

ARTICLE XVII – Sign Regulations

§ 152-270. Purpose.

The purpose of this article is:

- (1) To encourage advertising signs that maintain, enhance and are compatible with the character and the visual surroundings of the town by eliminating visual blight;
- (2) To enhance the town’s ability to attract new development and growth;
- (3) To protect the pedestrians and motorists of the town from damage or injury caused by or related to distractions and obstructions from improperly sized and situated signs;
- (4) To promote the public safety, welfare, and convenience of travelers and the enjoyment of travel and the free flow of pedestrian and motorized traffic within the town; and
- (5) To provide a uniform sign ordinance.

§ 152-271. Definitions. *(Amended 4/13/2015)*

Unless otherwise specifically provided, or unless clearly required by the context, the words and phrases defined in this section shall have the meaning indicated when used in this article.

- (1) **Awning.** A shelter projecting from and supported by the exterior wall of a building constructed of non-rigid materials on a framework.
- (2) **Banner.** A sign with message or advertisement that is applied to flexible substrate cloth or vinyl. The sign is usually held in place by grommets, ropes, and ties and is intended for temporary use only.
- (3) **Billboard.** Also referred to as an “outdoor advertising sign.” An off-premises sign that is either freestanding or attached to a building and is owned by a person, corporation, or other entity that engages in the business of selling the advertising space on that sign.
- (4) **Blade Sign.** A hanging sign that is suspended from a bracket attached to a building wall or hung beneath a canopy.
- (5) **Building Frontage.** The horizontal linear dimension designated as the primary façade of that portion of a building occupied by a single use or occupancy.
- (6) **Bulletin Board.** A directory type sign displaying the name of an office or institution with a changeable copy board, displaying the dates and times of various events and meetings.
- (7) **Business Complex.** A single lot have more than one (1) principal building or business. Business complexes do not include retail centers, shopping centers and shopping malls.

(8) **Canopy.** A roof-like structure supported by post or suspended from a wall and extended over an area for providing protection against the weather.

(9) **Canopy Sign.** A sign that is part of an awning or canopy over a door, window, entrance or outdoor service area.

(10) **Directional Sign.** An on-premises sign giving directions, instructions, or facility information. Examples include, but are not limited to, “parking,” “exit,” “enter,” and “restroom” signs.

(11) **Directory Sign.** A sign located on the interior portion of a retail center, shopping center or business complex, designed to convey the names of the occupants of the complex to persons on site. Such signs are typically located near entrances or at strategic locations within the parking area of the retail center, shopping center or business complex.

(12) **Freestanding Sign.** A sign supported by a structure placed in the ground and which is wholly independent of any building or object other than the sign structure for support.

(13) **Government Sign.** Any sign erected and maintained by the town, county, state or federal government.

(14) **Height, Sign.** The vertical distance measured from the highest point of the sign to the lowest point of surface grade beneath the sign.

(15) **Illuminated Sign.** A sign with an artificial light source incorporated internally or externally for the purpose of illuminating the sign.

(16) **Marquee.** A sign whose display area is designed so that the characters, letters or illustration can be changed or rearranged without altering the face or surface of the sign. In the context of this article, a marquee is defined as a permanent sign and erected only in combination with an identification or freestanding sign.

(17) **Master Sign Plan.** A plan submitted for all multi-building or multi-tenant commercial developments identifying location, type, size and number of the proposed signs.

(18) **Monument Sign.** A type of freestanding sign in which there is no exposed frame, mast or pole, is less than five (5) feet in height and which is built of brick or other substantial material resembling a monument.

(19) **Nonconforming Sign.** A sign which was legally erected but does not comply with the current requirements of this ordinance.

(20) **Off-Premises Sign.** A sign that draws attention to or communicates information about a business, service, commodity, accommodation, attraction, or other enterprise or activity

that exists or is conducted, sold, offered, maintained, or provided at a location other than the premises on which the sign is located.

(21) **Outdoor Advertising Sign.** See, “Billboard.”

(22) **Political Sign.** A temporary sign used in connection with a local, state, or national election.

