



**Adopted & Effective
August 28, 2001**

**Amended – July 28, 2015
Reprinted as Amended – August 2015**



**Gwinnett County, Georgia
Price: \$3.00**

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Section 86-100. 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 Zoning Ordinance, 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 86-101. Definitions.

Except as specifically defined herein, all words used in this Ordinance shall be as defined in the most recent edition of The Illustrated Book of Development Definitions (Rutgers). Words not defined herein or in the above book 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 "map" or "zoning map" means the Zoning Map of Gwinnett

County, Georgia.

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 ground 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.

Accessory structure. A structure detached from a principal building on the same lot and customarily incidental and subordinate to the principal building or use.

Accessory Use. A use of land or of a building or portion thereof customarily incidental and subordinate to the principal use of the land or building and located on the same lot with such principal use.

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

Aggregate sign area. The combined sign surface area of all signs on a lot, excluding the area of one face of all double-faced signs. Non-commercial flags and banners are excluded from any determination of aggregate sign area.

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.

Billboard. See Oversized Signs.

Building. Any structure attached to the ground which has a roof and

which is designed for the shelter, housing or enclosure of persons, animals, or property of any kind.

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.

County. Shall mean Gwinnett County, Georgia.

Department. Shall mean the Gwinnett County Department of Planning and Development, and its subordinate Divisions, Sections and Units.

Director. Shall mean the Director of the Department of Planning and Development, who may act through designee(s).

Double Faced Sign. A sign which has two display areas against each other or where the interior angle formed by the display areas is 60 degrees or less, where one face is designed to be seen from one direction and the other face from another direction.

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 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 solely containing distinctive colors, patterns, standards, words or emblems used as the symbol of an organization or entity.

Flashing Sign. See Animated Sign.

Graduation banner. A banner that provides information about a student's or students' graduation from any school or college

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.

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

Interior Project Directional 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. The purpose of this sign is to provide more definitive directional information concerning the whereabouts of the tenants.

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

Landscape Strip. Land area located within the boundary of a lot and required to be set aside and used for landscaping upon which only limited encroachments are authorized.

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.

Monument-Type Sign. A permanent ground sign designed so that the base of the sign face is flush with the supporting base, and the supporting base is flush with the ground and extends the full width of the sign face.

Multi-Faced Sign. A sign structure with more than two sign faces situated so that each sign face is facing a different direction.

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

Planned Commercial/Office/Industrial 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).

Portable Sign. Any sign which is manifestly designed to be transported, including by trailer or on its own wheels, even though the wheels of such sign may be removed and the remaining chassis or support constructed without wheels is converted to an "A" or "T" frame sign or attached temporarily or permanently to the ground.

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 is occupied and/or used.

Projecting Sign. A sign projecting more than six (6) inches from the outside wall or walls of any building upon which it is located.

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.

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

Sign. An object, device, display, or structure, or part thereof, which is used to advertise, identify, display, direct, or attract attention to an object, person, institution, organization, business,

product, service, event or location by any means, including words, letters, figures, design, symbols, fixtures, colors, illumination, or projected images. Any sign provided for in any zoning district may contain non-commercial messages. The following shall not be included within the definition of "sign" and shall not be regulated as such: any item encompassed by Article VI, Section 600 of the Gwinnett County Zoning Resolution of 1985, as amended and allowed in "front yards."

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

Sign, Off Premises. 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.

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 Permit. A "Special Use Permit" is a use listed in the Zoning Resolution 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 or roping which is hung or strung from any structure to another structure or the ground.

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

Subdivision Directional Sign. An off-premises sign which provides directions to property for sale, lease or rent. Subdivision directional signs are placed at intersections, directing traffic to a specific project(s).

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 or mounted to the wall or surface of a building or structure, the display surface which does not project more than six (6) inches from the outside wall of such a building or structure.

Weekend Directional Sign. An off-premises sign which provides directions to property for sale, lease or rent. Weekend directional

signs may be erected from Friday 3:00 p.m. until Sunday 11:59 p.m., and direct traffic to a specific project. Note: Weekend Directional Signs are prohibited by Section 86-108.

Window Sign. A sign installed flush with the interior or exterior of a window and intended to be viewed from the outside. Any sign prohibited by Section 86-108 shall not be allowed as a window sign.

