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PART ONE: FINDINGS AND OBJECTIVES

Section 1.1 Findings on the public health, safety, and welfare rationales of sign regulations

Building code requirements address many public concerns about dangerous signs. Appendix H of the 2012 International Building Code is supposed to ensure that they will not pose a fire hazard and are appropriately anchored or secured so that they do not fall or blow down. However, Appendix H does not regulate the location of signs, except to prevent them from interfering with an entryway, opening required for ventilation, or fire escape (International Building Code. 0121994. Appendix H, Section H103.1, Location Restrictions).

Sign regulations achieve public safety rationales not achieved by the standard building code. Without a sign ordinance, signs can pose a clear danger to public safety. It has long been recognized that signage controls are needed to promote traffic safety and avoid traffic accidents. A 1980 Federal Highway Administration study found a positive correlation between billboards and accident rates (Scenic America. Fact Sheet (1): Billboard Control: Fighting Visual Pollution. <http://www.scenic.org/fact1.htm>).

Signs too close to the road can cause accidents. Without additional regulation, signs can be placed dangerously close to rights-of-ways in locations where they might be struck by an oncoming vehicle using the road or having to veer off the road.

Signs can impair visibility. The placement of signs can interfere with the sight of motorists trying to exit a driveway onto a public road. Traffic safety is improved by restricting the size, height, and spacing of signs.

Signs distract motorists. By their very nature, signs are designed to direct attention to something and distract motorists to view a message or turn off the roadway and into a property to frequent a business, place, or activity. To the extent that signage captures the sight and attention of a motorist, it distracts motorists from the primary purpose of safely maneuvering a vehicle along the road.

Signs can confuse motorists by mimicking traffic safety signals and signs. Motorists might confuse signs that contain flashing or blinking red, green, or yellow lights (such as a lighted portable sign adjacent to the road) with roadway traffic signals, emergency vehicles, or other hazards. Signs constructed of shapes like an octagonal “stop” sign might also impair public safety by confusing the motorist.

Limitations on window signs can increase visibility from the public right-of-way and thus deter crime and robberies. Sign controls that limit the amount of storefront window and door areas that can be covered with signs enhance visibility of activities within the store or building. Limits on window signs can provide for an appropriate minimum of exterior visibility and thus increase public safety of commercial areas through a reduction in crime potential.

Signs can degrade property values. A principal purpose of land use regulations, including sign controls, is to protect and preserve property values. There is no question that signs affect the character of districts and the value of buildings, or that they are not appropriate in different parts of a community.

The size, height, materials of construction, location, condition, and attributes of signs can have an impact on surrounding and nearby land uses. For instance, if signs were unregulated, large, tall signs could be erected in the County’s single family residential districts. Such signs, if erected, would be out of character with residential neighborhoods and could result in the lowering of property values for residential use. As another example,

blighted signs and antiquated signs and sign structures (i.e., the pole with a blank structure for a sign face) can contribute to an overall image of blight and a reduction of property values in declining areas, if not addressed and removed via sign controls. Forsyth County's sign regulations are needed to ensure that signage is compatible with its surroundings and does not take away from the character of particular districts.

Unregulated signage can degrade the utility of public safety signs. In some places, unregulated signs can reduce the effectiveness of signs needed to direct the public due to competition with other signs and the resulting reduction in visibility of public purpose signs.

All other advertising mediums are regulated, so why not unavoidable impacts of advertising signs? The Federal Communications Commission regulates our air waves and television stations and the content that passes through them. Aside from the Highway Beautification Act of 1965, there is little if any federal involvement in the regulation of signs. This lack of federal regulation is interesting in the sense that signs are one of the most obtrusive forms of advertising. Signage is probably the only type of advertising that cannot be turned off or rejected by the consumer. Radio advertisements can be avoided by turning off the radio. The same is true with television advertisements; we flip channels or take a break when television commercials come on. Junk mail can be thrown away. We quickly flip past the advertisements in our favorite magazine when we are disinterested. Phone solicitations can be avoided with "caller identification" or terminating the conversation. The same cannot be said of outdoor advertising structures and commercial signs. One's vision of signage cannot be turned off. We are captivated by signage when we drive down the road. How do you avoid signs? We must keep our eyes open to drive and cannot block out signs from our peripheral vision. Perhaps one could take an alternative route that is not developed with signs, but that is not always feasible. Absent federal and significant state regulation, it is in the public interest for cities and counties to control signage.

Signs derive their value from public improvements. Businesses locate, and signs are constructed, because of the access the community provides to business locations. It is precisely these types of advertising that are the principal target of local sign regulation – the signs controlled locally are those which are visible from public ways. It is the public way that creates the value for the person erecting the sign, and visibility from the public way is what creates the problems which give rise to the need for sign controls. This is a sound rationale for sign regulation. It logically follows that, because the public way provides value, the public therefore has a right, and indeed an obligation, to control the problems that arise from creating that value.

Unregulated signs adversely impact public investments. Sign regulation helps 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 have the potential to negate those public investments, as well.

Section 1.2 Findings on the business interest rationales of sign regulations

Sign regulation is in the interest of businesses. One often overlooked justification for the regulation of signs is that sign regulations benefit those businesses that seek to advertise. Unregulated competition among business results in too many signs and can reach a point of diminishing returns where individual business signs are not adequately visible. Patrons of individual businesses located along the unregulated commercial strip may miss their destination because they cannot find the particular business in the sea of signage. The unregulated commercial strip signage also can work to the detriment of individual businesses in that they are forced to erect larger and more costly signs to outdo their neighboring businesses and competitors. Therefore, sign regulations benefit individual business owners.

The lack of sign controls causes uncertainty among prospective business owners. Forsyth County's sign ordinance provides prospective businesses with guidance on how much signage they may have, where it is allowed to be located and what types of signs are permitted. Without sign controls, business owners lack such guidance. Such a situation could have detrimental impacts on businesses, either through inequitable treatment or a delay in the time involved in the permitting of signs. Such potential detrimental impacts would not exist or would be mitigated with a clear set of sign regulations.

Section 1.3 Findings on the aesthetic rationales of sign regulations

There are many reasons to justify the County's sign ordinance. However, among the most relevant reasons are to promote and ensure the aesthetics of the community. In the earliest days of sign regulations, relying on aesthetics as a rationale could not legally justify local sign controls. The United States Supreme Court began a slow transformation, from its previous position that aesthetics alone could not justify land use regulations, to a position that aesthetic considerations were legitimately within the scope of police power. In 1954, Justice Douglas of the high court found the following: The concept of public welfare is broad and inclusive. The values it represents are spiritual as well as physical, aesthetic as well as monetary. It is within the power of the legislature to determine that the community should be beautiful as well as healthy, spacious as well as clean, well balanced as well as carefully controlled (Berman v Parker 348 U.S. 26, 75 S. Ct. 98, 99 L. Ed. 27 1954).

Sign regulations help communities maintain their scenic heritage and unique character. Without Forsyth County's brand of sign regulation its commercial areas will likely end up looking like any other place. Signs can interfere with scenic views. The appearance of the community, which is substantially influenced by signs, is essential to the County's long-term economic viability and helps determine how residents and visitors alike perceive it. Sign control is an integral part of improving visual character and quality of life.

