

WINNETT COUNTY
BOARD OF COMMISSIONERS
LAWRENCEVILLE, GEORGIA

ORDINANCE ENTITLED: AMENDMENT TO THE WINNETT COUNTY SIGN ORDINANCE

ADOPTION DATE: April 23, 2019

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

	Present	Vote
Charlotte J. Nash, Chairman	Yes	Aye
Jace Brooks, District 1	Yes	Aye
Ben Ku, District 2	Yes	Aye
Tommy Hunter, District 3	Yes	Aye
Marlene Fosque, District 4	Yes	Aye

On motion of Commissioner Ku, which carried 5-0, Chapter 78 of the Gwinnett County Code of Ordinances is hereby amended.

WHEREAS, pursuant to Article IX, Section II, Paragraphs I, III and IV of the Georgia Constitution, the County is authorized to enact laws and exercise powers to regulate development for the benefit of the citizens of unincorporated Gwinnett County; and

WHEREAS, the Gwinnett County sign ordinance was adopted by the Gwinnett County Board of Commissioners on September 16, 1986 to regulate the placement, size, maintenance, and other qualities of signs within Gwinnett County; and

WHEREAS, since its adoption, the Gwinnett County sign ordinance has been periodically amended, and was last amended in 2015; and

WHEREAS, the Board of Commissioners recognizes the need to regulate signs to maintain aesthetic standards and promote public safety; and

WHEREAS, the Board of Commissioners desires to adopt reasonable regulations that facilitate economic development while maintaining quality of life for residents; and

WHEREAS, the Board of Commissioners finds that the following amendment to the sign ordinance promotes the health, safety, convenience, order, prosperity, and welfare of the present and future residents of Gwinnett County.

NOW, THEREFORE, BE IT ORDAINED that Chapter 78 of the Gwinnett County Code of Ordinances is hereby repealed in its entirety and replaced with a new Chapter 78, as set forth in **Exhibit A**, which is attached hereto.

BE IT FURTHER RESOLVED that this Ordinance shall be effective upon its adoption, and that all ordinances, regulations or parts of the same in conflict with this Ordinance are hereby rescinded to the extent of said conflict.

GWINNETT COUNTY BOARD OF COMMISSIONERS

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

Date Signed: 5/7/19

ATTEST:

By: Diane Kemp
Diane Kemp, County Clerk



APPROVED AS TO FORM:

By: Melanie F. Wilson
Melanie F. Wilson, Senior Assistant County Attorney

Exhibit A

Sections 78-100 through 78-124 shall be deleted in their entirety and replaced with new Sections 78-100 through 78-120 to read as follows:

Section 78-100. Findings and Purpose.

The Board of Commissioners finds that signs provide an important medium through which persons may convey a variety of non-commercial and commercial messages. However, left completely unregulated, signs can become a threat to public safety as a traffic hazard and a detriment to property values and to the County's general public welfare, as well as create an aesthetic nuisance.

By enacting this ordinance, the Board of Commissioners intends to:

- (1) Balance the rights of persons 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 of the citizens and others within the County;
- (3) Reduce traffic hazards, pedestrian hazards, and other hazards;
- (4) Promote and maintain the aesthetic qualities of the County;
- (5) Protect property values by minimizing the possible adverse effects and visual blight caused by signs;
- (6) Promote economic development;
- (7) Ensure the fair and consistent enforcement of sign regulations;
- (8) Promote the stated purposes of the Gwinnett County Unified Development Ordinance (UDO), as amended, which are expressly incorporated herein; and,
- (9) Promote the stated purposes of the Standard Building Code, as adopted and modified by Gwinnett County, which are expressly incorporated herein.

Section 78-101. Definitions.

Except as specifically defined herein, all words used in this Ordinance shall be as defined in the Gwinnett County Unified Development Ordinance, as amended. Words not defined herein or in the Unified Development Ordinance shall be construed to have the meaning given by common and ordinary use, and shall be interpreted within the context of the sentence, section and article in which they occur.

For the purpose of this Ordinance, certain words or terms used herein shall be defined as follows:

Words used in the singular include the plural and words used in the plural include the singular.

Words used in the present tense include the future tense.

The word "erected" includes the words "constructed", "moved", "located" or "relocated".

The word "lot" includes the word "plot" or "parcel."

The word "person" includes the words "individuals", "firms", "partnerships", "corporations", "associations", "governmental bodies" and all other legal entities.

The word "shall" is always mandatory and never discretionary.

The words "used" or occupied include the words "intended, arranged or designed to be used or occupied."

Accessory sign. A permanently affixed sign which is wholly independent of a building for support, and which is accessory and subordinate to a primary ground sign.

Activity Center/Corridor Overlay District. Areas described in Section 220-30 of the Gwinnett County Unified Development Ordinance.

Animated sign. Any sign or portion thereof involving motion, flashing, blinking, rotation or varying light intensity.

Banner. A piece of fabric or similar material that is attached to a pole, enclosed in a frame, or mounted as a temporary sign device.

Banner, Seasonal Light Pole. A banner affixed to a private light pole that contains no commercial message.

Billboard. See Oversized Signs.

Blade Sign. A sign that projects from a wall or surface that normally runs perpendicular to the wall or surface to which it is attached.

Building Space, Gross. The sum of the gross horizontal areas of the several floors of a building from the exterior face of the exterior walls, or from the centerline of a wall separating two buildings, but excluding any space where the floor to ceiling height is less than six feet.

