

Signs ¹

Findings, Purpose, and Intent: ²

A. Findings: The Unionville Town Board Finds:^{3 4}

- i. Unregulated, improperly located, and improperly maintained signage obstructs views, distract motorists and pedestrians, displace alternative uses for land, and creates public safety hazards for the (town/county);
- ii. Signs do serve a legitimate public service that complement and support trade, tourism, and investment within the (town/county);
- iii. There is a need to preserve the right of free speech and expression while enforcing content neutral regulations designed to address the public health, safety, and general welfare of residents as well as preserve the overall community aesthetic;
- iv. There is a need to promote the reasonable, orderly, and effective display of permitted signs, colors utilized, displays, and devices while promoting the economic well-being and appearance of the (local government name here) by creating a favorable physical image; and
- v. There is a need to protect the public welfare as well as land values by preserving the aesthetic and historic qualities of the (local government name here) with the administration, implementation, and enforcement of content neutral sign regulations.

B. Purpose: Purpose: The purpose of this Section is to regulate the size, color, illumination, movement, materials, location, height, and condition of all signs thereby ensuring the protection of property values, the creation of a convenient, attractive, and harmonious community while encouraging appropriate economic development.

C. Intent: The intent of these sign regulations is found by the Unionville Town Board to be necessary and appropriate to:

¹ As a reminder, NFOCUS Staff along with other professional planners throughout the State, rely on the Supreme Court's unanimous view that governments may regulate signs provided those regulations are content neutral (i.e., we are only regulating construction, size of message, height, display, and location). Refer to *City of Ladue v. Gilleo*, *Central Hudson Gas and Electric v. Public Service Commission*, *Ward v. Roch Against Racism*, *Kovacs v. Cooper*, *Metromedia Inc. v. City of San Diego*, and *Reidt v. Gilbert*.

² Current sign regulations are located in Article 17 of the current code.

³ By establishing general findings on the need for regulation, a community is establishing the legal framework justifying the adoption of sign regulations. As a general reminder, regulations are intended to address the location, construction, height, and display of signage. These regulations are not intended to regulate the message.

⁴ Current regulations, as contained in Article 17, do not 'spell out' the overall purpose/intent of sign regulations. NFOCUS is changing this.

- i. Encourage the effective use of signs as a means of visual communication while promoting a positive community appearance and aesthetic for the enjoyment of all residents;
 - ii. Promote signs that are compatible with the use of the property to which they are appurtenant, landscape and architecture of surrounding buildings, are legible and appropriate to the activity to which they pertain, are not distracting to motorists, and are constructed and maintained in a structurally sound and attractive condition;
 - iii. Protect the public from damage or injury attributable to distractions and/or obstructions caused by improperly designed or located signs; and
 - iv. Protect existing property values in both residential and nonresidential areas.
- D. This Section shall be interpreted in a manner consistent with the First Amendment guarantee of free speech. If any provision of this article is found by a court of competent jurisdiction to be invalid, such finding must not affect the validity of other provisions of this article which can be given effect without the invalid provision. ⁵
- E. These regulations do not entirely eliminate all of the harms that may be created by the installation and display of signage. Rather, they strike an appropriate balance that preserves ample channels of communication by means of visual display while still reducing and mitigating the extent of the harms that can be caused by signs.
- F. **Outdoor Advertising:**⁶ The provisions of this Article establish standards and review criteria relating to the location, erection, maintenance, lighting, setbacks, and use of signs. This includes regulations pertaining to outdoor advertising (i.e., Billboards).

The regulation and permitting of outdoor advertising are also subject to State requirements, including the State Outdoor Advertising Control Act, and Federal requirements. In cases where there is a conflict between (town or county) regulations and State or Federal regulations, relating to the location, erection, maintenance, lighting, setbacks and use of outdoor advertising signage, the corresponding State or Federal law shall take precedent.⁷

In cases where there is no applicable State/Federal standard, then existing (name of local government here) regulations shall be enforced.

⁵ This section may be deemed unnecessary given the Ordinance's existing severability clause. Language is being inserted, however, for consideration and general discussion. NFOCUS Staff will review with your local Attorney.

⁶ This replaces 'off-premise signs' as currently contained in Section 278 (A) of the current ordinance. Currently, they are permitted in the HC general use zoning district. NFOCUS will be maintaining this allowance moving forward to avoid creating nonconformities.

⁷ As a general reminder, State and Federal law will preempt units of local government with respect to the regulation of billboards. It is nevertheless important to reference this 'preemption' as part of the overall Ordinance.

Outdoor Advertising shall be permitted in accordance with the provisions of this Ordinance.

Applicability

The provisions of this Article apply to all signs erected, affixed, placed, painted or otherwise established within the (local government name here), except as otherwise provided herein.

- A. Signs are allowed only as an accessory use or structure to a principal use unless as noted herein. The selling or leasing space on a sign is not classified as an accessory use of the property.
 - i. Outdoor advertising is permitted subject to the standards denoted in accordance with Section _____ (section reference identified once final section organization is established) of this Ordinance.
- B. Signage is classified as follows:
 - i. Prohibited: Refers to signs that are not permitted for placement or display within (name of jurisdiction). Signs specifically prohibited in Section _____ shall not be erected within (community name here).⁸
 - ii. Authorized: Refers to signs authorized in designated districts subject to compliance with established standards. Signs not complying with established standards are deemed not to be authorized and therefore prohibited.⁹
 - iii. Permitted: Refers to signs allowed in specified districts subject to the submittal, review, and approval of a sign permit issued in accordance with the provisions of this Ordinance.¹⁰

Any sign that is not expressly allowed under this Section, or under a specific state or federal law, is prohibited.

- C. To the extent allowed by federal or state law, this Section shall apply to the (local government name here) and any other governmental entities with land or facilities in the (local government name here).

General Standards:

The general standards herein are applicable to all signs:

- A. No person shall erect or maintain a sign, and no property owner shall allow a sign to be erected or maintained on their property except in conformity with these regulations.

⁸ Replaces Section 284 (Miscellaneous Restrictions and Prohibitions).

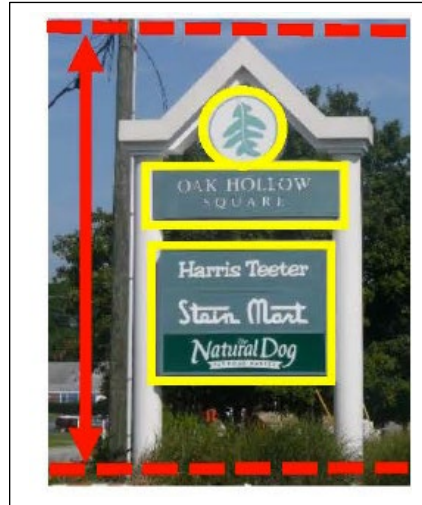
⁹ Replacing Section(s) 271, 272 and 284. Current regulations addresses 'authorized' or 'permitted signage without permits' in 2 different sections. We are consolidating regulations into a single section.

¹⁰ Signage that requires the review and approval of a sign permit.

B. Rules of Interpretation, Measurement and Definitions.¹¹

i. Sign Height: Sign Height shall be computed as follows:

- a. The distance from the elevation of the finished grade at the base of the sign to the top of its highest component including



- b. Finished grade shall be the grade after construction.
- c. Filling, berming, or mounding for the sole purpose of elevating the sign's finished grade will be counted toward the sign height.

