

THE FAYETTE COUNTY PLANNING COMMISSION held a **Workshop** on September 1, 2005 at 8:40 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Public Meeting Room, Fayetteville, Georgia.

MEMBERS PRESENT: Jim Graw, Chairman
Douglas Powell, Vice-Chairman
Bill Beckwith
Al Gilbert
Tim Thoms

MEMBERS ABSENT: None

STAFF PRESENT: Aaron Wheeler, Zoning Administrator
Dennis Davenport, Assistant County Attorney
Delores Harrison, Zoning Technician
Phyllis Williamson, Administrative Secretary

STAFF ABSENT: Robyn S. Wilson, P.C. Secretary/Zoning Coordinator

Welcome and Call to Order:

Chairman Graw called the meeting to order and introduced the Board Members and Staff.

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1. Discussion of proposed amendments to the Fayette County Sign Ordinance (revised in its entirety).

Chairman Graw stated the P. C. has had several meetings on the Sign Ordinance and tonight they would be starting with page 19.

Division III, Nonresidential Districts:

Zoning Administrator, Aaron Wheeler stated Staff had altered Section 5-31. Signs Allowed within Nonresidential Zoning Districts, to be in line and match in the best way possible Division II, which was Residential Zoning Districts. He said one (1) change that Staff wants to make, which was not written in, is to take out the word “Nonresidential” in Section 5-31.A.1 and replace it with “Freestanding”. He pointed out that Staff is renumbering the section reference number in accordance with the new Section numbers 5-33. and 5-34. (Wall Signs and Window Signs). Mr. Wheeler asked if there were any questions regarding page 19. Hearing none, he proceeded to page 20., regarding Free Standing Signs, Item A., which was simplified to state each parcel is allowed one (1) permanent free standing sign, not to exceed six (6) feet in height, ten (10) feet in width and a total of 50 square feet in area. Currently the ordinance allows 50 square feet, but Staff did place limitations on height and width. He added that it was the same situation with Item B., which currently has a multi-business section in the ordinance allowing 60 square feet. He commented that the language was cleaned up and the substantive change is the sign will not be allowed to exceed seven (7) feet in height and ten (10) feet in width and the current 60 square feet in area.

Regarding Item D. Menu Boards:

Mr. Wheeler explained that Staff’s recommendation is to remove this section because Menu Boards while visible from a right-of-way, are not intended to be read from a right-of-way. He further explained that they are usually a standard size, and usually do not pose a problem; therefore, Staff recommends removing the item regarding Menu Boards from the Ordinance.

Bill Beckwith had a question regarding Item B., stating that since the maximum height requirement is seven (7) feet and maximum width is ten (10) feet, why not make the maximum overall size 70 square feet.

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Mr. Wheeler said Staff still doesn't want to increase the overall size of the sign, meaning if the sign is seven (7) feet high it cannot be the maximum ten (10) feet wide, and likewise, if the sign is ten (10) feet wide, it cannot be the maximum seven (7) feet in height.

Attorney Davenport stated the wording should state the sign cannot exceed seven (7) feet in height, ten (10) feet in width nor (not "and") 60 square feet total. He said the word "and" is causing the confusion.

Al Gilbert asked Staff to make the same change in Item A. as well.

Mr. Wheeler concurred.

Chairman Graw said the ordinance stated that Menu Board signs shall not be legible from public thoroughfares and why then did we allow it, when that was the purpose of the Sign Ordinance.

Mr. Wheeler stated a Menu Board sign is for a captive audience, at perhaps a drive-thru restaurant, at a distance of approximately three (3) feet, which would mean it would not necessarily be legible from the right-of-way. He said that most of the time the signs are in the rear of the building and not in view from the right-of-way.

Attorney Davenport stated that this is one (1) of the types of signs in Judge English's order that he had a problem with. He explained that when you call this a Menu Sign, you are by definition regulating the message. He added that this was Judge English's reason for the order. He said that generally these businesses will be fast food businesses, and we will allow one (1) extra sign including it, if the lettering is not legible from the right-of-way. He added that this will meet the need of the Menu Board sign. He commented that Menu Signs will now need to be a wall sign or a freestanding sign under the new provisions of the ordinance.

Chairman Graw questioned if the Menu Board item was dropped from the ordinance, what in the new ordinance would permit businesses to meet their need for a Menu Sign.

Attorney Davenport stated we are taking out the phrase "Menu Sign" and instead allowing the businesses with drive-thru customers to be allowed an additional sign or signs to provide a message that cannot be legible to the traveling public.

Mr. Graw stated that verbiage was not in the P.C.'s draft copy at tonight's meeting.

Attorney Davenport stated that this had just been discussed with Staff on the previous day and while it had not been added to the text yet, Staff wanted the concept discussed at tonight's meeting. He commented that the new verbiage would be in their next copy. He explained that due to the nature of the business, businesses such as fast food companies and banks may require additional signage as compared to the type of company that conducts all its' business internally.

The P.C. agreed that the title "Menu Board" should be deleted from the proposed ordinance.

Regarding Item E., Mr. Wheeler explained there was a completely new section covering small signs that would be available within two (2) to three (3) days. He stated that there is now the ability to put out a "Now Hiring" sign without having to take away from the total area of their free standing sign. He remarked that the current ordinance only allows you to have a sign that is a maximum of 50 square feet. He added that the new ordinance gives businesses the ability to have a temporary sign, which is usually cardboard, etc. He commented that the nature of the construction of the sign will dictate that it will be temporary, as it will deteriorate quickly.

Chairman Graw questioned what time limits are placed on these temporary signs.

