



# Cherokee County Planning Commission Public Hearing AGENDA

September 1, 2015

1130 Bluffs Parkway, Canton GA 30114 7:00 PM

PLANNING COMMISSION PUBLIC HEARING

## **CALL TO ORDER**

## **ZONING CASES**

- 1. Case #15-09-016 Joel Mero (BOC Dist. 1)**  
Applicant is requesting to rezone 0.653 acres at 2793 Reinhardt College Parkway from R-40 to GC for a swimming pool and hot tub supply store.
- 2. Case #15-09-017 Kenneth Neal Covington (BOC Dist. 2)**  
Applicant is requesting to rezone 5.5 acres at 6096 Union Hill Road from R-80 to AG to continue a tree service.
- 3. Case #15-09-018 Robert D. Hankins (BOC Dist. 1)**  
Applicant is requesting to rezone .78 acres at 1925 Reinhardt College Parkway from GC to R-40 for a single family residential use.
- 4. Case #15-09-019 Jeffrey D. Zak (BOC Dist. 2)**  
Applicant is requesting to rezone 1.46 +/- acres at 5215 Hickory Flat Highway from R-80 to GC for commercial uses.

## **OTHER BUSINESS**

- 1. Proposed changes to the Zoning Ordinance related to funeral homes, cemeteries and crematories**  
Hold a public hearing on changes to Article 4 - Rules and Definitions, Article 7 - District Uses and Regulations and Table 7.2 - Permitted Uses of the Zoning Ordinance. Provide a recommendation to the Board of Commissioners concerning the adoption of these changes.
- 2. Proposed changes to Zoning Ordinance to update sign regulations**  
Hold a public hearing on changes to Article 4 - Rules and Definitions, Article 11 - Signs and Outdoor Advertising, and Table 11.1 - District Requirement for Signs of the Zoning Ordinance. Provide a recommendation to the Board of Commissioners concerning the adoption of these changes.

## **APPROVAL OF MINUTES**

- 1. Approval of August 4, 2015 Planning Commission Minutes**

## **ADJOURN**



## Cherokee County, Georgia Agenda Request

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**SUBJECT:**  
Case #15-09-016 Joel Mero (BOC Dist. 1)

**MEETING DATE:**  
9/1/2015

**SUBMITTED BY:**  
Tamala Davis

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**COMMISSION ACTION REQUESTED:**

Applicant is requesting to rezone 0.653 acres at 2793 Reinhardt College Parkway from R-40 to GC for a swimming pool and hot tub supply store.

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**FACTS AND ISSUES:**

Commission District: 1  
Zoning Change: R-40 to GC  
Location: 2793 Reinhardt College Parkway  
Tax Map and Parcel No: 14N15, 017  
Acres: 0.653  
Proposed Development: Swimming Pool and Hot Tub Supply Store  
Future Development Map: Country Estates

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**BUDGET:**

Budgeted Amount: Account Name:  
Amount Encumbered: Account #:  
Amount Spent to Date: Remaining Budget:  
Amount Requested:

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**ADMINISTRATIVE RECOMMENDATION:**

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**ATTACHMENTS:**

Description	Type
<input type="checkbox"/> Application	Exhibit
<input type="checkbox"/> Site Plan	Exhibit
<input type="checkbox"/> Zoning Map	Exhibit
<input type="checkbox"/> Future Development Map	Exhibit
<input type="checkbox"/> Legal Description	Exhibit
<input type="checkbox"/> PP Report	Exhibit
<input type="checkbox"/> Notice Sign	Exhibit
<input type="checkbox"/> Staff Reports	Exhibit



## Cherokee County, Georgia Agenda Request

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**SUBJECT:** **MEETING DATE:**  
Case #15-09-017 Kenneth Neal Covington (BOC 9/1/2015  
Dist. 2)

**SUBMITTED BY:**  
Tamala Davis

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**COMMISSION ACTION REQUESTED:**

Applicant is requesting to rezone 5.5 acres at 6096 Union Hill Road from R-80 to AG to continue a tree service.

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**FACTS AND ISSUES:**

Commission District: 2  
Zoning Change: R-80 to AG  
Location: 6096 Union Hill Road  
Tax Map and Parcel No: 02N06, 035  
Acres: 5.5  
Proposed Development: Tree Service  
Future Development Map: Country Estates

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**BUDGET:**

Budgeted Amount:	Account Name:
Amount Encumbered:	Account #:
Amount Spent to Date:	Remaining Budget:
Amount Requested:	

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**ADMINISTRATIVE RECOMMENDATION:**

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**ATTACHMENTS:**

Description	Type
<input type="checkbox"/> Application	Exhibit
<input type="checkbox"/> Site Plan	Exhibit
<input type="checkbox"/> Zoning Map	Exhibit
<input type="checkbox"/> Future Development Map	Exhibit
<input type="checkbox"/> Legal Description	Exhibit
<input type="checkbox"/> Notice Sign	Exhibit
<input type="checkbox"/> Staff Reports	Exhibit



## Cherokee County, Georgia Agenda Request

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**SUBJECT:** **Case #15-09-018 Robert D. Hankins (BOC Dist. 1)**  
**MEETING DATE:** 9/1/2015

**SUBMITTED BY:**  
Tamala Davis

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**COMMISSION ACTION REQUESTED:**

Applicant is requesting to rezone .78 acres at 1925 Reinhardt College Parkway from GC to R-40 for a single family residential use.

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**FACTS AND ISSUES:**

Commission District: 1  
Zoning Change: GC to R-40  
Location: 1925 Reinhardt College Parkway  
Tax Map and Parcel No: 14N16, 029  
Acres: .78  
Proposed Development: Single Family Residential  
Future Development Map: Transitional

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**BUDGET:**

Budgeted Amount: \_\_\_\_\_ Account Name: \_\_\_\_\_  
Amount Encumbered: \_\_\_\_\_ Account #: \_\_\_\_\_  
Amount Spent to Date: \_\_\_\_\_ Remaining Budget: \_\_\_\_\_  
Amount Requested: \_\_\_\_\_

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**ADMINISTRATIVE RECOMMENDATION:**

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**ATTACHMENTS:**

Description	Type
<input type="checkbox"/> Application	Exhibit
<input type="checkbox"/> Site Plan	Exhibit
<input type="checkbox"/> Future Development Map	Exhibit
<input type="checkbox"/> Notice Sign	Exhibit
<input type="checkbox"/> Legal Description	Exhibit
<input type="checkbox"/> Zoning Map	Exhibit
<input type="checkbox"/> Staff Comments	Exhibit



## Cherokee County, Georgia Agenda Request

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**SUBJECT:** **Case #15-09-019 Jeffrey D. Zak (BOC Dist. 2)** **MEETING DATE:** 9/1/2015  
**SUBMITTED BY:** Tamala Davis

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**COMMISSION ACTION REQUESTED:**

Applicant is requesting to rezone 1.46 +/- acres at 5215 Hickory Flat Highway from R-80 to GC for commercial uses.

