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## **MEMORANDUM**

**To:** Mayor and City Council

**From:** Steve Dush

**Date:** August 27, 2012

**Subject:** **SECOND READ: Adoption of Ordinance to Amend Chapter 26: Streets, Sidewalks, and Other Public Places Regarding Special Event Signage**

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### **ITEM DESCRIPTION**

At the July 24, 2012 City Council Meeting, Councilman Thompson initiated a text amendment to amend the Special Events Ordinance to give staff the authority to review requests for additional signage related to special events.

### **BACKGROUND**

Staff has made changes in the Ordinance to reflect the request by Council. The summary of those changes allows staff to complete reviews of special event sign requests pursuant to Administrative Guidelines. The Ordinance amendments allow for staff to make approvals based on those Guidelines and allow an applicant to request additional relief from City Council if their request still exceeds those Guidelines. The Guidelines have been modified to more accurately reflect previous applications approved by Council, including the allowance to have two larger signs permitted on a lot and a larger number of signs per lot. Those changes are identified in red in the attached Guidelines. Staff has crafted a set of Administrative Guidelines that are both permissive enough to afford a special event applicant the ability to place signage to appropriately advertise, direct traffic, and inform the public without the need to make a request to City Council yet restrictive enough to maintain the character of the City so when requests are made that are beyond the scope of the Guidelines, the application would still come before City Council for approval. Since the August 13 meeting, staff has added the deposit scale for erecting special event signs.

### **RECOMMENDED ACTION**

Staff recommends amending Chapter 26 to modify the administrative guidelines for special events in keeping with actions that reflect previous council approvals.

**AN ORDINANCE OF THE CITY OF DUNWOODY AMENDING CHAPTER 26 (STREETS, SIDEWALKS AND OTHER PUBLIC PLACES) TO REVISE PROVISIONS REGARDING REVIEW OF SPECIAL EVENT SIGNAGE REQUESTS**

**WHEREAS,** the City of Dunwoody has heretofore adopted a Special Event Ordinance, Codified as Article VIII of Chapter 26 of the Code of the City of Dunwoody (the "Code"); and

**WHEREAS,** as part of the Special Event application, if the sponsor of the event would like to have additional temporary signage beyond what is allowed by the City Code, a request is made to the City Council to approve the additional signage; and

**WHEREAS,** the City Council desires to revise these provisions to allow for some administrative approvals by the City Manager regarding additional temporary signs in order to expedite and smooth the process; and

**WHEREAS,** this revision is designed to promote the better health, safety, welfare and community of the citizens of the City.

**THEREFORE, THE MAYOR AND COUNCIL FOR THE CITY OF DUNWOODY HEREBY ORDAIN AS FOLLOWS:**

**ADDITIONS – underlined**  
**DELETIONS – ~~strikethroughs~~**

**Section 1: Chapter 26 (Streets, Sidewalks and Other Public Places) of the City of Dunwoody Code of Ordinances shall be amended by revising Section 26-243 (Procedure for Application Review), subsection (e), to read as follows:**

**Sec. 26-243. Procedure for application review.**

....

(e) The city manager shall also review an applicant's plans for:

- (1) Trash cleanup and disposal provisions;
- (2) First aid provisions;
- (3) Vehicle and trailer storage provisions; and
- (4) Toilet facilities available to participants.

**(5) Temporary signs.**

Should the City Manager determine an applicant's plans presented for these services to be inadequate, the application may be denied.

....

**Section 2:** Chapter 26 (Streets, Sidewalks and Other Public Places) of the City of Dunwoody Code of Ordinances shall be further amended by revising Section 26-268 (Application), by adding subsection (i), to read as follows:

**Sec. 26-268. Application.**

.....

(i) One copy of a special event sign application shall be completed and submitted at the time of application. A detailed sign schedule shall be included that demonstrates sign dimensions, materials, duration, and locations. The applicant shall supply any additional information required to complete the review.

**Section 3:** Chapter 26 (Streets, Sidewalks and Other Public Places) of the City of Dunwoody Code of Ordinances shall be further amended by revising Section 26-269 (Procedure for Application Review), by revising subsections (g) and (h), to read as follows:

**Sec. 26-269. Procedure for Application Review.**

.....

