CITY OF FOREST PARK

STATE OF GEORGIA

ORDINANCE NO. 16-02

AN ORDINANCE TO AMEND TITLE 5 ("PUBLIC WORKS"), TITLE 8 ("PLANNING AND DEVELOPMENT"), AND TITLE 9 ("LICENSING AND REGULATION") OF THE CODE OF ORDINANCES, CITY OF FOREST PARK, GEORGIA; TO REVISE CERTAIN PROVISIONS TO FACILITATE THE USE OF GREEN INFRASTRUCTURE OR LOW IMPACT DEVELOPMENT TECHNOLOGIES; TO PROVIDE FOR CODIFICATION; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN ADOPTION DATE; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES ALLOWED BY LAW.

WHEREAS, the Governing Body of the City of Forest Park, Georgia (the "City") is the Mayor and Council thereof; and

WHEREAS, the City is a holder of an MS4 permit from the Georgia Department of Natural Resources that authorizes the City to issue regulations for the protection of the environmental and stormwater infrastructure of the City; and

WHEREAS, the preservation and restoration of natural landscape features, such as forests and floodplains, are critical components of green stormwater infrastructure; and

WHEREAS, pursuant to its MS4 permit, the City is charged with the periodic review of its codes and ordinances to ensure that they do not prohibit or impede the use of green infrastructure or low impact development technologies; and

WHEREAS, the Mayor and Council, following said review by City personnel, wish to make certain changes to the City's Code of Ordinances, Titles 5, 8, and 9, in order to facilitate the use of green infrastructure or low impact development technologies.

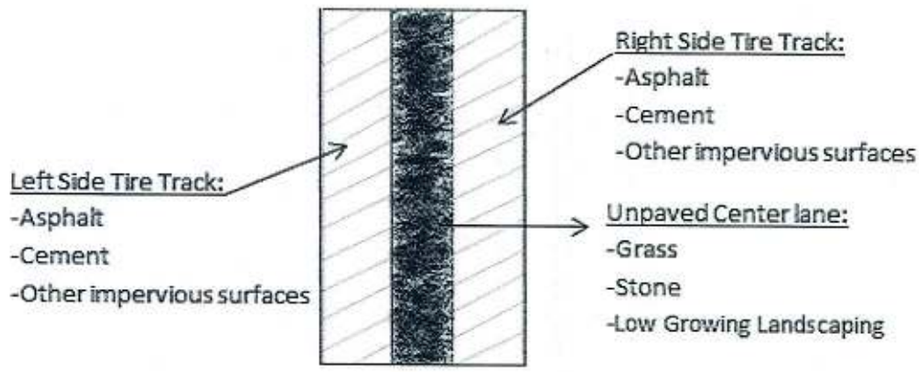
NOW THEREFORE, be it ordained by the Governing Body of the City of Forest Park, Georgia:

Section 1. That Title 5, Chapter 1 of the Code of Ordinances, City of Forest Park, Georgia is hereby amended by striking the existing text in subsection (a) of Section 5-1-8 and inserting the following text in lieu thereof:

(a) New driveways shall be installed at the expense of the property owner after obtaining the approval as to curb cut and driveway design by the city manager or his/her designee.

(1) The following are the design requirements for residential developments, whether single or multiple dwellings.

(2) All driveways shall be constructed of concrete, asphalt or the like and subject to the specifications on file in the public works department. Gravel mix, two-track driveways and shared parking in residential developments may be built pending approval from the city manager or his/her designee. As employed in this section, the phrase "two-track driveway" means a driveway made of two narrow, parallel, paved wheel tracks that are separated by an unpaved area containing stone, grass or other low growing landscaping. Wheel tracks in any two-track driveway must be installed flush with the ground and constructed with materials capable of supporting all vehicle/equipment tires without driving onto or over an unapproved parking surface.
Note: Illustration of two track driveway below:



(3) All buildings, structures and uses of land shall provide off-street parking in an amount sufficient to meet the needs caused by the building or use of land.
(4) All off-street parking shall be on a dust-free surface.
(5) All impervious areas shall comply with maximum ground coverage and setback requirements in accordance with the applicable zoning district regulations.
(6) Parking on the street, sidewalk or grass is prohibited.
(7) Parking in any multiple residential development is permitted only in designated parking spaces.

