

**ARTICLE H
SIGN REGULATIONS**

9-3091 Purpose

The purpose of this section is:

- .1 To maintain public safety and traffic safety by ensuring that signs are properly designed, constructed, installed, and maintained;
- .2 To minimize the distractions and obstruction of view that contribute to traffic hazards and endanger public safety;
- .3 To protect existing development and promote high standards of quality in new development by encouraging appropriately designed, placed, and sized signage; and
- .4 To provide an effective guide for communicating identification through signage while preventing signs from dominating the visual appearance of the areas in which they are located.

9-3092 Applicability

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 Town of Valdese. In addition, a certificate of occupancy for the change in the use of property shall require compliance with ARTICLE H, Signs.

Notwithstanding the above, changing or replacing the permanent copy on an existing lawful sign shall not require a permit, provided the copy change does not change the nature of the sign so as to render it in violation of this ordinance.

9-3093 General Provisions

The following provisions shall apply to all signs.

- .1 Construction Standards. All signs shall be constructed and installed in accordance with the applicable provisions of the North Carolina State Building Code.
- .2 Electrical Standards. All illuminated signs shall be installed in accordance with the applicable provisions of the North Carolina State Electrical Code and all detached signs shall be illuminated by an underground electrical source.
- .3 Maintenance of Signs. All signs shall be maintained in good structural and aesthetic condition. Deficiencies such as chipped paint, broken plastic, missing letters and exposed light bulbs shall be evidence of a lack of maintenance.
- .4 Content. Content of message, commercial or non-commercial, is not regulated by this ordinance.
- .5 No sign shall be placed so as to obstruct the clear sight triangle at a street intersection.

9-3094 District Classification

For purposes of this Article, zoning districts are classified as follows:

R-12 (Residential)	Residential
R-12A (Residential)	Residential
R-8 (Residential)	Residential
FP (Floodplain Overlay)	Mixed Use
O-I (Office-Institutional)	Mixed Use
B-1 (Central Business)	Mixed Use
B-2 (General Business)	Commercial
B-3 (Neighborhood Business)	Mixed Use
M-1 (Manufacturing)	Commercial

9-3095 Sign Types

Sign types are defined as follows:

.1 Wall Mounted Signs

One or a combination of the wall sign types below may be used on a building. Wall sign area is the total of the square footage of all wall signs associated with a business or structure.

- a) A flush wall sign is mounted or applied directly to the building wall, generally on the fascia. It may in no instance extend above the parapet; in the residential and mixed use districts, it must be located **below** the parapet.

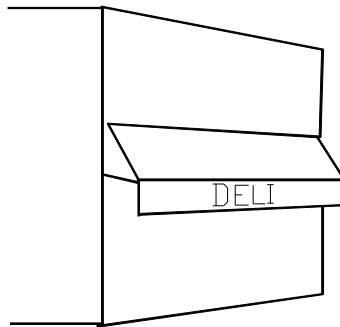


- b) A hanging sign is also a wall sign. A hanging sign is suspended from a simple bracket attached to a building wall and requires 8 or more feet of vertical clearance from the ground.

It is most appropriately used along pedestrian-oriented streets to identify attached or closely spaced shops, restaurants, and service businesses. Only one hanging sign is permitted per building or business bay (in a multi-tenant building). The sign face area does not include the area of the bracket. A hanging sign may project no more than 5 feet from the building wall. It may project up to 5 feet over a sidewalk in a town maintained right-of-way (or state ROW if permitted). However, in any case the sign shall not be closer than 3 feet to a power or other utility line or the outside edge of street pavement.



c) A canopy or awning sign is sign copy applied directly onto a canopy or awning.



