

Part 9

SIGNS

Section 9.1 General Intent

The purpose and intent of this Part is to support and complement the various land uses allowed in Lincolnton and its extraterritorial area by the adoption of policies and regulations concerning the placement of signs.

The Lincolnton City Council does hereby find and declare: (i) that outdoor placement of signs to be a necessary means of communication to the public and a necessary accessory use of many principal uses, but, that the erection of signs should be controlled and regulated in order to: (i) promote the health, safety, welfare and convenience and enjoyment of travel on and protection of the public investment in streets and roads in the Lincolnton area, and (ii) to promote the reasonable, orderly and effective display of such signs, displays and devices. It is also the intent of this Ordinance to prevent signs from dominating the visual appearance of the area in which they are located.

Section 9.2 Sign Illumination

1. The letter "N" means that the sign shall not be lighted.
2. The letter "L" means that the sign may be illuminated.
3. All lighted signs shall have their lighting from an internal source or directed in such a manner as to illuminate only the face of the sign.

Section 9.3 Unsafe Signs

Any sign which is determined by the Administrator as being insecure, in danger of falling or otherwise endangering the public safety shall be immediately removed by the property owner unless it is repaired and made to otherwise comply with the requirements of this Ordinance.

Section 9.4 Sign Area

Sign area shall be deemed to be the area within a single, continuous perimeter enclosing the extreme limits of characters, lettering, logos, illustrations, or ornamentations, together with any material or color forming an integral part of the display or to differentiate the sign from the background to which it is placed. Structural supports bearing no sign copy shall not be included in the sign area. If a sign is attached to an entrance wall or fence, only that portion of that wall or fence onto which the sign face or letters are placed shall be calculated in the sign area. Only one side of a sign shall be included in the calculation.

Section 9.5 Sign Height

The height of a sign shall be measured from the highest point of a sign to the average ground surface grade immediately below it.

Section 9.6 Permit Required And Code Compliance

Except as otherwise provided in this Ordinance, it shall be unlawful for any person to erect, 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 Administrator as required by the Ordinance.

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

All signs requiring a permit shall be installed in accordance with the North Carolina Building and Electrical Codes.

Section 9.7 Signs Not Requiring Permit

The following types of signs are exempted from permit requirements of Section 9.6 of this Ordinance and may be placed in any zoning district. Such signs shall be in conformance with any applicable requirements contained in this Ordinance. There shall be no limit to the number of such signs on any lot, except as herein prescribed. All such signs (except government signs) shall be located outside a road right-of-way.

- a. Government signs.
- b. Memorial signs, plaques or grave markers that are noncommercial in nature.
- c. Public Interest signs.
- d. On-premise instructional signs not exceeding four (4) square feet in area apiece.
- e. Identification signs not exceeding three (3) square feet in area (one (1) only per premises).
- f. Incidental signs.
- g. Campaign and election signs provided that:
 - 1. Each sign shall not exceed thirty-two (32) square feet in area.
 - 2. All such signs shall be removed within seven (7) days after the election for which they were made.
 - 3. Property owner shall be held responsible for violators.
- h. Temporary real estate signs advertising specific property for sale, lease, rent or development shall be located as follows:
 - 1. One sign advertising real estate "For "Sale", "For Rent", "For Lease" or "For Development" not greater than ten (10) square feet in area in all Residential (R) Districts and sixty-four (64) square feet in area in nonresidential districts may be located on the property being advertised provided said sign is located behind the street right-of-way line. If the property so advertised lies on a corner lot, then a second sign may be permitted so long as said signs are at least four hundred (400) feet apart as measured by the shortest straight line.