Section 1.4 Objectives

The objectives of this ordinance include but are not limited to the following:

- (a) Provide a reasonable balance between the right of an individual to identify his or her business and the right of the public to be protected against the visual discord resulting from the unrestricted proliferation of signs and similar devices.
- (b) Permit the reasonable dissemination of all forms of speech.
- (c) To guard against an excess of large, ugly, intense signs which cause visual blight on the appearance of the County. Visual blight adversely affects the aesthetic quality of life and traffic safety in the County for residents, businesses, pedestrians, and persons in vehicles.
- (d) Protect the public health, safety and general welfare while protecting the rights of sign owners to expression and identification.
- (e) Promote economic development.
- (f) Protect property values by minimizing the possible adverse effects and visual blight caused by signs.
- (g) Insure that signs are compatible with adjacent land uses and with the total visual environment of the community.
- (h) Encourage signs that are well designed and compatible with their surroundings and with the buildings to which they are appurtenant, and encourage signs that are integrated with and harmonious to the buildings and sites they occupy.
- (i) Eliminate excessive and confusing sign displays.

- (j) Recognize that the size of signs that provide adequate identification in pedestrian-oriented business areas differs from those that are necessary in vehicular-oriented areas where traffic is heavy, travel speeds are greater, and required setbacks are greater than in pedestrian areas.
- (k) Preserve and improve the appearance of the County as a place in which to live and to work and as an attraction to nonresidents who come to visit or trade.
- (l) Encourage creative and well-designed signs that contribute in a positive way to the County's visual environment, express local character, and help develop a distinctive image for the County, and to discourage mediocre and poorly designed signs.
- (m) Encourage new and replacement signage that is appropriately sized in its context so as to be easily readable.
- (n) Encourage the construction, alteration, and repair of signs according to accepted and approved standards.
- (o) Ensure the fair and consistent enforcement of sign regulations.
- (p) Further the objectives of the County's comprehensive plan and the Unified Development Code.

Section 1.5 Authority, adoption, and scope

This ordinance is adopted to serve substantial governmental interests of correcting and avoiding multiple problems that would occur without the regulation of signs. The regulations contained herein are no more extensive than necessary to serve the substantial governmental interests identified in this ordinance. It is not the intent of this ordinance to apply regulation to signs based upon the message that they convey. It is not the intent of this ordinance to foreclose important and distinct mediums of expression for political, religious or personal messages. Furthermore, it is not the intent of the County, nor any of its boards, commissions, or agents, to regulate, in any manner, the message content of signs, except to the extent of obscenity or other messages prohibited by state or federal law.

PART TWO: GENERAL PROVISIONS

Section 2.1 Definitions

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

Animated sign: A sign with action, motion, sound, changing colors or changing lighting effects. This includes signs that blink, flash or fluctuate lights or other illuminating devices which have a changing light intensity, brightness or color; provided however, that this definition does not include changeable copy signs as defined by this ordinance.

Area of sign: The area within a continuous perimeter enclosing the limits of writing, representation, emblem, or any figure of similar character together with any frame, other material, open space, or color forming an integral part of the display or used to differentiate such writing, representation, emblem or any figure of similar character from the background against which it is placed. For double-faced signs, only the largest display face shall be measured in computing the sign area.

Banner: A temporary sign with or without characters, letters, illustrations or ornamentation applied to natural or synthetic paper or fabric, vinyl and other flexible, roll stock materials that is located on a building face or window or is attached to a fence, post(s), pole(s) or a pedestrian light fixture. Posters, labels, decals, characters or designs applied to, or sign materials produced in, sheet form such as corrugated plastic, PVC and acrylic, are excluded from this definition and may not be used to create a banner. For purposes of this ordinance, a banner is a sign.

Blade sign: A double-sided sign oriented perpendicular to the building wall.

Canopy: A fixed overhead shelter used as a roof which is attached to a building.

Canopy sign: A sign with a single or double face copy hung from a canopy.

Changeable copy sign: A sign, usually freestanding, containing copy that changes electronically. This definition includes electronic message boards, tri-visions and similar signs.

Commercial and industrial zoning districts: For the purposes of this ordinance the following zoning district are defined as commercial and industrial: HB, CBD, HC, BP, O&I, OCMS, M1, M2, and MINE. Additionally, any zoning district created after the adoption of this ordinance will be classified as a 'residential', 'office residential' or 'commercial and industrial' zoning district, by the Director of the Department of Planning and Community Development, depending on the characteristics of the new zoning district.

Crown sign: A sign applied or mounted to the upper horizontal wall surface of a building that is a minimum of four (4) stories in height.

Double-faced sign: A sign which has two (2) display areas against each other or where the interior angle formed by the display areas is sixty (60) degrees or less, where one face is designed to be seen from one direction and the other face from another direction.

Discontinued Sign: A sign intended to identify, announce, direct, inform, or bring to the attention of others a subject that has been discontinued.

Electronic Message Board: A sign with a fixed or changing message composed of a series of lights that may be changed through electronic means. This definition does not include animated signs or projected copy.

Expression sign: A sign device, not otherwise specifically defined and permitted in this ordinance, which involves the expression of any idea. An Expression sign shall not be in the form of a Banner.

Externally Illuminated Sign: A sign supplied with light from an external light source aimed at the face of the sign.

Frontage, building: The width in linear feet of the front exterior wall of a particular establishment.

Frontage, road: The width in linear feet of each lot where it abuts the right-of-way of any public street.

Ground sign: A permanently affixed sign which is wholly independent of a building for support (i.e., freestanding).

Height of sign: The distance in vertical feet from the ground to the highest point of the sign face.

Internally Illuminated Sign: A sign supplied with light from an internal light source.

Kiosk sign: A free-standing and multiple sided structure owned by the County and located in public rights-of-way that displays directional information to residential and commercial developments.

Land Disturbance Permit: A site development permit, road construction permit, or clearing and grubbing and/or grading permit issued by the Forsyth County Department of Planning and Community Development.

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

Marquee: A roofed structure and attached to and supported by a building and projecting over private sidewalks or private pedestrian travel ways.

Marquee sign: A sign painted on, attached to or hung from a marquee. For purposes of this ordinance marquee signs shall be considered wall signs.

Monument sign: A freestanding sign where the base of the sign structure is on the ground. The width of the sign structure can be no more than 120 percent of the width of the base.

Monument blade sign: A freestanding sign where the base of the sign structure is on the ground and the sign face hangs from a support that is oriented perpendicular to the sign base.

Nit: A unit of brightness equal to one candle per square meter, measured perpendicular to the rays of the light source.

Nonconforming sign: Any sign that lawfully existed on the effective date of this ordinance but which does not conform to the provisions of this ordinance.

Office Residential zoning district: For the purposes of this ordinance the following zoning district is defined as an Office Residential district: OR. Additionally, any zoning district created after the adoption of this ordinance will be classified as a 'residential', 'office residential' or 'commercial and industrial' zoning district, by the Director of the Department of Planning and Community Development, depending on the characteristics of the new zoning district.

Pedestrian-Oriented Project: For the purposes of this ordinance, the following zoning districts are classified as Pedestrian-Oriented Projects: NS, UV, MPD, as well as any other zoning districts where the anticipated build-out clearly exhibits identifiable pedestrian elements including an internal vehicular network that incorporates sidewalks, continuous internal pedestrian walkways, pedestrian lighting, pedestrian scaled facades, and amenity features such as outdoor seating and attractive landscaping. A Pedestrian-Oriented Project shall be subject to the NS, UV, MPD and Pedestrian-Oriented Project performance standards as may be amended from time to time.

Permittee: A person and/or entity erecting a sign on the property of an owner and/or permittee.

Planned center, office, commercial, or industrial: A group of retail stores, service establishments, offices, industries, or any other businesses, institutions or activities planned to serve the public, which is in common ownership or condominium ownership.

