

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE CODE OF ORDINANCES, CITY OF FOREST PARK, GEORGIA TO PROVIDE FOR CERTAIN TECHNICAL TEXT AMENDMENTS; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

WITNESSETH:

Be it ordained by the Governing Body of the City of Forest Park, Georgia as follows:

SECTION 1. That Section 8-3-16 of the Code of Ordinances, City of Forest Park, Georgia, Georgia is hereby amended by deleting said section and replacing it the following in lieu thereof:

“Sec. 8-3-16. Nonconforming signs.

It is the policy of the City of Forest Park to encourage the compliance of all signs within the city with the terms and requirements of this section. The city finds that nonconforming signs may adversely affect the public health, safety, and welfare of the city. Such signs may adversely affect the aesthetic characteristics of the city and may adversely affect public safety due to the visual impact of said signs on motorists and the structural characteristics of said signs.

(1) No sign shall be permitted or erected on any lot which has located thereupon an existing nonconforming sign until the nonconforming sign has either been removed or brought into compliance with this section.

(2) Maintained. A nonconforming sign shall not be replaced by another nonconforming sign, except that the substitution or interchange of quality material panels, painted boards, or dismountable material on nonconforming signs shall be permitted as long as the nonconforming sign retains its grandfathering rights. All nonconforming signs shall be maintained in good repair, free from peeled paint, rust, missing panels, missing letters, etc. Minor repairs and maintenance of nonconforming signs shall be permitted. However, no structural repairs, changes in shape, size, or design shall be permitted except to make a nonconforming sign comply with all requirements of this section. Repairs; material change. Minor repairs and maintenance of nonconforming signs shall be permitted when the cost of such repair does not exceed twenty-five (25) percent of the replacement cost of the existing sign, provided, however, that no structural repairs or changes in the size or shape of a nonconforming sign shall be permitted except to make the sign comply with the standards of this chapter.

(3) Legal-nonconforming or "grandfathering" and provisions. Nonconforming signs may stay in place until one (1) of the following conditions occurs:

a. The advertised business ceases at the location for a period of more than thirty (30) days and/or the sign is not used for a period of more than thirty (30) days;

b. The deterioration of the sign or damage to the sign makes it a hazard or renders it dilapidated, unsightly, or unkempt;

c. The sign has been damaged to such an extent that more than minor repairs (greater than twenty-five (25) percent of the sign replacement cost of the existing sign) or a material change is required to restore the sign. No structural repairs or changes in the size or shape of a nonconforming sign shall be permitted except to make the sign comply with the standards of this chapter; or

d. If the business or use for which the nonconforming sign(s) was installed is expanded or modified, and if the value of the expansion or modification exceeds fifty (50) percent of the value of the existing improvements. The sign or signs shall be immediately brought into compliance with this chapter with a new permit secured therefore or shall be removed. All improvements to a single business or use within any 12-month period shall be treated cumulatively in the administration of this subparagraph.

(4) In the event that a sign loses its legal-nonconforming (grandfathering) status, the applicant shall not be granted a business license until the nonconforming sign is brought into compliance with the regulations in the Chapter 3. – Signs, otherwise known as the sign ordinance.

All signs within the city must be brought into compliance or removed within three (3) years from the adoption of this chapter. At this time, all signs will lose their legal nonconforming status.

SECTION 2. That Section 8-3-23 of the Code of Ordinances, City of Forest Park, Georgia, Georgia is hereby amended by deleting said section and replacing it the following in lieu thereof

“Sec. 8-3-23. Restrictions based on location.

If not otherwise stated, any sign not specifically allowed in a zoning district as provided under this section shall be prohibited in that district, except as otherwise provided for under this chapter. The following standards govern signs within specific zoning districts.

The following standards govern signs within specific zoning districts.

(1) RS—Single family residential district.

a. Entry feature sign/freestanding sign. One (1) maximum thirty-two (32) square foot, freestanding monument sign per lot occupied with an institutional use shall be permitted for each street on which the lot has frontage. The sign may have sign panels.

1. One (1) maximum thirty-two (32) square foot, freestanding monument sign or two (2) single-faced freestanding monument signs not to exceed sixteen (16) square feet for each side of a platted single-family subdivision entrance shall be permitted for each street on which the subdivision has an entrance. If developed with a mixture of detached and attached dwellings in separate pods or phases, an additional sixteen (16) square foot sign shall be permitted for the attached dwelling phase.

