STATE OF GEORGIA

COUNTY OF CLAYTON

ORDINANCE NO. 2012 – 53

AN ORDINANCE TO AMEND THE CLAYTON COUNTY ZONING ORDINANCE, SPECIFICALLY ARTICLE 8 "SIGN REGULATIONS"; SO AS TO DELETE SECTIONS 8.18 AND 8.20 AND INSERT IN LIEU THEREOF NEW SECTIONS 8.18 AND 8.20; TO PROVIDE AN EFFECTIVE DATE OF THIS ORDINANCE; TO PROVIDE FOR REPEAL OF CONFLICTING ORDINANCES; TO PROVIDE FOR CODIFICATION; TO PROVIDE FOR SEVERABILITY; AND FOR OTHER PURPOSES.

WHEREAS, the Board of Commissioners have determined there is a need to revise Article 8 "Sign Regulations", Section 8.18 "Billboard Sign Standards" and Section 8.20 "Electronic Multiple Message Signs".

NOW THEREFORE, BE IT ORDAINED BY THE CLAYTON COUNTY BOARD OF COMMISSIONERS AND IT IS HEREBY ORDAINED

PART I

Section 1. The Clayton County Zoning Ordinance, as amended, is hereby further amended by deleting Article 8 "Sign Regulations", Section 8.18 "Billboard Sign Standards" and inserting in lieu thereof a new Article 8 "Sign Regulations", Section 8.18 "Billboard Sign Standards" to read as follows:

Billboard Sign Standards

8.18 Billboard Sign Standards

A. Principle and Accessory Use: A billboard sign may be considered either principal or accessory uses.
B. Conditional Use: All billboard signs shall require a conditional use permit. Procedures for obtaining a conditional use permit are in defined in Article 13.
C. Criteria: No billboard sign shall be erected or maintained within 660 feet of the nearest edge of the right-of-way and visible from the main traveled way of the interstate or primary highways, except on property that meets the following criteria:
   1. The property must be zoned for commercial or industrial use. Zoning classifications include: Neighborhood Business (NB); Community Business (CB), General Business (GB); Light Industrial (LI); and Heavy Industrial (HI).
   2. The property must have a minimum of 22,000 square feet.
   3. The property must have at least 200 feet of frontage on Georgia Highway (Interstate)

75, 285, or 675, or must have at least 200 feet of frontage on Lees Mill Road or Frontage Road that has contiguous rights-of-way along Georgia Highway 75.

D. Placement: No billboard sign may be erected within 500 feet of an interchange, intersection at grade or safety rest area. The foregoing 500 foot zone shall be measured along the interstate highway from the point at which the pavement commences or ceases to widen at exits from or entrances to the main traveled way. In circumstances where both the exit and entrance ramps on one side of an interchange constitute continuous lines of travel to the exit and entrance ramps of the adjacent interchange, this side of the interchange shall be treated as if no ramps exist and the foregoing 500-foot zone on this side of the interchange shall be measured from the survey centerline of the main traveled way and crossroad forming the interchange or intersecting road.

E. Distance/Setback requirements: The following distance requirements shall be adhered to:
   1. Each billboard shall be located not less than 500 feet from any other billboard and not less than 100 feet from a mixed use, residential, or agricultural zoning district.
   2. Each billboard shall be located not less than 100 feet from any structure.
   3. No sign shall be located within 1,000 feet from the property boundary of a national park, state park, local monument or church.
   4. Each billboard must not be located closer than ten (10) feet to any property line.
   5. Distance (setback) measurement shall be made horizontally in all directions from the nearest edge of the sign face.

F. Size of signs: Signs shall not be less than 25 feet above ground level. Sign faces shall not exceed 672 square feet or 48 feet in length, width, or height, nor shall it be less than 300 square feet.

G. Sign faces: No more than one single-faced or double-faced sign can be located on a single billboard sign structure. Only one sign module is allowed on a single-faced billboard sign structure, and only two sign modules are allowed on a double-faced billboard sign structure. The two sign modules forming a double-faced billboard must be parallel (back-to-back) to one another or form an interior angle no greater than 60 degrees, and the two sign modules may be separated from each other at their nearest point by no more than three feet.