Yard, Front. An open, unoccupied space on the same lot with a principal building or use, extending the full width of the lot and located between the street line and the front line of the building projected parallel to the street to the side lines of the lot. Corner lots shall be considered to have two front yards.

Yard, Rear. An open space on the same lot with a principal building or use, unoccupied except by an accessory building or use, extending the full width of the lot and located between the rear line of the lot and the rear line of the building or use projected to the side lines of the lot.

Yard, Side. An open, unoccupied space on the same lot with a principal building or use located between the building or use and the side line of the lot and extending from the rear line of the front yard to the front line of the rear yard.

Zoning Board of Appeals. Shall mean the Zoning Board of Appeals of Gwinnett County, Georgia (see Zoning Resolution Article XVI).

Section 86-102. General Provisions.

It shall be unlawful for any person to post, display, alter the structure, or erect a sign without a sign location permit or temporary sign permit. A change in the copy of a sign or advertising device shall not constitute an alteration.

Section 86-103. Sign Permit Application.

Applications for sign permits shall be submitted by the sign owner or their agent upon official forms furnished by the Department. Applications shall be complete and shall include 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 86-104. 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 86-105. Sign Permit Fees.

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

Section 86-106. Labels Required on Signs.

- (a) For each wall or ground sign location permit, an official sticker bearing the same number as the permit will be issued. It shall be the duty of the permit holder or their agent to affix the sticker to the sign so it will be easily read from ground level. The absence of an official sticker shall be prima facie evidence that the sign has been, or is being, erected or installed in violation of the provisions of this ordinance.
- (b) For each temporary sign permit, the permit holder, or permit holder's agent shall keep the official permit on file at the premises as evidence of permit issuance. The absence of an official permit shall be prima facie evidence that the sign has been, or is being, displayed in violation of this ordinance.

Section 86-107. Non-Conforming Signs.

- (a) 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.
- (b) 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.
- (c) 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 86-108. Prohibited Signs and Sign Devices.

- (a) 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) Multi-faced signs.
 - (5) Animated signs, including but not limited to those involving motion, flashing, blinking, rotation or varying light intensity.
 - (6) Signs placed within public rights-of-way, except publicly owned, authorized or maintained signs which serve an official public purpose.
 - (7) 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.
 - (8) Any sign placed or erected on property without the permission of the owner.
 - (9) Weekend directional signs.

- (10) Individual or aggregate window signs exceeding 20% of the window area per building elevation.
- (11) Signs which contain words, pictures, or statements which are obscene, as defined by the Official Code of Georgia Annotated § 16-12-80.
- (12) Signs which simulate an official traffic control device, warning sign, or regulatory sign or which hide from view any traffic control device, signal or public service sign.
- (13) Signs which emit or utilize in any manner any sound capable of being detected on any traveled road or highway by a person with normal hearing abilities.
- (14) 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.
- (15) 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.
- (16) 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.
- (17) Signs which do not conform to applicable building and electrical codes.
- (18) Signs for which a permit is required that do not display the sign permit number and the name and address of the person responsible for erecting and maintaining the sign.
- (19) Signs which are in violation of the rules and regulations of any zoning overlay district presently existing or as may later be enacted.
- (20) Any sign 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.

- (21) 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.
- (22) Abandoned commercial signs. Commercial signs (including sign structures) shall be deemed abandoned if the business, service or commercial transaction to which it relates has been discontinued for ninety days.
- (23) Any sign that is structurally unsound, or is a hazard to traffic or pedestrians.
- (24) Dilapidated or neglected signs. A sign (including sign structure) will be dilapidated or neglected if it does 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 86-109. Temporary Signs.

The following types of signs or advertising devices shall be permitted only by issuance of a temporary sign permit allowing use of this type advertising for a period of 21 consecutive days. A temporary sign permit may not be issued for the same premises at less than three-month intervals. In no case shall the same premises be allowed a temporary sign permit more than four times in a 12 month period. 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 air or gas filled device, searchlight, or banner(s) including any temporary supporting structure.

- (1) Air or gas filled devices not exceeding:
 - a. 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.
- (2) Except as exempted under Section 86-111, banners which display a message, logo, statement, or commercial message 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 lot, 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 86-110. Flags.