(23) **Portable Sign.** A sign generally constructed to be easily movable without a permanent attachment to the ground, a structure frame, building, or other surface and is constructed to be moved. Portable signs include, but are not limited to, the following: trailer signs, signs on top of a vehicle, and sidewalk or curb signs. This definition does not include temporary signs.

(24) **Residential Development Sign.** A sign at the entrance of a residential development placed for the purpose of permanently indentifying that development.

(25) **Retail Center.** A building or group of buildings housing five (5) or more businesses on a unified tract with a combined building footprint of between 10,000 and 40,000 square feet, under one or multiple ownerships. Its occupants provide for the retail sale of goods and services to the public.

(26) **Sandwich Board Sign.** An advertising or business ground sign constructed in such a manner as to form an “A” or a tent-like shape.

(27) **Shopping Center.** A building or group of buildings housing seven (7) or more businesses on a unified tract with a combined building footprint of more than 40,000 square feet, under one or multiple ownerships, with common ingress and egress points. Its occupants provide for the retail sale of goods and services to the public. Consumer and employee parking shall be provided on-site. For the purposes of this article, shopping malls are considered to be “shopping centers.”

(28) **Sign.** Any device (including but not limited to letters, words, numerals, figures, emblems, pictures, or any part or combination) used for visual communication intended to attract the attention of the public and visible to the public right-of-way.

(29) **Temporary Sign.** A banner or pennant intended to be displayed for a limited time period with a temporary sign permit issued pursuant to section 152-275, “Temporary Signs.” Temporary signs do not include signs authorized pursuant to section 152-274, “Signs Authorized Without a Permit.”

(30) **Wall Sign.** A sign mounted flat against and projecting less than twelve (12) inches from, or painted on the wall of, a building or structure with the exposed face of the sign in a plane parallel to the face of the wall.

(31) **Window Sign.** A sign posted, painted, placed, or affixed in or on a window exposed to public view. An interior sign that faces a window exposed to public view and located within three (3) feet of the window is considered a window sign for the purpose of calculating the total area of all window signs.

§ 152-272. Permit Required.

It shall be unlawful for any person to erect, locate, relocate, alter or display within the zoning jurisdiction of the town any sign or other advertising structure, other than those specifically exempted from this article, without first obtaining a permit from the Administrator, issued in accordance with the following limitations, conditions and requirements:

(A) **Application.** Application for permits shall be made upon the forms provided by the town, and the applicant shall accurately provide all information requested on such application.

(B) **Fee.** A permit shall be issued only upon the payment of the required fee, as established from time to time by the Board of Commissioners. Such fee shall be paid at the time application is made.

(C) **Continued compliance required.** The permit shall remain valid only upon the continued compliance by the applicant or owner of the sign with the conditions, limitations and requirements set forth herein. Failure to comply with these regulations may result in the revocation or cancellation of such permit by the Administrator, and may subject the applicant or owner of the sign to such enforcement actions as authorized by this ordinance.

§ 152-273. Prohibited Signs.

The following signs are prohibited in all districts within the zoning jurisdiction of the town:

(A) Any sign which encroaches within or extends over or otherwise interferes with streets, alleys or other public rights-of-way;

(B) Any sign which impedes the flow of vehicular traffic; the safe movement of vehicles; or interferes with the view of an operator of a motor vehicle, either because of location of the sign or the direction, glare or intensity of any illumination or reflection;

(C) Any sign which impedes the safe movement and access of pedestrians or that interferes with their ability to see or be seen by oncoming traffic, including, but not limited to, children who may be completely hidden by a sign due to their shorter stature;

(D) Signs or sign assemblies and supports which obstruct ingress or egress to any window, door, fire escape, stairway, ladder or opening intended to provide light, air, ingress or egress to any room or building;

(E) Signs that are illuminated by or contain lights or other parts that flash, blink or move, or simulate flashing, blinking or movement, except signs indicating time and/or temperature

and digital display used to advertise movies playing at motion picture theaters, which are permitted in accordance with this article;

- (F) Any sign which bears or contains statements, words or pictures of an obscene character;
- (G) Any sign extending above or placed upon any roof surface;
- (H) Any sign advertising a business which has been out of operation for more than sixty (60) days;
- (I) Portable signs;
- (J) Billboards (see section 152-283, “Billboards (‘Outdoor Advertising Signs’)”);
- (K) Inflatable signs;
- (L) Advertising flags;
- (M) Any sign erected on the private property of another, unless the property owner or authorized agent first gives written consent to the sign; and
- (N) Off-premises signs, except for off-premises directional signs which are regulated pursuant to subsection 152-277(E) and off-premises temporary signs which are regulated pursuant to section 152-275.

