

State of Georgia
Clayton County
City of Riverdale

Adopted by the Governing Body this 23RD day of September 2013.

ORDINANCE NO. 09-2013

AN ORDINANCE OF THE RIVERDALE MAYOR AND CITY COUNCIL TO AMEND APPENDIX A, ARTICLE VIII, SECTION 8.5.1 – 8.5.4, ENTITLED “COMMERCIAL USES”, IN ITS ENTIRITY, OF THE CODE OF THE CITY OF RIVERDALE, GEORGIA, AS AMENDED, TO ESTABLISH AND REPLACE SUCH LAND USES.

WHEREAS, State law permits the Mayor and City Council of the City of Riverdale to establish ordinances to regulate uses and the number of similar uses; and

WHEREAS, the Mayor and City Council wish to amend the ordinance to establish new land use classifications and zoning district for light, medium, and heavy commercial uses that provide products and services to neighborhoods; and

WHEREAS, the City of Riverdale Zoning Ordinance, Appendix A, Article VIII, Section 8.5.1 – 8.5.4 must be amended to reflect these changes.

BE IT RESOLVED AND IT IS HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF RIVERDALE AND BY THE AUTHORITY OF SAME THAT APPENDIX A, ARTICLE VIII, SECTION 8.5.1 – 8.5.4, ENTITLED “COMMERCIAL USES”, IN ITS ENTIRITY, OF THE CODE OF THE CITY OF RIVERDALE, GEORGIA, AS AMENDED, TO ESTABLISH AND REPLACE SUCH LAND USES.

Section 1: By repealing in its entirety Appendix A, Article VIII, Section 8.5.1 – 8.5.4 “Commercial Uses” by adding the full text of which is labeled as Exhibit A and attached hereto.

Section 2. All laws and ordinances, or parts thereof, which conflict with the provisions of this Ordinance are, to the extent of such conflict, hereby repealed.

Section 3: This Ordinance shall become effective upon its approval by the Mayor and Council.

Section 4: In the event any section, subsection, sentence, clause or phrase of this Ordinance or its attachment shall be declared or judged invalid or unconstitutional, such adjudication shall in no matter affect the other sections, subsections, sentences, clauses or phrases of this ordinance, which shall remain in full force and affect, as if the section, subsection, sentence, clause or phrase so declared or judged invalid or unconstitutional was not originally a part hereof.

EXHIBIT A

ARTICLE VIII SECTION 8.5

C-1 LIGHT GENERAL COMMERCIAL

8.5.1 **C-1 Light General Commercial District.**

8.5.1 -1 **Description of the District:** The "C-1" district is intended to provide a land use category for small-scale commercial uses that provide products and services to neighborhoods. The provisions that regulate this land use district should promote appropriate commercial uses that are clearly non-conflicting with residential areas of Riverdale. This district is generally appropriate in areas where small-scale commercial centers can adequately serve neighborhoods. Businesses that may have an adverse effect on existing or future adjacent neighborhoods are not appropriate for this district.

8.5.1-2 **USE REGULATIONS.** Within the C-1 District, land and structures shall be used in accordance with standards herein. Any use not specifically designated as a permitted use in this section or as a use allowed by Administrative Permit or Use Permit shall be prohibited.

8.5.1-3 **Permitted Uses.** Structures and land may be used for the following purposes:

1. Art Galleries
- Automotive Service
3. Bakery Shops where products are sold exclusively at retail on the premises.
4. Book, card, stationary and office supply stores
5. Catering, Carry-Out and Delivery
6. Clothing and Apparel Retail Establishment
7. Delicatessens
8. Dry Cleaners
9. Florist Shops
10. Jewelry Store
11. Pet Grooming (No Overnight Stay)
12. Photography Studios
13. Print Shops
14. Professional Office
15. Pubs & Taverns
16. Restaurants, other eating establishments
17. Retail Stores or Shops
18. Shoe Repair
19. Tailoring, dressmaking

8.5.1-4 **Accessory Uses.** Structures and land may be used for uses customarily incidental to any permitted use. No more than 25 percent of the total floor area of a building may be devoted to storage incidental to the primary use.

1. Accessory retail and service uses shall be located within a building with a majority of the floor area designed for office uses. Accessory uses shall be located wholly within the principal buildings with no outdoor advertising except that a car wash, detail shop or service station may be located inside a parking garage as long as such uses are not visible from the exterior of the parking garage.