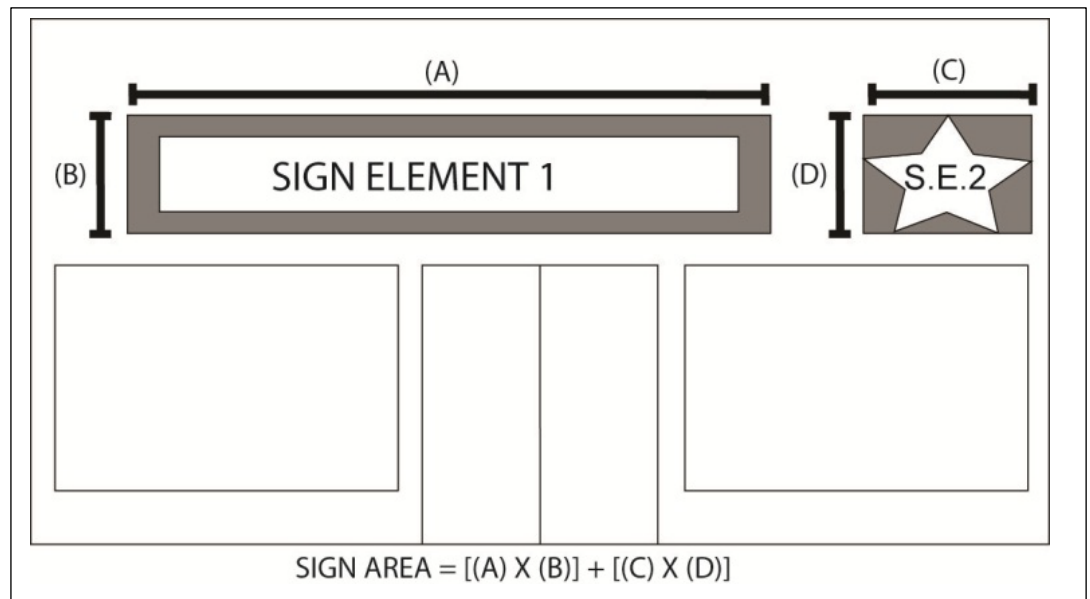
ii. Sign Area: A sign area shall be computed as follows:

- a. Measuring the smallest square, circle, rectangle, triangle, or combination thereof which encompasses the extreme limits of the writing, representation, emblem, or other display;



All three of these signs would have the same size sign face, as measured by the smallest rectangle encompassing the outer limits

¹¹ Current regulations do not 'spell out' how sign area is measured/determined very well. NFOCUS is addressing this with these standards.



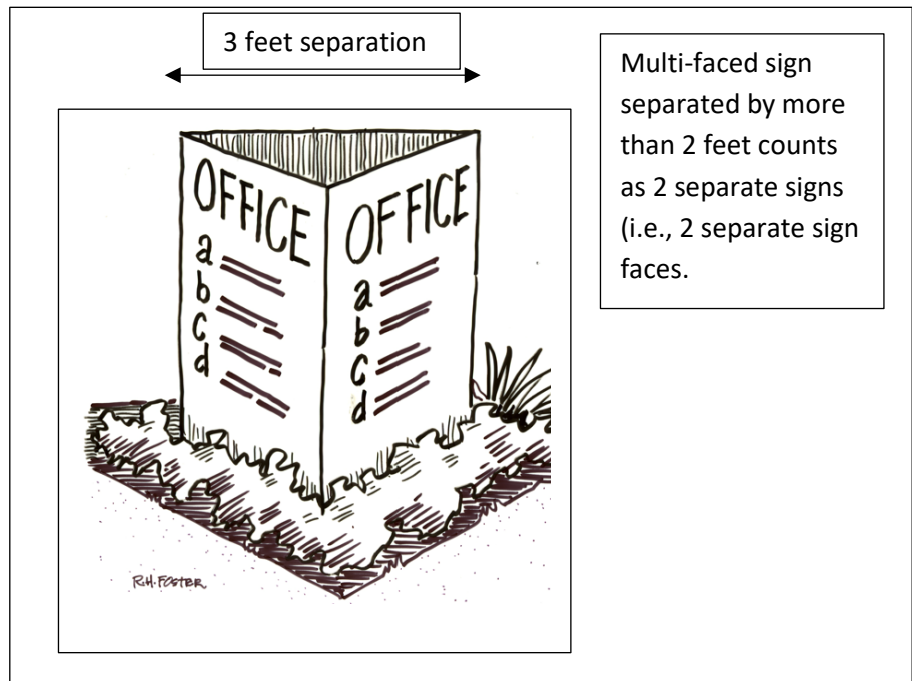
- b. Including in the measurement any material or color forming an integral part of the background of the sign copy or background color used to differentiate the sign copy from the structure against which it is placed; however this does not include a color used predominantly on the building facade that is not intended solely to call attention to the sign.



15' 2' Lee's Sporting 2' Goods 7' Square Feet of Building Sign without Background $(2' \times 15') + (2' \times 7') = 44$ square feet	17' 8' Lee's Sporting Goods Square Feet of Building Sign with Background $8' \times 17' = 136$ square feet
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- iii. Signage shall be prohibited within any sight distance triangle as noted in Article 6 of this Ordinance.
- iv. Sign Area – Multi-faced Signs: Sign area of a multi-faced sign shall be computed as follows:
 - a. When sign faces on the same structure are placed back-to-back no more than 2 feet apart, and no portion of either sign face is visible from any point at the same time, the sign area shall be computed by measuring the sign area of only one of the sign faces. If the sign faces of a multi-faced sign are of unequal sign area, computation of sign area shall be based on the sign face with the largest sign area.
 - b. If the sign face on a multi-face sign does not meet the above conditions, all sign area of the sign faces shall be added together to compute the total sign area.



- C. **Compliance with Codes.** All signs shall comply with the applicable provisions of the State Building Code, including applicable electrical code requirements. A sign which is installed in violation of the State Building Code or in violation of this Section is an prohibited sign and subject to enforcement action by the (unit of local government here) in accordance with Article _____ Enforcement of this Ordinance.
- D. **Permits.** All signs, except signs subject to Section _____ Authorized Signs of this Ordinance, are required to have a sign permit.
- F. **Sign Variance.** Only standards pertaining to sign height and location may be modified by approval of a variance in accordance with Section _____ Variance of the Development Ordinance. No other standards may be modified through a variance.¹²
- G. **Nonconforming Signs and Uses**
- i. Nonconforming signs shall be subject to the requirements in Section _____, Nonconforming Signs.
 - ii. New signs for a nonconforming use shall be permitted provided the signs comply with the standards in this Section.

¹² I am not of the opinion a unit of local government can modify permitted sign area, as this technically constitutes a use variance (not permitted) and there is no unique hardship with respect to complying with established sign size limitations.

H. Removal or Modification of Signs

- i. **Temporary Uses.** Signs for temporary uses permitted in accordance with Section _____, shall be removed at the expiration of the permitted time limit indicated on the zoning compliance permit.

- ii. **Cessation of Use** ¹³

- a. A nonconforming sign for a use that has ceased shall be removed in accordance with Section _____ Nonconforming Signs.

- b. A conforming sign for a use that has ceased shall be removed within 60 days of the use's cessation with the removal of the sign or sign panel advertising the land use. When a sign panel is removed, it shall be replaced with a blank opaque panel that fits within the existing frame. Sign letters shall be removed in their entirety.

