

AN ORDINANCE TO AMEND ARTICLE 3 AND ARTICLE 4 OF THE UNIFIED LAND DEVELOPMENT CODE OF THE CITY OF ROME, GEORGIA AND FLOYD COUNTY, GEORGIA (THE “ULDC”) FOR THE PURPOSE OF PLACING RESTRICTIONS ON THE DEVELOPMENT AND OPERATION OF CONVENIENCE GAS STATIONS AND CONVENIENCE STORES; TO REPEAL CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

WHEREAS, the Rome City Commission and the Floyd County Commission wish to amend Article 3 and Article 4 of the ULDC for the purpose of promoting economic growth in areas where businesses can best thrive without placing an unnecessary burden on incompatible existing land uses and development, and to promote the beautification of our commercial corridors; and

WHEREAS, the Rome City Commission and the Floyd County Commission enacted a moratorium on gas stations and convenience stores on June 9, 2025 and June 10, 2025, respectively; and

WHEREAS, the Rome City Commission and the Floyd County Commission wish to ensure that convenience gas stations, retail dealers of gasoline, E85 ethanol, and diesel fuel only develop where stores can have access to roads with the highest traffic counts which benefits stores and drivers, while also being around other autocentric retail operations that are more likely to have a symbiotic relationship with convenience gas stations; and

WHEREAS, the Rome City Commission and the Floyd County Commission wish to prohibit convenience gas stations in family, civic, and pedestrian-oriented gathering places, such as schools, daycare centers, churches or places of worship, parks, because of the many adult products or services typically offered in convenience stores, including alcohol, tobacco/tobacco smoking devices, lottery tickets, and adult magazines and videos, and because of the danger presented to children and pedestrians through the vehicular traffic generated; and

WHEREAS, the Rome City Commission and the Floyd County Commission wish to prohibit the development or operation of convenience gas stations in the urbanized downtown areas like the C-B-C and U-M-U districts that are intended to be more pedestrian-oriented; and

WHEREAS, the Rome City Commission and the Floyd County Commission wish to prohibit convenience stores near in-patient drug/alcohol treatment centers where clients are seeking help for addiction; and

WHEREAS, the Rome City Commission and the Floyd County Commission wish to prohibit the development or operation of convenience gas stations on the periphery of residential areas because of their typical nighttime and weekend hours of operation, propensity for light pollution associated with late night operations and vehicular traffic, noise pollution associated with vehicular traffic, and air pollution associated with vehicular traffic; and

WHEREAS, the Rome City Commission and the Floyd County Commission wish to prohibit the development or operation of convenience gas stations within the local historic districts, all of which were developed prior to the mass production of automobiles, except the College Heights local historic district, which is an almost-exclusively residential district with only a few professional offices, personal services, and light retail operations; and

WHEREAS, the Rome City Commission and the Floyd County Commission wish to prohibit the development or operation of convenience gas stations in environmentally sensitive areas, such as adjacent to rivers, within floodplains, and near government wells; and

WHEREAS, the Rome City Commission and the Floyd County Commission wish to ensure that convenience stores will be conveniently located along arterial roads characterized by

high visibility because of high vehicular traffic counts and away from areas where its products and hours of operation may cause adverse effects for neighboring development and uses; and

WHEREAS, the Rome City Commission and the Floyd County Commission wish to prohibit convenience stores in single-family residential areas due to their late-night and weekend hours of operation and high pedestrian foot traffic and vehicular traffic counts, which results in increased litter, light and noise pollution and excessive traffic which are inconducive to residential areas; and .

WHEREAS, the Rome City Commission and the Floyd County Commission wish to prohibit convenience stores near civic and family-oriented gathering places, such as schools, daycare centers, churches or places of worship, parks, given the many adult products/services typically offered in convenience stores, including alcohol, tobacco/tobacco smoking devices, lottery tickets, and adult magazines and videos.

