08-O -2031

AN ORDINANCE

BY COUNCILMEMBER

AN ORDINANCE TO AMEND PART 16, CHAPTER 28A OF 1982 ZONING ORDINANCE OF THE CITY OF ATLANTA, AS AMENDED, SO AS TO CREATE A NEW SECTION 16-28A.010 (51) TO PROVIDE FOR COMPREHENSIVE SIGNAGE REGULATIONS FOR THAT AREA DESIGNATED AS SPI-23 - ATLANTIC STATION REDEVELOPMENT DISTRICT; TO REPEAL CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

WHEREAS, pursuant to the Redevelopment Powers Law (O.C.G.A. §36-44-1, *et seq.*), the Council of the City of Atlanta, Georgia has previously approved the Atlantic Steel Brownfield Redevelopment Plan (the "Plan") and created Tax Allocation District Number Two -- Atlantic Steel (the "TAD") by Resolution No. 99-R-1344, adopted on October 4, 1999 and approved by the Mayor on October 5, 1999 (the "1999 Resolution"); and

WHEREAS, Ordinance 98-O-0080 (Z-97-58) was adopted by the City Council on April 6, 1998 and approved by the Mayor on April 13, 1998, rezoning the bulk of the property now known as Atlantic Station from the I-2 classification to the C-4-C (Central Area Commercial Residential-Conditional); and

WHEREAS, since 1998 there have been additional zoning variances, special administrative permits, and a rezoning embodied in Ordinance 02-O-0281 (Z-02-27) of a four acre parcel to PD-H; and

WHEREAS, Atlantic Station caused the construction considerable system improvements and infrastructure within the TAD, without which the redevelopment would have been impossible to achieve; and

WHEREAS, Atlantic Station caused unprecedented residential and office development to occur within the TAD; and

WHEREAS, Atlantic Station caused unmatched development of retail and entertainment facilities within the TAD; and

WHEREAS, as a result of the foregoing activity, Atlantic Station is now a unique area in which the principles of new urbanism and smart growth are exemplified; and

WHEREAS, Atlantic Station represents the unsurpassed evolution from a dilapidated Brownfield to a community where people can truly "live, work, and play," which serves as the national model for smart growth and environmental sustainability; and

WHEREAS, the City of Atlanta comprehensively regulates signage so as to enhance the aesthetic appearance of the City, protect the safety of the public, and to achieve other health, safety and welfare purposes; and

WHEREAS, a related request to create the Atlantic Station Redevelopment Public Interest District is being considered by the City Council contemporaneously herewith; and

WHEREAS, the Council now wishes to create regulations to achieve the design and commercial needs of the public and Atlantic Station, which will improve the downtown retail environment and allow this unique development to thrive and truly become the vibrant community envisioned by the Developers and City by amending the Sign Ordinance of the City of Atlanta

THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY ORDAINS AS FOLLOWS:

SECTION ONE: That the 1982 Zoning Ordinance of the City of Atlanta is hereby amended by amending Part 16, Chapter 28A, Section 16-28A.010 to add a new subsection (51): "SPI-23 Atlantic Station Redevelopment District Permissible Signage," which will read as follows:

Notwithstanding any other provision in this Code of Ordinances, the signs permitted in SPI 23 Atlantic Station Redevelopment District shall be those as prescribed in Zoning Code Section 16-28A.010(11), subject to the following additions:

a. *Number and Area of Signs:* Wall signs, projecting signs, canopy signs, parapet wall signs, suspended signs, and marquee signs shall be permitted. A maximum of three (3) business identification signs shall be permitted for each business establishment. The combined area of these permitted business identification signs shall not exceed 25 percent of the total area of the front wall of each said business establishment, and in no case shall any individual sign exceed 500 square feet. Where existing nonconforming buildings are located immediately adjacent to the street, such buildings shall be permitted to have one (1) sign, not exceeding 80 square feet in sign area, projecting into the public right-of-way. Notwithstanding these provisions, every business establishment shall be entitled to at least 80 square feet total combined sign area.

b. *Wall Signs on Corner Lots:* For corner lots, one (1) additional wall business identification sign for the business establishment occupying the corner space shall be permitted, provided it is oriented toward the additional street frontage. The total area of said wall sign shall not exceed 25 percent of the area of the wall of said building occupied by such business establishment and oriented toward the additional street frontage, or 80 square feet, whichever is less.

c. *Freestanding Signs:* In addition to the building business identification signs permitted in subsections a. and b. above, one (1) freestanding business identification sign shall be permitted for each lot. On interior lots, said freestanding sign shall not exceed 80 square feet in sign area when located in the required front yard setback. If located within

the buildable area of the lot, said interior freestanding sign may be enlarged from said 80 square foot maximum at a rate of one (1) additional square foot of sign area per additional linear foot of setback from the required front yard setback line, measured perpendicularly, up to a maximum of 100 square feet in total sign area. On corner lots, said freestanding sign shall not exceed 100 square feet in sign area when located in the required front yard setback. If located within the buildable area of the lot, said corner freestanding sign may be enlarged from said 100 square foot maximum at a rate of one (1) additional square foot of sign area per additional linear foot of setback from the required front yard setback line, measured perpendicularly, up to a maximum of 130 square feet.

