth in this article, or set forth elsewhere in this ordinance when referring to this article, are the regulations of the "H" Hospitality District.*

(Ord. No. 97-20, § 1, 8-4-97)

***Editor's note:** Exhibit "A" of Ord. No. 97-20, states:

The Hospitality District established by this ordinance is initially composed of the following area:

All that area within the City of College Park bounded on the north by Riverdale Road, on the east by Riverdale Road, on the south by I-285, and on the west by Old National Hwy.

Sec. 2. Purpose; findings.

(a) The purpose of the Hospitality District is to provide for uses which are supportive of the Georgia International Convention Center ("Convention Center"), which serves as a major source of tourism and revenue within the city by hosting conventions, trade shows, and related events.

(b) Presently, limited development exists in the area adjacent to the convention center which is supportive of the convention center. Current development consists of moderately-priced hotel accommodations and restaurants. There are virtually no establishments which offer personal services or upscale accommodations to patrons of the convention center.

(c) In addition, the expansion of the Hartsfield International Airport has resulted in a reduction of single-family residential property in the area adjacent to the convention center. Such residential units have been razed, leaving vacant land in their place.

(d) To this end, it is the city's dual goal to protect the aesthetics of the community and to encourage a variety of support services to convention center patrons, including additional hotel accommodations, retail stores, and personal service establishments.

(e) In addition, by providing a variety of services in the area proximate to the convention center, the city also intends to protect its investment of revenue bonds by maximizing the occupancy rate and utilization of the convention center as the focal point of the hospitality district.

(Ord. No. 97-20, § 1, 8-4-97)

Sec. 2.1. Additional purposes and findings.

(a) There is additional potential development, both public and private, anticipated in the City of College Park which shall also be related to and supportive of the Georgia International Convention Center ("Convention Center") which continues to serve as a major source of tourism and revenue within the city by hosting convention trade shows and related events.

(b) In addition, there is additional potential development, both public and private, anticipated in other areas of the city related to and supportive of the ongoing development and expansion of the William S. Hartsfield Atlanta International Airport ("Airport").

(c) Moreover, the expansion of the airport has resulted in a reduction of single-family residential property in areas both adjacent to the convention center and in the area to which the Hospitality District is to be extended by this ordinance [Ord. No. 98-23, adopted Dec. 7, 1998].

(d) In addition, limited development which is supportive of the convention center not only exists in areas adjacent to the convention center, but also such limited development exists in areas in which the Hospitality District is to be extended by Ord. No. 98-23, and such extended areas also contain virtually no

establishments to offer personal services or upscale accommodations to patrons of the convention center or the airport or related airport uses.

(e) It is the city's goal to protect the aesthetics of the community and to encourage a variety of support services to the convention center and the airport as expanded, including but not limited to, additional hotel accommodations, retail stores and personal service establishments.

(f) In addition, by providing a variety of services in the extended areas to be covered by Ord. No. 98-23 extending the Hospitality District, the city intends to further protect its investment of revenue bonds by maximizing the occupancy rate and utilization of the convention center as a focal point of the Hospitality District.

(Ord. No. 98-23, § 1, 12-7-98)

Sec. 3. Overlay district.

This district is intended as an overlay district regulating and allowing the establishment of hospitality uses within the configuration of the allowable "H" - District boundaries in BP, C-1, C-2, C-3, C-L, O-P, W-1, TSC, M-1 and M-2 districts. Unless otherwise provided, underlying district uses continue as permitted uses. Standards set out in this article for hotels, restaurants, and hospitality uses shall control over any underlying district regulations

(Ord. No. 97-20, § 1, 8-4-97; Ord. No. 2002-26, § 1, 7-1-02)

Sec. 4. Definitions.

For purposes of this article, the following terms shall have the meanings respectively ascribed to them:

(1) *Hospitality mall.* A group of retail establishments of which not less than seventy per cent are hospitality uses, planned and developed for the site upon which they are built and owned as a unit, and having a total of not less than ten thousand (10,000) feet of gross floor area.

(2) *Hospitality uses:* A retail establishment which offers a particular service or product to traveling customers. As used herein, "hospitality use" includes, and is limited to, the following establishments:

- a. Restaurants, as the term is defined in this article.
- b. Health clubs or health spas.
- c. Drug stores.
- d. Bakeries where the products are sold exclusively at retail on the premises.
- e. Barber shops, beauty parlors, nail salons or similar personal service shops.
- f. Card/floral shops.

