



AGENDA REPORT

To: Planning Commission

From: Ben Song, Community Development Director

Agenda: September 1, 2020 Planning Commission Meeting

Item: **Sign Ordinance Amendment (A-20-002) to Change Banner and Window Sign regulations for Certain Zoning Districts**

Item Summary

Staff recommends a text amendment to Section 33.26. of the Johns Creek Sign Ordinance to relax banner requirements and amend window signage regulations for Agricultural; Single-Family Residential, CUP and NUP Districts; and Apartment and Townhome Residential Districts.

Background

Signage issues related to residential districts were brought to the attention of councilmembers. During the 2016 national elections, there were reports of campaign signs being stolen or removed from residential properties. The impacted residents then resorted to placing yard signs in the windows of their homes, thereby running afoul of Sign Ordinance regulations which limit the coverage of individual windows to 4 square feet or 25%, whichever is less. Understanding the concerns of residents, the City Council has initiated a Sign Ordinance amendment to relax the regulation of banners during the month of May and June, and to allow more favorable requirements for window signs on residential properties.

Analysis and Recommendations

1. Banners in Agricultural, Single-Family Residential, CUP, NUP, Apartment and Townhouse Residential Districts

With an appropriate permit from the City, each parcel/lot can have up to four banner displays per year. Enacted with graduation banners in mind, during the months of May and June, an additional banner display is allowed without a permit for Agricultural; Single-Family Residential, CUP, NUP; and Apartment and Townhouse Residential Districts, but the banner displayed during that period did count against the annual allowance.

Staff recommends allowing banners displayed during the months of May and June to not count towards the four permitted opportunities per calendar year (essentially allowing five banners annually).

2. Window Signs in Agricultural, Single-Family Residential, CUP, NUP, Apartment and Townhouse Residential Districts

Currently, three window signs are allowed per lot, and each sign cannot exceed 4 square feet or 25% of the window, whichever is less. Staff recommends a simpler and more practical applicability of window signage for residential properties, by removing the size restrictions on individual windows and allowing up to three (3) window signs not exceeding 16 square feet in aggregate size for Agricultural and Single-Family Residential, CUP, and NUP zoning districts; and allowing up to two (2) window signs not exceeding eight (8) square feet in aggregate size for Apartment and Townhouse residential districts. The reason for a reduced number and aggregate size for the latter residential district is due to concerns of proliferation and massing as apartment and townhouse units are located next to each other without any significant separation and can in many instances be taller in height and larger in area compared to single-family detached homes.

Staff recommends amending the window signage as proposed for the identified residential zoning districts.

Attachments

1. Draft Amendment to Section 33.26. of the Sign Ordinance (Clean Version)
2. Draft Amendment to Section 33.26. of the Sign Ordinance (Redlined Version)

AN ORDINANCE TO AMEND THE CITY OF JOHNS CREEK CODE OF ORDINANCES, APPENDIX A – ZONING, TO CHANGE REGULATIONS FOR BANNERS IN THE MONTHS OF MAY AND JUNE IN CERTAIN DISTRICTS AND TO INCREASE THE ALLOWED AREA FOR WINDOW SIGNS IN CERTAIN DISTRICTS; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO ESTABLISH AN EFFECTIVE DATE; AND FOR ALL OTHER LAWFUL PURPOSES.

WHEREAS the City of Johns Creek Sign Ordinance, codified as Article XXXIII of the Zoning Ordinance, regulates signs within the City’s corporate limits.

WHEREAS, effective sign regulations balance the rights of individuals and businesses to convey their messages through signs while limiting sign proliferation which may otherwise negatively impact the City.

NOW THEREFORE, the Council of the City of Johns Creek hereby ordains as follows:

Section 33.26.A. Agricultural District.

2. Window Signs. Up to three (3) signs not exceeding an aggregate of sixteen (16) square feet in area shall be allowed per lot of record. Such signs shall not be illuminated.
5. Banner. Banners shall be allowed for a period not exceeding fourteen (14) days with no more than four (4) such 14-day periods being permitted per calendar year per lot. An individual banner permit may be divided into two non-consecutive weeks provided the dates are stated on the permit. Banners shall not be more than thirty-two (32) square feet. No banner shall be mounted so as to extend above the horizontal plane of the roof where the building wall and roof meet or shall not extend more than five (5) feet above grade when on the ground. During the months of May and June, each lot may display one (1) banner not exceeding thirty-two (32) square feet, without receiving a permit. Banners shall be erected with supports or other means so that they do not sag or become dilapidated.