WHEREAS, the Rome City Commission and the Floyd County Commission wish to prohibit convenience stores near in-patient drug/alcohol treatment centers where clients are seeking help for addiction.

WHEREAS, the Rome City Commission wishes to enact design restrictions within the City of Rome (only) that shall apply to newly constructed convenience gas stations and convenience stores and those engaged in renovations that exceed the nonconforming development code section

NOW, THEREFORE, the Rome City Commission and the Floyd County Commission hereby adopt this Ordinance as follows:

SECTION I:

BE IT ORDAINED by the Rome City Commission and the Floyd County Commission, and it is ordained by authority of the same, that the Retail Sales portion of Table 3-2 of article 3 of the ULDC is hereby amended to remove the category for “Automobile Service Station”. The following line shall be deleted in its entirety:

554	Automobile Service Station			o			◆	◆		4.1.2	c
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SECTION II:

BE IT ORDAINED by the Rome City Commission and the Floyd County Commission, and it is ordained by authority of the same, that Retail Sales portion of Table 3-2 of Article 3 of the ULDC is hereby amended to add a category for “Convenience Gas Station” allowed by right with limitations in the Community Commercial (C-C) and Heavy Commercial (H-C) districts, to not allow convenience gas stations in the Light Industrial (L-I) and Heavy Industrial (H-I) district, and to add “4.1.34” in the “See Also” column to reference the newly-created limitations found in the new section 4.1.34, as set forth below in this Ordinance.

PRINCIPLE USES	N-O-C*	O-I	C-C	UMU	C-B-C	H-C	L-I	H-I	See Also	Parking - See under 6.86.
Convenience Gas Station			◆			◆	◆		4.1.34	c

SECTION III:

BE IT ORDAINED by the Rome City Commission and the Floyd County Commission, and it is ordained by authority of the same, that a new Section 4.1.34 shall be added to the ULDC as follows:

4.1.34. Convenience Gas Station

1. The following conditions must be met for convenience gas stations:

- a. Convenience gas stations must be located on lots or parcels that have frontage on a road that is classified by the Georgia Department of Transportation (GDOT) as an arterial road (major or minor) and have direct vehicular ingress and egress onto a road classified as an arterial road (major or minor).
 - i. This subsection may be waived if the proposed convenience gas station is developed within a planned multi-business commercial retail development which cumulatively includes more than 100,000 square feet of retail space, not including the proposed convenience gas station. Said developments are commonly referred to as shopping centers, malls, etc.
- b. Convenience gas stations shall not be located within 600 feet of schools, daycare centers, churches or places of worship, drug/alcohol treatment centers, public parks, or the public right-of-way associated with the ECO Greenway Trail.
 - i. This buffer shall be measured in a straight-line distance from the nearest point of the main building or gas canopy of the convenience gas station to the nearest lot or parcel boundary of any school, day care center, church or place of worship, alcohol treatment facility, public park, or the public right-of-way containing the ECO Greenway Trail.
 1. Exception. The 600-foot buffer required by this subsection may be reduced to 300 feet, measured in the same manner, if the proposed convenience gas station is developed within a planned multi-business commercial retail development which cumulatively includes more than 100,000 square feet of retail space, not including the proposed gas station. Said developments are commonly referred to as shopping centers, malls, etc.
 - ii. The term “school” shall include public or private early learning centers, elementary schools, middle schools, high schools and college or university campuses. The term “school” shall mean any instructional premises including, but not limited to, main school buildings, auditoriums, gymnasiums, shops, laboratories, temporary mobile classrooms, outdoor classrooms, and recreational facilities, such as playgrounds, ball fields, and similarly used areas. The term “school” shall not include private tutoring services, private driving schools, or personal enrichment schools.
 - iii. The term “daycare center” shall be defined as a daycare facility that enrolls for pay, supervision, and non-medical care, 19 or more children or elderly adults with no overnight stays.
 - iv. The terms “church or place of worship” is defined as a freestanding building which is owned by a religious organization or association and primarily utilized for religious services, ceremonies, or instruction.
 - v. The term “drug/alcohol treatment center” shall be defined as in-patient facilities for the treatment of drug/alcohol addiction, where patients will reside for 30 sequential calendar days or longer.
 - vi. The term “public park” shall be defined as any lot or parcel managed by Rome/Floyd Parks & Recreation, the City of Rome, Floyd County, or the State of Georgia and used for recreational purposes.
- c. Convenience gas stations shall be located a minimum of 1,000 feet from any/all other convenience gas stations and/or convenience stores as measured in a straight-line distance from the boundaries of the lots or parcels developed as convenience gas stations and/or convenience stores or proposed to be developed as convenience gas stations and/or convenience stores.
 - i. Exception. The 1,000 foot buffer required by this subsection may be reduced to 300 feet, measured in the same manner, if the convenience gas station has frontage on any corner of an intersection in which at least one road is classified by GDOT as an arterial road (major or minor), and any other road(s) are classified by GDOT as a major road (arterial or collector).
- d. Convenience gas stations shall be located no less than three hundred (300) feet from a lot or parcel developed as a detached single-family dwelling or whose zoning allows for use as a detached single-family dwelling. This buffer