§ 152-274. Signs Authorized Without a Permit. (Amended 4/13/2015)

The following signs shall be authorized in all zoning districts without a permit, unless otherwise required by this article:

- (1) Directional and informational signs erected and maintained by public agencies and governmental bodies;
- (2) Directional and informational signs erected on private property. Such signs shall not exceed six (6) square feet in display area and shall be erected strictly for direction, safety or convenience of the public, including signs which identify restrooms, parking area entrances and exits, no trespassing signs and similar signs warning of danger;
- (3) Temporary real estate signs not to exceed twelve (12) square feet in area displayed on the property proposed for sale or lease;
- (4) Religious institutions, schools, community centers and other public and institutional uses may erect one bulletin board not exceeding twenty (20) square feet in area for the purpose of

displaying the name of the institution and related information. Such sign shall be used as wall signs and may be indirectly illuminated;

(5) Temporary construction signs which denote the architect, engineer, contractor or builder of the project or which describe the name and proposed use of the project may be placed on the site until construction is complete. In any event, all such signs must be removed within ten (10) days of the issuance of the certificate of occupancy;

(6) Memorial plaques, cornerstones, historical tablets and similar signs ;

(7) Sandwich board signs in the B-1 Central Business District under the following conditions:

(a) Sandwich board signs shall not exceed four (4) feet in height and thirty (30) inches in width;

(b) Five (5) feet of sidewalk clearance shall be provided along one side of the sign to allow for unobstructed pedestrian access; and

(c) Sandwich board signs shall be moved to an indoor location for storage during times when the associated business is not open for customers;

(8) Temporary political signs may be placed in the right-of-way of the State highway system only in accordance with G.S. § 136-32(b)-(f). In all other locations within the Town's jurisdiction, temporary political signs may be erected on private property during periods of national, state and local elections and campaigns and are permitted under the following conditions:

(a) No sign shall be place in a public right-of-way of town-maintained streets;

(b) No signs shall be placed on public utility poles, telephone poles, street signs, or any other sign or sign support erected by a duly constituted governmental body;

(c) No sign shall be stapled, nailed or otherwise attached to a tree or other living plant;

(d) No signs shall be placed on roofs nor painted on roofs;

(e) Any sign which is determined to be a hazard or otherwise threatens the health, safety and welfare is prohibited;

(f) Portable signs shall not be allowed for political uses;

(g) Signs may be placed on private property with the consent of the property owner or their authorized agent;

- (h) No more than one sign per candidate shall be permitted for each street frontage;
- (i) Signs may be placed in the vicinity of a polling place for a period not exceeding twenty-four (24) hours preceding the opening of the local poles; such signs shall be removed within twenty-four (24) hours following the closing of local polls;
- (j) No sign shall be larger than sixteen (16) square feet; and
- (k) Signs may be displayed no sooner than sixty (60) days before any election. All political signs must be removed within forty-eight (48) hours after each election.
(Amended 10/29/2013)

§ 152-275. Temporary Signs.

Temporary Signs shall be permitted only with the issuance of a temporary sign permit and subject to the following conditions:

- (A) A fee, established by the Board of Commissioners, shall be paid for each temporary sign permit;
- (B) A temporary sign shall be allowed for no more than twenty-one (21) consecutive days;
- (C) A temporary sign may not be issued for the same business, group, or event, at less than three (3) month intervals;
- (D) The size of such sign shall not exceed twenty-four (24) square feet;
- (E) Banners must be held in place by grommets, ropes, and ties;
- (F) Upon expiration of the temporary sign permit, the permit holder shall remove the temporary sign, including any temporary supporting structure, within forty-eight (48) hours;
- (G) Temporary signs must be maintained in good condition;
- (H) Temporary signs must meet the pedestrian safety and sight distance requirements established by this article; and
- (I) Temporary signs may be located off-premises.

§ 152-276. General Requirements for All Commercial Signs.

