

ARTICLE 6: DEVELOPMENT STANDARDS

6-1 SIGN REGULATIONS

6-1.1 General

All signs located in the Jurisdiction, with the exception of those erected by State or Federal government, are subject to the provisions of this Section. Signs under this Ordinance are treated four ways; (1) some types of signs are specifically prohibited everywhere; (2) certain signs are allowed by right and do not require permits prior to installation; (3) a third group of signs are considered to be accessory uses and may be installed provided that they meet the provisions of this Section and a permit is obtained; (4) billboards are classified as a principal use whose location is regulated by Article 4 (Zoning). Billboards have specific development standards which are listed in Section 6-4 (Development Standards for Individual Uses).

6-1.2 Prohibited Signs

Unless otherwise permitted under this Section, the following signs are prohibited in all zoning districts:

- (A) Windblown devices such as, pennants, streamers, spinners, balloons, gas-filled figures, and other similar devices, except as advertising for a temporary event or special promotion. (Permit required, see Article 3 Permits).
- (B) Animated signs, but not including electronic changeable copy signs.
- (C) Portable signs, but not including signs which cannot be read from the public right-of-way.
- (D) Signs which project over a public right-of-way, except that wall signs may project up to 18 inches over a public right-of-way in zones which permit structures to be built at the property line adjoining the street.
- (E) Signs on vehicles that are parked in a location which is visible to the public and for a period of time which indicates that the principal use of the vehicle is for advertising rather than transport.
- (F) Signs which are affixed to trees, rocks, or other natural features.
- (G) Signs of any type which imitate traffic control devices.
- (H) Signs which extend vertically above the highest portion of the roof of any structure.

6-1.3 Signs Exempt from Regulation

The following signs are exempt from regulation under this Ordinance except that lighted signs require an electrical permit.

- (A) Government signs.
- (B) Works of art with no commercial message.
- (C) Lights and decorations with no commercial message temporarily displayed on traditionally adopted civic, patriotic, or religious holidays.
- (D) Hand carried signs.
- (E) Signs located on the interior of buildings, courts, lobbies, stadiums, or other structures which are not intended to be seen from the exterior of such structures.
- (F) Signs affixed to vehicles and trailers used in the normal transport of goods or persons where the sign is

incidental and accessory to the primary use of the vehicle or trailer.

- (G) Signs affixed to windows of vehicles displaying information on the terms of sale for said vehicles.
- (H) Signs not legible from a public or private street.
- (I) Flags of the United States, North Carolina, local governmental jurisdictions, foreign nations having diplomatic relations with the United States, and any other flags adopted or sanctioned by the Jurisdiction, subject to U.S. Congressional protocol.

6-1.4 Signs That Do Not Require a Permit

The following signs are permitted in all zoning districts and may be installed without obtaining a sign permit provided that they conform to the specifications shown on Table 6-1-1.

- (A) Directional, instructional, or warning signs provided that such signs contain no commercial message except a business logo or name.
- (B) Flags, emblems, or insignia of corporate, political, professional, fraternal, civic, religious, or educational organizations.
- (C) Certain temporary signs conforming to the provisions of Table 6-1-1. Other types of temporary signs may be allowed by permit following the provisions of Tables 6-1-2 and 6-1-3. Allowed without a permit are:
 - 1) Temporary real estate and construction signs which are removed within seven (7) days of the completion of construction, or sale or lease of property.
 - 2) Temporary yard sale signs which are posted for no longer than three (3) days per sale.
 - 3) Temporary political signs located on private property which are removed within seven (7) days after the election.
- (D) Historical or memorial plaques, tablets, or markers.
- (E) Identification signs including:
 - 1) Name and address plates, including those identifying home occupations and rural family occupations.
 - 2) Directory Signs in developments with multiple occupants.
 - 3) Building Name and Address signs for buildings with multiple occupants.
 - 4) Building Markers (cornerstones or plaques).
- (F) Signs painted or attached to vending machines, gas pumps, ice machines or similar devices which indicate the contents of the machine, name or logo of supplier, the price, or operating instructions.
- (G) Information Board signs, in nonresidential districts and for institutional uses (e.g., churches, schools or cemeteries) permitted in residential zones that list activities or events which will take place on the premises where the sign is located, provided that no advertising of any type is displayed.
- (H) Window signs painted on or attached to a window.

6-1.5 Signs Requiring a Permit

All signs except those listed in Sections 6-1.3 and 6-1.4 above, shall not be installed until a permit has been obtained. The size, height and number of signs permitted is specified in Tables 6-1-2 and 6-1-3.