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**FACTS AND ISSUES:**

Commission District: 2  
Zoning Change: R-80 to GC  
Location: 5215 Hickory Flat Highway  
Tax Map and Parcel No: 15N26, 045  
Acres: 1.46 +/-  
Proposed Development: Commercial Uses  
Future Development Map: Transitional

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**BUDGET:**

Budgeted Amount: Account Name:  
Amount Encumbered: Account #:  
Amount Spent to Date: Remaining Budget:  
Amount Requested:

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**ADMINISTRATIVE RECOMMENDATION:**

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**ATTACHMENTS:**

Description	Type
<input type="checkbox"/> Application	Exhibit
<input type="checkbox"/> Existing Sign Resource Map	Exhibit
<input type="checkbox"/> Site Plan	Exhibit
<input type="checkbox"/> Zoning Map	Exhibit
<input type="checkbox"/> Future Development Map	Exhibit
<input type="checkbox"/> PP Report	Exhibit
<input type="checkbox"/> Legal Description	Exhibit
<input type="checkbox"/> Notice Sign	Exhibit
<input type="checkbox"/> Staff Comments	Exhibit



## Cherokee County, Georgia Agenda Request

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**SUBJECT:**  
**Proposed changes to the Zoning Ordinance  
related to funeral homes, cemeteries and  
crematories**

**MEETING DATE:**  
9/1/2015

**SUBMITTED BY:**  
Jeff Watkins, Planning Director

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**COMMISSION ACTION REQUESTED:**

Hold a public hearing on changes to Article 4 - Rules and Definitions, Article 7 - District Uses and Regulations and Table 7.2 - Permitted Uses of the Zoning Ordinance. Provide a recommendation to the Board of Commissioners concerning the adoption of these changes.

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**FACTS AND ISSUES:**

See attached draft ordinance with specific changes in Exhibit A.

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**BUDGET:**

Budgeted Amount:

Account Name:

Amount Encumbered:

Account #:

Amount Spent to Date:

Remaining Budget:

Amount Requested:

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**ADMINISTRATIVE RECOMMENDATION:**

Review and make recommendation to Board of Commissioners

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**ATTACHMENTS:**

Description	Type
<input type="checkbox"/> Changes to Funeral Homes, Cemeteries and Crematories	Backup Material

STATE OF GEORGIA  
COUNTY OF CHEROKEE

ORDINANCE NO. \_\_\_\_\_

**An Ordinance to amend Article 7 District Uses and Regulations, specifically Table 7.2 Permitted Uses Table of the 1992 Zoning Ordinance of Cherokee County; to amend Article 4 Rules and Definitions to add definitions; to promote the public health, safety and welfare; and for other purposes.**

**WHEREAS**, the Constitution of the State of Georgia, approved by the voters of the State in November of 1982, and effective July 1, 1983, provides in Article IX, Section II, Paragraph I thereof, that the governing authority of the county may adopt clearly reasonable ordinances, resolutions, and regulations; and

**WHEREAS**, O.C.G.A. § 36-1-20 authorizes counties to enact ordinances for protecting and preserving the public health, safety, and welfare of the population of the unincorporated areas of the County; and

**WHEREAS**, the governing authority of Cherokee County, to wit, the Board of Commissioners, desires to exercise its authority in adopting this Ordinance; and

**WHEREAS**, the Cherokee County Board of Commissioners (the "Board") finds that it is in the public interest to amend Section 7.7-19 and Table 7.2 Permitted Uses Table to clarify permitted death care uses in zoning districts and associated requirements in Article 7 and to add definitions to Article 4 of the 1992 Zoning Ordinance of Cherokee County; and

**WHEREAS**, a notice of public hearing was duly published as required by O.C.G.A. § 36-66-4 a copy of which is attached hereto as **Exhibit B**; and

**WHEREAS**, pursuant to O.C.G.A. § 36-66-4, a public hearing by the Cherokee County Municipal Planning Commission was held on <DATE> after public notice as required by law, at which time owners of property affected and other citizens of the county were given the opportunity to attend and comment; now therefore,

**BE IT ORDAINED** by the Cherokee County Board of Commissioners and it is hereby enacted pursuant to the authority of the same that The 1992 Zoning Ordinance of Cherokee County is hereby amended as shown in **Exhibit A** attached.

So ordained this <DAY>th day of <MONTH>, 2015.

**CHEROKEE COUNTY BOARD OF COMMISSIONERS**

\_\_\_\_\_  
L.B. Ahrens, Chairman

ATTEST:

\_\_\_\_\_  
Christy Black, County Clerk

## Exhibit A

Modify 7.7-19 as follows:

### 7.7-19 Death Care Services (LBCS 6700)

- a. The development of a ~~funeral establishment funeral home~~ cemetery, mausoleum, including a mortuary or funeral home is permitted provided that:
- ~~(1) Such development may front only on a collector, or major street or state highway and the entrance and exits to it shall be only from the street on which it fronts.~~
  - ~~(2) Such development shall be bordered by a ten-foot wide buffer strip along all of its exterior property lines not bordering the frontage street and not extending into the required front yard.~~
  - ~~(3) An existing cemetery in an AG zoning district may be extended in an AG, R-80 or R-60 District if a dense vegetative screen or combination screen and fence or ten-foot buffer is provided along the side and rear property lines.~~
  - (2) Such funeral establishment shall be licensed by and comply with the rules of the State of Georgia and
  - (3) A crematory located on or adjacent to a tract or parcel of land which contains a funeral establishment is permitted in a GC (General Commercial) zoning district only as an accessory use to the funeral establishment provided the following criteria are met:
    - (i) Retort exhaust must be located a minimum of 1,320 feet from all property lines of residential, office and institutional uses, including but not limited to homes, schools and recreational areas
    - (ii) Processing of materials other than human remains and materials commonly associated with the process (i.e caskets) is prohibited. Prohibited materials shall include, but not be limited to, animals and all types of medical waste.
    - (iii) Retorts must be equipped with:
      - a. Exhaust filtering to capture particulate emissions including, but not limited to, dioxin, hydrochloric acid, nitrogen oxide, sulfur dioxide, carbon monoxide, and mercury; and.
      - b. A monitoring system with reporting capability
    - (iv) Monitoring reports shall be submitted to the County on a quarterly basis and available for inspection by the public.
    - (v) Only one retort shall be permitted per funeral establishment
    - (vi) Use of the retort to process human remains for other business locations of the primary business and /or for other funeral establishments not affiliated with the primary business is prohibited
- b. The development of a cemetery or mausoleum is permitted provided that:



- (1) Such development may front only on a collector, or major street or state highway and the entrance and exits to it shall be only from the street on which it fronts.
  - (2) An existing cemetery in an AG zoning district may be extended into a contiguous AG, R-80 or R-60 District if a dense vegetative screen or combination screen and fence or ten-foot buffer is provided along the side and rear property lines of the expanded property.
- c. Stand-alone crematories may be permitted as a primary use in LI and HI Districts provided:
- (1) Retort exhaust must be located a minimum of 1,320 feet from all property lines of residential, office and institutional uses, including but not limited to homes, schools and recreational areas.
  - (2) Processing of materials other than human remains and materials commonly associated with the process (i.e caskets) is prohibited. Prohibited materials shall include, but not be limited to, animals and all types of medical waste
  - (3) Retorts must be equipped with:
    - (i) Exhaust filtering to capture particulate emissions including, but not limited to, dioxin, hydrochloric acid, nitrogen oxide, sulfur dioxide, carbon monoxide, and mercury; and
    - (ii) A monitoring system with reporting capability
  - (4) Monitoring reports shall be submitted to the County on a quarterly basis and available for inspection by the public

Strike

LBCS	LBCS Description	NAICS Description	NAICS Code	Supp. Req.	AG	Res	OI	CP	NC	GC	LI	HI
<b>6700</b>	<b>Death care services</b>											
6710	Funeral homes and services	Funeral Homes and Funeral Services	812210	7.7-19a	-	-	R	-	R	R	-	-
6720	Cremation services and cemeteries	Cemeteries and Crematories	812220	7.7-19a	-	-	R	-	-	R	R	-

Insert

LBCS	LBCS Description	NAICS Description	NAICS Code	Supp. Req.	AG	Res	OI	CP	NC	GC	LI	HI
<b>6700</b>	<b>Death care services</b>											
6710	Funeral homes and services	Funeral Establishments	812210	7.7-19a					R	R		
6720	Cremation services and cemeteries	Cemeteries	812220	7.7-19b						R	R	
6720	Cremation services and cemeteries	Crematories	812220	7.7-19a & c						R	R	R

Add / amend following definitions to Article 4:

~~Accessory Structure~~/Accessory Use. A use of land or of a building or portion thereof customarily incidental and subordinate to the principal use of the land or building and located on the same lot with such principal use.

