

#3

10-0-1738

(Do Not Write Above This Line)

AN ORDINANCE  
BY:  
COUNCILMEMBER  
K WANZA HALL

2-10-28  
15714

AN ORDINANCE TO AMEND  
SECTION 16-28A.010(12) OF  
THE SIGN ORDINANCE OF THE  
CITY OF ATLANTA  
REGULATING SIGNS IN THE  
DOWNTOWN SPECIAL PUBLIC  
INTEREST ZONING DISTRICT  
(SPL-1), SO AS TO MODIFY AND  
REVISE CERTAIN PROVISIONS  
OF SAID SECTION; AND FOR  
OTHER PURPOSES.

ADOPTED BY

DEC 06 2010

SUBSTITUTE  
COUNCIL

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

Date Referred 9/20/10

Referred To: ZRB+Zoning

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee \_\_\_\_\_

Date \_\_\_\_\_

Chair \_\_\_\_\_

Referred To \_\_\_\_\_

Committee  
Date 12/20/10  
Chair  
Members

Action  
Fav, Adv, Hold (see rev. side)  
Other

Members  
Refer To

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

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

Refer To

Committee

Date

Chair

Action  
Fav, Adv, Hold (see rev. side)  
Other

Members

Refer To

Committee

Date

Chair

Action  
Fav, Adv, Hold (see rev. side)  
Other

Members

Refer To

FINAL COUNCIL ACTION

2nd  1st & 2nd  3rd

Readings

Consent  V Vote  RC Vote

CERTIFIED

DEC 06 2010

ATLANTA CITY COUNCIL PRESIDENT

CERTIFIED

DEC 06 2010

Rachel Douglas Johnson  
MUNICIPAL CLERK

APPROVED

DEC 14 2010

MAYOR

MAYOR'S ACTION



AN ORDINANCE

BY: COUNCILMEMBER KWANZA HALL  
AS SUBSTITUTED BY ZONING COMMITTEE

Z-10-28

**A SUBSTITUTE ORDINANCE TO AMEND SECTION 16-28A.010(12) OF THE SIGN ORDINANCE OF THE CITY OF ATLANTA REGULATING SIGNS IN THE DOWNTOWN SPECIAL PUBLIC INTEREST ZONING DISTRICT (SPI-1), SO AS TO MODIFY AND REVISE CERTAIN PROVISIONS OF SAID SECTION; AND FOR OTHER PURPOSES.**

**WHEREAS**, the intent of the City Council in establishing the SPI-1 Downtown Special Public Interest Zoning District (§ 16-18A.001 *et seq.*) was in part to implement provisions of the Comprehensive Development Plan incorporating certain recommendations contained in numerous studies of Downtown Atlanta, including the comprehensive study and plan known as Imagine Downtown, to foster an urban environment where residents, businesses, and visitors live, work and gather, to provide a compatible mixture of numerous uses, and to provide for sign opportunities that provide reasonable direction and opportunities for identification of products, goods and services while protecting the aesthetic environment and public safety of this unique area of Atlanta; and

**WHEREAS**, over the past year, additional review and study of the sign regulations applicable to SPI-1 has been conducted by the Bureau of Planning in partnership with Central Atlanta Progress; and

**WHEREAS**, said study and review has identified several provisions of the existing SPI-1 sign regulations relative to monument signs, multi-tenant signs, and other aspects of the SPI-1 sign regulations that would benefit from additional revision; and

**WHEREAS**, in accord with the intent of the SPI-1 regulations and SPI-1 sign regulations, the City Council finds that the following amendments will implement the results of these studies in a manner that advances the public health, safety and welfare and will provide for certain sign revisions as to type, size, placement, and other characteristics that will enhance this District's aesthetic appeal and protect vehicular and pedestrian safety;

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

**SECTION 1:** That Section 16-28A.010(12) of the Sign Ordinance of the City of Atlanta is hereby amended by deleting said Section in its entirety and inserting in lieu thereof the following:

Chapter 16-28A.010 of the City of Atlanta Municipal Code  
(12) *SPI-1 Downtown District:*



a. *General Regulations:* Signs within SPI-1 Downtown District are subject to the regulations set forth in this section (12). For purposes of this section (12), “street” means public streets and private streets, as well as associated public right of way including public right of way accessible only to pedestrians.

b. *Building Business Identification Signs:*

1. *Type:* Wall signs, projecting signs, canopy signs, parapet wall signs, suspended signs, and marquee signs shall be permitted. Only one of the signs may be either suspended or projecting along each street frontage per business establishment, provided that corner business establishments may have two projecting signs limited to one projecting sign per street frontage.

