

## 7.5. Sign regulations.

**Commentary: Signs are permitted throughout the Town according to these sign regulations. Different areas of the community are subject to different sign regulations. In particular, the I-40, Timber Drive and U.S. 70/401 corridors have separate regulations in the following material.**

**Some signs are allowed without a permit (see D. below).**

**General sign requirements are set forth in G. below. Details about construction and location of specific types of signs are set forth in H. below.**

**Timber Drive regulations are set forth in J. below, and U.S. 70/401 regulations are set forth in K. below.**

~~**A master sign plan is required for any multi-tenant site (shopping center, office, etc.) or nonresidential subdivision (see N. below).**~~

A. **Purpose and intent.** These sign regulations are intended to:

1. Encourage the effective use of signs as a means of communication for businesses, organizations and individuals in the Town of Garner;
2. Encourage the effective use of signs as a means to improve pedestrian and traffic safety and to promote safe way-finding in Garner by establishing minimum standards for visibility and legibility of signs;
3. Require that all signs that, because of their location, are within the view of drivers in active traffic, meet minimum standards of visibility, legibility and conspicuity standards, and to differentiate these signs from those signs that are not within the view of drivers in active traffic but that may provide information to them while they remain in their cars but out of active traffic;
4. Maintain and enhance the pleasing look of Garner and preserve Garner as a community that is attractive to business;
5. Minimize the possible adverse effects of signs on nearby public and private property;
6. Implement the provisions of the Comprehensive Growth Plan, as updated from time to time;
7. Create cohesive sign regulations that create a recognizable context in Garner; and
8. Prohibit all signs on private property not expressly permitted under this section.

B. **Sign regulations:** Height, number and size of signs. Unless otherwise provided, the total surface area of all signs on any lot shall not exceed the limitations set forth in this section, and all signs, except temporary signs and those excluded from regulation under this section shall be included in this calculation.

C. **Prohibited signs.** The following signs are prohibited in all districts.

1. 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 or devices or other signs erected by governmental agencies;
2. Any sign which, at its proposed location, would interfere with the view necessary for motorists, bicyclists or pedestrians to proceed safely through intersections or to enter onto or exit from public streets or private roads or driveways;
3. Any sign, subject to paragraph D.1. below, placed or shaped so as to interfere with or obstruct any window, door, fire escape, stairway, walkway, opening intended to provide light, air, ingress or egress for any building or with vehicular movement on public streets or drives;
4. Any sign, or portion thereof, which, to attract attention, moves, rotates, flutters or appears to move in any way, whether by natural, electrical or mechanical means, including banners, flags, propellers and similar devices except where noted in paragraph I. of this section;

5. Any sign which contains or is illuminated by flashing or intermittent lights, lights of changing degrees of intensity, or rotating lights, except signs indicating time and/or temperature or electronic message signs as regulated in Subsection I(2)(e);
6. Balloons, blimps or similar types of lighter-than-air objects, except those which are subject to Federal Aviation Administration regulations;
7. Portable signs, including any sign displayed on or painted on vehicles or trailers used primarily for the purpose of attracting attention, except signs painted or permanently attached to a commercial vehicle shall be allowed provided:
  - a. The vehicle is road worthy and is regularly used as part of the business operation;
  - b. The vehicle displays a current license that is registered to said vehicle and;
  - c. The vehicle displays any required North Carolina inspection decal;

**Commentary: The intent subsection 7 above is to prohibit the use of commercial vehicles that are used strictly for signage purposes in cases where there is no regular use of the vehicle in the business operation (i.e. the vehicle is not operable and is parked in one location and is not moved on any regular basis). Commercial vehicles that are regularly used as part of business are not restricted under this section.**

8. Any commercial sign not located on the premises for which it advertises, except as specifically permitted;
9. Any temporary sign or banner, except as specifically permitted;
10. Any sign or portion thereof placed into or overhanging any right-of-way, except as specifically permitted; and
11. Any sign extending above or placed upon any roof surface except as provided in paragraph H.1. of this section.

**D. Signs allowed without a permit.** The following signs may be erected and maintained in all districts without a permit.

1. Directional real estate signs no more than four square feet in size and posted only from Friday at 6:00 p.m. until Sunday at 8:00 p.m. Such signs shall be located no less than four feet from the back of curb, and shall not interfere with clear sight triangles at driveways or intersections.
2. Signs on interior window glass, regardless of number, size or coverage. Signs on glass doors are limited to 30 percent coverage of the glass area and enough clear area shall be maintained to allow adequate vision to ensure safe use of the doors by people of all sizes;
3. Un-illuminated temporary signs which advertise the sale, rental or lease of the premises upon which the sign is located, limited to five square feet in total area for residential uses, and 32 square feet in total area for commercial or industrial properties. Any such sign shall not be placed within any right-of-way or situated so as to interfere with sight distance, shall be limited to one sign per street frontage and six feet in height and shall be removed within ten days of the sale, lease or rental of the property advertised or within five days of the date the sold sign is added or affixed;
4. Signs directing and guiding traffic on private property that do not exceed two square feet in surface area or two feet in height and that bear no advertising matter;
5. Signs and displays, including lighting erected in connection with the observance of holidays. Such signs shall be removed within ten days following the holiday;
6. Changes in the moveable lettering of any permitted signs;

