

Public Hearing Published 8/18/10
Public Hearing 9/9/10

First Reading 9/9/10
Second Reading 9/23/10

ORDINANCE NO. 441

AN ORDINANCE REPEALING ALL CONFLICTING ORDINANCES OR PARTS THEREOF, INCLUDING ORDINANCE NO. 288 WHICH ADOPTED SIGN REGULATIONS FOR THE COTTON AND RAILROAD HISTORIC DISTRICTS, AND ADOPTING NEW SIGN REGULATIONS FOR THE FLOWERY BRANCH HISTORIC DISTRICT, PROVIDING FOR SEVERABILITY, AN EFFECTIVE DATE, AND FOR ALL OTHER LAWFUL PURPOSES.

WHEREAS, the City of Flowery Branch has prepared and adopted a comprehensive plan, pursuant to the Georgia Planning Act of 1989 and rules for preparing local comprehensive plans as promulgated by the Georgia Department of Community Affairs; and

WHEREAS, the adopted comprehensive plan of the city recognizes the importance of historic resources and the unique character of Old Town Flowery Branch, and such character area as recognized in the comprehensive plan; and

WHEREAS, local governments adopting comprehensive plans are authorized and obligated by rules of the Georgia Department of Community Affairs to prepare regulations that implement their comprehensive plans in order to maintain their qualified local government status; and

WHEREAS, the City of Flowery Branch is authorized under its City Charter, home rule provisions of the Georgia Constitution to prepare and adopt regulations that protect the health, safety, general welfare, and aesthetics of the city; and

WHEREAS, pursuant to its authority the City of Flowery Branch has adopted a zoning ordinance (Ordinance No. 348, as amended) to implement its comprehensive plan; and

WHEREAS, the City of Flowery Branch has adopted sign regulations as a part of its zoning ordinance, but those regulations alone are not tailored to the specific needs of protecting the character of the city's historic district; and

WHEREAS, pursuant to the Georgia Historic Preservation Act, O.C.G.A. Section 44-10-20 et seq. the City of Flowery Branch has established a Historic Preservation Commission (Ordinance No. 375) and designated a historic district (Ordinance No. 376); and

WHEREAS, the architectural, cultural, and aesthetic resources in the historic district are among the city's most valued and important assets; and

WHEREAS, protection of the city's historic district is essential to the promotion of the health, prosperity, and general welfare of the city, county, region, state, and nation; and

WHEREAS, unlike decisions about signs in areas outside the Flowery Branch historic district, the erection or establishment of signs are considered a material change in appearance that require review and approval by the City of Flowery Branch Historic Preservation Commission, pursuant to Ordinance No. 375; and

WHEREAS, the city has complied with the procedural requirements of the Zoning Procedures Law (O.C.G.A. 36-66) in adopting this Ordinance; and

WHEREAS, the City Council held a public hearing on September 9, 2010, duly noticed as prescribed by law and published in the Gainesville Times, regarding this ordinance.

NOW THEREFORE, THE COUNCIL OF THE CITY OF FLOWERY BRANCH HEREBY ORDAINS AS FOLLOWS; the Flowery Branch Historic District Sign Ordinance, as set forth in the following Articles and Sections, is hereby adopted.

**HISTORIC DISTRICT SIGN ORDINANCE
CITY OF FLOWERY BRANCH, GEORGIA**

ARTICLE 1 GENERAL PROVISIONS

- Sec. 1.1. Title.
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- Sec. 1.3. Applicability.
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- Sec. 4.3. Criteria for Certificates of Appropriateness Generally.
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- Sec. 5.1. Administration.
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- Sec. 5.4. Enforcement and Penalties.

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- Sec. 5.1. Repealer.
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- Sec. 5.3. Effective Date.

**ARTICLE 1
GENERAL PROVISIONS**

- Sec. 1.1. Title.
- Sec. 1.2. Purpose and Intent.
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- Sec. 1.4. General Provisions.
- Sec. 1.5. Definitions, Interpretations, and Conflicts.
- Sec. 1.6. Relationship to Zoning Ordinance Provisions for Signs.
- Sec. 1.7. Content of Signs Not Regulated.

Sec. 1.1. Title.

This ordinance shall be and is known and may be cited as the “Flowery Branch Historic District Sign Ordinance.”

Sec. 1.2. Purpose and Intent.

