

ARTICLE X SIGNS

9.1 INTENT

The intent of this Article is to regulate the erection, number, area, height, location, type and maintenance of signs in order to promote the health, safety and general welfare of the public and the orderly development of the County by providing adequate signage for businesses and motorists, and protecting and enhancing the image, appearance and economic vitality of the County.

9.2 ADMINISTRATION, FILING PROCEDURE AND APPROVALS

9.2.1 Approval Procedure Applications for approval to construct or install all signs shall be submitted on forms obtained from the Administrator showing the following:

- A. Surface area of the sign;
- B. Size, general layout and designs proposed for painted display;
- C. The method and type of illumination, if any;

Commentary: Each applicant for sign approval must apply for a building permit, if applicable.

- D. The location proposed for such signs in relation to property lines, zoning district boundaries, if applicable, right-of-way lines, and existing signs; and
- E. If conditions warrant it, the Administrator may require such additional information that will enable them to determine if such sign is to be erected in conformance with the requirements of this Ordinance.

9.3 GENERAL PROVISIONS

9.3.1 Traffic Safety. No sign shall be erected or constructed that:

- A. Obstructs the sight distance at intersections or along a public right-of-way;
- B. Would, by its location, color, or nature, tend to be confused with or obstruct the view of traffic signs or signals, or would be confused with a flashing light of an emergency vehicle; or which might be confused with traffic directional signals and signs such as "stop", "go", "slow", "danger", etc.

9.3.2 Certain Signs Prohibited

- A. No sign shall be attached to or painted on any telephone pole, light pole, telegraph pole, or other man-made objects not intended to support a sign or any tree, rock, or other natural objects.
- B. Any type of sign not currently listed in this Article shall be prohibited.
- C. Signs are prohibited in the right of way excepting governmental (e.g. – NCDOT, hurricane evacuation route, etc.) or directional signs (e.g. – road names, Stop, Yield, etc.).
- D. No sign shall be established on private property without the express written permission of the owner.

9.3.3 Standing

- A. A sign permit shall not be issued until a use or occupancy has received zoning certification.
- B. A Zoning Approval for uses or signs which require a Special Use Permit shall not be issued until a Special Use Permit is approved by the Board of County Commissioners.

9.3.4 Clearance

- A. No sign shall be permitted that obstructs pedestrian, bicycle, vehicular, or other such movement.

9.4 EXEMPTIONS

9.4.1 The following types of signs are exempt from the application of the regulations herein:

- A. Signs unlighted, not exceeding two (2) square feet in area and bearing only property numbers, mailbox numbers, post office numbers, and the name of the owner or occupant of the premises. Such signs shall not exceed two (2) square feet in area per

occupant. If more than one (1) sign or nameplate is required, the total allowable sign area shall not exceed eight (8) square feet.

- B. Flags and insignia of any government.
- C. Holiday decorations in season.
- D. Integral decorative or architectural features of buildings, including signs which denote only the building name, date of erection or street number.
- E. Signs directing and guiding traffic and parking on private property.
- F. Signs which cannot be seen from public road or right-of-way.
- G. The act of changing advertising copy of messages on any sign designated for the use of replaceable copy such as a ready board or product price sign or on sign having its own changing copy capacity such as a time-and-temperature sign.
- H. Interior Window Signs located on the interior of the windows and with a total area not exceeding 1/2 square foot per lineal foot of the building front wall space.
- I. State required signs, i.e., inspections at service stations etc.
- J. Off-Site real estate signs not exceeding six (6) square feet

9.5 SIGNS NOT REQUIRING ZONING APPROVAL

9.5.1 The following signs may be erected, hung, or placed without zoning approval from the Administrator, but shall not be illuminated unless otherwise specified. Such signs are still subject to locational requirements, as specified herein.

- A. Temporary Real Estate Sign
 - 1. One (1) on-premise temporary real estate sign not exceeding ten (10) square feet in area shall be allowed per residential lot.
 - 2. One (1) on-premise temporary real estate sign not exceeding thirty-two (32) square feet in area shall be allowed, for commercial or industrial property, and/or for tracts of land five (5) acres or more in area.
 - 3. Where the property on which said sign is to be placed faces more than one (1) road, only one (1) such sign shall be allowed on each road frontage.
- B. Temporary Construction Sign
 - 1. The regulation of on-premises construction signs shall be in accordance with NC G.S. 153A-340(n), and as otherwise outlined herein.
 - 2. One (1) construction sign up to 10 sq. ft. in area for residential lots and up to 32 sq. ft. for commercial or industrial property may be erected on a site during the period of construction or reconstruction of a building or other similar project.