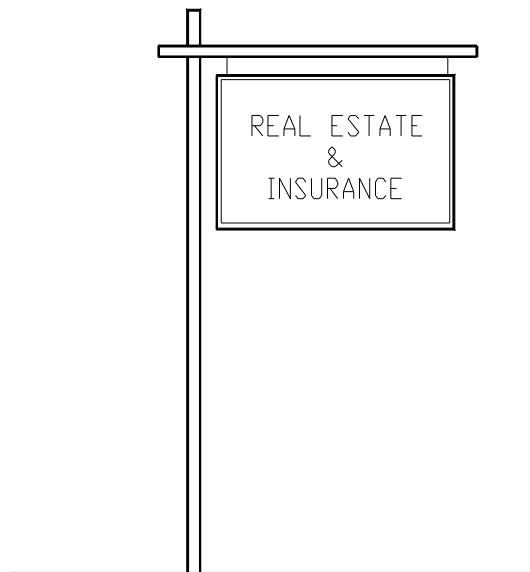
.2 Ground Mounted Signs

Ground mounted signs are defined as follows:

- a) A monument sign is mounted generally flush with the ground plane. It may not be mounted on a pole or pylon, nor raised by mounting on a man-made berm, wall, or similar structure. Supporting elements may not exceed three feet in height and are included in measurement of sign height.



- b) A raised sign may hang from a pole and beam frame as illustrated below, or be placed within a frame mounted on up to two supporting poles.



9-3096 Sign Measurement

- .1 Sign Face Area: the area within a single, continuous perimeter enclosing the characters, lettering, logos, illustrations, and ornamentation, together with any material or color forming an integral part of the display or used to differentiate the sign from the background against which it is placed.
- .2 Sign Height: the distance from the ground plane beneath the sign to the highest point of the sign's frame. Ornamentation atop signs, such as small caps and spires, are not included in the height measurement.

9-3097 Permanent Signs Requiring a Permit

9-3097.1 On-Premise Signs are allowed, as indicated in the chart below

<p align="center">CIVIC BUILDINGS IN ANY DISTRICT</p> <p align="center">Wall Mounted Sign</p> <p>1 square foot of sign surface area for every linear foot of building frontage up to a maximum of 75 square feet</p> <p align="center">Ground Mounted Sign (Only Monument Style Permitted)</p> <p>Maximum Number: 1 per street front Maximum Area: 32 square feet Maximum Height: 10 feet Setback: Must be setback at least 10 feet from any right-of-way or property line.</p> <p>Government buildings, religious institutions, public service clubs, and schools are examples of Civic Buildings. Public safety buildings & hospitals may erect a monument sign with a surface area up to 400 square feet upon recommendation by the Planning Board and approval by the Council.</p>	<p align="center">ANY BUILDING TYPE IN A MIXED USE DISTRICT EXCEPT A SINGLE-FAMILY HOUSE (B-1, B-3, O-I, FP)</p> <p align="center">Wall Mounted Sign</p> <p>For single-story buildings, 1 square foot of sign surface area for every linear foot of building frontage up to a maximum of 50 square feet</p> <p>For multi-story buildings, 1.5 square feet of sign surface area for every linear foot of building frontage up to a maximum of 75 square feet</p> <p align="center">Ground Mounted Sign (Only Monument Style Permitted)</p> <p>Maximum Number: 1 per street front Maximum Area: 32 square feet Maximum Height: 8 feet Setback: Must be setback at least 10 feet from any right-of-way or property line.</p> <p>Note: Ground mounted signs are not permitted in the B-1 Central Business District</p>
<p align="center">ANY BUILDING TYPE IN A COMMERCIAL DISTRICT EXCEPT SINGLE- FAMILY HOUSE (B-2, M-1)</p> <p align="center">Wall Mounted Sign</p> <p>10% of any wall face area fronting a street, up to a maximum of 50 square feet. Each secondary business is allowed Secondary Business Sign (<i>defined in Section 9-3106</i>), up to a maximum area of 32 square feet. Notwithstanding the above, the total area of all wall mounted signs shall not exceed 10% of the applicable wall face area.</p> <p align="center">Ground Mounted Sign (Only Monument Style Permitted)</p> <p>Maximum Number: 1 per street front Maximum Area: 100 square feet Maximum Height: 12 feet Setback: Must be setback at least 10 feet from any right-of-way or property line.</p>	<p align="center">PLANNED DEVELOPMENT ENTRANCE SIGN</p> <p>Maximum Number: 1 per street front; 2 sign faces may be used with a wall, fence, or other architectural entrance feature</p> <p>Maximum Area: 24 square feet Maximum Height: 8 feet</p> <p>(permitted for all-residential, mixed use, and non-residential projects of 10 acres or more)</p> <p>Limited to name and/or logo</p>

9-3097.2 Permanent Off-Premise Signs Limited to Non-Commercial Public Service Directional Signs

For the purpose of directing the public-at-large to non-commercial community facilities of general interest, permanent off-premise directional signs may be erected in addition to signs otherwise permitted in these regulations.

