#20

12-O-1743

(Do Not Write Above This Line) 2-12-46

12-O-

AN ORDINANCE
BY: COUNCILMEMBERS MICHAEL JULIAN BOND, AARON WATSON, AND LAMAR WILLIS

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 (SPI-1), SO AS TO MODIFY AND REVISE CERTAIN PROVISIONS OF SAID SECTION; AND FOR OTHER PURPOSES.

ADOPTED BY

JAN 2 2 2013

COUNCIL

☐ CONSENT REFER
☐ REGULAR REPORT REFER
☐ ADVERTISE & REFER
☑ 1ST ADOPT 2ND READ & REFER
☑ PERSONAL PAPER REFER

Date Referred	11/19/12
Referred To:	Zoning
Date Referred	12/3/12
Referred To:	ZRB + Zoning
Date Referred	
Referred To:	

First Reading

Committee: Zoning
Date: 11/28/12
Chair:
Referred To: ZRB + Zoning

Committee	Committee
Zoning	
Date 11/28/12	Date
Chair	Chair
Action: Fav, Adv, Hold (See rev.side)	Action: Fav, Adv, Hold (See rev.side)
Other: Referred to ZRB + Zoning	Other
Members	Members
Refer To: ZRB + Zoning	Refer To

Committee	Committee
Zoning	
Date 1/16/13	Date
Chair	Chair
Action: Fav, Adv, Hold (See rev.side)	Action: Fav, Adv, Hold (See rev.side)
Other	Other
Members	Members
Refer To	Refer To

FINAL COUNCIL ACTION

☐ 2ND ☐ 1ST & 2ND ☐ 3RD Readings

☐ Consent ☐ V Vote ☑ RC Vote

CERTIFIED

JAN 2 2 2013

ATLANTA CITY COUNCIL PRESIDENT

CERTIFIED

JAN 2 2 2013

Rhonda Dauphin Johnson
MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED

JAN 3 1 2013

WITHOUT SIGNATURE
BY OPERATION OF LAW

470187-1

CITY COUNCIL
ATLANTA, GEORGIA

12-O-1743

12-O-12-46

AN ORDINANCE
BY: COUNCILMEMBERS MICHAEL JULIAN BOND, AARON WATSON, AND LAMAR WILLI S

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 (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, SPI-1 contains facilities and venues which attract large public and private events that tend to have a substantial positive economic impact on the City because large crowds increase the occupancy of hotels, the patronage of restaurants and the purchase of goods and services from City businesses; and

WHEREAS, the existing time, place and manner regulations governing signage in SPI-1 which have been found necessary to minimize the distractions to vehicular and pedestrian traffic and assist in creating a pleasing aesthetic environment free from the visual clutter caused by excessive signage can be balanced against the positive economic impact of large events in SPI-1 as designated by the City Council by granting permission for extra signage during these events of limited duration without negatively affecting the downtown experience in that during such events the increased pedestrian and vehicular traffic is controlled by traffic plans and street closings and such additional signage is a part of the overall environment and "look and feel" of the event experience; and

WHEREAS, limiting the display of such additional signage to entertainment districts in SPI-1 created by the City Council in connection with specifically designated large events meeting the criteria and for the limited duration set forth herein allows the City to preserve the aesthetic environment of SPI-1 and limit the possible negative impacts on vehicular and pedestrian traffic while giving the sponsors of such large events, and others whose applications meet the criteria, the opportunity for additional advertising through the display of additional signage; and

WHEREAS, numerous other cities in the United States that compete with the City for the limited number of events that have the capability to have a substantial positive economic impact during a short period of time have created similar processes for granting permission for the display of additional signage, such that City will be at a disadvantage unless it offers the availability of similar signage opportunities; 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 the studies and policy initiatives set forth in this ordinance 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 preserve this District's aesthetic appeal and protect vehicular and pedestrian safety as well as allow certain additional signage opportunities during designated large events of short duration that tend to have a substantial positive economic impact in manner that will allow the City to compete for such events.