Department. The Gwinnett County Department of Planning and Development.

Director. The Director of the Gwinnett County Department of Planning and Development or the Director's designee, unless otherwise specified herein.

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.

Entrance Sign. A permanent sign located at the public street, private street, or private driveway entrance to a residential development, residential subdivision development or non-residential subdivision development.

Flag. A piece of fabric or other flexible material commonly containing distinctive colors, patterns, standards, words or emblems used as the symbol of an organization or entity.

Ground Sign. A self-contained sign permanently attached to the ground which is wholly independent of any building or other structure.

Ground Sign Height. The distance in vertical feet from the elevation of the adjacent dedicated public street, edge of pavement, to the highest point of the sign structure. For property with an elevation higher than the adjacent public street, the height shall be measured from ground level at base of sign to the highest point of the sign structure. The ground shall not be altered for the sole purpose of providing additional sign height.

High-Rise Building Sign. A sign attached to the upper portion of the wall of a building at least five stories in height, placed no lower than the lowest point of the fifth story, the display surface of which does not extend more than two feet from the outside wall of the building or structure.

Illuminated Sign, Indirectly. A sign illuminated by an external light source directed primarily toward such sign.

Illuminated Sign, Internally. A sign illuminated by an internal light source.

Inflatable Devices. Air or gas filled signs and figures, excluding latex and similar balloons less than eighteen (18) inches in diameter.

Interior Project Sign. A sign located no closer than 100 feet from the exterior public street entrance of a non-residential project, at a street intersection or along a private driveway within the project.

Lot. A designated parcel, tract, or area of land established by plat, subdivision, or as otherwise permitted by law, to be separately owned, used, developed, or built upon.

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.

Off Premises Sign. An off premises sign is a real estate sign which advertises or directs attention to property other than on the premises on which the sign is located.

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

Planned Commercial/Office/Industrial/Mixed-use Development. A contiguous area or subdivision of land, planned and maintained as a single entity and containing one or more structures to accommodate retail, service, commercial, office or industrial uses, or a combination of such uses, and appurtenant common areas and accessory uses incidental to the predominant uses (i.e., office park, shopping center, industrial park).

Primary Ground Sign. A permanently affixed sign which is wholly independent of a building for support.

Principal Use. The primary or predominant purpose for which a lot or building is occupied and/or used.

Projecting Sign. A sign projecting more than twelve (12) inches from the outside wall or walls of any building upon which it is located, including, but not limited to blade signs.

Road Frontage. The distance on which a parcel of land adjoins a public street or public road right-of-way dedicated to and accepted by Gwinnett County for vehicular traffic or over which Gwinnett County may hold a prescriptive easement for public access, and including designated and numbered U.S. and State highways.

Roof Sign. A sign projecting over the coping of a flat roof, or wholly or partially over the ridge of a gable, hip or gambrel roof, and supported by or attached to said roof.

Sidewalk or Sandwich Sign. A moveable sign not secured or attached to the ground or surface upon which it is located.

Sign. Any surface, fabric, or display which bears letters, numbers, symbols, pictures, or sculptured matter, whether illuminated or unilluminated, designed to identify, announce, direct, or inform, and that is visible from a public right-of-way. For the purposes of this ordinance, the term "sign" includes all structural components of a sign. The following shall not be included within the definition of "sign" and shall not be regulated as such: any item encompassed by Title 2 of the Unified Development Ordinance (UDO), as amended and allowed in "front yards."

Sign Face. The area or display surface of a sign which is used for the message, logos, or artwork.

Sign Structure. Poles, beams, columns, posts, foundations, or other means providing structural support for the sign surface area to which the sign is affixed.

Sign Surface Area. The smallest square, rectangle, triangle, circle or combination thereof, which encompasses the entire sign inclusive of any border and trim, but excluding the base, apron, supports, and other structural members.

Special Use. A "Special Use" is a use listed in Chapter 210 of the Unified Development Ordinance as being permitted if it meets stated conditions and is approved by the Board of Commissioners of Gwinnett County.

Streamer. Any long, narrow flag, banner, tinsel, strip of fabric roping, or other flexible material which is hung or strung from any structure to another structure or the ground or used as a wind-activated device.

Structure. Anything constructed or erected on the ground or attached to something on the ground.

Subdivision.

- A. Any division or re-division of a lot, tract or parcel, regardless of its existing or future use, into 2 or more lots, tracts or parcels. The term, "subdivision" shall mean the act or process of dividing property. Lots that do not abut or are not directly across a public street from other subdivided lots shall be considered a separate distinct subdivision with a separate name.
- B. Where appropriate to the context, the term "subdivision" also may be used in reference to the aggregate of all lots held in common ownership at the time of division

Subdivision Real Estate Sign. A temporary sign erected by the owner, or the owner's agent, advertising the real property for sale in a newly developed residential subdivision.

Temporary Sign. A sign of a non-permanent nature.

Trailer Sign. Any sign which is mounted on wheels and which may be moved from one location to another.

Wall Sign. A sign applied to, mounted to, or painted on the wall or surface of a building or structure, which does not project more than twelve (12) inches from the outside wall of such a building or structure, and which is not placed above the second story of a building. Text or images on awnings are considered wall signs.

Window Sign. A sign on or within eight feet of the interior of a window or on the exterior of a window.

Zoning Board of Appeals. Shall mean the Zoning Board of Appeals of Gwinnett County, Georgia (see Gwinnett County Unified Development Ordinance, Title 2, Section 270)).

