

Adopted by the Governing Body on this 24th Day of May 2010

ORDINANCE NO. 07-2010
AN ORDINANCE TO AMEND APPENDIX A OF THE CODE OF ORDINANCES
OF THE CITY OF RIVERDALE, GEORGIA, AS AMENDED, TO REPEAL
CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

BE IT RESOLVED AND IT IS HEREBY ORDAINED BY THE CITY COUNCIL
OF THE CITY OF RIVERDALE AND BY THE AUTHORITY OF SAME,
APPENDIX A OF THE CODE OF ORDINANCES OF THE CITY OF
RIVERDALE, GEORGIA, AS AMENDED, BE FURTHER AMENDED AS
FOLLOWS:

Section 1. Article VIII, Section 8.5.5-3 shall be amended by deleting subsection “D” in its entirety so that “automobile service stations” are no longer a permitted use in the M-1 light industrial district or any other zoning district in the City of Riverdale.

Section 2. Article XIV, Section 14.1, “Application Requirements” shall be amended by adding the following as subsection 8:

“Application for rezoning or conditional use may be made by (1) the owner; (2) a lessee holding under the owner, with a minimum of five years remaining on his lease at the time said application is made; or (3) the owner’s agent, or his attorney in fact or at law, provided that if any person other than the owner makes said application, he shall sign an affidavit setting forth his current position with relationship to the owner, provide the city with the current accurate address of the owner and furnish any other documents that may be required so as to ensure the owner receives notice of the application. An additional fee shall be paid by the petitioner(s) sufficient for the City to furnish notice to the owner, by registered mail, of the application having been made and no hearing shall be had on the

application within 15 days from the mailing of notice to the owner of the property. A conditional use permit is non-transferable and specific to the individual or entity in whose name it is issued.”

Section 3. Article VI, “Non-Conforming Uses,” Section 6.2, “Illegal Nonconforming and Legal Nonconforming,” shall be amended by deleting that section in its entirety and replacing it with the following:

“Sec. 6.2. Illegal nonconforming and legal nonconforming.

A structure or lot which was constructed or is being used without an approved building permit, certificate of occupancy, or approval from the city is considered illegal nonconforming. An illegal nonconforming property shall be subject to actions and penalties allowed by this code and all other applicable laws and shall be altered to conform to all applicable standards and regulations of this ordinance.

Legal nonconforming differs from illegal nonconforming in that the reason for the nonconformance is caused by the enactment of a zoning code or a change to the zoning code (including the official zoning map). The structure, lot or use has not changed, but due to the zoning code enactment or change, the property no longer conforms to the policies and standards of the zoning district in which it is located. When this situation occurs, the property is deemed legal nonconforming or "grandfathered." See section 6.1.

Use of a portion of a lot shall not establish a nonconformity as to the entire lot, but only to that portion of the lot actually used at the time of the enactment or amendment of this ordinance.”

Section 4. Article II, Section 2.3 “Definitions” is hereby amended by adding the following definitions:

“Banquet Facility. An establishment available for rent for special events.

Food and drink are not prepared on the premises but may be served and consumed on the premises. Banquet facilities are a conditional use in zoning classifications C-2 and C-3 and are disallowed in any other zoning district.

Children’s Entertainment Center. A commercial establishment dedicated to recreation and other activities for children ages 12 years or younger. These establishments may sell food and refreshments but at least 50% of the revenue for these establishments must arrive from fees charged for recreational activities. A Children’s Entertainment Center comprising 10,000 square feet or under is a permitted use in zoning classifications C-2, C-3, RMX and MPMUD.

Coffee Shop. An establishment whose primary purpose is to derive revenue from the sale of coffee, beverages, and related merchandise.

College or university: An educational use that provides training beyond and in addition to that training received in the 12th grade (i.e., undergraduate and graduate), and which has students regularly attending classes, and which confers associate, bachelor, master, or doctoral degrees. College or university is a permitted use in all commercial and mixed use zoning classifications.

Dealer in precious metals or gems. Means a person or entity, whether known as a redemption center, gold and silver dealer, pawnshop, or any other name, either owner or manager, whose business involves receiving by buying or trading of,

for, or in precious metals such as gold or silver or platinum, including coins and the receiving by buying or trading of jewelry, gems or precious or semiprecious stones; however, it shall not include purchases from licensed wholesalers in the normal course of business, nor shall it include pawnbrokers who only take precious metals or gems on pawn or pledge. Dealers in precious metals or gems are not a permitted use in any zoning district in the City of Riverdale.

