

Section 15.2.8 Pruning

- (a) To prevent long-term harm to the health of trees or their structure, all pruning of trees within the City of Roswell must be done in accordance with the International Society of Arboriculture Standards entitled "ANSI A300 Standards." A copy of the ANSI A300 Standards is attached to Article 15 as Section 15.7.3, Appendix D-ANSI A300 Standards, and is incorporated herein by reference as though fully stated.
- (b) "Topping," defined as removal of more than one-third of the leaves and branches of a tree measured from the lowest branch on the trunk of the tree to the top of the tree, is prohibited.
- (c) ~~The foregoing provisions~~ Subsection (a) of this Section shall not apply to a lot of less than one (1) acre in size and which contains, or is zoned and platted for purposes of constructing, a detached single-family residence or duplex.

Mr. Davidson noted that if approved, this would be the first reading of the ordinance.

Councilman Dippolito moved to approve the first reading **RZ09-06 Text Amendment to the Roswell Zoning Ordinance Section 15.2.8 regarding tree pruning with staff to consider the comments from Council.** Councilwoman Wynn seconded the motion. The motion passed unanimously.

7. RZ09-07 Text Amendment, changeable copyboard signage. First Reading. Presented by Brad Townsend, Planning and Zoning Director.

Planning and Zoning Director Brad Townsend stated this text amendment deals with the sign code as it relates to changeable copy signage and control of light emitting diodes (LED) as a light source. Mr. Townsend provided photograph examples of signs that would not be permitted as part of this proposed text amendment and those which would be permitted; he also provide examples of signs lit by LED but covered so that the light source is not viewed. He said other exemptions relate to gas station pricing signs and time and temperature signs. Mr. Townsend noted that staff recommends approval of the first reading of this proposed text amendment.

City Attorney David Davidson conducted the first reading of **ORDINANCE TO AMEND THE CITY OF ROSWELL SIGN ORDINANCE REGARDING CHANGEABLE COPYBOARD AND CHANGEABLE ELECTRONIC VARIABLE MESSAGE SIGNS WITHIN THE CITY OF ROSWELL** stating that the Mayor and Council have determined that serious safety questions have been raised by the Federal Highway Administration (FHWA), National Highway Traffic Safety Administration (NHTSA), and others with respect to changeable electronic variable message signs; pursuant to their authority, the Mayor and Council adopt the following ordinance:

1.

Article 22, of the *City of Roswell Zoning Ordinance, Signs*, Section 22.1 *Definition*, is amended by adding new definitions to read as follows:

Changeable Copy Board sign: A sign on which copy or sign panels may be changed, such as boards with changeable letters or changeable pictorial panels.

Changeable Electronic Variable Message sign: A programmable sign that provides changing information.

Changing Sign: A sign that electronically or electrically controls the display of time, temperature and date.

2.

Article 22 of the *City of Roswell Zoning Ordinance, Signs*, Section 22.18 (c) Maximum Heights, Maximum Sizes, Setbacks Requirements, and Number Allowances shall be amended by to read as follows:

(c) Ground sign allowed under table 22.18(2) shall have a sign structure, which consists of the base and sign face, restricted to a base of no more than thirty (30) percent and sign face of no more than seventy (70) percent within the twelve (12) feet height limit. This regulation shall not apply to templates 25, 26, 27 and 28 as allowed under table 22.18(2) and detailed under table 22.18(8).

Changeable Copyboard Signs: Entities holding regularly scheduled performances or meetings attended by 100 or more persons, exclusive of employees, shall be allowed to use an otherwise permitted ground sign to contain 65% changeable copy of the allowable ground sign area.

Ground signs permitted with the use of a convenience store with fuel pumps shall be allowed to have changeable copyboard for the sign portion used to display the price of fuel per gallon only.

Any ground sign permitted under this Section shall be allowed a portion of the sign area to include a changing sign defined as follows: A sign that electronically or electrically controls the display of time, temperature and date.

3.

Article 22, of the *City of Roswell Zoning Ordinance, Signs*, Section 22.11 (a) Prohibited Signs; Ground Signs on Double Frontage Lots, is amended to add Section 22.11(a) (21) to read as follows:

(21) Changeable Electronic Variable Message sign used for purposes other than traffic management or display of time, temperature and date.

(22) Changeable Copy Board sign except as allowed in Section 22.18(c).

(23) Light Emitting Diode (LED)'s signs except as allowed in Section 22.16 (e).

4.

Article 22, of the *City of Roswell Zoning Ordinance, Signs*, Section 22.16 Illumination, is amended by adding Section 22.16 (e) and Section 22.16 (f) to read as follows:

(e) Light Emitting Diode (LED)'s shall be allowed as a light source in a manner that the LED is behind acrylic, aluminum or similar sign face and returns in such a manner that the LED modules are not visible from the exterior of the sign.

