

ARTICLE 8

SIGNS *(Re-written 05.17.2011)*

Signs are permitted in accordance with regulations listed below and in accordance with other applicable regulations of this Ordinance.

Section 8.1 **Intent**

The purpose of this Article is to permit such signs that will not, by their reason, size, location, construction, or manner of display, endanger the public safety of individuals, confuse, mislead, or obstruct the vision necessary for traffic safety, or otherwise endanger public health, safety, and general welfare; protect and enhance property values and community appearance as part of the Village's concerted effort to enhance the aesthetic quality of the Village; and to permit and regulate signs in such a way as to support and complement land use objectives set forth in the Future Land Use plan.

Section 8.2 **General Requirements**

- A. **Applicability.** The provisions of this Section are applicable to all signs, both off-premises and on-premises, unless otherwise provided for in this Ordinance. Any sign, in the districts where it is permitted, shall hereafter be in compliance with the provisions of this Section and shall meet all other regulations applicable to signs, including those found in the Code of Ordinances of the Village of Wesley Chapel for signs erected in those jurisdictions, and in the North Carolina Building Code and National Electric Code.
- B. **Required Permits and Approvals.** A zoning permit shall be secured from the Zoning Administrator prior to the construction, reconstruction, erection, enlargement, relocation, or structural alteration of a sign. A complete application must be submitted to and approved by the Zoning Administrator in order to obtain a zoning permit. A single application and fee, if applicable, may be submitted for multiple signs, provided those signs are to be constructed or posted at the same time and for the same property or event. *(Rev. 01.09.2012)*
- C. **Maintenance.** Any sign in the Village of Wesley Chapel that is found to be in need of repair shall be renovated or removed within thirty (30) days by the owner upon receipt of written notification, or said sign may then be removed by the Zoning Administrator, and the reasonable cost of such removal, including associated attorney's fees, shall be the owner's responsibility.

- D. Any lighted sign or lighting device shall be so oriented as not to cast light upon a public right-of-way so as to cause glare, intensity or reflection that may constitute a traffic hazard or a nuisance, or cast light upon adjacent property that may constitute a nuisance.
- E. Illuminated signs shall employ only devices emitting a light of constant intensity, and no signs shall be illuminated by a flashing, intermittent, rotating or moving light.
- F. All free-standing sign structures shall be self-supporting structures clad with any masonry material except cinder-block and be erected on or set into and permanently attached to concrete foundations. Such structures shall comply with the building codes of Union County, North Carolina.
- G. No portion of a free-standing sign, including projections, may extend into or over an existing public right-of-way.
- H. All signs shall be located in a manner that does not impair traffic visibility.

Section 8.3 Signs Permitted Without Permit

The following signs shall not require a permit:

- A. Official Government, Emergency, Safety and signs required to be posted by law. Signs established by governmental agencies. "Warning" signs, "No- Trespassing", "Private Property" and signs indicating directions, entrances, or exits are limited to two (2) square feet.
- B. Identification, Name and/or Address signs, not to exceed one and one half (1-1/2) square feet in area.
- C. Temporary signs for candidates seeking public office. All such political signs shall be posted in accordance with State of North Carolina law. (Rev. 01.09.2012)
- D. One Real Estate sign advertising real estate "for sale", "for rent", or "for lease", not greater than six (6) square feet in area located upon property so advertised. Such signs shall be removed within seven (7) days after the property has been sold, (upon closing) rented or leased. Any signs erected pursuant to this provision must not violate Section 8.4 of this Ordinance. Any signs advertising real estate subdivisions shall be limited to one (1) sign, per entrance, no

greater than twelve (12) square feet in area.

