

**ARTICLE 10. SIGN REGULATIONS**

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# ARTICLE 10. SIGN REGULATIONS

## Section 10.1 Purpose

The purpose of this section is:

- (A) To enhance and protect the physical appearance of the City while promoting the economic well-being of the community by creating a favorable physical image.
- (B) To promote public safety and traffic safety by ensuring that signs are properly designed, constructed, installed and maintained.
- (C) To minimize distractions and/or obstruction of views that contribute to traffic hazards and endanger public safety.
- (D) To promote high standards of quality development by encouraging appropriately designed, placed, and sized signage.
- (E) ) To provide an effective guide for communicating identification through signage while preventing signs from dominating the visual appearance of the areas in which they are located.

## Section 10.2 Applicability

- (A) Signs may only be erected, affixed, placed, painted, or otherwise established in accordance with the standards provided herein. Certain signs are exempt from permitting (Section 10.3), but are still subject to standards provided.
- (B) No sign shall be placed in the right-of-way (unless exempted from this requirement) and all signs shall be constructed and designed, according to generally accepted engineering practices, to withstand wind pressures and load distribution as specified in the current building code.

## Section 10.3 Signs Exempt from Permitting Requirements

A permit is not required for the following types of signs or sign alterations; however, they must comply with all other applicable sections of this article and the standards of this section.

- (A) Traffic directional signs.
- (B) Address signs, private street or road name signs meeting the NCDOT and Brunswick County 911 addressing standards as to size, color, and placement. Such signs may be illuminated.
- (C) Signs directing and guiding traffic and parking on private property not exceeding four (4) square feet for each sign with a maximum height limitation of three (3) feet. A maximum of one such sign shall be permitted at each point of ingress or egress to a parking area.
- (D) Pavement markings of a traffic directional nature consistent with standard and customary markings used by the City and NCDOT.

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- (E) Signs not visible beyond the boundaries of the lot or parcel upon which they are situated or from any public right-of-way or lake.
- (F) Changing copy on a legal bulletin board or maintenance where no structural changes are made, or the changing of the interchangeable letters on signs designed for them, or the changing of the color of illumination systems.
- (G) Holiday season decorations.
- (H) Historical markers, memorial signs, or plaques provided that all such symbols, plaques and identification emblems shall be placed flat against a building and be less than three (3) square feet.
- (I) Integral decorative features of buildings, except letters, trademarks, moving lights or moving parts.
- (J) Fence-wrap signs affixed to fences surrounding a construction site may be allowed in accordance with NCGS 160D-908.
- (K) Safety Signage

Each lot is permitted the use of safety signs subject to the following. Lots which may have construction or an open building permit are subject to the following standards.

- (1) The aggregate sign face area for all safety signage on a lot shall not exceed sixty-four (64) square feet.
  - (2) No single safety sign shall exceed two (2) square feet of sign face area.
  - (3) No lot shall include more than 16 individual safety signs (for the purposes of this section a two-sided sign may be counted as a single sign).
  - (4) The top of a safety sign shall not be greater than five (5) feet above the adjacent grade.
  - (5) Safety signs shall not be illuminated.
- (L) Yard Signs. Each lot in a residential zoning district shall be allowed one (1) yard sign not exceeding six (6) square feet or four (4) feet in height. Such sign shall not be constructed utilizing wood, cement, steel, or other similar structures of a permanent nature. Such sign shall be easily removed and placement thereof shall not be of a permanent fashion.
- (M) Temporary Yard Signs. Each lot that is for sale, or has a structure listed for sale or rent, shall be allowed up to one temporary yard sign, subject to the following standards.
  - (1) One (1) temporary yard sign not exceeding six (6) square feet for residential zoning districts may be allowed while said property is listed for sale or rent. Maximum height shall be four (4) feet in residential districts.

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- (2) One (1) temporary sign not exceeding thirty two (32) square feet for non-residential zoning districts may be allowed while said property is listed for sale or rent. Maximum height shall be eight (8) feet in non-residential districts.

- (3) Temporary signs shall not be illuminated.

