

**CITY OF PINE LAKE
AGENDA
OCTOBER 27, 2020
7:00 PM**

Call to Order

Announcements/Communication

Adoption of Agenda

PUBLIC HEARING

Public Hearing on Sign Ordinance

OLD BUSINESS

Process for Renaming Forrest Road

NEW BUSINESS

CARES Fund Budget

Memorandum of Agreement with Atlanta Regional Commission to assist in 2021
Comprehensive Plan Update

Ordinance Establishing new dates and Times for Regular Meetings

Resolution Authorizing Adoption of DeKalb County Pre-Disaster Hazard Mitigation Plan.

Public Comments

Mayor's Comment

Council Comment

Adjournment

Residents can access this meeting by calling:

Conference line 1 (929) 205-6099

Meeting ID 813-0156-9377

ORDINANCE NO. 2020-_____

AN ORDINANCE BY THE CITY OF PINE LAKE TO AMEND CHAPTER 66 OF THE CITY CODE OF ORDINANCES; TO ESTABLISH REQUIREMENTS, REGULATIONS AND PROCEDURES FOR THE ERECTION OF SIGNS; TO PROVIDE RESTRICTIONS BASED ON LOCATION; TO ESTABLISH PENALTIES FOR VIOLATION; TO PROHIBIT CERTAIN SIGNS; TO REPEAL CONFLICTING ORDINANCES; TO ESTABLISH AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the City Council desires to promote and protect the public health, safety and welfare;

WHEREAS, the City Council wants to enhance the economy and businesses within the City by promoting the reasonable, orderly, safe and effective display of signs;

WHEREAS, the City Council seeks to balance the First Amendment and property rights of property owners to erect signs with the scenic beauty, natural resources, livability and economic potential of the City;

WHEREAS, in updating the City's sign ordinance it is important to address modern types and lighting of signs to ensure such signs do not obstruct vision, distract drivers or otherwise impair the safe movement of vehicles and pedestrians; and

WHEREAS, with a significant transportation project underway on the City's major commercial thoroughfare now is an appropriate time to address this issue;

NOW THEREFORE, BE IT ORDAINED by the City of Pine Lake, as follows:

SECTION 1.

“Chapter 66 - SIGNS

Sec. 66-1. Purpose.

The Mayor and Council find that signs provide an important medium through which individuals may convey a variety of messages. However, left unregulated, signs can become a threat to public safety as a traffic hazard, be a detriment to property values and harm the City's overall public welfare as an aesthetic nuisance. By enacting this ordinance, the Mayor and Council intend to:

- (1) Balance the rights of individuals to convey their messages through signs and the right of the public to be protected against the unrestricted proliferation of signs;
- (2) Protect the public health, safety and welfare;

- (3) Reduce traffic and pedestrian hazards;
- (4) Promote economic development;
- (5) Protect property values by minimizing the possible adverse effects and visual blight caused by signs;
- (6) Promote the use of signs which are compatible with their surroundings and consistent with the City's commitment to protecting the natural environment; and
- (7) Ensure the fair and consistent enforcement of sign regulations.

Sec. 66-2. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Abandoned sign means any sign that contains or exhibits broken panels, visible rust, visible rot, damaged support structures, or missing letters or which is otherwise dilapidated, unsightly, unkempt, and for which no person accepts maintenance responsibility.

Aggregate sign area means the area of all signs on a parcel, excluding the area of one face of all double-faced signs.

Animated sign means a sign which requires electrical energy and which electronically uses action, motion, changing color or lighting, or changing words or messages.

Area of sign/sign area means the smallest square, rectangle, triangle, circle, or combination thereof, which encompasses one face of the entire sign, inclusive of any border or trim but excluding the base, apron, supports, and other structural members.

Awning sign means a sign that is part of or attached to a roof-like cover extending over or before a place as a protective cover over a door, entrance, window, or outdoor service area.

Banner means a temporary sign which is made of a piece or strip of cloth, paper, canvas, plastic or similar material that is intended to be hung with a frame or without a frame. Neither flags nor awning signs are considered banners.

Beacon means any light with one or more beams directed into the atmosphere or directed at one or more points not on the same lot as the light source; also any light with one or more beams that rotate or move.

Billboard means any stanchion sign or wall sign offering a good or service provided off premises with an area of more than 50 square feet.

Changeable copy sign means any sign that can be manually changed to display different messages or images.

Fall zone means an area equal to 133 percent of the height of the structure in every direction.

Flag means any fabric or bunting containing colors, patterns, or symbols used to signify a government or any entity or organization.

Freestanding sign means a sign securely affixed to a support structure which is permanently attached to the ground and wholly independent of any building for support, such as a monument or stanchion sign.

Group development area means an area or parcel of property of sufficient size to allow for the construction or location of more than one business type building or a cluster of businesses to be constructed or located thereon, whether under one roof or several.