(a) All flags shall be displayed on purpose-built, professionally fabricated flagpoles, which may be vertical or mast-arm flagpoles. In non-residential districts, flagpoles shall not exceed the allowed height provided for a structure or building in the applicable zoning district, or 50 feet, unless approved through the Tall Structure Permit process. Flagpoles in residential districts shall not exceed 25 feet in height or the height of the primary structure on the lot, whichever is less.

(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) Each lot or parcel shall be allowed a maximum of three flagpoles.

(d) A maximum of 2 flags shall be allowed per flagpole.

(e) Flags displaying a logo, message, statement, or commercial message and banners not meeting the definition of a flag contained herein shall conform to all applicable ordinances pertaining to signs.

(f) A vertical flagpole must be set back from all property boundaries a distance which is at least equal to the height of the flagpole.

(g) Flags and flagpoles shall be maintained in good repair, and to the extent applicable shall be in compliance with the building code. Flagpoles with broken halyards shall not be used and flags which are torn or frayed shall not be displayed.

(h) On officially designated county, state, or federal holidays, there shall be no maximum flag size or number or other limitations on display.

- (i) This section shall not be construed to restrict the right to display eligible flags as banners or non-commercial signage as provided elsewhere in this Article.
- (j) A sign permit is not required for flags.

Section 86-111. Signs Exempt from Specified Provisions of this article.

The following types of signs are exempt from the requirements of this article unless otherwise expressly prohibited under Sec. 86-108. However, all of these signs shall abide by the height and setback requirements as specified in Sec. 86-114A (Sign Table).

- (1) Non-illuminated temporary freestanding signs {excluding banners which are regulated in accordance with Section 86-109 and 86-111 (11)}. For each residential or non-residential lot, the quantity of these 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 of these signs limited to a maximum of four (4) square feet in area. In addition, 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. These signs shall not be located within the public street right-of-way and shall be no closer than ten (10) feet to the back of curb of a public roadway.
- (2) Signs for the sole purpose of displaying street numbers as may be required by other ordinances and other signs required by law.
- (3) Signs erected by, or on the order of, a public officer in the performance of his duty including but not limited to public notices, safety signs, danger signs, trespassing signs, traffic and street signs, memorial plaques and signs of historical interest.
- (4) Signs on private property prohibiting trespassing in accordance with state law.
- (5) Any sign not visible from public thoroughfares or any sign within a business, office, mall, or totally enclosed area.
- (6) Window signs not exceeding 20% of the available window space per building elevation.
- (7) One official sign per road frontage, as required by the State of Georgia, identifying vehicle emissions inspection stations licensed by the State of Georgia.
- (8) Swinging or projecting signs not exceeding 3 square feet, or projecting more than 4 feet and attached under the eave or

awning of a building above a business entrance.

- (9) 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. Limited to one bench sign and one trash receptacle sign per lot.
- (10) Signage on coin-operated beverage dispensers, limited to three (3) per lot and not located within the required front yard setback for the zoning district.
- (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 86-112. Maintenance and Appearance of Signs.

- (a) All signs shall be maintained in good condition, so as to present a neat and orderly appearance. Neglected or dilapidated signs shall 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. The Director may cause to be removed after due notice any sign which shows gross neglect or becomes dilapidated.
- (b) 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 86-113. Illumination of Signs.

- (a) 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 adjacent properties and roadways are not adversely affected and that no direct light is cast upon adjacent properties and roadways. No illuminated sign shall be constructed or maintained within 75 feet of the property line of any single-family residential lot.
- (b) No sign shall have blinking, flashing, or fluctuating lights or other illuminating devices which have a changing light intensity, brightness or color.

- (c) Colored lights shall not be used at any location or in any manner so as to be confused with or construed as traffic control devices. Neither direct nor reflected light from primary light sources shall create a hazard to operators of motor vehicles.
- (d) Signs located within any residential district may only be indirectly illuminated.

Section 86-114. Maximum Heights, Maximum Sizes, Setback Requirements and Quantity of Signs Permitted.

