

# Article 9 Sign Regulations

## Section 9.01 Purpose

The Mayor and Council find that signs provide an important medium through which individuals may convey a variety of messages. However, if left unregulated, signs may become a threat to public health, safety and general welfare. Furthermore, the Mayor and Council wish to preserve the aesthetic beauty of Villa Rica. By enacting this ordinance, the Mayor and Council intend to:

- A. Ensure that signs are designed, constructed, installed, and maintained so that public safety, traffic safety, health, and general welfare are not compromised;
- B. Promote and protect free speech while protecting citizens from the unrestricted proliferation of signs.
- C. Reflect and support the desired character and development patterns of the various zoning districts.
- D. Maintain the historical and aesthetic integrity of the City;
- E. Protect property values by minimizing the possible adverse effects and visual blight caused by signs;
- F. Promote economic development by allowing for adequate and effective signs in commercial and industrial zones;
- G. Ensure fair and consistent enforcement of sign regulations; and
- H. Ensure that signs are not placed in the right-of-way of city or state roads, as regulated by the Georgia Department of Transportation and the City of Villa Rica.

## Section 9.02 Definitions

For the purposes of this article, the definitions contained in this zoning ordinance shall control. Figure 9-1 illustrates several common sign types referred to in this Article. In addition, the following words and phrases shall have the meanings respectively ascribed to them below, unless the context clearly indicates a contrary meaning:

**Aggregate sign area:** The area of all signs on a parcel, wall or window, as the case may be, excluding the area of one face of all double-faced signs.

**Animated sign:** A sign with action, motion, or changing colors that requires electrical energy. This definition includes any signs that electronically change the sign face, whether by substitution of copy or scrolling.

**Awning:** A permanently installed cloth, canvas, or rigid roof-like covering which hangs from a building facade or projects over the public sidewalk for the purpose of beautifying a building facade or sheltering pedestrians from sun or rain. (Also, see "Canopy.")

**Banner:** A type of sign intended to be hung either with or without frames, possessing characters, letters, illustrations, or ornamentations applied to paper, plastic, or fabric of any kind.

**Business premises:** A building, suite, office or other unit used for nonresidential purposes. For businesses licensed by the city, the area occupied by a single business license holder shall be deemed as one business premises. Each professional corporation, partnership or other entity in which the professional participates shall be considered the occupant and all area so occupied shall be the business premises. For the purpose of this ordinance, business premises shall include nonresidential space occupied by charitable organizations, political organizations, institutions, or other noncommercial entities.

**Canopy:** A roof-like structure supported by columns or projecting from a building and open on at least three-sides. A canopy may also be detached from a building as a free-standing structure.

**Display area (face) or sign area:**

(1) For a sign, either free-standing or attached, the area shall be considered to include all lettering, wording, and accompanying design and symbols, together with the background, whether open or enclosed, (with or without trim), on which they are displayed, but not including any supporting framework and bracing which are incidental to the display itself;

(2) For a sign painted upon or applied to a building, the area shall be considered to include all lettering, wording, and accompanying designs or symbols together with any background of a different color than the natural color of the building;

(3) Where the sign consists of individual letters or symbols attached to or painted on a surface, building, canopy, awning, wall or window, the area shall be considered to be that of the smallest rectangle or other geometric shape which encompasses all of the letters or symbols.

**Facade:** The face of a building which, because of its architectural details, is clearly intended to be viewed by the public. The front facade is the building wall which customarily contains the primary entry of the building.

**Flag:** Any fabric or bunting containing colors, patterns, or symbols used to signify a government or other entity or organization.

**Frontage, building:** The width in linear feet of each exterior wall of a business which faces a public or private street right-of way.

**Frontage, lot:** For purposes of this ordinance, lot frontage shall be construed as the width in linear feet of each lot where it adjoins a street right-of-way line.

**Interstate corridor:** A corridor beginning at a point on the right-of-way of the interstate highway that is 500 feet prior to the point where the de-acceleration lane for an exit ramp from the interstate highway commences, or the point on the right of way of the interstate highway that is 500 feet past the point where the acceleration lane for an entrance ramp to the interstate highway ends, as the case may be, and then extending along the right-of-way of the exit or entrance ramp toward the roadway that crosses the interstate a distance of 1,200 feet (the "corridor length"). The width of the interstate corridor is then determined by projecting a line at a right angle to the beginning and ending points of the corridor length a distance of 200 feet (the

"corridor width"). A line is then projected to connect the end points of each corridor width. The area within the resulting rectangle is the interstate corridor.

**Parcel:** A separate tax unit of real property on county real estate records. Also, synonymous with "lot" or "tract."

**Pennant:** Any lightweight plastic, fabric, or similar material suspended from a rope, wire, cable, or string designed to move in the wind. The term can include "streamer."

**Sight Triangle:** A triangular-shaped portion of land established at street intersections in which nothing is erected, placed or planted, or allowed to grow in such a manner as to limit or obstruct the sight distance of motorists entering or leaving the intersection. The sight triangle is an area of a corner lot that is included between the lines of the intersecting streets and a straight line connecting them at points twenty-five (25) feet distant from the intersection of the street lines; also known as a visual clear zone.

**Sign:** Any object, device, display, or structure, or part thereof, situated outdoors which is used to advertise, identify, display, direct, or attract attention to an object, person, institution, organization, business, product, service, events or location by any means, including words, letters, figures, designs, symbols, logos, fixtures, colors, movement, or illumination (See "display area or sign area.")

**Sign, abandoned:** Any sign that no longer serves the functional purpose for which it was originally erected due to physical deterioration.