2. In addition to the on-site sign(s), a maximum of three (3) directional signs, each not exceeding two (2) square feet in area, shall be permitted to be located off the subject premises. The message of said signs shall be limited to the name of the property or development being advertised, a directional arrow, mileage to the subject property, and the type of offering.
 3. All such temporary signs shall be removed within seven (7) days after the property has been sold, rented, leased, etc.
 4. No more than three (3) temporary directional signs advertising a specific shopping center, planned mixed-use development, subdivision etc. may also be permitted off-site. Each such sign shall be no greater than three (3) square feet in area.
- i. Permanent subdivision identification signs not exceeding eighteen (18) square feet.
 - j. Construction signs provided that:
 1. Signs in conjunction with any single-family residential use or duplex shall not exceed ten (10) square feet apiece.
 2. Signs in conjunction with all other uses shall have a maximum area of fifty (50) square feet apiece.
 3. Only one (1) sign per premises shall be erected.
 4. Signs shall not be illuminated.
 5. Signs shall only appear at the construction site.
 6. Signs shall be removed within seven (7) days after the completion of the project.
 - k. Temporary farm products signs provided that:
 1. Only one sign per premises shall be erected.
 2. Such signs shall be located on the premises where the products are sold.
 3. Signs shall not exceed twenty (20) square feet in area.
 4. Signs shall be removed within seven (7) days of the termination of sale activities.
 - l. Temporary special event signs or banners for religious, charitable, civic, fraternal or similar organizations provided that:
 1. Signs shall be erected no sooner than thirty (30) days before and removed no later than five (5) days after, the event.
 2. All signs shall be located on private property except such signs may be located within a road right-of-way subject to City Council approval or on other public property subject to approval of the Governing Board of the public entity owning such property.
 3. Portable signs for such use may be allowed.

- m. Temporary paper or cardboard signs attached to the inside of windows of occupied commercial uses provided such signs do not cover more than seventy (70) percent of the window area of the side of the building on which the signs are attached.
- n. Other temporary banners in nonresidential districts, provided that:
 - 1. One banner per nonresidential use shall be allowed provided that each banner is located 5 feet from a street right-of-way and out of the sight triangle. Banners must not be larger than twenty-four (24) square feet in size.
 - 2. Such temporary banners are not permitted in the Central Business District. Banner regulations in the Central Business are addressed in Subsection 9.13.3 of this Ordinance.
 - 3. No banners shall extend above the second floor level of a building.
- o. One (1) on-premise and three (3) off-premises yard sale signs per yard sale. All such signs shall be removed within twenty-four hours after the yard sale has been terminated. The maximum area of each sign shall be three (3) square feet.
- p. Directional signs provided that:
 - 1. Such signs may only be used in conjunction with a religious, charitable, civic, fraternal and similar organization or an industrial/office park, lodging facilities or similar activity.
 - 2. No more than three (3) directional sign per principal use may be erected.
 - 3. All such signs shall be located at least five (5) feet from the edge of a road right-of-way.
 - 4. All such signs greater than three (3) feet in height as measured from the grade of the road upon which it fronts shall be located outside the required sight triangle as defined in Part 4 of this Ordinance.
 - 5. All such signs shall not be illuminated.
 - 6. All directional signs shall be freestanding signs. Portable signs shall be prohibited.
 - 7. There shall be no greater than four (4) directional signs on separate supports at the intersection of any two (2) roads.
 - 8. More than one sign may be placed on the same supports.
 - 9. No two (2) directional signs hung from separate supports shall be located within five (5) feet of each other.
 - 10. The maximum area of any directional sign shall be (six) 6 square feet.
- q. Off premise temporary special event signs provided that:
 - 1. No more than four (4) temporary signs per event may be erected.
 - 2. All such signs shall be located at least five (5) feet from the edge of a street right-of-way.

3. Any such sign greater than three (3) feet in height as measured from the grade of the road upon which it fronts shall be located outside the required sight triangle as defined in Part 4 of this Ordinance.
4. All such signs shall not be illuminated.
5. There shall be no greater than four (4) signs on separate supports at the intersection of any two (2) roads.
6. The maximum area of any temporary special event sign shall be six (6) square feet.
7. Signs shall be erected no sooner than thirty (30) days before and removed no later than five (5) days after the event.

Section 9.8 Prohibited Signs

- a. Any sign which the Administrator determines to obstruct the view of motorists, bicyclists or pedestrians using any street or walkway, approach to any street intersection or ingress to or egress from any driveway or parking area, or which obscures or interferes with the effectiveness of any traffic sign.
- b. Illuminated, highly reflective signs or spotlights which the Administrator determines to hamper the vision of motorists or bicyclists.
- c. Signs, lights, rotating disks, words, and other devices that resemble traffic signals, traffic signs, or emergency vehicle lights.
- d. Signs, other than government signs, which contain lights, rotating disks, words and other devices not erected by a public authority that may be erroneously construed as government signs or emergency warning signs.
- e. Any exterior sign that interferes with free passage from or obstructs any fire escape, downspout, window, door, stairway, ladder, or opening intended as a means of ingress or egress or providing light or air.
- f. Any sign placed on any curb, sidewalk, post, pole, hydrant, bridge, tree, or other surface located on, over, or across any public street or right-of-way unless authorized by the City Council or the North Carolina Department of transportation.
- g. Any sign, other than a government sign, with visible moving parts either windblown or motorized except as provided in section 9.7, paragraph N of this Ordinance.
- h. Any sign located in such a way as to intentionally deny an adjoining property owner visual access to an existing sign.
- i. Flashing signs or any signs with flashing or intermittent light or lights or reflective devices of changing degree of intensity or color. Signs with devices which produce flashing light and signs which produce scrolled messages are prohibited, however, signs which give time and temperature are permitted, provided such messages are limited to only time and/or temperature. If a time and temperature sign alternates between a time message and a temperature message it shall continuously show one message a minimum of three (3) seconds time before switching to the other message.

