

ARTICLE 12. SIGNAGE

12.1. PURPOSE AND APPLICABILITY

12.1.1. Purpose

In the interest of public health, safety, and welfare, pursuant to its zoning authority granted by G.S. Chapter 160D, the Town of Garner regulates signs within its planning jurisdiction. The Town intends to:

- A. Encourage effective communication through signage;
- B. Improve pedestrian and vehicular traffic safety and promote wayfinding;
- C. Minimize adverse effects of signs; and
- D. Create design cohesion to reflect Garner’s aesthetic and promote community character.

12.1.2. Applicability

Unless otherwise stipulated in this section, these regulations shall apply to all signs in the Town’s planning jurisdiction.

12.2. GENERAL REGULATIONS

12.2.1. Computation

A. Sign Area

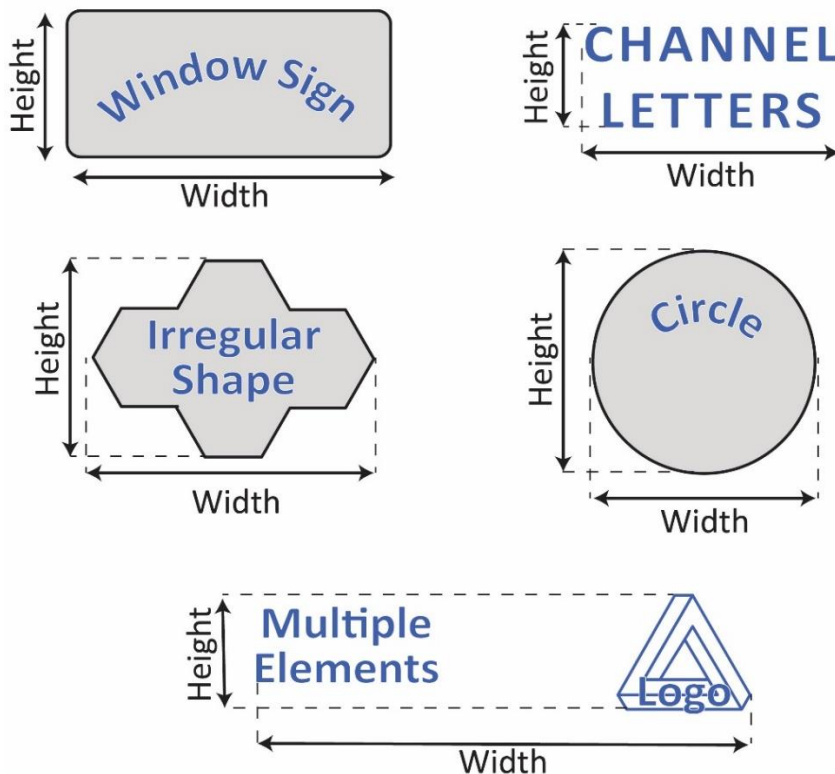
1. Freestanding Signs and Flags

The area of a sign shall include all letters, words, symbols, graphics, and backgrounds, whether open or enclosed, of the display. Calculations shall omit the supporting structure or bracing of the sign unless there is messaging on the supporting structure or bracing.

2. Wall Signs

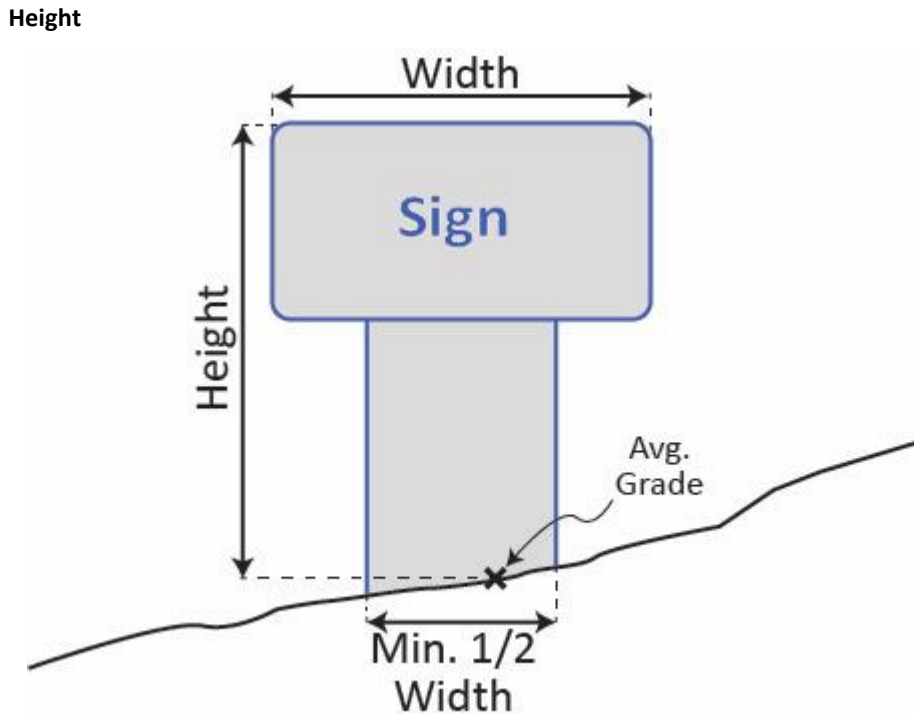
Where signs are attached to walls, building, canopies, awnings, or windows, the sign area shall be the area of the smallest rectangle, with bottom edges parallel or perpendicular to the ground, completely encompassing all letters, words, symbols, and backgrounds of a color different than the natural color of the wall.