- g. Shoe sales or repair shops.
- h. Museums.
- i. Clothing stores.
- j. Book stores and news stands.
- k. Specialty souvenir shops.
- l. Transportation service centers.

(3) *Hotel.* A building designed for occupancy as the more or less temporary abode of individuals who are lodged therein, with or without meals, and which:

- a. Has a restaurant, seating at least sixty (60) people, which serves at least three (3) meals per day and is separated from the lobby or main area of such building by permanent walls. Such restaurant may be housed in a separate structure, provided such structure is an integral part of the hotel development, is located on the same lot as the hotel, and is dedicated to the use of the hotel. No such free standing restaurant may be utilized by more than one (1) hotel to meet the requirements of this section.
- b. Has no less than two hundred (200) guest rooms.
- c. Has a swimming pool and exercise room.
- d. Has meeting rooms.

(4) *Restaurant.* Any place or establishment merchandising or dispensing food or drink, which is located on a permanent foundation and has a permanent seating capacity of not less than one hundred (100) people, except as may be otherwise provided in this article, at which the customer is served either over the counter or at a table, but not through an exterior sales window.

(5) *Transportation service center.* An office or counter located in a hotel or other hospitality use which is manned by representatives of transportation providers, such as but not limited to, airlines, limousines services and taxicabs, and at which travel arrangements, reservations, and ticketing may be completed; provided that such service centers shall not allow taxicabs, limousines or other vehicles for hire or rental to be stored or parked on the property of the transportation service center for longer than the time provided to pick up or drop off passengers.

(Ord. No. 97-20, § 1, 8-4-97; Ord. No. 2002-25, § 1, 5-6-02)

Sec. 5. Use regulations.

The following uses are permitted in the Hospitality District:

- (1) Hotels/motels;

(2) Restaurants, provided that drive-in or walk-up windows are prohibited, provided that any restaurant lawfully doing business on January 1, 2002 may, upon written approval of the Development Committee pursuant to the standards contained in Article XXVII, Section (4)(c):

- a. Renovate an existing drive-in or walk-up window as part of otherwise lawful renovation work; or
- b. Upon relocating to a new location to which this Article is applicable, install a drive-in or walk-up window at the new location.

Additionally, any restaurant lawfully doing business on January 1, 2002 may relocate to a new location to which this article is applicable with a permanent seating capacity of not less than thirty-two (32) people.

(3) Hospitality malls;

(4) Hospitality uses;

(Ord. No. 97-20, § 1, 8-4-97; Ord. No. 2002-25, § 2, 5-6-02)

Sec. 6. Parking regulations.

(a) The parking requirements for the "H" District are as follows:

(1) Hotels and motels of one (1) and two (2) stories in height shall provide one (1) parking space on the same lot for each guest room plus one (1) space per each two (2) employees on the shift of greatest employment, in addition to that parking space required by this subsection or any commercial floor area in the building.

(2) Hotels and motels over two (2) stories in height shall provide one (1) parking space on the same lot for each guest room located on the first two (2) floors, three (3) parking spaces on the same lot for every four (4) guest rooms located on the third and fourth floors, and one (1) parking space for every two (2) guest rooms for each additional floor, plus one (1) additional per each two (2) employees on the shift of greatest employment, and in addition shall provide one (1) parking space on the same lot for each three hundred (300) square feet of floor area in a building which is used for any other commercial purpose permitted in the district.

(3) Hotels and motels over two (2) stories in height which are located within a one thousand (1,000) foot radius of a MARTA rail station or promoting public, mass transit via shuttle service to MARTA rail may reduce required parking to seventy-five (75) per cent of the requirements provided in subsection (2).

(4) Hospitality uses and hospitality malls shall have a minimum of five (5) off-street parking spaces per one thousand (1,000) square feet of gross floor area.

(5) Restaurants shall have a minimum of one (1) off-street parking space per three (3) seats for customers plus one (1) space per each two (2) employees on the shift of greatest employment.

(6) In all instances, the minimum off-street parking spaces provided shall be equal to the number required to accommodate all normally-anticipated customers, employees and other needs of the establishment.

