

DIVISION 1. - GENERALLY

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Sec. 64-2241. - Definitions.

Words and phrases used in this article shall have the meanings set forth in this section. Words and phrases not defined in this section, but defined in the city zoning ordinance, shall be given the meanings set forth in such ordinance. All other words and phrases shall be given their common, ordinary meaning, unless the context clearly requires otherwise. Section headings or captions are for reference purposes only and shall not be used in the interpretation of this article.

Abandoned sign means any sign that contains or exhibits broken panels, visible rust, visible rot, damaged support structures, or missing letters or which is otherwise dilapidated, unsightly, or unkempt, and for which no person accepts maintenance responsibility.

Animated sign means any sign, or part of a sign, that uses any movement or change of lighting or color to depict action or create a special effect or scene.

Audible sign means any sign which emits a sound which is audible or emits a signal which can be converted into audible sounds, whether by radio or other means.

Awning/canopy sign.

(1)

The term "awning/canopy sign" means any sign that is a part of, or attached to, an awning, canopy or other fabric, plastic or structural protective cover over a door, entrance, window, or outdoor service area.

(2)

The term "awning/canopy sign" does not include a marquee.

Banner means a sign other than a flag with or without characters, letters, illustrations or ornamentation applied to cloth, paper, vinyl or fabric that is intended to be hung either with a frame or without a frame. Neither flags nor canopy signs are considered banners.

Beacon means any light with one or more beams directed into the atmosphere or directed at one or more points not on the same lot as the light source; also, any light with one or more beams that rotate or move.

Billboard means a freestanding sign with an area of more than 120 square feet and not to exceed 12 feet in height.

Changeable copy sign means any sign that incorporates changing lights, lettering, or images to form a sign message or messages, whether such changes are accomplished electronically or manually.

City means the City of Milton, Georgia.

City council means the City Council of the City of Milton, Georgia.

Director means the director of the community development department, or his or her designee.

Fall zone means an area equal to 133 percent of the height of the structure in every direction.

Flag means any fabric or bunting containing colors, patterns, or symbols used as a symbol of a government or other legal entity or legally organized organization.

Flashing sign means a sign, the illumination of which is not kept constant in intensity at all times when in use and which exhibits marked changes in lighting effects.

Freestanding sign means any sign supported by structures or supports that are placed on, or anchored in, the ground and that are independent from any building or other structure. A permanently affixed sign which is wholly independent of a building for support.

Graffiti means unauthorized writing or drawing on the facade of any building, sign, path, accessory structure, wall, fence, or other site element.

Illuminated sign, external, means a sign illuminated by an external light source. Such source cannot be a device that changes color, flashes or alternates.

Illuminated sign, internal, means a sign illuminated by an internal light source. Such source cannot be a device that changes color, flashes, or alternates.

Kiosk means a small structure with one or more sides that is used to vend merchandise or services.

Lot means a parcel of land that is of sufficient size to meet minimum zoning requirements for lot area, coverage, and use and that can provide such yards and other open spaces as required by the zoning standards.

Marquee or marquee sign means any permanent roof-like structure projecting beyond a building or extending along and projecting beyond the wall of the building, generally designed and constructed to provide protection from the weather.

Monument means a freestanding sign with a base width of not less than the width of the sign face.

Moving sign means a sign which revolves, rotates, swings, undulates, or otherwise attracts attention through the structural movement of parts.

Multitenant means one or more buildings, located on a single premises or development, containing two or more separate and distinct individual establishments, which occupy separate portions of the building and which are physically separated from each other by walls.

Obscene. Material is obscene if to the average person, applying contemporary community standards, taken as a whole, it predominantly appeals to the prurient interest, that is, a shameful or morbid interest in nudity, sex or excretion; the material taken as a whole lacks serious literary, artistic, political or scientific value; and the material depicts or describes, in a patently offensive way, sexual conduct specifically defined as:

- (1) Acts of sexual intercourse, heterosexual or homosexual, normal or perverted, actual or simulated;
- (2) Acts of masturbation;
- (3) Acts involving excretory functions or lewd exhibition of the genitals;
- (4) Acts of bestiality or the fondling of sex organs of animals; or
- (5)

Sexual acts of flagellation, torture, or other violence indicating a sadomasochistic sexual relationship.

Pennant or *streamer* means any lightweight plastic, fabric, or other material, whether or not containing a message of any kind, suspended from a rope, wire, or string, usually in a series, designed to move in the wind.

Permanent sign means any sign which, when installed, is intended for permanent use. A permanent freestanding sign shall be of a type and construction as not to be easily or readily removed from the lot on which it has been erected.

Permit means a sign permit reviewed, approved, and issued by the city community development department.

Permittee means the person or entity owning or leasing the land on which the sign is erected or for which an application has been submitted.

Person means a natural or legal person, including a firm, organization, partnership, trust, and corporation.

Portable sign means a sign which is not permanently affixed to the ground or to a structure including, but not limited to, signs on trailers or signs mounted or painted on vehicles which are parked in such a manner as to serve the purpose of a sign.

Principal building means the building in which the principal use of the lot is conducted. Nonresidential lots with multiple principal uses may have multiple principal buildings, but storage buildings, garages, and other structures with clearly accessory uses shall not be considered principal buildings.

Projecting sign means any sign which is suspended or projected from the wall, eave, or soffit of the building.

Public sign means any sign erected by a governmental entity.

Roof sign means any sign erected and constructed wholly on and over the roof of a building, or supported by the roof structure.

Sign means any device, fixture, placard, or structure affixed to, supported by, or suspended by a stationary object, building or the ground that uses any color, form, graphic, illumination, symbol, or writing to communicate information of any kind to the public.

Sign face means that part of a sign that is or can be used for advertising purposes.

Sign kiosk means a kiosk that contains signs.

Standard informational sign means a sign with an area of not greater than four square feet, with a sign face made for short-term use, containing no reflecting elements, flags, or projections and which, when erect, stands at a height not greater than three feet and is mounted on a stake or metal frame with a thickness or diameter not greater than 1½ inches.

Temporary sign means any sign of nonpermanent nature. All such signs shall be removed within three calendar days after the purpose of which the sign is intended ~~to advertise~~ has been accomplished.

Wall sign means any sign attached parallel to a wall, painted on the wall surface or erected and confined within the limits of an outside wall of any building or structure, which is supported by such wall or building and which displays only one sign surface. Wall signs shall be flush with the wall, building, or structure to which it is mounted or affixed, except as otherwise set forth herein.

Water tower means a tower or standpipe serving as a reservoir to deliver water at a required head, whether in use, no longer in use or an architectural feature.

Window sign means any sign that is affixed to the exterior of the window or window panes or within five feet of the interior of the window or window panes and is visible from the exterior of the structure.

(Ord. No. 09-04-40, art. 33, § 3, 4-27-2009)

Sec. 64-2242. - Purpose and findings.

(a)

Purpose. This article was enacted with the following purposes:

(1)

To protect the rights of individuals and businesses to convey their messages through signs;

(2)

To encourage the effective use of signs as a means of communication;

(3)

To promote economic development;

(4)

To improve traffic and pedestrian safety as it may be affected by distracting signs;

(5)

To prevent the destruction of the natural beauty and environment of the city and to ensure the harmony and compatibility of the character of the area including its physical appearance, natural setting, informal landscaping, and preserve the historic character of the city;

(6)

To encourage and ensure that development that is context-sensitive in design and materials compliments and is compatible and sensitive with the existing character of the area through its proportion, scale, design, style, placement, position, and architectural qualities that further the distinct values of the city;

(7)

To protect the public health, safety, and general welfare;

(8)

To restrict the continued existence of abandoned or nonconforming signs unless in compliance with the terms of this article and to eliminate, over time, all nonconforming signs;

(9)

To ensure the fair and consistent enforcement of sign standards; and

(10)

To make it easier, quicker, and more economically efficient to apply for a sign permit.

(b)

Findings. This article was enacted with the following findings in mind:

(1)

The city finds that signs are a proper use of private property, are a means of personal free expression and a necessary component of a commercial environment. As such, signs are entitled to the protection of the law. In the absence of regulation, however, the number of such signs tends to proliferate, with property owners' desiring ever increasing numbers and sizes of signs, leading to cluttered and aesthetically blighted thoroughfares. In addition, the competition among competing sign owners for visibility of their signs contributes to safety hazards for both vehicles and pedestrians and undermines the sign owners' original purpose of presenting a clear message of its idea or identification of its premises.

(2)

The city further finds that the regulation of the size, height, number and spacing of signs is necessary to protect the public safety, to ensure compatibility of signs with surrounding land uses, to enhance the business and economy of the city, to protect the public

investment in the streets and highways, to maintain the tranquil environment of residential areas, to promote industry and commerce, to eliminate visual clutter and blight, to provide an aesthetically appealing environment, and to provide for the orderly and reasonable display of advertising for the benefit of all the city's citizens.

(3)

The city further finds that there is a substantial difference between signs erected by public authority and signs erected by private citizens or businesses. Signs erected by public authority are virtually all erected for the purpose of maintaining the public safety either through direct control of traffic or through provision of such type signage as street signs which enable the traveling public to know where they are located and to find where they are going. As such, with the exception of signs identifying government buildings, virtually all government signs are erected purely for public safety purposes. Moreover, their use in the public right-of-way is necessary to ensure their visibility to the motoring public. The city commission finds that public utility signs are frequently of the same nature as those signs erected by governmental entities in that they provide necessary information to safeguard the public from downed power lines and from street excavations. Even where signs serve a propriety purpose, such as identifying markings on utility polls, those signs are marked primarily for the purpose of benefiting the public generally through identification of locations where there may be temporary losses of power.

(4)

The city further finds that some signage has a single targeted function and that identification of such signage by description is impossible without referring to its function. For instance, address numerals are used for the sole purpose of locating addresses, which is of benefit to persons looking for those addresses and is essential to public safety personnel responding to emergencies. Subdivision signs at the entrances to subdivisions favor a similar purpose in enabling both the traveling public and emergency personnel to quickly locate subdivision entrances for the purpose of either visitation or responding to emergency calls. While such signage is referenced based upon the function it serves within the context of this ordinance, the bulk of the provisions of this article are unrelated to the content of the speech provided and allow maximum expressive potential to sign owners.

