

8.7 SIGNS

8.7.1 Permitted Signs: Location, Size, and Number

All signs are subject to Sec. 8.7.9 *Definitions* and Article 12 *Definitions* and Sec. 8.7.2 through 8.7.6. The sections listed specifically in Sec. 8.7.1 have been included for emphasis and user convenience and shall not be construed to exclude other sections of the Ordinance.

Table 8.7.1

P = allowed with permit X = not allowed √ = allowed without permit

| Sign Type | Conditions | Residential Uses | Commercial Uses | Industrial Uses | Office & Institutional Uses | Illumination ¹ |
|------------------|-------------------------------------|------------------|-----------------|-----------------|-----------------------------|---------------------------|
| Permanent | | | | | | |
| 1 | Awning | 8.7.1.A.1 | X | P | P | Yes |
| 2 | Reserved | | | | | |
| 3 | Building Marker | 8.7.1.A.3 | √ | √ | √ | Yes |
| 4 | Civic Club Non-profit (Off-Premise) | 8.7.1.A.4 | X | P | P | No |
| 5 | Directory: | | | | | |
| | • Building | 8.7.1.A.5 | X | P | P | Yes |
| 6 | • Ground | 8.7.1.A.6 | P | P | P | Yes |
| 7 | Flags | 8.7.1.A.7 | √ | √ | √ | Yes |
| 8 | Gasoline Sales | 8.7.1.A.8 | X | √ | √ | Yes |
| 9 | Governmental | 8.7.1.A.9 | √ | √ | √ | Yes |
| 10 | Health/Hospital | 8.7.1.A.10 | X | X | X | Yes |
| 11 | Incidental | 8.7.1.A.11 | √ | √ | √ | Yes |
| 12 | Marquee | 8.7.1.A.12 | X | √ | X | Yes |
| 13 | Menu Board | 8.7.1.A.13 | X | P | X | Yes |
| 14 | Principal Ground: | | | | | |
| | • Non-residential | 8.7.1.A.14 | X | P | P | Yes |
| 15 | • Residential | 8.7.1.A.15 | P | X | X | Yes |
| 16 | Special/Historic | 8.7.1.A.16 | P | P | P | Yes |
| 17 | Suspended | 8.7.1.A.17 | X | P | P | Yes |
| 18 | Wall | 8.7.1.A.18 | X | P | P | Yes |
| 30 | Window | 8.7.1.A.30 | X | √ | √ | Yes |
| 30 | Window-Interactive Digital Display | 8.7.1.A.30 | X | P | P | Yes |
| Temporary | | | | | | |
| 19 | Construction/Development: | | | | | |
| | • Non-residential or mixed-use | 8.7.1.A.19.a | X | P | P | No |
| | • Residential | 8.7.1.A.19.b | P | X | X | No |
| 20 | Contractor | 8.7.1.A.20 | √ | √ | √ | No |
| 21 | Event: | | | | | |
| | • For-profit | 8.7.1.A.21 | X | P | P | No |
| 22 | • Non-profit | 8.7.1.A.22 | P | P | P | No |
| 23 | • Public | 8.7.1.A.23 | √ | √ | √ | No |

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| Sign Type | Conditions | Residential Uses | Commercial Uses | Industrial Uses | Office & Institutional Uses | Illumination ¹ |
|--|-----------------------------------|------------------|-----------------|-----------------|-----------------------------|---------------------------|
| 24 | Coming Soon/Grand Opening/Closing | 8.7.1.A.24 | X | P | P | No |
| 25 | Holiday | 8.7.1.A.25 | √ | √ | √ | Yes |
| 26 | Political | 8.7.1.A.26 | √ | √ | √ | No |
| 27 | Public Notice | 8.7.1.A.27 | √ | √ | √ | No |
| 28 | Real Estate | 8.7.1.A.28 | √ | √ | √ | No |
| 29 | Seasonal Outdoor Sales | 8.7.1.A.29 | P | P | P | Yes |
| 30 | Window | 8.7.1.A.30 | X | √ | √ | No |
| 31 | Yard Sale | 8.7.1.A.31 | √ | √ | √ | No |
| Prohibited | | | | | | |
| See Sec. 8.7.2 <i>Prohibited Signs</i> | | | | | | |
| Central Business District, Small Town Character Overlay District, and Planned Development Districts | | | | | | |
| See Sec. 8.7.7 <i>Central Business District, Small Town Character Overlay District, and Planned Development Districts</i> | | | | | | |
| Planned Developments TND-CZ, MEC-CZ | | | | | | |
| See Sec. 2.3.4 and 8.7.7 | | | | | | |
| Sign Design and Color | | | | | | |
| ¹ Subject to Sec. 8.7.4.C <i>Uniform Color Scheme</i> , 8.6 <i>Exterior Lighting</i> , and 8.7.6.B <i>Sign illumination</i> . | | | | | | |

A) **Conditions**

Permanent signs are allowed as follows:

1) *Awning*

A material such as fabric, metal, flexible plastic, or vinyl that is supported by or attached to a frame and that extends from the exterior wall of a building without ground-mounted support and meets the conditions below:

Awning signs shall be allowed provided that:

- a) On a single-occupant property, one (1) awning sign may be allowed only in lieu of all other signage otherwise permitted on the wall to which the awning is attached.
- b) On a multi-occupant property, one (1) awning sign may be allowed over each occupant entrance, in lieu of other wall signs, and if so shown on the Master Signage Plan.
- c) The maximum area of an awning sign shall not exceed ten (10) percent of the total awning face front or side area.
- d) Awning signs may be illuminated only with direct surface lighting and not with any form of backlighting.
- e) Also subject to Sec. 8.7.4 *Sign Design and Color*, Sec. 8.7.5 *Master Sign Plan Requirement*, and Sec. 8.6.4(F), *Building, Ground Mounted Fixtures and Accent Lighting*.
- f) Awnings in the Central Business District, Small Town Character Overlay District, and Planned Development Districts shall be exempt from this section and subject to 8.7.7(A)(5) *Awning Signs*,

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Figure 8.7.1(A)(1): This awning sign does not exceed ten (10) percent of total awning face area.

2) *Reserved*

3) *Building Marker*

A name, stamp, or seal placed on a building to signify ownership or origin and meets the conditions below:

Building marker signs shall be allowed provided that:

- a) Such sign(s) shall not exceed one (1) on any single building;
- b) Such sign(s) shall not exceed three (3) square feet in area;
- c) Such sign(s) shall contain no commercial logo or message;
- d) Such sign(s) shall be made of permanent material, such as bronze or masonry, and be permanently affixed to the building wall.
- e) Also subject to Sec. 8.7.4 *Sign Design and Color* and Sec. 8.7.5 *Master Sign Plan Requirement*.



Figure 8.7.1(A)(3): These permanent building markers do not exceed three (3) square feet.

4) *Civic Club Non-Profit (Off-Premise)*

A sign (emblem or insignia) advertising for a non-profit organization (charitable, civic, fraternal, patriotic, religious, or similar organization) and meets the conditions below:

The emblem or insignia shall be allowed provided that:

- a) Limited to three (3) signs per organization.
- b) Located a minimum of fifteen (15) feet from any public right-of-way.

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- c) A maximum of two (2) square feet in size and a maximum of four (4) feet in height.
 - d) Not displayed in connection with a commercial promotion or as an advertising device.
 - e) Shall obtain property owner permission through a letter.
- 5) *Building Directory*
A wall sign that lists tenants or occupants of a building or project with unit numbers, arrows or other directional information and meets the conditions below:

Building wall-mounted directory signs shall be allowed on non-residential multi-tenant buildings provided that:

- a) Such signs are limited to one (1) per building entrance not to exceed two (2) per building.
- b) The total size of the wall-mounted directory sign does not exceed ten (10) square feet.
- c) Also subject to Sec. 8.7.4 *Sign Design and Color* and Sec. 8.7.5, *Master Sign Plan Requirement*.