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

Projecting wall sign: A wall sign projecting more than thirteen (13) inches from the outside wall or walls of any building upon which it is located.

Pylon sign: A freestanding sign that rests upon a pylon or pole(s).

Residential zoning district: For the purposes of this ordinance the following zoning district are defined as residential: Res1, Res2, Res3, Res4, Res6, MHP, R1R, CR1, R1, R2R, OSR, R2, R3, R4, LR, A1, A2, A RES, CONS, and PUD. Additionally, any zoning district created after the adoption of this ordinance will be classified as a ‘residential’, ‘office residential’ or ‘commercial and industrial’ zoning district, by the Director of the Department of Planning and Community Development, depending on the characteristics of the new zoning district.

Roof sign: A sign projecting above the coping of a flat roof, above the ridge of a gable, hip or gamble roof or above the height of a parapet structure. A wall sign attached to a parapet structure, which is an extension of an exterior wall, shall not be considered a roof sign as long as the parapet structure is not in excess of six (6) feet in height and the sign does not reach beyond the height of the exterior wall.

Sidewalk sign: A movable sign not secured or attached to the ground or surface upon which it is located.

Sign: A lettered, numbered, symbolic, pictorial, or illuminated visual display, device, or communication designed or used for the purpose of identifying, announcing, directing, informing, or bring to the attention of others the subject thereon, that is visible from the public right-of-way of a county, city, or state road.

Sign face: That part of a sign that is or can be used for communicating a message.

Temporary sign: A sign of a nonpermanent nature.

Time, place, and manner restriction: Regulations to protect governmental interests unrelated to speech, such as size, shape, location, appearance, and number. Time, place, and manner restrictions on signs have a content neutral effect on speech.

Trailer sign: Any sign mounted on wheels and that may be moved from one location to another.

Wall sign: A sign applied to or mounted to the wall or surface of a building or structure, the display surface of which does not project more than twelve (12) inches from the outside wall of such building or structure. The total lettering on one (1) side of a building or structure shall constitute one (1) wall sign.

Window sign: A sign installed inside a window and intended to be viewed from the outside. For purposes of this ordinance, the area of any window sign shall be measured on the basis of the proportion of area within each individual window frame, not the total window area of a building window visible from a public street.

Section 2.2 Jurisdiction

The provisions of this ordinance shall apply to all signs erected within Forsyth County, except those signs that are within the limits of the City of Cumming or specifically exempted from compliance with this ordinance.

Section 2.3 **Exemptions**

The following types of signs are specifically exempted from compliance with this ordinance.

- (a) Flags.
- (b) Traffic safety and traffic directional signs installed within the right-of-way of a public street, and traffic safety and traffic directional signs along private streets driveways, and in off-street parking lots that are installed per the requirements of the County engineer or per County, State, or Federal ordinance.
- (c) Street address numbers attached to buildings (maximum letter height 12 inches).
- (d) Signs erected by or on the order of a public officer in the performance of his duty, such as public notices, safety signs and the like.
- (e) Wall or window signs located at the entrance of a building up to one (1) square feet in area per lot.
- (f) County owned kiosk signs.

PART THREE: PERMITS, ADMINISTRATION, AND ENFORCEMENT

Section 3.1 **Sign permit required**

Except as specifically excluded from the provisions of this ordinance, it shall be unlawful for any person to post, display, substantially change, or erect a sign in the County without first having obtained a sign permit. For purposes of this ordinance, application for a sign permit and a building permit may be made simultaneously.

Section 3.2 **Sign permit application**

Applications for sign permits shall be filed by the sign owner or his agent in the Department of Planning and Community Development upon forms furnished by said office. The application shall describe and set forth the following:

- (a) The type of sign as defined in this ordinance.
- (b) A design of the sign which shows the height of the sign, the area of the face of the sign, and the structural supports of the sign.
- (c) The street address of the property upon which subject sign is to be located.
- (d) A survey of the property, on which the sign will be located. The survey shall include the proposed sign location and the distance from the proposed sign to property lines, structures, paved street surface, existing signs, and right-of-way.
- (e) The square foot area per sign and the aggregate square foot area if there is more than one (1) sign face.
- (f) The name(s) and address (es) of the owner(s) of the real property upon which the subject sign is to be located, and consent of the owner, or his agent, granting permission for the placement or maintenance of subject sign, which shall include a copy of the lease or other document from the owner of the sign which authorized the erection thereof and signed written consent.
- (g) The Director of Planning and Community Development may require additional information of such print or sketch to insure compliance with this ordinance.
- (h) Name, address, phone number and business license number of the sign contractor.
- (i) If applicable, member number of listed testing agency.

Section 3.3 **Building permit required**

For any monument sign or any sign connected to electrical power, it shall be a violation of this ordinance to post, display, substantially change, or erect a sign in the County without first having obtained a building permit, except for those signs specifically exempted in Section 4.4. The applicant for a building permit shall submit application materials as specified by the Chief Building Inspector, including a sketch or print drawn to scale showing pertinent information

such as wind pressure requirements and display materials in accordance with the Standard Building Code. The modification of a sign with existing electrical power will not require a building permit if the applicant is a member of a listed testing agency and has included this information in their sign permit.

Section 3.4 Process for issuance of sign permits

The Director of Planning and Community Development shall be authorized to issue sign permits in accordance with the provisions of this ordinance. The County shall process all sign permit applications within thirty (30) business days of the County's actual receipt of both a complete sign permit application and a sign permit fee. For purposes of this section only, the term "process" shall mean to make a decision on sign permit applications that can be administratively approved. In no event, except with permission of the applicant, may the Director of Planning and Community Development delay acting upon a sign permit application. Any delay in excess of (45) forty-five days shall result in automatic issuance of a sign permit.

The Director of Planning and Community Development shall reject any application containing any false material statements or omissions. Any rejected application later resubmitted shall be deemed to have been submitted on the date of re-submission, instead of original submission. Should it be determined that a sign permit was issued pursuant to an application containing a false material statement or omission, the Director of Planning and Community Development shall revoke said application and the subject sign shall be removed. A revocation pursuant to this section shall be appealable pursuant to this ordinance.

Section 3.5 Sign permit expiration date

A sign permit shall become null and void if the sign for which the permit was issued has not been completed within twelve (12) months after the date of issuance. No refunds will be made for a permit after the permit is issued. If later an individual desires to erect a sign at the same location, a new application for the sign must be processed and another fee paid in accordance with the fee schedule applicable at such time.

Section 3.6 Sign permit fees

No sign permit shall be issued until the appropriate application has been filed with the Director of the Department of Planning and Community Development and fees have been paid as adopted from time to time by the Forsyth County Board of Commissioners.

Section 3.7 Enforcement Powers

The Director of the Department of Planning and Community Development, or his designee, shall inspect all existing signs in the County to determine if such signs conform to the provisions of this ordinance or other codes administered by the director, Director of Engineering, or Director of Water & Sewer. If an installed sign is of a type that required a County-issued permit prior to erection or installation, and if the County has no record of a sign application or permit and if owner is unable to produce a duly issued sign permit or other associated documentation, the absence of such documentation shall constitute prima facie evidence that a sign is unauthorized.