Grocery store. Means a retail establishment that sells food, beverages, and other household implements and supplies, but does not satisfy the definition of convenience store as defined by this ordinance.

Jewelry store. Means a retail establishment that offers jewelry for sale to the general public. Jewelry store specifically does not include a dealer in precious metals or gems or a pawn shop as defined herein.

Nightclub. Means an establishment having a capacity of at least 100 persons with all booths and tables unobstructed and open to view, dispensing alcoholic beverages and in which music, dancing or entertainment is conducted. All such establishments shall be equipped with air conditioning. The principal business of a nightclub shall be entertaining, and the serving of alcoholic beverages shall be incidental thereto.

Restaurant and other eating establishments. An establishment where food and drink are prepared, served, and consumed primarily within the principal building.

Wine store. Retail establishment specializing in the sale of wine and non-consumable products associated with wine. Such store shall not sell distilled

spirits or malt beverages and shall not occupy a space larger than 5,000 square feet.”

Section 5. Article II, Section 2.3 “Definitions” is hereby amended by deleting the definition of “Convenience store” in its entirety and replacing it with the following:

“Convenience store. Means a retail store with a floor area of 5000 square feet or less that sells food, beverages, and other items. It is often a franchised business that is open for extended hours. Convenience stores as defined herein are not a permitted use in any zoning district in the City of Riverdale.”

Section 6. Article III, Section 3.4 “Establishment of Districts” is hereby amended by deleting the definition of TCMU in its entirety and replacing it with the following:

“TCMU. This district is intended to encourage the development of retail, residential and civic uses together to create a walkable mix of uses that will attract future residents as well as visitors in a town center atmosphere.”

Section 7. Article VIII, Section 8.2.1 “Uses” is hereby amended by deleting that section in its entirety and replacing it with the following:

“8.2.1 Uses.

Upon recommendation and favorable decision by the City Council, subject to additional stipulations as may be required by the mayor and council, the following uses may be permitted as conditional uses in the appropriate district(s) as reflected in section 8.2.2.

- (a) Auto leasing establishments. Auto leasing establishments are those establishments whose primary business is the leasing of motor vehicles by*

the day or week(s) as opposed to long-term leasing for more than one calendar year. The purpose of this section is to ensure that automobile leasing establishments and/or the display of vehicles on the premises of automobile leasing establishments do not create an adverse impact on adjacent properties and surrounding neighborhoods due to insufficient on-site customer and employee parking, traffic congestion, visual blight, bright lights, noise, fumes or drainage run-off and to ensure compatibility with adjacent uses and surrounding neighborhoods and businesses. In addition to an application for a conditional use permit, the applicant shall submit sufficient evidence to demonstrate compliance, and at all times thereafter remain compliant with each of the following standards:

- i. Auto leasing establishments shall be situated on at least three acres;*
- ii. Auto leasing establishments shall be located in a stand-alone building, permanently constructed, with at least 1,500 square feet of heated space in size;*
- iii. Auto leasing establishments shall be located in a building completely constructed of stucco or brick;*
- iv. Any freestanding sign identifying the business premises shall be a monument sign constructed of the same materials as the building;*
and

v. *A drive-through carwash is permitted on-site but shall adhere to each of the following requirements:*

1. *A drive-through car wash shall be completely enclosed by an opaque, decorative fence. No chain link or slat fences are permitted;*

2. *A drive-through car wash shall not be visible from an arterial or collector street; and*

3. *A drive-through car wash shall be considered an accessory structure on the property. No further accessory structures shall be permitted.*

(b) *Automobile sales. Automobile sales shall include establishments that sell passenger cars, trucks and vans with less than 8,500 lbs. gross vehicle weight rating to the general public and shall include the long-term leasing of automobiles for more than one calendar year. The purpose of this section is to protect residential areas and adjacent properties from fumes, noise, bright lights, blight and drainage run-off and to ensure compatibility with adjacent uses and surrounding neighborhoods and businesses. In addition to an application for a conditional use permit, applicant shall submit sufficient evidence to demonstrate compliance, and at all times thereafter remain compliant with each of the following standards:*

