



AGENDA

Gainesville Mayor/Council Meeting
Tuesday, February 7, 2017, 5:30 PM
Public Safety Complex (Gainesville Justice Center)
Municipal Court Room, 701 Queen City Parkway
Mayor or Mayor Pro Tem Presides

INVOCATION:

PLEDGE OF ALLEGIANCE:

PRESENTATION(S):

- A. 2016 Fire Department Awards

COUNCIL ANNOUNCEMENTS:

PUBLIC COMMENTS: (20 minutes maximum)

CONSENT AGENDA:

Appointments

- A. Friends of the Parks
- Position held by Ken Crenshaw
 - Position held by Casey Cochran (*reappointment*)

Minutes

- A. January 5, 2017 Work Session
- B. January 10, 2017 Mayor/Council Meeting

PUBLIC HEARING(S):

Annexation/Zoning Items

- A. Request from the **City of Gainesville** to amend Article 9-18 of the Unified Land Development Code for the City of Gainesville, Georgia. The proposed amendment will repeal and replace Article 9-18 entitled "Sign Regulations" with a new Article 9-18 entitled "Signs and Advertising Devices."
- B. Request from **Rainmaker & Associates** to rename Touchdown Drive, located between Pearl Nix Parkway and Century Place, to Deshaun Watson Drive. **Ward Number: Five. Request: Road name change.**

CITY MANAGER ISSUES:

CITY ATTORNEY ISSUES:

CITY CLERK ISSUES:

EXECUTIVE SESSION:

ADJOURNMENT:

Final: Friday, February 3, 2017, 8:33 AM

CITY OF GAINESVILLE

COUNCIL AGENDA REQUEST

Date Submitted: 1/31/2017
Presenter: Jerome Yarbrough
Item of Business: 2016 Fire Department Awards
Meeting Date: 2/7/2017

Purpose of Request:

The Gainesville Fire Department would like to present the following awards:

Life Saving Award - Engine 24 C Shift Crew FF James Campbell, FF Alan Payne and Firefighter Tim Simmons

Life Saving Award – B Shift Station One Crew BC Dale Yarck, Lt. Kris Dale, FF Robby Buffington, FF Jake Brice, FF Justin Cohen and FF Ryan Deaton.

Fire Officer of the Year Award – Captain Doug Pruitt

Firefighter of the Year - Firefighter Zach Segars

Rookie of the Year - Firefighter Cody Rountree

History/Background:

Each person was selected for the outstanding award in the field that they are currently in.

Facts & Issues for Consideration:

We feel that each person deserves recognition for the outstanding work that they have demonstrated.

Department Recommendation:

We recommend that this become a yearly practice for appreciation for efforts put forth above and beyond the call of duty.

Department Director:

Jerome Yarbrough

If funding is involved, are funds approved within the current budget?

N/A

Amount Requested:

0

Source of Funds:

N/A

Finance Comments:

Administrative Comments:

ATTACHMENTS:

Description	Type
▣ Life Safety Award C Shift E 24 Crew	Backup Material
▣ Life Safety Award B Shift Station One	Backup Material
▣ Fire Officer of the Year - Doug Pruitt	Backup Material
▣ Firefighter of the Year - Zach Segars	Backup Material
▣ Rookie Firefighter of the Year - Cody Rountree	Backup Material

GAINESVILLE FIRE DEPARTMENT

City of Gainesville

C-Shift Engine 24 Crew

FFIII/EMT James Campbell

HAS BEEN CHOSEN AS THE RECIPIENT OF THE

Life Saving Award

The Life Saving Award is awarded to Firefighters for performance, above and beyond, the call of duty at extreme personal risk and having been instrumental in rescuing and saving another person's life.


Fire Chief Jerome Yarbrough
Gainesville Fire Department

1 / 31 / 17
Date

GAINESVILLE FIRE DEPARTMENT

City of Gainesville

C-Shift Engine 24 Crew

FFIII/EMT Alan Payne

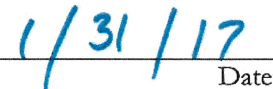
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Fire Chief Jerome Yarbrough
Gainesville Fire Department



Date

GAINESVILLE FIRE DEPARTMENT

City of Gainesville

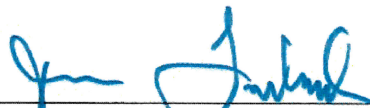
C-Shift Engine 24 Crew

FFII Tim Simmons

HAS BEEN CHOSEN AS THE RECIPIENT OF THE

Life Saving Award

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Fire Chief Jerome Yarbrough
Gainesville Fire Department

1/31/17
Date

GAINESVILLE FIRE DEPARTMENT

City of Gainesville

B-Shift Station One

Battalion Chief/EMT Dale Yarck

HAS BEEN CHOSEN AS THE RECIPIENT OF THE

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Fire Chief Jerome Yarbrough
Gainesville Fire Department

1 / 31 / 17
Date

GAINESVILLE FIRE DEPARTMENT

City of Gainesville

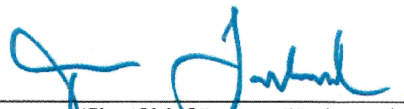
B-Shift Station One

Lt./EMT Kris Dale

HAS BEEN CHOSEN AS THE RECIPIENT OF THE

Life Saving Award

The Life Saving Award is awarded to Firefighters for performance, above and beyond, the call of duty at extreme personal risk and having been instrumental in rescuing and saving another person's life.



Fire Chief Jerome Yarbrough
Gainesville Fire Department

1/31/17

Date

GAINESVILLE FIRE DEPARTMENT

City of Gainesville

B-Shift Station One

FFIII/EMT Robby Buffington

HAS BEEN CHOSEN AS THE RECIPIENT OF THE

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Fire Chief Jerome Yarbrough
Gainesville Fire Department

1/31/17
Date

GAINESVILLE FIRE DEPARTMENT

City of Gainesville

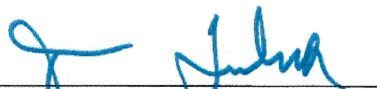
B-Shift Station One

FFII/EMT Jake Brice

HAS BEEN CHOSEN AS THE RECIPIENT OF THE

Life Saving Award

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Fire Chief Jerome Yarbrough
Gainesville Fire Department

1 / 31 / 17

Date

GAINESVILLE FIRE DEPARTMENT

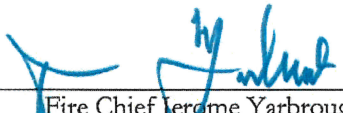
City of Gainesville

B-Shift Station One
FFII/EMT Justin Cohen

HAS BEEN CHOSEN AS THE RECIPIENT OF THE

Life Saving Award

The Life Saving Award is awarded to Firefighters for performance, above and beyond, the call of duty at extreme personal risk and having been instrumental in rescuing and saving another person's life.



Fire Chief Jerome Yarbrough
Gainesville Fire Department

1/31/17

Date

GAINESVILLE FIRE DEPARTMENT

City of Gainesville

B-Shift Station One

FFII/EMT Ryan Deaton

HAS BEEN CHOSEN AS THE RECIPIENT OF THE

Life Saving Award

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Fire Chief Jerome Yarbrough
Gainesville Fire Department

1/31/17

Date

GAINESVILLE FIRE DEPARTMENT

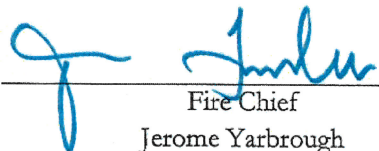
City of Gainesville

Capt./EMT-P Doug Pruitt

HAS BEEN CHOSEN AS

Fire Officer of the Year

This Award is given annually to a Fire Officer that demonstrates exceptional courage and devotion to duty while acting on behalf of the Department. The Fire Officer of the Year Award is to honor a well-rounded Fire Officer who has exceeded, above and beyond, the duty requirements expected of his/her position and has demonstrated a distinct pattern of Community Service coupled with Professional Achievement.



Fire Chief
Jerome Yarbrough
Gainesville Fire Department

1/31/17

Date

GAINESVILLE FIRE DEPARTMENT

City of Gainesville

FFIII/EMT Zach Segars

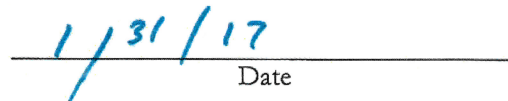
HAS BEEN CHOSEN AS

Firefighter of the Year

This Award is given annually to a well-rounded Firefighter who has exceeded, above and beyond, the duty requirements expected of his/her position and has demonstrated a distinct pattern of Community Service coupled with Professional Achievement.



Fire Chief
Jerome Yarbrough
Gainesville Fire Department



Date

GAINESVILLE FIRE DEPARTMENT

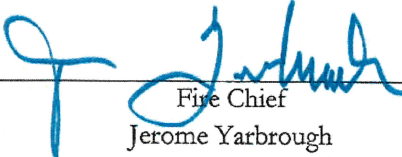
City of Gainesville

FFI/EMT Cody Rountree

HAS BEEN CHOSEN AS

Rookie of the Year

The Rookie Firefighter of the Year Award is to honor a well-rounded Firefighter who has exceeded, above and beyond, the duty requirements expected of his/her position and has demonstrated a distinct pattern of Community Service coupled with Professional Achievement.



Fire Chief
Jerome Yarbrough
Gainesville Fire Department

1/31/17

Date

CITY OF GAINESVILLE

COUNCIL AGENDA REQUEST

Date Submitted: 2/2/2017

Presenter:

Item of Business: Consent Agenda Items

Meeting Date: 2/7/2017

Purpose of Request:

The following appointments, minutes and/or resolutions are being considered under the Consent Agenda Section. These items were previously distributed for review and/or discussed. Unless otherwise directed by Mayor and Council, they will not be discussed during this meeting.

If you have questions regarding these documents, please feel free to contact the City Clerk's Office during normal business hours (Monday through Friday from 8:00 AM to 5:00 PM) at 770-535-6865 or via email to cityclerk@gainesville.org.

History/Background:

Facts & Issues for Consideration:

Department Recommendation:

Department Director:

If funding is involved, are funds approved within the current budget?

Amount Requested:

Source of Funds:

Finance Comments:

Administrative Comments:

CITY OF GAINESVILLE

COUNCIL AGENDA REQUEST

Date Submitted: 1/27/2017

Presenter: Danny Dunagan

Item of Business: Friends of the Parks

- Position held by Ken Crenshaw
- Position held by Casey Cochran (*reappointment*)

Meeting Date: 2/7/2017

Purpose of Request:

The purpose of this request is to address appointments that will expire soon.

History/Background:

FOP members serve three-year terms and are limited to serving two consecutive terms. They follow the guidelines of the City Charter and the Code of Ordinances.

Facts & Issues for Consideration:

There are two positions to address.

These appointments were discussed during the February 2, 2017 Work Session at which time the Mayor nominated Chris Morgan to replace Ken Crenshaw and nominated Casey Cochran for reappointment.

Department Recommendation:

Accept the nominations as presented.

Department Director:

Danny Dunagan

If funding is involved, are funds approved within the current budget?

N/A

Amount Requested:

Source of Funds:

Finance Comments:

Administrative Comments:

ATTACHMENTS:

Description	Type
 FOP Members	Backup Material

FRIENDS OF THE PARKS

CITY APPOINTMENTS

POST	LAST NAME	FIRST NAME	APPOINTED	REAPPOINTED	EXPIRES
	Martin	Kari	11/1/2016		12/31/2019
	Cooper	Melvin			Standing Term
	Crenshaw	Ken	12/3/2013		12/31/2016
Treasurer	Cochran	Casey	12/3/2013		12/31/2016
	Taylor	Harriette	8/18/15 UE	6/7/2016	12/31/2018
Vice-President	Miller	Gina	11/20/2012	6/7/2016	12/31/2018
	Gaines	Gary	10/4/2011 <i>(term begins 1/2012)</i>	12/16/2014	12/31/2017
	Morrison	Jeff	9/6/2016		12/31/2018
Ex-Officio	Brooks	Barbara	1/5/2016		1/3/2017

TERM: Three year terms - Appointees limited to two consecutive terms excluding initial term.

CONTACT: Melvin Cooper, Director of Parks & Recreation

UPDATED: Thursday, November 3, 2016

CITY OF GAINESVILLE

COUNCIL AGENDA REQUEST

Date Submitted: 2/2/2017
Presenter: Denise Jordan
Item of Business: January 5, 2017 Work Session
Meeting Date: 2/7/2017

Purpose of Request:

The purpose of this request is to allow the governing body to approve the minutes from the referenced meeting.

History/Background:

Facts & Issues for Consideration:

Draft minutes were distributed to the governing body, City Manager, City Attorney and Department Directors for comments/corrections.

Department Recommendation:

Approve the minutes accepting edits as presented.

Department Director:

Bryan Lackey

If funding is involved, are funds approved within the current budget?

N/A

Amount Requested:

Source of Funds:

Finance Comments:

Administrative Comments:

ATTACHMENTS:

Description

Type

CITY OF GAINESVILLE

COUNCIL AGENDA REQUEST

Date Submitted: 2/2/2017
Presenter: Denise Jordan
Item of Business: January 10, 2017 Mayor/Council Meeting
Meeting Date: 2/7/2017

Purpose of Request:

The purpose of this request is to allow the governing body to approve the minutes from the referenced meeting.

History/Background:

Facts & Issues for Consideration:

Draft minutes were distributed to the governing body, City Manager, City Attorney and Department Directors for comments/corrections.

Department Recommendation:

Approve the minutes accepting edits as presented.

Department Director:

Bryan Lackey

If funding is involved, are funds approved within the current budget?

N/A

Amount Requested: **Source of Funds:**

Finance Comments:

Administrative Comments:

ATTACHMENTS:

Description

Type

CITY OF GAINESVILLE

COUNCIL AGENDA REQUEST

Date Submitted: 1/24/2017

Presenter: Jerry Weitz

Item of Business: Request from the **City of Gainesville** to amend Article 9-18 of the Unified Land Development Code for the City of Gainesville, Georgia. The proposed amendment will repeal and replace Article 9-18 entitled "Sign Regulations" with a new Article 9-18 entitled "Signs and Advertising Devices."

Meeting Date: 2/7/2017

Purpose of Request:

The proposed amendment updates and better clarifies the sign code so as to be completely content neutral. Some of the changes include providing additional definitions and illustrations for easier interpretation, updating the sign illumination standards, addressing accessory ground sign standards and modifying standards for electronic message boards. No changes to the current billboard ordinance are recommended at this time.

History/Background:

This item was tabled during the November 8, 2016 PAB meeting to allow more review time.

This item was tabled again during the December 13, 2016 PAB meeting to allow more review time.

Facts & Issues for Consideration:

Department Recommendation:

The Planning and Appeals Board recommended approval of the ULDC amendment as presented.

See the PAB Memo for details and excerpts from the PAB meeting.

SAMPLE MOTIONS:

Approve

I move to approve first reading of an ordinance to amend the ULDC as presented.

Deny

I move to deny the ULDC amendment request.

Department Director:

Rusty Ligon

If funding is involved, are funds approved within the current budget?

Amount Requested:

Source of Funds:

Finance Comments:

Administrative Comments:

ATTACHMENTS:

Description		Type
☐	Legal Ad	Legal Ad
☐	PAB Recommendation Report	Report
☐	Proposed Code Amendment Ordinance	Ordinance
☐	Exhibit A	Attachments/Exhibits

COMBINED LEGAL AD
Gainesville Planning and Appeals Board
Gainesville City Council

Publish Sunday, January 1, 2017
THE TIMES

NOTICE OF PLANNING AND APPEALS BOARD PUBLIC HEARING

Notice is hereby given that the **Gainesville Planning and Appeals Board** will conduct a public hearing on **Tuesday, January 17, 2017 at 5:30 p.m.** in the **Gainesville Justice Center** (Municipal Courtroom at the Public Safety Complex), 701 Queen City Parkway in midtown Gainesville on the following requests:

- 1) Request from the **City of Gainesville** to amend Article 9-18 of the Unified Land Development Code for the City of Gainesville, Georgia. The proposed amendment will repeal and replace Article 9-18 entitled "Sign Regulations" with a new Article 9-18 entitled "Signs and Advertising Devices."
- 2) Request from **Rainmaker & Associates** to rename Touchdown Drive, located between Pearl Nix Parkway and Century Place, to Deshaun Watson Drive.
Ward Number: Five
Request: Road name change

**NOTICE OF PUBLIC HEARING ON PROPOSED
AMENDMENTS TO THE GAINESVILLE ZONING MAP**

Notice is hereby given that the **Gainesville City Council** will conduct a public hearing on **Tuesday, February 7, 2017 at 5:30 p.m.** in the **Gainesville Justice Center** (Municipal Courtroom at the Public Safety Complex), 701 Queen City Parkway in midtown Gainesville on the following requests:

- 1) Request from the **City of Gainesville** to amend Article 9-18 of the Unified Land Development Code for the City of Gainesville, Georgia. The proposed amendment will repeal and replace Article 9-18 entitled "Sign Regulations" with a new Article 9-18 entitled "Signs and Advertising Devices."
- 2) Request from **Rainmaker & Associates** to rename Touchdown Drive, located between Pearl Nix Parkway and Century Place, to Deshaun Watson Drive.
Ward Number: Five
Request: Road name change

Additional information is available from the Community Development Department, Planning Division, by calling 770-531-6570.

NOTE: In accordance with Georgia law, anyone who wishes to express opposition to the proposed zoning action, and has made, within two years immediately preceding the filing of the proposed zoning action, campaign contributions aggregating \$250 or more to a local government official who will consider the application, shall file a disclosure of contribution(s) with the Planning Division at least five (5) days prior to the first reading of the proposed zoning action by the City Council. (OCGA § 36-67A-3.3 {c})
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CITY OF GAINESVILLE

COMMUNITY
DEVELOPMENT
DEPARTMENT

Post Office Box 2496

Gainesville, Georgia 30503-2496

Telephone: 770-531-6570

Fax: 770-297-7826

Web Site: www.gainesville.org

MEMORANDUM

TO: Gainesville Mayor and City Council

FROM: Rusty Ligon, Community Development Department Director

DATE: January 23, 2017

SUBJECT: Proposed Amendments to the Unified Land Development Code Sign Regulations

As you are aware, Staff is moving forward with updating the City's Unified Land Development Code (ULDC). The current update of the sign regulations has been completed and will be presented at the February 7th City Council meeting.