The following requirements apply to all signs erected pursuant to sections 152-277, “Freestanding Signs”; 152-278, “Business Signs”; 152-279, “Business Complex Signs”; and 152-280, “Retail Center and Shopping Center Signs”:

(A) Compatibility. All signs for a business, business complex, retail center or shopping center shall be of similar graphic character, shall be harmonious in color and material, and shall be compatible with a unifying architectural theme of the building or buildings found on site;

(B) Lettering and Design. All lettering types on signs for a business, business complex, retail center or shopping center shall be similar in size, color, and graphic style. Signs shall not use more than one background color and two additional colors;

(C) Screening. All mechanical and electrical elements of a sign shall be fully screened or concealed;

(D) Lighting. Lighting shall be subdued, non-glaring and compatible with the proposed architectural character of the development and of the surrounding community; and

(E) Maintenance. All signs shall be maintained in good appearance and repair.

§ 152-277. Freestanding Signs.

(A) The requirements of this section shall apply to all freestanding signs erected pursuant to sections 152-278, “Business Signs”; 152-279, “Business Complex Signs”; and 152-280, “Retail Center and Shopping Center Signs.” This section shall not apply to residential development signs, which are governed by section 152-282, “Residential Development Signs.”

(B) Freestanding signs shall be permitted on the premises of a business in districts in which the principal use is permitted subject to the following limitations and requirements:

(1) No freestanding sign shall be located in a required side yard or within ten (10) feet of the side of the property;

(2) No part of any sign shall be closer than twelve (12) feet to any right-of-way;

(3) No business shall have more than one (1) freestanding sign;

(4) Notwithstanding subsection 152-277(B)(3), buildings having frontage on more than one (1) public street may have up to two (2) freestanding signs, provided that no more than one (1) freestanding sign may be adjacent to a single public street frontage;

(5) Signs may be indirectly illuminated. Display lighting shall be shielded so as to prevent a direct view of the light source from a residence in a residential zoning district;

(6) Except for indirect illumination, no flashing signs, spot or floodlights or other lighting is permitted;

(7) No intermittent lighting effects may be utilized except for “time and temperature” devices;

(8) Sign bases for pole-mounted signs shall be located a minimum of twelve (12) feet from the street right-of-way;

(9) The bottom edge of a pole-mounted sign shall be at least eight (8) feet above ground level, and in no case shall a pole-mounted sign obstruct visibility of traffic at an intersection or driveway;

(10) The sign edge nearest the street right-of-way of a pole-mounted sign shall be at least eight (8) feet from a line projected vertically at the right-of-way;

(11) The maximum allowable height of a freestanding sign shall be twenty (20) feet;

(12) The base of every permanent freestanding sign shall be landscaped as follows:

(a) The size of the planted landscape area shall be determined by multiplying the height of the sign by the width of the sign, divided by two (2) (i.e. $\text{landscape area} = (\text{height} \times \text{width}) / 2$), but in no case shall the planted area be less than fifty (50) square feet, unless restricted by the amount or size of land upon which the sign is situated; and

(b) The planted landscape area shall contain fifty (50) percent evergreen shrubs and fifty (50) percent perennials with appropriate ground cover;

(13) Freestanding sign area shall be limited in accordance with the following chart:

Linear Feet of Property Frontage On a Public Street	Maximum Sign Area
Less than 200 feet	50 square feet
201 feet or greater	75 square feet

(C) Business Complex Freestanding Signs.

(1) A business complex shall have the option of choosing one of the following:

(a) One (1) freestanding sign located at the main entrance to the development, displaying the name of the business complex and the name of the businesses located in the business complex. This sign shall not exceed thirty-two (32) square feet in area or ten (10) feet in height; or

- (b) Two (2) freestanding signs. Each sign shall not exceed sixteen (16) square feet in area or five (5) feet in height.

The number and area restrictions for freestanding signs established in subsection 152-277(B) shall not apply to signs erected pursuant to this subsection.

