

ARTICLE XIII

SIGNS

13-1 PURPOSE

The purpose and intent of this Article is to recognize that signs serve a legitimate public service and that they complement and support trade, tourism and investment within the Town of White Lake. These regulations are intended to establish standards which maximize the effectiveness of permitted signs while limiting visual distraction to motorists and preserving the land values and natural attractiveness of the area.

All signs except those specifically listed in Section 13-4 shall be erected, installed, or modified only in accordance with a duly-issued and valid zoning permit issued by the Zoning Inspector. Permits shall be issued in accordance with the requirements and procedures of Article IV, Permits and Procedures, and the submission requirements of Appendix 1. If plans submitted for a special use permit include sign plans in sufficient detail that the Board of Commissioners can determine whether the proposed sign(s) comply with the provisions of this Article, then issuance of the requested special use permit shall constitute approval of the proposed sign(s).

13-2 DEFINITIONS

Unless otherwise specifically provided, or unless clearly required by the context, the words and phrases defined in this Section should have the meaning indicated when used throughout this Ordinance.

(A) Sign

Any words, lettering, numerals, parts of letters or numerals, figures, phrases, sentences, emblems, devices, designs, or tradenames or trademarks by which anything is known (including any surface, fabric or other material or structure designed to carry such devices such as are used to designate or attract attention to an individual, firm, an association, a corporation, a profession, a business, or a commodity or product) which are exposed to public view and used to attract attention.

(B) Advertising Signs (Billboards)

A sign which publicizes and directs attention to a business, profession, commodity, activity, product, service or entertainment not conducted, sold or offered upon the premises where such sign is located.

(C) Animated Sign

Any sign which flashes, revolves, rotates or swings by mechanical means, or which uses a change of lighting to depict action, or to create a special effect or scene.

(D) Banner

A temporary sign of light weight fabric or similar material which is rigidly mounted to a pole or a building by a rigid frame at two or more edges. National, state or municipal flags, or the official flag of any institution or business shall not be considered banners.

(E) Building Marker

A sign indicating the name of a building and date and incidental information about its construction, which sign is cut into a masonry surface, or made of bronze or other permanent material.

(F) Canopy Sign

Any sign which is a part of or attached to an awning, canopy or other fabric-like or plastic protective structure which is extended over a door, window, or entranceway. A marquee is not a canopy.

(G) Commercial Message

Any sign wording, logo, or other representation that directly or indirectly, names, advertises, or calls attention to a business, product, service, or other commercial activity. This definition does not include company nameplates or logos on instructional signs.

(H) Construction Sign

A sign on a construction site during the period of construction on which is printed or written the name of the owner, developer, contractor, architect, planner, engineer, or development title.

(I) Electronically Controlled Message Sign

A sign on which the copy changes automatically on a lampbank, such that the message or display does not run continuously in the travel mode, and any message or display remains stationary for a minimum of two seconds. Any sign on which the message or display runs continuously in the travel mode and/or on which any message or display does not remain stationary for a minimum of two seconds shall be considered a flashing sign.

(J) Flashing Sign

A type of animated sign which contains an intermittent, blinking, scintillating, or flashing light source, or which includes the illusion of intermittent or flashing light, or an externally mounted intermittent light source. An electronic changeable copy sign is not a flashing sign.

(K) Freestanding Sign

Any sign which is supported by structures or supports which are placed on, or anchored in the ground, and which structures or supports are independent from any building or other structure.

(L) Governmental Sign

Any sign erected by or on behalf of a governmental body to post a legal notice, identify public property, convey public information, and direct or regulate pedestrian or vehicular traffic.

(M) Identification Sign

A permanent sign announcing the name of a subdivision, manufactured home park, campground/RV park, condominium, apartment or townhouse development, tourist cottage development, church, school, park or quasi-public structure or facility, and uses permitted in residential zoning districts.

(N) Incidental Sign

A sign which provides only information for the convenience and necessity of the public. Company logos may be displayed on such signs but must not occupy more than 25% of the sign area. Incidental signs include directories, entrance, exit and other necessary directional signs.