- j. Portable signs (excluding temporary signs otherwise permitted in Section 9.7.1 of this Ordinance.)
- k. Vehicular signs.
- l. Advertising signs.
- m. Other signs not expressly permitted by this Ordinance.

Section 9.9 Signs Permitted in all Residential (R) Districts

Signs allowed without a permit are listed in Section 9.7 of this Ordinance. The following signs may be placed in such districts subsequent to the issuance of a permit by the Administrator. All other signs shall be prohibited.

- a. Signs on premises of multi-family developments and manufactured home parks, planned developments, and in the R-25 District Essential Services Class III and produce stands are regulated as follows:
 - 1. Types of sign permitted: Identification – ground mounted only
 - 2. Permitted number of signs: One (1) per premises per public street front
 - 3. Maximum area of signs: Twenty-six (26) square feet
 - 4. Permitted illumination: L, N
 - 5. Permitted height: Five (5) feet
- b. Signs on premises of day care centers, nursing home, rest homes and homes for the aged and public safety stations:
 - 1. Types of sign permitted: Identification – ground mounted, pole, or wall
 - 2. Permitted number of signs: One (1) per premises
 - 3. Maximum area of signs: Sixteen (16) square feet
 - 4. Permitted illumination: L, N
 - 5. Permitted height: Ground Mounted – five (5) feet; pole sign – six (6) feet; wall sign – height lowest roof eave
- c. Signs on premises of small ground day care centers and bed and breakfast inns are regulated as follows:
 - 1. Types of sign permitted: Identification – ground mounted, pole, or wall
 - 2. Permitted number of signs: One (1) per establishment
 - 3. Maximum area of signs: Six (6) square feet

4. Permitted illumination: L, N
 5. Permitted height: Ground Mounted – five (5) feet; pole sign – six (6) feet; wall sign – height lowest roof eave
- d. Signs on premises of churches, schools, country clubs and publicly or privately owned and operated outdoor recreation facilities:
1. Types of sign permitted: Identification and bulletin board; ground mounted, pole or wall
 2. Permitted number of signs: One (1) identification sign and one (1) bulletin board
 3. Maximum area of signs: Thirty-two (32) square feet for the identification sign; sixty-four (64) square feet for the bulletin board
 4. Permitted Illumination: L, N
 5. Permitted height: Five (5) feet
- e. Cemeteries:
1. Type of sign permitted: Identification – ground mounted only
 2. Permitted number of signs: One (1) identification sign per entrance
 3. Maximum area of signs: Twenty (20) square feet
 4. Permitted illumination: L, N
 5. Permitted height: Five (5) feet
- f. In the R-O or ROS Districts, offices; and any other nonresidential uses in Residential (R) Districts not otherwise covered in Section 9.9 of this Ordinance:
1. Type of sign permitted: Identification – ground mounted, pole, and wall
 2. Permitted number of signs: One (1) ground mounted or pole. Wall, no limit
 3. Maximum area of signs: Thirty-two (32) square feet for ground mounted, pole and wall
 4. Permitted illumination: L, N
 5. Permitted height: Five (5) feet for ground mounted, ten (10) feet for pole sign.

Section 9.10 Signs Permitted In The O-I, N-B, G-B, P-B and GMC Districts

9.10.1 The following are regulations for all wall signs and freestanding signs for all uses, provided however, these regulations shall not be applicable to freestanding signs in shopping centers, business parks, office buildings and other multi-tenant developments. Regulations for such uses are found in Section 9.10.2 of this Ordinance. Signs allowed without a permit are found in Section 9.7 of this Ordinance. All other signs shall be prohibited.