(2) The base of business complex freestanding signs shall be landscaped as follows:

- (a) The size of the of the planted landscape area shall be determined by multiplying the height of the sign by the width of the sign, divided by two (2) (i.e. landscape area = (height*width)/2), but in no case shall the planted area be less than thirty-five (35) square feet, unless restricted by the amount or size of land upon which the sign is situated. The area requirements of subsection 152-277(B)(12)(a) shall not apply to landscaped areas installed pursuant to this subsection; and
- (b) The planted landscape area shall contain fifty (50) percent evergreen shrubs and fifty (50) percent perennials with appropriate ground cover.

(D) Retail Center and Shopping Center Freestanding Signs.

(1) Subsections 152-277(B)(3) and (4) shall not apply to retail centers and shopping centers. Instead, each retail center and shopping center may provide no more than one (1) freestanding sign for the entire center. Said sign may display the name of the center and tenant businesses.

(2) Notwithstanding subsection 152-277(D)(1), retail centers and shopping centers having frontage on more than one (1) public street may have up to two (2) freestanding signs for the entire enter, provided that no more than one (1) freestanding sign may be adjacent to a single public street frontage. Said signs may display the name of the center and tenant businesses.

(3) Notwithstanding subsection 152-277(B)(11), freestanding signs in retail centers and shopping centers shall not exceed a height of twenty-five (25) feet.

(4) Notwithstanding subsection 152-277(B)(13), each freestanding sign in a retail center or shopping center shall not exceed 200 square feet in area.

(E) Off-Premises Directional Signs. Any business that is either a free standing operation or part of a business complex may have one (1) off-premises sign for the sole purpose of providing directions to the business. Said sign shall be no larger than thirty-square (32) square feet in size and shall be no more than ten (10) feet in height. Only businesses located on either a town-maintained road or a State secondary road may have an off-premises directional sign, and such signs must be located at the intersection of either a primary State road or a federal highway.

§ 152-278. Business Signs. *(Amended 4/13/2015)*

(A) This section shall not apply to those businesses located in either a business complex or a retail or shopping center. Signs for those uses are governed by sections 152-279 and 152-280, respectively.

(B) Business signs and name signs shall be permitted on the premises of a business in districts in which the principal use is permitted subject to the following limitations:

- (1) Freestanding signs are permitted in accordance with section 152-277;
- (2) Blade Signs, Wall Signs and Canopy Signs.
 - (a) A business may have one (1) blade sign, or one (1) wall sign, or one (1) canopy sign per business establishment per street frontage. The surface area of the sign does not include the area of the bracket for calculation purposes.
 - (b) Blade signs suspended from a bracket attached to a building wall may project no more than four (4) feet from the building wall, shall not exceed eight (8) square feet in size, and shall have eight (8) feet or more of vertical clearance from the ground
 - (c) Blade signs suspended from a canopy shall not exceed eight (8) square feet in size and shall have eight (8) feet or more of vertical clearance.
 - (d) Blade signs are limited to eight (8) square feet in size regardless of building frontage dimension.
 - (e) Blade signs may not be internally illuminated.
 - (f) Each wall sign or canopy sign may have a square footage of up to sixty (60) percent of the number of linear feet of building frontage, provided that no sign may be greater than one hundred square feet.
 - (g) Display lighting shall be shielded so as to prevent a direct view of the light source from a residence in a residential district.
 - (h) No intermittent lighting effects may be utilized except for “time and temperature” devices.
 - (i) No sign shall extend above parapet walls or above roof lines of buildings without parapet walls.

(3) Window Signs. Temporary and permanent signs on interior or exterior window and door glass shall be limited to twenty-five (25) percent coverage of the glass area

regardless of whether the signs are painted directly on the glass or paper, poster, or vinyl signs placed on the glass. The glass area within doors shall remain clear enough that the doors may be safely used by persons of all sizes.

(4) Signs for home occupations shall not exceed six (6) square feet in display area and shall not be illuminated.

§ 152-279. Business Complex Signs.

Freestanding signs are permitted in accordance with section 152-277(C).

§ 152-280. Retail Center and Shopping Center Signs. (Amended 4/13/2015)

(A) Freestanding signs are permitted in accordance with section 152-277(D).

(B) Wall Signs.

