

CITY OF SNELLVILLE

STATE OF GEORGIA

ORDINANCE NO. _____

AN ORDINANCE TO AMEND PORTIONS OF ARTICLE IX, OF THE ZONING ORDINANCE OF THE CITY OF SNELLVILLE TO UPDATE DEFINITIONS, TO PROVIDE FOR MENU BOARD AND PRE-MENU BOARD SIGNS, TO PROVIDE FOR ENTRANCE SIGNS IN THE NON-RESIDENTIAL ZONING DISTRICTS AND APPROVED CONDITIONAL USES IN RESIDENTIAL DISTRICTS AND APPROVED SPECIAL USES FOR PLACES OF WORSHIP, TO PROVIDE FOR INTERIOR PROJECT DIRECTIONAL SIGNS, TO PROVIDE FOR AUTOMATED TELLER KIOSK SIGNS; TO PROVIDE FOR SIGNS ON COIN-OPERATED VENDING MACHINES, TO AMEND THE SIGN REGULATIONS FOR WINDOW AND DOOR SIGNS, MONUMENT SIGNS, AND ELECTRONIC MESSAGE BOARD SIGNS; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the Mayor and the Council of the City of Snellville, Georgia, the governing body of the City of Snellville, Georgia, desire to amend Article IX of the Zoning Ordinance of the City of Snellville;

WHEREAS, the Mayor and the Council of the City of Snellville, Georgia is authorized by O.C.G.A. § 36-35-3 to adopt ordinances relating to its property, affairs and local government; and

WHEREAS, the Mayor and Council of the City of Snellville, Georgia deem such amendment to be for the betterment and general welfare of the City of Snellville and its inhabitants;

IT IS HEREBY ORDAINED BY THE GOVERNING AUTHORITY OF THE CITY OF SNELLVILLE, GEORGIA, and by the authority thereof:

Section 1. Article XII of the Zoning Ordinance of the City of Snellville is hereby amended as follows:

Section 12.2 Definitions, is hereby amended by deleting the following language:

SIGN, AREA: The entire area within a continuous perimeter, enclosing the extreme limits of sign display, not to include the first 24” of the base height of a monument sign or other sign support system. Curved, spherical, or any other shaped sign face shall be computed on the basis of actual surface area. The copy of signs composed of individual letters, numerals, or other devices shall be the sum of the area of the smallest rectangle or other geometric figure encompassing each of said letter or device as well as spaces between each letter or device.

and replacing the deleted language with the following:

SIGN, AREA: The entire area within a continuous perimeter, enclosing the extreme limits of the sign structure, not to include the first 24” of the base height of a monument sign. Curved, spherical, or any other shaped sign face shall be computed on the basis of actual surface area. The copy of signs composed of individual letters, numerals, or other devices shall be the sum of the area of the smallest rectangle or other geometric figure encompassing each of said letter or device as well as spaces between each letter or device.

Section 12.2 Definitions, is further amended by adding the following language:

SIGN, MENU BOARD: A free-standing sign oriented to the drive-thru lane for a restaurant that advertises the menu items available from the drive-thru window, and which has not more than twenty-percent of the total area for such a sign utilized for business identification.

SIGN, NONCONFORMING: Any sign and its supporting structure that does not conform to all or any portion of this Article and was in existence and lawfully erected prior to the effective date of this Article; and was in existence and lawfully located and used in accordance with the provision of any prior ordinances applicable thereto, or which was considered legally nonconforming there under, and has since been in

continuous or regular use; or was used on the premises at the time it was annexed into the city and has since been in regular and continuous use.

SIGN, PRE-MENU BOARD: A free-standing sign that is secondary to and located before a Menu Board Sign and oriented to the drive-thru lane for a restaurant that advertises the menu items available from the drive-thru window.

Section 12.4(A) Signs Permitted and Regulated Within the Residential Zoning Districts, is hereby amended by deleting the following language:

4. Entrance sign(s). A maximum of two (2) permanent signs, per entrance, into any platted residential subdivision/development, multi-family development, non-residential office park or industrial park, or office-condominium development is permitted. Such signs shall not be included in the calculation of aggregate sign area for any lot.

and replacing the deleted language with the following:

4. Entrance sign(s). A maximum of two (2) permanent signs, per entrance, into any platted residential subdivision/development, or multi-family development is permitted. Such signs shall not be included in the calculation of aggregate sign area for any lot.