- .1 Non-Commercial Public Service Directional Signs are permitted subject to the following standards:
 - a) The community facility is open to the general public and operated by a non-commercial civic, charitable, religious, community, or similar organization.
 - b) No more than 2 directional signs shall be erected for each facility.
 - c) Signs may not exceed 4 square feet in area nor 5 feet in height.
 - d) Signs may be placed no more than one mile from the subject property.
 - e) Along state roads, such signs shall be located outside of the right-of-way or farther than 11 feet from the edge of any public street, whichever distance from edge of pavement is greater; signs shall not violate the sight distance triangle requirements of this ordinance.
 - f) Along town maintained roads, such signs shall be located outside of the right-of-way or farther than 11 feet from the edge of any public street, whichever distance from edge of pavement is greater; signs shall not violate the sight distance triangle requirements of this ordinance.
 - g) No sign shall be placed on private property without the written consent of the property owner on the permit application.
 - h) Every Non-Commercial Public Service Directional Sign shall be separated by a distance of 400 feet from any other such sign on the same side of the street, and by a distance of 200 feet from any other such sign on the opposite side of a street.

9-3097.3 Subdivision, Multi-family, and Manufactured Home Park Signs

At any entrance to a residential subdivision, multi-family development or manufactured home park, a maximum of two signs identifying the subdivision, development or park are permitted. The sign face area of each sign shall not exceed 16 square feet.

9-3098 Temporary Signs Requiring a Permit
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The following temporary signs shall be allowed subject to the standards below, in lieu of on-site real estate or construction signs.

- .1 Temporary Planned Development Signs, provided:
 - a) Only one primary sign and two secondary signs shall be allowed per street front of development.

- b) The maximum sign face area of a primary sign shall not exceed 32 square feet; height of ground mounted signs shall not exceed 6 feet.
- c) The maximum sign face area of secondary signs shall not exceed 12 square feet; height of ground mounted signs shall not exceed 6 feet.
- d) Only one permit shall be required for all temporary planned development signs for each planned development. Permits shall be valid until a project is completed or two years, whichever comes first. Completion shall be evidenced by the issuance of all certificates of occupancy for a development by the Building Inspections Department. If a project is not completed in two years, a new permit must be obtained. However, in no instance shall more than 2 permits be issued for a development. Additional permits shall not allow secondary signs. All secondary signs shall be removed when the first permit issued expires.
- e) Temporary directional signs within a planned development, but not visible from the road(s) fronting the overall development, shall be permitted so long as such signs do not exceed 12 square feet in sign area, 6 feet in height, and are removed upon completion of the portion of the project to which the signs are giving direction.

9-3099 Temporary Off-Premise Signs Requiring Approval
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The following temporary off-premise signs are permitted subject to the standards below.

- .1 Temporary off-premise signs or banners for special community events, open to the general public and sponsored by non-commercial civic, charitable, community, or similar organizations, provided:
 - a) At least five business days before signs are to be posted, the designated representative of the sponsoring group shall provide a sign installation and removal plan for review by the Zoning Enforcement Officer, who shall grant written permission for signs to be posted if the standards below are met.
 - b) **Signs or banners shall be located outside of the public right-of-way** or farther than 11 feet from the edge of any public street, whichever distance from edge of pavement is greater; signs shall respect the sight distance triangle.
 - c) Signs or banners may be posted up to 14 days before the event and must be removed within 7 days following the event.
 - d) Every temporary off-premise sign or banner shall be separated by a distance of 400 feet from any other such temporary off-premise sign on the same side of a street, and by a distance of 200 feet from any other sign on the opposite side of a street.
 - e) Nothing in this provision shall be construed to authorize the posting of such signs or banners upon trees, utility poles, traffic control signs, lights or devices in any place or manner prohibited by the provisions herein, nor on private property without written consent of the owner.
- .2 Real estate signs not exceeding a total of 2 square feet in sign face area shall be permitted.