Table 6-1-1: Specifications for Signs Not Requiring a Permit

Type	Number Permitted	Area (sq. ft.)	Setback (ft.)	Height (ft.)	Illumination ^b
Directional Signs (All Districts)	NA	4	R/W ^a	6	indirect
Instructional and Warning Signs (All Districts)	NA	6	NA	8	direct
Window Signs (Nonresidential Districts)	maximum 25% of window area	NA	NA	NA	direct
Historical, Memorial Markers (All Districts)	1 per lot	4	R/W ^a	6	indirect
Flags, Emblems, Insignia (All Districts)	1 per lot frontage	60	R/W ^a	40	indirect
Temporary Real Estate, Yard Sale and Construction Signs (All Districts)	1 per lot frontage	6 ^d	R/W ^a	6 ^d	none
Temporary Real Estate Signs (RM and Nonresidential Districts and Major Subdivisions in RS Districts)	1 per lot frontage	100	R/W ^a	12	none
Temporary Political Signs (All Districts)	NA	6	R/W ^a	6	none
Identification Signs	1 per building	4 per unit	R/W ^a	6	indirect
Vending Machine Signs	NA	18	NA	6	direct
Information Boards (All Districts)	1 per building	50	15	8	indirect
Philosophical, Religious, Personal, Educational, or Other Noncommercial Signs (All Districts)	1 per lot frontage ^c	6	R/W ^a	6	direct
Philosophical, Religious, Personal, Educational, or Other Noncommercial Signs (RM and Nonresidential Districts and Major Subdivisions in RS Districts)	1 per lot frontage ^c	100	R/W ^a	12	direct

Footnotes:

^a Signs must be located outside public street right of way and outside any sight distance area.

^b Electrical permit required if sign is illuminated.

^c 1 per 200 linear feet of lot frontage or portion thereof.

Table 6-1-2: Specifications for Accessory Free-Standing Signs Requiring a Permit

Zoning District	Number Permitted	Area (sq. ft.)		Setback (ft.)	Height (ft.)	Area Computation
		Maximum	Minimum ^a			
PI, LO, NB	1 per lot frontage	100	25	R/W ^b	6	.25 square feet per linear feet of lot frontage
GO-M, GO-H, CP, LB, GB, HB, LI, HI	1 per lot frontage	200	50	R/W ^b	15	.50 square feet per linear feet of lot frontage
SC Development Identification Sign	1 per street frontage	300	200	10	30 ^d	# of businesses 4-15 = 200 sq. ft. 16+ = 300 sq. ft.
Outparcel Sign	1 per parcel	50	NA	R/W ^b	6	NA
Playbill Sign	1 per theater complex	200	NA	10	30 ^d	NA
Development Entrance ^c (All Zones)	1 pair per entrance	50 per sign	NA	R/W ^b	6	NA
Banners (RM and Nonresidential Districts)	1 per 500 feet of frontage	20	12	R/W ^b	20	linear frontage 0-100 = 12 sq. ft. 101-201 = + 4 sq. ft. 201-500 = +4 sq. ft.

Notes:

- 1) Free-standing signs shall be allowed only as accessories to a principal use.
- 2) All signs may be directly illuminated.
- 3) Any sign greater than six (6) feet in height shall not be located within one hundred (100) feet of any residential zone.

Footnotes:

^a "Minimum" area refers to the minimum sign size allowed by right, regardless of the size which would be allowed by computation

- ^b Signs must be located outside public street right of way and outside any sight distance area.
- ^c Permitted only in 1) major subdivisions, 2) developments over fifteen thousand (15,000) square feet of gross floor area, 3) multi-family developments with more than eight (8) dwellings units in a single building, or 4) developments with more than forty thousand (40,000) square feet in open uses of land.
- ^d Within four hundred (400) feet of an Interstate Highway the maximum height is fifty (50) feet and the maximum size may be increased by seventy-five (75) square feet.
- ^e See Section 6-1.8(C)4).