- E. One (1) sign, no more than six (6) square feet in area, advertising the sale of produce out of a home garden on the premises where the produce is being sold.
- F. Signs advertising yard sales, the sale of two (2) or fewer personal vehicles, or for the recovery of lost pets, or the like. All yard sale signs shall be removed twenty-four (24) hours after the yard sale has been terminated. No such sign shall be greater than four (4) square feet in area. All such signs shall be located off the street right-of-way.
- G. On-premises incidental signs, as defined by Article 2. Outdoor product storage enclosure signs shall be no larger than four (4) square feet and may display commercial content for items stored. All other incidental signs shall be no larger than two (2) square feet in area.
- H. Window signs covering no more than fifty percent (50%) of total window square footage.
- I. Permanent Historical plaques, tablets or markers placed by a federal or state governmental agency.
- J. Vehicular signs in accordance with Article 2.
- K. Internal signs, not readable from a public roadway, limited to B1 and B2 zoned property on an exclusive parcel and not permanently affixed ground signs, are allowed, provided they measure less than four (4) square feet in area. Internal signs are not considered Banner signs. All Banner signs require temporary sign permits and must comply with Section 8.5.A.
- L. Free-standing Sandwich Board signs, as defined in Article 2, limited to one (1) sign per entrance facing parking area or associated drive per establishment. For B-2 and O-I zoning districts, such signs shall be located within the segment of paved sidewalk adjacent to the façade(s) of the principal entrances(s). The adjacent segment shall be measured by extending two perpendicular lines from the edges of the façade to the back of the curb bordering the sidewalk and designating the paved sidewalk space within as allowable for sign placement. However, Sandwich Board signs shall not be placed where they would impede a clear path for pedestrian movement or handicap accessibility and

sidewalks separated by natural or unpaved areas from the façade shall be not designated as eligible space. For B-1 and L-1 zoning districts, such signs shall be located within thirty-five (35) feet of the principal entrance(s). *(Rev. 01.09.2012, 07.08.2013)*

- M. Bulletin boards which contain community or civic information of a non-commercial nature shall be allowed. The bulletin board may have a maximum area of thirty (30) square feet. It shall be located off of a public right-of-way and shall be at least ten (10) feet from any adjoining property line. The bulletin board shall have an overall height of less than ten (10) feet, a width not to exceed six (6) feet and a depth of not greater than eight (8) inches. *(Added 08.11.2014)*

Section 8.4 Prohibited Signs

Any unauthorized signs placed in a public right-of-way may be taken down and destroyed without prior notification to the sign owner.

The following signs are expressly prohibited within all zoning districts, unless as otherwise specified in this Ordinance.

- A. All off-premise signs, including billboards, except where expressly allowed.
- B. All portable signs, except those authorized by Section 8.7.
- C. Flashing signs. Electronic Message Board signs are not considered Flashing signs. *(Revised 10.14.02)*
- D. Any sign which the Zoning Administrator determines obstructs the view of pedestrians, bicyclists or motorists using any street, private driveway, approach to any street intersection, or which interferes with the effectiveness of or obscures any traffic sign, device or signal.
- E. Exposed neon, incandescent, or non-changing light emitting diode (LED) signs (except for interior neon window signs or non-changing light emitting diode (LED), in compliance with window signage regulations, and exterior neon or non-changing light emitting diode (LED) open/closed signs exceeding two (2) square feet).
- F. Any sign placed upon a traffic control sign, tree, or utility pole, for any reason except as provided in Section 8.3(A).

- G. Any permanent sign that is an inflatable device.
- H. Pole or post mounted-signs, excepting incidental or temporary signs.
- I. Animated signs.
- J. Signs temporarily attached to vehicles, defined in Article 2.
- K. Awning Signs
- L. Handwritten signs, including temporary signs and window signs. Signs advertising temporary uses, as permitted in Section 4.7, and Signs permitted in Sections 8.3.D, E, F, G and L are excluded.
- M. Roof signs.
- N. Window signage covering more than fifty percent (50%) of window area.

Section 8.5 Temporary Signs

- A. Banners, Pennants and Temporary Signs:

The following temporary signs are allowable after the Zoning Administrator has issued a temporary sign permit, for a total period not to exceed thirty (30) days, four (4) times per calendar year per tenant. Consecutive applications are permissible. Unlighted on premise portable signs, banners, and windblown signs such as pennants, spinners, flags, directional and feather/blade signs and streamers for special events and grand openings. For in-line tenant spaces, banners shall be limited to portion of building being occupied or used by tenant. Banner signs affixed to buildings shall be limited to one (1) sign per business or tenant space and twenty four (24) square feet in area. Banner and other temporary signs affixed to the ground shall be limited to one (1) sign per adjacent public roadway and limited to ten (10) square feet in area.