- .3 Temporary cross-street banners for community events as may be approved by the Town Manager and installed by town personnel, according to policies established by the Town Council.

9-3100 Signs Permitted without a Permit
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The following types of signs are exempt from permit requirements and allowed in all zones, but shall be in conformance with all other requirements of this ordinance.

- .1 Memorial signs, plaques, or grave markers.
- .2 Public interest signs.
- .3 Public information kiosks on public or private property, subject to design approval by the Town Council and written permission of the owner of property upon which the kiosk is to be placed.
- .4 On premises directional and instructional signs not exceeding 6 square feet in area, unless such sign is a monument sign, in which case it may not exceed 9 square feet. Maximum height: 4 feet.
- .5 Identification signs not exceeding 1 1/2 square feet in area that indicate the name and/or address of the occupant. Maximum height: 4 feet.
- .6 Window signs with a total copy area not exceeding 50 percent of the window or glass door on which the sign(s) are located.
- .7 Incidental signs.
- .8 Flags on permanent poles.
- .9 Campaign or Election signs provided that:
 - a) Individual signs shall not exceed 32 square feet in area or 6 feet in height.
 - b) All signs shall be removed within 7 days after the election for which they were made.
 - c) No signs shall be permitted in the public right-of-way.
- .10 Real estate signs, other than the temporary signs described in Section 12.8.
 - a) Signs advertising a single family home or lot, a duplex, triplex, or quadriplex, or an individual unit within an attached housing development shall not exceed 6 square feet. Maximum height: 4 feet.
 - b) Signs advertising all other uses shall not exceed one square foot for every 5 linear feet of frontage of the advertised property, up to a maximum sign face area of 32 square feet and maximum height of 6 feet.
 - c) Only one sign per street front of the advertised property shall be erected.
 - d) Properties having a continuous frontage in excess of 850 linear feet may be allowed an additional sign so long as such sign is no closer than 850 feet from another real estate sign on the property.

- e) Signs shall not be illuminated.
- f) Signs shall be removed within 7 days after the sale is closed or rent or lease transaction is finalized.

.11 Construction signs, other than Temporary Planned Development Signs, Section 12.8, provided:

- a) Signs located on single family lots or duplex, triplex, or quadriplex lots shall not exceed 6 square feet in area. Rider signs not exceeding 2 square feet in area shall be permitted in addition to the 6 square feet. Maximum height: 4 feet.
- b) Signs for all other uses shall not exceed one square foot for every 5 linear feet of frontage of property under construction, up to a maximum sign face area of 32 square feet and a maximum height of 6 feet.
- c) Signs are confined to the site of construction.
- d) Only one sign per street front of the property under construction shall be erected.
- e) Signs shall not be illuminated.
- f) Signs shall be removed within 7 days after the completion of a project.

.12 Temporary farm products signs provided:

- a) Signs are located on the premises where the products are sold in conjunction with a bona fide farm use.
- b) Signs shall not exceed 32 square feet in area or 6 feet in height.
- c) Only one sign shall be erected.
- d) Signs shall be removed within 7 days of the termination of sale activities.

.13 Temporary special event signs or banners for religious, charitable, civic, fraternal, or similar organizations, provided:

- a) No more than one sign per street front shall be permitted per event.
- b) Signs shall be located on the property on which the event will occur.
- c) Signs shall not exceed 32 square feet in area or 6 feet in height.
- d) Signs shall be erected no sooner than 14 days before and removed 7 days after the event.

.14 Temporary banners in commercial and mixed use districts, provided:

- a) Only one banner per establishment shall be allowed at a time.
- b) All banners shall be attached in total to a building wall or permanent canopy extending from a building.
- c) No paper banners shall be allowed.
- d) Banners shall be erected for a period not to exceed 2 weeks.
- e) No more than 6 such signs per establishment shall be erected within a calendar year.
- f) No banner shall extend above the second occupiable floor level of a building.
- g) Banners displayed at the time of adoption of this ordinance are not excluded from the provisions above.
- h) All banners shall be considered temporary banners.

