
ARTICLE D
SIGN REGULATIONS

9-5-16 GENERAL REGULATIONS

(a) APPLICABILITY

A sign may be erected, affixed, placed, painted, or otherwise established in the City only in compliance with the provisions of this Ordinance.

(b) PROHIBITED SIGNS

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

- (1) Windblown devices such as pennants, banners, streamers, spinners, balloons, gas-filled figures, and other similar devices, except as temporary identification for Market Showrooms and as advertising for a temporary event or special promotion. (Permit required, see Chapter 3)
- (2) Animated signs.
- (3) Electronic Changeable Copy signs, except in the Central Business (CB) zoning district.
- (4) Portable sign legible from the public right-of-way, except with a Temporary Event Permit issued under Section 9-3-3(f), or as permitted in Table 5-16-1 for A-Frame signs.
- (5) Signs which project over a public right-of-way, except that wall signs may project not more than 18 inches over a public right-of-way in zones which permit structures to be built at the property line adjoining the street.
- (6) 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.
- (7) Signs which are affixed to trees, rocks or other natural features.
- (8) Signs of any type which imitate traffic control devices.
- (9) Signs which extend vertically above the highest portion of roof of any structure.
- (10) Signs on roadside appurtenances, including but not limited to roadside benches, bus stop shelters, planters, utility poles, and refuse containers, with the exception of warning signs or governmental signs.
- (11) A series of two (2) or more signs placed in a line parallel to a public or private street, or in similar fashion, all carrying a single commercial message.

(Ord. No. 04-40, Pt. 14, (§1), 5-03-04)

(c) SIGNS EXEMPT FROM REGULATION

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

- (1) Governmental signs.
- (2) Works of art with no commercial message.
- (3) Lights and decorations with no commercial message temporarily displayed on traditionally accepted civic, patriotic or religious holidays.
- (4) Hand carried signs.
- (5) Signs located on the interior of buildings, courts, lobbies, athletic fields, stadiums, or other structures which are not intended to be seen from the exterior of said buildings or structures.
- (6) Signs located on or affixed to an athletic field scoreboard that are not oriented toward the playing field, unless any such sign 1) is an off-site sign or outdoor advertising sign, or 2) is larger than, or protrudes from the scoreboard, or 3) is a projecting sign, or 4) is illuminated.
- (7) 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.
- (8) Signs affixed to windows of vehicles displaying information on the terms of sales for said vehicles.
- (9) Signs not legible from a public or private street.
- (10) 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 local governing body, are subject to the laws found in the United States Code, Title 4, Chapter 1, Title 18, Chapter 33 and Title 36, Chapter 10.
- (11) Window signs painted on or attached to a window.

(d) SIGNS THAT DO NOT REQUIRE A PERMIT

The following signs are permitted in all zoning districts and may be installed without obtaining a permit, provided that they conform to the specifications shown on Table 5-16-1. Unless otherwise specified, all signs shall be restricted to on-site locations.

- (1) Warning signs provided that such signs contain no commercial message except a business logo or name.
- (2) Flags, emblems or insignia of corporate, political, professional, fraternal, civic, or educational organizations.
- (3) Religious, philosophical, or educational signs.
- (4) Certain temporary signs conforming to the provisions of Table 5-16-1. Other types of temporary signs may be allowed by permit based on the provisions of Tables 5-16-2 and 5-16-3. Allowed without a permit are:
 - a. Temporary real estate and construction signs which are removed within seven (7) days of the end of the completion of construction, or sale or lease of property.
 - b. Temporary yard sale signs which are posted for no longer than three (3) days per sale.
 - c. Temporary political signs located on private property with the property owner's permission; provided the signs are removed within seven (7) days after the election and there shall be no commercial message displayed in residential, office and public/institutional districts.
- (5) Historical or memorial plaques, tablets or markers.
- (6) Signs painted or attached to vending machines, gas pumps, ice machines or similar devices which indicate the contents of the machine, the name or logo of the supplier, the price, or operating instructions.
- (7) The following identification signs:
 - a. Name and address plates, including those identifying home occupations and rural family occupations.
 - b. Building markers (cornerstones or plaques).

(e) SIGNS REQUIRING A PERMIT

All signs except those listed in Subsections 9-5-16(c) and (d) above, shall not be installed until a sign permit has been obtained. The size, height, permitted illumination, setback, and number of signs permitted is specified in Tables 5-16-2 and 5-16-3 and Subsection 9-5-16 (f) (Outdoor Advertising Signs (Billboards)). Unless otherwise specified, all signs shall be restricted to on-site locations. For the purposes of sign permitting, an Integrated Multiple Use Development (IMUD) shall be considered a single zone lot.