Height, for purposes of measuring sign height, means the distance measured from the grade level of the adjacent, fronting street of the sign. The level of the ground shall not be altered in such a way as to provide additional sign height.

Illuminated sign means a sign designed to give forth artificial light directly or through translucent material from a source of light within such sign or a sign illuminated by an external light directed primarily toward such sign and so shielded that no direct rays from the light are visible elsewhere than on the lot where said illumination occurs.

Maintenance means the upkeep of a sign for the purpose of maintaining safety and appearance which may include painting, bulb replacement, panel replacement, letter replacement, repair of electrical components, and structural reinforcements to its original condition.

Mobile sign means a sign which is attached to or marked on any vehicle, whether motorized or drawn, which is placed, parked or maintained at one particular location for the express purpose and intent of conveying a message. Such term also includes any structure without a permanent foundation or otherwise permanently attached to a fixed location, which can be carried, towed, hauled or driven and is primarily designed to be moved rather than be limited to a fixed location regardless of modifications that limit its movability.

Monument sign means a freestanding sign mounted directly upon the ground. Such sign may not be attached to or be a part of or supported by the building in or to which the sign applies.

Moving sign means a sign which revolves, rotates, swings, undulates, or otherwise attracts attention through the structural movement of parts.

Notice means placing in writing, properly addressed and sending to the other party electronically or by first class mail. For the purpose of measuring times for notice, notice shall be deemed to have been given upon the date of mailing.

Original art display means a hand-crafted work of visual art that is either affixed to or painted directly on the exterior wall of a structure with the permission of the property owner. An original art display does not include mechanically produced or computer generated prints or images, including, but not limited to, digitally printed vinyl, electrical or mechanical components, or changing image art display.

Roof sign means a sign erected upon and above a roof structure and wholly supported by the roof structure or a structure placed upon the roof. Roof signs shall also constitute any signage placed upon sloped building fascia intended to appear as or be roof elements of the building.

Stanchion sign means a freestanding sign mounted on one or more steel poles set in the ground and of sufficient strength and size to support the advertisement portion of such structure which rests upon or is supported by such poles. Such freestanding sign must be in conformance with other height and size restrictions imposed elsewhere in this chapter.

Temporary sign means a sign made of cardboard, plastic, vinyl, corrugated plastic sheets, fluted polypropylene, polybag, foamboard or similar material and affixed to a wood, plastic or wire stand or frame or affixed to a tree or permanent fixture on the property. Such signs shall be evaluated without regard to content but common uses of such signs include sale or lease of real property, advertising for garage sales or other date specific events, and political expression.

Wall or fascia sign means a sign fastened, placed or painted upon or parallel to the exterior wall of the structure itself, whether front, rear or side of the structure and which shall not exceed dimension and lighting restrictions imposed elsewhere in this chapter. The term does not include an original art display.

Wall or fascia sign footage means the total square footage of the wall area on which a wall or fascia sign is to be placed measured by multiplying the linear length of the wall and the height of the wall from the ground to the roofline. Parapets or other structures that rise above the roofline shall not be considered part of the wall face.

Window sign means a sign installed flush with or on a window and intended to be viewed from outside.

Sec. 66-3. – Permits.

Except where specifically not required by the standards of this chapter, it shall be unlawful for any person to post, display, materially change, move, convert to a different type, or erect a sign, or cause the same to be done, in the city without first having obtained a sign permit. No permit shall be issued until the appropriate application has been filed with the city clerk and reviewed by the City for compliance, and all fees, as set from time to time by resolution of the city council, have been paid.

Sec. 66-4. – Application for Sign Permit.

Applications for sign permits required by this chapter shall be filed along with two additional copies by the person owning the subject lot, or the owner's agent with sufficient evidence of express permission or grant of power by the owner of the subject lot. The application must describe and set forth the following:

- (1) The street address of the property upon which the sign is to be located and a plat map of the property, drawn to scale, showing all existing structures, including existing signage, fall zone and the proposed location and distance from the property boundaries of the sign for which a permit is being sought.
- (2) The aggregate area for all signs on the parcel.
- (3) The names and addresses of all owners of the real property upon which the sign is to be located along with consent of the owners granting permission for the placement, maintenance, type of sign, size and height of the sign being requested.
- (4) The square foot area per sign and the aggregate square foot area if there is more than one sign face.
- (5) For wall signs, two sets of building elevations.
- (6) The name, address, and telephone number of the sign contractor. All applicants for signs which incorporate electricity must obtain an electrical permit.
- (7) The type of sign as defined by this chapter, the area of the sign, the height of the sign, the shape of the sign, the fall zone of the sign and an explanation of how the sign is to be mounted or erected.
- (8) The distance of the sign from the closest adjacent signs in any direction.
- (9) The size of the parcel on which the sign is to be placed.
- (10) The zoning district in which the subject property is located, and a statement of compliance with all requirements of the zoning district.
- (11) If the sign will be illuminated, the average illuminance, maximum illuminance, horizontal illuminance, and vertical illuminance of the requested sign. If the illuminated sign will be visible along any road or street of the city, an affidavit from a traffic engineer attesting that the illumination of the sign will not pose a threat to the traveling public by obscuring vision or distracting members of the traveling public.