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Attorney Davenport said we were confusing permanent signs and temporary signs. He explained that permanent means permanently mounted to the premises, bricks, mortar, etc. and temporary means a stake shoved into the ground. He further explained that during an election, the temporary sign could be used to express support, whereas this cannot presently be done. He commented that this allows extra signage up to eight (8) aggregate square feet. He remarked that the analysis of eight (8) aggregate square feet means this could be one (1) sign or several signs with a total of eight (8) aggregate square feet. He added that this ruling would eliminate problems regarding placement of election signs on someone's personal property, because the County cannot place time limitations on election signs; therefore, it needs to be addressed with temporary signs.

The P.C. concurred with this suggestion.

Regarding Item F, Chairman Graw stated that this section was for Nonresidential Districts, but it sounds like it is for Residential Districts.

Mr. Wheeler stated that a commercial subdivision would be allowed an entrance sign, just as residential subdivisions are allowed entrance signs.

Chairman Graw asked if the commercial subdivision would have a homeowner's association.

Mr. Wheeler replied any subdivision, in the future, will require a property owner's association to handle the new stormwater requirements, be it in a residential subdivision with a Homeowner's Association (HOA) or in a nonresidential subdivision with a Property Owner's Association (POA). He added that the entrance sign shall be placed on common property, under the ownership of the property owners and shall not be allowed to be on private property.

The P.C. questioned whether there could be two (2) entrance signs per entrance, or one (1) two (2) sided sign.

Attorney Davenport responded two (2) signs, which could be a sign placed on either side of the entrance.

The P.C. asked if a commercial/industrial subdivision could have a sign at every entranceway.

Mr. Wheeler responded that the ordinance allows this for residential subdivisions and it would be allowed for nonresidential as well.

Mr. Gilbert wanted the ordinance to read at each entrance.

Mr. Wheeler referenced Page 21, Wall Signs, and stated some of the original wording was revised; for example: Wall signs shall be located on principal structure only and may be internally illuminated has been combined into one (1) sentence not two (2). He pointed out that Staff had deleted the paragraph regarding a Master Sign Plan completely. He said that Staff is recommending under "Number" that one (1) wall sign shall be permitted per primary entrance. He added that the following had been added: "signs must be placed on the same wall as the primary entrance". He explained that if the ordinance allows one (1) sign per primary entrance that the sign should be placed on the wall of the primary entrance.

Attorney Davenport commented that the practical application of this might pose a concern for a corner location. He explained that a corner store could have only one (1) primary entrance and that by definition primary means one (1). He said that if the ordinance limits a sign to the primary entrance, then a store located on a corner would only have one (1) sign. He added that a store like Kohl's with two (2) street frontages would argue they have two (2) primary entrances.

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Mr. Gilbert suggested that a store such as a vehicle emissions station may face S.R. 85, but the customers do not use the front entrance, they use the garage entrance located on the side. He said that the sign is placed at the side entrance to give you the hours of operation, etc. He added that the customer uses the side entrance and needs the signage on the side, not in the front. He pointed out that the suggestion was made to let the business choose to place the sign at the front or side entrance.

Attorney Davenport stated the wording presently reads it must be placed at the "primary entrance" so the business cannot choose which side. He said it would simplify the ordinance to state one (1) wall sign per structure and don't specify a side. Regarding multiple businesses per parcel, he recommended that each business be allowed a wall sign. He recommended the first sentence would allow one (1) wall sign per business and the second sentence would explain in the event the structure contains multiple businesses, each business will be allowed a wall sign.

Mr. Wheeler stated "Location" would now become number two (2) and "Mural Graphics", which is presently number two (2) will become Item B and will get moved to the end under its own letter heading. He explained that number four (4) becomes three (3), number five (5) becomes four (4), and six (6) on the next page becomes (C). He asked the P.C. if they would prefer to simply ask questions regarding the changes rather than to have him go through item by item.

Chairman Graw responded that that would be preferable. He stated that under "Size/calculation" that the words "shall be permitted" need to be added following one (1) wall sign.

Mr. Wheeler concurred.

Doug Powell asked for clarification regarding Section 5-35 Banners.

Mr. Wheeler said Staff would be recommending a change to eliminate the words "Non-residential Districts" and the ordinance will read "Banners" which shall not be more than 32 square feet. He added that Tim Thoms had questioned Section 5-36. Temporary Signage During Construction. He said Staff had recommended the removal of the words "construction sign and one (1) announcement". He advised that the new wording will read "one (1) temporary sign shall be allowed on construction sites. Said sign shall not be internally illuminated.." He added that the word "signs" in each instance be changed to read "sign" (singular).

Attorney Davenport stated that Section 5-25. Temporary Signage During Construction carries the same changes.

Mr. Wheeler stated that on page 23 some grammar changes were made.

Chairman Graw stated he would like to return to checking item by item. He asked if there were any questions on each item remaining.

Hearing none, Peter Frisina suggested the P.C. hold a Special Called Public Hearing on September 15, 2005 to vote on the recommendation to send the Sign Ordinance on to the B.O.C. for their vote.

Attorney Davenport stated Staff would get a clean copy to each P.C. member in seven (7) days for their review prior to the September 15, 2005 public hearing.

Chairman Graw asked if there was any further business. Hearing none, Bill Beckwith made a motion to adjourn the workshop. Al Gilbert seconded the motion. The motion unanimously passed 5-0. The workshop adjourned at 9: 25 P.M.

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**PLANNING COMMISSION
OF
FAYETTE COUNTY**

ATTEST:

**JIM GRAW
CHAIRMAN**

**PHYLLIS WILLIAMSON
ADMINISTRATIVE SECRETARY**