(f) OUTDOOR ADVERTISING SIGNS (BILLBOARDS)

- (1) Districts Allowed: Outdoor advertising signs shall be allowed in Heavy Industrial (HI) Districts.
- (2) Location: Outdoor advertising signs shall be located off-site.
- (3) Size: The sign area of any outdoor advertising sign, including any extension(s), shall not exceed four hundred and fifty (450) square feet.
- (4) Height: No outdoor advertising sign shall exceed thirty (30) feet in height; however, the height may be increased to fifty (50) feet if the sign is within four hundred (400) feet of the right-of-way of an Interstate Highway.
- (5) Spacing Requirements:
 - a. Between Signs: No outdoor advertising sign shall be erected, affixed, or otherwise installed within a five hundred (500) foot radius of another outdoor advertising sign, except within the US Highway 311 Bypass corridor, where no such sign shall be within a two thousand (2,000) foot radius of another outdoor advertising sign. The US Highway 311 Bypass corridor is that area within one thousand five hundred (1,500) feet of the right-of-way line of the highway.
 - b. Adjoining Residential District or Church: No outdoor advertising sign shall be erected, affixed, or otherwise installed closer than three hundred (300) feet to any residentially zoned property or property containing a church. If the residential zoning line runs along the near edge of a street right-of-way, the width of the right-of-way shall be subtracted from the setback requirement.
- (6) Relationship to Accessory Freestanding Signs:
 - a. Lots with One Street Frontage: No outdoor advertising sign may be erected, affixed, or otherwise installed on a zone lot which contains more than one (1) accessory freestanding sign.
 - b. Lots with Two or More Street Frontages: No outdoor advertising sign may be erected, affixed, or otherwise installed on a zone lot which contains more than two (2) accessory freestanding signs.
- (7) Setback: The support post(s) of any outdoor advertising sign shall meet the minimum setbacks of the district in which it is located. In addition, no sign or portion of any outdoor advertising sign shall project closer than fifteen (15) feet to a street right-of-way or closer than five (5) feet to any other property line, measured horizontally.
- (8) Mounting Back-to-Back: Outdoor advertising sign structures may be mounted back-to-back when they share a common support. The total sign area of any such outdoor advertising structure shall be considered to be one (1) sign.

- (9) Design, Construction, and Maintenance: All outdoor advertising signs shall meet the minimum requirements of Subsection 9-5-16 (h) (Design, Construction, and Maintenance).
- (10) Permits: Outdoor advertising signs shall require a sign permit in accordance with the requirements and procedures of Chapter 3 (Permits and Procedures) in order to be erected, affixed, or otherwise installed.
- (11) Certificates: For outdoor advertising signs erected, affixed, or otherwise installed after the effective date of this Ordinance, a Sign Certificate shall be issued in accordance with Subsection 9-5-16(k) (Sign Certificates). For outdoor advertising legally in existence on the effective date of this Ordinance, a Sign Certificate may be obtained in accordance with Subsection 9-5-16(k) (Sign Certificate).
- (12) Nonconforming Signs: Nonconforming outdoor advertising signs may be continued in accordance with the provisions of Subsection 9-5-16(k) (Sign Certificates).

(g)

SIGNS FOR HISTORIC STRUCTURES OR PROPERTIES

- (1) Applicability: Properties, buildings or other structures that have received Local Historic Landmark status from the Guilford County Historic Preservation Commission or that have National Register of Historic Places status may be permitted to construct, reconstruct, replicate or replace sign structures that otherwise are not permitted by this Ordinance, in accordance with the following.
 - a. The grounds (in the case of a freestanding sign) and/or exterior of the structure must be an historic element cited by the National Register designation, or cited in the City's Ordinance of Adoption accepting the Local Historic Landmark designation. Such designation may be for a portion of said grounds or structure.
 - b. The Local Historic Landmark or National Register designation must be currently valid. There must be no outstanding violations of process, or any proposed changes to the property that would jeopardize the designation. All required approvals; Certificate of Appropriateness, etc. must be obtained.
- (2) Special Exception Required: The property owner must apply for a Special Exception in accordance with the regulations of this Ordinance, except that, before the Special Exception application is heard by the Board of Adjustment, it shall have been reviewed by the High Point Historic Preservation Commission.
 - a. HPC Review: The High Point Historic Preservation Commission shall review the application at its first regular meeting following submittal and shall offer comment that addresses, at a minimum, the historic significance and competency of the information presented in the application, and shall forward such comment in writing to the Board of Adjustment.

