

ORDINANCE O2023-5.A

AN ORDINANCE TO AMEND THE CITY OF POOLER CODE OF ORDINANCES APPENDIX A - ZONING, ARTICLE IV - ZONING DISTRICTS, SECTION 18 - C-1, LIGHT COMMERCIAL DISTRICT TO CLARIFY LANGUAGE RELATED TO ALLOWABLE ACREAGE AND ARTICLE III - GENERAL PROVISIONS, SECTION 2 - ACCESS TO PUBLIC STREET REQUIRED TO CLARIFY REQUIREMENTS RELATED TO ACCESS AND CHAPTER 74 - STREETS, SIDEWALKS AND OTHER PUBLIC PLACES, ARTICLE V - ENGINEERING POLICY TO PROVIDE PROVISIONS FOR PERPETUAL MAINTENANCE OF DEVELOPED SITES; TO REPEAL ALL ORDINANCES IN CONFLICT HERewith; TO PROVIDE FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES

NOW THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Pooler that the Code of Ordinances of the City of Pooler, Georgia are hereby amended as follows:

I

That APPENDIX A - ZONING, ARTICLE IV. ZONING DISTRICTS - Section 18. C-1, light commercial district, be amended by deleting the strikethrough language as follows:

**Section 18. - C-1, light commercial district.**

(A) *Purpose of district.* This district is defined as an area designated for the development of light commercial properties with land uses of less than two acres. This district is composed of lands and structures used primarily for the retailing of goods and the furnishing of services. Regulations within this district are intended to permit and encourage full development of the necessary uses while at the same time protecting nearby residential properties from the possible adverse effects of the commercial activity. All site plans for development in the C-1 district must be submitted to the building official for review by the planning commission, and the city council for approval. See article V of this ordinance for the site plan approval process.

II

That APPENDIX A - ZONING, ARTICLE III. GENERAL PROVISIONS - Section 2. Access to public street required, be amended by deleting the strikethrough language and add the underlined text as follows:

**Section 2. Access to public street required.**

No building shall be constructed or erected upon a lot, or parcel of land, which does not ~~abut upon~~ have direct vehicular access to a public or privately owned street, publicly approved street, or a permanent access easement of access to a public or privately owned street. Any street or easement that provides direct access to a new development shall meet the street standards provided in the City of Pooler's Standard Specifications and Details. ~~Such Easements providing access to a public or privately owned street for residential development shall serve no more than two lots and must shall~~ have a minimum width of 25 feet unless an easement of lesser width was of record prior to the adoption of this ordinance; easements providing access to a public or privately owned street for non-residential development may serve two or more lots, as long as it meets the minimum standards for a marginal access or minor street. The City may require any existing access easement or street to be brought up to City standards, in whole or in part, as part of a development approval.

That CHAPTER 74 – STREETS, SIDEWALKS AND OTHER PUBLIC PLACES, ARTICLE V. ENGINEERING POLICY, be amended by adding the following:

**Section 74-143. Perpetual maintenance required.**

- (a) Upon completion of construction, all privately owned infrastructure, including but not limited to road pavement, drive aisles, easements, ponds, stop signs, street name signs, lighting, etc., shall be maintained in good working order with the standards of their approval for the public's health, safety, and welfare, in perpetuity for the life of such development.
- (b) Failure to comply with perpetual maintenance shall constitute a violation of City Ordinances subject to the provisions of Sec. 1-12.
- (c) If a development is cited for violation of this Section, and until the development is brought into compliance and/or remediated, then:
  - (1) No new building permits shall be issued for new construction, additions, alterations, or expansions related to such development;
  - (2) No new Certificate of Occupancy, except for upfit of existing buildings that do not require any site improvements, shall be issued related to such development;
  - (3) A Stop Work Order may be issued until such time as the issue related to such development is addressed;
  - (4) Any other existing permits, approvals, or authorizations may be modified, suspended, or revoked, related to such development; or
  - (5) Any combination of the above measures.

IV

All ordinances or parts of ordinances in conflict with the ordinance are hereby repealed.



If any section, clause, or phrase of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, the said holding shall in no way affect the validity of the remaining portions of this ordinance.

VI

This ordinance shall be effective immediately upon its adoption by the Mayor and City Council of Pooler, Georgia.

1<sup>st</sup> Reading: 5/15/23

2<sup>nd</sup> Reading: 6/05/23

This 5<sup>th</sup> day of June, 2023.

CITY OF POOLER, GEORGIA

Rebecca C Benton

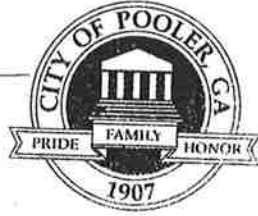
Rebecca C. Benton, Mayor

Attest:

Kiley Fusco

Kiley Fusco, City Clerk

Date: 6/5/23



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