The proposed update will repeal and replace Article 9-18 entitled "Sign Regulations" with a new Article 9-18 entitled "Signs and Advertising Devices." Below is a summary of changes:

1. **Goal of rewrite.** The overall objective was to make the complete sign code content neutral in light of prior Georgia Court decisions and the U.S. Supreme Court decision in *Reed v Town of Gilbert, Arizona*. Other objectives included making the sign code easier to interpret for both staff and the public. The proposed sign code contains a number of important findings which help justify the contents of regulations and the reasoning for them to assist against any litigation.
2. **Definitions and illustrations.** Significantly more definitions and illustrations are provided.
3. **Illumination standards.** A new article has been created to address all sign illumination requirements which include illumination standards for ground signs and electronic message boards and changeable copy billboards. Additional standards are provided to address maximum day and nighttime mode illumination, duration of message, transition time, manner of display and freeze malfunction.
4. **Electronic Message Board Signs.** The term "Electronic Message Board Sign" has been changed to "Electronic Changeable Copy Sign" for further clarification in order to distinguish between a Manual Changeable Copy Sign and a Mechanical Changeable Copy Sign. In addition, the current code allows for an Electronic Changeable Copy Sign to be a maximum of 20 square feet in size with amber in color lighting only. The amendment now allows for white in color lighting as well.
5. **Accessory Ground Sign.** Several provisions regulating specific types of signs have been deleted and included as an "Accessory Ground Sign" such as Construction Signs, Political Signs, Real Estate (On-site) Signs, Real Estate Directional Signs, and Semi-public Use Directional Signs. The Accessory Ground Sign addition is intended to allow for the free speech of individuals and in essence replace the possibilities for signage for political



CITY OF GAINESVILLE

**COMMUNITY
DEVELOPMENT
DEPARTMENT**

Post Office Box 2496

Gainesville, Georgia 30503-2496

Telephone: 770-531-6570

Fax: 770-297-7826

Web Site: www.gainesville.org

or other free speech purposes. It also may be used for directional signage purposes or any other purpose, since the content of the sign copy is not regulated.

6. **Uniform sign plan.** A uniform sign plan is required to provide specifications for consistent signage on properties with multiple tenants. The uniform sign plan provision also allows the Community Development Director some flexibility in the allowance, upon application, of certain modifications to the strict terms of the sign ordinance.
7. **Conversion of billboard to electronic changeable copy.** Upon further study, staff is recommending that no change to the current billboard ordinance be made at this time. Therefore, the previous draft language to all for electronic changeable copy billboards has been removed from the draft ordinance and the original billboard ordinance will remain in place.

On January 17, 2017, the proposed code amendments were given a unanimous recommendation of approval from the Gainesville Planning and Appeals Board for your consideration.

First Reading: _____
Passed: _____

AN ORDINANCE

No. 2017-

AN ORDINANCE TO AMEND TITLE 9 ENTITLED “UNIFIED LAND DEVELOPMENT CODE” OF THE CODE OF ORDINANCES OF THE CITY OF GAINESVILLE, GEORGIA; TO AMEND ARTICLE 9-18 ENTITLED “SIGN REGULATIONS” BY ELIMINATING IT IN ITS ENTIRETY AND SUBSTITUTING IN ITS PLACE THE LANGUAGE SET FORTH BELOW; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR CODIFICATION; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

BE IT HEREBY ORDAINED BY THE GOVERNING BODY OF THE CITY OF GAINESVILLE, GEORGIA, AS FOLLOWS:

SECTION I.

Article 9-18 of the Code of the City of Gainesville, Georgia entitled “Sign Regulations,” is hereby amended to read as shown in Exhibit “A”, attached hereto:

SECTION II.

All Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

SECTION III.

If any portion of this Ordinance shall be held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect or impair the remaining portions unless it clearly appears that such other parts are wholly and necessarily dependent upon the part held to be invalid and unconstitutional.

SECTION IV.

This Ordinance is enacted as an amendment to Title 9 of the Code of Ordinances of the City of Gainesville, Georgia.

SECTION V.

The effective date of this Ordinance shall be upon final approval by the governing body of the City of Gainesville, Georgia.

ORDINANCE NO. 2017-

C. Danny Dunagan, Jr., Mayor

This is to certify that I am City Clerk of the City of Gainesville. As such, I keep its official records, including its minutes. In that capacity, my signature below certifies this ordinance was adopted as stated and will be recorded in the official minutes.

ATTEST:

Denise O. Jordan, City Clerk

EXHIBIT A

ARTICLE 9-18

SIGNS AND ADVERTISING DEVICES

**ARTICLE 9-18
SIGNS AND ADVERTISING DEVICES**

CHAPTER 9-18-1	GENERAL PROVISIONS	18-01
CHAPTER 9-18-2	EXEMPTIONS AND PROHIBITIONS	18-17
CHAPTER 9-18-3	LOCATION AND PLACEMENT REQUIREMENTS	18-19
CHAPTER 9-18-4	ILLUMINATION	18-22
CHAPTER 9-18-5	BASIC SIGN PERMISSIONS	18-26
CHAPTER 9-18-6	SUPPLEMENTAL SIGNAGE ALLOWANCES AND REQUIREMENTS	18-30
CHAPTER 9-18-7	INTERPRETATIONS, MODIFICATIONS AND VARIANCES	18-35
CHAPTER 9-18-8	NONCONFORMING SIGNS	18-38
CHAPTER 9-18-9	MAINTENANCE, ENFORCEMENT, AND REMOVAL	18-39
CHAPTER 9-18-10	RESERVED	18-41
CHAPTER 9-18-11	CONSTRUCTION, PERMISSIONS AND PERMITS	18-42

**CHAPTER 9-18-1
GENERAL PROVISIONS**

Section 9-18-1-1.	Findings.
Section 9-18-1-2.	Purposes.
Section 9-18-1-3.	Intentions.
Section 9-18-1-4.	General Definitions.
Section 9-18-1-5.	Applicability.
Section 9-18-1-6.	Compliance with Other Laws.

Section 9-18-1-1. Findings.

It is a substantial and compelling governmental interest to control signs and other advertising devices for the following reasons, among others:

- (a) Beneficial functions. Signs provide a means of communication, a visual, place-based medium by which to express messages. Signs and advertising devices facilitate and aid in the identification and location of business establishments, institutions, and other land uses. Signs can be an effective, easily available, and cost-efficient way to inform people and aid their decision-making. Signs are an investment that brings economic value to businesses. Signs provide a means for attracting consumers who are not otherwise familiar with the geographic area. Signs provide assistance to individuals in making selections from among alternative choices. Signs help certain locations work from a profitability standpoint that otherwise might fail without adequate signage.
- (b) Messaging. Signage is a form of advertising. All other advertising mediums are regulated. There is limited federal and state regulation of signs, despite significant intervention by the federal government in the regulation of other forms of communication. Signage is a type of advertising that cannot be turned off or rejected by the consumer, like some other forms of communication. For instance, radio and television advertisements can be avoided by turning off the radio or television. With regard to signs, however, motorists must keep eyes open to drive and cannot block out signs from their peripheral vision.

- (c) Distractions. Signs by their very nature are intended to gain the attention of motorists and therefore distract them from the primary purpose of maneuvering a vehicle along a road. Sign controls are needed to promote traffic safety and avoid traffic accidents; and
- (d) Public safety. Signage, if left unregulated, can cause confusion and delay in responding to emergencies, because unregulated signs can degrade the utility and reduce the visibility and effectiveness of public safety signs; and
- (e) Public health. Unregulated signage can contribute to clutter and lack of organization in the wayfinding system of a community and thereby negatively influence the stress levels of motorists. Roadside blight can contribute to high stress levels of motorists (Source: Meg Maguire, Ray Foote, and Frank Vespe, 1997, "Beauty As Well As Bread," *Journal of the American Planning Association* 63(3): 317-328). Height, size, placement, and other sign regulations serve substantial public purposes of bringing order to the wayfinding system that may help to avoid undue stress levels of motorists; and
- (e) Appearance and economy. The appearance of the city is substantially influenced by signs, and it is essential to the city's long-term economic viability to maintain a positive appearance. Signs and advertising, without regulation, can detract from the character, beauty, and visual attractiveness of the city; and
- (f) Property impacts. The size, height, construction materials, location, condition, and attributes of signs can have an adverse impact on surrounding and nearby land uses and properties if not regulated and properly maintained, including the lowering of property values. Abandoned and antiquated signs and sign structures (e.g., a pole with a blank structure for a sign face) can have a particularly detrimental effect on adjacent properties and contribute to an overall image of blight in the community; and
- (g) Public investments secured. Sign regulations help to assure that public benefits derived from expenditures of public funds for the improvement and beautification of streets and other public structures and spaces are protected. Unregulated signs can neutralize the value and benefit of public investments in streetscapes; and
- (h) Benefits to businesses. Sign regulations benefit businesses that seek to advertise. Unregulated commercial signage can be detrimental to individual businesses, because business owners may be compelled to erect larger and costlier signs to outperform neighboring or nearby businesses. Such competition for visibility among business can result in too many signs and excessive sizes and heights, to a point of diminishing returns where individual business signs are no longer adequately visible. If unregulated, the competition for visual recognition can defeat the purpose of the signs, which is to carry a message. If signs are left unregulated, patrons of individual businesses may miss their destinations because they cannot find the particular business of choice in the sea of advertising devices; and
- (i) Wall and window signs. Signs placed on building walls and in windows can be excessive if not regulated as to the area of the sign face, and it is in the public interest to ensure that building and window signs are proportional to the building wall or window on which the signs are placed; and

- (j) Placement on objects. It is inappropriate to attach signs to certain objects like rocks and benches, thereby justifying certain prohibitions. It is also inappropriate to allow signs on roofs of buildings, justifying prohibition, since roof signs interrupt the silhouette of the building, overpower the architecture of the building, and can also block views; and
- (k) Wind-blown devices. Some signs and advertising devices are designed to move in the wind. For instance, a flag, or feather banners (also called “wind blades”), or ribbons on strings, etc. are designed to capture attention due to movement in the wind. Such signs and advertising devices have greater potential for attracting attention to them given their movement. Without regulations and prohibitions on these types of advertising devices, the result would be clutter and degradation of community appearance; and
- (l) Changeable copy. A change in copy of any sign is not in itself a matter of public concern, except in a few instances. This Article does not intend to regulate the actual copy (message) of a sign, but yet the frequency with which it changes is a matter of public concern deserving of regulation. In particular electronic changeable copy signs pose specific issues that need regulation because the change of sign copy can occur instantaneously and therefore become more distracting or better able to attract attention than signs which change copy less frequently; and
- (m) Electronic changeable copy signs. Electronic multiple message signs, which allow operators to change content from remote locations in a matter of seconds, have been shown to create possible threats to public safety. Such signs are erected for the purpose of trying to hold the attention of motorists, often by changing messages and pictures for short durations using a series of bright, colorful images produced mainly via LED (light emitting diode) technologies; and
- (n) Illumination. Signs which are lighted at night give the appearance of activity or operation that is not consistent with residential character of certain parts of the city. Signs that are internally illuminated also tend to give the appearance of a business area. It is appropriate to control the lighting of signs and to make distinctions on where signs may need to remain unlit, and also where internally illuminated signs are permitted. Lights that flash or blink, or vary in intensity have greater potential to attract attention but also a greater probability of distracting motorists. It is in the interests of the community to prohibit lighting practices on signs that are likely to distract motorists. The luminance of a sign (a measurable quantity) can also be perceived by humans as too bright or imposing glare, or causing a nuisance, and it is in the interest of the community to control the intensity of lighting. Electronic changeable copy signs pose special issues and deserve individual regulation specific to that type of sign; and
- (o) Illumination of electronic changeable copy signs. Brightly lit and colorful signs that change messages every few seconds compel motorists to notice them, and they lure the attention of motorists away from what is happening on the road and onto the sign. Such signs pose public safety threats because if they attract a motorist's attention, the motorist will look at the sign and not at the road. Electronic changeable copy signs are also a threat to public safety because of their brightness, making them visible from great distances. Due to their nature of brightness, changing colors, and changing displays, electronic changeable copy signs are more distracting than signs which do not vary the brightness, color or message, or changeable copy signs that are changed by other means at less frequent intervals. Some electronic changeable copy signs could, if

unregulated, have the appearance of large, plasma-screen televisions. An electronic LED display contains brightly-lit text and graphics which can be seen from hundreds of feet away, drawing the attention of everyone within view. Unless otherwise regulated, such displays can be extremely bright since they are designed to be visible in bright sunlight and at night. Furthermore, the human eye is drawn to them far more strongly than to traditional illuminated signs. Such electronic LED displays can be seen from as far away as six-tenths of a mile, making them distracting. It takes a minimum of six seconds to comprehend the message on an electronic sign, which is three times the safe period for driver distraction. For these reasons, electronic changeable signs deserve specific regulation to prevent or mitigate these adverse impacts; and

- (p) Regulation by zoning district. The zoning district is an appropriate means of regulating signs, because generally a character is established by each zoning district. The needs for signage differ remarkably among single-family residential zoning districts from zoning districts allowing business, which in turn differ significantly from business parks, low-rise office complexes, and industrial establishments. Lower sign heights and smaller areas are appropriate in residential zoning districts when compared with business and industrial zones; and
- (q) Maintenance. Signs, if improperly maintained, present an unkempt appearance and may present an image of blight to visitors, residents, and employees. It is in the interest of the city to ensure that signs are properly maintained to avoid the appearance of blight and also to prevent possible detrimental impact on property values that may result from such blight.

Section 9-18-1-2. Purposes.

In addition to the general purposes of this Unified Land Development Code, the purposes of this Article are as follows:

- (a) To promote and protect the public health, safety and general welfare;
- (b) To provide for the expression of speech by citizens and businesses, and to afford adequate opportunity for self-expression through free speech;
- (c) To balance the rights of individuals to convey their messages through signs and the right of the public to be protected against the unrestricted proliferation of signs;
- (d) To enhance the economy and the business and industry of the City by promoting the reasonable, orderly and effective display of signs, including the public being able to locate goods, services, and facilities in the City;
- (e) To maintain and enhance the aesthetics of the City by restricting signs and lights which increase clutter;
- (f) To enable the public to locate goods, services, and facilities in the City without difficulty and confusion;
- (g) To ensure the reasonable, orderly, and effective display of signs;

- (h) To maintain and improve traffic safety by preventing or restricting signs that due to their placement or appearance increase the probability of traffic accidents by obstructing vision or confusing motorists;
- (i) To promote signs which are compatible with their surroundings and which minimize potential adverse effects of signs on nearby property;
- (j) To insure proper maintenance of signs, for safety and structural soundness, as well as the appearance and attractiveness of signs;
- (k) To maintain the historic image of the City; and
- (l) To ensure the fair and consistent enforcement of sign regulations.

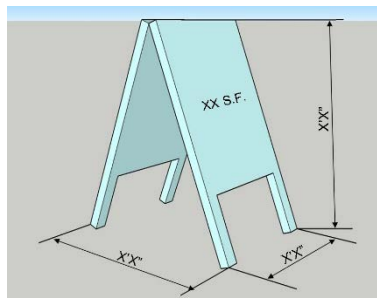
Section 9-18-1-3. Intentions.

- (a) Time, place, and manner restrictions. It is the intent of this Article to regulate the composition, type, location, placement, height, size, quantity, illumination, duration, and manner of signs and advertising devices that may be displayed. The regulation of these aspects of signs and sign structures is a valid and lawful means of achieving the intentions and purposes of this Article. These intentions and purposes are valid and lawful governmental interests.
- (b) Content neutrality. The city intends to adopt and implement regulations which are content-neutral. It is not the intent to regulate the content of messages in any way. It is not the intent of this Article to foreclose important and distinct mediums of expression for political, religious, or personal messages, on any sign permitted to be erected by this Article. It is the intent of this Article to allow political, religious, or personal (non-commercial) messages on any sign permitted to be erected by this Article. These regulations shall not be construed as limiting the message content of any sign.
- (c) Distinctions not made. To accomplish the city's intentions, these regulations do not distinguish between on-site or off-site sign content, nor do they distinguish between commercial and non-commercial content.
- (d) Extent. The regulations contained in this Article are considered no more extensive than necessary to serve the substantial governmental interests identified in this Article.

Section 9-18-1-4. General Definitions.

For the purposes of this Article, certain terms and words are hereby defined. As used in this Article, the following words and terms shall have the meaning ascribed to them:

A-frame sign: A sign that typically consists of two faces connected and hinged at the top, intended for view by pedestrians, and which can be moved by a person.



Accessory ground sign: A sign allowance provided for in this Article, for a sign erected on the ground.

Advertising device: Any structure or device erected or intended for the purpose of displaying advertising situated upon or attached to real property or intended to attract attention by whatever means. For purposes of this Article, an advertising device is a "sign."

Air-blown device: Any device not otherwise specifically defined in this Article, that is designed to inform or attract, whether or not such device carries a message, and which all or part of the device is set in motion by mechanically forced air. This definition specifically includes but is not limited to those devices referred to commercially as "air puppets" and "air dancers." For purposes of this Article, air-blown devices are advertising devices.



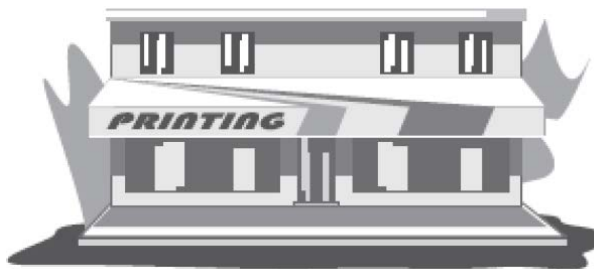
Animated sign: A sign that emits or utilizes in any manner any sound capable of being detected on any traveled road or highway by a person with normal hearing; or any sign that emits smoke, vapor, particles, or odors.