Sign Area



B. Height

The height of a sign is defined as the distance from the base of the sign at its average grade to the top of the highest attached component of the sign.



12.2.2. Location and Construction Standards

The following regulations shall apply to signs in all districts. Additional standards may apply to specific sign types in specific locations.

A. Signs Prohibited in the Right-of-Way

Except for governmental road and directional signs, no sign or portion thereof may be placed into or overhang any right-of-way. See Town of Garner Engineering Manual for allowable encroachments in the right-of-way.

B. Signs Below Street Elevation

1. Where street or site elevation limits visibility of a freestanding sign of maximum height in a non-residential district, the maximum height of the sign may be measured from the grade of the street immediately in front of the sign.
2. Unless conflicting with other provisions of this UDO, the sign shall be located at the point along said frontage at which reasonable visibility from said street is first achieved within the allowable maximum height.

C. Sign Materials

1. All sign materials shall be durable so that a sign shall maintain its original appearance over time.
2. Particle board, coroplast, and plywood are prohibited for permanent signage.

3. Any paint must be able to maintain its appearance outdoors.
4. Enamels must be baked to prevent deterioration.
5. All signs must be properly sealed to withstand inclement weather.

D. Supporting Structures

1. All signs shall be fully encased or skirted at a minimum width that is one-half of the width of the sign width on the associated side.
2. Supportive structural materials shall be consistent with or exceed the quality of the materials used for the permanent structure on the site.
3. The supportive structure of a sign may have decorative appurtenances that exceed the maximum height of the sign, up to a maximum of an additional 75 percent of the allowable sign height or 12 feet, whichever is shorter, provided the following are met:
 - a. The additional structure protrusion does not advertise or contain any messaging;
 - b. The additional structure or protrusion does not extend outside of the allowable sign footprint more than two feet in any direction; and
 - c. The additional structure or protrusion meets all other standards herein (e.g., does not encroach into right-of-way, block visibility at street intersection).

E. Illumination and Sign Lighting

Illumination of signs is allowed in accordance with the following provisions:

1. Signs, except billboards, shall not be illuminated outside of business hours.
2. No illuminated sign shall be permitted within 50 feet of any residential district.
3. No sign within 300 feet of a residential zone may be illuminated between 12:00 a.m. and 6:00 a.m., unless the light is entirely shielded from the neighboring property.
4. Lighting directed toward a sign shall be shielded so that it illuminates only the face of the sign and does not shine directly into a public right-of-way or residential premises.
5. All lighted signs shall comply with state and local building and electrical codes and shall bear the label of Underwriters Laboratories, Inc. All wiring to freestanding signs or to associated lighting equipment shall be underground or, if that is impracticable, completely screened from view.

6. Poles, canopies, and other supporting or auxiliary structures shall not be internally illuminated.
7. Signs associated with a home occupation shall not be illuminated.
8. Signs shall not have a separate electrical meter on the sign itself or on nearby mechanical equipment dedicated solely to the sign. Any electrical or mechanical equipment shall be camouflaged or screened from view.

12.2.3. Changeable Copy

A changeable copy or marquee sign shall be erected only in combination with an identification sign and shall be included in the computation of sign area.

