

1 STATE OF GEORGIA

2  
3 CITY OF COLLEGE PARK

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7 ORDINANCE NO. 2015-04

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9 AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, CITY OF  
10 COLLEGE PARK, GEORGIA, APPENDIX A ZONING RELATIVE TO ARTICLE  
11 XIV-F. - "TSC" TRANSIT STATION COMMERCIAL DISTRICT REGULATIONS;  
12 TO PROVIDE SEVERABILITY; TO PROVIDE PENALTIES; TO PROVIDE FOR  
13 REPEAL OF CONFLICTING ORDINANCES; TO PROVIDE AN ADOPTION AND  
14 EFFECTIVE DATE; AND TO PROVIDE FOR OTHER LAWFUL PURPOSES.

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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 City Council desires to clarify certain provisions in the "TSC"  
19 Transit Station Commercial District Regulations; and

20 WHEREAS, the amendments contained herein would benefit the health, safety,  
21 morals and welfare of the citizens of the City of College Park.

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

24 Section 1. That ARTICLE XIV-F, Section 2 is hereby amended by deleting the  
25 existing section and replacing in lieu thereof the following:

26 Sec. 2 – Use Regulations.

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28 *Uses permitted in the TSC District are referenced to the North American*  
29 *Industry Classification System 2007 of the U.S. Office of Management and*  
30 *Budget. These uses are organized by "sector" as presented in the NAICS*

31 Manual and encompass the following sectors:  
32 (1) Accommodation and food services;  
33 (2) Administrative and support and waste management and remediation  
34 services;

35 (3) Arts, entertainment and recreation;

36 (4) Finance and insurance;

37 (5) Health care and social assistance;

38 (6) Information;

39 (7) Management of companies and enterprises;

40 (8) Professional, scientific, and technical services;

41 (9) Real estate and rental and leasing;

42 (10) Retail trade; and

43 (11) Services.  
44

45 Uses in these general sectors shall be permitted in the TSC District as  
46 specifically provided below:  
47

48 Accommodation and Food Services

49 721191 Bed-and-Breakfast Inns

50 721199 Traveler Accommodation, including only Guest houses and  
51 excluding Housekeeping cabins and cottages, Tourist homes and Youth  
52 hostels

53 722110 Full-Service Restaurants (excluding drive-thru facilities)

54 722211 Limited-Service Restaurants, excluding drive-thru facilities

55 722212 Cafeterias, Grill Buffets and Buffets, excluding drive-thru  
56 facilities

57 722213 Snack and Nonalcoholic Beverage Bars, excluding drive-thru  
58 facilities

59 722320 Caterers

60 722410 Drinking Places (Alcoholic Beverages), in compliance with the  
61 Alcoholic Beverage Code.

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63 Administrative and Support and Waste Management and Remediation  
64 Services

65 561110 Office Administrative Services

66 561312 Executive Search Services

67 561410 Document Preparation Services

68 561431 Private Mail Centers

69 561439 Other Business Service Centers (including Copy Shops)

70 561440 Collection Agencies

71 561450 Credit Bureaus

72 561492 Court Reporting and Stenotype Services

73 561499 Certain Business Support Services, including only Address bar  
74 coding services, Bar code imprinting services, Fundraising organization  
75 services on a contract or fee basis and Mail presorting services  
76 561510 Travel Agencies

77	561520	<i>Tour Operators</i>
78	561591	<i>Convention and Visitors Bureaus</i>
79	561599	<i>Certain Travel Arrangement and Reservation Services, including only Condominium time-share exchange services; Ticket (e.g., amusement, sports, theatrical) agencies; Ticket (e.g., airline, bus, cruise ship, sports, theatrical) offices; Road and travel services automobile clubs and Reservation (e.g., airline, car rental, hotel, restaurant) services</i>
80	561611	<i>Investigation Services</i>
81	561612	<i>Security Guards and Patrol Services, excluding housing of guard dogs</i>
82	561621	<i>Security Systems Services (except Locksmiths)</i>
83	561622	<i>Locksmiths</i>
84	561910	<i>Packaging and Labeling Services</i>
85	561920	<i>Convention and Trade Show Organizers</i>
86	561990	<i>Certain Support Services, including only Bartering services, Inventory taking services, Flagging (i.e., traffic control) services, Contract meter reading services, Diving services on a contract or fee basis, and excluding Bottle exchanges, Float decorating services, Lumber grading services and Cloth cutting, bolting, or winding for the trade</i>
87		<i>Arts, Entertainment and Recreation</i>
88	711110	<i>Theater Companies and Dinner Theaters</i>
89	711120	<i>Dance Companies</i>
90	711130	<i>Musical Groups and Artists</i>
91	711211	<i>Sports Teams and Clubs</i>
92	711219	<i>Certain Spectator Sports</i>
93	711320	<i>Promoters of Performing Arts, Sports, and Similar Events without Facilities</i>
94	711410	<i>Agents and Managers for Artists, Athletes, Entertainers and Other Public Figures</i>
95	711510	<i>Independent Artists, Writers, and Performers</i>
96	712110	<i>Museums</i>
97	712120	<i>Historical Sites</i>
98	713940	<i>Fitness and Recreational Sports Centers</i>
99	713990	<i>Amusement and Recreation Industries, including only Amusement ride or coin-operated non-gambling amusement device concession operators (i.e., supplying or servicing in others' facilities), Boating clubs (without marinas), Recreational day camps (except instructional), Recreational or youth sports teams and leagues not operating facilities, Recreational sports clubs (i.e., sports teams) not operating facilities and excluding Adult entertainment establishments, Archery or shooting ranges, Billiard or pool parlors, Dance halls and Riding stables</i>
100		<i>Finance and Insurance</i>
101	522110	<i>Commercial Banking</i>
102	522120	<i>Savings Institutions</i>