(g) The issuance of a special event permit does not preclude the need to obtain special event sign permits and does not guarantee approval of special event sign permits.

(gh) Should a permit be denied, the producer shall be notified in writing of the denial.

**Section 4:** Chapter 26 (Streets, Sidewalks and Other Public Places) of the City of Dunwoody Code of Ordinances shall be further amended by revising Section 26-270 (Permit Fees), by addition of subsection (h) to read as follows:

**Sec. 26-270. Permit Fees.**

.....

(h) A deposit for special event signage shall be determined by the Community Development Director on a per/sign basis and based on the number of signs to be erected. The deposit is due at the time a permit is issued and is refundable upon submittal of an affidavit that all signs associated with the event have been removed. Such affidavit must be submitted within seven (7) days of the conclusion of the event or the deposit shall be forfeited.

**Section 5:** Chapter 26 (Streets, Sidewalks and Other Public Places) of the City of Dunwoody Code of Ordinances shall be further amended by revising Section 26-275 (Other Permits), by revising subsection (a) to read as follows:

**Sec. 26-275. Other Permits.**

- (a) The purpose of this section is to allow the city's departments and staffs to review an application for a special event permit outside the regular ordinance standards in order to determine how disruptive a special event may be to the ordinary use of parks, public streets, rights-of-way, or sidewalks and to make recommendations and allowances. Administrative guidelines ~~issued by the department of community development in~~ allowing specified signage and advertising which may not be in compliance with existing zoning ordinances for ~~banners and vendor signs~~ may be presented to the ~~city council~~ Community Development Director or their designee for approval ~~by the applicant~~. Upon approval by the Community Development Director or their designee, recommendations and allowances made shall become conditions of the permit to be followed and carried out by the applicant/producer. Applicants requesting signs that exceed the provisions in the Administrative Guidelines may request relief by the City Council to exceed the terms of those Guidelines. Applicants may receive additional relief at a public meeting in front of City Council by submitting a request in writing to the Community Development Director.

**Section 6: Chapter 26 (Streets, Sidewalks and Other Public Places) of the City of Dunwoody Code of Ordinances shall be further amended by revising Section 26-278 (Pole Banners), subsection (h)(2) to read as follows:**

**Sec. 26-278. Pole Banners**

(h) *Permit Requirements*

- (2) *Time for consideration and issuance.* The director of community development shall issue permits for all applications meeting the requirements of this section and all other laws and ordinances regulating pole banners within 20 business days. Pole banners not meeting the requirements shall be denied pursuant to the procedure outlined in this section. The director shall give notice in writing to the applicant of his/her decision hand-delivered, mailed by certified mail, e-mailed or faxed to the address on the permit application, and post-marked on or before the twentieth business day after the director's receipt of the application. If the director fails to act within the 20-day period, the permit shall be deemed to have been granted. A sticker or other device issued by the city shall be affixed to each pole banner made available by the event director/applicant upon request. Denials may be appealed according to the procedure established by this Article.

#1.2.

STATE OF GEORGIA  
CITY OF DUNWOODY

**ORDINANCE 2012-XX-XX**

**Section 7:** This Amendment shall become effective immediately upon its adoption by the City Council, and incorporated into the Code of the City of Dunwoody, Georgia. This Amendment hereby repeals any and all conflicting ordinances and amendments.

**SO ORDAINED**, this \_\_\_\_ day of \_\_\_\_\_, 2012.

**Approved:**

\_\_\_\_\_  
Michael G. Davis, Mayor

**ATTEST:**

**Approved as to Form and Content:**

\_\_\_\_\_  
Sharon Lowery, City Clerk  
(Seal)

\_\_\_\_\_  
Cecil McLendon, Acting City Attorney



# City of Dunwoody

## Administrative Guidelines

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### SPECIAL EVENT SIGNAGE AND ADVERTISING

#### I. Purpose

Pursuant to Section 26-275 of the City of Dunwoody Code of Ordinances, the purpose of these administrative guidelines is to establish maximums for additional special event signage and advertising that may not be in compliance with existing ordinances for ~~banners and vendor temporary signs~~. These guidelines have been designed, in awareness and appreciation for the City of Dunwoody's Sign Ordinance and Overlay District Regulations, to be used as a standard by which the ~~City Council~~ Community Development Director or his designee may make recommendations and allowances for additional signage that shall become conditions of an applicant's special event permit.