(5)

The city further finds that most of the city is unique when compared to surrounding areas in terms of the rural, pastoral and equestrian nature of its land uses. Examination of such factors as the lack of sewerage of the majority of its land area, the resulting minimum lot size, the lack of commercial development outside overlay districts and purposefully developed commercial corridors and the large number of agricultural and related uses such as horse farms set the city apart from the more commercialized and developed municipalities which surround it. The preservation of this atmosphere and lifestyle was a major factor in the drive to incorporate the city as its own unique city. Accordingly, the city determines that it has a substantial government interest in striking a proper balance between the right of freedom of expression in terms of the time, place and manner of signage with the need to preserve the pristine character of the city.

(Ord. No. 09-04-40, art. 33, § 2, 4-27-2009)

Sec. 64-2243. - Director's duty to administer and enforce.

The director of the community development department is hereby authorized and directed to administer and enforce this article, unless otherwise specifically provided by an ordinance of the city council.

(Ord. No. 09-04-40, art. 33, § 4, 4-27-2009)

Sec. 64-2244. - Applicability.

The standards of this article shall apply to all signs erected within the city's corporate limits. This includes those areas that have been or will be annexed into the city corporate limits.

(Ord. No. 09-04-40, art. 33, § 5, 4-27-2009)

Sec. 64-2245. - Severability.

Should any article, section, clause, or provision of this article be declared by a court of competent jurisdiction to be invalid, such action shall not affect the validity of the ordinance as a whole or any part hereof other than the part so declared to be invalid, it being the intent of the city council that each article, section, clause, and provision hereof be severable.

(Ord. No. 09-04-40, art. 33, § 27, 4-27-2009)

Secs. 64-2246—64-2264. - Reserved.

DIVISION 2. - PERMITS

[Sec. 64-2265. - Required.](#)

[Sec. 64-2266. - Fees.](#)

[Sec. 64-2267. - Application.](#)

[Sec. 64-2268. - Rejection.](#)

[Sec. 64-2269. - Revocation.](#)

[Sec. 64-2270. - Variance.](#)

[Sec. 64-2271. - Suspension; termination.](#)

[Sec. 64-2272. - Expiration date.](#)

[Secs. 64-2273—64-2291. - Reserved.](#)

Sec. 64-2265. - Required.

Except where specifically not required by the standards of this article, it shall be unlawful for any person to post, display, materially change, or erect a sign in the city without first having obtained a sign permit. Notwithstanding the foregoing, signs which are not visible from a **public right-of-way, private drive, public space, or from neighboring residential properties** shall not be subject to the standards of this article.

(Ord. No. 09-04-40, art. 33, § 6, 4-27-2009)

Sec. 64-2266. - Fees.

No permit shall be issued until the appropriate application has been filed with the director and fees, as set from time to time by ordinance of the city council, have been paid.

(Ord. No. 09-04-40, art. 33, § 7, 4-27-2009)

Sec. 64-2267. - Application.

(a)

Contents. Applications for sign permits required by this article shall be filed in duplicate by the person owning the subject property, or the owner's agent, in the office of the director of community development upon forms furnished by that office. The application shall describe and set forth the following:

(1)

- (2) The type and purpose of the sign as defined in this article;
 - (3) The value of the sign;
 - (4) A survey to scale showing the street address of the property upon which the subject sign is to be located, the proposed location of subject sign on subject property, the distance of the proposed sign from the subject property's boundaries, and all existing structures or buildings on the subject property;
 - (5) The square foot area per sign and the aggregate square foot area if there is more than one sign face;
 - (6) The name and address of the owner of the real property upon which the subject sign is to be located;
 - (7) The property owner's written consent, or his or her agent, granting permission for the placement, maintenance, size, and height of the subject sign to be placed on the property;
 - (8) For wall signs, two sets of building elevations;
 - (9) The name, address, telephone number, and business license number of the sign contractor. All applicants for signs which incorporate electricity must obtain an electrical permit;
 - (10) Sign details, including a proposed color scheme of sign, and scaled elevation of the size and height of the proposed sign from ground level and adjacent street level; and
- (b) *Other zoning requirements.* So long as an application conforms to the standards and procedures of this article, the applicant is exempted from any additional standards, other than standards relating to color, and procedures relating to signs in this zoning ordinance.

(Ord. No. 09-04-40, art. 33, § 8, 4-27-2009)

Sec. 64-2268. - Rejection.

- (a) *Incomplete, false statements.* The director shall reject any application that is incomplete, that contains false material statements or omissions, or that is for a sign which would violate any standard within this article within 30 business days of receipt of said application. The director may reject at anytime prior to the expiration of the 30-day period, if the application is incomplete or contains false material statements or omissions, by returning the application to the applicant.
- (b) *Processing time; notice; denial.* The city shall process all complete and accurate sign permit applications within 30 business days of the city's actual receipt of a complete and accurate application and upon remittance of the appropriate sign permit fee. The director shall give notice to the applicant of his or her decision by hand delivery or by mailing such notice by certified mail, return receipt requested, to the address on the permit application on or before the 30th business day. If the decision of the director is to deny the application, the decision shall state the grounds upon which the denial is based. Failure of the city to act within the 30-day period shall be deemed a denial of the permit. If notice is mailed in conformity with this section, notice shall be deemed to have been given upon the date of mailing. Any application meeting the standards of this article will be granted. Any application not meeting the standards of this article will be denied.

(c)

Appealable. A rejection pursuant to this section shall be appealable pursuant to the procedures for zoning appeals outlined in this zoning ordinance. However, notwithstanding the foregoing, a final decision will be rendered within 60 days from date an appeal is filed. If a final decision is not rendered within the 60-day period, the decision sought to be appealed shall be affirmed.

(d)

Resubmission. A rejected application later resubmitted in conformity with this article shall be deemed to have been submitted on the date of resubmission, instead of the original submission date. An application which is resubmitted shall meet all the standards for an original application.

(Ord. No. 09-04-40, art. 33, § 9, 4-27-2009)

Sec. 64-2269. - Revocation.

(a)

Should it be determined that a sign permit was issued pursuant to an application containing a false material statement or omission, the director shall revoke said permit and the subject sign shall be immediately removed. A revocation pursuant to this section shall be appealable pursuant to the procedures for zoning appeals outlined in this zoning ordinance.

(b)

However, notwithstanding subsection (a) of this section, a final decision will be rendered within 60 days from the date an appeal is filed. If a final decision is not rendered within the 60-day period, the decision sought to be appealed shall be affirmed. The permit for any sign not meeting the standards of this article will be revoked.

(Ord. No. 09-04-40, art. 33, § 10, 4-27-2009)

Sec. 64-2270. - Variance.

(a)

Limitations. The board of zoning appeals shall be allowed to grant variances to this article.

(b)

Timing. The board of zoning appeals shall hear and decide upon a variance within 80 days of the submission of a complete and accurate application.

(c)

Procedure. Except as modified by this article, the procedures for requesting a variance from the standards of this article shall be the same procedures as that for seeking a variance from the city's ordinances regulating zoning.

(d)

Standards. The standards which shall be considered for granting a variance from the standards of this article shall be only the following:

(1)

Relief to this article may only be granted where existing foliage or structures bring about a hardship whereby a sign meeting the maximum letter size, square footage and height requirements cannot be read from an adjoining road;

(2)

The application of the particular provision of this zoning ordinance to a particular piece of property, due to extraordinary and exceptional conditions pertaining to that property because of its size, shape, or topography, would create an unnecessary hardship for the owner while causing no detriment to the public; or

(3)

Conditions resulting from existing foliage or structures bring about a hardship whereby a sign meeting minimum letter size, square footage and height requirements can not be read from adjoining public road.

(Ord. No. 09-04-40, art. 33, § 11, 4-27-2009; Ord. No. 09-06-44, art. XXXIII, § 11, 6-15-2009)

Sec. 64-2271. - Suspension; termination.

(a)

Violation. A violation of any provision of this article shall be grounds for terminating the permit granted by the city to the permittee or the person or entity erecting the sign. No permit shall be suspended, revoked or canceled except for due cause, as hereinafter defined, and until after the permittee is granted a public hearing before the city council.

(b)

Hearing. The permittee shall be given ten days' written notice of the time, place, and purpose of the hearing, with a statement of the reason for the suspension, revocation, or canceling of such permit and license. The term "due cause" means the violation of the standards of this article. The termination of the permit does not in any way preclude the person alleged to have violated the standards of this article from being tried under [section 64-2297](#) or preclude the city from taking any other action authorized by this Code or any action authorized by law.

(Ord. No. 09-04-40, art. 33, § 12, 4-27-2009)

Sec. 64-2272. - Expiration date.

(a)

A sign permit shall become null and void if the sign for which the permit was issued has not been installed and completed within six months after the date of issuance; provided, however, that where an applicant can demonstrate that a commercial entity was timely engaged to construct the permitted sign, but the fabrication has not yet been completed, one 90-day extension may be granted by the director.

(b)

No refunds shall be made for a permit after the permit is issued. If later an individual desires to erect a sign at the same location, a new application for the sign must be processed and another fee paid in accordance with the fee schedule applicable at such time.

(Ord. No. 09-04-40, art. 33, § 13, 4-27-2009)

Secs. 64-2273—64-2291. - Reserved.

DIVISION 3. - ADDITIONAL PROVISIONS

[Sec. 64-2292. - Business license tax certificate, public liability insurance required.](#)

[Sec. 64-2293. - Identification labels; inspection; notice.](#)

[Sec. 64-2294. - Signs requiring no permit.](#)

[Sec. 64-2295. - Prohibited signs and devices.](#)

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[Sec. 64-2299. - Sign location.](#)

[Sec. 64-2300. - Measurement of sign area.](#)

[Sec. 64-2301. - Measurement of sign height.](#)

[Sec. 64-2302. - Construction standards.](#)

[Sec. 64-2303. - Restrictions based on location.](#)

[Secs. 64-2304—64-2322. - Reserved.](#)

Sec. 64-2292. - Business license tax certificate, public liability insurance required.

It shall be unlawful for any person to engage in the business of erecting or maintaining signs within the city, unless and until such entity shall have obtained a city occupation (business license) tax certificate and a certificate of insurance from an insurance company authorized to do business in the state evidencing that the entity has in effect public liability and property damage insurance in the sum of \$25,000.00 for property damage for any one claim, and public liability insurance in an amount not less than \$100,000.00 for injuries, including accidental death to one person. The certificate of insurance shall state that the insurance carrier shall notify the city 30 days in advance of any termination or restriction of the coverage, including nonrenewal, cancellation, and nonpayment of any premium.

(Ord. No. 09-04-40, art. 33, § 14, 4-27-2009)

Sec. 64-2293. - Identification labels; inspection; notice.