- i. *All vehicles on the sales lot shall be in operating condition at all times;*
- ii. *No repairs shall be conducted on the premises;*
- iii. *The sales office shall be permanently constructed and shall comply with building and architectural codes;*
- iv. *All-weather-paved driveways and parking areas shall be properly curbed and landscaped;*
- v. *Automobile sales premises shall contain not less than three acres of land all of which shall be dedicated exclusively to the sales area and shall be a separate parcel not part of a larger tract such as strip mall or similar locations;*
- vi. *No automobile sales permits shall be issued when the total number of such licenses issued equals more than one per each 2,000 persons residing in the City. Insubstantial increases in population shall not be the basis for issuing an additional license. The population shall be determined from the most recent annual population estimates as compiled by the U.S. Census Bureau; and*
- vii. *Only businesses properly licensed as used car dealers may sell used cars from their premises. Businesses not so licensed shall not*

allow third parties to park or otherwise offer used cars for sale on their premises.

(c) *Auto service establishments. Auto service establishments are defined in Article II, Section 2.3. The purpose of this section is to mitigate the negative effects of potential noise, fumes, litter, harmful run-off, contaminates, spillage, impervious surfaces, parking problems and to ensure compatibility with adjacent uses and surrounding neighborhoods and businesses. In addition to an application for a conditional use permit, the applicant shall submit evidence sufficient to demonstrate compliance, and at all times thereafter remain compliant with the following standards:*

- i. The minimum land area set aside and exclusively devoted to auto service establishments shall total at least 20,000 square feet;*
- ii. All storage, parts, waste materials and/or inoperative vehicles and all service activities shall be carried out and/or accommodated entirely within enclosed buildings;*
- iii. All buildings shall be located at least 50 feet from adjacent street right-of-way lines;*
- iv. All exterior parking, maneuver and driveway areas shall be constructed with an all-weather-paved surface surrounded by a raised curb. The surrounding raised curb must be located in such a*

manner so that no vehicle can be parked within 15 feet of a street right-of-way line nor within five feet of any other property line;

- v. *Aisles, drives and accessways shall be adequately designed for vehicle movement and access for service and/or emergency vehicle;*
- vi. *Auto service establishments shall not be located within 1,500 feet of a parcel zoned for residential use;*
- vii. *Garage doors or bays shall neither front nor lay in the line of sight of parcels zoned for residential use;*
- viii. *Proximity to restaurants and food service establishments should be considered and reviewed;*
- ix. *The applicant shall provide a list of all chemicals and equipment expected for use in the normal operation of the auto service establishment, with a yearly update of said chemicals required as part of the business license renewal process. The list of chemicals must include a material safety data sheet (MSDS) or equivalent as provided by the manufacturer, per chemical; and*
- x. *The sprinkler system shall comply with NFPA 13.*

(d) Banquet Facility. Banquet facility is defined in Article II, Section 2.3. The purpose of this section is to promote diverse economic uses and to ensure

compatibility with adjacent uses and surrounding neighborhoods and businesses. For this reason, a banquet facility cannot be located closer than one half mile from the outermost boundaries of the TCMU zoning district. Banquet facility is a conditional use in zoning classifications C-2 and C-3 and is not a permitted use in any other zoning district.

- (e) *Clothing and apparel retail establishment. Clothing and apparel retail establishment is defined in Article II, Section 2.3. The purpose of this section is to promote diverse economic uses and to ensure compatibility with adjacent uses and surrounding neighborhoods and businesses. Clothing and apparel retail establishments must carry at least four different types or categories of clothing items. Clothing and apparel retail establishment is a conditional use in zoning classification TCMU and is a permitted use in zoning classifications C-2, C-3, RMX and MPMUD.*

- (f) *Cosmetology and barbering supply establishments. Cosmetology and barbering supply establishments are defined in Article II, Section 2.3. The purpose of this section is to mitigate negative environmental and health effects, to reduce pollutants, promote diverse economic uses, to increase water quality and to ensure compatibility with adjacent uses and surrounding neighborhoods and businesses. Cosmetology and barbering supply establishments may exist alone or as a combined establishment and may exist in a shopping center. In addition to an application for a conditional use permit, the applicant shall submit evidence*

sufficient to demonstrate compliance, and at all times thereafter remain compliant with the following standards:

- i. Barbering and beauty supply establishments may exist in planned shopping centers or multi-tenant buildings;*
- ii. A suite occupied by a barbering and beauty supply establishment in a shopping center or multi-tenant building shall be at least 1,000 square feet in size;*
- iii. Stand-alone structures housing barbering and beauty supply establishments shall be situated on at least a 20,000 square foot parcel;*
- iv. A cosmetology or barbering supply establishment shall be the single tenant located in the stand-alone building, containing at least 2,500 square feet of heated space, or up to 20 percent of the total parcel area, and entirely constructed of either brick or stucco;*
- v. Stand-alone structures housing barbering and beauty supply establishments shall comply with the parking regulations for retail establishments, as stated under section 2, article VI of appendix A. Sharing or leasing spaces from an adjacent parcel is expressly prohibited;*

- vi. *Stand-alone structures housing barbering and beauty supply establishments shall devote 25 percent of the parking area to interior landscaping;*
- vii. *Any freestanding sign identifying barbering and beauty supply establishments shall be a monument sign constructed of the same material as the building, unless attached to a pre-existing multi-tenant sign;*
- viii. *A 20-foot landscaping buffer shall exist on all arterial or collector streets;*
- ix. *Barbering and beauty supply establishments shall only occupy a parcel that fronts an arterial street on at least one side;*
- x. *Absolutely no cosmetology or barbering services shall be performed at barbering and beauty supply establishments, without approval of a conditional use permit by the mayor and council; and*
- xi. *All chemicals and products for sale shall remain sealed by the manufacturer. Unsealed chemicals or products shall be listed with a yearly update of said chemicals required as part of the business license renewal process. The list of chemicals must contain a material safety data sheet (MSDS) or equivalent as provided by the manufacturer, per chemical.*

- (g) *Cosmetology and barbering schools and colleges. Cosmetology and barbering schools and colleges are defined in Article II, Section 2.3. The purpose of this section and standards with which the applicant must comply shall be the same standards set forth in section 10.4(d) of this Article.*
- (h) *Day Care Facility. Day care facilities are defined in Article II, Section 2.3. The purpose of this section is to promote continued and safe operation of day care facilities, to eliminate dangerous conditions potentially existing in day care facilities, to mitigate the negative effects on surrounding properties resulting therefrom and to ensure compatibility with adjacent uses and surrounding neighborhoods and businesses. In addition to an application for a conditional use permit the applicant shall submit evidence sufficient to demonstrate compliance, and at all times thereafter remain compliant with the following standards:*
- i. *At least 35 square feet of indoor space shall be provided for each child. Outdoor play areas shall conform to the following specifications:*
1. *The minimum size of the outdoor area shall equal 100 square feet times one-third (1/3) of the center's licensed capacity for children;*
 2. *At least 100 square feet shall be available for each child occupying the outside play area at any one time;*

3. *Groups of children may be rotated if necessary so that 100 square feet per child is provided at all times;*
4. *Outside play areas shall be adjacent to the day care facility or in an area which can be reached by a safe route or method approved by the state.*
5. *Play areas shall be protected from traffic or other hazards by a six-foot or higher secure fence or other barrier on all sides as approved by the Community Development and General Services Department.*
6. *Fencing material shall not present a hazard to children and shall be maintained so as to prevent children from leaving the play area by any other means than through an approved access route;*
7. *Fence gates shall be kept closed except when persons are entering or exiting the play area;*
8. *The outdoor play space shall have a surface suitable for varied activities;*
9. *Hard surfaces, such as gravel, concrete, or paving shall not exceed one-fourth (1/4) of the total outdoor play area;*

10. *Outside play areas shall be kept clean, free from litter, and free of hazards including, but not limited to, non-resilient surfaces under the fall-zone of play equipment, rocks, exposed tree roots and exposed sharp edges of concrete or equipment;*
 11. *Shaded areas shall be provided in the outside play areas;*
 12. *All outside play equipment shall be arranged so as not to obstruct supervision of children; and*
 13. *Climbing and swinging equipment shall be anchored, have a resilient surface beneath the equipment and include a fall-zone from such equipment which is adequately maintained by the day care facility to assure continuing resiliency.*
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- ii. *Day care facilities shall be situated on a minimum one acre parcel;*
 - iii. *Day care facilities shall be situated only in a stand alone building containing at least 2,500 square feet of heated space, or up to 20 percent of the total parcel area;*
 - iv. *Only one day care facility shall be permitted per every 3,000 in population determined from the most recent annual population*

estimates as compiled by the U.S. Census Bureau. Insubstantial increases in population shall not be the basis for issuing an additional license;