- b. **BOA Approval:** The Board of Adjustment, in approving a Special Exception under these provisions, may approve an exception to the height, setback or area of the sign. It may consider a location for the sign other than where the original sign was placed, or other than on the Landmark or National Register portion of a structure where only part of the structure or physically connected structures carries such designation. It may also allow by exception a sign type not permitted, but only one such sign shall be allowed, unless it is stipulated that approval is made in place of an otherwise permitted wall or freestanding sign. The Board shall not grant exceptions to the number, spacing or illumination provisions of this Ordinance. The Board may not grant a Special Exception if it finds that the proposed sign(s) or the proposed location for it will be hazardous or pose an unnecessary or unreasonable threat to public safety.
- (3) **Application Provisions:** The application to the Board of Adjustment for a Special Exception for an historic sign shall include the following:
- a. Evidence of the existence (past or present) of the sign being restored, replaced or replicated, and its location on the structure.
 - b. Evidence that the sign being restored, replaced or replicated was associated with the original or other early use of the structure, or has (itself) historic significance.
 - c. Evidence showing how the new or restored sign will imitate the former sign. Consideration shall be given to 1) size, 2) design or shape, 3) coloration, 4) lettering style, 5) graphic art style, 6) illumination and 7) type (overhanging, roof mounted, wall, freestanding, etc.). At least four (4) of the above elements of the new or restored sign must be found to be comparable to the former sign. Size will be considered comparable if the new sign has the same or smaller area.
 - d. Evidence that the proposed location of the new or restored sign will not pose a hazard to pedestrian or vehicular movements, and that the erection of such sign will meet all applicable building and electrical codes.
- (4) **Approval:** In approving a Special Exception for a sign on an historic structure or property, the Board of Adjustment shall find that the applicant provided evidence that was substantial, competent and material with respect to the requirements contained in (3)a. through d., above.

(h) COMPUTATION OF SIGN AREA AND HEIGHT

- (1) **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 backdrop or structure against which it is placed, but not including any supporting framework, bracing, or decorative fence or wall.

- (2) 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.
- (3) Height: Sign height shall be computed as the distance from the base of the sign at the finished grade or from the nearest adjacent street grade to which the sign is oriented and on which 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.
- (4) 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.

**TABLE 5-16-1
SPECIFICATIONS FOR SIGNS NOT REQUIRING A PERMIT**

TYPE	# PERMITTED	AREA (sq ft)	SETBACK (feet)	HEIGHT (feet)	ILLUM. (b)
Warning Signs/Res. Districts	NA	4	NA	8	direct
Warning Signs/Non-Res. Districts	NA	6	NA	8	direct
Historical, Memorial Markers/All Districts	1/lot	4	R/W (a)	6	indirect
Flags, Emblems, Insignia/All Districts	1/frontage	60	R/W (a)	40	indirect
Religious, Philosophical, or Educational Signs/All Districts	1/frontage	6	R/W (a)	6	none
Temp. Real Estate, Yard Sale & Construction Signs/AG & RS Districts	1/frontage	6	R/W (a)	6	none
Temp. Real Estate & Construction Signs/RM, Non-Res. Districts, & Major Subdivisions in RS Districts	1/frontage	100	R/W (a)	12	none
Temp. Political Signs/All Districts	6	6	R/W (a)	6	none
Identification Signs/All Districts (c)	1/building	2/unit	R/W (a)	6	none
A-Frame/MS District (subarea B) (d)	1/building entrance	6	R/W(f)	3	none
A-Frame/CB District (e)	1/building entrance (market showrooms only)	6	R/W(f)	3	none

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) As specified in Section 9-5-16(d) (Signs That Do Not Require A Permit), refers to the following identification signs: name and address plates, including those identifying home occupations and rural family occupations, and building markers (cornerstones or plaques).
- (d) Display: Signs shall be displayed only during operational hours of the use and shall be removed each day at the close of business. Only one sign is permitted per building entrance that fronts on the primary street, not to exceed one sign per non-residential use. Windblown devices, including but not limited to balloons and streamers, may not be attached or otherwise made part of the signs.
- (e) Signs are not permitted for use during the officially designated Market period, but may be displayed during other operational hours of the market showroom. Signs shall be removed each day at the close of business. Only one sign is permitted per building entrance that fronts on the primary street, not to exceed one sign per market showroom. Windblown devices, including but not limited to balloons and streamers, may not be attached or otherwise made part of the signs.
- (f) Signs may be placed on the public sidewalk portion of the public street right-of-way directly in front of the use. Such signs shall not interfere with safe sight-distances for motorists on the adjacent roadways, shall not interfere with or obstruct pedestrian or vehicular traffic, and shall allow a minimum of five (5) feet of clear passage on the sidewalk between the street and the sign. Signs shall not be anchored to the sidewalk or affixed to poles, vending boxes or other structures or appurtenances.