Signs play an important role in the attractiveness and appearance of Flowery Branch’s Historic District. The design, size, number, and placement of signs contribute to the overall environment of the building, street, and district. Because signs strongly influence the perception of the establishment, building, street view, and the historic district, there is a public interest in ensuring that signs are well designed and carefully placed and properly maintained in accordance with the overall desired character of the Flowery Branch Historic District.

This ordinance supplements existing sign regulations of the Flowery Branch Zoning Ordinance (Ordinance No. 348 Article 24) with sign regulations specifically designed to ensure compatibility and pedestrian scale of all signage in the Flowery Branch Historic District.

Sec. 1.3. Applicability.

This ordinance shall apply within the Historic District in the City of Flowery Branch, as designated by ordinance (Ordinance No. 376) and as may be amended from time to time.

If a particular property is added to the City of Flowery Branch Historic District, as established in Ordinance No. 376, said property shall automatically be subjected to the requirements of this ordinance. If a particular property is lawfully removed City of Flowery Branch Historic District, as established in Ordinance No. 376, said property shall no longer be required to comply with the requirements of this Ordinance.

If the City of Flowery Branch designates a historic property by ordinance after the effective date of this ordinance, development within said property designated a historic landmark or historic property shall require compliance with the provisions of this ordinance.

Sec. 1.4. General Provisions.

No sign shall be permitted, erected, established, or allowed to be erected or established, within the area governed by this ordinance, unless it is in conformity with this ordinance. It shall be unlawful to erect any sign in the area governed by this ordinance unless a certificate of appropriateness is granted by the Historic Preservation Commission, except as may be authorized by the Zoning Administrator pursuant to authority of this Ordinance or the city's Historic Preservation Ordinance (Ordinance No. 375) to issue certain sign permits, exemptions, and temporary sign permits without the approval of the Historic Preservation Commission.

Sec. 1.5. Definitions, Interpretations, and Conflicts.

- (a) **Definitions.** Definitions of the types of signs and sign-related definitions shall be as defined in Article 24, Sec. 24.3, of the Flowery Branch Zoning Ordinance. Definitions of terms related to historic preservation shall be as defined in the Flowery Branch Historic Preservation Ordinance (Ordinance No. 375). Definitions of terms related to historic preservation provided in the Georgia Historic Preservation Act, O.C.G.A. § 44-10-22 shall also apply in the administration of this ordinance and shall control in the event of a conflict in the interpretation of definitions applicable in the administration of this Ordinance.
- (b) **Interpretations of Terms Not Defined.** If a particular word, term, or phrase is not defined in the Flowery Branch Zoning Ordinance or other ordinance or state law referenced in this ordinance, and such term is not explicitly defined herein or implicit in the provisions of this Ordinance, the Zoning Administrator shall be authorized to interpret the meaning of the term in question using customary dictionary definitions or other appropriate means.
- (c) **Additional Interpretations.** Where this ordinance uses the term “shall,” it shall be considered mandatory to comply with a provision using that term. Where this ordinance uses the term “should,” it shall be considered a guideline (strongly recommended but discretionary as to whether the provision using that term is complied with). In cases where an applicant wants to establish a sign in a manner that is inconsistent with a guideline or other statement using the word “should,” it shall be the responsibility of an applicant to demonstrate why the guideline cannot be complied with. In this sense, guidelines can form the basis for decision-making under the terms of this ordinance and may be used to disapprove sign permit applications. Similarly, when the term “should” is used, the Historic Preservation and Zoning Administrator (whichever has jurisdiction over the determination) are authorized to waive the applicability of one or more guidelines or statements using the word “should.”
- (d) **Relationship to State Law.** This ordinance shall not be construed as providing authority for actions which are not specifically authorized by the Georgia Historic Preservation Act (O.C.G.A. § 44-10-20 et seq.).

- (e) **Remedy for Conflicts.** In the event that this Ordinance conflicts with the provisions of the City’s Historic Preservation Ordinance (Ordinance No. 375), the provisions of this Ordinance shall control. In the event of any other conflicts between this Ordinance and other municipal ordinances, the provisions of this Ordinance shall control.

Sec. 1.6. Relationship to Zoning Ordinance Provisions for Signs.

