

***CITY OF LUMBERTON  
SIGN PERMIT APPLICATION***

Company, Corporation or Person Requesting Sign Permit: \_\_\_\_\_

Address: \_\_\_\_\_ Telephone: \_\_\_\_\_

Property Owner Name & Address: \_\_\_\_\_

Owner of Proposed Sign: \_\_\_\_\_

Address: \_\_\_\_\_

Site Location of Proposed Sign: \_\_\_\_\_

***Type of Proposed Sign***

**ON PREMISES**

Free Standing Sign \_\_\_\_\_ Linear Feet of Street Frontage \_\_\_\_\_ (ft.)

Building Sign \_\_\_\_\_ Total Surface Area of the Building Wall \_\_\_\_\_ (sq.ft.)

**OFF PREMISES**

Distance to Nearest Adjoining Off Premises Sign \_\_\_\_\_ ft.

***Description of Proposed Sign***

Size of Proposed Sign (sq. ft.) \_\_\_\_\_ per side.

Single Face \_\_\_\_\_ Double Face \_\_\_\_\_

Height of Proposed Sign \_\_\_\_\_ ft.

Value of Proposed Sign \$ \_\_\_\_\_

**(Attach Site Plan Showing location of Proposed Sign on Lot and Distance from the Street right-of-way and Adjoining Property Lines).**

Signed By: \_\_\_\_\_

Print Name

\_\_\_\_\_

Signature

Date: \_\_\_\_\_

Approved \_\_\_\_\_

Disapproved \_\_\_\_\_

Comments: \_\_\_\_\_

\_\_\_\_\_  
Land Use Administrator

\_\_\_\_\_  
Date

Parcel # \_\_\_\_\_ Zoning District \_\_\_\_\_ Total Fees: \_\_\_\_\_ CK# \_\_\_\_\_ 2/6/14

# DEPARTMENT OF PLANNING & INSPECTIONS

## DEVELOPMENT REVIEW PROCEDURES

### PLAN REVIEW

CHAPTER 35 OF THE LUMBERTON CITY CODE REQUIRES THE PREPARATION AND SUBMITTAL OF DEVELOPMENT PLANS FOR REVIEW AND APPROVAL PRIOR TO THE ISSUANCE OF A BUILDING PERMIT. THE DEPARTMENT COORDINATES THIS FUNCTION FOR THE CITY AND ADVISES APPLICANTS OF THEIR RESPONSIBILITIES RELATIVE TO PLAN SUBMISSION, PERMIT ISSUANCE, AND FEE PAYMENT.

MOST BUILDING PERMITS CAN BE ISSUED WITHIN 2 TO 4 WORKING DAYS WHILE MOST TRADE PERMITS CAN BE ISSUED UPON APPLICATION. THE INFORMATION REQUIRED TO BE DISCLOSED FOR THE ISSUANCE OF A PERMIT IS REFLECTED ON THE APPLICATIONS OR ON THE SITE PLAN CHECK LIST, ALL OF WHICH ARE AVAILABLE AT THE DEPARTMENT.

BUILDING PERMITS FOR CHANGE OF USE, NEW CONSTRUCTION, ADDITIONS, ETC. REQUIRE THE SUBMISSION OF DETAILED DEVELOPMENT SITE PLANS AS WELL AS CONSTRUCTION DRAWINGS AND SPECIFICATIONS.

### REVIEW BY OTHER AGENCIES

THE TYPE OR LOCATION OF A DEVELOPMENT PROPOSAL MAY REQUIRE THE REVIEW OF PLANS AND SPECIFICATIONS BY STATE OR FEDERAL AGENCIES. WHILE THE APPLICANT IS RESPONSIBLE FOR ENSURING COMPLIANCE WITH THE REGULATIONS OF OTHER AGENCIES, THE DEPARTMENT WILL ROUTE PLANS TO THE RELEVANT FEDERAL, STATE, AND CITY AGENCIES FOR REVIEW AND COMMENT. PERMITS MAY NEED TO BE OBTAINED FROM THESE AGENCIES AND FEES PAID.