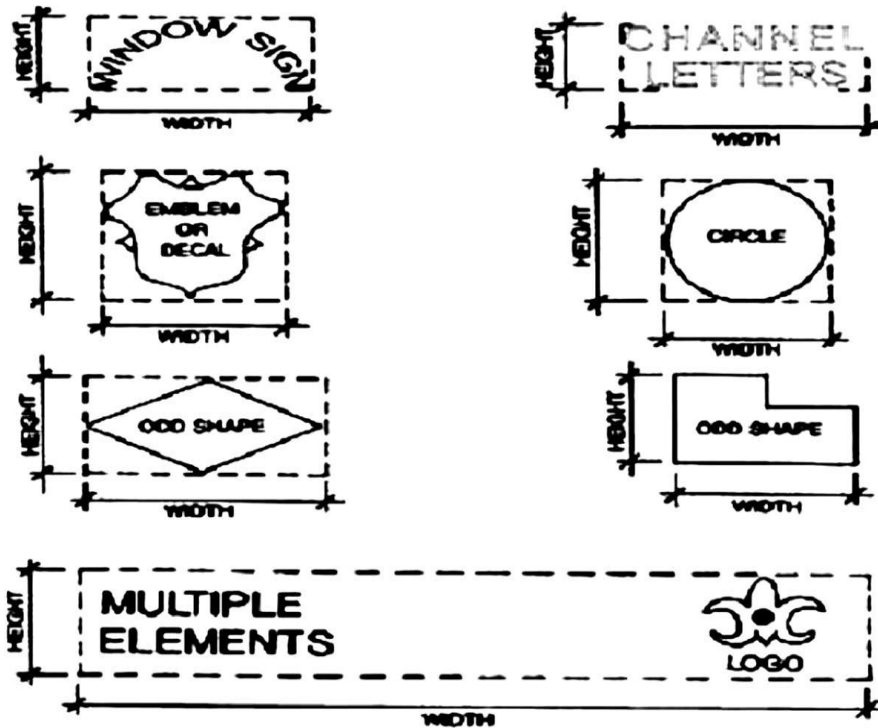
7. Signs advertising a special event such as a fair, carnival, circus, fish fry, garage sale or other similar happening provided the following conditions are met:
  - a. Signs are not erected more than two weeks before the event, and shall be removed not later than three days after the event.
  - b. Signs shall be placed no closer than ten feet back from the curb line or edge of pavement.
  - c. Signs shall not be placed on any existing official governmental signs, including legal notices, identification and informational signs and traffic, directional or regulatory signs.
  - d. Signs shall not be placed on any utility poles, trees on public right-of-way, or street medians.
  - e. Signs shall not exceed three feet in height and nine square feet in total area.
8. Political signs erected in connection with elections or political campaigns are permitted under the following conditions:
  - a. Political signs in the vicinity of a polling place for a period not exceeding 24 hours preceding the opening of the local polls; such signs shall be removed within 24 hours following the closing of local polls.
  - b. All political signs shall be removed from the public street right-of-way within seven days after the election day. A political sign shall not be permitted in a sight distance triangle as specified in Article 11.2.
  - c. Except as noted in a. above, political signs shall not be erected or posted until the candidate filing deadline date for the applicable national, state, or local office, including primary elections. Prior to the erection of any political sign, the candidate, or authorized representative shall post a bond or cash deposit in the amount of \$200.00 with the Planning Department to guarantee the private removal of political signs. The bond or cash deposit may be returned only upon satisfactory removal of such signs according to the time requirements as specified herein. All political signs shall be removed from the public street right-of-way within seven days after the election day.
  - d. Signs shall be placed no closer than ten feet off the curb or ditch.
  - e. Signs shall not be placed on any utility poles, tree on public property, or in any street median.
  - f. No sign shall exceed 32 square feet in total area or more than eight feet in height.
  - g. Such signs on private property shall conform to this section.
9. Uses selling gasoline are allowed the following signs:
  - a. Price, self-service and/or credit card signs located at and secured to each pump island and not exceeding nine square feet in aggregate per pump island or one square foot per side per pump.
  - b. Brand name, grade of gasoline and informational signage directly related to the gasoline being dispensed (i.e. pump usage directions, etc.) not exceeding nine square feet in aggregate per pump island or one square foot per side per pump.
10. One North Carolina automobile inspections sign located on the building or on a permitted freestanding sign, and not exceeding ten square feet; and
11. Signs sponsored by government, school, recreational or civic clubs providing rules for the use of developments and sites, such as a pool, or schedules, are permitted on the same site as the organization or use,

- limited to 16 square feet per side, 32 square feet in aggregate area.
12. Signs on residential structures, premises or mailboxes giving the names and/or address of the occupants and signs posted on property relating to private parking or warning the public against trespassing or danger from animals, provided any such sign shall not exceed two square feet in area; there shall be not more than two such signs per lot.
  13. Signs erected by, on behalf of, or pursuant to the authorization of a governmental body, including legal notices, identification and informational signs, and traffic, directional, and regulatory signs.
  14. Official signs of a noncommercial nature erected by public utilities, such as signs denoting the location of underground utilities.
  15. Flags, pennants 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 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 the maximum size does not exceed 32 square feet.
  16. Signs proclaiming religious, political, or other noncommercial messages (other than those regulated by Section 280) that do not exceed one per abutting street and 16 square feet in area and that are not internally illuminated.

**E. Computation.**

**1. Sign area.**

- a. **Area to be included.** The area of a sign shall include all lettering, wording, designs and symbols, together with the background, whether open or enclosed, on which they are displayed. The supporting structure or bracing of a sign shall be omitted in measuring the area of the sign unless such structure or bracing is made part of the message or face of the sign.



**Signs attached to walls.** Where a sign consists of individual letters, words or symbols attached to a surface, building, canopy, awning, wall or window, the sign area shall be the area of the smallest rectangle which completely encompasses all such letters, words or symbols and any accompanying

background of a color different than the natural color of the wall.

b. **Gas sales or convenience store with gas sales.** The registered trademark of the brand of gas sold shall not be considered in the number of wall signs allowed, but the area of such trademarks shall be included in the maximum sign area permitted by lot.