(a)

Identification labels. With each sign permit, the director shall issue a sticker bearing the same number as the permit with which it is issued. It shall be the duty of the permittee or his or her agent to affix such sticker to the sign in the lower right hand area so it is easily seen. The absence of a proper sticker shall be prima facie evidence that the sign has been, or is being, erected or operated in violation of the standards of this article.

(b)

Inspection. The director shall inspect all existing signs in the city to determine if such signs conform to the standards of this article. Identification stickers shall be provided for all signs in order to identify existing conforming and nonconforming signs.

(Ord. No. 09-04-40, art. 33, § 15, 4-27-2009)

Sec. 64-2294. - Signs requiring no permit.

The following shall not count toward the total amount of signage allowed and no permit is required so long as all standards in this article are met, including the following:

(1)

Numerals displayed for the purpose of identifying property location not to exceed eight inches in height;

(2)

Flags;

(3)

Window signs where allowed;

(4)

Door signs not to exceed one square foot in size and not more than one sign per door; and

(5)

Temporary standard informational signs in all districts.

(Ord. No. 09-04-40, art. 33, § 16, 4-27-2009)

Sec. 64-2295. - Prohibited signs and devices.

The following types of signs are prohibited in the city, whether or not they can be seen from the road:

(1)

Unidentified signs. Any sign not specifically identified in this article as a permitted sign.

(2)

Balloons and streamers. Fringe, twirling, A-Frame, sandwich-type, sidewalk or curb-type signs, portable display signs, balloons, streamers or air or gas filled figures and other similar temporary signs, except where permitted in [section 64-2303](#)

- (3) *Beacons; search lights; lasers.* Promotional beacons, search lights or laser lights or images.
- (4) *Audible signs.*
- (5) *Signs in right-of-way.* Signs in a public right-of-way, other than those belonging to a government, public service agency, or railroad.
- (6) *Signs on tree, utility pole or water tower.* Signs mounted on a utility pole, water tower or other similar structure, architectural features, traffic signal or traffic control box and cell towers.
- (7) *Roof signs.* Roof signs and signs which extend vertically above any portion of a roof or parapet of the applicable wall.
- (8) *Portable signs.* Portable signs, including signs attached to any parked vehicle or trailer, so as to be visible from a public right-of-way, except that signs posted in the window of a vehicle, totaling one square foot shall be permitted but not when parked within a nonresidential district or AG-1 (Agricultural) developed with a nonresidential use with the intent to sell that vehicle.
- (9) *Obscene signs.* Signs which depict obscene material.
- (10) *Illegal activity signs.* Signs which advertise an activity which is illegal under federal, state or local laws.
- (11) *Signs not maintained.* Signs not in good repair, in violation of codes, or containing or exhibiting broken panels, visible rust, visible rot, damaged support structures, or missing letters.
- (12) *Abandoned signs.*
- (13) *Animated; flashing signs.* Animated signs, flashing signs, rotating signs, and changeable copy signs.
- (14) *Imitation traffic signs.* Signs which contain or are an imitation of an official traffic sign or signal or contain the words "stop," "go," "slow," "caution," "warning," or similar words in such a manner as to resemble official traffic control signs.
- (15) *Graffiti.*
- (16) *Sign kiosks.*
- (17) *Signs attached/painted to natural objects.* Signs attached to trees; signs painted on or otherwise attached to rocks or any natural objects.
- 18) *Signs attached to fences or walls.*

(Ord. No. 09-04-40, art. 33, § 17, 4-27-2009)

Sec. 64-2296. - Violations; penalties.

- (a) *Noncompliance.* No person shall erect on any premises owned or controlled by that person any sign which does not comply with the standards of this article.
- (b) *Dangerous or defective condition.* No person shall maintain or permit to be maintained on any premises owned or controlled by that person any sign which is in a dangerous or defective condition. Any such sign shall be removed or repaired by the permittee of the sign, the owner of the premises, or as otherwise provided for in this article.
- (c) *Separate violation.* Each sign installed, created, erected or maintained in violation of this article shall be considered a separate violation when applying the penalty portions herein.
- (d) *Public nuisance.* Any violation of this article is hereby declared to be a public nuisance.
- (e) *Notice.* The director shall give the permittee from one to 14 calendar days written notice, based on the urgency of the particular situation and the practical considerations of completing measures to comport with the standards of this article, to correct the deficiencies or to remove the sign which is in violation of this article. If the permittee refuses to correct the deficiencies or remove the sign, the director will have the sign removed at the expense of the permittee.
- (f) *Citations.* If any sign or other device covered by this article is, or is proposed to be, erected, constructed, altered, converted or used in violation of any provision of this article, the director shall issue a citation. Additionally, the city may seek an injunction for a continuing violation or take other appropriate action to prevent such unlawful erection, construction, alteration, conversion or use to correct or abate such violation. Any violation of this article shall be an offense, and the violator shall be subject to a fine of up to \$1,000.00 per day or imprisonment for up to 60 days, or by both such fine and imprisonment.

(Ord. No. 09-04-40, art. 33, § 18, 4-27-2009)

Sec. 64-2297. - Nonconforming signs.

- (a) *Maintained.* A nonconforming sign shall not be replaced by another nonconforming sign, except that the substitution or interchange of poster panels, painted boards, or dismountable material on nonconforming signs shall be permitted. All nonconforming signs shall be maintained in good repair.
- (b) *Repairs; material change.* Minor repairs and maintenance of nonconforming signs shall be permitted; however, no structural repairs or changes in the size or shape of a nonconforming sign shall be permitted except to make the sign comply with the standards of this article. To the extent that any sign allowable hereunder is damaged or destroyed by an act of God or by other circumstances beyond control of the owner of the sign, then such sign may be repaired without regard to the restrictions of this subsection.
- (c) *Grandfathering.* Legal nonconforming signs may stay in place until one of the following conditions occurs:
 - (1) The advertised business ceases at that location;
 - (2) The deterioration of the sign or damage to the sign makes it a hazard or renders it dilapidated, unsightly, or unkempt; or
 - (3)

The sign has been damaged to such extent that more than minor repairs or a material change is required to restore the sign. No structural repairs or change in shape or size shall be permitted except to make the sign comply with all standards of this article. To the extent that any sign allowable hereunder is damaged or destroyed by an act of God or by other circumstances beyond control of the owner of the sign then such sign may be repaired without regard to the restrictions of this subsection.

(Ord. No. 09-04-40, art. 33, § 19, 4-27-2009)

Sec. 64-2298. - Removal of unlawful or dangerous signs.

(a)

Removal. The city may order the removal of any sign in violation of this article by written notice to the permit holder; or if there is no permit holder, then to the owner of the sign; or if the sign owner cannot be found or cannot be determined, then to the sign erector and any party that procured the erection of the sign. If a permit has been issued, such notice shall operate to revoke the permit.

(b)

Procedure following removal order. If the sign is not removed within the time allowable pursuant to a removal order, the city may remove or cause to be removed the sign and collect the costs therefor.

(Ord. No. 09-04-40, art. 33, § 20, 4-27-2009)

Sec. 64-2299. - Sign location.

(a)

Obstructions to doors, windows or fire escapes. No sign shall be erected, relocated, or maintained so as to prevent free ingress or egress from any door, window, or fire escape.

(b)

Signs not to constitute traffic hazard. No sign or any part thereof, except authorized traffic signs, shall be located in any government right-of-way. No sign may be located any closer than 20 feet to an intersection as measured from the intersection of the two rights-of-way.

(c)

Setback. Unless a more restrictive setback is specified in conditions of zoning or otherwise in this article, all signs shall set back the greater of ten feet from the right-of-way or 20 feet from the edge of pavement if a private street and no sign shall project over the right-of-way.

(Ord. No. 09-04-40, art. 33, § 21, 4-27-2009)

Sec. 64-2300. - Measurement of sign area.

(a)

Size generally. The area of a sign shall be computed as the area within the smallest continuous polygon comprised of not more than eight straight lines enclosing the limits of a sign face, together with any sign face cabinet or frame or material, texture, or color forming an integral part of the sign face used to differentiate the sign face from the structure upon which it is placed. If polygons established around wall signs located on the same street oriented wall are within 24 inches or less of one another, then the area of the sign shall be measured within one continuous polygon.

(b)

Structure. The computation of the area of a sign face shall not include the structure, supports, or uprights on which the sign face is placed or any portions of a sign structure that are not intended to contain any message or idea and are purely structural or decorative in nature, other than those parts contained within the polygon that delineates the sign face.

(c)

Multifaced signs. For multifaced signs, when the sign face surfaces are back-to-back, or where the interior angle formed by the faces is 45 degrees or less, the area of the sign shall be taken as the areas on the largest side. For all other multifaced signs, the area of the sign shall be the total area on all sides that can be viewed at one time from any angle.

(d)

Three-dimensional signs. Three-dimensional signs shall not exceed two inches from surface.

(Ord. No. 09-04-40, art. 33, [§ 22](#), 4-27-2009)

Sec. 64-2301. - Measurement of sign height.

The height of a sign shall be computed as the distance from the base of the sign structure at normal grade to the top of the highest attached component of the sign. Normal grade shall be construed to be the lower of:

(1)

Existing grade prior to construction; or

(2)

The newly established grade after construction, exclusive of any filling, berming, mounding, or excavating solely for the purpose of locating the sign.

(Ord. No. 09-04-40, art. 33, [§ 23](#), 4-27-2009)

Sec. 64-2302. - Construction standards.

(a)

Building codes. All permanent signs permitted under this Code shall be constructed and maintained in accordance with the applicable city building codes. For any sign that is greater than eight feet in height (as measured from grade) and greater than 32 square feet in area, the permittee must submit, with its application, detailed structural design drawings of the sign and its foundations. Such drawings must include the foundation, supporting structure and sign face and must be certified by a licensed professional structural engineer. The certifying engineer must also be able to provide an insurance certificate indicating it carries a minimum of \$1,000,000.00 of professional liability insurance. The city may remove, after reasonable notice, any sign which shows structural faults, neglect, or becomes dilapidated.

(b)

Faces. The face of the sign shall be flat, with protrusions of no more than two inches to allow for the texture of the sign and words, letters, figures, symbols, logos, fixtures, colors, or other design elements. No sign or other advertising structure shall be constructed so as to have nails, tacks, or wires protruding therefrom. Sign faces shall be made out of wood or other material which has the appearance of carved, distressed, or sandblasted wood.