- .15 Public service and advertising signs in association with athletic fields. Signs may be attached to the interior face of any fence which encloses or partially encloses an athletic playing field upon the property of a school or public park subject to the following conditions:
- a) No sign face area shall be visible from any public street or from any abutting property in a residential or mixed use district.
 - b) No sign shall extend above the top of the enclosing fence.

9-3101 Master Signage Programs

Master signage programs provide latitude to develop appropriate signage designs for new or existing areas with special unifying features. Master signage programs require approval by the Town Council following review and recommendation by the Valdese Planning Board.

9-3101.1 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 Town Council. The Planned Development Flexibility Option is initiated by the developer by submission of a Master Sign Program to the Planning Director, who shall first place the request on the agenda of the Planning Board for a recommendation, and then on the agenda of the Town Council for approval, subject to the following:

- .1 The development shall be 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.
- .2 A Master Sign Program that includes the following information is submitted:
 - a) Detailed designs of all proposed signs including the size, height, copy, materials, and colors of such signs.
 - b) Proposed number and location of signs.
 - c) Sign Illumination Plans.
 - d) Plans for landscaping or architectural features to be used in conjunction with such plans.
- .3 The proposed signs meet the following criteria:
 - a) All signs are coordinated in terms of design features.
 - b) The maximum size of detached signs is not increased by more than 25%.
 - c) The number of detached signs along a street frontage does not exceed 3.
 - d) The maximum height of a detached sign does not exceed 12 feet.
 - e) Multi-information directional signs are no greater than 16 square feet and are located in the interior of a development.
 - f) Changeable copy highlighting special events on signs for cultural, civic, or recreational facilities shall not exceed 25% of the sign face area of a sign.

9-3102 Prohibited Signs

The following signs are prohibited in all zoning districts:

- .1 Signs extending into the public right-of-way other than those permanent signs approved by the Zoning Enforcement Officer of Valdese along town-maintained streets and the North Carolina Department of Transportation along State System Streets.
- .2 Roof signs.
- .3 Portable signs.
- .4 Flashing, fluttering, swinging, or rotating signs other than time and/or temperature signs and electronic scrolling signs.
- .5 Signs that are similar in color, design, and appearance to traffic control signs.
- .6 Vehicular signs as defined in Article H of this ordinance.
- .7 Off-premise signs, including Outdoor Advertising Signs. See Sections 9-3097.2 and 9-3099, special exceptions for certain non-commercial signs (Example: directional signs, real-estate directional signs, etc.). Town-owned directional signs are not prohibited by this Article.
- .8 Obsolete signs: signs that do not comply with the provisions of this ordinance and identify or advertise a use which has ceased operation for one year or more. Obsolete signs shall be removed.
- .9 Signs which use a series of two or more signs placed in a line parallel to a street or highway right-of-way, or similar fashion, all carrying a single advertising message, part of which is contained on each sign.
- .10 Other signs not expressly allowed by this ordinance.

9-3103 Application and Issuance of Sign Permits

9-3103.1 Application.

Applications for permits shall contain or have attached the following information:

- .1 The street name and street number of the building, structure or lot on which a sign is to be placed.
- .2 Names, addresses, and telephone numbers of the applicant, owner of the property on which the sign is to be erected or affixed, the owner of the sign, and the licensed contractor erecting or affixing the sign.
- .3 If the applicant is not the owner or lessee of the lot on which the sign will be located, written permission from the property owner or a designated representative stating agreement that the sign may be erected on the parcel for which the permit has been applied shall be required.
- .4 A site or plat plan of the property involved, showing accurate placement of the proposed sign, intended use(s) of the property, and zoning district designation.

- .5 Two (2) blueprints or inked, scaled drawings of the plans and specifications of the sign to be erected or affixed as deemed necessary by the Zoning Enforcement Officer. Such plans may include but shall not be limited to details of dimensions, materials, copy, and size of the proposed sign. For wall signs, dimensions of the building wall on which the sign is to be affixed and the location and size of existing wall signs shall also be included.
- .6 Address assignment. No permit for a sign shall be issued unless a street address has been assigned according to the requirements of the Town of Valdese or the Burke County 911 Address Ordinance, whichever is applicable.
- .7 Other information as the Zoning Enforcement Officer may require to determine full compliance with this and other applicable codes.