(b) Loading, unloading and storage facilities, including refuse storage facilities, shall be adequate to meet the needs of the use established in the "H" Hospitality District.

(c) Concrete curbs shall be provided for all paved areas, and all parking and loading areas shall be designed and constructed so as to comply with the off-street parking layout, construction and maintenance, and landscape requirements for vehicular use areas of these regulations.

(d) No materials, supplies, merchandise or equipment shall be stored in any area on a lot except inside of an enclosed building, or behind a visual barrier screening such areas so that they are not visible from neighboring properties or public streets. Loading docks and doors shall not be constructed facing any public street.

(Ord. No. 97-20, § 1, 8-4-97)

Sec. 7. Height regulations.

No building shall exceed three (3) stories in height, except when a conditional height permit is granted as defined and described in Article XX, Section 2, paragraph (2) of this ordinance.

(Ord. No. 97-20, § 1, 8-4-97)

Sec. 8. Site development and improvement standards.

(a) In order to establish and maintain the "H" Hospitality District as a quality area which will preserve the investments of all land owners and developers, as well as the tax base of the City of College Park, all construction and development within the "H" District must comply with the following standards:

(1) *Setbacks for front, rear, and side yards.*

a. Structures fronting on a street shall be located no closer than fifty (50) feet from the front property line. The setback on corner lots shall be at least fifty (50) feet from each street.

b. Structures, except fences, shall be at least twenty (20) feet from the side line of any tract.

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

d. Only driveways, temporary parking spaces, and landscaped areas shall be allowed between a structure and a front property line.

(2) *Buildings.*

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

1. Hard burned clay.
2. Stone with either a weathered face or polished, fluted or broken face. No quarry faced stone shall be used except in retaining walls.
3. Concrete masonry. Units shall be those generally described by the National Concrete Masonry Association as "Customized 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 official.
4. 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. Precast units which are not uniform in color shall be coated. Coating shall be an approved cementitious or an epoxy type with a life expectancy of at least ten (10) years.
5. One (1) or more of the above-listed materials used in combination with glass and/or metal trim.
6. The use of Exterior Insulating Finish System is prohibited.
7. Except as provided in paragraph 6. above, other exterior wall materials may be used only with a prior approval of the mayor and council. Approval or disapproval will be judged on the appropriateness of the material when considered in context with the total building design and surrounding developments.

b. *Roof mounted equipment.* Roof mounted equipment shall be located and/or screened to minimize visibility from streets or surrounding buildings.

c. *Architectural requirements.*

1. All new construction on each lot shall be representative of a single architectural style. Combining different elements

or styles on a single lot shall not be permitted in the "H" District.

2. All front facades of the principal structure shall face and be parallel to the street.

3. The form and pitch of the roof of new construction shall be substantially proportional to the chosen architectural style.

4. The height, scale, massing, and fenestration of new construction shall be substantially proportional to the chosen architectural style.

d. *Reserved.*

(3) *Landscaping.*

a. The entire area of any lot containing a building site, including the area between the building and the street right-of-way line, shall be landscaped except for areas covered by buildings and paved areas. A minimum strip of landscaped ten (10) 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 plans submitted to the building official 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 building official, 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 provision of a sprinkler system or readily available water supply with at least one (1) outlet within fifty (50) feet of all plant material to be maintained.

b. *Perimeter landscape requirements.* All exterior perimeters of all vehicular use areas shall have a perimeter landscaped area with a horizontal dimension of not less than ten (10) feet. A decorative masonry, stucco or brick wall, landscaped earth berm, or combination thereof shall be installed in such a manner as to screen the vehicular use area from adjacent properties or public rights-of-way.

Screening areas shall be maintained at a minimum height of five (5) feet. All required perimeter landscaped areas shall have at least one (1) tree for every two hundred fifty (250) square feet of landscaped area or fraction thereof.

1. *When abutting a public street right-of-way.* Landscaped areas along the public street right-of-way shall have a minimum average depth of twenty-five (25) feet from the right-of-way line to the vehicle use area. Such landscaped areas shall have a dimension of not less than twenty (20) feet. Within this landscaped area adjacent a public street right-of-way or within the existing right-of-way, as determined by the building official, the developer shall

provide a sidewalk of a width of five (5) to six (6) feet, as directed by the building official. Sidewalks shall be installed in accordance with standards of the city engineer. In addition, planting and landscaped materials shall be so arranged and/or reduced in height adjacent to driveway entrances/exits and at corners adjacent to public street intersections so as to maintain vision clearance for motorists.