Section 2. That Title 5, Chapter 1 of the Code of Ordinances, City of Forest Park, Georgia is hereby amended by adding Section 5-1-9 which shall read as follows:

Sec. 5-1-9. - Sidewalk design

Sidewalks shall be designed and constructed with a minimum width of four (4) feet and will be sloped towards front yards when practicable. Alternate mediums for pedestrian travel, such as paving stones, may be substituted for sidewalks when they are not located adjacent to a road. When possible, a two (2) foot grass strip shall be included. Final approval of sidewalk widths will be determined in accordance with the recommendations of the city manager or his/her designee.

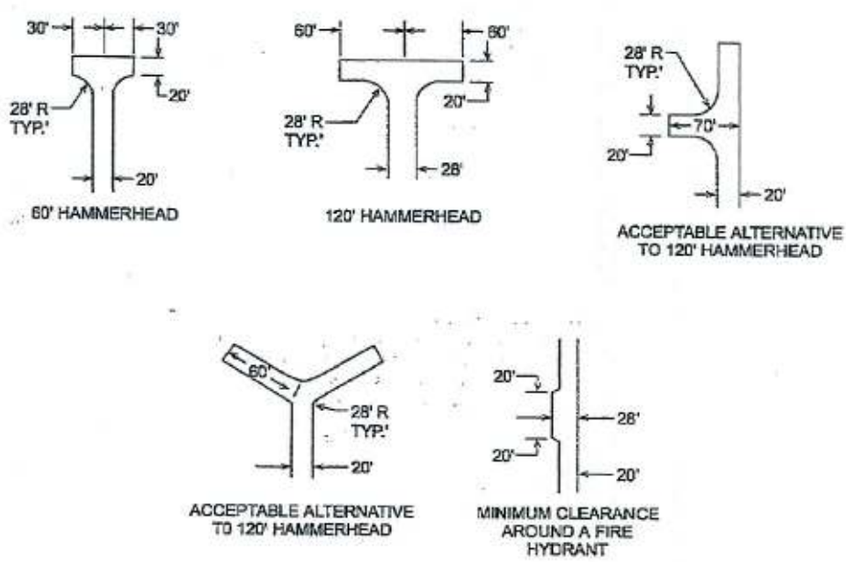
Section 3. That Title 8, Chapter 7 of the Code of Ordinances, City of Forest Park, Georgia is hereby amended by striking the existing text in subsection (j) of Section 8-7-31 and inserting the following text in lieu thereof:

(j) Street right-of-way widths shall be as shown in the major thoroughfare plan for the city and where not shown therein shall be no less than as follows:

Street type	Right-of-way (in feet)
Major	100 minimum
Collector (commercial and residential)	60 minimum
Minor	45 minimum

Section 4. That Title 8, Chapter 7 of the Code of Ordinances, City of Forest Park, Georgia is hereby amended by striking the existing text in subsection (l) of Section 8-7-31 and inserting the following text in lieu thereof:

(l) A permanent dead end street, not to exceed 800 feet in length, may be laid out. There shall be provided a turnaround, at the closed end, with a radius of not less than 75 feet to center line. Residential streets without landscaped islands may be provided with a radius of not less than 35 feet to the center line. Hammerhead turnarounds may be built in lieu of circular turnarounds in residential neighborhoods, in accordance with the designs provided in Figure X. Final approval of hammerhead designs will be determined in accordance with the recommendations of the city manager or his/her designee.
Figure X: Hammerhead Turnaround Design Specifications



Section 5. That Title 8, Chapter 7 of the Code of Ordinances, City of Forest Park, Georgia is hereby amended by striking the existing text in Section 8-7-51 and inserting the following text in lieu thereof:

Street improvements shall be provided in each subdivision as prescribed below:

(1) All residential minor streets shall be improved in accordance with the specifications for street paving of the city.
(2) All other streets shall be improved in accordance with the recommendations of the city engineer as approved by the mayor and council.