Section 3.8 County occupation license, public liability insurance required

It shall be a violation of this ordinance for any person to engage in the business of erecting or maintaining signs within the County, unless and until such entity shall have obtained a county occupational license and a certificate of insurance from an insurance company authorized to do business in the state evidencing that the person or entity has in effect public liability and property damage insurance in the sum of twenty-five thousand dollars (\$25,000.00) for property damage for any one (1) claim and public liability insurance in an amount not less than

one hundred thousand dollars (\$100,000.00) for injuries, including accidental death to one (1) person. The certificate of insurance shall state that the insurance carrier will notify the County thirty (30) days in advance of any termination and/or restriction of the coverage.

Section 3.9 Termination of sign permit and/or county occupation license

Violation of any provision of this ordinance will be grounds for terminating the sign permit granted by the County to the owner and/or the occupation tax certificate of the person or entity erecting the sign. Except as otherwise provided in this ordinance, no permit and/or occupation tax certificate shall be suspended, revoked or canceled except for cause as hereinafter defined, and the permittee is granted a public hearing before the Board of Commissioners. The permittee will be given ten (10) days written notice of the time, place and purpose of the hearing, with a statement of the reason for the suspension, revocation or canceling of such permit and/or license. "Cause" is the willful and/or continued violation of the provisions of this ordinance. The termination of the permit and/or license does not in any way preclude the person or persons alleged to have violated the provisions of this ordinance from being tried under the enforcement provisions of this ordinance, or preclude the County from taking any other action authorized by the Unified Development Code, and/or any action authorized by law.

Section 3.10 Reserved

Section 3.11 Removal of signs not maintained

All signs shall be maintained by the property owner in good condition so as to present a neat and orderly appearance. The Director of the Department of Planning and Community Development may remove or cause to be removed after notice any sign which shows gross neglect, becomes dilapidated, or in the opinion of the Chief Building Inspector poses a threat to public safety. The Director of the Department of Planning and Community Development or his designee will give the owner forty-five (45) days written notice to correct the deficiencies or to remove the sign or signs, except signs which pose a threat to public safety which shall be removed in accord with Section 4.1. If the owner refuses to correct the deficiencies or remove the sign, the Director of the Department of Planning and Community Development or his designee will have the sign removed at the expense of the owner.

Section 3.12 Enforcement

This ordinance shall be administered and enforced by the Director of the Department of Planning and Community Development or his or her designee. In case any sign is proposed to be erected, constructed, altered, converted, or used in violation of any provision of this ordinance, the Director of the Department of Planning and Community Development may, in addition to other remedies, and after notice to the appropriate person, issue a citation for violation of the County ordinance thereby requiring the presence of the violator in magistrate court; institute the filing of a petition for an injunction, or other appropriate action or proceeding to prevent such unlawful erection, construction, alteration, conversion, or use to correct or abate such violation. Additionally, the Director of the Department of Planning and Community Development may have the sign removed at the expense of the owner and may issue a citation for violation of the County ordinance to the agent that placed the sign, as well as those parties responsible for directing the agent, including the person or business owner whose name, message, and/or address, and/or telephone number appears on the sign. Any sign located within a public street right-of-way may be removed immediately by the County without warning or notice to the sign owner.

Section 3.13 Penalty for violation

Any person violating any provision of this ordinance, permitting condition, or stop-work order shall be subject to a fine up to \$1000 per violation or by imprisonment for a period not to exceed (60) sixty days, or both.

PART FOUR: PERMITTED SIGNS AND DESIGN REQUIREMENTS

Section 4.1 Nonconforming signs

Nonconforming signs that met all legal requirements when erected may stay in place until the deterioration of the sign or damage to the sign makes it a threat to public safety, and no repairs have been effected within five (5) days of receipt of registered or certified notice from the Director of Planning and Community Development directing that immediate repairs are necessary to protect public safety. Nonconforming signs may not be enlarged or altered, to include any upgrade to an electronic message board, except as provided in sections 4.1 (a) and (b). Changes to sign copy shall not be considered an alteration for purposes of this section. Any sign removed shall not be replaced except in accord with the current requirements of this ordinance.

- (a) Notwithstanding any term or provision of this article to the contrary, a nonconforming sign may be upgraded to an electronic message board, or, in lieu of an electronic message board upgrade, a new electronic message billboard may be constructed in close proximity to the nonconforming sign it is replacing, only upon strict compliance with the following conditions: (1) a request for an electronic message board upgrade or alternate design review seeking an electronic message board upgrade must have been tendered to Forsyth County prior to November 17, 2016, (2) that any such electronic message board upgrade of an existing nonconforming sign or construction of a new electronic message billboard may only occur in conjunction with a bona fide settlement of litigation arising out of the previously tendered request for electronic message board upgrade or alternate design review, (3) that the settlement agreement may include more than a single sign to be upgraded, newly constructed, or permanently removed, (4) that the settlement agreement must identify the locations of each sign to be upgraded, removed, or newly constructed as well as the size of the sign face, height, and other performance standards, (5) that construction of a new electronic message billboard pursuant to the settlement agreement shall occur no more than 1,000 feet from a nonconforming sign it is replacing, (6) that the overall result of the settlement agreement shall be a net reduction of nonconforming sign structures in Forsyth County, and (7) that the settlement agreement must have been approved by Forsyth County prior to July 17, 2017.
- (b) Notwithstanding any provision in this article to the contrary, a nonconforming sign adjacent to Georgia State Route 400 that exceeds 75 feet in height, as measured from the base of the sign or crown of the adjacent roadway, whichever is higher, shall be reduced to 75 feet in height as measured from the base of the sign or crown of the adjacent roadway if a vegetation management permit is issued for the sign by the State of Georgia.
- (c) A nonconforming sign adjacent to a public road that is subject to disassembly, razing or removal due to condemnation or state or county-initiated road work may be re-erected on the same lot so long as the height and sign face of the replacement sign is equal to or less than that of the removed sign.

Section 4.2 Prohibited signs

The following types of signs are prohibited in all zoning districts of the County, except as otherwise specifically provided by this section:

- (a) Animated signs.
- (b) Changeable copy signs, subject to the exceptions identified in Section 4.15.
- (c) Any air- or gas-filled balloons or other similar devices.
- (d) Permanent signs made of paper, natural or synthetic fabric, vinyl or other flexible, roll stock materials, except as specifically approved by special permit in accordance with this ordinance. Temporary Banner signs made of non-rigid material are permissible within neighborhood shopping, urban village, and master planned

districts when attached to pedestrian lighting fixtures for a period up to 60 days. These Temporary Banner signs shall be permitted only by issue of a sign permit.

- (e) Portable signs.
- (f) Pylon signs, except for traffic and pedestrian movement directional signs located within neighborhood shopping, urban village, master planned districts, and pedestrian-oriented projects within other zoning districts. These exempted signs are for multi-tenant planned commercial or missed used centers and must be set back at least 200 feet from the right of way.
- (g) Roof signs.
- (h) Sidewalk signs, except when located within neighborhood shopping, urban village, and master planned districts.
- (i) Streamers and pennants, except as specifically approved by special permit in accordance with this ordinance.
- (j) Projecting wall signs.
- (k) Signs that imitate an official traffic sign or signal. This includes signs that use colored lights used at any location or in any manner so as to be confused with or construed as traffic control devices.
- (l) Signs within the right-of-way, including those attached to traffic signs or telephone poles.
- (m) Signs attached to trees.
- (n) Signs attached to courtesy benches, trashcans, and similar devices, with the exception of signage related to the ownership of such items.
- (o) Trailer signs.