Section 12.4(B) Signs Permitted, is hereby amended by deleting the following language:

- B. Signs permitted and regulated in the non-residential zoning districts, conditional uses in residential districts (see Appendix “A” for allowable sign types):

and replacing the deleted language with the following:

- B. Signs permitted and regulated in the non-residential zoning districts, and approved conditional uses in residential districts and Places of Worship as an approved special use (see Appendix “A” for allowable sign types):

Section 12.4(B) Signs Permitted, is hereby amended by deleting the following language:

3. Window and Door signs, window/door coverage shall not exceed forty percent (40%) of the surface area of each window or door.

and replacing the deleted language with the following:

3. Window and Door signs, window/door coverage shall:

- a. Not exceed forty percent (40%) of the glazing surface area of each window or door, where each window or door is framed or separated by a mullion.
- b. The remaining sixty-percent (60%) of the glazing surface area must remain clear and not covered.
- c. Perforated window film shall be measured using the extreme limits of the perforated window film.
- d. Window tinting/film designed to reduce glare or fading and containing no graphics is allowed to cover 100% of the glazing surface area of each window or door, provided the transmittance of visible light is at least 70% and must have an external reflectance of less than 15%. Transparency and external light reflectance must be established using the manufacturer's specifications.

Section 12.4(B) Signs Permitted, is hereby amended by deleting the following language:

5. Monument signs, as defined in Section 12.2. One (1) per road frontage. Maximum square footage (SF) of sign is based upon 0.50 SF per one (1) foot of road frontage or 64 SF whichever is larger, up to 200 SF. Signs greater than five (5) feet tall shall be setback ten (10) feet from the right-of-way. Signs greater than ten (10) feet tall shall be setback fifteen (15) feet from the public right-of-way. Base shall be constructed of natural brick or stone (not painted or stained); or E.I.F.S./stucco painted or stained using colors from Sec. 7.7(3)(D).

and replacing the deleted language with the following:

5. Monument signs, as defined in Section 12.2 and regulated as follows:
 - a) Monument sign area is defined as the entire area within a continuous perimeter, enclosing the extreme limits of the sign structure (overall height by overall width), not to include the first 24" of the base height of a monument sign.
 - b) One (1) monument sign allowed per road frontage.
 - c) Maximum square footage (SF) of sign is based upon 0.50 SF per one (1) foot of road frontage or 64 SF, whichever is larger greater.
 - d) In lieu of allowing a second monument sign, corner lots with two adjacent road frontages may utilize 30% of the allowable sign area from the second frontage for the sign area calculation of the one monument sign. Sign area variances of Sec. 12.6(A)(3) are not allowed.
 - e) Maximum sign area allowed is 225 SF.
 - f) Signs greater than five (5) feet tall shall be setback ten (10) feet from the right-of-way. Signs greater than ten (10) feet tall shall be setback fifteen (15) feet from the public right-of-way.

- g) Monument base shall be constructed of natural brick or stone (not painted or stained); or E.I.F.S./stucco painted or stained using colors from Sec. 7.7(3)(D). Foamcore monument signs are prohibited.
- h) Monument base shall be at least as wide as the sign and/or frame upon it and a minimum of two (2) feet in height. No support posts shall be exposed.
- i) Electrical disconnect and/or meter base shall not be visible from the public right-of-way.
- j) Monument sign shall include the numeric street address of the property upon which it is located. The numbers used to identify the address shall be no less than five (5) inches in height and no more than nine (9) inches in height.

Section 12.4(B) Signs Permitted, is hereby amended by deleting the following language:

- 8. Electronic Message Board signs utilized as monument, free standing or window signage only in accordance with Section 12.8 of this article.

and replacing the deleted language with the following:

- 8. Electronic Message Board signs utilized as an element of a monument sign, free standing sign, menu board sign, pre-menu board sign, fuel pump canopy sign or window/door signage and only in accordance with Section 12.8 of this article.

Section 12.4(B) Signs Permitted, is hereby amended by adding the following language:

- 11. Entrance Sign(s) as per Section 12.4(A)(4) for a non-residential office park or industrial park, or office-condominium development.
- 12. Menu Board Sign shall be a freestanding sign with the design, materials, and finish to match those of the primary building. One Menu Board Sign is permitted per drive-thru ordering station. The maximum sign area shall not exceed 30 SF. The maximum height shall not exceed 6-feet (OAH). Menu Board Signs may be internally illuminated and an element of an Electronic Message Board sign, subject to the requirements of Sec. 12.8.
- 13. Pre-Menu Board Sign shall be a freestanding sign with the design, materials, and finish of the Menu Board Sign. One Pre-Menu Board Sign is permitted per Menu Board Sign and located at the entrance to the drive-thru lane and within twenty-feet of the Menu Board. The maximum sign area shall not exceed 12 SF. The maximum height shall not exceed 6 feet (OAH). Menu Board Signs may be internally illuminated and an element of an Electronic Message Board sign, subject to the requirements of Sec. 12.8.