2. **Computation of height.** The height of a sign shall be computed as the distance from the base of the sign at a computed grade to the top of the highest attached component of the sign. The computed grade shall be the elevation of the nearest point of the crown of a public street or the grade of the land at the principal entrance to the principal structure on the lot, whichever is lower.

**F. Schedule of general sign requirements.**

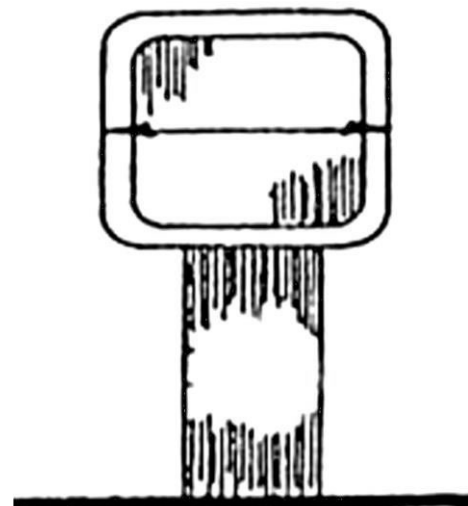
Zoning District	Sign Type	Maximum Sign Area Per Lot	Maximum Signs	Maximum Height
<b>Residential Zones:</b> All Residential Districts (R-40, R-20, R-15, R-12, R-9, RMH, MF-1, MF-2 and Planned Development Residential Uses)	Freestanding: Residential Use Other Permissible Use	4 square feet 32 square feet	1	4 feet
	Wall: Churches, schools, or other residential uses permitted in all residential zones	24 square feet	1	5 feet
	Residential Entrance Signs	See Section 7.5 (1)(2)(a)	1	None
<b>I-40:</b> All Business or Industrial Districts (NO, OI, NC, CR, SB, I-1, I-2)	Freestanding:	100 square feet	1 per street frontage, 2 maximum	12 feet
	Wall: Building up to 100,000 square feet floor area	Greater of 60 square feet or 7% of wall frontage	3 wall	None
	Wall: Building over 100,000 square feet	Lesser of 100 square feet or 10% of wall frontage	3 wall	None
<b>U.S. 70 &amp; U.S. 401:</b> All Business or Industrial Districts (NO, OI, NC, CR, SB, I-1, I-2)	Freestanding:	100 square feet	1 per street frontage, 2 maximum	12 feet
	Wall: Building up to 100,000 square feet floor area	Greater of 60 square feet or 7% of business wall frontage	3 wall	
	Wall: Building over 100,000 square feet floor area	Lesser of 100 square feet or 10% of wall frontage	4 wall	
<b>OI Districts:</b> All NO and OI Districts not on Timber Dr., U.S. 70, U.S. 401 or I-40	Freestanding (monument only): 100 square feet maximum total all freestanding and wall signs	48 square feet	1 per street frontage, 2 maximum	6 feet
	Wall: Building up to 100,000 square feet floor area	Greater of 60 square feet or 7% of wall frontage	3	N/A
	Wall: Building over 100,000 square feet	Lesser of 100 square feet or 10% of wall frontage	4	N/A

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<b>Business Districts:</b> All Business Districts (NC, CR, SB, I-1, I-2) not on	Freestanding: 100 square feet maximum total all freestanding and wall signs	60 square feet	1 per street frontage, 2 maximum	12 feet
<b>Zoning District</b>	<b>Sign-Type</b>	<b>Maximum Sign-Area Per-Lot</b>	<b>Maximum-Signs</b>	<b>Maximum-Height</b>
Timber Dr., U.S. 70, U.S. 401 or I-40	Wall: Building up to 100,000 square feet floor area	Greater of 60 square feet or 7% of wall frontage	3	None
	Wall: Building over 100,000 square feet	Lesser of 100 square feet or 10% of wall frontage	4	None

G. **General sign location and construction standards.** The following regulations shall apply to signs in all districts.

1. **Not in right-of-way.** No sign or portion thereof may be placed into or overhang any right-of-way.
2. **Sign located substantially below street.** Where a business is located substantially below the elevation of the street (as determined by the Planning Director) such that the allowable maximum sign height creates unreasonable hardship in terms of limited visibility, an exception to the usual maximum height requirements may be granted by the Planning Director through the sign permit process via a Variance. This exception shall allow only for the minimum height beyond that normally granted necessary to provide reasonable visibility for the sign from the street upon which the business fronts having the highest traffic count. (Unless conflicting with other provisions of this UDO, the sign shall be located at the point on the site along said frontage at which reasonable visibility from said street is first achieved within the allowable maximum height.) Regardless of location, and in no case after making this exception shall the sign be allowed at a height above said street which exceeds the maximum permitted height in this section.
3. **Sign materials.** All materials used for signs shall be those that, as determined by the Planning Director, maintain their original appearance well over a long period of time durable. Examples of materials which do not endure include particle board and plywood. Additionally, the external painting of signs using methods that are not durable are not allowed. Enamels must be baked on so as to help retain a new look, and proper sealing from the weather is required. All signs should be fully encased or skirted at a minimum width that is one-half of the width of the sign face so as to present an appearance of pillars or other substantial supports.



4. **Sign lighting.** Illumination of signs is allowed in accordance with the following provisions:
  - a. No illuminated sign shall be permitted within 50 feet of any

residential district. Church bulletin boards are exempt from this provision.

- b. No sign within 300 feet of a residential zone may be illuminated between the hours of 12:00 midnight and 6:00 a.m., unless the impact of such lighting beyond the boundaries of the lot where the sign is located is entirely inconsequential.
  - c. 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.
  - d. 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, unless it is impracticable to do so.
  - e. Poles and other supporting structures shall not be internally illuminated.
5. **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.