#### II. Scope

The scope of these Administrative Guidelines covers all special events, meeting the definition herein, that have made application to the City.

#### III. Definitions

When used in these administrative guidelines, the following words, terms and phrases, and their derivations, shall be the meaning ascribed to them in this section, except where the context clearly indicates a different meaning.

A. BANNER means a sign other than a flag with or without characters, letters, illustrations or ornamentation applied to cloth, paper, or fabric that is intended to be hung either with a frame or without a frame. ~~Banners shall not exceed 30 square feet in size.~~

B. SPECIAL EVENT means any organized for-profit or nonprofit activity having as its purpose entertainment, recreation and/or education which takes place on public property or on private property, but requires special public services within the municipal boundaries of the City of Dunwoody.

C. STANDARD INFORMATIONAL SIGN means a sign with a sign face made for short term use, containing no reflecting elements, flags, or projections and which is mounted on a post, stake, or metal frame with a thickness or diameter not greater than 3½ inches. ~~Standard Informational Signs shall not exceed 6 square feet in size.~~



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D. VENDOR means any person or persons or entity who engages in the sale to the public of any food or food products, goods, services, or merchandise of whatever nature from any location, either mobile or stationary, on a temporary itinerant basis on any public street, sidewalk, or right-of-way as an authorized participant of the special event.

### IV. Maximum Quantity for Additional Signage

In addition to those signs already permitted by the Sign Ordinance, the following table establishes maximum numbers of banners and standard informational signage allowed for special events based upon the acreage of the parcel on which the event is occurring:

Acres	Banners	Standard Informational Signs
0.00 - 1.00	<del>1</del> <u>3</u> + 1 per vendor	<del>10</del> <u>20</u>
1.01 - 2.50	<del>2</del> <u>5</u> + 1 per vendor	<del>20</del> <u>30</u>
2.51 - 5.00	<del>4</del> <u>8</u> + 1 per vendor	<del>35</del> <u>50</u>
5.01 - 10.00	<del>6</del> <u>10</u> + 1 per vendor	60
10.01 or larger	<del>10</del> <u>15</u> + 1 per vendor	100

### V. Maximum Size for Additional Signage

A. Two banners per lot may measure up to 60 square feet in size. All other banners shall not exceed 30 square feet in size.

B. Standard Informational Signs shall not exceed 24 square feet in size.

### VI. Deposit Schedule

A. Applicants shall submit a deposit according to the following scale:

<u>Total Number of Signs Erected</u>	<u>Deposit</u>
<u>0-10</u>	<u>\$100</u>
<u>10-50</u>	<u>\$250</u>
<u>50-100</u>	<u>\$400</u>
<u>100-200</u>	<u>\$750</u>
<u>200+</u>	<u>\$900</u>



# City of Dunwoody

## Administrative Guidelines

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### **VII. Responsibility**

#### A. Director of Community Development

The Director of Community Development shall have the following duties and powers in regards to the Administrative Guidelines for Special Event Signage and Advertising:

1. Work with all applicants for Special Events that petition for signage and advertising that exceeds that which is allowed by existing ordinances for banners and vendors.
2. Allow an increase, up to 10%, in the quantity or size of signs provided the Director can make the following findings:

a. The requested increase does not go beyond the minimum necessary to afford relief, and does not constitute a grant of special privilege inconsistent with the limitations upon other properties in the zoning district in which the subject property is located;

b. The grant of the increase will not be materially detrimental to the public welfare or injurious to the property or improvements in the zoning district in which the subject property is located;

c. The literal interpretation and strict application of the applicable provisions or requirements of this chapter/administrative guidelines would cause undue and unnecessary hardship; and

d. The requested increase would be consistent with the spirit and purpose of this chapter/administrative guidelines and the city comprehensive plan text.

~~Work with the City Clerk to bring each application for additional signage and advertising in front of the City Council at their earliest regularly scheduled meeting.~~

- ~~2.3. Work with the City Clerk to bring each application~~ signs not approved by the Community Development Director or his designee according to the provisions herein for additional signage and advertising in front of the City Council at their earliest regularly scheduled meeting in the event that the applicant requests relief following denial.