Sec. 66-5. Time for Consideration.

The City shall process all sign permit applications within 30 business days of the City's actual receipt of a completed application and accompanying sign permit fee. The City shall give notice to the applicant of the decision of the City by electronic mail or by mailing a notice, by first class mail, to the address on the permit application on or before the 30th business day after the City's receipt of the completed application and fee. If the City fails to act within the 30 business day period, the permit shall be deemed granted.

Sec. 66-6. Denial and Revocation.

- (a) The City, acting through the director of administration, shall deny permits to applicants that submit applications for signs that are not allowed under this ordinance, that do not comply with the provisions of this ordinance, that are incomplete applications, or that are applications containing any false material statements. Violation of any provision of this ordinance will be grounds for terminating a permit granted by the City for the erection of a sign. Should it be determined that a sign permit was issued pursuant to an incomplete application or an application containing a false material statement, or that a permit has been erroneously issued in violation of this ordinance, the director of administration shall revoke the permit.
- (b) Should the City deny a permit application, the reasons for the denial are to be stated in writing and mailed electronically or by first class mail to the address on the permit application on or before the 30th business day after the City's receipt of the application. Any application denied and later resubmitted shall be deemed to have been submitted on the date of re-submission, instead of the date of the original submission.
- (c) A person whose permit application has been denied or whose permit has been revoked may appeal the decision to the City Council upon filing a written notice of appeal with the City Clerk within ten (10) business days of the hearing officer's decision. Such appeal shall be considered by the Council at the next City Council meeting held after the City's receipt of the written notice of appeal, provided that notice of appeal is received a minimum of five (5) full business days before the meeting. If the appeal is not heard at such meeting, it shall be heard at the next regular meeting of the City Council thereafter. The City Council shall make a final decision no later than thirty (30) days from the date of the hearing.
- (d) At any time, the time limits set forth in this section of the ordinance may be extended by mutual agreement of the parties in a writing evidencing such agreement.
- (e) In the event a person whose permit has been denied or revoked is dissatisfied with the decision of the City Council, such person may petition for writ of certiorari to superior court as provided by law.

Sec. 66-7. Permit Expiration.

A sign permit shall become null and void if the sign for which the permit was issued has not been completed and installed in accordance with the permit application within six (6) months after the date of issuance. No refunds will be made for permit fees paid for permits that expired due to failure to erect a permitted sign. If later a person desires to erect a sign at the same location, a new application must be submitted and processed and another fee paid in accordance with the fee schedule applicable at such time.

Sec. 66-8. Prohibited Signs.

The following types of signs are prohibited throughout the city:

- (a) Roof signs;
- (b) Animated signs;
- (c) Moving signs;
- (d) Mobile signs;
- (e) Abandoned signs;
- (f) Billboards;
- (g) Beacons;
- (h) Signs on public rights of way other than publicly owned or maintained signs;
- (i) Window signs which exceed 30% of the building face window area;
- (j) Signs which contain words, pictures, or statements which are prohibited by state or federal law or which are obscene as defined by O.C.G.A. § 16-12-80;
- (k) Signs which simulate an official traffic control or warning sign or hide from view any traffic or street sign, signal, or public service sign;
- (l) Signs which emit or utilize in any manner any sound capable of being detected on any traveled street, road or highway by a person with normal hearing;
- (m) Signs which interfere with road or highway visibility or obstruct or distract or otherwise interfere with the safe and orderly movement of traffic, including pedestrians, bicycles, motor vehicles, and other modes of transportation;

- (n) Signs erected by nailing, fastening or affixing the sign in any manner to any tree, post, utility pole, or other structure except as set forth herein; and
- (o) Signs located on any land, building, fence, wall or other property belonging to another person without the consent of the owner.

Sec. 66-9. – Commercial Zoning Districts

- (a) Wall, fascia or awning signs.
 - (1) Wall, fascia or awning signs shall be securely fastened to the building surface. Such signs may not project above the edge of the roof.
 - (2) Wall or fascia signs shall not project beyond the building face. Awning signs shall not project beyond the building face by more than ten feet.
 - (3) Wall, awning or fascia signs on buildings with a wall face of 2,000 square feet or less shall not exceed 90 square feet.
 - (4) Wall, awning or fascia signs on buildings with a wall face over 2,000 square feet shall not exceed five percent of the wall face or 150 square feet, whichever is less.
 - (5) The maximum sign letter height on buildings with a wall face of 2,000 square feet or less is 2.5 feet.
 - (6) The maximum sign letter height on buildings with a wall face over 2,000 square feet may be increased by three inches per additional 100 square feet of wall face, or any part thereof, but shall not exceed four feet in any instance.
 - (7) On wall, awning or fascia signs larger than 90 square feet that in whole or in part are placed above an entrance to a building, there must be a minimum of 24 inches of clear vertical space between the top of the building entrance and the bottom of the wall sign, and there must be a minimum of 24 inches of clear vertical space between the top of the wall sign and the top of the building.
 - (8) Projecting signs shall be mounted a minimum of eight feet from grade level above pedestrian areas and 12 feet above vehicular areas.
 - (9) Direct painting of murals, or any hand painting, etchings or drawings, painted directly upon the fascia surface of a building shall conform to all standards and requirements of this chapter.
 - (10) Wall, awning and fascia signs are permitted only in the Commercial Zoning District VC Village Commercial Subarea.