- c. **Demolished Buildings.** The following shall apply to signs located on a parcel where the building housing a lang use is being or is slated to be removed:

- i. When a permit is issued for demolition or removal of a building or structure, any freestanding sign associated with the building or structure and its supporting structure shall be removed concurrently with the demolition or removal of the buildings and structures, unless there is a valid approved site plan for a new use prior to the building demolition or removal and the existing sign is a conforming sign.

- ii. After the effective date of this Section, any sign that remains on a property after a building has been demolished or removed thereon, and there is no valid site plan, shall be considered illegal and shall be subject to removal in accordance with the Ordinance.

- d. This Section shall not apply to Outdoor Advertising signs, which shall comply with the provisions of Section _____ Non-conforming Outdoor Advertising Signs of this Ordinance.

- J. **Removal of Unsafe Signs.** Signs determined by the (unit of local government) to be unsafe to the public shall be removed or remedied in accordance with Article _____ Enforcement of this Ordinance. If a sign poses an immediate danger, as determined by the (unit of local government),

¹³ NFOCUS Staff understand this section creates an enforcement problem for units of local government. This model sign ordinance provides the option for applicable standards to solicit feedback from the jurisdiction on how they wish to address abandoned signage.

the sign, or the parts of it posing a danger shall be remedied or removed in accordance with **Article _____ Enforcement of this Ordinance**.

K. Poorly Maintained Signs

- i. A sign shall be maintained in good structural condition, in compliance with the State Building Code, and in conformance with this Section.
- ii. A sign which is not properly maintained, including but not limited to: cleaning, painting surfaces and letters, removal of rust and rotted wood and replacement of damaged parts and non-working illumination, shall be remedied in accordance with **Article _____ : Enforcement of this Ordinance**.

- L. Historic Properties.** No freestanding or attached sign shall be located outside of the right-of-way and on the premises of a (county name here is appropriate) Landmark Property or within a Local Historic Overlay district without a certificate of appropriateness prior to issuance of a sign permit.

Installation and Design

A sign shall be designed, constructed, and maintained in accordance with the following standards:

- A. Consent of Owner.** A sign may not be placed on private property without the consent of the landowner or occupant.

B. Obstructions

1. No sign shall be erected or maintained in a manner that obstructs visibility for motorists at any street intersection in accordance with the standards in Section _____ of this Ordinance.
2. No sign shall interfere with or obstruct pedestrian traffic.
3. A sign shall not obstruct a fire escape, required exit, window, door opening, or wall opening intended as a means of ingress or egress.
4. Placement of a sign and its supporting structure shall not interfere with natural or artificial drainageways.
5. No sign shall be erected or maintained that covers a doorway or window, other than a window sign permitted in accordance with this Section.

- C. Permanence.** All signs, except A-frame signs, announcement signs, construction signs, flags, inflatable signs, pennants, real estate signs, temporary banner signs, weekend signs, and window signs, shall be constructed of permanent materials and shall be permanently attached to the ground or building.

D. Projections into the Right-of-Way and Travel Way

1. Signs shall be located at least 9 feet above sidewalks and other pedestrian ways and 15 feet above vehicular drives and parking spaces.

2. No part of a sign may be closer than 5 feet to a curb or 15 feet from street pavement as measured horizontally from the curb/street pavement to the sign.

COMMENTARY: *No sign shall be located within public or private road right-of-way used regardless of the provisions noted herein.*

E. Utility Clearance

1. A sign shall be located in such a way that it maintains horizontal and vertical clearance from all existing or planned electrical power lines and communication lines in accordance with the applicable provisions of the National Electrical Safety Code (NESC).
2. A sign and its supporting structure shall maintain clearance from surface and underground utilities, conduits or equipment or lines for water, sewage, gas, electricity, or communication equipment. Signs or supports located within utility easements shall receive written authorization from the easement holder. The (unit of local government) shall not be responsible for damage to, or the repair or replacement of, signs or supports that must be removed to access such easements.

F. Ventilation Interference. A sign shall not be erected so as to interfere with an opening required for ventilation.

G. Warning Interference. A sign shall not be erected so as to interfere with any existing sign warning of a hazardous or potentially hazardous condition, such as a buried gas line or power cable.

H. Wind Loads. All signs, except A-frame signs, announcement signs, construction signs, flags, inflatable signs, pennants, real estate signs, temporary banner signs, weekend signs, and window signs, shall be constructed to withstand minimum wind loads in accordance with the State Building Code.

Illumination Standards

A. General Illumination Standards

1. Non-residential districts: All signs erected in a non-residential district shall be internally illuminated.
2. Residential districts: Signage can be either internally or externally illuminated. In the case of externally illuminated signage, the following standards shall apply:
 - a. Light sources to illuminate signs shall be located, angled, shielded, and limited in intensity so as not to cast substantial light (spillover) upon an adjacent property or create a visual safety hazard to vehicles and pedestrians.
 - b. Illumination of signs shall be by a steady stationary light source.

- c. Lights shall only produce a white light.
- 3. Support structures shall not be internally illuminated or have light reflecting panels.

Prohibited Signs:¹⁴

Unless otherwise allowed under this Section, the following signs are expressly prohibited from being located within the (name of jurisdiction)

- A. Air-blown signs/devices;
- B. Animated signs, except electronic changeable copy signs as allowed in Section _____ Electronic Sign Standards;
- C. Flashing signs;
- D. Mechanically moving signs;
- E. Trailer and/or vehicle signs;
- F. Windblown signs, except pennants as allowed in Section _____ Limited Duration Signs;
- G. Snipe Signs;
- H. Portable Signs, except as specifically permitted within this Article;
- I. Signs attached to the roofs of buildings or are otherwise located above the roofs of buildings or are part of the roofing finish and/or materials. Refer to Section _____ for more information;
- J. Signs that imitate a traffic control device;
- K. Signs attached, painted, pasted, stapled, taped or otherwise affixed to light fixtures, curbs, sidewalks, gutters, streets, utility poles, public buildings, fences, railings, utility poles, utility box or pedestal, hydrants, bridges, bus stop shelter, planter, benches, refuse container, or trees except those signs erected by or on behalf of a utility or governmental entity;
- L. Signs which prevent the free ingress to or egress from any door, window, or fire escape;
- M. Signs erected or displayed on or over public street rights-of-way, other than those erected by governmental agencies or for which appropriate encroachment agreements have been executed pursuant to this Ordinance. Signs specifically protected by the provisions of NC General Statute 136-32(b) are not prohibited, provided the requirements of 136-32(b) are met; and
- N. Signs projected onto a surface by using lights.

¹⁴ Again, this replaces Section 284 of the current ordinance.

Authorized Signs:^{15 16}

A. Certain signs are allowed without a permit in accordance with this Section and the following specific standards:

Sign Type		Zoning District	Use Type	Max Number	Max Area (in square feet)	Max Height (in feet)	Illumination Method	Additional Standards
Announcement	Freestanding	All Districts	N/A	Refer to subsection (C) herein,	6	4	None Permitted	Refer to subsection (C) herein
	Attached					N/A		
Building Marker (address signs)		All Districts	N/A	1 per building or mailbox	6	N/A	None Permitted	N/A
Directional or Safety	Freestanding	All Districts	N/A	Refer to subsection (C) herein,	4	4	Internal – Non Residential None Residential	Refer to subsection (C) herein
	Attached					N/A		
Flags (Freestanding or Attached)		All Districts	Residential (not including multi-family)	1 pole per lot (Max 3 flags)	Refer to subsection (C) herein		External	Refer to subsection (C) herein
			Non-residential (including multi-family)	3 poles per street frontage (Max 3 flags per pole)	Refer to subsection (C) herein			
Historical or Memorial (freestanding or attached)		All Districts	N/A	1 per parcel	16	12	External	N/A
Instructional/Directory Signage		Non-residential Districts	Multi-use projects with more than 3 individual tenants	1 per property near parking of central building area.	24	6	None	Refer to subsection (C) herein.
Menu Boards (freestanding or attached)		Non-residential Districts	N/A	1 per drive through or drive	24	8	Internal	Refer to subsection (C) herein

¹⁵ NFOCUS is taking existing standards and placing them in a central table format for ease of use.