#### H. Sign standards by sign type.

##### 1. Wall signs.

- a. No sign may project more than 18 inches from the building wall.
- b. No wall sign shall project above the roofline.
- c. 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 however that a minimum clearance of seven feet between the bottom of the sign and the walking surface shall be maintained.
- d. Displays on roofs of residential structures erected in connection with holiday observance are not included in this prohibition.
- e. Roof surfaces constructed at an angle of 75 degrees or more from horizontal shall be regarded as wall space for the purposes of this section.

##### 2. Freestanding signs.

- a. 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 mile-per-hour winds.
- b. No freestanding sign shall encroach into any right-of-way.
- c. The Town encourages the use of the specific information signing program (LOGO Program) along I-40.
- d. Where physically possible and to the greatest extent possible, all freestanding signs (including multi-tenant signs) shall be located so as to produce an aesthetically pleasing separation (as determined by the Planning Director) between such signs along road frontages. Where possible, the distance should be separated by a distance of at least 150 feet from the next nearest sign along the frontage.
- e. All freestanding outparcel signs shall be located on-site only, and shall be separated by a minimum distance of 100 feet.
- f. The base of every permanent freestanding sign that requires a sign permit shall be landscaped. The size of the planted

landscape area shall be determined by multiplying the height of the sign (measured from the ground to the upper most part of the sign) by the width of the sign (widest dimension), divided by two, but in no case shall the planted area be less than 50 square feet, unless restricted by the amount or size of land upon which the sign is situated that is owned or controlled by the applicant. The planted landscape area shall contain materials such as, but not limited to: vegetative ground covers, perennials, shrubs, ornamental trees and mulch, but excluding paving and artificial plant materials. A sketch plan of the landscaped area with the name, quantity and spacing of plants shall be ~~presented to the Planning Director as part of applying~~ included in the application for sign permit.

- g. Poles and other supporting structures shall not be internally illuminated.

**3. Off-premises advertising signs.**

- a. Off-premises advertising signs are permitted only in I-1 or I-2 zones; no off-premises advertising signs are permitted except along and facing U.S. 70 or U.S. 401, ~~as set forth in paragraph of this section.~~ No off-premises advertising signs shall be permitted along and facing the 1-40 corridor.
- b. Off-premises advertising signs shall be spaced a minimum of 2,500 feet apart, measured between signs facing the same street.
- c. Where the structural support is visible from any street, the display shall be constructed on a steel single pole.
- d. The immediate premises 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-premise advertising sign erected.
- e. All displays shall be maintained in a state of good repair. The backs and supporting structures of all off-premise advertising signs shall be kept painted in a neutral color to blend with the natural environment.
- f. While minor repairs, maintenance and the posting of new messages on off-premise advertising signs made nonconforming by this UDO are permitted, no changes in the size of construction of the sign shall be permitted except to make the sign comply with the requirements.
- g. 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.
- h. Size, height and setback requirements are as follows:

Standard	
Maximum Surface Area	150 square feet
Minimum Setback	50 feet
Maximum Height	25 feet

**4. Multi-tenant signs.**

- a. All multi-tenant signs, including but not limited to shopping center identification signs, multiple business signs, directory signs and all wall signs, shall meet the standards in the following table. For locations within the Timber Drive Overlay District, see paragraphs J., below.



<b>Multi-Tenant Sign Type</b>	<b>Maximum Sign Area</b>	<b>Maximum Number</b>	<b>Maximum Height</b>
Freestanding Project Signs: Development up to 300,000 square feet	100 square feet	1 per street frontage, 2 maximum	10 feet
Development over 300,000 square feet and up to 500,000 square feet	120 square feet	2 per street frontage, 3 maximum	15 feet
Development over 500,000 square feet	When project qualifies for 4 freestanding signs: 1 @ 180 square feet; 3 @ 120 square feet	Maximum of 4 when project has frontage on 3 or more public streets, no more than 2 per public street frontage*	When project qualifies for 4 freestanding signs: 1 @ 15 feet* 3 @ 12 feet*
	For projects that do not qualify for 4 freestanding signs the maximum area per sign is 120 square feet	For projects that do not qualify for 4 signs, a maximum of 3 allowed with no more than 2 per public street frontage	For projects that do not qualify for 4 signs, sign height may be up to 15 feet*
Freestanding community identification or directional sign (Applies only to Development over 500,000 square feet)	20 square feet	Maximum of 4 signs regardless of sign type, no more than 2 at any one location	4 feet
On-Premise Directional sign: Development up to 300,000 square feet	20 square feet	1 per entrance or internal intersection, 2 maximum	5 feet monument only
Development over 300,000 and up to 500,000 square feet	20 square feet	1 per entrance or internal intersection, 3 maximum	5 feet, monument only
Development over 500,000 square feet	20 square feet	1 per entrance, or other internal location (maximum of 4) <del>approved as part of master sign plan</del>	5 feet monument only
<b>Multi-Tenant Sign Type</b>	<b>Maximum Sign Area</b>	<b>Maximum Number</b>	<b>Maximum Height</b>
Outparcel: Freestanding monument sign (development up to 300,000 square feet)	32 square feet	1 per outparcel	4 feet
Freestanding monument sign (development over 300,000 and up to 500,000 square feet)	32 square feet	1 per outparcel	4 feet