Section 78-102. General Provisions.

- (1) It shall be unlawful for any person to post, display, alter, or erect a sign without a sign location permit or temporary sign permit. A change in the lettering or text displayed on a display board shall not constitute an alteration.
- (2) Permanent primary ground signs must adhere to the following standards:
 - (a) Must have a base at least 2 feet tall consisting of brick or stone, or material similar to the primary structure on the parcel. The sign face cannot extend over the base in the front, back, or sides. No open spaces which allow a direct line of sight from one side of the sign to the other are permissible in the area located beneath the widest part of the sign face when the message is located in a direct vertical plane to the ground.
 - (b) In Activity Center/Corridor Overlay Districts, the construction material used for the base of the sign must be used to frame the sign face on both sides with a minimum width of eight inches, and a decorative architectural feature above the sign face that is the full width of the monument sign.
 - (c) No ground sign shall be located closer than 10 feet to the back-of-curb of a public roadway.
 - (d) Properties with multiple road frontages may transfer a maximum of 50 percent of the allowable square footage from one road frontage to the other for ground signs only
- (3) Sign face backgrounds must consist of neutral non-white colors.

Section 78-103. Sign Permit Application.

Applications for sign permits shall be submitted to the Department by the sign owner or their agent in such a form and containing such information and documentation as shall be prescribed by the Director, but shall contain at least the following:

- (1) The type of sign, and cost of sign construction.
- (2) The street address of the property upon which subject sign is to be located. In the absence of a street address, a method of location acceptable to the Department shall be used.
- (3) For ground signs: A site plans drawn to scale, showing the proposed location of all primary and accessory ground sign(s) on subject property. The site plan

includes, at a minimum, a closed boundary survey of the property, gross acreage, the proposed sign location, street right-of-way lines, public or private easements, driveway locations and parking spaces.

- (4) Sign details, including a scaled elevation of the size and height and of the proposed sign from ground level and adjacent street level.
- (5) The square foot area per sign and the aggregate square foot area if there is more than one sign face.
- (6) The gross building space of all building(s) on the property.
- (7) The name(s) and address(es) of the owner(s) of the real property upon which the sign is to be located.
- (8) Written consent of the property owner, or his agent, granting permission for the placement and/or maintenance of subject sign. The signature of consent may be electronic subject to the requirements of Georgia law.
- (9) The name, address and phone number of the sign contractor.

Section 78-104. Sign Permit Fees.

A sign location permit or temporary sign permit shall not be issued until the appropriate fees have been paid, as established by the Board of Commissioners.

Section 78-105. Expiration Date.

A sign location permit shall expire if the sign for which the permit was issued has not been erected, installed and completed within six months after the date of permit issuance, provided, however, that one six-month extension of the permit shall be granted if an additional permit extension fee has been paid prior to the expiration date of the initial permit.

Section 78-106. Non-Conforming Signs.

- (1) The lawful use of a permanent sign existing at the time of the adoption of this ordinance may be continued in non-conformance with the requirements of this ordinance, except that the non-conforming sign shall not be enlarged, altered, modified, improved or rebuilt. A non-conforming sign may be repaired to the extent necessary to maintain it in a safe condition and neat and orderly appearance. A change in the advertising message on the sign shall not constitute an alteration or modification of the sign.
- (2) No structural repair or change in shape, size or design shall be permitted except to make a non-conforming sign comply with all requirements of this ordinance or to render the sign structurally sound. Routine maintenance and changing of copy

shall be permitted as long as such maintenance or changing of copy does not result in or change the shape, size, or design.

- (3) A non-conforming sign structure may not be replaced by another non-conforming sign structure, except where changed conditions beyond the control of the owner warrant the signs repair.

Section 78-107. Prohibited Signs and Sign Devices.

The following types of signs or advertising devices are prohibited in all zoning districts of Gwinnett County.

- (1) Roof signs.
- (2) Streamers.
- (3) Portable, trailer, sidewalk, sandwich, curb, or "A"-type signs.
- (4) Animated signs, including but not limited to those involving motion, flashing, blinking, rotation or varying light intensity.
- (5) Signs placed within public rights-of-way, except publicly owned, authorized or maintained signs which serve an official public purpose.
- (6) Signs erected by nailing, fastening or affixing the sign in any manner to any tree, rock, post, curb, utility pole, natural feature, official street sign or marker, traffic control sign or device, or other structure except as may be set forth herein.
- (7) Signs placed or erected on property without the permission of the owner.
- (8) Signs associated with a customary home occupation, as defined in Section 230-130.3(Q) of the Unified Development Ordinance of Gwinnett County
- (9) Window signs with total cumulative surface area exceeding 20% of the total window area for any tenant per building elevation.
- (10) Signs which contain words, pictures, or statements which are obscene, as defined by applicable case and statutory law.
- (11) Signs which simulate or could be misconstrued as an official traffic control device, warning sign, or regulatory sign or which hide from view any traffic control device, signal or public service sign.
- (12) Signs which emit or utilize in any manner any sound capable of being detected by a person with normal hearing abilities.
- (13) Signs which interfere with road or highway visibility or obstruct or otherwise interfere with the safe and orderly movement of traffic or which otherwise pose a hazard to traffic due to structural deficiencies in the structure of such signs.
- (14) Signs which advertise any activity, service, or product prohibited by the laws or regulations of the United States or the State of Georgia or by the ordinances or resolutions of the County. This section shall not prohibit signs promoting the legalization of any matter presently prohibited by federal, state, or local law.