(b) Freestanding signs.

- (1) Freestanding signs may either be monument type (ground level signs not exceeding six feet in height) or stanchion signs (mounted on steel structural supports). In the case of monument signs, the primary structural material shall compliment the primary building material so as to achieve similarities and consistency of site building materials.
- (2) No freestanding sign may be located within thirty (30) feet of the intersection of street right-of-way lines extended or at a location that would cause an obstruction to vision to vehicular or pedestrian traffic.
- (3) No stanchion sign shall be located within 100 ft of another stanchion sign, within 200 ft of a parcel zoned R-1, or within 200 ft feet in any direction of a public park, public forest, public recreation area, or cemetery; provided, however, such sign may be located within such prohibited areas if it is not visible from such prohibited area.
- (4) Freestanding signs shall be mounted perpendicular to the fronting street, except that one sign, upon submission and approval of installation, may be used in place of two separate signs on corner lots. Stanchion signs and monument signs shall be ten feet behind the property line. Monument signs shall be centered within the landscape buffer area perpendicular to the fronting street and shall be fully contained within the property lines.
- (5) Stanchion signs are permitted only in the Commercial Zoning District VC Village Commercial Subarea.
- (6) Monument signs are permitted only in both subareas of the Commercial Zoning District except that platted residential subdivisions consisting of more than two parcels may erect one monument sign at each entrance to the subdivision. Such subdivision signs shall not exceed a height of five (5) feet above the grade level of the center line of the adjacent street and shall not have a sign area greater than twenty-five (25) square feet.
- (7) Stanchion signs erected in the Commercial Zoning District shall not exceed eighteen (18) feet in height at the highest point on the sign and eight (8) feet in width. There must be a minimum of twenty-four (24) inches of clear vertical space between the bottom of any stanchion sign and the grade.
- (8) Stanchion sign size requirements shall be as follows:
 - (A) Stanchion signs for parcels containing five or more businesses shall not exceed 150 square feet.
 - (B) Stanchion signs for parcels containing three or four business shall not exceed 120 square feet of sign area.

(C) Stanchion signs for parcels containing one or two businesses shall not exceed 90 square feet in size.

(9) Except as otherwise provided, monument signs shall not exceed six (6) feet in height and ten (10) feet in width.

(10) Freestanding signs shall be limited to one such sign per parcel per street frontage except that in a Group Development Area, only one stanchion sign and one monument sign shall be allowed for the entire Group Development Area.

(c) (1) Temporary signs are allowed in the Commercial Zoning District as window signs which cover no more than 30% of the window area on the building face.

(2) Other than window signs as allowed above, temporary signs are allowed for each business establishment in accordance with the following standards:

- a. Limited to two times per calendar year for a maximum of thirty days each.
- d. The maximum sign letter height of special signs is twelve inches.
- e. Permission of the property owner or lessee must be obtained in writing.
- f. No sign or banner shall exceed 40 square feet in area.

(3) Each business establishment in the Commercial Zoning District Sidewalk may erect and display an A-frame, chalkboard or easel sign, located in immediate proximity to the entrance during business hours and kept inside the premises during non-business hours. Said sign shall not exceed four (4) feet in height nor six (6) square feet in size. Said sign must not impede pedestrian traffic to any other establishment nor reduce continuous sidewalk width to less than five (5) feet.

(4) Use of a special banner sign to be displayed in lieu of a building-mounted sign pending arrival and installation of such building-mounted sign may be displayed for a maximum period of 45 days from date of first display, including Saturdays, Sundays and holidays. Display of such special banner signs may be granted by the director of administration or his or her designated representative upon presentation to him or her of proof that a permanent sign is on order and will be installed by the expiration of the 45 days. Positively no extensions will be granted.

(d) Original art displays are allowed within Commercial Zoning Districts only where compensation is not received by the property owner or lessee for the display of the original art or the right to place the original art on site. Such original art display must not extend more than six inches from the plane of the wall upon which it is painted or to which it is affixed and must comply with all other requirements of this chapter.

Sec. 66-10. Residential Zoning District and Open Space District.