**Sign base:** The footings, and vertical posts supporting the sign display area.

**Sign, bench:** A sign located on any part of the surface of an outdoor courtesy bench or seat, trash cans, water fountains, bus stop shelters, and similar devices.

**Sign, billboard:** Any permanent freestanding sign used as an outdoor display for making anything known where the total sign display area is larger than 300 square feet.

**Sign, canopy:** A permanent sign affixed to, superimposed upon, hung from or painted on any roof-like structure or awning extended over the sidewalk or a walkway. Often, used in lieu of a wall sign.

**Sign copy:** The linguistic or graphic content, including the trim and borders of a sign.

**Sign, double-faced (back-to-back):** A sign type with two parallel, or nearly parallel display areas, back-to-back, and located not more than 24 inches from each other, where the interior angle formed by the display areas is 60° or less. One display area is designed to be seen from one direction and the other display area from another direction.

**Sign, flashing:** A sign of any type requiring electrical energy, where illumination of the sign by artificial or reflected light is not maintained stationary and constant in intensity for at least ten (10)seconds. Color changes, while in the sign is in use, are included as a flashing sign.

**Sign, freestanding:** Any affixed sign supported by one or more upright poles, columns, braces, or a base placed in or on the ground and is wholly independent of any building for support.

**Sign, ground:** Any permanent freestanding sign with a height that extends not more than three feet above the ground measured from the point of lowest adjacent grade, and the bottom edge of the display area is either attached directly to the ground or not more than one (1) foot above the ground.

**Sign, hand-held:** Any sign carried by a human or human appendage or prosthesis, including a costumed character. A human wearing a T-shirt is not considered a hand-held sign.

**Sign, pole:** A permanent free-standing sign used as an outdoor display having a total sign display area mounted on one or more poles or supports more than three (3) feet above the ground.

**Sign, lighted:** Any sign which is visually enhanced through the use of light emitted directly from or within a display surface (internal), or through the use of indirect light that is cast from a source other than the display area of the sign (external).

**Sign, monument:** A freestanding sign mounted directly upon the ground. Such sign may not be attached to or be a part of or supported by the building in or to which the sign applies.

**Sign, nonconforming:** Any sign that was lawfully erected and maintained prior to the adoption of this ordinance, and which by reason of such adoption fails to conform to all applicable regulations and restrictions of this ordinance.

**Sign, permanent:** Any sign attached securely to a building, or a canopy, or the ground by means of concrete, bolts, metal braces, or wood, and continuing in the same state without essential change to the sign structure.

**Sign, portable:** Also called a mobile sign. Any sign which is 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 is constructed without wheels; or an A or T-frame sign; or any sign generally considered moveable or temporarily attached to the ground, including but not limited to:

Signs designated to be transported by a trailer or wheels;

Signs with wheels removed;

Signs with chassis or support constructed without wheels;

A - or T - frame signs (a self-supporting sign with two faces placed back- to- back on a base (inverted T) or hinged together at the top in such a manner that each face leans toward the other.);

Menu, sandwich or sidewalk-type signs;

Searchlight stands;

Hot-air or gas-filled balloons, or umbrellas;

Signs mounted on or painted on parked cars that are intended as an advertising device;

Banners (except those banners larger than 32 square feet, and attached temporarily to a building or above a public street right-of-way); and

Pennants and streamers.

**Sign, projecting:** A sign which is attached perpendicular to a building and extends 12 inches or more horizontally from the plane of the building wall, but not more than five feet.

**Sign, project/development:** A sign located at any discernible entrance or gateway into a particular residential subdivision, other high-density residential development, or

commercial/industrial park that serves a common or collective purpose for a group of persons or businesses.

**Sign, roof:** Any permanent sign that is attached, or mounted permanently on the roof of a building or which is wholly dependent upon a building for support and which may or may not project above the eave line of a building with a gambrel, gable, or hip roof, the deck line of a building with a mansard roof, or project above the building with a flat roof; roof signs would also include any letters, numbers, or message that would be painted, or equivalent, upon the surface of the roof.

**Sign, sandwich board:** A freestanding temporary sign with no moving parts or lights, no larger than seven (7) square feet total sign size, displayed outside a business during business hours, not intended as permanent business signage.

**Sign, side-by-side:** A permanent structure of two horizontally adjacent signs with their faces orientated in the same direction.

**Sign, stacked:** A permanent structure of two vertically adjacent signs with their faces orientated in the same direction.

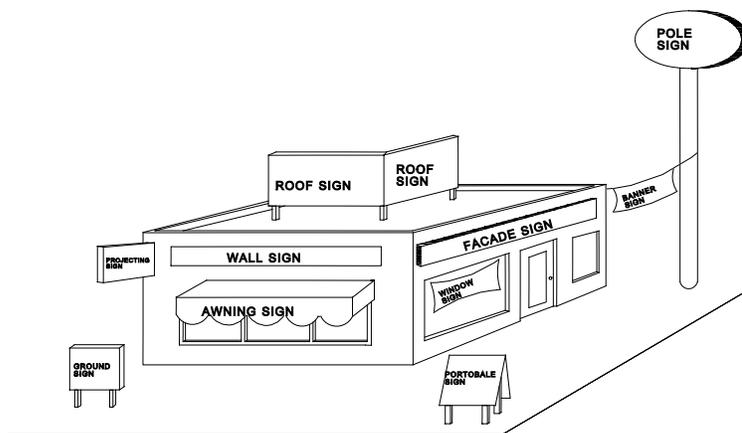
**Sign, temporary:** A sign or advertising display constructed of cloth, canvas, fabric, plastic, plywood, or other light, impermanent material and designed or intended to be displayed for a short period of time.