123	522130 Credit Unions
124	522292 Real Estate Credit
125	522293 International Trade Financing
126	522294 Secondary Market Financing
127	522310 Mortgage and Nonmortgage Loan Brokers
128	523110 Investment Banking and Securities Dealing
129	523930 Investment Advice (for example, Financial planning services)
130	524113 Direct Life Insurance Carriers
131	524114 Direct Health and Medical Insurance Carriers
132	524126 Direct Property and Casualty Insurance Carriers
133	524210 Insurance Agencies and Brokerages
134	525110 Pension Funds
135	525120 Health and Welfare Funds
136	525910 Open-End Investment Funds
137	
138	<i>Health Care and Social Assistance</i>
139	621111 Offices of Physicians (except Mental Health Specialists)
140	621112 Offices of Physicians, Mental Health Specialists
141	621210 Offices of Dentists
142	621310 Offices of Chiropractors
143	621320 Offices of Optometrists
144	621330 Offices of Mental Health Practitioners (except Physicians)
145	621340 Offices of Physical, Occupational and Speech Therapists, and Audiologists
146	
147	621391 Offices of Podiatrists
148	621399 Offices of Certain Miscellaneous Health Practitioners
149	621491 HMO Medical Centers
150	621492 Kidney Dialysis Centers
151	621493 Freestanding Ambulatory Surgical and Emergency Centers
152	621498 Outpatient Care Centers, including Medical Clinics
153	621512 Diagnostic Imaging Centers
154	621610 Home Health Care Services
155	621999 Miscellaneous Ambulatory Health Care Services
156	622110 General Medical and Surgical Hospitals
157	622310 Specialty (except Psychiatric and Substance Abuse) Hospitals
158	624190 Certain Individual and Family Services
159	624230 Emergency and Certain Relief Services
160	624310 Vocational Rehabilitation Services
161	
162	<i>Information</i>
163	511110 Newspaper Publishers
164	511120 Periodical Publishers
165	511130 Book Publishers
166	511140 Directory and Mailing List Publishers
167	511191 Greeting Card Publishers

168	511199	<i>Certain Publishers, including only Art print publishers and</i>
169		<i>Calendar publishers</i>
170	511210	<i>Software Publishers</i>
171	512110	<i>Motion Picture and Video Production</i>
172	512120	<i>Motion Picture and Video Distribution</i>
173	512131	<i>Motion Picture Theaters (except Drive-Ins)</i>
174	512191	<i>Teleproduction and Certain Postproduction Services</i>
175	512199	<i>Certain Motion Picture and Video Industries</i>
176	512210	<i>Record Production</i>
177	512220	<i>Integrated Record Production/Distribution</i>
178	512230	<i>Music Publishers</i>
179	512240	<i>Sound Recording Studios, provided appropriate acoustical</i>
180		<i>renovations are accomplished</i>
181	512290	<i>Certain Sound Recording Industries</i>
182	515111	<i>Radio Networks</i>
183	518210	<i>Data Processing, Hosting, and Related Services</i>
184	519120	<i>Libraries and Archives</i>
185	519130	<i>Internet Publishing and Broadcasting and Web Search Portals</i>
186	519190	<i>Certain Information Services, including only News clipping</i>
187		<i>services, Stock photo agencies and Telephone-based information services</i>
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189		<i>Management of Companies and Enterprises</i>
190	551111	<i>Offices of Bank Holding Companies</i>
191	551112	<i>Offices of Other Holding Companies</i>
192	551114	<i>Corporate, Subsidiary, and Regional Managing Offices</i>
193		
194		<i>Professional, Scientific, and Technical Services</i>
195	541110	<i>Offices of Lawyers</i>
196	541120	<i>Offices of Notaries</i>
197	541191	<i>Title Abstract and Settlement Offices</i>
198	541199	<i>Other Legal Services</i>
199	541211	<i>Offices of Certified Public Accountants</i>
200	541213	<i>Tax Preparation Services</i>
201	541214	<i>Payroll Services</i>
202	541219	<i>Other Accounting Services</i>
203	541310	<i>Architectural Services</i>
204	541320	<i>Landscape Architectural Services</i>
205	541330	<i>Engineering Services</i>
206	541340	<i>Drafting Services</i>
207	541350	<i>Building Inspection Services</i>
208	541360	<i>Geophysical Surveying and Mapping Services</i>
209	541370	<i>Surveying and Mapping (except Geophysical) Services</i>
210	541410	<i>Interior Design Services</i>
211	541420	<i>Industrial Design Services</i>
212	541430	<i>Graphic Design Services</i>
213	541490	<i>Other Specialized Design Services</i>