- (a) Only publicly owned or maintained signs shall be allowed in the Open Space District.
- (b) In the R-1 Single-family District, the only signs allowed on a lot with a width less than twenty-one (21) feet are temporary signs having an aggregate sign area no greater than fifteen (15) square feet. In the R-1 District, the only signs allowed on lots at twenty-one (21) feet or more in width are temporary signs having an aggregate sign area no greater than twenty-five (25) feet. No individual temporary sign in the R-1 Single-family District shall exceed six (6) square feet in sign area. No sign having a height greater than five (5) feet above the grade level of the center line of the adjacent street shall be located in the R-1 Single-family District. Temporary signs erected in accordance with this provision are exempt from permit requirements.
- (c) Original art displays are allowed within the Residential Zoning District only where compensation is not received by the property owner or lessee for the display of the original art or the right to place the original art on site. Such original art display must not extend more than six inches from the plane of the wall upon which it is painted or to which it is affixed and must comply with all other requirements of this chapter. Original art displays installed in accordance with this provision are exempt from permit requirements.

Sec. 66-11. Lighting.

- (a) No sign shall give off light which glares, blinds or has any other such adverse effect on traffic. The light from all illuminated signs shall be established in such a way that adjacent properties and roadways are not adversely affected and that no direct light is cast upon adjacent properties and roadways. The internal or external light source of an illuminated sign cannot be a device that changes color, flashes, or alternates.
- (b) No illuminated sign shall be constructed or maintained within 75 feet of the property line of any single-family dwelling zoned R-1.
- (c) No series, lines or rows of electric lights shall be allowed, nor shall the city permit any bare bulb illumination. Neon signs and lighting shall be permitted, subject to the provisions of subsections (d), (e) and (f) of this section.
- (d) Neon or other types of illuminated signs may be used in the interior window of a store front. Such signs shall be used only for the purpose of advising the public a place of business is "OPEN" and shall not exceed an overall area of two square feet.
- (e) Neon signs may be used provided that such signs are not in direct line of sight of any single-family dwelling zoned R1 within 300 feet.

- (f) A single strand of neon accent/architectural lighting around rooflines or above a patio or may be used, provided that said lighting cannot be seen from any single-family dwelling within 300 feet. Such lighting shall not be flashing, blinking, fluctuating or animated.
- (g) Lighting for signs shall be located above the sign and aimed downward in order to minimize the brightness added to the night sky.

Sec. 66-12. Construction and maintenance; Enforcement and penalties.

- (a) No sign shall be erected or maintained unless it is structurally safe, clean and in good repair including letters, logos, lights and features of the sign. All signs shall be maintained in good condition as to present a neat and orderly appearance.
- (b) Except as otherwise provided in this chapter, all signs for which a permit is required shall be constructed and maintained in conformance with the City building and electrical codes. Such signs, together with their supports, braces, guys and anchors shall be kept in good repair and in clean appearance and safe condition.
- (c) Every sign may be inspected by the building inspector from time to time, as the director of administration may require, so as to determine the continuing compliance with this Code.
- (d) Should any sign show gross neglect, become dilapidated, or become insecure, in danger of falling or otherwise unsafe in the opinion of the director of administration or his or her representative, the property owner and sign licensee, shall secure the same in a manner to be approved by the director of administration or his or her representative, in conformity with the provisions of this Code, or remove such sign. If such notice is not complied with within ten (10) days or, for cases of immediate danger, twenty-four (24) hours, a formal citation may be issued for the violation and the sign permit may be revoked. Notwithstanding definitions elsewhere in this ordinance, for cases of immediate danger, notice may be given electronically or by telephone.
- (e) Any illuminated sign must be maintained and all burned bulbs must be replaced within five (5) days. Illuminated signs must be fully illuminated.
- (f) The City may issue a citation for any sign erected, altered, converted, or used in violation of this ordinance. The City may revoke the permit for any sign erected, altered, converted, or used in violation of this ordinance.
- (g) Any person violating any provision of this ordinance shall be liable for a fine of twenty-five dollars (\$25) for each violation and may be ordered to rectify the violating condition. Each day a sign is in violation of this ordinance shall constitute a separate violation.
- (h) Every sign erected, constructed or maintained, for which a permit is required shall be plainly marked with the name of the person erecting and maintaining such sign and shall have affixed on the front thereof the permit number issued for said sign by the city. In case of

window displays, the permit number will suffice where the display is maintained by the store licensee.

Sec. 66-13. - Nonconforming signs.

(a) Signs which on the effective date of the ordinance from which this chapter is derived were approved and erected under previous sign restrictions or which became nonconforming with respect to the requirements of this chapter, may continue in existence so long as there is no change in the use of the property, the size of any such sign is not increased beyond that existing as of the effective date of the ordinance from which this section is derived or any subsequent applicable change in the ordinance from which this section is derived, and the sign has sustained no damage requiring repairs costing in excess of 50 percent of the sign's value. No such nonconforming sign shall be moved in whole or in part to any portion of the lot or parcel other than that occupied by the sign at the time it became nonconforming.