requirement will be measured in a straight-line distance from the nearest point of the main building of the convenience gas station or its fuel canopy to the lot or parcel boundary being used as a detached single-family dwelling, or whose zoning allows for use as a detached single-family dwelling.

- e. Convenience gas stations shall not be developed or operated within any of the five locally designated historic districts, being identified as the Between the Rivers District, Oakdene, Old East Rome, Avenue A, and College Heights, given that all the locally designated historic districts except one were developed prior to the mass production of automobiles. The one exception is College Heights, which is a primarily-residential neighborhood, thus making a gas station inappropriate here as well.
 - f. Convenience gas stations shall not be developed or operated where the gasoline or diesel underground storage tanks, or gas pumps are located within five hundred (500) feet of a public right-of-way associated with a river, as measured in a straight-line distance.
 - g. Convenience gas stations shall not be developed or operated within the 100-year floodplain.
 - h. Convenience gas stations shall not be developed or operated within 500 linear feet of a government-operated well used for public drinking water. This buffer will be measured from the nearest point of the main building, gasoline or diesel underground storage tanks, or fuel canopy to the nearest lot or parcel owned by a local government water department and used as a well.
2. The following design restrictions shall apply to newly-constructed convenience gas stations and those engaged in renovations that exceed the nonconforming development code section found in Article 1.4.3(b): Nonconforming Structures. **This subsection shall only be applicable to development with the City of Rome.**
- a. Exterior Façade Materials
 - i. Primary materials – Two or more of the following materials shall be used for a combined total of 60% of the exterior façade (not including the required windows found in the fenestration requirement below): brick, stone or cast stone (granite, limestone, or high-quality precast), high-quality masonry units (architectural concrete block with smooth or split-faced finish) – not standard concrete masonry units (CMU), wood (treated hardwood), or fiber cement siding. Gas canopy support columns shall be finished brick, stone, or other material used on the primary building.
 - ii. Accent materials – The following materials shall not account for more than 40% of the exterior façade (not including the required windows found in the fenestration requirement below): stucco (traditional of EIFS), metal panels (modern, powder-coated or treated finishes), or decorative tile or terra cotta.
 - b. Fenestration – building facades that face a public road shall include transparent windows and/or doors across a minimum of 50% of the horizontal length, measured between two and ten feet above finished grade. This requirement can be reduced to 25% for south-facing facades if alternative treatments such as wall art, recessed panels, or vertical landscaping are used to visually break up the facade and prevent blank walls.
 - i. No more than 33% of windows may be obstructed.
 - ii. Windows, doors and other building features shall not be adorned, encircled, or framed with light-emitting diode (LED) lighting.