Table 6-1-3: Specifications for Accessory Attached Signs Requiring a Permit

Type	Number Permitted	Area (sq. ft.)		Height (ft.)	Area Computation
		Maximum	Minimum ^a		
Wall Signs by Zoning District					
PI, LO, NB	NA	NA	25	Top of Wall	5% of Wall Area ^{cd}
GO-M, GO-H, CP, LB	NA	NA	50	Top of Wall	7.5% of Wall Area ^{cd}
GB, HB, SC, LI, HI	NA	NA	50	Top of Wall	10% of Wall Area ^{cd}
Awning, Canopy and Marquee Signs (All Nonresidential Districts)	1 per face	NA	NA	Top of Canopy ^b	25% of the canopy, awning, or marquee face ^e
Suspended Signs (All Nonresidential Districts)	1 per entrance	6	NA	b	NA
Banners (RM and Nonresidential Districts)	1 per 500 feet of frontage	20	12	b	linear frontage 0-100 = 12 sq. ft. 101-201 = + 4 sq. ft. 201-500 = +4 sq. ft.

Note: All signs may be directly illuminated.

- ^a "Minimum" sign size refers to the minimum area allowed by right, regardless of the size which would be allowed by computation.
- ^b Nine (9) feet height to clear pedestrian walkways or fifteen (15) feet to clear vehicular drives.
- ^c Based on the first thirty (30) feet of height of the wall on which the sign is located. Buildings over thirty (30) feet in height may have additional sign area based on five (5%) percent of the wall area above thirty (30) feet in height, provided the sign is located at or near the top of the

building.

- ^d In multi-tenant buildings, the area computation shall be based on the wall area of each separate occupancy.
- ^e When the awning, canopy or marquee is attached to a multi-tenant building, the area computation for all attached signs shall be based on the area computation for the district. Any portion of this sign allocation may be affixed to the wall, awning, canopy, or marquee provided that no part of the sign projects above the top of the wall.

6-1.6 Computation of Sign Area

- (A) **Area:** The area of a sign shall be computed by means of the smallest square, circle, rectangle, triangle or combination thereof which will encompass the extreme limits of the writing, representation, emblem, or other display, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the back drop or structure against which it is placed, but not including any supporting framework, bracing, or decorative fence or wall.
- (B) **Area for Multi-faced Signs:** For multi-faced signs, the sign area shall be computed by including all sign faces visible from any one point. When two identical sign faces are placed back-to-back so that both faces cannot be viewed from any point at the same time, and when such sign faces are part of the same sign structure and are not more than forty-two (42) inches apart, the sign area shall be computed by the measurement of one of the faces.

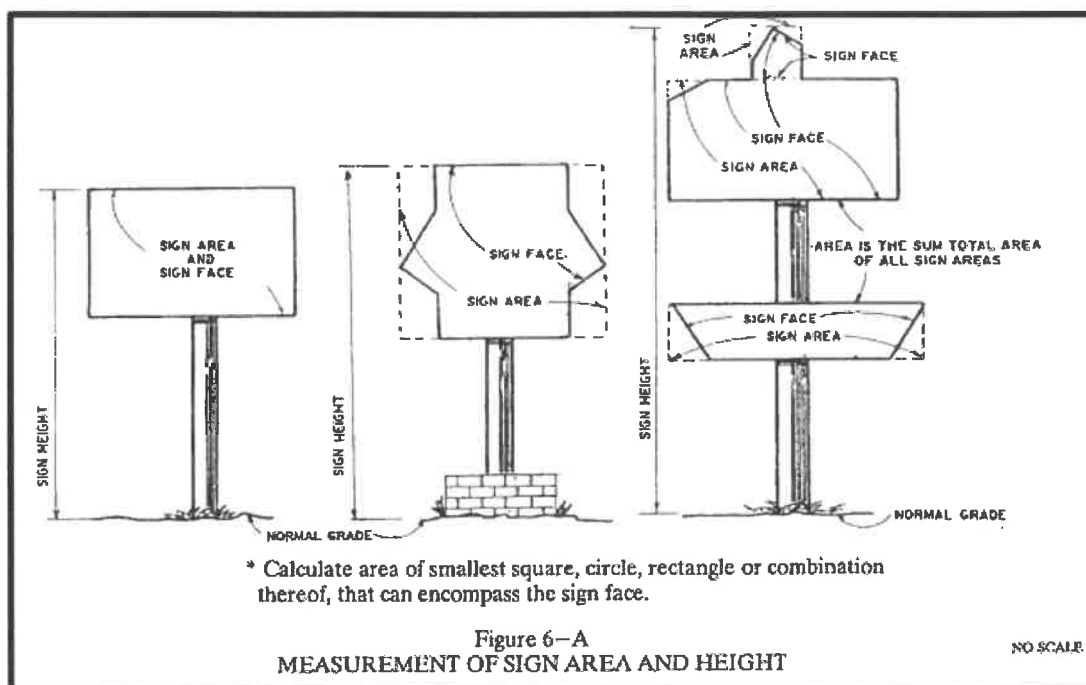


Figure 6-A: Measurement of Sign Area and Height

- (C) **Height:** Sign height shall be computed as 1) the distance from the base of the sign at finished lot grade or

2) from the nearest adjacent street grade to which the sign is oriented and the lot has frontage, whichever is higher, to the top of the highest component of the sign. Finished grade shall be the grade after construction, exclusive of any filling, berming, mounding, or excavating solely for the purpose of locating the sign.