- (15) Signs which obstruct any fire escape, any means of egress or ventilation or shall prevent free passage from one part of a roof to any other part thereof, as well as signs attached to any fire escape.
- (16) Signs which do not conform to applicable building and electrical codes.
- (17) Signs which are in violation of the rules and regulations of any zoning overlay district presently existing or as may later be enacted.
- (18) Signs constructed of non-durable material including, but not limited to, paper, cardboard or flexible plastic that has been displayed for more than 60 days. Nothing herein shall prohibit such a sign from being replaced by an identical sign. This provision does not apply to Temporary Signs as governed by this ordinance.
- (19) Signs located on any substandard lot created after the enactment of this ordinance, unless the substandard lot is created as the result of governmental action.
- (20) Signs (including sign structures) related to a business, service or commercial transaction that has been discontinued for ninety days or more.
- (21) Signs that are structurally unsound, or are a hazard to traffic or pedestrians.
- (22) Signs (including sign structure) that do not present a neat and orderly appearance, which may be manifested by the following: rust or holes on or in the sign or sign structure, or broken, missing, loose or bent parts, faded or flaking paint, non-operative or partially non-operative illuminating or mechanical devices or missing letters in sign copy.

Section 78-108. Temporary Signs.

The following types of signs or advertising devices shall be permitted only by issuance of a temporary sign permit for a period of 21 consecutive days. A temporary sign permit may not be issued for the same parcel at less than three-month intervals. In no case shall the same parcel be allowed a temporary sign permit more than four times in a 12 month period. Temporary signs shall not be allowed in any Activity Center/Corridor Overlay District. A fee, as established by the Board of Commissioners, shall be paid for each temporary sign permit. Upon expiration of the temporary sign permit, the permittee shall remove the signs.

- (1) Inflatable Devices not exceeding:
 - (a) Twenty (20) feet in height and 150 square feet of area in a non-residential zoning district.
 - (b) Four (4) feet in height and 16 square feet of area in a residential zoning district.
 - (c) Inflatable Devices shall not be placed on the roof.
- (2) Except as exempted under Section 78-111, banners shall be regulated as follows:

- (a) Each banner shall not exceed 16 square feet.
 - (b) Each banner must be individually attached to a pole, mast, arm, or other structure.
 - (c) For any parcel, banners shall be limited to one banner per public street frontage.
 - (d) Banners must be maintained in good condition.
- (3) Search lights and similar devices.

Section 78-109. Generally Permitted Signs

The following types of signs are considered exempt from the permit application process. All other provisions of this article shall apply.

- (1) Non-illuminated temporary freestanding signs (excluding banners) adhering to the following:
 - (a) The quantity of generally permitted signs shall be limited to either one (1) sign that is sixteen (16) square feet in area or up to four (4) signs with each sign limited to a maximum of four (4) square feet in area.
 - (b) Each sign shall not be greater than eight (8) feet above the grade level of the adjacent street to which the sign is located or three (3) feet above ground level, whichever is greater.
- (2) Subdivision real estate signs erected along the road frontage of a newly developed residential subdivision from the beginning of the project until ten days following the sale of the final property.
- (3) Signs for the sole purpose of displaying street numbers as may be required by other ordinances and other signs required by law.
- (4) Window signs not exceeding a cumulative surface area of 20% of the available window space per tenant per building elevation.
- (5) One official sign per road frontage, as required by the State of Georgia, identifying vehicle emissions inspection stations licensed by the State of Georgia.
- (6) Projecting signs not exceeding 3 square feet and attached under the eave or awning of a building above a business entrance.
- (7) Signage on courtesy benches, trash receptacles, newspaper boxes, automated teller kiosks and phone booths, not exceeding 8 square feet of sign area and not located within the required front yard setback for the zoning district, per Title 2 of the Unified Development Ordinance. Limited to one bench sign and one trash receptacle sign per lot.
- (8) Signage on vending machines.

- (9) Seasonal light pole banners in commercial or mixed-use zoning districts, not exceeding 16 square feet, and displayed for no more than 60 days.
- (10) Flags adhering to the following:
 - (a) Shall be maintained in good repair and be displayed on purpose-built, professionally fabricated flagpoles, which may be vertical or mast-arm flagpoles
 - (b) The maximum dimensions of any flag shall be proportional to the flagpole height. The hoist side of the flag shall not exceed 20% of the vertical height of the flagpole. In addition, flags are subject to the following limitations:

Pole Height	Maximum Flag Size (Total Square Feet)
Up to 30 feet	30 square feet
30 to 50 feet	60 square feet
50 feet or greater	150 square feet

- (c) A maximum of 2 flags shall be allowed per flagpole.
 - (d) On officially designated county, state, or federal holidays, there shall be no maximum flag size or number or other limitations on display.
 - (e) Regulations related to flagpole height and setbacks are included in Chapter 230 of the Unified Development Ordinance.
- (11) Graduation banners placed on residentially zoned property. Such banners may be no more than 24 square feet in size and must be maintained in good condition and individually attached to a pole, mast, arm, or other structure. A graduation banner may not be displayed on any lot for more than 60 consecutive days.

Section 78-110. Convenience Stores and Service Stations with Pump Islands.