- C. Directional signs up to 10 sq. ft. in area advertising a public event and located off premises may be displayed on private property not more than one (1) week in advance of the event and not more than two (2) days after the completion of the event.
- D. Temporary governmental signs advertising land use or land development actions or proposals, provided they are not displayed longer than legislatively required.
- E. Political campaign signs shall be regulated per NC G.S. 136-32, "Regulation of Signs", and may be posted on private property only after the official campaign period has begun and must be removed within 30 days after primary election for the loser, and 30 days after the general election for everyone. Such signs shall not exceed thirty-two (32) square feet in area.

9.5.2 Setback Requirements

- A. Signs which do not require zoning approval shall be set back at least five (5) feet from any public right-of-way or property line whichever is greater.
- B. Signs shall not be located within a sight triangle of a driveway or street intersection.

9.6 SIGNS ALLOWABLE IN RESIDENTIAL DISTRICTS AND RURAL AGRICULTURAL DISTRICTS

9.6.1 Within the residential zoning districts and for residential uses in Conditional Zoning districts, the following types of signs are allowable.

A. Subdivisions

Permanent signs for subdivisions and residential developments shall not exceed thirty (30) square feet in area. One (1) sign may be erected at each major entrance to the subdivision, but shall be located on private property no closer than ten (10) feet to any property line or public right-of-way. No sign shall exceed six (6) feet in height above ground level, and illumination shall be restricted to indirect white lighting. Two one sided signs no larger than 20 sq. ft. may be approved on either side of the entrance consistent with the above conditions.

B. Mobile Home Parks

Permanent signs for mobile home parks, campgrounds, and residential developments shall not exceed twenty (20) square feet in area. One (1) sign may be erected at each major entrance to the Mobile Home Park or campground but shall be located on private property no closer than ten (10) feet to any property line. No sign shall exceed six (6) feet in height above ground level. Illumination shall be limited to indirect white lighting.

C. Multi-Family

One (1) permanent sign for multi-family residential developments may be erected at each major entrance to the property. Such signs shall not exceed twenty (20) square feet in area and may be flat mounted against the wall of an apartment building or freestanding. If freestanding, such signs shall be set back a minimum of ten (10) feet from any public right-of-way or property line

whichever is greater and shall not exceed six (6) feet in height above ground level. Illumination shall be limited to indirect white lighting.

D. Home Occupation

One (1) sign for each home occupation is allowed, but shall not be closer than ten (10) feet to any property line, or road right-of-way, whichever is greater. Such signs shall not project higher than four (4) feet above ground level, and shall not exceed two (2) square feet in area. If more than one home occupation exists on the premises, total signage shall be combined into one sign location, the total sign area not to exceed ten (10) square feet in area.

9.7 SIGNS ALLOWABLE IN THE COMMERCIAL AND MIXED USE DISTRICTS AND NON-RESIDENTIAL USES IN THE RESIDENTIAL DISTRICTS

9.7.1 Within the Commercial Districts, Mixed Use Districts, Non-Residential uses in the Residential Districts, and nonresidential uses in Conditional Zoning districts, the following types of signs are allowable. Any residential uses within the Commercial and Mixed Use Districts shall comply with the standards set forth in Section 9.6, Signs Allowable in Residential Districts and Rural Agricultural Districts..

A. Freestanding Signs

1. 100' To 300' Road Frontage:
 - a) One (1) permanent freestanding sign of (32) thirty-two square feet of signage is allowed for the first one hundred (100) feet or less of road frontage. Thereafter the area of the sign may be increased three and two-tenths (3.2) square feet for each ten (10) feet of additional road frontage, up to a maximum sign area of ninety-six (96) square feet for three hundred (300) feet of road frontage.
2. 300' to 1,000 Feet Road Frontage:
 - a) Beginning at three hundred (300) feet of road frontage, the area of the sign may be increased 1.5 square feet for each ten (10) feet of additional road frontage, up to a maximum sign area of two hundred (200) square feet for one thousand (1,000) feet of road frontage.
3. Corner Lots
 - a) Corner lots may utilize two freestanding signs one for each road frontage, so long as they are not placed closer than fifty (50) feet from the corner intersection and do not exceed the total freestanding sign area allowed.

B. Sign Height

1. The maximum height of signs described in this Section shall be twenty-five (25') feet.
2. The maximum height of signs in residential districts shall be 6 feet.