2. *When abutting adjacent properties.* Required perimeter landscaped areas which would abut adjacent, existing nonresidential zoning utilized as vehicle parking may be allocated as additional interior or additional perimeter landscaping. This provision, however, does not diminish the landscape requirements of this article.

3. All properties developed in commercial or industrial land uses and which associated vehicle use areas abut residentially zoned property, shall maintain a landscaped area along the common property boundary having a minimum dimension of twenty-five (25) feet. This area shall conform to all other landscaping requirements of this article for perimeter landscaped areas.

c. *Interior landscape requirements.* An area or combination of areas equal to ten (10) per cent of the paved vehicle use area shall be devoted to interior landscaping. Each separate interior landscaped area shall contain a minimum of one hundred (100) square feet and shall have a minimum dimension of five (5) feet and shall include a minimum of one (1) tree having a clear trunk of at least five (5) feet for every two hundred (200) square feet of landscaped area, with the remaining area adequately landscaped with shrubs, ground cover or other authorized landscaping material not to exceed three (3) feet in height.

d. *Permitted modification to the landscaping requirements.* In cases where the landscaped area requirements of subsection (3)b. and (3)c. above may exceed twenty (20) per cent of the vehicular use area, the applicant may be allowed to reduce dimensions of landscaped areas other than those abutting a public street right-of-way or adjacent to residentially zoned property to equal a twenty (20) per cent maximum, provided a method of vegetative and/or masonry screening is maintained and is approved by the building official. All instances where proposed innovative designs, landscaping techniques and site amenities are determined to fulfill the intent of this article, strict application of the requirements of this section may be modified by the board of zoning appeals. In instances where healthy plant material exists, the requirements outlined in subsections (3)b. and (3)c. of this section may be adjusted and thereby allow credit for the preservation of existing plant material. The building official may make such adjustments so long as the intent of this section is preserved.

e. *Landscaped installation requirements.* All landscaping shall be installed in accordance with accepted good planting procedures.

1. *New plant materials.* All new living plant materials shall satisfy the requirements of "No. 1" or better as defined in the most current edition of "American Standards for Nursery Stock." All separate landscape areas shall have a minimum variety of two (2) living plant materials other than trees; total landscaping areas required shall include a minimum variety of three (3) landscaped materials other than trees. Paving (other than walks) and artificial plants shall not be permitted within landscaping areas.

(i) Trees: A tree shall attain an average crown spread over fifteen (15) feet at maturity. Trees having an average crown less than fifteen (15) feet may be substituted by grouping the same so as to create the equivalent of a fifteen (15) foot crown spread. All trees shall be of a species which can be maintained with a minimum of five (5) feet of trunk height. Trees shall have a minimum of two-and-a-half (2 1/2) inch caliper measured at ground level and shall be a minimum of six (6) feet in overall height immediately after planting.

(ii) Shrubs shall be a minimum of one (1) foot in height when measured at the time of planting, except where they are to act as screening for residential uses or districts, in which case they shall be a minimum of three (3) feet in height at the time of planting and maintained at a minimum height of five (5) feet at maturity.

(iii) Lawn, grass, and ground covers. Grass may be sodded, plugged, sprigged or seeded, except that solid sod shall be used in swells or other areas subject to erosion. In areas where plant materials other than solid sod or grass are used a fast-growing grass seed shall be sown for immediate effect and protection until coverage is otherwise achieved. Grass sod shall be clean and reasonably free of weeds and noxious pests or disease. Ground covers which present a finished appearance and reasonably complete coverage at the time of planting may be used in lieu of grass sod.

2. *Existing plant materials.* Existing living plant materials to be preserved shall be in accordance with the city's tree protection regulations as set forth in Chapter 5 of the city code.

3. *Earth work.* Earth work shall be of variable height and slope. Swells and ponds shall be permitted for on-site retention of storm water, provided they are approved by the city engineer.