(c)

Illumination. Signs may be externally illuminated where permitted pursuant to this article. Colored lighting is prohibited. Where external illumination is permitted for freestanding signs, the source of illumination shall be screened from the view of the general public with shrubs.

(d)

Construction of bases. Except in the overlay districts, freestanding signs shall have a base not less than one-third the width of the sign face. Base must also be wood or brick or stone or have the appearance of wood, brick or stone or other materials which are compatible with the main structure as approved by the community development department director.

(e)

Landscaping. Landscaping and grass shall be maintained in front of, behind, underneath, and around the base of freestanding signs.

(Ord. No. 09-04-40, art. 33, [§ 24](#), 4-27-2009)

Sec. 64-2303. - Restrictions based on location.

If not otherwise stated, any sign not specifically allowed in a zoning district as provided under this section shall be prohibited in that district, except as otherwise provided for under this article. The following standards govern signs within specific zoning districts.

(1)

Permitted in all zoning districts.

a.

Signs during construction. One sign shall be allowed during construction. A permit shall be required. The sign may be externally illuminated, shall not exceed 12 square feet in area and five feet in height, and shall be allowed beginning with the commencement of construction and ending with the issuance of the last certificate of occupancy or two years, whichever one shall first occur. Thereafter, the permittee may reapply for a renewal permit subject to same termination conditions as set forth in this subsection.

b.

Temporary standard informational sign. Each lot and/or development may display one standard informational sign not exceeding four square feet without a permit except that during a political election or referendum, between the date of qualification of the candidate or the referendum question and final determination on each ballot issue or candidate, each lot may display an unlimited number of standard informational signs.

c.

Banners. Banners shall be allowed for a period not exceeding ten consecutive days with no more than four such ten-consecutive-day periods being permitted per calendar year per lot.

In addition, each new business shall be allowed a banner for 30 consecutive days starting from the issuance of the certificate of occupancy. All banners mounted on the ground must be supported on all sides by a ~~metal or~~ pvc frame.

Banners shall not be more than 24 square feet. A permit shall be required. No banner shall be mounted so as to extend above the horizontal plane of the roof where the building wall and roof meet or shall not extend more than five feet above grade when on the ground.

d.

Signs during the sale or lease of property. One sign per road frontage. ~~during the sale or lease of property.~~ A permit shall be required. ~~The sign shall not be internally illuminated.~~ The sign shall not exceed 9 square feet on major ~~arterial~~ roads, and 6 square feet on all other roads.

Major ~~arterial~~ roads include:

<i>US Hwy 19 (GA 400)</i>	<i>McGinnins Ferry Road</i>
<i>State Route 9</i>	<i>Arnold Mill Road</i>
<i>State Hwy 40</i>	<i>Windward Parkway</i>
<i>Cogburn Road</i>	<i>Hopewell Road</i>

(2)

Agricultural district.

a.

Within the agricultural district, standards for freestanding signs are as follows:

1.

One maximum 32-square foot, freestanding sign per business or institutional lot shall be permitted for each street on which the lot has frontage.

2.

One maximum 32-square foot, freestanding sign or two single-faced freestanding signs not to exceed 16 square feet each for each side of a platted single-family subdivision entrance.

3.

Freestanding signs shall have a maximum height of six feet from finished grade, and may be externally illuminated, and the light shall be screened from view with evergreen plantings as approved by the community development department director. Signs shall not have changeable copy.

4.

Flag. Each development may display no more than one flag and flagpole and, in addition, each single family detached residential lot within each development may display not more than one flag and flagpole. The flagpole shall not exceed 25 feet in height. Flag size shall not be more than 24 square feet.

5.

Each residence may display up to 12 square feet of signage with no single sign greater than four square feet.

6.

Each ~~subdivision~~ development may post one banner, maximum 24 square feet, maximum 5 feet tall, for a maximum of 40 days, during graduation season (from May 1st to June 15th). A permit is not required.

(3)

Single-family residential, CUP and NUP districts. Within the single-family residential, CUP and NUP districts, standards for freestanding signs are as follows:

1.

One maximum 32-square foot, freestanding sign per business or institutional lot shall be permitted for each street on which the lot has frontage.

2.

One maximum 32-square foot, freestanding sign or two single-faced freestanding signs not to exceed 16 square feet each for each side of a platted single-family subdivision entrance.

3.

Freestanding signs shall have a maximum height of six feet from finished grade, and may be externally illuminated, the light shall be screened from view with evergreen plantings as approved by the community development department director and shall not have changeable copy.

4.

Flag. Each lot may display no more than one flag and flagpole. The flagpole shall not exceed 20 feet in height. Flag size shall not be more than 24 square feet.

5.

Each residence may display up to 12 square feet of signage with no single sign greater than four square feet.

6.

Each ~~subdivision~~ development may post one banner, maximum 24 square feet, maximum 5 feet tall, for a maximum of 40 days, during graduation season (from May 1st to June 15th). A permit is not required.

(4)

Apartment and townhouse residential districts.

a.

Within the apartment and townhouse residential districts, standards for freestanding signs are as follows:

1. There shall be one freestanding sign per right-of-way frontage and it shall be located at the project entrance.
2. Maximum height shall be six feet from finished grade.
3. The maximum size shall be 32 square feet.
4. Signs shall not have changeable copy.
5. Signs may be externally lighted. The light shall be screened from view with evergreen plantings as approved by the community development department director.
6. The freestanding sign structure shall be constructed of the same material as the predominant material of the principal building.
7. Sign faces shall be made out of wood or other material which has the appearance of carved, distressed, or sandblasted wood as approved by the community development department director.
8. Flags. Each development may display no more than one flag and flagpole. The flagpole shall not exceed 25 feet in height. Flag size shall not be more than 24 square feet.
9. Each residence may display up to 12 square feet of signage with no single sign greater than four square feet.
10. Each development may post one banner, maximum 24 square feet, maximum 5 feet tall, for a maximum of 40 days, during graduation season (from May 1st to June 15th). A permit is not required.

b.

Wall signs.

1. Businesses may have no more than two wall signs. Corner buildings may have an additional wall sign.
2. One sign shall be flush against the wall. The maximum size shall be 12 square feet.
3. A second sign, if used, shall be perpendicular or oblique to the wall. The maximum size shall be two square feet.
- 4.

Signs shall be one unit as opposed to individually mounted letters.

5.

Wall signs shall not have changeable copy.

6.

If illuminated, signs may be externally lighted and directed downward.

7.

Wall sign shall not cover architectural features or details and not extend beyond the roof line or outer edges of the building.

8.

Sign faces shall be made out of wood or other material which has the appearance of carved, distressed, or sandblasted wood as approved by the community development department director.

c.

Window signs. Not more than three window signs per development shall be allowed and shall not be larger than four square feet or cover more than five percent of the area of each window in which a sign is placed, whichever is less. Such signs shall not be illuminated.

(5)

O-I districts. Within the office-institutional districts, standards for signs are as follows:

a.

Billboards. Within office-institutional (O-I) districts, freestanding signs shall not exceed 120 square feet and shall be located according to the following standards:

1.

Along, and oriented toward, state-numbered primary routes or national highways only;

2.

At least 500 feet from all residential or AG-1 zoning districts;

3.

Minimum 50-foot setback from right-of-way;

4.

Minimum of 1,500 feet from any other billboards or freestanding sign, except standard informational signs;

5.

The lot on which the billboard is located shall have sufficient area to accommodate the fall zone, and except for the sign, no parking areas, pedestrian areas, roadways, buildings, structures, or appurtenances shall be contained in the fall zone;

6.

Maximum of 12 feet in height; and

7.

In compliance with applicable height standards for the district in which located.

b.

Freestanding signs.

1.

There shall be one freestanding sign per right-of-way frontage and it shall be located at the project entrance.

2.

Maximum height shall be six feet from finished grade.

3.

The maximum size shall be 32 square feet.

4. Signs shall not have changeable copy.
5. Signs may be externally lighted. The light shall be screened from view with evergreen plantings as approved by the community development department director.
6. The freestanding sign structure shall be constructed of the same material as the predominant material of the principal building.
7. Sign faces shall be made out of wood or other material which has the appearance of carved, distressed, or sandblasted wood as approved by the community development department director.
8. Flag. Each development may display no more than one flag and/or flagpole. The flagpole shall not exceed 25 feet in height. Flag size shall not be more than 24 square feet.

c.

Wall signs.

1. Businesses may have no more than two wall signs. Corner buildings may have an additional wall sign.
2. One sign shall be flush against the wall. The maximum size shall be 12 square feet.
3. A second sign, if used, shall be perpendicular or oblique to the wall. The maximum size shall be two square feet.
4. Signs shall be one unit as opposed to individually mounted letters.
5. Wall signs shall not have changeable copy.
6. If illuminated, signs may be externally lighted and directed downward.
7. Wall sign shall not cover architectural features or details and not extend beyond the roof line or outer edges of the building.
8. Sign faces shall be made out of wood or other material which has the appearance of carved, distressed, or sandblasted wood as approved by the community development department director.

(6)

Mixed-use districts. Within the mixed-use districts, standards for signs are as follows:

a.

Freestanding signs.

1. There shall be one freestanding sign per right-of-way frontage and it shall be located at the project entrance.
2. Maximum height shall be six feet.
3. The maximum size shall be 32 square feet.

4. Signs shall not have changeable copy.
5. Signs may be externally lighted. The light shall be screened from view with evergreen plantings as approved by the community development department director.
6. The freestanding sign structure shall be constructed of the same material as the predominant material of the principal building.
7. Sign faces shall be made out of wood or other material which has the appearance of carved, distressed, or sandblasted wood as approved by the community development department director.
8. Flag. Each development may display no more than one flag and flagpole and, in addition, each single-family detached residential lot within each development may display not more than one flag and flagpole. The flagpole shall not exceed 25 feet in height. Flag size shall not be more than 24 square feet.
9. Each residence may display up to 12 square feet of signage with no single sign greater than four square feet.
6. Each development may post one banner, maximum 24 square feet, maximum 5 feet tall, for a maximum of 40 days, during graduation season (from May 1st to June 15th). A permit is not required.

b.

Wall signs.

1. Businesses may have no more than two wall signs. Corner buildings may have an additional wall sign.
2. One sign shall be flush against the wall. The maximum size shall be 12 square feet.
3. A second sign, if used, shall be perpendicular or oblique to the wall. The maximum size shall be two square feet.
4. Signs shall be one unit as opposed to individually mounted letters.
5. Wall signs shall not have changeable copy.
6. If illuminated, signs may be externally lighted and directed downward.
7. Wall signs shall not cover architectural features or details and not extend beyond the roof line or outer edges of the building.
8. Sign faces shall be made out of wood or other material which has the appearance of carved, distressed, or sandblasted wood as approved by the community development department director.

