



CITY OF ST. MARYS, GEORGIA
418 Osborne Street
St. Marys, GA 31558

February 2, 2023

SPECIAL CALLED CITY COUNCIL MEETING
4:30 p.m.

AGENDA

I. CALL TO ORDER

II. INVOCATION: *Councilmember David Reilly*

III. PLEDGE OF ALLEGIANCE

IV. ROLL CALL QUORUM: YES___ NO___

V. PRESENTATION:

VI. BUSINESS:

A. ORDINANCE AMENDMENT C-2 HIGHWAY COMMERCIAL & COMMUNITY DISTRICT
(SECTION 110-70):..... TAB "A"
Justin Geedy (Assistant Community Development Director) Request amended to C-2
Zoning District.

VII. ADJOURNMENT:



Special Called City Council Meeting
February 2, 2023

Title C-2 Ordinance Amendment

Purpose To amend the current C-2 zoning district uses.

Recommendations Staff recommends approval of the ordinance as presented.

History/Analysis On January 31st, the planning commission approved the ordinance amendment as written.

Community Development Director Just Deedy

City Manager Ralph HA

Sec. 110-70. C-2, Highway Commercial and Community District.

District intent. The intent of this district is to provide areas for commercial uses which primarily render a service to local residents or to other non-local individuals such as tourists, vacationers, truckers, workers, and commuters. The regulations applying to this district are designed to:

- (1) Encourage the location of high traffic volume uses in an attractive and well-designed manner;
 - (2) Ensure adequate and properly designed means of ingress and egress while considering and providing for overall safe and adequate traffic flow on the highways.
 - (3) Discourage encroachment by industrial, residential or other uses which may be incompatible with the specialized character of this district.
- (a) *Uses permitted.* Property and buildings in the C-2, Highway Commercial District shall be used for the following purposes:
- (1) All uses permitted in the C-1, Central Business District, except residential.
 - (2) Retail and wholesale business and service establishments, including shopping centers that conduct business entirely within an enclosed building except small box discount stores.-
 - (3) Animal care facilities, animal hospital and/or boarding facility, and veterinary offices.
 - (4) Commercial recreation facilities including bowling alleys, roller or ice skating rinks, theaters (not including drive-ins), and the like.
 - (5) Hotels, tourist homes, and motels.
 - (6) Transportation terminals.
 - (7) Microbreweries.
 - (8) Public utility, installation or sub-installation, including water towers, but specifically excluding waste treatment processing or storage.
 - (9) Churches.
 - (10) Community facilities: Assembly halls, recreation centers, civic centers, local government public uses including schools, libraries, parks, playgrounds, and fire stations.
 - (11) Medical health services: Clinics and pharmacies, hospitals, medical or dental labs, offices of health service practitioners and other health services not elsewhere classified.
 - (12) Accessory uses and structures.
 - (13) Travel trailer parks.
 - ~~(14) Mini-warehouse developments provided that the following conditions are met:~~
 - ~~(a) No business activities other than the rental of storage unites is conducted on premises;~~
 - ~~(b) The mini-warehouse development is located on a lot at least five acres in size;~~
 - ~~(c) All storage on the property shall be kept within an enclosed building except that recreational vehicle (RV) and boat storage is allowed as an accessory use to the mini-~~

~~warehouse development when the storage of RV's and boats is located at the rear of the mini-warehouse development; and~~

~~(d) If a mini-warehouse development abuts a residential zoning district, a buffer will be required as per section 110-92.~~