(b) Any sign erected in violation of this chapter may be removed by duly authorized employees or agents of the City from any public property or right-of-way and a responsible party may be cited for such violation and charged for such removal.

(c) A conforming sign or advertising device shall not be erected for the same establishment on the same lot with an existing nonconforming sign until the nonconforming sign has been removed.

Sec. 66-14. - Erection on rights-of-way.

No sign of any kind shall be permitted to extend into or above or to be anchored or placed in any portion of the right-of-way of a state or county highway, city street or public sidewalk (except official city, state and county signs), and in no case, closer than five feet to a curbline.

Sec. 66-15.- Variances.

Variances shall be limited to the minimum relief necessary to overcome the hardship. No variance shall be granted to allow a greater number of signs than would be allowed if the hardship did not exist. A variance from compliance with the sign regulations of this ordinance shall be limited to the following hardship situations:

(a) Standards.

(1) Where visibility of a conforming sign from the public street and within 50 feet of the proposed sign would be substantially impaired by existing trees, plants, natural features, signs, existing buildings or structures on a different lot; and

- (2) Placement of the sign elsewhere on the lot would not remedy the visual obstruction;
and
 - (3) The visibility obstruction was not created by the owner of the subject property; and
 - (4) The variance proposed would not create a safety hazard to traffic.
- (b) Variance applications shall be submitted to the City Clerk and shall be heard by the City Council under the same time frames and rules governing appeals under this ordinance.

Sec. 66-16. - Exemptions from permit requirements.

- (a) The following signs are exempted from the permit requirements of this chapter and do not count in the aggregate sign area limits:
- (1) Official notices or advertisements mandated by law posted or displayed by or under the direction of any public official, court officer or official emergency service provider in the performance of official or directed duties or by trustees under deeds of trust, deeds of assignment, or other similar instruments.
 - (2) Publicly owned or maintained signs.
 - (3) Numerals displayed for the purpose of identifying property location and not exceeding four (4) inches in height in the R-1 District and ten (10) inches in height in all other districts.
 - (4) Seasonal displays located outside the public right of way that are erected for a maximum period of thirty (30) days no more than twice a year.
 - (5) Name plates not exceeding twenty-four (24) inches by six (6) inches and containing only the name of the business or professional office.
- (b) Every parcel may display no more than two (2) flags on one flag pole no more than 25 feet in height or no higher than the highest point of the principal building's roof, whichever is lower. Each flag must be a maximum of twenty-five square feet in area. Such flags shall not count toward the aggregate maximum aggregate sign area limits. Flag poles must meet the minimum setback requirements for a principal building.

Sec. 66-17 – Severability.

In the event any section, subsection, sentence, or word of this ordinance is declared and adjudged to be invalidated or unconstitutional, such declaration or adjudication shall not affect the remaining portions of this chapter, which shall remain in full force and effect as if such portion so declared or adjudged unconstitutional were not originally part of this ordinance. The City

Council declares that it would have enacted the remaining parts of this chapter if it had known that such portion thereof would be declared or adjudged invalid or unconstitutional.

Section 2. All ordinances and portions of ordinances in conflict with the terms of this ordinance are hereby superseded and repealed as to the subject matter of this ordinance.

Section 3. This ordinance shall become effective upon its approval by the City Council, signature by the Mayor, and approval as to form by the City Attorney.

ADOPTED this _____ day of 2020.

MAYOR AND CITY COUNCIL OF PINE LAKE, GEORGIA

Mayor Melanie Hammet

ATTEST:

Peggy Merriss, Acting City Clerk
(SEAL)
Approved as to Form:

Susan J. Moore, City Attorney

2020
CARES FUND BUDGET

LINE ITEM	2020 BUDGET	DESCRIPTION
REVENUE		
CARES Fund	\$ 85,819	CARES Fund Disbursement
TOTAL REVENUE		
	\$ 85,519	
EXPENSES		
13.51.1200	\$ 75,000	Full - Time Police Salaries
13.51.1300	\$ 1,519	Part-Time Police Salaries
TOTAL EXPENSES		
	\$ 85,519	

**DEVELOPMENT OF LOCAL COMPREHENSIVE PLAN
AGREEMENT**

THIS AGREEMENT is made and entered into as of this _____ day of _____, 2020 by and between the Atlanta Regional Commission (ARC) of Atlanta, GA, and the City of Pine Lake, a political subdivision of the State of Georgia.