(7)

Commercial and industrial park districts (M-1A). Within the commercial and industrial park districts, standards for signs are as follows:

a.

Billboards. Within commercial (C-1) and industrial park (M-1A) districts, freestanding signs shall not exceed 120 square feet and shall be located according to the following standards:

1. Along, and oriented toward, state-numbered primary routes or national highways only;
2. At least 500 feet from all residential or AG-1 zoning districts;
3. Minimum 50-foot setback from right-of-way;
4. Minimum of 1,500 feet from any other billboards or freestanding sign, except standard informational signs;
5. The lot on which the billboard is located shall have sufficient area to accommodate the fall zone, and except for the sign, no parking areas, pedestrian areas, roadways, buildings, roadways, structures, or appurtenances shall be contained in the fall zone;
6. Maximum of 12 feet in height; and
7. In compliance with applicable height standards for the district in which located.

b.

Freestanding signs.

1. There shall be one freestanding sign per right-of-way frontage and it shall be located at the project entrance.
2. Maximum height shall be six feet from finished grade.
3. The maximum size shall be 32 square feet.
4. Signs shall not have changeable copy.
5. Sign may be externally lighted. The light shall be screened from view with evergreen plantings as approved by the community development department director.
6. The freestanding sign structure shall be constructed of the same material as the predominant material of the principal building.
7. Sign faces shall be made out of wood or other material which has the appearance of carved, distressed, or sandblasted wood as approved by the community development department director.
- 8.

Flag. Each development may display no more than one flag and flagpole. The flagpole shall not exceed 25 feet in height. Flag size shall not be more than 24 square feet.

c.

Wall signs.

1. Businesses may have no more than two wall signs. Corner buildings may have an additional wall sign.
2. One sign shall be flush against the wall. The maximum size shall be 12 square feet or three percent of the wall area.
3. A second sign, if used, shall be perpendicular or oblique to the wall. The maximum size shall be two square feet.
4. Signs shall be one unit as opposed to individually mounted letters.
5. Wall signs shall not have changeable copy.
6. If illuminated, signs may be externally lighted and directed downward.
7. Wall signs shall not cover architectural features or details and not extend beyond the roof line or outer edges of the building.
8. Sign faces shall be made out of wood or other material which has the appearance of carved, distressed, or sandblasted wood as approved by the community development department director.

(8)

Industrial districts. Within industrial districts, standards for signs are as follows:

a.

Billboards. Within industrial districts (M-1 and M-2), freestanding signs shall not exceed 120 square feet and shall be located according to the following standards:

1. Along, and oriented toward, state-numbered primary routes or national highways only;
2. At least 500 feet from all residential or AG-1 zoning districts;
3. Minimum 50-foot setback from right-of-way;
4. Minimum of 1,500 feet from any other billboards or freestanding sign, except standard informational signs;
5. The lot on which the billboard is located shall have sufficient area to accommodate the fall zone, and except the sign, no parking areas, pedestrian areas, roadways, buildings, structures, or appurtenances shall be contained in the fall zone;
6. Maximum of 12 feet in height; and
- 7.

In compliance with applicable height standards for the district in which located.

b.

Freestanding signs.

1.

There shall be one freestanding sign per right-of-way frontage and it shall be located at the project entrance.

2.

Maximum height shall be six feet from finished grade.

3.

The maximum size shall be 32 square feet.

4.

Signs shall not have changeable copy.

5.

Signs may be externally lighted. The light shall be screened from view with evergreen planting as approved by the community development department director.

6.

The freestanding sign structure shall be constructed of the same material as the predominant material of the principal building.

7.

Sign faces shall be made out of wood or other material which has the appearance of carved, distressed, or sandblasted wood as approved by the community development department director.

c.

Walls signs.

1.

Businesses may have no more than two wall signs. Corner buildings may have an additional wall sign.

2.

One sign shall be flush against the wall. The maximum size shall be 12 square feet.

3.

A second sign, if used, shall be perpendicular or oblique to the wall. The maximum size shall be two square feet.

4.

Signs shall be one unit as opposed to individually mounted letters.

5.

Wall signs shall not have changeable copy.

6.

If illuminated, signs may be externally lighted and directed downward.

7.

Wall signs shall not cover architectural features or details and not extend beyond the roof line or outer edges of the building.

8.

Sign faces shall be made out of wood or other material which has the appearance of carved, distressed, or sandblasted wood as approved by the community development department director.

(9)

Mobile home park districts. Within mobile home park districts, standards for signs are as follows:

a.

Freestanding signs.

1. There shall be one freestanding sign per right-of-way frontage and it shall be located at the project entrance.
2. Maximum height shall be six feet from finished grade.
3. The maximum size shall be 32 square feet.
4. Signs shall not have changeable copy.
5. Signs may be externally lighted. The light shall be screened from view with evergreen plantings as approved by the community development department director.
6. The freestanding sign structure shall be constructed of the same material as the predominant material of the principal building.
7. Sign faces shall be made out of wood or other material which has the appearance of carved, distressed, or sandblasted wood as approved by the community development department director.
8. Each residence may display up to 12 square feet of signage with no single sign greater than four square feet.
6. Each development may post one banner, maximum 24 square feet, maximum 5 feet tall, for a maximum of 40 days, during graduation season (from May 1st to June 15th). A permit is not required.

b.

Wall signs.

1. Businesses may have no more than two wall signs. Corner buildings may have an additional wall sign.
2. One sign shall be flush against the wall. The maximum size shall be 12 square feet.
3. A second sign, if used, shall be perpendicular or oblique to the wall. The maximum size shall be two square feet.
4. Signs shall be one unit as opposed to individually mounted letters.
5. Wall signs shall not have changeable copy.
6. If illuminated, signs may be externally lighted and directed downward.
7. Wall signs shall not cover architectural features or details and not extend beyond the roof line or outer edges of the building.
- 8.

Sign faces shall be made out of wood or other material which has the appearance of carved, distressed, or sandblasted wood as approved by the community development department director.

(Ord. No. 09-04-40, art. 33, [§ 25](#), 4-27-2009)

Secs. 64-2304—64-2322. - Reserved.

DIVISION 4. - OVERLAY DISTRICTS

[Sec. 64-2323.](#) - [This division takes precedence.](#)

[Sec. 64-2324.](#) - [State Route 9 Overlay District signs.](#)

[Sec. 64-2325.](#) - [Crabapple Crossing Overlay District signs.](#)

[Sec. 64-2326.](#) - [Birmingham Crossing Overlay District signs.](#)

Sec. 64-2323. - This division takes precedence.

The standards and requirements of this division shall take precedence over citywide standards and requirements within the boundaries of the given overlay district.

(Ord. No. 09-04-40, art. 33, [§ 26](#), 4-27-2009)

Sec. 64-2324. - State Route 9 Overlay District signs.

- (a) All freestanding signs shall be monuments with the width of the base equal to the width of the sign face. The structure/base should match the principal building materials.
- (b) Multitenant developments are allowed one primary monument for the overall development which shall not exceed a maximum surface area of 48 square feet and a maximum height of 12 feet.
- (c) Multitenant developments on corner lots are allowed an additional monument sign on the secondary street at the project entrance which shall not exceed a maximum surface area of 24 square feet and a maximum height of four feet.
- (d) For multi tenant retail/commercial/office/institutional developments:
- Each tenant is allowed one, maximum 24 square foot banner, per the time limits stated in [Section 64-2303](#).
 - The banner shall be placed on the tenant's storefront or wall space.
 - If building location renders installation on the wall not visible from the road, an administrative variance may be applied for to allow the banner to be installed on the ground. The variance shall condition the banner placement to a specific location on the development.
 - **All ground mounted banners shall be installed on a PVC frame, with a vertical orientation.**
 - No more than four ground mounted banners may be displayed in a *zoned development* at one time.
- (e) Single tenant sites and outparcels are limited to one monument which shall not exceed a maximum surface area of 32 square feet and a maximum height of six feet.
- (f)

Gas stations, convenience stores, discount warehouses and similar facilities that sell gasoline may have an additional 24 square feet of surface area and not to exceed six feet in height.

(g)

Two or more businesses that share a single tenant space are limited to one monument sign, which shall not exceed a maximum surface area of 32 square feet and a maximum height of six feet.

(h)

Monument signs shall be set back a minimum ten feet from the public right-of-way and shall be a minimum of 35 feet from any other identification monument.

(i)

Each place of business is allowed a maximum of two wall signs.

(j)

Wall signs shall face public streets and pedestrian parking areas.

(k)

Wall signs shall not exceed 100 square feet or five percent of the applicable wall area, whichever is less. The length of the sign shall not exceed ten times the height of the sign.

(l)

Permanent and temporary signs in windows shall not exceed five percent of the aggregate window area and shall not block visibility from outside the store. The allowable signage of five percent may be placed in one or more window panels. The area of the doors and spandrell glass panels are excluded from the calculation of the applicable sign area.

(m)

The following information may be permanently displayed in windows or glass doors and is exempt from the five percent limit: street address, required to be posted by local, state or federal governments. The lettering for this information shall be four inches tall or as required by fire prevention code. Also exempt are store hours and security information.

(m)

Window signs with neon, fluorescent, LED lighting or tube lights are prohibited, **except for one, two square foot neon or LED sign, indicating whether the business is open or closed. The sign is not allowed to blink, flash, rotate, etc. A permit is not required for this sign.**

(o)

Wall signs shall be flush against the wall, not cover architectural features or details, and not extend beyond the roof line or outer edges of the building.

(p)

Awnings and canopy signs with names are considered signs and may be substituted for monument or wall signs. If substituted, they shall be included in the maximum size calculations.

(q)

The architectural color standards of the district apply only to the sign structure not to the sign face. See the following table.

Permitted Colors for Sign Structure	
The following numbers refer to the Pantone Matching System, an international color matching system	
White	Reds 168C, 181C, 483C, 484C, 675C, 1685C, 4975C
Browns, Beiges and Tans 462C to 468C; 4625C to 4685C, 469C, 474C, 475C; 4695C to 4755C 478C, 719C to 724C 725C to 731C 476U to 482U 719U to 725U 726U to 732U	Red-Browns 1154U, 1395 1405U

(q)

Prohibited sign types.