2. *Entry feature signs shall have a maximum height of six (6) feet, may be externally illuminated, and shall not have changeable copy.*
 3. *Entry feature signs may be attached to a subdivision entrance wall, provided the wall is no more than eight (8) feet in height, and so long as the top of the sign panel is no more than six (6) feet in height.*
- (2) *RT—Two family residential district.*
- a. *Entry feature sign/freestanding sign.*
 1. *One (1) maximum thirty-two (32) square foot, freestanding monument sign per lot occupied with an institutional use shall be permitted for each street on which the lot has frontage. The sign may have sign panels.*
 2. *One (1) maximum thirty-two (32) square foot, freestanding monument sign or two (2) single-faced freestanding monument signs not to exceed sixteen (16) square feet for each side of a platted single-family subdivision entrance shall be permitted for each street on which the subdivision has an entrance. If developed with a mixture of detached and attached dwellings in separate pods or phases, an additional sixteen (16) square foot sign shall be permitted for the attached dwelling phase.*
 3. *Entry feature signs shall have a maximum height of six (6) feet, may be externally illuminated, and shall not have changeable copy.*
 4. *Entry feature signs may be attached to a subdivision entrance wall, provided the wall is no more than eight (8) feet in height, and so long as the top of the sign panel is no more than six (6) feet in height.*
- (3) *RM—Multiple family residential district.*
- a. *Entry feature sign/freestanding sign.*
 1. *One (1) maximum thirty-two (32) square foot freestanding monument sign shall be permitted for each street on which the multi-family lot has frontage. The sign shall have a maximum height of six (6) feet, may be externally illuminated, and shall not have changeable copy.*
 2. *One (1) maximum thirty-two (32) square foot, freestanding monument sign per lot occupied with an institutional use shall be permitted for each street on which the lot has frontage. The sign may have sign panels.*
- (4) *MH—Mobile home park district.*
- a. *Entry feature sign/freestanding sign.*
 1. *One (1) maximum thirty-two (32) square foot freestanding monument sign shall be permitted for each street on which the multi-family lot has frontage. The sign shall have a maximum height of six (6) feet, may be externally illuminated, and shall not have changeable copy.*

2. *One (1) maximum thirty-two (32) square foot, freestanding monument sign per lot occupied with an institutional use shall be permitted for each street on which the lot has frontage. The sign may have sign panels.*
- (5) *IC—Institutional commercial district.*
- a. *Freestanding signs.*
 1. *One (1) maximum thirty-two (32) square foot, freestanding monument sign per street frontage shall be permitted for each lot which contains less than fifteen (15) acres.*
 2. *For lots that contain more than fifteen (15) acres, one (1) maximum sixty-four (64) square foot, freestanding monument sign for the primary frontage and one thirty-two (32) square foot, freestanding monument sign for each street on which the lot has secondary frontage. If the primary frontage of the lot is five hundred (500) linear feet or more and if the lot has two (2) or more entrances on the street on which it has primary frontage, the one (1) maximum sixty-four (64) square foot sign may be substituted by two (2) single-faced freestanding monument signs not to exceed thirty-two (32) square feet. The sign shall have a maximum height of six (6) feet if thirty-two (32) square feet or less and eight (8) feet if sixty-four (64) square feet or less.*
 3. *All freestanding monument signs may be internally or externally lighted. Each sign may have sign panels. If constructed as part of a brick or stone wall, at least thirty (30) feet in length, the sign face may double the allowable size, and sign panels may be measured separately rather than as part of a continuous polygon as required by Section 23 hereof. If the freestanding sign is constructed on a wall with the increased sign size allowance, the parcel shall not be permitted to construct a separate directory sign. The freestanding sign size may be increased by thirty-two (32) square feet if the owner of the parcel opts to not construct a separate directory sign.*
- (6) *GC—General commercial district.*
- a. *Freestanding signs.*
 1. *One (1) maximum thirty-two (32) square foot per street frontage for each lot which contains less than fifteen (15) acres. The freestanding monument sign shall have a maximum height of six (6) feet.*
 2. *For lots that contain more than fifteen (15) acres, one (1) maximum sixty-four (64) square foot, freestanding monument sign for the primary frontage and one thirty-two (32) square foot, freestanding monument sign for each street on which the lot has secondary frontage. If the primary frontage of the lot is five hundred (500) linear feet or more and if the lot has two (2) or more entrances on the street on which it has primary frontage, the one (1) maximum sixty-four (64) square foot monument sign may be substituted by two (2) single-faced freestanding monument signs not to exceed thirty-two (32) square feet. The sign shall have a maximum*

height of six (6) feet if thirty-two (32) square feet or less and eight (8) feet if sixty-four (64) square feet or less.

