

**GWINNETT COUNTY**  
**BOARD OF COMMISSIONERS**  
**LAWRENCEVILLE, GEORGIA**

ORDINANCE ENTITLED: Sign Ordinance of Gwinnett County, Georgia.

READING AND ADOPTION: July 28, 2015

At the regular meeting of the Gwinnett County Board of Commissioners held in the Gwinnett Justice and Administration Center, Auditorium, 75 Langley Drive, Lawrenceville, Georgia.

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<b>Name</b>	<b>Present</b>	<b>Vote</b>
Charlotte J. Nash, Chairman	Absent	Absent
Jace Brooks, District 1	Yes	Yes
Lynnette Howard, District 2	Yes	Yes
Tommy Hunter, District 3	Yes	Yes
John Heard, District 4	Yes	Yes

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On motion of Comm. Brooks, and seconded by Comm. Heard, which carried 4-0, the Code of Ordinances of Gwinnett County is hereby amended by amending Chapter 86 of the Gwinnett County Code of Ordinances by replacing and adding certain definitions in Section 86-101 "Definitions," repealing section 86-115 "Oversized Signs" in its entirety and replacing it with a new section 86-115 entitled "Oversized Signs" and adding Section 86-115A entitled "Reduction in number of oversized signs."

**WHEREAS**, the Gwinnett County Board of Commissioners is committed to utilizing available resources to promote the preservation and improvement of the health, welfare and public safety of the citizens of Gwinnett County; and

**WHEREAS**, the Gwinnett County Board of Commissioners is committed to protecting the health and welfare of its citizens through the regulation of oversized signs and electronic message center signage in order to prevent driving distractions, visual clutter and other harmful effects of improperly or poorly regulated signs; and

**WHEREAS**, the Gwinnett County Board of Commissioners finds that it is in the best interest of the citizens of Gwinnett County to provide for the proper regulations and controls on oversized signs and electronic message center signage in unincorporated Gwinnett County; and

**WHEREAS**, the Gwinnett County Board of Commissioners determined a study concerning electronic message center signage and oversized signs was necessary in order to determine the appropriate level of regulation; and

**WHEREAS**, the results of this study showed that in some limited circumstances, oversized electronic signs would be appropriate in Gwinnett County, Georgia;

**NOW, THEREFORE, BE IT ORDAINED** that the Gwinnett County Board of Commissioners hereby amends Chapter 86 of the Gwinnett County Code of Ordinances by replacing and adding certain definitions in Section 86-101 "Definitions," repealing section 86-115 "Oversized Signs" in its entirety and replacing it with a new section 86-115 entitled "Oversized Signs" and adding Section 86-115A entitled "Reduction in number of oversized signs," with such revisions being attached hereto as Exhibit A.

**BE IT FURTHER RESOLVED** that all ordinances, regulations or parts of the same in conflict with this Resolution are hereby rescinded to the extent of said conflict.

Be it hereby ordained this 28th day of July, 2015.

Gwinnett County Board of Commissioners

By: Charlotte J. Nash  
Charlotte J. Nash, Chairman

Date Signed: 8/4/15

Attest:

By: Diane Kemp  
Diane Kemp  
County Clerk



Approved as to form:

By: Van Stephens  
Van Stephens  
Chief Assistant County Attorney

EXHIBIT A

**Section 86-101. Definitions.**

Activity Center/Corridor Overlay District: Areas defined in Section 220-230 of the Gwinnett County Unified Ordinance including but not limited to the following unincorporated areas shown on:

1. Mall of Georgia Overlay District Map
2. Civic Center Overlay District Map
3. U.S. Highway 78 Corridor Overlay District Map
4. Grayson/Highway 20 Corridor Overlay District Map
5. Centerville/Highway 124 Overlay District Map
6. Highway 124/324/Hamilton Mill Road Overlay District Map
7. Any Activity Center/Corridor Overlay Districts approved by the Gwinnett County Board of Commissioners after the adoption of this Ordinance

Electronic Oversized Sign: An electronic ground sign which exceeds 30 feet in sign height and/or 300 square feet of surface sign area and whose message may be changed at intervals by computer controller, microprocessor controller or by remote control. The message is displayed through the use of LED, LCD, plasma or other similar type panels or screens.