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Freestanding monument (Development over 500,000 square feet)	32 square feet	1 per outparcel	4 feet
Wall: (including canopy face) Development up to 100,000 square feet	Greater of 60 square feet or 10% of frontage wall area	1 per business frontage & 1 per public street, max. of 3	None
Development over 100,000 square feet and up to 500,000 square feet	Greater of 60 square feet or 7% of frontage wall area	1 per business frontage & 1 per public street, max. of 3	None
Development over 500,000 square feet	Greater of 60 square feet or 7% of business frontage wall area	1 per business frontage & 1 per public street, max. of 3	No signs above roofline
For 100,000 square foot major individual tenant in a shopping center	Greater of 60 square feet or 7% of business frontage wall	1 per business frontage & 1 per public street, max. of 4	No signs above roofline
Canopy Underhang: Projects of any size	4 square feet	1 per business	Bottom of sign maximum 18 inches below bottom of canopy face

**Note: All freestanding signs in multi-tenant developments shall be located so as to produce an aesthetically pleasing separation as determined by the Planning Director between such signs along road frontages. Where possible the separation should be separated by 300 feet between freestanding project signs and 100 feet between outparcel freestanding signs.**

- b. Multi-tenant sign standards. All multi-tenant signs, including but not limited to shopping center identification signs, multiple business signs, directory signs and all wall signs, shall conform to the following criteria and standards. (Wall signs and freestanding signs on existing outparcels, regardless of the number of businesses on those parcels, are not required to meet the following criteria and standards, but are encouraged to do so to better achieve the purpose stated above.)

Criteria and Standards for Multi-Tenant Signs		
Criteria	Wall Signs	Freestanding Signs
<b>Locations</b>	Uniform vertical and horizontal positions on storefront	N/A
<b>Type</b>	Similar style encouraged; logos allowed; maximum of 2 lines per sign	N/A
<b>Materials</b>	Uniform; compliment building facade materials	
<b>Colors</b>	Same 3 matching colors (maximum) on each sign encouraged; pattern or scheme required. Garish schemes not allowed.	

<b>Logos</b>	Maximum 20 percent of approved sign area	
<b>Illumination</b>	Signs may be illuminated or not, but all illumination must be the same type and intensity of light	
<b>Poles</b>	N/A	One pole preferred for signs other than multi-business signs. Minimum skirt width of 4 feet for single pole. Maximum of 2 poles per sign. Poles may not be illuminated.

**5. Nonresidential subdivision signs.**

- a. Nonresidential subdivision signs shall meet the standards in the following table:

<b>Sign Type</b>	<b>Maximum Sign Area</b>	<b>Maximum Signs</b>	<b>Maximum Height</b>
Freestanding: Subdivision identification or a freestanding multi-tenant sign (monument sign preferred)	72 square feet	1 per exterior road frontage, 2 maximum	12 feet for pole sign with minimum 7-foot wide base, 8 feet for monument
Monument Signs for individual parcels and lease lots	60 square feet	1 per parcel or lease lot	6 feet
<b>Sign Type</b>	<b>Maximum Sign Area</b>	<b>Maximum Signs</b>	<b>Maximum Height</b>
Wall: Including canopy face	Lesser of 72 square feet or 15% of business frontage wall area	1 per business frontage and one per public street, 3 maximum	None
Canopy Sign:	4 square feet	1 per business	Bottom of sign maximum 18 inches below bottom of canopy face

- 6. Nonresidential subdivision sign standards.** All commercial subdivision identification signs, multiple business signs, freestanding signs for individual businesses, and all wall signs shall conform to the following criteria and standards and the standards of paragraph N.

<b>Criteria and Standards for Nonresidential Subdivision Signs</b>		
<b>Criteria</b>	<b>Wall Signs</b>	<b>Freestanding Signs</b>
<b>Locations</b>	Uniform vertical positions; all centered on storefront or to one side of storefront	N/A
<b>Type</b>	Similar style encouraged; logos allowed	
<b>Materials</b>	Similar style; compliment building facade materials	
<b>Colors.</b>	Same 3 matching colors (maximum) on each sign encouraged; pattern or scheme required. Garish schemes not allowed	

<b>Logos</b>	Maximum of 20 percent of sign area	
<b>Illumination</b>	Signs may be illuminated or not, but all illumination must be the same type and intensity of light	
<b>Poles</b>	N/A	One pole preferred for signs other than multi-business signs. Maximum of 2 poles per sign. Poles may not be illuminated.

- I. **Miscellaneous temporary and permanent signs.** The following temporary and permanent signs are permitted in addition to any allowed in above, and all require a sign permit.

1. **Temporary signs.**

- a. Construction site identification signs, naming the project, developer, contractors and others connected with the construction, sale or lease of structures, and related information, are permitted. Not more than one such sign may be erected per site, and it may not exceed 32 square feet in area or six feet in height. Permits for such signs shall be limited to one-year, with a one year permit renewable option. Permits for such signs shall be limited to a maximum of two years, which includes the original permit period, provided:

- i. such signs are not erected prior to site, Special Use or Conditional Zoning ~~or Conditional Use~~ approval of the project identified;
- ii. that such permits have not expired and;
- iii. the signs are maintained in good condition ~~and appearance as determined by the Planning Director~~ with no visible deterioration, flaking paint, cracks, etc.

