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## SECTION 13

### SIGNS

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#### 13.1 GENERAL PURPOSE AND INTENT

It is the purpose of this chapter to authorize the use of signs whose size, type, and location are compatible with their surroundings; to ensure signs do not become a public hazard or nuisance or traffic hazard; to preserve the characteristics of each district; to provide direction to visitors; and to protect and enhance the overall appearance of the community. It is not the intent of this chapter to prohibit any sign, display or device containing any lawful noncommercial message.

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#### 13.2 APPLICABILITY

A sign may be constructed, erected, placed, established, painted, created, or maintained in the Town only in conformance with the standards, procedures, exemptions, and other requirements of this Ordinance. Except as otherwise provided in this Ordinance, it shall be unlawful to construct, enlarge, move or replace any sign or cause the same to be done, without first obtaining a sign permit for such sign from the Waxhaw Planning & Community Development Department. Notwithstanding the forgoing, a sign permit is not required if a sign is replaced with a duplicate.

- 1. Alteration of Sign Face:** The alteration of sign faces by painting or overlay shall be considered as construction of a new sign and shall require a permit and shall conform to all the dimensional requirements of this Ordinance. Change of message on changeable copy signs shall not be considered an alteration of the sign face. Touching up or repainting existing letters or symbols shall be considered maintenance and repair and shall not require a permit.

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#### 13.3 PERMITS AND MASTER SIGN PROGRAMS

##### 1. Permits Required

- A. Issuance of Permit:** Upon the filing of an application for a sign permit, planning staff shall examine the plans and specifications, and, as deemed necessary, may inspect the premises upon which the sign is proposed to be erected or affixed. If the proposed sign is in compliance with all the requirements of this ordinance and other applicable codes, a zoning compliance permit will be issued. When the sign permit is part of a larger development process, it may be issued prior to the completion of new construction and issuance of a Certificate of Occupancy. For new construction, a sign permit application cannot be submitted prior to the submittal for the Development Plan Review application.

- B. Permit Period: Any permit issued in accordance with this section shall automatically become null and void unless the work for which it was issued has visibly commenced within 6 months of the date of issue.
- C. Fees: To obtain a sign permit, all fees, in accordance with the requirements of the permitting agency, shall be paid.
- D. Construction Inspection: The permit holder shall notify the Planning Department upon completion of construction and installation of any sign for which a permit is required.

**2. Planned Development Flexibility Option:** For the purpose of providing flexibility and incentives for coordinated, well-designed sign systems for large-scale development, special provisions varying the standards of this Ordinance may be approved by the Administrator, subject to the following:

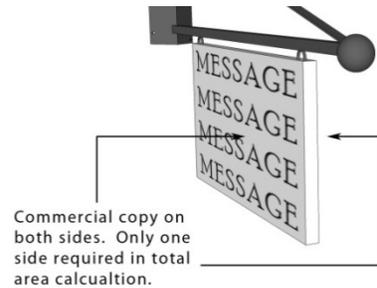
- A. The development is: a planned residential, nonresidential, or mixed-use development, 10 acres or greater in size; a hospital or other large-scale institutional complex; a large-scale cultural, civic or recreational facility; or a similar large-scale development.
- B. Master Sign Program: that includes the following information in booklet form is submitted:
  - 1. Detailed designs of all proposed signs including the size, height, copy, materials, and colors of such signs.
  - 2. Proposed number and location of signs.
  - 3. Sign Illumination Plans.
  - 4. Plans for landscaping or architectural features to be used in conjunction with such plans.
- C. The proposed signs meet the following criteria:
  - 1. All signs are coordinated in terms of design features.
  - 2. The maximum size of each sign may exceed the size limit otherwise prescribed in the Ordinance by up to 25%.
  - 3. For sites with more than one building:
    - a. One monument sign per additional building is permitted;
    - b. Such sign(s) shall be a maximum of 16 square feet in area (25% size increase does not apply) and 4 feet in height; and
    - c. Such sign(s) shall be located internal to the site in front of the associated additional building.
  - 4. There shall be no more than one offsite directional sign per intersection per PRD.
    - a. Offsite directional signs for PRD's shall not be illuminated.
  - 5. Contractor/ Home Builder signs must be removed no later than 30 days after 98% percent of the homes have been sold. Additionally, one off-premise contractor/homebuilder/subcontractor project sign shall be permitted for a planned residential development provided that the PRD does not have direct frontage on a major thoroughfare. The off-premises contractor/homebuilder/subcontractor project sign may not be illuminated and the maximum sign face area shall be 32 square feet.

6. The maximum height shall not exceed 12 feet.
7. All other requirements in this UDO.
8. Banner signs are not allowed as part of a Master Sign Program.

#### 13.4 COMPUTATION OF SIGN MEASUREMENTS

##### 1. Computation of Sign Area

- A. The area of a sign face shall be deemed to be the entire area within the smallest polygon that will encompass the extreme limits of the writing, representation, emblem, or other display on the sign that can be reasonably calculated.
- B. The area shall also include 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.
- C. Frames or structural members not bearing informational or representational matter shall not be included in computation of the area of a sign face.
- D. All sides of a multi-sided sign shall be included in the computation of area, except that the total area of a two-sided back-to-back sign shall only be calculated as the area of one of the sides as illustrated at right.