¹⁶ Replaces what is in Section(s) 271 and 272.

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Sign Type		Zoning District	Use Type	Max Number	Max Area (in square feet)	Max Height (in feet)	Illumination Method	Additional Standards
Mural (attached)		Non-residential Districts	N/A	1 on side or rear façade	N/A	N/A	None	Refer to subsection (C) herein
Real Estate or Construction	Freestanding	All Districts	Residential (not including multi-family)	1 per street frontage	16	6	None	Refer to subsection (C) herein
	Attached		Non-residential (including multi-family)	1 per street frontage 1 per building	32 for non-residential land uses 16 for multi-family land uses	8		
Vending and/or Automated Teller Machines (ATM) – Attached		Non-residential	N/A	1 per side of device	See Additional Standards	N/A	None	Refer to subsection (C) herein
Window (Attached)		Non-residential	N/A	25% of window or door area can be covered by signage		N/A	None	Refer to subsection (C) herein

B. Other Authorized Signs – Not Subject to Additional Standards:

1. Signs erected by, or on behalf of, a government or judicial body carrying out required public duties including, but not limited to, traffic control devices, legal notices, official notices or advertisements. Traffic control devices shall be erected in accordance with applicable federal, state, and local standards;
2. Lights and decorations that are temporarily displayed on dates around holidays;
3. Hand carried signs;
4. Fence-wrap signs: Signs affixed to fences surrounding a construction site in accordance with NCGS 160D-908.¹⁷
5. Signs affixed to a vehicle where the vehicle is used on a regular basis for the normal transport of goods or persons and not moored or otherwise parked on a parcel of property for advertising purposes;

¹⁷ Unionville cannot regulate per current State law.

- i. Work vehicles parked on-site during development projects or driven home by owner/operator/employee shall fall into this category as well.
6. Signs not legible from a street or another zone lot. For purposes of this allowance, non-legible signage shall be deemed as having lettering or other advertising material not exceeding 8 inches in height;
7. Signs painted on an active public water tower, with permission of the tower operator;
8. Signs on the interior of a building, courtyard, athletic field, or other building or structure which are not designed or oriented in a manner to be legible from the exterior of the building or structure;
9. Signs applied to an umbrella.

COMMENTARY: *Grave markers shall not be classified as a sign and shall not be regulated in accordance with the provisions of this Article.*¹⁸

C. Specific Standards for Authorized Signs. The following are specific standards for Authorized Signs without a sign permit in accordance with the Table contained in subsection (A) herein:

1. Announcement: Announcement signs shall comply with the following standards:¹⁹
 - i. Signs shall only be erected by the property owner, or a non-residential building tenant with the property owner's permission, on the subject property. No off-site Announcement Signs shall be permitted.
 1. For a residential land use, there is a max limit of 3 Announcement Signs at any one time.
 2. For a parcel with a multi-tenant non-residential land use, there is a max limit of 4 Announcement Signs at any one time.

¹⁸ Specific language design to ensure we do not inadvertently regulate grave markers as signage.

¹⁹ An announcement sign would include political signs or any other 'announcement' associated with the activity conducted on the subject parcel. Announcement Signs include: garage sales, yard sales and the like. By always allowing an 'announcement sign', the community adopting this Sign Code does not have to list the multiple types of signage allowed and eliminates the risk of being accused of regulating signs by content. Through these provisions, person can post a notice of a birth, a special birthday, an anniversary, a wedding or other important event or choose to use the sign for other purposes entirely without any restriction being imposed on its content thereby ensuring a local governments compliance with Reed v. Gilbert.

3. For a parcel with multi-tenant residential land uses, Announcement Signs shall only be placed on individual tenant space with the permission of the property owner.²⁰
 - ii. No Announcement Sign shall be placed on public property, within medians, traffic islands, or any other land within the public right-of-way, or on private property not owned or leased by the individual placing the sign;
 - iii. Signs shall observe a minimum separation of 20 feet per sign;
 - iv. It shall be located a minimum 6 feet from the back of curb or a minimum of 30 feet from the edge of pavement where no curb exists;
 - v. It shall not interfere with or obstruct pedestrian or vehicular traffic, or obstruct safe sight distances at intersections or driveway entrances; and
 - vi. It shall not be anchored to the sidewalk or affixed to a pole, traffic control box, or other structure or appurtenance in the public right-of-way.
2. Directional/Safety:
 - i. In General:
 1. Warning and security signs, including signs placed by a public utility or a unit of government for the safety, welfare, or convenience of the public, including, but not limited to signs identifying fire department connections or high voltage, public telephone, or underground cables and/or gas pipe lines shall be permitted at a size consistent with applicable local, State, or Federal law.²¹
 - a. Signs erected under this provision are not bound by any sign number limits detailed herein.
 - ii. Residential:
 1. Signs erected in accordance with NC General Statute 14-159.7 shall be erected in accordance with State standards.²²
 2. All other types of directional/safety signage shall be limited to a maximum of 3 signs per parcel.
 - iii. Non-residential:

²⁰ Units of local government can impose reasonable sign number limits. While it is possible a multi-tenant land use may have more than 4 tenants, it will be the responsibility of the owner/operator to police without local government involvement.

²¹ In many instances there are guidelines associated with the posting of these types of signage units of local government are not permitted to regulate.

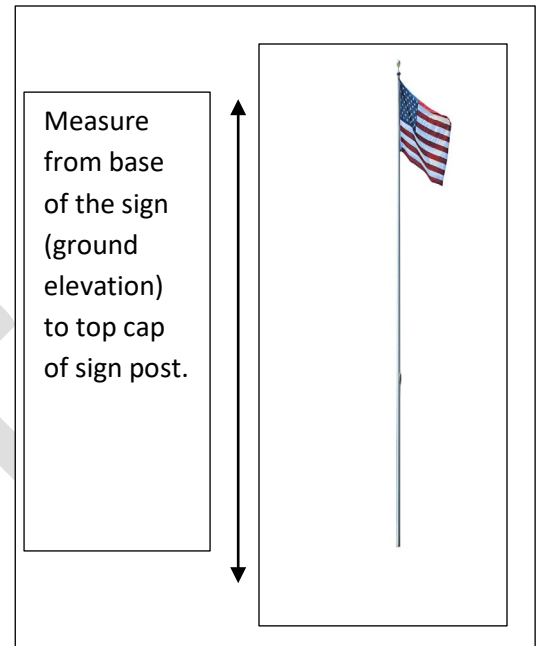
²² This would include no trespassing, no hunting, no fishing, etc.

