

ORDINANCE NO. 2016-14

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF VALDOSTA, GEORGIA, AMENDING THE TEXT OF THE CITY OF VALDOSTA LAND DEVELOPMENT REGULATIONS (LDR), PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE

WHEREAS, the City of Valdosta has proposed and initiated the request of certain amendments to the City of Valdosta Land Development Regulations (LDR) (File No. VA-2016-09); and

WHEREAS, official notices have been given and publications have been made pursuant to O.C.G.A. 36-66-4, and Section 242-4 of the City of Valdosta Land Development Regulations (LDR); and

WHEREAS, a public hearing was held by the Greater Lowndes Planning Commission on May 31, 2016, and said Planning Commission has rendered a recommendation to the Mayor and Council of the City of Valdosta; and

WHEREAS, the Mayor and Council of the City of Valdosta has considered this request and the recommendation of the Planning Commission, at a public hearing pursuant to said official notices and publications; and

WHEREAS, Mayor and Council of the City of Valdosta finds the proposed LDR amendments to be consistent with the City's adopted Comprehensive Plan.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Valdosta, Georgia, and it is hereby ordained by the authority of same, that the City of Valdosta Land Development Regulations (LDR) is hereby by amended as follows:

Section 1. LDR Chapter 230 Sign Regulations, Section 230-9(E) Special Signage Types, is hereby amended by deleting sub-Section (1) Portable Signs in its entirety, and replacing it with a new sub-section (1) Portable Signs as follows:

- (1) Portable Signs. In addition to all permitting procedures and other applicable regulations of this Chapter, portable signs as defined by this LDR may be allowed upon the issuance of a permit within non-residential zoning districts only, and subject to all of the following conditions:
 - (a) Portable signs shall be limited to one per parcel and shall only be used in lieu of a permanent freestanding sign for a period not to exceed 3 months from the date of permit issuance, or until the permanent sign is installed, whichever comes first, and only for one continuous 3-month period.
 - (b) Maximum size: 32 square feet.
 - (c) No portable signs authorized by this sub-section shall be located in a required parking space nor shall in any way impede vehicular or pedestrian traffic flow.
 - (d) All signs must be securely anchored in accordance with the International Building Code.

- (e) Effective July 1, 2016, all existing portable signs shall be brought into compliance with the sign regulations in effect as of that date.
- (f) If illuminated, portable signs shall be internally lit and permanently hardwired for electrical connection as approved with an electrical permit.
- (g) Portable signs are prohibited in Historic Districts established pursuant to Chapter 238 of this LDR.
- (h) Portable signs must be kept in good and clean condition and maintained with active signage copy at all times.

Section 2. LDR Chapter 230 Sign Regulations, Section 230-9(E) Special Signage Types, is hereby amended by deleting sub-Section (2) Banners, Air and Gas-Filled Devices and Balloons, in its entirety, and replacing it with a new sub-section (2) Banner, Air and Gas-Filled Devices and Balloons, as follows:

(2) Banners, Air and Gas-Filled Devices and Balloons.

- (a) In non-residential zoning districts, one air-filled device, gas-filled device or balloon may be allowed on a temporary basis per parcel for a maximum of one 30-day period per quarter per calendar year with a minimum 30-day separation, upon obtaining a special permit. The maximum size of said devices or balloons shall not exceed 200 cubic feet of air nor exceed 35 feet in height. Any electrical connections for such balloons or devices shall be approved as part of the permitting process.
- (b) One banner may be allowed on a temporary basis upon the issuance of a banner permit for each business unit or institutional use, excluding home businesses. Such banners shall be allowed for no more than 45 consecutive days per calendar quarter. Such banners shall be limited to a maximum size of 1 square foot per 3 linear feet of façade width, or 24 square feet whichever is more, but not to exceed 100 square feet. Such banners shall be securely attached to a permanent structure, such as a building wall or columns, and maintained in good condition at all times being kept free from tears and fading. Effective July 1, 2016, all existing banners in such districts shall be brought into compliance with the sign regulations in effect as of that date.
- (c) Special decorative banners on single poles may be allowed by Administrative Permit upon approval by the City Manager or his designee, subject to the following conditions.
 - i. Banners shall be securely mounted with brackets to be kept stationary, and shall be maintained in good condition at all times being kept free from tears and fading.
 - ii. Maximum dimensions shall be limited to 2.5 feet horizontal and 5 feet vertical.
 - iii. Minimum height shall be at least 9 feet above ground level.
 - iv. May be mounted on no more than 50% of the poles on private property.