- (a) **Exempted signs.** Signs that are exempted by Sec. 24.7 of the Flowery Branch Zoning Ordinance shall be similarly exempt from the requirements of this Ordinance, and no Certificate of Appropriateness shall be required for any such exempted signs.
- (b) **Prohibited Signs.** Signs that are prohibited by Sec. 24.8 of the Flowery Branch Zoning Ordinance shall be prohibited in the area subject to this Ordinance.
- (c) **Maintenance and Removal of Signs.** Provisions regarding the maintenance and removal of signs as specified in Article 24 of the Flowery Branch Zoning Ordinance shall continue to apply to all signs that are regulated by this Ordinance.
- (d) **Nonconforming Signs.** Sec. 24.5 and Sec. 24.6 of the City of Flowery Branch zoning ordinance, regarding nonconforming signs, shall apply to signs that do not conform to the provisions of this Ordinance.
- (e) **Permitted Signs.** The regulations specifying the types and numbers of signs, as provided in Article 24 of the Flowery Branch Zoning Ordinance, shall be inapplicable and superseded by the provisions of this Ordinance.
- (f) **Dimensional Requirements.** Height, setback, and area requirements for signs by zoning district, as provided in Article 24 of the City of Flowery Branch Zoning Ordinance, shall be inapplicable and superseded by the provisions of this Ordinance.
- (g) **Special Event and Temporary Signage.** Sec. 24.26 of the Flowery Branch Zoning Ordinance shall continue to apply, and property owners in the Flowery Branch historic district may apply for permits for temporary signs and special events, except that gas or air-filled advertising device shall not be allowed.
- (h) **Permits and Codes.** Provisions that require a permit for signs, and the process of considering sign permits, as provided in Sec. 24.12 of the City of Flowery Branch Zoning Ordinance, shall continue to apply.

Sec. 1.7. Content of Signs Not Regulated.

The content of signs is not regulated by this ordinance, and the content of the message to be conveyed shall not be considered in making decisions pursuant to this ordinance.

ARTICLE 2
DESIGN REQUIREMENTS

- Sec. 2.1. Proportionality.
- Sec. 2.2. Sign Materials.
- Sec. 2.3. Professional Fabrication.
- Sec. 2.4. Shape.
- Sec. 2.5. Illumination of Signs.

Sec. 2.1. Proportionality.

Signs shall be sized in proportion to the building. Notwithstanding the maximum areas allowed under the terms of this ordinance, an individual sign may be disapproved if it is found to be excessive or non-proportional in relation to the building on which it is placed or which it serves.

Sec. 2.2. Sign Materials.

- (a) Exposed surfaces of signs must be constructed of or appear to be constructed of metal, glass, stone, concrete, brick, cloth, or wood, or similar approved material. If synthetic materials are authorized, they shall have the same finished appearance as the materials specified here.
- (b) Sandblasted wood signs are not prohibited but may or may not be considered appropriate.
- (c) Plastic substrate, plywood or unfinished wood are not appropriate materials for signs and shall not be permitted.

Sec. 2.3. Professional Fabrication.

Hand written, hand painted, hand made or other unprofessionally fabricated signs may be disapproved.

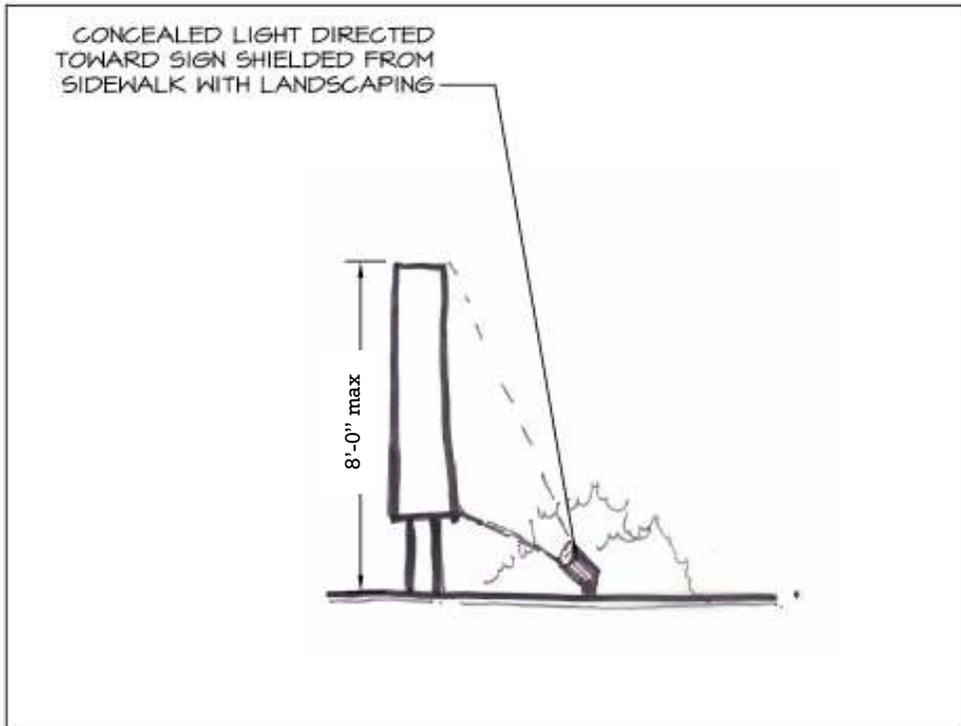
Sec. 2.4. Shape.

