

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE CODE OF ORDINANCES, CITY OF FOREST PARK, GEORGIA TO PROVIDE FOR CERTAIN TECHNICAL TEXT AMENDMENTS; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

WITNESSETH:

Be it ordained by the Governing Body of the City of Forest Park, Georgia as follows:

SECTION 1. That Section 8-8-4 Definitions of the Code of Ordinances, City of Forest Park, Georgia, is hereby amended by adding additional definitions to said section of definitions by the following in lieu thereof:

“Sec. 8-8-4. Definitions.

- A. The definitions contained in this article shall be observed and applied in the interpretation of all other actions in this chapter;*
- 1) Words used in the present tense shall include the future;*
- 2) Words used in the singular number shall include the plural;*
- 3) Words used in the masculine gender shall include the feminine;*
- 4) The word "shall" is mandatory, not discretionary;*
- 5) The word "may" is permissive;*
- 6) The word "lot" shall include the words "tract" and "parcel;"*
- 7) The word "building" includes all other structures of every kind regardless of similarity to buildings;*
- 8) The phrase "used for" shall include the phrase "arranged for," "designed for," "intended for," "maintained for," and "occupied for;"*
- 9) The word "person" includes a corporation, firm, partnership or similar, as well as an individual;*
- 10) All measured distances shall be to the nearest whole foot;*
- 11) Parenthetical words or statements are integral parts of the definitions in which they are located;*
- 12) Any words not defined in section 8-8-4 shall be construed in their generally accepted meanings as defined by standard dictionaries.*
 - (b) The words generally used in this chapter are defined in section 8-8-4, definitions and shall be viewed in that context.*
 - (c) For the purpose of these regulations, certain words or terms used shall be defined as follows:*

Blood Banks – *A Blood Bank or Blood banking is the process that takes place in the lab to make sure that donated blood, or blood products, are safe before they are used in blood transfusions and other medical procedures. Blood banking includes typing the blood for transfusion and testing for infectious diseases.*

Blood Plasma Center – A Blood Plasma Center is an establishment where patrons receive compensation for donating blood plasma.

Blood Donation Center – A Blood Donation Center is a facility, fixed or mobile, that is operated by a blood bank and used for the collection of blood, plasma or cytopheresis products, or separation of whole blood into components.

Urgent Care Centers – Urgent Care Centers are walk-in clinics that provide treatment for minor ailments and injuries outside of a traditional hospital-based or freestanding emergency department.

Kidney Dialysis Centers – Kidney Dialysis Centers are an independent or hospital-based units/facilities, approved and licensed to furnish outpatient dialysis services (maintenance dialysis services, home dialysis training and support services or both) directly to end stage renal disease (ESRD) patient(s).

Primary Care Physician/Dentist Offices - A primary care physician or a Primary Care Dentist Office is a specialist in family medicine, general internal medicine, Dental or general pediatrics who provides definitive care to the undifferentiated patient at the point of first contact and takes continuing responsibility for providing the patient's comprehensive care.

Medical/Dental/Physical Therapy specialists (specialized treatment of the human anatomy)

- a. **Medical Specialist** - Medical practitioner who has been registered as a specialist in a specialty or subspecialty in medicine in terms of the Regulations relating to the Specialties and Subspecialties in Medicine and Dentistry.
- b. **Dental Specialist** – Dental Specialist is any dental practitioner who is registered by the Dental Council under the Health Practitioners Competence Assurance Act 2003 as a dental specialist in one of the approved branches of dentistry and who is employed in that branch of dentistry or in a similar capacity with minimal oversight.
- c. **Physical Therapy Specialist** – Physical Therapy means services provided by a qualified physical therapist directed toward improving quality of life and well-being following an injury, with a specific focus on mobility and function.

Public health center (immunizations, vital records, etc.)

- d. **A Public Health Center** is a publicly owned facility for the provision of public health services, including related facilities such as laboratories, clinics, and administrative offices operated in connection with public health centers.

SECTION 2. That Section 8-8-38 of the Code of Ordinances, City of Forest Park, Georgia is hereby amended by updating permitted uses for Institutional Commercial (IC) district for types of medical offices, clinics, and physical therapy facilities said section and replacing it the following in lieu thereof.

“Sec. 8-8-38. Institutional Commercial District (IC).