**Sign, V-shaped:** A structure of two signs in the shape of the letter "V" when viewed from above having their faces oriented in opposite directions at an angle not greater than 90°.

**Sign, wall:** A sign painted or attached parallel to a wall which is an integral part of the building, and which shall project not more than 12 inches from the wall of the building.

**Sign, window:** Any permanent or temporary sign with letters, words, or symbols which are displayed on or attached to the exterior or interior window glass that is part of the structural wall of any building and intended to be viewed from the outside.

**Figure 9-1 Common Sign Types**



## **Section 9.03 Administration and Enforcement**

### **A. Sign permit.**

1. A sign permit is required before a permanent or temporary/special event sign may be erected or attached to, suspended from or supported on a building or structure; and before an existing sign may be enlarged, relocated or materially improved upon to an extent of sixty (60) percent of its total replacement value. All signs using electrical wiring and connections shall require an electrical permit.

2. A sign permit shall be issued by the Community Development Director when the plans, specifications and intended use of the permanent sign or part thereof conform in all respects to the applicable provisions of this ordinance, the city building code, and the requirements of the electrical code as certified by the Community Development Director and a permit fee has been paid by the applicant. The administrative application shall be accompanied by plans or such other information as the Community Development Director may reasonably require in the exercise of his duties. In no event shall the Community Development Director require the applicant to submit the content of the proposed sign as a condition of issuing a permit. Standardized sign plans may be filed with the Community Development Director in fulfillment of this requirement, although site plans to determine the location of a sign shall be filed with each application. The Community Development Director shall process the application and either grant or deny the application within thirty (30) business days from the date of receipt of a complete application and payment of the proper fee. The failure of Community Development Director to timely act on the application shall be deemed a grant of the application.

3. Each permit application shall contain an agreement to indemnify and save the city harmless of all damages, demands or expenses, which may in any manner be caused by the sign(s) or sign structure.

4. The city shall deny permits to applicants that submit applications for signs that either do not comply with the provisions of this ordinance, are incomplete applications or are applications containing false material statements. Should it be determined that a sign permit was erroneously issued, then such permit is void from the time issued. Denial of a permit shall be communicated to the sign applicant in writing by the Community Development Director before the end of the thirty (30) business days established for review of the application and shall state the reasons for denial of the application. For the purposes of this ordinance, the communication may be made by email or facsimile. Alternatively, the city may serve the sign applicant personally with a copy of the written notice of denial within thirty (30) business days after the city's receipt of the application. The sign applicant shall have the right to appeal the denial of a permit to the city's Zoning Board of Appeals by written notice of appeal as provided in **Section 9.07**.

5. A sign permit shall become null and void if the sign for which the permit was issued has not been completed within a period of six (6) months after the date of issuance. No refunds will be made for permit fees paid for permits that expired due to failure to erect a permitted sign. Where a permit has expired for failure to erect the sign and a sign is later desired in the same location, a new application must be processed and another fee paid in accordance with the fee schedule in effect at the time of reapplication.

### **B. Permit fee.**

1. A permit fee shall be paid to the city for each permit required by this ordinance. The fee shall be in accordance to the rate schedule maintained in the office of the Community Development Director. No permit shall be issued until the exact dimensions and area of the sign have been filed with the Community Development Director.

2. Permit fees shall not apply to the ordinary servicing, repainting of existing sign message, cleaning of a sign, nor to changing of advertising on a sign specifically designed for periodic change of message without change in structure.

**C. Construction and Maintenance.**

All signs, together with all their supports, braces, guys, and anchors, shall be kept in constant repair and unless constructed of galvanized or non-corroding metal, shall be periodically given a protective coating. The area immediately in front of all freestanding signs shall be maintained free of high weeds and debris. In addition to the above provisions, the Community Development Director may cause any sign or structure which:

- (a) Is structurally unsafe; or
- (b) Constitutes a hazard to safety or health by reason of inadequate maintenance, dilapidation or abandonment; or
- (c) Is not kept in good repair; or
- (d) Is capable of causing electrical shocks

to be removed following notice of 24-hours to the owner, at the expense of the owner thereof, and to destroy or otherwise dispose of the same.

**Signs that are constructed of degradable material are considered temporary signs, and must be permitted as such.**

**D. Enforcement.**

If any sign is erected or maintained in violation of the provisions of this ordinance, the Community Development Director shall have the power to give the owner thereof written notice of such violation, said notice to include a brief statement of the particulars in which such violation is to be remedied. If a sign has been registered with the Community Development Director, notice to the registered owner or the person or firm receiving the permit shall be sufficient. If a sign has not been registered and the owner is not known, affixing a copy of the notice to the sign, graphic structure, or building for a period of ten days shall be sufficient.

Notwithstanding the foregoing, in the interest of safety, any official or employee of the city shall have the authority to remove and dispose of any sign placed within the public right-of-way without notice to the owner.

If such a violation is not remedied within thirty (30) days after such notice, the owner shall remove the sign immediately or be subject to a One Hundred Dollar (\$100) a day fine for each day the sign remains. If the sign is not removed by the owner, the Community Development Director shall have the right to remove such sign at the expense of the owner thereof and to destroy or otherwise dispose of the same.

**E. New zoning districts.**

If a new zoning district is created after the initial enactment of this ordinance or subsequent amendment, no signs shall be permitted therein until this ordinance shall be amended to include such zone district.

## **Section 9.04 General Requirements**

**A. Applicability.** The location of signs shall conform to applicable state law. In general, all signs shall be located on private property. No sign shall be permitted within any street or road right-of-way. It shall be unlawful to erect or place any sign that does not conform to the requirement of this ordinance or as otherwise provided for nonconforming signs by this ordinance. The requirements of this ordinance shall apply to all signs that are visible from a street, public right-of-way, or property in public ownership, regardless of zoning district.