Signs should typically be square or rectangular; provided, however, this shall not prevent the Historic Preservation Commission from approving individual signs that may be circular or some other shape, or shaped like a particular object (e.g., a sign in the shape of a shoe for a shoe store).

Sec. 2.5. Illumination of Signs.

- (a) Internally illuminated signs, and internally illuminated awnings are not appropriate in the historic district and shall not be permitted.
- (b) Neon lighting is not permitted in the area subject to this ordinance.

- (c) No animated, flashing or electronically changeable copy signs shall be permitted.
- (d) No colored lights shall be used.
- (e) If signs are illuminated, they shall be externally lit. Lighting directed toward a sign shall be shielded or recessed so that it illuminates only the face of the sign and does not shine directly into a public right-of-way or sidewalk (see figure).



ARTICLE 3
TYPES OF SIGNS PERMITTED; REQUIREMENTS

- Sec. 3.1. Generally.
- Sec. 3.2. Wall Signs.
- Sec. 3.3. Canopy and Awning Signs.
- Sec. 3.4. Window Signs.
- Sec. 3.5. Projecting Signs.
- Sec. 3.6. Door Signs.
- Sec. 3.7. Display Boards.
- Sec. 3.8. Ground Signs.
- Sec. 3.9. A-Frame Signs.
- Sec. 3.10. Historic Markers.
- Sec. 3.11. Temporary Signs.
- Sec. 3.12. Special Event Signage.

Sec. 3.1. Generally.

Signs not specifically described in this Section shall be prohibited. For a summary of the requirements of this Article, see Table 3.1.

Sec. 3.2. Wall Signs.

- (a) Wall signs shall be mounted flush against the facade of the building adjacent to the front entryway of the unit (see figure).
- (b) Appropriate locations for wall signage on buildings with more than one story shall be in the lintel space which separates the storefront from the upper floor, and the space above the transom in the storefront, where one exists (see figure). Wall signs should be located on flat, unadorned parts of the building façade, somewhere above storefront display windows (where they exist) and below second-story windows (where they exist). If the building façade or storefront has a lintel strip or signboard, the wall sign should be placed directly on it. Wall signs should be located centrally on the façade. Sign boards should not exceed two and one half (2.5) feet in height.
- (c) Wall signs should be attached through joints in the masonry rather than the brick itself.
- (d) No sign shall be permitted that, when mounted flush against the façade of the building, protrudes more than six (6) inches from the façade, without the specific approval of the Historic Preservation Commission.