##### 2. Computation of Height

- A. **Attached Signs:** The sign height for attached signs shall be computed as the distance from the finished grade at the base of the building to which the sign is attached to the top of the highest component of the sign
- B. **Freestanding Signs:** The height of a sign shall be computed as the distance from the base of the sign at normal grade to the top of the highest attached component of the sign. Normal grade shall be construed as:
  1. The existing grade prior to construction;
  2. The newly established grade after construction, exclusive of any filling, berming, mounding, or excavating solely for the purpose of locating the sign; or
  3. In cases in which the normal grade cannot reasonably be determined, normal grade shall be assumed as the lesser of: a) the elevation of the nearest point of the crown of a public street; or b) the grade of the land at the principal entrance to the Principal Structure on the lot or parcel.

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## 13.5 GENERAL PROVISIONS

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### 1. **Location and Encroachment**

- A. Permitted signs shall be located outside of the street right-of-way, behind sidewalk areas and outside of required site triangles, except where encroachments are specifically permitted by the provisions of this section.
- B. No non-governmental sign shall be attached to or painted on power poles, light poles, telephone poles, traffic signs or other objects not intended to support a sign except where permitted as Civic Banners (Section 13.9.8.)

### 2. **Materials and Structural Requirements**

- A. Except flags, temporary, and portable signs, and window signs conforming in all respects with the requirements of this Ordinance, all signs shall be constructed of permanent materials and shall be permanently attached to the ground, a building, or another structure by direct attachment to a rigid wall, frame, or structure.
- B. All attached signs and sign support frames shall be mounted and attached to a building or the ground in a secure manner, shall not include wire or turnbuckle guy, and shall be maintained in good repair for safety and appearance.

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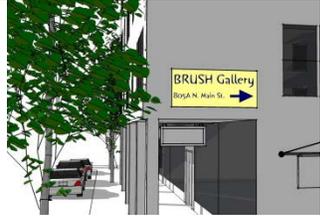
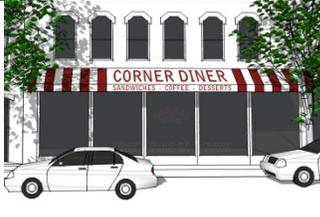
## 13.6 NONCONFORMING SIGNS

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Nonconforming signs shall be governed by the provisions of Section 10.8 of this Ordinance.

13.7 ATTACHED SIGNS

1. Attached Sign Types

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|---|---|
| <p>A. <b>Wall Signs:</b> Flat signs, channel lettering or three-dimensional signs which are painted or attached (parallel) to the wall of a building or structure.</p>  |    |
| <p>B. <b>Window/Door Signs:</b> Flat signs or lettering which are painted or attached to the inside or outside of the window or door of a building or structure.</p>  |    |
| <p>C. <b>Awning/Canopy Signs:</b> Signs integrated into traditional storefront awnings that project over a sidewalk from the building façade.</p>   |    |
| <p>D. <b>Theatre Marquee Signs:</b> Three dimensional signs projecting from the side of a building which may extend above the roof line and/or incorporate changeable type.</p>   |   |
| <p>E. <b>Projecting/Suspended Signs:</b> Pedestrian-scaled signs on the first floor of a building mounted to the side of the building or underside of a balcony or arcade which can be read from both sides.</p>                                    |  |
| <p>F. <b>Address/Tenant Identification Signs:</b> Incidental signs that list tenants, unit numbers, address, contact information, hours of operation, and similar non-commercial characteristics, in a multi-tenant building with common entry.</p> |  |