### **B. Measuring Signs.**

**Display area.** See definition for display area in **Section 9.02** of this ordinance. The display area is measured geometrically in square feet, and is the area within the smallest regular geometric shape that contains the entire sign copy. The maximum allowed sign size of this ordinance requires the summation of multiple display areas mounted on any sign structure that are readable from a single direction.

**Height of signs.** The following height requirements shall be applicable to signs located in non-residential zoning districts:

1. Monument signs shall not exceed the height allowed for the respective zoning district.
2. The height of a sign shall be measured from the ground, excluding berms, filling, mounding or excavations, at the base of the sign, or from the grade level of the adjacent street or highway centerline, whichever is higher, to the top of highest attached component of the sign. In cases where the normal grade cannot reasonably be determined due to multiple levels of the building or topography, the sign height shall be computed on the assumption that the elevation of the normal grade at the base of the sign is equal to the elevation of the nearest point of the crown of a public street or grade of the land at the principal entrance to the principal structure on the lot, whichever is lower. Where topography, neighboring buildings or existing landscaping would obscure a sign from the adjoining street, the applicant may request a variance in conformance with **Section 9.07**.

### **C. Setbacks.**

1. For the purposes of this ordinance, the setback requirements reference the minimum distance from a street right-of-way line required for the placement of a sign structure. For side or rear line setbacks in all zone districts, a sign structure shall comply with a minimum setback of ten (10) feet from the property line, but in no case shall the sign structure be placed on or the sign display area extend across any property line, required buffer, or over a public right-of-way.

### **D. Lighting restrictions.**

The light from illuminated signs 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 signs shall be constructed or maintained within fifty (50) feet of any dwelling within a residential district.

**E. Special restrictions.**

It shall be unlawful to post any signs or advertisements on any building, fence, or property belonging to another without the written consent of the owner thereof. Such consent shall be exhibited to the code enforcement officer on demand by the person erecting, constructing, or maintaining the sign.

Rotating signs which include a standard sign rotating device designated to rotate at a rate of less than six (6) revolutions per minutes shall be permitted within all nonresidential districts.

Signs may be mounted back to back when they share the same structure and only one side (the larger side if of unequal dimensions) shall be considered in computing the display area dimensions.

**F. Corner visibility clearance.**

In any district, no sign or sign structure (above a height of four feet) shall be maintained within twenty-five (25) feet of the intersection of the right-of-way lines of two streets, or of a street intersection with a railroad right-of-way (sight triangle). However, a sign structure (example: pole support) not more than ten inches in diameter, if located on a corner lot where services are provided to the motoring public, may be located within the required corner visibility area if all other requirements of this article are met and the lowest elevation of the sign face is at least ten feet above the ground level.

**Section 9.05 Appeals**

**A. Procedure.** An applicant whose permit application has been denied or a permittee who alleges that there is error in any order, requirement, decision, or determination made by the Community Development Director or any other administrative official in connection with the enforcement of this ordinance, may appeal the decision to the City of Villa Rica Board of Zoning Appeals. Any such appeal shall be governed by and in accordance with the procedures set forth in the city's zoning ordinance.

**B. Powers.** The Zoning Board of Appeals shall have the power to reverse or amend the decision of the Community Development Director, and/or authorize a variance from the strict application of this ordinance where such application will result in practical difficulties or unnecessary hardships to the person owning or having the beneficial use of the property or sign for which the variance is sought.

**C. Application of the variance power.** A variance may be allowed by the Zoning Board of Appeals only in cases involving practical difficulties or unnecessary hardships when the evidence in the official record of the appeal supports all the following affirmative findings:

1. That the alleged hardships or practical difficulties or both, are exceptional and peculiar to the property of the person requesting the variance, and result from conditions which do not exist generally throughout the city.

2. That the alleged hardships and practical difficulties, or both, which will result from a failure to grant the variance, include substantially more than mere inconvenience, inability to attain a higher financial return, or both.

3. That allowing the variance will result in substantial justice being done:

- (a) Considering the public benefits intended to be secured by this ordinance;
- (b) The individual hardships that will be suffered by a failure of the board to grant a variance; and
- (c) The rights of others whose property would be affected by the allowance of the variance.

4. That the requested variance is the minimum variance necessary to allow the applicant to enjoy the rights commonly enjoyed by others similarly situated.

5. That granting of the variance would not violate more than one standard of this ordinance. The above findings of fact shall be made by the board of appeals, which is not empowered to grant a variance without an affirmative finding of fact on the categories above. Every finding of fact shall be supported in the record of the proceedings of the board.

Nothing contained herein shall be construed to empower the board of appeals to change the terms of this ordinance or to add to the uses permitted in any district.

## **Section 9.06 Regulation of Signs**

The following provisions apply to all uses in all zone districts except as may be specified elsewhere in this ordinance.

### **A. Prohibited Signs.**

The following signs types are prohibited throughout the City of Villa Rica in all zone districts and all historic districts:

Window signs which exceed 30% of the window area.

Portable signs.

Billboards signs except in the interstate corridors.

Roof signs.

Flashing signs.

Bench signs.

Abandoned signs.

Lighted, neon or luminous signs giving off light resulting in glare, blinding, or any other such adverse effect on traffic shall not be erected or maintained.

A sign which simulates an official traffic control or warning sign in such a manner as to confuse or mislead the traffic, or hide from view any traffic or street sign or signal.

Signs which emit or use in any manner any sound capable of being detected by a person with normal hearing that is moving as a pedestrian or within a motor vehicle along any road or highway.