**Table 3.1
Summary of Specific Sign Requirements
(Refer to specific sections for requirements)**

Type of Sign	# Signs Permitted	Maximum Area	Maximum Height (Ft.)	Section Reference (this Ordinance)	Approval Authority (HPC or Zoning Administrator)
Wall Signs	2 per facade	30% of wall area, or 1.5 square feet per building frontage, whichever is greater	Height of building (see placement restrictions)	Sec. 3.2	Historic Preservation Commission except in case of approved uniform sign plan (then Zoning Administrator approves)
Canopy or Awning Signs	Not specifically restricted	40% of front face; 65% of side faces	Min. 8' height clearance	Sec. 3.3	Historic Preservation Commission except in case of approved uniform sign plan
Window Signs	Not specifically restricted	25% of total window area of establishment, or 32 square feet per establishment, whichever is greater	Not above the level of second floor windows; ground floor windows only encouraged	Sec. 3.4	Zoning Administrator only (Article 2, Historic Preservation Ordinance) (must be unlighted)
Projecting Sign	1 per establishment; may be further limited	9 square feet	Min. 8' height clearance	Sec. 3.5	Historic Preservation Commission except in case of approved uniform sign plan
Door Signs	2 per establishment	1.5 square feet each sign; 3 square feet total maximum	(see placement restrictions)	Sec. 3.6	Zoning Administrator only (Article 20, Historic Preservation Ordinance) (must be unlighted)
Display Board	1 per establishment	4 square feet	(see placement restrictions)	Sec. 3.7	Historic Preservation Commission for permanent wall mounting, except in case of approved uniform sign plan; Zoning Administrator for removable window locations
Ground Sign (permanent, principal use)	2 per adaptive use of single-family dwelling; otherwise prohibited	32 square feet; if second sign is used, 8 square feet	8 feet	Sec. 3.8	Historic Preservation Commission
A-Frame Sign	1 per establishment	8 square feet	4 Feet	Sec. 3.9	Zoning Administrator Only
Historic Markers	Not specifically restricted	Not specifically restricted	Not specifically restricted	Sec. 3.10	Historic Preservation Commission
Temporary sign	One per property frontage	6 square feet	6 feet if placed on ground	Sec. 3.11	Zoning Administrator Only
Temporary sign when a space, unit, building, or land is for sale, rent	One per property frontage	6 square feet	6 feet if placed on ground	Sec. 3.11	Zoning Administrator Only
Special Event Sign Permit	Per permit	see Sec. 24.26 zoning	see Sec. 24.26 zoning	Sec. 3.12; see Sec. 24.26 zoning	Zoning Administrator Only

- (e) There is a maximum of two (2) wall signs per building façade of the leasable space.
- (f) Wall signs, individually or in total allowed, shall not exceed more than thirty (30) percent of the wall area on which they are displayed, or one and one-half (1.5) square feet per linear feet of leased building frontage of the business or establishment, whichever is greater.

Sec. 3.3. Canopy and Awning Signs.

- (a) Storefront awnings (see figure) should be positioned either above the display window and below the transom window(s), or above both the display and transom windows but below the sign board area, cornice, or spandrel, where these architectural features exist. Signs should be silk-screened or sewn onto the awning fabric, and they should be placed on the valance of the awning. Signs on canopies should be located on the primary face or top edge (or front-angled or sloped part) of canopies.
- (b) Canopy signs shall have a ground clearance of no less than eight feet above the lowest ground elevation (see figure).
- (c) Canopy signs shall cover no more than sixty-five (65) percent of the area of the side faces (awning flaps) of the canopy and no more than forty (40) percent of the front (or front-angled or sloped) face of the canopy.

Sec. 3.4. Window Signs.

- (a) Window signs (see figure) may be displayed on or in display windows on the ground floor. Window signs in upper facade windows are generally not encouraged and should be justified by the applicant.
- (b) When window signage is provided, painting is recommended. Applied vinyl letters are discouraged but may be approved by the Historic Preservation Commission.
- (c) No window advertising sign shall extend from one window to another.
- (d) In no case shall any window sign be installed above the level of second floor windows.
- (e) Window signs shall not exceed 25 percent of the total window area of the business or establishment, or 32 square feet total of window signage for any single business or establishment, whichever is greater.
- (f) The number of window signs for any individual business or establishment is not limited by this ordinance but limitations may be imposed via the certificate of appropriateness.



- (g) Window signs should be placed approximately three and one-half (3.5) feet above the sidewalk.
- (h) Window signs should not extend within eighteen (18) inches from the top or bottom of the display window glass.

Sec. 3.5. Projecting Signs.