(O) Menu Sign

A permanent on-premises sign located at businesses which provide drive-up or drive-through services such as fast food restaurants, banks, laundries, etc. Menu signs shall be located so as not to create vehicle stacking problems which will interfere with the flow of traffic.

(P) Nonconforming Sign

Any sign which does not conform to size, height, location, design, construction, or other requirements of this Ordinance. The nonconformity may result from adoption of this Ordinance or any subsequent amendment.

(Q) On-Premises Sign

A sign which publicizes and directs attention to a profession, commodity, activity, product, service or entertainment conducted, sold or offered upon the premises where such sign is located. On-premises signs include pole and ground mounted signs.

(R) Portable Sign

A sign not permanently attached to any surface.

(S) Professional or Occupational Sign or Name Plate

A sign which publicizes and directs attention to a home occupation or to a profession.

(T) Projecting Sign

Any sign which is end mounted or otherwise attached to an exterior wall of a building which forms an angle with said wall.

(U) Real Estate Sign

A sign which advertises the sale, rent, or lease of property.

(V) Sign Area

The area of a sign shall be measured in conformance with the following:

- (1) The area of the face of a sign shall be calculated to include the outermost part which forms the shape or display. Necessary supports and trim moldings shall not be included when calculating the area of the sign. Aprons below advertising signs shall not exceed 3' in height. Aprons serve an aesthetic function and shall not be used for any purposes other than to identify, by name, the sign company responsible for the sign.
- (2) In computing the area of a sign, standard mathematical formulas for common regular geometric shapes (triangle, parallelogram, circle and ellipse, or combinations thereof) shall be used.
- (3) In the case of an irregularly shaped sign or a sign with letters and/or symbols affixed to or painted, displayed or incorporated into or upon a wall, canopy, awning or decorative facade of a building, the area of the sign shall be the area within the singular continuous perimeter, outlining the limits of the writing, representation, emblem, or any figure of similar character.
- (4) Back-to-back and V-type signs mounted so as to be connected and not spread more than 15 feet will be considered as one sign location when calculating horizontal separation between signs. Advertising signs (billboards) shall not be stacked, horizontally or vertically.

(W) Sign Height

The vertical distance measured from the ground elevation where the sign is located, to the highest point of the sign except as follows: When the ground elevation is different from the elevation of an adjacent street, the height of a sign shall be measured from the street elevation of the adjacent street, at the edge of the pavement.

(X) Temporary Signs

Temporary signs are those signs which relate to such events as elections, auctions, yard sales, agricultural production sales, annual charitable, civic or fraternal events, bona fide grand openings and home show openings.

(Y) Wall Sign

A sign which is attached to a wall or facade of a building or canopy.

(Z) Warning Sign

Any sign with no commercial message that displays information pertinent to the safety or legal responsibilities of the public such as signs warning of 'high voltage', 'no trespassing,' and similar directives.

13-3 SIGN STANDARDS

(A) Sufficient documentation shall be submitted to the Zoning Inspector for review to assure that wind and stress requirements have been met prior to any permit being issued for any sign containing over 100 square feet in area. Such documentation shall be signed and sealed by a registered North Carolina Architect or Engineer.

(B) All signs shall be installed and maintained in compliance with the North Carolina State Building Code and the National Electrical Code and shall have appropriate permits and inspections. Electrical signs and fixtures shall bear labels of a nationally accepted testing laboratory.

(C) All signs shall be maintained in a state of good repair and shall present a neat, well-kept appearance.

(D) All lights used for the illumination of a sign shall be shielded so that the light will not shine directly on surrounding areas or create a traffic hazard or distraction to operators of motor vehicles on the public thoroughfares. The Zoning Inspector shall have the power to order a change in the illumination of any sign that becomes a hazard or a nuisance.

(E) No illuminated sign, other than professional or occupational signs or nameplates, on-premises signs, incidental signs, or identification signs shall be permitted within 100 feet of any residential zoning district. Illuminated signs other than those listed above which are located within 300 feet of a residence or

residentially zoned district shall not be illuminated between the hours of 12 midnight and 6 a.m.

