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SIGNS

Section 10.1 Purpose and Intent

The purpose of this chapter is intended to:

- A. Establish standards for the erection, alteration and maintenance of signs that are appropriate to various zoning districts;
- B. Allow for adequate and effective signs for communicating identification and other messages while preventing signs from dominating the visual appearance of the area in which they are located;
- C. Protect and enhance the view of properties from public rights-of-way;
- D. Avoid distracting, confusing or misleading a driver or obstructing necessary vision for traffic safety;
- E. Avoid interference with protected free speech and commerce;
- F. Ensure that permitted signs do not become a hazard or nuisance;
- G. Ensure and advance the positive visual impact and image of the Town.

Section 10.2 Applicability

The regulations of this chapter shall apply to the placement, construction, erection, alteration, replacement, maintenance, use, type, quantity, location, material, size, and height of all exterior signs within the planning jurisdiction of the Town of Waxhaw and any sign not expressly permitted by these regulations shall be prohibited.

Section 10.3 Definitions

Please see definitions in Chapter 13 of this Code.

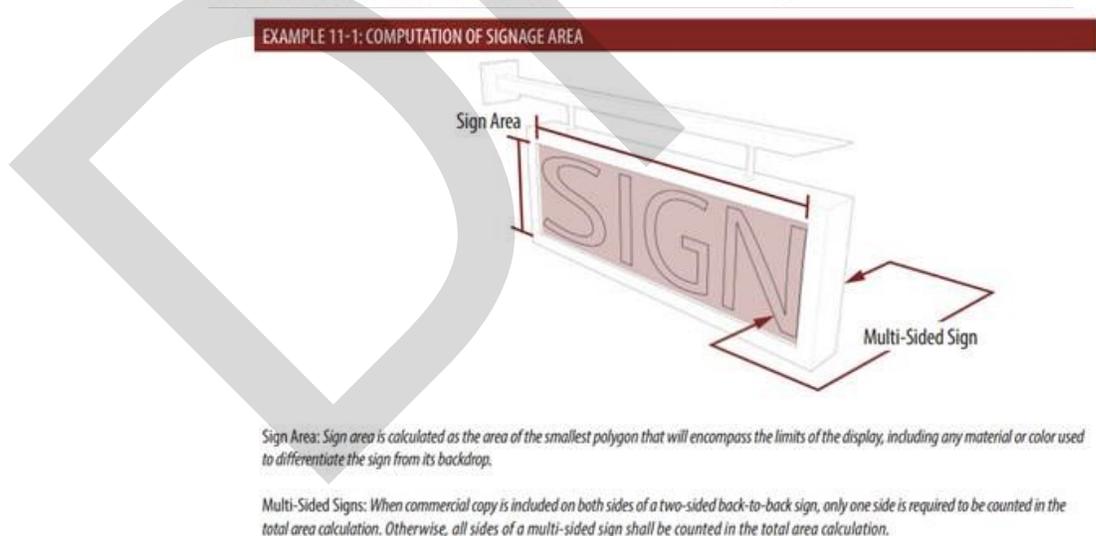
Section 10.4 Content Neutrality

The regulations in this chapter are intended to be content-neutral and apply equally to commercial and non-commercial speech. Signs containing noncommercial speech are permitted anywhere that advertising or business signs are permitted, subject to the same regulations applicable to such signs.

Section 10.5 Computation of Sign Measurement

A. Computation of Sign Area

1. 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.
2. 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.
3. Frames or structural members not bearing informational or representational matter shall not be included in computation of the area of a sign face.



B. Computation of Height

For the purposes of interpreting the height requirements of this chapter, height shall be measured from the average grade of ground directly below a sign, canopy, wall, or other feature as specified.

Section 10.6 Exempt Signs

The following signs are exempt from the requirements of this ordinance; however, in some instances building permits may be required, such as an electrical permit for wiring.