Any such sign shall be removed within ten days after the issuance of the final occupancy permit or where a site, Special Use Conditional Use permit or Conditional Zoning approval has expired. ~~One year permit renewals beyond the two (2) year maximum time period may be granted only in limited instances if the Planning Director finds conditions such as extreme financial hardships, changes in project ownership status or similar issues are preventing the sale or completion of the project.~~

- b. Signs or banners advertising special events must be on private property and shall not be permitted within public rights-of-way. Permits for such banners or signs shall be limited to 30 days and no more than three times each year. Any such banner or sign shall be removed within ten days after the event was advertised.
- c. Signs or banners advertising the initial opening of a business establishment may be permitted on private property. Not more than one such sign or banner per site is permitted at any one time; such sign or banner shall not exceed 32 square feet in area and shall meet all other requirements. Permits shall be limited to 30 days from the date of issue.
- d. Signs on private property directing the public to a subdivision or multifamily development are permitted, provided that the property owner's written permission for such use of his land accompanies the permit request, that the sign does not exceed 32 square feet in surface area or six (6) feet in height. The sign shall bear only the

name of and direction to the development. Permits for such signs are limited to one year with a one year permit renewal option. Permits for such signs shall be limited to a maximum of two (2) years which includes the original permit time period, provided such signs are maintained in good condition and appearance with no visible deterioration, flaking paint, cracks, etc. as determined by the Planning Director. Any such sign shall be removed within ten days after the issuance of the final occupancy permit or upon expiration of the sign permit. ~~One-year permit renewals beyond the two (2) year maximum time period may be granted only in limited instances if the Planning Director finds conditions such as extreme financial hardships, changes in project ownership status or similar issues are preventing the sale or completion of the project.~~

- e. Signs providing direction to a U-pick farm operation or agricultural market are permitted. Any such sign shall not exceed 32 square feet in area. 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.
- f. The application for a permit under the above noted sections and the enjoyment of the rights to display signage pursuant to this section constitute an authorization by the owner of the sign that the Town may remove and destroy the sign if the owner fails to remove the sign within 10 days of the expiration of the last permit issued for the sign.

If the sign is located on private property, the application for the permit for the sign and the enjoyment of the right to display such signage constitutes authorization for the Town to enter upon such private property to remove the sign pursuant to the above noted sections.

## 2. **Permanent signs.**

### a. **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 and requires a~~ Variance.
- (2) All other entrances for each distinct phases 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. A single 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 ten feet. A sign located in the median of a public right-of-way shall

be located a minimum of ten feet from the end of the median radius and shall not exceed 3.5 feet. ~~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 and requires a Variance.

- (3) For all entrance 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, etc., or similar architectural features.
- b. **Promotional signs.** Promotional signs advertising commercial business or goods are allowed on the interior surface of fences of private, public or semi-public ballfields.
- c. **Schedule and sponsor sign.**
- (1) A schedule and sponsor sign may be erected on school property at a school ballfield provided no adverse impact on traffic safety or neighborhood character, as determined by the permit-issuing authority, will result. The sign may be erected according to the following:
- (a) Zero--50 feet from road right-of-way, unlighted, maximum 50 square feet of face area;
- (b) Fifty-one--150 feet from road right-of-way, unlighted, maximum of 150 square feet of face area; or
- (c) Greater than 150 feet from right-of-way, 300 square feet maximum face area.
- (2) The sign may list a schedule of dates and locations of play, and may list sponsors, by name only. Advertisements beyond the name of the sponsor(s) is not permitted. No part of this sign shall be higher than 25 feet above grade.
- d. **Bulletin boards.** Bulletin boards not over 12 square feet in area for public, charitable or religious institutions and located on the same premises as the institution being served is permitted.
- e. **Time and/or temperature signs in OI, CR, SB districts.** One freestanding or wall time and/or temperature sign not exceeding 18 square feet in aggregate surface area is permitted on any lot in an OI, CR or SB district. Such sign may be illuminated and animated to the extent necessary to display time or temperature or both, but shall not otherwise flash, blink or rotate.
- f. **Farm product signs.** Signs advertising the sale of farm products on-site, limited to a maximum of 24 square feet per face, are permitted. Not more than one such sign may be erected per site.
- g. **Community service signs.** A welcome sign, or a sign incorporating the insignias of more than one civic, governmental and/or non-profit organizations may be permitted. Any such sign shall not exceed 100 square feet, nor exceed 12 feet in height. Location within a right-of-way may be permitted with state and Town approval, as applicable. Such signs may be either on-premise or off-premise.
- h. **Electronic message signs.**
- (1) Signs that have an electronic changeable copy message are allowed as part of a permanent freestanding

monument sign. Such sign shall not be permitted to be on a wall sign. All electronic message signs must meet the following criteria:

- (a) The square footage of the electronic message area and the primary sign area together shall not exceed the total allowable sign area for that use or zoning district;
  - (b) The electronic message sign area cannot exceed 40 percent of the total sign area;
  - (c) The electronic message sign must be physically attached to the primary sign;
  - (d) The electronic message sign area may contain up to three horizontal rows of information;
  - (e) The total electronic sign message, defined as both sides of the sign, or any portion thereof may change only one timer per hour over a 24-hour period of time. This restriction does not apply to signs displaying emergency information during publicly declared local, state, or national emergencies or disasters; and
  - (f) 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 message signs 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) The color of any digital message text or display shall be red. No background colors are allowed.
  - (4) Electronic message signs are prohibited on off-premises advertising signs.
  - (5) Illumination of electronic signs shall be in accordance with the requirements of Subsection G.4.
  - (6) Electronic message signs 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 message sign will be used have been approved by the Town of Garner as part of a project's master sign plan.~~
  - (7) Violation of the electronic sign ordinance shall be punishable as follows:
    - (a) A civil penalty of \$100.00 for each day of the first violation and \$500.00 each day for subsequent violations;
    - (b) Injunctive relief;
    - (c) Upon issuance of a violation notice, the electronic sign must be turned off and remain turned off until





- (d) Upon issuance of a second or subsequent violation, citation or notice, the sign permit shall be automatically terminated;
- (e) Any illumination of the sign following permit termination shall be punishable by a fine of \$1,000.00 per day;
- (f) The sign may not lawfully be illuminated following such termination except upon reapplication and issuance of a subsequent sign permit, and payment of all fees and fines; and
- (g) Issuance of a subsequent sign permit following such termination and reapplication shall be consummated only after the applicant has posted a cash bond in the amount of \$2,500.00, to be available for possible future fines.