Section 33.26.B. Single-Family Residential, CUP and NUP Districts.

2. Window Signs. Up to three (3) signs not exceeding an aggregate of sixteen (16) square feet in area shall be allowed per lot of record. Such signs shall not be illuminated.
5. Banner. Banners shall be allowed for a period not exceeding fourteen (14) days with no more than four (4) such 14-day periods being permitted per calendar year per lot. An individual banner permit may be divided into two non-consecutive weeks provided the dates are stated on the permit. Banners shall not be more than thirty-two (32) square feet. No banner shall be mounted so as to extend above the horizontal plane of the roof where the building wall and roof meet or shall not extend more than five (5) feet above grade when on the ground. During the months of May and June, each lot may display one (1) banner not exceeding thirty-two (32) square feet, without receiving a permit.

Banners shall be erected with supports or other means so that they do not sag or become dilapidated.

Section 33.26.C. Apartment and Townhome Residential Districts.

2. Window Signs. Up to two (2) signs not exceeding an aggregate of eight (8) square feet in area shall be allowed per dwelling unit. Such signs shall not be illuminated.

6. Banner. Banners shall be allowed for a period not exceeding fourteen (14) days with no more than four (4) such 14-day periods being permitted per calendar year per lot. An individual banner permit may be divided into two non-consecutive weeks provided the dates are stated on the permit. Banners shall not be more than thirty-two (32) square feet. No banner shall be mounted so as to extend above the horizontal plane of the roof where the building wall and roof meet or shall not extend more than five (5) feet above grade when on the ground. During the months of May and June, each lot may display one (1) banner not exceeding thirty-two (32) square feet, without receiving a permit. Banners shall be erected with supports or other means so that they do not sag or become dilapidated.

If any paragraph, subparagraph, sentence, clause, phrase or any portion of this Ordinance shall be declared invalid or unconstitutional by any court of competent jurisdiction or if the provisions of any part of this Ordinance as applied to any particular situation or set of circumstances shall be declared invalid or unconstitutional, such invalidity shall not be construed to affect the portions of this Ordinance not so held to be invalid, or the application of the Ordinance to other circumstances not so held to be invalid. It is hereby declared to be the intent of the City Council of the City of Johns Creek to provide for separate and divisible parts, and it does hereby adopt any and all parts hereof as may not be held invalid for any reason.

All ordinances in conflict with the terms of this Ordinance are hereby repealed to the extent of the conflict.

This Ordinance shall be effective when signed by the Mayor of the City of Johns Creek.

SO ORDAINED this _____ day of September, 2020.

Michael E. Bodker, Mayor

**STATE OF GEORGIA
COUNTY OF FULTON**

ORDINANCE 2020-XX-XX

ATTEST:

Joan C. Jones, City Clerk

APPROVED AS TO FORM:

E. Ronald Bennett, Jr., City Attorney

AN ORDINANCE TO AMEND THE CITY OF JOHNS CREEK CODE OF ORDINANCES, APPENDIX A - ZONING, TO CHANGE REGULATIONS FOR BANNERS IN THE MONTHS OF MAY AND JUNE IN CERTAIN DISTRICTS AND TO INCREASE THE ALLOWED AREA FOR WINDOW SIGNS IN CERTAIN DISTRICTS; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO ESTABLISH AN EFFECTIVE DATE; AND FOR ALL OTHER LAWFUL PURPOSES.

WHEREAS the City of Johns Creek Sign Ordinance, codified as Article XXXIII of the Zoning Ordinance, regulates signs within the City's corporate limits.

WHEREAS, effective sign regulations balance the rights of individuals and businesses to convey their messages through signs while limiting sign proliferation which may otherwise negatively impact the City.

NOW THEREFORE, the Council of the City of Johns Creek hereby ordains as follows:

Section 33.26.A. Agricultural District.