- (D) Lots with Multi-frontage: Lots fronting on two or more streets are allowed the permitted sign area for each street frontage. The total sign area that is oriented toward a particular street, however, may not exceed the portion of the lot's total sign area that is derived from that street frontage or building frontage.

6-1.7 Location, Construction and Maintenance Specifications

All signs permitted by this Section shall be constructed and maintained in accordance with the following provisions:

- (A) Obstruction: No sign shall be erected so as to obstruct any fire escape, required exit, window, door opening, or wall opening intended as a means of ingress or egress.
- (B) Ventilation Interference: No signs shall be erected so as to interfere with any opening required for ventilation.
- (C) Above Ground Clearance: All signs shall be located in such a way that they maintain horizontal and vertical clearance from all electrical power lines and communication lines in accordance with the applicable provisions of the N.C. Life Safety Code. Further, all signs shall be located so as to avoid obstruction of pedestrian and vehicular traffic and to maintain safe sight distances at the intersection of all streets, drives and sidewalks.
- (D) Ground Clearance: All signs and their supporting structures shall maintain clearance from surface and underground utilities, conduits or easements for water, sewage, gas, electricity, or communication equipment. In addition, the placement of signs and their supporting structures shall not interfere with natural or artificial drainageways.
- (E) Interference to Warning or Instructional Sign: No sign shall be erected so as to interfere with any existing warning or instructional sign.
- (F) Permanence: Except for banners, flags, temporary signs, and window signs conforming with the requirements of this Ordinance, all signs shall be constructed of permanent materials and shall be permanently attached to the ground, a building, or another structure by direct attachment to a rigid wall, frame, or structure. Banners and flags shall be constructed of a fire-retardant material or treated to be fire retardant.
- (G) Maintenance: All signs shall be maintained in good structural condition, in compliance with all building and electrical codes and in conformance with this Ordinance at all times.
- (H) Minimum Wind Loads: All signs, except those attached flat against the wall of a building, shall be constructed to withstand minimum wind loads as specified by the N.C. State Building Code.
- (I) Other Codes: All signs shall comply with applicable provisions of the Building and the Electrical Code.

6-1.8 Master or Common Signage Plan

After the effective date of this Ordinance no permit shall be issued for an individual sign requiring a permit unless and until a Master Signage Plan or a Common Signage Plan for the lot on which the sign will be erected has been approved. A Master Signage Plan shall be prepared for developments containing a single principal building on a single lot, while a Common Signage Plan shall be prepared for developments containing more than one principal building or more than one lot.

(A) Information Required for a Master Signage Plan:

- 1) A Site Layout Plan in accordance with Appendix B(Map Standards).
- 2) Specifications for each sign in sufficient detail to determine that the height and area requirements of this Ordinance have been met.
- 3) Accurate location(s) on the Site Layout Plan for each existing and proposed sign.

(B) Common Sign Plan Information: A Common Signage Plan shall contain all of the information required above plus provisions for shared usage of freestanding and attached signs.

(C) Other Provisions

- 1) A Master or Common Signage Plan shall be a part of any development plan, site plan, planned unit development or other plan required for development and may be processed simultaneously with such plan(s) and shall be approved prior to the issuance of any sign permit.
- 2) A Master or Common Signage Plan may be amended by filing a new plan which conforms with all requirements of this Ordinance. Minor changes may be approved and noted by the Enforcement Officer on the existing plan.
- 3) After approval of a Master or Common Signage Plan, no sign shall be erected, placed, painted, or maintained except in conformance with such plan and such plan may be enforced in the same way as any other provision of this Ordinance. In case of any conflict between the provisions of such a plan and any other provision of this Ordinance, the Ordinance shall control.
- 4) An additional freestanding sign (See Figure 6-B) in excess of the general limitation of one per frontage as shown in Table 6-1-2 will be approved provided:
 - a) The lot frontage exceeds two hundred and fifty (250) linear feet.
 - b) There is sufficient excess frontage to support the request for an additional sign based on the rates in Table 6-1-2. Note that if more than one sign is requested, there is no minimum area by right, and in no case shall the maximum area for a sign exceed two hundred (200) square feet.
 - c) Each sign shall be a minimum of one hundred (100) feet from any other freestanding sign on the same zone lot and one hundred (100) feet from any other freestanding sign on an adjacent zone lot that contains more than one (1) freestanding sign