**2. Attached Sign Standards**

| Sign Type                                    | Permitted Location                                     | Maximum Area   | Max. Height                         | Encroachments  | Maximum Number  | Additional Requirements/ Provisions  |
|--|--|--|-------------------------------------|--|---|--|
| <b>Wall Signs</b>                            | C-1, OIS, UN   | <u>Primary:</u><br>1 sq ft per linear ft of building wall (32 sq ft maximum)<br><u>Secondary:</u><br>Half the size of primary sign | No sign shall extend above roofline | No encroachment allowed  | <ul style="list-style-type: none"> <li>• Single-Tenant Buildings: 1 sign per building elevation; maximum 3 total per building (1 primary and 2 secondary signs)</li> <li>• Multi-tenant Buildings: 1 sign per building elevation per tenant; maximum of 2 total per tenant (1 primary and 1 secondary sign)</li> <li>• 1 per level</li> </ul> | <ul style="list-style-type: none"> <li>• 12 inch maximum protrusion</li> <li>• For <a href="#">Changeable Copy Signs</a>, see 13.9.4</li> <li>• For <a href="#">Illuminated Signs</a>, see 13.10</li> </ul>                                  |
|  | C-2, C-3, I-1, I-2, NMX, OS                            | <u>Primary:</u><br>10% of wall area (64 sq ft maximum)<br><u>Secondary:</u><br>Half the size of primary sign                       |                                     |  |   |  |
|  | C-4, TC, MS  | 32 sq ft for ground level; 9 sq ft for upper levels  |                                     |  |   |  |
| <b>Window / Door Signs</b>                   | Non-residential uses in all Districts                  | 30% of total glass area on any one side of the building  | n/a                                 | No encroachment allowed  | n/a   | <ul style="list-style-type: none"> <li>• For <a href="#">Neon Signs</a>, see 13.10 (Sign Illumination)</li> <li>• Attached to inside of window or door</li> </ul>  |
| <b>Awning / Canopy Signs</b>                 | C-1, OIS, C-2, C-3, C-4, I-1, I-2, UN, NMX, TC, MS, OS | 12 sq ft   | n/a                                 | May encroach over sidewalk area to within 4 ft of curb and shall have 8 ft clearance | 1 located on elevation which contains principal pedestrian entrance   | <ul style="list-style-type: none"> <li>• Valance shall not exceed 12 inches in height</li> </ul>   |
| <b>Theatre Marquee Signs</b>                 | Theaters only (where allowed)                          | 32 sq ft   | n/a                                 | May encroach over sidewalk area to within 4 ft of curb and shall have 8 ft clearance | 1 per tenant  | <ul style="list-style-type: none"> <li>• Such signs must be perpendicular to the façade of the building or at a 45 degree angle from the corner of the building.</li> <li>• For <a href="#">Changeable Copy Signs</a>, see 13.9.4</li> </ul> |
| <b>Projecting/ Suspended Signs</b>           | C-4, NMX, TC, MS, OS                                   | 16 sq ft   | n/a                                 | May encroach over sidewalk area to within 4 ft of curb and shall have 8 ft clearance | 1 per tenant  | n/a  |
| <b>Address / Tenant Identification Signs</b> | All Districts  | 6 sq ft  | n/a                                 | No encroachment allowed  | 1 per entrance including shared multi-tenant building entrances   | n/a  |

13.8 FREESTANDING SIGNS

1. **Freestanding Sign Types**

|  |  |
|--|--|
| <p>A. <b>Monument Signs:</b> A freestanding ground sign having the entire bottom of the sign affixed to the ground.</p>  |   |
| <p>B. <b>Pylon Signs:</b> A freestanding sign mounted on two posts.</p>  |   |
| <p>C. <b>Post &amp; Arm Signs:</b> Minor or secondary signs which are used to identify the address of a building, or to identify the profession, family, organization, business, etc., occupying the building.</p> |  |

**2. Freestanding Sign Standards**

| Sign Type   | Permitted Location  | Maximum Area  | Max. Height   | Max. Number           | Additional Requirements/Provisions   |
|---|---|---|---------------|-----------------------|--|
| <b>Monument Signs for Individual Buildings</b>                          | R-1, R-2, R-3, R-4  | 4 sq ft   | 2 ft          | 1 per street frontage | <ul style="list-style-type: none"> <li>• 5 ft minimum setback from property line</li> <li>• No proposed ground-mounted sign shall be placed within 50 feet of an existing ground-mounted sign if located on separate parcels. When located on the same parcel this distance requirement shall be increased to 200 feet. This does not apply to those signs permitted by a conditional use process and/or conditional zoning.</li> <li>• For <u>Changeable Copy Signs</u>, see 13.9.4</li> <li>• For <u>Residential and Campus Development Signs</u>, see 13.9.6</li> <li>• For <u>Illuminated Signs</u>, see 13.10</li> <li>• For <u>Off-Premise Monument Signs</u>, see 13.9.10.</li> </ul> |
|   | RM-1, RM-2, C-1, OIS, UN, OS  | 16 sq ft  | 4 ft          | 1 per street frontage |  |
|   | C-2, C-3, I-1, I-2, NMX, TC   | 32 sq ft  | 6 ft          | 1 per street frontage |  |
| <b>Monument Signs for Non-Residential Sites with Multiple Buildings</b> | R-1, R-2, R-3, R-4, RM-1, RM-2  | 16 sq ft plus 4 sq ft per additional tenant or building up to a maximum of 32 sq ft   | 6 ft          | 1 per street frontage | <ul style="list-style-type: none"> <li>• 5 ft minimum setback from property line</li> <li>• No proposed ground-mounted sign shall be placed within 50 feet of an existing ground-mounted sign if located on separate parcels. When located on the same parcel this distance requirement shall be increased to 200 feet. This does not apply to those signs permitted by a conditional use process and/or conditional zoning.</li> <li>• For <u>Changeable Copy Signs</u>, see 13.9.4</li> <li>• For <u>Residential and Campus Development Signs</u>, see 13.9.6</li> <li>• For <u>Illuminated Signs</u>, see 13.10</li> <li>• For <u>Off-Premise Monument Signs</u>, see 13.9.10.</li> </ul> |
|   | C-1, OIS, OS  | 32 sq ft plus 8 sq ft per additional tenant or building up to a maximum of 64 sq ft   | 6 ft          | 1 per street frontage |  |
|   | C-2, C-3, I-1, I-2, NMX, TC   | 32 sq ft plus 10 sq ft per additional tenant or building up to a maximum of 100 sq ft | 15 ft         | 1 per street frontage |  |
| <b>Pylon Signs</b>  | <u>R-1, R-2, R-3, R-4, RM-1, RM-2, C-1, OIS, UN</u>                                   | <u>12 sq ft</u>   | <u>6 ft</u>   | 1 per street frontage | <ul style="list-style-type: none"> <li>• 5 ft minimum setback from property line</li> <li>• Posts shall be a minimum of 4 inches in width and depth</li> <li>• Sign board shall be at least 1 inch in depth or be mounted in a frame of at least 1 inch in depth</li> </ul>  |
|   | <u>C-2, C-3, I-1, I-2, NMX, TC, OS</u>  | <u>16 sq ft</u>   | <u>6 ft</u>   |                       |  |
| <b>Post &amp; Arm Signs</b>   | <u>R-1, R-2, R-3, R-4, RM-1, RM-2, C-1, OIS, C-2, C-3, C-4, I-1, I-2, UN, NMX, TC</u> | <u>4 sq ft</u>  | <u>4.5 ft</u> | <u>1 per lot</u>      | <ul style="list-style-type: none"> <li>• 5 ft minimum setback from property line</li> </ul>  |

