

STATE OF GEORGIA
CITY OF DORAVILLE



ORDINANCE NO. 2016 - 01

Z-16-01

AN ORDINANCE OF THE CITY OF DORAVILLE, GEORGIA, TO AMEND CHAPTER 23 (ZONING), ARTICLE XX TO REMOVE AUTOMOBILE WRECKING, AUTOMOBILE JUNKYARD, AND SALVAGE YARD USES FROM TABLE 10 OF BOTH THE GENERAL LIVABLE COMMUNITY CODE AND THE SD-1 DISTRICT; TO AMEND THE DEFINITION OF VEHICULAR SERVICE IN SECTION 23-2061 DEFINITIONS, AND AMEND TABLE 10 OF SECTION 23-2063 OF THE SD-1 DISTRICT TO ALLOW VEHICULAR SERVICE USES WITHIN BUILDINGS HAVING A MINIMUM SIZE OF 35,000 SQUARE FEET WITHIN THE T-6A DISTRICT; TO PROVIDE FOR AN ADOPTION AND EFFECTIVE DATE; TO PROVIDE FOR CODIFICATION; AND TO PROVIDE FOR OTHER LAWFUL PURPOSES.

WHEREAS, the City Council of the City of Doraville, Georgia is tasked with the protection of the City's public health, safety and general welfare; and

WHEREAS, the City Council of the City of Doraville, Georgia adopted the Livable Community Code (LCC) and the *Special Area Plan* SD-1 district to promote pedestrian-friendly mixed-use development in Downtown Doraville; and

WHEREAS, vehicular service uses were added as conditional uses in the LCC code and as permitted uses "allowed by right" in the T-6A district of the *Special Area Plan* SD-1 district; and

WHEREAS, the City seeks to allow vehicular services uses on the same parcels as automobile sales dealerships subject to conditional use permit approval in the LCC district; and

WHEREAS, the City also seeks to allow vehicular service uses as permitted uses “allowed by right” in the T-6A district of the *Special Area Plan* SD-1 district, provided they are located in buildings having a minimum size requirement; and

WHEREAS, a duly advertised public hearing, in accordance with the Georgia Zoning Procedures Act, has been held by the City of Doraville to consider these revisions.

WHEREAS, the Livable Community Code (LCC) and the SD-1 District Regulating Plan were adopted on June 16, 2014, establishing the zoning district and zoning district boundaries at the former General Motors plant; and

WHEREAS, it is in the best interest of the City of Doraville to amend the zoning regulations in the LCC code and in the *Special Area Plan* SD-1 district to address unforeseen restrictions inhibiting economic development and to enable redevelopment in the furtherance of the public health, safety and general welfare; and

THEREFORE, THE MAYOR AND COUNCIL OF THE CITY OF DORAVILLE, GEORGIA HEREBY ORDAIN, as follows:

Section 1: That automobile wrecking, automobile junkyard, and salvage yard uses shall be prohibited from the LCC and SD-1 districts and removed from Table 10: Specific Function and Use of both the general LCC district and the SD-1 district.

Section 2: That the definition of “Vehicular Service” in Sec. 23-2061 of Chapter 23, Article XX, of the Zoning Ordinance of the City of Doraville is hereby amended so as to read as follows:

Vehicular Service: the repair, servicing, alteration, restoration, painting, cleaning, or finishing of automobiles, trucks, recreational vehicles, boats and other vehicles as a primary use, including the incidental wholesale and retail sale of vehicle parts as an accessory use. Specifically prohibited are automobile wrecking, automobile junkyards, or salvage yards. Short-term ancillary storage of damaged vehicles is permitted as part of an automobile collision repair establishment.

Section 3: That *Table 10* of Section 23-2063 of the SD-1 district of Chapter 23 of the Zoning Ordinance of the City of Doraville is hereby amended to replace the “Vehicular Service” use as a permitted use “allowed by right” in the list of uses under the category “f) Automotive” of the Use Table for district T-6A with the following language:

“Vehicular Service within a building having a minimum size of 35,000 square feet”

Section 4: All ordinances or parts of ordinances in conflict herewith are hereby expressly repealed.

Section 5: The Ordinance shall be codified in a manner consistent with the laws of the State of Georgia and the City of Doraville.


Section 6: It is the intention of the governing body, and it is hereby ordained that the provisions of this Ordinance shall become and be made part of the Code of Ordinances, City of Doraville, Georgia and the sections of this Ordinance may be renumbered to accomplish such intention.


Section 7: This Ordinance shall become effective on the date of adoption.

Effective this 21st day of March, 2016.

ADOPTED by the Doraville City Council March 21, 2016
APPROVED by the Mayor

Attest:


Sherry D. Henderson
Clerk, City of Doraville


Cecil McLendon
Attorney, City of Doraville

HONORABLE DONNA PITTMAN
Mayor, City of Doraville

THE FOREGOING DECISION WAS OFFERED BY COUNCIL MEMBER **ROBERT PATRICK**, WHO MOVED ITS APPROVAL WITH CONDITIONS. THE MOTION WAS SECONDED BY COUNCIL MEMBER **PAM FLEMING** BEING PUT TO A VOTE, THE RESULTS ARE LISTED AS FOLLOWS:

	Yea	Nay		Yea	Nay
Pam Fleming	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Robert Patrick	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Shannon Hillard	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Dawn O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>
M.D. Nasser	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Sharon Spangler	<input checked="" type="checkbox"/>	<input type="checkbox"/>

