



**MEMORANDUM**

**To:** Mayor & City Council  
**From:** Paul Leonhardt, Deputy Director of Community Development  
**Date:** December 11, 2023  
**Subject:** Text Amendment for Animated Signs in Residential Districts

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**ITEM DESCRIPTION**

This item is a proposed text amendment that clarifies regulations and provides standards for animated signs. It allows animated signs as a temporary sign type in several residential districts, while continuing to prohibiting them in commercial districts.

**DISCUSSION**

The City of Dunwoody adopted a new sign code in the 2021. It provided specific allotments of temporary signs to residential districts, including small yard signs, large yard signs, and entrance wall banners. In August, the City’s code enforcement team received complaints about several inflatables in a residential yard, flagged that these are covered by the existing prohibition on animated signs, and subsequently issued a notice of violation.

The prepared ordinance clarifies the City’s existing definition for animated signs by referencing inflatables and provides a separate category of animated signs as limited duration signs in residential districts. The proposed regulations allow residents in the R- and RA-districts (Single-dwelling Residential) to display animated signs for up to 60 consecutive days, subject to several restrictions, including maximum dimensions, property line setbacks, and safety standards. Animated signs on quasi-public and institutional properties remain prohibited. No permit would be required, similar to typical yard signs.

**STAFF RECOMMENDATION**

Staff recommends **APPROVAL**.

**PLANNING COMMISSION RECOMMENDATION**

In its November 13, 2023 meeting, the Planning Commission recommended approval of the text amendment by 5-1 vote. Chair and Commissioners Brown, Cameron, Gordon, and Shin voted to recommend approval as-written. Vice-chair Harris voted against the motion and recommended allowing quasi-public and institutional uses, such as places of worship, to display animated signs.



4800 Ashford Dunwoody Road  
Dunwoody, Georgia 30338  
dunwoodyga.gov | 678.382.6700

**ATTACHMENTS**

- Ordinance

**Lynn Deutsch** Mayor

**Eric Linton** ICMA-CM City Manager

**Sharon Lowery** CMC City Clerk

**Catherine Lautenbacher** City Council Post 1

**Rob Price** City Council Post 2

**Tom Lambert** City Council Post 3

**Stacey Harris** City Council Post 4

**Joe Seconder** City Council Post 5

**John Heneghan** City Council Post 6

**AN ORDINANCE TO AMEND CHAPTER 20 (SIGNS) OF THE CITY OF  
DUNWOODY CODE OF ORDINANCES; TO AMEND SIGN CODE REGULATIONS  
AND PROCEDURES FOR ANIMATED SIGNS;**

**WHEREAS**, the City of Dunwoody is charged with preserving the health, safety and welfare of the citizens of the City; and

**WHEREAS**, the City of Dunwoody adopted a new sign code in 2021 and the City now wishes to clarify the language on animated signs; and

**WHEREAS**, animated signs, if unregulated, can become traffic hazards, a detriment to property values, and to the City's general welfare; and

**WHEREAS**, this amendment is necessary to ensure the health, safety, and welfare of Dunwoody residents.

**NOW, THEREFORE**, the Mayor and City Council of the City of Dunwoody HEREBY ORDAIN that Chapter 20 is amended as follows:

**Section I:** That Chapter 20, Article II be amended as follows:

Sec. 20-34. - Prohibited signs.

Except as otherwise provided by this chapter, the following signs are prohibited within the city:

- (1) Dilapidated signs, including sign structures.
- (2) Animated signs, including balloons, streamers, ~~air or gas filled figures~~, and signs that move mechanically as a result of human activity; The term "animated signs" includes any air- or gas-filled figure regardless of whether any portion of the figure actually moves and regardless of whether the figure contains any form, graphic, illumination, symbol or writing for visual communication. Exception: Animated signs shall be allowed on a parcel located in a single-dwelling residential zoning district, except that no animated sign shall be allowed on a parcel with a quasi-public/institutional use.
- (3) Beacon signs/search lights.
- (4) Electronic message signs, changeable copy signs, and electronic signs. Exception: As expressly permitted in sections 20-58, 20-86, and 20-88 herein below.
- (5) Multi-faced signs (more than two sides) and tri-vision signs.
- (6) Neon (or LED tube or rope lighting resembling neon) window signs larger than three square feet in total area.
- (7) Pole signs and pylon signs. Exception: Wayfinding signs, drive-through signs, freestanding hanging signs, and temporary banner signs may be permitted as set forth herein below.