**TABLE 5-16-2
SPECIFICATIONS FOR ACCESSORY FREESTANDING SIGNS REQUIRING A PERMIT**

ZONING DISTRICT	NUMBER	AREA		SETBACK (feet)	HEIGHT (feet)	COMPUTATION
		max	min(a) (sq. ft.)			
Public and Institutional Uses/Res. Districts	1/lot front.	50	NA	R/W (b)	6	NA
AG (non-residential uses only)	1/lot front	50	NA	R/W (b)	10	NA
PI, LO, NB	1/lot front.	100	12	R/W (b)	6	.25 sq ft/linear ft lot front.
GO-M, GO-H, CP, LB	1/lot front.	100	25	R/W (b)	15	.25 sq ft/linear ft lot front.
GB, LI, HI	1/lot front.	200(c)	75	R/W (b)	30 (d)	1.0 sq ft/linear ft lot front.
MS (q)	1/lot front.	150 – A&D 75 – B&C	50	R/W(b)	15 – A&D 6 – B&C	1.0 sq ft/linear ft lot front.
HB	1/lot front.(m)	200(c)	75	R/W(b)	30(d)	1.0 sq ft/linear ft lot front
Outparcel & Lease Lot	1/parcel (m)	50	NA	R/W(b)	6	NA
CB (p)	1/street frontage(n)	100	50	R/W (b)	6 (e)	1.0 sq ft/linear ft lot front.
SC (f) Development Identification	(k) 1/street front.	300	200	10	30 (d)	# business 2-15 = 200 sq ft 16+ = 300 sq ft
Outparcel & Lease Lot	1/parcel	50	NA	R/W (b)	6	NA
Playbill	1/theatre complex	200	NA	10	30	NA
Individual Lot of Record	1/lot	100	50	R/W (b)	6	.5 sq ft/linear ft lot front.
(g) Development entrance/All Districts	1 pair/entrance	50/ entrance	NA	R/W (b)	6	NA
Off-site Directional Signs/GB, HB, LI, HI	See Note #4	8	NA	R/W (b)	6	NA
(h) Identification Signs/All Districts	1/building entrance	20	NA	15 (o)	10	NA
(i) Instructional Signs/All Districts	NA	6	NA	R/W (b)	8	NA
(j) Banners for Temporary Events/All Districts	1/500 ft frontage	20	12	R/W (b)	20	Linear Frontage 0-100 ft = 12 sq ft 101-200 ft = 16 sq ft > 200 ft = 20 sq ft
Portable Signs for Temporary Events/All Districts	1/lot	32	NA	R/W (b)	6	NA
Special (1) Promotion Signs/All Districts	NA	NA	NA	R/W (b)	NA	NA

Notes:

- 1) Freestanding signs shall be allowed only as accessories to a principal use.

- 2) Indirect illumination of signs is allowed in all districts. In residential districts, direct illumination of signs shall be subject to the approval of a Special Use Permit and compliance with the following requirements: i) the sign must be for a permitted non-residential use; ii) the non-residential use and sign must front on a thoroughfare; and iii) illumination of the sign must be needed for identification of the non-residential use due to the use's non-daylight activities.
In non-residential districts, direct illumination of signs is allowed, except in the NB, LO, GO-M and CP Districts where direct illumination shall be limited to cut-out letter and shielded silhouette lighting. In the PI District, direct illumination of signs shall be subject to the approval of a Special Use Permit and compliance with the following requirement: i) illumination of the sign must be needed for identification of the use due to the use's non-daylight activities.
- 3) Any sign greater than 6 ft in height shall not be located within 100 ft of any residential district.
- 4) The number of off-premise directional signs permitted shall be determined through the Special Use Permit process by recommendation of the Planning and Zoning Commission and City Council approval, and shall be based on the need for the sign(s) and the difficulty of access to the establishment. Where two (2) or more establishments at the same location receive approval of directional signs, such signs shall share the same support structure. The Special Use Permit shall expire after two (2) years and shall be subject to reapproval.
- 5) For the purposes of sign permitting, individual lots within an Integrated Multiple Use Development, (IMUD) shall be permitted freestanding signage in accordance with the regulations governing outparcels and lease lots in the SC District. Development entrance or development identification signs for IMUD's shall be permitted in accordance with the governing zoning district.