H. Sign orientation: Only one sign shall be allowed to face the same direction per location. This allows back-to-back or "V" formation signs, but prohibits two signs (side by side or one above the other) facing the same direction.

I. Angle of the roadway: Billboards shall be placed at no more than a 20-degree angle from the roadway.

J. Location on property: All portions of the billboard must be located on a property in accordance with the front, side and rear yard setback requirements of the zoning district in which it is located.

K. D.O.T. regulations: The billboard must comply with all requirements of the State of Georgia and the Georgia Outdoor Advertising Act (O.C.G.A. §§ 32-6-70 et seq.), as well as the provisions of this section, whichever is the most restrictive.

L. Type of Permitted Billboards: all billboards shall be electronic multiple message signs as identified in Article 8.20.

M. Illumination of signs: the following illumination standards shall apply:
   1. The light from any illuminated sign shall not be of an intensity or brightness, which will interfere with the peace, comfort, convenience, and general welfare of residents or occupants of adjacent properties.
   2. No color lights shall be used at any location or in any manner so as to be confused with or construed as traffic control devices.
   3. Neither direct, nor reflected light from primary light sources shall create a hazard to operators of motor vehicles.

Section 2. The Clayton County Zoning Ordinance, as amended, is hereby further amended by deleting Article 8 "Sign Regulations", Section 8.20 "Electronic Multiple Message Signs" and inserting in lieu thereof a new Article8 "Sign Regulations", Section 8.20 "Electronic Multiple Message Signs" to read as follows:

8.20 Electronic Multiple Message Signs

A. Electronic Multiple Message Signs are signs illuminated entirely by the use of light emitting diodes (LED), or similar digital technology, as authorized by the State of Georgia in O.C.G.A. § 32-6-75(c)(1). In accordance with state law the following requirements shall apply to such signs:
   1. All copy must be static and each transition between copy must occur within two (2) seconds and copy must remain fixed for ten (10) seconds;
   2. Electronic Multiple Message Signs may not operate at brightness levels of more than 0.30 foot candles above ambient light levels as measured at the following distances:

Sign (sq feet)	Distance (feet)
less than 300	150
300-400	200
greater than 400	250

   3. Each Electronic Multiple Message Sign must have a light sensing device that will adjust the brightness of the display as the natural ambient light conditions change.
   4. The owner of any electronic sign shall provide to the County contact information for a representative who is available twenty-four (24) hours a day, seven (7) days a week, and able to turn off the electronic sign promptly if a malfunction occurs.
   5. Each sign containing an electronic display must comply with all Georgia Department of Transportation rules and regulations.
   6. Each sign containing an electronic display shall contain a default design that will freeze the design in one position should a malfunction occur.

B. Applicants for Electronic Multiple Message Signs within the County shall be requested to enter the following stipulation to be attached as a condition to the permit:

C. Applicant agrees to make the sign available as soon as practicable after receiving notice from the County's law enforcement officials for display of emergency public safety messages, to include Amber Alerts for missing children or persons, disaster evacuation guidance, or other emergency situations. Such messages shall be included in the advertising rotation as soon as is practicable and shall remain in effect for 24 hours or until such lesser time as requested by the County's law enforcement.

PART II

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

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

PART III.

All Ordinances or parts of Ordinances in conflict with this Ordinance are, to the extent of such conflict, hereby repealed.

PART IV.

The preamble of this Ordinance shall be considered to be and is hereby incorporated by reference as if fully set out herein.

SO ORDAINED this 13th day of March 2012.

{Signatures on following page.}

CLAYTON COUNTY BOARD OF COMMISSIONERS

ELDRIN BELL, CHAIRMAN

WOLE RALPH, VICE CHAIRMAN

GAIL B. HAMBRICK, COMMISSIONER

SONNA SINGLETON, COMMISSIONER

Opposed

MICHAEL EDMONDSON, COMMISSIONER

ATTEST:

SHELBY D. HAYWOOD, CLERK