WITNESSETH:

WHEREAS, the Regional Commissions were created by the State in order to assist local governments on a regional basis and to develop, promote, and assist in establishing coordinate and comprehensive planning in the state; and

WHEREAS, as the Regional Commission for the 10-county Atlanta Region, ARC has been mandated to undertake certain regional responsibilities under the Georgia Planning Act of 1989 (as amended), and does agree to perform prescribed services to local governments; and

WHEREAS, the City of Pine Lake is required to update its Local Comprehensive Plan according to the schedule set by the Georgia Department of Community Affairs; and

WHEREAS, the City of Pine Lake has requested assistance from ARC to update its Local Comprehensive Plan under the requirements set by the Minimum Requirements for Local Comprehensive Planning under the Georgia Planning Act (as amended); and

WHEREAS, ARC and the City of Pine Lake believe it is mutually beneficial of both parties that the City of Pine Lake, as part of the ARC, has a Local Comprehensive Plan; and

WHEREAS, ARC agrees to provide assistance for development of the City's update of its Local Comprehensive Plan:

NOW, THEREFORE, in consideration of the premises and of the mutual covenants herein contained, and for other good and valuable consideration, the parties hereto agree as follows:

1. Duties of the ARC. In addition to those services outlined in Attachment A: Scope of Work, attached hereto and incorporated by reference herein, ARC agrees to perform the following services:
 - a. Provide a project manager for the project.
 - b. Update the existing Community Vision and/or Goal statements from the most recent Comprehensive Plan.
 - c. Complete an analysis of the Needs and Opportunities facing the community.
 - d. Complete an updated Five-Year Community Work Program.
 - e. Complete an updated Land Use Element.
 - f. Coordinate with the HUD Consolidated Plan, Local Comprehensive Transportation Plans, and ARC's Regional Transportation Plan/Transportation Improvement Program (RTP/TIP).

- g. Conduct one (1) public meeting.
- h. Prepare and present a final plan presentation.
- i. Prepare materials for public feedback.
- j. Conduct a maximum of three (3) Steering Committee meetings.
- k. Provide language for official public hearing notices, if requested.
- l. Provide advertisement and other public involvement materials, if requested.
- m. Complete any plan revisions requested by DCA.
- n. Prepare the final plan document and other requested supporting materials to document community feedback.
- o. Attend Project Management Team meetings.

2. Duties of the City of Pine Lake. In addition to those duties outlined in Attachment A: Scope of Work, the City of Pine Lake agrees to perform the following duties:

- a. Provide a City staff contact to coordinate with ARC staff.
- b. Complete a Report of Accomplishments showing the status of items in the existing Community Work Program.
- c. Provide a list of Steering Committee members, which must include a City elected official and an economic development representative.
- d. Provide a schedule for Steering Committee meetings, with ARC input.
- e. Promote public awareness and invitations to Steering Committee and public meetings.
- f. Provide locations for Steering Committee and public meetings that have heat/air conditioning, water, and electricity.
- g. Provide any food or beverages for Steering Committee and public meetings.
- h. Post and conduct public hearings as required by the City's existing procedures.
- i. Provide timely notice to ARC of local government meetings that ARC staff should attend.
- j. Participate as a team member on the Project Management Team.
- k. Provide ARC with submittal deadlines to for relevant City boards and committees at the beginning of the process.

3. Time of Performance, Amendments, Modifications

This agreement shall become effective upon execution by both parties and remain in effect until the completion of the project or termination by of the parties as provided below.

Either party may terminate this Agreement upon sixty (60) days' written notice to the other parties, provided that the party requesting termination has provided notice and sufficient opportunity for remedy.

Either party may request changes to this agreement at any time by written notice to the other party's signatory of this agreement. Such changes as are mutually agreed upon by and between the parties shall be incorporated in written amendments to this agreement and executed in the same manner as this Agreement. This Agreement may only be

modified by an instrument in writing executed by the City of Pine Lake and ARC. Notwithstanding the foregoing, the City of Pine Lake and ARC acknowledge that this Agreement may be revised or refined from time to time during its term. The parties agree to cooperate with each other by executing such documents as may be necessary to evidence such mutually agreeable modifications and refinements.

4. Rights in Documents, Materials, and Data Produced

For the purposes of this agreement, 'data' includes, but is not limited to, writings, sound recordings, photographs, films, videotapes, or other graphic representations and works of a similar nature. The City of Pine Lake and ARC shall have the right to use same without restriction or limitation and without compensation to the other parties of the agreement.

IN WITNESS WHEREOF, the parties have hereto executed this Agreement as of the date first above written.