- v. *Day care facilities shall provide a covered entry and exit point for vehicular use, with a circular drive entering and exiting on the same road;*
- vi. *Day care facilities shall provide one parking space for every two children, based on maximum enrollment capacity, plus one parking space per each two employees;*
- vii. *Twenty-five percent of the vehicular use area shall be landscaped and shall not be included in the property line landscaping butlers;*
- viii. *Day care facilities shall only occupy a parcel that fronts an arterial street on at least one side;*
- ix. *Day care facilities shall submit all state certifications, requisite professional licenses and other licenses under state and local law, including any required occupation tax permits, annually. Failure to submit current and proper state certifications will result in a revocation of the business license;*
- x. *The primary structure in which a day care facility is situated shall be constructed entirely of either brick or stucco;*

(i) *Multi-tenant building. A multi-tenant building is a retail structure under common ownership or management located on one commercially zoned lot containing more than one suite or entity. Each multi-tenant building shall have one primary entrance to the building. Ingress and egress to each individual suite or office within the building shall be made solely from the interior of the building through an inside lobby or hallway. Multi-tenant buildings shall contain no less than 2,500 square feet, or up to 20 percent of the total parcel area, with suites no less than 600 square feet each. The purpose of this section is to mitigate the negative effects of loitering, bright lights, noise, traffic, and impervious surfaces, to promote diverse economic uses and to ensure compatibility with adjacent uses and surrounding neighborhoods and businesses. In addition to an application for a conditional use permit, the applicant shall submit evidence sufficient to demonstrate compliance, and at all times thereafter remain compliant with the following standards:*

- i. Multi-tenant buildings shall exist on a tract no less than one acre in area;*
- ii. Individual suites shall be in no event less than 600 square feet in size each;*
- iii. The structure in which a multi-tenant building is located shall be constructed entirely of brick or stucco;*

- iv. *Any monument sign(s) identifying the structure and the common tenants situated therein shall be constructed entirely of brick or stucco;*
- v. *The multi-tenant building shall include features which provide for a proper transition from more sensitive land uses and incorporate buffering methods to separate commercial activities such as loading, lighting, and trash collection;*
- vi. *The design of the multi-tenant building shall reflect the concept that it has been planned as a group of organized uses and structures;*
- vii. *The multi-tenant building and all buildings, signs and landscaping in relation thereto shall be designed with similar architectural styles, similar exterior building materials, and coordinating landscaping themes;*
- viii. *Management of the multi-tenant building shall make provisions for consistent maintenance, reciprocal access and reciprocal parking; and*
- ix. *Vehicle and pedestrian access to the multi-tenant building shall be coordinated and logically linked to provide a comprehensive circulation system.*

- (j) *Tobacco retail establishments. Tobacco retail establishments are defined in Article II, Section 2.3. The purpose of this section is to promote public health through prevention of underage smoking, to promote diverse economic uses, and to ensure compatibility with adjacent uses and surrounding neighborhoods and businesses. In addition to an application for a conditional use permit, the applicant shall submit evidence sufficient to demonstrate compliance, and at all times thereafter remain compliant with the following standards:*
- i. *Tobacco retail establishments shall be permitted in shopping centers and multi-tenant buildings;*
 - ii. *Tobacco retail establishments shall not occupy a suite of less than 1,000 aggregate square feet in a shopping center or multi-tenant building;*
 - iii. *Tobacco retail establishments located in a shopping center or multi-tenant building shall be required to install a sprinkler system complying with NFPA 13R or 13D, as determined by the fire marshal of the City ;*
 - iv. *Freestanding buildings containing tobacco retail establishments shall be situated on parcel containing at least 20,000 square feet;*
 - v. *Freestanding buildings containing tobacco retail establishments shall be the single tenant located in the building containing no less*

than 2,500 square feet of heated space or up to 20 percent of the total parcel area, and entirely constructed of either brick or stucco;

vi. Twenty-five percent of the parking area shall be devoted to interior landscaping;

vii. Any freestanding sign identifying the business premises shall be a monument sign constructed of the same material as the building in which the tobacco retail establishment is situated;

viii. A 20-foot landscaping buffer shall exist on all arterial or collector streets;

ix. Tobacco retail establishments shall only occupy a parcel that fronts an arterial street on at least one side;

x. Freestanding buildings containing these establishments shall install a sprinkler system complying with NFPA 13;

xi. The applicant shall provide evidence of all requisite professional and other licenses under state and local laws; and

xii. Compliance with section 50-13 of the Municipal Code of the City of Riverdale is required at all times.

