COUNTY AGENDA REQUEST

Department:	Planning and Zoning	Presenter(s):	Director Pete Frisina
Meeting Date:	Thursday, January 22, 2015	Type of Request:	Consent

Wording for the Agenda:

Approval of staff's recommendation to adopt Ordinance 2015-01, amending the Fayette County Code of Ordinances, Chapter 104-Development Regulations, as amended, specifically Article VIII. Off-Street Parking and Service Requirements.

Background/History/Details:

On April 24, 2014, the Board of Commissioners adopted Ordinance 2014-07 enacting a new County Code entitled "The Code of Fayette County, Georgia." This action codified 79 county ordinances that had not gone through the codification process since June 2007, and the codification process took over one year to complete.

During the codification process, Section 8-255-Number of Parking Spaces was mistakenly deleted after Municode indicated conflicts parking requirements in the Zoning Ordinance. Furthermore, the recodification process renumbered many of the sections- including the section currently under consideration. Specifically, the old code section was renumbered from Section 8-255 to Section 104-221.

The Red-Lined version of this supporting documents (see Exhibit A) provides minor amendments to the conflicts indicated by Municode.

Exhibit B provides the final form of Ordinance 2015-01.

What action are you seeking from the Board of Commissioners?

Approval of staff's recommendation to adopt Ordinance 2015-01, amending the Fayette County Code of Ordinances, Chapter 104-Development Regulations, as amended, specifically Article VIII. Off-Street Parking and Service Requirements.

If this item requires funding, please describe:

Not Applicable.

Has this request been considered within the past two years?	No	If so, when?	
Is Audio-Visual Equipment Required for this Request?*	No	Backup Provided with Request?	Yes

**** All audio-visual material must be submitted to the County Clerk's Office no later than 48 hours prior to the meeting. It is also your department's responsibility to ensure all third-party audio-visual material is submitted at least 48 hours in advance.***

Approved by Finance	Not Applicable	Reviewed by Legal	
Approved by Purchasing	Not Applicable	County Clerk's Approval	Yes
Administrator's Approval			

Staff Notes:

Sec. 104-221. Number of Parking Spaces. In order to assure a proper and uniform development of public parking areas throughout the area of jurisdiction of this Ordinance, to relieve traffic congestion on the streets, and to minimize any detrimental effects on adjacent properties, off-street parking spaces shall be provided and maintained as called for in the following schedule; the requirements shall be the same as a similar use as mentioned herein. Parking requirements for additions to existing uses shall be based upon the new addition even if the existing use is deficient.

(1) ~~Apartment~~ Duplex or Multi-Family Dwelling

~~Two (2)~~ Three (3) spaces for each dwelling unit ~~plus 0.25 guest parking spaces per unit for all dwelling units with common parking areas~~, plus any required spaces for recreation areas, sales office, etc. as required by the Zoning Ordinance.

(2) Assembly, Public (including Auditorium and Stage Theater):

One (1) space for every 200 square feet in the main assembly room.

(3) Athletic Field:

One (1) space for every four (4) bleacher seats or thirty (30) spaces per field, whichever is greater.

(4) Automobile Sales and Repairs:

Three (3) spaces for every service area within the garage, or one (1) space for every service employee, whichever is greater.

(5) Bowling Alley:

Four (4) spaces per alley, plus requirements for any other use associated with the establishment such as a restaurant, etc.

(6) Care Home:

One (1) space for every four (4) beds, plus one (1) space for every employee.

(7) Car Wash (Principal Use):

One (1) space for every 250 square feet.

(8) Church, Temple, or Place of Worship:

One (1) space for every 150 square feet of ~~gross~~ occupiable floor area.
~~(Amended October 25, 2001)~~

(9) Club or Lodge:

One (1) space for every 200 square feet of assembly area.

(10) Combined Uses:

Parking spaces shall be the total of the spaces required for each separate use established by this schedule.

(11) Dance School:

One (1) space for every employee plus one (1) space for every 150 square feet of gross floor area, plus safe and convenient loading and unloading of students.

(12) Developed Residential Recreational/Amenity Areas:

a. One (1) space for every 250 square feet of clubhouse, pool house, pavilion, and swimming pool water surface area; and

b. Two (2) spaces for every other amenity provided (including but not limited to tennis, volleyball, basketball, and playgrounds).

(13) Dry Cleaning/Laundry Plant:

One (1) space for every 10,000 square feet of gross floor area, plus one (1) space for every employee.

(14) Entertainment, Indoor (except bowling alleys):

One (1) space for every 250 square feet of floor area devoted to patron use.

(15) Entertainment, Outdoor:

10 spaces for every acre.

