

THE FAYETTE COUNTY PLANNING COMMISSION held a **Public Meeting/Workshop** on July 19, 2006 at 7:00 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Board of Commissioners Conference Room, Suite 100, Fayetteville, Georgia.

MEMBERS PRESENT: Jim Graw, Chairman
Bill Beckwith
Al Gilbert
Tim Thoms

MEMBERS ABSENT: Douglas Powell, Vice-Chairman

STAFF PRESENT: Pete Frisina, Director of Planning & Zoning
Tom Williams, Assistant Director of Planning & Zoning
Dennis Dutton, Zoning Administrator
Delores Harrison, Zoning Technician
Robyn S. Wilson, P.C. Secretary/Zoning Coordinator
Jeremy Greenberg, Civil Engineer
Dennis Davenport, Assistant County Attorney

OTHERS PRESENT: Nine (9) guests

Welcome and Call to Order:

Chairman Graw called the Public Meeting/Workshop to order and introduced the Board Members and Staff.

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1. Discussion of proposed amendments to the Fayette County Zoning Ordinance regarding Article VII. Conditional Uses, Exceptions, and Modifications, Section 7-1.,B. Conditional Uses Allowed, 20. Golf Course (minimum eighteen (18) hole regulation) and Related Accessories as presented by the Planning & Zoning Department.

Pete Frisina said that the proposed amendment was a “housekeeping” item only. He explained that when the EST zoning district was revised from a minimum of five (5) acres to a minimum of 2.5 acres that a golf course was not allowed; however, it was not deleted under the Conditional Use requirements.

Chairman Graw asked if there were any comments. Hearing none, he instructed Robyn Wilson to advertise the proposed amendments for August or September.

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2. Discussion of proposed amendments to the Fayette County Sign Ordinance as presented by the Planning & Zoning Department.

Wall Signage

Pete Frisina stated that Tom Williams had previously presented information regarding the size of wall signs and how they were addressed in the previous ordinance as compared to how they are addressed in the current ordinance. He advised that a wall sign was previously based on 10% of the wall surface area; however, when the ordinance was adopted in November, 2005, the method of determining the size of the sign changed to one (1) square foot per linear foot of the front of the building. He pointed out that when a site was reviewed, the previous ordinance allowed for a 290 square foot sign; however, under the current ordinance only 120 square feet would be allowed.

Tom Williams reported that he had found five (5) jurisdictions which utilize the percentage methodology: Fayetteville, Coweta County, Senoia, Atlanta, and Marietta. He further reported that he had found three (3) jurisdictions which utilize one (1) square foot or two (2) square feet per linear

foot of the front of the building with a maximum size of 150 square feet: Alpharetta, Decatur, and Peachtree City. He presented photographs taken at the Kedron Village expansion in Peachtree City for the P.C. to review.

Larry Manley commented that he thought that the 150 square feet cap was for planned centers only. He stated that the current ordinance was adopted on the day that he closed on his new building.

Chairman Graw stated that the size of a wall sign as calculated under the previous ordinance had not created any problems.

Mr. Frisina stated that the P.C. needed to decide what ratio is wanted for the County: 1) remain with one (1) square foot per linear foot; 2) increase to 1.5 or two (2) square feet per linear foot; 3) allow a larger sign for the highway corridor; and 4) establish a cap.

Attorney Davenport commented that two (2) square feet per linear foot is close to the signage allowed under the previous ordinance.

Tim Thoms commented that without a cap a very large store could have a very large sign. He asked if the Georgia Department of Transportation has sign design standards for certain speeds.

Robert Harrell, a manufacturing representative for Daktronics, replied there is a manual called the Manual of Uniform Traffic Control Devices (MUTCD). He advised that larger signs should be allowed along the highway corridor due to the 55 mph speed limit so a cap should be carefully considered. He pointed out that the size of the sign, especially along a highway corridor, is also a safety issue.

Chairman Graw asked for public input.