Signs on public right-of-way.

Signs erected, maintained, affixed, painted, drawn on any tree, rock, or other natural feature. It shall also be unlawful to post signs, upon any utility or telephone poles and traffic control devices.

No sign shall be erected or maintained which obstructs any fire escape, any means of ingress/egress or ventilation, or which prevents free passage from one part of a roof to any other part thereof; nor shall any sign be attached in any form shape or manner to a fire escape. Animated signs that change sign copy more frequently than ten (10) second intervals. Signs that violate the building codes or electrical code of the city. Signs that contain words, pictures, or statements that are obscene as defined by O.C.G.A. § 16-12-80.

## **B. Permanent Signs.**

The following sign types require the issuance of permits unless otherwise stated by this ordinance:

**Freestanding signs.** Such signs shall only be located on property in multi-family residential, commercial, or industrially zoned areas, unless otherwise stated. The display area of such signs shall not extend over a public right-of-way line or property line. Signs with any portion of the display area less than ten (10) feet above ground level must be erected at least ten (10) feet from the right-of-way line.

**Ground signs.** Allowed in multi-family residential, commercial, and industrial zone districts, a ground sign is a freestanding sign, provided that it does not exceed three (3) feet in height, and is no bigger than thirty-six (36) square feet in area, measured on one side only. Ground signs must be set back at least five (5) feet from the public right-of-way.

**Wall.** Wall signs (including signs attached flat against the wall and painted wall signs) shall be securely fastened by metal supports to the building surface along the sign's greatest dimension. They may project from the building twelve (12) inches, provided that, if they project more than four inches from the building surface, they shall maintain a clear height of eight (8) feet above the ground level. Wall signs may not extend more than four (4) feet above the parapet wall. A wall sign may be permitted on an existing building that does not meet the setback requirement provided that the sign meets all other requirements of this section and is not located within the right-of-way.

**Signs on the facades of the building.** Except, as otherwise provided below, the total aggregate area of wall signs on the exterior front surface of a business premise shall not exceed 10 (ten) percent of front surface of the business or three hundred (300) square feet, whichever is less. The total aggregate area of wall signs on a side or rear surface of a business premise shall not exceed 25 percent of the exterior side or rear surface of the business respectively or 300 square feet, whichever is less.

**Larger buildings.** A nonresidential building containing an area of 50,000 square feet, or more, may have multiple wall signs on any facade of the building, not exceeding ten percent of any facade, but the total number of such signs count as one allowable sign per facade.

**Window signs.** The aggregate sign area (permanent and/or temporary window signs) for each ground level window shall not exceed 30 (thirty) percent of the window area. Window signs on or above the second floor are prohibited except when a business has no ground floor frontage, then, in such event the provisions of this subsection shall apply.

**Projecting signs.** Projecting signs shall be securely fastened by metal supports to the building surface along the sign's greatest dimension. They may project from the building wall no more

than five feet to the outside edge of the sign. Projecting signs are not permitted at the intersection of corners, except at right angles to the building front, unless otherwise authorized by this ordinance.

The maximum size of a projecting sign is forty (40) square feet in commercial and industrial zone districts where such signs are allowed; however, in the downtown historic district the maximum size is limited to six (6) square feet. In commercial zoning districts, projecting signs may overhang the right-of-way as long as a clear height of eight (8) feet is maintained above the ground, a sidewalk, or pedestrian walkway. Projecting signs are prohibited on all residentially used and zoned properties.

**C. Canopy signs.** Such signs shall not exceed eight (8) square feet in size and shall be not less than eight (8) feet above the ground at the lowest extremity of the sign.

**D. Temporary Signs.** Signage may periodically be needed for a short duration rather than permanent usage. To avoid the unfettered proliferation of signage that could easily contribute to litter and blight to the detriment of property values and business opportunity in all zone districts, the city finds it necessary to manage such signage with the issuance of permits that are tied to a prescribed set of rules for the various signs that may fall in this particular category. These signs shall not be erected within the public right-of-way and shall be located on private property with the permission of the property owner. Only one permit shall be issued to cover all temporary signs. The maximum number of temporary permits to be issued to a single parcel in a multi-family, commercial, or industrial district shall be four (4) per year for a period of time not to exceed 30 (thirty) days for each permit issued. No more than one temporary permit shall be issued per calendar quarter per applicant. Banners are allowable as temporary signs.

**E. Handheld signs.** Hand-held signs shall be allowed in commercial or industrial districts with the following restrictions:

1. No more than two (2) hand-held signs per business.
2. The maximum area of a hand-held sign shall be six (6) square feet.
3. Hand-held signs and costumed characters shall, if possible, be located on a public sidewalk in close proximity to the establishment. If no sidewalk is available, then hand-held signs or costumed characters shall be located in grassy or non-traffic areas, but no closer than six (6) feet to any active land of vehicular traffic.
4. If the Chief of Police or his designee shall deem the placement of hand-held signs or costumed characters to be a hazard to traffic or the sign holders, a warning shall be issued to the establishment.

**F. Signs Exempt From Permit Requirements.**

The following types of signs shall be exempt from the permit requirements of this ordinance. Exemption from these sign regulations does not exempt property owners from duties and responsibilities established by private deed restrictions or covenants.

- (a) Freestanding sign, having a sign area of less than 15 square feet, provided it is not located in the public right-of-way, does not block vehicle sight visibility, does not exceed three feet in height.

(b) Temporary window sign, provided, however, the aggregate sign area (permanent and/or temporary window signs) shall not exceed thirty (30) percent of the available window space.

(c) Seasonal displays located outside of the public right-of-way that are erected for a maximum period of 30 (thirty) days no more than twice a year.