- A. Warning and security signs, including signs placed by a public utility for the safety, welfare, or convenience of the public, including, but not limited to signs identifying fire department connections or high voltage, public telephone, or underground cables and/or gas pipe lines;
- B. Government signs and signs for non-profit organizations sponsored by governments including insignia, statutorily required legal notices, informational, directional, wayfinding, and traffic safety signs;
- C. Signs on athletic fields, scoreboards and internally-oriented signs on athletic fields;
- D. Vending machine, ATM, gasoline pump or other similar signs. Incidental 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 the machine;
- E. Portable/A-frame signs. Pedestrian-scaled non-permanent signs which are used to display menus, daily specials, sale announcements and similar messages, provided they contain no more than 8 square feet per side and 4 feet in height with 1 per tenant;
- F. Flags. If they do not exceed 60 square feet in area, and displayed on flagpoles not exceeding 60 feet in height. Flagpoles may be ground, roof or wall-mounted.
- G. Holiday, sports, and good-will decorations with message if not illuminated.
- H. Signs for “temporary uses” as defined in Chapter 4 of this code. Signage is permitted for the maximum time allowed for the temporary business at a specific location;
- I. Directional/identification signs. Such signs displayed strictly for the address, direction, safety, or convenience of the public, including signs which identify restrooms, parking areas, entrances or exits, warning, danger, and no trespassing signs.

Section 10.7 Prohibited Signs

The following signs, sign construction, and displays are prohibited in all zoning districts:

- A. Signs which constitute a hazard to public health or safety;
- B. Roof signs or signs that extend above the parapet of a building;

- C. Animated/flashing signs;
- D. Off-premises billboard signs, including outdoor advertising signs, except those placed by governmental agencies for public purposes;
- E. Any sign placed on any utility pole, street sign post, hydrant, bridge, tree, or public street paving;
- F. Signage in or affixed to a motor vehicle, boat, or trailer that is parked within right-of-way, and in the same location for a period of 30 days or longer;
- G. Electronic message boards in MS, NC, R-1, R-3, and R-4 zoning districts;
- H. Signs which obstruct ingress or egress from any fire escape, door, window, or other entrance or exit;
- I. Signs, other than governmental signs, which contain lights, rotating disks, words and other devices not erected by a public authority, which may be erroneously construed as government signs, or emergency warning signs;
- J. Pennants, streamers, balloons, feather flags, ribbons, inflatable signs, and spinners;
- K. Any sign or flag the Zoning Administrator deems to be significantly worn, torn, dilapidated, damaged, tattered, or otherwise in disrepair;
- L. Signs displaying obscene, indecent or immoral matter;
- M. Signs erected or displayed on or over public street rights-of-way, other than those erected by governmental agencies or for which appropriate encroachment agreements have been executed pursuant to this code. Signs specifically protected by the provisions of NCGS 136-32 are not prohibited, provided the requirements of NCGS 136-32 are met.

Section 10.8 Historic Building Signage

- A. Applicability: Wall signs on historic buildings, with the exception of signs approved by conditional zoning.
- B. Location: Wall signs on historic buildings shall be placed on the fascia or horizontal band between the storefront and the second floor, often referred to as the signboard. No wall sign shall extend beyond such space. If there is no signboard, 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.

Section 10.9 Obsolete or Abandoned Signs

- A. 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.
- B. Signage supporting structures and frames used to support nonconforming signs may remain in place.
- C. The obsolete or abandoned sign may be removed by the Zoning Administrator within 60 days of notice to the owner at the owner's expense.

Section 10.10 Nonconforming Signs

Nonconforming signs shall be governed by the provisions of Chapter 11 of this Code.

10.11 Master Signage Plan Required

A master signage plan shall be submitted to the Town for developments containing one principal structure with over 10,000 square feet or any multi-tenant development.

Within a development, the coordination of styles and colors will be used to ensure continuity. The same type of materials must be used for all attached/freestanding signage on any single or multi-tenant structure. All types of attached/freestanding signs, as long as they produce a unifying theme and meet all area and height requirements, will be considered by staff except for those expressly prohibited by this Ordinance. A master signage plan will be required to include and follow these guidelines:

- A. Maximum square footage of wall signs shall be 10% of a single wall area. There is no limit on the number of wall signs, as long as the maximum square footage allowed is not exceeded;
- B. Only permitted freestanding sign to be used shall be a monument sign;
- C. Detailed designs of all proposed signs including size, height, copy, materials, and colors of such signs;
- D. Proposed number and location of signs;
- E. Sign illumination plans;
- F. Provisions for shared usage of freestanding sign(s);
- G. A master signage plan will be part of any construction document/civil plan submittal required for development and shall be processed simultaneously with such plan(s);
- H. A master signage plan will be approved prior to the issuance of sign permit(s);

- I. A master signage plan may be amended by filing a new plan, which complies with all the requirements of this Code provided that the new plan is accompanied with the necessary processing fees;
- J. After approval of a master signage plan, no sign will be erected, affixed, placed, painted or otherwise established except in conformance with such plan and such plan may be enforced in the same way as any other provisions of this code.