**J. Timber Drive Overlay District sign regulations.**

1. **Signage for individual building.** Signs on an individual building shall meet the standards in the following table.

Sign Type	Maximum Sign Area Per Lot	Maximum Number	Maximum Height (Freestanding)
<b>Freestanding: (monument only)</b>	48 square feet	1 per street frontage, 2 maximum	5 feet, monument sign only
<b>Wall:</b>	Lesser of 60 square feet or 10% of business frontage wall area	1 per business frontage and 1 per street frontage, 3 maximum	No sign above roofline
<b>Combined:</b>	125 square feet		

**Note: Freestanding signage for all buildings with build-to option shall be limited to 36 square feet in sign area, one freestanding sign per lot not to exceed a height of four feet measured at grade.**

2. **Multi-tenant signs.** All multi-tenant signs, including but not limited to shopping center identification signs, multiple business signs, directory signs and all wall signs, shall meet the standards in the following table.

Sign Type	Maximum Sign Area	Maximum Number	Maximum Height
Freestanding shopping center sign or freestanding multi-business sign	48 square feet	1 per street frontage, 2 maximum	5 feet, monument sign only
On-premise freestanding directory sign	20 square feet	internal location only, 2 maximum	5 feet, monument sign only
Freestanding outparcel sign	40 square feet	1 per outparcel	5 feet, monument sign only
Wall (includes canopy face)	Lesser of 72 square feet or 10% of business frontage wall area	1 per business frontage and 1 per public street, 3 maximum	No sign above roofline

Wall for 100,000 square foot building, business complex or major tenant in a shopping center	Greater of 60 square feet or 7% of business frontage wall	4	No sign above roofline
Canopy Underhang	4 square feet	1 per business	Bottom of sign maximum 18 inches below bottom of canopy face

3. **Nonresidential subdivision signs.** Nonresidential subdivision signs shall meet the standards in the following table:

Sign Type	Maximum Sign Area	Maximum Number	Maximum Height
Directional sign: Development up to 300,000 square feet	20 square feet	1 per entrance or internal intersection, 2 maximum	5 feet
Development over 300,000 square feet	20 square feet	1 per entrance or internal intersection, 4 maximum	5 feet, monument only
Freestanding subdivision identification sign or freestanding multi-business sign (monument signs preferred)	48 square feet	1 per exterior road frontage, 2 maximum	5 feet, monument sign only
Freestanding signs for individual parcels & lease lots	48 square feet	1 per parcel or lease lot	5 feet, monument sign only
Sign Type	Maximum Sign Area	Maximum Number	Maximum Height
Wall (including canopy face)	Lesser of 72 square feet or 15% of business frontage wall area	1 per business frontage and 1 per public street, 3 maximum	No sign above roofline
Canopy Sign	4 square feet	1 per business	Bottom of sign maximum 18 inches below bottom of canopy face

K. **U.S. 70/401 Thoroughfare Overlay District signage requirements.** Shopping centers, business complex signs, and commercial subdivision signs shall meet the requirements in the following table (for shopping center development greater than 300,000 square feet, see paragraph H of this Section).

Sign Type	Maximum Sign Area	Maximum Number	Maximum Height
Directory: Development up to 300,000 square feet	20 square feet	1 per entrance or internal intersection, 2 maximum	5 feet monument only

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Freestanding shopping center sign or freestanding multi-business sign  OR When a development has a minimum of 100 feet of frontage along 2 major thoroughfares the following applies: 2 signs @ 100 square feet in area 12 feet tall (1 sign per street frontage) 1 sign @ 100 square feet in area 6 feet tall (100 foot separation from other signs)	100 square feet  100 square feet (all signs)	1 per street frontage, 2 maximum  Two 12' signs (1 per street)  One 6'tall sign (100' separation from other signs) 3 maximum	12 feet, monument sign only  2 @ 12 feet, monument only  1 @ 6 feet, monument only
Freestanding shopping sign or freestanding multi-business sign for development that has a minimum 100,000 square feet of GLA and a minimum property frontage of 100 feet along each public street.	100 square feet	1 per street frontage, 3 maximum	12 feet, monument only
<b>Sign Type</b>	<b>Maximum Sign Area</b>	<b>Maximum Number</b>	<b>Maximum Height</b>
On-premise freestanding directory sign	20 square feet	Internal location only, 2 maximum	5 feet, monument sign only
Freestanding outparcel sign	32 square feet	1 per outparcel	4 feet, monument sign only
Wall (includes canopy face)	Lesser of 72 square feet or 10% of business frontage wall area	1 per business frontage and 1 per public street, 3 maximum	
Wall for 100,000 square foot building, business complex or major tenant in a shopping center	Greater of 60 square feet or 7% of business frontage wall	4	
Canopy underhang	4 square feet	1 per business	Bottom of sign maximum 18 inches below bottom of canopy face

**L. Removal or repair of signs.**

- Whenever use of a building or premises by a specific business or activity is discontinued for that business or activity for a period of 60 days, signs pertaining to that business or activity shall be immediately removed by the owner. Failure to do so shall constitute abandonment of the sign and is sufficient grounds to order the sign's removal.
- Every sign and sign structure shall be maintained in good condition at all times. The Planning Director shall have the authority to order painting, repair, alteration or removal of any sign or sign structure which

constitutes, by reason of inadequate maintenance, dilapidation, obsolescence, or abandonment, a public nuisance or hazard to safety, health, or public welfare. Permits for any such sign may be revoked in accordance with Article 10, Enforcement.