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- (8) Portable signs. Exception: Signs mounted, wrapped or painted on a moving vehicle are permitted so long as the vehicle is currently being utilized for a properly licensed business and, whenever parked and not utilized for said business, is parked at a designated service/loading and unloading area or at the furthest-available parking space from a right-of-way. Alternatively, such a vehicle may be parked behind the business to which it relates if to do so minimizes the view of the portable sign by the public.
- (9) Signs on public rights-of-way other than publicly owned or maintained signs and signs pertaining to railroad crossings.
- (10) Signs that contain words, pictures, or statements which are obscene.
- (11) Signs that visually simulate an official traffic control device, warning sign, or regulatory sign or which hide from view any traffic control device, signal, or public service sign.
- (12) Signs that emit or utilize in any manner any sound capable of being detected on any traveled road or highway by a person with normal hearing abilities.
- (13) Signs that interfere with road or highway visibility or obstruct or otherwise interfere with the safe and orderly movement of traffic or which otherwise pose a hazard to traffic due to structural deficiencies in the structure of such signs.
- (14) Signs erected by nailing, fastening, or affixing the sign in any manner to any tree, curb, utility pole, natural feature, fence, street sign, or other structure other than wall signs as permitted herein. Exception: Does not apply to temporary banner signs.
- (15) Signs attached to a fire escape or that obstruct any fire escape, any means of egress or ventilation or shall prevent free passage from one part of a roof to any other part thereof.
- (16) Signs that do not conform to city or state building and electrical codes.
- (17) Any sign that is structurally unsound or is a hazard to traffic or pedestrians.
- (18) Any sign that changes color(s), flashes, blinks, oscillates, or intimates movement through lighting effect(s) or the use of video display of any kind, and in any way visible from the right-of-way.
- (19) A roof sign on a building under 40 feet in total height.

(Ord. No. 2021-10-17, Att. A, 10-11-2021)

Sec. 20-35. - Signs exempt from permit requirements.

While the following signs do not require a permit, they are not exempt from any applicable standards of this chapter and shall be subject to all applicable regulations hereunder:

- (1) Painted signs, decals, or other signs located directly inside or on the window and/or door of the ground floor of a commercial use, if less than 30 percent of the area of a windowpane.
- (2) Door signs if less than three square feet in total area and not more than one sign per door.
- (3) Yard Signs—Small. See applicable regulations herein below.
- (4) Address placards with a maximum character height of three inches in residential districts and 12 inches in non-residential districts and that are erected for the sole purpose of displaying street numbers as may be required by other ordinances, and other signs required by law.
- (5) Flags of any fabric or bunting containing colors, patterns, or symbols; attached to a flagpole as a freestanding structure, or a structure attached to a building or to the roof of a building, on a parcel of record and used for the sole purpose of displaying flags, the height of which shall be measured from the average grade. See applicable regulations herein below.

- (6) Non-governmental traffic control and directional devices located entirely on private property and consistent with those found in the manual of uniform traffic control devices in or adjacent to parking areas, and driveways and warning signs located at railroad crossings.
- (7) Government mandated signs in compliance with the manual of uniform traffic control devices that comply with the requirements of state law for such signs placed or required to be placed by a government entity.
- (8) Drive-through signs placed adjacent to a commercial drive through, with a maximum of four such signs per property, so long as any ground-mounted drive-through sign does not exceed 18 square feet and any wall-mounted drive-through sign does not exceed nine square feet, as well as associated panel exchanges.
- (9) Sandwich boards. See applicable regulations herein below.
- (10) Temporary banner sign for a new business for 60 days prior to the installation of a permanent sign. See applicable regulations herein below.
- (11) One neon (or LED tube or rope lighting resembling neon) window sign not larger than three square feet in total area per individual tenant suite. No blinking shall be allowed.
- (12) Animated signs in single-dwelling residential zoning districts except that no animated sign shall be allowed on a parcel with a quasi-public/institutional use. See applicable regulations herein below.

(Ord. No. 2021-10-17, Att. A, 10-11-2021)

**Section II:** That Chapter 20, Article II be amended as follows:

Sec. 20-56. - Defined sign terms.

In addition to the sign types defined below in this chapter, the following defined terms are used in this chapter:

*Abandoned or dilapidated sign* means any sign that contains or exhibits broken panels, visible rust, visible rot, damaged support structures, holes on or in the sign structure, broken, missing, loose, or bent parts, faded, or flaking paint, non-operative or partially non-operative illumination or mechanical devices or which is otherwise dilapidated, unsightly, unkempt, or which is located on a property or business without an occupational tax certificate.

