

## **Division 7. Sign Regulations**

Purpose: This Article regulates the number, size, and location of signs in all zoning districts. This Article is designed to stabilize and protect property values, maintain the visual attractiveness of the County, and promote the public safety, health and general welfare of County citizens and the traveling public.

### **Sec. 44-551. Generally.**

- (a) *Applicability.* A zoning authorization permit must be obtained for all signs and sign structures visible from public rights-of-way prior to installation. The sign must be erected, maintained, and operated in accordance with this Article and other relevant controls, unless specifically excepted.
- (b) *Exemptions.* The following are not subject to this Division:
  - (1) On-site signs less than 2 square feet in area, not of a commercial nature, and bearing only property identification numbers and names; post office box numbers; and names of occupants of the premises.
  - (2) Legal notices, identification and informational signs and traffic directional signs erected by or on behalf of a governmental body.
  - (3) Signs directing and guiding traffic on private property, which bear no advertising matter and do not exceed 4 square feet in area.
  - (4) Insignia of nonprofit charitable or government organizations.
  - (5) Integral decorative or architectural features of buildings, except letters, trademarks, moving parts, or moving lights that would not be calculated in the permitted sign dimensions.
  - (6) Theme banners associated with decorative light fixtures, located in mixed use development, village centers, and residential developments.
  - (7) Wall murals which are not of a commercial nature that display artwork or celebrate community culture or heritage.
  - (8) Time and temperature displays.
- (c) *No content restrictions.* Notwithstanding any other provision of this Division, signs are not regulated as to message content.

### **Sec. 44-552. Definitions.**

*The following words, terms and phrases, when used in this Article, shall have the meanings ascribed to them in this Section, except where the context clearly indicates a different meaning:*

*Banner* - any object made of lightweight fabric or similar material that is mounted to a pole or a building at one or more edges.

*LED sign* - a sign with light emitting diodes technology designed to project a static display at 8 second intervals with the copy message transition taking no more than 2 seconds controlled by high speed modem and computer.

*Limited access user sign* - a sign directing attention to a business, commodity, service, entertainment, or attraction sold, offered, or existing within 500 feet of an entrance to a limited access highway designed to be seen from the limited access highway, but where the entrance to the business does not front along the limited access highway.

*Monument sign* - a sign that is permanently affixed to a base on the ground, without any airspace between the base and the bottom edge of the sign.

*Off-premise directional sign* - an off-premise sign which directs attention to a business which is not located on a collector or arterial street.

*Off-premise sign (billboard)* – a sign designed to attract the attention of persons not on the premise on which the sign is located. It also includes an outdoor advertising sign (billboard), on which space is leased or rented for the purpose of conveying a commercial or noncommercial message.

*On-premise sign* - a sign which directs attention to a business, development, commodity, service, entertainment, or attraction sold, offered or existing on the same lot where such sign is displayed.

*Pennant* - any lightweight plastic, fabric, or other material, whether or not containing a message of any kind, suspended from a rope, wire, or string, usually in series, designed to move in the wind.

*Pole sign* - a sign that is permanently affixed to the ground through use of a pedestal(s), with airspace between the ground and the bottom edge of the sign.

*Portable sign* - any sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported.

*Sign* - any display surface or display device containing or intending to contain elements organized, related, and composed to form a unit designed to inform or attract attention.

*Tri-vision* - rotating multi-panel technology, typically used on off-premise signs.