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## 13.9 OTHER SIGNS THAT REQUIRE PERMITS

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### 1. Construction Project Signs

- A. Permitted Districts: All Districts
- B. Maximum Number: 1 per site
- C. Surface Area: 32 square feet maximum.
- D. Time Limit: These signs are intended to be temporary and must be removed within 7 days of completion of construction.
- E. Construction Type: Pylon signs are permissible.

### 2. Portable Sales Office Signs

- A. Permitted Districts: All Districts – only on model home lots used as sales offices for single family residential subdivisions.
- B. Surface Area: 8 square feet maximum.
- C. Height: 4 feet maximum.
- D. Time Limit: Signs may not remain outside overnight. These signs are intended to be temporary and must be removed when the subdivision sales office use is terminated.

### 3. Electronic Message Boards

- A. Permitted Districts: C-1, C-2, C-3, I-1, I-2, OIS
- B. Permitted Types: Electronic message boards may be incorporated into a permitted Wall Sign (13.7.2) or Monument Sign (13.8.2) and may function as either a time and temperature sign or a gasoline price sales sign only.
- C. Maximum Number: 1 per tenant
- D. Surface Area: The electronic message board component shall not comprise more than 40% of the primary sign area.
- E. Construction and Dimensions: The electronic message sign must be physically attached to the primary sign and the numerals shall not exceed 18 inches in height. Subject to the preceding height limitation, the electronic message sign may contain up to two horizontal rows of information provided that the total numeral height of both lines does not exceed 26 inches (e.g., one 18 inch line and one 8 inch line).
- F. Electronic Message Technology Requirements: All lighted characters, letters or numbers shall be LED (Light Emitting Diodes) and only green or red in color. The background screen shall only be black.
- G. Message Variation: The electronic message shall not scroll, blink, or flash. New messages shall be timed to fade in and out slowly.

### 4. Changeable Copy Signs

- A. Permitted Districts: Based on permitted sign type.
- B. Permitted Types: Changeable copy signs may be incorporated into a permitted Wall Sign (13.7.2), Monument Sign (13.8.2), Theatre Marquee Sign (13.7.2), or Portable/A-Frame Signs (13.12.2) only.
- C. Maximum Number: 1 per tenant.

- D. Surface Area: Total surface area shall not exceed 12 square feet, with the changeable copy component covering no more than 40% of the sign surface area.
- 5. Drive-Thru Menu Boards**
- A. Permitted Districts: C-1, C-2, C-3, I-1, I-2, OIS
- B. Location/Screening: Menu boards may be located to the rear of the building with no screening requirements. If located on a public frontage or side yard, screening is required as follows:
- A. Per Section 9.8.2, screening must be provided on the subject property so as to materially screen the menu board, in the form of a berm, wall or fence and/or an appropriate amount of landscape plantings to effectively screen the menu board from view from any adjacent lot or street right-of-way.
- C. Surface Area: 32 square feet maximum
- D. Height: 6 feet maximum
- 6. Residential and Campus Development and Signs**
- A. Applicability: Monument signs for the following development types that are 10 acres or greater in size: subdivisions, traditional neighborhood developments, multi-family developments, hospitals or other large-scale institutional complexes, large-scale cultural, civic or recreation facilities.
- B. Maximum Number: 2 signs per major entrance.
- C. Surface Area: 32 square feet.
- D. Height: 6 feet maximum.
- E. Illumination: Permitted in accordance with 13.10.2.A.
- 7. Promotional Banners:**
- A. Applicability: Promotional banners for businesses
- B. Location: Shall be securely attached to a building or structure.
- C. Surface Area: 32 square feet maximum.
- D. Time Period: 30 days maximum with a 30-day separation period between permits up to 4 times per calendar year.
- 8. Civic Banners Located on Utility Poles:**
- A. Applicability: Banner located on a utility pole that promotes a public or non-profit organization's mission or community events.
- B. Location: Permitted on designated utility poles maintained by the town.
- C. Time Period: Completed applications shall be received at least 5 days before the event. Shall be removed within 7 days of the end of any event advertised on the banner, unless seasonal in nature.
- 9. Civic Banners:**
- A. Applicability: Banner that promotes a public or non-profit organization's mission or community events.