Retail and service uses permitted shall be limited to employee convenience, business oriented retail, and service establishments. Fast food restaurants shall

be limited to no more than 10 percent of the total floor area devoted to retail and service business uses, and shall not occupy more than 10 percent of any floor in a building. A drug store is accessory, provided only drugs, prescription medicines, medicinal supplies and pharmaceutical products shall be sold.

3. Other Use – Accessory structures shall not be located in the front yard or side yard.

8.5.1-5

Development Standards.

1. **Minimum Lot Frontage**

- 125 ft.
- 35 ft. adjoining a street.

2. **Minimum Lot Width**

- 125 ft.

3. **Minimum Heated Floor Area**

- Up to 10,000 sq. ft

4. **Minimum Front Yard**

- 40 ft

5. **Minimum Side Yard**

- 25 ft. for units adjacent to interior lot lines,
- 40 ft for all buildings adjacent to street,
- 10 ft. for all other buildings
- 50 ft adjacent to Residential Zonings or Residential Land Uses

6. **Minimum Rear Yard**

- 25 ft. for units adjacent to interior lot lines,
- 20 ft for all buildings
- 150 ft adjacent to Residential Zonings or Residential Land Uses

7. **Height**

- 40 ft.

8. **Maximum Lot Coverage**

- The area of the footprint of all buildings and parking shall not exceed 70 percent of the total land area.

9. **Minimum Parking Requirements-** Sec. 10.4

10. **Landscaping and Buffers-** Sec 11.2 and 11.7

8.5.1-6

OTHER REGULATIONS: The headings below contain provisions applicable to the C-1 District:

Development Regulations:

Exceptions:

Flood Plain Management:

Off Street Parking:

Outside Storage:

Landscape Area and Buffer Regulations:

Signs:

ARTICLE VIII
SECTION 8.5

C-2 MEDIUM GENERAL COMMERCIAL

8.5.2 C-2 Medium General Commercial District.

8.5. 2-1 **Description of the District:** The "C-2" district is intended to provide a land use category for medium-scale commercial uses that provide products and services to neighborhoods. The provisions that regulate this land use district should promote appropriate commercial uses that are clearly non-conflicting with residential areas of Riverdale. This district is generally appropriate in areas where small-scale commercial centers can adequately serve neighborhoods. Businesses that may have an adverse effect on existing or future adjacent neighborhoods are not appropriate for this district.

8.5.2 -2 **USE REGULATIONS.** Within the C-2 District, land and structures shall be used in accordance with standards herein. Any use not specifically designated as a permitted use in this section or as a use allowed by Administrative Permit or Use Permit shall be prohibited.

8.5.2-3 Permitted Uses.

Structures and land may be used for the following purposes:

1. Any Use Permitted in the C-1 Zoning District
Animal Hospitals
3. Automotive Parking Lot
4. Automotive Specialty Shop
5. Batting Cage
6. Churches
7. Clinics
8. Drug Stores
9. Financial Establishments
10. General Merchandise, Hardware, Department, Specialty, Variety and Dry Goods Stores
11. Gymnasiums
12. Health Club/Spa
13. Landscaping Business, Garden Center
14. Lawn Service Equipment/Repair
15. Microbrewery
16. Plant Nursery
17. School of Business, Dance, Music or similar schools
18. Tinsmithing Shop associated with retail sales

8.5.2-4 **Accessory Uses.** Structures and land may be used for uses customarily incidental to any permitted use. No more than 25 percent of the total floor area of a building may be devoted to storage.

1. Accessory retail and service uses shall be located within a building with a majority of the floor area designed for office uses. Accessory uses shall be located wholly within the principal buildings with no outdoor advertising except that a car wash, detail shop or service station may be located inside a parking garage as long as such uses are not visible from the exterior of the parking garage.

Retail and service uses permitted shall be limited to employee convenience, business oriented retail, and service establishments. Fast food restaurants shall be limited to no more than 10 percent of the total floor area devoted to retail and

service business uses, and shall not occupy more than 10 percent of any floor in a building. A drug store is accessory, provided only drugs, prescription medicines, medicinal supplies and pharmaceutical products shall be sold.

3. Other Use – Accessory structures shall not be located in the front or side yard.

8.5.2-5

Development Standards.

A. **Minimum Lot Frontage**

- 125 ft. adjoining a street.

B. **Minimum Lot Width**

- 125 ft.