(3) No residential minor street shall be constructed with a pavement width of less than twenty-two (22) feet or twenty-six (26) feet measured from back of curb to back of curb.
(4) All other residential streets shall have a pavement width of twenty-four (24) feet or twenty-eight (28) feet measured from back of curb to back of curb. All other roadway widths to be determined by the number of travel lanes and existing conditions. Final approval of roadway widths are to be determined in accordance with the recommendations of the city manager or his/her designee.

Section 6. That Title 8, Chapter 8 of the Code of Ordinances, City of Forest Park, Georgia is hereby amended by striking the existing text in Section 8-8-32 and inserting the following text in lieu thereof:

(a) Off-street automobile parking space shall be provided on every lot on which any of the following uses are hereafter established. The number of automobile parking spaces provided shall be at least as great as the number specified below for various uses. Each space shall be at least one hundred ninety (190) square feet in area and shall have vehicular access to a public street. Turning space shall be provided (except for single-family residences) so that no vehicle will be required to back into the street. The number of parking spaces required under this subsection may be reduced by no more than ten (10) percent for any lot within one thousand (1000) feet of a public bus stop or other mass transit location.

(1) *Automobile repair garages.* One (1) space for each regular employee plus one (1) space for each two hundred fifty (250) square feet of floor area used for repair work.
(2) *Gasoline filling stations.* Three (3) spaces for each grease rack or similar facility plus two (2) spaces for each gas pump attendant.
(3) *Hospitals and nursing homes or similar institutions.* One (1) space for each two (2) beds plus one (1) space for each staff or visiting doctor plus one (1) space for each three (3) employees.
(4) *Lodges and clubs.* One (1) space for each ten (10) members.
(5) *Offices.* One (1) space for each three hundred (350) square feet of floor space.
(6) *Places of amusement or assembly without fixed seats.* One (1) space for each two hundred (200) square feet of floor space devoted to patron use.
(7) *Places of public assembly.* One (1) space for each four (4) seats in the principal assembly room.
(8) *Residential.* At least one (1) space for each dwelling unit.
(9) *Restaurants.* One (1) space for each seventy-five (75) square feet of floor area devoted to patron use, plus one (1) space for each four (4) employees.
(10) *Retail business.* One (1) space for each two hundred fifty (250) square feet of sales space.
(11) *Rooming and boarding houses.* One (1) space for each two (2) bedrooms.
(12) *Tourist courts, hotels, and motels.* One (1) space for each accommodation.
(13) *Wholesale business.* One (1) space for each two (2) employees.

(b) The owners of property either previously developed or being developed which would be covered by subsection (a) of this section may petition the mayor and council for the right to expand the existing or proposed development or to develop potential out parcels onto property that would otherwise be required for parking under the requirements of subsection (a) hereof. Such petitions would be considered by the mayor and council applying the following criteria.

(1) Whether or not the parking spaces presently existing are underutilized or in the case of a new development, whether or not the parking spaces which would otherwise be required by subsection (a) are likely to be underutilized;

(2) Whether or not the parking requirements for the total development are sufficient; and
(3) In the case of an existing development, what renovations and/or rehabilitation will be done to the existing development, in order to enhance the viability of the property.

(c) A petition filed under subsection (b) hereof shall be in a form as may be developed by the department of planning, building and zoning of the city, shall be accompanied by a landscape plan for the entire development including parking facilities; a written acknowledgment from the applicant that over-flow parking onto city streets or rights of way or adjacent properties from the development will not be permitted; and with regard to additions to existing developments or to out-parcels adjacent to existing developments shall include a plan for the renovation or rehabilitation of the existing development.