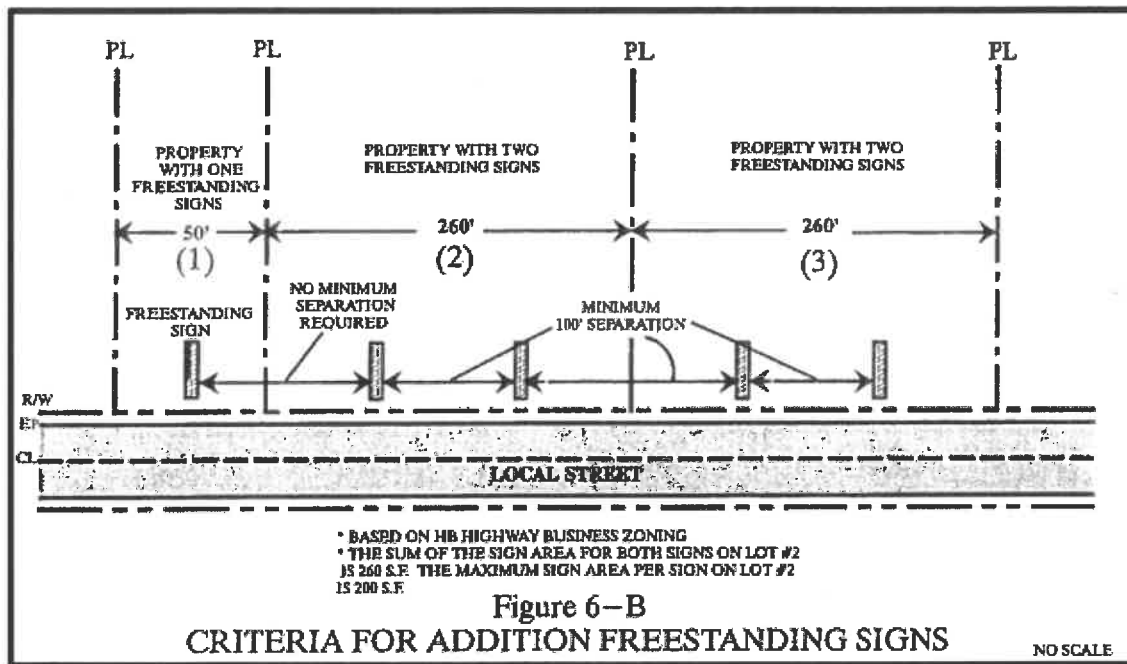


Figure 6-B: Criteria for Addition Freestanding Signs

6-1.9 Permits to Construct or Modify Signs

Signs shown as requiring a permit on Tables 6-1-2 and 6-1-3 above and billboards, shall be erected, installed, or created only in accordance with a duly issued and valid sign permit. Such permits shall be issued in accordance with the requirements and procedures of Article 3 (Permits and Procedures).

6-1.10 Sign Certificates

The owner of a lot containing signs requiring a permit under this Ordinance shall maintain a Sign Certificate or Nonconforming Sign Certificate for such sign(s). Sign Certificates and Nonconforming Sign Certificates shall be issued by the Enforcement Officer for individual signs on each zone lot.

- (A) Signs Existing on Effective Date: For any sign existing on the effective date of this Ordinance, an application for a sign Certificate must be submitted within one hundred eighty (180) days after the effective date of this Ordinance. Signs which are the subject of permit applications received after this one hundred and eighty (180) day grace period shall be subject to all terms and conditions of this Ordinance and shall not be entitled to protection as nonconforming signs unless the sign has a Sign Certificate.
- 1) A sign that is (1) prohibited or (2) is allowed without a permit but does not comply with this Section, and was in existence on July 1, 1998 shall either be removed or brought into compliance with this Section by July 1, 1999.
 - 2) A sign that would be allowed by this Section only with a sign permit, and was legally in existence on July 1, 1998, and was constructed in accordance with the applicable laws and ordinances in effect on the date of construction, but by reason of its size, height, location, design, or construction is not in conformance with the requirements of this Section, shall be issued a Nonconforming Sign Certificate if applications are filed on or before July 1, 1999. If a property contains a greater number of legally erected signs than would be permitted by this Section, then such signs shall be entitled to Nonconforming Sign Certificates if applications are filed on or before July 1, 1999.