Footnotes:

- (a) "Minimum" sign area refers to the minimum sign size allowed by right, regardless which would be allowed by computation.
- (b) Signs must be located outside public street right-of-way and outside any sight distance area. Development entrance signs may be erected in the public right-of-way provided that such signs have been permitted by an encroachment agreement in accordance with Subsubsection 9-5-16(m). Off-premise directional signs shall be subject to the permission and written agreement of the property owner for the sign location.
- (c) The maximum size of a sign may be increased by 75 feet if the sign is within 400 feet of the right-of-way of an Interstate Highway.
- (d) The height of a sign may be increased to 50 feet if the sign is within 400 feet of the right-of-way of an Interstate Highway, provided that the increase in height is not permitted if government sponsored logo signs are installed.
- (e) The height of a sign in the CB District may be increased to 15 feet if the sign is a monument sign.
- (f) Sign may identify only the name of the shopping center and the tenants. Height may be increased by 5 ft. and maximum size may be increased by 50 sq. ft. a permitted freestanding playbill is not separately installed, but is combined with the Shopping Center Identification sign.
- (g) Permitted only in: (1) major subdivisions; (2) developments of over fifteen thousand (15,000) square feet of gross floor area; (3) multifamily developments with more than eight (8) dwelling units in a single building; or (4) developments with more than forty thousand (40,000) sq ft in open air uses of land. Sign may identify only the name of the development, management or developer, and/or address or location of development.
- (h) Refers to the following identification signs: Directory signs (listing occupants of buildings and their address) in developments with multiple occupants; individual tenant signs and building name and address signs for buildings with multiple occupants. An individual tenant identification sign may only be erected at an entrance if there is no wall mounted identification sign present.
- (i) Colleges and universities, hospitals, coliseums, and convention centers may have signs that exceed the allowable square footage if approved by the Board of Adjustment as a special exception subject to the finding that any larger sign is a public necessity.
- (j) Would require a Temporary Event Permit in accordance with Section 9-3-3(e).
- (k) One additional freestanding sign may be allowed provided: 1) the lot frontage exceeds 1,000 linear feet; 2) the minimum area referred to in footnote (a) does not apply to the additional sign; 3) the sign allocation may be apportioned between the two signs, but in no case shall the maximum area for either sign exceed 200 square feet; 4) the additional signs shall not be located closer than 250 feet to any other freestanding sign on the same zone lot; and 5) the additional sign shall not be located closer than 250 feet to any freestanding sign on an adjoining zone lot.
- (l) Freestanding signs erected for Special Promotions shall be limited in duration to a maximum of 30 continuous days not more than 2 times in a calendar year.
- (m) Under no circumstance shall there be more than one accessory freestanding sign per principal building.
- (n) A maximum of three (3) such signs per zone lot shall be permitted.
- (o) A directory sign or single tenant identification sign shall, at its closest point, be located within 6 feet of the entrance it is intended to identify.
- (p) For properties in the Central Business (CB) District, the area and height of one (1) permitted freestanding sign may be increased provided that:
 1. No wall signs shall be permitted or erected on the same side of the building. This is deemed to include all sections of the building wall parallel with or within 45 degrees of parallel with the property line or street right-of-way line.
 2. The sign face is placed parallel to the building, and is located such that it does not impair vehicular sight distance from driveways or along public streets.
 3. The area of the freestanding sign does not exceed 50% or 150 square feet, whichever is smaller, of the area of wall signage that would be permitted on the side of the building where the freestanding sign is to be located. The wall signage calculation shall include all sections of the building wall parallel with or within 45 degrees of parallel with the property line or street right-of-way line.
 4. The height of the freestanding sign does not exceed forty (40) feet or the height of the building (or average height where variations in height occur), whichever is less.
- (q) Monument type signs only.

