



To: John McDonough, City Manager

From: Nancy J. Leathers, AICP, Director, Department of Community Development 

Date: August 10, 2010 for Submission onto the August 17, 2010 Mayor and City Council Work Session Agenda

Subject: Proposed TA10-009, An Ordinance to Amend Section 33.18, Prohibited Signs and Devices, of the Sandy Springs Zoning Ordinance

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Please find enclosed a proposed text amendment to An Ordinance to Amend Section 33.18, Prohibited Signs and Devices, with corresponding mark-up.

***Background:***

The Mayor and City Council adopted a resolution on June 1, 2010 directing staff to review, clarify, and recodify the Zoning Ordinance with the assistance of the City Attorney's office to address recent developments in the law and issues that have been raised during the implementation, administration, and enforcement of the Zoning Ordinance. This recodification will not include any policy changes to the ordinance.

***Discussion:***

The Mayor and City Council have found that signs using light-emitting diode (LED) technology are not in the best interest of the general health, safety, and welfare of the public. The use of these types of signs has not been expressly prohibited in the sign ordinance. Therefore, it has been determined that this section of the Zoning Ordinance be amended to clarify the Council's intent.

***Alternatives:***

The Mayor and City Council could choose to not recommend the changes prepared by staff.

***Planning Commission Recommendation:***

The Planning Commission heard the amendment at the July 15, 2010 meeting and recommended approval as presented by staff (6-0, Thatcher, Boyken, Maziar, Pond, Rupnow, and Rubenstein for; Duncan not voting).

cc: Wendell K. Willard, City Attorney

SECTION 18: PROHIBITED SIGNS AND DEVICES.

The following types of signs are prohibited in the City (amended 04/21/09, TA09-002, Ord. 2009-04-19):

- A. Any sign not specifically identified in this Article as a permitted sign.
- B. Balloons, streamers or air or gas filled figures.
- C. Signs consisting in whole or in part of a series, line, or row of lights, whether supported by cables or other physical means, within one hundred fifty (150) feet of a street and visible therefrom. Notwithstanding the foregoing, holiday lights and decorations displayed not more than thirty (30) days before a holiday shall be exempted from this Section.
- D. Promotional beacons, search lights or laser lights or images.
- E. Audible signs.
- F. Signs in a public right of way, other than those belonging to a government, public service agency, or railroad.
- G. Signs mounted or located on a tree, utility pole, or other similar structure.
- H. Roof signs and signs which extend vertically above any portion of a roof or parapet of the applicable wall.
- I. Portable signs, including signs attached to any parked vehicle or trailer, so as to be visible from a public right-of way.
- J. Signs which depict obscene material.
- K. Signs which advertise an activity which is illegal under federal, state or local laws.
- L. Signs not in good repair, in violation of codes, or containing or exhibiting broken panels, visible rust, visible rot, damaged support structures, or missing letters.
- M. Abandoned signs.
- N. Animated signs, flashing signs, and changeable copy signs which change more than once per twenty-four (24) hours within one hundred fifty (150) feet of a road right of way.

## MARK-UP OF SECTION 33.18 PER TA10-009

- O. Signs which contain or are an imitation of an official traffic sign or signal or contain the words “stop,” “go,” “slow,” “caution,” “warning,” or similar words in such a manner as to resemble official traffic control signs.
- P. Projecting Signs.
- Q. Any sign utilizing LED technology and/or components.