Non-Commercial Message: Copy that does not contain a commercial message and specifically included in the definition of non-commercial message is copy whereby the public is to be informed regarding a political event or candidate or issue.

Non-Conforming Sign: Any sign lawfully existing on the effective date of this ordinance, or amendment thereto, that renders such sign non-conforming because it does not conform to all the standards and regulations of the adopted or amended ordinance.

Oversized Sign: A ground sign which exceeds 30 feet in sign height and/or 300 square feet of sign surface area.

Parkway: A divided or undivided classified roadway, including, but not limited to:

1. University Parkway (Ga. Hwy. 316)
2. Peachtree Parkway (Ga. Hwy. 141)
3. Grayson Parkway (Ga. Hwy. 84)
4. Ronald Reagan Parkway
5. Sugarloaf Parkway
6. Hamilton Mill Parkway
7. Riverside Parkway
8. Northbrook Parkway
9. Lakes Parkway

**Section 86-115. Oversized Signs.**

- (a) Effective the date of adoption of the ordinance from which this section is derived, oversized signs are prohibited.
- (b) Oversized signs legally existing on such date may be continued, even though such signs do not conform to this section. Such non-conforming signs shall not be expanded, relocated or replaced by another non-conforming sign, except that the substitution of interchangeable poster panels, painted boards or demountable material on non-conforming signs shall be allowed.
- (c) No such non-conforming sign shall continue after the discontinuance of the non-conforming use for a period of six months.
- (d) Unless a specific exception is stated in this section, no oversized sign shall be located on or within 100 feet of a lot used for a place of worship, school, park, cemetery or any lot zoned for residential use.
- (e) Notwithstanding any other provision of this section, no oversized signs shall be erected if any part of the sign or sign structure is visible from the main traveled way of Sugarloaf Parkway, Ronald Reagan Parkway, and Hamilton Mill Parkway within unincorporated areas of the county. This subsection shall also apply to any other road declared historic, scenic or natural after the adoption date of the ordinance from which this section is derived.
- (f) No oversized sign shall be allowed in an Activity Center/Corridor Overlay District.

**Section 86-115A. Reduction in number of oversized signs.**

- (a) *Purpose:* The Board of Commissioners finds that all oversized signs lawfully erected prior to the adoption of section 86-115 in unincorporated Gwinnett County are legal non-conforming uses. Consistent with the provisions of section 86-107 concerning non-conforming signs, it is the desire of Gwinnett County that such non-conforming uses be permitted to continue, but that they be reduced over time. The Board of Commissioners further finds that the development of electronic oversized signs provides a valuable opportunity to enhance the utilization of existing signage within Gwinnett County. Such electronic oversized signs must be properly regulated to ensure they do not constitute a traffic hazard or otherwise negatively impact the aesthetics of Gwinnett County. Therefore, the Board of Commissioners finds that the modification of a limited number of existing legal non-conforming oversized signs to electronic oversized signs, in exchange for a reduction in the overall number of non-conforming oversized signs, constitutes a benefit to Gwinnett County in regard to traffic safety and aesthetics.

(b) *Exchange ratio and permitting:*

(1) Oversized Signs Not Located Within 500 feet of a Residence:

(A) Notwithstanding any other provision of this ordinance, any existing legal non-conforming oversized sign face(s) or panel(s) existing on the date of adoption of this ordinance amendment and not located within 500 feet of a residence may be modified to an electronic oversized sign face(s) or panel(s). The applicant shall remove from within unincorporated Gwinnett County at least three other legal non-conforming oversized sign face(s) or panel(s) of equal or greater square footage to that sign being converted to an electronic sign. For the purposes of this subparagraph, in order to obtain credit for removal of only one side of two-sided sign, the entire sign structure must be removed during the exchange process. An existing legal non-conforming oversized sign face or panel modified to an electronic oversized sign face or panel pursuant to this subsection shall not be located within the distance of another oversized electronic sign as set forth in paragraph (f)(4) of this section.