Factors used to determine if a use of land or of a building is accessory to the principal use shall include:

- a. Area devoted to the accessory use
- b. Frequency of the use
- c. Active versus passive activities associated with the use
- d. Number of employees and hours of operation; and
- e. Whether the use is subordinate to the principal use, or is a different, alternative or additional use

"Cremation" means the reduction of the dead human body to residue by intense heat or any mechanical, chemical, thermal, or other professionally accepted process. Cremation also includes any other mechanical, chemical, thermal, or other professionally accepted process whereby human remains are pulverized, burned, re-cremated, or otherwise further reduced in size or quantity.

"Crematory" means any place where cremation is performed, other than a hospital, clinic, laboratory, or other facility authorized by the Department of Community Health for such purposes.

"Funeral establishment" means a place where embalming or funeral directing is practiced and which is open to the public and transacting business relating to funeral services. (OCGA 43-18-1 (13))

DRAFT



## Cherokee County, Georgia Agenda Request

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**SUBJECT:**  
**Proposed changes to Zoning Ordinance to  
update sign regulations**

**MEETING DATE:**  
9/1/2015

**SUBMITTED BY:**  
Margaret Stallings, Principal Planner

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**COMMISSION ACTION REQUESTED:**

Hold a public hearing on changes to Article 4 - Rules and Definitions, Article 11 - Signs and Outdoor Advertising, and Table 11.1 - District Requirement for Signs of the Zoning Ordinance. Provide a recommendation to the Board of Commissioners concerning the adoption of these changes.

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**FACTS AND ISSUES:**

See attached draft ordinance with specific changes in Exhibit A.

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**BUDGET:**

Budgeted Amount:

Account Name:

Amount Encumbered:

Account #:

Amount Spent to Date:

Remaining Budget:

Amount Requested:

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**ADMINISTRATIVE RECOMMENDATION:**

Review and make recommendation to the Board of Commissioners

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**ATTACHMENTS:**

Description	Type
☐ Sign Ord Changes	Backup Material

STATE OF GEORGIA  
COUNTY OF CHEROKEE

ORDINANCE NO. \_\_\_\_\_

**An Ordinance to repeal and replace Article 11 – Signs and Outdoor Advertising and amend Article 4 - Rules and Definitions of the 1992 Zoning Ordinance of Cherokee County; to promote the public health, safety and welfare; and for other purposes.**

**WHEREAS**, the Constitution of the State of Georgia, approved by the voters of the State in November of 1982, and effective July 1, 1983, provides in Article IX, Section II, Paragraph I thereof, that the governing authority of the county may adopt clearly reasonable ordinances, resolutions, and regulations; and

**WHEREAS**, O.C.G.A. § 36-1-20 authorizes counties to enact ordinances for protecting and preserving the public health, safety, and welfare of the population of the unincorporated areas of the County; and

**WHEREAS**, the governing authority of Cherokee County, to wit, the Board of Commissioners, desires to exercise its authority in adopting this Ordinance; and

**WHEREAS**, the Cherokee County Board of Commissioners (the “Board”) finds that it is in the public interest to repeal and replace Article 11 – Signs and Outdoor Advertising to remove content-based sign regulations and associated requirements and to amend Article 4 – Rules and Definitions, removing conflicting sign definitions, of the 1992 Zoning Ordinance of Cherokee County; and

**WHEREAS**, a notice of public hearing was duly published as required by O.C.G.A. § 36-66-4 a copy of which is attached hereto as **Exhibit B**; and

**WHEREAS**, pursuant to O.C.G.A. § 36-66-4, a public hearing by the Cherokee County Municipal Planning Commission was held on <DATE> after public notice as required by law, at which time owners of property affected and other citizens of the county were given the opportunity to attend and comment; now therefore,

**BE IT ORDAINED** by the Cherokee County Board of Commissioners and it is hereby enacted pursuant to the authority of the same that The 1992 Zoning Ordinance of Cherokee County is hereby amended as shown in **Exhibit A** attached.

So ordained this <DAY>th day of <MONTH>, 2015.

**CHEROKEE COUNTY BOARD OF COMMISSIONERS**

\_\_\_\_\_  
L.B. Ahrens, Chairman

ATTEST:

\_\_\_\_\_  
Christy Black, County Clerk

## Exhibit A

Remove the following definitions from Article 4 – Rules and Definitions:

~~*Billboard.* See “Sign, Billboard”.~~

~~*Sign.* Any object, device, display or structure, or part thereof, situated outdoors or indoors, which is used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, product, service, events or location by any means, including words, letters, figures, designs, symbols, fixtures, colors, illumination or projected images.~~

~~*Sign, Animated.* Any sign or part of a sign which changes its physical position by any movement or rotation or which gives the visual impression of such movement or rotation.~~

~~*Sign, Area.* The entire face of a sign including all advertising surfaces and any framing, trim or molding, but not including the supporting structure.~~

~~*Sign, Banner.* Any sign intended to be hung either with or without frames, possessing characters, letters, illustrations, or ornamentations applied to paper, plastic or fabric of any kind. National flags, flags of political subdivisions, and symbolic flags of any institution or business shall not be considered banners for the purpose of this article.~~

~~*Sign, Bench.* A sign located on any part of the surface of a bench or seat.~~

~~*Sign, Billboard.* A sign which directs attention to a business, commodity, service or entertainment conducted, sold or offered at a location other than the premises on which the sign is located.~~

~~*Sign, Bulletin Board.* A sign which identifies an institution or organization on the premises of which it is located and which contains the name of the institution or organization, the names of individuals connected with it, and general announcements of events or activities occurring at the institution or similar messages.~~

~~*Sign, Canopy.* A sign affixed to, imposed upon, or painted on any roof-like structure either permanently or temporarily extended over a sidewalk or walkway, which can be mounted flush or suspended. A flush canopy sign is one that is mounted in such a manner that a continuous plane with the canopy is formed. A hanging canopy sign is one suspended from beneath the canopy.~~

~~*Sign, Double Faced (Back-to-Back).* A sign with two parallel, or nearly parallel faces, back-to-back and located not more than twenty four (24) inches from each other.~~

~~*Sign, Face.* The area or display surface used for the message.~~

~~*Sign, Flashing.* Any directly or indirectly illuminated sign which exhibits changing natural or artificial light or color effects by any means whatsoever.~~

~~*Sign, Free Standing.* See Sign, Pole.~~

~~*Sign, Ground.* A permanently affixed sign which extends no more than four (4) feet above grade and is wholly independent of a building for support. See Figure 8.~~

~~*Sign, Illuminated.* A sign lighted by or exposed to artificial lighting either by lights on or in the sign or directed towards the sign.~~

~~*Sign, Illuminated Indirect.* A sign illuminated by an external light source directed primarily toward such sign.~~

~~*Sign, Marquee.* Any sign attached to and made part of a marquee. A marquee is defined as a permanent roof-like structure projecting beyond a building wall at an entrance to a building or extending along and projecting beyond the building's wall and generally designed and constructed to provide protection against the weather.~~

~~*Sign, Mobile.* Any sign which is mounted on wheels and for the purpose of transportation to a site where an advertising message may be conveyed.~~

~~*Sign, Off-Premises (Off-Site).* A sign which is not located upon the premises of the business or entity indicated or advertised by said sign. Off-Premise signs can be an outdoor advertising display, a temporary political sign or a temporary real estate directional sign.~~