Convenience stores and service stations with pump islands may have additional signage subject to the following limitations:

- (1) Two signs per canopy face with a maximum of 8 square feet per sign.
- (2) Signs located under the canopy over gas pumps shall be limited to no more than one sign per pump, not to exceed four square feet.
- (3) Accessory car wash, if a separate drive-through car wash building is on site, two additional wall signs may be allowed not to exceed eight (8) square feet each.

Section 78-111. Interior Project Sign.

Such signs are authorized in all developments or planned subdivisions of land within

any residential or non-residential zoning district subject to the following:

- (1) May not be located within 100 feet of an entrance to a project.
- (2) Maximum sign area shall not exceed 32 square feet.
- (3) Maximum sign height shall not exceed four (4) feet.
- (4) Setback from right-of-way may be zero (0) feet.

Only one such sign may be located at each internal intersection of private driveways or public streets within the project.

Section 78-112. Illumination of Signs.

- (1) No sign shall give off light which glares, blinds or has any other such adverse effect on traffic or adjacent properties. The light from an illuminated sign shall be established in such a way that no direct light is cast upon adjacent properties and roadways.
- (2) No sign shall have blinking, flashing, or fluctuating lights or other illuminating devices which have a changing light intensity, brightness or color.
- (3) Exposed neon tubing and signs containing words or symbols shaped or formed directly from neon tubes, LED lighting, or similar illuminating devices are prohibited.
- (4) Exposed or visible lighting strips mounted on the building or around window frames are prohibited.
- (5) Signs located within any residential district may only be indirectly illuminated.

Section 78-113. Dimensional Standards for Signs.

Signs in unincorporated Gwinnett County shall be permitted and regulated in accordance with the following Dimensional Standards Table, unless otherwise regulated, prohibited or exempted herein:

SECTION 78-113A (DIMENSIONAL STANDARDS TABLE)

SIGN CATEGORY	MAXIMUM HEIGHT	MINIMUM SETBACK FROM RIGHT-OF-WAY	MAXIMUM SIZE PER SIGN ALLOWED	QUANTITY PERMITTED															
1. Primary ground and wall signs for an individual establishment on an individual non-residential lot.	5 ft. 5-20 ft.	0-5 ft. Equal to sign height	<p style="text-align: center;"><u>GROUND SIGNS</u></p> <p>Gross Building Space</p> <table border="0"> <tr> <td>0 - 10,000</td> <td>Max. Sign Size*</td> </tr> <tr> <td>10,001 - 50,000</td> <td>75 sq. ft.</td> </tr> <tr> <td>50,001 - 100,000</td> <td>100 sq. ft.</td> </tr> <tr> <td>>100,001</td> <td>150 sq. ft.</td> </tr> <tr> <td></td> <td>200 sq. ft.</td> </tr> </table> <p>*Properties with multiple road frontages may transfer up to 50% of the allowable square footage from one road frontage to another</p>	0 - 10,000	Max. Sign Size*	10,001 - 50,000	75 sq. ft.	50,001 - 100,000	100 sq. ft.	>100,001	150 sq. ft.		200 sq. ft.	<p style="text-align: center;"><u>GROUND SIGNS</u></p> One sign structure per road frontage.					
0 - 10,000	Max. Sign Size*																		
10,001 - 50,000	75 sq. ft.																		
50,001 - 100,000	100 sq. ft.																		
>100,001	150 sq. ft.																		
	200 sq. ft.																		
			<p style="text-align: center;"><u>WALL SIGNS</u></p> <table border="0"> <tr> <td>Gross Building Elevation Area</td> <td>Max Sign Area Per Elevation</td> <td>Total Sign Area</td> </tr> <tr> <td>0 - 2,500</td> <td>36 Sq. ft.</td> <td>72 sq. ft.</td> </tr> <tr> <td>2,501 - 15,000</td> <td>60 Sq. ft.</td> <td>120 sq. ft.</td> </tr> <tr> <td>15,001 - 50,000</td> <td>100 Sq. ft.</td> <td>200 sq. ft.</td> </tr> <tr> <td>>50,000</td> <td>200 Sq. ft.</td> <td>400 sq. ft.</td> </tr> </table>	Gross Building Elevation Area	Max Sign Area Per Elevation	Total Sign Area	0 - 2,500	36 Sq. ft.	72 sq. ft.	2,501 - 15,000	60 Sq. ft.	120 sq. ft.	15,001 - 50,000	100 Sq. ft.	200 sq. ft.	>50,000	200 Sq. ft.	400 sq. ft.	
Gross Building Elevation Area	Max Sign Area Per Elevation	Total Sign Area																	
0 - 2,500	36 Sq. ft.	72 sq. ft.																	
2,501 - 15,000	60 Sq. ft.	120 sq. ft.																	
15,001 - 50,000	100 Sq. ft.	200 sq. ft.																	
>50,000	200 Sq. ft.	400 sq. ft.																	
2. Accessory ground signs for an individual	3 ft.	0-5 ft.	<p style="text-align: center;"><u>GROUND SIGNS</u></p>	<p style="text-align: center;"><u>GROUND SIGNS</u></p> Two sign structures per															

