

**STATE OF GEORGIA  
CITY OF MCDONOUGH**

**ORDINANCE NO. 13-02-07 (A)**

**AN ORDINANCE AMENDING TITLE 17 OF THE CODE OF ORDINANCES, CITY OF MCDONOUGH, GEORGIA; TO PROVIDE FOR CODIFICATION; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.**

NOW THEREFORE BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF MCDONOUGH AND IT IS HEREBY ORDAINED BY AUTHORITY HEREOF:

**SECTION I.**

Title 17 of the Code of Ordinances of the City of McDonough, Georgia is hereby amended by deleting the existing Chapter 17.60 in its entirety, and inserting the following new Chapter 17.60 "C-1 Neighborhood Commercial District," in its place, to read as follows:

**CHAPTER 17.60-C-1 NEIGHBORHOOD COMMERCIAL DISTRICT**

**Sec. 17.60.010-Purpose and permitted uses.**

- A. The C-1 Neighborhood Commercial District is intended to provide suitable areas for the retailing of goods and services to surrounding residential neighborhoods. The regulations of the district are designed to reduce traffic and parking congestion to a minimum in order to protect surrounding residential areas.
- B. Within any C-1 Neighborhood Commercial District, the following uses shall be permitted as a matter of right:
  1. Ambulance service, provided there is no outside storage of vehicles, supplies, or equipment.
  2. Animal hospitals or veterinary clinics, provided that all structures and activities shall be at least one hundred (100) feet from any property zoned or used for residential purposes.
  3. Auction gallery.

4. Bakeries, where the products are sold exclusively at retail on the premises.
5. Banks and other financial institutions.
6. Billiard or pool halls.
7. Bus terminals and taxicab stands.
8. Business and profession offices; including medical, dental, legal, financial, architectural, engineering, real estate, insurance and manufacturing representatives, provided no goods are offered for sale at retail.
9. Day care center when property abuts an established or emerging Village Activity Center Node.
10. Dry cleaning and pressing facilities operated in conjunction with a retail service counter, provided that not more than two thousand (2,000) square feet are devoted to these processes.
11. Fitness centers.
12. Florist shop.
13. Government offices.
14. Personal service establishments such as barber and beauty shops, shoe repair shops, and laundromats.
15. Public works and public utility facilities such as distribution lines, transformer stations, transmission lines and towers, water tanks and towers, pumping stations, telephone exchanges, but not service or storage yards.
16. Restaurant, cafe, and delicatessen excluding drive-through service.
17. Retail stores or shops, including the making of products sold at retail on the premises, provided that such manufacturing is incidental to the retail business or service, occupies less than thirty (30) percent of the total floor area, and employs not more than five (5) operators. Specifically excluded are automobile,

boat and farm implement sales and food stores involving the dressing and killing of animals or fowl.

21. Tailor, dressmaking, and millinery shops.

22. Telephone and telegraph offices.

**Sec. 17.60.020—Special uses.**

Within any C-1 Neighborhood Commercial District, the following uses may be allowed upon obtaining a Special Use Permit from the Mayor and Council:

- A. Rooming/boarding house.
- B. Bed and breakfasts.
- C. Inns with no more than 24 rooms.

**SECTION 2.**

Title 17 of the Code of Ordinances of the City of McDonough, Georgia is hereby amended by deleting the existing Chapter 17.64 in its entirety, and inserting the following new Chapter 17.64 "C-2 Central Commercial District," in its place, to read as follows:

**CHAPTER 17.64—C-2 CENTRAL COMMERCIAL DISTRICT**

**Sec. 17.64.010—Purpose and permitted uses.**

- A. The C-2 Central Commercial District is intended to protect and promote suitable areas for business and commercial uses which benefit from proximity to each other, to encourage the eventual elimination of uses inappropriate to a central business area, and to encourage the intensive development of a central business center for the City.
- B. Within any C-2 Central Commercial District, the following uses shall be permitted as a matter of right:
  - 1. Any use allowed as a matter of right in a C-1 Neighborhood Commercial District.
  - 2. Automobile repair garages limited to minor routine maintenance with no overnight storage of any vehicles.