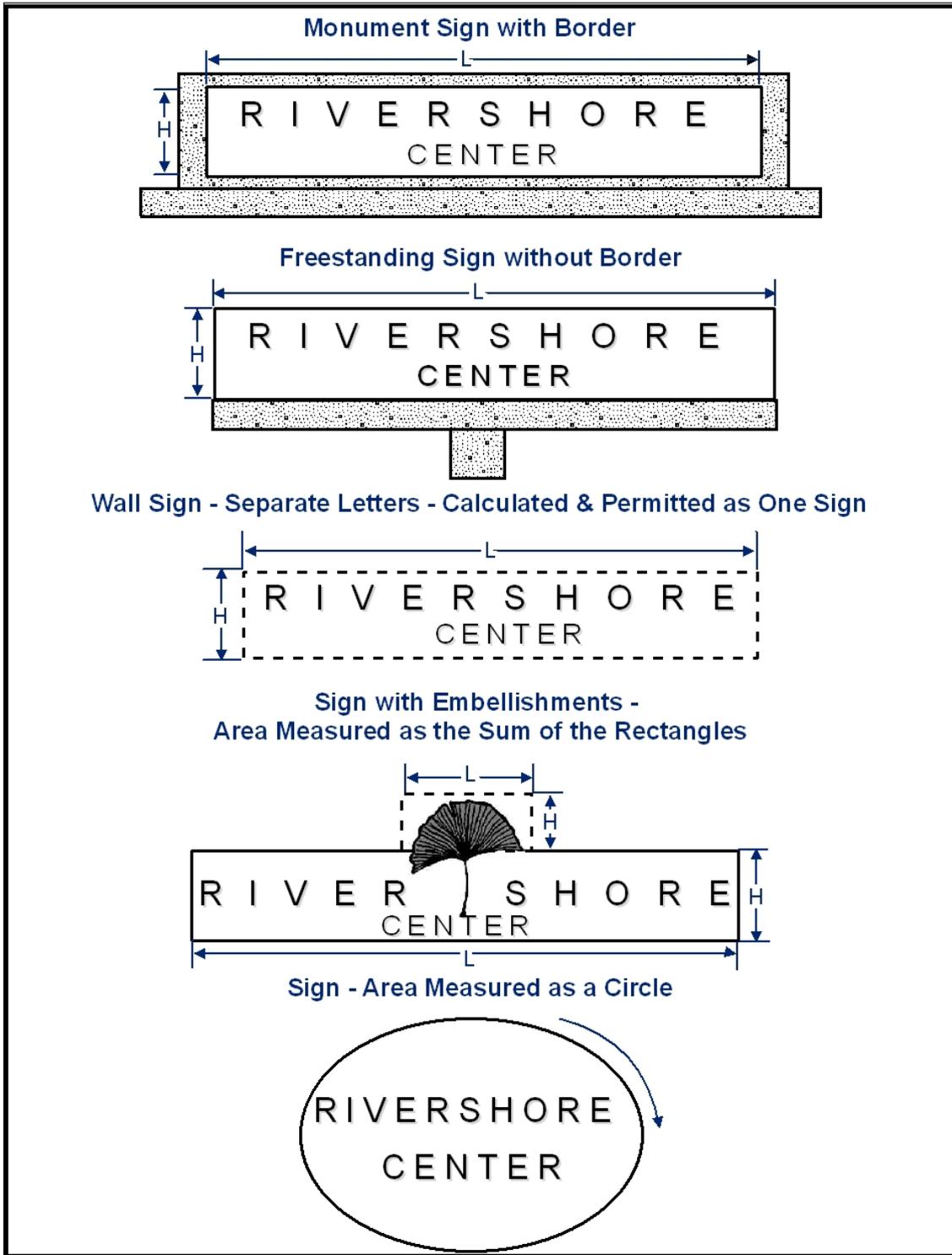
#### **Sec. 44-553. Freestanding signs.**

For the purpose of determining the number of freestanding signs, a sign is to be considered to be a single display surface or display device containing elements organized, related, and composed to form a unit. Where subject matter is displayed in a random manner without an organized relationship of units, each part is considered to be a single sign. A sign with back-to-back or angled message surface is considered to be one sign.