- a. Types of sign permitted: Business, identification
- b. Permitted number of signs: **Wall.** No limit Free-standing (pole or ground mounted): One (1) provided however, no free-standing sign shall be permitted if Section 9.13.2-d is applicable
- c. Maximum area of signs: **Wall.** A maximum of ten (10) percent of the wall area of any wall on the building. Except as provided in Section 9.12.1, in no instance shall any principal use be allowed to have an aggregate wall sign area in excess of one hundred (100) square feet

Freestanding. The area of the sign shall be based upon the classification of the road upon which the principal building containing the use being identified fronts. The following schedule shall apply:

Road Classification (In Accordance With The Lincolnton Thoroughfare Plan)	Maximum Sign Area (Sq. Ft.)
Major Thoroughfare	64
Minor thoroughfare	64
All Other Streets	32

- d. Maximum height: **Wall.** Signs shall not be allowed to extend above the parapet of the building

Freestanding. The height of freestanding signs shall be based upon the road on which the principal building containing the use being identified fronts. The following schedule shall apply:

Road Classification (In Accordance With the Lincolnton Thoroughfare Plan)	Maximum Sign Height
Major Thoroughfare	25 Feet
Minor Thoroughfare	25 Feet
All Other Streets	20 Feet

- e. Permitted illumination: L, N

9.10.2 Shopping center and Other Multi-tenant Freestanding Identification Signs.

- a. Types of sign permitted: Identification
- b. Permitted number of signs: A shopping center or planned mixed use development either of which contains two (2) or more non-residential uses located in a unified building or group of

buildings may have one (1) free-standing identification sign giving the name of the development and/or the name of the businesses and other uses occupying the development.

A second sign shall be permitted if the development has direct access from two (2) or more public streets. No other on-premise freestanding signs shall be permitted.

In lieu of allowing a second freestanding sign for the development, the developer shall have the option to increase the size of one freestanding sign on the property by 100 percent larger than what is required in section 9.10.1 c of this ordinance. This bonus shall only be available to class c shopping centers with four (4) or more tenants.

- c. Maximum area of signs: The maximum area of freestanding identification signs shall be as indicated in Section 9.10.1-c of this Ordinance.
- d. Permitted illumination: L, N
- e. Permitted height: The maximum height of the sign(s) shall be as indicated in Section 9.10.1-d of this Ordinance.
- f. Permitted location: If two (2) free-standing signs are located on the same premises, they shall be located at a minimum distance of one hundred (100) feet from each other as measured by the shortest straight line connecting each sign. All freestanding signs shall be located behind the street right-of-way.

Section 9.11 Signs Permitted in The C-B Central Business District and the C-BT Central Business Transitional District

Except as otherwise permitted by this ordinance, signs in the C-B and C-BT Districts shall be limited to wall signs and canopy or awning signs.

9.11.1 WALL SIGNS

<u>General Location</u>	<u>Specific Location</u>	<u>Maximum #</u>	<u>Maximum Area</u>	<u>Max. Hght.</u>
Facades facing a parapet Public street	Any location on building wall face	N/A	10 percent of the wall area, not to Exceed 100 sq. ft.	Not above of building
Facades facing an parapet Alley or parking lot	Any location on building wall face	N/A	8 square feet	Not above of building
Windows	First floor windows,	1	20% of total Window space	N/A

General Location	Specific Location	Maximum #	Maximum Area	Max. Hght.
Windows	Upper floor windows, if different business	1	50% of window	N/A
Outside entrance to upper floors	Above or beside entrance	1	8 sq. ft. above entrance; 2 sq. ft. beside entrance	N/A
Front of building feet	For historic plaques	1	4 square feet	6

9.11.2 Canopy and Awning Signs

A sign message on a canopy or awning shall contain only the name of the business, street address, and/or the type of business, type of goods sold, or services rendered.

- a. Each business is permitted up to one (1) sign hung under a canopy or awning provided the message on the sign is perpendicular to the building and the sign is at least eight and one half (8-1/2) feet above the surface of the sidewalk and is no more than three (3) square feet in size.
- b. A business is permitted to use up to one (1) canopy or awning sign provided that the sign message does not extend in any direction above, below or beyond the canopy or awning edge.