3. Automobile sales, new and used.
4. Churches.
5. Commercial indoor and outdoor recreation and amusement facilities.
6. Funeral homes and mortuaries.
7. Hotels, provided that all guest rooms are accessible from secured interior hallways that are heated and air-conditioned.
8. Libraries, museums, art galleries, and similar facilities.
9. Newspaper offices and printing plants incidental to such offices.
10. Nursing and rest homes.
11. Radio and TV stations, studios and offices.
12. Retail businesses selling convenience goods and services to the traveling public and residents of adjacent neighborhoods, provided that any manufacturing of products sold on the premises is incidental to the retail business and occupies less than thirty (30) percent of the total floor area.
13. Schools.
14. Service stations. / No Pumps
15. Sign companies, with no outside construction or heavy manufacturing.
16. Theaters, indoor.

**Sec. 17.64.020—Special uses.**

Within any C-2 Central Commercial District, the following uses may be allowed upon obtaining a Special Use Permit from the Mayor and Council:

- A. Any use allowed with a special use permit within a C-1 Neighborhood Commercial District.
- B. Assembly halls.

C. Convention centers.

D. Halfway house.

**SECTION 3.**

Title 17 of the Code of Ordinances of the City of McDonough, Georgia is hereby amended by deleting the existing Chapter 17.68 in its entirety, and inserting the following new Chapter 17.68 "C-3 Highway Commercial District," in its place, to read as follows:

**CHAPTER 17.68—C-3 HIGHWAY COMMERCIAL DISTRICT**

**Sec. 17.68.010—Purpose and permitted uses.**

- A. The C-3 Highway Commercial District is intended to promote suitable areas for those business and commercial uses which primarily serve the traveling public and benefit from direct access to major streets.
- B. Within any C-3 Highway Commercial District, the following uses shall be permitted as a matter of right:
  1. Any use allowed as a matter of right in a C-2 Central Commercial District or C-1 Neighborhood Commercial District.
  2. Boat sales, new and used.
  3. Fuel station (pumps only) with convenience or specialty retail.
  4. Pawn shops.
  5. Radio and TV transmission towers.
  6. Restaurants, bars, grills and similar eating institutions including drive-ins provided that a pass lane of at least twelve (12) feet has been provided for the drive through.
  7. Theaters, drive-in.

**Sec. 17.68.020—Special uses.**

Within any C-3 Highway Commercial District, the following uses may be allowed upon obtaining a special use permit from the Mayor and Council:

- A. Any use allowed with a special use permit within a C-1 Neighborhood Commercial District or C-2 Central Commercial District.

SECTION 4.

Title 17 of the Code of Ordinances of the City of McDonough, Georgia is hereby amended by deleting the existing Chapter 17.70 in its entirety.

**CHAPTER 17.70-C-4 HOTEL DISTRICT**

~~Sec. 17.70.010 Special uses.~~

~~Within any C-4 Hotel Commercial District, the following uses may be allowed upon obtaining a special use permit from the Mayor and City Council:~~

- ~~A. Rooming/boarding house.~~
- ~~B. Halfway house.~~

SECTION 5.

The sections, subsections, paragraphs, sentences, clauses and phrases of this ordinance are severable, and if any section, subsection, paragraph, sentence, clause or phrase shall be declared illegal by the valid judgment or decree of any court of competent jurisdiction, such illegality shall not affect any of the remaining section, subsections, paragraphs, sentences, clauses and phrases of this ordinance.

SECTION 6.

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

SECTION 7.

This ordinance shall become effective immediately upon adoption.

So ordained this 7<sup>th</sup> day of February, 2013.

**CITY OF MCDONOUGH, GEORGIA**

  
BILLY COPELAND, MAYOR

ATTEST:

APPROVED AS TO FORM:

  
JANIS PRICE, CITY CLERK

  
LEIGH HANCHER, CITY ATTORNEY