All requirements of this chapter must be met unless otherwise stated in this section.

Section 10.12 Sign Permit Required

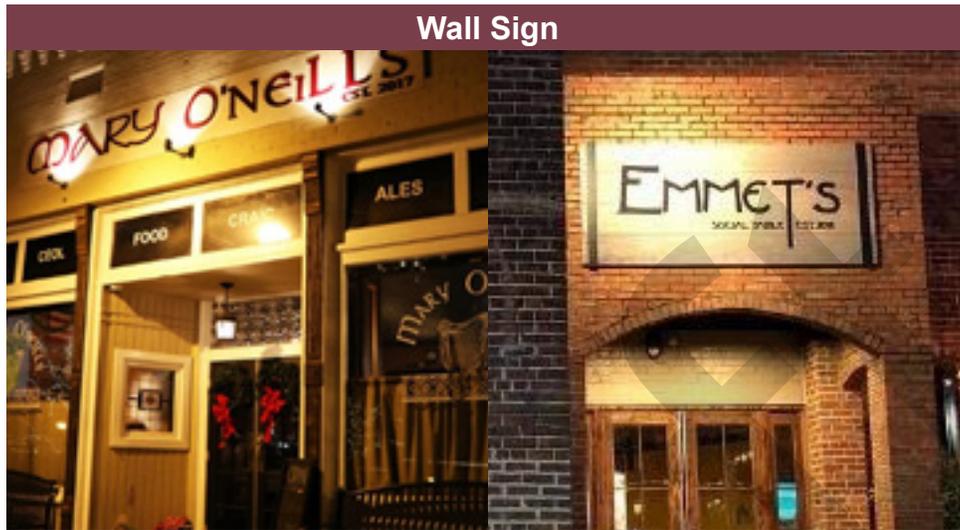
Unless exempted by Section 13.4, all signs shall require a sign permit in accordance with this code, prior to construction, installation, or display. Whether the sign is new, part of new construction, or an existing sign, the following information will be required as part of the permit application:

- A. A detailed description of any new sign for which a permit is required, including, but not limited to: a detailed drawing of the sign showing size, height, and site location relative to property lines and street right-of-way.
- B. Existing signs must meet these requirements if, for any reason, the sign is to be changed or altered. Normal copy changes and routine maintenance matters, without changes in construction, size, height, or lighting, are exceptions to this requirement.
- C. Some signs may require building and electrical permits as determined by the Building Inspections Department.

Section 10.13 Permanent Signs

Attached Sign Illustrations:

Wall Sign



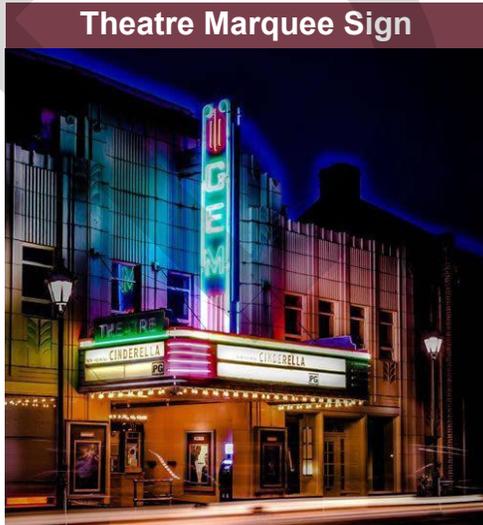
Window / Door Sign



Awning / Canopy Sign



Theatre Marquee Sign



Blade/Projecting Sign



Attached Sign Standards:

	Permitted Location	Sign Copy Area	Maximum Height	Maximum Number	Additional Standards	Illumination
A. Wall Signs	Main Street (MS), Town Center (TC)	10% of wall area per elevation.	No sign shall extend above the roofline.	Single-Tenant Buildings less than 10,000 sq ft: 1 sign per building elevation; maximum 3 total per building. Single-Tenant Buildings over 10,000 sq ft and multi-tenant buildings: see Master Sign Plan requirements in this Chapter.	May not exceed maximum calculated square footage on any wall (cannot move allotment from one wall to another). 12 inch maximum protrusion.	External Internal
	Neighborhood Center (NC), Corridor Commercial (CC)					
	Employment Center (EC)					
B. Window / Door Signs	All businesses, except home occupations	50% of a single window and 30% of the gross glass area on any side of the first floor of a building.	n/a	n/a	n/a	Signs shall not be illuminated except for neon lettering on window signs.
C. Awning / Canopy Signs	Main Street (MS), Town Center (TC), Neighborhood Center (NC), Corridor Commercial (CC), Employment Center (EC).	50% of the awning area.	May encroach over sidewalk area to within 4 feet of curb and shall have 8 feet clearance.	1 per public entrance.	First floor awnings only. All businesses, except home occupations, on first floor awnings only.	Signs shall not be illuminated.
E. Theatre Marquee Signs	Theatres only	200 sq ft.	May not exceed the maximum height for the zoning district.	1 per theatre.	Must be perpendicular to the façade of the building, or at a 45 degree angle from the corner of the building.	
F. Blade/Projecting Signs	Main Street (MS), Neighborhood Center (NC), Town Center (TC), Corridor Commercial (CC)	12 sq ft.	Must be below the roof, soffit, or parapet.	1 per tenant.	May encroach over sidewalk area by 4 feet of curb with 8 feet clearance	Signs shall not be illuminated.

Attached Sign Illustrations:

Residential Monument



Non-Residential Monument



Post & Arm Sign



Pylon Sign



1. Freestanding Sign Standards:

	Permitted Location	Maximum Area	Maximum Height	Maximum Number	Additional Standards	Illumination
A. Residential Monument Signs	R-1, R-3, R-4 Residential Districts	32 sq ft.	6 ft.	2 signs per major entrance.	<p>5 ft minimum front setback and 10 ft minimum side setback.</p> <p>No sign shall be located in any required buffer yard or within 20 ft of any right-of way intersection.</p> <p>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 zoning.</p>	<p>External</p> <p>Internal</p>

	Permitted Location	Maximum Area	Maximum Height	Maximum Number	Additional Standards	Illumination
B. Non-Residential Monument Signs	Neighborhood Center (NC), Town Center (TC), Corridor Commercial (CC), Employment Center (EC)	50 sq ft. Multi-tenant developments can do 150% of requirement.	8 ft. Multi-tenant developments can do 150% of requirement.	1 per street frontage providing access to the site. For multi-tenant developments, please see Master Sign Plan requirements in this chapter.	5 ft minimum front setback and 10 ft minimum side setback. No sign shall be located in any required buffer yard or within 20 ft of any right-of-way intersection. 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.	External Internal
	All Districts	6 sq ft.	5 ft.	1 per lot.	5 ft minimum front setback and 10 ft minimum side setback. No sign shall be located in any required buffer yard or within 20 ft of any right-of-way intersection.	External

	Permitted Location	Maximum Area	Maximum Height	Maximum Number	Additional Standards	Illumination
D. Pylon Signs	R-1, R-3, R-4, Neighborhood Center (NC)	12 sq. ft.	6 ft	1 per street frontage	2 structural supports required (single pole pylon signs are prohibited). Supports shall be located at the outermost extremities of the sign face. No additional signs or advertising may be attached to the support structure. No exposed support piping is allowed.	External
	Town Center (TC), Corridor Commercial (CC)	16 sq. ft.				
	Employment Center (EC)	32 sq. ft.				

Section 10.14 Temporary Signage

A. Temporary Signage for R-1, R-3, R-4 Zoning Districts

Each lot shall be subject to the following standards:

1. Surface Area: Such signs shall not exceed 6 square feet in area
2. Maximum Number: 2 per street frontage
3. Location: Shall not be located within a street right-of-way or sight distance triangle
4. Maximum Duration: No maximum duration
5. Temporary signs shall not be illuminated

Section 10.14 Temporary Signage

A. Temporary Signage for R-1, R-3, R-4 Zoning Districts

Each lot shall be subject to the following standards:

1. Surface Area: Such signs shall not exceed 6 square feet in area
2. Maximum Number: 2 per street frontage
3. Location: Shall not be located within a street right-of-way or sight distance triangle
4. Maximum Duration: No maximum duration
5. Temporary signs shall not be illuminated
6. Temporary signage serving on a lot shall not be required to obtain a temporary sign permit

B. Temporary Signage for New Developments greater than 10 acres in R-1, R-3, R-4 Zoning Districts

Each new development shall be subject to the following standards:

1. Surface Area: Such signs shall not exceed 32 square feet in area and 10 feet in height
2. Maximum Number: 1 per street frontage
3. Location: Shall not be located within a street right-of-way or sight distance triangle
4. Maximum Duration: Such signs shall only be allowed during the time such construction or development is actually in progress in accordance with a valid building permit, or when lot is for sale.
5. Temporary signage serving on new developments greater than 10 acres will require a temporary sign permit.

