

**AN ORDINANCE
BY COUNCIL MEMBER JOYCE SHEPERD
AS SUBSTITUTED BY ZONING COMMITTEE**

19-O-1056

Z-19-15

AN ORDINANCE BY COUNCIL MEMBER JOYCE SHEPERD AS SUBSTITUTED BY ZONING COMMITTEE TO AMEND CHAPTER 18U (SPI-21 HISTORIC WEST END/ADAIR PARK SPECIAL PUBLIC INTEREST DISTRICT REGULATIONS) OF PART 16 (ATLANTA ZONING ORDINANCE) OF PART III OF THE CODE OF ORDINANCES (LAND DEVELOPMENT CODE) TO ALLOW LARGE SCREEN VIDEO DISPLAY (LSVD) SIGNS AS A TYPE OF FREE STANDING SIGN IN SUBAREA 9 (ADAIR PARK LIVE/WORK) OF THE SPI-21 (HISTORIC WEST END/ADAIR PARK SPECIAL PUBLIC INTEREST) ZONING DISTRICT; FOR CODIFICATION OF SUCH PROVISIONS; AND FOR OTHER PURPOSES.

WHEREAS, Ordinance 04-O-0255, which created the current Historic West End/Adair Park SPI-21 zoning district, was adopted by Atlanta City Council on August 15, 2005 and approved by the Mayor on August 22, 2005; and

WHEREAS, West End/Adair Park SPI-21 was created to encourage a mixture of commercial, residential, and cultural uses; and

WHEREAS, Atlanta City Code Section 16-18U.002 states that one of the intents of the zoning district is to encourage development and redevelopment of underutilized properties in Historic West End/Adair Park in a commercially-viable manner that also ensures that future redevelopment provides net positive benefits to the physical environment of the Historic West End/Adair Park community; and

WHEREAS, during the past 13 years, the City has seen fast growth in the film and music industries; and

WHEREAS, Historic West End/Adair Park has grown into a community that supports the arts, film, and music; and

WHEREAS, the proposed changes will allow the development of facilities to accommodate these growing industries; and

WHEREAS, the proposed revisions will facilitate continued growth and high caliber development.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

Section 1. Section 16-18U.018 is hereby deleted in its entirety and replaced to read as follows:

Sec. 16-18U.018. - Signage.




Signs shall be allowed as in 16-28A. Sign Ordinance and as specifically allowed within each sub-area as provided for herein.

Section 2. Section 16-18U.036 is hereby amended to read as follows:

16-18U.036 - Specific regulations for Subarea 9-Adair Park live/work

Large Screen Video Display (LSVD), as defined in section 16-28A.004, shall be permitted within Subarea 9-Adair Park live/work so long as the sign meets the following requirements:

- a. No LSVD sign shall cause glare or impair the vision of the driver of any motor vehicle or to otherwise interfere with the safe operation of a motor vehicle;
- b. All LSVD signs within the district shall be within 300 feet of the right-of-way of Interstate 20 and shall be within 1,000 feet of any road with an access ramp to Interstate 20.
- c. No LSVD sign shall be located on a lot less than 1.5 acres in size;
- d. No LSVD sign shall be located within 10 feet of any property line;
- e. No LSVD sign larger than 300 square feet shall be constructed within 1,000 feet of an existing LSVD sign larger than 300 square feet as measured in a straight line from the nearest edge of the existing LSVD sign;
- f. Any LSVD sign with faces converging into a "V" shape shall enclose the ends of the faces;
- g. No LSVD sign shall be located within 1,000 feet of any property zoned R-1, R-2, R-2A, R-2B, R-3, R-3A, R-4, R-4A, R-4B, R-5, R-G, R-LC as measured in a straight line from the boundaries of any properties zoned under these zoning classifications to the nearest edge of the sign;
- h. The sign face of the LSVD sign shall not be greater than 175 feet above existing grade;
- i. No LSVD signs shall have more than two video display faces;
- j. No LSVD sign shall exceed 2,000 square feet in video display facing per side;
- k. No LSVD sign shall be located within 1,000 feet of the boundaries of a City of Atlanta park in existence as of June 17, 2019 pursuant to the attached list of parks in "Attachment A" of this Ordinance, as measured in a straight line from the nearest boundary of a City of Atlanta park to the nearest edge of the sign;
- l. All LSVD signs shall come equipped with a light sensing device that automatically adjusts the brightness in direct correlation with ambient light conditions;
- m. The brightness of light emitted from the LSVD sign shall not exceed 0.3-foot candles over ambient light levels measured at a distance of 350 feet;

- 
- n. All permits for LSVD signs shall be issued pursuant to the provisions of 16-28A.013 in lieu of the requirements under 16-18U.004;
 - o. The content displayed on the LSVD sign shall be limited to advertising related to businesses lawfully operating on the property where the sign is located; and
 - p. Should any provision of this section conflict with the regulations of Chapter 28A of the City of Atlanta Zoning Ordinance (Sign Ordinance), these regulations shall control.

Section 3. All ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby waived to the extent of the conflict.

Section 4. That the preamble of this Ordinance shall be considered to be and is hereby incorporated by reference as if fully set out herein.

Section 5. In the event that any phrase, clause, sentence, paragraph or section of this Article shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Mayor and Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or Sections of the Article and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and Sections of the Article shall remain valid, constitutional, enforceable, and of full force and effect.

Section 6. This Ordinance shall become effective immediately upon signing by the Mayor or as otherwise provided by law.



A true copy,

Municipal Clerk

ADOPTED by the Atlanta City Council
APPROVED per City Charter Section 2-403

JUN 17, 2019
JUN 26, 2019

2019-35 (19-O-1056)
PAGE 3 OF 3