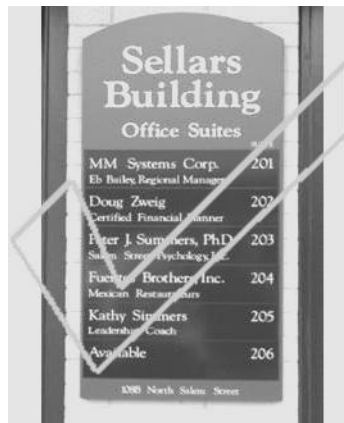


Figure 8.7.1(A)(5): This wall mounted directory sign does not exceed ten (10) square feet.

- 6) *Directory Ground*
A ground sign with a continuous base less than two (2) feet in height that lists tenants or occupants of a building having more than one tenant or project with unit numbers, arrows or other directional information and meets the conditions below:

Directory ground signs shall be allowed provided that:

- a) *Non-residential*
 - (i) Non-residential logo/name directory signs internal to the site within an integrated development, multiple use development, or mixed use development shall be located not less than fifty (50) feet measured perpendicular from any vehicular entrance public right-of-way and at principal intersections within the site,

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where such intersections are not less than fifty (50) feet from any public right-of-way as shown on an approved Master Signage Plan.

- (ii) Such signs shall not exceed twenty (20) square feet in area and forty-eight (48) inches in height.
- (iii) Such signs shall not be located within a required buffer.
- (iv) Such signs may contain logos or business names with arrows or other directional information but shall not contain any commercial message.
- (v) Such signs may be internally or externally lighted in accordance with Sec. 8.7.6(B) Sign Illumination.
- (vi) Also subject to Sec. 8.7.4 Sign Design and Color and Sec. 8.7.5, Master Sign Plan Requirement.



Figure 8.7.1(A)(6)(a): This non-residential directory sign is located away from public right-of-way and is of proper size.

b) *Multi-Family Residential*

- (i) One (1) directory sign may be located near the principal entrance to a parking area for multi-family projects, as shown on an approved Master Signage Plan.
- (ii) Such sign shall be located away from any public right-of-way, so that drivers can conveniently pull up and read the directory without impeding traffic on any driveway or entrance serving the development.
- (iii) Such sign may contain an unlimited number of pieces of information, but letters shall not be more than three (3) inches in height and shall not be legible from any public right-of-way.
- (iv) Such sign shall not exceed eight (8) square feet in area and five (5) feet in height.
- (v) Such sign may be internally or externally lighted in accordance with Sec. 8.7.6(B), *Sign Illumination*.
- (vi) Also subject to Sec. 8.7.4 *Sign Design and Color*.

7) *Flags*

A fabric, usually rectangular or triangular in shape, representing a country, state or other civic entity, corporation, business or other private

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organization designed to be flown from a flag pole and meets the conditions below:

Flags shall be allowed provided that:

- a) No more than one flag of each type (e.g. state, national, non-profit organization, corporate) may be displayed on any lot unless the lot has more than one road frontage, in which case there may be one flag of each type at each entrance, or addressing each road frontage, with no more than 3 flag poles per entrance or road frontage.
 - b) A maximum of 2 flags shall be allowed per a flag pole.
 - c) Flag poles shall not exceed 30 feet in height nor shall flags on these poles exceed a size of five (5) feet by eight (8) feet.
 - d) Flag poles exceeding thirty (30) feet in height on May 4, 2004 may remain, however, flags flown on taller poles shall not exceed a size proportionate to a five-foot by eight-foot flag on a thirty-foot pole.
 - e) No building mounted flag or flag pole shall extend above the roofline.
 - f) Flags shall not be faded, tattered or torn.
- 8) *Gasoline Sales*
A service station sign advertising fuel prices in accordance with North Carolina General Statutes and meets the conditions below:
- Gasoline sales signs shall be allowed provided that:
- a) Gasoline price or self-service sign located and secured to each pump island shall not exceed nine (9) square feet.
 - b) A gasoline price/self-service changeable copy sign, not to exceed nine (9) square feet, may be included on the principal ground sign (not to exceed the total square footage shown in Table 8.7.1(A)(14) if a principal ground sign is allowed. Changeable copy for gasoline prices can be achieved through the use of LED lights only on the principal ground sign or on the gasoline canopy, but not both. LED lights shall not be used for any other purpose than to display gasoline prices.
 - c) An official North Carolina vehicle inspections sign shall be permitted on the building, provided said sign does not exceed four (4) square feet.
 - d) Signage and logos on pump island canopies are restricted to no greater than ten (10) percent of the face of the canopy.
 - e) A stripe is permitted on the canopy provided that the overall color scheme in the Master Sign Plan for the gas station is limited to white or black and one other color when a stripe is introduced on the canopy.
 - f) Also subject to Sec. 8.7.4 Sign Design and Color and Sec. 8.7.5 *Master Sign Plan Requirement*.

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- 9) *Governmental*
 Temporary or permanent sign erected and maintained by or required by the city, county, state or federal government and meets the conditions below:

Governmental signs are allowed to include but are not limited to the following:

- a) Municipal, county, state and federal traffic signs.
- b) Historical markers, monuments or signs erected by public authority.
- c) Signs denoting the location of underground utilities.
- d) Signs posted by or under the authority of municipal, county, state, or federal authorities for crime prevention, public safety, health, zoning, and identification.



Figure 8.7.1(A)(9): Signs posted under state and municipal authority for public information are allowed.

- 10) *Health/Hospital*
 Permanent signs erected and maintained by an Ambulatory Healthcare Facility with Emergency Department or a Hospital and meet the conditions below:

- a) Permitted signs in subsections 8.7.1(A)(10)(b), (c), (d), and (e) below must be approved as part of a Master Sign Plan for the Ambulatory Healthcare Facility with Emergency Department or Hospital use
- b) Principal ground signs shall be allowed provided that:
 - (i) One principal ground sign is allowed at each intersection of two public streets bordering the facility.
 - (ii) Maximum height is six feet (6').
 - (iii) Maximum size is seventy (70) square feet.
 - (iv) The principal ground sign shall identify only the facility name, not the tenants or occupants thereof.

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- (v) Also subject to Sec. 8.7.4 *Sign Design and Color*, 8.7.5 *Master Sign Plan Requirement*, Sec. 8.7.3 *Sign Area Measurement*, and 8.7.6(B) *Sign Illumination*.
- c) Emergency Department ground signs shall be allowed provided that:
 - (i) One Emergency Department ground sign is allowed at each major entrance to the facility.
 - (ii) Maximum height is eight feet (8’).
 - (iii) Maximum size is eighty (80) square feet.
 - (iv) The Emergency Department ground sign shall identify only the facility name and emergency department information, not the tenants or occupants thereof.
 - (v) Also subject to Sec. 8.7.4 *Sign Design and Color*, 8.7.5 *Master Sign Plan Requirement*, Sec. 8.7.3 *Sign Area Measurement*, and 8.7.6(B) *Sign Illumination*.
- d) Wall signs shall be allowed provided that:
 - (i) The sign surface area of a sign located on a wall of a structure may not exceed ten (10) percent of the total surface area of the wall on which the sign is located. The Emergency Department band shall not be counted in the measurement of the wall sign but in no case shall it exceed thirty-four (34) square feet.
 - (ii) No wall sign attached to a building may project more than twelve (12) inches from the building wall.
 - (iii) Also subject to Sec. 8.7.4 *Sign Design and Color*, 8.7.5 *Master Sign Plan Requirement*, Sec. 8.7.3 *Sign Area Measurement*, and 8.7.6(B) *Sign Illumination*.
- e) Directory ground signs shall be allowed provided that:
 - (i) Maximum height is four feet (4’).
 - (ii) Maximum sign face size is twenty-four (24) square feet.
 - (iii) Such signs may contain logos or business names with arrows or other directional information but shall not contain any commercial message.
 - (iv) Such signs may be internally or externally lighted in accordance with Sec. 8.7.6(B) *Sign Illumination*.
 - (v) The signs shall be located so as not to be legible from the public right-of-way. If this is not feasible, the signs can be located as close as fifty feet (50’) measured perpendicular from the public right-of-way.