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

SECTION 86-114A (SIGN TABLE)

TYPE OF SIGN PURPOSE OR USE	MAXIMUM HEIGHT	SETBACK FROM RIGHT-OF-WAY (1)	MAXIMUM SIZE PER SIGN ALLOWED			QUANTITY & TYPE PERMITTED																														
1. Primary signs for an individual establishment on an individual non-residential lot.	5 Ft. 10 Ft. 20 Ft.	0-5 Ft. > 5 Ft. or < 20 Ft. 20 Ft. or >	<p><u>GROUND SIGNS</u></p> <table border="0"> <tr> <td><u>Gross Building Space</u></td> <td colspan="2"><u>Max. Sign Size</u></td> </tr> <tr> <td>0 - 10,000</td> <td colspan="2">75 Sq. Ft.</td> </tr> <tr> <td>10,001 - 50,000</td> <td colspan="2">100 Sq. Ft.</td> </tr> <tr> <td>50,001 - 100,000</td> <td colspan="2">150 Sq. Ft.</td> </tr> <tr> <td>100,000 - ></td> <td colspan="2">200 Sq. Ft.</td> </tr> </table> <p><u>WALL SIGNS</u></p> <table border="0"> <tr> <td><u>Gross Building Space</u></td> <td><u>Max Sign Size Per. Elevation</u></td> <td><u>Agg. Total All Elev.</u></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>50,001 - ></td> <td>200 Sq. Ft.</td> <td>400 Sq. Ft.</td> </tr> </table>			<u>Gross Building Space</u>	<u>Max. Sign Size</u>		0 - 10,000	75 Sq. Ft.		10,001 - 50,000	100 Sq. Ft.		50,001 - 100,000	150 Sq. Ft.		100,000 - >	200 Sq. Ft.		<u>Gross Building Space</u>	<u>Max Sign Size Per. Elevation</u>	<u>Agg. Total All Elev.</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.	50,001 - >	200 Sq. Ft.	400 Sq. Ft.	<p><u>GROUND SIGNS</u></p> <p>One sign structure per road frontage not to exceed maximum allowable square footage.*</p> <p><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 signs on all elevations shall not exceed the total square footage lists.</p>
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TYPE OF SIGN PURPOSE OR USE	MAXIMUM HEIGHT	SETBACK FROM RIGHT-OF-WAY (1)	MAXIMUM SIZE PER SIGN ALLOWED	QUANTITY & TYPE PERMITTED
6. Signs for individual offices, etc. within a planned office or industrial center.	Not greater than height of wall	N/A	20 Sq. Ft. or 5 percent of the wall areas, whichever is greater	GROUND SIGNS Not allowed. WALL SIGNS One per building elevation per tenant.
7. Primary ground sign for planned office, commercial, industrial or retail center.	5 Ft. 10 Ft. 20 Ft.	0-5 Ft. > 5 or > 20 Ft. 20 Ft. or >	GROUND SIGNS <u>Gross Building Space</u> <u>Max. Sign Size</u> 0 - 10,000 75 Sq. Ft. 10,001 - 50,000 100 Sq. Ft. 50,001 - 100,000 150 Sq. Ft. 100,000 - > 200 Sq. Ft.	GROUND SIGNS One sign structure per road frontage not to exceed maximum allowable square footage.
8. Accessory ground sign for planned office, commercial, industrial or retail center.	3 Ft.	0-5 Ft.	GROUND SIGNS <u>Gross Building Space</u> <u>Max. Sign Size</u> 0 - 10,000 3 Sq. Ft. 10,001 - 50,000 4 Sq. Ft. 50,001 - 100,000 5 Sq. Ft. 100,000 - > 6 Sq. Ft.	GROUND SIGNS Two sign structures per entrance.
9. Permanent entrance sign for a non-residential subdivision.	8 Ft. (excluding embellishments which shall not exceed 2 Ft. above the maximum height of the sign structure).	0 Ft.	50 Sq. Ft.	Two per entrance

(1) No sign shall be located closer than ten (10) feet to the back of curb of a public roadway.

* Properties with multiple road frontages may transfer a maximum of 50 percent of the allowable square footage from one road frontage to the other.

10. Permanent entrance 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.	32 Sq. Ft. per sign (sign structure must be constructed of brick, stone, masonry or equal architectural material).	Two per entrance
11. Interior Project Directional Sign (See Sec. 86-118)	4 Ft.	0 Ft.	32 Sq. Ft.	One per internal intersection
12. Permanent Sign for a Subdivision Recreation Area.	5 Ft.	0 Ft.	<u>GROUND SIGNS</u> - 24 Sq. Ft <u>WALL SIGNS</u> - 9 Sq. Ft	<u>GROUND SIGNS</u> One sign structure per road frontage not to exceed the maximum allowable square footage. <u>WALL SIGNS</u> Signs shall not exceed one placed on the front elevation.