SECTION IV:

BE IT ORDAINED by the Rome City Commission and the Floyd County Commission, and it is ordained by authority of the same, that the Retail Sales portion of Table 3-2 of the ULDC is

amended to make “Convenience Store (no gas)” allowed by right with limitations in the Community Commercial (C-C), and Heavy Commercial (H-C), districts, and is further amended to add “4.1.35” in the “See Also” column to reference the newly-created limitations as set forth in this Ordinance.

PRINCIPLE USES		N-O-C ¹⁸	O-I	C-C	UMU	C-B-C	H-C	L-I	H-I	See Also	Parking - See under 6.86.
	Convenience Store (no gas sales)			◆			◆			4.1.35	c

SECTION V:

BE IT ORDAINED by the Rome City Commission and the Floyd County Commission, and it is ordained by authority of the same, that a new Section 4.1.35 shall be added to the ULDC as follows:

4.1.35. Convenience Store (no gas sales)

1. Definition.

For the purposes of this article, a convenience store is defined as a direct-to-consumer retail storefront whose inventory primarily consists of food or drink products for immediate consumption off-premises, including but not limited to caffeinated beverages (bottled, canned, or fountain drinks), ready-to-drink coffee, candy, potato chips, jerky, etc., as well as beer and/or wine, tobacco and vape products and paraphernalia, single-serve over-the-counter medications, and lottery tickets, with these products being sold primarily for a single customer’s immediate needs as opposed to shopping for groceries for a family unit. These establishments are also frequently characterized by late-night hours of operation for quick and convenient purposes. They also generally occupy a smaller store footprint than markets and supermarkets, typically less than 5,000 square feet of retail space, and include few, if any products that require food preparation or cooking.

2. The following conditions must be met:

- a. Convenience stores must be located on lots or parcels that have frontage on a road that is classified by the Georgia Department of Transportation (GDOT) as an arterial road (major or minor) and have direct vehicular ingress and egress onto a road classified as an arterial road (major or minor).
 - i. This subsection may be waived if the proposed convenience gas station is developed within a planned multi-business commercial retail development which cumulatively includes more than 50,000 square feet of retail space, not including the proposed convenience gas station. Said developments are commonly referred to as shopping centers, malls, etc.
- b. Convenience stores shall not be located within six hundred (600) feet of schools, daycare centers, churches or place of worship, drug/alcohol treatment centers, or public parks.
 - i. This buffer shall be measured in a straight-line distance from the nearest point of the main building of the convenience store to the nearest lot or parcel boundary of any school, day care, church or place of worship, alcohol treatment facility, public park, or the public right-of-way containing the ECO Greenway Trail.
 - ii. The term “school” shall include public or private early learning centers, elementary schools, middle schools, high schools and college or university campuses. The term “school” shall mean any instructional premises including, but not limited to, main school buildings, auditoriums, gymnasiums, shops, laboratories, temporary mobile classrooms, outdoor classrooms, and recreational facilities, such as playgrounds, ball fields, and similarly used areas. The term “school” shall not include private tutoring services, private driving schools, or personal enrichment schools.