Section 4.3 Sign Devices Allowed for up to 10 Days

The following types of signs shall be permitted only by issue of a sign permit, and a building permit and electrical permit if required, allowing usage of this type sign for a period not exceeding ten (10) consecutive days, except as more specifically provided in this section. No such permit shall be issued for the same lot at less than four-month intervals. All signs must be set back at least ten (10) feet from the right-of-way. A fee as may be established from time to time by resolution of the Forsyth County Board of Commissioners shall be charged and must be paid for each sign permit and any required building and electrical permits.

- (a) Air- or gas-filled balloons or other devices which have a capacity for air or gas which exceeds three (3) cubic feet, per lot.
- (b) Streamers or two pennants, per lot.
- (c) Banners, not specifically exempted from compliance with this ordinance, each with a maximum size of thirty-two (32) square feet, not to exceed three (3) on any given lot.
- (d) Two searchlights or similar devices per lot.

Section 4.4 Weekend signs

Weekend signs shall be allowed without the necessity of obtaining a permit, subject to the following requirements:

- (a) Such signs shall be allowed only on Fridays from 12:00 p.m. through Sundays until 6:00 p.m.
- (b) No more than one (1) weekend sign shall be allowed on any given lot.
- (c) No such sign shall be located on any public right-of-way, and it must be on private property with the consent of the property owner.
- (d) Signs shall not exceed a maximum area of six (6) square feet each.
- (e) For identification purposes the owner of said sign shall stamp or write legibly its name and contact information, on the backside or in a corner of the sign.

- (f) In order to confirm legitimacy of sign placement, the owner of every weekend sign shall stamp or write legibly on the backside or corner of the sign the name of the property owner providing authorization for placement of the sign and a telephone number of that property owner.
- (g) Such signs shall not be illuminated.
- (h) The minimum fine for placement of a weekend sign in contravention of this ordinance shall be \$100.00.
- (i) For purposes of prosecuting this ordinance, it is hereby established that if the subject matter of a wrongfully placed weekend sign is a business, individual or entity subject to identification, then a rebuttable presumption exists that the business, individual or entity so identified caused the sign to be so placed and is subject to citation.

Section 4.4.5 Expression signs

Expression Signs shall be allowed without the necessity of obtaining a permit, subject to the following requirements:

- (a) Conformity to the performance tables and all other general requirements of this ordinance;
- (b) No more than two (2) Expression Signs shall be allowed on any lot, except as provided in subsection (c) of this section;
 - 1. To the extent a numerical limitation on placement of Expression Signs in residentially zoned lots conflicts with O.C.G.A. § 21-2-3(a)(2), then the provisions of O.C.G.A. § 21-2-3 shall control;
- (c) Within sixty (60) days prior to any local, state or federal primary, special or general election or ballot initiative wherein citizens of Forsyth County are entitled to vote, an additional four (4) Expression Signs shall be permitted on any lot thereby raising the total number of Expression Signs allowed during this period to six (6);
 - 1. To the extent a numerical limitation on placement of Expression Signs in residentially zoned lots conflicts with O.C.G.A. § 21-2-3(a) (2), then the provisions of O.C.G.A. § 21-2-3 shall control;
- (d) The placement of Expression Signs in accord with subsection (c) of this section shall not require that such signs contain a message related to said election or ballot initiative, and such signs may display any lawful non-obscene copy;
- (e) Any Expression Signs placed in accord with subsection (c) of this section shall be removed fifteen (15) days after the election or ballot initiative, at which time the maximum number of Expression Signs shall revert to two (2) per lot;
 - 1. To the extent a numerical limitation on placement of Expression Signs in residentially zoned lots conflicts with O.C.G.A. § 21-2-3(a) (2), then the provisions of O.C.G.A. § 21-2-3 shall control;
- (f) Expression Signs placed on a lot in contravention of this section shall be subject to all enforcement action allowed under section 3.12 of this ordinance. However, if the sole basis for enforcement action is the *number* of Expression Signs on a lot, the enforcing officer shall notify the pertinent lot owner and provide the lot owner an opportunity to remove that minimum number of Expression Signs such as will result in code compliance. If the lot owner cannot be readily located, the enforcement officer shall be entitled to utilize the enforcement measures of section 3.12.

Section 4.5 Maximum height of signs

The maximum height of any ground sign regulated by this ordinance shall be in accordance with section 4.12.

Section 4.6 Increase in height of ground signs

A maximum height, as established in section 4.12, shall apply any to any ground sign, except that signs situated below road grade may, where necessary to achieve adequate visibility, request approval to increase ground sign height from the Director of Planning and Community Development, but in no event shall such ground sign exceed the maximum height allowed for zoning designations set forth in section 4.12.

Section 4.7 Monument and monument blade signs

Monument signs shall comply with the following standards:

- (a) Base material shall be brick or stone or other similar materials as approved by the Director of Planning and Community Development. The base shall be at least two (2) feet in height.
- (b) No portion of the supporting structure shall be visible between display areas of a double-faced sign.
- (c) The width of a monument blade sign face shall be no greater than the average of two measurements: That of the sign base width measured at grade level and the width of the highest point of the base at which the perpendicular structure for the blade is attached.

Section 4.8 Minimum setback from right-of-way

No sign regulated by this ordinance shall be placed or erected within a city, county, state, or federal right-of-way. Additionally, no sign, in excess of thirty (30) inches high shall be placed within ten (10) feet of a city, county, state, or federal right-of-way.

Section 4.9 Classification of PUD zoning district

For the purposes of this ordinance any property in the PUD zoning classification will be classified as a residential district. However, based on the zoning site plan approved by the Board of Commissioners, the Director of the Department of Planning and Community Development shall designate specific areas, within PUD zoning classifications, as commercial and industrial, when such areas have the characteristics of a commercial or industrial district.

Section 4.9A MPD zoning districts

That portion of a development constituting the residential component of property within a MPD zoning classification, wherein the residential component of the MPD development has a wholly separate entrance from any commercial component, shall be authorized to place signage in the residential portion of the development in a manner authorized by this code for signage allowed in residential zoning districts.

Section 4.10 GA 400 corridor

1. No signage intended for viewing along a limited access highway shall be erected, except the following:
 - (a) Sign on any property which is for sale or for rent, but is vacant and contains no building or structure, during period the property is for sale or rent;*
 - (b) Sign on any property where more than one lot or dwelling is for sale or rent for residential purposes, or where more than one building space is for sale or rent for nonresidential purposes, during the period said lots, dwellings, or building spaces are for sale or for rent; or*
 - (c) Crown signs pursuant to section 4.16.

Any signage provided by this section shall be a maximum of 12' in height and have a maximum of 32 Sq. Ft. of sign face, except for crown signs that shall adhere to standards as noted in section 4.16.

** Identification of property where sign may be erected does not require the sign message be related to such identification.*

2. Notwithstanding the limitation set forth in Sec. 4.10(1), if a commercially zoned property with frontage adjacent to the limited access portion of Georgia 400 applies for and secures a Vegetation Maintenance Permit from the State of Georgia, and if cutting, thinning, removal and/or reduction of vegetation along GA 400 right of way is implemented in full compliance with that permit, then that property may convert a single legal non-conforming sign whose primary purpose was to be viewed by the traveling public along GA 400 into two, single-faced replacement monument signs wherein the monument dimensions shall be no greater than 10 feet in height and 44 feet in width; and where the monument sign face(s) shall be no greater than 6 feet in height and 25 feet in width. The converted monument sign(s) shall not be an electronic message board but may be externally lighted. In order to convert the existing non-conforming sign into two monument sign(s), an enhanced landscaping plan shall be submitted to and approved by the Forsyth County arborist, depicting enhanced landscaping and beautification on and around the replacement monument sign. Installation of such approved enhanced landscaping shall be included within the monument sign(s) building permit and shall be contemporaneous to construction of the monument sign(s). The existing legal non-conforming sign shall be removed prior to construction of the monument signs. Upon the monument sign(s) being installed, the former legal non-conforming sign that has been removed may not be re-erected and all rights to said sign and its status as a legal non-conforming sign shall be deemed abandoned. The monument signs authorized by this paragraph shall be allowed notwithstanding other limitations on the aggregate square feet of signage otherwise allowed on a parcel.