2. Window Signs. ~~Up to three (3) signs not exceeding an aggregate of sixteen (16) square feet in area shall be allowed per lot of record. Not more than three (3) signs per lot of record shall be allowed and shall not be larger than four (4) square feet or cover more than twenty-five percent (25%) of the area of each window in which a sign is placed, whichever is less.~~ Such signs shall not be illuminated.
5. Banner. Banners shall be allowed for a period not exceeding fourteen (14) days with no more than four (4) such 14-day periods being permitted per calendar year per lot. An individual banner permit may be divided into two non-consecutive weeks provided the dates are stated on the permit. Banners shall not be more than thirty-two (32) square feet. No banner shall be mounted so as to extend above the horizontal plane of the roof where the building wall and roof meet or shall not extend more than five (5) feet above grade when on the ground. During the months of May and June, each lot may display one (1) banner not exceeding thirty-two (32) square feet, without receiving a permit. ~~However, this 14-day period shall count towards the maximum four (4), 14-day periods allowed per year per lot.~~ Banners shall be erected with supports or other means so that they do not sag or become dilapidated.

Section 33.26.B. Single-Family Residential, CUP and NUP Districts.

2. Window Signs. ~~Up to three (3) signs not exceeding an aggregate of sixteen (16) square feet in area shall be allowed per lot of record. Not more than three (3) signs per lot of record shall be allowed and shall not be larger than four (4) square feet or cover more than twenty-five percent (25%) of the area of each window in which a sign is placed, whichever is less.~~ Such signs shall not be illuminated.

5. Banner. Banners shall be allowed for a period not exceeding fourteen (14) days with no more than four (4) such 14-day periods being permitted per calendar year per lot. An individual banner permit may be divided into two non-consecutive weeks provided the dates are stated on the permit. Banners shall not be more than thirty-two (32) square feet. No banner shall be mounted so as to extend above the horizontal plane of the roof where the building wall and roof meet or shall not extend more than five (5) feet above grade when on the ground. During the months of May and June, each lot may display one (1) banner not exceeding thirty-two (32) square feet, without receiving a permit. ~~However, this 14-day period shall count towards the maximum four (4), 14-day periods allowed per year per lot.~~ Banners shall be erected with supports or other means so that they do not sag or become dilapidated.

Section 33.26.C. Apartment and Townhome Residential Districts.

2. Window Signs. ~~Up to two (2) signs not exceeding an aggregate of eight (8) square feet in area shall be allowed per dwelling unit. Not more than three (3) signs per lot of record shall be allowed and shall not be larger than four (4) square feet or cover more than twenty five percent (25%) of the area of each window in which a sign is placed, whichever is less.~~ Such signs shall not be illuminated.
6. Banner. Banners shall be allowed for a period not exceeding fourteen (14) days with no more than four (4) such 14-day periods being permitted per calendar year per lot. An individual banner permit may be divided into two non-consecutive weeks provided the dates are stated on the permit. Banners shall not be more than thirty-two (32) square feet. No banner shall be mounted so as to extend above the horizontal plane of the roof where the building wall and roof meet or shall not extend more than five (5) feet above grade when on the ground. During the months of May and June, each lot may display one (1) banner not exceeding thirty-two (32) square feet, without receiving a permit. ~~However, this 14-day period shall count toward the maximum four (4) 14-day periods allowed per year per lot.~~ Banners shall be erected with supports or other means so that they do not sag or become dilapidated.

If any paragraph, subparagraph, sentence, clause, phrase or any portion of this Ordinance shall be declared invalid or unconstitutional by any court of competent jurisdiction or if the provisions of any part of this Ordinance as applied to any particular situation or set of circumstances shall be declared invalid or unconstitutional, such invalidity shall not be construed to affect the portions of this Ordinance not so held to be invalid, or the application of the Ordinance to other circumstances not so held to be invalid. It is hereby declared to be the intent of the City Council of the City of Johns Creek to provide for separate and divisible parts, and it does hereby adopt any and all parts hereof as may not be held invalid for any reason.

All ordinances in conflict with the terms of this Ordinance are hereby repealed to the extent of the conflict.

This Ordinance shall be effective when signed by the Mayor of the City of Johns Creek.

**STATE OF GEORGIA
COUNTY OF FULTON**

ORDINANCE 2020-XX-XX

SO ORDAINED this _____ day of September, 2020.

Michael E. Bodker, Mayor

ATTEST:

Joan C. Jones, City Clerk

APPROVED AS TO FORM:

E. Ronald Bennett, Jr., City Attorney