3. Procedures for handling violations are contained in Article 10, Enforcement.

M. **Nonconforming signs.** See Article 9~~Section 9.6, Nonconforming signs,~~  
Nonconformities.

N. ~~**Master sign plan.** The purpose of this section is to set forth design criteria and standards for signage in particular types of development so as to produce a coordinated and complimentary graphic image that achieves consistency and harmony among signs. Shopping centers, business complexes, commercial subdivisions and mixed use residential subdivisions are required to meet the requirements of this section.~~

~~1. **Master sign plan required.**~~

~~a. Master sign plans shall be required for the following types of development:~~

~~(1) All existing and newly proposed multi-tenant complexes.~~

~~(2) All existing and newly proposed commercial subdivisions. Refer to sections H., I. and J. for requirements regarding dimensional and number requirements.~~

~~b. The purpose of this plan is to detail the standards for uniformity which the development proposes to live up to, and to state the manner in which the design criteria and standards for uniform signage set forth in this section shall be met.~~

~~c. Sign permits for individual businesses within the development (and therefore subject to the master sign plan) shall be approved by the Planning Director, following master sign plan approval.~~

~~d. All signs shall conform to the approved master sign plan on file with the Town. It shall be the responsibility of the owner of the development to ascertain that the most updated version is on file for purposes of this UDO.~~

~~2. **Review of master sign plans.**~~

~~a. All master sign plans shall be complete, as determined by the Planning Department, prior to submission to the Planning Commission for approval consideration. The Planning Commission shall have the authority to approve all master sign plans and amendments as provided for herein.~~

~~b. One copy of the master sign plan shall be submitted to the Planning Department for staff review at the time of initial submittal.~~

~~c. At the completion of the review period, the applicant shall be responsible for providing 13 complete copies incorporating any staff revisions.~~

~~3. **Appeals.** The applicant may appeal the Planning Commission's decision regarding a master sign plan to the Town Council, provided such appeal is furnished in writing to the Planning Department within 30 days of the Commission's decision. The applicant must clearly state the reasons for appealing the matter to Town Council. Upon receipt of a proper appeal notice from the applicant, the Planning Department will place the matter before the Town Council at its next available meeting for consideration. The Town Council may uphold, reverse, or modify the Commission's decision. The Town Council's decision on the appeal is final.~~

~~4. **Amendments to approved master sign plans.**~~

~~a. The Planning Director shall determine whether paragraph b below~~

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~~is applicable in any given case. All changes to an existing master plan require a formal application with all required information, as determined by the Planning Department, to enable the staff and the Planning Commission to properly evaluate the requested change.~~

- ~~b. Non-substantive deviations from approved master sign plans are permissible with approval from the Planning Director. A deviation is insignificant if it results in only minor changes to the master sign plan and to the overall appearance of the development (minor changes are defined as, but not limited to, sign size, letter styles, materials, etc.). Decisions shall be made on a case-by-case basis.~~
- ~~c. Substantive modifications of an approved master sign plan greater in scope than what is described in paragraph b above are permissible only with the approval of the Planning Commission.~~

**5. ~~Master sign plan requirements.~~**

- ~~a. The master sign plan is a document combining text descriptions of the physical properties of all property signage and typical color graphics. Logo limited to 20 percent of the approved sign area. The master sign plan shall provide at least the following elements.
 
  - ~~(1) A design review function is to be performed on behalf of the owner of the multi tenant center. This may be achieved by designating an architect, landscape architect, or graphic designer as the official review person to which all proposed signage must be submitted by the tenants, prior to application for sign permits. Include the name, address, telephone and fax number for the designated review person. Written approval of the official reviewer shall be required in order to receive the individual sign permit.~~
  - ~~(2) Color graphics and text description of the shopping center facade showing wall sign locations.~~
  - ~~(3) Color graphics and text description of a wall sign, presenting the types of materials, colors, type style, minimum and maximum dimensions, and type of illumination.~~
  - ~~(4) Color graphics and text description of each of the type styles and logos that comprise the chosen graphic theme or image that the shopping center is attempting to project.~~
  - ~~(5) Color graphics and text description of any freestanding identification or multiple business sign, indicating the locations, actual materials, colors, type style, logos, dimensions, manner of attachment, and type of illumination, support walls with decorative caps, etc.~~
  - ~~(6) A map indicating the location of all proposed signs. A section addressing the procedure each tenant must follow in order to secure a sign permit from the Town Planning Department.~~
  - ~~(7) A section addressing changes and updates to the master sign plan.~~
  - ~~(8) A text list of the types of prohibited signs.~~
  - ~~(9) A statement that:  
"Any change in a sign by any tenant from the approved master sign plan will cause a uniform change or will require the applicant to obtain a statement from the official review person which assesses the extent to which the variation~~~~

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~~from the plan is in keeping with the intent and goals of the plan, and the extent to which the change is acceptable to the owner."~~

- ~~b. Proposed changes shall be submitted to the Planning Director, who shall determine whether they are "substantive" or "non-substantive" changes to the master sign plan. Non-substantive changes may be approved by the Planning Director; substantive changes require an amendment to the master sign plan submitted to the Planning Commission.~~

(Ord. No. 3376, § 17, 1-17-06; Ord. No. 3515, §§ 2, 3, 6-2-08; Ord. No. 3558, § 2, 7-7-09; Ord. No. 3576, § 1, 3-1-10; Ord. No. 3618, § 1, 5-2-11; Ord. No. 3675, § 1, 10-1-12; Ord. No. 3714, § 1, 10-22-13; Ord. No. 38-01, § 5, 12-7-15)