- (b) *Special permit uses.* The following uses may be permitted in accordance with the provisions contained in section 110-145, and if additional conditions which may be required are met:
- (1) Outdoor sales of new or second hand automobiles, manufactured or modular homes, boats, and other such items provided the lot is graded, surfaced and drained for disposal of all surface water; and provided that ingress and egress is provided to the outdoor sales area.
 - (2) Drive-in restaurants provided that outside lighting and advertisement arrangements are directed away from adjoining residential districts (if any); and parking surface areas are separated from adjoining residential districts (if any) by a suitable planting screen, fence, or wall at least six feet in height.
 - (3) ~~Reserved.~~ Gasoline service stations.
 - (4) Cable television towers/satellite dishes; and that all adjoining property which is zoned R-1, R-2, or R-3 under the City of St. Marys, Georgia, Zoning Ordinance, be separated from such towers/satellite dishes by a visual barrier, with a height of not less than five feet, nor more than seven feet. Such barrier shall be opaque, and shall prevent the free passageway and obstruct the view between such towers/satellite dishes and all adjoining properties which are zoned R-1, R-2, or R-3.
 - (5) Day care centers, kindergartens or schools provided that a minimum of 100 square feet of outdoor play area be provided for each child. Such outdoor play area shall be enclosed by a fence not less than four feet in height. Such use shall comply with the Georgia Department of Human Resources Regulatory Services. Such use shall provide the number of off-street parking spaces required for schools as set forth in section 110-124—Number of Parking Spaces Required, and section 110-126—Off-Street Loading and Unloading Requirements.
 - (6) Electronic game promotions. Indoor facilities operated by a licensed permit holder for game promotions or sweepstakes utilizing electronic equipment, meeting the performance standards and development criteria set forth in chapter 22, article VII, "Electronic Game Promotions", and drawings by chance conducted in connection with the sale of a consumer product or service utilizing electronic equipment, meeting the performance standards and development criteria set forth under Code of Ordinances chapter 110, subsection 110-145(6), special permit uses.
 - (7) Repair garages provided that all business is conducted inside an enclosed building and/or inside an aesthetically pleasing barrier, as prescribed by the planning commission, which will shield the business activity from view of passing motorists and surrounding property owners.
 - (8) Mini-warehouse developments provided that the following conditions are met:
 - a. no business activities other than the rental of storage units is conducted on the premises;
 - b. the mini-warehouse development is located on a lot at least five (5) acres in size;

c. all storage on the property shall be kept within an enclosed building except that recreational vehicle (RV) and boat storage is allowed as an accessory use to the mini-warehouse development when the storage or RVs and boats is located at the rear of the mini-warehouse development; and

d. If a mini-warehouse development abuts a residential zoning district, a buffer will be required as per Sec. 110-92

(9) Small box discount stores.

(b.1) Prohibited Uses. The following use(s) are not permitted.

(1) Storage of shipping containers.

(c) *Area regulations.* Unless otherwise specified in this chapter, uses permitted in the C-2, Highway Commercial District shall conform to the following regulations:

- (1) Minimum lot area: 7,500 square feet.
- (2) Minimum lot width at building line: 75 feet.
- (3) Minimum front yard setbacks from State Route 40: 40 feet; minimum setback from other public rights-of-way: 25 feet.
- (4) Minimum side yard: Setback from property line: Seven feet; unless property is adjacent to a residential district where 15 feet is required, 25 feet from street rights-of-way.
- (5) Minimum rear yard setback: Seven feet, unless property is adjacent to a residential district where 15 feet is required.
- (6) Maximum building height: 45 feet.
- (7) Maximum percentage of lot coverage: 80 percent of lot area covered by principal and accessory buildings or structures and impervious surfaces.

(d) *Other requirements.*

- (1) Uses permitted in C-2 Districts shall meet the standards set forth in article IV pertaining to off-street parking, loading requirements.
- (2) Any type of business in a C-2 Zoning District must conduct all its business inside an enclosed building and/or inside an aesthetically pleasing barrier, as prescribed by the planning commission. All finished products of such businesses shall be kept inside an enclosed building or behind such barrier.