4. *Encroachment.* Landscaped areas, walls, structures and walks shall require appropriate protection from vehicular encroachment by utilizing wheel stops, curbs, posts, wood, brick work and/or other devices. Placement of these devices shall be located at least two and one-half (2 1/2) feet from walks, walls and structures and may be placed one (1) foot from landscaped areas to prevent a vehicular overhang of more than one and one half (1 1/2) feet of landscaping area, which may be counted as part of the required depth of each parking space.

f. *City review of landscaped plan.* The building official shall approve or reject the required landscape plan. The decision of the building official shall be deemed final administrative action, but may be appealed to the board of zoning appeals.

(4) *Exterior lighting.* All exterior lighting shall comply with FAA requirements related to aircraft safety, and all exterior lighting shall be designed, erected, altered and maintained in accordance with plans and specifications submitted to and subsequently approved by the building official.

(5) *Pedestrian access.* Development adjoining Linear Park shall provide a pedestrian connection to the railway. Such connection may include a gate, capable of being locked, for security purposes. Any fencing and gate shall be architecturally compatible with the building style.

(Ord. No. 97-20, § 1, 8-4-97; Ord. No. 2001-16, § 6, 5-7-01)

Sec. 9. Ratio of ground-floor area to lot area.

The total ground-floor area of all buildings and paved parking or loading areas constructed on a lot or parcel shall not exceed sixty (60) per cent of the total land area of such lot or parcel.

(Ord. No. 97-20, § 1, 8-4-97)

Sec. 10. Protective covenants and/or deed restrictions.

In conjunction with the review and approval of development plans, the city may require the preparation and submission of approval of protective covenants or deed restrictions, or both, which would be made applicable to all development within the project for the purpose of regulating such features as architectural style or structures, types of materials used in building construction, restrictions and design features for signs; limitations on, or identification of, permitted uses, and other requirements

which have as their purpose guaranteeing a high-quality, compatible total development, in order to thereby protect the tax base of the city.

(Ord. No. 97-20, § 1, 8-4-97)

Sec. 11. Site plan review.

The site plan shall be submitted to the building official for all development under this article. Such site plan shall show the parking layout meeting the requirements of "parking space" of Article III of this ordinance and the design requirements of Article XI-C of this ordinance for access driveways and turnarounds. Additionally, the site plan shall show the proposed landscaping and hydrology elements necessary to meet the city's soil erosion and sedimentation control ordinance.

(Ord. No. 97-20, § 1, 8-4-97)

Sec. 12. Conflicting ordinances.

In the event of conflicting requirements between the provision of this article and other articles of the zoning ordinance or other city ordinances, the provisions of this article shall control as to design standards, parking requirements, and landscaping requirements for hotels, restaurants and hospitality uses within the Hospitality District. Other conflicts between regulations shall be resolved with the most restrictive regulations governing the conflict.

(Ord. No. 97-20, § 1, 8-4-97)

Sec. 13. Extension of Hospitality District.

The Hospitality District originally established by Ordinance No. 97-20, shall continue in the following area: All that area within the City of College Park bounded on the north by Riverdale Road, on the east by Riverdale Road, on the south by I-285 and on the west by Old National Highway.

In addition to the foregoing, as amended by this section, the Hospitality District, originally established by Ordinance No. 97-20, Article XI-A, of the Code of Ordinances, City of College Park, Georgia is hereby extended to include the following area of the City of College Park:

The point of beginning is the intersecting point of the northern right-of-way (r/w) of Camp Creek Parkway (State Route (S.R.) 6) with the western r/w of Roosevelt Highway (U.S. 29); thence south along the western r/w of Roosevelt Hwy. to the intersection of the western r/w of Roosevelt Hwy. (U.S. 29) with the northern r/w of Riverdale Rd. (S.R. 139); thence west along the northern r/w of Riverdale Rd. to the intersection of the eastern r/w of Herschel Road; thence north along the eastern r/w of Herschel Road to the northwest corner of College Park Golf Course; thence east to the southern r/w of Ross Avenue's intersection with the western r/w of McDonald Street; thence due southeast along the western r/w of McDonald St. to the intersection of the northern r/w of Princeton Ave.; thence

east along the southern r/w of Princeton Ave. to the intersection with the western r/w of Napoleon St., thence south along the western r/w of Napoleon St. to the northern r/w of Camp Creek Pkwy. (S.R. 6); thence southeast along the northern r/w of Camp Creek Pkwy. (S.R. 6) to the point of beginning.

(Ord. No. 98-23, § 2, 12-7-98)