### (N) Temporary Banners

- (1) Each lot or commercial establishment, may have one (1) temporary banner sign per street frontage not exceeding thirty two (32) square feet in non-residential zoning. Maximum height shall be four (4) feet in non-residential districts.
- (2) These signs may remain in place for up to fourteen (14) days for six (6) times per year with a minimum seven (7) day separation.
- (3) Temporary banners shall not be illuminated.

### (O) Temporary Off-Premise Event Signs

- (1) Temporary off premise signs are limited to up to four (4) signs per event, with adjoining property owner's permission and shall be at least a minimum of five (5) feet from the designated road surface. Signs shall not exceed six (6) square feet.
- (2) These signs may remain in place for up to 14 days for six (6) times per year with a minimum seven (7) day separation.
- (3) Signs shall be removed immediately following the event.

### (P) Temporary Legal Notices

- (1) Signs shall be placed as required by state law pending regulatory action and an associated hearing regarding a particular property. Signs shall not exceed six (6) square feet.
- (2) Signs shall be removed immediately following such action.

### (Q) Feather Flags

- (1) Within non-residential zoning districts, each business establishment, may have one (1) feather flag not exceeding 32 square feet in non-residential zoning districts only. Maximum height shall be eight (8) feet in non-residential districts.
- (2) Feather flags shall not be illuminated.

### (R) The flying of up to three (3) flags (not to include feather flags):

- (1) Size shall not exceed four (4) by six (6) feet.

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- (2) All three (3) flags may be flown on a single flagpole or individual flagpoles but not to exceed three (3) flags.
- (3) Any flagpole shall not exceed a height of 25 feet, including any base securing the flagpole.

### (S) Portable Signs

- (1) One (1) portable A-frame sign not to exceed eight (8) square feet shall be permitted per business establishment. Portable signage shall not be placed in the right-of-way and shall be removed at the end of the business day. Portable signage is only permitted in non-residential zoning districts.
- (2) Any A Frame sign can be placed only within the boundaries of the property.

### (T) Political signs

Sign placement and duration shall be in accordance with NCGS 136-32 in the NCDOT right-of-way. During the period beginning on the 30th day before the beginning date of "one-stop" early voting under G.S. 163-227.2 and ending on the 10th day after the primary or election day, subject to the following provisions.

- (1) Right-of-way Sign Placement. A person must obtain the permission of any property owner of a residence, business, or religious institution fronting the right-of-way where a sign would be erected. Signs must be placed in accordance with the following:
  - (a) No sign shall be permitted in the right-of-way of a fully controlled access highway.
  - (b) No sign shall be closer than three feet from the edge of the pavement of the road.
  - (c) No sign shall obscure motorist visibility at an intersection.
  - (d) No sign shall be higher than 42 inches above the edge of the pavement of the road.
  - (e) No sign shall be larger than 864 square inches.
  - (f) No sign shall obscure or replace another sign.
  - (g) Within the City right-of-way, signs shall only be allowed on Fifty Lakes Drive, Eden Drive, and Alton Lennon Drive.
- (2) Private property Sign Placement, One Sign limited to six (6) square feet in size per lot.

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- (3) The party responsible for erecting the sign shall be held responsible for any violations.

### Section 10.4 Prohibited Signs

The following signs are prohibited:

- (A) Any sign not specifically permitted under Article 10 or any sign that is not specifically exempted from this Article is prohibited from being erected and subject to removal and fees as set forth in the City's fee schedule.
- (B) Any signs on benches and refuse containers.
- (C) Electronic message centers in residential zoning districts.
- (D) Signs attached or painted to piers or bulkheads except for one (1) on-premise building identification sign not to exceed nine (9) square feet per establishment.
- (E) Pavement markings, except those of a customary traffic control nature.
- (F) Signs of material including but not limited to paper, paint, cardboard, plastic, wood and metal which are painted on or attached to trees, lampposts, hydrants, traffic signs, rocks or other natural features, telephone or utility poles or painted on the roofs of buildings visible from any public thoroughfare.
- (G) Any permanent off-premise signs, including billboards.
- (H) Circulars, throwaways, handbills, balloons, streamers, spinners, posters, placards, pennants or inflatable devices.
- (I) Any sign, sign structure, or portion thereof (other than freestanding signs), which extends above the top of the wall parapet, building roof line, and/or the facade of any building. Signs shall not be placed on any roof.
- (J) Any sign or outdoor advertising display which contains statements, words or pictures of an obscene character as defined in G.S. 14-190.1 such as will offend public morals or decency.
- (K) The use of festoon lighting or lines or luminous material of foil except as seasonal decorations.
- (L) Any sign which restricts or appears to reserve any portion of the public right-of-way or any public property for the exclusive use or private uses of any individual, tenant, client, guests or business. This prohibition extends to all such signs, whether on public property or private property.