~~*Sign, On-Premises (On-Site).* A sign, other than a special sign or temporary sign, which identifies, advertises or promotes a product, service, person, place, activity, event, idea or any other thing located or obtainable on or at the lot where this sign is located.~~

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

~~*Sign, Pole.* A sign that is mounted on a free standing pole or other support so that the bottom edge of the sign face is eight (8) feet or more above grade.~~

~~*Sign, Portable.* A sign that can be moved from place to place that is not permanently affixed to a building, structure or the ground, including but not limited to:~~

- ~~Signs with wheels removed;~~
- ~~Signs with chassis or support constructed without wheels;~~
- ~~Signs designed to be transported by trailer or wheels;~~
- ~~A- or T-frame signs;~~
- ~~Menu, sandwich or sidewalk type signs;~~
- ~~Searchlight stands, and~~
- ~~Umbrellas, hot air, gas-filled balloons used for advertising.~~

~~*Sign, Projecting.* A sign that is wholly or partly dependent upon a building for support and which projects more than twelve (12) inches from such building. See Figure 8.~~

~~*Sign, Roof.* A sign that is attached, or mounted permanently on the roof of a building or which is wholly dependent upon a building for support and which may or may not project above the eave line of a building with a gambrel, gable or hip roof, the deck line of a building with a mansard roof, or projects above the building with a flat roof. See Figure 8.~~

~~Sign, Stacked.~~ A structure of two vertically adjacent signs with their faces oriented in the same direction.

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

~~Sign, Temporary Window.~~ A sign that is applied or attached temporarily to the exterior or interior of a window for the primary benefit of the passing public used to announce a special event or products for sales.

~~Sign, Trailer.~~ See "Sign, Mobile."

~~Sign, V-Shaped.~~ A structure of two signs in the shape of the letter "V" when viewed from above having their faces oriented in opposite directions at an angle not greater than ninety (90) degrees.

~~Sign, Wall.~~ A sign fastened to the wall or outer surface of a building or structure in such a manner that the wall or outer surface becomes the supporting structure for, or forms the background surface of the sign and which does not project more than twelve (12) inches from such building structure. See Figure 8.

~~Sign, Warning.~~ Signs limited to messages of warning, danger or caution.

~~Sign, wind, banners.~~ Wind-actuated devices, balloons or other gas-filled figures.

~~Sign, Window.~~ A sign that is applied or attached permanently to the exterior or interior of a window or located in such a manner within a building that it can be seen from the exterior of the structure through a window.



## **Article 11 – Signs and Outdoor Advertising**

### **11.1 Objectives and Purpose**

This article, which shall be known and may be cited as the Cherokee County Sign Ordinance, is to establish requirements for the placement, installation, and maintenance of signs in order to protect and promote the health, safety, welfare, and general well being of the citizens of Cherokee County. The zoning regulation of the placement, construction, maintenance of buildings and structures is a valid use of the police power, including the regulation of the placement, installation, and maintenance of signs. Signs must ordinarily be considered structures, and are capable of producing many of the same nuisances as are produced by buildings. The intent of this article to regulate the size, height and number of signs in such a manner as to protect and preserve the aesthetic qualities of the county while promoting traffic safety without causing unsafe conditions.

The Planning and [Land Use Department](#) will only oversee the number of signs, height, size and placement of signs. Cherokee County makes no determination or permits signs in regard to on-site or off-site locations. With these objectives and purposes in mind, the intention of this article is to authorize the use of signs that:

1. Are compatible with their surroundings in terms of zoning, existing land use, and architectural characteristics.
2. Are legible and compatible with the type of lawful activities to which the signs pertain in such a manner as to express the identity of the individual properties and/or of the county as a whole.

In addition, the regulation of signs within the county is necessary and in the public interest:

1. To protect property values within the county.
2. To protect the motoring public from damage or injury caused or partially attributable to distractions or obstructions from improperly designed or situated signs.
3. To promote the economic well being of Cherokee County by creating a favorable physical image.
4. To improve the legibility and effectiveness of all permitted signs.
5. To allow individuals equal and fair opportunity to advertise and promote their products and services without discrimination.
6. To eliminate excessive signage.
7. To protect the right of citizens to enjoy Cherokee County's natural scenic beauty.
8. To encourage the economic development within the county.

9. To regulate the construction, erection, maintenance and size of signs that may constitute a direct danger to pedestrians and property.
10. To preserve and promote the public health, safety and welfare in Cherokee County.

### **11.2 Jurisdiction and Applicability of Code Requirements**

- A. This article shall apply to all properties within the unincorporated areas of Cherokee County, Georgia. This article shall not relate to the copy or message on a sign within the unincorporated areas of Cherokee County.
- B. All signs and other advertising structures shall be constructed and maintained in conformance with the building and electrical codes adopted by Cherokee County.
- C. If any provisions or requirements of this article are in conflict with any other provision or requirement of this ordinance or any other applicable governmental law, ordinance, resolution, rule or other governmental regulation or any kind, the more restrictive rule or standard takes precedence.

### **11.3 Appeals and Variances**

- A. Appeals –
  1. A person whose permit application has been denied or a permittee whose permit has been revoked may appeal the decision of the [Planning Director](#) or his/her designee to the Zoning Board of Appeals, pursuant to Article 15 of this Ordinance.
  2. Appeals of the decision of the Zoning Board of Appeals are made to the Board of Commissioners pursuant to Article 15.8.
  3. Certiorari. In the event a person whose permit has been denied or revoked is dissatisfied with the decision of the Board of Commissioners, he/she may petition for writ of certiorari to the Superior Court of County as provided by law.

- B. Variances –

Variances other than with respect to the frequency by which the image on an electronic sign may change may be requested. All such variances shall be considered and decided by the Cherokee County Zoning Board of Appeals in accordance with officially adopted procedures and standards contained in Article 15 of the Cherokee County Zoning Ordinance.

### **11.4 Definitions**

Words and phrases used in this ordinance have the meanings defined in this section. In addition, words and phrases not defined in this section, but defined in the Zoning Ordinance of the county shall be given the meanings as set forth in such ordinance.

**ABANDONED SIGN** – A sign and/or sign structure without copy area for more than 30 days and/or which requires maintenance and repairs in excess of 25% of the replacement cost of the sign.

**ADVERTISING DEVICE** - Any structure or device situated on or attached to real property that is erected or intended for the purpose of calling the attention of the general public.

**AIR AND GAS FILLED DEVICE** - Any sign using, either wholly or in part, forced air or other gas as a means of supporting its structure.

**ANMATED ILLUMINATION OF EFFECTS** - means illumination or effects with action, moving characters or flashing lights. This may require electrical energy, but shall also include wind actuated devices. Specifically included is any motion picture or video mechanism used in conjunction with any outdoor advertising structure in such a manner as to permit or allow the images to be visible from any public right of way. This definition does not include electronic message signs as permitted within this article.

**ANIMATED SIGN** - Any sign that all or any part thereof visibly moves or imitates movement in any fashion whatsoever. Any sign that contains or uses for illumination any lights (or lighting devices) that change color, flash or alternate, show movement or motion, or change the appearance of said sign or any part automatically, including any electronic sign which contains anything other than static messages or changes its message more often than permitted by this ordinance. This includes flashing, moving, and revolving signs.

**AREA OF SIGN (COPY AREA)** - 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 sign from the background against which it is placed.

**BANNER** - A sign hung either with or without a frame, possessing characters, letters, illustrations, or ornamentation applied to paper, plastic, or fabric of any kind.

**BEACON** - Any light with one or more beams directed into the atmosphere or directed at one or more points not on the same zone lot as the light source; also, any light with one or more beams that rotate or move.

**BENCH SIGN** - A sign located on any part of the surface of a bench or seat placed on or adjacent to a public right-of-way.

