

10-0-0023

(Do Not Write Above This Line)

An Ordinance Z-09-24
By Councilmember

An Ordinance to amend Section 16-28A.013(a)(x) of the City of Atlanta Sign Ordinance for the purpose of clarifying the effect of modification or replacement of structures supporting on the non-conformity of general advertising signs; and for other purposes.

FILED

DEC 02 2013

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

Date Referred

1/4/10

Referred To:

ZRB + zoning

Date Referred

2/15/10

Referred To:

Zoning / ZRB

Date Referred

Referred To:

First Reading

Committee _____
Date _____
Chair _____
Referred To _____

Committee Zoning
Date Feb 10, 2010
Chair [Signature]
Action Other
Fav, Adv, Hold (see rev. side)
Members [Signatures]
Refer To ZRB

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

Committee Zoning
Date 11/26/13
Chair [Signature]
Action Other FILE
Fav, Adv, Hold (see rev. side)
Member [Signature]
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 02 2013
ATLANTA CITY COUNCIL PRESIDENT
[Signature]

CERTIFIED
DEC 02 2013
Randa Douglas Johnson
MUNICIPAL CLERK

MAYOR'S ACTION

RCS# 3210
12/02/13
5:59 PM

Atlanta City Council

MULTIPLE

ITEMS 9-40 OF THE ZONING COMMITTEE
REPORT
FILE

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 0
ABSENT 1

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

MULTIPLE

RCS# 74
2/15/10
2:53 PM

Atlanta City Council

REGULAR SESSION

10-O-0023

AMEND SEC.16-28a.013(A) (X)

REFER ZRB/ZONE

YEAS: 14
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 0

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

10-O-0023

AN ORDINANCE

10-0-0023

BY:

Z-09-24

AN ORDINANCE TO AMEND SECTION 16-28A.013(a)(x) OF THE CITY OF ATLANTA SIGN ORDINANCE FOR THE PURPOSE OF CLARIFYING THE EFFECT OF MODIFICATION OR REPLACEMENT OF STRUCTURES SUPPORTING ON THE NON-CONFORMITY OF GENERAL ADVERTISING SIGNS; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta Sign Ordinance was amended by Ordinance 07-O-0602 in order to update provisions concerning changing sign technology, which includes LED display signs, in order to facilitate construction at appropriate locations in the City of Atlanta; and

WHEREAS, changing signs had been allowed on non-conforming general advertising signs in districts where changing signs are otherwise allowed; and

WHEREAS, a changing sign face utilizing LED technology weighs several times more than a conventional sign face; and

WHEREAS, state law forbids municipalities from causing the removal of nonconforming outdoor advertising signs by prohibiting such signs from being repaired such that nonconforming general advertising signs cannot be removed even when destroyed or their support structures have deteriorated to the point of replacement unless compensation is paid to the sign's owner; and

WHEREAS, it was the intent of Ordinance 07-O-0602 that such conversion of the sign face of legally non-conforming signs allow for the utilization of LED sign technology in districts where changing signs were otherwise allowed; and

WHEREAS, it was the intent of Sec. 16-28A013(a)(x) as contained in Ordinance 07-O-0602 that the repairs and maintenance necessary to allow conversion of the sign face for the utilization of changing sign technology would not be considered an expansion of the degree of the nonconformity; and

WHEREAS, the Bureau of Buildings has interpreted Sec. 16-28A013(a)(x) as not allowing the strengthening of the sign structure as necessary to support the heavier changing LED sign faces; and

WHEREAS, clarification of this subsection is necessary to allow the conversion of non-conforming signs to LED sign technology in districts where changing signs are otherwise allowed;

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

SECTION 1: That Section 16-28A.013(a)(x) of the City of Atlanta Sign Ordinance which reads as follows:

- (x) No permit will be issued for any change to a legally nonconforming sign that enlarges or expands the degree of nonconformity, provided however that repairs and normal maintenance of legally nonconforming signs including the repairs and maintenance necessary to allow conversion of the sign face for the utilization of changing sign technology shall not be considered an expansion of the degree of nonconformity. An existing changing sign that is legally nonconforming shall be allowed to utilize this provision for purpose of installing a different changing sign technology.

be amended with the deleted text marked by ~~striking it through~~ and added text marked as underlined:

- (x) No permit will be issued for any change to a legally nonconforming sign that enlarges or expands the degree of nonconformity, provided however that repairs and normal maintenance of legally nonconforming signs shall be allowed, including the repairs and maintenance necessary structural modifications or replacement of the sign's structural supports to allow conversion of the sign face for the utilization of changing sign technology and such structural modifications or replacement of the sign's structural supports to the size and height previously existing shall not be considered an expansion of the degree of nonconformity in a district where changing signs are otherwise allowed. An existing changing sign that is legally nonconforming shall be allowed to utilize this provision for purpose of installing a different changing sign technology. Notwithstanding the foregoing, any general advertising sign to be converted to a changing sign must comply with any applicable requirements as to distance from other changing general advertising signs

such that Section 16-28A.013(a)(x) of the City of Atlanta Sign Ordinance shall read as follows:

- (x) No permit will be issued for any change to a legally nonconforming sign that enlarges or expands the degree of nonconformity, provided however that repairs and normal maintenance of legally nonconforming signs shall be allowed, including structural modifications or replacement of the sign's structural supports to allow conversion of the sign face for the utilization of changing sign technology and such structural modifications or replacement of the sign's structural supports to the size and height previously existing shall not be considered an expansion of the degree of nonconformity in a district where changing signs are otherwise allowed. An existing changing sign that is

legally nonconforming shall be allowed to utilize this provision for purpose of installing a different changing sign technology. Notwithstanding the foregoing, any general advertising sign to be converted to a changing sign must comply with any applicable requirements as to distance from other changing general advertising signs

SECTION 2: This ordinance shall become effective upon its signature by the Mayor or as otherwise provided by operation of law.

ZONING REVIEW BOARD
DEFERRED

ON

11/12/2009

UNTIL

December 2009

Martha Porter Jay

CHAIRMAN

Date

DEPARTMENTAL AUTHORIZATION

09-0-0837

(Do Not Write Above This Line)

AN ORDINANCE
BY: ZONING COMMITTEE

[Handwritten signature]
09-0-
Z-09-24

AN ORDINANCE TO AMEND SECTION 16-28A.013(a)(x) OF THE CITY OF ATLANTA SIGN ORDINANCE FOR THE PURPOSE OF CLARIFYING THE EFFECT OF MODIFICATION OR REPLACEMENT OF STRUCTURES SUPPORTING ON THE NON-CONFORMITY OF GENERAL ADVERTISING SIGNS; AND FOR OTHER PURPOSES.

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

Date Referred *5/4/09*

Referred To: *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 ACTION

- 2nd 1st & 2nd 3rd
- Readings
- Consent V Vote RC Vote

CERTIFIED

MAYOR'S ACTION