(Ord. No. 02-67, Pt. 1-5, (§ 1), 8-1-02; Ord. No. 04-40, Pt. 3, (§1),5-03-04;)

**TABLE 5-16-3
SPECIFICATIONS FOR ACCESSORY ATTACHED SIGNS REQUIRING A PERMIT**

ZONING DISTRICT	NUMBER	AREA		HEIGHT (feet)	COMPUTATION
		max	min(a) (sq. ft.)		
WALL SIGNS					
PI, LO, NB	See Note #1	NA	25	top of wall	5% of wall area (b)
GO-M, GO-H, CP, LB	See Note #1	NA	25	top of wall	7.5% of wall area (b)
GB, HB, MS, CB, LI, HI, SC (including outparcels & lease lots)	See Note #1	NA	50	top of wall	10% of wall area (b)
AWNING, CANOPY MARQUEE SIGNS All Non-Res. Districts	1/face	NA	NA	top of canopy (c)	10% of the canopy, (d) awning, or marquee face
SUSPENDED SIGNS All Non-Res. Districts	1/entrance	6	NA	(b)	NA
BANNERS Temporary Events (e) All Districts	1/500 ft. frontage	20	12	(b)	Linear Frontage 0-100 ft = 12 sq ft 101-200 ft = + 4 sq ft 201-500 ft = + 4 sq ft
Temporary Identification for Market Showrooms (f), All Non-Res. Districts	NA	NA	NA	top of wall	50% of wall area
SPECIAL PROMOTION SIGNS (g) All Districts	NA	NA	NA	top of wall	NA
IDENTIFICATION SIGNS All non-Res. Districts	1 only where avg. wall height > 35 ft.	75	> 6	top of wall	1% of wall area (h)

Notes:

- 1) Except in the CB District, one (1) sign is permitted per building wall of a business oriented to a street or parking area.
Exceptions:
 - a) In a multi-tenant building, where each tenant has its own separate entrance, each tenant may have one sign, the area of which is based on its proportionate share of the building wall. The wall must be oriented to a street or parking area. The total area of all signage shall not exceed the total allowed for the building wall. A common signage plan shall be prepared and approved by the Enforcement Officer prior to issuance of the first sign permit.
 - b) In a multi-tenant building that is two (2) stories in height or less and contains less than 30,000 sq. ft. gross floor area, and where the tenants share a common entrance, each tenant may have one sign, the area of which may be based on its proportionate share of the building's gross floor area, or may be based equally on the number of tenants. Signs may be grouped on a wall(s) oriented to a street or parking area. The total area of all signs shall not exceed the total allowed for the building wall on which they are located. A common signage plan shall be prepared and approved by the Enforcement Officer prior to the issuance of the first sign permit.
 - c) In a multi-tenant building that is three (3) stories in height or more and/or contains 30,000 sq. ft. or more gross floor area, and where the tenants share a common entrance(s), a maximum of four (4) wall signs shall be permitted. The signs may be grouped on a wall(s) oriented to a street or parking area. However, where signs are grouped, the maximum area of each sign shall be computed using the following formula:
 - For 2 signs, $1.5 \text{ (max. sign area for building wall)} \div 2 = \text{max. area of each sign}$
 - For 3 signs, $2.0 \text{ (max. sign area for building wall)} \div 3 = \text{max. area of each sign}$
 - For 4 signs, $2.5 \text{ (max. sign area for building wall)} \div 4 = \text{max. area of each sign}$

Where signs are grouped, a common signage plan shall be prepared and approved by the Enforcement Officer prior to issuance of the first sign permit.

- 2) No illumination of signs is permitted in residential districts. In non-residential districts all signs may be directly or indirectly illuminated. In NB, PI, LO, GO-M, and CP Districts, illumination is limited to cut-out letter and shielded silhouette lighting.

Footnotes:

- (a) "Minimum" sign area refers to the minimum area allowed by right, regardless of the size which would be allowed by computation.
- (b) Based on the first 30 feet of height of the wall on which the sign is located. Buildings over 30 feet in height may have additional sign area based on 5% of the wall area above 30 feet in height, provided the sign is located at or near the top of the building.
- (c) Nine (9) foot height to clear pedestrian walkways or fifteen (15) feet to clear vehicular drives.
- (d) The 'face' shall include the entire area of the canopy, awning or marquee structure. The total area of all accessory attached signs, whether attached to a wall, canopy, awning or marquee shall not exceed the total allowed for the building wall. All or 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 said structure.
- (e) Would require a Temporary Event Permit in accordance with Section 9-3-3(e).
- (f) Banners erected for temporary identification for Market Showrooms shall be limited in duration to a maximum of 30 continuous days not more than 2 times in a calendar year.
- (g) Signs erected for Special Promotions shall be limited in duration to a maximum of 30 continuous days not more than 2 times in a calendar year.
- (h) The area of such signs shall be subtracted from the allowable square footage of wall signs for the wall upon which it is placed.