(a) The opportunity to convert a single legal non-conforming sign into two monument signs as provided in Sec. 4.10 (2) shall only be available to properties meeting the criteria set forth above, to include the existence of a legal non-conforming sign whose primary purpose is to be viewed by the traveling public along GA 400. A legal non-conforming sign whose primary purpose is to be viewed by the traveling public along GA 400 shall be a sign the erection of which is presently not allowed by the Forsyth County Code and whose height from grade to top is at least fifty feet. Sec. 4.10 (2) shall not give rise to an independent right to an additional monument sign in the absence of a legal non-conforming sign satisfying the criteria in Sec. 4.10 (2) and (2)(a).

Section 4.11 Appeals authorized

Appeals to the Zoning Board of Appeals may be taken by any person aggrieved by any decision of the Director of the Department of Planning and Community Development or other official with authority to administer or interpret this code. In accordance with the appeals provisions from decisions of the Zoning Board of Appeals in the Unified Development Code, any aggrieved party may appeal a decision of the Zoning Board of Appeals. Appeals will follow the requirements and procedures defined in the Unified Development Code of Forsyth County. Where the denial of any sign permit is appealed, a final determination shall be issued by the appellate body within 45 days from the date that the appeal is formally filed in writing by the sign applicant. If such determination is not made within 45 days, the sign can be posted as if permitted. If the applicant later loses the appeal, however, the sign must be removed within 10 business days of issuance of the decision in writing.

Section 4.12 Sign requirements per zoning district

Any sign, regulated by this ordinance, shall comply with the requirements outlined for the zoning district in which the sign is located.

Section 4.13 Additional sign options for malls with multi-tenant occupation.

In addition to aggregate sign face standards per individual establishment, the developer, business association body, or other entity that has decision making authority for the overall mall is granted four (4) additional wall signs when gross building space is a minimum of 400,000 square feet or eight (8) additional wall signs when gross

building space reaches 750,000 square feet or above. This authorization for additional signage is not transferable to any other person or entity associated with the mall. All general requirements of this ordinance shall apply to signs permitted under this Section, except the following performance standards shall apply:

- (a) Maximum sign face for buildings up to 7,500 square feet: Limited to 10% of overall façade or 36 square feet, whichever is greater.
- (b) Maximum sign face for buildings over 7,500 square feet: Limited to 10% of overall façade or 200 square feet, whichever is less.
- (c) External and internal illumination is permitted.

Section 4.14 Additional sign options for master-planned business parks.

In addition to aggregate sign face standards per individual establishment, the developer, business association body, or other entity that has decision making authority for the overall campus is granted eight (8) additional monument signs when the overall campus exceeds 500 acres in size. This authorization for additional signage is not transferrable to any other person or entity associated with the campus. All general requirements of this ordinance shall apply to signs permitted under this Section, except the following performance standards shall apply:

- (a) Maximum sign face: 24 square feet.
- (b) Maximum height: 6 feet.
- (c) Minimum setback: 3 feet from right-of-way or 10 feet from back of curb, whichever is greater.
- (d) Minimum separation between signs permitted under this section: 300 feet.
- (e) Illumination is prohibited.

Section 4.15 Electronic Message Boards

- (a) Zoning. Subject to specific requirements and restrictions of the Unified Development Code, and notwithstanding any conflicting provisions in the table of this Chapter titled “Residential Zoning Districts-Performance Standards” (in which case the provisions of this section shall prevail), Electronic Message Boards are authorized only as follows:
 1. In commercial and industrial zoning districts;
 2. In any district where the property:
 - a. has a minimum of 100 feet of frontage along a four-lane or greater, divided public roadway; and
 - b. has a principal use that is either a religious facility, college, university, private school as defined at O.C.G.A. 20-2-690(b), hospital, military or veteran organization, conference center, art gallery, museum, theater, or amphitheater.
- (b) Brightness. The maximum luminosity during daylight hours shall not exceed 6,500 nits. The maximum luminosity during evening hours shall not exceed 350 nits.
- (c) Establishment of daylight and evening hours.
 - a. March through October
 - i. Daylight hours shall be 8:00 AM through 7:00 PM
 - ii. Evening hours shall be 7:01 PM through 7:59 AM
 - b. November through February
 - i. Daylight hours shall be 8:00 AM to 5:00 PM
 - ii. Evening hours shall be 5:01 PM through 7:59 AM
- (d) Requirement for automatic dimmer and a photo cell sensor.

Electronic Message Boards shall have an automatic dimmer, photo cell sensor or similar device that reduces the maximum luminosity to complement ambient lighting. Such settings shall ensure the sign shall not cause glare or impair the vision of motorists during times of low ambient lighting levels.

(e) Transition method.

The only acceptable transition method between copy shall be an instantaneous switch from one copy to the next.

(f) Hold Time.

The frequency of copy change shall be no more than once every 10 seconds for Electronic Message Boards permitted under Section 4.1 (b). The frequency of copy change shall be no more than once every 20 minutes for all other Electronic Message Boards.

Section 4.16 Crown Signs

(a) Crown Signs are authorized only as follows:

1. Shall be located within a commercial or office district as described in Chapter 12, a restricted industrial (M1) district, or a specialty zoning district as described in Chapter 20(B);
2. Shall only be allowed when affixed to or located on office buildings;
3. A maximum of two (2) crown signs are allowed per building with no more than one (1) crown sign per building façade;
4. Each sign shall not exceed two hundred (200) square feet in area, which shall not count towards maximum wall sign allowances;
5. Sign face shall not exceed eight (8) feet in height;
6. Shall not extend more than three (3) feet from the building façade;
7. Shall not exceed more than seventy-five percent (75%) of the façade width;
8. Shall not cover windows or architectural details;
9. Shall not extend above the roof line;
10. Shall not be in the form of an Electronic Message Board: and
11. Shall only be internally illuminated if sign lighting is provided.

Residential Zoning Districts - Performance Standards

Any lot within a Residential Zoning district shall be limited to 40 Sq. Ft. of aggregate sign face. Limitations on the allowable square feet of signage are aggregate and may be distributed among any permitted signs (the 40 Sq. Ft. of aggregate sign face may consist of any combination of permitted signs). Type or classification of sign shall not require that sign message be related to type or classification.