1. No sign shall obstruct site visibility for motorists or impede traffic and/or pedestrian safety;
 2. Square footage limits include placement of a logo on the directional/safety sign;
 3. Shall be limited to no more than 6 non-warning/security signs per parcel;
 - a. Handicapped parking placards shall abide by State Building Code for required language and size including required number;
 4. No off-site advertising or directional signage directing motorists or pedestrians to off-site activities shall be permitted.
3. Flags: All flags shall comply with the following standards:
- i. Consistent with NCGS 144-7, Unionville shall not regulate the size of the flag of the United States of America or the flag of the State of North Carolina unless an evaluation of, and written findings of fact, documenting the public health, safety, and welfare concerns justifying enforcement of flag size limits on a particular property.

If a traffic-based justification is asserted concerning such flag on a particular property, a site study conducted by the Department of Transportation shall be performed to evaluate whether traffic concerns will arise with manner or placement of the display of such flag at a particular location, and such flag shall only be prohibited if the Department of Transportation determines traffic concerns would in fact arise
 - ii. The installation of a flagpole may be subject to a permit, in accordance with the State Building Code;
 - iii. Flagpoles attached to buildings shall be mounted on the facade of the building using a flagpole bracket. The flagpole shall not extend above the roof eave or building parapet of the building on which the flagpole is attached;
 - iv. Maximum dimensions of any flag shall be proportional to the flagpole height. The hoist side of the flag shall not exceed 20% of the vertical height of the pole consistent with the following dimensional limitations;²³

²³ NFOCUS will have to ensure consistency with recent State law changes.

Pole Height (in feet)	Max Flag Size (in square feet):
Up to 25 feet	24
Over 25 feet to 30 feet	28
Over 30 feet to 35 feet	40
Over 35 feet to 40 feet	60
Over 40 feet to 50 feet	98
Over 50 feet to 60 feet	216



v. Residential districts shall be limited to a flagpole height of 50 feet.

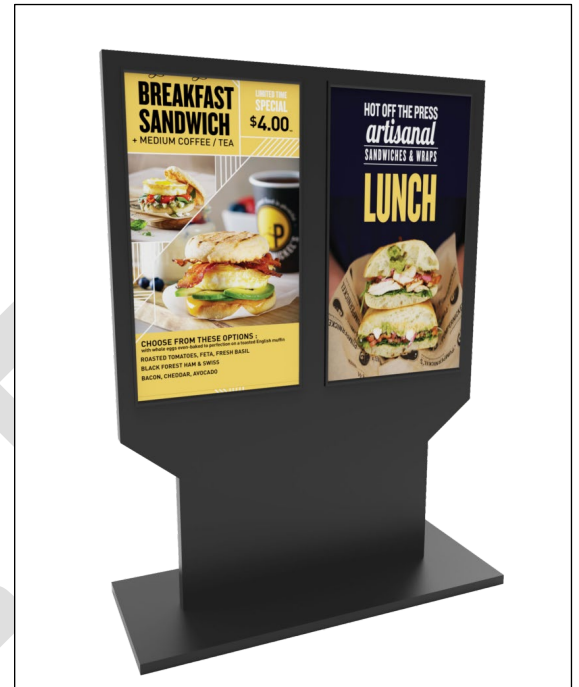
4. Instructional/Directory Signs:

- i. Any commercial message or logo contained in the sign shall not be legible from internal/external public roadway or neighboring properties.
- ii. Shall only identify land uses on the parcel.
- iii. Internal illumination only.



5. Menu Boards: A menu board sign at a drive-through or drive-up facility shall comply with the following standards:

- i. Located in proximity to the drive-through or drive-up speaker or service window from which an order is placed or where assistance is needed;
- ii. It shall not be legible from any location other than the property on which the menu board is located and shall consist of letters not exceeding 8 inches in height; and
- iii. The back of the menu board shall be blank.



6. Mural: A mural shall comply with the following standards:

- i. It shall be permitted on only one (1) facade of a structure;
- ii. It shall be maintained in good condition and repaired in case of vandalism or accidental destruction or be painted over to match the building;
- iii. It shall be applied using weather-resistant paint;
- iv. It shall not be painted on or obscure windows or doors;
- v. Nothing in this section shall prevent someone who installs a mural from incorporating their name or other identifying information as part of the mural; and
- vi. If any portion of the mural contains a commercial message, a sign permit shall be required for that portion, and the area of the commercial message shall be counted toward the maximum permitted sign area for wall signs.

7. Real Estate/Construction: Real Estate and/or Construction signs shall comply with the following standards:

- i. In General:
 1. Signs shall not be placed within any public right-of-way.
 2. Signs shall be removed within 30 days of the property being transferred (i.e., sold or leased/rented).
 3. No illumination shall be permitted.

8. Vending/ATM: Shall not be legible from any location other than the property on which the sign is located and shall consist of advertising material not exceeding 8 inches in height.



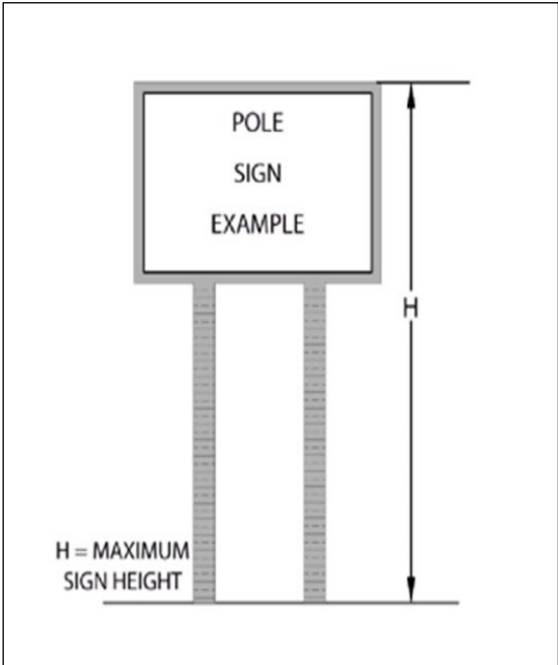
9. Window: There shall be a cumulative coverage limit of 25% for all windows and door areas combined for non-residential structures.



Permitted Signs: ²⁴

²⁴ NFOCUS is looking to the Staff and Planning Board to approve formatting before we get into specific sign standards (i.e., setbacks and allowed sign area).

A. Freestanding (Pole) sign:

1. Sign Type	2. Standards:
a. Where Permitted: Non-residential zoning districts (general and conditional). b. Allowable Display Area: 0.75 sq.ft. of sign area per 1 linear foot of property frontage capped at 96 sq.ft. of sign area. This is a cumulative sign limit in the case of multi-tenant development projects. c. Example Sign: 	a. Maximum Number: 1 sign per street frontage. Lots having frontage on two intersecting streets (corner), may have a sign on each lot frontage or on the corner. A sign placed on the corner shall be limited to 40 sq. ft. in area and observe a 6 foot height limit. In no case shall there be more than one sign per street frontage. b. Illumination Method: Internal only. c. Setback: 15 ft. separation from all rights-of-way (including utilities), property lines, parking areas, and structures. Minimum separation from physical utility lines shall be based on the utility company having jurisdiction/ownership of same. d. Clearance: There shall be a minimum of 6 ft. visual clearance between the ground and the bottom of the sign. Signs shall clear driveway and parking areas by a height of at least 15 ft. and shall clear sidewalks and pedestrian paths by a height of at least 9 ft. e. Landscaping: Base of sign shall have permanent landscaping (hedgerow, flowering plants, etc.) not exceeding 3 feet in height. f. Height Limit: 35 ft. g. No unfinished surfaces or structures shall be exposed on a sign. h. Shall only permitted on a parcel/zoning lot with frontage on a public street, accessible by vehicular traffic, and containing off-street parking supporting principal uses(s). i. Changeable copy sign (either electronic or manual) shall be permitted. Allowable area shall not exceed 33% of the permitted sign copy for the property as determined herein. j. Changing of sign message (i.e., changeout of advertising material for one tenant to another tenant) shall require approval of a sign permit. k. Multi-tenant developments (maximum of 3 individual tenants) shall be required to share one freestanding pole sign.