9-3103.2 Issuance of Permit.

Upon the filing of an application for a sign permit, the Zoning Enforcement Officer 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 permit will be issued. 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 or if the work authorized by it is suspended or abandoned for one year. The applicant shall be responsible for obtaining a building or electrical permit from the Building Inspection Department when required by applicable local and state codes.

9-3103.3 Fees.

To obtain a sign permit, all fees, in accordance with the requirements of the permitting agency, shall be paid.

9-3103.4 Completion of Construction.

The permit holder shall notify the Town of Valdese upon completion of construction and installation of any sign for which a permit is required.

9-3104 Unlawful Cutting of Trees or Shrubs

No person may, for the purpose of increasing or enhancing the visibility of any sign, damage, trim, destroy or remove any trees, shrubs or other vegetation located:

- .1 Within the right-of-way of any public street or road, unless the work is done pursuant to the express written authorization of the Town or other agency having jurisdiction over the streets.
- .2 On property that is not under the ownership or control of the person doing or responsible for such work, unless the work is done pursuant to the express authorization of the person owning the property where such trees or shrubs are located.

- .3 In any areas where such trees or shrubs are required to remain under a permit issued under this Ordinance.

9-3105 Nonconforming Signs

Subject to the remaining restrictions of this section, nonconforming signs that were otherwise lawful on the effective date of this Article may be continued provided they conform to the following provisions:

- .1 No person may engage in any activity that causes an increase in the extent of nonconformity of a nonconforming sign. Without limiting the generality of the foregoing, no nonconforming sign may be enlarged or altered in such a manner as to aggravate the nonconforming condition. Nor may illumination be added to any nonconforming sign.
- .2 A nonconforming sign may not be moved or replaced except to bring the sign into complete conformity with this Article.
- .3 If a nonconforming sign is destroyed by natural causes, it may not thereafter be repaired, reconstructed or replaced except in conformity with all the provisions of this Article, and the remnants of the former sign structure shall be cleared from the land within 30 days of destruction. For purposes of this section, a nonconforming sign is "destroyed" if it is damaged to the extent that the cost of repairing the sign to its former stature or replacing it with an equivalent sign equals or exceeds the value (tax value if listed for tax purposes) of the sign so damaged.
- .4 The message of a nonconforming sign may be changed so long as this does not create any new nonconformities (for example, by creating an off-premise sign under circumstances where such a sign would not be allowed).
- .5 If a nonconforming sign other than a billboard advertises a business, service, commodity, accommodation, attraction or other enterprise or activity that is no longer operating or being offered or conducted, that sign shall be considered abandoned and shall be removed within 30 days after such abandonment by the sign owner, owner of the property where the sign is located or other party having control over such sign.
- .6 If a nonconforming billboard remains blank for a continuous period of 180 days, that billboard shall be deemed abandoned and shall, within 30 days after such abandonment, be removed by the sign owner, owner of the property where the sign is located or other person having control over such sign. For purposes of this section, a sign is "blank" if:
 - a) It advertises a business, service, commodity, accommodation, attraction or other enterprise or activity that is no longer operating or being offered or conducted; or
 - b) The message displayed becomes illegible in whole or substantial part; or

- c) The advertising copy paid for by a party other than the sign owner or promoting an interest other than the rental of the sign has been removed.

9-3106 Sign Definitions

For the regulation of signs according to this ordinance, the following words and phrases shall be defined as specified below.

Amortization. A provision requiring nonconforming signs to either become conforming or be removed within a set period of time, otherwise known as the amortization period.

Awning. A structure made of cloth, metal, or other material affixed to a building in such a manner that the structure may be raised or retracted from a building to a flat position against the building, but not a canopy.

Building Wall. The entire surface area, including windows and doors, of an exterior wall of a building. For the purposes of this ordinance, the area of a wall will be calculated for only the first three stories, or 45 feet in height of a building, whichever is less.

Canopy. A permanent structure, not enclosed and not retractable, attached or unattached to a building, for the purpose of providing shelter to patrons or motor vehicles, or as a decorative feature on a building wall.