Awning: A roof-like cover that projects from the wall of a building for the purpose of shielding a doorway, walkway, or window from the elements. Awnings are often made of fabric or flexible plastic supported by a rigid frame, and may be retracted into the face of the building.



Awning, back-lit: An awning comprised of covering material exhibiting the characteristic of luminosity obtained by means of a source of illumination contained within its framework.

Awning sign: An awning that contains letters, numbers, symbols, pictures, logos, or visual display, or other communication, attached, painted on, or made an integral part of an awning. Awning signs are “wall signs” for the purposes of this Article.

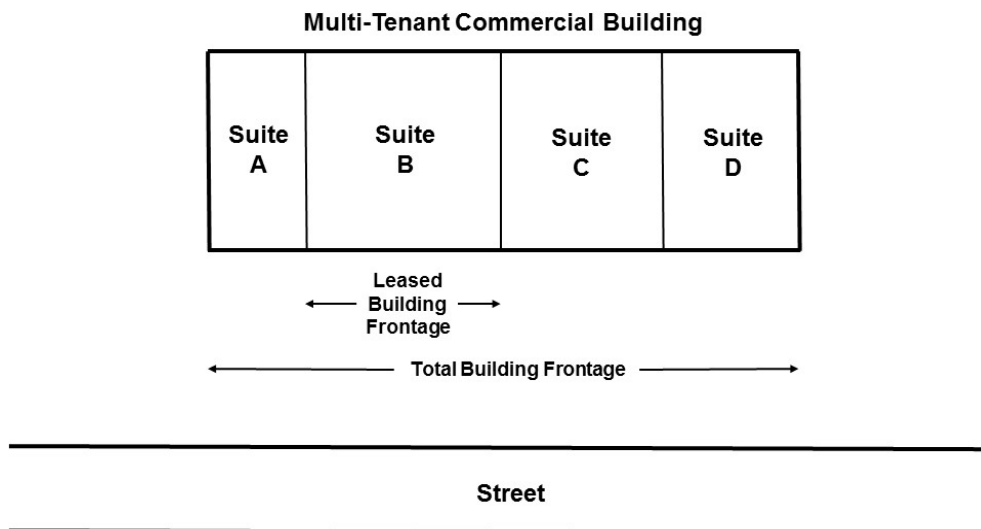


AWNING
Source: United States Sign Council. 2011.
Model Code for Regulation of On-Premise Signs.

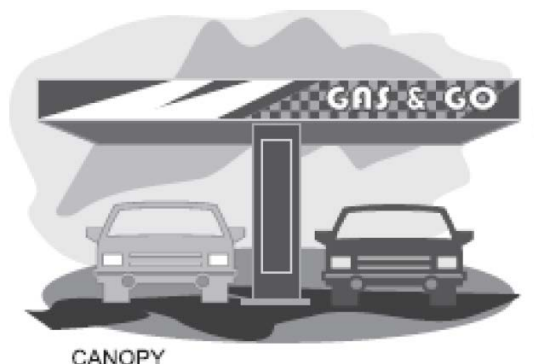
Banner: A sign with or without characters, letters, illustrations, or ornamentation applied to cloth, paper, plastic, or natural or synthetic fabric of any kind with only such material for a backing, whether installed on a building or structure or attached to poles or other supports and freestanding. For purposes of this Article, a banner is a “sign.” It is characteristic of a banner that, even though tied to a support, there is some movement in the wind (i.e., a wind-blown device).

Billboard: A freestanding sign that exceeds the maximum allowable area or height, or both, for principal use ground signs authorized in this Article, and which is authorized subject to specific limitations. A billboard is typically, though not required to be, erected by the outdoor advertising industry; and a billboard is typically regulated by and requires a permit for outdoor advertising from the Georgia Department of Transportation. The provisions authorizing a billboard are in addition to other sign allowances of this Article. A billboard existing on the effective date of this Article may or may not comply with the provisions of this Article, and to the extent any such existing billboard does not conform to all requirements of this Article it is considered a nonconforming sign.

Building frontage: The width in linear feet of the front exterior wall of a particular building in which an establishment is located, usually facing a street. Leased building frontage is that portion of the total building frontage containing space owned, leased, or rented to an individual establishment.



Canopy sign: A sign attached, painted on, or made an integral part of a canopy, whether that canopy is attached to a building or structure or freestanding. An attached canopy is a multi-sided structure or architectural projection supported by attachment to a building on one or more sides and also supported by columns or supports at additional points. Canopy signs, whether attached, painted on, or made an integral part of an attached canopy (including suspension underneath an attached canopy), are wall signs for the purposes of this Article.



Source: United States Sign Council. 2011.
Model Code for Regulation of On-Premise Signs.

Changeable copy sign, electronic: A sign on which the sign copy (words, numbers, images, etc.) changes or can be changed by electronic means. This definition includes any sign which results in the illuminated display of messages or information by the use of a matrix of electric lamps, for example, digital, LED (light emitting diode) or similar or refined display technology, or other electric methods, which allows the message change to be actuated by an electronic control mechanism. It is characteristic of such signs that the sequence of messages and the rate of change can be electronically programmed and modified by electronic processes. Electronic changeable copy signs are also “internally illuminated” signs.

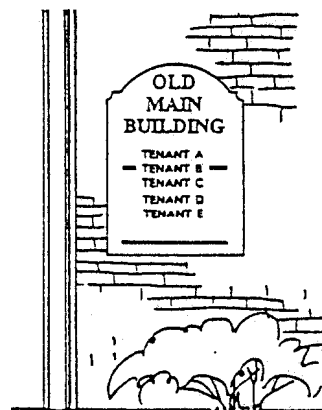
Changeable copy sign, manual: A sign on which the sign copy (words, numbers, images, etc.) changes or can be changed manually on the sign itself, such as by replacement of letters, or in the case of a chalkboard which can be erased and the message rewritten.

Changeable copy sign, mechanical: A sign on which the sign copy (words, numbers, images, etc.) changes or can be changed by movement or rotation of panels or slats.

Derelict sign: A sign that is dilapidated, is in such condition as to create a hazard or nuisance, is unsafe, or fails to comply with the International Building Code adopted by the city in Code Section 9-20-1-1, the National Electrical Code adopted by the city in Code Section 9-20-1-3, or any other code relating to safety.

Discontinued sign: A freestanding or building sign that has not been used by a business, establishment, or person, for six (6) months or more. A sign may be deemed discontinued by the Community Development Director when there is clear evidence that a business or activity has vacated the building or grounds for six (6) months or more. A sign permitted by an establishment that still exists on a site where said establishment has not operated for six (6) months or more, as evidenced by a lack of current (annual) business license, shall be considered prima facie evidence of a discontinued sign.

Directory sign for multi-tenant development: A sign, distinguished from a project entrance sign, which is allowed on a premise with more than one building or more than one tenant or occupant of a building. It may be freestanding or a building (wall) sign. Such signs are not visible from the public street right-of-way which provides initial access to the property, but rather are located within the development, along a driveway, access way, or parking aisle. This type of sign is not regulated by this Article.



Wall Directory Sign

Erect: To construct, build, raise, assemble, place, affix, attach, create, paint, draw, or in any other way bring into being or establish. Activities performed as an incident to the change of advertising message or the normal maintenance or repair of a sign structure are excluded from this definition.

Feather banner: A vertical portable sign, made of lightweight material that is prone to move in the wind, and that contains a harpoon-style pole or staff driven into the ground for support or supported by means of an individual stand. This definition includes such signs of any shape including flutter, bow, teardrop, rectangular, shark, feather, and U-shaped. For purposes of this Article, a feather banner is an advertising device and sign.



Flag: A device made of cloth, plastic, or natural or synthetic fabric, with or without characters, letters, illustrations, or ornamentation applied to such surface, and which is designed to move in the wind. For purposes of this Article, except as specifically authorized, a “flag” is an advertising device and “sign.” It is defined separately from wind-blown device.

Flying sign: A blimp, hot air balloon, or any other device designed to be or capable of being kept aloft, motionless or in motion, at a height of 35 feet or more from the ground by mechanical, wind, chemical, or hot air means, and not secured or attached to the ground or building.

Ground sign: A sign or advertising device which is wholly independent of a building or structure for support (i.e., freestanding). A ground sign may contain more than one sign face, and it is typically double-faced.

Hand-held sign: A sign or advertising device affixed to, carried by, or physically or electronically controlled by a person. A kite used for advertising devices is a hand-held sign.

Holiday decoration: Signs or displays including lighting which are a non-permanent installation celebrating national, state, and local holidays, religious or cultural holidays, or other holiday seasons (also known as seasonal decorations).

Incidental sign: A sign, emblem, decal, or other message, designed and sized to be read only from close range (i.e., 5 feet or less), attached to or integrated into a device or structure more than 25 feet from the right-of-way of a road, and not readily legible from any public rights-of-way.

Inflatable sign: Any sign, advertising device, or balloon that is or can be filled with air or gas. This includes any three-dimensional ambient air-filled in the shape of a container, figure, or product. For purposes of this Article, inflatable signs and balloons are considered advertising devices.

Interior sign: Any sign erected within a building, including product displays, more than two feet inside an exterior window within a business or establishment and which is not intended to be seen from outside the business or establishment in which the sign is located.

Mansard: A roof-like facade comparable to an exterior building wall.

Mansard sign: A sign painted on, attached to, or hung from a mansard. For purposes of this Article, mansard signs are “wall signs.”



Source: United States Sign Council. 2011.
Model Code for Regulation of On-Premise Signs.

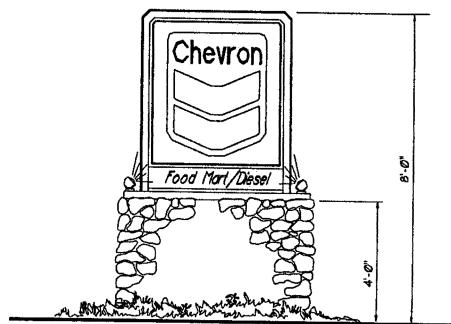
Marquee: A roof-like structure attached to and supported by a building wall without vertical supports and that projects in a cantilever fashion from the wall of a building.

Marquee sign: A sign painted on, attached to, or hung from a marquee. A marquee is For purposes of this Article, marquee signs are “wall signs.”



Source: United States Sign Council. 2011.
Model Code for Regulation of On-Premise Signs.

Monument sign: A ground sign in which the entire bottom of the sign face is in contact with a solid and continuous structure which is attached to the ground and made of brick, stone, or other material architecturally compatible with the principal building on the lot to which it pertains. (dimensions shown are illustrative only). Typically, a monument sign has a base at least eighteen (18) inches in height.



Monument Sign

Mural: A picture or image (including but not limited to painted art) which is painted, constructed, or affixed directly onto a building wall, which may or may not contain text, logos, and/or symbols.

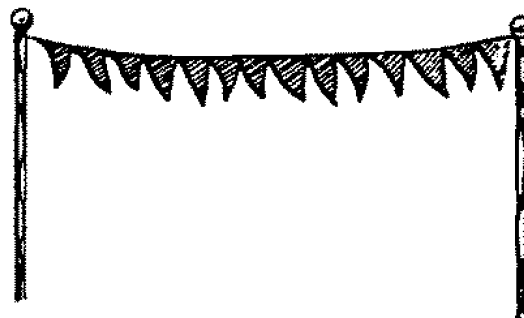
Multi-faced sign: A sign structure that contains two or more sign face surfaces that are located on different sides of the structure and are separated from each other at their nearest point by no more than three feet.

Multi-tenant development: A single office, commercial or industrial property that is designed or intended for occupancy by two or more businesses, or a multi-family residential development.

Nonconforming sign: A sign that was lawfully erected and maintained prior to the adoption, revision or amendment of this Unified Land Development Code, and which by reason of such adoption, revision or amendment fails to conform to all applicable regulations and restrictions of this Unified Land Development Code.

Official sign: Any sign placed by a governmental body, governmental agency, or public authority for a public purpose, erected and controlled by such governmental body or on its behalf, whether or not located within a public right-of-way; and signs erected by private individuals per federal, state, or local law requirements.

Pennant: A small, triangular or rectangular flag or multiples thereof, made of lightweight plastic, fabric, or other material, individually supported or attached to each other by means of a string, rope, or other material and meant to be stretched across or fastened to buildings, or between poles and/or structures, and which is designed to move in the wind. For purposes of this Article, pennants are "advertising devices" and "windblown devices." This term does not include a "banner" or a "flag" as defined and regulated by this Article.



Pole or pylon sign: A sign that is mounted on a freestanding pole or poles, columns, or similar support such that the bottom of the sign structure is not in contact with the ground along the entire portion of the sign face and there is open area underneath the sign face above the ground. A pole or pylon sign is distinguishable from a monument sign.



Source: United States Sign Council. 2011.
Model Code for Regulation of On-Premise Signs

Portable sign: Any sign whether on its own trailer, wheels, or otherwise, which is designed to be transported from one place to another. It is characteristic of a portable sign that the space provided for advertising messages may be changed at will by the replacement of lettering or symbols (i.e., a changeable copy sign). Even if the wheels or supports of such sign are removed and the sign converted and attached, temporarily or permanently, to the ground or other structure, said sign shall remain a portable sign for purposes of this Article. An "A-frame" sign, defined separately, shall not be considered a portable sign for purposes of this Article.

Principal use ground sign: A notice or advertisement secured to the ground, which is permitted by this Article in conjunction with a principal use or principal building located on the property, For purposes of this Article, principal use ground signs are considered permanent signs.

Project entrance sign: A sign located at a discernible entrance into a particular subdivision, multi-family residential development, or office or industrial park. For purposes of this Article, project entrance signs are considered permanent signs.

Projecting sign: A sign affixed to a wall (i.e., a wall sign) extending more than 18 inches from the surface of such wall, usually perpendicular to the wall surface.

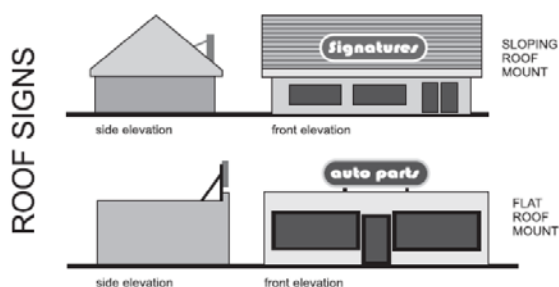


Source: United States Sign Council. 2011.
Model Code for Regulation of On-Premise Signs

Revolving sign: A sign that has the capability to revolve about an axis.

Road frontage: The distance in linear feet of a parcel where it abuts the right-of-way of any public or private street.

Roof sign: A sign projecting to a greater height than the front building wall, or any sign supported by or attached to a roof, including a sign painted on or adhered to a roof. A sign placed on the fascia portion of a mansard roof is not a roof sign.



Source: United States Sign Council. 2011.
Model Code for Regulation of On-Premise Signs

Scoreboard: A sign contained within an athletic venue and which is directed so as to be visible to the attendees of an athletic event.

Sign: The term “sign” shall mean any structure, display, or device that is used to advertise, identify, direct, or attract attention to a business, institution, organization, person, idea, product, service, event, or location by any means, including words, letters, figures, design characteristics, symbols, logos, fixtures, colors, movement, or illumination. The term “sign” shall specifically include but not be limited to “banners,” “balloons,” “flags,” “pennants,” “streamers,” “windblown devices,” and “advertising devices.” Furthermore, the term “sign” includes the sign structure, supports, lighting system, and any attachments, ornaments, or other features used to draw the attention of the observers.

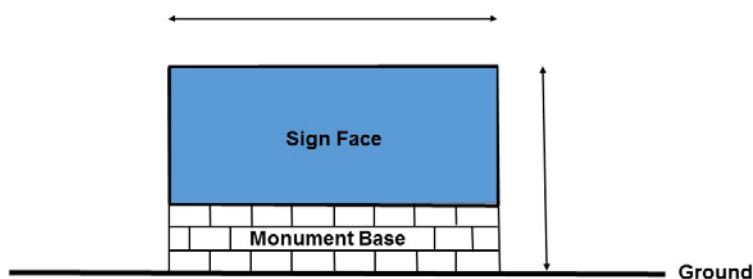
Sign face: That portion of the surface of a sign structure (area) where words, letters, figures, symbols, logos, fixtures, colors, or other design elements are or may be located in order to convey the message, idea, or intent for which the sign has been erected or placed. The sign face may be composed of two or more modules on the same surface that are separated or surrounded by portions of a sign structure not intended to contain any advertising message or idea and are purely structural or decorative in nature. The area of the sign face plus the area of the sign structure equals the total sign area.



Source: United States Sign Council. 2011.
Model Code for Regulation of On-Premise Signs.

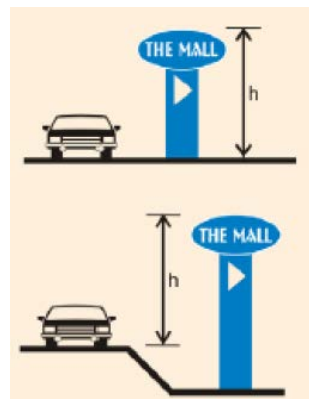
For signs that have no identifiable frame or border, the smallest rectangle that includes all of the sign's words, letters, figures, symbols, logos, fixtures, colors, or other design elements intended to convey the sign's message shall establish the area of the sign's face.

Sign structure (total area) includes the areas of the sign face and all structural supports (monument base shown)



Sign structure: All elements of a freestanding sign, including the sign face, background or decorative elements related to the presentation of the sign's message, and the structural supports.

Sign height: The height of a sign shall be equal to the vertical distance from the average grade at the base of the sign, or from the crown of the roadway of the nearest street within 50 feet of any portion of the sign, to the highest point of any portion of the sign, whichever results in the greater sign height. Any earthen berms and elevated foundations supporting signs, signposts or other sign supports shall be included in the height of the sign.