- (F) The Zoning Inspector or his authorized representative shall have the authority to order the painting, repair, alteration or removal of a sign, at the expense of the owner of such sign, which shall constitute a hazard to safety, health or public welfare by reasons of inadequate maintenance, dilapidation or obsolescence. The existence of a sign or its support structure with no message display for a period of 90 days, shall be justification to declare the sign abandoned and require its removal.
- (G) Any sign erected without proper permits or in violation of this Ordinance shall be brought into compliance within 30 days of notification by the Zoning Inspector or said sign shall be removed immediately.

13-4 EXEMPT SIGNS

The following listed signs are subject to all placement and dimensional requirements of this Section and shall comply with the North Carolina Department of Transportation sight distance and street rights-of-way clearances. The following listed signs shall, however, be exempt from permit and fee requirements. Exempt signs shall be maintained in good condition and shall not constitute a hazard to safety, health or public welfare. Exempt signs which are found to be in violation shall be ordered corrected or removed.

- (A) Any warning signs; utility signs; signs for public use; and no trespassing, no hunting, or neighborhood watch signs shall contain no commercial message.
- (B) Any sign that is required by law or erected at the direction of a governmental agency.
- (C) Signs erected to regulate traffic.
- (D) Mailboxes, house numbers, nameplates, and building markers not exceeding 4 square feet in area.
- (E) Religious symbols at a place of worship or at a church-owned or operated facility. Such symbols must meet all setbacks and lighting requirements for signs.
- (F) Construction signs having a maximum area of 32 square feet and a maximum height of 6 feet and limited to one sign per construction site per street frontage. Exempt construction signs must be removed within 15 days following the completion of the project.
- (G) Real estate signs having a maximum area of 4 square feet in residential zoning districts and 32 square feet in area and a height minimum of 6 feet in nonresidential districts. Real estate signs are limited to one per site or one per 300' of street frontage.

Temporary real estate signs associated with the marketing of a subdivision shall be limited to one sign per subdivision entrance and 32 square feet in area and 6

feet in height. This type of sign must be set back a minimum of 2 feet from all exterior property lines of the subdivision and shall remain clear of the street sight distance easement. An additional directory-type sign of the same dimension, height and setback requirements may be located within the interior of a subdivision. Real estate signs must be removed within 30 days following completion of the project or transaction.

- (H) Temporary signs shall not be placed more than 30 days prior to the event, election or grand opening and must be removed within 10 days following the event, election or grand opening. Such signs are limited to 32 square feet in area and 6 feet maximum height.

13-5 PROHIBITED SIGNS

The following signs shall not be permitted, erected or maintained within any zoning district in the White Lake planning and zoning jurisdiction:

- (A) Portable signs, including signs painted on or displayed on vehicles or trailers used to serve primarily as a sign, shall be prohibited except that portable signs used as temporary signs as defined in 13-2(X) and in compliance with 13-4(H) are permitted.
- (B) Signs erected, maintained, painted or drawn on any tree, rock or other natural feature.

The following signs shall not be permitted, erected or maintained within any zoning district in the White Lake planning and zoning jurisdiction **except** for the B district:

- (C) Signs with lights or illuminations which flash, move, rotate, scintillate, blink, flicker, vary in intensity, vary in color or use intermittent electrical pulsations, except for: time, temperature, date signs; traditional barber poles; and electronically controlled message signs.
- (D) Strings of light bulbs used in connection with commercial premises for commercial purposes other than traditional holiday decorations, during the appropriate holiday period.
- (E) Signs with moving, revolving or rotating parts, optical illusions or movement or mechanical movements by any description or other apparent movement achieved by electrical, electronic or mechanical means, except for time, temperature, date signs; traditional barber poles; and electronically controlled message signs.
- (F) Signs which extend vertically above the highest portion of the roof of any structure.