**Sec. 44-554. Surface area computations.**

- (a) The surface area of a sign is computed as including the entire area within a parallelogram, triangle, circle, semicircle or other regular geometric figure, including all of the elements of the display, but not including structural framing, display of identification licensing officially required by any government body, area dedicated to public service information, such as time and temperature, or structural elements outside the sign surface and bearing no advertising matter.
  - (1) For signs mounted back to back, the surface area of one side is calculated. The back surface can be used for an identical or additional message.
  - (2) For cylindrical signs, signs in the shape of cubes, “V-shape”, or other signs which are substantially 3 dimensional, the entire display surface or surfaces is included in computations of area.
  - (3) For signs with rotating panels or light emitting diodes (LED) technology which have changeable copy, the display surface area will be computed as if the sign had a single message area.
  - (4) For purposes of monument type signs, the surface area of the base will not be computed as part of the surface area of the sign.
  - (5) The area devoted for signage on the face of a canopy, or awning sign counts toward the percentage of wall signage allowed, with the exception of canopies regulated in Sec. 44-571.
- (b) Any blank surface areas of the sign that could be utilized as display area will be included in the surface area computation.
- (c) Embellishments (display portions of signs extending outside the general display area), surface area extending outside the general display area must be computed separately as part of the total surface area of the sign.
- (d) The following diagrams in Figure 44-554-1 indicate how the area of a sign is to be calculated.

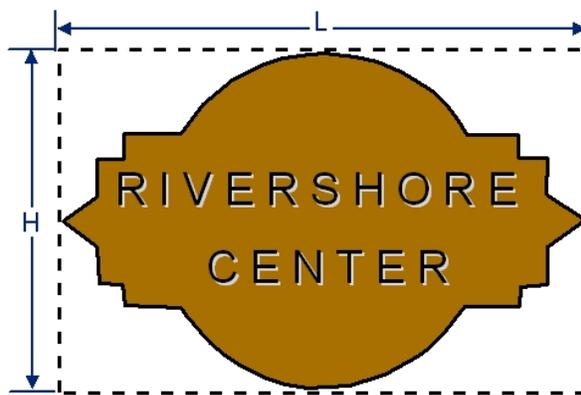
Figure 44-554-1. Surface area of signs.



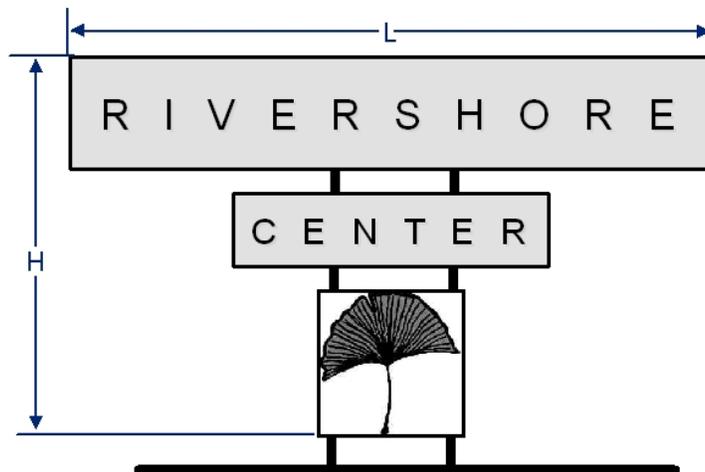
One Sign - Area Measured as a Triangle



One Sign - Area Measured as a Rectangle



One Sign - Units All Related/Not Random Display



Time/Temperature Signs

One Sign - Area Does Not Include Time/Temperature

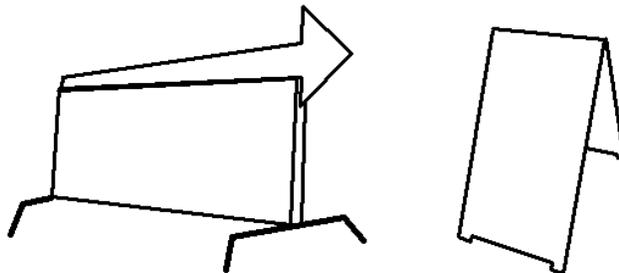


Awning Signs

One Sign - Area Includes Symbols and Letters



Portable Signs



Pennant / Banner



(Ord. No. 2008-17, 10/20/08)