(1)

Rotating, projecting, pylon, pole, portable, changeable copy signs, flashing, animated, sandwich, blinking, fluctuating, and electronic/manual reader boards, changeable copy signs and neon are prohibited.

(2)

Vehicles with lettering or graphics greater than two inches in height identifying or promoting a business or commercial activity shall not be parked or stored within 100 feet of the curb of any public right-of-way. This standard does not apply to vehicles used regularly for delivery, pick-ups, service calls, or transporting customers, except that such vehicles shall not be parked within 50 feet of the curb of any public right-of-way after hours if the vehicles are visible from the public right-of-way.

(3)

Posters, placards, flashing, animated, blinking, fluctuating, electronic/manual reader boards, and changeable copy signs are prohibited.

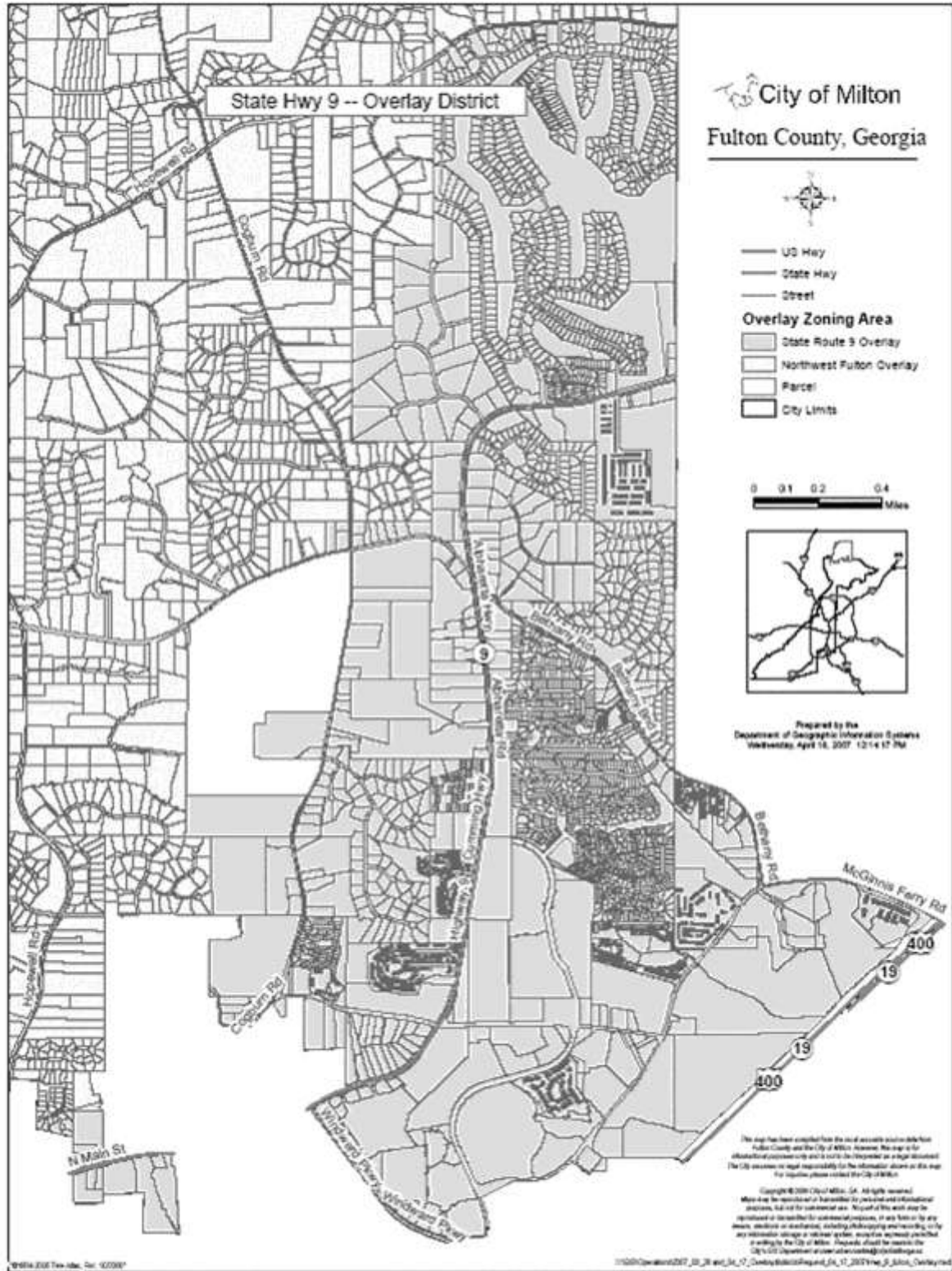
(r)

Wall signs may be internally illuminated.

(s)

Monument signs shall be externally illuminated.

.....



STATE ROUTE 9 OVERLAY DISTRICT MAP.

(Ord. No. 09-04-40, art. 33, § 26.1, 4-27-2009)

.....
Sec. 64-2325. - Crabapple Crossing Overlay District signs.

(a)

Freestanding signs.

(1)

All signs must meet the following standards:

a.

Signs shall not have changeable copy including, but not limited to, scrolling, rotating, flashing, nor computerized changeable copy. Theatres, schools, churches, parks and gas stations may have changeable copy that is changed manually.

b.

If illumination is used, the sign shall be externally illuminated. The light shall be screened from view with evergreen plantings as approved by the community development department director.

c.

The sign structure shall be constructed of wood, brick or stone or a material which has the appearance of wood, brick, or stone as approved by the community development department director and to the extent possible shall be the same material as the predominant material of the principal building.

d.

The sign face and sign letters shall be made out of wood, a material which has the appearance of carved, distressed, or sandblasted wood or stone as approved by the community development department director. Plastic inserts are prohibited.

e.

The sign shall be supported either on one side or on both sides (i.e., shingle sign).

(2)

Nonresidential multitenant building and development.



- a. The maximum height shall be eight feet from finished grade.
- b.

The maximum size of the sign area shall be 32 square feet.

c.

There shall be one sign per right-of-way frontage and it shall be located at the project entrance.

(3)

Nonresidential single tenant building.



a.

Maximum height shall be six feet from finished grade.

b.

The maximum size of the sign area shall be 20 square feet.

c.

There shall be one sign per right-of-way frontage and it shall be located at the project entrance.

(4)

Residential uses.

a.

Maximum height shall be six feet from finished grade.

b.

Each residential development may have a maximum of two 12 square foot signs not to exceed 24 square feet or one 16 square foot sign per entrance.

(b)

Wall signs.

(1)

Wall signs shall not have changeable copy.

(2)

If illuminated, wall signs shall be externally illuminated and directed downward.

(3)

Wall sign shall not cover architectural features or details and not extend beyond the roof line. Wall signs can hang from the building.

(4)

Wall sign faces shall be made out of wood or other material which has the appearance of carved, distressed, or sandblasted wood as approved by the community development department director.

(5)

A business may have one wall sign. The sign can be flush against the wall or it can hang from the building. The size shall be three percent of the applicable wall area. Corner buildings may have an additional wall sign.

(6)

A business may have an additional sign perpendicular to the wall with a maximum sign area size of two square feet.

(b)

Other signage

(1)

Permanent and temporary signs in windows shall not exceed five percent of the aggregate window area and shall not block visibility from outside the store. The allowable signage of five percent may be placed in one or more window panels. The area of the doors and spandrel glass panels are excluded from the calculation of the applicable sign area. Neon window signs are prohibited.

(2)

A business may have one, metal or wood framed, chalkboard type, sandwich board sign; max height of three feet.



(c)

Sign structure colors. Refer to the following table for sign structure colors for the Crabapple Crossroads.

Permitted Colors for Sign Structure	
The following numbers refer to the Pantone Matching System, an international color matching system	
1807C	497
2C-7C	553
289C	5536
316C	539
401-405C	548
407-412C	5467
423C	5743U
424-425C	5747U
448-450C	5757U
4485U	5773U
4495C	5815U
451C	5835
4505C	625U
4515-4525C	627U
455C	Warm Grey 5-7C
462U	Warm Grey 8-11
464U	
476U	
478U	
484C	
4491C	

(d)

Prohibited sign types. Lollypop signs, monument signs, ~~temporary window signs, signs placed in the interior of a window with the intent of being viewed by those outside of the building.~~ Rotating, projecting, pylon, poles, portable, flashing, animated, ~~sandwich~~, blinking, functionality, and electronic needs, boards, chargeable copy signs and neon are prohibited.

(e)

Window signs. Any sign within five feet of a window is considered a window signs, for the purposes of application of this section.

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CRABAPPLE CROSSROADS OVERLAY DISTRICT MAP.

(Ord. No. 09-04-40, art. 33, § 26.2, 4-27-2009)

.....

Sec. 64-2326. - Birmingham Crossing Overlay District signs.

(a)

Freestanding signs.

(1)

All signs must meet the following standards:

a.

Signs shall not have changeable copy including scrolling, rotating, flashing, or computerized changeable copy.

- b.** If illumination is used, the sign shall be externally illuminated. The light shall be directed downwards.
- c.** The sign structure shall be constructed of wood, brick or stone and to the extent possible shall be the same material as the predominant material of the principal building.
- d.** The sign face shall be made out of wood, a material which has the appearance of carved, distressed, or sandblasted wood or stone as approved by the community development department director. Plastic inserts are prohibited.
- e.** The sign shall be supported either on one side or on both sides (i.e., shingle sign).

(2)

Nonresidential multitenant building and development.



- a. The maximum height shall be eight feet from finished grade.
- b. The maximum size of the sign area shall be 32 square feet.
- c. There shall be one sign per right-of-way frontage.

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Edits shown in Red

- (3) Nonresidential single tenant building.
 - a. Maximum height shall be six feet from finished grade.
 - b. The maximum size of the sign area shall be 20 square feet.
 - c. There shall be one sign per right-of-way frontage.
- (4) Residential uses.
 - a. Maximum height shall be six feet from finished grade.
 - b. The maximum size shall be 16 square feet.
 - c. Each residential development may have a maximum of one sign per entrance.

(b)

Wall signs.

- (1) Wall signs shall not have changeable copy.
- (2) Wall signs shall be externally illuminated and directed downward.
- (3) Wall sign shall not cover architectural features or details and not extend beyond the roof line.
- (4) Wall sign faces shall be made out of wood or other material which has the appearance of carved, distressed, or sandblasted wood as approved by the community development department director.
- (5) A business may have one wall sign. The sign can be flush against the wall or it can hang from the building. The size shall be three percent of the applicable wall area. Corner buildings may have an additional wall sign.
- (6) A business may have an additional sign perpendicular to the wall with a maximum sign area size of two square feet.