(d) Flagpoles in residential zoned districts shall not exceed 25 (twenty-five) feet in height or the height of the primary structure, whichever is less. Flagpoles in commercial or industrial zoned districts shall not exceed sixty (60) feet in height. The dimensions of any flag shall be proportional to the flagpole height such that the hoist side of the flag shall not exceed fifty (50) percent of the vertical height.

## **G. Use of Signs by Zone Districts.**

### **1. Residential districts.**

(a) Platted residential subdivisions may erect one (1) monument sign at each entrance to the subdivision. Such sign shall not exceed a height of five (5) feet above the grade level of the centerline of the adjacent street and shall not have a sign area greater than twenty-five (25) square feet.

(b) Other than subdivision entrance signs allowed under subsection (a) above, parcels located in residential zoning districts shall not contain signs having an aggregate sign area greater than fifteen (15) square feet. No individual sign shall exceed six (6) square feet in sign area in a residential zoning district. Signs having a height of greater than six (6) feet above the grade level of the centerline of the adjacent street to which the parcel on which the sign is located shall not be located in residential zoning districts.

### **2. Commercial/Industrial Districts.**

(a) Parcels may contain more than one freestanding sign, provided that:

(1) Unless otherwise stated in this ordinance, parcels exceeding three (3) acres shall be allowed a maximum aggregate sign area of three hundred (300) square feet for the entire parcel, but no single sign shall have a display area exceeding two hundred (200) square feet.

(2) Unless otherwise stated in this ordinance, parcels less than three (3) acres but greater than thirty thousand (30,000) square feet shall be allowed a maximum aggregate sign area of one hundred eighty (180) square feet for the entire parcel.

(3) Unless otherwise stated in this ordinance, parcels less than thirty thousand (30,000) square feet in size shall be allowed a maximum aggregate sign area of one hundred (100) square feet for the entire parcel.

(4) These limits shall include the area of all freestanding signs on the parcel.

(b) Residential uses in the commercial and industrial districts shall comply with the signage requirements of **Section 9.04(E)(1)**.

## **H. Billboard Signs.**

1. Billboard signs are allowed on commercial or industrial zoned parcels within the interstate corridor as provided herein.
2. The display area and trim of a billboard sign shall not exceed fourteen (14) feet in height and forty-eight (48) feet in length or a display area in excess of six hundred (600) square feet. Billboard signs shall not be placed side-by-side or stacked. Not more than three (3) billboard signs shall be permitted per quadrant of any interchange adjacent to the interstate highway.
3. All billboard signs shall be a minimum of ten (10) feet above adjacent interstate highway pavement measuring from the lower portion of the sign face. Billboard signs shall not extend more than forty (40) feet in height above the adjacent ground.
4. Two (2) signs in the same location (back-to-back or "V" formation) shall be the same height above the interstate highway surface.
5. Sign structures shall be not less than ten feet from any property or right-of-way line and shall be spaced a minimum of five hundred (500) feet apart measured on the same side of the roadway.

## **Section 9.07 Master or Common Signage Plan**

**A. Purpose.** The purpose of a master signage plan is to ensure that signage for multi-tenant properties is coordinated and consistent with the standards of this code.

**B. Applicability.** All applications for new construction or reconstruction of shopping centers, business and industrial parks and other multi-tenant developments shall be accompanied by a master signage or common signage plan or amendments thereto. The owner of the property shall be responsible for allocating sign area to tenants of the property. The plan shall be approved the Community Development Director or his designee.

**C. Master Signage Plan Contents.** Any site plan application for applicable development projects shall include a master signage plan, signed by the property owners or their authorized agents, that includes the following information:

1. Plot lot plan at scale;
2. Location of buildings, parking lots, driveways and landscaped areas;
3. Computation of the total frontage of the lot, parcel or tract and maximum total sign area, maximum area of individual signs, heights of signs, and number of pole/post signs;
4. Location and placement of all signs;
5. Setbacks and sign dimensions; and
6. Landscaping and other site improvements to be coordinated with the sign placement.

**D. Sign Area Bonus for Master Signage Plans.** The maximum total sign area allowed for a multi-tenant development may be increased by ten (10) percent if the Master Signage Plan demonstrates the use of uniform wall signage, graphics, lettering, sizes, colors, materials, and placement. The plan may provide for design variations for colors and lettering that are part of a corporate logo or identification scheme. A single menu sign that incorporates and coordinates with these methods of signage shall be used rather than multiple signs for the property.

## Section 9.08 Sign Standards by Highway Corridor

**A. Purpose.** The purpose of this section is to allow for an increase sign height and display area for mixed use, commercial and/or industrial developments along the described highway corridor. These corridor standards shall supersede any regulations by zoning district except the Downtown Overlay.

**B. Highway 61 Corridor.** The location of the corridor shall be from the intersection of U.S. Highway 78 and S.R. 61 south to the city limits. A development must have road frontage along Highway 61 or frontage road to be considered in this corridor.

**1. Height.** Monument signs shall be no taller than twenty-five (25) feet in height, measured from the level of the crown of the adjacent road to the highest point on the sign structure.

**2. Setback.** Signs shall be setback at least ten (10) feet from any property line.

**3. Display Area:**

Single developments – maximum 100 square feet.

Multi-tenant developments with less than three (3) suites/units – maximum 125 square feet.

Multi-tenant developments with more than three (3) suites/units – maximum 200 square feet.

**C. Highway 78 Corridor.** The location of the corridor shall be along Highway 78 in the City Limits of Villa Rica, excluding the downtown overlay district. A development must have road frontage along Highway 78 to be considered within this corridor.