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(M) Glass tubes filled with neon, argon, krypton or others used to construct a sign or used in a manner similar to festoon lighting exceeding three (3) square feet in size.

(N) Prohibited advertisement of illegal activities in the State.

(O) No sign shall be attached to or placed against the outside of a building in such a manner as to prevent ingress and egress through any door or window, nor shall any sign obstruct or be attached to a fire escape.

(P) Any sign or flag the UDO Administrator deems to be significantly worn, torn, dilapidated, damaged, tattered, or otherwise in disrepair. Such signs may be removed by the UDO Administrator sixty (60) after written notice to the owner.

### Section 10.5 Obsolete and Abandoned Signs.

Nonconforming signs or signs serving a vacant building or site that has not been in use for 180 days or more shall be deemed to be an abandoned sign and shall be removed. The obsolete or abandoned sign may be removed by the UDO Administrator within sixty (60) days of notice to the owner at the owner's expense.

### Section 10.6 Traffic Hazards and Sign Illumination

(A) No floodlights shall be utilized as a part of a sign illumination system which are not hooded or shielded so that the light source is not visible from any public right-of-way or adjacent property, nor shall any sign otherwise reflect or emit a glaring light so as to impair driving vision.

(B) The maximum illumination level for lighted signs shall be five hundred (500) watts per side. For signs containing light emitting diodes (LEDs), the maximum brightness shall be 5000 nits during daylight hours (dawn to dusk) and 150 nits during nighttime hours. The applicant or the sign manufacturer must provide either written certification from the manufacturer that the light intensity has been factory programmed not to exceed above listed light levels or provide an isolux lighting plan certified by an electrical engineer.

(C) No sign illumination system shall contain or utilize any beacon, spot, searchlight or stroboscopic light or reflector which is visible from any public right-of-way or adjacent property; nor shall such lights be operated outside, under any circumstances, except by authorized public agencies.

(D) No sign shall display lights resembling by color and design or other characteristics customarily associated with danger of those used by police, fire, ambulance and other emergency vehicles or for navigation. Automotive warning or flashing signs shall not be utilized as commercial attention-seizing devices.

(E) No sign is permitted which, due to its position, shape, color, format or illumination, obstructs the view of or may be confused with an official traffic sign, signal or device or

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any other official sign, or which uses the words "stop," "warning," "danger," or similar words implying the existence of danger or the need for stopping or maneuvering.

- (F) No sign shall rotate or otherwise move.
- (G) No sign shall obstruct the view of motor vehicle operators entering a public roadway from any driveway, street or alley. On any corner lot on which a front and side yard is required, nothing shall be erected, placed, planted or allowed to grow which obstructs sight lines between a height of two and one half (2 ½) feet above the crown of the adjacent roadway and ten feet in a triangular area formed by measuring from the point of intersection of the front and exterior side lot lines a distance of twenty five (25) feet along the front and side lot lines and connecting the points so established to form a triangle on the area of the lot adjacent to the street intersection.

