

City Council of Peachtree City
Minutes of Special Called Meeting
March 19, 2005
11:45 a.m.

The City Council of Peachtree City met Saturday, March 19, 2005, in the Peachtree City Tennis Center. Mayor Brown called the meeting to order at 11:50 a.m. Other Council Members present were: Stuart Kourajian, Steve Rapson, and Judi Rutherford. Murray Weed was unable to attend due to an illness in his family.

The purpose of the meeting was to discuss and vote on a moratorium on all commercial structures in excess of 32,000 square feet and a sign application moratorium.

Mayor Brown noted that the City had been working on several changes to ordinances. The County recently lost a court decision over sign litigation. Neighboring entities were also working on their sign ordinances. Brown said they needed time to look at measures to protect the City's sign ordinance.

City Attorney Ted Meeker noted that staff had been working on the sign ordinance for a while. The ordinance would be ready for Council soon. He said the moratorium should be no longer than necessary. Meeker added that the State Supreme Court decision regarding Fayette County's sign ordinance caught everyone off guard. The moratorium was actually on the acceptance of new sign permits. All sign permits turned in prior to the moratorium were not included. Rapson expressed concern that the moratorium would affect businesses. Meeker continued that the sign ordinance would be ready for the Planning Commission to consider at its second meeting in April (April 18), and should come to Council in May.

Developmental Services Director Clyde Stricklin asked about sign permits that might not have been turned in at this point, but were close to being ready. He noted that sign permits often came with building permits. Meeker said they would address those permits if necessary. Rapson asked at what point in the process the sign applications were vested. Meeker said any development application submitted by this date had a vested right.

Kourajian asked the time turnaround on sign permits. Stricklin said they took a few weeks. Fred Brown asked what would happen with businesses moving to another location in the City during the moratorium and needing a new sign permit for the new location. Meeker said the business would not lose its sign, but would have to wait to apply for a new permit. Meeker said the moratorium would only last 45 days and he did not anticipate any problems.

Mayor Brown said the 45 days would give time to rectify the "bugs" in the old ordinance and get the changes approved. Meeker added that there would not be many changes to the existing regulation. The work should be done in 30 days, and public hearings would have to be advertised. The 45 days should be ample time.

Mike Jablonski, chairman of Fayette County Chamber of Commerce Board of Directors, said it took about 60 days to get a business sign permitted and installed. He asked Council if approval could be expedited for businesses that might have a problem with the moratorium and would not have advertising in front of their business for 45 days. Mayor Brown said anyone in any stage of development was still in the process. Rutherford clarified that the moratorium should only affect those who decide on short notice to start a business and rent a location.

Fred Brown asked if there would be a change in the commercial signage. Mayor Brown said there were some similarities between the City's and the County's sign ordinances. The problem was more with political or first amendment signage than with commercial signage.

Kourajian said Council was basically taking 45 days to protect the City and make sure the ordinance was correct. Fred Brown clarified that the requests already in the system would not be affected.

Mayor Brown moved to approve the resolution for a moratorium on sign permits as presented, with the spelling changes as noted and the reference to Mayor Pro-tem changed, for 45 days or less. Kourajian seconded. The motion carried unanimously.

Meeker explained that the moratorium on commercial structures would apply to commercial structures in excess of 32,000 square feet located in General Commercial (GC) zoning, or solely "big box" construction in GC zoning. He continued that staff wanted to review the provisions and possibly hire a consultant to provide guidance in changes needed to the "big box" ordinance. He clarified that the moratorium would not affect industrial or office-institutional buildings, only commercial buildings, and would last for 45 days. Only building permits for the identified structures and the acceptance or approval of any conceptual or final site plans for any building over 32,000 square feet in property zoned GC would be affected. Mayor Brown noted that most of the GC properties were already developed.

Meeker said the only exceptions to the moratorium were any projects that had been applied for, or conceptual or final sites plans had been submitted to the City by this date.

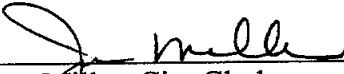
Rapson asked the Chamber of Commerce representatives if they had issues or concerns. Virginia Gibbs, president of the Fayette County Chamber of Commerce, said the limitations were good. Jablonski agreed, and added that moratorium always looked anti-business. Jablonski said that any press releases or stories should include the fact that Council did not want to affect business or economic development. He said the work on the ordinances was very prudent.

Meeker proposed several changes to the resolution to clarify the moratorium. The phrase, "to be occupied by any single owner, occupant, or tenant in excess of 32,000 square feet," was inserted in several places. Meeker said the new language would not

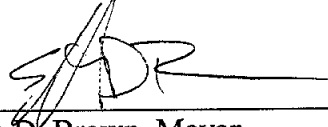
prohibit projects over 32,000 square feet that would have several occupants. It also would not prohibit buildings over 32,000 square feet in industrial and office-institutional zoning. The phrase "single use" was also added to the phrase, "to be occupied by any single owner, occupant, or tenant in excess of 32,000 square feet." Stricklin said that "use" was already defined in the ordinance. Mayor Brown noted that Mayor Pro-Tem should also be changed.

Mayor Brown moved to approve the resolution as stated with the changes made therein. Kourajian seconded. The motion carried unanimously.

There being no further business to discuss, Mayor Brown moved to adjourn the meeting. Rapson seconded. The motion carried unanimously. The meeting adjourned at 12:25 p.m.



Jane Miller, City Clerk



Stephen D. Brown, Mayor



Pamela Dufresne, Recording Secretary