9.11.3 Temporary Commercial Advertising Banners

Temporary commercial advertising banners including grand opening, sale, going out of business and other similar commercial banners are permitted in the Central Business District subject to the following conditions:

- a. A temporary use permit must be secured from the Planning Department before such a banner is placed upon a premise.
- b. Such banners shall be placed upon a premise no longer than twelve weeks in a year. Permits may be issued in two-week increments (i.e. six permits per year) or any combination of time frames up to a continuous twelve-week provided that the total time a banner shall be displayed on a single premise shall not exceed twelve weeks per year. Permit applications shall be accompanied by a to scale rendering depicting the banner.
- c. Such banners shall be professionally prepared.
- d. Such banners shall be no larger than 32 square feet in size.
- e. Banners may be displayed at any location on the front façade of the premise on which it is located.
- f. A temporary use permit for a commercial advertising banner shall be issued only after the permit applicant has secured a bond payable to the City of Lincolnton in the amount of Fifty Dollars (\$50). If the banner is removed within the time frame for which it was permitted, the \$50 bond shall be refunded to the permit bearer. If the banner becomes a violation, the City shall redeem the \$50 bond.

9.11.4 Portable Sidewalk Signs

Notwithstanding the requirements of section 12.6, Obstructions (on streets and sidewalks) and Section 12.8, Placing Objects on Streets and Sidewalks, of the "Lincolnton Code of Ordinances" portable sidewalk signs (as defined in Section 4.2 of this ordinance) shall be permitted in the Central Business (CB) and CBT Districts provided that placement of such signs upon a street right-of-way or public property shall be approved by the City Council or its designee.

Section 9.12 Signs in the SH-Special Highway Overlay District

See Section 7.19.8 of this Ordinance.

Section 9.13 Specifications For Signs Requiring A Permit

The following are general specifications applicable to the various permitted signs. Additional specifications regarding size, number, location, and permitted types of signs are set forth in the individual zoning districts.

9.13.1 Wall Sign

- a. The maximum permitted aggregate area of wall signs per premises may be increased beyond that which is normally allowed using either (but not both) of the following methods (only number (2) of this subsection shall be allowed for business within shopping centers):
 - 1. If a freestanding sign is not used on the premises, the aggregate area of wall signs may be increased by twenty-five (25) percent per premises, provided however, no such increase shall be allowed in the C-B District.
 - 2. In the G-B and P-B Districts the aggregate area of all wall signs per premises may be increased based on the distance the principal building is set back from the required front setback line. Said increase shall be in accordance with the following Table provided however, any such increase shall not allow the aggregate sign size to exceed 10 percent (10%) of the front wall area of the premises to which the sign is located:

Principal Building Distance Setback From The Required <u>Front Setback</u>	Allowed Aggregate Area Wall Sign Area <u>Increase</u>
0 – 49 Feet	0 Percent
50 – 99 Feet	25 Percent
100 – 149 Feet	50 Percent
150 – 199 Feet	75 Percent
200 – 249 Feet	100 Percent
250 – 299 Feet	125 Percent
300 – 349 Feet	150 Percent
350 – 399 Feet	175 Percent
400 – Feet or More	200 Percent

- b. No wall sign shall project more than 18 inches from the building wall. Further, no wall sign or its supporting structure shall cover any window or part of a window.
- c. Canopy and awning signs may be substituted for part or all of the allowable wall signage per premises. Signs may be painted or printed onto a canopy or awning. In no instance shall no canopy or awning sign extend into a street right-of-way. This paragraph shall not apply to the C-B District. For canopy and awning sign regulations for the C-B District see Subsection 9.11.2.
- d. A projecting sign may be substituted for part or all of the allowable wall signage per premises. A projecting sign shall not project more than four feet from a building. Except as provided in 9.12.1-e of this Ordinance a projecting sign shall not extend into a street right-of-way.

- e. In the C-B District a projecting sign may extend over a public sidewalk by being attached to the building face, canopy or awning provided such sign is at least eight and one-half (8-1/2) feet above the surface of the sidewalk and is no more than three (3) square feet in size.

9.13.2 Free-Standing Signs

- a. All freestanding signs shall be located behind the street right-of-way. Any such sign greater than three (3) feet in height as measured from the grade of the road upon which it fronts shall be located outside the required sight triangle as defined in Part 4 of this Ordinance.
- b. The bottom of the sign face of any pole sign, which is located within five (5) feet of the street right-of-way, shall be at least ten (10) feet in height as measured from the grade.
- c. No freestanding sign shall be located closer than five (5) feet to any adjacent side lot line.
- d. A freestanding sign may only be located along (and visible from) a street from which the principal building containing the use being identified is set back at least fifteen (15) feet from the right-of-way of said street. If no such area exists on the premise then no freestanding sign may be erected.