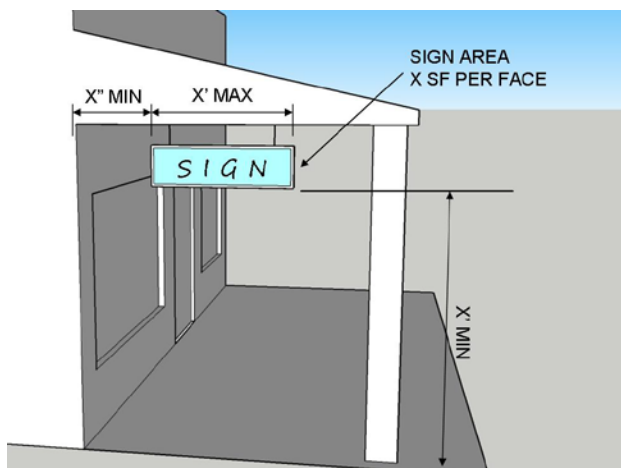


Source: United States Sign Council. 2011.
Model Code for Regulation of On-Premise Signs.

Sign in need of maintenance: Any sign or advertising device that includes any of the following or similar conditions as identified by the city: lettering or other elements of the sign have become detached or have fallen off the sign or become misaligned; painted surfaces on the sign or sign structure have begun to peel, flake over a significant portion of the sign, or have faded or oxidized to an extent that the sign no longer displays the message as originally intended; a significant number of the bricks, stones, or other materials on the structural base of a sign have become detached or have fallen off, or have become misaligned; or one or more illumination devices are not working and have not been replaced.

Streamer: A long, narrow strip of fabric or other material. A streamer is a “wind-blown device.”

Suspended sign: A sign attached to the underside of a canopy, awning or the cover of a walkway or beneath a support extending from a building. A suspended sign is distinguishable from an animated sign even if the sign copy area is attached to a building or structure in a way that can be set in motion with wind pressure. This term does not include any freestanding signs.



Temporary ground sign: A sign of a nonpermanent nature and erected for a limited duration. This term includes signs constructed from cardboard, coated paperboard, or corrugated plastic and which are either attached to a wooden post or stake in the ground, or set with a wire metal frame in the ground.

Tenant: One who possesses or occupies land or buildings by title, under a lease, or through payment of rent; an occupant, inhabitant, or dweller of a place.

Traffic control sign: A sign erected by or under the regulation of the City or State, on private or public property, and which meets the Manual on Uniform Traffic Control Devices adopted by the Federal Highway Administration.

Uniform sign plan: Coordinated drawings and specifications that establish a unified design concept with regard to the location, materials, size, letter style, and color of all signs to be placed on a property or development.

Vehicular sign: Any sign placed, mounted, painted on or affixed to a motor vehicle, freight, flatbed or storage trailer or other conveyance when same are placed or parked in such a manner that can be viewed from the public right(s)-of-way; provided, however, that this definition shall not apply when (1) Such conveyances are actively being used to transport persons, goods or services in the normal course of business; or (2) such conveyances are actively being used for storage of construction materials for, and on the same parcel where a construction project for which building is underway and required permits have been issued. Even if the wheels or supports of such sign are removed and the sign converted and attached, temporarily or permanently, to the ground or other structure, said sign shall remain a vehicular sign for purposes of this Article.

Visible: Capable of being seen (whether or not legible) without visual aid by a person of normal visual acuity.

Wall sign: A single-sided sign with one visible face applied to or mounted to the wall or surface of a building or structure, in a parallel fashion, and which does not project more than 18 inches from the outside wall of such building or structure.



Source: United States Sign Council. 2011.
Model Code for Regulation of On-Premise Signs.

Wind-blown device: Any device, whether or not specifically defined in this Article, that is designed to inform or attract, whether or not such device carries a message, and which all or part of the device is set in motion by wind. Such devices include banners (except as may be specifically authorized), pennants, streamers, ribbons, or long narrow strips of fabric, plastic, or other pliable material designed to move in the wind. A “flag” is defined separately and is not considered a “windblown device” for purposes of this Article. See also “air-blown device,” which is defined separately.

Window sign: A sign that is placed on or behind a windowpane or a glass door or a sign installed within two (2) feet of an exterior window or door and intended to be visible from the exterior of the building. Displays which show products or depict services sold on the premises and which are more than two (2) feet from an exterior window or door (i.e., “interior signs”) shall not be classified as or considered window signs.

Section 9-18-1-5. Applicability.

- (a) The regulations and requirements of this Article apply in the City of Gainesville to all signs and advertising devices that are or are intended to be viewed from a public right-of-way or from outdoor areas of public property.
- (b) Such signs and advertising devices are allowed only in conformance with this Article.
- (c) No sign or advertising device may be erected, placed, established, painted, created, moved, or maintained except in conformance with this Article.

Section 9-18-1-6. Compliance with Other Laws.

All signs and advertising devices shall comply with all applicable federal, state, county, and city laws and ordinances. Compliance with the terms of this Article shall not relieve any individual, corporation, or other entity of any other duty imposed by law. Where state sign law and/or regulations apply, and there is conflict or overlap with this ordinance, the more restrictive requirements shall govern.

CHAPTER 9-18-2 EXEMPTIONS AND PROHIBITIONS

- Section 9-18-2-1. Exemptions.
Section 9-18-2-2. Display of Property Addresses.
Section 9-18-2-3. Prohibited Signs and Advertising Devices.

Section 9-18-2-1. Exemptions.

The following signs and devices are exempt from regulation by this Article:

- (a) Beacons.
- (b) Building markers and decorative or architectural features integral to buildings.
- (c) Cemetery stones and markings of individual graves or burial plots.
- (d) Holiday decorations, provided that they are removed within fifteen (15) days following the holiday to which they pertain.
- (e) Incidental signs.
- (f) Interior signs.
- (g) Murals on building walls erected with permission of the governing body of the City of Gainesville.
- (h) Official signs.
- (i) Scoreboards that are part of a public or private recreational facility.
- (j) Traffic control signs and devices, when installed within the right-of-way of a public street under the authority of the state or a local government or a private street, or traffic control signs and devices installed along driveways and in off-street parking lots, per the requirements of the City and consistent with the Manual on Uniform Traffic Control Devices.

Section 9-18-2-2. Display of Property Addresses.

The display of street addresses is permitted without compliance with this Article. Building identification numbers on multi-tenant buildings which are essential to the location of such buildings are also permitted without compliance with this Article.

Section 9-18-2-3. Prohibited Signs and Advertising Devices.

The following signs and advertising devices shall be prohibited within the City of Gainesville, unless otherwise specifically provided in this Article:

- (a) Air-blown devices.

- (b) Animated signs.
- (c) Banners.
- (d) Derelict signs.
- (e) Discontinued signs.
- (f) Feather banners.
- (g) Flying signs.
- (h) Hand-held signs.
- (i) Inflatable signs.
- (j) Pole or pylon signs, except as provided otherwise in Section 9-18-7-2 of this Article.
- (k) Portable signs.
- (l) Revolving signs.
- (m) Roof signs.
- (n) Signs erected within a state or city right-of-way without the permission of the owner.
- (o) Signs erected without the permission of the property owner.
- (p) Signs with a color and/or shape that imitates, or could be mistaken for, an official traffic control sign, such as a red, octagonal sign or a yellow, triangular sign.
- (q) Signs that obstruct any fire escape, window, door, or opening usable for fire prevention or suppression, or that prevent the free passage from one part of a roof to any other part thereof.
- (r) Signs containing reflective elements that sparkle in the sunlight or otherwise simulate illumination during daylight hours or that contain luminous paint that glows in the dark.
- (s) Signs lit with neon, neon or LED lights, and the outlining with any sort of lighting of windows, doors, or other parts of a building or structure with lighting, and any other sign, advertising device, or lighting practice that is inconsistent with Chapter 9-18-4 of this Article.
- (t) Signs attached to freestanding walls (including retaining walls) or fences or poles.
- (u) Umbrellas used for advertising or with sign copy.
- (v) Vehicular signs.
- (w) Wind-blown devices, including but not limited to pennants and streamers.

CHAPTER 9-18-3 LOCATION AND PLACEMENT REQUIREMENTS

Section 9-18-3-1.	Generally.
Section 9-18-3-2.	Right of Way.
Section 9-18-3-3.	Setback for Ground Signs.
Section 9-18-3-4.	Obstruction of Sight Visibility.
Section 9-18-3-5.	Obstruction of Visibility of Traffic or Public Sign.
Section 9-18-3-6.	Obstruction of Building Access.
Section 9-18-3-7.	Obstruction of Utilities.
Section 9-18-3-8.	Vertical Clearance.
Section 9-18-3-9.	Obstruction of Tree Critical Root Zone.
Section 9-18-3-10.	Signs on Natural Objects.
Section 9-18-3-11.	Signs on Benches or Bus Shelters.
Section 9-18-3-12.	Signs Attached to Light Poles.
Section 9-18-3-13.	Signs on Fences or Freestanding Walls.

Section 9-18-3-1. Generally.

No sign or advertising device shall be located, moved, placed, or maintained in any manner inconsistent with this Chapter.

Section 9-18-3-2. Right of Way.

It shall be unlawful to affix or attach any material to a utility pole or light pole in a public right of way. No part of any sign shall be located in, over, or project into a local or state public right-of-way, except for the following:

- (a) Wall or attached canopy signs otherwise complying with this Article, within the C-B zoning district.
- (b) A-frame signs otherwise complying with this Article, on a public sidewalk in the C-B zoning district.
- (c) Banners attached to light or utility poles in a city right of way if authorized the governing body of the City of Gainesville.
- (d) Any other sign specifically authorized by the governing body of the City of Gainesville, which may include wayfinding and sign kiosk programs.

Section 9-18-3-3. Setback for Ground Signs.

There shall be a minimum of five (5) feet between any street right-of-way/front property line and the nearest edge of a ground sign; provided, however, that the Community Development Director may reduce or waive the setback requirement when issuing a sign permit, for good cause shown.

Section 9-18-3-4. Obstruction of Sight Visibility.

- (a) No sign shall be erected, placed, moved, or maintained where, by reason of its placement, it obstructs, obscures, impairs, or interferes with the view of motorists or pedestrians entering or exiting public and private access ways and driveways.
- (b) The placement of ground signs will be examined during the permitting process, if applicable, to ensure that ground signs are located outside of any sight visibility triangle required by this Unified Land Development Code.

Section 9-18-3-5. Obstruction of Visibility of Traffic or Public Sign.

No sign shall be placed so as to obscure or otherwise interfere with the effectiveness of a traffic sign, signal, or device or official sign.

Section 9-18-3-6. Obstruction of Building Access.

No sign shall be erected, located, or maintained in such a manner as to interfere with safe and free ingress and egress to any door, window, or emergency exit of any building or structure.

Section 9-18-3-7. Obstruction of Utilities.

- (a) No sign shall interfere with utilities, such as water mains and hydrants, sanitary sewerage, gas, electricity, and communications equipment or lines, nor interfere with natural or manmade storm water drainage facilities.
- (b) No permanent or temporary ground sign shall be placed in a utility easement unless specifically authorized by the Community Development Director.

Section 9-18-3-8. Vertical Clearance.

Projecting signs and suspended signs, where authorized by this Article, shall provide a minimum vertical clearance of nine (9) feet from any public sidewalk or private walkway and eight (8) feet of clearance from ground level to the bottom of the sign in any other location. (Cross-Reference: Sec. 9-18-6-9).

Section 9-18-3-9. Obstruction of Tree Critical Root Zone.

No ground sign, whether permanent or temporary, shall be installed on the ground within the critical root zone of an existing tree.

Section 9-18-3-10. Signs on Natural Objects.

No sign or advertising device shall be painted on or attached to trees, rocks, or any other natural features; provided however, that on property within R-I-A, R-I, and N-C zoning districts, a sign otherwise authorized by this Article and with an area of one (1) square foot or less may be attached to a tree, rock, or other natural feature on private property.

Section 9-18-3-11. Signs on Benches or Bus Shelters.

No sign or advertising device shall be painted on or attached to a bench or bus shelter, unless specifically authorized by the governing body of the City of Gainesville.

Section 9-18-3-12. Signs Attached to Light Poles.

No sign or advertising device shall be attached to a light pole on private property.

Section 9-18-3-13. Signs on Fences or Freestanding Walls.

No sign or advertising device shall be attached to a fence or freestanding wall, except for the following:

- (a) One identification plate not exceeding $\frac{1}{4}$ square foot of area may be affixed to any fence.
- (b) This section does not prevent project entrance signs as authorized by this Article.

CHAPTER 9-18-4 ILLUMINATION

Section 9-18-4-1.	Definitions Related to Illumination.
Section 9-18-4-2.	Compliance with Electrical Code.
Section 9-18-4-3.	General Prohibitions.
Section 9-18-4-4.	Maximum Luminance.
Section 9-18-4-5.	Restrictions on Changeable Copy.
Section 9-18-4-6.	Lighting of Awnings.
Section 9-18-4-7.	External Illumination Standard.

Section 9-18-4-1. Definitions Related to Illumination.

Beacon: A stationary or revolving light which flashes or projects illumination, single color or multi-colored, which is required or necessary under the safety regulations promulgated by the Federal Aviation Administration or similar agencies.

Candela: The basic unit of measurement of light in SI (metric) units.

Candela per square meter (cd/m²): The SI (metric) unit used to describe the luminance of a light source or of an illuminated surface that reflects light. Also referred to as Nits.

Candle or candlepower: Synonymous with Candela, but in English, not SI, terms.

Dissolve: A mode of message transition on an electronic changeable copy sign accomplished by varying the light intensity or pattern, where the first message gradually appears to dissipate and lose legibility simultaneously with the gradual appearance and legibility of the subsequent message.

Externally illuminated sign: Any sign that is partially or completely illuminated at any time by an artificial light source that directly or indirectly illuminates the face of the sign from outside the sign structure.

Fade: A mode of message transition on an electronic changeable copy sign accomplished by varying the light intensity, where the first message gradually reduces intensity to the point of not being legible and the subsequent message gradually increases intensity to the point of legibility.

Flashing: Any condition where artificial light is not maintained stationary or constant in intensity.

Fluorescent color: A color that is intense, brilliantly colored and apparently giving off light, such as but not limited to day glow (day-glo) colors.

Foot candle: An English unit of measurement of the amount of light falling upon a surface (illuminance). One foot candle is equal to one lumen per square foot. Can be measured by means of an illuminance meter.

Illuminance: The amount of light falling upon a real or imaginary surface, commonly called "light level" or "illumination". Measured in foot candles (lumens/square foot) in the English system, and lux (lumens/square meter) in the SI (metric) system.

Illuminated sign: A sign characterized by the use of artificial light, either projecting through its surface(s) (i.e., internally illuminated); or reflecting off its surface(s) (i.e., externally illuminated).

Internally illuminated sign: A sign illuminated by an internal light source which is viewed through a transparent or translucent panel. An electronic changeable copy sign is an internally illuminated sign.

LED Sign. Any sign or portion thereof that uses light emitting diode (LED) technology or other similar semi-conductor technology to produce an illuminated image, picture, or message of any kind whether the image, picture, or message is moving or stationary. This includes any sign that uses LED technology of any kind, whether conventional (using discrete LEDs), surface mounted (otherwise known as individually mounted LEDs), transmissive, organic light emitting diodes (OLED), light emitting polymer (LEP), organic electro polymer (OEL), or any other similar technology. An LED sign is a changeable copy electronic sign.

Lux: The SI (metric) unit for illuminance. One lux equals 0.093 foot candles.

Neon lighting or outlining: A sign, display, or installation outlining windows, doors, or other portions of the building which is composed of one or more discharge lamps in which the gas contains a large proportion of neon, giving it a fluorescent or extremely bright color.

Nit: A standard unit of luminance; a measurement of direct light (i.e., looking directly at the light source), used to describe displays. A “nit” is an amount of emanating light equal to one candela per square meter (cd/m²).

Scroll: A mode of message transition on an electronic changeable copy sign in which the message appears to move vertically across the display surface.

Transition: A visual effect used on an electronic changeable copy sign to change from one message to another.

Travel: A mode of message transition on an electronic changeable copy sign, in which the message appears to move horizontally across the display surface.

Section 9-18-4-2. Compliance with Electrical Code.

- (a) No sign shall have exposed electrical wires.
- (b) All electrical service to a sign shall be in compliance with the National Electrical Code adopted by city Code Section 9-20-1-3 and any other city code sections related to the regulation of electricity.
- (c) An electrical permit shall be required for first-time electrical connections to signs.

Section 9-18-4-3. General Prohibitions.

- (a) The outline-lighting of windows and doors with strings of light bulbs, neon lights, LED lights or any form of lighting shall not be permitted, except as part of holiday decorations (Cross-Reference: Sec. 9-9-3-14 (g) 3).

- (b) It shall be unlawful to utilize strobe, laser, and search lights except for emergency or public safety operations.
- (c) No sign shall be illuminated if it is located on a lot used exclusively for a single-family dwelling (including manufactured home), two-family dwelling (duplex), an agricultural use, or combination of agricultural and residential use.
- (d) No temporary sign shall be illuminated.
- (e) No incidental sign shall be illuminated.
- (f) No sign in an R-I-A, R-I, N-C, R-II, O-I, or N-B zoning district shall be internally illuminated (note: this requirement by definition prohibits electronic changeable copy signs in these zoning districts).
- (g) A flag may be externally illuminated only if it is flown from a freestanding pole.

Section 9-18-4-4. Maximum Luminance.

- (a) Night-time. Signs that are authorized to be externally illuminated shall not exceed a maximum luminance level of 500 cd/m² or nits, regardless of the method of illumination, from apparent sunset until apparent sunrise, as determined by the National Oceanic and Atmospheric Administration (NOAA), U.S. Department of Commerce, for the specific geographic location and date.
- (b) Daytime. Signs that are authorized to be externally illuminated shall not exceed a maximum luminance level of 5,000 cd/m² or nits, regardless of the method of illumination, from apparent sunrise to apparent sunset, as determined by the National Oceanic and Atmospheric Administration (NOAA), U.S. Department of Commerce, for the specific geographic location and date.
- (c) Dimmer Control. Electronic changeable copy signs, where permitted, must have an automatic phased proportional dimmer control, photocell or other light sensing device, or a scheduled dimming timer, or another approved device, which produces a distinct illumination change that reduces nighttime brightness levels compared to daytime brightness levels. The applicant for any such electronic changeable copy sign shall provide written certification from the sign manufacturer that the light intensity has been factory pre-set not to exceed the levels specified in this Chapter; end-user manipulation of pre-set levels shall not be permitted.