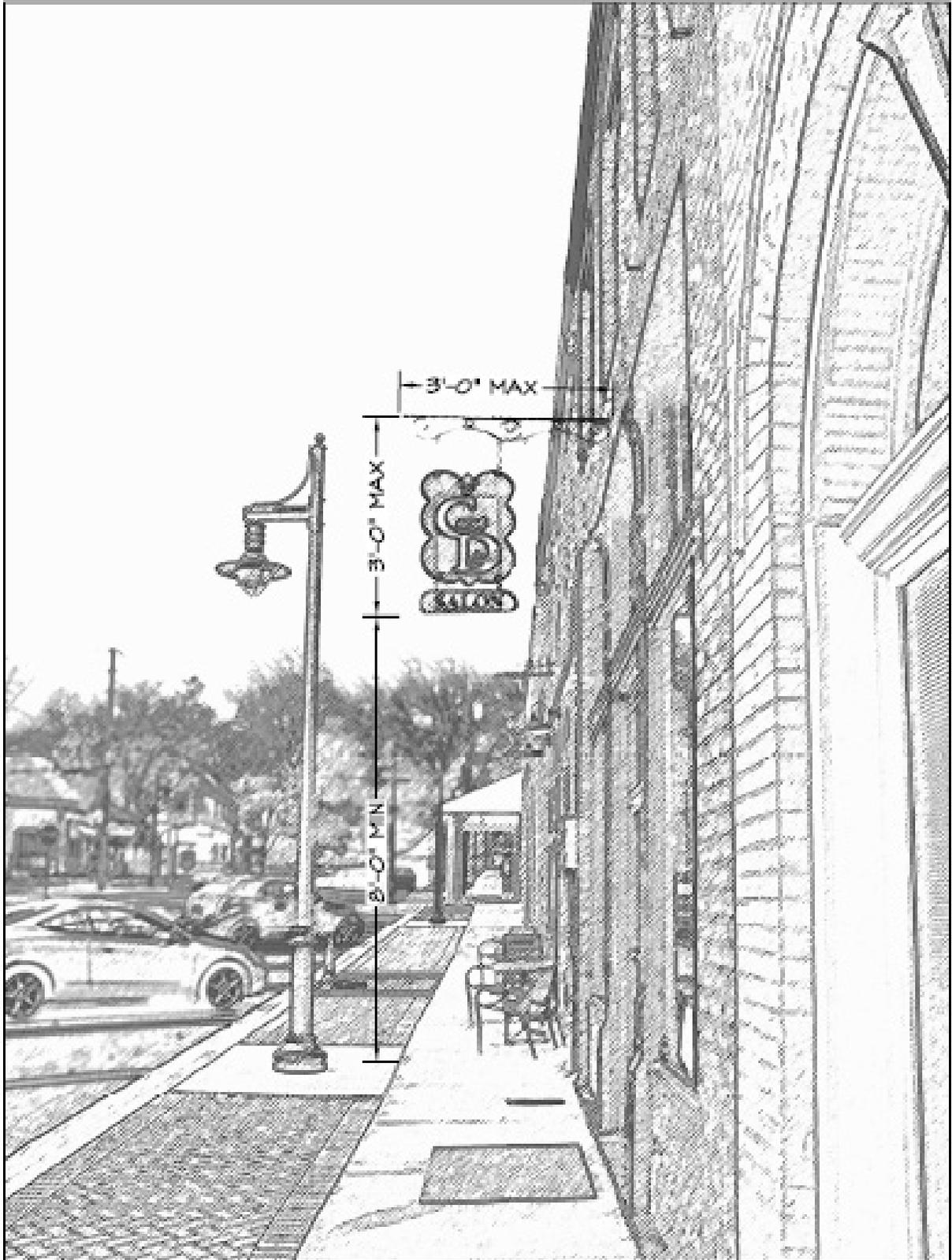
- (a) Projecting signs are permissible (see figure), but the Historic Preservation Commission may restrict them if other alternatives (wall, window, door, and awning) signs are also present or proposed. If a projected sign is authorized, it shall meet the specifications of this section.
- (b) Projecting signs are typically placed near the entry door.
- (c) Projecting signs shall project perpendicularly from the building.
- (d) Projecting signs shall be secured in place with a frame mount assembly.
- (e) Projecting signs do not necessarily have to be entirely stationary; they may be suspended from an awning or similar type structure or affixed to a bracket-mount to the building or structure in a manner where the sign face sways; such motion shall not make a swinging sign a prohibited animated sign.
- (f) Any sign that is suspended from the underside of a canopy (including awnings), shall be located perpendicular to the wall surface of a building.
- (g) All projecting signs shall have a ground clearance of no less than eight (8) feet above the lowest ground elevation.
- (h) Such signs shall project no more than thirty-six (36) inches from the building face.
- (i) Projecting signs shall be limited to one (1) per business or establishment.
- (j) No projecting sign shall exceed an area of nine (9) square feet per sign face.
- (k) Projecting signs shall not be illuminated.
- (l) If applicable, projecting signs shall obtain an encroachment permit from the City Council.