12.2.4. General Sign Quantity and Dimensional Standards

Zoning District	Sign Type	Maximum Total Sign Area Per Lot	Maximum Number	Maximum Height
Residential Districts (RA, R2, R4, R8, MF-1, MF-2, RMH)	Freestanding: Residential Use	4 square feet	1	5 feet
	Freestanding: Non-Residential Uses	32 square feet	1	5 feet
	Wall: Non-Residential Uses	24 square feet	1	5 feet
	Residential Subdivision Signs	See 12.2.6.B.		
	Home Occupation Signs	4 square feet	1	4 feet
Non-residential and Mixed-Use Districts (NC, CMU, TBD, AC, I-1, I-2)	Freestanding: 100 square feet maximum total all freestanding and wall signs	60 square feet	1 per street frontage, 2 maximum	12 feet
	Projecting signs	10 square feet	1 per street frontage, 2 maximum	2

12.2.5. Additional Standards by General Sign Type

A. Freestanding Signs

1. Freestanding signs shall be securely fastened to the ground so that there is virtually no danger that the sign may be moved by wind or other forces of nature and cause injury to persons or property. All applications for a freestanding sign permit shall be accompanied by an engineer's sealed footing drawing and calculations testifying to the ability of the sign to withstand 100 mph winds.
2. No freestanding sign shall encroach into any right-of-way.
3. The Town encourages the use of NCDOT's specific information signing program (LOGO Program) in the LAHO district.
4. Where possible, the distance between freestanding signs (including multi-tenant signs) should be at least 150 feet.
5. All freestanding outparcel signs shall be located on-site only and shall be separated by a minimum distance of 100 feet.
6. Planted Base
 - a. The base of every permanent freestanding sign that requires a sign permit shall be landscaped, except for those with a brick or masonry monument base.
 - b. The size of the planted landscape area shall be determined by multiplying the height of the sign by the width of the sign (widest dimension), divided by two, and distributed equally around the perimeter of the base.
 - c. The planted landscape area shall contain materials such as but not limited to the following: vegetative ground covers,

decorative grasses, perennials, dwarf or miniature shrubs, and mulch. Paving and artificial plant materials are prohibited.

- d. Landscaping materials in front of the sign face shall not exceed three feet in height.
- e. The freestanding sign area shall be at least three feet above grade to prevent the landscaping from interfering with the sign message.
- f. In no case shall the landscaping obscure a sign's messaging.
- g. Any trees associated with or near the sign shall be limbed up to a minimum of ten feet, as soon as practicable.
- h. A sketch plan of the landscaped area with the name, quantity, and spacing of plants shall be presented with the sign permit application to the Planning Director.
- i. Poles and other supporting structures shall not be internally illuminated.

B. Wall Signs

1. A wall sign is mounted on an exterior façade, with the front of the sign parallel with the supporting façade wall.
2. No sign may project more than 18 inches from the building wall.
3. No wall sign shall project above the roofline (e.g. at the top of parapet or at the eave, unless the pitch of the roof above the eave classifies that roof section as a wall).
4. A sign may extend down from a roof or porch or walkway overhang not more than 18 inches (to the bottom of the sign), provided that a minimum clearance of seven feet between the bottom of the sign and the walking surface is maintained.
5. Displays on roofs of residential structures erected in connection with holiday observance are not included in the prohibitions of this section.

C. Projecting Signs

1. A projecting sign is mounted perpendicular to the supporting wall and is intended to be read by approaching pedestrians.
2. Projecting signs may not be lower than seven feet from the adjacent sidewalk at their lowest point.
3. Projecting signs may not extend more than four feet from the supporting wall.

D. Off-Premises Advertising Signs (Billboards)

1. Off-premises advertising signs are permitted only in I-1 or I-2 districts; no off-premises advertising signs are permitted except

along and facing the CHO district, as set forth in this section. No off-premises advertising signs shall be permitted along and/or facing the LAHO district.

2. Off-premises advertising signs shall be spaced a minimum of 2,500 feet apart, measured between signs facing the same street.
3. Where the structural support is visible from any street, the display shall be constructed on a single steel pole.
4. The area directly beneath the sign (i.e., the area running the width of the sign and five feet in each direction in front of and behind the sign) shall be kept free from debris or undergrowth. Appropriate landscaping shall be placed and maintained at the base of the structural support of every off-premises advertising sign erected.
5. All displays shall be maintained in a state of good repair. The backs and supporting structures of all off-premises advertising signs shall be painted and maintained in a neutral color to blend with the natural environment.
6. While minor repairs, maintenance, and the posting of new messages on off-premises advertising signs made nonconforming by this UDO are permitted, no changes in the size or construction of the sign shall be permitted except to make the sign comply with the regulations herein.
7. Off-premises advertising signs may be placed back-to-back or in a V-type construction. Not more than one face is allowed on each side of the display.
8. Size, height, and setback requirements are as follows:

Standard	Dimension
Maximum Sign Area	150 square feet
Minimum Setback	50 feet
Maximum Height	25 feet

E. Multi-Tenant Signs

1. Freestanding
 - a. The minimum separation between freestanding signs in multi-tenant developments is 300 feet.
 - b. Includes, but is not limited to, shopping center identification signs, multiple business signs, and directory signs.
 - c. Dimensional Standards

Sign Type	Maximum Total Sign Area	Maximum Number of Signs	Maximum Height
Freestanding	72 square feet	2 per exterior street frontage (4 maximum)	12 feet

2. Wall – Dimensional Standards

Sign Type	Maximum Total Sign Area	Maximum Number of Signs	Maximum Height
Wall	15% of wall area	Lesser of 1 per business or tenant space per exterior street frontage (3 maximum)	n/a

12.2.6. Other Permanent Sign Standards

A. Electronic Displays

1. Electronic displays may be permitted with a free-standing monument sign and include changeable copy messages. Such displays shall not be permitted on a wall sign. All electronic displays shall meet the following standards:
 - a. The square footage of the electronic display area and the primary sign area together shall not exceed the total allowable sign area for that use and/or zoning district.
 - b. The electronic display area may not exceed 40 percent of the total sign area.
 - c. The electronic display shall be physically attached to the primary sign.
 - d. The total electronic display, defined as both sides of the sign, or any portion thereof, may change only one time per hour over a 24-hour period. This restriction does not apply to signs displaying emergency information during publicly declared local, state, or national emergencies or disasters.
 - e. Gas sales or convenience stores with gas sales displaying digital gas prices must comply with the requirements of this section and all other applicable sign requirements, except gas price changes are not restricted to one time per day. In cases where a freestanding sign does not exist for the business, digital gas price wall signs may be allowed to locate on a canopy or its support columns subject to all applicable sign ordinance requirements.
2. Electronic displays are not permitted to have scrolling, moving, rotating, fluttering, blinking, or flashing elements. In addition, such signs are not permitted to have any animation, video, or audio elements.

3. Electronic displays are limited to one color. Background colors are not permitted.
4. Electronic displays are prohibited on off-premises advertising signs.
5. Electronic displays shall not have an undue brightness, which shall be defined as 5,000 nits during the day and 500 nits at night.
6. Electronic displays that are part of multitenant signs including, but not limited to, shopping center identification signs or multiple business signs, shall comply with the requirements of this section. Such signs will not be permitted until operational guidelines on how the electronic display will be used have been approved by the Town of Garner as part of a project's sign permit application.

B. Residential Subdivision Signs

1. Each individual residential subdivision or multifamily development is permitted the option of having one freestanding monument sign to be located at the major entrance to the development with a single side of the sign not to exceed 32 square feet in area or five feet in height, or two freestanding monument signs with single faces not to exceed 16 square feet and five feet in height. The permit issuing authority may allow deviations from the dimensional requirements of this section if it finds that such deviation will maintain an appropriate appearance and will not impact public safety. The maximum deviation permissible under this section is 30 percent.
2. A single freestanding residential subdivision sign may be located within a median of a public right-of-way, at the major entrance to the development if such entrance is divided by a median with dimensions of minimum length of 50 feet and minimum width of 10 feet. A sign located in the median of a public right-of-way shall be located a minimum of 10 feet from the end of the median radius and shall not exceed 3.5 feet in height. The permit issuing authority may allow deviations from the dimensional requirements of this section if it finds that such deviation will maintain an appropriate appearance and will not impact public safety. The maximum deviation permissible under section is 30 percent.
3. All other entrances for each distinct phase of a residential subdivision or multifamily development are permitted one freestanding monument sign having a maximum single side surface area of 16 square feet and four feet in height.
4. For all residential subdivision signs, the height limitation shall apply to the sign as well as any support devices such as, but not limited to, a wall, monument, fence, or similar architectural features.