Intent.

The intent of the IC district is to allow a land use category for offices, banks, and personal business services which can serve as a transitional area between residential and commercial districts.

The provisions that regulate this land use district promote appropriate office and institutional uses that are clearly non-conflicting with residential areas.

Permitted Uses

Residential

- *Assisted Living/Nursing Care Facility*
- *Boarding house/group home/personal care home having four (4) or more residents*
- *Homeless shelter and services*

Retail/Business Uses

- *Bakeries*
- *Banks and loan associations*
- *Barber shop and beauty salon*
- *Bookstores*
- *Child and adult day care centers*
- *Clothing and apparel store*
- *Convenience stores*
- *Coin laundry, dry cleaning, and pick up stations*
- *Day spa and aesthetician*
- *Dental offices and clinics*
- *Florist and gift shops*
- *Fruit, vegetable, meat seafood markets*
- *Grocery store*
- *Group day care home*
- *Hardware store*
- *Hospitals*
- *Jewelry store*
- *Medical offices, clinics, and physical therapy facility*
 1. *Urgent Care centers (medical and dental)*
 2. *Kidney dialysis centers*
 3. *Primary care physician/dentist offices*
 4. *Medical/dental/physical therapy specialists (specialized treatment of the human anatomy)*
 5. *Public health center (immunizations, vital records, etc.)*
- *Museums and art galleries*
- *Nonprofit fraternal organizations and clubs*
- *Pharmacy*

- *Private school K-12*
- *Professional offices*
- *Pub and tavern*
- *Repair shops (watches, radio, television, shoe, etc.)*
- *Restaurants having no drive through*

Public/Institutional

- *Municipal, county, state, or federal buildings*
- *Public school K-12*

Conditional Uses

Retail/Business Uses

- *Colleges, universities, and vocational technical schools*
- *Places of assembly*
- *Places of worship*
- *Funeral home/mortuary establishments*
- *Veterinary clinics*

SECTION 3. *That Section 8-8-44 of the Code of Ordinances, City of Forest Park, Georgia, Georgia is hereby amended the Permitted Uses, Retail and Businesses adding the following subsections:*

District Intent, Permitted Uses, and Conditional Uses

Intent

The intent of the LI district is to allow a land use category for assembly, warehousing, wholesale activities, and other industrial operations.

The provisions that regulate this land use district should make the district compatible with Hartsfield-Jackson Atlanta International Airport, the state farmers market, the city's commercial districts, and environmentally sensitive areas.

This district should be used in combination with the GC district in areas with convenient access to the interstates and other major transportation routes.

Permitted Uses

District Intent, Permitted Uses, and Conditional Uses

Industrial and Warehousing

- *Agricultural implementation and equipment establishments*
- *Auto engine, body repair, and undercoating shops when completely enclosed*
- *Automobile rental and leasing facilities*
- *Automobile, truck, or trailer repair facilities*
- *Breweries and distilleries*
- *Building materials and lumber supply establishments*
- *Commercial parking garages and lots*
- *Computer and data processing services*
- *Gasoline service stations and truck stops*
- *Greenhouses and nurseries, including landscaping services*
- *Manufacturing, compounding, processing, or assembling food or consumer goods*
- *Mini-warehouses and storage*
- *Newspaper and printing plants*
- *Nonprofit fraternal organizations and clubs*
- *Offices and administrative facilities*
- *Public utilities such as electric substations, storage of materials and trucks, repair facilities, offices and electric generating plants*
- *Recreational vehicle/boat sales and service*
- *Repair, reconditioning, and manufacturing*
 - *Research, experimental, testing laboratories, Blood Plasma Centers, Blood Banks, Similar blood products and/or Donation centers*
- *Truck, trailer, tractor sales and service*
- *Towing, wrecking, and impound service*
- *Tractor and trailer parking and storage*
- *Trade shops, including electrical, plumbing, heating/cooling, and roofing*
- *Trade/industrial/vocational schools*
- *Wholesale business, warehouse, distribution, trucking terminal, and similar non processing storage and distribution uses*

Public/Institutional

- *Municipal, county, state or federal buildings*

Communications/Utilities

- *Utility substation*
- *Water tower*

Conditional Uses

Retail and Business Uses

- *Bowling alley, billiard hall, indoor archery and firearm range, indoor tennis courts, indoor skating rink, or similar forms of indoor commercial recreation*
- *Automobile sales*
- *Places of assembly*
- *Places of worship.*