Section 3. LDR Chapter 230 Sign Regulations, Section 230-8 Signs Not Requiring a Permit, is hereby amended by deleting sub-Section (G)(2) in its entirety, and replacing it with a new sub-section (G)(2), as follows:

(G)

- (2) Temporary signs during the time that a lot or building is actively being constructed, or is actively being marketed for sale, lease, or rent. Such signs may be freestanding or attached to a building (wall sign or banner). In residential zones, such signs shall not exceed 6 square feet and a maximum height of 4 feet. In non-residential zones, such signs shall not exceed 32 square feet and a maximum height of 8 feet. Such signs are limited to one sign per street frontage. Such signs shall be removed within 10 days after the subject lot or building is leased, sold, or construction is completed.

Section 4. LDR Chapter 210 Overlay Districts, Section 210-2 Inner Perimeter Corridor Overlay District, is hereby amended by deleting sub-Section 210-2(L)(2)(a)(ii)(3) in its entirety and replacing it with a new sub-Section 210-2(L)(2)(a)(ii)(3) as follows:

- (3) Metal siding on wall surfaces facing and plainly visible from a street or customer/visitor parking lot. Metal siding components that are clearly decorative and incidental to the wall of the building, are not included in this prohibition.

Section 5. LDR Chapter 210 Overlay Districts, Section 210-3 Urban Commercial Corridor Overlay District, is hereby amended by deleting sub-Section 210-3(J)(2)(a)(ii)(3) in its entirety and replacing it with a new sub-Section 210-3(J)(2)(a)(ii)(3) as follows:

- (3) Metal siding on wall surfaces facing and plainly visible from a street or customer/visitor parking lot. Metal siding components that are clearly decorative and incidental to the wall of the building, are not included in this prohibition.

Section 6. LDR Chapter 210 Overlay Districts, Section 210-4 Baytree-University Corridor Overlay District, is hereby amended by deleting sub-Section 210-4(J)(2)(a)(ii)(3) in its entirety and replacing it with a new sub-Section 210-4(J)(2)(a)(ii)(3) as follows:

- (3) Metal siding on wall surfaces facing and plainly visible from a street or customer/visitor parking lot. Metal siding components that are clearly decorative and incidental to the wall of the building, are not included in this prohibition.

Section 7. LDR Chapter 106 Definitions, Section 106-1(C) Definitions, is hereby amended by adding the following definitions for Transitional Buffer and Calendar Quarter as follows:

BUFFER, TRANSITIONAL: That portion of a lot set aside for open space and landscaped visual screening purposes, pursuant to applicable provisions of Chapter 238, Article 1, and to separate uses on properties that are in different zoning districts. See Chapter 328, Article 1.

CALENDAR QUARTER: Distinct periods of time limited to January through March, April through June, July through September, and October through December of any calendar year.

Section 8. LDR Chapter 106 Definitions, Section 106-1(C) Definitions, is hereby amended by deleting the definition for BANNER in its entirety, and replacing it with a new definition for BANNER as follows:


BANNER: A sign of lightweight fabric, plastic or similar material mounted at two or more edges to a wall, poles or other structure. Flags and pennants shall not be considered banners. Banners which are secured on all sides by a frame or otherwise neatly mounted and rigidly affixed to a wall so as to resemble a typical wall sign, shall be considered the same as a permanent wall sign.

Section 9. All Ordinances or parts of Ordinances, in conflict herewith, are to the extent of such conflict hereby repealed.

Section 10. If any word, phrase, section, or other portion of this Ordinance is declared or adjudged to be invalid or unconstitutional by any Court of competent jurisdiction, then such declaration or adjudication shall not affect the remaining words, phrases, sections, or other portions of this Ordinance, which shall remain of full force and effect as if such word, phrase, section or other portion so declared or adjudged invalid or unconstitutional were not originally a part of this Ordinance. It is hereby declared to be the intent of the Mayor and Council of the City of Valdosta, Georgia, to provide for separate and devisable parts, and to this end the provisions of this Ordinance are declared severable. Said Mayor and Council hereby declares that it would have still enacted the remaining words, phrases, sections, or other portions of this Ordinance that are not so declared or adjudged to be invalid or unconstitutional.

Section 11. This Ordinance shall become effective on July 1, 2016.

Duly passed and adopted by the Mayor and Council of the City of Valdosta, Georgia, this 23rd day of June, 2016.

Mayor 

ATTEST:


Clerk of Council