Sec. 3.6. Door Signs.

- (a) Signs on doors should be located on or in the glazing of the doors. Painting of letters is preferred. Vinyl letters are discouraged but permitted.
- (b) There shall be no more than two (2) door signs for any individual business or establishment.
- (c) The maximum area for any individual door sign shall be one and one-half (1 ½) square feet.
- (d) There shall be a maximum of three (3) square feet total area of door signs allowed for any single business or establishment.

Sec. 3.7. Display Boards.

- (a) One display board shall be permitted per establishment, subject to compliance with the provisions of this Section.
- (b) Moveable display boards, when displayed within a window on the ground floor display boards shall not count as window signs in terms of maximum allowable window sign area.
- (c) Display boards that are permanently placed on a wall (e.g., a wall mounted display box) shall count as wall signs in terms of maximum allowable wall sign area, but they shall not be counted in terms of the maximum number of wall signs allowed.
- (d) Display boards shall not exceed an area of four (4) square feet per sign face.



Sec. 3.8. Permanent Principal Use Ground Signs.

- (a) Ground signs shall only be permitted in the front yard of properties containing a detached, single-family residence that has been converted to office, institutional, retail, service, or commercial use, and/or a commercially designed building with an appropriate landscaped front yard area.
- (b) The maximum height of any ground sign which may be permitted pursuant to this ordinance shall be eight (8) feet.
- (c) Except for temporary signs permitted by the Zoning Administrator, any permanent ground sign permitted pursuant to this ordinance shall be supported by at least two (2) wooden posts, no less than four inches by four inches. However, the Historic Preservation Commission may allow single post signs and metal posts, if deemed more compatible with the building, property, and/or surroundings.
- (d) No more than two (2) ground signs shall be permitted per property frontage.
- (e) No ground sign shall exceed an area of thirty-two (32) square feet per sign face.
- (f) If two ground signs are erected, the second sign shall be no larger than eight (8) square feet in area.

Sec. 3.9. A-Frame Signs.

- (a) Movable sandwich signs, also called A-frame signs, may be used in the historic district, limited to one per business or establishment.
- (b) Such sign(s) which shall be temporarily placed on the ground in front of the business, may only be used during hours the business is open, and shall be removed from the ground when the business or establishment is not open to the public.
- (c) No such sign shall exceed a height of four (4) feet about the ground.
- (d) No such sign shall exceed an area of eight (8) square feet per sign face.

Sec. 3.10. Historic Markers.

- (a) Historic markers do not count for purposes of maximum wall signage limitations of this ordinance.
- (b) Historic markers should be made of cast metal or other durable materials.

- (c) They should be securely attached to the building and should lay flat against the building wall.
- (d) They should be located at eye level and should be positioned near a building entrance or another area of high visibility.

Sec. 3.11. Temporary Signs.

One temporary ground sign or wall sign per lot or per property frontage, unlighted, is permitted during the time when a space, unit, building, or land is for sale, rent, or lease, not exceeding six square feet of area, nor a height of six feet if placed on the ground.

One additional temporary ground sign or wall sign per lot or per property frontage, unlighted, not exceeding four square feet of area, nor a height of four feet if placed on the ground, is permitted.

Sec. 3.12. Special Event Signage.

Property owners in the historic district may apply for permits for special events and associated signage, as provided in Sec. 24.26 of the Flowery Branch Zoning Ordinance, except that gas or air-filled advertising device shall not be allowed.

**ARTICLE 4
REVIEW AND APPROVAL PROCEDURES**

- Sec. 4.1. Applications Involving Buildings with Multiple Tenants or Uses.
- Sec. 4.2. Buildings with More than One Building Frontage or Façade.
- Sec. 4.3. Criteria for Certificates of Appropriateness Generally.
- Sec. 4.4. Specific Criteria for Signs.
- Sec. 4.5. Signs Consistent with Uniform Sign Plans.

Sec. 4.1. Applications Involving Buildings with Multiple Tenants or Uses.

No permits shall be issued for buildings involving more than one use or tenant unless and until a uniform sign plan for the multi-use or multi-tenant building has been submitted and approved by the Historic Preservation Commission and the Zoning Administrator. The uniform sign plan shall indicate how all signage will be consistent or well coordinate in terms of lighting, colors, fonts, composition of materials, location in relation to the building, and proportions. Upon approval of a uniform sign plan, the Zoning Administrator shall be authorized to issue sign permits (upon application) for individual signs upon being deemed consistent with the approved master signage plan, without the need to obtain a certificate of appropriateness.