SIGN CATEGORY	MAXIMUM HEIGHT	MINIMUM SETBACK FROM RIGHT-OF-WAY	MAXIMUM SIZE PER SIGN ALLOWED	QUANTITY PERMITTED
establishment on an individual non-residential lot.			<p><u>Gross Building Space</u></p> <p>0 - 10,000 10,001 - 50,000 50,001 - 100,000 >100,001</p> <p><u>Max. Sign Size</u></p> <p>3 sq. ft. 4 sq. ft. 5 sq. ft. 6 sq. ft.</p>	entrance.
3. Primary ground and wall signs for an individual building on an individual residential lot.	5 ft.	0 ft.	<p><u>GROUND SIGNS</u></p> <p><u>Lot Acreage</u></p> <p>3 - 5 acres 5 or greater</p> <p><u>Max. Sign Size*</u></p> <p>24 sq. ft. 48 sq. ft.</p> <p>*Properties with multiple road frontages may transfer up to 50% of the allowable square footage from one road frontage to another</p>	<u>GROUND SIGNS</u> One sign structure per road frontage.
4. Accessory ground signs for an individual building on an individual residential lot.	3 ft.	0 ft.	<p><u>WALL SIGNS</u></p> <p><u>Lot Acreage</u></p> <p>3 - 5 acres 5 or greater</p> <p><u>Max. Sign Size</u></p> <p>9 sq. ft. 18 sq. ft.</p> <p><u>GROUND SIGNS</u></p> <p><u>Max. Sign Size</u></p> <p>4 sq. ft. 6 sq. ft.</p>	<p><u>WALL SIGNS</u></p> <p>One wall sign on the front elevation</p> <p><u>GROUND SIGNS</u></p> <p>Two per entrance.</p>
5. Primary ground sign	5 ft.	0-5 ft.	<u>GROUND SIGNS</u>	<u>GROUND SIGNS</u>

SIGN CATEGORY	MAXIMUM HEIGHT	MINIMUM SETBACK FROM RIGHT-OF-WAY	MAXIMUM SIZE PER SIGN ALLOWED	QUANTITY PERMITTED										
for planned office, commercial, mixed-use, industrial or retail center.	5-20 ft.	Equal to sign height	<p><u>Gross Building Space</u></p> <table border="0"> <tr> <td>0 – 10,000</td> <td><u>Max. Sign Size*</u></td> </tr> <tr> <td>10,001 – 50,000</td> <td>75 sq. ft.</td> </tr> <tr> <td>50,001 – 100,000</td> <td>100 sq. ft.</td> </tr> <tr> <td>>100,000</td> <td>150 sq. ft.</td> </tr> <tr> <td></td> <td>200 sq. ft.</td> </tr> </table> <p>*Properties with multiple road frontages may transfer up to 50% of the allowable square footage from one road frontage to another</p>	0 – 10,000	<u>Max. Sign Size*</u>	10,001 – 50,000	75 sq. ft.	50,001 – 100,000	100 sq. ft.	>100,000	150 sq. ft.		200 sq. ft.	One sign per road frontage not to exceed maximum allowable square footage.
0 – 10,000	<u>Max. Sign Size*</u>													
10,001 – 50,000	75 sq. ft.													
50,001 – 100,000	100 sq. ft.													
>100,000	150 sq. ft.													
	200 sq. ft.													
6. Accessory ground signs for planned office, commercial, industrial, mixed-use or retail center.	3 ft.	0-5 ft.	<p><u>Gross Building Space</u></p> <table border="0"> <tr> <td>0 – 10,000</td> <td><u>Max Sign Size</u></td> </tr> <tr> <td>10,001 – 50,000</td> <td>3 sq. ft.</td> </tr> <tr> <td>50,001 – 100,000</td> <td>4 sq. ft.</td> </tr> <tr> <td>>100,000</td> <td>5 sq. ft.</td> </tr> <tr> <td></td> <td>6 sq. ft.</td> </tr> </table> <p><u>GROUND SIGNS</u></p>	0 – 10,000	<u>Max Sign Size</u>	10,001 – 50,000	3 sq. ft.	50,001 – 100,000	4 sq. ft.	>100,000	5 sq. ft.		6 sq. ft.	<p><u>GROUND SIGNS</u></p> <p>Two signs per entrance.</p>
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SIGN CATEGORY	MAXIMUM HEIGHT	MINIMUM SETBACK FROM RIGHT-OF-WAY	MAXIMUM SIZE PER SIGN ALLOWED		QUANTITY PERMITTED															
7. Wall signs for individual establishments, shops, etc. within a planned commercial center.	Not greater than height of wall	N/A	<p style="text-align: center;"><u>WALL SIGNS</u></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 30%;"><u>Gross Building Space</u></th> <th style="width: 30%;"><u>Max Sign Area Per Elevation</u></th> <th style="width: 40%;"><u>Total Sign Area</u></th> </tr> </thead> <tbody> <tr> <td>0 - 2,500</td> <td>36 sq. ft.</td> <td>72 sq. ft.</td> </tr> <tr> <td>2,501 - 15,000</td> <td>60 sq. ft.</td> <td>120 sq. ft.</td> </tr> <tr> <td>15,001 - 50,000</td> <td>100 sq. ft.</td> <td>200 sq. ft.</td> </tr> <tr> <td>>50,000</td> <td>200 sq. ft.</td> <td>400 sq. ft.</td> </tr> </tbody> </table>		<u>Gross Building Space</u>	<u>Max Sign Area Per Elevation</u>	<u>Total Sign Area</u>	0 - 2,500	36 sq. ft.	72 sq. ft.	2,501 - 15,000	60 sq. ft.	120 sq. ft.	15,001 - 50,000	100 sq. ft.	200 sq. ft.	>50,000	200 sq. ft.	400 sq. ft.	<p style="text-align: center;"><u>WALL SIGNS</u></p> <p>Signs may not exceed 50% of the total permitted square footage on any building elevation. The total of all wall signs on all elevations shall not exceed the total square footage listed.</p>
<u>Gross Building Space</u>	<u>Max Sign Area Per Elevation</u>	<u>Total Sign Area</u>																		
0 - 2,500	36 sq. ft.	72 sq. ft.																		
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	N/A	N/A	<p style="text-align: center;"><u>GROUND SIGNS</u></p> <p>Not allowed.</p>		<p style="text-align: center;"><u>GROUND SIGNS</u></p> <p>Not allowed.</p>															
8. Wall signs for individual offices, etc. within a planned office or industrial center.	Not greater than height of wall.	N/A	<p style="text-align: center;"><u>WALL SIGNS</u></p> <p>20 sq. ft. or 5 percent of the wall areas, whichever is greater.</p>		<p style="text-align: center;"><u>GROUND SIGNS</u></p> <p>Not allowed.</p> <p style="text-align: center;"><u>WALL SIGNS</u></p> <p>One per building elevation per tenant.</p>															
9. Permanent entrance ground sign for a non-residential or mixed-use subdivision.	8 ft. (excluding embellishments which shall not exceed two feet above the maximum height of the sign structure).	0 ft.	<p style="text-align: center;"><u>GROUND SIGNS</u></p> <p>50 sq. ft.</p>		<p style="text-align: center;"><u>GROUND SIGNS</u></p> <p>Two signs per entrance.</p>															