B. Freestanding Sign (monument):

1. Sign Type	2. Standards:
a. Where Permitted: Residential Districts (general and conditional). b. Allowable Display Area: 40 sq.ft. max sign area in all districts c. Example Sign: 	a. Maximum Number: 1 sign per street frontage at the development entrance. Residential and/or non-residential developments in a residential zoning district may have 1 sign per separate vehicular entrance on separate street frontages. b. Illumination Method: External lighting shall be permitted in accordance with the standards of this Section. c. Setback: 15 ft. separation from all rights-of-way (including utilities), property lines, parking areas, and structures. Minimum separation from physical utility lines shall be based on the utility company having jurisdiction/ownership of same. d. Clearance: N/A e. Landscaping: Base of sign shall have permanent landscaping (flowering plants and grassed area) at the base of the sign f. Height Limit: 6 ft. g. No unfinished surfaces or structures shall be exposed on a sign. h. Shall only permitted on a parcel/zoning lot with frontage on a public street, accessible by vehicular traffic, and containing off-street parking supporting principal uses(s). i. Changeable copy sign (either electronic or manual) prohibited. j. Signage may be mounted on a decorative wall/fence constructed as part of the project. The sign shall not extend above the wall/fence and shall comply with all other standards contained herein. k. Changing of sign message (i.e., changeout of advertising material for one tenant to another tenant) shall require approval of a sign permit.

C. Freestanding Sign – Multi-tenant Development:

1. Sign Type	2. Standards:								
a. Where Permitted: Non-residential zoning districts (general and conditional) for multi-tenant projects exceeding 3 individual tenants. b. Allowable Display Area: <table border="1" data-bbox="300 488 831 850"> <thead> <tr> <th>Max Area of total building gross floor area</th><th>Allowable Sign</th></tr> </thead> <tbody> <tr> <td>Less than 25,000 sq.ft.</td><td>96 sq.ft.</td></tr> <tr> <td>25,001 to 100,000 sq.ft.</td><td>120 sq.ft.</td></tr> <tr> <td>Over 100,001 sq.ft.</td><td>150 sq.ft.</td></tr> </tbody> </table> These are cumulative limits. c. Example Sign: 	Max Area of total building gross floor area	Allowable Sign	Less than 25,000 sq.ft.	96 sq.ft.	25,001 to 100,000 sq.ft.	120 sq.ft.	Over 100,001 sq.ft.	150 sq.ft.	a. Maximum Number: 1 sign per street frontage/main development entrance. Developments with multiple entrances on separate streets shall be permitted 1 sign per entrance. Under no circumstances may there be more than 1 multi-tenant sign on the same street frontage. Out parcels (i.e., separate lots) may have 1 freestanding pole or monument sign as regulated herein. Multi-tenant signs shall be within 50 feet of the development entrance. b. Illumination Method: Internal only. c. Setback: 10 ft. separation from all rights-of-way (including utilities), property lines, parking areas, and structures. Minimum separation from physical utility lines shall be based on the utility company having jurisdiction/ownership of same. d. Clearance: There shall be a minimum of 4 ft. visual clearance between the ground and the bottom of the sign. Signs shall clear driveway and parking areas by a height of at least 15 ft. and shall clear sidewalks and pedestrian paths by a height of at least 9 ft. e. Landscaping: Base of sign shall have permanent landscaping (flowering plants, hedge row, grass etc.) not exceeding 3 feet in height. f. Height Limit: 20 ft. g. No unfinished surfaces or structures shall be exposed on a sign. Enhancement of a development entrance sign with masonry or stone shall not exceed the permitted sign height. h. No Changeable copy sign (either electronic or manual) shall be permitted. i. Changing of sign message (i.e., changeout of advertising material for one tenant to another tenant) shall require approval of a sign permit.
Max Area of total building gross floor area	Allowable Sign								
Less than 25,000 sq.ft.	96 sq.ft.								
25,001 to 100,000 sq.ft.	120 sq.ft.								
Over 100,001 sq.ft.	150 sq.ft.								

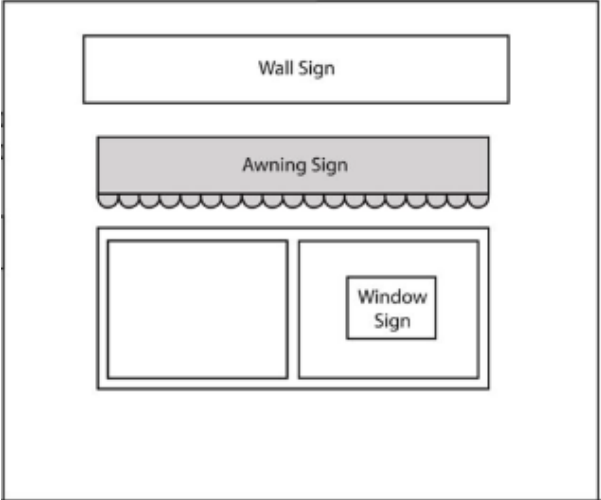
D. Wall Sign (Attached Sign):

1. Sign Type	2. Standards:												
a. Where Permitted: Non-residential zoning districts (general and conditional). b. Allowable Display Area: <table border="1" data-bbox="249 399 835 846"> <tr> <th data-bbox="249 399 495 472">Principal Building façade</th><th colspan="2" data-bbox="495 399 835 472">Square footage Cap</th></tr> <tr> <td data-bbox="249 472 495 846" rowspan="2">1 sq.ft. of sign area per linear frontage of principal building façade (main public entrance) or individual tenant space in a multi-tenant development.</td><td data-bbox="495 472 659 574"></td><td data-bbox="659 472 835 574">Capped at 200 sq.ft.</td></tr> <tr> <td data-bbox="495 574 659 667">Multi-tenant (individual tenant spaces)</td><td data-bbox="659 574 835 667">Min. sign of 24 sq.ft.</td></tr> <tr> <td></td><td></td><td data-bbox="659 667 835 846">Max sign of 200 sq.ft.</td></tr> </table> Secondary facades are permitted Attached signage not exceeding 50% of the sign area allotted to the principal frontage of the structure/tenant space. These are cumulative limits. c. Example Sign:	Principal Building façade	Square footage Cap		1 sq.ft. of sign area per linear frontage of principal building façade (main public entrance) or individual tenant space in a multi-tenant development.		Capped at 200 sq.ft.	Multi-tenant (individual tenant spaces)	Min. sign of 24 sq.ft.			Max sign of 200 sq.ft.	a. Maximum Number: 1 sign per façade/tenant space as noted herein. b. Illumination Method: Internal only. c. Setback: Shall not extend beyond the building entrance/façade of the business it is advertising. d. Clearance: N/A e. Landscaping: N/A f. Height Limit: No wall sign shall extend above the soffit, parapet, or eave line, as appropriate of the building to which it is attached. g. Wall signs shall not cover or interrupt major architectural features. h. No Changeable copy sign (either electronic or manual) shall be permitted. i. Projecting Sign may be permitted for a multi-story structure (with single tenant) subject to the cumulative sign limits identified within this section and the projecting sign standards noted herein.	
Principal Building façade	Square footage Cap												
1 sq.ft. of sign area per linear frontage of principal building façade (main public entrance) or individual tenant space in a multi-tenant development.		Capped at 200 sq.ft.											
	Multi-tenant (individual tenant spaces)	Min. sign of 24 sq.ft.											
		Max sign of 200 sq.ft.											
													