**Sec. 44-555. Traffic safety precautions.**

*The following practices in relation to signs are prohibited, notwithstanding any other Sections in this Article, in order to preserve the safety of pedestrian and vehicular movement:*

- (a) No sign may be erected so that any part of it intrudes into the visibility triangle established by Sec. 44-407.
- (b) Signs cannot use words such as "stop," "slow," "caution," "danger" or similar language which may be confused with traffic directional signs erected by governmental agencies.
- (c) No sign may be placed so that its location, color, nature or message, may obstruct or be confused with traffic signals or warning lights.

**Sec. 44-556. Prohibited signs.**

- (a) Portable signs, roof signs, banners, balloons, or other air or helium filled device designed to attract attention, and pennants made of lightweight fabric, plastic or similar materials, whether or not containing a message of any kind are prohibited except for temporary uses in accordance with Sec. 44-561.
- (b) Signs cannot contain pulsating, rotating or flashing lights due to public safety concerns.

**Sec. 44-557. Prohibited sign locations.**

- (a) Except where specifically exempted by this Article, all signs must be located outside of public right-of-ways.
- (b) Signs may not be attached to any utility pole, tree, rock or other material object.

**Sec. 44-558. Direct illumination.**

No source of illumination on a sign, such as floodlights, spotlights, and unshielded bulbs, may shine directly into any public right-of-way or any adjacent residential property. LED lit signs must not be of an intensity that glares or creates a safety concern to travelers along the public right-of-way.

(Ord. No. 2008-17, 10/20/08)

**Sec. 44-559. Permits; standards generally; maintenance.**

The following applies to signs regulated by this Article:

- (a) *Zoning authorization permit required.* Before any sign is erected or structurally altered, an application along with a detailed site plan, diagrams or other pertinent information as specified in the procedures manual must be submitted to obtain a zoning authorization permit. This requirement applies to

all sign applications except for those signs specifically exempted, as provided in Sec. 44-551(b). If actual work for a permitted sign is not commenced within 6 months from the date of the approved permit, the permit automatically becomes null and void.

- (b) *Construction standards.* All signs must be constructed and installed in accordance with the applicable provisions of building code.
- (c) *Electrical standards.* All illuminated signs must be installed in accordance with the applicable provisions of building code.
- (d) *Maintenance.* All signs and sign structures must be maintained in good structural and aesthetic condition. Deficiencies such as, but not limited to, chipped paint, broken plastic, missing letters, disfigured surfaces, and partial illumination, is evidence of a lack of maintenance.

**Sec. 44-560. Nonconforming signs.**

- (a) All on-premise signs not in conformity with this Article must be altered to be in compliance or be removed within 2 years of the notice of nonconformity.
- (b) Improvements to nonconforming off-premise signs may not exceed 50% of the value of the sign before the improvements. A certified appraisal stating the present value of the nonconforming sign, along with the estimated cost of the improvements, must be submitted with the zoning authorization permit application. Conversion of nonconforming off-premise signs to LED technology is not subject to this Section. LED conversion must comply with Sec. 44-564(t).
- (c) All non-profit organizations are exempt from Subsections (a) and (b) above.

**Sec. 44-561. Temporary signs.**

*The following temporary, unlighted signs may be erected in the manner prescribed without the issuance of a zoning authorization permit.*

- (a) *Real estate signs.*
  - (1) For lots less than one acre, a single sign on each street frontage may be erected. The sign cannot exceed 6 square feet in area; shall be located outside the right-of-way; shall contain the message that the property is for sale, lease or rent and the name, address and phone number of the agent. The sign must be removed immediately upon the sale or lease of the property.
  - (2) For lots of one acre or more in area, such signs may be up to 20 square feet in area, and be located outside of the right-of-way.
  - (3) Real estate “pointer” signs are allowed for a period not to exceed 3 days, which give direction to open houses and special marketing promotions.