Sec. 4.2. Buildings with More than One Building Frontage or Façade.

Buildings with more than one frontage or façade should generally have lesser amounts of signage on the secondary building frontage than on the primary (or most frequently used) building frontage.

Sec. 4.3. Criteria for Certificates of Appropriateness Generally.

In determining the appropriateness or location of new signs proposed to be placed within the boundaries of the historic district, the Historic Preservation Commission may apply the criteria specified for certificates of appropriateness as provided by the City's Historic Preservation Ordinance (see Section 5.7 of Ordinance No. 375).

Sec. 4.4. Specific Criteria for Signs.

In addition to criteria specified generally for certificates of appropriateness by the City of Flowery Branch's Historic Preservation ordinance (see Section 5.7 of Ordinance No. 375), the Historic Preservation Commission may consider the following criteria which are specifically applicable to signs:

- (a) The size, scale and design of the sign shall be compatible with the size, scale and design of the property, building or site upon which it is to be located.
- (b) The sign's materials shall be compatible with the period and style of the property, building or site.

- (c) The sign's location shall not obscure any significant architectural features of the building or site.
- (d) The sign's installation shall not irreparably damage any cornice, ornament or similar architectural detail and shall be the least damaging method feasible for the property, building or site.

The Historic Preservation Commission is authorized to apply additional guidelines for the composition, design and placement of signs, including but not limited to a listing of typeset fonts or lettering standards, and colors, if such guidelines are adopted by resolution of the Flowery Branch City Council.

For any sign within the area governed by this ordinance which is authorized to be administratively approved by the Zoning Administrator, the criteria established in this section and as referenced in this section may be used as a basis for making administrative decisions to approve, conditionally approve, or disapprove sign permits.

Sec. 4.5. Signs Consistent with Uniform Sign Plans.

Any sign permit application if consistent with an approved uniform sign plan, is exempt from individual approval by the Historic Preservation Commission, and the Zoning Administrator is authorized to issue sign permits after application, provided they are consistent with the uniform sign plan.

**ARTICLE 5
ADMINISTRATION AND ENFORCEMENT**

- Sec. 5.1. Administration.
- Sec. 5.2. Appeals.
- Sec. 5.3. Variances.
- Sect. 5.4. Enforcement and Penalties.

Sec. 5.1. Administration.

This Ordinance shall be administered by the Zoning Administrator, and the provisions of Article 42 of the City of Flowery Branch Zoning Ordinance shall apply.

Sec. 5.2. Appeals.

Any decision by the Zoning Administrator or Historic Preservation Commission with regard to this Ordinance may be appealed pursuant to Article 39 of the City of Flowery Branch Zoning Ordinance.

Sec. 5.3. Variances.

Variances shall be permitted to be granted upon application, in accordance with the same procedures as those specified in Sec. 24.29 of the City of Flowery Branch Zoning Ordinance. The City Council in considering whether or not to grant variances to the terms of this Ordinance shall consider the criteria for granting sign variances as specified in Sec. 24.29 of the City of Flowery Branch Zoning Ordinance.

Sect. 5.4. Enforcement and Penalties.

The provisions of Article 43 of the City of Flowery Branch Zoning Ordinance shall be applicable to violations, enforcement procedures, and the assessment of penalties to violations, enforcement, and penalties regarding this Ordinance.

**ARTICLE 6
LEGAL STATUS PROVISIONS**

- Sec. 6.1. Repealer.
- Sec. 6.2. Severability.
- Sec. 6.3. Effective Date.

Sec. 6.1. Repealer.

Ordinance No. 288, City of Flowery Branch Cotton Historic and Railroad Historic Districts Sign Ordinance, adopted September 23, 2003, and all other conflicting ordinances and parts thereof are hereby repealed.

Sec. 6.2. Severability.

Should any section or provision of this ordinance be declared invalid or unconstitutional by any court of competent jurisdiction, such declaration shall not affect the validity of this ordinance as a whole or any part thereof which is not specifically declared to be invalid or unconstitutional.

Sec. 6.3. Effective Date.

The effective date of this ordinance shall be immediately upon its adoption by the Council of the City of Flowery Branch, Georgia.