2. *Number:*

(a) *Sidewalk-Level Business Establishments:* A maximum of three (3) business identification signs shall be allowed for each business establishment on the sidewalk-level of a building. For the purposes of this section (12), “sidewalk-level” shall be as defined by Section 16-18A.005(3) except where additional signage identifying the business is authorized on a monument sign or multi-tenant sign.

(b) *Second-Level Business Establishments:* A maximum of three (3) business identification signs shall be allowed for each second-level business establishment engaged in a permitted use listed under the commercial/retail and institutional headings of the Use Table in Section 16-18A.006 and having a facade that faces a street except where additional signage identifying the business is authorized on a monument sign or multi-tenant sign.. For purposes of this section (12), “second-level” means the building floor level immediately above sidewalk-level.

(c) *Corner Business Establishments:* One additional business identification sign shall be allowed for each business establishment occupying a corner space that faces two streets and is located on the sidewalk-level or second-level, provided such sign is oriented toward the additional street.

3. *Area:* Where a business establishment is permitted to have business identification signs, the following regulations shall apply:

(a) *Sidewalk-Level and Second-Level Business Establishments:* The combined area of the business identification signs except for that signage on monument signs or multi-tenant signs if allowed shall not exceed 10 percent of the total area of the walls of the business establishment that face the street but at least 60 square feet of combined sign area is allowed for each business establishment.

(b) *Corner Business Establishments:* The area of the additional sign authorized by subsection (12)b.2.(c.) shall not exceed 10 percent of the total area of the walls of such business establishment that face the



additional street, or 60 square feet, whichever is less and this calculation shall exclude that signage on monument signs or multi-tenant signs if allowed.

(c.) No individual sign shall exceed 200 square feet.

4. *Height:* The height limitation set forth in Section 16-28A.007(m) may be exceeded as follows:

(a.) Subject to subsection (12)b.4.(a.) above, no portion of a business identification sign for a sidewalk-level business establishment shall be located more than 40 feet in height above the elevation of the nearest sidewalk clear zone.

(b.) Subject to subsection (12)b.4.(a.) above, no portion of a business identification sign for a second-level business establishment shall be located more than 50 feet in height above the elevation of the nearest sidewalk clear zone provided that:

(1.) The sign shall be located directly above the independent entrance to the second-level use; or

(2.) The sign shall be located directly above or adjacent to windows for such second-level use.

(c.) Notwithstanding the permission for increased height in SPI-1, no portion of any business identification sign shall extend above the top of the building upon which it is located.

c. *Freestanding Signs Prohibited:* Freestanding signs shall not be permitted other than monument signs.

d. *Monument Signs:* In addition to the signs otherwise authorized in this section (12), Monument Signs shall be authorized as a type of business identification sign provided they meet each of the following standards:

1. For the purposes of this section (12), “Monument Sign” means a permanent sign not attached to a building and constructed directly and continuously upon the ground or a grade-level support structure with no separation between the sign and the ground or grade-level support structure. Monument signs shall not be supported by visible columns, uprights, poles or braces and shall be of continuous solid construction without holes, gaps or spacing.

2. One monument sign shall be authorized for each building meeting the following two requirements:

(a.) *Building square footage:* The building contains more than 25,000 square feet of gross floor area excluding parking areas; and



(b.) *Large building setbacks:* 50 percent or more of the sidewalk-level building façade that faces the street is located 15 feet or more from the adjacent required sidewalk clear zone, measured from the nearest point of said clear zone to the nearest point of the building, due to lawful nonconforming status of the building.

3. When buildings meeting the requirements of subsection (12)d.2. face 2 or more streets, two monument signs shall be authorized provided that each is oriented toward a different street.
4. Monument signs shall not exceed 10 feet in height measured from the lowest point of the elevation of the nearest sidewalk clear zone or supplemental zone to the highest point of the monument sign. Monument signs shall not exceed 4 feet in length and 2 feet in width, measured from the outer edges of the monument sign structure.
5. Monument signs shall be located on private property except when expressly authorized to encroach into a public right of way by an encroachment agreement approved pursuant to Chapter 138 of the City Code, provided that under no circumstances shall a monument sign encroach into required sidewalk clear zones or visibility triangles.
6. All monument signs shall require approval through a Special Administrative Permit before a building permit can be issued.

e. *Multi-Tenant Signs:* In addition to the signs otherwise authorized in this section (12), buildings with 3 or more tenants shall be permitted one single building business identification sign. Said sign shall be erected as a wall sign and shall not exceed 100 square feet in sign area. Where a building with 3 or more tenants faces two or more streets, two such multi-tenant signs shall be authorized provided that each is oriented toward a different street.