- (b) *Construction site signs.* A construction site identification sign may be displayed that may contain identification of the project and its owner and/or developer, architect, engineer, land planner, landscape architect, contractor and subcontractors. The sign cannot exceed 32 square feet in area and must be located outside of the right-of-way. The sign can only be displayed for the duration of the project.
- (c) Signs announcing openings, special events, closings, and management changes may be displayed for up to 30 days.
- (d) On-premise signs announcing a fundraising, civic or philanthropic event may be displayed for up to 30 days.
- (e) Political signs may be displayed prior to elections. Signs must be removed within 14 days after the election.
- (f) Residential roadside stands are allowed to have 2 off-premise signs and one on-premise sign, subject to the regulations of this Article.

(Ord. No. 2008-17, 10/20/08)

**Sec. 44-562. On-premise signs (freestanding)**

On-premise signs are allowed as follows:

- (a) One freestanding on-premise sign is allowed on a lot, unless as excepted below in this Section.
- (b) A single consolidated sign, of unified design and construction, is required when more than one use is located on a single lot.
- (c) All on-premise signs must observe the maximum permitted sign area requirements of Table 44-562-1, with exception of home occupation signs as regulated in Subsection (g) below.
- (d) A single on-premise sign is permitted on each additional street front on multiple frontage lots, provided it is separated from any other on-premise sign by 150 feet and is located a minimum of 100 feet from any residential district.
- (e) All parts of the sign and sign structure must be located outside all rights-of-way. The applicant is responsible for obtaining right-of-way information for any sign permit.
- (f) Light Emitting Diodes (LED), tri-vision, electronic messages and other similar technologies are allowed in all nonresidential districts, with the exception of the village district. This technology can be utilized subject to the following:
  - (1) Pulsating or flashing sign structures or messages are prohibited.
  - (2) LED signs must hold a static message a minimum of 8 seconds.
- (g) Unless specifically regulated under Article VI, approved home occupations, cottage businesses, supplemental or special uses may have one non-illuminated

sign, with a maximum area of 4 square feet and a maximum height of 4 feet, including pedestal.

- (h) Replacement of nonconforming on-premise signs must meet the sign requirements as shown in Table 44-562-1.
- (i) *Multi-tenant sign.* One multi-use sign structure having no more than 2 sign surface areas may be erected to identify a planned development along each street frontage from which there is a major entrance to a development. The maximum area and height permitted for each planned development on-premise sign is allowed at a factor of 1.5 x the sign area and height limitations of a single use sign as noted in Table 44-562-1.
- (j) *Multi-tenant sign.* One additional multi-tenant on-premise sign, with a maximum area of 12 square feet, and a maximum height of 6 feet is permitted for each individual building within a planned development.

**Table 44-562-1. On-premise single development sign regulations.**

<b>Sign Requirements – Based on street location</b>				
<b>Lanes</b>	<b>Speeds</b>	<b>Surface Area Maximum (in square feet)</b>	<b>Height Maximum (in feet—including pedestal)</b>	<b>Illuminated Allowed</b>
2	15-25	10	5	Yes
2	30-40	20	6	Yes
2	45-55	50	16	Yes
4	15-25	15	6	Yes
4	30-40	35	11	Yes
4	45-55	80	18	Yes
6	15-25	20	14	Yes
6	30-40	40	16	Yes
6	45-55	100	20	Yes

(Ord. No. 2008-17, 10/20/08)

**Sec. 44-563. On-premise wall signs.**

- (a) Wall signage is permitted on each wall with street frontage of a nonresidential building in addition to one freestanding sign.
- (b) Total wall signage on each street frontage may have a maximum area equal to 10% of the wall surface or up to a maximum total of 75 square feet in area, whichever is less.
- (c) Each wall sign may have a maximum area equal to 10% of the wall surface, up to a maximum total of 32 square feet in area.
- (d) Light Emitting Diodes (LED), tri-vision, electronic messages and other similar technologies are allowed in all nonresidential districts, with the

exception of the village district. This technology can be utilized subject to the following:

- (1) Pulsating or flashing sign structures or messages are prohibited.
  - (2) LED signs must hold a static message a minimum of 8 seconds.
- (e) Approved home occupations, cottage businesses or special uses may have one non-illuminated wall sign in lieu of an on-premise sign meeting the size requirements.