(d) Shared parking arrangements may be made, in which case the number of parking space required under subsection (a) may be reduced by no more than ten (10) percent. Any off-street automobile parking area under a shared parking arrangement shall include one (1) two-sided bicycle rack. Shared parking arrangements may be used for out parcels. Any shared parking arrangement involving two (2) or more lots must be committed to writing in an instrument acceptable to the department of planning, building and zoning and approved by the owners of each of the affected lots or uses. A copy of the instrument shall be filed for record with the Clerk of the Superior Court of Clayton County.

(e) An applicant under this Chapter shall be allowed: (1) an additional 0.5 square feet of floor area above the maximum allowed floor area ratio for every one (1) square foot of structured parking provided that is a minimum of three (3) stories in height; or (2) an additional three hundred fifty (350) square feet of building space for each parking space in a parking structure which is a minimum of three (3) stories in height that will be available for public use. The applicant shall meet the other requirements of the development standards for the base zone in which the subject of the application is to be located.

Section 7. That Title 8, Chapter 9 of the Code of Ordinances, City of Forest Park, Georgia is hereby amended by striking the existing text in subsection (a) of Section 8-9-5 and inserting the following text in lieu thereof:

(a) Buffer and setback requirements. All land development activity subject to this chapter shall meet the following requirements:

(1) An undisturbed natural vegetative buffer shall be maintained for fifty (50) feet, measured horizontally, on both banks (as applicable) of the stream as measured from the top of the stream bank.
(2) An additional setback shall be maintained for twenty-five (25) feet, measured horizontally, beyond the undisturbed natural vegetative buffer, in which all impervious cover shall be prohibited. Grading, filling and earthmoving shall be minimized within the setback.
(3) No septic tanks or septic tank drain fields shall be permitted within the buffer or the setback.
(4) An undisturbed natural vegetative buffer shall be maintained for twenty-five (25) feet, measured horizontally, of a designated wetland in all directions. No stormwater from a proposed development may be discharged into this buffer without having undergone pretreatment prior to the discharge.

Section 8. That Title 9, Chapter 14 of the Code of Ordinances, City of Forest Park, Georgia is hereby amended by striking the existing text in subsection (2) of Section 9-14-6 and inserting the following text in lieu thereof:

(2) In addition, two site plans shall be attached to the application form and filed with the department. The plans will be drawn to an engineer's scale such that the following are easily identified:

a. The proposed location of the entrances and exits to the facility;
b. The widths of access streets;
c. The capacity and location of the reservoir space to be used for the receiving and temporary storage of incoming vehicles;
d. The internal traffic plan;
e. The proposed parking plan showing the size and location of the parking stalls and aisles to serve them;
f. The location, width, and general design of ramps or elevators to be used inside the structures;
g. If applying for a shared-use paid parking facility permit, the location of the stalls to be used during the primary establishment's business hours;
h. Any other information required to enable the city to make a fair and complete appraisal of the operation of the proposed parking facility; and
i. All landscaping features, which shall comprise a minimum of five (5) percent of the parking area.

Section 9. The preamble of this Ordinance shall be considered to be and is hereby incorporated by reference as if fully set out herein.

Section 10. This Ordinance shall be codified in a manner consistent with the laws of the State of Georgia and the City.

Section 11. (a) It is hereby declared to be the intention of the Mayor and Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were, upon their enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.

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

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

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

Section 12. All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

Section 13. The effective date of this Ordinance shall be the date of adoption unless otherwise stated herein.

ORDAINED this 19th day of JANUARY, 2016.

David Lockhart
Mayor

Tommy Smith. Council Ward 1
Mayor Pro-tem

Dabouze Antoine
Councilmember, Ward Two

Sandra Bagley
Councilmember, Ward Three

Latresa Akins
Councilmember, Ward Four

Allan Mears
Councilmember, Ward Five

ATTEST:

City Clerk

THE SEAL OF THE CITY OF

FOREST PARK, GEORGIA

Approved as to form:

City Attorney