C. Wall Signs

1. A permanent wall sign shall be allowed for each separate business establishment provided the total allowable sign area for the wall signs shall not exceed one (1) square foot for each lineal foot of building wall on which the sign is placed.

D. Canopy/Marquee Sign

1. One (1) sign per business establishment may be suspended from or attached to the underside of a canopy or marquee, provided such sign does not exceed six (6) square feet in area and maintains a clear distance of at least seven and one-half (7-1/2) feet between the sidewalk and the bottom of the sign.

E. Setbacks

1. No freestanding sign shall be closer than ten (10') feet from any property line.
2. A freestanding sign shall be located on the same lot as the use for which it is advertising.

9.7.2 Temporary Signs

A. One sign, including portable signs and banners, for promotional purposes by a business may be displayed on the premises for a period not to exceed ten (10) consecutive days during each month, with a maximum total size of sixty (60) square feet.

B. Each sign must receive zoning approval prior to placement of any temporary sign. Approval shall be valid for a ten (10) day period.

1. Shopping Centers and multi-tenant developments may utilize one banner, for promotional purposes which may be displayed. Such banner shall be affixed to the development's existing, permanent, free-standing sign and shall be displayed for no more than ten (10) consecutive days during each month. The maximum allowable square footage shall be sixty (60) square feet.

- a) Shopping centers or multi-tenant with more than 5 units or 400' or more of road frontage may utilize two (2) banners for ten (10) days per month.

C. Pennants, ribbons, posters, streamers, strings of light bulbs, or other similar devices may be displayed for a period of not more than forty-five (45) days on the occasion of the opening of a new business.

D. Dimensional Standards

1. Setbacks: Temporary Signs shall be setback a minimum of five (5') feet off of any property line or road right-of-way.

2. Height: Temporary signs shall not project any higher than fifteen (15') above ground level.

9.8 SIGNS ALLOWABLE IN THE INDUSTRIAL DISTRICTS

9.8.1 Within the industrial districts shown on the Zoning Map, only the following signs shall be allowed:

A. Freestanding Signs

1. One (1) freestanding sign is allowed for each principal use. The area of the sign shall not exceed eighty (80) square feet in area, and shall not project more than twenty-five (25') feet above ground level. No part of the sign shall be closer than 20' to any property line or public right-of-way. Business fronting on more than one (1) public road shall be allowed one (1) free-standing sign for each frontage; provided, however, the combined area of all such signs shall not exceed the allowable sign area of eighty (80) square feet.

B. Wall Signs

1. Permanent wall signs are allowed for each business provided they do not project higher than the building eave or thirty (30) feet, whichever is lower. The location of wall signs is at the option of the owner or tenant. The total allowable sign area for wall signs shall not be more than one (1) square foot per lineal foot of building wall on which the sign is placed.

C. Canopy/Marquee Signs

1. Signs may be suspended from or attached to the underside of a canopy marquee, provided that the total sign area of such signs does not exceed six (6) square feet in area and a clear distance of at least seven and one-half (7-1/2) feet between the sidewalk and the bottom of such signs is maintained.

D. Off-Premises Advertising Signs

1. One off-premises advertising sign may be allowed. In which case the sign shall be setback from any road right-of-way or property line by at least fifty (50) feet, shall not be closer than one hundred (100) feet to any residential property line, shall not project higher than twenty-five (25) feet above ground level, shall not exceed two hundred (200) square feet in area and not closer than 1,000 feet to another off premises advertising sign.

- E. Temporary signs in industrial districts shall utilize the standards for Section 9.7.2 "Temporary Sign".

9.9 SHOPPING CENTER SIGNS, MALLS, STRIP MALLS AND OFFICE, BUSINESS & INDUSTRIAL PARKS/BUILDINGS

9.9.1 Pylon/free Standing Sign

For multi-unit developments under single ownership or under unified control, one (1) pylon or free standing sign shall be allowed for each street frontage not to exceed two signs per development and the total sign area does not exceed 200 sq. ft. When a single frontage development has 400 or more of road frontage, a second sign will be allowed as long as both signs do not exceed 200 sq. ft.