11) *Incidental*

A sign, generally informational, that has a purpose secondary to the use of the subject property on which it is located, such as “no parking”,

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“entrance”, “loading only”, and other similar directives and meets the conditions below:

Incidental signs shall be allowed and include but are not limited to the following:

- a) Signs or plates on structures or premises giving the name or address of the occupant, mailboxes, paper tubes and similar uses customarily associated with structures.
- b) Signs posted upon private property relating to private parking or warning the public against trespassing, against danger from animals or other dangers or dangerous conditions so long as such signs are of an allowed size and description.
- c) Private unofficial traffic signs indicating onsite directions, entrances, exits, or hazards.
- d) Such signs shall not include logos or commercial messages or be extended to the supporting structure.
- e) The size of such signs shall not exceed two (2) square feet or four (4) feet in height.
- f) Signs that indicate towing shall be no smaller than 24” x 24” and be prominently displayed at the entrance thereto, displaying the name and phone number of the towing and storage company, and, if individually owned or leased, the parking lot or spaces within the lot are clearly marked by signs setting forth the name of each individual lessee or owner.

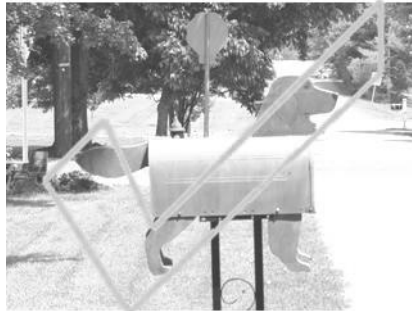


Figure 8.7.1(A)(11): Mailboxes (left) and signs posted upon private property relating to private parking (right) are allowed if sized appropriately.

- 12) *Marquee*
A theater wall sign designed to have changeable copy and meets the conditions below:

In addition to wall signs, marquee signs with changeable copy shall be allowed at theaters provided that:

- a) Such changeable copy signs shall cover not more than one (1) square foot of sign area for each linear foot of theater building frontage.

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- b) Non-electric copy only.
- c) Such signs shall be subject to total wall sign area limits and be affixed to the wall.
- d) Also subject to Sec. 8.7.4 *Sign Design and Color* and 8.7.5, *Master Sign Plan Requirement*.



Figure 8.7.1(A)(12): This marquee sign with changeable copy covers less than one (1) square foot of sign area for each linear foot of theater building frontage.

13) *Menu Board*

An accessory sign providing items and price associated with a drive-thru window or walk-up window and meets the conditions below:

Changeable menu boards shall be allowed provided that:

- a) Such signs shall not exceed thirty-two (32) square feet in area and six (6) feet in height.
- b) Two (2) signs shall be permitted per drive-through not to exceed sixty-four (64) combined square feet.
- c) Such signs shall not be legible from a public right-of-way or adjacent property.
- d) Such signs may be internally and externally illuminated per Sec. 8.7.6(B), *Sign Illumination*.
- e) Also subject to Sec. 8.7.4 *Sign Design and Color* and 8.7.5 *Master Sign Plan Requirement*.



Figure 8.7.1(A)(13): The menu board sign on the left is too large, whereas the sign on the right meets requirements.

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- 14) *Principal Ground: Non-Residential*
 A sign supported permanently upon the ground by a continuous base or two (2) or more support posts at the outside edge, not attached to any building and meets the conditions below. If supported by posts, the bottom of the sign shall be located no more than two (2) feet above grade and meets the conditions below:

Principal ground signs are allowed provided that size and height limitations set forth below are met.

Table 8.7.1.A.14

| Street Frontage | Maximum Size (sq. ft.) | Maximum Height (feet) | Minimum Setback from right-of-way (feet)* |
|-----------------------|------------------------|-----------------------|---|
| < 200 feet | 20 | 4 | 10 |
| ≥ 200 feet < 400 feet | 30 | 5 | 10 |
| ≥ 400 feet | 40 | 6 | 10 |

*Does not apply to signs located within the median of a vehicular entrance.

- a) *Single Use Development that is not part of a Multiple Use Development, Mixed Use Development, or Integrated Development:*
- (i) A Single Use Development that is not part of a Multiple Use Development, Mixed Use Development, or Integrated Development shall be allowed one (1) principal ground sign near each major full service vehicular entrance.
 - (ii) If there are no major full service vehicular entrances, then one (1) principal ground sign is permitted near a limited-service vehicular entrance.
 - (iii) Additional options for the location of such sign are as follows:
 - (a) A business located on a corner with one (1) vehicular entrance on each roadway may opt to have one (1) principal ground sign on the corner instead of the signs located at each vehicular entrance.
 - (b) A principal ground sign may be located in the median of a vehicular entrance where the median is a minimum of 50 feet long and 10 feet wide, provided that the sign is not located within 10 feet of either end of the median.
 - (c) A principal ground sign may be allowed in the buffer in close proximity to a vehicular entrance within a sign easement to be shown on the approved site plan.
 - (iv) Also subject to Sec. 8.7.4 *Sign Design and Color* and 8.7.6.B *Sign Illumination*.

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- b) *Multiple Use Development, Mixed Use Development, or Integrated Development*
 A group of two (2) or more uses or entities planned and developed in a joint manner that are governed by a common business, tenant, homeowner or other association or by common conditions, covenants, and restrictions, regardless of whether such uses or entities are located on the same lot or parcel and meets the conditions below:

Principal ground signs for Multiple Use Development, Mixed Use Development, or Integrated Development shall be allowed provided that:

- (i) One (1) principal ground sign shall be allowed at each major full service vehicular entrance in close proximity to that entrance.
- (ii) If there are no major full-service vehicular entrances, then one (1) principal ground sign is permitted near a limited-service vehicular entrance.
- (iii) Principal ground sign(s) shall be allowed in the buffer within a sign easement to be shown on the approved site plan.
- (iv) A principal ground sign may be located in the median of a vehicular entrance where the median is a minimum of 50 feet long and 10 feet wide, provided that the sign is not located within 10 feet of either end of the median.
- (v) Such sign may be mounted on a fence or wall that does not exceed six (6) feet in height. For size limitations refer to Table 8.7.1.A.14.
- (vi) Also subject to Sec. 8.7.4 *Sign Design and Color*, 8.7.5 *Master Sign Plan Requirement*, and 8.7.6.B *Sign Illumination*.

15) *Principal Ground: Residential*

A sign supported permanently upon the ground by a continuous base or two (2) or more support posts at the outside edge, not attached to any building and meets the conditions below. If supported by posts, the bottom of the sign shall be located no more than two (2) feet above grade and meets the conditions below. Principal ground signs, not to include those located within the median of a vehicular entrance, shall be set back no less than 10 feet from the right-of-way.

- a) Residential Subdivision
 - (i) A maximum of two (2) principal ground signs shall be permitted to be located at each vehicular entrance.
 - (ii) A principal ground sign may be located in the median of a vehicular entrance where the median is a minimum of 50 feet long and 10 feet wide, provided that the sign is not placed within 10 feet of either end of the median.

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- (iii) Principal ground signs shall be allowed in the buffer within a sign easement to be shown on the approved site plan.
 - (iv) Such sign(s) shall not exceed a total of 40 square feet per vehicular entrance.
 - (v) A principal ground sign may be mounted on a fence or wall that does not exceed six (6) feet in height; however, the sign itself may not exceed the size limitations set forth in this subsection and the sign must be only an incidental part of the wall or fence design.
 - (vi) If illuminated, such sign(s) shall be externally illuminated.
 - (vii) Also subject to Sec. 8.7.4 *Sign Design and Color* and Sec. 8.7.6.B *Sign Illumination*.
- b) Multi-family Residential
- (i) A maximum of two (2) principal ground signs shall be permitted to be located in close proximity to each major full-service vehicular entrance. If there is no full-service vehicular entrance, then one (1) principal ground sign is permitted at one (1) limited-service vehicular entrance.
 - (ii) A principal ground sign may be located in the median of a major full-service vehicular entrance where the median is a minimum of 50 feet long and 10 feet wide, provided that the sign is not placed within 10 feet of either end of the median.
 - (iii) Principal ground sign(s) shall be allowed in the buffer within a sign easement to be shown on the approved site plan.
 - (iv) Principal ground sign(s) shall not exceed a total of 40 square feet per vehicular entrance.
 - (v) A principal ground sign may be mounted on a fence or wall that does not exceed six (6) feet in height; however, the sign itself may not exceed the size limitations set forth in this subsection and the sign must be only an incidental part of the wall or fence design.
 - (vi) Reserved.
 - (vii) If illuminated, such sign(s) shall be externally illuminated.
 - (viii) Also subject to Sec. 8.7.4 *Sign Design and Color* and Sec. 8.7.6(B) *Sign Illumination*.
- 16) *Special/Historic*
A sign that is unique or a sign affixed to or associated to historic buildings, events or places and meets one or more of the criteria and conditions below:

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- Significant as evidence of the history of the product, business or service advertised.
- Significant as reflecting the history of the building or the development of the historic district. A sign may be the only indicator of a building's historic use.
- Characteristic of a specific historic period, such as gold leaf on glass, neon, or stainless steel lettering.
- Integral to the building's design or physical fabric, as when a sign is part of a storefront made of Carrara glass or enamel panels, or when the name of the historic firm or the date are rendered in stone, metal, or tile. In such cases, removal can harm the integrity of a historic property's design, or cause significant damage to its material.
- Outstanding examples of the signmaker's art, whether because of their excellent craftsmanship, use of materials, or design.
- Local landmarks, that is, signs recognized as popular focal points in the community.
- Elements important in defining the character of a district, such as marquees in a theater district.

Special and historic signs may be permitted provided that:

- a) Property owners shall make application to the Town Council for such designation of special or historic signs.
- b) Such designated special or historic signs are excluded (exempted) from Sec. 10.6 *Nonconforming Signs*.



Figure 8.7.1(A)(16): Special and historic signs are permitted within an historic district and places of historic significance.

- 17) *Suspended*
A sign that is suspended from the underside of a horizontal plane surface and is supported by such surface and meets the conditions below:

Suspended signs shall be allowed provided that:

- a) Such sign(s) shall not exceed one (1) per building entrance or tenant, whichever is less.

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- b) Such sign(s) shall not exceed two (2) square feet in total area.
- c) Such sign(s) shall not be directly or internally illuminated.
- d) Such sign(s) may be in addition to wall signs as permitted.
- e) Such sign(s) shall contain only the address, suite number, logo or name of the occupant or business served by the entrance.
- f) Also subject to Sec. 8.7.4 *Sign Design and Color* and 8.7.5, *Master Sign Plan Requirement*.



Figure 8.7.1(A)(17): This suspended sign is less than two (2) square feet.

18) *Wall*

A sign attached parallel to a wall, professionally painted on the wall surface or erected and confined within the limits of an outside wall of any building or structure, which is supported by such wall or building and meets the conditions below:

Wall signs shall be allowed provided that:

- a) The sign surface area of a sign located on a wall of a structure may not exceed ten (10) percent of the total surface area of the wall on which the sign is located.
- b) Buildings containing one business with a front façade 600 feet in length or greater may install wall-mounted customer directional signs identifying the service or function. Examples of such signs include but are not limited to “Pharmacy,” “Grocery,” and “Lumber Yard.” Such signs are limited to two per front façade and 100 square feet each.
- c) No wall sign attached to a building may project more than 12 inches from the building wall.
- d) Also subject to Sec. 8.7.4 *Sign Design and Color*, 8.7.5 *Master Sign Plan Requirement*, Sec. 8.7.3 *Sign Area Measurement*, and 8.7.6(B) *Sign Illumination*.

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Temporary signs are allowed as follows provided that no temporary signs are permitted within Town rights-of-way abutting Town-owned property with the exception of banners that hang above the street which are in accordance with Sec. 8.7:

19) *Construction/Development*

An on-site temporary sign erected during the active construction of a development project that meets the conditions below:

a) Non-Residential or Mixed-Use (including both non-residential and residential uses) Construction/Development signs shall be allowed provided that:

- (i) One (1) sign per major vehicular entrance. If there is no full-service vehicular entrance, then such sign may be located at one (1) limited-service vehicular entrance.
- (ii) No such temporary signs shall exceed 64 square feet or a maximum height of five (5) feet.
- (iii) Permits for such temporary signs shall be limited to six (6) months with renewable option upon written request for an additional six (6) month period.
- (iv) Construction Plan approval is required prior to sign permitting.
- (v) Sign shall be removed at approval of Certificate of Occupancy.

b) Residential Construction/Development signs shall be allowed provided that:

- (i) A maximum of one (1) such sign per development at a residential development entrance shall be permitted.
- (ii) Such sign shall not exceed 32 square feet and five (5) feet in height.
- (iii) Construction Plan approval is required prior to sign permitting.
- (iv) The sign shall be removed no later than the time at which 100% of the properties within the residential development have initially been sold to a builder or private owner.

20) *Contractor*

An on-site temporary sign identifying the name of the contractor performing a service such as but not limited to painters, building contractor, roof cleaning, landscaper, and meets the conditions below:

Contractor sign shall be allowed provided that:

a) Contractor signs shall be no larger than five (5) square feet and four (4) feet tall.

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- b) One (1) sign per a contractor per a site shall be allowed.
- c) Such sign may be displayed during the time and on-site that the service is being performed.



Figure 8.7.1(A)(20): This contractor sign is of appropriate size.

21) *Event for-profit*

Temporary on-premise signs for events shall be allowed provided that:

- a) Only one (1) sign advertising promotional events or fairs, carnivals, horse shows, and similar events shall be permitted on-site.
- b) Such sign shall not exceed sixteen (16) square feet and four (4) feet in height.
- c) Permits for such temporary signs shall be limited to no sooner than one week prior to the commencement of the event and shall be removed no later than two days after the end of the event.
- d) See Sec. 4.6 *Temporary Uses and Structures*.



Figure 8.7.1(A)(21): This on-premise sign meets size requirements.

22) *Event non-profit (on-premise and off-premise)*

- a) On premise
Temporary, on-premise signs for non-profit events shall be allowed provided that:
 - (i) Signs advertising non-profit events shall be limited to three (3) signs per lot and individually or cumulatively

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shall not exceed thirty-two (32) square feet and five (5) feet in height.

- (ii) Such signs shall be permitted no sooner than one week prior to the commencement of the event and shall be removed no later than two days after the end of the event.
- (iii) If the sign display area is permanent but the message displayed is subject to periodic changes, then the sign shall be regarded as permanent.
- (iv) Signs shall be non-illuminated only.
- (v) The structure holding the banners may remain between events and shall not be used to display banners or signs between events and shall not exceed a maximum of five (5) feet in height. See Sec. 4.6 *Temporary Uses and Structures*.

b) Off premise

Temporary off-premise signs for non-profit events shall be allowed provided that:

- (i) Signs advertising fund raisers, school events, fairs, revivals and other similar events shall be limited to thirty (30) signs per event and each shall not exceed five (5) square feet in size and four (4) feet in height.
- (ii) Such signs shall be permitted no sooner than one week prior to the commencement of the event and shall be removed no later than two days after the end of the event.
- (iii) Written permission from the property owner shall be obtained.
- (iv) See Sec. 4.6 *Temporary Uses and Structures*.

23) *Event public (on-premise and off-premise)*

Public event signs or banners shall be allowed provided that:

- a) Such signs or banners shall be permitted only for public events proclaimed by the Town Council.
- b) Such signs may be located in the public right-of-way but outside of the sight triangles.
- c) Such signs shall be removed within 48 hours after the end of the event.

24) *Coming Soon/Grand Opening/Closing*

A sign advertising the initial opening or closing of a business and meets the conditions below:

Coming Soon/Grand Opening/Closing signs shall be allowed provided that:

- a) Such signs shall be attached to the building wall.

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- b) The total signage shall not exceed thirty-two (32) square feet.
- c) Permits for such temporary signs shall be limited to sixty (60) days each.



Figure 8.7.1(A)(24): This banner meets the maximum size requirement.

25) *Holiday*

Displays erected on a seasonal basis in observance of religious, national, or state holidays, which are not intended to be permanent and contain no commercial message and meets the conditions below:

Holiday displays as a part of customary holiday decorations shall be allowed provided that:

- a) No temporary signs, banners, lighting, or displays shall be on display for more than sixty (60) days.
- b) Such signs shall display no commercial message.