- B. Location: For public or non-profit organizations with no associated building, the banner may be located off-premises, at the discretion of the Administrator, under following conditions:
  - 1. The property owner provides written permission; and
  - 2. The banner is securely installed.
  - 3. Shall not be located in the sight triangle or public right-of-way.
- C. Time Period: Completed applications shall be received at least 5 days before the event. Approved banners may be erected a maximum of 14 days before the event and shall be removed within 72 hours of the end of the event advertised on the banner.
- D. Banner shall not be illuminated and maximum size is 32 square feet.

**10. Off-Premise Monument Signs:**

- A. Applicability: Off-premise monument signs shall only be allowed in instances where a parcel does not have public road frontage (i.e. landlocked) or for PRD's that do not have direct frontage on a major thoroughfare and major subdivisions approved prior to the effective date of this Ordinance that do not have direct frontage on a major thoroughfare. All off-premise ground signs shall obtain the written consent of the owner of the property on which the sign is intended to be located.
- B. Location: Shall be posted no more than 1,000 feet from the property on which the use is conducted.
- C. Surface Area/Height/Location/Maximum Number: Shall be determined by the zoning district in which the use resides and shall follow the standards of "Monument Signs for Individual Buildings" in 13.8.2, with the exception that off-premise monument signs for PRDs and major subdivisions shall follow the standards for Residential Development Signs in 13.9.6.

**11. Murals:**

- A. Applicability: Murals as herein defined shall be reviewed for compliance with the definition and standards below by the Zoning Administrator and approved by the Waxhaw Beautification Committee and the Waxhaw Board of Commissioners, subject to the standards below:
  - 1. Location: Attached to the side or rear wall of a building in the C-4, MS, and TC district. A Certificate of Appropriateness in accordance with Section 19.8 of the Town of Waxhaw UDO will be required for locally designated landmarks prior to the issuance of approval.
  - 2. Maximum Number: 1 per building façade; only permitted on the side or rear façade. A mural may be comprised of multiple panels or components, but not exceed the maximum surface area permitted below.
  - 3. Surface Area: A mural, inclusive of all space covered, shall not exceed a maximum of 75% of the wall on which it is located.
  - 4. Content and Design: The mural shall not include specific commercial product or text, although it may include such generic products as automobiles, furniture,

soft drinks or other items where the brand is not apparent. The mural also shall not include legible text, picture, symbol or device of any kind that relates to a commercial business, product or service offered on the premises where the wall is located.

5. Materials: Materials used to produce the mural shall be appropriate for outdoor-use, long-lasting, and graffiti-resistant to the greatest extent possible. Colors should be harmonious with the exterior colors of the building. Neon, fluorescent, or reflective colors or materials are not permitted.
6. Illumination: Murals may be externally lighted with building proportionate spot lighting, gooseneck or similar. Fixtures should be adequately spaced, 4 (four) to 6 (six) feet apart. No ground mounted up lighting is allowed.

**12. Seasonal Outdoor Sales:**

- A. Applicability: Seasonal Outdoor Sales signs shall be allowed for temporary seasonal uses under the regulations of Section 11.3.64 Seasonal Outdoor Sales of the UDO.
  1. Location: Shall be located on premise. Shall not be located within a public street right-of-way or within a required sight triangle, and shall not be attached to trees or utility poles.
  2. Maximum Number: One (1) sign per temporary use.
  3. Surface Area: Thirty-two (32) square feet maximum surface area.
  4. Height: Six (6) feet maximum height.
  5. Time Period: Temporary sign permits may be granted up to three (3) times a calendar year for a maximum of forty-five (45) consecutive days each time per parcel of land.
  6. Illumination: Seasonal Outdoor Sale signs shall not be internally illuminated but the sign may be illuminated from an external source and shall be lit only during the hours of operation.
  7. Construction Type: Pylon signs and banners are permissible.

SIGN ILLUMINATION

| 1. Illumination Type  | Permitted Location  | Other Requirements   |
|---|---|--|
| <p><b>Channel Letter:</b> Light is emitted through the front or face of the letters. Back and casing are aluminum or steel, and facing is plexiglass or acrylic. Interior light source is LED or neon.</p>                |    | <p>May be incorporated into a permitted Wall Sign (13.7.2) or Monument Sign (13.8.2) only.</p> |
| <p><b>Reverse Channel Letter:</b> Letter faces are aluminum and light source provides halo effect through backlighting. Side casing is translucent plexiglass or polycarbonate. Interior light source is LED or neon.</p> |    |  |
| <p><b>Push-Through:</b> Letters are cut out of opaque sign face, with translucent plexiglass or acrylic facing over letters. Interior light source is LED or neon, and shines through letter faces only.</p>              |   |  |
| <p><b>Internally-Illuminated Cabinet Signs:</b> Sign face is wholly illuminated through translucent polycarbonate casing.</p>   |  | <p>Prohibited in All Districts</p> <p>n/a</p>  |

**2. Additional Illumination Standards**

- A. Indirect/External Illumination: Any indirect lighting or spot lighting shall require complete shielding of all light sources so as to illuminate only the face of the sign and prevent glare to off-site.
- B. Neon Illumination: Maximum surface area for neon signs shall be 4 square feet, limited to one neon sign per window or door. Window and door coverage by neon signs shall be counted toward the overall 30% coverage maximum per 13.7.2 “Window / Door Signs.” This includes North Carolina Lottery signs.