(Ord. of 9-12-94, § 609; Ord. of 5-13-96; Ord. of 11-10-03, § 2; Ord. of 11-13-06(2), § 7; Ord. of 7-18-11(2); Ord. No. 2015-028 , 8-3-15; Ord. No. 2015-042 , 11-2-15; Ord. of 3-21-16 ; Ord. No. 2020-8-3-003 , 8-3-20)

1 ST. MARYS CITY COUNCIL

2 ST. MARYS, GEORGIA

3 At the special called meeting of the St. Marys City Council, held in the St. Marys City Hall, St. Marys,
4 Georgia

5 Present:

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7 John F. Morrissey, Mayor
8 Artie Jones, Jr., Councilman, Post 1
9 Steven Conner, Councilman, Post 2
10 Vacant, Councilman Post 3
11 David Reilly, Councilman, Post 4
12 Allen F Rassi Jr., Councilman, Post 5
13 Lisa James, Councilwoman, Post 6
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16 On motion of _____, which carried _____, the following
17 Ordinance amendment was adopted:

18
19 AN AMENDMENT TO THE CODE OF ORDINANCES, CITY OF ST. MARYS, GEORGIA,
20 C-2 HIGHWAY COMMERCIAL AND COMMUNITY DISTRICT
21

22 Be it, and it is, herby ordained by the Mayor and Council of the City of St. Marys, this _____ day of
23 _____, 2023 that Chapter 110, Section 110-70 of the Code of Ordinances, City of St.
24 Marys, Georgia is hereby amended to read as follows:

25 **Sec. 110-70. - C-2, Highway Commercial and Community District.**

26 *District intent.* The intent of this district is to provide areas for commercial uses which primarily render a
27 service to local residents or to other non-local individuals such as tourists, vacationers, truckers, workers,
28 and commuters. The regulations applying to this district are designed to:

- 29 (1) Encourage the location of high traffic volume uses in an attractive and well-designed manner;
30 (2) Ensure adequate and properly designed means of ingress and egress while considering and providing
31 for overall safe and adequate traffic flow on the highways.
32 (3) Discourage encroachment by industrial, residential or other uses which may be incompatible with
33 the specialized character of this district.

34 (a) *Uses permitted.* Property and buildings in the C-2, Highway Commercial District shall be used for the
35 following purposes:

- 36 (1) All uses permitted in the C-1, Central Business District, except residential.
37 (2) Retail and wholesale business and service establishments, including shopping centers that conduct
38 business entirely within an enclosed building except small box discount stores.
39 (3) Animal care facilities, animal hospital and/or boarding facility, and veterinary offices.
40 (4) Commercial recreation facilities including bowling alleys, roller or ice skating rinks, theaters (not
41 including drive-ins), and the like.

- 42 (5) Hotels, tourist homes, and motels.
- 43 (6) Transportation terminals.
- 44 (7) Microbreweries.
- 45 (8) Public utility, installation or sub-installation, including water towers, but specifically excluding waste
46 treatment processing or storage.
- 47 (9) Churches.
- 48 (10) Community facilities: Assembly halls, recreation centers, civic centers, local government public uses
49 including schools, libraries, parks, playgrounds, and fire stations.
- 50 (11) Medical health services: Clinics and pharmacies, hospitals, medical or dental labs, offices of health
51 service practitioners and other health services not elsewhere classified.
- 52 (12) Accessory uses and structures.
- 53 (13) Travel trailer parks.
- 54 (b) *Special permit uses.* The following uses may be permitted in accordance with the provisions contained
55 in section 110-145, and if additional conditions which may be required are met:
- 56 (1) Outdoor sales of new or second hand automobiles, manufactured or modular homes, boats, and
57 other such items provided the lot is graded, surfaced and drained for disposal of all surface
58 water; and provided that ingress and egress is provided to the outdoor sales area.
- 59 (2) Drive-in restaurants provided that outside lighting and advertisement arrangements are directed
60 away from adjoining residential districts (if any); and parking surface areas are separated from
61 adjoining residential districts (if any) by a suitable planting screen, fence, or wall at least six
62 feet in height.
- 63 (3) Gasoline service stations.
- 64 (4) Cable television towers/satellite dishes; and that all adjoining property which is zoned R-1, R-2, or
65 R-3 under the City of St. Marys, Georgia, Zoning Ordinance, be separated from such
66 towers/satellite dishes by a visual barrier, with a height of not less than five feet, nor more
67 than seven feet. Such barrier shall be opaque, and shall prevent the free passageway and
68 obstruct the view between such towers/satellite dishes and all adjoining properties which are
69 zoned R-1, R-2, or R-3.
- 70 (5) Day care centers, kindergartens or schools provided that a minimum of 100 square feet of outdoor
71 play area be provided for each child. Such outdoor play area shall be enclosed by a fence not
72 less than four feet in height. Such use shall comply with the Georgia Department of Human
73 Resources Regulatory Services. Such use shall provide the number of off-street parking spaces
74 required for schools as set forth in section 110-124—Number of Parking Spaces Required, and
75 section 110-126—Off-Street Loading and Unloading Requirements.
- 76 (6) Electronic game promotions. Indoor facilities operated by a licensed permit holder for game
77 promotions or sweepstakes utilizing electronic equipment, meeting the performance
78 standards and development criteria set forth in chapter 22, article VII, "Electronic Game
79 Promotions", and drawings by chance conducted in connection with the sale of a consumer
80 product or service utilizing electronic equipment, meeting the performance standards and
81 development criteria set forth under Code of Ordinances chapter 110, subsection 110-145(6),
82 special permit uses.

