

ORDINANCE NO.

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF SENOIA, GEORGIA, TO AMEND CHAPTER 74 OF THE CODE OF THE CITY IN ORDER TO PROVIDE GASOLINE SERVICE STATION WITH AUTO SERVICE LOCATION AND SITE REQUIREMENTS; TO REPEAL, TO PROVIDE SERVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

BE IT AN IT IS HERBY ORDAINED by the Mayor and City Council of the City of Senoia, Georgia, and by the authority thereof:

Section 1. That Chapter 74, Zoning, of the Code of Ordinances of the City of Senoia, Georgia, is hereby amended in Sec. 74-99, Table 6.4 Permitted Uses, by striking the Conditional Use requirement under “Gasoline Service Station with Auto Service” in its entirety and permitting its Use without Condition in the General Commercial Zoning District to read as follows:

Permitted Uses	Zoning District									
	R-25C	R-40	R-40C	R-20	MR	OI	HT	GC	GI	PR
Gasoline Service Station with Auto Service								X	X	

Section 2. That Chapter 74, Zoning, of the Code of Ordinances of the City of Senoia, Georgia, is hereby amended in Sec. 74-99, Table 6.4 Permitted Uses, by striking the Permitted Use “Convenience Stores with Fuel Pump Service” and Conditional Use requirement “Provided that all fuel pumps shall be at least 15 feet from the street right-of-way” in its entirety.

Section 3. That Chapter 74, Zoning, of the Code of Ordinances of the City of Senoia, Georgia, as amended, is hereby further amended to include Sec. 74-100, to be read as follows:

Definition. A “gasoline service station” means a building, lot, structure, or facility having pumps and storage tanks where fuel, gasoline, oil or other similar products are dispensed, sold or offered for sale at retail only; auto service is minor and incidental and shall include accessory uses such as car washes, food marts, **convenience stores and fast food restaurants.**

- A. Code Compliance. All gasoline service stations shall be in conformance with all City ordinances, state, and federal laws and regulations.
- B. Traffic Study. A traffic impact analysis will be required whenever a gasoline station meets one or more of the following conditions:
 - 1. A new gasoline service station is proposed;

2. An existing gasoline service station increases pumping capacity through the addition of hoses and/or pumps;
 3. The site of an existing gasoline service station is expanded in size or reconfigured to allow such expansion;
 4. Existing ingress or egress to a gasoline service station is modified; and
 5. An existing gasoline service station is reopened for business after a closure of six months or more.
- C. The traffic impact analysis shall contain, at a minimum, the following information:
1. Analyze future or horizon year (20 years from open) level of service (LOS) conditions with and without project;
 2. Analyze proposed driveway level of service for proposed projects; check sight distance;
 3. Evaluate potential queuing problems or parking problems;
 4. Determine percentage of project traffic to total future traffic (used in cost allocation analysis if necessary); and
 5. Signal warrant analysis if appropriate.
- D. Development Standards. Development standards and criteria of the zoning district/subzone shall apply unless otherwise noted in this section.

Location criteria – Fuel pumps associated with gasoline service stations shall not exceed 12 fuel pumps on any parcel of land and must further meet the following:

1. Gasoline service station must be located within 100 feet of an intersection of a major arterial street and a major or minor arterial street.
2. Except for facilities located at the same roadway intersection, gasoline service station must maintain a minimal distance of 1500 ft apart.
3. No more than two (2) gasoline service stations may be located at any given intersection.
4. Lighting. On-site lighting shall be located, directed, and/or shielded in a manner which reduces light glare or spill onto adjacent properties or rights-of-way. Lighting shall be designed per City Ordinance and GDOT recommended guidelines for light level intensity.
5. Off-Street Parking. One stall per employee of the gasoline service station. For uses associated with or accessory to the gasoline service station parking requirements shall be as specified in Sec. 74-207. Parking. of the municipal code.
6. Signs shall comply with applicable provisions of the city municipal code.

7. A minimum of two (2) separate public restrooms shall be provided, each capable of serving at least three persons at a time, open to the public, and compliant with the American Disabilities Act.
8. A dumpster enclosure containing a dumpster shall be located strategically on the site, so as to be screened from the public right-of-way, and in sufficient number to reduce off-site litter.
9. Trash receptacles should be located at or near every gas pump and not less than one (1) such receptacle shall be located for every public entrance to any structure on the property.
10. All portions of a gasoline service station site not utilized for landscaping or for other open space use shall be paved. All perimeters shall be landscaped in conformance with City Ordinance.
11. No gasoline service station shall be located less than 600 feet from any park, playground, church, school or other similar places of public gathering or education.
12. No gasoline service station shall be located less than 500 feet from any residential dwelling or residential community development or subdivision, as measured from the property line of the gasoline service station to the property line closest to the residential dwelling of residential community development or subdivision.

E. Ingress/Egress and On-Site Circulation.

1. Separate ingress and egress points to two separate roads shall be provided for each gasoline service station, unless a traffic study demonstrates that a dual ingress and egress driveway can be implemented without adverse impact on adjacent streets.
2. A minimum of 70 feet of clear vehicle stacking space (queuing) shall be provided on-site for each pump island in a manner that does not impede with traffic.
3. Driveways shall be at a minimum width of 35 feet.

F. Operational Standards.

1. All vehicle service or repair activities shall be conducted within a building designed in such a fashion that these activities are not visible from arterials.
2. Accessory truck, trailer, and vehicle rental or sales shall be permitted where allowed by zoning.
3. No major vehicle repair shall be conducted on-site. "Major repair" shall include, but not be limited to, body repair and straightening or disassembly of body or engine parts.

4. A policy manual for the management of hazardous materials incidents is to be submitted to the city for review and approval prior to occupancy of the facility.

Section 3. Should any phrase, clause, sentence or section of this ordinance be declared unconstitutional by a court of competent jurisdiction, such determination shall not effect the remaining provision of this ordinance, which provision shall remain in full force and effect.

Section 4. All ordinances or resolutions, or parts thereof, which conflict with the provisions of this ordinance are, to the extent of such conflict, hereby repealed.

Section 5. The ordinance shall become effective April 17, 2023.

Effective Date and Repealer Provision

This ordinance shall become effective immediately upon its adoption and any and all existing or preexisting City of Senoia, Georgia ordinances, amendments, and resolutions in conflict with the terms of this Ordinance are hereby repealed.

ADOPTED this 17th day of April, 2023, by the City Council of the City of Senoia, Georgia.

CITY OF SENOIA, GEORGIA

BY:

William "Dub" Pearman III, Mayor

ATTEST:

_____ (SEAL)

Lynn Carter, City Clerk