Section 9-18-4-5. Restrictions on Changeable Copy.

The following restrictions shall apply to all signs with changeable copy:

- (a) Light Color. Lighting of changeable copy signs shall be limited to amber or white color only.
- (b) Duration of Message. Each message shall remain fixed for at least ten (10) seconds.
- (c) Transition Time. There shall be a transition time of no more than two (2) seconds between different messages for electronic changeable copy signs and no more than

three (3) seconds for mechanical changeable copy signs. Messages that dissolve or fade during transition time shall be permitted.

- (d) Manner of Display. Messages shall not consist of video, and messages shall not flash, blink, vary in light intensity, or travel, scroll, or behave in any other way which constitutes or implies motion or movement, except as specifically provided in this section during transition time.
- (e) Freeze at Malfunction. Changeable copy electronic signs shall include a default designed to freeze a display in one still position if a malfunction occurs.

Section 9-18-4-6. Lighting of Awnings.

Internally lit (including backlit) awnings are prohibited, except as may be specifically authorized by the Community Development Director as part of a uniform sign plan (see Section 9-18-7-4 of this Article) pertaining to property in a commercial zoning district.

Section 9-18-4-7. External Illumination Standard.

Externally illuminated signs shall be lighted by a white, steady stationary light of reasonable intensity, shielded and directed solely at the sign, so as not to cause glare or spill light into the road right-of-way or up into the sky.

CHAPTER 9-18-5 BASIC SIGN PERMISSIONS

- Section 9-18-5-1. Principal Use Ground Sign, Single-Use.
- Section 9-18-5-2. Principal Use Ground Sign, More Than One Use.
- Section 9-18-5-3. Accessory Ground Sign.
- Section 9-18-5-4. Wall Sign.
- Section 9-18-5-5. Window Sign.
- Section 9-18-5-6. Project Entrance Sign.

Section 9-18-5-1. Principal Use Ground Sign, Single-Use.

One principal use ground sign per property frontage is authorized for each developed property (i.e., excluding vacant properties) for a single use, except for single-family detached residences, two-family residences, and agricultural land uses, not to exceed the following sign face area, sign structure area (includes sign face area), and height limitations for the zoning district in which the lot is located:

Regulation	Zoning District					
	R-I-A, R-I, N-C, R-II*	R-O	O-I, N-B	R-B, G-B	C-B	L-I, H-I
Maximum sign face area (sq. ft.)	24	32	64	80	40	80
Maximum sign structure area (sq. ft.)	32	48	96	120	60	120
Maximum height (feet)	8	8	10	10	10	10

* These sign allowances (principal use ground sign – individual use) are for non-single-family residential uses that are permitted outright or as a special use in these residential zoning districts.

Section 9-18-5-2. Principal Use Ground Sign, More than One Use.

Principal use ground signs are authorized for each property developed (i.e., excluding vacant properties) for more than one use or tenant, not to exceed the following requirements by zoning district:

Principal Use Ground Sign Regulations	Zoning District					
	R-I-A, R-I, N-C, R-II	R-O	O-I, N-B	R-B, G-B	C-B	L-I, H-I
Maximum number	N/A	1 per street frontage	1 per street frontage	1 per 200' of street frontage, maximum 3 per lot	1 per street frontage	1 per street frontage
Maximum sign face area (sq. ft.)	N/A	32	120	140	80	140
Maximum sign structure area (sq. ft.)	N/A	60	160	240	120	240
Maximum height (feet)	N/A	8	15	15	15	15

Section 9-18-5-3. Accessory Ground Sign.

- (a) One accessory ground sign per property frontage shall be permitted for each lot used for commercial, industrial, institutional, residential dwelling, agricultural land use, and for each vacant property, not to exceed the following area and height limitations:

Accessory Ground Sign Allowance	Zoning District					
	R-I-A, R-I, N-C, R-II	R-O	O-I, N-B	R-B, G-B	C-B	L-I, H-I
Accessory ground sign maximum sign face area (sq. ft.)	4	8	16	24	N/A	24
Accessory ground sign maximum height, single-ground sign (ft.)	4	6	6	6	N/A	6

- (b) The Community Development Director may permit increases in area or height of one or more accessory ground signs as part of an approved uniform sign plan (see Section 9-18-7-4 of this Article).

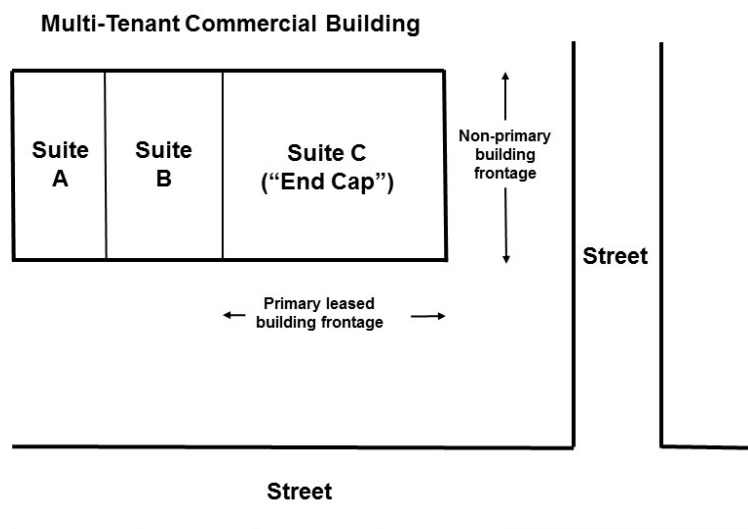
Section 9-18-5-4. Wall Sign.

Wall signage is authorized in accordance with this section.

- (a) Wall signage is permitted in accordance with this section for two (2) building walls only, unless otherwise authorized via a uniform sign plan (Section 9-18-7-4).
- (b) For a building with only one (1) tenant or owner, wall sign authorization shall be calculated on the basis of the entire building frontage (see definition in Chapter 9-18-2).
- (c) For a building containing more than one (1) business, establishment, or leasable space, wall signage allowances for each such business, establishment, or leasable space shall be calculated individually for each tenant space based on the amount of building frontage leased by that business or establishment and shall be the leased portion of the total building frontage.
- (d) Wall signs shall not exceed the maximum number, maximum sign area, or maximum height provisions as follows for a single wall sign allowance:

Wall Sign Regulations	Zoning District					
	R-I-A, R-I, N-C, R-II	R-O	O-I, N-B	R-B, G-B	C-B	L-I, H-I
Maximum number per leased building frontage	N/A	N/A	1	1	1	1
Maximum sign area (sq. ft.) of all wall signs per building frontage	N/A	N/A	1 square foot for each linear foot of leased building frontage			
Maximum height	N/A	N/A	Wall signs shall not exceed the height of the building wall on which it is attached			

- (e) When an establishment has two (2) or more building frontages, wall signage on the second (non-primary) building wall shall be limited to $\frac{1}{2}$ square feet for each linear foot of leased building frontage (see illustration below).



- (f) In addition to the sign area allowance of this Section, one (1) additional square foot for each linear foot of leased building frontage of sign area is permitted if the wall sign is located on a building that is setback on the lot a distance of four (4) times the distance of the required building setback.
- (g) The Community Development Director may authorize more than one wall sign per leased building frontage, and/or an increase in sign area, as part of approval of a uniform sign plan (see Section 9-18-7-4 of this Article).

Section 9-18-5-5. Window Signs.

Signs within windows and doors, except incidental signs exempt from the requirements of this Article, shall be permitted in nonresidential zoning districts, not to exceed twenty-five (25) percent of any individual window and fifty (50) percent of glass panes of any doors.

Section 9-18-5-6. Project Entrance Sign.

- (a) Applicability. This section shall not apply to a lot which is authorized to have a principal use ground sign. This section shall apply to lots at the intersection of a public right of way and a public or private street or driveway serving any of the following: a subdivision of detached, single-family homes; an office condominium project, and a commercial or industrial subdivision.
- (b) One two-sided project entrance sign allowance. Any residential subdivision office condominium project, or commercial or industrial subdivision shall be permitted one (1) ground sign (which may be two sided) at each entrance to the subdivision or complex, not exceeding the following area and height limitations:

Single Project Entrance Sign Allowances	Zoning District					
	R-I-A, R-I, N-C, R-II	R-O	O-I, N-B	R-B, G-B	C-B	L-I, H-I
Ground sign maximum sign face area (sq. ft.)	32	32	64	96	N/A	96
Ground sign maximum height, single-ground sign (ft.)	8	8	10	10	N/A	12

- (c) Two, one-sided project entrance sign allowance. In lieu of a single project entrance sign allowed per this section, any residential subdivision, office condominium project, or commercial or industrial subdivision shall be permitted two (2), one-sided ground signs at each entrance, integrated into an entrance monument wall, one on each side of said entrance, to the subdivision or complex, provided that the signs together do not exceed the area allowances for a single project entrance sign area limitations of this section.

**CHAPTER 9-18-6
SUPPLEMENTAL SIGNAGE ALLOWANCES AND REQUIREMENTS**

- Section 9-18-6-1. Sign During Sale or Construction.
Section 9-18-6-2. A-frame Sign.
Section 9-18-6-3. Banner, Temporary.
Section 9-18-6-4. Billboards.
Section 9-18-6-5. Canopy or Awning Sign.
Section 9-18-6-6. Changeable Copy.
Section 9-18-6-7. Drive-Through Lane Sign.
Section 9-18-6-8. Flag.
Section 9-18-6-9. Special Temporary Event Advertising.
Section 9-18-6-10. Suspended or Projecting Sign.

Section 9-18-6-1. Sign During Sale or Construction.

This section authorizes temporary signage during the time a lot, building, or tenant space is for sale, lease, rent, or under construction, as follows, subject to the area and other limitations of this section. Such signs authorized in this section may be placed on a site as specified until the property or premises is sold, leased, or rented, in which case the sign is no longer authorized.

- (a) Vacant lot. During the time a vacant lot is for sale, lease, rent, or under construction, one (1) ground sign per property frontage shall be authorized on the lot.
- (b) Building. During the time a building on a lot is for sale, lease, rent, or under construction, one (1) ground sign per property frontage, or one (1) wall sign per building frontage, or one (1) window sign shall be authorized.
- (c) Multiple buildings or tenant spaces. During the time a development with more than one building, and/or a development with more than one leasable spaces within one or more buildings, has tenant spaces for sale, lease, rent, or under construction, one (1) ground sign shall be authorized on the lot. In addition, either one (1) wall sign shall be authorized on the building with tenant space available, or one (1) window sign shall be authorized within the building window of the tenant space available.

Signs During Sale or Construction	Zoning District					
	R-I-A, R-I, N-C, R-II	R-O	O-I, N-B	R-B, G-B	C-B	L-I, H-I
Ground sign maximum sign face area (sq. ft.)	4	12	24	48	32	48
Ground sign maximum height (ft.)	4	4	6	8	8	8
Wall sign (sq. ft.)	4	12	24	48	32	48
Window sign (% of total window area)	50%	50%	25%	25%	25%	25%

Section 9-18-6-2. A-frame Sign.

- (a) An institution or establishment is authorized to display, during the institution or establishment's hours of operations, one (1) A-frame sign, not exceeding three (3) feet in

height or six (6) square feet in area in the following locations: on a public sidewalk in the C-B zoning district; and in commercial zoning districts which have (on) a private sidewalk or private walkway in front of the building located at least forty (40) feet from a public right of way. Any other location is prohibited.

- (b) No such A-frame sign shall obstruct pedestrian or handicapped accessibility movements.
- (c) Any sign authorized by this section shall be removed from the sidewalk or walkway when the institution or establishment is not open.

Section 9-18-6-3. Banner, Temporary.

- (a) Interim for an establishment. The occupant or prospective occupant of a building or leased space may erect a temporary banner not exceeding 32 square feet in area, prior to the issuance of a certificate of occupancy, provided that the occupant or prospective occupant has applied for a sign permit for permanent wall sign (or if permitted, permanent ground sign) for the building or leased space. The temporary banner may be affixed to a building wall, or if properly secured be affixed to an existing sign or to the ground. The temporary banner shall not remain in place for more than 60 days and must be removed once the permanent wall sign is erected.
- (b) Temporary for residential subdivision. On any lot at the entrance to a subdivision of detached, single-family lots which has a lawful project entrance sign, one (1) temporary banner not exceeding sixteen (16) square feet may be attached to the face of the project entrance sign or secured to the ground, during a time period of forty (40) days before and forty (40) days after the official date of a public high school graduation in the locality.
- (c) General restrictions. Banners shall not be hung as under-canopy signs, flown as flags, or attached to or used as any other form of sign unless specifically provided otherwise in this Article.

Section 9-18-6-4. Billboards.

A billboard, as defined, is allowed subject to compliance with the following requirements:

- (a) The sign must be located in G-B, L-I, or H-I zoning districts within 300 feet of a State, U.S. or Interstate numbered highway.
- (b) In the G-B district, the area of the sign face shall not exceed 80 square feet. In the L-I and H-I districts, the area of the sign face shall not exceed 240 square feet. In each of the districts, the height of the sign shall not exceed 25 feet.
- (c) All portions of the billboard shall be located in accordance with the principal building setback requirements of the zoning district in which it is located.
- (d) The billboard shall not be located within 1,000 feet of any other billboard or within 500 feet of a residential zoning district. Distance measurements shall be made horizontally in all directions from the nearest edge of the sign face.
- (e) The billboard may not be located on or over any building.

(f) Billboards located near expressway interchanges shall be limited as follows:

1. No more than one (1) billboard may be located in each quadrant of the interchange.
2. Such billboards shall be restricted to an area in each quadrant 1,200 feet long beginning 500 feet from the road that crosses the expressway or 500 feet beyond the point where the pavement begins to widen on the main travelway of the expressway to accommodate an exit or entrance ramp, whichever is farther from the interchange.

(g) All billboards visible from or within 660 feet of a U.S. or State numbered highway shall comply with all requirements of the State of Georgia.

A site plan prepared by a registered land surveyor, architect or engineer shall be submitted with all billboard applications. The site plan shall include a boundary survey of the property, the exact location of the proposed billboard, and certification that all dimensional and distance requirements of this chapter are met.

Section 9-18-6-5. Canopy or Awning Signs.

- (a) Freestanding canopies covering accessory uses or structures on a commercial or industrial lot shall be permitted one attached sign on each side of the freestanding canopy facing a street, not to exceed one-quarter (1/4) square foot per linear frontage of canopy per individual canopy sign.
- (b) Signs on awnings attached to a building face shall be regulated as wall signs, except that an additional awning sign may be authorized per design review in the C-B zoning district.

Section 9-18-6-6. Changeable Copy.

- (a) No more than one (1) changeable copy electronic sign shall be permitted for any single lot.
- (b) Changeable copy, not to exceed twenty (20) square feet in area, shall be authorized to be incorporated into a principal use, monument (ground) sign.
- (c) Changeable copy electronic signs are authorized only if in compliance with Chapter 9-18-4 of this Article with regard to illumination and electronic changeable copy signs.
- (d) Changeable copy shall not be incorporated into an existing nonconforming billboard.

Section 9-18-6-7. Drive-Through Lane Sign.

Drive-through lanes serving a restaurant may have a maximum of two display boards, each not exceeding six (6) feet in height or thirty-six (36) square feet in area.

Section 9-18-6-8. Flag.

Any residence, establishment, or institution may display as many as three (3) flags, per lot, when displayed in accordance with the placement, height, and area requirements of this section. Flags may be displayed on a freestanding pole, projecting from a building or door or placed in a window as provided in this Section. Flags shall not be ground-mounted or affixed to utility poles, light poles, or vehicles.

- (a) Pole flags. A flag may be displayed from a purpose-built, professionally fabricated, freestanding pole not to exceed a height of thirty (30) feet. An individual flag flown from such a pole shall not exceed an area of forty (40) square feet.
- (b) Projecting flags. Flags may be flown from a metal or wooden pole attached to a bracket projecting from the side of a building or doorframe. The pole projecting from a building shall not exceed six (6) feet in length. The flag flying from such pole shall not exceed an area of fifteen (15) square feet.
- (c) Window flags. Flags may be hung in the window of any non-residential property. The area of the flag is subject to the area limitations for window signage.

Section 9-18-6-9. Special Temporary Event Advertising.

- (a) Findings and Intentions. Certain advertising devices, such as banners or inflatable signs, are not normally appropriate given the objectives of the city to maintain aesthetics and to prevent clutter resulting from competition among establishments for attention. While it is appropriate to disallow the general use of banners, temporary ground signs, inflatable signs, and certain other advertising devices it is considered appropriate in the city to permit businesses and establishments to use certain advertising devices occasionally, for a limited duration.
- (b) Permit. Special temporary event signage shall be authorized upon issuance of a permit for special temporary outdoor event pursuant to Chapter 9-10-8-2 of this Unified Land Development Code, subject to compliance with this Section.
- (c) Permissions. Notwithstanding the prohibitions specified in this Article, at the discretion of the applicant, any one of the following signs and advertising devices may be applied for as part of a special temporary event and approved by the Community Development Department:
 - 1. One (1) banner, not exceeding thirty-two (32) square feet in area nor twelve (12) feet in height.
 - 2. No more than two (2) additional, temporary ground signs not exceeding eight (8) square feet each nor a height of four (4) feet (excludes feather banners).
 - 3. One (1) or more inflatable sign, or balloons, not to exceeding a total of thirty-two (32) cubic feet in volume. (Note: a standard balloon with an inflated diameter of eleven (11) inches has a capacity of approximately 0.5 cubic feet). The Community Development Director may authorize the placement of an inflatable sign on the roof of a building, notwithstanding the general prohibition in this Article of roof signs, but

not to exceed the maximum building height allowance for the zoning district in which the sign is located.