f. *Animated, Flashing, and Changing Signs:* Except where prohibited in Subarea 6 Terminus and Subarea 7 Fairlie-Poplar, animated, flashing, and changing signs shall be permitted provided that no such sign shall be erected within 100 feet of an adjoining residential district if visible therefrom.

g. *Signs Extending Over Right-of-Way:* Signs extending or projecting over any property line onto sidewalk or street right-of-way shall be subject to all other provisions of this chapter, of part 16, and of any other applicable requirements of the Code of Ordinances of the City of Atlanta governing such signs.

h. *General Advertising Signs Prohibited:* General advertising signs shall not be permitted.

i. *LSVD Signs:* In addition to the signs otherwise authorized in this section (12), LSVD Signs shall be authorized provided they meet each of the following standards:

1. LSVD signs shall be authorized only within public entertainment districts delineated and designated by resolution of city council;



2. Only one LSVD sign shall be authorized in each designated public entertainment district;
  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 directed toward public pedestrian gathering areas;
  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 the PED in which the LSVD sign is located;
  9. No visible portion of an LSVD sign face shall be located within 100 feet of any street having a posted speed limit greater than 30 miles per hour;
  10. All LSVD signs must otherwise comply with all other provisions of this chapter as well as all other laws and regulations of the State of Georgia and the City of Atlanta; and
  11. No LSVD sign shall be located in Subarea 6 Terminus or Subarea 7 Fairlie-Poplar.
- j. *Building Signature Signs:*
1. *Museum Signature Signs:*
    - (a.) Notwithstanding the restriction set forth in subsections 16-28A.007(p)(1) and 16-28A.007(p)(3) museum signature signs are allowed on museums with a gross floor area greater than 75,000 square feet and such museums may combine the five percent allocation allowed for such signs on wall of the museum building. No other museum signature signs shall be allowed on other walls of the museum building where the option to combine the five percent per wall allocation is utilized to increase the size of the museum signature sign on any other wall of the museum building.
    - (b.) For the purposes of this district, a museum signature sign means a building signature sign on a museum. For the purposes of this definition, a museum is a facility meeting the following criteria:



- (1.) Is used for educational or preservation purposes;
- (2.) Owns or utilizes tangible inanimate objects of historical or cultural significance;
- (3.) Is organized for the care of those objects and exhibits them to the public on a regular schedule;
- (4.) Interprets the cultural heritage or history of the city, the state or the nation, natural history, or the history of science, technology or business;
- (5.) Devotes less than 15 percent of the floor area of the primary building for retail, restaurant or other commercial purposes, excluding any parking facilities. For the purposes of this definition, the "floor area" of a museum shall be measured in the same manner as the floor area of business, commercial and industrial buildings.

2. *Principal Occupant Occupancy Limits:* Notwithstanding the restriction on occupancy limits in the definition of Principal Occupant in Section 16-28A.004, a building tenant who occupies a minimum of 20 percent of the floor space of a specific building that is available for occupancy shall be authorized to erect a Building Signature Sign, provided all other restrictions set forth in Chapter 28A related to Building Signature Signs are followed.

k. *Subarea 6 Terminus and Subarea 7 Fairlie-Poplar:* The sign regulations for Subarea 6 Terminus and Subarea 7 Fairlie-Poplar shall be subject to the following additional limitations:

1. Multi-Tenant Signs: Multi-tenant signs authorized by subsection (12)e. shall be limited to 30 square feet in sign area.
2. Changing Signs: No changing signs shall be permitted, with the exception of theaters.
3. Canopy Signs: No internally illuminated canopy signs shall be permitted.
4. LSVD Signs: No LSVD signs shall be permitted.

**SECTION 2:** That this ordinance shall become effective immediately upon signing by the Mayor or as otherwise provided by operation of law.

A true copy,

*Rhonda Daughin Johnson*  
Municipal Clerk

ADOPTED by the Atlanta City Council  
APPROVED by Mayor Kasim Reed

DEC 06, 2010  
DEC14, 2010

RCS# 725  
12/06/10  
4:56 PM

Atlanta City Council

REGULAR SESSION

10-O-1738

AMEND SEC.16-28A.010(12) OF CODE OF  
ORDINANCES  
ADOPT ON SUB

YEAS: 13  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 2  
EXCUSED: 0  
ABSENT 1

Y Smith	Y Archibong	Y Moore	Y Bond
Y Hall	B Wan	Y Martin	Y Watson
Y Young	Y Shook	Y Bottoms	NV Willis
Y Winslow	Y Adrean	Y Sheperd	NV Mitchell

10-O-1738