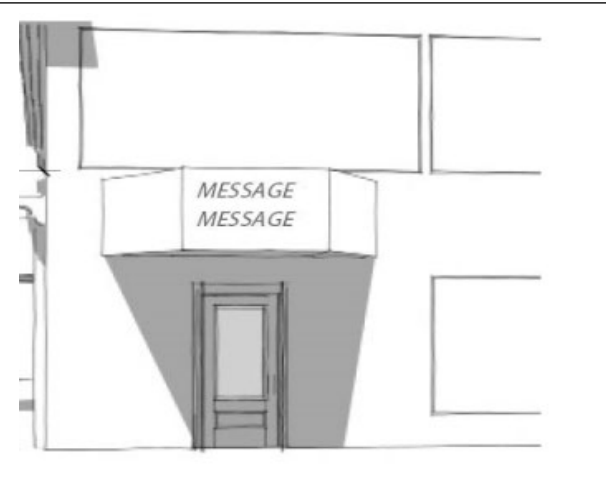
E. Projecting Sign:

1. Sign Type	2. Standards:
a. Where Permitted: Non-residential zoning districts (general and conditional). b. Allowable Display Area: 32 sq.ft.max limit based on allowable sign area per subsection (D). c. Example Sign: 	a. Maximum Number: 1 sign per façade/tenant space as noted herein. Projecting signs shall face a street, drive, or pedestrian way. b. Illumination Method: Internal only. c. Setback: Shall not extend beyond the building entrance/façade of the business it is advertising. Project signs shall be setback from other projecting signs by a distance of at least 20 feet. d. Clearance: Sidewalks and pedestrian paths by a height of at least 15 ft. e. Landscaping: N/A f. Height Limit: No projecting sign shall extend above the soffit, parapet, eave or roof line as appropriate of the building to which it is attached. g. Projecting signs shall not cover or interrupt major architectural features. h. No Changeable copy sign (either electronic or manual) shall be permitted. i. Projecting Signs shall comply with the sign area allotments for Wall Signs as detailed within this Section. subject to the cumulative sign limits identified within this section and the projecting sign standards noted herein. j. Projecting signs shall not include any loose, windblown, or moving elements. k. Sign shall not extend horizontally more than 4 feet from the building façade. l. Sign supports shall be an integral part of the sign.

F. Awning Sign:

1. Sign Type	2. Standards:
a. Where Permitted: Non-residential zoning districts (general and conditional). b. Allowable Display Area: 16 sq.ft.max limit c. Example Sign:  The diagram illustrates three types of signs within a rectangular frame. At the top is a 'Wall Sign', a simple rectangle. Below it is an 'Awning Sign', which is a rectangle with a decorative scalloped bottom edge. At the bottom is a 'Window Sign', which is a rectangle divided into two sections: a larger empty square on the left and a smaller square on the right containing the text 'Window Sign'.	a. Maximum Number: 1 sign per single-occupancy building or for each individual business for multi-occupancy building. b. Illumination Method: None. c. Setback: Awning shall not extend beyond the building frontage or individual tenant space. d. Clearance: Sidewalks and pedestrian paths by a height of at least 15 ft. e. Landscaping: N/A f. Height Limit: Shall only be placed over the principal entrance and shall not extend above the soffit, parapet, eave or roof line as appropriate of the building to which it is attached. g. Awning signs shall not cover or interrupt major architectural features. h. No Changeable copy sign (either electronic or manual) shall be permitted. i. Awnings shall not include any loose, windblown, or moving elements. j. Sign shall not extend horizontally more than 6 feet from the building façade. k. Sign supports shall be an integral part of the sign. l. All awnings shall be of opaque material that does not transmit light through the awning;

G. Marque Sign

1. Sign Type	2. Standards:
a. Where Permitted: Non-residential zoning districts (general and conditional) b. Allowable Display Area: 24 sq.ft. minimum . 1 sq.ft. of sign area per linear foot of principal building façade frontage not to exceed 60 sq.ft.. c. Example Sign: 	a. Maximum Number: 1 sign per principal facade. b. Illumination Method: Internal only. c. Setback: Sign shall not extend beyond the building entrance/façade of the business it is advertising. d. Clearance: Signs shall clear sidewalks and pedestrian paths by a height of at least 12 ft. e. Landscaping: N/A f. Height Limit: No marque sign shall extend above the soffit, parapet, eave or roof line, as appropriate of the building to which it is attached. If the building consists of more than two stories, marquee signs shall not extend above the second story. g. Signs shall project more than 6 feet from the structure. h. Under no circumstances may a structure contain both a marque and/or wall sign. i. Marque signs shall be incorporated into the architectural features of a structure. It is not the intent to allow them to cover, alter, or interrupt building architecture.

H. Canopy Signage:

1. Sign Type	2. Standards:
a. Where Permitted: Non-residential zoning districts (general and conditional) where a canopy is permitted to be erected. Signage shall not be permitted on any canopy/garage structure erected in a residential zoning district b. Allowable Display Area: 8 sq.ft. max limit per canopy façade. Allowance can include logos. c. Example Sign: 	a. Maximum Number: 1 sign per canopy face. b. Illumination Method: Internal only. c. Setback: N/A d. Clearance: N/A e. Landscaping: N/A f. Height Limit: Sign shall not extend above the top horizontal or vertical edge of the canopy.

i. Gas Pump Signage:

1. Sign Type	2. Standards:
a. Where Permitted: Non-residential zoning districts (general and conditional) where a gas pump/device is proposed for placement. b. Allowable Display Area: 4 sq.ft. max limit per individual pump (erected above the pump). Allowance can include logos. i. Video screens placed on the pump to display payment information/service prompts, advertising material, play videos, etc. shall be limited to 24 square inches in area. c. Example Sign: 	a. Maximum Number: 2 per pump. 1 sign above the pump and 1 advertising sign placed on the pump itself. b. Illumination Method: None. i. Video screens incorporated into the pump shall only be backlit. c. Setback: N/A d. Clearance: N/A e. Landscaping: N/A f. No off-site advertising permitted.

i. Outdoor Advertising:²⁵

1. Sign Type	2. Standards:
a. Where Permitted: HC general use zoning districts only. Outdoor advertising structures in existence as of _____ shall be considered a legal use and shall be allowed to remain, but may only be altered in accordance with Section _____ of this Ordinance. b. Allowable Display Area: i. 400 sq.ft. for appropriately zoned parcels located on all major federal roadways _____. ii. 300 sq.ft. for appropriately zoned parcels located on (state roads). c. Example Sign:²⁶ 	a. Maximum Number/Sign Separation: Signs shall be located a minimum of 600 feet from the centerline of abutting roadways and shall comply with the following separation requirements. i. 3,000 linear feet along major federal roadways and _____ from another Outdoor Advertising Structure. ii. 2,000 linear feet on _____ from another Outdoor Advertising Structure. iii. 1,000 linear feet on all other public roadways from another Outdoor Advertising Structure. iv. 500 linear foot setback from the centerline of a road intersection or bridge along the roadway the sign is erected. v. 250 feet from any cemetery, place of worship, or park/recreation area vi. 150 foot setback shall be observed from any existing on-premise sign located along the same roadway. vii. 100 feet from a residentially zoned district or land use. b. Illumination Method: A illumination level of 0.5 foot-candles above ambient light regardless of the method of illumination. External lighting shall be properly shielded to prevent glare from adjacent travelways. c. Digital signs shall only be permitted provided the message does not change more than twice per minute.