- a) A Nonconforming Sign Certificate shall allow the sign to remain in place and be maintained indefinitely as a legal nonconforming sign subject to compliance with the following:
 - i) Normal maintenance of such sign shall be allowed including changing of copy, nonstructural repairs such as repainting or electrical repairs, and incidental alterations which do not increase the degree or extent of the nonconformity.
 - ii) No structural alteration, enlargement or extension of such sign shall be allowed.
 - iii) No relocation of such sign upon the premises shall be allowed.
 - iv) If damage to such sign from any cause is less than fifty (50%) percent of either the original or replacement value, whichever is less, the sign may be rebuilt or repaired to its original condition in its original location and may continue to be displayed.
- b) The application for a Nonconforming Sign Certificate may include multiple signs on the same zone lot and shall contain the following:
 - i) A color print showing the entire sign(s) including any supporting framework;
 - ii) Dimensions of the sign(s) including length, width, height, and area in square feet;
 - iii) An elevation drawing with dimensions of the facade or wall area showing the location of any attached sign(s) in approximate scale; and
 - iv) A site plan showing the location of all signs on the same zone lot including any setback or spacing measurements, if appropriate.

This information shall be certified as to its accuracy and completeness by the owner and/or occupant, whoever is in control of the sign(s).

- 3) A sign that would be allowed by this Section only with a sign permit and was in existence on July 1, 1998, but does not have a Nonconforming Sign Certificate shall either be removed or brought into compliance with this Section by July 1, 2003.
 - 4) A sign that would be allowed by this Section only with a sign permit and was in existence on July 1, 1998, and is in compliance with all provisions of the Section but does not have a Sign Certificate may be issued a Sign Certificate upon application to the Enforcement Officer.
- (B) Signs Erected after Effective Date: For signs erected after the effective date of this Ordinance, a Sign Certificate shall be issued after approval of all inspections.
- (C) Lapse of Sign Certificate or Nonconforming Sign Certificate: A Nonconforming Sign Certificate shall lapse automatically, and the nonconforming sign shall be brought into compliance with this Section or removed if one of the following occurs:
- 1) If such sign is damaged from any cause to an extent of fifty (50%) or more of either the original or replacement value, whichever is less;
 - 2) If there is a change in the sign such that a sign or electrical permit is required; or
 - 3) If the business activity on the premises is discontinued for a period of ninety (90) days or more.
- (D) Assignment of Sign Certificate: A current and valid Sign Certificate or Non-conforming Sign Certificate shall be freely assignable to a successor as owner of the property or holder of a business license for the same premises, subject only to filing such application as the Planning Department may require. The assignment shall be accomplished by filing and shall not require approval.

- (E) Map Amendment or Text Amendment: Any sign that is made nonconforming by reason of zoning map amendment or any subsequent amendment to the text of this Section, shall be removed or brought into compliance as provided in Section 6-1.10(A) (Signs Existing on the Effective Date).

6-1.11 Compliance with the Ordinance

- (A) Removal of Signs: A sign for which a Certificate has lapsed, or has been revoked, or for which the time allowed for the continuance of a nonconforming sign has expired, shall be removed.
- (B) Signs in Right-of-Way: Any sign installed or placed on public property or rights-of-way, except in compliance with this Section or under an encroachment agreement with the North Carolina Department of Transportation, shall be forfeited to the public and be subject to confiscation.
- (C) Obsolete Signs: Any sign which advertises a business no longer conducted on the premises shall be removed within ninety (90) days of cessation of such business.
- (D) Unsafe Signs: Any sign which is unsafe or insecure, or is a menace to the public shall be removed after due notice by the Enforcement Officer has been given.
- (E) Deteriorated or Abandoned Signs: Any sign which has been abandoned or which has not been properly maintained, to include cleaning and painting of painted surfaces and replacement of damaged parts, shall be removed after due notice by the Enforcement Officer has been given.
- (F) Signs Installed without Permit: Any sign which has been installed in violation of the N.C. Building Code or in violation of this Ordinance shall be removed after due notice by the Enforcement Officer has been given.