(1) No more than one wall, or blade, or canopy sign per business may be displayed in a retail center or shopping center, provided that only businesses with a separate individual outside entrance serving the general public may have a wall, or blade, or canopy sign separate from signs serving the entire center. However, if a retail center or shopping center has two (2) adjacent streets such that a building is facing one street like all other buildings in the shopping center and one side of the building is facing the other street, then an additional wall sign may be placed on that side. In this case, the side wall sign will be limited to one-third (1/3) of the square footage allowed for the sign on the building front, not to exceed one hundred square feet.

(2) Businesses may have a wall or canopy sign with an area equal to eight (8) percent of the square footage of the building facade occupied by the business. The building facade equals the linear feet of building frontage occupied by the business multiplied by the height of the building where the business is located. In any event, a wall or canopy sign authorized by this subsection shall not have an area of more than four-hundred square feet.

(3) Blade signs suspended from a bracket attached to a building wall may project no more than four (4) feet from the building wall, shall not exceed eight (8) square feet in size, and shall have eight (8) feet or more of vertical clearance from the ground. The surface area of the sign does not include the area of the bracket for calculation purposes.

(4) Blade signs suspended from a canopy shall not exceed eight (8) square feet in size and shall have eight (8) feet or more of vertical clearance. The surface area of the sign does not include the area of the bracket for calculation purposes.

(5) Blade signs are limited to eight (8) square feet in size regardless of building frontage dimension.

(6) Display lighting shall be shielded so as to prevent a direct view of the light source from a residence in a residential district.

(7) No intermittent lighting effects may be utilized except for “time and temperature” devices.

(8) No sign shall extend above parapet walls or above roof lines of buildings without parapet walls.

(C) Nonconforming Outparcels. In no case shall an outparcel be considered as a retail center or separate shopping center. Outparcels of retail centers or shopping centers existing as of the date of adoption of this section, September 9, 1991, regardless of the number of businesses on those parcels, are not considered part of the retail center or shopping center and thus are not subject to those uniform signage regulations. However, outparcels of retail centers or shopping centers developed or expanded after the aforementioned date are required to conform to the signage regulations applicable to retail centers or shopping centers.

§ 152-281. Master Sign Plan.

The intent of a master sign plan is to promote consistency among signs within a development and enhance the compatibility of signs with the architectural and site design features within a development.

(A) All owners, tenants, subtenants and purchasers of individual units within the development shall comply with the master sign plan.

(B) Master Sign Plan Required. A master sign plan shall be required for all new business complexes, retail centers, and shopping centers. A master sign plan shall be filed and approved prior to the erection, location or placement of any sign for such project or development.

(C) Contents of Master Sign Plan. A master sign plan shall include:

(1) Locations of Signs. The master sign plan shall provide the proposed locations for freestanding signs on a lot as well as the proposed location(s) for wall signs on a building facade;

(2) Types of Signs. The master sign plan shall include all types of signs proposed (e.g., freestanding sign, monument, wall sign, directional, etc.);

(3) Size and Number of Signs. The master sign plan shall indicate the maximum number and maximum sign area of each proposed sign using calculations consistent with the requirements of this article.

(4) Style and Color. The master sign plan shall indicate the proposed style and color pallet for all signs (e.g., letter colors, background colors and text font);

(5) Lighting. The master sign plan shall indicate the type of lighting, if any, proposed for all signs (e.g., internally illuminated or externally illuminated, with description of type of outdoor

light fixture). Lighting on all signs shall be consistent for all signs serving a business, business complex, retail center or shopping center; and

(6) Landscaping. The master sign plan shall include, at a minimum, a typical landscape plan for freestanding signs that includes evergreen shrubs and is consistent with the requirements of section 152-277(B)(12)

(D) The Administrator shall approve or deny the master sign plan, unless the plan is part of a development requiring a conditional use permit, in which case the master sign plan shall be approved or denied by the Board of Commissioners as part of their consideration of the conditional use permit.

(E) Individual Sign Approval. Prior to the issuance of a sign permit for the placement of a sign, the Administrator shall review the design and location of the sign for conformity with the master sign plan and the rest of this article. If a proposed sign conforms to the master sign plan and the requirements of this article, such sign shall be authorized. No sign which does not conform to the master sign plan and this article shall be erected, located or placed on a property.