**1. Height.** Monument signs shall be no taller than ten (10) feet in height, measured from the level of the crown of the adjacent road to the highest point on the sign structure.

**2. Setback.** Signs shall be setback at least ten (10) feet from any property line.

**3. Display Area:**

Single developments – maximum 75 square feet.

Multi-tenant developments with less than three (3) suites/units – maximum 100 square feet

Multi-tenant developments with more than three (3) suites/units – maximum 150 square feet

## Section 9.09 Sandwich Boards

One (1) sandwich board sign is allowed per business, per street frontage, as follows. No permit is required for sandwich boards.

A. Signs may be placed on a sidewalk directly in front of the associated establishment. The sign shall be placed on that part of the sidewalk closest to the associated use and the nearest part of the sign structure shall not be separated by more than two (2) feet from the wall of the building.

B. The sign must be placed so as not to interfere with or obstruct pedestrian or vehicular traffic and shall be in compliance with the City Code; however, in any event, a minimum of five (5) feet of passage must be maintained on the sidewalk between the street and the sign.

C. Signs may not be anchored to the sidewalk, or attached or chained to poles, newspaper vending boxes, or other structures or appurtenances.

D. Any sandwich board sign shall not exceed two linear feet in width, with a maximum height of forty-two (42) inches. Within these specified maximum dimensions, creative shapes that reflect the theme of the business are encouraged (i.e., ice cream shops might display a sign in the shape of an ice cream cone).

E. The sign shall be constructed of materials that present a finished appearance. Rough-cut plywood is not acceptable. The sign frame shall be painted or stained wood or anodized aluminum or metal. Plastic framed signs are prohibited. Stenciled or spray painted signs are prohibited. Windblown devices, including balloons, may not be attached or otherwise made part of the sign. The sign lettering should be professionally painted or applied; a "graffiti" look with hand painted or paint stenciled letters is not acceptable, however, chalkboard signs shall be permitted. The written message of the sign should be kept to the minimum necessary to communicate the name of the business or a special message of the business. Lettering on the sign shall be small enough to not be legible from automobile traffic on the street.

F. Lighting and Display Hours. Sandwich boards may not be illuminated. The sign shall be removed at the end of the business day and will only be displayed during regular business hours. Sandwich boards must be weighted down or removed if winds gust to 20 m.p.h.

## **Section 9.10 Historic District Signage**

This article applies only to historic districts officially designated by the mayor and council, now and in the future. The mayor and council have determined that the historical, cultural and aesthetic heritage of the city is among its most valued and important assets. In order to protect and preserve the historic districts of the city it is necessary to enact special regulations exclusively for said historic districts.

### **A. General Regulations.**

1. All definitions and other matters relating to signs as contained in other existing city ordinances shall remain in full force and effect to the extent that they are consistent with this ordinance. Restrictions and regulations specified under article IV of this ordinance apply within historic districts unless specific exceptions are made for the historic district.

2. Any sign for a new business in a historic district may be approved by staff following the Commercial Design Guidelines adopted by the Villa Rica City Council on October 10, 2012. Any sign revision proposed within a historic district is subject to design review by the Historic Preservation Commission as described in the Villa Rica Historic Preservation Ordinance.

3. Compatibility of signage with building architecture. Signage shall not be allowed to obscure any significant architectural details of a building face, nor shall a wall sign be allowed to cover existing windows.

4. Variances and appeals procedures. Sign-related appeals of negative findings by city staff or the Historic Preservation Commission will be exempt from the appeals procedure described in the city's historic preservation ordinance. The city's Zoning Board of Appeals will hear all sign related appeals. Appeals of negative findings by the Historic Preservation Commission must be filed in writing with both the Historic Preservation Commission and the Zoning Board of Appeals no later than 15 (fifteen) days after the Historic Preservation Commission mails the applicant a written notice stating that his application for a certification of appropriateness has been denied.

## **B. Types of Permitted Signs in Historic Districts.**

**1. Canopy and wall signs.** The maximum combined square footage of wall and canopy signs placed on the facade of a building by any business will be one hundred fifty (150) square feet for one or two story building and two hundred (200) square feet for buildings of three (3) stories or more, or ten percent (10%) of the building facade area, whichever is less.

For each business occupying an entire building, the sign area of any wall sign or canopy sign (or any combination of wall and canopy signs) placed on a building facade may not exceed ten (10) percent of the building facade area. The "building facade area" is calculated by multiplying the height of the facade by the width of the facade and subtracting the area devoted to windows.

For any building which houses multiple businesses, the "building facade area" used to calculate maximum size of wall and canopy signs allowed for each business will be defined as the individual business's linear frontage (on the primary facade) less the area of any window glass, times the height of the building as measured at its highest point above the business's frontage.

**2. Window signs.** For a ground level business, fifteen (15) percent of the total window area parallel to the street may be used as one of the allowable signs. No single window may be covered in excess of thirty (30) percent. Window signs on or above the second floor are prohibited except when a business has no ground floor frontage.

Window signs on the second floor will be limited to identification and instructional signs which cover no more than fifteen (15) percent of the entire window area above the ground floor and no more than thirty percent (30%) of any one window.

**3. Ground signs.** In zoning districts that allow freestanding signs, a ground sign may be used provided that the following additional restrictions apply to ground signs within historic districts:

- (1) Not internally illuminated;
- (2) Constructed of materials consistent with the building architecture.