*Animated sign* means any sign that moves mechanically as a result of human activity and includes balloons, streamers, and any air- or gas-filled figure, regardless of whether any portion of the figure actually moves and regardless of whether the figure contains any form, graphic, illumination, symbol or writing for visual communication.~~includes action or motion.~~

*Common development* means a parcel or combination of parcels which share a common development plan, or that are dependent upon one another for access, parking, or utilities.

*Door sign* means an impermanent sign no greater than three square feet erected on a door.

*Drive-through sign* means any sign located next to a drive-through window or in a drive-through aisle.

*Electronic message center (EMC)* means an electrically activated changeable copy sign having variable message and/or graphic presentation capability that can be electronically programmed by computer or handheld device from a remote location.

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*Flag* means a piece of cloth with distinctive colors or patterns that constitutes the official representation of a governmental or private entity.

*Gasoline station pump-island sign* means a sign located under a canopy and on top of the pump islands of a service station or convenience store with gas pumps.

*Main entrance* means the entrance of a building that is intended to be the primary public pedestrian access into and out of the building.

*Parapet* means a low wall or protective barrier that extends vertically above the roof or uppermost floor of a building or other structure.

*Pole sign* means a permanent sign that is mounted on a freestanding pole or other support that is placed on, or anchored in, the ground and that is independent from any building or other structure.

*Portable sign* means any sign not permanently attached to the ground or other permanent structure; or a sign designed to be transported, including, but not limited to, signs designed to be transported by means of wheels; balloons used as signs; and signs attached to or painted on vehicles while visible from the public right-of-way, except as provided herein. For the purposes of this chapter, sandwich board signs, banners and pole banners as prescribed herein are not considered portable signs.

*Primary vehicle entrance* means the entrance that provides vehicular access to a property from a street that is intended to be the main vehicular entrance serving the building or common development.

*Side façade* means the elevations of a building that are located between the front elevation and the rear elevation.

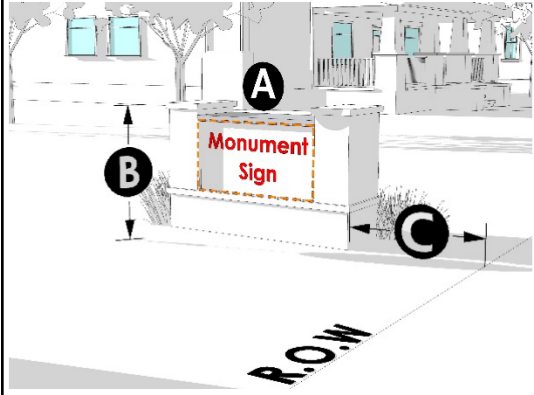
*Sign* means a device, fixture, placard, structure, or representation that uses any color, form, graphic, illumination, symbol or writing for visual communication, which is used for the purpose of bringing the subject thereof to the attention of others and is directed to be viewed from any outdoor space. For purposes of this chapter, the term "sign" shall include the structure upon which a sign face is located. Flags and banners shall be included within this definition only as provided elsewhere herein.


*Temporary sign* means any sign, banner, pennant, or advertising display intended to be displayed for a limited time period.

(Ord. No. 2021-10-17, Att. A, 10-11-2021)

**Section III:** That Chapter 20, Article V be amended as follows:

Sec. 20-83. - Sign standards: residential districts (R, RA, RM, DV-3 districts).

<b>(a) Residential Development Monument Sign</b>			
			
STANDARDS (all measurements in accordance with Sec. 20-3 above)	R	RA	RM, DV-3
Total Sign Count	Two per common development entrance—each situated on either side of primary vehicular entrance.	Two per common development entrance—each situated on either side of primary vehicular entrance.	Two per common development entrance situated on either side of primary vehicular entrance; one sign per secondary vehicular entrance not greater than 40% of the allowable dimensions of a primary entrance sign.
Sign Area <b>A</b>	32 sq. ft. Max.		
Total Sign Height <b>B</b>	8 ft. Max.		
Sign Face Materials	Wood carved and painted; carved stone, metal with raised or applied vinyl letters; glass; or synthetic materials that are crafted specifically to look like one of these materials are permitted.		
Sign Base Materials	Brick or natural stone		

Illumination Types	Indirect; shadow/halo
Setback from R.O.W. 	5 ft. Min.