(1) No sign shall be located closer than ten (10) feet to the back of curb of a public roadway.

* Properties with multiple road frontages may transfer a maximum of 50 percent of the allowable square footage from one road frontage to the other.

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.

Section 86-116. Subdivision Directional Signs.

Subdivision directional signs shall be permitted within any zoning district, provided they serve a temporary purpose, are maintained in an attractive and sound manner, and are removed at the owner's expense. They are intended to encourage parties involved in subdivision development projects in proximity to one another to work together and place directional information for multiple projects one sign or sign structure. Subdivision Directional Signs may be allowed for a period of time from the beginning of the project until ten days following the sale of the final property.

Subdivision directional signs shall be subject to the following requirements:

- (1) Shall not be located within ten feet of the pavement of any street and shall not be permitted on any public right-of-way.
- (2) Shall not be illuminated or affixed in any manner to trees, street or light poles, utility poles, other signs or sign structures.
- (3) Shall be made of wood.
- (4) Shall include the name, address and phone number of the owner or party responsible for the removal and maintenance of the sign. This information must be written in weatherproof ink or paint on at least one face of the sign in letters not exceeding one-half inch in height.
- (5) Shall be located no greater than two miles or two intersections as shown on the Long Range Road Classification Map, whichever is greater, from the project or property to which they refer, as measured along existing streets.
- (6) Signs prohibited under this ordinance shall not be used as a subdivision directional sign.
- (7) Subdivision Directional Signs shall not exceed 24 square feet in total sign area per face with no one project allowed more than four total square feet per face (four projects per face) and shall not exceed eight feet in height excluding embellishments which shall not exceed two feet above the maximum height of the

sign structure.

- (8) Subdivision Directional Signs shall be limited to four per intersection with no more than one per corner.
- (9) Subdivision Directional Signs shall be located within 200 feet of an intersection but no closer than 20 feet from the intersection.
- (10) These signs require a sign permit.

Section 86-117. Convenience Stores and Service Stations with Pump Islands.

- (a) 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) Spreader bars (signs located under canopy over pumps islands) shall be limited to no more than two signs per spreader bar, not to exceed four square feet per sign. However, total square footage for all spreader bars shall not exceed 24 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 86-118. Interior Project Directional Sign.

Such signs are authorized in all developments or planned subdivisions of land within any 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.
- (5) Only one such sign may be located at each internal intersection of private driveways or public streets within the project.
- (6) The purpose of the sign is to provide more definitive directional information concerning the whereabouts of tenants within the development.

Section 86-119. Permit Approval, Denial or Revocation.

(a) 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. Any sign permit application for which no action has been taken after 30 days or more shall be deemed to be approved.

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 mailed by Certified Mail, Return Receipt Requested, to the address on the permit application, postmarked on or before the 30th business day after the Director's receipt of the application, or by hand delivery to the applicant at time of denial. 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.

(b) 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.

(c) 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 86-120. 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 including, but not limited to:

- (1) Exceptional conditions pertaining to the property where the sign is to be located as a result of its size, shape, or topography, which are not applicable to other lands or structures in the area.
- (2) The applicant would be deprived of rights that are commonly enjoyed by others similarly situated.
- (3) Granting the variance would not confer on the applicant any significant privileges which are denied to others similarly situated.
- (4) The exceptional circumstances are not the result of action by the applicant.
- (5) The requested variance is the minimum variance necessary to allow the applicant to enjoy the rights commonly enjoyed by others similarly situated.
- (6) Granting of the variance would not violate more than one standard of this ordinance.
- (7) Granting the variance would not 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 86-121. 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 86-122. Zoning Ordinance.

Except as provided elsewhere in this Section, to the extent that it is not inconsistent with this Ordinance, the Gwinnett County Zoning Resolution, 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 86-100 hereof and for the same purposes for which the Zoning Resolution 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 86-123. 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 Zoning Resolution.