(16) Fraternity or Sorority:

One (1) parking space for every two (2) residents and one (1) space for every two (2) employees.

(17) Funeral Parlor:

One (1) space for every three (3) seats in the chapel plus space for each funeral vehicle.

(18) Furniture, Appliance, or Carpet Sales:

One (1) space for every 500 square feet of showroom, plus one (1) space per 750 square feet of indoor storage space.

(19) Gas Station

No parking spaces are required for gas pump uses. All other uses on the site must meet the requirements for retail, service, and repair etc.

(20) Gas and Fuel, Wholesale:

One (1) space for every 250 square feet.

(21) Golf Course:

Two (2) spaces for every hole and one (1) space for every two (2) employees, plus requirements for any other use associated with the golf course.

(22) Greenhouse or Nursery, Retail:

One (1) space for every 10,000 square feet plus one (1) space for every employee.

(23) Trade School, College, or University:

One (1) space for every two (2) students, one (1) space for every 300 square feet of administrative and educational office space, plus safe and convenient loading of students, plus additional spaces for stadium, gymnasium, and auditorium uses.

(24) Hospital:

One and one-half (1.5) spaces for every two (2) beds plus one (1) space for every employee.

(25) Hotel:

One (1) space for every guest room plus one (1) space for every two (2) employees on the largest shift.

(26) Industrial Facility, Manufacturing or Processing Establishment:

One (1) space for every 1,000 square feet of gross floor area, plus one (1) space for every employee.

(27) Kennel, Commercial:

One (1) space for every 300 square feet of cage and retail area.

(28) Kindergarten, Nursery School, or Day Care Center:

One (1) space for every employee, plus a covered, safe, and convenient transient parking area for the loading/unloading of students.

(29) Manufactured Home Park:

Two (2) spaces for every manufactured home.

(30) Medical or Dental Office:

One (1) space for every employee, plus one (1) space for every examining room.

(31) Motel:

One (1) space for every guest room.

(32) Movie Theater:

One (1) space for every five (5) seats.

(33) Moving and Storage:

One (1) space for every 10,000 square feet of gross floor area, plus one (1) space for every employee.

(34) Museum, Art Gallery, Library, or Similar Use:

One (1) space for every 400 square feet of gross space to which the public has access.

(35) Office, Business or Professional, Bank, or Similar Use:

One (1) space for every 300 square feet of gross floor area.

(36) ~~Residence:~~

~~Two (2) spaces for every dwelling unit (residential driveways can satisfy this need).~~

(37) Personal Service Establishment:

One (1) space for every 300 square feet of gross floor area, but not less than two (2) spaces for every employee/operator.

(38) Printing and Copying Services:

One (1) space for every 250 square feet of gross floor area.

(39) Repair Services, Limited (Small Items):

One (1) space for every 250 square feet of gross floor area.

(40) Restaurant or Place Dispensing Food, Drink or Refreshments:

One (1) space for every two seats provided for patron use.

(41) Retail Stores of all types not mentioned otherwise:

One (1) space for every 300 square feet of gross floor area

(42) School, Elementary and Middle:

One (1) space for every employee, and one (1) space for every classroom, plus safe and convenient area for loading and unloading of students.

(43) School, High:

One (1) space for every two (2) students, plus one (1) space every employee.

(44) Self Service Storage Facility:

One (1) space for every 75 storage bays plus one (1) space for every employee, plus two (2) customer spaces.

(45) Shopping Center:

One (1) space for every300 square feet of gross floor area.

(46) Stable, Commercial:

One (1) space for every 300 square feet within stable, plus one (1) space per three (3) animal stalls.

(47) Swimming Pool, Public:

One (1) space for every 200 square feet of water surface area plus requirements for additional uses in association with establishments such as a restaurant, etc.

(48) Upholstery Shop:

One (1) space for every 250 square feet of gross floor area.

(49) Vehicle Sales and Rental:

One (1) space for every 500 square feet of enclosed area, plus one (1) space for every 5,000 square feet of outdoor sales, rental, and display area, plus one (1) space for every service bay, plus one (1) space for every employee.

(50) Veterinarian Office or Clinic:

One (1) space for every employee plus one (1) space for every 500 square feet of gross floor area.

(51) Warehouse and Bulk Storage Facility:

One (1) space for every 2,000 square feet of gross floor area, plus one (1) space for every employee.

(52) Wholesale, or Open Yard Establishment:

One (1) space for each employee, one (1) space for every 2,000 square feet of gross floor area, and one (1) space for every company vehicle to be stored on the site.

(53) Woodworking or Cabinetmaking:

One (1) space for every 250 square feet of gross floor area.