Figure 8.7.1(A)(25): Customary holiday display

26) *Political*

A temporary sign of a candidate, party, or group supporting the candidacy of an individual for office or expressing or soliciting public support of, or opposition to, any public issues and meets the conditions below:

Political signs shall be allowed provided that:

- a) Such sign(s) may be placed within Town of Apex public street rights-of-way during the period 45 days prior to election to which the sign is directed, provided that no such signs shall be:
 - (iii) Located within a sight triangle,

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- (iv) Located in a way to obscure vision or obstruct traffic,
 - (v) Located or installed in a manner that creates a hazard,
 - (vi) Located on utility poles or within street medians,
 - (vii) Located on other Town owned property.
- b) Such sign(s) shall not exceed five (5) square feet and a height of four (4) feet.
- c) Where such signs refer to an election or other political event, they shall be removed within ten (10) days after the election or political event.

27) *Public Notice*

A temporary sign advertising official notices or advertisements posted under the direction of a public official.

Official notices or advertisements posted or displayed by or under the direction of a public official in the performance of official duties, or by trustees under deeds of trusts or other similar instruments, or court appointed commissioners shall be allowed.

28) *Real Estate*

A temporary sign advertising the real estate upon which the sign is located as being for rent, lease or sale and meets the conditions below:

Real estate signs shall be allowed provided that:

- a) Single family, duplex, triplex, quadplex, townhome, condo or residential lot or dwelling;
 - (i) A maximum of one (1) real estate sign per lot frontage advertising for rent, sale, or lease.
 - (ii) A maximum of one (1) real estate sign per lot frontage advertising an Open House. Such sign shall be displayed no longer than thirty-six (36) hours before the event and shall be removed at the conclusion of the event.

Such signs shall not exceed five (5) square feet and four (4) feet in height and shall be located on the property to which the advertisement is referring. The signs shall be removed when property is sold by the transfer of title to the new owner. Signs are not allowed off-premise or in private common areas.

- b) No multi-family apartment leasing signage allowed except as specifically stated in Sec. 8.7.1(A)(15)(b)(vi).
- c) Residential subdivision sales center
 - (i) One (1) residential subdivision "sales center" sign, not to exceed sixteen (16) square feet or five (5) feet in height is permitted on the lot on which the sales center is located. The sign shall be removed no later than the time at which 100% of the properties within the residential development have initially been sold to a builder or private owner.

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- (ii) Directional signs shall be permitted at the first crossroad beyond the entrance of the subdivision within the subdivision directing traffic to the residential subdivision "sales center". Directional signs shall be a maximum of four (4) square feet with a maximum height of four (4) feet.
- d) A maximum of one (1) real estate sign per lot frontage advertising the rent, sale or lease of a non-residential lot or structure including tenant spaces located within a structure. Such sign shall not exceed sixteen (16) square feet and five (5) feet in height and shall be located on the property to which the advertisement is referring. The sign shall be removed when the rented or leased property is occupied by the new tenant or when the property is sold by the transfer of title to the new owner. Signs are not allowed off-premise or in private common areas.

29) *Seasonal Outdoor Sales*

- a) Seasonal Agricultural Signs for Products Sold Where They Are Grown
 - (i) *Definitions.* (a) "Seasonal Agricultural Signs" are signs that advertise seasonal agricultural products which were grown on the property where they are offered for sale and that contain no other messages; (b) "On-Site Agricultural Products" are seasonal agricultural products which were grown on the property where they are offered for sale; and (c) "Off-Site Agricultural Products" are seasonal agricultural products that were not grown on the property where they are offered for sale.
 - (ii) *On-Premises Signs.* Pursuant to UDO Section 1.4.4, on a private property where On-Site Agricultural Products are sold, Seasonal Agricultural Signs are not regulated by the Town of Apex.
 - (iii) *Off-Premises Signs.* For each private property where On-Site Agricultural Products are sold, thirty (30) Off-Premises Seasonal Agricultural Signs that advertise the products shall be allowed. Off-premises signs allowed by this subsection may be displayed only on private property and only with the permission of the off-premises private property owner. Only one off-premises sign is allowed per off-premises private property.
 - (iv) *Duration.* For each private property where On-Site Agricultural Products are sold, Off-Premises Seasonal Agricultural Signs may be displayed only while the advertised products are actually for sale, and only during one forty-five (45) consecutive day period per calendar year per On-Site Agricultural Product. The signs shall be removed immediately upon the sooner of the end of the forty-five (45) day period or the end of the sale of the products. At no time shall more than thirty (30) Off-Premises Seasonal Agricultural Signs be displayed for a

Sec. 8.7.1 / Permitted Signs: Location, Size, and Number

given property regardless of the number of agricultural products being sold on that property.

- (v) *Physical Characteristics.* Each Off-Premises Seasonal Agricultural Sign shall not exceed five (5) square feet in area and four (4) feet in height. Off-Premises Seasonal Agricultural Signs may only be ground signs.
- (vi) *Limitation on Off-Site Agricultural Products.* Off-Site Agricultural Products shall not be a majority of the agricultural products offered for sale on a property during any time that an Off-Premises Seasonal Agricultural Sign is being displayed related to the property.
- (vii) *Contiguous Properties.* Contiguous properties owned by the same person, family, establishment, or entity shall be treated as one property for the purposes of the Section.
- (viii) *Limitations Are Comprehensive.* The limitations on Off-Premises Seasonal Agricultural Signs stated in Subsections i-vii of this Section shall apply regardless of the number of persons, family members, establishments, or entities that sell the products on a property and regardless of the number of booths, stands, tables, tents, or the like that are located on a property.
- (ix) See Section 4.6 *Temporary Uses and Structures* and Section 8.7.6(B) *Sign Illumination*.

b) Other Seasonal Outdoor Sales Signs
Outdoor temporary sales signs advertising a product of a particular season shall be permitted provided that:

- (i) Such signs shall advertise the sale of seasonal products such as, but not limited to, Christmas trees, pumpkins, and fireworks.
- (ii) Such signs shall be limited to thirty-two (32) square feet and four (4) feet in height.
- (iii) Such signs shall be permitted for no more than thirty (30) days.
- (iv) See Section 4.6, *Temporary Uses and Structures* and Section 8.7.6(B) *Sign Illumination*.
- (v) Signs authorized by this Subsection 8.7.1(A)(29)(b) may be displayed only on the premises where the seasonal products are being sold.



Figure 8.7.1(A)(29): This seasonal sign is located in the right-of-way.

Sec. 8.7.1 / Permitted Signs: Location, Size, and Number

30) *Window*

Any sign, picture, symbol, or combination thereof that is placed on the outside or inside of a window or door and is visible from the exterior and meets the conditions below:

- a) Signs shall be allowed on the show window glass of non-residential buildings provided that all such commercial and incidental signs (both temporary and permanent) do not exceed a combined maximum of 25% of the total window area per facade.
- b) Temporary window signs shall only be installed on the inside of a window or door.
- c) An Interactive Digital Display is a digital window sign that is placed on the inside of a window or door and has a display area that changes at a predetermined frequency and upon a person interacting directly with the sign. This type of window sign shall meet the conditions listed above in addition to the following:
 - (i) Such sign shall only be placed on a window that is angled at least 45 degrees from the street.
 - (ii) The display area shall not exceed three (3) square feet.
 - (iii) The display area of the sign shall remain static for at least five (5) minutes unless a person is actively using the interactive features of the display area.
 - (iv) Such sign shall be equipped with automatic dimming technology that adjusts the sign's brightness in direct correlation with natural ambient light conditions.
 - (v) The brightness shall not exceed 6 footcandles from dusk to dawn when measured one (1) foot from the center of the display area.

31) *Yard Sale*

A sign advertising the sale of household articles in a residential yard or garage and meets the conditions below:

Yard sale signs shall be allowed provided that:

- a) Such signs shall be no larger than five (5) square-feet and four (4) feet in height.
- b) Such signs shall be displayed no longer than 36 hours before the event and shall be removed at the conclusion of the event.
- c) Such signs shall be allowed one (1) on-site and two (2) off-site on private property only with permission of property owners.



Figure 8.7.1(A)(31): This sign is located in the public right-of-way.