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## 13.10 ADDITIONAL STANDARDS FOR SIGNS

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### 1. Historic Buildings

- A. Applicability: Wall signs on historic buildings, with the exception of signs approved by conditional use permit and/or conditional zoning.
- B. Location: Wall signs on historic buildings shall be placed within the sign frieze, or distinct place within which a wall sign was intended to be located, if the building was designed for such. No wall sign shall extend beyond such space. If there is no sign frieze, the wall sign shall be placed below the typical second floor window area.
- C. Design: The design and coloration of such signs shall be compatible with the character of the building as determined by the Zoning Administrator.

### 2. Union County Public Schools

- A. Signs for Union County Public Schools shall be subject only to the sign regulations in 9.22.3.E.

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## 13.11 SIGNS THAT DO NOT REQUIRE A PERMIT

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### 1. Temporary Signs:

#### A. Window Signs:

- 1. Location: affixed to the inside of a window or door.
- 2. Surface Area: Shall not exceed a cumulative total for all signs of 30% of the total glass area on any one side of the building as outlined in Section 13.7.2 "Window/Door Signs."

#### B. Temporary Banners for Schools:

- 1. Applicability: Elementary and secondary schools
- 2. Location: Securely attached to exterior walls of school
- 3. Maximum Number: 3 banners
- 4. Surface Area: 32 square feet maximum
- 5. Time Period: Shall be displayed no earlier than 10 days prior to the first day of school and shall be removed no later than 10 days after the last day of school.

#### C. Yard Sale Signs:

- 1. Location and Number: One yard sale sign may be posted on premise, and up to three off-premise. May not be located within a public right-of-way nor placed on a tree, street sign or utility pole.
- 2. Surface Area: 4 square feet maximum for each sign
- 3. Height: 4 feet maximum
- 4. Time Period: Limited to 72 hours in any 90 day period
- 5. Illumination: Prohibited

**2. Portable/A-Frame Signs**

- A. Applicability: Pedestrian-scaled non-permanent signs which are used to display menus, daily specials, sale announcements and similar messages.
- B. Maximum Area: 8 square feet per side
- C. Maximum Height: 4 feet
- D. Maximum Number: 1 per tenant
- E. Location:
  - 1. C-4, MS, TC, NMX: Signs may be located on a public sidewalk within the same block as the business, but must maintain at least 48 inches of unobstructed pedestrian space.
  - 2. C-1, OIS, C-2, C-3, I-1, I-2: Signs may be located internal to site only. Signs may be located on a sidewalk, but must maintain at least 48 inches of unobstructed pedestrian space.
- F. Additional Requirements:
  - 1. Signs must be removed at the close of business each day.
  - 2. Rough-cut plywood is not an acceptable sign material. Decorative trim or molding shall surround the message area. Lettering shall be professionally painted or applied; however, chalkboard signs shall be permitted. Only chalkboard signs shall provide for changeable copy.
  - 3. Illumination is prohibited.

**3. Flags, Etc.**

- A. Applicability: Flags of the United States of America, the State of North Carolina, Union County, the Town, or foreign nations having diplomatic relations with the U.S. provided that such flag shall not be flown from a pole the top of which is more than 40 feet in height. Such flags shall be flown in accordance with protocol established by the Congress of the United States for the Stars and Stripes.
- B. Surface Area: 60 square feet maximum
- C. Installation: Flags shall be either mounted to a permanent pole or securely attached to a building face
- D. Flags with commercial messages are allowed without a permit at the rate of one per lot at a maximum surface area of 15 square feet and maximum height of 40 feet.
  - 1. Commercial flags beyond this allowance are prohibited.

**4. Directional Signs On Private Property**

- A. Construction Type: Permanent, freestanding signs only; portable signs prohibited.
- B. Location: Must be on the premises to which directions are indicated.
- C. Maximum Number: 2 per entrance or exit
- D. Height: 3 feet maximum
- E. Surface Area: 4 square feet maximum per sign
- F. Illumination: Permitted on-premise in accordance with Section 13.10 (Sign Illumination).

**5. Off-Premise Directional Signs for Churches**

- A. Construction Type: Permanent, freestanding signs made of durable wood or non-reflective metal or plastic materials only; pole and pylon signs are permitted. Portable signs prohibited.
- B. Number and Location: No more than 2 directional signs shall be allowed at any street corner. More than 1 sign may be placed on the same sign support.
- C. Surface Area: 2 square feet maximum per sign; 4 square feet maximum aggregate area of all signs on any sign structure.
- D. Spacing: No 2 directional signs shall be located within 5 linear feet of each other.
- E. Illumination: Prohibited

**6. Outdoor Recreation Facility**

- A. Signs may be attached to a fence that encloses or partially encloses an individual athletic field within an outdoor recreational facility, a performance area or park not affiliated with a homeowner's association or residential development subject to the following conditions:
  - 1. Signs located at an athletic field, performance area or park are intended to be read only by persons within the athletic field, performance area or park and associated parking areas and not from any right of way, except rights-of-way that exist interior to the sports field, performance area or park. The sign shall not be legible from beyond the lot line of the site on which it is located.
  - 2. No sign shall extend above the top of the enclosing fence.
  - 3. Signs shall not be illuminated other than by the light source(s) for the athletic field, performance area or park when the facility is in use.