C. Temporary Signage for Neighborhood Center (NC), Main Street (MS), Town Center (TC), Corridor Commercial (CC), and Employment Center (EC) Zoning Districts

Each lot shall be allowed up to one temporary sign per street frontage, subject to the following standards:

1. Surface Area: Such signs shall not exceed 32 square feet in area
2. Maximum Number: 2 per street frontage
3. Location: Shall not be located within a street right-of-way or sight distance triangle
4. Maximum Duration: Such signs may remain in place on a lot for up to 45 days. This period may be renewed by the Zoning Administrator up to a maximum of three times per calendar year for additional 30 day periods.
5. Permitted materials: Such signs may take the form of a banner, pylon sign, or similar configuration.

D. Temporary Signage for New Developments in Neighborhood Center (NC), Main Street (MS), Town Center (TC), Corridor Commercial (CC), and Employment Center (EC)

Each new development shall be subject to the following standards:

1. Surface Area: Such signs may be no greater than 32 square feet in area and 6 feet in height.

2. Maximum Number: 1 per street frontage
 3. Location: Shall not be located within a street right-of-way or sight distance triangle
 4. Maximum Duration: Such signs shall only be allowed during the time such construction or development is actually in progress in accordance with a valid building permit, or when lot is for sale.
 5. Temporary signage serving on new developments greater than 10 acres will require a temporary sign permit.
- E. Temporary signs shall not be illuminated
- F. Temporary signage that exceeds 6 square feet in size shall require a temporary sign permit.

Section 10.15 Sign Illumination

Illuminated signs, where otherwise permitted by this code, shall conform to the following:

- A. *External Illumination.* External illumination must be confined to and directed solely at the surface of the sign and shielded to prevent beams, glare, or rays of light from being directed onto any portion of the right-of-way or any adjoining property.
- B. *Internal Illumination.* The only allowable types of internally illuminated signs are channel letters with translucent faces, reverse lit channel letters, or push-through acrylic sign panels. For reverse lit channel letters, lights must be white. All exposed raceways must be painted to match the finish of the wall behind the sign. Black raceway is suitable on brick walls.

Internal Illumination Type

Channel Letter: 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.

Reverse Lit Channel Letter: 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.

Push-Through: 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.

Internally-Illuminated Cabinet Signs: Sign face is wholly illuminated through translucent polycarbonate casing. This type of illumination is prohibited in all zoning districts.



C. *Digital Display.* Digital displays are limited to light emitting diode (LED) or liquid crystal display (LCD) boards and shall meet the following restrictions:

1. Shall not contain a message that flashes, pulsates, moves or scrolls. Each message must transition instantly.
2. The minimum time between display changes shall be three seconds for on-site commercial signs.
3. The brightness of the display shall be limited to 464.5 foot-candles during the day and 23.5 foot-candles during nighttime hours.
4. Digital displays shall not exceed 50% of existing freestanding sign area.
5. In case of malfunction, digital displays are required to contain a default design to freeze the sign message in one position.

Neon Tubing. Neon illumination shall be installed on the interior of doors and windows and shall comply with the window door sign regulation per this Chapter.

All wiring to freestanding signs or to lighting equipment erected must be underground.

Additional illumination shall meet the Lighting requirements of Chapter 7 of this code. Signs and other sources of illumination adjacent to public streets are subject to the provisions of the North Carolina General Statutes 136-32.2.

Section 10.16 Administration

- A. Except for signs expressly exempt from permit requirements no sign may be constructed, erected, moved, enlarged, illuminated, or substantially altered except in accordance with an administrative permit.
- B. Any person proposing to erect any sign requiring an administrative permit must submit a permit application to the administrator. Application for such permit must be accompanied by detailed plans, including scaled drawings of the proposed sign, a detailed site plan and other information deemed necessary by the administrator to determine compliance with applicable regulations.
- C. If the work associated with a permit has not been completed within six months of the date of the issuance of the permit, such permit will lapse and become null and void.

Section 10.17 Maintenance

All signs, including exempt signs, shall be maintained in a satisfactory state of repair. This shall include, without limitation, correction of peeling or faded paint, repair or replacement of damaged panels, trimming of vegetation that obscures the sign(s), replacement of defective lighting of illuminated signs, secure attachment to the building for attached signs, and stable vertical alignment of freestanding signs.