

ORDINANCE NO. 2017-67

An Ordinance of the City Council of the City of Georgetown, Texas, amending the Unified Development Code Section 5.04.010- commercial uses allowed by district and 5.04.020- commercial use limitations, passed and adopted on the 11th day of March, 2003, to amend standards for fuel stations ; Repealing Conflicting Ordinances and Resolutions; Including a Severability Clause; and Establishing an Effective Date.

Whereas, on March 11, 2003, the City Council of the City of Georgetown, Texas, adopted a set of comprehensive development regulations known as the Unified Development Code ("UDC") via Ordinance No. 2003-16; and

Whereas, the Unified Development Code (UDC) and amendments thereto serve as an implementation tool to guide the orderly growth and development of the community in accordance with these adopted plans; and

Whereas, the City Council established a Unified Development Code Advisory Committee on November 12, 2013, to review proposed or requested amendments to the Unified Development Code other than executive amendments which are those amendments that are nondiscretionary, mandatory, or legislative revisions to address state statutes or case laws, ratify published directors determinations, incorporate recently approved Council ordinances, process City Council designated emergency items, or address revisions otherwise determined necessary by legal counsel; and

Whereas, the Unified Development Code Advisory Committee conducted a Public Hearing at their regular meeting on August 9, 2017, and recommended unanimous approval of the amendments; and

Whereas, the Planning and Zoning Commission conducted a Public Hearing at their regular meeting on September 5, 2017, to consider the draft amendments and recommended unanimous approval of the amendments to the City Council.

Now therefore, be it ordained by the City Council of the City of Georgetown, Texas that:

Section 1. The facts and recitations contained in the preamble of this Ordinance are hereby found and declared to be true and correct, and are incorporated by reference

Ordinance Number: 2017-67

Description: Fuel Stations Location Standards

Date Approved: 10/10/2017

herein and expressly made a part hereof, as if copied verbatim. The City Council hereby finds that this Ordinance implements the vision, goals, and policies of the Georgetown 2030 Comprehensive Plan and further finds that the enactment of this Ordinance is not inconsistent or in conflict with any other policies or provisions of the 2030 Comprehensive Plan.

Section 2. Portions of the Unified Development Code are hereby amended as described in **Exhibit "A" and Exhibit "B"**

Section 3. All ordinances and resolutions, or parts of ordinances and resolutions, in conflict with this Ordinance are hereby repealed, and are no longer of any force and effect.

Section 4. If any provision of this Ordinance, or application thereof to any person or circumstance shall be held invalid, such invalidity shall not affect the other provisions, or application thereof, of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are hereby declared to be severable.

Section 5. The Mayor is hereby authorized to sign this Ordinance and the City Secretary to attest. This ordinance shall become effective October 10, 2017, in accordance with the provisions of state law and the City Charter of the City of Georgetown.

APPROVED on First Reading on the 26th day of September, 2017.

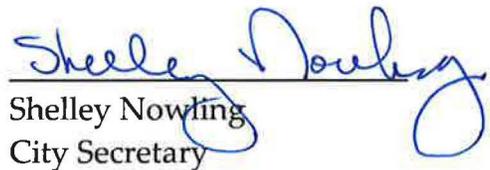
APPROVED AND ADOPTED on Second Reading on the 10th day of October, 2017.

THE CITY OF GEORGETOWN:



Dale Ross
Mayor

ATTEST:



Shelley Nowling
City Secretary

APPROVED AS TO FORM:



Charlie McNabb
City Attorney

Ordinance Number: 2017-67

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Sec. 5.04.010. - Commercial Uses Allowed by District.

The following use table presents the commercial uses that are allowed in each zoning district, in accordance with all standards and regulations of this Code. Certain uses are allowed with limitations detailed in Section 5.04.020. The 'Notes' column of the use table contains direction on the specific limitation of the particular use.

Table 5.04.010: Commercial Uses

Specific Use	AG	RE	RL	RS	TF	TH	MF1	MF2	MH	CN	C1	C3	OF	BP	IN	PF	MUdT	MU	Notes

Automotive Sales and Services																			

Fuel Sales	-	-	-	-	-	-	-	-	-	-	L	L P	-	S	P	-	-	See Section 4.11	T
<u>Fuel Sales with more than ten (10) multi-fuel dispensers</u>	=	=	=	=	=	=	=	=	=	=	=	S	=	=	P	=	=		See Section 4.11

Added language is underlined
 Deleted language is ~~strikethrough~~

Sec. 5.04.020. - Commercial Use Limitations.

All commercial uses shall meet any applicable provisions of the City Code of Ordinances, in addition to the following limitations. Outdoor display and storage requirements, if applicable, shall be met in accordance with Section 5.09.

T. Fuel Sales.

A fuel sales establishment is permitted in accordance with Table 5.04.010 and subject to the following standards and limitations:

1. No more than four multi-fuel dispensers (eight fuel positions)~~umps~~ shall be permitted except where one of the following conditions is met:
 - a. The property is located on a corner of a major arterial roadway and a major collector or higher level roadway as classified in the Overall Transportation Plan (OTP); or
 - b. The proposed fuel sales establishment is an accessory use to a commercial development such as a grocery store or retail center with a gross floor area of 50,000 square feet or more; or
 - c. The property is adjacent to the SH 130 Toll or IH-35 roadways.
2. When one of the conditions outlined in Subsection (1) above is met, in no case shall a fuel sales establishment be permitted more than ten multi-fuel dispensers or twenty fuel positions.
- 3.2. When a fuel sales establishment in the Local Commercial (C-1) zoning district is designed for four multi-fuel dispensers (eight fuel positions)~~pumps~~, the canopy and arrangement of such ~~pumps~~multi-fuel dispensers mustshall be designed in a relatively square pattern as opposed to a linear distribution of the ~~fuel pumps~~multi-fuel dispensers, as depicted below (where X = one multi-fuel dispenser = two fuel~~pumps~~positions):

Acceptable C-1 Pump Arrangement:		Unacceptable C-1 Pump Arrangement:			
X	X	X	X	X	X
X	X				

4. No more than four multi-fuel dispensers (eight fuel positions) shall be located within 100 feet of a single-family residential zoned property.

~~5.~~ 3.—An eight-foot masonry wall shall be required at the property line of residentially-zoned property, in addition to the required bufferyards in Chapter 8.

~~6.~~ 4.—Fuel ~~pumps~~positions, vacuum, air, and water stations as well as other similar equipment are prohibited between the principal structure and the property line of a residentially-zoned property and shall comply with the building setbacks in all other circumstances.

~~7.~~ 5.—The bottom of the canopy shall be a minimum of 13 feet 6 inches in height. The maximum height of the overall canopy shall not exceed 17 feet.

~~8.~~ 6.—In addition to the requirements in Section 7.05, any freestanding light fixtures shall be reduced in height to 15 feet if the use is adjacent to a residential district.

~~9.~~ 7.—No full-service or self-service car wash is allowed with the fuel sales use. Only an accessory one-bay automatic car wash is allowed.

T.1. Fuel Sales with more than ten (10) multi-fuel dispensers.

A Special Use Permit for a fuel sales establishment with more than ten (10) multi-fuel dispensers (20 fuel positions) shall be required in the General Commercial (C-3) zoning district pursuant to Section 3.07, and subject to the standards in subsections (T)(4) through (T)(9) above.