### Section 10.7 Permit Procedures

The UDO Administrator or his/her designees shall issue a zoning permit for the erection or construction only for a sign which meets the requirements of this article and is not subject to exemption as provided in Section 10.3. Each application shall be accompanied by a plan showing the following:

- (A) Name and address of the owner of the sign.
- (B) Exact size, shape, configuration, design, area, height, nature, number and type of sign to be erected.
  - (1) To calculate sign area, the following should be included: the entire face of a sign, computed as the extreme limits of the lettering or other display, together with any integral part of the background of the lettering or display, but not including the support framework, bracing, fence or wall upon which it is placed when such is clearly incidental to the display itself. In the case of a double faced sign, only one side is considered in computing sign area.
  - (2) Height of sign means the vertical distance measured from the adjacent street crown grade to the top of the sign face or sign structure, whichever is greater.
- (C) The value of the sign or sign structure.
- (D) The method and type of illumination, if any.
- (E) The location proposed for such signs in relation to property lines, zoning district boundaries, right-of-way lines, and existing signs.
- (F) A graphic representation (hand drawn if necessary), including color scheme, lighting, and landscaping of the proposed sign.



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- (G) If conditions warrant it, such additional information as will enable the UDO Administrator to determine if such sign is to be erected in conformance with the requirements of this article.
- (H) Before issuing a zoning permit, the applicant shall pay all fees as set forth in the City's fee schedule.

### **Section 10.8 Residential Zoning District Sign Regulations**

In a residential zoning district the following signs shall be permitted in accordance with the standards provided (R-1, R-2, R-3, R-4, R-5, R-6, PRD):

- (A) Up to two (2) ground-mounted or monument signs per subdivision entrance may be utilized, provided each sign does not exceed sixty-four (64) square feet in area, twenty (20) feet in length, and six (6) feet in height.
- (B) Each monument sign shall be required to have landscaping and plantings installed at the time of sign installation with review and approval by the UDO Administrator. The landscaping shall surround the base of the sign, extending at least three (3) feet beyond both ends of the sign and at least six (6) feet beyond each face of the sign. Landscaping shall only require shrubs and/or ground cover and shall be planted thirty-two (32) inches or less apart on centers.

### **Section 10.9 Non-Residential Zoning District Sign Regulations**

In a non-residential zoning district the following signs shall be permitted in accordance with the standards provided (C-1, C-1A, C-2, C-C, O&I, I-1, CON, REC), in addition to those permitted in residential zoning districts:

#### ***10.9.1 Monument or Freestanding Signs***

- (A) One (1) monument or freestanding sign shall be permitted per lot.
  - (1) Maximum height allowed is sixteen (16) feet and the maximum allowed total signage area is sixty four (64) feet.
  - (2) Each monument sign shall be required to have landscaping and plantings installed at the time of sign installation with review and approval by the UDO Administrator. The landscaping shall surround the base of the sign, extending at least three (3) feet beyond both ends of the sign and at least six (6) feet beyond each face of the sign. Landscaping shall only require shrubs and/or ground cover and shall be planted thirty-two (32) inches or less apart on centers.

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- (B) Shopping centers and/or business condominium development may provide one (1) freestanding sign for the center and one (1) for each business establishment. Such signs shall not exceed a sign surface area of sixty four (64) square feet relating to the center or development plus twelve (12) square feet relating to each individual tenant business within the shopping center.
- (C) No freestanding sign structure requiring a permit shall coexist on the same parcel with any other freestanding sign unless the parcel has more than five hundred (500) feet of principal street frontage, in which case no two (2) signs shall be located closer than five hundred (500) feet from one another.
- (D) For the purposes of this section, Fuel Station Canopies shall be considered freestanding signs and shall be regulated as follows:
  - (1) The sign face on the Fuel Station Canopy fascia shall be no larger than eight (8) square feet fifty (50) percent of the canopy area, and may be displayed one (1) time on each side of the canopy that faces a primary street.
  - (2) To achieve said illumination a ninety (90) degree cutoff luminary, which directs the lighting towards the ground underneath should be used, unless lighting is directed towards the building. At no time shall lighting illuminate adjacent residential property or interfere with safe vehicular travel..