(f) Light Emitting Diode (LED) signs shall be equipped with an automatic operational night dimming device which shall lower the intensity of the illumination of the sign at night.

Mr. Davidson noted that if approved, this would be the first reading of the ordinance.

Mayor Wood for the purpose of clarification, inquired if reader boards are still permitted or excluded; these are boards on which letters can be placed, similar to a Chick-fil-a sign. Mr. Townsend replied no, if this proposed text amendment is adopted; those reader boards would become non-conforming. Mayor Wood asked if church reader boards are non-conforming. Mr. Townsend explained those would be allowable; the way the ordinance is drafted, a church could have a reader board sign. Mayor Wood asked the distinction for who is permitted to have reader board signs. Mr. Townsend read the definition related to changeable copy signs stating: "Entities holding regularly scheduled performances or meetings attended by 100 or more persons, exclusive of employees, shall be allowed permitted ground signs to contain 65% changeable copy of the allowable ground sign area." Mayor Wood asked if that would be for manually changeable signs, digital changeable would not be permitted. Mr. Townsend stated that was correct.

Motion: Councilman Dippolito moved to approve the first reading of **RZ09-07 Text Amendment, changeable copyboard signage**. Councilwoman Wynn seconded.

Public comment:

Lisa Decarbo, 130 South Shore Court, inquired if changeable text signage would be allowed for schools. Mr. Townsend replied yes.

Council comment:

Councilman Orlans asked staff if it is correct to say that anything that does not have a gathering of one hundred people will not be allowed to use a changing board at all. Mr. Townsend replied that the way the ordinance is drafted, that is correct. Councilman Orlans stated that as he remembered, that was not the original intent of the ordinance which was to address the very bright LED signs, and not that we were trying to eliminate all of the changeable copy boards in the city. Mr. Townsend replied that was correct and where the discussion of the changeable copy signs started. Councilman Orlans asked other Council members to weigh in on the elimination of quite a few signs which would be going to non-compliance; he noted that he did not think that is what Council intended when this process was started, which had been to address the bright, fast changing, computerized LED signs.

Mayor Wood stated this text amendment goes beyond eliminating bright, quickly changing LED signs to eliminating potential for a LED sign that changed once a day, once a week, or once a month. The Mayor stated that in that he sense, he would find the LED signs are probably more attractive than the changeable reader board signs. Mayor Wood further stated that he did not have any philosophical objection to digital signs but did have an objection to signs that change frequently; he could support those if they did not change minute by minute or hour by hour, but changed day by day.

Mayor Wood asked for examples of meeting groups of people, under the group size of one hundred people, which would be affected. Examples noted were church groups and the businesses Chick-fil-A, DQ, Walgreens, and CVS. Mayor Wood asked if groups with current reader boards would be grandfathered in. Mr. Townsend stated that was correct. The Mayor stated that to some extent, this would address Councilman Orlans' concerns. Councilman Dippolito noted he was also looking for that clarification. Councilman Orlans stated he realized that the current ones would be grandfathered in and he explained that he was going back to the intent of what was started, which was trying to control the bright signs being very bright and changing fast, due to computers. He did not think there was a problem

with having reader boards on signs with limited amount of space on the sign that can be changed periodically. Councilman Orlans said he thought that this text amendment was going a little further than what Council intended when it was started. Mayor Wood noted that sometimes happens.

Public comment:

Eileen Seidman, 330 Shady River Trace, inquired about gas station signage. Mayor Wood responded that it was allowed as part of this text amendment. Mr. Townsend also noted that it was signage which would be allowed.

No further discussion.

The motion passed 5:1. Councilman Igleheart, Councilman Tolleson, Councilwoman Wynn, Councilman Dippolito, and Councilwoman Henry voted in favor; Councilman Orlans voted opposed.

Councilman Orlans noted that he hoped Council would express some thoughts on the direction of this text amendment.

Other:

8. **Approval for a reoccurring event for Sweet Apple Village Market. *Presented by Brad Townsend, Planning and Zoning Director***
9. **Bennett & Brandi, Inc. request to construct a porch in the Canton Street right-of-way. *Presented by Brad Townsend, Planning and Zoning Director***
10. **Sidewalk Cafe License application SC09-03 for Red Salt Bar & Restaurant, 952 Canton Street. *Presented by Brad Townsend, Planning and Zoning Director***
11. **Sidewalk Cafe License application SC09-04, Ceviche, 963 Canton Street. *Presented by Brad Townsend, Planning and Zoning Director***
12. **Sidewalk Cafe License application SC09-05, 2 Doors Uptown, dba Fused, 957 Canton Street. *Presented by Brad Townsend, Planning and Zoning Director***

Adjournment of meeting:

With no further business, the Zoning meeting adjourned at p.m.

Date Approved: _____