Type of Sign	Maximum Sign Face (Sq. Ft.)	Maximum Height of Ground Signs (Feet)	Lighting			Maximum Number Allowed Per Lot	Other
			Non-Illuminated	Externally Illuminated	Internally Illuminated		
Sign on lots zoned A-1 or A-2 where agricultural products are sold.	6	8	Permitted	Prohibited	Prohibited	One per road frontage.	None.
Sign on any lot which is for sale or for rent, but is vacant and contains no building or structure, during the period the lot is for sale or for rent.	6	8	Permitted	Prohibited	Prohibited	One per road frontage.	Freestanding ground sign only.
Sign on any lot where more than one lot or dwelling is for sale or rent for residential purposes, or where more than one building space is for sale or rent for nonresidential purposes, during the period said lots, dwellings, or building spaces are for sale or for rent.	16	8	Permitted	Prohibited	Prohibited	One per road frontage.	None.
Sign on any lot where one or more buildings are being constructed, during the period of construction	16	8	Permitted	Prohibited	Prohibited	One per road frontage.	Freestanding ground sign only. Sign shall be mounted between two posts at least 3.5 inches by 3.5 inches in dimension.
Monument signs located at the entrance of a residential subdivision.	36	8	Permitted	Permitted	Prohibited	Two per road frontage.	None.
Signs on lots zoned residential which have a non-residential use.	36	8	Permitted	Permitted	Permitted for Monument Signs on collector streets, minor and major arterials. Prohibited for Wall Signs.	One per road frontage.	Monument or wall signs only. Signs shall not incorporate Electronic Message Boards or Automated Changeable Copy.
Sign on any lot with an active Land Disturbance Permit (LDP).	16	10	Permitted	Prohibited	Prohibited	One per LDP.	Freestanding ground sign only. Shall be removed prior to expiration of LDP. Owner must sign removal agreement.
Expression sign	6	4	Permitted	Prohibited	Prohibited	Per Section 4.4.5 or as otherwise authorized by O.C.G.A. 21-2-3 (a)(2)	Per Section 4.4.5
Weekend sign	Per Section 4.4	Per Section 4.4	Per Section 4.4	Per Section 4.4	Per Section 4.4	Per Section 4.4	Per Section 4.4
Sign device valid for ten days.	Per Section 4.3	Per Section 4.3	Per Section 4.3	Per Section 4.3	Per Section 4.3	Per Section 4.3	Per Section 4.3

Office Residential Zoning Districts - Performance Standards

Any lot within an Office Residential Zoning district shall be limited to 40 Sq. Ft. of aggregate sign face. Limitations on the allowable square feet of signage are aggregate and may be distributed among any permitted signs (the 40 Sq. Ft. of aggregate sign face may consist of any combination of permitted signs). Type or classification of sign shall not require that sign message be related to type or classification.

Type of Sign	Maximum Sign Face (Sq. Ft.)	Maximum Height of Ground Signs (Feet)	Lighting			Maximum Number Allowed Per Lot	Other
			Non-Illuminated	Externally Illuminated	Internally Illuminated		
Sign on lots zoned A-1 or A-2 where agricultural products are sold.	na	na	na	na	na	0	na
Sign on any lot which is for sale or for rent, but is vacant and contains no building or structure, during the period the lot is for sale or for rent.	16	8	Permitted	Prohibited	Prohibited	One per road frontage.	Freestanding ground sign only.
Sign on any lot where more than one lot or dwelling is for sale or rent for residential purposes, or where more than one building space is for sale or rent for nonresidential purposes, during the period said lots, dwellings, or building spaces are for sale or for rent.	16	8	Permitted	Prohibited	Prohibited	One per road frontage.	None.
Sign on any lot where one or more buildings are being constructed, during the period of construction.	16	8	Permitted	Prohibited	Prohibited	One per road frontage.	Freestanding ground sign only. Sign shall be mounted between two posts at least 3.5 inches by 3.5 inches in dimension.
Monument signs located at the entrance of a residential subdivision.	36	8	Permitted	Permitted	Prohibited	Two per road frontage.	None.
Signs on lots zoned residential which have a non-residential use.	na	na	na	na	na	0	na
Expression sign	6	4	Permitted	Prohibited	Prohibited	Per Section 4.4.5	Per Section 4.4.5
Weekend sign	Per Section 4.4	Per Section 4.4	Per Section 4.4	Per Section 4.4	Per Section 4.4	Per Section 4.4	Per Section 4.4
Sign device valid for ten days.	Per Section 4.3	Per Section 4.3	Per Section 4.3	Per Section 4.3	Per Section 4.3	Per Section 4.3	Per Section 4.3
Signs located on lots containing a business, institution, or establishment that is not part of a planned office, commercial or industrial center.	0.5 Sq. Ft. of sign allowance per linear Ft. of road frontage not to exceed 30 Sq. Ft.	8	Permitted	Permitted	Prohibited	One per road frontage.	Monument sign only.
Signs located on lots containing a planned office, commercial or industrial center.	0.5 Sq. Ft. of sign allowance per linear Ft. of road frontage not to exceed 30 Sq. Ft.	8	Permitted	Permitted	Prohibited	One per road frontage.	None.
Wall sign or marquee or canopy sign on lots containing a business, institution, or establishment in a multi-tenant planned office, commercial or industrial center.	na	na	na	na	na	0	na
Sign on lots containing businesses, institutions, or establishments located in a multi-tenant building which do not have a visible building frontage from an off-street parking lot serving the site.	16	8	Permitted	Permitted	Prohibited	One per entrance.	Monument sign only.
Window signs	na	na	na	na	na	0	na

Commercial or Industrial Zoning Districts*

Except for lots in planned office, commercial, or industrial centers, a lot within a Commercial and Industrial Zoning district shall be limited to 140 Sq. Ft. of aggregate sign face with the exception of crown signs. Limitations on the allowable square feet of signage are aggregate and may be distributed among any permitted signs (the 140 Sq. Ft. of aggregate sign face may consist of any combination of permitted signs). Type or classification of sign shall not require that sign message be related to type or classification. Aggregate sign face for signs in planned office, commercial, or industrial centers shall be determined based upon gross building space, as provided below.

*Exempting NS, UV, MPD zoning districts

Type of Sign	Maximum Sign Face (Sq. Ft.)	Maximum Height of Ground Signs (Feet)	Lighting			Maximum Number Allowed Per Lot	Other	
			Non-Illuminated	Externally Illuminated	Internally Illuminated			
Sign on lots zoned A-1 or A-2 where agricultural products are sold.	na	na	na	na	na	0	na	
Sign on any lot which is for sale or for rent, but is vacant and contains no building or structure, during the period the lot is for sale or for rent.	32	10	Permitted	Prohibited	Prohibited	One per road frontage.	Freestanding ground sign only.	
Sign on any lot where more than one lot or dwelling is for sale or rent for residential purposes, or where more than one building space is for sale or rent for nonresidential purposes, during the period said lots, dwellings, or building spaces are for sale or for rent.	32	10	Permitted	Prohibited	Prohibited	One per road frontage.	None.	
Sign on any lot where one or more buildings are being constructed, during the period of construction.	18	10	Permitted	Prohibited	Prohibited	One per road frontage.	Freestanding ground sign only. Sign shall be mounted between two posts at least 3.5 inches by 3.5 inches in dimension.	
Monument signs located at the entrance of a residential subdivision.	36	8	Permitted	Permitted	Prohibited	Two per road frontage.	None.	
Signs on lots zoned residential which have a non-residential use.	na	na	na	na	na	0	na	
Expression sign	32	10	Permitted	Prohibited	Prohibited	Per Section 4.4.5	Per Section 4.4.5	
Weekend sign	Per Section 4.4	Per Section 4.4	Per Section 4.4	Per Section 4.4	Per Section 4.4	Per Section 4.4	Per Section 4.4	
Sign device valid for ten days.	Per Section 4.3	Per Section 4.3	Per Section 4.3	Per Section 4.3	Per Section 4.3	Per Section 4.3	Per Section 4.3	
Signs located on lots containing a business, institution, or establishment that is not part of a planned office, commercial or industrial center.	1 Sq. Ft. of sign allowance per linear Ft. of road frontage, not to exceed 120 Sq. Ft.	12	Permitted	Permitted	Permitted	Two per road frontage.	Monument or wall signs only.	
Signs located on lots containing a planned office, commercial or industrial center.	Gross Building Space	Max. Sign Face	12	Permitted	Permitted	Permitted	Two per road frontage.	None.
	0 - 10,000	75 Sq. Ft.						
	10,001 - 50,000	150 Sq. Ft.						
	50,001 - 100,000	300 Sq. Ft.						
	100,001 +	360 Sq. Ft.	16					
Wall sign or marquee or canopy sign on lots containing a business, institution, or establishment in a multi-tenant planned office, commercial or industrial center.	Gross Building Space	Max. Sign Face Per Elevation	Ag.g. Total All Elevations	12	Permitted	Permitted	Permitted	Two per establishment. An additional canopy sign may be used so long as pedestrian-oriented dimensions are followed.
	0 - 2,500	36	72					
	2,501 - 15,000	60	120					
	15,001 - 50,000	100	200					
	50,000 +	200	400					
	120,000 +	500	600	12	Permitted	Permitted	Permitted	Two per establishment. Two additional canopy sign may be used so long as pedestrian-oriented dimensions are followed.
				12	Permitted	Permitted	Permitted	Two per establishment. Four additional canopy sign may be used so long as pedestrian-oriented dimensions are followed.
				12	Permitted	Permitted	Permitted	Four per establishment. Six additional canopy sign may be used so long as pedestrian-oriented dimensions are followed.
Sign on lots containing businesses, institutions, or establishments located in a multi-tenant building which do not have a visible building frontage from an off-street parking lot serving the site.	32	12	Permitted	Permitted	Permitted	One per road frontage.	Monument sign only.	
Window signs	32	na	na	na	na	na	Not to exceed 30% of any individual window frame.	

