

1 STATE OF GEORGIA

2
3 CITY OF COLLEGE PARK
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6
7 ORDINANCE NO. 2015-03
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10 AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, CITY OF
11 COLLEGE PARK, GEORGIA, TO PROMOTE AND ENCOURAGE GREEN
12 INFRASTRUCTURE AND LOW IMPACT DEVELOPMENT; TO PROVIDE
13 SEVERABILITY; TO PROVIDE PENALTIES; TO PROVIDE FOR REPEAL OF
14 CONFLICTING ORDINANCES; TO PROVIDE AN ADOPTION AND EFFECTIVE
15 DATE; AND TO PROVIDE FOR OTHER LAWFUL PURPOSES.

16 WHEREAS, the duly elected governing authority of the City of College Park,
17 Georgia is the Mayor and Council thereof; and

18 WHEREAS, the amendments contained herein would benefit the health, safety,
19 morals and welfare of the citizens of the City of College Park, Georgia.

20 BE IT AND IT IS HEREBY ORDAINED by the Mayor and Council of the
21 City of College Park, Georgia, and by the authority thereof:

22 Section 1. The Code of Ordinances of the City of College Park, Georgia is
23 hereby amended by deleting Section 5-261, "Tree protection prior to development," of
24 Article XII, "Trees," of Chapter 5, "Buildings; Construction and Related Matters," in its
25 entirety and inserting the following in lieu thereof:

26 "To prevent the unnecessary destruction of trees on land where a
27 building permit or subdivision approval has not been issued, the
28 destruction, within any five (5) year period, of more than twenty-five (25)
29 per cent of the trees on any one parcel of real property within the city,
30 without prior approval of the building official, is prohibited.

31 In order to prevent the unjustified destruction of natural ground
32 cover, trees and other negative consequences, whenever the plans for a
33 parking area layout are submitted to the building official for review, and
34 such plans indicate that the number of parking spaces and/or other paved
35 areas are more than the amount necessary to meet specified off-street
36 parking requirements, those plans shall be forwarded to the Planning
37 Commission for approval or disapproval, and the applicant shall be
38 required to present justification to the Planning Commission for such
39 proposed excess parking capacity and/or paved areas.”
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41 **Section 2.** The Code of Ordinances of the City of College Park, Georgia is

42 hereby amended by inserting the following text immediately after Subsection (3)e. of

43 Section 19-93, “Scope of regulation,” of Article VI, “Street Access Control,” of
44 Chapter 19, “Traffic,” as follows:

45 “f. Office uses shall have a minimum of two and nine-tenths (2.9) off
46 street parking spaces per one thousand (1000) square feet of gross
47 floor area.

48 g. Retail, hospitality, and hospitality malls uses shall have a
49 minimum of four and five-tenths (4.5) off-street parking spaces per
50 one thousand (1,000) square feet of gross floor area.

51 h. Off-site parking and or shared parking arrangements may be
52 approved by the city provided such space is within four hundred
53 (400) feet from the property line. Such off-site parking or shared
54 parking will be measured along the nearest pedestrian walkway
55 and must link directly to a sidewalk leading to the main entrances
56 of all buildings on the site. Any space used to comply with this
57 section may not include more than twenty-five percent (25%) of
58 the space used to comply with the minimum requirement for the lot
59 from which the space is used. Any entity that utilizes parking
60 spaces pursuant to this provision must provide a copy of such
61 shared agreement to the City.

62 i. For any parking lot that exceeds fifty (50) spaces, at least thirty
63 percent (30%) shall be configured with the minimum dimensions
64 authorized to allow compact cars.”
65

66 **Section 3.** The preamble of this Ordinance shall be considered to be and is
67 hereby incorporated by reference as if fully set out herein.

68 **Section 4.** This Ordinance shall be codified in a manner consistent with the laws
69 of the State of Georgia and the City of College Park, Georgia.

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

74 (b) It is hereby declared to be the intention of the Mayor and Council that, to the
75 greatest extent allowed by law, each and every section, paragraph, sentence, clause or
76 phrase of this Ordinance is severable from every other section, paragraph, sentence,
77 clause or phrase of this Ordinance. It is hereby further declared to be the intention of the
78 Mayor and Council that, to the greatest extent allowed by law, no section, paragraph,
79 sentence, clause or phrase of this Ordinance is mutually dependent upon any other
80 section, paragraph, sentence, clause or phrase of this Ordinance.

81 (c) In the event that any phrase, clause, sentence, paragraph or section of this
82 Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or
83 otherwise unenforceable by the valid judgment or decree of any court of competent
84 jurisdiction, it is the express intent of the Mayor and Council that such invalidity,
85 unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not
86 render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases,
87 clauses, sentences, paragraphs or sections of the Ordinance and that, to the greatest extent
88 allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the
89 Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

90 **Section 6.** All ordinances and parts of ordinances in conflict herewith are hereby
91 expressly repealed.

92 **Section 7.** Penalties in effect for violations of Chapter 1 of the Code of
93 Ordinances, City of College Park, Georgia at the time of the effective date of this
94 Ordinance shall be and are hereby made applicable to this Ordinance and shall remain in
95 full force and effect.

96 **Section 8.** The effective date of this Ordinance shall be the date of adoption
97 unless otherwise stated herein.

98 [SIGNATURES APPEAR ON FOLLOWING PAGE]

99

100 ORDAINED this 16 day of March, 2015.

101 CITY OF COLLEGE PARK, GEORGIA

102 
103 JACK P. LONGINO, Mayor
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109 ATTEST:

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111 MELISSA BROOKS, City Clerk
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