214	541511 Custom Computer Programming Services
215	541512 Computer Systems Design Services
216	541513 Computer Facilities Management Services
217	541519 Other Computer Related Services
218	541611 Administrative Management and General Management Consulting
219	Services
220	541612 Human Resources Consulting Services
221	541613 Marketing Consulting Services
222	541614 Process, Physical Distribution, and Logistics Consulting Services
223	541618 Other Management Consulting Services
224	541620 Environmental Consulting Services
225	541690 Other Scientific and Technical Consulting Services
226	541712 Research and Development in the Physical, Engineering, and Life
227	Sciences (except Biotechnology)
228	541720 Research and Development in the Social Sciences and Humanities
229	541810 Advertising Agencies
230	541820 Public Relations Agencies
231	541830 Media Buying Agencies
232	541840 Media Representatives
233	541850 Display Advertising
234	541860 Direct Mail Advertising
235	541870 Advertising Material Distribution Services
236	541890 Other Services Related to Advertising
237	541910 Marketing Research and Public Opinion Polling
238	541921 Photography Studios, Portrait
239	541922 Commercial Photography
240	541930 Translation and Interpretation Services
241	541940 Veterinary Services
242	541990 Certain Professional, Scientific, and Technical Services
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244	<i>Real Estate and Rental and Leasing</i>
245	531110 Lessors of Residential Buildings and Dwellings
246	531120 Lessors of Nonresidential Buildings (except Miniwarehouses)
247	531210 Offices of Real Estate Agents and Brokers
248	531311 Residential Property Managers
249	531312 Nonresidential Property Managers
250	531320 Offices of Real Estate Appraisers
251	531390 Other Activities Related to Real Estate
252	532210 Consumer Electronics and Appliances Rental
253	532220 Formal Wear and Costume Rental
254	532230 Video Tape and Disc Rental
255	532291 Home Health Equipment Rental
256	532292 Recreational Goods Rental
257	532299 Certain Consumer Goods Rental