- B) **Home Occupation Signs**
Signs advertising home occupations shall be permitted where a home occupation has been approved per UDO Section 4.5.5 *Home Occupation*. Home Occupation signs shall be permitted as follows:
- 1) A Home Occupation sign permit is required and must be obtained from the Planning Department;
 - 2) In addition to meeting the requirements of Section 8.7.4 *Sign Design and Color*, plastic and/or acrylic sign faces are prohibited;
 - 3) A placard is permitted on the home where a Home Occupation has been approved, provided:
 - a) The sign shall be no larger than 12 inches by 12 inches;
 - b) The placard shall be placed no higher than 6' at the front door; and
 - c) The sign shall not be internally lit; external lighting shall be limited to traditional residential lighting fixtures.
 - 4) Where a home occupation exists on a lot with a minimum of 300 feet of linear road frontage, one sign may be placed in the front yard, provided:
 - a) The sign shall be no larger than 18 inches by 24 inches;
 - b) The maximum height of the sign shall be 4 feet;
 - c) The sign shall not be internally lit;
 - d) The sign must be permanent and affixed to a permanent pole(s); and
 - e) The sign shall not be located in the right-of-way and must be located so that it does not obscure vision at driveway sight triangles.

8.7.2 Prohibited Signs

The following signs are expressly prohibited within all zoning districts:

- A) Signs within the public right-of-way. The only type of signs permitted in the public right-of-way are governmental or city-sponsored civic signs, or unless specifically authorized elsewhere in this section.
- B) Unless specifically authorized elsewhere in this ordinance, no off-premise signs, as defined in Sec. 8.7.9 *Definitions*, are permitted.
- C) Any sign located in the required sight triangle, as defined in Sec. 8.7.9 *Definitions*.
- D) No sign may extend above a parapet or be placed upon a roof surface except that for purposes of this section, roof surfaces, such as a mansard roof, constructed at an angle of 75 degrees or more from horizontal shall be regarded as wall space.
- E) Any nonexempt sign which is not authorized by a valid permit.
- F) Abandoned signs, as defined in Section 8.7.9 *Definitions*.

- G) Portable signs, as defined in Sec. 8.7.9 *Definitions*, except signs authorized by Sec. 8.7.7 *Central Business District*.
- H) Animated Signs or Attracting Devices as defined in Sec. 8.7.9 *Definitions*, except decorative banners on residential property displayed by the resident with non-commercial messages are allowed. Banners are permitted only in accordance with the specific authorizations provided in Sec. 8.7.1.A.19-31 *Temporary Signs*. This shall not include Interactive Digital Displays permitted under Sec. 8.7.1.A.30.c.
- I) Illuminated tubing or strings of lights on trees and landscaping or outlining property lines or open sales areas, rooflines, or wall edges of a building. This requirement shall not apply to reasonable and customary holiday decorations as authorized by Sec. 8.7.1.A.25 *Holiday*.
- J) Signs comprised in whole or in part of exposed neon tubing. This requirement shall not prohibit the use of neon tubing when it is fully contained within a sign fixture or element thereof, or if it is a two (2) square foot or smaller sign displaying the word "OPEN" with or without a logo.
- K) Pole signs as defined in Sec. 8.7.9 *Definitions*.
- L) Tourist Oriented Directional Signs (TODS). North Carolina General Statutes Chapter 136 Article 11B.
- M) Billboard signs as defined in Sec. 8.7.9 *Definitions*.
- N) Changeable copy sign(s) as defined in Sec. 8.7.9 *Definitions*, except for gasoline sales sign, menu boards, and marquee that comply with this Ordinance. This shall not include Interactive Digital Displays permitted under Sec. 8.7.1.A.30.c.
- O) Series signs as defined in Section 8.7.9 *Definitions*.
- P) Box-style signs with internally-illuminated backgrounds. Individually illuminated letters are acceptable.
- Q) Exposed LED signs with the exception of LED signs used to display gas prices as permitted by Sec. 8.7.1.A.8.b.

8.7.3 Sign Area Measurement

- A) ***Sign surface area measurement***
 - 1) The surface area of a sign shall be measured by including the entire area within a single, continuous, eight-sided, straight-sided perimeter.
 - 2) Enclose 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.
 - 3) Do not include any supporting framework or bracing that is clearly incidental to the display itself.
- B) ***Signs consisting of multiple elements.***
If the sign consists of multiple elements, all of the area, including that area between elements shall be included in the computation of the sign area.

- C) ***Double faced signs.***
- 1) The sign surface area of a double faced, back-to-back sign with identical words on both sides shall be regarded and calculated as one sign.
 - 2) A double-faced sign with an angle shall be regarded and calculated as two signs.

8.7.4 Sign Design and Color

- A) ***Items of Information***
In order to increase readability and to decrease confusion, the number of items of information per sign shall be kept to a minimum. All signs requiring permits must be constructed of materials that present a finished appearance. Rough cut plywood is not acceptable. The sign's lettering should be professionally painted or applied; a "yard sales" or "graffiti" look with hand painted or paint stenciled letters is not acceptable.
- B) ***Architectural Consistency***
All signs shall be consistent with the architectural style, color, scale and materials of the principal building of a development.
- C) ***Uniform Color Scheme***
Sign colors shall be limited to no more than four (4) colors plus white and black. Each Pantone color shall be considered one (1) color. The colors (and materials) chosen shall blend with or complement the colors (and materials) of the principal building(s) on the lot or within the development. It is not the intent of this requirement to restrict the use of, or to in any way alter, the color composition of a federally registered trademark or other logo. However, if the color content of a federally registered trademark or business logo is not consistent with the color limitations of this sub-section, or otherwise is in conflict with the uniform color scheme, then the Planning Director, at his discretion, shall:
- 1) Restrict the use of the federally registered trademark or other logo to no more than 10% of the surface area of a wall or ground sign allowed proposed on the lot or within the development, or
 - 2) Prohibit the use of the federally registered trademark or other logo altogether from any sign or signs if the presence of the federally registered trademark in its standard federally registered colors are determined by the Planning Director to be detrimental to the aesthetic integrity of the overall development, or
 - 3) Allow the applicant to voluntarily alter the color composition of the federally registered trademark or other logo in such a manner as to be in harmony with the uniform color scheme of the development.

8.7.5 Master Sign Plan Requirement

A Master Sign Plan for multiple use development, mixed use development or integrated development shall provide the following:

- A) Consistency among signs on the premises with regard to location of each sign on the building(s), size of the signage allotted per use, business or out parcel, color scheme (including signs otherwise exempt from regulation), lettering or graphic style, materials and lighting.

- B) The allocation of signage among the various uses, businesses, or out parcels shall be determined by the owner of the lot or building, or their authorized agent, but shall in no case exceed the limitations established in this Section.
- C) The Master Sign Plan shall be approved by the Planning Director prior to the issuance of any sign permits.
- D) The Master Sign Plan may be modified by the owner or their authorized agent, so long as any nonconformities thereby created are brought into compliance with the revised Master Sign Plan and the current requirements of this Article within 90 days of its approval by the Planning Department.

8.7.6 Installation Requirements

- A) Procedure for obtaining a sign permit
 - 1) Application for a sign permit, where required by this Section, shall be made to the Planning Department.
 - 2) A sign permit shall become null and void if the sign is not erected within 12 months from the date of issuance of the permit.
 - 3) A permit fee shall be charged according to the current fee schedule adopted by the Town Council.
 - 4) If the sign or signs proposed in an application meet the requirements of this section, then a sign permit shall be issued.
 - 5) The applicant shall obtain all required building permits for sign construction.
 - 6) If the sign or signs proposed in an application fail to meet 1 or more of the requirements of this Section, then the permit shall be returned to the applicant for revisions.
 - 7) A sign located within a multiple use development, mixed use development or integrated development shall not be permitted until a Master Sign Plan has been approved.
 - 8) Any modification or replacement of a sign or support or frame shall be subject to a sign permit.

B) ***Sign illumination***

Unless otherwise prohibited by this Section, signs may be illuminated if such illumination is in accordance with this section. All electric signs shall be in accordance with Sec. 8.6.4.F *Building, Ground Mounted Fixtures and Accent Lighting*, the Building and National Electric Code and shall obtain all required building permits. All wiring to ground signs or to lighting equipment erected after the effective date of this Section must be underground.