Section 86-124. Customary Home Occupation Signs Prohibited.

For each parcel of real property upon which a customary home occupation is conducted as defined in Section 607 of the 1985 Zoning Resolution of Gwinnett County, a sign advertising the customary home occupation conducted on the premises shall be prohibited. There shall be no exterior evidence of the conduct of the home occupation upon such premises.

List of Amendments

1. SOA2003-001 - May 27, 2003 Amendment to Section 86-101. Definitions, Section 86-103. Sign Permit Application, Section 86-106. Labels Required on Signs, Section 86-110. Flags, Section 86-111. Signs Exempt from Specified Provisions of this Resolution, Section 86-114A. (Sign Table), and Section 86-115. Oversized Signs of the Gwinnett County Sign Ordinance as follows: delete the Ga. Hwy 20 reference and substitute in lieu thereof a Ga. Hwy. 84 reference after the phrase "Grayson Parkway" in the definition of "Parkway" contained in Section 86-101;" add a sentence at the end of the definition of "Weekend Directional Sign" contained in Section 86-101; delete paragraph (8) of Section 86-103 and substitute in lieu thereof a new paragraph (8); delete paragraph (b) of Section 86-106 and substitute in lieu thereof a new paragraph (b); re-title Section 86-108 from "Signs and Sign Devices Prohibited" to "Prohibited Signs and Sign Devices;" delete paragraph (3) of Section 86-108 and substitute in lieu thereof a new paragraph (3); add a new paragraph, paragraph (j), to Section 86-110; re-title Section 86-111 from "Signs Exempt from Specified Provisions of this Resolution" to "Exempt Signs;" delete paragraph (1) of Section 86-111 and substitute in lieu thereof a new paragraph (1); add a new paragraph, paragraph "12" to Section 86-114A; and delete paragraph (3) of Section 86-115 and substitute in lieu thereof a new paragraph (3)
2. SOA2005-001 - September 20, 2005 Amendment to Section 86-111. Exempt Signs as follows: to decrease square footage of exempt signs from 32 square feet to 16 square feet; to increase height of exempt signs from 4 feet above the grade level to 8 feet above the grade level.
3. SOA2008-001 - March 25, 2008 Amendment to Section 86-101, to add a definition for graduation banner. Section 86-109 Temporary Signs, shall be amended by deleting subsection (2) in its entirety and inserting in lieu thereof a new subsection (2). Section 86-111 Exempt Signs, shall be amended by deleting subsection (1) in its entirety and inserting in lieu thereof and a new subsection (1).

Add Section 86-111 Exempt Signs, subsection (11), graduation banner as follows: to allow a 24 square feet banner on a residential lot for not more than 60 consecutive days.

4. SOA2008-002 - December 16, 2008 Amendment to Section 86-101 is amended by deleting the definition of *Window Sign* and inserting in lieu thereof a new definition of *Window Sign*; Section 86-108 is amended by striking subsection 86-108(a) (10) and inserting in lieu thereof a new subsection 86-108 (a) (10) which allows a specific percentage of signage in a window; Section 86-111 is amended by striking subsection (6) and inserting in lieu thereof a new subsection (6), Signs exempt from Specified Provisions of this article; a new Section 86-124, Customary Home Occupation Signs Prohibited, is added.
5. SOA2015-00001 - July 28, 2015 Amendment to Section 86-101, *Definitions*; to add definitions for Activity Center/Corridor Overlay District, Electronic Oversized Sign, and Non-Commercial Message. In addition, the following definitions were revised: Non-Conforming Sign, Oversized Sign, and Parkway. Further revisions to the Sign Ordinance include deletion of Section 86-115, *Oversized Signs*, in its entirety and replacement with a new Section 86-115, *Oversized Signs*, that prohibits any new oversized sign; and that allows a legally existing, oversized sign to continue in its existence provided the sign structure is not expanded, relocated or replaced. A new Section was also added referred to as Section 86-115A, *Reduction in Oversized Signs*, and in summary, states at least three legal non-conforming oversized signs may be removed and when removal is documented and evidence presented to the Department of Planning and Development those legal non-conforming oversized signs may be replaced with one electronic oversized sign that meets the requirements for Exchange Ratio and Permitting; Determination Criteria; Eligibility Criteria; Construction; Regulation; and Public Service.