- (7) A portion of the wall sign can be placed on an overhang or a canopy.
- (8) Any sign within five feet of a window is considered a window sign for the purposes of application within this section.

(c)

Other signage

- (1) Permanent and temporary signs in windows shall not exceed five percent of the aggregate window area and shall not block visibility from outside the store. The allowable signage of five percent may be placed in one or more window panels. The area of the doors and spandrel glass panels are excluded from the calculation of the applicable sign area. Neon window signs are prohibited.
- (2) A business may have one, metal or wood framed, chalkboard type, sandwich board sign; max height of three feet.

(d)

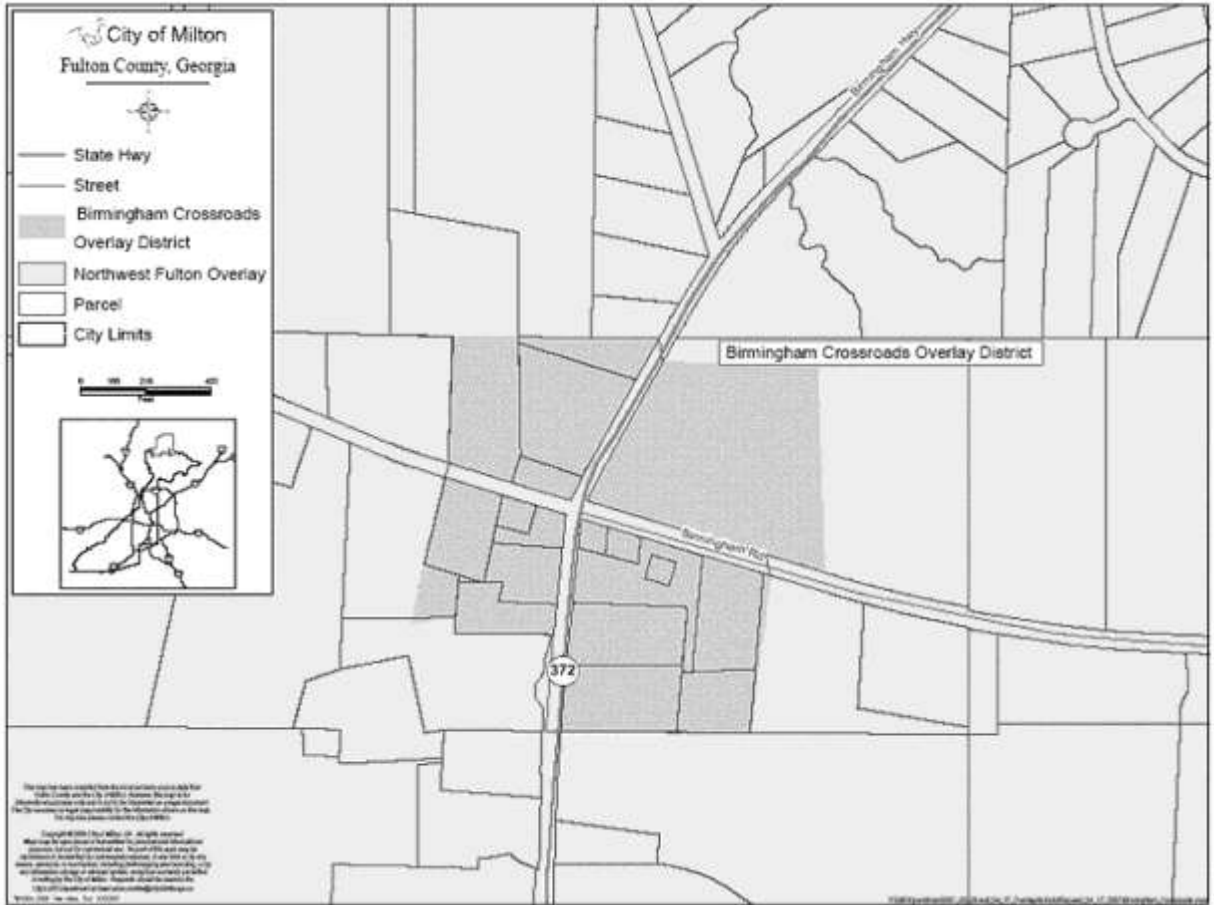
Sign structure colors. Refer to the following table for sign structure color in the Birmingham Crossroads Overlay.

Permitted Colors for Sign Structure	
The following numbers refer to the Pantone Matching System, an international color matching system	
1807C 2C-7C 289C 3316 401-405C 407-412C 412C 415-419C 423C 424-425C 448-450C 4485U 4495C 451C 4505C 4515-4525C 455C 462U 464U 476U 478U 484C 491C	4975 553 5363 539 548 5467 5743U 5747U 5757U 5773U 5815U 5835U 625U 627U Warm Grey 5-7C Warm Grey 8-11

(d)

Prohibited sign types. Lollypop signs, ~~temporary window signs, signs placed within five feet of an exterior window with the intent of being viewed by those outside of the building,~~ internal illumination of plastic faced signs, electronic or flashing reader signs, exposed neon, changeable copy, ground "monument" signs. Rotating, projecting, pylon, poles, portable flashing, animated, ~~sandwich~~, blinking, functionality, and electronic needs, boards, changeable copy signs and neon are prohibited.

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BIRMINGHAM CROSSROADS OVERLAY DISTRICT MAP.

(Ord. No. 09-04-40, art. 33, § 26.3, 4-27-2009)

DIVISION 5. – OTHER SIGN REQUIREMENTS

~~Sec. 64-2327. – Community Identification Banners.~~

[Sec. 64-2327.- Master Signage Plan.](#)

~~Secs. 64-2329—64-2345. - Reserved.~~

Sec. 64-2327 – Master Signage Plan

a. Purpose

1. A Master Sign Plan is an administrative permit which establishes standards (size, design, location, etc.) for all exterior signs associated with a multi-tenant / multi-building development. The master sign plan shall ensure long term aesthetic compatibility of signage throughout the development. All specific requirements of the master sign plans must be met in conjunction with the Overlay signage requirements of the City of Milton.
2. The goal of a Master Sign Plan is to:
 - a) Adequately and effectively communicate business identity and type to the public;
 - b) Promote consistency among signs within a development, thus creating visual harmony between signs, buildings, landscaping and other components of the property;
 - c) Enhance the compatibility of signs with the architectural and site design features within a development;
 - d) Encourage signage that is in character with planned and existing uses, thus creating a unique sense of place.
 - e) Protect the community from sign clutter and visual blight resulting from excessive and redundant signs.

b. Applicability

1. A Master Sign Plan is required for all multiple-tenant buildings, all multi-building or multi-occupant commercial or office developments, and all mixed use developments.

c. Approval Authority

1. A Master Sign Plan is reviewed by the City of Milton Department of Community Development, and approved by the Director of Community Development. It is reviewed as part of the rezoning/use permit or site plan review process.

d. Application requirements

1. The applicant shall develop a master sign plan for all sign elements in the development based on the sign requirements established in Section 16 of the City of Milton Zoning Ordinance. A master sign plan application shall be a written and/or illustrated document to depict the proposed signs, which shall include the following:
 - a) Proposed sign palette, which may include:

- 1) Entryway sign
 - 2) Primary multi tenant freestanding signs
 - 3) Secondary multitenant freestanding signs
 - 4) Single tenant/outparcel freestanding signs
 - 5) Office/industrial park project freestanding sign
 - 6) Residential development freestanding signs
 - 7) Tenant directory freestanding signs
 - 8) Directional freestanding signs
 - 9) Temporary standard informational signs
 - 10) Real estate signs
 - 11) Temporary banners
 - 12) Signs during construction
 - 13) Wall signs
 - 14) Shingle signs
 - 15) Window signs/graphics
 - 16) Awning/canopy signs
 - 17) Tenant informational signs
- b) Site plan of the entire development/area showing the location of all proposed signs included in the sign palette;
 - c) Size and number of all proposed signs, including maximum area, letter height, number, height, etc.;
 - d) Color and style palette for a signs, including context of where signs are to be placed on any given façade;
 - e) Type of illumination proposed (external, internal, etc.);
 - f) Landscaping and/or ornamental structures including fences, fountains, public art, ground cover and other landscaping element that are intended to complement the proposed sign palette and design;
 - g) Location map;
 - h) Photos of property as it appears from the street;
 - i) Any other information as required by the Zoning Ordinance.

A separate sign permit will be required for all non exempt signs (as indicated in the City of Milton sign ordinance).

e. Design Guidelines

1. The sign design guidelines are designed to help ensure quality signs that communicate their message in a clear fashion; however, the "guidelines" are not as strict as sign "standards." The review authority may interpret the design guidelines with some flexibility in their application to specific signs/projects, as not all design criteria may be workable or appropriate for each sign or project. In some circumstances, one guideline may be relaxed to facilitate compliance with another guideline determined by the review authority to be more important in the particular case. The overall objective is to ensure that the spirit and intent of the design guidelines are followed. The signs in **bold** print are new, not currently allowed.

2. Signs by type:

- a) **Entryway sign.** Means a ground sign which is placed on the perimeter of a mixed use development, community or historic area to identify the name of the community and/or interior projects. Such signs may flank both sides of the entrance and may include ground or landscape wall sign types.

Allowances: TBD



b) Primary multitenant freestanding signs. *Multitenant* means one or more buildings, located on a single premises or development, containing two or more separate and distinct individual establishments, which occupy separate portions of the building and which are physically separated from each other by walls. *Freestanding sign* means any permanent sign supported by structures or supports that are placed on, or anchored in the ground and that are independent from any building or other structure. Provides formal identification of the entire project to arterial traffic. It is designed to maximize visibility to vehicular traffic in all directions. All freestanding signs must be setback at least 10 feet from the right of way. The freestanding sign structure shall be constructed of the same material as the predominant material of the principal building. Except for Highway 9, the sign faces shall be made out of wood or other material which has the appearance of carved, distressed or sandblasted wood. In the Highway 9 Overlay, all free standing signs shall be monuments with the width of the base equal to the width of the sign face. All freestanding signs shall be externally illuminated.

Allowances: Per the sign allowance.



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- c) Secondary multitenant freestanding signs. Means as stated above, only smaller. Allowed for multi-tenant development on corner lots. Must be placed on the secondary street at the project entrance. Materials/types for the Ordinance/Overlay; externally illuminated.
 Allowances: Per the sign ordinance.



