

1 STATE OF GEORGIA

2 CITY OF COLLEGE PARK

3 ORDINANCE NO. 2016-09

4 AN ORDINANCE TO AMEND THE ZONING CODE OF THE CITY OF COLLEGE PARK,  
5 GEORGIA; TO CREATE RESTRICTIONS ON THE ESTABLISHMENT OF EXTENDED  
6 STAY HOTELS; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING  
7 ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

8 WHEREAS, the duly elected governing authority of the City of College Park, Georgia  
9 (the "City") is the Mayor and Council thereof; and

10 WHEREAS, the City has determined that to serve the needs of the community certain  
11 amendments are needed to the City's Code of Ordinances; and

12 WHEREAS, the Mayor and Council determine that the health, safety, and welfare of the  
13 citizens of the City will be positively impacted by the adoption of this Ordinance.

14 BE IT AND IT IS HEREBY ORDAINED BY THE MAYOR AND COUNCIL OF  
15 THE CITY OF COLLEGE PARK, GEORGIA, and by the authority thereof:

16 Section 1. That the City Code, Appendix A, Zoning, Article IV, Districts and  
17 General Regulations Therein, Section 10, Hotels and Motels, is hereby amended by striking  
18 through the existing text and inserting new text as follows:

19 "Sec. 10. Hotels and Motels.

20 (a) No Hotel or Motel located within the city shall place or allow Cooking Facilities or  
21 Cooking Devices in any of the guest rooms located therein. Additionally, no Hotel or  
22 Motel located within the city shall allow any person to occupy the Hotel for more than  
23 thirty (30) days during a one hundred eighty (180) day period. For the purposes of this  
24 section, the terms "Cooking Facilities" and "Cooking Devices" shall mean a stove top  
25 burner; a hotplate that does not serve as an integral part of an appliance designed solely to  
26 produce coffee; a conventional oven; a convection oven; a grill; a hibachi; or any oven  
27 producing heat using resistance heating elements or infrared heating sources.

28 (b) Every person operating a Hotel or Motel shall require all persons renting rooms to show  
29 proper identification prior to renting a room. Proper identification is defined as a current  
30 and valid government issued photo identification card such as a driver's license, military  
31 identification card, state identification card, or passport. A copy of such identification  
32 shall be kept on file for the duration of the occupancy of each guest and for sixty (60)  
33 days thereafter.

34 (c) Every person operating a Hotel or Motel shall, during the occupancy of each guest and  
35 for sixty (60) days thereafter, keep and maintain a record, either electronically or in a  
36 book/register inscribed with ink or indelible pencil, the name and valid address of each  
37 person, including a minor, occupying a room. Such record shall be signed by the person  
38 renting a room or someone of his authority, and the operator of such Hotel or Motel, or  
39 his agent, shall thereupon electronically enter or write, opposite such name so registered,  
40 the number of the room assigned to and occupied by such guest, together with the time  
41 when such room is rented. Until all of the aforesaid entries have been made, no guest  
42 shall be permitted to occupy any room in such Hotel or Motel. Such record is subject to  
43 inspection at all times.

44 (d) To the extent that an Extended-stay Hotel is allowed to operate in the city, the following  
45 standards must be observed:

46 1) The minimum square footage, per guest room, shall be three hundred (300) square  
47 feet and limited to two adults per room. An additional adult is allowed per one  
48 hundred fifty (150) square feet, for a maximum of four adults.

49 2) The Hotel shall be no more than four stories in height.

50 3) The Hotel must have enclosed, heated and air conditioned laundry space  
51 containing at least three clothes washers and three clothes dryers for guests.

52 4) The Hotel shall include a minimum of one thousand (1,000) square feet for  
53 recreational use by guests, and a minimum of twenty-five percent (25%) of the  
54 lot area shall be dedicated to such recreational use and passive recreation.

55 5) Daily maid service shall be included within the standard room rate.  
56 6) Parking areas must have security fencing.

57 7) No more than ten percent (10%) of guest rooms shall have registrants who reside  
58 in the hotel for more than fourteen (14) days but less than thirty (30) days within a  
59 one hundred eighty (180) day period.