(Ord. No. 2008-17, 10/20/08)

**Sec. 44-564. Off-premise signs - billboards.**

- (a) Off-premise signs are limited to one per lot. For signs mounted back-to-back or V-shaped, the surface area of one side is calculated. Double-stacked sign units are prohibited.
- (b) The maximum permitted area shall be 380 square feet per face for signs abutting I-40 and 250 square feet per face for all other signs.
- (c) The maximum sign height for signs fronting along limited access highways is 50 feet or 50 feet as measured from the road surface adjacent to the sign, whichever is higher. For all other roads, the maximum sign height is 35 feet or 35 feet as measured from the road surface adjacent to the sign, whichever is higher.
- (d) Off-premise signs must meet the setback requirements of the district within which they are located with the exception of the front setback. All parts of the sign and sign structure must be located out of the right-of-way. However, if sign structures on adjacent lots are set back from the front lot line more than the required front setback dimension, the signs must meet the greater front setback requirement.
- (e) Off-premise signs must be separated from other structures on the same lot by a minimum of 50 feet.
- (f) Off-premise signs are permitted in highway commercial (HC) and industrial (LI and GI) districts only.
- (g) Off-premise signs are prohibited in the Highway 321 corridor on land zoned 321-ED (MX) and (I). In addition, off-premise signs are prohibited along NC Hwy. 150, NC Hwy. 127, NC Hwy. 10, NC Hwy. 16, and Hwy. 70 within the jurisdiction of the County.
- (h) Off-premise signs must be located a minimum of 400 feet from any residentially zoned property, park, school or hospital. This distance shall be measured from the nearest point of the sign to the nearest point of the property line of the uses identified above. The right-of-way shall be included as part of the 400-foot requirement.
- (i) The distance between off-premise signs is, for federal aid primary highways (I-40), 1,000 feet between signs on the same side of the right-of-way and 500 feet for signs on opposite sides of the right-of-way. The distance between off-

premise signs, in all other circumstances, must be 1,000 feet, measured radially from the sign.

- (j) A notarized letter from the property owner must be submitted stating that a lease agreement has been executed with the billboard company. Also, a letter of intent from a prospective advertiser or advertising agency for the initial use of the sign board shall accompany any application for a zoning authorization permit.
- (k) The poster material of the off-premise sign shall be made of all-weather, fade-resistant material such as vinyl or similar synthetic material. For short-term advertisers (60-days or less), other material may be used subject to it being properly maintained to avoid separation and flagging from the billboard.
- (l) Lighting, if installed, shall be placed at the top of the sign and be directed such that the illumination is contained to the sign area of the off-premise sign. Flashing or strobe lights are prohibited.
- (m) No vegetation on public property, including the public right-of-way, shall be cut for the purpose of increasing or permitting visibility to the off-premise sign unless pre-approved by the governmental authority having jurisdiction, such as NCDOT.
- (n) The back of the sign and the structural pole shall be painted in an earth-tone color, which includes shades of gray and brown.
- (o) All new sign structures must be supported by a steel monopole.
- (p) Off-premise roof signs are considered billboards and are subject to these regulations.
- (q) Off-premise wall signs are considered billboards and are subject to these regulations.
- (r) Off-premise signs must comply with the visibility regulations in Sec. 44-407.
- (s) Tri-vision is allowed on off-premise signs.
- (t) An off-premise sign may be upgraded or constructed, where permitted, utilizing LED technology . In addition, an off-premise sign with LED technology must be separated from another off-premise sign with LED technology by 1200 feet. A LED off-premise sign must hold a static message a minimum of 8 seconds.