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

SECTION 1: 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:

(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. Wrap signs, as defined herein, shall be permitted within the time, manner and place limitations contained in (12)l herein.

2. *Number:*

(a) *Sidewalk-Level Business Establishments:* A maximum of three 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 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 façade 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 ten 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 ten 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 except for wrap signs as provided for in (12)l.

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.

(d) Height of a wrap sign shall not extend 200 feet in height above ground level as prescribed in Section 16-28A.010(12)l.

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 two or more streets, two monument signs shall be authorized provided that each is oriented toward a different street.

4. Monument signs shall not exceed ten 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 four feet in length and two 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 three 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 three 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.

l. *Wrap signs*: In addition to the signs otherwise authorized in this section (12), wrap signs shall be authorized only in sub-areas 1 and 5 and provided they meet each of the following standards:

1. Wrap signs shall be erected only within a public entertainment district delineated and designated by city ordinance; for purposes of this subsection (12)l, the definition of public entertainment district in Sec. 16-28A.004 shall not apply. Such public entertainment district shall be a temporary designation that shall not exceed thirty consecutive days, and must be created only in association with an entertainment event that meets the following criteria:
    i. Occurs within SPI-1;
    ii. Occurs in a facility that seats at least 15,000;
    iii. Has a duration of no greater than seven consecutive days;
    iv. Is likely to have an economic impact on the city during the period of the event of not less than twenty-five (25) million dollars.
2. Only one wrap sign shall be authorized on each building façade. No wrap sign shall exceed 10,000 square feet in sign face area;
3. No building shall contain more than four wrap signs, nor contain more than 40,000 square feet in total sign face area;
4. All wrap signs shall be constructed and erected as wall signs on a building or structure, including a pedestrian bridge. Each sign face shall be made of perforated one-way window tint/film that is fastened directly onto the exterior of the building façade through an adhesive and without use of any suspended cables or other fastening equipment. Freestanding wrap signs are specifically prohibited;
5. No portion of a wrap sign shall extend 200 feet in height above ground level; provided further that no part of a wrap sign shall be placed above, supported on, or extend above the roof of a building;

6. The display of wrap signs may commence no earlier than 3 days before the beginning of the entertainment event and ending no more than 2 days after the completion of the entertainment event;
7. Any building to which a wrap sign is affixed shall be on a parcel that has street frontage along either Marietta Street or Peachtree Street. Any pedestrian bridge to which a wrap sign is affixed shall cross over Andrew Young International Boulevard.

m. *Portable telecommunication equipment facility*: Within a public entertainment district as delineated and designated pursuant to subsection (12)l above and where a portable telecommunication facility, often referred to as cell-on-wheels (COW), is permitted by special administrative permit in said district, a sign may be affixed to the COW provided it meets each of the following standards:

1. Only one COW sign shall be authorized per portable telecommunications equipment facility;
2. No COW sign shall exceed 6 square feet in total sign face area;
3. No portion of a COW sign shall extend 7 feet in height above ground level;
4. The COW sign may be located only on the vehicular portion of the portable telecommunication facility. No portion of a COW sign shall be affixed to or located on the antenna tower or radio transceiver.

SECTION 2: This ordinance shall become effective when signed by the Mayor or by operation of law.

A true copy,

Deputy Municipal Clerk

ADOPTED by the Atlanta City Council **January 22, 2013**
APPROVED as per City Charter Section 2-403 **January 31, 2013**

RCS# 2517
1/22/13
3:22 PM

Atlanta City Council

12-O-1743 AMEND SECTION 16-28A.010(12); SIGN ORD. REGULATE DOWNTOWN SPEC. PUBLIC INTEREST
ADOPT

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

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

RCS# 2449
12/03/12
3:00 PM

Atlanta City Council

12-O-1743 AMEND SECTION 16-28A.010(12); SIGN ORD REGULATING SIGNS IN THE DWNTWN SPI-1 REFER/ZRB/ZC

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

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