d. *Atlantic Station District Signs:* In addition to the freestanding business identification sign permitted in subsection (c) above, each District within Atlantic Station shall be permitted one (1) single freestanding business identification sign. Said sign may be located within the required front yard setback. Said sign shall not exceed 200 square feet in sign area. Where a District has frontage on two (2) or more streets, one (1) additional sign shall be permitted for each additional street frontage provided that such additional street does not face a residential district.

e. *Height of Signs:* No freestanding business identification sign shall exceed 50 feet in height above the level of the surface of the pavement of the nearest lane of the main traveled way or 50 feet from the ground at the base of the structure to the tallest part of the structure whichever is greater.

f. *Animated and Flashing Signs:* Animated or flashing signs shall be permitted provided that no such signs shall be erected within 50 feet of an adjoining residence if visible therefrom.

g. *Changing Signs:* Changing signs shall be permitted provided they are in compliance with Zoning Code Section 16-28A.007(x).

h. *General Advertising Signs:* General advertising signs shall be permitted subject to the provisions of Code section 16-28A.007(b). General advertising signs shall not exceed 50 feet in height above ground level; provided, however, when the ground level is lower than the level of the adjoining pavement, then a freestanding general advertising sign may be raised so as to be not more than 25 feet above the level of the pavement. General advertising signs shall be located within the buildable area of the lot and shall not exceed 672 square feet in total sign area.

i. *LSVD Signs:* In addition to the signs otherwise authorized in this sub-section (49), Large Screen Video Display (LSVD) Signs, shall be authorized provided they meet each of the following standards:

1. LSVD signs shall be authorized within SPI 23;

3. No LSVD sign shall exceed 520 square feet in total sign face area;

4. All LSVD signs shall be constructed and erected as wall signs. Freestanding LSVD signs are specifically prohibited;

5. No portion of an LSVD sign shall extend 60 feet in height above ground level; provided further that no part of an LSVD sign shall be placed above, supported on, or extend above the roof of a building;

6. No LSVD sign face shall be visible from the interior of any property used for residential purposes;

7. All LSVD sign faces shall be directly directed toward public pedestrian gathering areas in SPI 23;

8. No LSVD sign shall operate between the hours of 12:00 midnight and 7:00 a.m. unless a special events permit has been issued by the special events office for a special event during these hours held within area(s) designated hereinabove in sub-section (a) in which the LSVD sign is located;

9. No directly visible portion of an LSVD sign face shall be located within 100 feet of any street having a posted speed limit greater than 35 miles per hour;

10. All LSVD signs must otherwise comply with all other provisions of this code as well as all other laws and regulations of the State of Georgia and the City of Atlanta, including but not limited to the City of Atlanta Noise Control Ordinance, Code Section 74-129, *et seq.*

j. *Portable Signs*: Are permitted in SPI 23, subject to the restrictions for signage set out in Section 16-28A.001, et seq. of the City of Atlanta Code of Ordinances.

k. *Building Signature Signs*: Are permitted in SPI 23, subject to the restrictions for signage set out in Section 16-28A.001, et seq. of the City of Atlanta Code of Ordinances.

l. *Flags*: Are permitted in SPI 23, subject to the restrictions for signage set out in Section 16-28A.001, et seq. of the City of Atlanta Code of Ordinances.

m. *Neon Signs:* Are permitted in SPI 23, subject to the restrictions for signage set out in Section 16-28A.001, et seq. of the City of Atlanta Code of Ordinances.

SECTION TWO: That the official zoning maps of the City of Atlanta be changed to conform to the terms of this Ordinance.

SECTION THREE: All ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby waived to the extent of this conflict.

#4

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(Do Not Write Above This Line)

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- ☐ CONSENT REFER
- ☐ REGULAR REPORT REFER
- ☐ ADVERTISE & REFER
- ☐ 1st ADOPT 2nd READ & REFER
- ☑ PERSONAL PAPER REFER

Date Referred	10/6/08
Referred To:	ZRB+Zoning
Date Referred	
Referred To:	
Date Referred	
Referred To:	

First Reading
Committee
Date
Chair
Referred to

Committee	Committee
Date	Date
Chair	Chair
Action: Fav, Adv, Hold (see rev. side) Other:	Action: Fav, Adv, Hold (see rev. side) Other:
Members	Members
Refer To	Refer To

Committee	Committee
Date	Date
Chair	Chair
Action: Fav, Adv, Hold (see rev. side) Other:	Action: Fav, Adv, Hold (see rev. side) Other:
Members	Members
Refer To	Refer To

FINAL COUNCIL ACT

☐2nd ☐1st & 2nd Readings

☐Consent ☐V Vote ☐RC

CERTIFIED

MAYOR'S ACTION