(Ord. No. 2008-17, 10/20/08)

**Sec. 44-565. Off-premise directional signs.**

- (a) Up to 2 off-premise directional signs are permitted under the following standards, unless extenuating circumstances exist to allow a total of 3 signs:
  - (1) The principal use is not located on a collector or arterial street and:
    - a. The use is located in an office-institutional, commercial, or industrial district;
    - b. The use is an approved special use; or

- c. The use is a legal nonconforming use.
- (2) A notarized letter, stating that permission has been obtained from the owner of the land where the sign is to be placed, shall accompany any application for a zoning authorization permit.
- (3) The sign cannot exceed 16 square feet for a single establishment or 48 square feet for more than one establishment.
- (4) The sign must be of unified design when more than one establishment displays a sign on the same zoning lot.
- (5) The height of an off-premise directional sign cannot exceed 6 feet.
- (6) Directional signs are not allowed for home occupations.
- (b) Non-profit organizations may have up to 2 off-premise directional signs, regardless of location, unless extenuating circumstances exist to allow a total of 3 signs.
- (c) All parts of the sign and sign structure must be located outside all rights-of-way. The applicant is responsible for obtaining right-of-way information for any sign permit.
- (d) Off-premise directional signs cannot be illuminated.

**Sec. 44-566. Ground area landscaping.**

On premise free-standing signs, including pole signs and monument signs, require a landscaping area equal to the area of the sign surfaces. Grass alone does not qualify for the landscaping requirement. Plantings around pole signs must be a minimum of 3 feet in height.

**Sec. 44-567. Development name markers.**

The following apply to signs for a residential development entrance or within a median for a development entrance:

- (a) The applicant or assigned HOA must maintain the sign and the area around the sign. The signs shall be removed, if not properly maintained, at no expense to the public. For purposes of this subsection, "properly maintained" means maintained in a manner that does not cause the sign to become a public nuisance or endanger public safety. The "area around the sign" means any area that includes supports, landscaping, or other features relating to the sign.
- (b) A maximum of 2 signs are permitted for each entrance.
- (c) If the sign is to be located within the right-of-way of any state system road, the applicant is responsible for obtaining the approval of the NCDOT.
- (d) The sign cannot exceed 32 square feet in area, as calculated under Sec. 44-554 and Fig. 44-554-1.
- (e) Illumination of the sign is permitted.

**Sec. 44-568. Limited access user's signs.**

For businesses located within 500 feet of the beginning of the limited access portions of I-40 and the intersection of an arterial street, a single sign is permitted as follows:

- (a) Maximum height is limited to 50 feet and a maximum area of 100 square feet.
- (b) The board of adjustment may allow a greater height, up to a maximum of 120 feet, in order to permit 7 seconds of visibility of the sign prior to the beginning of the exit ramp for traffic traveling at the legal speed limit. A report must be submitted by a professional engineer to validate this requirement.
- (c) If the board allows additional height, the maximum sign size may be increased 5 square feet for each foot of allowed height above 50 feet.
- (d) Signs must meet the setback requirements of the district within which they are located with the exception of the front setback. All parts of the sign and the sign structure must be out of the right-of-way.
- (e) Where a limited access highway user's sign is installed on a developed lot, there may be one additional on-premise sign installed, if it is separated from the limited access highway user's sign by more than 500 feet.

**Sec. 44-569. Violations.**

Any person violating any section of this Division is subject to all applicable enforcement, appeal, variance provisions of this Chapter.

**Sec. 44-570. Penalty.**

Any person violating any section of this Division for which no other penalty is set forth shall be subject to the penalty contained within Sec. 44-369.

**Sec. 44-571. On-premise canopy signs for fuel pump islands.**

In addition to one freestanding sign, one static fascia canopy sign is permitted on sides visible from the public right-of-way. Each canopy sign may have a maximum area equal to 25% of the canopy fascia surface, up to a maximum height of 2 feet.

(Ord. No. 2008-17, 10/20/08)

**Sec. 44-572 - 599 Reserved**