SIGN CATEGORY	MAXIMUM HEIGHT	MINIMUM SETBACK FROM RIGHT-OF-WAY	MAXIMUM SIZE PER SIGN ALLOWED	QUANTITY PERMITTED
10. Permanent entrance ground sign for a residential development or subdivision.	8 ft. (excluding embellishments which shall not exceed two feet above the maximum height of the sign structure).	0 ft.	<u>GROUND SIGNS</u> 32 sq. ft. per sign (sign structure must be constructed of brick, stone, masonry or equal architectural material).	<u>GROUND SIGNS</u> Two per entrance
11. Interior Project Sign	4 ft.	0 ft.	<u>GROUND SIGNS</u> 32 sq. ft.	<u>GROUND SIGNS</u> One per internal intersection
12. Permanent ground or wall sign for a Subdivision Recreation Area.	5 ft.	0 ft.	<u>GROUND SIGNS</u> 24 sq. ft.* *Properties with multiple road frontages may transfer up to 50% of the allowable square footage from one road frontage to another.	<u>GROUND SIGNS</u> One sign structure per road frontage.
13. Subdivision real estate sign.	8 ft.	10 ft.	<u>WALL SIGNS</u> 9 sq. ft.	<u>WALL SIGNS</u> Signs shall not exceed one placed on the front elevation.
			<u>GROUND SIGNS</u> 32 sq. ft.	<u>GROUND SIGNS</u> One per subdivision entrance

SIGN CATEGORY	MAXIMUM HEIGHT	MINIMUM SETBACK FROM RIGHT-OF-WAY	MAXIMUM SIZE PER SIGN ALLOWED	QUANTITY PERMITTED
14. High-rise building sign on a building five stories or greater in height.		N/A	180 sq. ft. with a maximum width no greater than 75% of the building façade. A high-rise building sign must not extend above the roof line and must not cover windows or architectural details.	Two per building, and not more than one per building façade.
15. High-rise building sign on a building ten stories or greater in height that is visible from I-85, I-985, US-78, or SR-316.		N/A	360 sq. ft. with a maximum width no greater than 50% of the width of the building façade. A high-rise building sign must not extend above the roof line and must not cover windows or architectural details.	Two per building on a lot adjacent to I-85, I-985, US-78, or SR-316, and not more than one per building façade.

Section 78-114. Oversized Signs.

- (1) Effective the date of adoption of the ordinance from which this section is derived, oversized signs are prohibited.
- (2) 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.
- (3) No such non-conforming sign shall continue after the discontinuance of the non-conforming use for a period of six months.
- (4) 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.
- (5) 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.
- (6) No oversized sign shall be allowed in an Activity Center/Corridor Overlay District.

Section 78-114A. Reduction in Number of Oversized Signs.

- (1) *Purpose:* The Board of Commissioners finds that all oversized signs lawfully erected prior to the adoption of section 78-114 in unincorporated Gwinnett County are legal non-conforming uses. Consistent with the provisions of section 78-106 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.

(2) *Exchange Ratio and Permitting:*

- (a) Oversized Signs Not Located Within 500 Feet of a Residence. 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.
- (b) 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 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.

(3) *Determination Criteria:* In determining the exchange ratios set forth in section (b):

- (a) 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;

- (b) Two sign faces or panels not less than 300 square feet shall equal one sign face or panel of 672 square feet in size;
- (c) 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;
- (d) 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.

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.

- (4) *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.
- (5) *As-Built Survey:* Within 60 days of completion of the construction of the oversized sign, the sign owner must provide the County with a fully-executed as-built survey.
- (6) *Regulation:* In addition to the provisions of this ordinance, each oversized electronic sign shall conform to the following:
 - (a) Each individual static message must be displayed for not less than ten seconds.
 - (b) 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
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< 100 sq. ft.	100 ft.
101 sq. ft. – 300 sq. ft.	150 ft.
≥ 349 sq. ft.	250 ft.