- 1) *Signs near residential premises.* No sign within 150 feet of a residential premise may be illuminated between the hours of midnight and 6 a.m., unless there is no spillover of lighting or glare to the residential area beyond the boundaries of the lot where the lighting is located.
- 2) *Shielding of lights.* External lighting directed toward a sign shall be shielded so that it illuminates only the face of the sign and does not shine directly into or cause glare onto a public right-of-way or residential premises.

- 3) *Flashing or intermittent lights.* No sign shall contain or be illuminated by flashing or intermittent light or lights of changing degrees of intensity. This shall not include Interactive Digital Displays permitted under Sec. 8.7.1.A.30.c.

C) **Sign maintenance**

- 1) *Maintenance of signs.* All signs and all components thereof, including but not limited to supports, braces, and anchors, shall be kept in a state of good repair.
- 2) *Abandonment of signs.* If a sign advertises any enterprise or activity, including but not limited to a business, service, commodity, accommodation, or attraction that is no longer operating or being offered or conducted, that sign shall be considered abandoned and shall, within 90 days of the enterprise or activity ceasing, be removed by the sign owner, owner of the property where the sign is located or other party having control over the sign.
- 3) *Removal of message portion of signs.* If the message portion of a 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. This subsection shall not be construed to alter the effect of Sec. 10.6, *Nonconforming signs.*

D) **Landscaping**

A freestanding permanent sign shall include landscaping at the base of the sign. The landscaping shall be designed to include, but not limited to, one or more of the following: annual and/or perennial flower beds; ground cover; ornamental grass; and shrubs. Turf and other grasses are not permitted as part of the landscaping of the sign. Landscaping of the sign shall be in keeping with the adjacent area landscaping. The required landscaping shall be well maintained.

E) **Unlawful cutting of vegetation**

No person may, for the purpose of increasing or enhancing the visibility of a sign, damage, aggressively trim, destroy, or remove trees, shrubs or other vegetation located:

- 1) Within the right-of-way of any public street, unless the work is done pursuant to the express written authorization of the North Carolina Department of Transportation and/or the Town.
- 2) On off-site property that is not under the ownership or control of the person doing or responsible for such work.
- 3) In an area where such trees or shrubs are required to remain under a permit issued under the Unified Development Ordinance, a development approval, or under Town landscape requirements.

Sec. 8.7.7 / Central Business District, Apex National Register Historic District, Small Town Character Overlay District, Mixed Office-Residential-Retail and Planned Development Districts
8.7.7 Central Business District, Apex National Register Historic District, Small Town Character Overlay District, Mixed Office-Residential-Retail and Planned Development Districts

A) **Sign Types**

Table 8.7.7(A)

P = allowed with permit

| | Sign Type | Conditions | Permitted | Illumination |
|---|------------------|-------------------|------------------|---------------------|
| 1 | Projecting | 8.7.7.A.1 | P | Sec. 8.7.7.B.4 |
| 2 | Sandwich Board | 8.7.7.A.2 | P | Sec. 8.7.7.B.4 |
| 3 | Wall | 8.7.7.A.3 | P | Sec. 8.7.7.B.4 |
| 4 | Bracket | 8.7.7.A.4 | P | Sec. 8.7.7.B.4 |
| 5 | Awning | 8.7.7.A.5 | P | Sec. 8.6.4.F.4 |

1) *Projecting Sign*

A sign affixed to a building or wall in such a manner that its leading edge extends more than 12 inches beyond the surface of said building or wall and meets the conditions below:

Projecting signs shall be allowed provided that:

- a) Such sign(s) shall not exceed an area equal to 2% of the façade area of the structure.
- b) The outside edge of the projecting sign shall not project more than five (5) feet beyond the façade of the structure.
- c) Projecting signs shall be placed a minimum distance of seven feet above the sidewalk or as required by the Building Code.

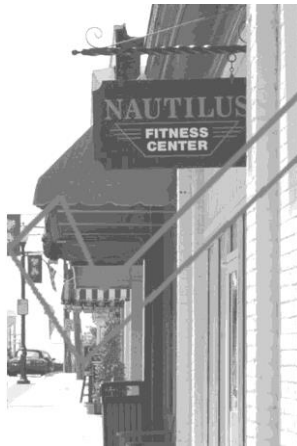


Table 8.7.7(A)(1): This projecting sign is more than seven (7) feet above the sidewalk.

2) *Sandwich Board Sign*

A sign consisting of two panels joined together at the top and configured in the shape of an inverted "V" so that the bottom of the sign rests upon or near the ground and meets the conditions below:

Sandwich Board Signs shall be allowed provided that:

- a) The total area of the signboard (including both sides) shall not exceed 14 square feet.

Sec. 8.7.7 / Central Business District, Apex National Register Historic District, Small Town Character Overlay District, Mixed Office-Residential-Retail and Planned Development Districts

- b) Any sandwich board sign shall not exceed two (2) linear feet in width, with a maximum height of 42 inches. Within these specified maximum dimensions, creative shapes that reflect the theme of the business are encouraged (i.e. ice cream shops may display a sign in the shape of an ice cream cone).
- c) The sign must be constructed of materials that present a finished appearance. Rough cut plywood is not acceptable. The signs lettering should be professionally painted or applied; a “yard sales” or “graffiti” look with hand painted or paint stenciled letters is not acceptable, however, chalkboard signs shall be permitted. The written message of the sign should be kept to the minimum necessary to communicate the name of the business or a special message of the business.
- d) The sign shall be located within four (4) feet of the main building entrance to the business and its location shall not interfere with pedestrian or vehicular circulation;
- e) The sign shall be removed at the end of the business day.
- f) Any person erecting a sandwich board sign shall indemnify and hold harmless the Town and its officers, agents, and employees from any claim arising out of the presence of the sign on Town property or public right-of-way.
- g) Sandwich boards located in the Central Business District shall either be located in the designated area for outdoor storage, display, and sales/rentals for that business or on the brick utility strip in front of the business.

3) *Wall Sign*

A sign attached parallel to a wall, professionally painted on the wall surface or erected and confined within the limits of an outside wall of any building or structure, which is supported by such wall or building and meets the condition below:

Wall signs shall be allowed provided that:

- a) Such signs shall not exceed an area equal to 10% of the façade area of the structure minus the area of any projecting sign or awning sign.



Figure 8.7.7(A)(3): This wall sign is of appropriate size.

Sec. 8.7.7 / Central Business District, Apex National Register Historic District, Small Town Character Overlay District, Mixed Office-Residential-Retail and Planned Development Districts

4) *Bracket*

A sign hanging from an arm and post and meets the conditions below:

- a) Such signs shall only be allowed within the Apex National Register Historic District, Central Business District, Small Town Character Overlay District, and MORR and Planned Development districts.
- b) The bracket sign is permitted instead of a ground sign, not in addition.
- c) The sign may include the name of the business and tenants of a building.
- d) The post for such signs shall be between four and six feet in height.
- e) The sign itself does not exceed nine (9) square feet in size.
- f) The sign shall relate to the building to which it refers in architectural style, scale and materials.
- g) The sign shall not encroach within the public right-of-way nor hang over the public sidewalk.
- h) Such signs shall be subject to Sec.8.7.4 *Sign Design and Color* and 8.7.5 *Master Sign Plan Requirement*.
- i) If the sign is to be illuminated, it shall meet the guidelines in Sec. 8.7.6.B *Sign Illumination*.



Figure 8.7.7(A)(4): This sign is not in the public right-of-way and meets the design guidelines.

5) *Awning Signs*

Awning signs shall be allowed provided that:

- a) On a single-occupant property, one (1) awning sign may be allowed provided that it shall not exceed 10% of the total awning

face. The total signage area on the awning and building may not exceed 10%,

- b) On a multi-occupant property, multiple awning signs may be allowed provided that the signs do not exceed 10% of the total awning face and if so shown on the Master Signage Plan. The total signage area on the awnings and buildings may not exceed 10%,
- c) They be illuminated only with direct surface lighting and not with any form of backlighting, and
- d) Shall also be subject to Sec. 8.7.4 *Sign Design and Color*, Sec. 8.7.5 *Master Sign Plan Requirement*, and Sec. 8.6.4.F *Building, Ground Mounted Fixtures and Accent Lighting*.