**7. Incidental Signs**

- A. Signs containing information necessary or convenient for persons entering a site shall be located on the premises to which the information pertains.
  - 1. No advertising may be affixed to such a sign.
  - 2. Such signs must be single-faced only and wholly attached to a building or structure (may be located on windows or doors).
- B. Signs attached to and made an integral part of a vending machine, automatic teller machine or gasoline pump, if advertising or giving information about the products or services dispensed or vended by that business, are permitted.

**8. Real Estate Signs**

- A. Maximum Number: Only 1 sign is allowed per street frontage.
- B. Surface Area and Height:
  - 1. Residential properties on less than 2 acres: Such signs may be no greater than 4 square feet in area (all types of signs) and 6 feet in height (if freestanding).
  - 2. Non-residential properties or residential properties exceeding 2 acres: Such signs may be no greater than 24 square feet in area (all types of signs) and 10 feet in height (if freestanding).

- C. Location: Such signs shall only be located on property for sale or lease, with the exception of a Planned Residential Development (PRD) that does not have direct frontage on a major thoroughfare. Such properties shall be permitted one off-premise real estate sign.
- D. Time Period: Real estate signs shall be removed within 7 days after the closing of the sale, rental or lease of the property. Signs for PRD's shall be removed no later than 30 days after 98% percent of the homes have been sold.
- E. Illumination: Prohibited.
- F. Construction Type: Pylon signs are permitted.

**9. Political Signs**

- A. Surface Area and Height: Shall not exceed 6 square feet in area and 4 feet in height if freestanding.
- B. Location: Political signs shall not be located on any trees, utility poles, publicly-owned property or within a public street right-of-way, except within NCDOT right-of-way according to the standards of NCGS 136-32. All portable and roof mounted signs for political advertisement are prohibited.
- C. Time Period: Political signs may be displayed during a period beginning 45 days prior to an election and concluding 48 hours after the election. In the event of a run-off election, political signs for candidates involved may remain on display until 48 hours after the run-off election.
- D. Illumination: Prohibited.
- E. Construction Type: Pylon signs are permitted.

**10. Governmental Signs:**

- A. Signs posted by various local, state and federal agencies in the performance of their duties such as regulatory signs, welcome signs and traffic signs.
- B. Signs installed under governmental authority which note the donation of buildings, structures or streetscape materials (such as, but not limited to benches, park facilities, etc.).
- C. Pylon and pole signs are permitted.

**11. Temporary Holiday Decorations:** Temporary decorations or displays, when such are clearly incidental to and are customarily and commonly associated with any national, local or religious holiday/celebration.

**12. Window Displays:** Merchandise, pictures or models of products or services that are incorporated as an integral part of a window display inside a building.

**13. Building Marker Signs:** A sign containing historical data that is cut or etched into masonry, bronze or similar material on a historic building or site.

**14. Legal and Warning Signs**

- A. Signs erected to warn of danger or hazardous conditions such as signs erected by public utility companies or construction companies.

- B. Signs required for or specifically authorized for a public purpose by any law, statute or ordinance.
  - C. Signs that display information pertinent to the safety or legal responsibilities of the general public with regard to a particular piece of property shall be located on the premises to which the information pertains. No advertising may be affixed to such a sign.
- 15. Occupant/Street Number Signs:** Non-illuminated signs affixed to structures, mailboxes, decorative light post, driveway entrances, etc., which serve to identify the address of the structure or occupant. All such signs are required to be placed in such a manner as to be visible from the street.
- 16. Sponsorship Boards**
- A. Sponsorship boards, containing multiple sponsor panels, are allowed to be located at an individual athletic field, performance area or park not affiliated with a homeowner's association or residential development. Sponsorship boards may not exceed sixty four (64) square feet in area and eight (8) feet in height. Sponsorship boards are subject to the following:
    - 1. Shall be located behind the minimum setback, yard and buffer requirements for the district in which it is located.
    - 2. Shall not be visible from any right-of-way, except rights-of-way that exist interior to the athletic field, performance area or park. Signs may be located so as to be visible from the associated parking areas.
    - 3. Shall be monument style.
    - 4. Shall not exceed more than one per athletic field, performance area or park.
    - 5. Shall be constructed of all-weather material.
    - 6. Shall be well maintained at all times.
    - 7. Shall not be lighted other than by the light source(s) for the outdoor sports field, performance area or park when the facility is in use.
    - 8. The entity responsible for managing the athletic field, performance area or park shall be responsible for determining the size and configuration of the sponsorship panels.
    - 9. Shall be in harmony with the Town of Waxhaw way finding sign program.
- 17. Scoreboard Sponsor and Facility Identification Signs**
- A. Sponsor sign(s) and facility identification signs may be placed on a scoreboard subject to the following:
    - 1. Sponsor sign(s) shall not exceed twenty-five (25%) percent of the total area of the scoreboard.
    - 2. Facility identification signs may not exceed fifty (50%) percent of the area of the scoreboard.
    - 3. Shall be securely attached to the scoreboard face.
    - 4. Shall be well maintained at all times.