Communications/Utilities

SECTION 4. That Section 8-8-48 of the Code of Ordinances, City of Forest Park, Georgia, Georgia is hereby amended by amending Conditional Uses, Retail and Business uses for Planned Industrial District (PI) by adding the following subsections:

Permitted Uses

Industrial and Warehousing

- *Agricultural implementation and equipment establishments*
- *Building materials and lumber supply establishments*
- *Cafeteria/food courts and recreational services when completely enclosed solely for employees of businesses*
- *Computer and data processing services*
- *Greenhouses and nurseries, including landscaping services*
- *Manufacturing, compounding, processing, or assembling food or consumer goods*
- *Newspaper and printing plants*
- *Offices and administrative facilities*

- *Pre-K and day care centers solely for employees of businesses*
- *Research, experimental, testing laboratories*
- *Travel/motor coach/RV camper park*
- *Wholesale business, warehouse, distribution, trucking terminal, and similar non processing storage and distribution uses*

Public/Institutional

- *Municipal, county, state or federal buildings*
- *Trade/industrial/vocational schools*

Communications/Utilities

- *Utility substation*
- *Water tower*

Conditional Uses

Retail and Business Uses

- *Places of assembly*
- *Places of worship.*
- *Blood Plasma Centers, Blood Banks, Similar blood products and/or Donation centers*

Industrial and Warehousing

- *Tractor and trailer storage*

Communications/Utilities

- *Wireless telecommunications*

Accessory Uses

- *Gate and security buildings*
- *Outdoor storage*

Industrial and Warehousing

SECTION 5. That Section 8-8-84.1 of the Code of Ordinances, City of Forest Park, Georgia, Georgia is hereby amended by adding Blood Banks, Blood Plasma, and Similar Blood Donation Standards, by adding the following subsections:

1. *A blood plasma collection facility must not be located within one mile radius of another blood plasma collection facility.*
2. *Shall be located at least three hundred (300) Linear feet away from any single-family residential use; elementary, middle, or high school facility; church or other house of worship facility.*
3. *Hours of operation for Blood Plasma Facilities shall be between 8:00 a.m. and 8:00 p.m. only.*
4. *Facilities must include a waiting and departure area of at least five hundred (500) square feet in area to accommodate all customers.*
5. *No persons shall be permitted to stand in line outside or otherwise loiter around Blood Plasma Facilities.*
6. *Shall only be located on major roads or highways throughout the City of Forest Park.*
7. *The minimum floor area for the facility is ten thousand (10,000) square feet.*
8. *Separate restroom facilities for customers and staff must be provided.*
9. *Facilities must develop and follow a management plan for handling litter, security, and loitering. A copy of said plan must be provided to the city.*
10. *Cash transactions between the facility and customers are prohibited.*

SECTION 6. Intention of the Governing Body. It is the intention of the governing body, and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the Code of Ordinances, City of Forest Park, Georgia, and the sections of the ordinance may be renumbered to accomplish such intention.

SECTION 7. Approval of Execution. The Mayor is hereby authorized to sign all documents necessary to effectuate this Ordinance.

SECTION 8. Attestation. The City Clerk is authorized to execute, attest to, and seal any documents which may be necessary to effectuate this ordinance, subject to approval as to form by the City Attorney.

SECTION 9. Codification and Severability.

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

(b) It is hereby declared to be the intention of the City 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 City 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 this ordinance.

(c) In the event that any section, paragraph, sentence, clause or phrase 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 City 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 sections, paragraphs, sentences, clauses, or phrases of the ordinance and that to the greatest extent allowed by law all remaining Sections, paragraphs, sentences, clauses, or phrases of the ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

SECTION 10. Repeal of Conflicting Provisions. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 11. Effective Date. This ordinance shall become effective immediately upon its adoption by the Mayor and City Council of the City of Forest Park as provided in the City Charter.

[SIGNATURES APPEAR ON FOLLOWING PAGE]

SO ORDAINED this _____ day of _____, 2023.

Mayor Angelyne Butler

ATTEST:

_____ (SEAL)
City Clerk

APPROVED AS TO FORM:

City Attorney