**BILLBOARDS** – Freestanding signs or structures for the display of advertisements in public places or highways. All regulations relating to freestanding signs shall apply.

**BUILDING MARKER** - Any sign indicating information about a building's construction and is cut into a masonry surface or made of bronze or other permanent material.

**BUILDING SIGN** - Any sign attached to any part of a building other than a freestanding sign.

**CANOPY SIGN** - A sign affixed to, imposed upon, or painted on any roof-like structure either permanently or temporarily extended over a sidewalk or walkway, which can be mounted flush or suspended. A flush canopy sign is one that is mounted in such a manner that a continuous plane with the canopy is formed. A hanging canopy sign is one suspended from beneath the canopy.

**COMMERCIAL MESSAGE** - Any wording, logo, or other representation that directly or indirectly, names, advertises, or calls attention to a business, product, service, or other commercial activity.

**COPY** - The wording or graphics on a sign surface in either permanent or removable form.

**DEVELOPMENT ENTRANCE SIGN** – A sign located on either side of an intersection of the driveway, road or entryway of a residential major subdivision or a multi-family development, or a commercial / industrial development, with a county maintained road or state route.

**DIRECTIONAL SIGN** - An unofficial or non-standard traffic control sign, containing no commercial message except logos, intended to direct or regulate the movement of traffic and/or pedestrians. This includes, but is not limited to, 'enter', 'exit', 'drive through', and directional arrow signs. These signs may be freestanding or mounted on a building.

**DISTANCE** - The measurement in lineal feet from the closest point of a sign to the nearest property line or to the closest point of another sign, as the case may be.

**DOUBLE FACED (Back-to-Back) SIGN** - A sign with two parallel, or nearly parallel faces, back-to-back and located not more than twenty four (24) inches from each other

**ELECTRONIC SIGN** - A sign whose message may be changed at intervals by computer controller, microprocessor controller or remote control, and whose message is displayed through the use of LED, LCD, plasma or other similar type of panels or screens, including devices known as commercial electronic message signs and similar devices

**ERECT** - To build, construct, attach, hang, place, suspend, paint or affix.

**ESTABLISHMENT** - A commercial, industrial, institutional, educational, office, business or financial entity.

**FLAG** - Any fabric, banner, bunting or other flexible material containing distinctive colors, patterns, standards, words, or symbols.

**FLAGPOLE** - A permanently anchored pole on which a flag is hoisted and displayed.

**FLASHING** - A pattern of changing light illumination where the light intensity alternates suddenly during display of a message for the purpose of drawing attention to the sign. The term “flashing” excludes Electronic Signs operated in conformity with this ordinance.

**FRAME EFFECT** - A visual effect on an Electronic Sign which depicts movement, fading, mosaic flips, wipes, or other changing effects associated with the transition from one static message to another.

**FREESTANDING SIGN** - Any sign, which is physically independent from any building or other structure and is entirely supported by structures that are permanently at or below ground level. May be double faced or v-shaped as allowed by this Ordinance.

**FRONTAGE, BUILDING** - The length of an outside building wall facing a street.

**FRONTAGE, STREET** - The length of the property line of any one parcel along a street on which it borders.

**HISTORIC SIGN** - Any animated neon sign over thirty (30) years old, any existing barber pole or any other sign so designated by the Historic Preservation Commission. Extensions, additions and embellishments are not considered part of a historic sign.

**IDENTIFICATION SIGN** - A sign depicting the address where the sign is located.

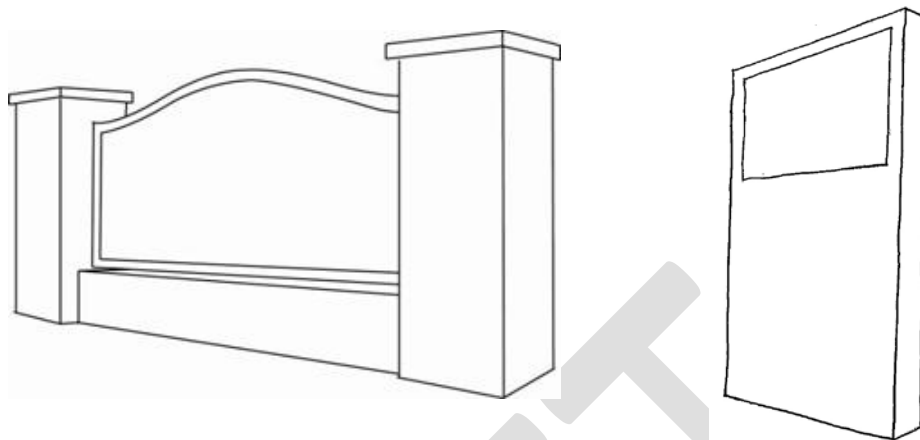
**ILLUMINATED SIGN** - A sign lighted by artificial [sources on the inside](#) of the sign or [external lights](#) directed towards the sign.

**INFORMATION SIGN** – [A temporary sign erected to provide information to people passing the property in a vehicle or on foot.](#)

**KIOSK SIGN** – A free-standing and multiple sided structure owned by the County and located in public rights-of-way.

**MANSARD SIGN** - Any sign attached to or erected within 12 inches of an actual or simulated mansard of a building, with the sign face parallel to and within the limits of the building, not deemed to be a roof sign.

**MONUMENT STYLE** – [A style of freestanding sign that has a solid-appearing base with no open space between the ground and the sign for the entire width of the copy area. The monument is constructed of brick, stone, stucco, or a combination thereof that is compatible with primary buildings on the site. The copy area is framed with a minimum of 6” of material consistent with remaining monument. See illustrations below.](#)



**NONCONFORMING SIGN (LEGAL)** - Any advertising device or sign, including billboards, which were legally erected and maintained prior to the adoption or amendment of this ordinance, but no longer comply.

**PAINTED WALL SIGN** - Any sign that is applied with paint or similar substance on the face of a wall.

**PARCEL (LOT) - (BUSINESS LOT)** - Any standard lot or parcel of land, the boundaries of which, have been established by a recorded legal instrument and is recognized and intended as a unit for the purpose of transfer of ownership. The said parcel being duly recorded with the Clerk of Superior Court, Cherokee County.

**PERMANENT SIGN** - A sign permanently affixed to a building or the ground.

**PERSON** - Any association, company, corporation, firm, organization, or partnership, singular or plural, of any kind.

**PORTABLE SIGN** - Any sign supported by its own frame or trailer, with or without wheels, that is designed to move from one place to another. [Includes A-frames, mobile signs, sandwich boards and trailer signs.](#)

**PRINCIPAL BUILDING** - The building with the principal use of the parcel on which it is located. Parcels with multiple principal uses may have multiple principal buildings. However, storage buildings, garages, and other clearly accessory are not considered principal buildings.

**PROJECTING SIGN** - Any sign affixed to [and supported by](#) a building or wall, which horizontally extends more than twelve inches beyond the surface of a building or wall.

**QUALIFYING EVENT SIGNS** – [A temporary sign erected during the dates of a qualifying event, from the date of deadline to qualify to 30 days past the qualifying event.](#)

**RESIDENTIAL DISTRICT** - Includes all land zoned R-80, [R-60](#), R-40, R-30, R-20, R-15, RD-3, RTH, RZL, [RA](#), RM-10, RM-16, and PUD-Residential.

**ROOF SIGN** - Any sign erected, constructed, and maintained upon or over the roof of any building and projecting above the roof line.

**SETBACK** - The distance from the property line to the nearest part of the applicable building, structure, or sign, measured perpendicularly to the property line.

**SIDEWALK, SANDWICH OR A-FRAME SIGN** - A sign which is normally in the shape of an 'A' or some variation, which is usually two-sided.

**SIGN** - Any identification, description, illustration or device, illuminated or non-illuminated, which is visible to the general public or placard designed to advertise, identify, or convey information.