83 (7) Repair garages provided that all business is conducted inside an enclosed building and/or inside
84 an aesthetically pleasing barrier as prescribed by the planning commission which will shield
85 the business activity from view of passing motorists and surrounding property owners.

86 (8) Mini-warehouse developments provided that the following conditions are met:

87 a. no business activities other than the rental of storage units is conducted on the premises;
88 b. the mini-warehouse development is located on a lot at least five (5) acres in size;
89 c. all storage on the property shall be kept within an enclosed building except that recreational
90 vehicle (RV) and boat storage is allowed as an accessory use to the mini-warehouse
91 development when the storage or RVs and boats is located at the rear of the mini-warehouse
92 development; and

93 d. If a mini-warehouse development abuts a residential zoning district, a buffer will be
94 required as per Sec. 110-92.

95 (9) Small box discount stores.

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97 (b) *Prohibited Uses*. The following use(s) are not permitted.

98 (1) Storage of shipping containers.

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100 Commercial District shall conform to the following regulations:

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104 rights-of-way: 25 feet.

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106 residential district where 15 feet is required, 25 feet from street rights-of-way.

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108 feet is required.

109 (6) Maximum building height: 45 feet.

110 (7) Maximum percentage of lot coverage: 80% of the lot area covered by principal and accessory
111 buildings or structures and impervious surfaces.

112 (d) *Other requirements*.

113 (1) Uses permitted in C-2 Districts shall meet the standards set forth in article IV pertaining to off-street
114 parking, loading requirements.

115 (2) Any type of business in a C-2 Zoning District must conduct all its business inside an enclosed building
116 and/or inside an aesthetically pleasing barrier, as prescribed by the planning commission. All
117 finished products of such businesses shall be kept inside an enclosed building or behind such
118 barrier.

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120 This Amendment shall become immediately effective.

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ST. MARYS CITY COUNCIL
ST. MARYS, GEORGIA

JOHN F. MORRISSEY, MAYOR

ATTEST:

DEBORAH WALKER-REED, CITY CLERK
CITY OF ST. MARYS, GEORGIA

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EXPLANATION OF CHANGES

NOTE: Deletions are ~~stricken through~~, additions are underlined and in **RED**.

Sec. 110-70. Highway Commercial and Community District.

(a)(2) except small box discount stores.

(a) ~~(14)~~—Mini-warehouse developments provided that the following conditions are met:

~~(a) No business activities other than the rental of storage units is conducted on premises;~~

~~(b) The mini-warehouse development is located on a lot at least five acres in size;~~

~~(c) All storage on the property shall be kept within an enclosed building except that recreational vehicle (RV) and boat storage is allowed as an accessory use to the mini-warehouse development when the storage or RV's and boats is located at the rear of the mini-warehouse development; and~~

~~(d) If a mini-warehouse development abuts a residential zoning district, a buffer will be required as per section 110-92.~~

(b)(3) ~~Reserved~~

Gasoline service stations.

(b)(8) (8) Mini-warehouse developments provided that the following conditions are met:

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