4. A combination of these permissions approved by the Community Development Department that is the functional equivalent in terms of advertising area.

(d) Duration. Signage shall be limited to a total of 60 days a calendar year for the same business or organization.

(e) Illumination. Signage permitted pursuant to this Section shall not be illuminated.

Section 9-18-6-10. Suspended or Projecting Sign.

- (a) One (1) suspended or projecting sign per leased building frontage is permitted in C-B zoning districts, if projecting or suspended from a building wall or canopy, not to exceed six (6) square feet in area, and subject to the vertical clearance requirements of Section 9-18-3-8 of this Article (i.e., nine (9) feet from any public sidewalk or private walkway and eight (8) feet of clearance from the ground level to the bottom of the sign in any other location).
- (b) The Community Development Director may authorize the use of suspended or projecting signs in commercial shopping centers in other commercial zoning districts, as a part of approving a uniform sign plan (see Section 9-18-7-4 of this Article), limited to one such suspended sign per establishment with an area not to exceed six (6) square feet.

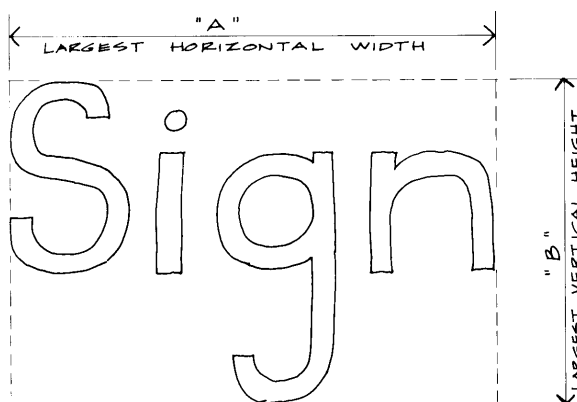
CHAPTER 9-18-7 INTERPRETATIONS, MODIFICATIONS AND VARIANCES

- Section 9-18-7-1. Computation of Sign Face and Sign Structure Areas.
 Section 9-18-7-2. Modification of Monument Signage Requirement.
 Section 9-18-7-3. Signs in Planned Unit Development (PUD) Zoning Districts.
 Section 9-18-7-4. Uniform Sign Plans.
 Section 9-18-7-5. Variances.

Section 9-18-7-1. Computation of Sign Face and Sign Structure Areas.

The area of a sign face and sign structure shall be computed as follows:

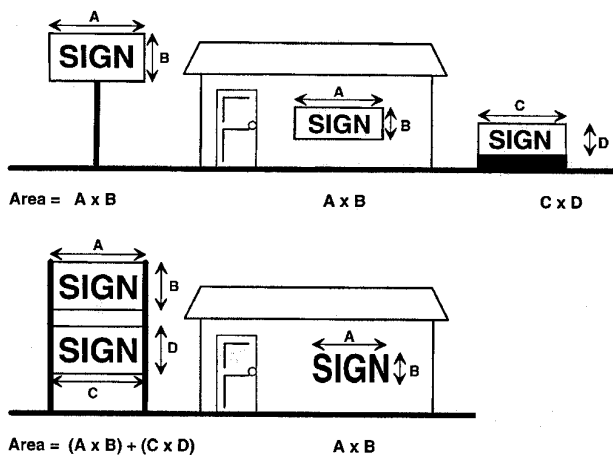
- (a) The area of a "sign face" shall be computed as the area within the smallest rectangle enclosing the limits of a sign face, or the combination of the areas of all such rectangles delimiting each sign face module, together with any material, texture, or color forming an integral part of the sign face or used to differentiate the sign face from the structure upon which it is placed.



MEASUREMENT OF WALL SIGN AREA WHERE THERE IS NO DEFINED SIGN BACKGROUND

$$"A" \times "B" = \text{SIGN AREA}$$

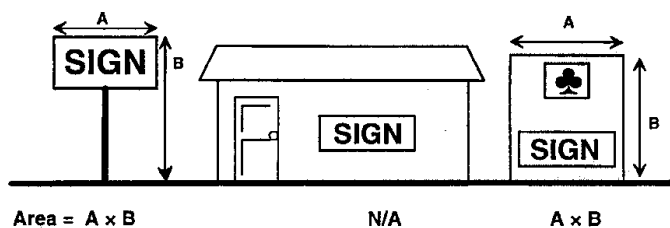
- (b) The computation of the area of a sign face shall not include the structure, supports or uprights on which the sign face is placed or any portions of a sign structure that are not intended to contain any message or idea and are purely structural or decorative in nature, other than those portions contained within the rectangle that delimits the sign face or a sign face module.



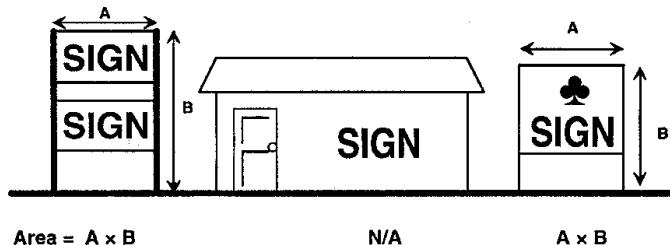
Examples of Sign Face Area Measurements

- (c) Any sign on which the words, letters, figures, symbols, logos, fixtures, colors, or other design elements routinely change or are intended to be changed from time to time, the sign face area shall include the entire area within which any words, letters, figures, symbols, logos, fixtures, colors, or other design elements may be placed, together with any material, texture, or color forming an integral part of the sign face or used to differentiate the sign face from the freestanding structure or building face upon which it is placed.

- (d) The area of a sign structure of a ground sign shall be computed as the area within the sign face plus all portions of the sign structure and all open or solid areas within the total area of the sign structure (i.e., tallest height x widest width).



- (e) For multi-faced signs, when the sign face surfaces are parallel (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 area on the largest side. For all other multi-faced signs, the area of the sign shall be the total area on all sides that can be viewed at one time from any angle.



Examples of Sign Structure Area Measurements

Section 9-18-7-2. Modification of Monument Signage Requirement.

The Community Development Director, during design review of a sign application, is authorized to modify the strict terms of this Article as they pertain to monument-style signs. For good cause shown (including but not limited to equal or better aesthetics and compatibility with the building architecture or the character of the district in which the sign is located), the Community Development Director may authorize a pylon or pole sign (see definition in Chapter 9-18-2).

Section 9-18-7-3. Signs in Planned Unit Development (PUD) Zoning Districts.

For signs in the PUD zoning district each development shall conform to the sign regulations established as part of the zoning approval for the Planned Development (including previously established P-R-D, P-O-D, P-C-D and P-I-D Planned Development Districts). If no such regulations exist, each portion of a Planned Development existing on the effective date of this Unified Land Development Code shall conform to the regulations of this Article for the zoning district most comparable to that portion of the Planned Development, as determined by the Director of Community Development.

Section 9-18-7-4. Uniform Sign Plans.

A uniform sign plan is required for any multi-tenant nonresidential development, such as a shopping center, before any building signs or freestanding signs for the development or the development's tenants may be erected on the property. The intent of this Section is to provide for compatibility of all signs within a particular multi-building or multi-tenant development so that they conform to certain physical characteristics such as color, font, design of sign face, sign face module, sign structure, etc.

Modifications to the restrictions on signage for a specific property or development may be requested for administrative approval by submitting to the Community Development Department a uniform sign plan for review and processing. The uniform sign plan shall not be considered or used as an alternative to the strict regulations of this Article, except that building sign requirements may be modified pursuant to a uniform sign plan for good cause shown and greater visual coherence and coordination within the development.

Uniform sign plans shall at minimum consist of the following:

- (a) Drawings and specifications as may be required to clearly illustrate the location, materials, size, letter style, and color of all and every sign to be placed as freestanding and building signs within the development.
- (b) Design standards such that signs of a similar type and function within the development shall have a consistency of size, lettering style, color scheme, and construction materials so as to present a unified design concept while respecting the differences between tenant types and occupancies.

Following approval by the Community Development Department, a uniform sign plan shall be binding on the owner, and any lessees, subtenants, purchasers, or other occupants, until or unless the uniform sign plan is replaced with another approved uniform sign plan or the uniform sign plan is repealed (and in such cases the strict terms of this Article shall apply).

Section 9-18-7-5. Variances.

- (a) A property owner or sign owner may apply for a variance from the provisions of this Article.
- (b) The application shall be accompanied by an elevation drawing and/or plot plan, drawn to scale, showing the dimensions and arrangement of the proposed sign. An inventory of signs and sign areas and heights existing on the property shall also be submitted. The Department of Community Development may require other information about the variance requested and its relationship to the surrounding properties. Variance applications shall be accompanied by a fee as established by resolution of the governing body of the City of Gainesville.
- (c) Applications to vary the sign regulations in this article shall be filed, considered and decided subject to the procedures and notice requirements of Chapter 9-22-6 of this Unified Land Development Code.

CHAPTER 9-18-8 NONCONFORMING SIGNS

Section 9-18-8-1. Nonconforming Signs.

Section 9-18-8-2. Sign Limitations When Nonconforming Sign Exists.

Section 9-18-8-1. Nonconforming Signs.

- (a) A wall or ground sign that lawfully existed on the effective date of this Unified Land Development Code may continue to be used, except that the nonconforming sign: shall not be moved to another location on the site; replaced by another nonconforming sign; or enlarged or altered in a way that increases its nonconformity or that adds value to said sign.
- (b) A nonconforming ground or wall sign shall not be reused for a new business or establishment. This includes, a prohibition against the replacement of a sign face module for a new business on a sign or sign structure that exceeds the maximum area or height requirements established by this Article, or otherwise does not conform with the requirements of this Article. This paragraph does not apply to nonconforming billboards.
- (c) The addition of changeable copy to any nonconforming freestanding sign is prohibited.
- (d) Minor repairs and maintenance of nonconforming signs shall be permitted; provided, however, that no change in the shape or size of a nonconforming sign shall be permitted except to make the sign comply with the requirements of this Article. In no case shall a nonconforming sign be repaired, rebuilt, replaced, moved, or altered after damage exceeding 50 percent of the value of the sign.

Section 9-18-8-2. Sign Limitations When Nonconforming Sign Exists.

No sign or advertising device shall be erected for the same establishment on the same lot with an existing nonconforming sign until the nonconforming sign has been removed or made to conform to the provisions of this Article. Existing, nonconforming billboards are not subject to the requirements of this Section.

CHAPTER 9-18-9 MAINTENANCE, ENFORCEMENT, AND REMOVAL

- Section 9-18-9-1. Sign Maintenance.
Section 9-18-9-2. Situations Where Maintenance is Required.
Section 9-18-9-3. Removal of Certain Signs.

Section 9-18-9-1. Sign Maintenance.

All signs, together with all their supports, braces, guys, and anchors shall be kept in good repair and, unless constructed of galvanized or noncorrosive metal, shall be given a protective coating as necessary to maintain a clean appearance and safe condition.

Section 9-18-9-2. Situations Where Maintenance is Required.

Upon discovery of a sign in need of maintenance, the Director of Community Development, his or her designee, City Marshal or, or other administrative official responsible for administration shall give written notice to the owner of the sign or the owner of the property on which the sign is located if the owner of the sign itself cannot be determined. Said notice shall state the item or items requiring repair or maintenance. The owner shall have thirty (30) days in which to repair or maintain the sign before a citation is issued. If the owner has failed to make repairs or the necessary maintenance within that time, the enforcement officer shall initiate enforcement proceedings as required to cure violation of this Article. Situations constituting the need for maintenance include but are not limited to the following:

- (a) Lettering or other elements of the sign have become detached or have fallen off the sign or become misaligned.
- (b) Painted surfaces on the sign or sign structure have begun to peel, flake over a significant portion of the sign, or have faded or oxidized to an extent that the sign no longer displays the message as originally intended.
- (c) A significant number of the bricks, stones, or other materials on the structural base of a sign have become detached or have fallen off, or have become misaligned.
- (d) Other similar conditions of disrepair or lack of maintenance as determined by the Community Development Director.
- (e) For lighted signs, one or more illumination devices are not working and have not been replaced.

Section 9-18-9-3. Removal of Certain Signs.

- (a) Signs in right of way. As authorized in O.C.G.A. 32-6-51, any sign, signal, device, or other structure erected, placed, or maintained on the dedicated right of way of any public road in violation of this Article is declared to be a public nuisance, and the officials having jurisdiction of the public road affected may remove or direct the removal of the same.

- (b) Unlawful temporary signs. Temporary signs erected in violation of this Article may constitute a safety hazard and are subject to being removed without notice and being destroyed. Additionally, if such signs are erected unlawfully, or in improper areas, or beyond the permissible time frame, they are subject to being taken down and destroyed by the City's Director of Community Development, or his or her designee, City Marshal, or other enforcement officer, without notice.
- (c) Unlawful signs of a more permanent nature. Except as provided in paragraph (a) of this Section, if any sign is installed, erected, or constructed in violation of this Article, the owner or person or firm maintaining the sign shall, upon notice either written or verbal from the Director of Community Development, his or her designee, City Marshal, or other enforcement officer, remove prohibited signs immediately. Any such sign not removed within the time period allotted from the written notice, may be removed by the City, and the City of Gainesville shall have the right to place a lien on the property in accordance with Section 106.3 of the International Property Maintenance Code adopted in City Code Section 9-20-1-1.
- (d) Derelict signs. Should any sign become insecure or in danger of falling or otherwise unsafe in the opinion of the Director of Community Development, Building Official, City Marshal, or other code enforcement officer, the owner or person or firm maintaining the sign shall, upon written notice from said enforcement officer, forthwith in the case of immediate danger and in any case within ten (10) days, remove such sign or secure it in a manner approved by the enforcement officer. Any such sign not removed or secured within ten (10) days from the written notice may be removed by the City, and the City of Gainesville shall have the right to place a lien on the property in accordance with Section 106.3 of the International Property Maintenance Code adopted in City Code Section 9-20-1-1.
- (e) Nonconforming signs that cannot be made to conform to this Article. A nonconforming freestanding or building sign shall be removed within ninety (90) days after the business or establishment to which the sign initially pertained ceases to operate at the subject location. This paragraph does not apply to billboards.
- (f) New signage proposed where a discontinued sign exists. No new sign shall be permitted to be erected on the same property until the discontinued sign or nonconforming sign, including its supports, has been removed or is converted to a lawfully conforming sign, except as otherwise provided by this Section. This paragraph does not apply to billboards.
- (g) Change or removal of discontinued signs. When a property owner has a lawful and conforming freestanding or building sign that no longer is used by a business or establishment, and the owner desires to retain said sign, this section shall apply in order to retain said ground sign as a lawful sign and to avoid it being deemed a discontinued sign. If a principal use which permitted a ground or wall sign no longer exists on the site of said sign, and said sign contains a sign face that is in the form of a removable sign face module, the removable sign face module containing advertising shall be removed and replaced with a panel of like or similar appearance without advertising until another use is lawfully established and principal use or wall sign is lawfully erected. If the subject sign face contains a sign copy area that is not removable, then the said sign shall be removed or the copy area shall be painted over to conceal the advertising.

**CHAPTER 9-18-10
RESERVED**

CHAPTER 9-18-11 CONSTRUCTION, PERMISSIONS AND PERMITS

- Section 9-18-12-1. Building Permit and Conformance to Codes.
- Section 9-18-12-2. Composition and Construction Materials.
- Section 9-18-12-3. Sign Approval in Historic Properties Overlay Zone.
- Section 9-18-12-4. Sign Compliance Verification Letter.

Section 9-18-12-1. Building Permit and Conformance to Codes.

Whether or not required by the building code, a building permit shall be required and must be obtained from the Building Department prior to installation or placement of all the following:

- (a) Permanent ground signs.
- (b) Projecting signs.
- (c) Suspended signs.
- (d) Wall signs.

Prior to permit approval, design review in accordance with Article 9-9 of the Unified Land Development Code shall be required to be accomplished. If plans are required for issuance of a building permit for a sign, the plans shall be certified as to conformance with all structural and wind-load resistive standards of the Building Code adopted by city Code Section 9-20-1-1 by a structural engineer registered in the State of Georgia, or be prepared using standard drawings prepared by a structural engineer or other qualified professional meeting or exceeding all requirements of the Building Code adopted by city Code Section 9-20-1-1.

Section 9-18-12-2. Composition and Construction Materials.

- (a) All permanent principal use ground signs and project entrance signs shall be required to be monument signs, except as may be authorized otherwise by the Community Development Director per Section 9-18-7-2 of this Article.
- (b) Temporary signs shall be made of metal, plastic, laminated cardboard, or some other durable and waterproof material. No such sign shall be made of paper.
- (c) The composition of any sign in the Historic Preservation Overlay Zone may be restricted or regulated by the Historic Preservation Commission.

Section 9-18-12-3. Sign Approval in Historic Preservation Overlay Zone.

Signs are external environmental features that can detract from historic character if not considered in the proper context. Signs located in the Historic Preservation Overlay Zone established by this Unified Land Development Code require a Certificate of Appropriateness to be issued pursuant to Chapter 9-23-3 of this Unified Land Development Code. Within the Historic Preservation Overlay Zone (i.e., historic districts and properties designated in Chapter 9-8-8 of this Unified Land Development Code, no freestanding or building sign shall be erected

or installed unless sign has been approved by the Gainesville Historic Preservation Commission, except as specifically provided otherwise in this Section.

In acting on applications involving sign approvals, the Historic Preservation Commission shall consider the criteria established for the issuance of certificates of appropriateness, and adopted design guidelines for signs, if any. In addition, the Historic Preservation Commission may consider the following, which shall not be limiting, in issuing certificates of appropriateness for signs and may use these criteria in determining whether to approve, deny, or modify said signs:

- (a) The sign with its overall design makes a positive contribution to the general appearance of the street and area in which it is located.
- (b) The scale, size, and shape of the sign are proportional to the building on which they are placed or to which it pertains and the area in which it is located. To this end, the Historic Preservation Commission may find that a sign is out of character with the area or not proportional to the building, activity or use and may work with the applicant to reduce the scale, size or shape or placement of the sign or signs.