**SIGN FACE** - The portion of a sign on which the copy is placed.

**SIGN NUMBER** - For the purpose of determining the number of signs, a sign shall be construed to be a single display surface or device containing elements organized, related and composed, to form a single unit. In cases where material is displayed in a random or unconnected manner or where there is reasonable doubt as to the intended relationship of such components, each component is considered to be a single sign. A projecting sign and both sign faces being less than 42 inches apart shall be construed as a single sign.

**SIGN STRUCTURE** - Any construction used or designed to support a sign.

**SNIFE SIGN** - A sign of any material that is attached in anyway to a utility pole, tree, fence, rock, or any other similar object located on public or private property.

**STREET** - Any public or private right-of-way for automobile use. This excludes alleyways, parking lots and driveways.

**STREET FRONTAGE** - The width in linear feet of a lot or parcel where it abuts the right-of-way of any public street.

**TEMPORARY SIGN** – A sign constructed of an impermanent material and designed or intended to be displayed for a short period of time.

**TRAFFIC CONTROL SIGN** - A standard sign or electronic device for the purpose of directing or regulating traffic and/or pedestrians.

**UNDER CANOPY SIGN** - A sign that is suspended from the underside of a canopy (including awnings and marquees), is perpendicular to the wall surface of a building, and whose copy is not clearly visible from a public right-of-way.

**UNLAWFUL SIGN (ILLEGAL SIGN)** - Any sign erected without a permit when a permit for the sign was otherwise required by this ordinance or previously adopted ordinance or code. A permitted sign which has not been properly erected in accordance with the



permit application and approved sign permit or an otherwise lawful and permitted sign that has become hazardous or a nuisance to the public due to poor maintenance, dilapidation, or abandonment and so declared by the building official.

**V-SHAPED SIGN** - A structure of two signs in the shape of the letter “V” when viewed from above having their faces oriented in opposite directions at an angle not greater than ninety (90) degrees.

**WALL FACE** - A measurement of area equal to the height of the structure from the ground to the coping or eave of the roof multiplied by the width of the wall associated with the individual business. The wall face is to be measured for each wall independently.

**WALL SIGN** - Any sign affixed or attached to a wall of a building [in such a way that the wall becomes the supporting structure for the sign](#), extending no more than 12" beyond the wall and which displays only one sign surface.

**WEEKEND SIGN** - [A temporary sign that conveys directions to a specific, time-limited weekend place or event.](#)

**WINDOW SIGN** - Any sign placed inside or upon a window, and intended to be seen from the exterior.

## 11.5 General Provisions

### 11.5-1 Permitting Requirements:

A. Except as specifically exempted from the provisions of this article, a person or firm may not legally post, display, enlarge, erect, move or substantially change a sign without first obtaining a sign permit from the [Planning Director](#) or his/her designee. A change in the copy only of a sign or advertising device does not constitute a substantial change.

B. Permit Application. Applications for sign permits shall be filed by the sign owner or his agent with the [Planning Director](#) or his/her designee upon forms furnished by the county. Applications shall describe and justify the following:

1. The type of the sign as defined in this ordinance.
2. The value of the sign.
3. The street address and zoning designation of the property where the sign is to be located and the proposed location of the sign on the property.
4. The square foot area per sign and the aggregate square foot area if there is more than one sign face.
5. The name(s) and address(es) of the owner(s) of the real property upon which the subject sign is to be located.



6. Written consent of the owner, or his agent, granting property upon which the subject sign is to be located.
7. For freestanding signs: a site plan drawn to scale, showing the proposed location of all primary and accessory ground sign(s) on subject property. The site plan includes a closed boundary survey of the property, gross acreage, the proposed sign location, street right-of-way lines, public or private easements, driveway locations and parking spaces.
8. For all signs: A sketch or print drawn to scale showing all dimensions with pertinent information such as wind pressure requirements and display materials in accordance with the [International](#) Building Code as adopted by Cherokee County.
9. Name, address, phone number and business license number of the sign contractor.
10. All applicants for electrical signs must obtain an electrical permit.
11. A written agreement to indemnify and hold the county harmless of all damages, demands or expenses of every type which may in any manner be caused by the sign or sign structure.

C. Fees. No permit shall be issued until the appropriate application has been filed with the [Planning Director](#) or his/her designee and permit fees have been paid as adopted by the Board of Commissioners and as amended from time to time.

D. The [Planning Director](#) or his/her designee shall grant a completed application if the proposed sign meets the requirements of this article.

E. The [Planning Director](#) or his/her designee shall provide written notice of the granting or denial of an application with thirty (30) business days following submission of a completed application. In the event no action is taken within thirty (30) business days, the application shall be deemed granted.

F. Permit Expiration. A sign permit shall become null and void if construction of the sign has not begun within a period of two (2) months from the date of issuance and completed within six (6) months from the date of issuance. Issuance of a sign permit shall in no way prevent the county from later declaring the sign to be nonconforming or unlawful with further review of available information, the sign is found not to comply with the requirements of this ordinance.

#### **11.5-2 Construction, Maintenance Requirements:**

A. Erecting or placing any sign that does not conform to the requirements of this ordinance is unlawful.

B. All signs for which a permit is required, together with all their supports, braces, guys and anchors shall be kept in constant repair. Signs shall be kept clean, neatly painted and maintained at all times so as not to be detrimental to public health and safety.

C. No trash shall be allowed to accumulate in the area around a sign and all weeds shall be kept out.

#### **11.5-3 Lighting Requirements:**

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

B. The light from illuminated signs shall be established in such a way that adjacent properties and roadways are not adversely affected and that no direct light is cast upon adjacent properties and roadways. Lighting shall not be directed skyward.

C. No illuminated signs shall be constructed or maintained within fifty (50) feet of any residential district or dwelling, except within the TND district.

D. Signs with flashing, intermittent or animated illumination or effect shall be excluded from all districts [except as defined under Section 11.5-5 \(L\)](#).

E. No sign shall be erected which [operates](#) in such a manner as to confuse or mislead the motoring public or hide from view any traffic or street sign or signal.

#### **11.5-4 Height Requirements:**

The height requirements of a sign shall be computed as the distance from the base of the sign at normal grade to the highest attached component of the sign or sign structure, whichever is higher. Normal grade shall be construed to be the lower of (1) existing grade prior to construction or (2) the newly established grade after construction, exclusive of any filling, berming, mounding or excavating solely for the purpose of locating the sign. Cases in which the normal grade cannot reasonably be determined, sign height shall be computed on the assumption that the elevation of the normal grade, at the base of the sign, is equal to the elevation of the nearest point of the crown of a public road. In addition, the grade of the land at the principal entrance to the principal structure on the lot, whichever is lower. Refer to Table [11.1](#) for specific height limits and requirements.

#### **11.5-5 Additional Requirements:**

[A. It shall be the responsibility of the property owner to remove, replace or repair an abandoned sign and/or sign structure within thirty \(30\) days of written notification from the Planning Director or his/her designee. After which time, the county may cause the removal of the sign at the property owner's expense.](#)

B. **Signs** shall be removed within ten (10) days of the sale, rental or lease of the property advertised; however, the use of a 'SOLD' attachment to a sign pending the completion of a sales transaction shall not be construed as a sale.

C. **Qualifying Event Signs** shall be removed within thirty (30) days of the election or any runoff election.

D. No sign shall be erected or maintained which obstructs any fire escape, any means of escape or ventilation, or which prevents free passage from one part of a roof to any other part thereof; nor shall any sign be attached in any form, shape or manner to a fire escape.

E. No sign shall be erected, maintained, painted, drawn or attached to any utility pole, fence, rock, tree or any other natural feature.