B) General Regulations

- 1) *Multiple occupancy of an area in single ownership or in a single structure.* Should an area in single ownership or in a single structure be occupied by more than one (1) establishment or firm, the allocation of permitted signs and display surface area among the several occupants shall be determined by the owner. The sign plan submitted for an area in single ownership shall show all such signs of uniform design, in harmony and consistent with each other. The total area for all such signs under the required plan shall be in conformance with this subsection.
- 2) *Sign location.* No sign shall be placed on a structure such that significant architectural features or details are disfigured, concealed or painted over. For purposes of this section, and by way of illustration, a significant architectural feature shall include, but not be limited to, windows, doors, cornices, and decorative wood, brick or stone work.
- 3) *Method of attachment.* The method of sign attachment shall respect the architectural integrity of the structure and relate to or become an extension of the design. The method of attachment of signs to existing structures shall be chosen to minimize damage to the structure.
- 4) *Lighting.* The use of front lighting shall respect the integrity of design of structures. With the exception of Interactive Digital Displays, the use of back-lighting, internally illuminated wall, internally illuminated bracket, or internally illuminated projecting signs shall be prohibited.

8.7.8 Nonconforming Signs

Provisions governing nonconforming signs are set forth in Article 10.

8.7.9 Definitions

Abandoned Sign

Any sign that advertises any enterprise or activity, including but not limited to a business, service, commodity, accommodation, or attraction that is no longer operating or being offered or conducted and has been vacated for a period of more than 90 days of the enterprise or activity ceasing.

Animated Sign or Attracting Device

Any sign that uses movement or change of lighting to depict action or create a special effect, scene, or attract attention, including beacons, pennants, hand-held signs, streamers, balloons or other inflatables used as signs, spot lights and search lights, high-

intensity illuminated signs, electronic or mechanical indications of time and temperature, or other moving or flashing signs. This shall not include Interactive Digital Displays permitted under Sec. 8.7.1.A.30.c.

Awning

A material such as fabric, metal, flexible plastic, or vinyl that is supported by or attached to a frame and that extends from the exterior wall of a building without ground-mounted support.

Bracket Sign

A ground sign with one post and extending arm from which the sign hangs.

Banner

A temporary sign constructed of lightweight fabric or similar material such as, but not limited to vinyl, fabric, or paper.

Billboard

An off-premise outdoor advertising sign owned by a person, corporation, or other entity that engages in the business of selling the advertising or communicative space on that sign.

Building Façade

The entire area of a building facing or side extending from the roof or parapet to the ground and from one corner of the building to another but does not include any structural or nonstructural elements which extend beyond the roof of a building.

Canopy

A structure constructed of rigid materials, including but not limited to metal, wood, concrete, canvas, or glass, which is attached to and supported by a building, or which is free-standing and supported by column, poles, or braces extended to the ground.

Changeable Copy

A sign or portion of a sign with characters, letters or illustrations that can be changed or rearranged without altering the face or the surface of the sign. This shall not include Interactive Digital Displays permitted under Sec. 8.7.1.A.30.c.

Commercial Message

Any sign, wording, logo, or other representation that names or advertises a business, product, service or other commercial activity.

Copy (permanent or temporary)

The wording or pictorial graphics on a sign surface either in permanent or removable form.

Development

Single-use lots, multiple-use lots, shopping centers with or without outparcels connected thereto as shown on an approved Master Subdivision Plan, or any other group of non-residential projects planned as a total entity.

Exterior Lighting

Lighting, such as that used in and around buildings, recreation areas, parking lots, and signs designed to illuminate certain areas for visibility.

Gasoline Sales Sign

A service station sign advertising fuel prices in accordance with North Carolina General Statutes.

Illegal Sign

A sign erected, altered, replaced, or maintained in violation of this UDO.

Illuminated Sign

A sign with an artificial light source incorporated internally or externally for the purpose of lighting the sign.

Internal Illumination

A light source concealed or contained within the sign itself, such as fluorescent or neon tubing, which lights the sign but where the light source is not visible.

Logo

A graphic sign which represents a particular trademark or business symbol for identification.

Major Entrance

The principal vehicular full access point from which to enter and exit.

Master Sign Plan

Sign criteria established per UDO Section 8.7.5 for design consistency among all signs within an integrated development, multiple use development, or mixed use development.

Mechanical Movement

Animation, revolution, rotation, or other movement of any or all parts of a sign.

Off-premise Sign

A sign that directs attention to a business commodity, service, or establishment conducted, sold, or offered at a location other than the premises where the sign is erected or affixed.

On-premise Sign

A sign that directs attention to a business commodity, service, or establishment conducted, sold, or offered on the premises on which the sign is erected or affixed.

Pennant

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

Pole Sign

A sign that is not attached to a building, but is supported by a pole(s) or mast which has as its principal function the support of the sign.

Portable Sign

A sign that is not permanently affixed to a building, structure or the ground or other permanent structure including but not limited to; sandwich board signs/A-frame, T-frame signs, products, costumed characters, hand-held signs, umbrellas that are not associated with a restaurant seating area, hot air or gas-filled balloons, or a sign designed to be transported, including, but not limited to the following: signs designed to be transported by means of wheels, signs attached to or painted on vehicles or trailers parked and visible from any public right-of-way.

Projecting Sign

A sign affixed to a building or wall in such a manner that its leading edge extends more than 12 inches beyond the surface of said building or wall.

Roof Sign

A sign attached to and extending above a roof of a building or other structure, but shall not include emblems of religious orders or institutions.

Sandwich Board Sign

A sign consisting of two panels joined together at the top and configured in the shape of an inverted “V” so that the bottom of the sign rests upon or near the ground.

Series Signs

A message, copy, or announcement, which uses a series of two (2) or more signs placed in a line generally parallel to a street, highway, or expressway carrying a single message, copy, or announcement, a part of which is contained on each sign.

Sight Triangle

A triangular-shaped portion of land established at street intersections and driveways in which nothing is erected, placed, planted, or allowed to grow in such a manner as to limit or obstruct the sight distance of motorists entering or leaving the intersection, as set forth in the *Town of Apex Standard Specifications and Standard Details*.

Sign

An identification, description, animation, illustration, or attention getting device, illuminated or non-illuminated, which is visible from a public right-of-way and which directs attention to a realty, product, service, place, activity, person, institution, performance, commodity, firm, business or solicitation, including permanently installed or situated merchandise or an emblem, logo, painting, banner, poster, bulletin board, pennant, placard, or temporary sign designed to identify or convey information, with the exception of state, municipal, national, and religious flags.

Sign Face

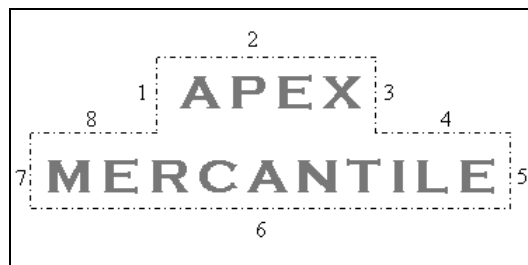
The entire surface area of a sign upon, against, or through which copy is placed.

Sign Height

The vertical distance measured from the sign's average grade level, provided that no filling, berming, or mounding solely for the purpose of locating the sign at a higher level is done.

Sign Surface Area

The entire area of a sign shall be the smallest rectangle entire area within a single, continuous eight-sided, straight-sided perimeter that encloses the entire sign inclusive of any border or trim and all the elements of the matter displayed, but excluding the base or apron, supports, and other structural members. In the case of three-dimensional or painted letters located directly on a wall surface, the surface area shall be defined as the area encompassing the individual letters themselves including any trim and excluding the background that supports the three-dimensional or painted letters.



Temporary Sign

A sign that is used in connection with a circumstances, situation or event that is designed, intended, or expected to take place or to be completed within a definite period of time after the erection of such sign. If a sign display area is permanent but the message displayed is subject to periodic changes, that sign shall not be regarded as temporary.