- A. Such signs shall be subject to the following:
1. Content: Such sign shall advertise only the name and location of such center and/or name and type of business of each occupant of the center, or other activities on the site.
 2. Area: The gross area in square feet allowed for the pylon/free standing signs shall be one (1) square foot per lineal foot of development frontage; however such signs shall not exceed a total of two hundred (200) square feet.
 3. Location: The sign shall not be closer than twenty (20) feet to any property line or road right-of-way and shall not project higher than twenty five (25') feet above ground level.
- B. When a single frontage development has 400 or more feet of road frontage, the following standards shall apply for increased square footage.
1. For each additional foot of road frontage exceeding 400', the square footage of the Pylon/free standing sign may be increased by 0.25.
 2. The total allowable square footage based on road frontage shall not exceed 350 sq. ft. or 1000' of lineal road frontage and may be divided between two signs following Section 9.7.1.A.3.

9.9.2 Wall Signs

In addition to the pylon/free standing sign such developments may have one wall sign, for each tenant. Such wall sign shall be in accord with Section 9.7.1.C.

9.9.3 Free Standing Signs

If a development does not utilize a multi-unit free standing sign, each principal structure in the development will be allowed to have one free standing sign, advertising tenants or activities in that structure only. Such sign shall not exceed 32 sq. ft. in area, 10 ft. in height and not be closer than 20' to any street right-of-way or 10' to any parking or access way or structure. The sign and structure for which the sign is erected shall be on a separate lot in the development or the sign shall be within 30' of the front entrance of the structure.

9.10 OFF PREMISE DIRECTIONAL REAL ESTATE SIGNS

Residential subdivisions and planned developments containing more than 50 lots or units shall be permitted to erect one (1) temporary directional off-premise real estate sign directing the public to the subdivision or planned development where property is for sale, rent or lease. The applicant must apply for zoning approval and building permits for each sign. Once issued, the approval is valid for a period not to exceed two (2) years. Upon expiration, the approval may be renewed for a period not to exceed two (2) years, provided the applicant reapplies within ten (10) days after expiration, and at least 25 platted lots remain to be issued certificates of occupancy. If the applicant/owner fails to remove the sign or reapply within ten (10) days of expiration, the county shall take appropriate violation measures to establish compliance.

A. Each sign must meet the following criteria:

1. Maximum sign area is thirty-two (32) square feet;
2. Maximum sign height is ten (10') feet;
3. The maximum number of sign faces is one (1) per side of the sign, not to exceed two (2) sign faces. If the sign is located on a property where two public roads intersect, the sign may be constructed so that one sign face faces each road frontage;
4. No temporary directional off-premise sign shall be placed within three hundred (300') feet of an existing temporary off-premise sign measured from the same side of the right of way;
5. The sign shall not be located within a sight triangle or impede the vision of motorist in any manner;
6. The sign shall not be internally or externally illuminated;
7. The sign and supporting posts shall be constructed of treated lumber or vinyl, or other materials not prone to rot or decay. The supporting post shall have a maximum dimension of 4" x 4" and be trimmed out at the top and capped with a decorative post cap.
8. The sign shall not be located on any property that is currently zoned within a Special Purpose District (Environmental Conservation)
9. The sign shall be maintained in substantially similar condition as to when it was originally erected. Maintenance shall include periodic painting, replacement of defective or missing parts, cleaning, and replacement of any sign face that exhibits damage or deterioration. Refer to Section 9.14.

9.11 OUTDOOR ADVERTISING SIGNS ALLOWED ONLY ALONG INTERSTATE 40 (I-40) and HAMPSTEAD BYPASS

- A. No outdoor advertising sign (aka billboard) shall be located any closer than fifteen hundred (1,500) feet off the state right-of-way on Interstate-40 or the Hampstead Bypass. The maximum height of sign on I-40 shall be thirty (30) feet. The maximum size of any one sign shall be two hundred (200) square feet with a maximum length of forty (40) feet. No two (2) outdoor advertising sign structures shall be spaced less than fifteen hundred (1500) feet apart.

9.12 PROHIBITED SIGNS

9.12.1 Unless otherwise allowed, the following signs are prohibited:

- A. Banners, posters, pennants, ribbons, streamers, inflatable signs, strings of light bulbs, spinners, or other similar devices except as allowed in Section 9.7.2.C.
- B. Signs which contain, include, or are lighted by any flashing, intermittent or moving lights or any electronic sign giving the appearance of movement are prohibited, except those giving public information such as time, temperature, and date.
- C. Signs advertising an activity, business, product, or service no longer conducted on the premises upon which the sign is located.
- D. Roof signs.
- E. Projecting signs and freestanding signs located within a public right-of-way except erected by a governmental agency.
- F. Rotating or revolving signs or signs that are in motion.
- G. Portable signs as a permanent use.
- H. Obscene signs are prohibited. No sign shall be erected or maintained which bears or contains statements, words, or pictures of an obscene, offensive character or offensive nature.
- I. Signs on parked inoperable vehicles or trailers visible from the public right-of-way where the primary purpose of the vehicle parked at that location is to advertise a product or service or to direct people to a business or activity on the same or nearby property. For the purposes of these regulations, vehicular signs include businesses, logos, identification, or advertising on vehicles.