3. *All freestanding signs may be internally or externally lighted. Each sign may have sign panels. If constructed as part of a brick or stone wall, at least thirty (30) feet in length, the sign face may double the allowable size, and sign panels may be measured separately rather than as part of a continuous polygon as required by Section 23 hereof. If the freestanding sign is constructed on a wall with the increased sign size allowance, the parcel shall not be permitted to construct a separate directory sign. The freestanding monument sign size may be increased by thirty-two (32) square feet if the owner of the parcel opts to not construct a separate directory sign.*

(8) UV—Urban village district.

a. Freestanding signs.

1. *One (1) maximum thirty-two (32) square foot, freestanding monument sign per street frontage shall be permitted for each lot which contains less than fifteen (15) acres.*
2. *For lots that contain more than fifteen (15) acres, one (1) maximum sixty-four (64) square foot, freestanding monument sign for the primary frontage and one thirty-two (32) square foot, freestanding monument sign for each street on which the lot has secondary frontage. If the primary frontage of the lot is five hundred (500) linear feet or more and if the lot has two (2) or more entrances on the street on which it has primary frontage, the one (1) maximum sixty-four (64) square foot monument sign may be substituted by two (2) single-faced freestanding monument signs not to exceed thirty-two (32) square feet. The sign shall have a maximum height of six (6) feet if thirty-two (32) square feet or less and eight (8) feet if sixty-four (64) square feet or less.*

(9) Industrial districts.

b. Freestanding signs.

1. *One (1) maximum thirty-two (32) square foot, freestanding monument sign shall be permitted for each street on which the lot has up to and including five hundred (500) feet of frontage. The sign shall have a maximum height of eight (8) feet (see exception) and shall not have changeable copy.*
2. *One (1) maximum sixty-four (64) square foot, freestanding monument sign shall be permitted for each street on which the lot has more than five hundred (500) linear square feet and up to one thousand (1,000) linear feet of frontage. The sign shall have a maximum height of eight (8) feet (see exception) and shall not have changeable copy.*
3. *One (1) maximum seventy-two (72) square foot, freestanding monument sign shall be permitted for each street on which the lot has more than one thousand (1,000) linear feet of frontage (excludes spin sites and out-parcels). The sign shall have a*

maximum height of eight (8) feet (see exception) and shall not have changeable copy.

- 4. One (1) maximum thirty-two (32) square foot, freestanding monument sign per spin site or out-parcel which is identified on a site plan approved pursuant to a single zoning case.*
- 5. Freestanding monument signs on arterial streets may be ten (10) feet in height.*
- 6. All freestanding signs may be internally or externally lighted. Each sign may have sign panels. If constructed as part of a brick or stone wall, at least thirty (30) feet in length, the sign face may double the allowable size, and sign panels may be measured separately rather than as part of a continuous polygon as required by Section 23 hereof. If the freestanding sign is constructed on a wall with the increased sign size allowance, the parcel shall not be permitted to construct a separate directory sign. The freestanding sign size may be increased by thirty-two (32) square feet if the owner of the parcel opts to not construct a separate directory sign.*

(10) GZ Gillem zoning district.

- a. Billboards. Billboards are prohibited.*
- b. Freestanding.*

- 1. One (1) maximum thirty-two (32) square foot, freestanding monument sign shall be permitted for each street on which the lot has up to and including five hundred (500) feet of frontage. The sign shall have a maximum height of eight (8) feet (see exception) and shall not have changeable copy.*
- 2. One (1) maximum sixty-four (64) square foot, freestanding monument sign shall be permitted for each street on which the lot has more than five hundred (500) linear square feet and up to one thousand (1,000) linear feet of frontage. The sign shall have a maximum height of eight (8) feet (see exception) and shall not have changeable copy.*
- 3. One (1) maximum seventy-two (72) square foot, freestanding monument sign shall be permitted for each street on which the lot has more than one thousand (1,000) linear feet of frontage (excludes spin sites and out-parcels). The sign shall have a maximum height of eight (8) feet (see exception) and shall not have changeable copy.*
- 4. One (1) maximum thirty-two (32) square foot, freestanding sign per spin site or out-parcel which is identified on a site plan approved pursuant to a single zoning case.*
- 5. Freestanding signs on arterial streets may be ten (10) feet in height.*
- 6. All freestanding signs may be internally or externally lighted. Each sign may have sign panels. If constructed as part of a brick or stone wall, at least thirty (30) feet in length, the sign face may double the allowable size, and sign panels may be measured separately rather than as part of a continuous polygon as required by Section 23 hereof. If the freestanding sign is constructed on a wall with the*

increased sign size allowance, the parcel shall not be permitted to construct a separate directory sign. The freestanding sign size may be increased by thirty-two (32) square feet if the owner of the parcel opts to not construct a separate directory sign.