(Ord. No. 04-40, Pt. 4, (§1), 5-03-04)

(i) DESIGN, CONSTRUCTION AND MAINTENANCE

All signs shall be designed, constructed, and maintained in accordance with the following standards:

- (1) Other Codes: All signs shall comply with applicable provisions of the Building Code and the Electrical Code.
- (2) 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.
- (3) 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.
- (4) 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.
- (5) Ventilation Interference: No signs shall be erected so as to interfere with any opening required for ventilation.
- (6) 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 National Electrical Safety Code (NESC).

- (7) 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.
- (8) Interference to Warning or Instructional Sign: No sign shall be erected so as to interfere with any existing warning or instructional sign.
- (9) 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 NC Building Code.

(j) MASTER OR COMMON SIGNAGE PLAN

After the effective date of this Ordinance a Master Signage Plan shall be prepared for new developments or new occupants of existing developments containing a single principal building on a single zone lot, while a Common Signage Plan shall be prepared for new developments containing more than one principal building or more than one zone lot.

- (1) Information Required for a Master Signage Plan:
 - a. A site Layout Plan in accordance with Appendix-Map Standards.
 - b. Specifications for each sign in sufficient detail to determine that the height and area requirements of this Ordinance have been met.
 - c. Accurate location(s) on the Site Layout Plan for each existing and proposed sign.
 - d. Owner designation of party responsible for signage plan and any subsequent amendments.
- (2) Common Signage Plan Information: A Common Signage Plan shall contain all of the information required above plus the following additional material:
 - a. Lighting scheme
 - b. Provisions for shared usage of freestanding sign(s)
 - c. Graphic or written information that explains how signage will be coordinated. This information shall address, at a minimum, size, shape, use of unifying colors and/or lettering, illumination and placement symmetry.
- (3) Other Provisions:
 - a. 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). Criteria for a Master or Common Signage Plan for an Integrated Multiple Use Development Plan or a Planned Unit Development shall be approved prior to the approval of any development plan. A Master or Common Signage Plan shall be approved prior to the issuance of any building permit(s).

- b. A Master or Common Signage Plan may be amended by filing a new plan which complies with all requirements of this Ordinance. The Enforcement Officer may approve minor changes to a Master or Common Signage Plan provided such changes comply with all requirements of this Ordinance.
- c. After approval of a Master or Common Signage Plan, no sign shall be erected, affixed, placed, painted or otherwise established 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.

(k) PERMITS TO CONSTRUCT OR MODIFY SIGNS

Signs shown as requiring a permit on Tables 5-16-2 and 5-16-3 above and outdoor advertising signs shall be erected, affixed or otherwise established only in accordance with a duly-issued and valid sign permit. Such permits shall be issued in accordance with the requirements and procedures of Chapter 3 (Permits and Procedures).

(l) NONCONFORMING SIGNS

(1) Signs Existing on Effective Date:

- a. The following prohibited signs, which were legally in existence on the effective date of this Ordinance, shall either be removed or brought into compliance with this Section within twelve (12) months of the effective date of this Ordinance.
 1. Windblown devices such as pennants, banners, streamers, spinners, balloons, gas-filled figures, and other similar devices, except as advertising for a temporary event or special promotion.
 2. Portable sign legible from the public right-of-way, except with a Temporary Event Permit issued under Section 9-3-3(e).
 3. 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.
 4. Signs which are affixed to trees, rocks or other natural features.

5. Signs of any type which imitate traffic control devices.
 6. Signs on roadside appurtenances, including but not limited to roadside benches, bus stop shelters, planters, utility poles, and refuse containers, with the exception of warning signs or governmental signs.
- b. A sign that would be allowed by this Section only with a sign permit, and was legally in existence on the effective date of this Ordinance, 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, copy or construction is not in compliance with the requirements of this Ordinance, shall be deemed a non-conforming sign.
1. A nonconforming sign may 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 as provided herein, nonstructural repairs such as repainting or electrical repairs, and incidental alterations which do not increase the degree or extent of the nonconformity. Non-conforming copy-regulated signs may change panels or replace lettering as long as the copy size and message are the same as that being changed or replaced, or are less nonconforming.
 - ii. No structural alteration, enlargement, or extension of such sign or sign structure, including additional lighting, shall be allowed.
 - iii. No relocation of such sign upon the premises shall be allowed. Any non-conforming sign that is removed for any reason shall be replaced only with a sign that complies with the provisions of this Ordinance.
 - iv. If damage to such sign from any cause is less than fifty percent (50%) 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.
 - v. If the business activity on the premises is discontinued for a continuous period of less than ninety (90) days, then the sign shall be allowed to remain.
 2. Any nonconforming sign, shall be brought into compliance with this Ordinance or removed if one of the following occurs:
 - i. If damage to such sign from any cause is fifty percent (50%) or more of either the original or replacement value, whichever is less; or