- (c) 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.
 - (d) No oversized electronic sign shall be located within 5,000 feet of another oversized electronic sign (measured along the edge of right of way).
 - (e) 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.
- (7) *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.

Section 78-115. Permit Approval, Denial or Revocation.

(1) Procedure.

An action by the Department to approve or deny a sign permit shall be taken within 30 days of receipt of a complete sign permit application.

The Director shall deny permit application(s) for signs that do not comply with the provisions of this Ordinance, incomplete applications, and applications containing any false material statements. A violation of any provision of this ordinance and any other applicable State laws or County ordinances will be grounds for terminating a permit granted by the County 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 shall revoke the permit. Should the Director deny a permit, the reasons for the denial are to be stated in writing and provided to the applicant on or before the 30th business day after receipt of the application. Any application denied and later resubmitted shall be deemed to have been submitted on the date of resubmission, not the date of the original submission. A permit shall not be denied or revoked except for due cause, being the violation of the provisions of this Ordinance, other applicable ordinances, State or Federal law, or the submission of an incomplete application or an application containing false material statements.

(2) Appeal.

A person whose permit application has been denied or a permittee whose permit has been revoked may appeal the decision of the Director to the Zoning Board of Appeals as provided.

(3) Certiorari.

In the event a person whose permit has been denied or revoked is dissatisfied with the decision of the Zoning Board of Appeals, they may petition for writ of certiorari to the Superior Court of Gwinnett County as provided by law.

Section 78-116. Maintenance and Appearance of Signs.

- (1) All signs shall be maintained in good condition, so as to present a neat and orderly appearance. Neglected or dilapidated signs shall include, but not be limited to the following: rust or holes on or in the sign or sign structure, or broken, missing, loose or bent parts, faded or flaking paint, non-operative or partially non-operative illuminating or mechanical devices or missing letters in sign copy. The Director may cause to be removed after due notice any sign which shows gross neglect or becomes dilapidated.
- (2) The Department shall give the owner ten (10) days written notice to correct the deficiencies or to remove the sign or signs. If the owner refuses to correct the deficiencies or remove the sign, the Department may have the sign removed at the

expense of the owner.

Section 78-117. Variances.

Where a literal application of this ordinance, due to special circumstances, would result in an unusual hardship in an individual case, a variance may be granted by the Zoning Board of Appeals pursuant to procedures set forth in the Unified Development Ordinance. The Zoning Board of Appeals shall not grant a variance unless evidence is presented supporting conclusions that the variance meets each of the following criteria:

- (1) Arises from a condition that is unique and peculiar to the land, structures, and/or buildings involved.
- (2) Is necessary because of the particular physical surroundings, the size, shape, or topographical condition of the specific property involved would result in unnecessary hardship for the owner, lessee, or occupants; as distinguished from a mere inconvenience, if the provisions of this chapter are literally enforced.
- (3) The exceptional circumstances are not the result of action or actions by the applicant.
- (4) The requested variance is the minimum variance necessary to allow the applicant to enjoy the rights commonly enjoyed by others similarly situated.
- (5) Granting of the variance would not violate more than one standard of this ordinance.
- (6) Granting the variance would not impair or injure other property or improvements in the surrounding area, or result in allowing a sign that interferes with road or highway visibility or obstruct or otherwise interfere with the safe and orderly movement of traffic.

Section 78-118. Enforcement and Penalties.

The sign provisions of this Resolution shall be administered and enforced by the Director.

- (1) The Director or designee may issue a citation for violation of this Ordinance by any person, including, if applicable, the owner, manager or tenant of the lot on which a sign is located; for a sign erected, altered, maintained, converted, or used in violation of this ordinance; or in violation of any other applicable ordinance, including, but not limited to, building or electrical codes.
- (2) Any person violating any provision of this Ordinance shall be guilty of an offense, and upon conviction by a court of competent jurisdiction, shall be subject to a penalty of not less than \$25.00 nor more than \$1,000.00, or by confinement in the Gwinnett County jail for a total time not to exceed 60 days, or both, and may not be stayed or suspended.
- (3) The County may seek affirmative equitable relief in a court of competent jurisdiction to cause the removal or repair of any sign in violation of this or other County ordinances.
- (4) The Director or his/her designee may remove any sign or structure illegally placed upon

a public right-of-way without any notice and may dispose of said sign or structure by taking it to any landfill. Such removal and disposal of illegally placed signs shall not preclude the prosecution of any person for illegally placing such signs in the public right-of-way.

Section 78-119. Unified Development Ordinance.

Except as provided elsewhere in this Section, to the extent that it is not inconsistent with this Ordinance, the Gwinnett County Unified Development Ordinance, as amended including, but not limited to definitions of terms contained therein is incorporated as a part of this Ordinance as if fully restated herein for the same purposes stated in Section 78-100 hereof and for the same purposes for which the Unified Development Ordinance and any amendments thereto, were adopted, which purposes are expressly incorporated herein. However, to the extent that any regulations governing any zoning district now existing or later enacted conflict with this Article, the rules of the zoning district shall control.

Section 78-120. 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 Chapter, even if the surviving parts of the ordinance result in greater restrictions after any unconstitutional provisions are stricken. The Board of Commissioners 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. The Board of Commissioners declares its intent that should this ordinance be declared invalid in part or in whole, signs are to be subject to regulations applicable to structures contained in other ordinances, including the Unified Development Ordinance.