SECTION 3. That Section 8-8-77 of the Code of Ordinances, City of Forest Park, Georgia, Georgia is hereby amended by adding the following subsections:

- (18) *Interference.* No equipment or processes shall be used in such home occupation, which creates noise, vibration, glare, fumes, odors, or electrical interference, outside the dwelling unit. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any television or radio receivers off the premises or causes fluctuations in line voltage off the premises.
- (19) *The following are permitted home occupations provided they do not violate any of the provisions of this section or any other section within this Ordinance:*
- a. *Dressmaking, sewing and tailoring.*
 - b. *Painting, sculpturing, writing and other fine arts.*
 - c. *Telephone answering and marketing.*
 - d. *Home crafts, such as model making, rug weaving, and lapidary work.*
 - e. *Instruction or teaching, such as academic, tutoring, performing arts, or fine arts limited to one (1) student at any given time.*
 - f. *Computer application and internet sales, not including the sale of computers.*
 - g. *Office uses for consulting professionals, such as attorneys, realtors, insurance agents, engineers, architects, and other consultants, accountants, brokers, etc.*
 - h. *Administrative or clerical support services, such as transcription, court reporters, stenographers, notary public, or addressing services.*
 - i. *Repair of clocks, instruments or other small appliances which do not create a nuisance due to noise, vibration, glare, fumes, odors or result in electrical interference.*

- j. *Janitorial and cleaning services.*
 - k. *Consultants and representatives for the sales industry, having no product displays onsite.*
- (20) *Due to incompatibility with the residential character and qualities of residential zoning districts, no license shall be issued for a home occupation in any of the following trades or businesses:*
- a. *Automotive repair.*
 - b. *Auto sales.*
 - c. *Firearms and firearms' supplies dealers/sales/service (including gunsmithing).*
 - d. *Group assembly or instruction involving more than four (4) persons.*
 - e. *Dancing or band instrument instruction in groups.*
 - f. *Mobile oil change.*
 - g. *Pest control services.*
 - h. *Septic tank operation or repair.*
 - i. *Taxicab/limousine services.*
 - j. *Transporting autos for dealerships.*
 - k. *Wrecker/towing service.*
 - l. *Florists, flower shops, or greenhouses.*
 - m. *Tearooms and restaurants.*
 - n. *Fish hatcheries, worm farms or bait houses.*
 - o. *Kennels and animal hospitals.*
 - p. *Maintenance or similar operations.*
 - q. *Retail or wholesale shops.*
 - r. *Boarding houses, rooming houses, or other motel type establishments.*
 - s. *Activities that involve the use of chemicals, machinery or matter of energy that may create or cause to be created, noise, noxious odors or hazards that will endanger the health, safety, or welfare of the community."*

SECTION 4. Intention of the Governing Body. It is the intention of the governing body, and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the Code of Ordinances, City of Forest Park, Georgia, and the sections of the ordinance may be renumbered to accomplish such intention.

SECTION 5. Approval of Execution. The Mayor is hereby authorized to sign all documents necessary to effectuate this Ordinance.

SECTION 6. Attestation. The City Clerk is authorized to execute, attest to, and seal any documents which may be necessary to effectuate this ordinance, subject to approval as to form by the City Attorney.

SECTION 7. Codification and Severability.

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

(b) It is hereby declared to be the intention of the City 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 City 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 section, paragraph, sentence, clause or phrase 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 City 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 sections, paragraphs, sentences, clauses, or phrases of the ordinance and that to the greatest extent allowed by law all remaining Sections, paragraphs, sentences, clauses, or phrases of the ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

SECTION 8. Repeal of Conflicting Provisions. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 9. Effective Date. This ordinance shall become effective immediately upon its adoption by the Mayor and City Council of the City of Forest Park as provided in the City Charter.

[SIGNATURES APPEAR ON FOLLOWING PAGE]

SO ORDAINED this _____ day of _____, 2022.

Mayor Angelyne Butler

Council Member Kimberly James, Ward 1

Council Member Dabouze Antoine, Ward 2

Council Member Hector Gutierrez, Ward 3

Council Member Latresa Wells, Ward 4

Council Member Allan Mears, Ward 5

ATTEST:

City Clerk (SEAL)

APPROVED AS TO FORM:

City Attorney