- B. Inflatable Signs:

Temporary inflatable signs and mechanical advertising devices are allowable after the Zoning Administrator has issued a temporary sign permit, for a total period not to exceed ten (10) days, once per

calendar year.

C. Construction Announcement Signs:

Announcement signs are signs that indicate the names, address, etc. of firms making improvements on property. One sign per project shall be permitted and shall require a Sign Permit, good for one (1) year and renewable, one time, for one (1) additional year and shall be single faced of a maximum area of twenty (20) square feet. Announcement signs are not to be used to advertise real estate or subdivisions. No illumination of announcement signs shall be permitted.

D. Off-Premise Directional Signs:

A permit for temporary off-premise signage may be approved by the Zoning Administrator in the event of temporary road closures. The signs shall be allowed only while the relevant extenuating circumstance persists. Permits shall be valid for six (6) months or until termination of the road closure, whichever comes first. Consecutive applications are permissible. All requirements of Section 8.7 shall also be met, excepting off-premises prohibition. A letter from the property owner of the proposed location of the off-premise sign granting permission for the installation of the sign shall be required.

E. Fund-Raising and General Community Interest Signs:

A permit for temporary signage for the purposes of Fund-Raising and General Community Interest and support, conducted under the auspices of one or more charitable organizations, such as churches, emergency service providers, community service organizations, religious, charitable, civic, fraternal, or similarly non-profit or not-for-profit organizations located within the Village requires approval by the Zoning Administrator. Such signs may be posted no earlier than thirty (30) days before the advertised date of planned activity, and must be removed no later than five (5) days thereafter. All such signs shall be no larger than twenty four (24) square feet in area and may be off-premises signs with permission of the property owner. No signs shall be located in public right-of-way (ROW) or be prohibited as specified in Section 8.4.

Section 8.6 Signs Allowed in All Residential -R- Districts by Permit

- A. Signs on premises of single-family dwellings and on the premises of manufactured or modular homes shall be regulated as follows:
 - 1. Types of sign permitted:
Professional Name Plate
 - 2. Permitted number of signs:
One (1) per dwelling unit
 - 3. Maximum area of signs:

Three (3) square feet

- B. Signs on premises of small group day care homes shall be regulated as follows:
 - 1. Types of sign permitted:

Professional Name Plate
 - 2. Permitted number of signs:

One (1) per dwelling unit
 - 3. Maximum area of signs:

Three (3) square feet

- C. Signs on residential subdivision community property shall be allowed by permit or shall be approved through preliminary plat review and shall be regulated as follows:
 - 1. Types of sign permitted:
 - a. Permanent Residential Subdivision Monument Identification signs shall be approved as part of the preliminary plat approval process or shall require issuance of a permit and shall follow the following guidelines;
 - i. No part of the sign shall be located closer than ten (10) feet to any adjacent side lot line.

- ii. Sign structures, including sign face(s), shall be limited to ten (10) feet in height and one hundred (100) square feet in area.
 - iii. Signs shall be single or double-faced with each sign face being no greater than thirty (30) square feet in area.
 - iv. Sign faces shall be surfaced with stucco, painted wood, or masonry material other than cinder-block.
 - v. Incorporation of gate houses and walls attached to Subdivision Monument signs may be considered for approval by the Planning Board during preliminary plat review.
 - vi. Monument sign structures shall be constructed of masonry material other than cinder block.
- b. Permanent Residential Subdivision Changeable Copy signs shall be approved as part of the preliminary plat approval process or shall require issuance of a permit and shall follow the following guidelines;
- i. No part of the sign shall be located closer than ten (10) feet to any adjacent side lot line.
 - ii. Sign structures, including sign face(s), shall be limited to five (5) feet in height and twenty five (25) square feet in area.
 - iii. Signs shall be single or double-faced with each sign face being no greater than fifteen (15) square feet in area.
 - iv. Sign faces shall not be surfaced with cinder-block.
 - v. Residential Changeable Copy signs shall not be visible from non-subdivision roads.
 - vi. Changeable Copy signs shall be Monument signs constructed of masonry material other than cinder block.
2. Permitted number of signs:
- a. Two (2) Monument Identification signs per subdivision entrance