(F) Amendment. A master sign plan may be amended by submitting a revised master sign plan for consideration and determination in the same manner as set forth in subsection 152-281(D). Any revised master sign plan shall include a schedule for bringing into compliance, within ninety (90) days from approval, all signs not conforming to the proposed plan. Upon approval of a revised master sign plan, it shall have the same force and effect as the original approved master sign plan.

(G) Pre-Existing Projects. For projects which were approved or developed prior to the effective date of the requirement for a master sign plan, the Administrator shall review applications for individual freestanding signs or building signs for consistency with other signs serving the business complex, retail center or shopping center, and in particular for compliance with section 152-276, "General Requirements for All Commercial Signs." A permit shall only be issued if the Administrator finds that the proposed sign is consistent and compatible with such other signs.

§ 152-282. Residential Development Signs.

(A) Residential development signs shall be subject to the following limitations:

(1) Setback. All residential development signs shall be set back at least ten (10) feet from the edge of a street or road, curb or right-of-way, whichever is greater. (Amended 9/12/11)

(2) Construction. All residential development signs shall be made of brick or other durable and substantial material.

(3) Primary Entrance.

(a) A residential development may have one (1) monument sign located at the main entrance to the development that does not exceed thirty-two (32) square feet in area or five (5) feet in height; or

(b) A residential development may have two (2) monument signs, each of which do not exceed sixteen (16) square feet in area or five (5) feet in height.

(4) Secondary Entrances.

(a) Secondary entrances may have one (1) monument sign, which may not exceed sixteen (16) square feet in area or four (4) feet in height.

(b) A single residential development sign may be located within a median of a public right-of-way at the main entrance to the development if such entrance is divided by a median that is at least fifty (50) feet long and ten (10) feet wide.

(c) A sign located in the median of a public right-of-way shall be located a minimum of ten (10) feet from the end of the median radius and shall not exceed three and one-half (3 ½) feet in height.

(B) The base of every residential development sign shall be landscaped as follows:

(1) The size of the planted landscape area shall be determined by multiplying the height of the sign by the width of the sign, divided by two (2) (i.e. landscape area = (height*width)/2), but in no case shall the planted area be less than thirty-five (35) square feet, unless restricted by the amount or size of land upon which the sign is situated.

(2) The planted landscape area shall contain fifty (50) percent evergreen shrubs and fifty (50) percent perennials with appropriate ground cover.

§ 152-283. Billboards (“Outdoor Advertising Signs”).

(A) The construction of new billboards within the zoning jurisdiction of the Town of Aberdeen is hereby prohibited. All lawfully existing billboards in place as of March 12, 1990, shall be permitted to continue as nonconforming uses pursuant to the requirements of this section. Existing billboards must be maintained structurally and aesthetically at all times. If such a billboard is deteriorated past 50% of its value, it shall not be rebuilt. The value of the billboard will be determined by tax listing value. (Amended 9/12/11)

(B) A photograph of all existing billboards will be maintained by the town for the purpose of compliance.

(C) Billboards displaying information which is no longer applicable or of practical interest, or advertising an establishment no longer in operation or products no longer available, or an event which has passed, or billboards currently vacant of other advertising shall be painted a flat

white and may display no graphics or lettering other than to advertise the availability of the billboard for lease.

§ 152-284. Nonconforming Signs. (Amended 6/27/2016)

Signs in existence on the effective date of this ordinance (June 13, 2011) which do not conform to the provisions of this ordinance, but which were constructed, erected, affixed or maintained in compliance with all previous regulations, shall be regarded as lawful nonconforming signs. Although it is not the intent of the ordinance to encourage the continued use of nonconforming signs, nonconforming signs shall be allowed to be continued and a decision as to the continued existence and use or removal of such signs shall be controlled as follows:

(A) This section does not apply to billboards, which are governed by section 152-283, “Billboards (‘Outdoor Advertising Signs’)”;

(B) Except as provided herein, any nonconforming sign that is structurally altered, relocated or replaced, shall immediately be brought into compliance with all the provisions of this article;

(C) Nonconforming signs required to be moved because of public right-of-way improvements or expansion may be re-established in the same manner and to the same extent of nonconformity as existed prior to the relocation;

(D) Repair and Maintenance.