9.13 ILLUMINATION

9.13.1 Where illuminated signs are allowed, they shall conform to the following requirements:

- A. All signs illuminated under the provisions of this Subsection shall be constructed to meet the requirements of the National Electric Code.
- B. Illuminated signs shall be limited to those lighted internally bearing the advertisements, provided however, that exposed neon tubing and exposed incandescent or other bulbs not exceeding fifteen (15) watts each shall be allowed.
- C. Flood and display lighting shall be shielded so as to prevent direct rays of light from being cast into a residential area or district and/or vehicles approaching on a right-of-way from any direction. Such lighting shall also be shielded so as to prevent view of the light source from a residence or residential district and/or vehicles approaching on a right-of-way from any direction.
- D. Flame as a source of light is prohibited

9.14 MAINTENANCE STANDARDS

9.14.1 Properly Secured

- A. All signs shall be adequately secured to meet all applicable building code standards and shall be maintained in good structural condition.
- B. All signs shall be adequately secured and stabilized to minimize the danger that either the sign or the supporting structure may be moved by the wind or other forces of nature and cause injury to persons or property.
- C. Flags shall be attached to a singular pole or building and shall have no other means of support (i.e., be free-flying).

9.14.2 Clearing of Vegetation

- A. No person shall, for the purpose of increasing or enhancing the visibility of any sign, damage, trim, destroy, or remove any trees, shrubs, or other vegetation located:
 - 1. Within the right-of-way of any public street or road, unless the work is done pursuant to the express written authorization of the NCDOT;
 - 2. On land that is not under the ownership or control of the person doing or responsible for such work, unless the work is done pursuant to the express authorization of the person owning the property where such trees or shrubs are located; or
 - 3. In any area where trees or shrubs are required to be preserved, subject to the standards in this Ordinance or a prior development approval.
- B. The area within ten feet in all directions of any part of a sign shall be kept clear of all debris.

9.14.3 Discontinuance

- A. A sign located on property of a closed establishment or discontinued use shall remove the sign copy within 60 days of the date of business closure. The sign shall be altered in such a way as to not detract from the overall appearance of the sign. Exposed lighting, such as occurs with the removal of a transparent panel, is not acceptable under any circumstance.
- B. If the message portion of a conforming sign is removed, leaving only the supporting "shell" of a sign or the supporting braces, anchors, or similar components, the owner of the sign or the owner of the property where the sign is located or other person having control over such sign shall, within 60 days of the removal of the message portion of the sign, either replace the entire message portion of the sign or remove the remaining components of the sign.
- C. Signs unlawfully placed in any street right-of-way or on any public land or on utility or transportation infrastructure, including signs affixed to street and traffic signs or public utility poles, may be removed by the Administrator without notice in accordance with this ordinance.

9.14.4 Removal of Unsafe Signs

All signs of any nature shall be maintained in a state of good repair. No sign shall be allowed to remain which becomes structurally unsafe, hazardous or endangers the safety of the public or

property. Upon determining that a sign is structurally unsafe, hazardous or endangers the safety of the public or property, the Administrator or their designated agent shall order the sign to be made safe or removed subject to the following provisions:

- A. The owner of the sign, the occupant of the premises on which the sign or structure is located, or the persons or firm maintaining the same shall, upon written notice by certified mail, return receipt requested from the Administrator, or their designated agent, forthwith in the case of immediate danger and in any case within ten (10) days, secure or repair the sign or structure in a manner approved by the Administrator or their designated agent or remove it.
- B. If such order is not complied with within ten (10) days the Administrator or their designated agent shall remove the sign at the expense of the owner or lessee thereof.
- C. Whenever a sign has been abandoned, advertises an activity, business, product, or service no longer conducted on the premises or is erected in violation of the provisions of this Article, the Administrator shall initiate action to cause such sign structure or face of sign to be removed or brought into compliance in accordance with the method prescribed for nonconforming signs in Article 10, Nonconformities.