Changeable Copy. Copy that is or can be changed in the field, either manually or through mechanical means; e.g., reader boards with changeable letters.

Commercial Message. A message placed or caused to be placed before the public by a person or business enterprise directly involved in the manufacture or sale of the products, property, accommodations, services, attractions, or activities that are offered or exist for sale or for hire.

Copy. Any words, letters, numbers, figures, characters, symbols, logos, or insignia that are used on a sign display surface area.

Farm Product Sales. Seasonal sale of farm products raised on the premises where products are sold only as an accessory to an agricultural use.

Grade. The height of the top of the curb, or if no curb exists, the height of the edge of pavement in the lane of travel adjacent to the sign.

Linear Frontage. The length of a property abutting a public right-of-way from one side lot line to another.

Logo. A business trademark or symbol.

Out parcel. A parcel of land associated with a shopping center or multi-tenant development, which is designated on an approved site plan as a location for a free standing structure with an intended use such as, but not limited to, banks, savings and loans, dry cleaners, service stations, offices, restaurants, retail establishments, or combination of uses thereof, and adjoins the shopping center or multi-tenant development, or the parking and service drives associated with it, on any side adjacent to a public right-of-way.

Parapet. A low wall encircling the perimeter of a flat building roof, generally used to screen

roof-mounted mechanical equipment.

Planned Development. A tract of land under single, corporation, partnership, or association ownership, planned and developed as an integral unit in a single development operation or a definitely programmed series of development operations and according to an approved development plan (according to Article I).

Premises. A parcel of real property with a separate and distinct identifying number shown on a recorded plat, record of survey, parcel map, subdivision map, or a parcel legally created or established pursuant to applicable zoning. Out parcels of shopping centers shall be considered on the premises of the shopping center for the purpose of this ordinance.

Roof Line. The highest point of a flat roof or mansard roof, and the lowest point of a pitched roof, excluding any minor projections or ornamentation.

Sight Distance Triangle. The triangular area formed by the point of intersection of two street right-of-way lines and a point located along each right-of-way line at a distance of 35 feet from the point of intersection.

Sign. Any object, devise, structure, or part thereof, situated outdoors, which is used to advertise, identify, display, direct, or attract attention to an object, person, institution, organization, business, product, service, event or location by any means, including words, letters, figures, designs, symbols, fixtures, colors, illumination, or projected images. Signs do not include the flag or emblem of any nation, organization of nations, state, city, or any fraternal, religious, or civic organizations; works of art which in no way identify an object, person, institution, organization, business, product, service, event or location by any means; or scoreboards located on athletic fields.

Sign Structure or Support. Any structure that supports or is capable of supporting a sign.

Sign Types. The following are types of signs included in this ordinance.

Banner. A sign intended to be hung, with message or symbol applied to plastic or fabric of any kind, but excluding flags or emblems of any nation, organization of nations, state, city, or any fraternal, religious, or civic organization.

Bulletin Board. A sign used to announce meetings or programs to beheld on the premises of a church, school, auditorium, library, museum, community recreation center, or similar noncommercial place of public assembly.

Business Sign. A sign that directs attention to a business, to a product sold, manufactured, or assembled, or to services or entertainment offered upon the premises where the sign is displayed; but not a sign pertaining to the preceding if such activity is only minor and incidental to the principal use of the premises.

Campaign or Election Sign. A sign that advertises a candidate or issue to be voted upon on a definite election day.

Canopy and Awning Signs. A sign attached to or painted or printed onto a canopy or awning. The permitted size of a canopy or awning sign will be calculated on the basis of the size of the building wall to which the canopy is attached. It will, for measuring purposes, be considered a wall sign.

Construction Sign. A sign placed at a construction site identifying or announcing the project or the name of the architect, engineer, contractor, financier, or others involved in the development of the project.

Detached Sign. Any sign that is not affixed or attached to a building and is securely and permanently mounted in the ground. Such sign may be a ground mounted sign, or monument sign.

Directional or Instructional Sign. An on-premises sign designed to guide vehicular and/or pedestrian traffic by using such words as "Entrance," "Exit," "Parking," "One-Way," or similar direction or instruction, but not including any advertising message. The name or logo of the business or use to which the sign is giving direction may also be included on the sign.

