

ORDINANCE NO. 12 -03_____

AN ORDINANCE TO AMEND ARTICLE 15 OF THE OFFICIAL CITY OF AVONDALE ESTATES ZONING ORDINANCE, APPENDIX A TO THE CODE OF ORDINANCES, CONCERNING THE POWERS AND DUTIES OF THE ARCHITECTURAL REVIEW BOARD; AND TO REPEAL ALL CONFLICTING PROVISIONS.

WHEREAS, the Architectural Review Board Design Guidelines were created to increase objectivity and insure consistency in the decision making process; and

WHEREAS, the City wishes to amend the Zoning Ordinance to allow for City Staff to administratively approve signage that complies with the Architectural Review Board Design Guidelines; and

WHEREAS, the City of Avondale Estates is business friendly and this procedural change will facilitate sign approval by reducing the time and effort needed to obtain sign approval.

NOW THEREFORE, BE IT ORDAINED BY the City of Avondale Estates, as follows:

SECTION 1: Section 1505 of the City's Zoning Ordinance is hereby amended to read as follows:

"1505 - Powers generally

The Architectural Review Board shall be authorized to:

- (1) Review applications for certificates of approval, and grant or deny same in accordance with the provisions of this zoning ordinance;
- (2) Seek expert advice outside its membership to assist with the review of applications for certificates of approval;
- (3) Recommend to the governing body zoning amendments or other regulatory changes that further the goals of this article;
- (4) Adopt specific standards and criteria with respect to residential and commercial properties that are consistent with this zoning ordinance and to amend such standards and criteria without the necessity of any amendment to this ordinance. However, no standard or substantial amendment thereto shall be effective unless first approved by resolution of the Board of Mayor and Commissioners; and
- (5) Hear appeals regarding signs pursuant to City Code Sec. 5-381(c)."

SECTION 2: Section 1510 of the City's Zoning Ordinance is hereby amended to read as follows:

"1510 - Certificate of Approval required

Except for property and work exempted by Section 1511 of this ordinance, none of the following activities shall be undertaken or permitted to be undertaken within the City unless or until a certificate of approval for such activity has been approved by the Architectural Review Board:

- a) Construction or demolition of any building, be it commercial, educational, industrial, mixed-use, multi-family or detached single family dwelling or accessory structure;
- b) Construction of a building addition to a principal detached building or dwelling that will increase or decrease the building floor area by more than ten (10) percent;
- c) Performance of exterior renovation to a detached building or dwelling that affects more than ten (10) percent of the existing building floor area; or
- d) Performance of any exterior renovation (other than signage) that is visible from the public right-of-way or affects the major façade of an existing building or dwelling."

SECTION 3: Section 1514 of the City's Zoning Ordinance is hereby amended to read as follows:

"1514 - Review criteria for certificates of approval

- 1) *Residential properties.*

The Architectural Review Board shall approve an application and issue a certificate of approval for residential property, excluding parcels zoned R-12 or R-24, if it finds that the proposed new construction or addition or demolition to an existing structure would not have a substantial adverse effect on the aesthetic or architectural significance and value of the property or other properties in the neighborhood. In making this determination, the ARB shall consider, in addition to any other pertinent factors, (1) building scale; (2) building façade materials; (3) architectural style; (4) general design and arrangement of the architectural features involved; and (5) the relationship thereof to the exterior architectural style and pertinent features of other structures in the neighborhood. The ARB shall not consider the proposed paint color of a structure or the presence or absence of any type of plant material on the property for those properties not subject to the landscape provisions of this ordinance.

2) *Commercial Properties and all other Non-residential Properties.*

The ARB shall approve an application and issue a certificate of approval for commercial, educational, industrial, mixed-use or other non-residential property if it finds that the proposed new construction, addition to or demolition of an existing structure or other change in appearance would be consistent with the aesthetic and architectural urban fabric of the area. In making this determination, the ARB shall consider, in addition to any other pertinent factors, (1) building scale; (2) building façade materials; (3) architectural style; (4) general design and arrangement of the architectural features involved; and (5) the relationship thereof to the exterior architectural style and pertinent features of other structures in the neighborhood. The ARB shall not consider the proposed paint color of a structure, but shall review the presence or absence of pertinent site, hardscape, and landscaping plant material on the property as required by the appropriate zoning and/or development agreement.”

SECTION 4: All ordinances and parts of ordinances in conflict herewith are hereby repealed. This ordinance shall become effective upon its adoption.

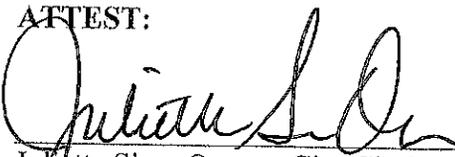
First Reading: 1/23/12
Second Reading: 2/27/12
Third Reading: 4/16/12

ADOPTED this 16th day of April, 2012.

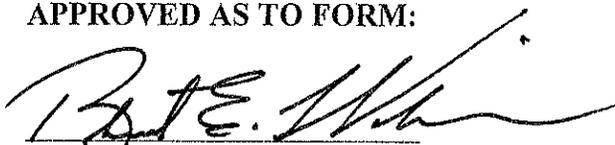
**BOARD OF MAYOR AND COMMISSIONERS
CITY OF AVONDALE ESTATES, GEORGIA**

By: 
Ed Rieker, Mayor

ATTEST:


Juliette Sims-Owens, City Clerk

APPROVED AS TO FORM:

A handwritten signature in black ink, appearing to read "R. E. Wilson", written over a horizontal line.

Robert E. Wilson
City Attorney