- b. One (1) Changeable Copy sign per subdivision.
- D. Signs for all other non-residential uses in a Residential -R- district shall require issuance of a permit and shall be regulated as follows:
- 1. Types of sign permitted:
 - a. Monument signs shall be approved as part of a conditional use process or shall require issuance of a permit and shall follow the following guidelines;
 - i. No part of the sign shall be located closer than ten (10) feet to any adjacent side lot line.
 - ii. Sign structures, including sign face(s), shall be limited to five (5) feet in height and twenty five (25) square feet in area.
 - iii. Signs shall be single or double-faced with each sign face being no greater than twenty (20) square feet in area.
 - iv. Sign faces shall be surfaced with stucco, painted wood, or masonry material other than cinder-block.
 - v. Monument sign structures shall be constructed of masonry material other than cinder block.
 - b. Changeable Copy signs are restricted to Church and School Uses and shall be approved as part of the conditional use approval process, or shall require issuance of a permit, and shall follow the following guidelines;
 - i. No part of the sign shall be located closer than ten (10) feet to any adjacent side lot line.
 - ii. Sign structures, including sign face(s), shall be limited to five (5) feet in height and twenty five (25) square feet in area.
 - iii. Signs shall be single or double-faced with each sign face being no greater than twenty (20) square feet in area.
 - iv. Sign faces shall not be surfaced with cinder-block.

- v. Changeable Copy signs shall be Monument signs constructed of masonry material other than cinder block.
 - c. Permanent Local Historical signs from a recognized historical society shall be allowed by permit and shall be limited to six (6) square feet in area.
2. Permitted number of signs:
- a. One (1) Monument sign per property
 - b. One (1) Changeable Copy sign per Church/School property
 - c. One (1) Local Historical sign per building structure

Section 8.7 Signs allowed in the B-1, B-2, O-I and L-1 Zoning Districts by permit

- A. Signs on premises of permitted B-1, B-2, O-I and L-1 uses conducted in buildings or with buildings associated shall require issuance of a permit, or be approved as part of a conditional use permit process, and shall be regulated as follows:
1. Types of sign permitted:
- a. Attached (On-Structure or Canopy) signs for any free-standing structure or in-line tenant space shall be allowed, shall require a permit and must comply with the following guidelines:
 - i. Signs shall be fastened by permanent mount or mechanism, or painted, as defined in Article 2. (*Rev. 01.09.2012*)
 - ii. For B-1 and L-1 Zoning Districts, no attached sign or combination of signs, shall exceed twenty percent (20%) of each wall façade area for externally lit signs, or five percent (5%) for internally lit signs. (*Rev. 01.09.2012*)
 - iii. For B-2 and O-I Zoning Districts, no attached sign or combination of signs, shall exceed ten percent (10%) of each wall façade area for externally lit signs, or five

percent (5%) for internally lit signs. (*Rev. 01.09.2012*)

- iv. No sign shall be located on the roof of any structure or extended above the parapet or eave line of any structure. (*Renumbered 01.09.2012*)

- b. Under Canopy signs, as defined in Article 2, shall be allowed, by permit, and shall be limited to eight (8) square feet in area.

- c. Free-Standing Individual Non-Residential Monument signs shall be allowed by permit and shall conform to the following guidelines;
 - i. Sign structures, including sign face(s), shall be limited to five (5) feet in height and twenty five (25) square feet in area.

 - ii. No part of the sign shall be located closer than ten (10) feet to any adjacent side lot line.

 - iii. Signs may be single or double-faced. Sign faces shall be limited to twenty (20) square feet.

- d. Electronic Message Board signs incorporated into approved monument signs.

- e. Permanent Local Historical signs from a recognized historical society shall be allowed by permit and shall be limited to six (6) square feet in area.

- f. Projecting signs, provided they are made of non-flexible material, are a maximum of three (3) sq. feet in area and have at least ten (10) feet of ground clearance.