²⁵ Outdoor advertising shall only be permitted at the request of the subject jurisdiction.

²⁶ Please note this sign may be copyright projected and may have to be replaced as part of the Ordinance adoption process.

	d. Setback: 15 feet from all property lines and rights-of-way²⁷ e. Clearance: Minimum of 10 feet of clearance from the grade of the right-of-way or surface grade at the base of the sign. f. Landscaping: N/A g. Height: 35 feet above roadway surface from which the sign is viewed. h. Minimum requirements contained within the North Carolina Outdoor Advertising Control Act (North Carolina General Statute 136-126 et seq.) which are more stringent or in addition to those contained in this Section shall apply. i. Dilapidated and Abandoned Signs: If at any time a billboard falls into a state of dilapidation, disrepair, or becomes abandoned or discontinued as defined by the latest edition of Regulations for the Control of Outdoor Advertising in North Carolina by the North Carolina Department of Transportation, the permits for such sign shall be revoked.
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²⁷ NFOCUS Staff recommends 30 foot setback provided the standard does not create a nonconforming situation.

Electronic Sign Standards

A. General Standards for Electronic/Manual Changeable Copy Signs

1. Shall be permitted as part of a Freestanding Pole Sign or as a Wall Sign. Multi-tenant or Monument freestanding signs shall not be permitted to incorporate an changeable copy sign (manual or electronic).
2. The area of the electronic changeable copy sign shall be counted toward the maximum applicable sign area for the district in which the sign is located.
3. **Illumination**
 - a) Maximum illumination levels for a changeable copy sign shall not exceed 2,500 nits.
 - b) The maximum illumination between sunset and sunrise of changeable copy sign or a video sign shall not exceed 500 nits.
 - d) Prior to the issuance of a sign permit, the following shall be required:
 - (i) A written certification from the sign manufacturer that confirms the light intensity has been factory pre-set not to exceed the maximum illumination levels specified herein.
 - (ii) The sign shall have a light sensing device, either by photocell (hardwired) or software settings, that will adjust the illumination in real-time as ambient light conditions change, so that the sign does not exceed the maximum illumination levels detailed herein.
4. **Historic Properties.** No attached electronic changeable copy sign shall be placed on a structure that has a National Register designation, is located on a _____ County Landmark property, or is within a Local Historic Overlay district.

B. Electronic Changeable Copy Signs

1. Freestanding electronic changeable copy signs shall not exceed 33% of the permitted sign area and shall be integrated into the sign face (not a separate sign).
2. Attached electronic changeable copy signs are only allowed as a marquee sign within the permitted sign area.
3. An electronic changeable copy sign shall only display non-pictorial text information using alphanumeric characters.
4. **Message**
 - a) Messages shall be static and complete within itself, with no continuation of content to the next image or message.
 - b) Messages shall be limited to 4 lines of information and/or 10 items of information, to allow passing motorists to read the entire copy with minimal distraction.

- c) Changes to messages displayed must be as instantaneous as is technologically feasible, with no flashing, zooming, scrolling, fading, twinkling/sparkling, or other operating mode that imitates movement.
- d) The entire text of a message shall be a maximum of two colors and shall not vary in intensity during its display frame.
- e) The rate of message change for an electronic changeable copy sign shall be no faster than one time each 16 seconds.

5. Attached Electronically/Maunally Changeable Wall Sign

- a) Shall only be permitted as a Marquee Sign and not exceed 60 square feet in area and shall be considered in the maximum allowable sign area per building facade.
- b) Location/Orientation.
 - (i) Shall be positioned on a wall generally parallel to the street to minimize direct view from approaching vehicular traffic.
 - (ii) Signage shall not extend more than 18 inches from the wall to which it is attached.
 - (iii) Shall not be positioned on a wall where the top portion of the sign is higher than 40 feet above ground level.
 - (iv) No part of the sign shall be located within 25 feet of the intersecting street right-of-way, or closer than 50 feet to another electronic changeable wall sign.

Limited Duration Signs

Limited duration signs requiring approval of a sign permit in accordance with Section 2.5.13, Sign Permit, shall comply with the following standards:

- A. Only pennants and temporary banner signs are allowed as limited duration signs.
- B. Limited duration signs are allowed in all nonresidential districts for nonresidential land uses and in residential districts for outdoor seasonal sales as provided for in this Ordinance, up to a maximum of 30 days, two times per year. The 30-day maximum duration is allowed to run consecutively.
- C. Illumination is not allowed.
- D. Pennants must be contained within the lot or zone lot and shall not be anchored to the sidewalk or affixed to a pole, traffic control box, or other structure or appurtenance in the public right-of-way.
- E. One freestanding temporary banner sign per lot or zone lot is allowed up to a maximum of 32 square feet and up to 6 feet in height.

- F. One attached temporary banner sign per business is allowed up to a maximum 32 square feet.

Common Sign Plan

- A. **Applicability.** Common sign plans shall apply to site plans involving non-residential developments proposing multiple buildings serving multiple tenants, mixed-use development projects, and Planned Development Conditional Zoning districts.
- B. **Procedure**
1. A common sign plan shall be approved prior to the issuance of any sign permit(s).
 2. Any new common sign plan shall include a schedule that requires bringing all permanent signs not conforming to the proposed plan into compliance within 90 days.
- C. **Standards.** A common sign plan may be more restrictive than the requirements of this Section and shall provide for coordination among the following sign elements:
1. General locations of proposed signs within the development, for both freestanding and attached signs;
 2. Shape of signs, including proposed maximum sign height and sign area;
 3. Unifying colors and/or lettering, including specific sign or font colors, fonts or script types and any specification or variation in font or script type size and/or color;
 4. Consistent type of sign illumination;
 5. Types of freestanding and attached signs allowed;
 6. Characteristics of sign faces (translucent, partially translucent, silhouette, cut-out letters, etc.);
 7. Allowable materials and colors for signs and sign support structures, including mounting details for attached signs;
 8. Provisions for shared usage of freestanding multi-tenant development signs;
 9. Incorporation and consideration of any overlay district sign requirements; and
 10. Any additional sign elements elected by the applicant to unify the development.
- D. **Conflict.** In case of any conflict between the provisions of such a common sign plan and any other provision of this Section, the more restrictive standards shall control.

COMMENTARY: Allowable sign area, or the methodology for determining allowable sign area, shall not be modified as part of the Common Signage Plan process.

- E. **Effect.** After approval of a common sign plan, no signs shall be erected, affixed, placed, painted or otherwise established except in conformance with the approved plan. The common sign plan may be enforced in the same way as any other provision of this Section.
- F. **Amendment**
1. **Minor Changes.** Unless expressly prohibited by a condition of approval or an approved common sign plan, the following minor changes may be requested by an applicant and approved by Staff:
 - a) Changes to the location of freestanding or attached signs; and
 - b) Changes to the provisions for shared usage of freestanding multi-tenant development signs.
 2. **Amendment.** Changes that are beyond the scope of a minor change are considered amendments and reviewed and approved by Staff as a new common signage plan submittal.