- d) Single tenant/outparcel freestanding signs. Means as stated in #2, only for single tenant sites and platted outparcels. Materials/types for the Ordinance/Overlay; externally illuminated.
Allowances: Per the sign ordinance





- e) Office /industrial park project identification freestanding signs. Means a ground sign that identifies a platted office park or industrial park. These signs would be located at the entrance to the park.

Allowances; TBD

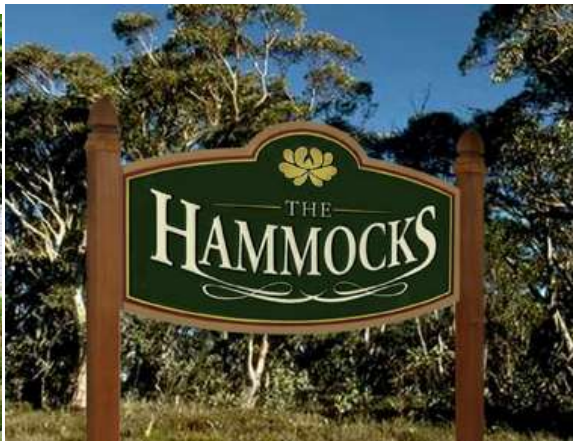


- f) Residential development freestanding signs. A ground sign that is placed at the entrance to single family or multifamily developments only in order to identify the name of the development.
Allowances: Per the sign ordinance









- g) **Secondary residential development freestanding signs.** A pillar type ground sign that indicates a change in residence type in mixed use developments; signage indicating amenities in a residential development

Allowances: TBD



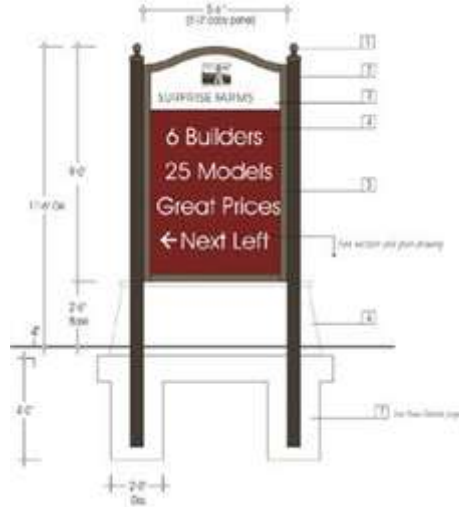
- a) **Tenant directory freestanding signs.** Means a ground sign which provides a listing of the names of businesses, activities, addresses, locations, uses or places within a building or complex of buildings for the purpose of identification only. These signs are placed internal to the development or community, and cannot be read from the right of way.

Allowances: TBD

b) **Tenant directory freestanding signs.** Means a ground sign which provides a listing of the names of businesses, activities, addresses, locations, uses or places within a building or complex of buildings for the purpose of identification only. These signs are placed internal to the development or community, and cannot be read from the right of way.

Allowances: TBD





c) **Directional freestanding signs.** Means signs used at driveways to improve public safety and to enhance public access to the site from public streets. Used to direct pedestrian or vehicular traffic on a parcel. These signs shall be externally illuminated. Maximum height shall be three (3) feet.

Allowances: TBD





- d) Temporary standard informational signs. Means a sign with an area of not greater than four square feet, with a sign face made for short-term use, containing no reflecting elements, flags, or projections and which, when erect, stands at a height not greater than three feet and is mounted on a stake or metal frame with a thickness or diameter not greater than 1½ inches. No permit is required for these signs.

Allowances: 4 square feet in all zoning districts; max 5 feet in height. 3 max per residential lot.

1 max per commercial lot.



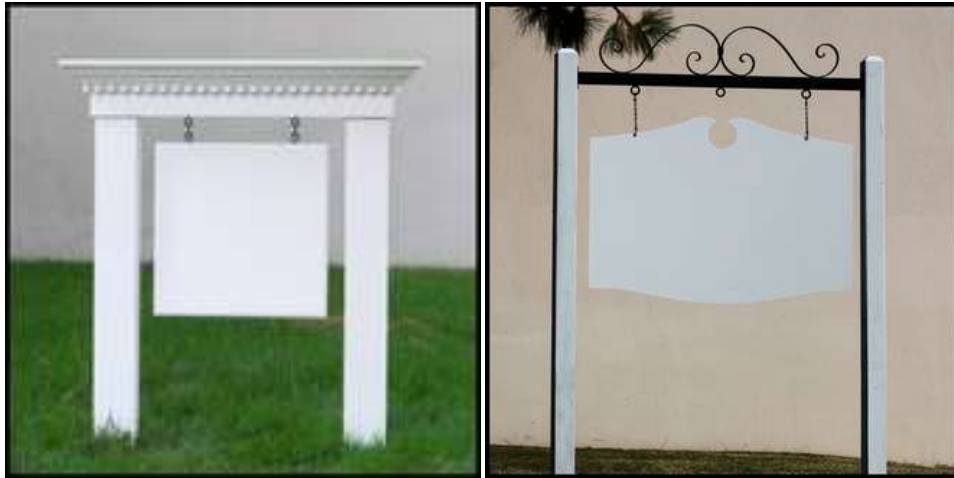
- e) Sandwich boards. Means an a- frame sign, with a metal or wood frame. Maximum height of 36 inches.



- f) **Real estate signs.** Means temporary freestanding signs which indicate that a tenant space, building or vacant lot is currently for sale, lease or rent.

Allowances: One sign per road frontage; max height 5 feet

- 9 square feet on major roads (See section _____); 6 square feet all other





g) Temporary banners. Banner means a sign other than a flag with or without characters, letters, illustrations or ornamentation applied to cloth, paper, vinyl or fabric that is intended to be hung either with a frame or without a frame. Neither flags nor canopy signs are considered banners. (Canopy signs are counted toward wall signage).

Allowances: Per sign ordinance





- h) Signs during construction. Means a temporary, freestanding sign that shall be allowed beginning with the commencement of construction and ending with the issuance of the last Certificate of Occupancy, or two years, whichever one shall first occur. Thereafter, the permittee may reapply for a renewal permit subject to same termination conditions as above. The sign shall be externally illuminated.

Allowances: 12 square feet, max 5 feet high

- i) Wall signs. Means any sign attached parallel to a wall, painted on the wall surface or erected and confined within the limits of an outside wall of any building or structure, which is supported by such wall or building and which displays only one sign surface. Wall signs shall be flush with the wall, building, or structure to which it is mounted or affixed, except as otherwise set forth herein.

Allowances: Per Sign Ordinance



- j) **Shingle signs.** Means a sign suspended from a roof overhang of a covered porch or walkway or attached to a building wall fascia, which identifies the tenant of the adjoining space. These signs are installed perpendicular to the wall.

Allowances: 2 square feet per business



- k) **Window signs/graphics.** *Window sign* means any sign, **cut-out letters, painted text or graphics, window film, or other text or visual presentation** that is affixed to the exterior of the window or window panes or within five feet of the interior of the window or window panes and is visible from the exterior of the structure.

Allowances: Per Sign Ordinance

- l) **Awning/canopy signs.** The term "awning/canopy sign" means any sign that is a part of, or attached to, an awning, canopy or other fabric, plastic or structural protective cover over a door, entrance, window, or outdoor service area. The term "awning/canopy sign" does not include a marquee. May be substituted for monument or wall signs. If substituted they shall be included in the maximum size calculations.

Allowances: Per the sign ordinance

- m) **Tenant informational signs.** Means signs intended primarily for the convenience of the public or to ensure the orderly operation of the site, including but not limited to signs designating restrooms, address numbers, hours of operation, business directories, help wanted, public telephone, and instructions regarding parking, whether a store is open or closed, , conditions of sale, or acceptable credit cards. Neon signs are prohibited, except for one, 4 square foot sign, in the Highway 9 Overlay.

Allowances: 12 square feet max



Custom Text and Logo

Custom Room Name	Suite 101
Custom Room Name	Suite 201
Custom Room Name	Suite 301
Custom Room Name	Suite 401
Custom Room Name	Suite 501
Custom Room Name	Suite 601
Custom Room Name	Suite 701
Custom Room Name	Suite 801
Custom Room Name	Suite 901



n) PROHIBITED SIGNS

The following types of signs are prohibited in the Master signage plan:

- (1) *Unidentified signs.* Any sign not specifically identified in this article as a permitted sign.
- (2) *Temporry signs.* Fringe, twirling, A-Frame, sandwich-type, sidewalk or curb-type signs, portable display signs, balloons, streamers or air or gas filled figures and other similar temporary signs, except where permitted in section 64-2303.
- (3) *Beacons; search lights; lasers.* Promotional beacons, search lights or laser lights or images.
- (4) *Audible signs.*
- (5) *Signs in right-of-way.* Signs in a public right-of-way, other than those belonging to a government, public service agency, or railroad.
- (6) *Signs on tree, utility pole or water tower.* Signs mounted on a utility pole, water tower or other similar structure, architectural features, traffic signal or traffic control box and cell towers.
- (7) *Roof signs.* Roof signs and signs which extend vertically above any portion of a roof or parapet of the applicable wall.
- (8) *Portable signs.* Portable signs, including signs attached to any parked vehicle or trailer, so as to be visible from a public right-of-way, except that signs posted in the window of a vehicle, totaling one square foot shall be permitted but not when parked within a nonresidential district or AG-1 (Agricultural) developed with a nonresidential use with the intent to sell that vehicle.
- (9) *Obscene signs.* Signs which depict obscene material.
- (10) *Illegal activity signs.* Signs which advertise an activity which is illegal under federal, state or local laws.
- (11) Signs attached to fences.
- (11) *Signs not maintained.* Signs not in good repair, in violation of codes, or containing or exhibiting broken panels, visible rust, visible rot, damaged support structures, or missing letters.
- (12) *Abandoned signs.*
- (13) *Animated; flashing signs.* Animated signs, flashing signs, rotating signs, and changeable copy signs.
- (14) *Imitation traffic signs.* Signs which contain or are an imitation of an official traffic sign or signal or contain the words "stop," "go," "slow," "caution," "warning," or similar words in such a manner as to resemble official traffic control signs.
- (15) *Graffiti.*
- (16) *Sign kiosks.*
- (17) *Signs attached/painted to natural objects.* Signs attached to trees; signs painted on or otherwise attached to rocks or any natural objects.
- (18) *Signs attached to fences or walls.*

Secs. 64-2329—64-2345. - Reserved.