(2) Any legal non-conforming oversized sign face(s) or panel(s) existing on the date of adoption of this ordinance amendment that is located within 500 feet from a residence may be modified to an electronic sign face(s) or panel(s), in accordance with the provisions set forth in section (b)(1) of this section subject to:

(A) Approval by the Board of Commissioners as a special use permit pursuant to the provisions set forth in the Gwinnett County Unified Development Ordinance, including but not limited to all applicable postings, certified mailings to residents within 500 feet and public hearing requirements. When determining the appropriateness of modifying an existing legal non-conforming oversized sign to an electronic oversized sign if located within 500 feet of a residence, the Board of Commissioners will consider factors including but not limited to whether or not the electronic sign face will be visible from the residence(s) that is within 500 feet; whether or not electronic sign faces visible from the residence(s) are properly buffered and screened from lighting cast from the sign; and whether or not there are other existing or changing conditions that would give supporting grounds for either approval or disapproval of the requested modification.

- (c) *Determination criteria:* In determining the exchange ratios set forth in section (b):
- (1) Multiple sign panels may be combined to satisfy the necessary sign face or panel removals. For purposes of this subparagraph, in order to obtain credit for removal of only one side of a two-sided panel, the entire sign structure must be removed;
  - (2) Two sign faces or panels not less than 300 square feet shall equal one sign face or panel of 672 square feet in size;
  - (3) For purposes of the installation of an electronic sign face or panel 672 square feet in size, the applicant may remove six sign panels not less than 300 square feet in size to comply with the removal requirements;
  - (4) When signs are removed containing more faces or panels than necessary for a pending or current request to install an electronic sign face or panel, the applicant shall be entitled to utilize such extra sign face(s) or panel(s) toward future upgrade requests for not more than 24 months from removal.
- (d) *Eligibility criteria:* In order to be eligible for exchange credit, the entire above-ground sign structure upon which the sign faces/panels to be exchanged are located must be removed. The applicant will not be issued a building permit to upgrade the designated sign to an electronic oversized sign until such time as the oversized signs designated in the application to be removed are actually removed, and the applicant otherwise shows compliance with the provisions of this section relating to electronic oversized signs.
- (e) *Construction:* The final permit shall provide that except for the replacement of the sign face(s) with the electronic sign panel, and any associated structural improvements or reconstruction required by current building codes for such signs, the designated sign shall not be moved to another portion of the property, increased in size or height, or otherwise modified in a manner which increases the non-conformity of the structure unless a variance is first obtained to permit such modification.
- (f) *Regulation:* In addition to the provisions of this ordinance, each oversized electronic sign shall conform to the following:
- (1) Each individual static message must be displayed for not less than ten seconds.

- (2) Oversized electronic signs may not operate at brightness levels of more than 0.30 foot-candles (under measurement conditions) above ambient light levels as measured at the following distances:

ELECTRONIC SIGN SQ FT	DISTANCE
< 100 sq. ft.	100 ft.
101 sq. ft. – 300 sq. ft.	150 ft.
≥ 349 sq. ft.	250 ft.

- (3) Upon request of the Director, the owner of said oversized electronic signs shall arrange for a certification of the light intensity showing compliance by an independent contractor and provide said certification to the Director.
- (4) No oversized electronic sign shall be located within 5,000 feet of another oversized electronic sign on the same side of the road (measured along the edge of right of way).
- (5) Where located on a state-controlled route, each oversized electronic sign must comply with all Georgia Department of Transportation rules and regulations applicable to electronic changeable message signs when not in conflict with this chapter. The stricter of the rules and regulations apply.
- (g) *Public service:* Owners of oversized electronic signs are encouraged to coordinate with the local authorities to display, when appropriate, emergency information important to the traveling public, including but not limited to Amber Alerts or emergency management information.