**(b) Building Entrance Wall Sign**



STANDARDS (all measurements in accordance with Sec. 20-3 above)	R	RA	RM, DV-3
Total Sign Count			1 per building entrance
Total Sign Area			4 sq. ft. Max.
Total Sign Height	None Permitted	None Permitted	6 ft. Max. (as measured from the door threshold to the top of the sign)
Sign Face Materials			Wood carved and painted; carved stone, metal with raised or applied vinyl letters; glass; or synthetic materials that are



			crafted specifically to look like one of these materials are permitted.
illumination Types			Indirect; shadow/halo

<b>(c) LIMITED DURATION SIGNS</b>			
<b>STANDARDS (all measurements in accordance with Sec. 20-3 above)</b>	<b>R</b>	<b>RA</b>	<b>RM, DV-3</b>
<b>YARD SIGN—SMALL</b>			
Total Sign Count	5 Max.		1 Max. per building; total of 5 Max. signs per common development
Total Sign Area Per Lot	30 sq. ft. Max.		30 sq. ft. Max.
Total Area Per Sign	6 sq. ft. Max.		
Total Sign Height	3 ft. Max.		
Materials (sign and supports)	Metal or wood supports; vinyl, plastic, metal, wood face		
illumination Types	Not Permitted		
Setback from R.O.W.	3 ft. Min.		
<b>YARD SIGN—LARGE</b>			
Total Sign Count			2 Max.
Location	Not Permitted		Within 100 ft. of primary vehicular entrance

Total Sign Area		12 sq. ft. Max.
Total Sign Height		6 ft. Max.
Materials (sign and supports)		Metal or wood supports; vinyl, plastic, metal, or wood face
Illumination Types		Not Permitted
Setback from R.O.W.		5 ft. Min.
<b>ENTRANCE WALL BANNER</b>		
Location	Main common development entrance only (not on individual residences)	
Total Sign Area	30 sq. ft. Max.	
Total Sign Height	Not higher than entrance wall, wall, or fence; 6 ft. Max if freestanding	
Materials (sign and supports)	Cloth or vinyl	
Illumination Types	Not Permitted	
Setback from R.O.W.	Same as entrance wall, wall, or fence if affixed on entrance wall, wall, or fence; 5 ft. Min. if freestanding	
Duration	Permitted for a duration no longer than 2 months total each calendar year	
<b><u>ANIMATED SIGN</u></b>		
<u>Location</u>	<u>Min. 10 ft. from property lines</u>	<u>Not Permitted</u>
<u>Sign Height</u>	<u>20 ft. Max., measured from the lowest to the highest point of the sign</u>	
<u>Sign Width</u>	<u>20 ft. Max.</u>	
<u>Sign Depth</u>	<u>20 ft. Max.</u>	

<u>Duration</u>	<u>Allowed for 60 consecutive days. Subsequently shall be removed and cannot be installed on the same property for 60 consecutive days after removal</u>	
<u>Installation</u>	<u>Securely anchored and installed to prevent dislocation, entanglement, encroachment onto adjacent properties or rights-of-way and to prevent creation of undue hazards for motorists or pedestrians.</u>	

(Ord. No. 2021-10-17, Att. A, 10-11-2021)

Approved:

\_\_\_\_\_  
Lynn P. Deutsch, Mayor

ATTEST:

Approved as to Form and Content:

\_\_\_\_\_  
Sharon Lowery, City Clerk (Seal)

\_\_\_\_\_  
City Attorney



# *City of* **Dunwoody** *Georgia*

## Text Amendment – Animated Signs

December 11, 2023

Packet page:...

# Animated Sign Text Amendment

- Goal: Targeted text amendment to clarify regulations on animated signs and provide standards for residential districts, while continuing to prohibit them in commercial districts
- Background – code enforcement case:
  - City received complaint on single-family property with multiple inflatables
  - Code enforcement team investigates and issues notice of violation with request to remove inflatables
  - City staff directed by city council to prepare a text amendment that provides pathway for inflatables in residential districts
  - City staff let notice of violation expire to allow for consideration of text amendment
- Planning Commission should review text amendment as general policy, not applicable to a specific property

# Challenge with Amendments to Sign Code

- Sign issues are first amendment issues; heightened scrutiny by the courts
- Okay: Time/Place/Manner restrictions
  - City can regulate the location, the duration, and the material of signs
  - City can regulate signs by zoning district
- Not okay:
  - Regulating the message of signs
  - Regulating who can place a sign (e.g., on-premise vs. off-premise)
  - Regulating the type of organization that can place a sign
  - Regulating specific dates when signs can be placed (e.g., during holidays, election season, etc.)
- Especially billboard interests can be litigious

# Current Regulations

- Sec. 20-56. - Defined sign terms
  - *Animated sign* means any sign that includes action or motion.
- Sec. 20-34. – Prohibited signs
  - (2) Animated signs, including balloons, streamers, air or gas filled figures, signs that move mechanically as a result of human activity, wherever located.