- (c) The sign does not obscure architectural features of the building, and the design of the sign is integrated with the design of the building.



These signs block building elements and create a chaotic image



These signs complement the building form and create a more orderly appearance

- (d) The sign is designed for and directed toward pedestrians rather than to vehicular traffic so that it can be easily and comfortably read standing adjacent to the business, activity, or use.

- (e) The proposed sign is composed of materials that are compatible with the materials of the face of the building façade where it is placed or to which it pertains.



Wall signs of consistent size and placement establish facade rhythm.

- (f) Signage, particularly freestanding principal signs, shall be simple in design and draw upon the architectural elements of the principal building.
 - 1. If the sign proposed is a building sign, it must establish an appropriate rhythm to the façade.
 - 2. The proposed sign shall be composed of materials that are compatible with the

materials of the face of the building façade where it is placed or to which it pertains.

3. Design, lettering, and composition of the sign must be compatible with the building.
4. Lighting shall be indirect only, unless otherwise approved as part of a Certificate of Appropriateness granted by the Historic Preservation Commission.

The Historic Preservation Commission may approve design guidelines and examples of appropriate signs. All such approved design guidelines and examples of appropriate signs shall be maintained on file with the Director of Planning and Development and be made available to applicants for signs in the Historic Preservation Overlay Zone. If such guidelines are examples are adopted, and a sign within the Historic Preservation Overlay Zone is found by the Director of Planning and Development to be consistent with said guidelines or examples of appropriate signs, the Director may issue approval of a Certificate of Appropriateness as a minor work project without the need for review and approval by the Historic Preservation Commission. In acting on applications involving sign approvals, the Director of Planning and Development shall consider the criteria established for the issuance of certificates of appropriateness, adopted design guidelines for signs, and the criteria established in this Section.

Section 9-18-12-4. Sign Compliance Verification Letter.

Except for signs that require a building permit or a Certificate of Appropriateness under the terms of this Chapter, no additional approval shall be required to erect a sign. However, property owners who want to ensure compliance with the terms of this Article may apply for and subject to a reasonable fee as may be established from time to time by the Governing Body and the Community Development Department may issue a written sign compliance verification letter. The Department shall have ten (10) calendar days from the date a complete request was received to issue a sign compliance verification letter.

CITY OF GAINESVILLE

COUNCIL AGENDA REQUEST

Date Submitted: 1/24/2017

Presenter: Matt Tate

Item of Business: Request from **Rainmaker & Associates** to rename Touchdown Drive, located between Pearl Nix Parkway and Century Place, to Deshaun Watson Drive. **Ward Number: Five. Request: Road name change.**

Meeting Date: 2/7/2017

Purpose of Request:

The applicant is proposing to rename Touchdown Drive which is a 180± linear feet road. The new road name is to be called Deshaun Watson Drive in honor of former Gainesville High graduate Deshaun Watson. There are currently no properties that have addresses from Touchdown Drive.

History/Background:

Facts & Issues for Consideration:

Department Recommendation:

The Planning and Appeals Board recommended approval of the request as presented.

See the PAB Memo for details and excerpts from the PAB meeting.

SAMPLE MOTIONS:

Approve

I move to hold first reading on an ordinance to rename Touchdown Drive to Deshaun Watson Drive.

Deny

I move to deny the road renaming request.

Department Director:

Rusty Ligon

If funding is involved, are funds approved within the current budget?

Amount Requested:

Source of Funds:

Finance Comments:

Administrative Comments:

ATTACHMENTS:

Description	Type
☐ Legal Ad	Legal Ad
☐ PAB Recommendation Report	Report
☐ Proposed Road Renaming Ordinance	Ordinance
☐ Exhibit A	Attachments/Exhibits
☐ Location Maps	Backup Material
☐ Narrative	Backup Material
☐ Site Plan	Backup Material
☐ Newspaper Articles	Backup Material
☐ Letter of Favor	Backup Material

COMBINED LEGAL AD
Gainesville Planning and Appeals Board
Gainesville City Council

Publish Sunday, January 1, 2017
THE TIMES

NOTICE OF PLANNING AND APPEALS BOARD PUBLIC HEARING

Notice is hereby given that the **Gainesville Planning and Appeals Board** will conduct a public hearing on **Tuesday, January 17, 2017 at 5:30 p.m.** in the **Gainesville Justice Center** (Municipal Courtroom at the Public Safety Complex), 701 Queen City Parkway in midtown Gainesville on the following requests:

- 1) Request from the **City of Gainesville** to amend Article 9-18 of the Unified Land Development Code for the City of Gainesville, Georgia. The proposed amendment will repeal and replace Article 9-18 entitled "Sign Regulations" with a new Article 9-18 entitled "Signs and Advertising Devices."
- 2) Request from **Rainmaker & Associates** to rename Touchdown Drive, located between Pearl Nix Parkway and Century Place, to Deshaun Watson Drive.
Ward Number: Five
Request: Road name change

**NOTICE OF PUBLIC HEARING ON PROPOSED
AMENDMENTS TO THE GAINESVILLE ZONING MAP**

Notice is hereby given that the **Gainesville City Council** will conduct a public hearing on **Tuesday, February 7, 2017 at 5:30 p.m.** in the **Gainesville Justice Center** (Municipal Courtroom at the Public Safety Complex), 701 Queen City Parkway in midtown Gainesville on the following requests:

- 1) Request from the **City of Gainesville** to amend Article 9-18 of the Unified Land Development Code for the City of Gainesville, Georgia. The proposed amendment will repeal and replace Article 9-18 entitled "Sign Regulations" with a new Article 9-18 entitled "Signs and Advertising Devices."
- 2) Request from **Rainmaker & Associates** to rename Touchdown Drive, located between Pearl Nix Parkway and Century Place, to Deshaun Watson Drive.
Ward Number: Five
Request: Road name change

Additional information is available from the Community Development Department, Planning Division, by calling 770-531-6570.

NOTE: In accordance with Georgia law, anyone who wishes to express opposition to the proposed zoning action, and has made, within two years immediately preceding the filing of the proposed zoning action, campaign contributions aggregating \$250 or more to a local government official who will consider the application, shall file a disclosure of contribution(s) with the Planning Division at least five (5) days prior to the first reading of the proposed zoning action by the City Council. (OCGA § 36-67A-3.3 {c})



CITY OF GAINESVILLE

**COMMUNITY
DEVELOPMENT
DEPARTMENT**

Post Office Box 2496

Gainesville, Georgia 30503-2496

Telephone: 770-531-6570

Fax: 770-297-7826

Web Site: www.gainesville.org

MEMORANDUM

TO: Mayor and City Council

FROM: Gainesville Planning and Appeals Board

DATE: January 17, 2017

SUBJECT: Request from Rainmaker & Associates to rename Touchdown Drive to Deshaun Watson Drive

The applicant, Rainmaker & Associates, is proposing to rename Touchdown Drive. The new road name is to be called Deshaun Watson Drive in honor of former Gainesville High School graduate Deshaun Watson. Touchdown Drive is approximately 180± linear feet in length and is located between Pearl Nix Parkway and Century Place. The road serves as one of the access roads to Gainesville High School.

The proposal appears to be reasonable given that the road primarily serves the Gainesville High School campus and no adjacent property owners will be impacted. Presently, there are no properties that have addresses from Touchdown Drive. In 2005, a similar request was approved to rename a short segment of nearby Rainey Street to Billy Lothridge Boulevard. There were no comments from other departments regarding this request.

Excerpts from January 17, 2017 PAB Meeting Minutes

Applicant Presentation: **Sammy Smith**, with Rainmaker & Associates, 302 Spring Street, stated he submitted the application for the road renaming on behalf of a few friends. He stated Touchdown Drive was constructed as the west bypass was completed in the late 1960s and was a two lane entrance way to Gainesville High School. He stated it was rebuilt in 2008 and changed to a four lane road to accommodate traffic for the high school and the Centennial Arts Academy. He stated the application speaks for itself and he appreciated the recommendation of staff.

FAVOR: **Bruce Miller**, Gainesville High School Head Football Coach, stated it's not just naming a street after a player, but to name it after somebody with the character Deshaun Watson has portrayed, noting he has made a lot of people proud and is a fine young man. He had the opportunity to visit with Deshaun over Christmas, before he had to return for the national championship run, and stated he is not a kid anymore as he is about to be a millionaire, but he had not changed from the ninth grade Deshaun Watson who is so special. He thought it would be great to have it right outside the GHS practice field to remind everyone of what you have to do to be great.

OPPOSE: None

Planning and Appeals Board Comments: None



CITY OF GAINESVILLE

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There was a motion to recommend approval of the road renaming as presented.

Motion made by Board Member Martin

Motion seconded by Board Member Thompson

Vote – 4 favor, 3 absent (Rucker, Delgado, Betancourt)

Chairman Carter commended Coach Miller for the key role he played in Deshaun's development of character, noting he was very proud of him as well. He also thanked Mr. Smith for spearheading the acknowledgement of Deshaun's achievements.

First Reading: _____
Passed: _____

AN ORDINANCE

No. 2017-

AN ORDINANCE TO RENAME TOUCHDOWN DRIVE, LOCATED BETWEEN PEARL NIX PARKWAY AND CENTURY PLACE, TO DESHAUN WATSON DRIVE; REPEALING CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

BE IT HEREBY ORDAINED BY THE GOVERNING BODY OF THE CITY OF GAINESVILLE, GEORGIA, AS FOLLOWS:

SECTION I.

Pursuant to the recommendation of the Gainesville City Council, the 180± linear feet of right-of-way known as Touchdown Drive, located between Pearl Nix Parkway and Century Place, shall be renamed to Deshaun Watson Drive. (See Exhibit A)

SECTION II.

All Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

SECTION III.

The effective date of this Ordinance shall be upon approval by the governing authority of the City of Gainesville, Georgia.

C. Danny Dunagan, Jr., Mayor

This is to certify that I am City Clerk of the City of Gainesville. As such, I keep its official records, including its minutes. In that capacity, my signature below certifies this resolution was adopted as stated and will be recorded in the official minutes.

ATTEST:

Denise O. Jordan, City Clerk

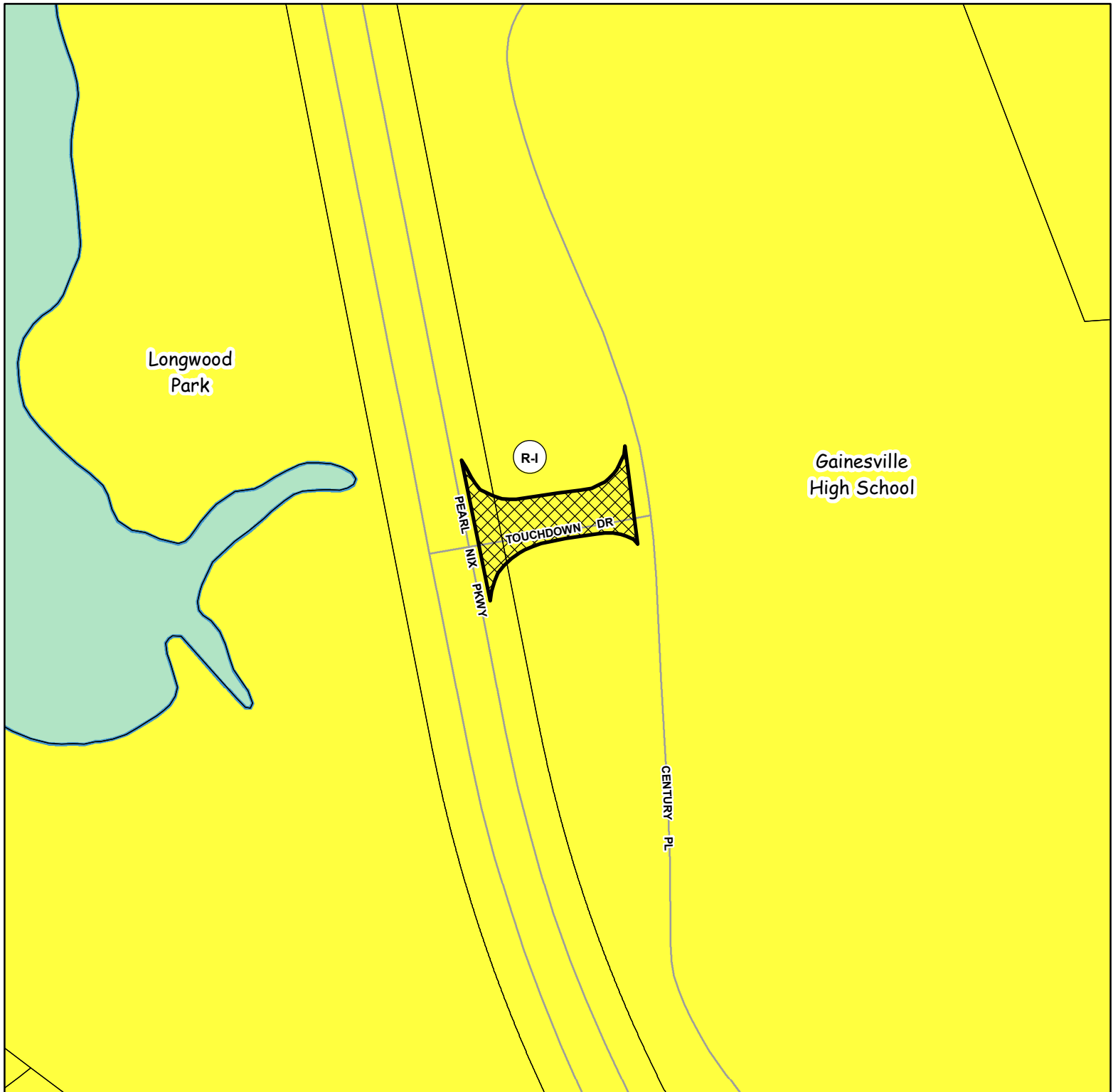
EXHIBIT A



Map Printed On 2016-12-12 16:58

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Applicant:

ROAD ACTION REQUEST

RAINMAKER AND ASSOCIATES



Request:

To rename Touchdown Drive, located between Pearl Nix Pkwy and Century Place to Deshaun Watson Drive

Subject Area Address:

Right-of-Way

Meeting: 1/17/2017

Prepared: 12/22/2016

Gainesville Community Development Department



Subject Property

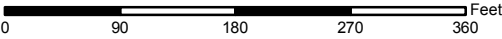
0 90 180 270 360 Feet



1" = 150'

Tax Parcel: Right-of-Way



Applicant: ROAD ACTION REQUEST		Gainesville Community Development Department	
RAINMAKER AND ASSOCIATES		 Subject Property	
	Request: To rename Touchdown Drive, located between Pearl Nix Pkwy and Century Place to Deshaun Watson Drive		Aerial from 2015
	Subject Area Address: Right-of-Way		
	Meeting: 1/17/2017		
	Prepared: 12/22/2016		Tax Parcel: Right-of-Way
		Page 81 of 87	

Narrative to support the applicant's request to
change Touchdown Drive to Deshaun Watson Drive

Touchdown Drive was constructed as a result of the completion of the West Bypass in the late 1960s to connect the bypass easily to Gainesville High School and (at the time) Gainesville Junior High. It was originally a two-lane city street overwhelmingly serving school students and/or parents. Its terminus changed with the renaming of Century Place in 1982. In 2008, it was widened to a four lane street to continue serving the students/parents of three nearby schools and relieving school-related traffic congestion.

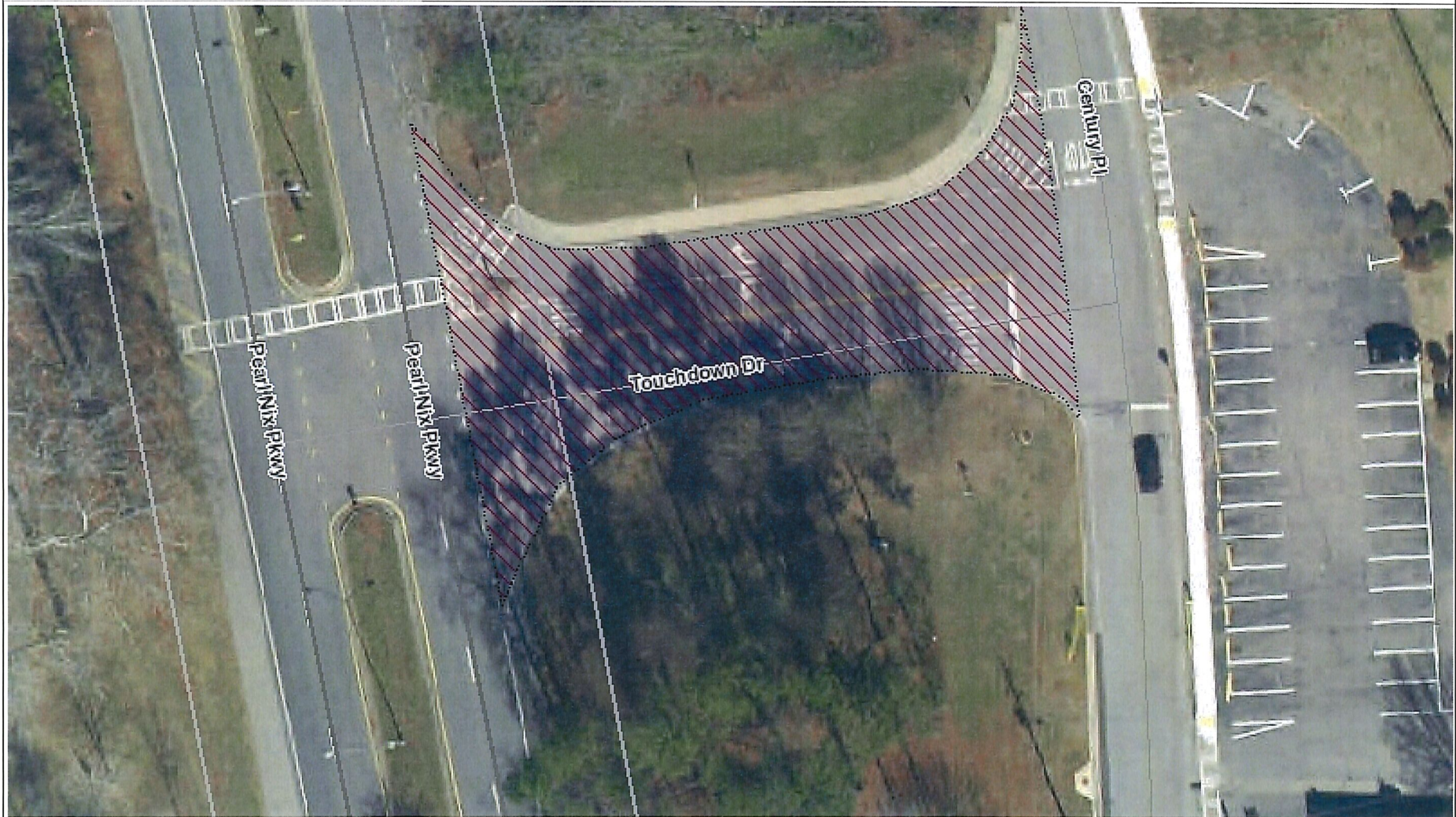
Touchdown Drive is a city owned and maintained street of 180 linear feet and near the heart of the city's "tri-campus" sector.