- iii. The term “daycare center” shall be defined as a daycare facility that enrolls for pay, supervision, and non-medical care, 19 or more children or elderly adults with no overnight stays.
 - iii. The terms “church or place of worship” is defined as a freestanding building which is owned by a religious organization or association and primarily utilized for religious services, ceremonies, or instruction.
 - iv. The term “drug/alcohol treatment center” shall be defined as in-patient facilities for the treatment of drug/alcohol addiction, where patients will reside for 30 sequential calendar days or longer.
 - v. The term “public park” shall be defined as any lot or parcel managed by Rome/Floyd Parks & Recreation, the City of Rome, Floyd County, or the State of Georgia and used for recreational purposes.
 - vi. The 600-foot buffer required by this subsection may be reduced to 300 feet if the proposed convenience store is developed within a planned multi-business commercial retail development which cumulatively includes more than 50,000 square feet of retail space, not including the proposed gas station. Said developments being commonly referred to as shopping centers, malls, etc.
- c. Convenience stores shall be located a minimum of one thousand (1,000) feet from any/all other convenience stores and/or convenience gas stations as measured in a straight-line distance from the boundaries of the lots or parcels developed as convenience gas stations or convenience stores.
- d. Convenience stores shall be located no less than three hundred (300) feet from a lot or parcel developed as a detached single-family dwelling or whose zoning allows for use as a detached single-family dwelling. This buffer requirement will be measured in a straight-line distance from the nearest point of the main building of the convenience gas station to the lot or parcel boundary being used as a detached single-family dwelling, or whose zoning allows for use as a detached single-family dwelling.
3. The following design restrictions shall apply to newly constructed convenience stores and those engaged in renovations that exceed the nonconforming development code section found in Article 1.4.3(b): Nonconforming Structures. **This subsection shall only be applicable to development within the City of Rome.**
- a. Exterior Façade Materials
 - iv. Primary materials - Two of the following materials shall be used for a combined total of 60% of the exterior façade (not including the required windows found in the fenestration requirement below): brick, stone or cast stone (granite, limestone, or high-quality precast), high-quality masonry units (architectural concrete block with smooth or split-faced finish) – not standard concrete masonry units (CMU), wood (treated hardwood), fiber cement siding.
 - v. Accent materials – The following materials shall not account for more than 40% of the exterior façade: stucco (traditional of EIFS), metal panels (modern, powder-coated or treated finishes), or decorative tile or terra cotta.
 - c. Fenestration – building facades that face a public road shall include transparent windows and/or doors across a minimum of 50% of the horizontal length, measured between two and ten feet above finished grade. This requirement can be reduced to 25% for south-facing facades if alternative treatments such as wall art, recessed panels, or vertical landscaping are used to visually break up the facade and prevent blank walls.
 - i. No more than 33% of windows may be obstructed.
 - ii. Windows, doors and other building features shall not be adorned, encircled, or framed with light-emitting diode (LED) lighting.

SECTION VI:

BE IT ORDAINED by the Rome City Commission and the Floyd County Commission, and it is ordained by authority of the same, that the recitals in the preamble of this Ordinance provide necessary context, are an integral part of this Ordinance, and are hereby adopted into the Ordinance as if fully set forth herein.

SECTION VII:

BE IT ORDAINED by the Rome City Commission and the Floyd County Commission, and it is ordained by authority of the same, that the City Clerk and County Clerk, in consultation with the City Attorney and County Attorney, shall have the authority to correct any scrivener's errors found within this Ordinance.

SECTION VIII:

BE IT ORDAINED by the Rome City Commission and the Floyd County Commission, and it is ordained by authority of the same, that the provisions of this Ordinance are severable, and should any part of this Ordinance be deemed by a court of competent jurisdiction to be invalid, such invalidity shall not affect the validity of the Ordinance as a whole, or any part thereof other than the part declared to be invalid.

SECTION IX:

BE IT ORDAINED by the Rome City Commission and the Floyd County Commission, and it is ordained by authority of the same, that all ordinances or parts of ordinances in conflict herewith be, and the same are hereby, repealed.

- SIGNATURES ON NEXT PAGE -

ADOPTED, this _____ day of _____, 20____.

<p>CITY OF ROME, GEORGIA</p> <p>By: _____ Jim Bojo, Mayor</p> <p>Attest: _____ Joe Smith, Secretary Rome City Commission</p>	<p>FLOYD COUNTY, GEORGIA</p> <p>By: _____ Rhonda Wallace, Chair</p> <p>Attest: _____ Lauren Chumbler, Secretary Floyd County Commission</p>
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