F. It shall be unlawful to post any signs or advertisements on any building, fence or other property belonging to another person without the written consent of the owner thereof. Such consent shall be included with the sign permit application.

G. All signs shall be located on or over private property only, except those specifically permitted by this article.

H. All signs shall be erected in such a manner as to not interfere with or obstruct the view of any authorized traffic sign, signal or device.

I. All signs shall be located in such a way that they maintain horizontal and vertical clearance from all overhead utilities in accordance with **International** Electrical Code specification. In no case shall any sign be installed within five (5) feet horizontally or vertically from an overhead utility line or utility guy wire.

K. Corner Visibility Clearance: **Freestanding signs near driveways and development entrances shall be sited in accordance with safety conditions as required by the Cherokee County Engineering Department.**

L. Electronic signs. Electronic signs may be used in accordance with the following provisions, provided that legal non-conforming freestanding signs shall not be converted to electronic signs except in accordance with the provisions of this article.

1. The following shall apply to all electronic signs:

- a. Electronic signs shall only be used as freestanding signs and shall not be allowed as canopy, wall or awning signs as defined in this ordinance.
- b. Electronic signs shall contain static messages only, and shall not have movement nor flashing on any part of the sign structure, design, or pictorial segment of the sign, nor shall such sign have varying light intensity during the display of any single message. Transitions between messages shall not use frame effects or other methods which result in movement of a displayed image during such transition.

- c. Electronic signs must operate within brightness levels as established in this ordinance.
  - d. Each sign must have a light sensing device that will adjust the brightness of the display as the natural ambient light conditions change.
  - e. The owner of said electronic sign shall provide to the Development Service Director, information for a 24-hour contact able to turn off the electronic sign promptly if a malfunction occurs. If, at any time more than 50 percent of the digital display lights malfunction or are no longer working, the owner of said electronic sign shall turn off the electronic display until repairs are made.
  - f. In the course of processing a complaint, the staff of Cherokee County may request a certification of the brightness (under measurement conditions) by an independent contractor (if such has not been certified within the preceding 12 months). If this investigation and certification indicates that the electronic sign exceeds the brightness levels specified in this ordinance, the owner of the sign, within 24 hours of a request by the staff of Cherokee County, shall turn off the sign until the brightness of the sign is corrected to comply with this ordinance at owner's expense.
  - g. Any electronic sign whose face or structure is physically removed for whatever cause must alter the sign to comply with this ordinance.
  - h. No electronic sign shall utilize, house or contain any interactive features or components, or function as an interactive sign.
  - i. Electronic signs shall not be allowed in residential zones.
2. Electronic signs located on non-residentially zoned property: Electronic signs may be utilized for and in conjunction with any sign permitted by this ordinance on non-residentially zoned property, provided that each such electronic sign shall comply with the following requirements in addition to and in conjunction with those specified in subsection (1) hereinabove:
1. Must be located on a property/lot with at least 200 feet of public road frontage on one road (if abutting more than one public road, sign may only be erected along a road with more than 200 feet of frontage) and cannot be within 200 feet of another electronic sign that may be permitted on the same property/lot. For the purposes of measurement, mitered corners will not be included in road frontage calculations.
  2. Electronic messaging portion of sign shall not exceed 32 square feet per allowable sign area and may not have more than two electronic sign areas per sign.
  3. Each individual static message must be displayed for not less than 60 seconds.
  4. Electronic signs located on non-residentially zoned property may not operate at brightness levels of more than 0.20 foot candles above ambient light levels (at measurement conditions) as measured at a distance of 125 feet.
  5. If the electronic sign is located in the line of sight of a residentially occupied structure on a residentially zoned property, such electronic sign shall not operate at brightness levels of more than 0.1 foot candles above

ambient light levels (at measurement conditions) as measured at the nearest portion of such residential structure.

3. Notwithstanding any provisions otherwise providing for variance to the terms and limitations in the zoning ordinance, the limitation on the frequency by which the image on an electronic sign may change shall not be subject to variance other than by amendment to this section.

### 11.6 Permitted Signs by Type and Zoning District

The following signs are allowed with a permit:

1. Commercial and industrial lots in the OI, CP, NC, GC, LI & HI zoning districts are allowed three (3) signs. Only one of the three can be a freestanding sign. A business within a shopping center can have a maximum of two (2) signs. The shopping center is allowed the freestanding sign. Freestanding signs are limited to one hundred twenty (120) square feet with a maximum height of thirty-five (35) feet.

#### Freestanding Signs on Commercial or Industrial lots

- a. Freestanding signs on commercial or industrial lots must be built in the monument style.
  - b. All residential uses on a commercial or industrial lot must cease prior to the erection of a commercial-size freestanding sign.
2. Property in agriculture and residential zoning districts of ten (10) acres or greater are allowed one (1) freestanding sign limited to thirty-two (32) square feet of copy area with a maximum height of eight (8) feet. Agricultural and residential districts of less than ten (10) acres are allowed one freestanding sign limited to four (4) square feet of copy area with a maximum height of eight (8) feet. The following land uses are allowed one (1) freestanding sign limited to thirty-two (32) square feet of copy area with a maximum height of eight (8) feet:
    - a. Permitted commercial establishments and institutions within agriculture (AG) district.
    - b. Permitted institutions within residential zoning districts.
  - c. Development Entrances - Signs shall be constructed in a monument style with a maximum height of ten (10) feet. The copy area shall be limited to a total of 64 square feet for two (2) signs flanking the either side of the entrance or a maximum of 32 square feet per sign. In lieu of two (2) flanking signs, one double-faced sign with a maximum of 50 square feet may be permitted. There are to be no signs on islands within a public ROW.
  - d. If the parcel has two street frontages, two freestanding signs are allowed in any zoning district. Each freestanding sign must be located on a different road frontage. The freestanding signs must be separated by a minimum of 200 feet measured by a straight line drawn between the closest point of each sign.

### 11.7 Exempt Signs

Except as otherwise provided, the following may be erected without securing a permit. Such exempt signs shall not be considered in determining the allowable number or size of signs **per zoning** on a lot. However, the signs must comply with all other applicable sections of this article and applicable codes and regulations.

1. One (1) **plaque** for each establishment not **to** exceed two (2) square feet in area.
2. One (1) separate identification sign for each establishment when affixed to a building wall or window and limited to a maximum size of **four (4)** square feet. The purpose of this sign is to identify the establishment's property number (address), suite or unit number **for public safety and /or law enforcement response**.
3. One (1) informational bulletin board affixed to a building wall. Bulletin boards may not exceed thirty-two (32) square feet in area.
4. Traffic, directional, warning or official notices that otherwise meet the location, size and height requirements of the ordinance.
5. Flags.
  - (a) Each lot shall be allowed a maximum of three (3) flagpoles with a maximum height of 30 feet each unless a variance is obtained pursuant to the Zoning Ordinance.
  - (b) A maximum of two (2) flags shall be allowed per flagpole **not to exceed forty (40) square feet in area per flag**.
  - (c) A vertical flagpole must be set back from the property boundaries a distance which is at least equal to the height of the flagpole.
  - (d) Flags and flagpoles shall be maintained in good repair, and to the extent applicable shall be in compliance with the building code. Flagpoles with broken halyards shall not be used and flags which are torn or frayed shall not be displayed.
6. Integral decorative or architectural features of buildings, except letters, trademarks, moving parts or moving lights.
7. A sign **per entrance / exit onto the property** not exceeding two (2) square feet designed to direct and inform the public as to location or direction to a parcel of private property (e.g., entrance, exit, caution, slow, service areas or loading and unloading areas).
8. **Temporary Signs are** subject to the following provisions:

(a) General Provisions:

Zoning Districts: Signs shall be allowed in all zoning districts.