258	532310	General Rental Centers, excluding outdoor display or storage of commercial and industrial equipment or contractors' and builders' equipment
259	532420	Office Machinery and Equipment Rental and Leasing
260	532490	Certain Commercial and Industrial Machinery and Equipment Rental and Leasing, excluding renting or leasing of manufacturing or agricultural equipment
261	533110	Lessors of Nonfinancial Intangible Assets (except Copyrighted Works)
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304	448190 Other Clothing Stores
305	448210 Shoe Stores
306	448310 Jewelry Stores
307	448320 Luggage and Leather Goods Stores
308	451110 Sporting Goods Stores
309	451120 Hobby, Toy and Game Stores
310	451130 Sewing, Needlework and Piece Goods Stores
311	451140 Musical Instrument and Supplies Stores
312	451211 Book Stores
313	451212 News Dealers and Newsstands
314	451220 Pre-recorded Tape, Compact Disc and Record Stores
315	452111 Department Stores (except Discount Department Stores)
316	452112 Discount Department Stores
317	452990 Other General Merchandise Stores
318	453110 Florists
319	453210 Office Supplies and Stationery Stores
320	453220 Gift, Novelty, and Souvenir Stores, including Card Shops
321	453310 Used Merchandise Stores, including only Antique shops, Used clothing stores, Used book stores and Used sporting goods stores and excluding Used merchandise thrift shops and Used household-type appliance stores
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325	453910 Pet and Pet Supplies Stores
326	453920 Art Dealers, including Art Galleries
327	453991 Tobacco Stores
328	453998 Other Miscellaneous Store Retailers (except Tobacco Stores), including only Art supply stores Collectors' items (e.g., autograph, coin, card, stamp) shops, General merchandise auction houses, Candle shops, Swimming pool supply stores, Home security equipment stores, Trophy (e.g., awards and plaques) shops, Flower shops, artificial or dried and Hot tub stores and excluding Cemetery memorial (e.g., headstones, markers, vaults) dealers and Fireworks shops (permanent location)
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335	454111 Electronic Shopping
336	454112 Electronic Auctions
337	454113 Mail-Order Houses
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339	Services (except Public Administration)
340	811430 Footwear and Leather Goods Repair
341	811490 Other Personal and Household Goods Repair and Maintenance, including tailor shops
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343	812111 Barber Shops
344	812112 Beauty Salons, including health spas
345	812113 Nail Salons
346	812191 Diet and Weight Reducing Centers
347	812199 Certain Personal Care Services, including only Depilatory or electrolysis (i.e., hair removal) salons, Ear piercing services, Hair replacement (except by offices of physicians) or weaving services,
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350 *Permanent makeup salons and Tanning salons and excluding Massage*  
351 *Parlors, Saunas, Tattoo Parlors, and Steam or Turkish Baths*  
352 *812320 Dry cleaning and Laundry Services (except Coin-Operated),*  
353 *provided no more than three persons are employed, excluding drivers*  
354 *812910 Pet Care (except Veterinary) Services, excluding pet boarding or*  
355 *kenneling as a primary use*  
356 *812921 Photofinishing Laboratories (except One-Hour)*  
357 *812922 One-Hour Photofinishing*  
358 *812990 Certain Personal Services, including only Coin-operated personal*  
359 *services machine (e.g., blood pressure, locker, photographic, scale,*  
360 *shoeshine) concession operators, Shoeshine services, Consumer buying*  
361 *services, and Wedding planning services and excluding Bail bonding or*  
362 *bondsperson services, Social escort services and Dating services*  
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364 **Section 2.** That ARTICLE XIV-F, Section 3(b)(3) is hereby amended by deleting  
365 the existing subsection and replacing in lieu thereof the following:  
366 “(3) *Cultural entertainment and recreational uses listed below.*  
367 *a. Game rooms, electronic.”*  
368 **Section 3.** That ARTICLE XIV-F, Section 3(b)(4) is hereby amended by deleting  
369 the existing subsection and replacing in lieu thereof the following:  
370 “(4) *Residential uses listed below.*  
371 *a. Owner or renter occupied dwelling units, as an accessory use located above*  
372 *street level. Owner or renter occupied dwelling units. If units are to be*  
373 *offered for rental occupancy, standard lease terms shall be no less than twelve*  
374 *(12) months.”*  
375 **Section 4.** That ARTICLE XIV-F, Section 3(b) is hereby amended by adding a  
376 subsection 3(b)(5) following subsection 3(b)(4), which new subsection 3(b)(5) shall read  
377 as follows:  
378 “(5) *Offices for businesses in other NAICS industry classifications.”*

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

381        **Section 6.** This Ordinance shall be codified in a manner consistent with the laws  
382 of the State of Georgia and the City of College Park.

383        **Section 7.** (a) It is hereby declared to be the intention of the Mayor and Council  
384 that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were,  
385 upon their enactment, believed by the Mayor and Council to be fully valid, enforceable  
386 and constitutional.

387        (b) It is hereby declared to be the intention of the Mayor and Council that, to the  
388 greatest extent allowed by law, each and every section, paragraph, sentence, clause or  
389 phrase of this Ordinance is severable from every other section, paragraph, sentence,  
390 clause or phrase of this Ordinance. It is hereby further declared to be the intention of the  
391 Mayor and Council that, to the greatest extent allowed by law, no section, paragraph,  
392 sentence, clause or phrase of this Ordinance is mutually dependent upon any other  
393 section, paragraph, sentence, clause or phrase of this Ordinance.

394        (c) In the event that any phrase, clause, sentence, paragraph or section of this  
395 Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or  
396 otherwise unenforceable by the valid judgment or decree of any court of competent  
397 jurisdiction, it is the express intent of the Mayor and Council that such invalidity,  
398 unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not  
399 render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases,  
400 clauses, sentences, paragraphs or sections of the Ordinance and that, to the greatest extent  
401 allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the

402 Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

403 Section 8. All ordinances and parts of ordinances in conflict herewith are hereby  
404 expressly repealed.

405 Section 9. Penalties in effect for violations of Chapter 1 of the Code of  
406 Ordinances, City of College Park, Georgia at the time of the effective date of this  
407 Ordinance shall be and are hereby made applicable to this Ordinance and shall remain in  
408 full force and effect.

409 Section 10. The effective date of this Ordinance shall be the date of adoption  
410 unless otherwise stated herein.

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412 [SIGNATURES APPEAR ON FOLLOWING PAGE]

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414 ORDAINED this 2<sup>nd</sup> day of February, 2015.

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CITY OF COLLEGE PARK, GEORGIA

  
JACK P. LONGINO, Mayor

ATTEST:

  
MELISSA BROOKS, City Clerk