(k) Tutorial services. Tutorial services are defined in Article II, Section 2.3. The purpose of this section is to protect the health, safety and welfare of the residents

of the City by monitoring the location of tutoring facilities for minors and children, to promote educational and learning opportunities, and to ensure compatibility with adjacent uses and surrounding neighborhoods and businesses. In addition to an application for a conditional use permit, the applicant shall submit evidence sufficient to demonstrate compliance, and at all times thereafter remain compliant with the following standards:

- i. Tutorial services shall be permitted in shopping centers and multi-tenant buildings;*
- ii. Tutorial services shall not occupy a suite of less than 1,000 aggregate square feet in a shopping center or multi-tenant building;*
- iii. Freestanding buildings containing tutorial services must be situated on a parcel containing at least 20,000 square feet;*
- iv. Tutorial services shall be the single tenant located in the freestanding building, containing no less than 2,500 square feet of heated space or up to 20 percent of the total parcel area, and entirely constructed of either brick or stucco;*
- v. Freestanding buildings shall devote 25 percent of the parking area to interior landscaping;*
- vi. Monument signs for any freestanding building shall be constructed of the same material as the building;*

- vii. *Freestanding buildings shall possess a 20-foot landscaping buffer on all arterial or collector streets;*
- viii. *Establishments under this section shall only operate from 12:00 noon through 6:00 p.m., Monday-Friday; 8:00 a.m. through 6:00 p.m., Weekends;*
- ix. *The applicant shall attest that the hours of operation shall be respected as well as attest that only tutoring services shall be provided and said services offered must be enumerated;*
- x. *The applicant shall submit the credentials of all employees of said establishment, qualifying each as a tutor, and/or stating their position in the organization;*
- xi. *Playgrounds, play areas, or recreational areas shall be expressly prohibited for establishments under this section;*
- xii. *The applicant shall provide evidence of all requisite professional and other licenses under state and local law;*
- xiii. *Tutoring services sponsored by the county board of education or other public institutions, are exempt from this section; and*
- xiv. *Professional tutoring establishments providing services expressly for those 18 years of age and over are exempt from this section.*

Section 8. Article VIII, Section 8.2.2 “Conditional Uses by District” is hereby amended by deleting that section in its entirety and replacing it with the following:

“8.2.2 *Conditional uses by district.*

Conditional Use Table							
Zoning District	C-2	C-3	C-4	CT	MP MU D	RMX	TCMU
X = Conditional Use							
Auto Leasing Establishments	X	X					
Auto Sales	X	X					
Auto Service Establishments		X					
Banquet Facilities	X	X					
Clothing and apparel retail establishment							X
Cosmetology and Barbering Supply Establishments		X					
Cosmetology and Barbering Schools & Colleges		X					
Multi-Tenant Building	X						
Day Care Facility	X						
Tobacco Retail Establishments					X	X	X
Tutorial Services	X	X	X	X	X	X	X

Section 9. Article VIII, Section 8.5.1-3, “Permitted Uses” shall be amended by deleting that section in its entirety and replacing it with the following:

“Sec. 8.5.1-3. Permitted uses. Within the C-2 district the following uses are permitted:

- (A) Public utilities, structures and land.*
- (B) Restaurants, other eating establishments and gift shops.*
- (C) Auction gallery, provided that items auctioned are limited to art objects, antiques and collectibles; and that all activities are conducted within enclosed buildings; and that such use is located within a planned shopping center.*
- (D) Bakery shops where products are sold exclusively at retail on the premises.*
- (E) Banks and other financial institutions.*
- (F) Book, card, stationery and office supply stores.*
- (G) Children’s Entertainment Center.*
- (H) Churches.*
- (I) Clothing and apparel retail establishment.*
- (J) Clubs and lodges, provided that such uses have a minimum of 100 feet of frontage on a public street and that the land area set aside and exclusively devoted to such uses shall total a minimum of 20,000 square feet.*
- (K) Drug stores.*
- (L) Florist shops.*