STATE OF GEORGIA
COUNTY OF FAYETTE

ORDINANCE NO. 2015 - 01

AN ORDINANCE TO AMEND THE FAYETTE COUNTY CODE OF ORDINANCES, CHAPTER 104 - DEVELOPMENT REGULATIONS, AS AMENDED, SPECIFICALLY ARTICLE VIII. OFF-STREET PARKING AND SERVICE REQUIREMENTS; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING LAWS, ORDINANCES, AND RESOLUTIONS; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES ALLOWED BY LAW.

WHEREAS, the duly elected governing authority of Fayette County is the Board of Commissioners thereof;

WHEREAS, the governing authority desires to amend the provision that provides for the regulation of land development as allowed by the State of Georgia;

WHEREAS, the health, safety, and welfare of the citizens of Fayette County, Georgia shall be improved and protected by adoption and implementation of this Ordinance.

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF FAYETTE COUNTY AND IT IS HEREBY ORDAINED BY AUTHORITY THEREOF:

Section 1. The Fayette County Code of Ordinances, Chapter 104 - Development Regulations, as amended, specifically Article VIII. Off-Street Parking and Service Requirements, as amended, is hereby further amended by adding Sec. 104-221, in its entirety to read as follows:

Sec. 104-221. Number of Parking Spaces. In order to assure a proper and uniform development of public parking areas throughout the area of jurisdiction of this Ordinance, to relieve traffic congestion on the streets, and to minimize any detrimental effects on adjacent properties, off-street parking spaces shall be provided and maintained as called for in the following schedule; the requirements shall be the same as a similar use as mentioned herein. Parking requirements for additions to existing uses shall be based upon the new addition even if the existing use is deficient.

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(3) Athletic Field:

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Four (4) spaces per alley, plus requirements for any other use associated with the establishment such as a restaurant, etc.

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One (1) space for every four (4) beds, plus one (1) space for every employee.

(7) Car Wash (Principal Use):

One (1) space for every 250 square feet.

(8) Church, Temple, or Place of Worship:

One (1) space for every 150 square feet of occupiable area.

(9) Club or Lodge:

One (1) space for every 200 square feet of assembly area.

(10) Combined Uses:

Parking spaces shall be the total of the spaces required for each separate use established by this schedule.

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One (1) space for every employee plus one (1) space for every 150 square feet of gross floor area, plus safe and convenient loading and unloading of students.

(12) Developed Residential Recreational/Amenity Areas:

a. One (1) space for every 250 square feet of clubhouse, pool house, pavilion, and swimming pool water surface area; and

b. Two (2) spaces for every other amenity provided (including but not limited to tennis, volleyball, basketball, and playgrounds).

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One (1) space for every 10,000 square feet of gross floor area, plus one (1) space for every employee.

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One (1) space for every 250 square feet of floor area devoted to patron use.

(15) Entertainment, Outdoor:

10 spaces for every acre.

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(17) Funeral Parlor:

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One (1) space for every 500 square feet of showroom, plus one (1) space per 750 square feet of indoor storage space.

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No parking spaces are required for gas pump uses. All other uses on the site must meet the requirements for retail, service, and repair etc.

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(51) Wholesale, or Open Yard Establishment:

One (1) space for each employee, one (1) space for every 2,000 square feet of gross floor area, and one (1) space for every company vehicle to be stored on the site.

(52) Woodworking or Cabinetmaking:

One (1) space for every 250 square feet of gross floor area.

Section 2. That the preamble of this Ordinance shall be considered to be and is hereby incorporated by reference as if fully set out herein.

Section 3. **a**. It is hereby declared to be the intention of the Board of Commissioners that all Sections, paragraphs, sentences, clauses and phrases of this Article are and were, upon their enactment, believed by the Board of Commissioners to be fully valid, enforceable and constitutional.

b. It is hereby declared to be the intention of the Board of Commissioners that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the Board of Commissioners that, to the greatest extent allowed by law, no Section, paragraph, sentence, clause or phrase of this Article is mutually dependent upon any other Section, paragraph, sentence, clause or phrase of this Article.

c. In the event that any phrase, clause, sentence, paragraph or section of this Article shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Board of Commissioners that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or Sections of the Article and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and Sections of the Article shall remain valid, constitutional, enforceable, and of full force and effect.

Section 4. All ordinances or resolutions and parts of ordinances or resolutions in conflict herewith are hereby expressly repealed except those provided for herein.

Section 5. The effective date of this Ordinance shall be the date of adoption unless otherwise specified herein.

So ordained this 22nd day of January, 2015, by the

BOARD OF COMMISSIONERS
FAYETTE COUNTY, GEORGIA

_____
STEVE BROWN, CHAIRMAN

ATTEST:

_____
CLERK/DEPUTY CLERK