# Proposed Regulations

- Sec. 20-56. - Defined sign terms
  - *Animated sign* means any sign that moves mechanically as a result of human activity and includes balloons, streamers, and any air- or gas-filled figure, regardless of whether any portion of the figure actually moves and regardless of whether the figure contains any form, graphic, illumination, symbol or writing for visual communication.
- Sec. 20-34. – Prohibited signs
  - (2) Animated signs, including balloons, streamers, air or gas filled figures, and signs that move mechanically as a result of human activity, The term “animated signs” includes any air- or gas-filled figure regardless of whether any portion of the figure actually moves and regardless of whether the figure contains any form, graphic, illumination, symbol or writing for visual communication. Exception: Animated signs shall be allowed on a parcel located in a single-dwelling residential zoning district.
- Sec. 20-35. - Signs exempt from permit requirements.
  - (12) Animated signs in single-dwelling residential zoning districts. See applicable regulations herein below.



# Proposed Regulations

- Sec. 20-56. - Defined sign terms
  - *Animated sign* means any sign that moves mechanically as a result of human activity and includes balloons, streamers, and any air- or gas-filled figure, regardless of whether any portion of the figure actually moves and **regardless of whether the figure contains any form, graphic, illumination, symbol or writing** for visual communication.
- Sec. 20-34. – Prohibited signs
  - (2) Animated signs, including balloons, streamers, air or gas filled figures, and signs that move mechanically as a result of human activity, The term “animated signs” includes any air- or gas-filled figure regardless of whether any portion of the figure actually moves and regardless of whether the figure contains any form, graphic, illumination, symbol or writing for visual communication. Exception: Animated signs shall be allowed on a parcel located in a single-dwelling residential zoning district.
- Sec. 20-35. - Signs exempt from permit requirements.
  - (12) Animated signs in single-dwelling residential zoning districts. See applicable regulations herein below.

# Proposed Regulations

(c) LIMITED DURATION SIGNS			
STANDARDS (all measurements in accordance with Sec. 20-3 above)	R	RA	RM, DV-3
<b>ANIMATED SIGN</b>			
Location	Min. 10 ft. from property lines		Not Permitted
Sign Height	20 ft. Max., measured from the lowest to the highest point of the sign		
Sign Width	20 ft. Max.		
Sign Depth	20 ft. Max.		
Duration	Allowed for 60 consecutive days. Subsequently shall be removed and cannot be installed on the same property for 60 consecutive days after removal		
Installation	Securely anchored and installed to prevent dislocation, entanglement, encroachment onto adjacent properties or rights-of-way and to prevent creation of undue hazards for motorists or pedestrians.		

# Proposed Regulations

(c) LIMITED DURATION SIGNS			
STANDARDS (all measurements in accordance with Sec. 20-3 above)	R	RA	RM, DV-3
<b>ANIMATED SIGN</b>			
Location	Min. 10 ft. from property lines		Not Permitted
	20 ft. Max., measured from the lowest to the highest point of the sign		
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Duration	Allowed for 60 consecutive days. Subsequently shall be removed and cannot be installed on the same property for 60 consecutive days after removal		
Installation	Securely anchored and installed to prevent dislocation, entanglement, encroachment onto adjacent properties or rights-of-way and to prevent creation of undue hazards for motorists or pedestrians.		

**Time**

# Proposed Regulations

(c) LIMITED DURATION SIGNS			
STANDARDS (all measurements in accordance with Sec. 20-3 above)	R	RA	RM, DV-3
<b>ANIMATED SIGN</b>			
Location	Min. 10 ft. from property lines		Not Permitted
	20 ft. Max., measured from the lowest to the highest point of the sign		
	20 ft. Max.		
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Duration	Allowed for 60 consecutive days. Subsequently shall be removed and cannot be installed on the same property for 60 consecutive days after removal		
Installation	Securely anchored and installed to prevent dislocation, entanglement, encroachment onto adjacent properties or rights-of-way and to prevent creation of undue hazards for motorists or pedestrians.		

Place

# Proposed Regulations

Manner

(c) LIMITED DURATION SIGNS			
STANDARDS (all measurements in ft. 20-3 above)	R	RA	RM, DV-3
Location	Min. 10 ft. from property lines		Not Permitted
Sign Height	20 ft. Max., measured from the lowest to the highest point of the sign		
Sign Width	20 ft. Max.		
Sign Depth	20 ft. Max.		
Duration	Allowed for 60 consecutive days. Subsequently shall be removed and cannot be installed on the same property for 60 consecutive days after removal		
Installation	Securely anchored and installed to prevent dislocation, entanglement, encroachment onto adjacent properties or rights-of-way and to prevent creation of undue hazards for motorists or pedestrians		