Atlanta Regional Commission (ARC)

Attested, Assistant Secretary

Douglas R. Hooker, Executive Director

Witness:

The City of Pine Lake

Municipal Clerk

Hon. Melanie Hammet, Mayor

Approved as to Form:

Recommended:

City Attorney

Approved:

Attachment A: Scope of Work

ARC Comprehensive Plan Services

Pursuant to the 2012 update to the Georgia DCA Minimum Standards and Procedures for Local Comprehensive Planning, a Regional Commission is required to prepare a Basic Comprehensive Plan for a local government, upon request, during the community's regular planning due date cycle. At no additional cost to the local government, ARC will produce/provide the following for local governments:

- A Project Manager for the project
- Revisions to the existing Community Vision or Goal statements from the most recent Comprehensive Plan
- An analysis of the Needs and Opportunities facing the community, using ARC resources and local data. The list will be developed by involving community stakeholders
- An updated Five-Year Community Work Program
- An updated Capital Improvement Element (only if the community already has an approved CIE)
- An updated Land Use Element with either character areas or standard categories
- Coordination with the adopted HUD Consolidated Plan, Local Comprehensive Transportation Plans, and ARC's Regional Transportation Plan/Transportation Improvement Program
- Presentations/support/attendance at the two (2) required public hearings (one at kick-off and one prior to transmittal for regional and state review)
- A maximum of one (1) public meeting, at no cost, at a location provided by the local government
- A maximum of three (3) steering committee meetings, at no cost, at a location provided by the local government
- Language for official public hearing notices, if requested
- Advertisement and other public involvement materials, if requested
- Assurance that the local government meets its DCA deadline if the request is made to ARC in writing at least 12 months before the deadline
- Any plan revisions required by DCA
- The final plan and other documents from the process

To ensure that a plan meets the needs of the local government and DCA's requirements, the local government requesting this service will be responsible to produce/provide the following:

- A contact at the local government to coordinate with ARC staff
- A Report of Accomplishments showing the status of items in the existing Community Work Program
- A list of stakeholders for the required Steering Committee
- A schedule for Steering Committee meetings, with ARC input
- Public awareness and invitations to Steering Committee and public meetings
- Locations for public meetings that have heat/air conditioning, water, and electricity
- Any food or beverages for Steering Committee and public meetings
- Posting of notices of public hearings as required by the community's existing procedures
- Timely notice to ARC of local government meetings that ARC staff should attend

ORDINANCE NO. 2020-__

AN ORDINANCE BY THE CITY OF PINE LAKE TO ESTABLISH NEW DATES AND TIME FOR REGULAR MEETINGS; AND TO REPEAL CONFLICTING ORDINANCES

WHEREAS, the Charter for the City of Pine Lake in Section 2.19 provides that the City Council may prescribe the time and place for regular meetings; and

WHEREAS, Ordinance Section 2-72 states that regular meetings of the City Council are held at City Hall on the second Monday and last Tuesday of each month at 7:30 p.m.; and

WHEREAS, due to the spread of the Novel Coronavirus Disease 2019 (COVID-19) and states of emergency declared in response, the City Council of the City of Pine Lake has been meeting by teleconference on the second Tuesday and last Tuesday of each month at 7:00 p.m. since March of this year; and

WHEREAS, the City Council has determined that meeting on the second Tuesday and last Tuesday of each month at 7:00 p.m. is more predictable and convenient for the residents of the City of Pine Lake;

NOW THEREFORE, BE IT ORDAINED by the City of Pine Lake as follows:

Section 1. Section 2-72 of the City of Pine Lake Code of Ordinances is repealed in its entirety and inserted in lieu thereof is as follows:

“Regular meetings of the city council are held at the city hall or at such other place as may be designated, on the second Tuesday and last Tuesday of each month at 7:00 p.m. To the extent not prohibited by law, such meetings may be held in person or virtually.”

Section 2. All ordinances and portions of ordinances in conflict with the terms of this ordinance are hereby repealed as to the subject matter of this ordinance.

Section 8. This ordinance shall become effective upon its approval by the City Council and signature by the Mayor.

ADOPTED this ____ day of October, 2020.

MAYOR AND CITY COUNCIL OF PINE LAKE, GEORGIA

Mayor Melanie Hammet

ATTEST:

Peggy Merriss, Acting City Clerk
(SEAL)

Approved as to Form:

Susan J. Moore, City Attorney

**A RESOLUTION OF THE
PINE LAKE CITY COUNCIL
PURSUANT TO THE DISASTER MITIGATION ACT OF 2000
AUTHORIZING ADOPTION OF THE
DeKALB COUNTY PRE-DISASTER HAZARD MITIGATION PLAN**

WHEREAS, DeKalb County and its municipal governments are required to complete a Pre-Disaster Hazard Mitigation Plan by the Disaster Mitigation Act of 2000; and

WHEREAS, under the provisions of the Disaster Mitigation Act of 2000, local governments that complete Pre-Disaster Hazard Mitigation Plans will remain eligible for Federal mitigation funding; and

WHEREAS, DeKalb County and its municipal governments have completed a Pre-Disaster Hazard Mitigation Plan that fulfills the Federal requirements of the Disaster Mitigation Act of 2000.

NOW THEREFORE LET IT BE RESOLVED THAT THE PINE LAKE CITY COUNCIL FORMALLY ADOPTS THIS PRE-DISASTER HAZARD MITIGATION PLAN.

RESOLVED THIS ___ DAY OF ___, 2020

Signed: Melanie Hammet, Pine Lake City Mayor

(City Seal)

Attest: Peggy Merriss, Acting City Clerk