### ***10.9.2 Wall Signs***

Wall signs including glassed areas shall be limited to twenty (20) percent of the front facade. This percentage shall be the sum of signage placed on the building. Wall signs may be erected and displayed when in compliance with the maximum percentage of facade covered limitations and provided:

- (A) No wall signs shall protrude more than twelve (12) inches from the wall to which it is attached.
- (B) No wall signs shall extend beyond the parapet or eave line as appropriate of the building to which it is attached. If the building consists of more than two (2) stories, wall signs shall not extend above the second story.
- (C) Wall signs shall not cover up or interrupt architectural features.
- (D) Signage not to exceed twenty five (25) percent on a glazed area.
- (E) Multiple street facades (corner lot) shall be allowed twenty (20) percent on each street facing façade.

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### ***10.9.3 Blade Signs (Projecting Signs)***

Blade Signs are allowed with the following regulations.

- (A) One (1) non-illuminated blade sign is allowed per business establishment.
- (B) Any blade sign must have eight (8) or more feet of vertical clearance from the ground or sidewalk level.
- (C) A blade sign may project no more than three (3) feet from the building wall and shall be no more than four (4) square feet in area per display surface.
- (D) Such signs shall be stationary.

### ***10.9.4 Awning Signs***

Awnings may be erected and displayed in compliance with the following regulations.

- (A) Maximum of twenty four (24) square feet in signage area on canopy/awning per business establishment.
- (B) No backlit awnings are permitted.
- (C) No neon is allowed on awnings.
- (D) No metal bar or framing or other solid shall be less than eight (8) feet above the ground or sidewalk and that a flexible cloth, canvas or similar skirt may hang twelve (12) inches below the horizontal frame supporting the awning, but in no case shall the skirt be less than seven (7) feet above the ground or sidewalk at the lowest point.
- (E) ) One (1) sign per business establishment may be suspended from or attached to the underside of a canopy/awning, provided such sign does not exceed six (6) square feet in area and maintains a clear distance of at least seven (7) feet between the sidewalk grade and the bottom of the sign. This signage shall be allowed in addition to the permissible amount of wall signage.

### ***10.9.5 Vehicular Signs***

A sign attached to or painted on a motor vehicle or trailer may be displayed in accordance with the following regulations.

- (A) The vehicular sign must be affixed to the vehicle or trailer.
- (B) The vehicle or trailer upon which the vehicular sign is affixed must be used in the routine conduct of the business advertised on the sign and the vehicle or trailer must have a current safety inspection sticker and current license displayed thereon in accordance with applicable state law. A principal use of the vehicle or trailer

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cannot be to advertise or display the vehicular sign, and parking spaces on commercial property cannot be used by off-site businesses and their vehicles for advertising purposes.

- (C) On non-residential sites, the vehicle or trailer must be correctly parked within a designated parking space or loading zone. No vehicle or trailer with a vehicular sign can park within a street right-of-way except for temporary emergency parking.
- (D) Banners, flags, inflatable objects, "sandwich board signs," and frame signs placed within the bed of a pickup truck are expressly prohibited.

### ***10.9.6 Electronic Message Center (EMC) Signs***

- (A) No variations in light intensity are permitted.
- (B) Only freestanding and monument signs may utilize an EMC and the EMC portion of the sign may not exceed 30% of the permitted sign face.
- (C) The height may not exceed eight (8) feet or in height and must be 7½ feet from all property lines.

### **Section 10.10 Noncompliance.**

- (A) The UDO Administrator or code enforcement officer shall cause to be removed any unauthorized, permanent, temporary or portable sign erected or situated upon public property.
- (B) The UDO Administrator or code enforcement officer shall cause to be removed any unauthorized, permanent, temporary or portable sign erected or situated upon private property by citing the owner or agent of the owner of the property with a notice of violation and requesting immediate removal.
  - (1) Failure to immediately remove the sign upon notice shall result in a fine as set forth in the City's fee schedule as established by the Board of Commissioners and filed in the office of the City Clerk. Said fine accruing each day that the sign is permitted to remain, such that each day a violation continues shall be considered a separate offense.
  - (2) Removed signs will be held by the Building Inspections Department for not more than seven (7) days. Removed signs may be retrieved during that time by owners upon release by the Building Inspections Department and payment of a fine as set forth in the City's fee schedule as established by the Board of Commissioners and filed in the office of the City Clerk.
  - (3) After seven (7) days, all signs removed from public property shall be considered disposable.