60 (a) Notwithstanding subsections (a) or (d)(7) herein, a stay in excess of thirty  
61 (30) days within a one hundred eighty (180) day period may occur in the  
62 following situations:

63 i. Where there is a written contract or document between a Hotel or Motel  
64 and a business or governmental agency to house employees or individuals  
65 subject to valid work orders; or

66 ii. When the zoning administrator authorizes, in writing, a stay for a period of  
67 up to thirty (30) days to prevent residents from becoming homeless.

68 8) No occupational tax certificate shall be issued for conduct of business from any  
69 guest room, and no home occupation shall be conducted from such room.

70 9) Each guest room shall be equipped with a sprinkler system and hard wired smoke  
71 detector approved by the fire marshal.

72 10) The Hotel shall provide a fifty (50) foot undisturbed buffer from any property  
73 zoned for multi-family residential purposes and/or a 100-foot undisturbed buffer  
74 from any property zoned for single-family residential uses.

75 11) The Hotel common areas and unoccupied rooms are subject to inspection by the  
76 College Park Police Department, College Park Code Enforcement, the College  
77 Park Fire Department and/or the Fulton County Health Department if there is  
78 suspicion that the Hotel is being used for criminal activity, housing of last resort,  
79 or in violation of the zoning ordinances.”  
80

81 Section 2. That the City Code, Appendix A, Zoning, Article III, Definitions, Section 1, is

82 hereby amended by striking through the existing text of Subsection 30a and inserting new text as  
83 follows:

84 “(30a) *Hotel, Extended-stay.* Any building containing six (6) or more guest rooms rented  
85 or leased for sleeping purposes that contain Cooking Facilities or Cooking Devices for food  
86 preparation.

87 (30b) *Intermodal transportation system.* An integrated network encompassing common  
88 movement modes, including but not limited to, vehicles, trolley shuttles, public transit, walking,  
89 cycling, taxis and APM systems. Related facilities such as vehicle parking areas, bus stops,  
90 benches, signs and transit stations are encompassed in such system.”  
91

92 Section 3. (a) It is hereby declared to be the intention of the Mayor and Council that all  
93 sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were, upon their  
94 enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.

95 (b) It is hereby declared to be the intention of the Mayor and Council that, to the greatest  
96 extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this  
97 Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this  
98 Ordinance. It is hereby further declared to be the intention of the Mayor and Council that, to the  
99 greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this  
100 Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase  
101 of this Ordinance.

102 (c) In the event that any phrase, clause, sentence, paragraph or section of this Ordinance  
103 shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise

104 unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the  
105 express intent of the Mayor and Council that such invalidity, unconstitutionality or  
106 unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional  
107 or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or  
108 sections of the Ordinance and that, to the greatest extent allowed by law, all remaining phrases,  
109 clauses, sentences, paragraphs and sections of the Ordinance shall remain valid, constitutional,  
110 enforceable, and of full force and effect.

111 Section 4. All ordinances and parts of ordinances in conflict herewith are hereby  
112 expressly repealed.

113 Section 5. The preamble of this Ordinance shall be considered to be and is hereby  
114 incorporated by reference as if fully set out herein.

115 Section 6. This Ordinance shall be codified in a manner consistent with the laws of the  
116 State of Georgia and the City.

117 Section 7. Penalties in effect for violations of the Zoning Ordinance of the City of  
118 College Park at the time of the effective date of this Ordinance shall be and are hereby made  
119 applicable to this Ordinance and shall remain in full force and effect.

120 Section 8. The effective date of this Ordinance shall be the date of adoption unless  
121 otherwise specified herein.

122 **ORDAINED** this 14<sup>th</sup> day of March, 2015.

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124 [SIGNATURES CONTINUED ON NEXT PAGE]

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128 CITY OF COLLEGE PARK, GEORGIA

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132 ATTEST:

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Melissa Brooks, City Clerk


136 APPROVED AS TO FORM:

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Steven M. Fincher, City Attorney

  
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Jack P. Longino, Mayor