Mr. Manley stated that 1.5 to two (2) square feet per linear foot should generate approximately the same size wall sign as allowed under the previous ordinance.

Mr. Frisina advised that Staff would review other county ordinances such as Henry, Douglas, and Cobb and present these findings at the August Public Meeting/Workshop.

Changeable Copy Sign

Mr. Frisina pointed out that a changeable copy sign is prohibited under the current ordinance; however, under the 1988 ordinance there was a provision for a changeable copy sign provided that it did not change more than eight (8) times per day. He remarked that Tom Williams had found an ordinance through the Department of Community Affairs and the same standard is utilized. He said that he was proposing to exempt time and temperature. He commented that technology is changing and with electronic signs, the message can be typed into a computer and the sign message automatically changes. He added that these type signs could be utilized by schools and churches.

Attorney Dennis Davenport advised that an analysis of a sign ordinance changes on a regular basis. He confirmed that the court looks very sternly at exemptions, especially if based on the message. He reported that a sign must be content neutral. He added that there is no basis as to why time and temperature should be exempt as opposed to some other message. He explained that a sign flashing "open" is illegal while the flashing time and temperature sign would not be illegal so what is the difference in the intensity of the flashing or disturbance; none, you are looking at the message. He reported that one of the guiding principles from the previous ordinance to the current ordinance was to ask the overriding question; do you have to look at the message to apply the ordinance and if the answer is yes, you are going down the wrong road. He stressed that if you have to look at the message, it places you under a different category of scrutiny. He said if you have to look at the message then the court asks what is your compelling governmental interest to regulate the speech on the sign. He stressed that the ordinance should be content neutral instead of content based.

James Roehrl of Daktronics presented a reference guide which addresses zoning laws which addresses four (4) levels with Level I allowing a very restrictive sign and Level IV allowing full animation with no restrictions of a sign. He suggested that Staff develop a definition of “flashing” such as a rapid change from light to no light because this is very annoying and distracting. He said that the intensity of light (brightness) is measured in candelas per square meter, also know as “nits” which is roughly 0.3 foot lamberts. He remarked that a photocell is utilized for LED intensity. He added that character height for the letters is also an item which should be addressed.

Chairman Graw asked Mr. Roehrl if these levels were designed by the industry or levels which his company had designed.

Mr. Roehrl replied that his company had teamed up with another manufacturer to create the entire reference guide.

Tom Tyson of Signal Signs pointed out that Mr. Roehrl’s company is the largest manufacturer in the world and has been in business for 37 years.

Robert Harrell of Daktronics stated that the amount of times a sign changed can determine how large of a sign the business may desire.

Vincent Antonich of Our Lady of Mercy Catholic High School stressed that electronics is a big deal and asked if an interim ordinance could be considered.

JoAnn McPherson of Our Lady of Mercy Catholic High School thanked the P.C. for listening to their concerns.

Mr. Frisina replied that Staff would review the ordinance for further discussion at the August Public Meeting/Workshop. He added that the ordinance should be revised within the next couple of months.

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3. Discussion of the proposed amendments to the Fayette County Development Regulations regarding Article III. Street Design Standards and Specifications, Section 8-56. Stormwater Drainage Plan as presented by the Engineering Department.

Jeremy Greenberg stated that the proposed amendments are basically “housekeeping” items. He explained that there were redundancies between the street design standards and specifications and the new stormwater regulations. He said that the redundancies had caused some confusion among the design professionals.

Chairman Graw asked if there were any comments. Hearing none, he instructed Robyn Wilson to advertise the proposed amendments for August or September.

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Chairman Graw asked if there was any further business. Hearing none, Chairman Graw made a motion to adjourn the Public Meeting/Workshop. Bill Beckwith seconded the motion. The motion unanimously passed 4-0. Doug Powell was absent. The Public Meeting/Workshop adjourned at 7:58 P.M.

PLANNING COMMISSION
OF
FAYETTE COUNTY

ATTEST:

JIM GRAW
CHAIRMAN

ROBYN S. WILSON
P.C. SECRETARY