Property Owner Permission Required: Temporary Signs do not require a permit or a permit fee. However, written permission of the property owner must be provided to the Cherokee County Planning and Land Use Department indicating that the property owner has given permission for the erection of the sign on his or her property upon request from the Planning Director or his/her designee.

(b) Information Signs:

Number: Limited to one (1) sign per parcel of property.

Size and Height: In commercial zoning districts, the maximum area of the sign shall be thirty-two (32) square feet and a maximum height of eight (8) feet. The maximum area of the sign in all other districts shall be four (4) square feet and the maximum height shall be eight (8) feet.

Time Limit: All informational signs shall be removed within thirty (30) days of sign being erected.

Other Provisions: Brochures/information boxes may be allowed with a maximum of 1 brochure/information box per parcel of land. Banners may be used as information signs as long as all requirements are met.

(c) Weekend Signs:

Number: Limited to one (1) sign per parcel of property.

Size, Height & Materials: Weekend Signs shall not exceed four (4) square feet of sign area and three (3) feet in height and may be double-faced. Signs shall be mounted on an independent single or double pole device. Signs shall not be affixed in any manner to trees, natural objects, street light poles, utility poles, other signs or other sign structures. Signs shall be made of metal, plastic, laminated cardboard or some other durable and waterproof material. No sign shall be made of paper.

Time Allowed: Signs shall be allowed from 3:00 p.m. on Friday to 7:00 a.m. on Monday. The responsibility to remove all signs prior to 7:00 a.m. Monday is of the sign placer.

(d) Qualifying Event Signs:

Number: Limited to ten (10) signs per parcel of property.



Time Allowed: Shall be allowed from the date of deadline to qualify to 30 days beyond the date of the qualifying event. The responsibility to remove all is of the sign placer.

Size, Height and Materials: shall not exceed four (4) square feet of sign area and three (3) feet in height and may be double-faced. shall be mounted on an independent single or double pole device shall not be affixed in any manner to trees, natural objects, street light poles, utility poles, other signs or other sign structures. Signs shall be made of metal, plastic, laminated cardboard or some other durable and waterproof material. No sign shall be made of paper.

9. Works of art.
10. Historic signs. (see definition)
11. Signs on public transportation vehicles.
12. Signs painted on or otherwise attached to motor vehicles which are not conspicuously parked in proximity to a right-of-way, and obviously not parked in such a way as to advertise any business or service to motorists or pedestrians.
13. Holiday decorations, including lights, temporary flags for decorative purposes, and other decorations.

### 11.8 Prohibited Signs

The following signs and advertising devices are prohibited within the unincorporated portions of Cherokee County.

1. Portable Signs (A-frame, curb signs, mobile, sandwich type, sidewalk or trailers).
2. Projecting signs except as permitted in the TND district.
3. Rotating or animated signs involving motion or sound including those that flash, blink, change image, or show any form of movement, excluding electronic signs as allowed by this article, historic signs and those officially designated for public service.
- 4 . Signs that resemble any official traffic control device or emergency vehicle markings, or signs that make use of the words 'stop', 'go', 'slow', 'caution', 'danger', 'warning' or similar words, phrases, symbols or character which may pose a threat to the safety of the public traveling on an adjacent or nearby roadway
5. Roof signs.
7. Wind-activated devices, streamers, tethered balloons or other inflatable signs or figures, except as authorized by this regulation.



8. Courtesy benches, waste containers or other forms of street furniture on which advertising is displayed.

9. Snipe signs.

10. Search lights and beacons.

11. Signs attached to or painted on vehicles of any type, which are conspicuously parked in proximity to a right-of-way and obviously parked in such a way as to attract the attention of passing motorists or pedestrians.

12. Signs that emit visible smoke vapor particles or odor.

### 13. Signs in the Right-Of-Way

It shall be unlawful for any person to install a sign in any public right-of-way except for the following:

- Public signs
- County owned kiosk signs
- Emergency signs

The Planning Director or his/her designee is hereby authorized to immediately remove any illegal sign located in any public right-of-way.

### 11.9 Severability and Amendments

It is hereby declared to be the intention of the governing authority that the sections, paragraphs, sentences, clauses and phrases of the Sign Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional or invalid by judgment or decree of any court of competent jurisdiction, the unconstitutional or invalid phrase, clause, sentence, paragraph or section shall be struck and the remaining phrases, clauses, sentences, paragraphs, and sections shall be effective as if the unconstitutional or invalid portion had not existed.

See Table 11.1, District Requirements for Signs

**Table 11.1 District Requirements for Signs**

Zoning Districts	Sign Type	Number of Signs Per Establishment	Allowable Sign Area (Square Feet)	Maximum Height (Feet)
Total of 3 Permitted Signs per Establishment				
OI CP NC GC LI HI	Wall	Permitted	1 sq. ft. of copy area per 1 lineal ft. of wall	N/A
	Canopy	Permitted	Flush-50, Hanging-60	Not less than 8 ft above ground at sign low point
	Window	Permitted	Max.-20% of window area	N/A
	Identification	1 - Exempt	4	N/A
	Freestanding	1 - Permitted if stand-alone, 2 - Permitted for whole shopping center	120	35
	Information Signs	1 - Exempt	32	8
	Weekend Signs	1 - Exempt	4	8
Qualifying Event Signs	10 - Exempt	4	8	
Highway 92 Overlay** Commercial Uses	Wall	Permitted	1 sq. ft. of copy area per 1 lineal ft. of wall	N/A
	Freestanding	1 - Permitted if stand-alone, 2 - Permitted for whole shopping center	50 for 1 sign or 32 for each for 2 signs	10
Bells Ferry Overlay** Commercial Uses	Wall	Permitted	1 sq. ft. of copy area per 1 lineal ft. of wall	3 ft. max. height of copy area
	Freestanding	1 - Permitted	32 in NCr & SD 16 in NG 4 in NE	10

Zoning Districts	Sign Type	Number of Signs Per Parcel	Allowable Sign Area (Square Foot)	Maximum Height (Feet)
AG	Freestanding < 10 acres	1 - Permitted	4	8
	Freestanding > 10 acres	1 - Permitted	32	8
	Development Entrance Signs	2 - Permitted	50 for 1 sign or 32 for each for 2 signs	10
	Information Signs	1 - Exempt	4	8
	Weekend Signs	1 - Exempt	4	8
	Qualifying Event Signs	10 - Exempt	4	8
All Residential Districts	Freestanding < 10 acres	1 - Permitted	4	8
	Freestanding > 10 acres	1 - Permitted	32	8
	Development Entrance Signs	2 - Permitted	50 for 1 sign or 32 for each for 2 signs	10
	Information Signs	1 - Exempt	4	8
	Weekend Signs	1 - Exempt	4	8
	Qualifying Event Signs	10 - Exempt	4	8
TND*	Development Entrance Signs	2 - Permitted	50 for 1 sign or 32 for each for 2 signs	10
	Information Signs	1 - Exempt	4	8
	Weekend Signs	1 - Exempt	4	8
	Qualifying Event Signs	10 - Exempt	4	8

\* See Article 8 - Traditional Neighborhood Development (TND) for additional sign regulations

\*\* See Article 16 - Overlay Districts for additional sign regulations. Temporary Information Signs are the same as commercial above.



## Cherokee County, Georgia Agenda Request

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**SUBJECT:**  
Approval of August 4, 2015 Planning  
Commission Minutes

**MEETING DATE:**  
9/1/2015

**SUBMITTED BY:**  
Tamala Davis

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**COMMISSION ACTION REQUESTED:**

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**FACTS AND ISSUES:**

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**BUDGET:**

Budgeted Amount:

Account Name:

Amount Encumbered:

Account #:

Amount Spent to Date:

Remaining Budget:

Amount Requested:

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**ADMINISTRATIVE RECOMMENDATION:**

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