**4. Illuminated signs.** Except in residential zoning districts, signs may be illuminated internally or with indirect lighting provided that indirect light sources are shielded from other buildings and do not create glare or visual discomfort to pedestrians at street level. Neon window and wall signs are permitted as long as they conform to the restrictions listed under **Section 5.3-6.**

**5. Projecting signs.** Projecting signs shall be allowed in the downtown historic district provided such signs are in compliance with the following criteria:

(1) Only one projecting sign shall be allowed per business, except for a business occupying a corner lot; and only one projecting sign shall be allowed when two or more businesses share a single entrance door. The business on the corner lot shall not have more than one projecting sign on any building wall.

(2) The projecting sign shall be installed over the primary entrance door or adjacent to the doorway or windows. The community development director shall take into account the architectural and structural elements in determining the optimal sign location.

(3) A projecting sign shall be installed perpendicular to the building facade. For a business on a corner, a projecting sign may be installed on the corner at a forty-five (45) degree angle to each building facade and such sign shall count as two of the allowed four signs for a corner business. Only one 45-degree projecting sign shall be allowed per corner.

(4) The display area of a projecting sign shall not exceed six square feet, including the frame, and the horizontal dimension of the display area shall not exceed three feet.

(5) The distance from the building wall to the innermost edge of the projecting sign shall not exceed 12 inches. The distance from the ground to the lower edge of the projecting sign shall be a minimum of eight feet over the sidewalk or pedestrian walkway and a minimum of 13 feet over a street, alley, or driveway. The height of the top edge of the sign shall not exceed the height of the wall from which the sign projects if attached to a single-story building, or the height of the sill or bottom of any second story window if attached to a multi-story building.

(6) A projecting sign shall be externally lighted only; however, internal lighting is acceptable if such lighting is limited to the sign copy only. (Example: neon, silhouette/backlighting, or individual lighted letters)

## **6. Prohibited Signs in Historic Districts.**

The following sign types are prohibited in the historic districts:

**A. Painted signs.** Signs painted directly onto retaining walls, fences, roofs, or building facades or walls are prohibited unless otherwise approved by the Historic Preservation Commission.

**B. Freestanding signs.** All freestanding signs in the downtown historic district shall comply with **Section 9.04(B)**.

## **Section 9.11 Nonconforming Uses**

Except, as otherwise provided in this ordinance, all signs shall be subject to the provisions below, governing nonconforming uses. Such provisions, however, shall not be construed to prevent a legally operating nonconforming use from using signs otherwise permitted for similar conforming uses.

### **A. Continuance of nonconforming uses.**

The lawful use of land area or sign structure existing at the time of enactment of or subsequent amendment to this ordinance may be continued subject to the following restrictions even

though such use does not conform to the provisions of this ordinance. Existing nonconforming sign structures shall not be:

- (1) Changed to another nonconforming sign;
- (2) Torn down and rebuilt or moved and rebuilt as a nonconforming sign;
- (3) Extended or enlarged; or
- (4) Rebuilt, altered, or repaired after damage exceeding 50 percent of the fair market value of the improvements, except when changed conditions beyond the control of the owner render the sign nonconforming or warrant the sign's repair.

For the purpose of administration of this provision ordinary maintenance of a sign is not deemed to be or constitute an extension or enlargement of the sign; and changing the face of the sign is not deemed a change prohibited by this section.

Existing signs which conform to the provisions of this ordinance that would be required to obtain a permit under the regulations of this ordinance shall, upon request, register with the city within ninety (90) days of the effective date of this ordinance. The information provided for registration will be the same information required in a permit application under **Section 9.08**. No permit fee will be required for the registration of existing signs.

**B. Deterioration.** Nonconforming signs which have been allowed to deteriorate so as to constitute either an aesthetic nuisance or a safety hazard are subject to removal pursuant to article VIII of this ordinance. A sign shall be deemed to be deteriorated if the paint on its face is faded, cracked or peeling, if removable letters on the changeable copy board are missing or in disarray, if plastic panels are missing, broken or stained, if the sign face or its supporting frame work is rusty or in need of paint, if the area surrounding the sign base is not maintained and kept free of weeds and debris, or if the sign is in need of structural repair.

**C. Abandonment.** Nonconforming signs which have been abandoned, shall be removed in their entirety by the record owner of the building or the person who obtained the sign license, whichever owns the sign or portion thereof, within 90 days after the business using the sign closes or ceases to operate on the premises where the sign is located.

**D. Relocation of existing nonconforming sign.** Notwithstanding the limitation on existing nonconforming sign structures set out in Section 9.06 of this article, the mayor and council are authorized to permit an existing nonconforming sign structure to be relocated and rebuilt upon the same or contiguous parcel if the mayor and council determine that such relocation would:

1. Enhance the aesthetic value, economic value, or future development potential of the effected property;
2. Not increase any dimension of the original existing nonconforming sign structure;
3. Not require any extension to the then-existing lease term, if any, of the nonconforming sign structure; and
4. Not violate applicable zoning restrictions or permitting requirements.

## **Section 9.12 Adoption and Amendments**

### **A. Public hearing.**

Before enacting an amendment to this ordinance, the planning commission of the City of Villa Rica, Georgia, shall hold a public hearing thereon, and at least 15 days' notice of the date, time, place, and purpose shall be published in the legal organ of the City of Villa Rica, Georgia.

**B. Presentment to mayor and council.**

After the expiration of the thirty (30) day period within which the planning commission must act, the mayor and council may proceed to final action on the adoption or subsequent amendment.

**Section 9.13 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 article, which shall remain in full force and effect as if such portion so declared or adjudged unconstitutional were not originally part of this article. The City Council declares that it would have enacted the remaining parts of this article if it had known that such portion thereof would be declared or adjudged invalid or unconstitutional.

**Section 9.14 Effective Date**

The effective date of this ordinance shall be April 5, 2016. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

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J. Allen Collins, Mayor