- ii. If the business activity on the premises is discontinued for a continuous period of ninety (90) days or more.
- iii. If additions or expansions of buildings exceed 1,000 square feet of gross floor area (GFA) or the total of additions or expansions of buildings, parking areas or open uses of land occur that individually or collectively exceed 3,000 square feet;
- iv. If structural or nonstructural alterations, excluding routine maintenance and repair of the façade of the principal building, exceeds fifty per cent (50%) of the façade's area, to be calculated from the area of the façade or wall used in calculating the maximum allowable sign area;
- v. If there is a change in the existing use of the property requiring a change of use permit from the Enforcement Officer; or
- vi. If an application for a sign permit to add new or additional signage to the premises of a non-conforming sign has been approved.

(2) Signs for Nonconforming Uses:

New signs relating to a properly established nonconforming use in a residential district may be permitted if such signs comply with the requirements of this Article.

(3) Lapse of Sign Permit:

A Sign Certificate shall lapse automatically if the business activity on the premises is discontinued for a continuous period of ninety (90) days or more.

(4) Annexation, Map Amendment, or Text Amendment: Any sign that is made nonconforming by reason of annexation, zoning map amendment, or any subsequent amendment to the text of this Ordinance, shall be removed or brought into compliance as provided in Subsection 9-5-16(1)(1) (Signs Existing on Effective Date).

(m) ENCROACHMENT AGREEMENTS

Development entrance signs, as provided in Table 5-16-2, shall be allowed to encroach on public right-of-way only so long as there is in effect between the owner of the sign and the City an Encroachment Agreement in a form to be determined by the City Attorney. Such Agreement shall at a minimum provide that:

- (1) The sign owner shall not be compensated by the jurisdiction for any loss of or damage to the sign from any cause;
- (2) The sign owner shall remove the sign at the sign owner's expense if the jurisdiction determines at any time that the sign interferes with the public use of the right-of-way;

- (3) The sign owner shall maintain the sign; and
- (4) If the sign projects or is suspended over the public right-of-way, the sign owner shall agree to provide insurance or satisfactory indemnification of the City against liability for injury to persons or property from the sign.

(n) COMPLIANCE WITH THE ORDINANCE

- (1) 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.
- (2) 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 NCDOT or the City, shall be forfeited to the public and be subject to confiscation.
- (3) 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.
- (4) Unsafe Signs: Any sign which is unsafe or insecure, or is a menace to the public shall be removed after due notice has been given by the Enforcement Officer.
- (5) 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 has been given by the Enforcement Officer.
- (6) Signs Installed without Permit: Any sign which has been installed in violation of the NC Building Code or in violation of this Ordinance shall be removed after due notice has been given by the Enforcement Officer.

(o) VARIANCES

The Board of Adjustment shall have the authority to grant a variance to the height and setback provisions of this Section, but shall not be authorized to grant a variance to the number, size, illumination, or spacing provisions of this Section.

(Ord. No. 93-1, § 1, 2-18-93; Ord. No. 93-113 Pt. 2(§ 1), 9-16-93; Ord. No. 93-113, Pt. 1(§ 1), 12-13-93; Ord. No. 94-44, § 1, 4-21-94; Ord. No. 96-74, Pt. 1, (§1), 12-12-96; Ord. No. 97-84, Pt. 1 (§ 1), 10-2-97; Ord. No. 97-84, Pt. 2 (§ 1), 10-2-97; Ord. No. 97-84, Pt. 3 (§ 1), 10-2-97; Ord. No. 98-67, Pt. 1, (§1), 6-18-98; Ord. No. 99-75, Pt. 11 (§ 1), 10-4-99; Ord. No. 00-21, Pt. 1 (§ 1) 3-2-00; Ord. No. 00-120, Pt 2 (§1), 10-5-00; Ord. No. 01-97, Pt. 1, (§ 1), 11-15-01; Ord. No. 01-98, Pt 1, (§ 1), 12-3-01; Ord. No. 01-100, Pt 2, (§1), 12-20-01; Ord. No. 02-33, Pt.1, 2, 3, & 6, (§) 4-18-02)

9-5-17 THROUGH 9-5-20 (Reserved)