**Neighborhood Shopping District, Urban Village District, Master Planned District
and Pedestrian-Oriented Projects within other Zoning Districts***
Refer to Sign Design Manual for Graphic Illustrations of Performance Standards

Type of Sign	Maximum Sign Area (Sign face plus structural elements comprising the sign perimeter)	Maximum Height of Ground Signs	Lighting			Maximum Number Allowed per Lot	Other
			Non-illuminated	Externally Illuminated	Internally Illuminated		
Wall Sign	Overall sign area: 0-750.0 SF; 10% of overall facade or 36 SF, whichever is greater 750.0 SF and above: 10% of overall facade or 200 square feet, whichever is less Length: 80% of facade horizontal length	na	Permitted	Permitted	Permitted	1 per facade per establishment	Display surface shall not project more than 12 inches from the building
Marquee Sign	Overall sign area same as wall sign Sign area consists of attached lettering and background if present. It does not include the projecting marquee itself which provides a roof-like structure over a pedestrian walkway.	na	Permitted	Permitted	Permitted	1 per facade per establishment Not to be combined with a wall sign on the same facade	Maximum 6' foot projection from building or 1/2 of sidewalk width, whatever is less Minimum clearance of 8' above ground level to the bottom of sign Minimum setback of 18" behind curb
Blade Sign Oriented perpendicular to facade	12 Square Feet per side not including support brackets If this is the primary sign and no wall signs present, 24 Square Feet per side not including support brackets.	na	Permitted	Permitted	Permitted	1 per entrance per establishment Not to be combined with a canopy sign for the same entrance	Maximum 4' foot projection from building or 1/3 of sidewalk width, whatever is less If this is the primary sign and no wall sign is applied, Maximum 6' foot projection from building Minimum clearance of 8' above ground level to the bottom of sign Minimum setback of 18" behind curb
Canopy Sign	12 Square Feet per side not including support brackets	na	Permitted	Permitted	Permitted	1 per entrance per establishment Not to be combined with a blade sign for the same entrance	Minimum clearance of 8' above ground level to the bottom of sign Minimum setback of 18" behind curb
Window Sign	30% of total transparent glass area excluding doors or one square foot per linear foot of street frontage, whichever is less	na	Permitted	Permitted	Permitted	1 per window pane or framed window area	Any graphic with lettering of more than 1" in height, mounted within 4' of a window shall be considered a window sign except: Displays with lettering incorporated Products on shelves for sale Information panels with 80% of the text in lettering less than 2" in height
Monument Sign Fronting freeways, arterial and collector roads	0-50,000 Gross Building Space: 75 Square Feet per side	8'	Permitted	Permitted	Permitted	1 per entrance	Monument sign shall be located within a landscape area Wing Walls prohibited
	50,001-100,000 Gross Building Space: 150 Square Feet per side	8'	Permitted	Permitted	Permitted	2 per entrance	Monument sign shall be located within a landscape area Wing Walls prohibited
Monument Sign fronting local roads and interior streets within proposed development	100,001+ Gross Building Space: 250 Square Feet per side not including wing walls, if present	10'	Permitted	Permitted	Permitted	2 per entrance	Monument sign shall be located within a landscape area Wing walls are not to exceed 4.5' in height and 50 square feet in area for each side of the monument sign
	20 Square Feet per side	4'	Permitted	Permitted	Permitted	1 if following requirements are met: Single tenant building where entrance is set back at least 15 feet from the street	Monument sign shall be located within a landscape area Graphic shall be limited to a single tenant
Pole Directional Signs: Traffic and Pedestrian	24 Square Feet per side not including pole supports	8'	Permitted	Permitted	Permitted	0-40,000 SF: 1 per development 40,001-100,000 SF: 2 per development 100,001-250,000 SF: 6 per development 250,001-500,000 SF: 12 per development 500,001+ SF: 20 per development	For multi-tenant planned commercial or mixed use centers only Pole directional signs shall be set back at least 200 feet from external frontage light-of-way
	18 Square Feet per side not including support brackets	Restricted to height of pedestrian light fixture	Permitted	Permitted	Prohibited	Restricted to number of pedestrian light fixtures located along building frontage	The lowest point of the banner shall be at least 8' above the surface of the sidewalk or pedestrian way.
Awning and Umbrella Graphics	6 Square Feet per side 15% of Total awning or umbrella area If awning is the primary sign and no wall sign is present, dimension standards for wall signs shall apply	na	Permitted	Permitted	Prohibited	1 located on exterior facade or sidewalk in front of building facade per establishment	Lettering shall not exceed 12" in height Shall be located and oriented so as not to create a safety hazard These standards apply when the awning is not the primary sign: Maximum letter height is 8" and the business logo shall not exceed 2 square feet in area

*Pedestrian-oriented projects within other zoning districts require Planning Staff approval before pedestrian signage performance standards are implemented. Without prior approval, projects will be reviewed per the performance standards outlined for other commercial and industrial zoning districts.

PART FIVE: OTHER

Section 5.1 Interpretation

This ordinance shall be interpreted in such a manner that the availability, land use, or other triggering event or condition for an entitlement to apply for, erect, or place signage within Forsyth County shall not have the effect of dictating or controlling in any manner the content of the message that may be placed upon such signage, it being the expressed intention of Forsyth County that the ordinance be content, viewpoint, and speaker neutral.

Section 5.2 Severability

If any provision of this ordinance is found by a court of competent jurisdiction to be invalid or unconstitutional, or if the application is found to be invalid or unconstitutional, such as invalidity or unconstitutionality shall not affect other provisions or applications of this Code which can be given effect without the invalid or unconstitutional provision or application.

Section 5.3 Repealer

All laws, resolutions, or ordinances or parts thereof that conflict with the provisions of this ordinance are repealed.

Section 5.4 Effective Date

The effective date of this ordinance shall be the date of enactment on the 5th day of March, 2020.