5. Shall not be lighted other than by the light source(s) for the outdoor sports field, performance area or park when the facility is in use.

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### 13.12 PROHIBITED SIGNS

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1. **Off Premises Signs (including billboards):** All off-premises signs, unless specifically allowed elsewhere in this section, are prohibited.
2. **Animated/Flashing Signs or Signs of Illusion:** Except for electronic message board signs as regulated by 13.9.3, signs displaying blinking, flashing or intermittent lights, animation, and moving parts or signs giving the illusion of movement are prohibited. Time and temperature signs that rotate or move are not permitted.
3. **Pennants, Streamers, Balloons, Etc:** Signs containing or consisting of pennants, feather flags, ribbons, streamers, festoon light, balloons, inflatable signs, or spinners are prohibited.
4. **Roof Signs:** Signs erected or maintained in whole or in part upon or over the roof or parapet of a building prohibited, except as allowed by this Ordinance (i.e. theater marquee.)
5. **Signs Resembling Official Signs:** Any sign that imitates an official governmental sign, or violates the Law of the State relating to outdoor advertising, is prohibited.
6. **Signs Resembling Traffic Signals**
  - A. Any sign which by color, location or nature may be confused with official highway signs, warning signs, traffic signals or other regulatory devices are prohibited.
  - B. Any sign that uses the word "STOP", "SLOW", "CAUTION", "DANGER", or any other word which is likely to be confused with traffic directional and regulatory signs is prohibited.
  - C. Any sign located in a manner or place which might constitute a traffic hazard is prohibited.
7. **Signs on Roadside Appurtenances:** Signs attached to or painted on utility poles, telephone poles, trees, parking meters, bridges and overpasses, other signs, benches and refuse containers, etc. are prohibited unless specifically allowed elsewhere in this chapter.
8. **Abandoned Signs or Sign Structures**
  - A. Signs that advertise an activity or business no longer conducted on the property on which the sign is located are prohibited. Conforming signs designed for changeable copy may be covered instead of removed.
  - B. Sign structures on which no sign is erected are prohibited.

- C. Such signs or sign structures must be removed within 30 days of becoming an abandoned sign or sign structure.
9. **Signs Obstructing Access:** Any sign that obstructs free ingress or egress from a driveway or a required window, door, fire escape, stairway, ladder, or other required opening is prohibited.
  10. **Signs with Exposed Electrical Wiring:** All wiring shall be contained in conduit or enclosed in poles or raceways. In no case shall the wiring be exposed to the public.
  11. **Signs on Public Property:** Any sign installed or placed on public property or within a public right-of-way, except where encroachments are specifically permitted in this section. This includes vehicles with commercial messages parked in the public right of way or a public parking lot for more than two hours.
  12. **Signs erected on poles:** unless specifically allowed elsewhere in this section, pole signs are prohibited.
  13. **Signs not specifically mentioned in this section shall be prohibited.**

### 13.13 MAINTENANCE AND INSPECTION OF SIGNS

Signs shall be kept in proper repair. The following maintenance requirements must be observed for all freestanding, attached, and temporary signs on the exterior of buildings within the jurisdiction of the Town of Waxhaw.

1. **Damaged Signs**
  - A. **Surface Appearance:** No sign shall have more than 20% of its surface area covered with disfigured, cracked, ripped or peeling paint or poster paper for a period of more than 30 successive days.
  - B. **Broken Displays:** No sign shall remain with a bent or broken display area, broken supports, loose appendages or struts or stand more than 15 degrees from the perpendicular for a period of more than 30 successive days.
  - C. **Illuminated Signs:** No indirect or internally illuminated sign shall have only partial illumination for a period of more than 30 successive days.
2. **Inspections:** All signs for which a permit is required shall be subject to inspection by the Town. A representative of the Town shall be authorized to enter at all reasonable times upon any property or premises to ascertain whether the provisions of the Ordinance are being obeyed. The Town may order the removal of any sign that is not in accordance with the provisions of the Ordinance.
3. **Signs on Public Property:** Any sign installed or placed on public property or within a public right-of-way, except where encroachments are specifically permitted in this

section, shall be forfeited to the public and is subject to confiscation and disposal. In addition to other remedies hereunder, the Zoning Administrator shall have the right to charge a fee for sign removal. This fee shall include the cost of removing the sign plus a penalty to dissuade any further violation of this Ordinance. The owner shall pay the town a minimum of \$100 for the first sign and \$25 dollars for every sign after that collected during the same day. Signs with a different design or collected on two separate days shall be considered a new sign and the owner will be charged \$100. Under no circumstance shall penalties exceed \$2,000 per month for violating this Ordinance.

## 13.14 ENFORCEMENT

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### 1. **Enforcement Methods**

A violation of this article is a violation of the Zoning Ordinance, and is subject to the enforcement procedures and penalties of Section 13.14.3, Section 17, Section 17.5, and or the other subsections of these regulations.