12.2.7. Standards for Temporary Signs Subject to Permit

- A. If any of the following signs are located on private property, the application for the permit for the sign and the display of such signage constitutes authorization for the Town to enter upon such private property to inspect and/or remove the sign pursuant to the standards of this UDO.
- B. Construction Site Identification Signs
Construction site identification signs require a permit and must meet the following standards:
 - 1. Not more than one such sign may be erected per site.
 - 2. The sign may not exceed 32 square feet in area or six feet in height.
 - 3. Permits for such signs shall be limited to a period of one year, but the permit may be renewed annually.
 - 4. For construction fence wraps, see Section 12.3.2.C.
- C. Special Events Signs or Banners
Special event signs or banners require a permit and must meet the following standards:
 - 1. Advertising on-site must be on private property and placed no closer than 10 feet back from the curb line or edge of pavement.
 - 2. Not more than one such sign or banner per site is permitted at any one time.
 - 3. No sign or banner shall exceed 32 square feet in area and shall meet all other requirements.
 - 4. Permits for such banners or signs shall be limited to 30 days per permit and no more than four times each year.
 - 5. Any such sign or banner shall be removed within seven days after the concluding date of the event that was advertised.
- D. Off-premises, directional signs for seasonal U-pick farm operations or agricultural markets are permitted and shall meet the following standards:
 - 1. Any such sign shall not exceed 16 square feet in area and six feet in height.
 - 2. Permits shall be limited to a maximum of 60 days from the date of issue and require the written permission of the property owner or his agent for such use of his land.
 - 3. Signs on bona fide farms are exempt from permitting requirements.

12.3. PROHIBITED SIGNS AND SIGNS ALLOWED WITHOUT PERMITS

12.3.1. Prohibited Signs

Apart from exemptions and express permissions stated within this UDO, the following signs are prohibited in all districts:

A. Signs Resembling Official Signs or Signals

Any non-government sign which by its location, shape, size, message, color, or operation would tend to obstruct the view of or be confused with official traffic or railroad signs, signals, devices, or other signs erected by governmental agencies.

B. Signs Obstructing Sight Lines and Access

Any sign which interferes with the view necessary for motorists, bicyclists, or pedestrians to proceed safely through intersections, or to enter onto, or exit from public streets, private roads or driveways.

C. Signs Obstructing Building Ingress/Egress

Any sign placed or shaped so as to interfere with or obstruct any window, door, fire escape, stairway, walkway, or other opening intended to provide ingress or egress for any building.

D. Animated Signs

Except for otherwise permitted herein, any sign displaying blinking, flashing or intermittent lights, lights of changing degrees of intensity, rotating lights, animation, and moving parts or signs giving the illusion of movement whether by natural, electrical, or mechanical means; including banners, flutter/feather flags, propellers, sun blades, and similar devices.

E. Signs Lighter than Air

Devices such as balloons, blimps, or similar types of lighter-than-air objects, except those which are subject to Federal Aviation Administration regulations.

F. Signs on Public Property

Any sign installed or placed on public property or within a public right-of-way. Such sign shall be forfeited to the public and is subject to confiscation and disposal.

G. Signs of Roadside Features and Appurtenances

Signs attached to or painted on utility poles, telephone poles, trees, parking meters, bridges and overpasses, rocks, other signs, benches, fences, or refuse containers unless specifically allowed elsewhere in this article.

H. Portable Signs

Portable signs, including any sign displayed on or painted on vehicles or trailers driven or strategically parked primarily for the purpose of attracting attention.

I. Off-Premises Signs

Any commercial sign not located on the premises for which it advertises unless otherwise permitted herein.

J. Neon Signs

Any electronic discharge tubing manufactured into shapes that form letters, parts of letter, skeleton tubing, or other decorative elements or logos and filled with various inert gases that are affixed to the exterior of the building.

K. Pole Signs

Any sign which is mounted on a freestanding pole or poles.

L. Roof Signs

Any sign extending above or placed upon any roof surface, unless permitted as a wall sign in conformance with Section 12.2.5.B.

M. Other

1. Any temporary sign or banner, except as specifically permitted by this article.
2. Any sign with exposed electrical wiring.
3. Any sign or portion thereof placed into or overhanging any right-of-way.
4. Rope lighting displays, except those that fall under the specifications of 10.2.6.: Accent Lighting.
5. All other signs not expressly permitted in this Ordinance.

Commentary:

The intent of subsection H is to prohibit vehicles that are parked in prominent locations for signage purposes in cases where there is no regular use of the vehicle in the business operation (i.e. the vehicle is not moved on any regular basis). Commercial vehicles that are regularly used as part of business are not restricted under this section.

12.3.2. Signs Allowed without a Permit

The following signs may be erected and maintained in all districts without a permit. These may be referred to as “exempt signs”, in that they are exempt from obtaining a sign permit but must adhere to all other applicable regulations.