- (M) *Funeral homes, provided that all buildings shall be placed not less than 50 feet from any property line.*
- (N) *General merchandise, hardware, department, specialty, variety and/or dry goods stores.*
- (O) *Grocery stores.*
- (P) *Health and fitness centers.*
- (Q) *Hotel/motel.*
- (R) *Messenger and/or telegraph services.*
- (S) *Outdoor amusement enterprises.*
- (T) *Pet shops.*
- (U) *Planned shopping centers.*
- (V) *Professional offices.*
- (W) *Radio, television and/or electronic equipment sales and service.*
- (X) *Retail service establishments. No outdoor storage shall be permitted.*
- (Y) *Schools.*
- (Z) *Shoe repair shops.*
- (AA) *Tailoring, dressmaking and/or millinery shops.*
- (BB) *Theatres.*

Section 10. Article VIII, Section 8.6.1-2(E)(4), is hereby amended by deleting it in its entirety and replacing it with the following:

“The following uses are permitted within the MPMUD district.

- (4) *Business uses:*

Artisans galleries and theaters.

Book, card, stationery and office supply stores.

Clothing and apparel store.

Children's Entertainment Center.

Coffee shop.

Drug stores.

Fitness centers and gyms.

Florist and gift shops.

Grocery store.

Hardware store.

Household retail.

Hotels/motels and bed and breakfast inns.

Jewelry store.

Night club/dance club.

Parking garage, deck, and lot.

Professional offices.

Restaurants and other eating establishments.

Spas.

Tanning establishments.

Theaters, assembly halls, concert hall, or similar places of assembly when conducted completely within enclosed building.

Section 11. Article VIII, Section 8.6.2-2 “Land Uses”, subsection (D), is hereby amended by deleting it in its entirety and replacing it with the following:

The following uses are permitted in the RMX district.

(D) Business uses:

Artisans galleries and theaters.

Book, card, stationery and office supply stores

Children's Entertainment Center.

Clothing and apparel store.

Coffee shop.

Drug stores.

Fitness centers and gyms.

Florist and gift shops.

Furniture sales and showrooms.

Grocery store.

Hardware store.

Hotels/motels.

Household retail.

Jewelry store.

Night club/dance club.

Parking garage, deck, and lot.

Professional offices.

Restaurants and other eating establishments.

Spas.

Theaters, assembly halls, concert hall, or similar places of assembly when conducted completely within enclosed building

Wine store.

Section 12. Article VIII, Section 8.6.3-2 “Land Uses”, subsection (E), is hereby amended by

deleting it in its entirety and replacing it with the following:

“The following uses are permitted within the TCMU district:

(1) Residential uses:

Row houses, townhomes or condominiums

(2) Office/Industrial uses:

Banks and loan associations

Professional and business offices

(3) Public uses:

Government buildings, including but not limited to City Hall and

Community Center

Schools

Outdoor spaces including ponds, greenspace, and/or amphitheater

(4) Business uses:

Artisan galleries and theaters

Bookstore

Coffee shop

Drug stores (up to 7,000 square feet)

Fitness centers and gyms

Florist shop

Hotels/motels

Household retail (may include furniture sales so long as furniture does not comprise more than 50% of the inventory of such establishment)

Jewelry store

Parking garage, deck, and lot

Restaurants and other eating establishments

Wine store

(5) Live-work dwelling.”

Section 13. Article VIII, Section 8.6.3-5 “Improvement Requirements and Design Standards” is hereby amended by deleting that section in its entirety and replacing it with the following:

“The TCMU district shall be subject to the improvement requirements and design standards contained in the City of Riverdale Town Center Design Guidelines to the extent those guidelines reference development within the Town Center. In the event there is a conflict between any provision of this ordinance and the Town Center Design Guidelines, the provisions of this Ordinance shall prevail.”

Section 14. The remaining provisions of Appendix A of the City of Riverdale Code of Ordinances shall remain in effect and unaltered by this amendment.

Section 15. Should a court of competent jurisdiction deem any phrase, clause, sentence or section of this Ordinance unconstitutional, such determination shall not affect the remaining provisions of this Ordinance, which provisions shall remain in full

force and effect.

Section 16. All ordinances or parts of ordinances in conflict with this Ordinance are, to the extent of such conflict, hereby repealed.

Section 17. This ordinance shall become effective on the date of its adoption.

CITY OF RIVERDALE

Dr. Evelyn Wynn-Dixon, Mayor

ATTEST:

Stephanie Thomas, City Clerk