- g. Free-standing signs shall be located at least ten (10) feet from the edge of any adjacent property line or existing or future street right-of-way and at least fifty (50) feet from another free-standing sign

located on a separate piece of property. In no instance shall a free-standing sign be located less than forty-five (45) feet from the road centerline. Free-standing signs shall also be located outside of any required sight triangle. *(Added 05.11.2015)*

2. Permitted number of signs
 - a. Attached signs are restricted by combined total square footage as indicated
 - b. Unlimited under-canopy signs are allowed
 - c. One (1) Sandwich Board sign per tenant
 - d. One (1) Non-Residential monument sign per property
 - e. One (1) Local Historical sign per structure
 - f. One (1) projecting sign per tenant

- B. Signs on premises of permitted B-2 uses conducted in buildings or with buildings associated shall require issuance of a permit, or be approved as part of a conditional use permit process, and shall be regulated as follows:
 1. Types of sign permitted:
 - a. Permanent shopping center Monument signs shall be allowed as part of a CUP-B-2 Shopping Center conditional use approval process and shall conform to the following regulations, unless altered during the conditional use process;
 - i. No shopping center Monument sign shall be greater than twenty (20) feet in height.
 - ii. No part of the sign shall be located closer than ten (10) feet to any adjacent side lot line.
 - iii. The maximum area of the sign structure, including sign face(s), shall be two hundred (200) square feet.
 - iv. Signs shall be single or double-faced with each sign face being no greater than seventy-five (75) square feet in area.

 2. Permitted number of signs
 - a. One (1) shopping center Monument sign per shopping center

Section 8.8 Menu board for drive-through restaurant

- A. The exterior maximum height is sixty (60) inches (curb side height) or seventy-two (72) inches (from drive surface). The maximum width is eighty (80) inches. The internal portion for the menu is a maximum of forty-eight (48) inches high by seventy-two (72) inches wide, and can only be used for the sign panel.
- B. The maximum number of signs is two (2) per drive through lane for Fast Food or Drive-In/Drive-Through Restaurants.
- C. If a second sign is utilized, the exterior maximum height is sixty (60) inches (curb side height) or seventy two (72) inches (from drive surface.) The maximum width is eighty (80) inches. The internal portion for the menu is a maximum of forty-eight (48) inches high by seventy-two (72) inches wide, and can only be used for the sign panel.
- D. Menu board signs shall be located on the side of the building opposite the main thoroughfare and ultimately left to the discretion of the Zoning Administrator.
- E. If two signs are erected, they must be at least twelve (12) feet apart.
- F. No additional signage may be placed on the menu board for drive-through restaurant signs.
- G. Any sign must be located at least fifteen (15) feet from any property line.
- H. The predominant color and material of the exterior of such signs should be the predominant color and material of the principal building.
- I. If a speaker post is used, it must be of the same material used for the exterior of the sign.

Section 8.9 Non-Conforming Signs

The following requirements are established to regulate non-conforming signs:

- A. **Conformance Required**
Any sign legally in use prior to the effective date of this ordinance or any amendments hereto which does not satisfy the requirements of this ordinance is declared to be nonconforming and may be continued,

provided, however, that prohibited signs , as specified in Section 8.4, and any associated components or equipment, be brought into compliance with the requirements of this Article or be removed entirely. The eventual elimination, as expeditiously and fairly as possible, of nonconforming signs is as much a subject of health, safety and welfare as is the regulation of new signs.

B. Regulations of Non-Conforming Signs

A nonconforming sign may be continued but it shall not be:

1. Changed or replaced with another nonconforming sign, except that context may be changed.
2. Expanded or modified in any way which increases the sign's nonconformity. Nor may illumination be added.
3. Moved except to bring the sign into complete conformity with this Article.
4. Re-established once the sign structure has been removed, if not already present.

C. Maintenance of Non-Conforming Signs

Nonconforming signs shall be subject to all requirements of this Article regarding safety, maintenance, and repair. Nonconforming signs shall be maintained in good condition including necessary non-structural repairs, incidental alterations, or copy alterations, such as repainting and electrical repairs, which do not extend or intensify the nonconforming features of the sign.