14. Interior Project Directional Sign(s) are authorized in all developments or planned subdivisions of land within any non-residential zoning districts, approved conditional uses in residential districts and Places of Worship as an approved special use subject to the following:
- a. May not be located within 100 feet of an entrance to a project.
 - b. Maximum sign area of each sign shall not exceed 16 sq. ft.
 - c. Maximum sign height shall not exceed 6 feet (OAH).
 - d. Only one such sign may be located at each internal intersection of private driveway or public streets within the project.

Section 12.5(A) Signs Exempt, is hereby amended by adding the following language:

12. Signage affixed to an automated teller kiosk and accompanying canopy if serving as an accessory use to a bank or financial institution on the same lot.
13. Signage on coin-operated vending machines, limited to four per lot and not located more than five (5) feet from the building apron and not located within the required front yard setback for the zoning district.

Section 12.8(A) Electronic Message Boards, is hereby amended by adding the following language:

TC-MU – Towne Center Mixed Use District

Section 12.8(A) Electronic Message Boards, is hereby further amended by deleting the following language:

Residential Zoning Districts with an Approved Conditional Use Permit

and replacing the deleted language with the following:

Residential Zoning Districts with an approved Conditional Use Permit or approved Special Use Permit

Section 12.8(B) Electronic Message Boards, is hereby amended by deleting the following language:

- B. Sign Types to Utilize Electronic Message Boards: Electronic messaging may be an element of a monument, free standing, or window sign (only) but shall not exceed fifty percent (50%) of the allowable sign area.

and replacing the deleted language with the following:

- B. Sign Types to Utilize Electronic Message Boards: Electronic messaging may be an element of a monument, free standing, fuel pump canopy, menu board, pre-

menu board or window/door sign. Wall signs may not contain electronic messaging.

Section 12.8(C) Electronic Message Boards, is hereby amended by deleting the following language:

- C. Size and Location Requirements: Electronic message boards shall meet the size and placement requirements of this article with the exception that electronic message boards shall not be allowed as off premises devices.

and replacing the deleted language with the following:

- C. Size and Location Requirements: Electronic message boards shall meet the size and placement requirements of this article section with the exception that electronic message boards shall not be allowed as off premises devices.
 - 1. Maximum allowable electronic message board sign area as an element of:
 - i. Monument Sign: 50% of allowable sign area in Sec. 12.4(B)(5).
 - ii. Menu Board/Pre-Menu Board: 100% of allowable sign area in Sec. 12.4(B)(12).
 - iii. Fuel Pump Canopy: 100% of allowable sign area in Sec. 12.4(B)(9).
 - iv. Window/Door: 100% of allowable sign area in Sec. 12.4(B)3 for one window/door. Only one window/door electronic message board sign allowed per location. No Electronic message board window/door sign may exceed 15 sq. ft. in total display area.
 - 2. Sign area variances of Sec. 12.6(A)(3) are not allowed.

Section 12.8(E)(1) Electronic Message Boards, is hereby amended by adding the following language:

- a. Exception: Time and temperature displays shall have the time and temperature remain static for not less than five (5) seconds.

Section 2. (a) It is hereby declared to be the intention of the Mayor and Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were, upon their enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.

(b) It is hereby declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other section, paragraph, sentence, clause or phrase of

this Ordinance. It is hereby further declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Ordinance.

(c) In the event that any phrase, clause, sentence, paragraph or section of this Ordinance 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 Ordinance and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

Section 3. All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

Section 4. This Ordinance was adopted April 22, 2019. The effective date of this Ordinance shall be the date of adoption unless otherwise stated herein.

(Signatures appear on following page)

ORDAINED this 22nd day of April, 2019.

Barbara Bender, Mayor

ATTEST:

Dave Emanuel, Mayor Pro Tem

Melisa Arnold, City Clerk

Cristy Lenski, Council Member

APPROVED AS TO FORM:

Roger Marmol, Council Member

Anthony O. L. Powell, City Attorney
Powell & Edwards, Attorneys at Law, P.C.

Gretchen Schulz, Council Member

Tod Warner, Council Member