(1) Routine sign maintenance, sign repair, and changing of permanent sign faces is allowed so long as (i) structural alterations are not made; (ii) the sign is not increased in terms of its size, shape, or lighting; and (iii) the cost to repair or maintain the sign or the cost to change the sign face does not exceed fifty (50) percent of the estimated total value of the sign at the time of maintenance or repair;

(2) A nonconforming sign or sign structure may be removed temporarily to perform sign maintenance or repair. In order to preserve the lawful nonconforming sign status, the person removing the sign must inform the Land Use Administrator in writing before the sign is removed. If the responsible party fails to inform the Administrator, the nonconforming status for the sign will be lost and any sign erected on the site must comply with current regulations.

(3) If a nonconforming sign is deteriorated or damaged such that the cost to repair or maintain the sign exceeds fifty (50) percent of the estimated value of the sign at the time of deterioration or damage, the sign shall not be reestablished and shall be removed immediately. If a sign is damaged by fifty (50) percent or less of the total value of the sign, but repairs are not made within three (3) months of the time such damage occurred, the nonconforming sign shall not be allowed to continue and must be removed; and

(E) No nonconforming sign shall be reestablished after the activity, business or use to which it relates has been discontinued, and such sign shall be removed within thirty (30) days after the activity, business or use has been discontinued;

§ 152-285. Unsafe Signs; Notice and Removal.

(A) The actions and remedies authorized by this section are taken pursuant G.S. §§ 160A-193 and 160A-388.

(B) If the Administrator finds any sign to be dangerous or prejudicial to the public health or public safety, he or she shall give written notice of such condition to the sign owner, or if the owner cannot be located with reasonable diligence, the person or entity in possession of the sign. Within thirty (30) days after the date the notice is issued, the owner shall take such action as needed to eliminate the dangerous or prejudicial condition.

(C) The sign owner may appeal the Administrator's decision to the Board of Adjustment in the same manner and subject to the same statutes and ordinances as other appeals to the Board of Adjustment. See section 152-91.

(D) If no appeal is taken within thirty (30) days from the date the notice is issued, the Administrator may request that the Board of Commissioners authorize the Administrator to have the sign summarily removed, abated or remedied.

(E) The cost to summarily remove, abate or remedy any sign shall be paid by the sign owner, and if the expense is not paid, it is a lien on the land or premises where the sign was located. A lien established pursuant to this subsection shall have the same priority and be collected as unpaid ad valorem taxes.

(F) The cost to summarily remove, abate or remedy any sign shall also be a lien on any other real property owned by the sign owner within the city limits or within one mile of the city limits, except for the person's primary residence. A lien established pursuant to this subsection is inferior to all prior liens and shall be collected as a money judgment. This subsection shall not apply if the person in default can show that the dangerous or prejudicial condition was created solely by the actions of another.

(G) This section shall not apply to any sign located more than one mile outside the primary corporate limits of the town.

(H) This section provides a supplemental remedy and is not intended to prohibit the use of other remedies available for the enforcement of the town ordinances.

§ 152-286. Discontinued Signs.

Upon the discontinuance of a business or occupancy of an establishment for a consecutive period of sixty (60) days, the Administrator shall require the removal of the on-premise sign(s)

advertising or identifying the establishment. The Administrator shall give thirty (30) days notice to the property owner to remove the sign(s). Failure to remove the sign(s) within the thirty (30) day period shall constitute a violation of this chapter. Sign removal shall include all display panels, all structural, lighting, support and related mechanisms and materials associated with the sign, to the extent that no evidence of the sign shall remain.

§ 152-287. Signs in a Historic District.

Signs in a historic district designated by the town shall be subject to the requirements of this article and the requirements of Town of Aberdeen Code of Ordinances Chpt. 153, “Historic Preservation Commission.” In the event that the requirements of this article and the requirements of Town Code Chpt. 153 conflict, the requirements of Town Code Chpt. 153 shall control.

§ 152-288. Sign Area Computation.

Sign area shall be calculated by determining the total surface area of the sign as viewed from any single vantage point, excluding architectural trim. In computing the area, only one side of a double-face sign structure shall be considered. The area of signs with three or more sides is measured as the sum of the areas of any two adjacent sides. (Amended 9/12/11)

§ 152-289. Reserved.