The application seeks to rename the street to honor a native son, **Deshaun Watson**, during 2017, the 125th anniversary of Gainesville High's founding.

Watson attended Gainesville City Schools for 12 ½ years (kindergarten thru one-half of the senior year) and graduated early. A month later, he enrolled in Clemson University and graduated in 3 ½ years. His athletic accolades are legendary, including middle and high school football and basketball while focusing in collegiate football. A few documents are enclosed to capture the essence of those accolades. Equally, his attention to family and community is exceptional. His character is above reproach.

Gainesville High was four signature entrance streets – Century Place (named for its centennial), Elephant Trail (named for its famed mascot), Billy Lothridge Boulevard (named for a '60 graduate, former president of the student body, an All-American football player at Georgia Tech and Heisman Memorial trophy runner-up) and Touchdown Drive.

It is a fitting tribute to rename the fourth signature street in his honor to help confirm and celebrate the credit he has brought to Gainesville High and to the City of Gainesville.



Map Printed On 2016-12-12 16:58

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Edited by JIM GORANT + TED KEITH

SCORECARD

Three and Out

College football's best players are still bolting early for the NFL, but now they're taking their diplomas with them

BY PETE THAMEL

■ CLEMSON QUARTERBACK

Deshaun Watson walks to class wearing headphones, sweats and a sweatshirt, looking like a typical campus jock. He's not.

In his third season as Clemson's starter, Watson is projected as a top five pick in the 2017 draft, but unlike most of the NFL's early entries, Watson will arrive in the league with a degree in hand. A true junior, he enrolled at Clemson in January of what would have been his senior year at Gainesville (Ga.) High, and he'll graduate with a degree in communications studies in December—just three years later. "It's very special," he says of graduating. "It's good for me and my whole family, setting an example for my little brother and little sister."

To finish so quickly, Watson took 18 credits in the fall of 2015, 19 last spring

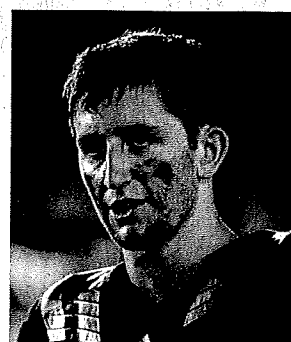
and 20 over the summer. His decision to accelerate his studies coincided with how long he expected to be in college, which could signal the beginning of a trend in which some top players tailor their academic careers to shorter stays on campus.

LSU tailback Leonard Fournette, a true junior who did not enroll early, is on track to graduate in spring or summer of 2017, according to LSU officials. UCLA sophomore quarterback Josh Rosen, the potential No. 1 pick in the 2018 draft, is on track to graduate in three years after enrolling early. Watson's teammate and close friend, receiver Artavis Scott, is also graduating in three years. "They are definitely three-and-done," Clemson coach Dabo Swinney says of Watson and Scott. "That was their plan. I support that."

Watson won't be the first

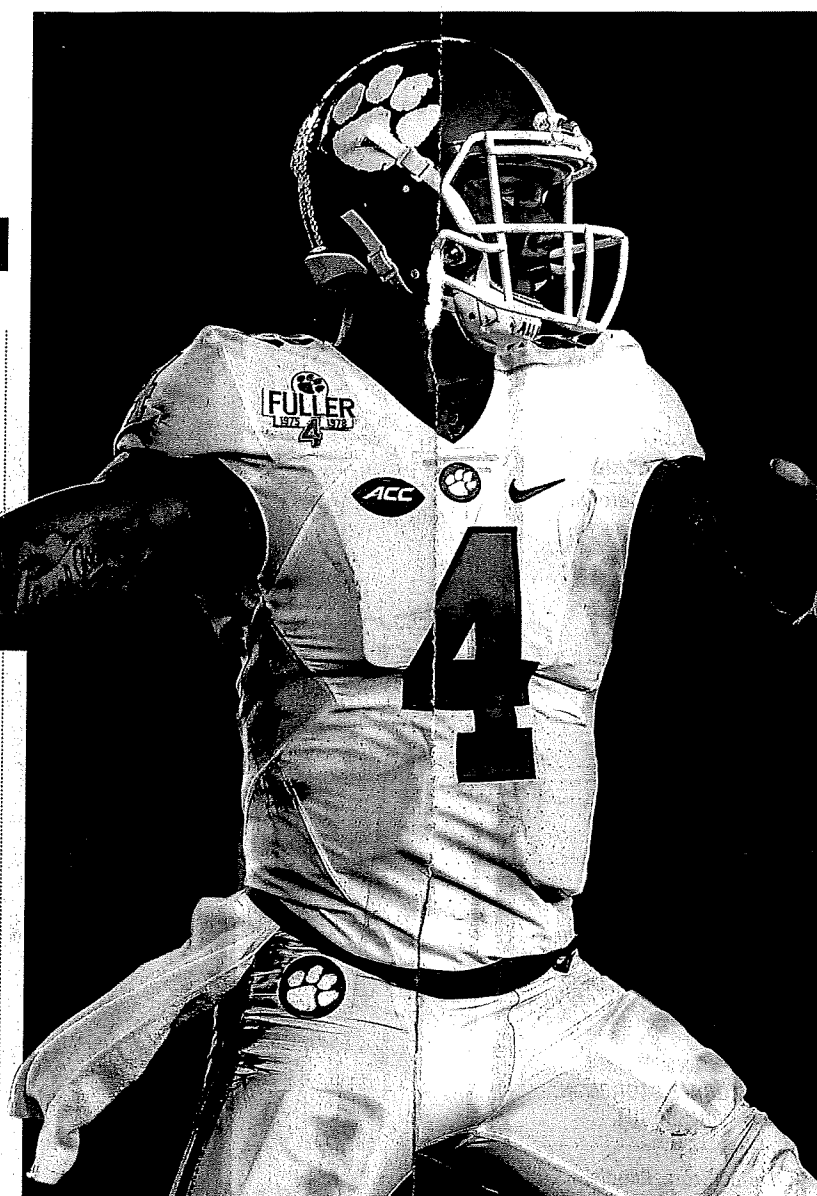
player to leave for the NFL with a degree after three years—Utah's Alex Smith and Louisville's Teddy Bridgewater did it—but it's still rare. Officials at Alabama, Florida, Ohio State, Oklahoma, Penn State, Texas, UCLA and USC could not recall any players who spent three years on campus and graduated before declaring early for the draft. Watson and Scott will be the first Clemson players to do it. "I'm really proud of those guys," Swinney says. "It's hard to do."

Watson's early graduation reflects a trend of sped-up



expectations—some might say impatience—among top players. The days of redshirting and learning while waiting for a chance to play are increasingly unusual. If stud recruits don't see the field early, they're more likely to transfer. Just this season, five-star quarterback Blake Barnett of Corona, Calif., spent all of four games at

BRIGHT AND EARLY Watson (above) and Rosen are looking toward the NFL draft, but not before they graduate.



Alabama (playing in three) before leaving the team to transfer—he had lost the starting job to fellow freshman Jalen Hurts.

The rush to leave campus is also evident among players with NFL expectations. In January 2015, Riverside, Calif., four-star defensive back Ykili Ross announced that he would play at USC for "the next three years." Why not? Last year 96 underclassmen declared for the NFL draft. That's more than double the number of 2009 (46) and triple the entries from 2000 (26). (Those numbers

include fourth-year juniors who entered school early.)

"Until college athletes get paid, you are going to consistently see guys taking the money while they can," says Rosen. "Especially in a violent sport like football. Your career is not going to last."

Rosen's plan to graduate in three years emerged during his freshman season, after he realized how much of an academic head start he'd gotten by enrolling early. He had also seen former teammates defensive tackle Kenny Clark and receiver Jordan Payton miss time in the pros because of an NFL rule that doesn't allow rookies to report to their teams until the academic year at their school is complete. UCLA's quarter system ends in mid-June, later than most. "One huge factor is the rookie minicamp thing," Rosen says. "I've had friends that have had to sit out OTAs, which is not good."

Former Notre Dame linebacker Jaylon Smith, a rookie with the Cowboys, will walk with his graduating class in the spring. When NFL scouts began drooling over him after his freshman season, Smith designed his schedule to cram in as many credits as possible. If he had enrolled early, he'd have been able to leave with his

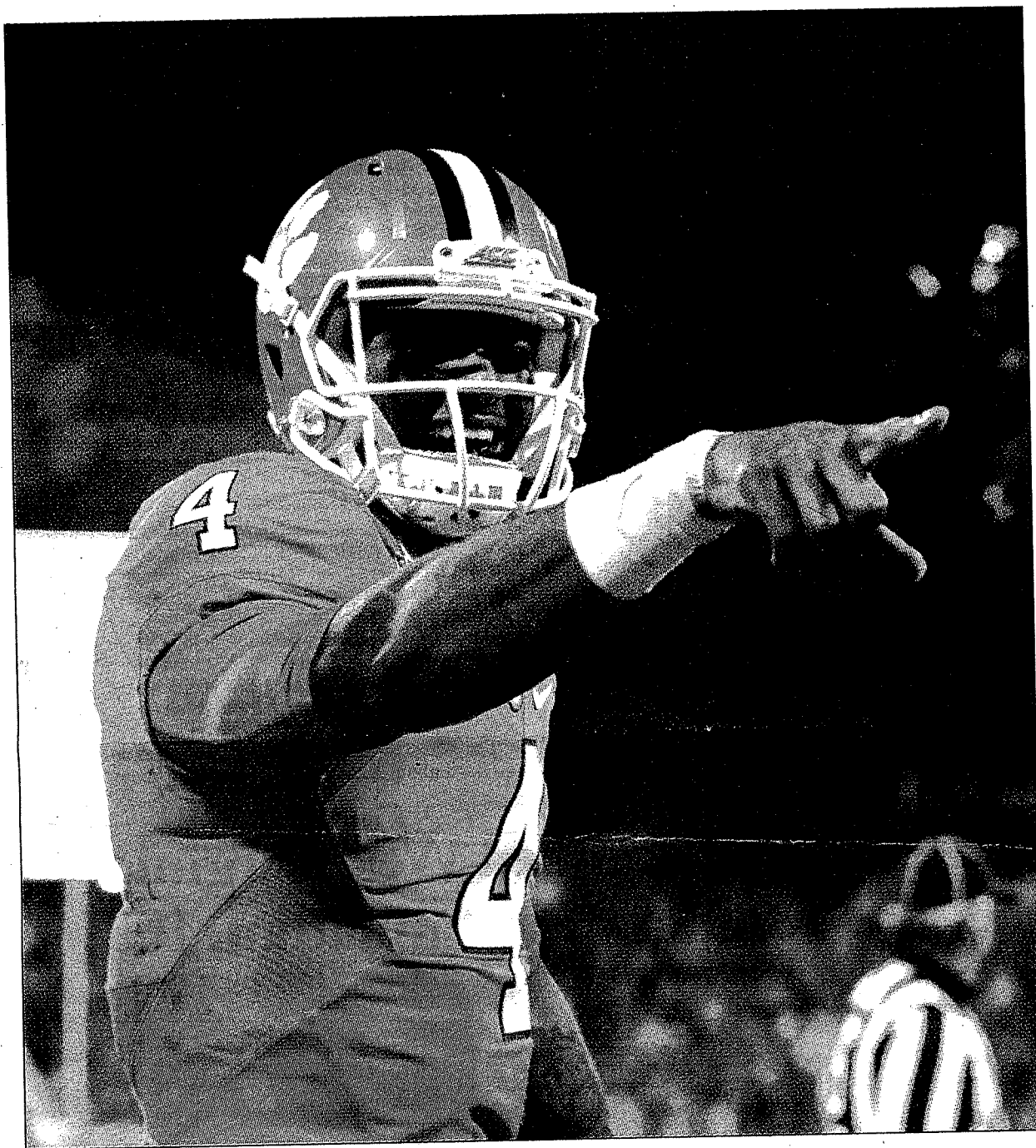
degree in three years. Still, for Smith, that wouldn't have been fast enough. He tore his left ACL and MCL in the 2016 Fiesta Bowl—at the end of his junior season. The injury dropped him from a potential top five pick to the second round. "With a lot of athletes, you don't need three years," he says. "Think about Leonard Fournette now and me last year. As a sophomore I would have gone in the first round."

It's unlikely the NFL will alter its rule to allow earlier entry. The last players who tried to force a change—Ohio State running back Maurice Clarett and USC receiver Mike Williams, both in 2004—had their bid shot down by the Supreme Court. That may leave top athletes attempting to follow Watson's lead.

Watson admits his time is not his own. He had three tests during the week the Tigers played rival Florida State last season (a 23-13 Clemson win). "I barely watch TV," he says, "or talk to people on the phone." But to him, it's worth it. His mother, Deann, is the only one of her six siblings to finish high school, and she said last year that Deshaun's degree would mean more to her than attending the 2015 Heisman Trophy ceremony had.

Like her son, she didn't have to wait long for either. □

The case for Deshaun



RICHARD SHIRO | Associated Press

Clemson quarterback Deshaun Watson reacts after throwing a touchdown pass to Artavis Scott during the second half against South Carolina on Saturday in Clemson, S.C.

Why the Gainesville graduate should win the Heisman

Deshaun Watson's Heisman hopes are looking solid right now. What a difference a week makes.

Even though it's still a neck-and-neck battle, the Gainesville High graduate threw for 347 yards and six touchdowns for Clemson on Saturday, while his main competition for the award given to the top college football player, Louisville's Lamar Jackson came up on the losing end for the second consecutive game.

third in 2015.

With 374 yards on Saturday, Watson will have 4,000 yards in back-to-back seasons, a major reason why the dual-threat quarterback is likely to go high (probably first round) in the upcoming NFL draft. The 4,000-yard passing mark is a common link of each of the last four



BILL MURPHY
bmurphy@
gainesvilletimes.com

the Heisman at Auburn in 2010 only passed for 2,854 yards, but rushed for almost 1,500 that year.

Currently, Watson has 326 more passing yards and four more touchdowns than Jackson, who was almost a lock to win the Heisman before looking flat against Houston two weeks ago. The one thing working against

harps on during Clemson broadcasts.

It just feels like Watson is doing everything right to impress the Heisman voters, mainly those of the sportswriting ilk who get a say in these important matters.

Clemson's quarterback, who guided the Red Elephants through the playoffs for the 2012 state championship, is playing his best football late in the season. Against South Carolina, Watson was toying with defensive backs, putting the ball where only his receivers had a chance at making the grab. Certainly a 4,000-yard season and ACC championship should go a long way to getting the edge in Heisman voting.

Louisville's sophomore quarterback Jackson was spectacular most of the season, but the undecided vot-

season (three picks in a loss to Kentucky) into consideration when placing votes.

Meanwhile, Watson's final month of the regular season has been captivating to watch as he's jumped back into the Heisman conversation, while keeping the Tigers (11-1) in line for one of the four playoff spots. Watson threw for an ACC-record 580 yards for Clemson against Pittsburgh on Nov. 12, which got overshadowed by a 43-42 Tigers loss.

And the race for the Heisman is not just a two-man race. Quarterback Baker Mayfield of Oklahoma and linebacker Jabrill Peppers from Michigan are the leading best-of-the-rest Heisman options.

However, the final tally of first, second and third place votes will likely come down to a razor-thin margin between Watson and Jackson. I'm crossing my fingers and toes for the

season. The microscope of continued national media attention and the understanding NFL scouts are dissecting his every move.

Despite the interceptions, Watson's accuracy has been remarkably high (68 percent) compared to that of Jackson (58 percent).

Heisman voters should also take into account that Watson has been a model citizen on and off the field during his whirlwind of a three-year college football career up the road in Clemson. In just a couple of months, Gainesville's own product will be moving on to begin his quest for a career in the NFL.

Hopefully, he'll go down as a Heisman winner.

Bill Murphy is sports editor of The Times. He can be reached at bmurphy@gainesvilletimes.com.

Judy Foster

From: Rusty Ligon
Sent: Tuesday, December 27, 2016 10:41 AM
To: Matt Tate; Judy Foster
Subject: FW: [SPAM] Applicant wants to name Gainesville street after footba... | AccessWDUN.com

Importance: Low

See below.

Rusty Ligon, Community Development Director City of Gainesville -- 770-531-6570

-----Original Message-----

From: Jack Waldrip [REDACTED]
Sent: Monday, December 26, 2016 2:39 PM
To: Rusty Ligon
Subject: [SPAM] Applicant wants to name Gainesville street after footba... | AccessWDUN.com
Importance: Low

Rusty,
As a resident and major taxpayer in the city of Gainesville, I am in complete support of this!!
Jack

<http://accesswdun.com/article/2016/12/484230/applicant-wants-to-name-gainesville-street-after-football-star-dshaun-watson>

Jack Waldrip
Waldrip Properties
Office: Direct [REDACTED]
[REDACTED]