Directory Sign. A sign which identifies multiple uses in a planned development on a single sign; may be used for shopping centers, shopping streets or arcades, office complexes, schools, churches, institutional or business campuses, and similar large complexes which have a variety of tenants and/or uses.

Ground Mounted Sign. A sign which extends from the ground or which has a support which places the bottom thereof less than 3 feet from the ground.

Government Sign. Any temporary or permanent sign erected and maintained for any governmental purposes.

Flag. A piece of durable fabric of distinctive design attached to a permanent pole, that is used as a symbol or decorative feature.

Flashing Sign. A sign that uses an intermittent or flashing light source to attract attention.

Identification Sign. A sign which displays only the name, address, and/or crest, insignia, trademark, occupation or profession of an occupant, or the name of any building on the premises.

Incidental Sign. A sign used in conjunction with equipment or other functional elements of a use or operation. These shall include, but not be limited to drive-through-window menu boards; signs on automatic teller machines, gas pumps, or vending machines; or newspaper delivery boxes.

Memorial Sign or Plaque. A sign designating the name of a building and/or date of erection and other items such as architect, contractor, or others involved in the building's creation, cut into or attached to a building surface.

Monument Sign. A monolithic sign in which the bottom of the sign is flush with the ground.

Nonconforming Sign. Any sign which was lawfully erected in compliance with applicable code provisions and maintained prior to the effective date of this ordinance, and which fails to conform to all applicable standards and restrictions of this ordinance.

Off-Premises Sign. A sign that directs attention to a business, commodity, or service,

conducted, sold, or offered at a location other than the premises on which the sign is erected.

On-Premises Sign. A sign that directs attention to a business, commodity, or service, that is conducted, sold, or offered on the premises on which the sign is erected.

Outdoor Advertising Sign. A type of sign, generally, but not always, consisting of a rigidly assembled sign, display, or device, usually free standing, that is affixed to the ground or to a building, the primary purpose of which is to display advertising posters. Such signs, commonly referred to as "billboards," are generally designed so that the copy or poster on the sign can be changed frequently and the advertising space is for lease.

Planned Development Sign. A sign used in conjunction with an approved planned residential, office, business, industrial, or mixed use development.

Portable or Movable Sign. A sign that is not permanently attached to the ground, a structure, or a building, and which can easily be moved from one location or another, for example, a sign on wheels.

Projecting Sign. A sign which is affixed to a building and supported only by the wall on which it is mounted; considered a wall sign for purposes of this ordinance.

Public Interest Sign. A sign on private property that displays information pertinent to the safety or legal responsibilities of the general public such as warning and no trespassing signs.

Real Estate Sign. A sign that is used to offer for sale, lease, or rent the premises upon which such sign is placed.

Primary Sign. The main or principal sign located on the premises.

Roof Sign. A sign erected or maintained in whole or in part upon or over the roof or parapet of a building.

Secondary Business Identification Sign. An auxiliary wall sign, the purpose of which is to identify a business which is housed in the same structure as the principal business, but which is clearly subordinate to, and has separate ownership, management, and operation from, the principal business which occupies the building.

Secondary Sign. A sign used in addition to a primary sign on a premises.

Temporary Sign. A sign which is not permanently installed in the ground or affixed to any structure or building, and which is erected for a period of time as permitted in this ordinance.

Temporary Planned Development Sign. A sign that pertains to the development of a new commercial, residential, or mixed use development while it is under construction.

Vehicular sign. Signs on parked vehicles visible from the public right-of-way where the primary purpose of the vehicle is to advertise a product or to direct people to a business or activity located on the same or nearby property. For the purposes of this ordinance, vehicular signs shall not include business logos, identification or advertising on vehicles primarily used for other business purposes.

Wall Sign. Any sign directly attached to an exterior wall of a building or dependent upon a building for its support. Signs directly painted on walls shall be considered wall signs.

Window Sign. Any sign attached to or directly applied onto a window or glass door of a building intended for viewing from the exterior of the building.

Sections 9-3107 to 9-3110 reserved