A. Automobile Inspection Signs

One North Carolina automobile inspections sign located on the building or on a permitted freestanding sign, and not exceeding 10 square feet.

B. Bulletin Boards

Bulletin boards no more than 12 square feet in area are allowed provided:

1. They are for public, charitable, or religious institutions; and

2. They are located on the same premises as the institution being served.

C. Construction Fence Wraps

Use of construction-related fence wraps must comply with G.S. § 160D-908.

D. Flags

Flags or insignia of any governmental, civic, or non-profit organization when not displayed in connection with a commercial venture or an advertising device and when located on the same site as the organization provided:

1. The maximum height for such does not exceed 30 feet or the height of the tallest principal building on the site whichever is greater; and
2. The maximum size does not exceed 32 square feet.

E. Free-Standing Vending/Dispensing Units

1. Includes, but is not limited to, ATMs, gas pumps, and other permitted retail vending boxes.
2. Each unit face is limited to 2 square feet of signage area.
3. No signage is permitted to project more than 12 inches above or to the sides of the vending box or machine's housing.

F. Glass Door and Window Signs

1. Signs may not cover more than 30 percent of the window or door area in nonresidential buildings.
2. Enough clear area shall be maintained on glass doors to allow adequate vision to ensure safe use by people of all heights.
3. See Section 9.3.3.: Transparency for overall building transparency standards.

G. Incidental Yard Signs

At any time, each lot is allowed up to two, three-square-foot, non-illuminated signs. Such signs are permitted in a front or corner side yard but shall be placed on the private property (with permission of the owner) and at least 10 feet behind the right-of-way or edge of pavement. These signs shall not exceed 2.5 feet in height and shall not be placed so as to interfere with sight distance.

H. Political signage as regulated by G.S. § 136-32, Regulation of Signs.

I. Required Public Signs

Any signs erected pursuant to federal, state, or local law, including those erected by public and semi-public utilities, addresses, and other emergency response identification signs, and wayfinding signage

approved as part of a site or subdivision pedestrian circulation and traffic control plan.

J. Outdoor Recreation Venue Signs

1. Signs not exceeding mounted to recreational structures (e.g., sport field fences, scoreboards, concession stands) in such a manner that the sign area does extend beyond the surface area of the structure to which it is mounted, does not exceed 25 feet in height, is unlit, and is inwardly faced so as to be visible only to event attendees.
2. Sign area is restricted as follows:
 - i. For signs that are zero to 50 feet from the road right-of-way: 50 square feet maximum.
 - ii. For signs 51 to 150 feet from the road right-of-way: 150 square feet maximum.
 - iii. For signs greater than 150 feet from right-of-way: 300 square feet maximum.

K. Vehicle Wrap Signs

Signs painted on or otherwise permanently attached to currently licensed motor vehicles that are not primarily driven or strategically parked to be used as a sign, provided:

1. The vehicle is road worthy and is regularly used as part of the business operation;
2. The vehicle displays a current license that is registered to said vehicle; and
3. The vehicle displays any required North Carolina inspection decal.

12.4. SIGN COMPLIANCE AND MAINTENANCE

12.4.1. Nonconforming Signs

See Article 2: Nonconformities.

12.4.2. Repair and Removal

- A. Whenever use of a building or premises by a specific business or activity is discontinued for that business or activity, the sign shall immediately cease to be illuminated and shall be removed within a period of 90 days. Failure to remove the sign in the allotted time shall constitute abandonment of the sign and is sufficient grounds to order the sign's removal.
- B. Every sign and sign structure shall be maintained in good condition. Said signs and structures not being in good condition are those that meet any of the following criteria:
 1. A sign or sign structure with more than five percent of its surface area covered with peeling paint, chipped corners, rust, mud, broken parts and pieces, or other unsightly conditions for a period of greater than 15 successive days;
 2. A sign or sign structure with bent or broken sign facing, broken supports, loose appendages, or struts or leaning more than fifteen percent from vertical or original design specifications for a period greater than 15 successive days; or
 3. A sign or sign structure with weeds, trees, vines, or other vegetation growing upon it, that obscures the view of the sign from the street or right-of-way from which it is to be viewed, for a period greater than 10 successive days.
- C. The Planning Director shall have the authority to order painting, repair, alteration, or removal of any sign or sign structure which is not in good condition by reason of inadequate maintenance, dilapidation, obsolescence, or abandonment.
- D. Failure to comply with such an order to paint, repair, alter, or remove a sign or sign structure not in good condition may result in further enforcement and revocation of permit approvals in accordance with Article 7: Enforcement.