SIGN PLACEMENT, SIZE, HEIGHT, SETBACK, SEPARATION, CLEARANCES AND CONSTRUCTION BY SIGN TYPE**(A) Advertising Signs (Billboards)**

- (1) Maximum height: 35 feet. (In the event that unique conditions exist on a site which render the 35-foot maximum height requirement impracticable, the Board of Adjustment may, upon proper finding of facts, grant a height variance not to exceed a maximum height of 50 feet.)
- (2) Minimum separation from another billboard: 750 feet measured along the same side of the street and 300 feet radius along an intersecting or adjacent street.
- (3) Signs located within B zoning districts shall maintain a minimum separation of 100 feet from any residential zoning district boundary.
- (4) Maximum sign size:
 - (a) 672 square feet in area.
 - (b) 14 feet in height, 48 feet in width.
 - (c) Top outs and side outs are permitted in addition to the above sign area dimensions. Top outs and side outs shall be confined to the immediate plane of the sign and may extend above and/or to the side of the sign face a maximum of two feet. Top outs and side outs shall not exceed a total of 32 square feet in area.
- (5) Minimum setback from the street right-of-way: 6 feet.
- (6) Minimum separation from other structures and side or rear property lines: 6 feet.
- (7) Minimum separation from utility lines shall be in compliance with the requirements of the utility having jurisdiction.
- (8) All structures, blank surfaces, backs and supports shall be uniformly painted in a neutral finish when exposed to any street and shall be maintained in good repair.
- (9) Minimum requirements contained within the North Carolina Outdoor Advertising Control Act (North Carolina General Statute 136-126 et seq.) which are more stringent or in addition to those contained in this Section shall apply.

(B) On-Premises Signs (freestanding pole or ground mounted on-premises signs)

- (1) Maximum height: 35 feet.

- (2) Maximum Sign Size: 200 square feet of sign area per adjoining public street frontage. Maximum sign size is a cumulative total and shall not exceed 200 square feet in area when multiple displays are used on a single support.
- (3) Maximum number of freestanding or ground mounted on-premises signs per parcel: 1 sign per adjoining public street frontage.
- (4) Minimum separation from rights-of-way, property lines and structures: 6 feet.
- (5) Minimum separation from utility lines shall be in compliance with the requirements of the utility having jurisdiction.
- (6) No unfinished surfaces or structures shall be exposed on on-premises signs.

(C) Wall Signs (including canopy, awning and building facade signs)

- (1) Maximum area: 1 square foot of sign area per linear foot of building, canopy or awning per building side. Sign footage permitted per building side may not be used on other than that building side (no transfers or cumulative totals).
- (2) Minimum guaranteed wall signage area at any individual premises is 32 square feet.
- (3) The maximum projection of a wall sign shall not exceed 12 inches.
- (4) The height of a wall sign shall not exceed the height of the building or canopy facade.

(D) Professional or Occupational Name Plates and Incidental Signs

- (1) Maximum sign area: 6 square feet.
- (2) Maximum height: 30 inches if ground mounted, signs in this category may also be mounted against the structure.
- (3) Minimum setback from all property lines: 2 feet.
- (4) Maximum number of signs per business establishment: 1

(E) Identification Signs

- (1) Maximum sign area: 50 square feet.
- (2) Maximum height: 6 feet.
- (3) Minimum setback: 6 feet from all property lines.

(4) Maximum number of signs per adjoining street frontage: 1.

(F) Menu Signs

(1) Maximum sign area: 45 square feet.

(2) Maximum height if ground mounted: 8 feet.

(3) Minimum setback from all property lines: 6 feet.

(4) Maximum number of signs per business establishment: 1.

13-7 TABLE OF PERMITTED SIGNS

Table 13-7-1, Table of Permitted Signs, delineates the various types of permitted signs by zoning district.

13-7-1 Table of Permitted Signs

Sign Type	Zoning District				
	RA	R-1	R-1A	R-2	B
Advertising Signs*					X
On-Premises					X
Wall Sign					X
Professional or Occupational Nameplate, Incidental	X	X	X	X	X
Identification	X	X	X	X	X
Menu	X				X
Construction	X	X	X	X	X
Real Estate	X	X	X	X	X
Temporary	X	X	X	X	X
Exempt	X	X	X	X	X

Notes:

- X** = Indicates permitted
- Blank** = Indicates not permitted

*Advertising signs shall also comply with the permit procedures contained in the current edition of the North Carolina Department of Transportation outdoor advertising manual.

13-8 NONCONFORMING SIGNS

It is the intent of this Ordinance to permit signs which were lawful before the effective date of this Ordinance to remain in service. Specific provisions regarding nonconforming signs are delineated in Section 6-7.

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