C. **Minimum Heated Floor Area**

- Up to 20,000 sq. ft

D. **Minimum Front Yard**

- 40 ft

E. **Minimum Side Yard**

- 25 ft. for units adjacent to interior lot lines,
- 40 ft for all buildings adjacent to street,
- 10 ft. for all other buildings
- 50 ft adjacent to Residential Zonings or Residential Land Uses

F. **Minimum Rear Yard**

- 25 ft. for units adjacent to interior lot lines,
- 20 ft for all buildings
- 150 ft adjacent to Residential Zonings or Residential Land Uses

G. **Height**

- 60 ft.

H. **Maximum Lot Coverage**

- The area of the footprint of all buildings and parking shall not exceed 70 percent of the total land area.

I. **Minimum Parking Requirements-** Sec. 10.4

J. **Landscaping and Buffers-** Sec 11.2 and 11.7

8.5.2-6

District:

OTHER REGULATIONS: The headings below contain provisions applicable to the C-!

Development Regulations:

Exceptions:

Flood Plain Management:

Off Street Parking:

Outside Storage:

Landscape Area and Buffer Regulations:

Signs:

ARTICLE VIII

SECTION 8.5

C-3 HEAVY GENERAL COMMERCIAL

8.5.3 **C-3 Heavy General Commercial District**

8.5.3-1 **Description of the District:** The "C-3" district is intended primarily for larger arterial strip commercial development and shopping centers that offer a wide range of commercial uses that serve a broad market area. These commercial uses typically have larger space and land requirements and are located along major roadways. Maximum lot coverage by structures and parking is 80%. Maximum Floor Area Ratio is 2.0. Maximum height is 60 feet if setbacks are provided as per formula. The provisions that regulate this land use district should promote appropriate commercial uses that are clearly non-conflicting with residential areas of Riverdale. This district is generally appropriate in areas where large-scale commercial centers can adequately serve business neighborhoods

8.5.3 -2 **USE REGULATIONS.** Within the C-3 District, land and structures shall be used in accordance with standards herein. Any use not specifically designated as a permitted use in this section or as a use allowed by Administrative Permit or Use Permit shall be prohibited.

8.5.3-3 **Permitted Uses.**

Structures and land may be used for the following purposes:

1. Any Use Permitted in C-1 and C-2 Zoning Districts
2. Auto Leasing Establishment and Sales
3. Automotive Repair Garage
4. Automotive Body Shops
5. Building Materials, Garden Center
6. Children Entertainment Center
7. Eating Establishments
8. Grocery Stores
9. Gymnasiums
10. Hotels
11. Office and limited warehousing
12. Outdoor Amusement
13. Outside Storage/Truck Rental
14. Planned Shopping Center
15. Retail Establishments
16. Schools
17. Skating Rink
18. Theatres

8.5.3-4 **Accessory Uses.** Structures and land may be used for uses customarily incidental to any permitted use. No more than 25 percent of the total floor area of a building may be devoted to storage. Accessory Structure located on property in excess of one acre or more will not be restricted to size, provided the structure meets all City codes and other requirements and is clearly subordinate to the principal structure.

8.5.3-5 **Development Standards.**

- A. **Minimum Lot Frontage**
 - No Minimum
 - 35 ft. adjoining a street.
- B. **Minimum Lot Width**
 - 125 ft.
- C. **Minimum Heated Floor Area**
 - 20,000 sq. ft and above
- D. **Minimum Front Yard**
 - 150 ft
- E. **Minimum Side Yard**
 - 40 ft for all buildings adjacent to street,
 - 10 ft. for all other buildings
 - 50 ft adjacent to Residential Zonings or Residential Land Uses
- F. **Minimum Rear Yard**
 - 20 ft. for units adjacent to interior lot lines,
 - 20 ft for all buildings
 - 150 ft adjacent to Residential Zoning Districts or Residential Land Uses
- G. **Height**
 - 60 ft.
- H. **Maximum Lot Coverage**
 - The area of the footprint of all buildings and parking shall not exceed 80 percent of the total land area.
- I. **Minimum Parking Requirements-** Sec. 10.4
- J. **Landscaping and Buffers-** Sec 11.2 and 11.7

8.5.3-6

OTHER REGULATIONS: The headings below contain provisions applicable to the C-1 Zoning District:

Development Regulations:

Exceptions:

Flood Plain Management:

Off Street Parking:

Outside Storage:

Landscape Area and Buffer Regulations:

Signs: