

CITY COUNCIL
ATLANTA, GEORGIA

18 O 1679

AN ORDINANCE

BY COUNCILMEMBER JOYCE SHEPERD

Joyce M. Shepherd

AN ORDINANCE TO AMEND THE 1982 ATLANTA ZONING ORDINANCE, AS AMENDED, BY AMENDING THE C-1 (COMMUNITY BUSINESS), C-2 (COMMERCIAL SERVICE), C-3 (COMMERCIAL RESIDENTIAL), C-4 (CENTRAL AREA COMMERCIAL RESIDENTIAL), C-5 (CENTRAL BUSINESS SUPPORT), I-1 (LIGHT INDUSTRIAL), I-2 (HEAVY INDUSTRIAL), SPI-1 (DOWNTOWN SPECIAL PUBLIC INTEREST), SPI-11 (VINE CITY & ASHBY STATION APEICAL PUBLIC INTEREST), SPI-12 (BUCKHEAD/LENOX STATIONS SPECIAL PUBLIC INTEREST), SPI-16 (MIDTOWN SPECIAL PUBLIC INTEREST), SPI-18 (MECHANICSVILLE NEIGHBORHOOD SPECIAL PUBLIC INTEREST), SPI-20 (GREENBRIAR SPECIAL PUBLIC INTEREST), SPI-21 (HISTORIC WEST END/ADIR PARK SPECIAL PUBLIC INTEREST), NC (NEIGHBORHOOD COMMERCIAL), AND MRC (MIXED RESIDENTIAL COMMERCIAL) ZONING DISTRICTS SO AS TO REQUIRE A 1,500 FOOT DISTANCE BETWEEN SERVICE STATIONS; AND FOR OTHER PURPOSES.

WHEREAS, there has been a proliferation of gas stations, categorized as "service stations" in the City of Atlanta Zoning Ordinance, in the City of Atlanta; and

WHEREAS, the Atlanta City Council desires to address the concentration of service stations in these areas, and to promote a diversity of land uses along these corridors; and

WHEREAS, the Atlanta City Council finds that requiring a distance requirement between service stations will not negatively impact the intent of the C-1, C-2, C-3, C-4, C-5, I-1, I-2, SPI-1, SPI-11, SPI-12, SPI-16, SPI-18, SPI-20, SPI-21, NC, or MRC districts; and

WHEREAS, service stations within 1,500 feet of an existing or permitted service station would negatively affect the public health, safety and general welfare and frustrate the zoning process; and

WHEREAS, the Atlanta City Council finds this amendment to the C-1, C-2, C-3, C-4, C-5, I-1, I-2, SPI-1, SPI-11, SPI-12, SPI-16, SPI-18, SPI-20, SPI-21, NC, and MRC zoning district regulations will serve the public health, safety, and general welfare of the community.

NOW THEREFORE THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS AS FOLLOWS:

Section 1: So as to require a 1,500-foot distance requirement between service stations in the C-1 zoning district, City Code Section 16-11.003(27) which reads:

(27) Service stations, battery exchange stations and car washes.

Is hereby amended to read:

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(27) Service stations, battery exchange stations and car washes, provided that no service station may be located within 1,500 feet of another service station.

Section 2: So as to require a 1,500-foot distance requirement between service stations in the C-2 zoning district, City Code Section 16-12.003(31) which reads:

(31) Service stations, battery exchange stations and car washes.

Is hereby amended to read:

(31) Service stations, battery exchange stations and car washes, provided that no service station may be located within 1,500 feet of another service station.

Section 3: So as to require a 1,500-foot distance requirement between service stations in the C-3 zoning district, City Code Section 16-13.003(31) which reads:

(31) Service stations, battery exchange stations and car washes.

Is hereby amended to read:

(31) Service stations, battery exchange stations and car washes, provided that no service station may be located within 1,500 feet of another service station.

Section 4: So as to require a 1,500-foot distance requirement between service stations in the C-4 zoning district, City Code Section 16-14.003(30) which reads:

(30) Service stations, battery exchange stations and car washes.

Is hereby amended to read:

(30) Service stations, battery exchange stations and car washes, provided that no service station may be located within 1,500 feet of another service station.

Section 5: So as to require a 1,500-foot distance requirement between service stations in the C-5 zoning district, City Code Section 16-15.003(33) which reads:

(33) Service stations, battery exchange stations and car washes.

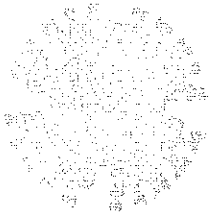
Is hereby amended to read:

(33) Service stations, battery exchange stations and car washes, provided that no service station may be located within 1,500 feet of another service station.

Section 6: So as to require a 1,500-foot distance requirement between service stations in the I-1 zoning district, City Code Section 16-16.003(16) which reads:

(16) Service stations, battery exchange stations and car washes.

Is hereby amended to read:



(16) Service stations, battery exchange stations and car washes, provided that no service station may be located within 1,500 feet of another service station.

Section 7: So as to require a 1,500-foot distance requirement between service stations in the I-2 zoning district, City Code Section 16-17.003(17) which reads:

(17) Service stations, battery exchange stations and car washes.

Is hereby amended to read:

(17) Service stations, battery exchange stations and car washes, provided that no service station may be located within 1,500 feet of another service station.

Section 8: So as to require a 1,500-foot distance requirement between service stations in the SPI-1 zoning district, the chart in City Code Section 16-18A.006 which reads:

Service stations and car washes meeting the requirements of <u>16-18A.010(5)</u> . In Subarea #2, shall not be permitted east of Spring Street.	P	P/X	X	X	X	X	X
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Is hereby amended to read:

Service stations and car washes meeting the requirements of <u>16-18A.010(5)</u> , provided that no service station may be located within 1,500 feet of another service station. In Subarea #2, shall not be permitted east of Spring Street.	P	P/X	X	X	X	X	X
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Section 9: So as to require a 1,500-foot distance requirement between service stations in the SPI-11 zoning district, the chart in City Code Section 16-18K.004 which reads:

Service stations (automobiles)	X	P	X	X	X	X	X	X	P	X	X	P
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Is hereby amended to read:

Service stations (automobiles), provided that no service station may be located within 1,500 feet of another service station.	X	P	X	X	X	X	X	X	P	X	X	P
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Section 10: So as to require a 1,500-foot distance requirement between service stations in the SPI-12 zoning district, the chart in City Code Section 16-18L.006 which reads:

^d Automobile repair garages, service stations and paint and body shops	^d P	X	X
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Is hereby amended to read:

^d Automobile repair garages, service stations and paint and body shops, provided that no service station may be located within 1,500 feet of another service station.	^d P	X	X
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Section 11: So as to require a 1,500-foot distance requirement between service stations in the SPI-16 zoning district, the chart in City Code Section 16-18P.005 which reads:

Service Stations- including fuel (certain locations only)	P ^{2,3} / X	X	P ³ / X
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Is hereby amended to read,

Service Stations- including fuel (certain locations only), provided that no service station may be located within 1,500 feet of another service station.	P ^{2,3} / X	X	P ³ / X
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Section 12: So as to require a 1,500-foot distance requirement between service stations in the SPI-18 zoning district, the chart in City Code Section 16-18R.005 which reads:

Service Stations (automobiles). One shall be allowed west of Pryor Street in Subarea 1. Prohibited west of Pryor Street in Subareas 2 and 3.	P	P	P**		X	X	P	P	X	X
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Is hereby amended to read,

Service Stations (automobiles), provided that no service station may be located within 1,500 feet of another service station. One shall be allowed west of Pryor Street in Subarea 1. Prohibited west of Pryor Street in Subareas 2 and 3.	P	P	P**		X	X	P	P	X	X
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Section 13: So as to require a 1,500-foot distance requirement between service stations in the SPI-20 zoning district, the chart in City Code Section 16-18T.005 which reads:

Automobile service stations	P	P	P	X	X	X
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Is hereby amended to read,

Automobile service stations, provided that no service station may be located within 1,500 feet of another service station.	P	P	P	X	X	X
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Section 14: So as to require a 1,500-foot distance requirement between service stations in the SPI-21 zoning district, the chart in City Code Section 16-18U.008 which reads:

Automobile service stations	P	P	X	P	X	X	X	X	P	P
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Is hereby amended to read,

Automobile service stations, provided that no service station may be located within 1,500 feet of another service station.	P	P	X	P	X	X	X	X	P	P
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Section 15: So as to require a 1,500-foot distance requirement between service stations in the NC zoning district, City Code Section 16-32.005(7)(a) which reads:

- a) Automobile service stations and battery exchange stations, but not providing regular automobile maintenance service, automobile repair shops or car washes.

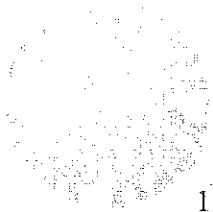
Is hereby amended to read,

- a) Automobile service stations and battery exchange stations, but not providing regular automobile maintenance service, automobile repair shops or car washes. No service station may be located within 1,500 feet of another service station.

Section 16: So as to require a 1,500-foot distance requirement between service stations in the MRC zoning district, City Code Section 16-34.005(1) which reads:

- 1. Automobile service stations, battery exchange stations, car washes.

Is hereby amended to read,

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1. Automobile service stations, provided that no service station may be located within 1,500 feet of another service station, battery exchange stations, car washes.

Section 17: That all ordinances, parts of ordinances, and resolutions in conflict herewith are hereby waived for purposes of this Ordinance only, and only to the extent of said conflict.

A true copy,


Municipal Clerk

ADOPTED by the Atlanta City Council
APPROVED per City Charter Section 2-403

MAR 04, 2019
MAR 13, 2019

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