IN ADDITION, AUTHORIZATION TO USE A TRACT OF LAND MAY REQUIRE THE APPROVAL OF THE LUMBERTON CITY COUNCIL OR BOARD OF ADJUSTMENT; THESE APPROVALS ARE SUBJECT TO A PUBLIC HEARING PROCESS AND CAN REQUIRE SEVERAL MONTHS TO CONCLUDE.

### OTHER FEES

FEES MAY BE ASSESSED BY STATE AND FEDERAL AGENCIES AS WELL AS THE OTHER CITY AGENCIES. EXAMPLES INCLUDE THE PUBLIC WORKS DEPARTMENT FEES FOR DRIVEWAY CUTS, WATER CONNECTION, SEWER CONNECTION, AND STORM DRAINAGE, ALSO THE ELECTRIC UTILITIES DEPARTMENT FEES FOR SERVICE CONNECTIONS.

THESE FEES AS, APPROPRIATE, MUST BE PAID PRIOR TO THE ISSUANCE OF A BUILDING PERMIT.

### MUNICIPAL PLANNING AUTHORITY

THE CITY OF LUMBERTON ENFORCES COMPREHENSIVE LAND USE CODES WITHIN ITS CORPORATE LIMITS AND EXTRATERRITORIAL JURISDICTION. QUESTIONS ABOUT THE LOCATION OF ITS PLANNING BOUNDARY SHOULD BE DIRECTED TO THE PLANNING DEPARTMENT AT (910) 671-3838.

### MUNICIPAL UTILITIES

THE CITY OF LUMBERTON IS A FULL-SERVICE UTILITY PROVIDER OFFERING WATER, SANITARY SEWER, AND ELECTRIC UTILITY SERVICES.

### PLANNING DIRECTOR

ARTRIEL KIRCHNER 671-3976

### ASSISTANT PLANNING DIRECTOR

BRIAN NOLLEY 671-3977

### INSPECTIONS DIRECTOR

BEN ANDREWS 671-3837

### BUILDING CODE ENFORCEMENT OFFICERS

DOUGLAS HEMINGWAY 671-3839

BOBBY RAY MEARES 671-3840

### MINIMUM HOUSING ENFORCEMENT OFFICER

SHANNA HALLIBURTON 671-3842

### FIRE MARSHAL

BRANTLEY JACKSON 671-3841

### EXECUTIVE SECRETARY

JESSICA RANSOM 671-3838

### COMMUNITY DEVELOPMENT ADMINISTRATOR

STEPHANIE CANADY 671-3844

### PUBLIC WORKS DIRECTOR

ROB ARMSTRONG 671-3851

### ELECTRIC UTILITIES DIRECTOR

GREG PREVATTE 671-3868

## Planning & Inspections Fee

# CITY OF LUMBERTON



## PERMIT FEE SCHEDULE EFFECTIVE JULY 1, 2023

Effective July 1, 2023  
GENERAL INFORMATION  
THE FOLLOWING PERMIT FEES ARE CURRENT AS OF JULY 1, 2018 NO BUILDING, ELECTRICAL, PLUMBING, MECHANICAL OR OTHER PERMITS ISSUED BY THE DEPARTMENT SHALL BE VALID UNTIL FEES HAVE BEEN PAID TO THE CITY OF LUMBERTON.

PERMITS WILL BE ISSUED BETWEEN THE HOURS OF 8:00 AND 10:00 A.M. IN THE PLANNING DEPARTMENT AT THE MUNICIPAL BUILDING, 500 N. CEDAR STREET, LUMBERTON.

FOR MORE INFORMATION ON PERMIT FEES, PLEASE CALL THE PLANNING DEPARTMENT AT 671-3838.

I. BUILDING PERMITS

A. NEW CONSTRUCTION, ADDITIONS, AND ALTERATIONS:		
\$3.50 PER \$1,000 CONSTRUCTION VALUE		
\$50.00 MINIMUM		
B. REROOF OR REPAIR TO ROOF:		
\$3.50 PER \$1,000 CONSTRUCTION VALUE		
\$50.00 MINIMUM		
C. BUILDING DEMOLITION:		
RESIDENTIAL		\$100.00
COMMERCIAL 0.1-10,000 SQFT.		\$150.00
COMMERCIAL 10,001+		\$250.00
D. MOVING PERMIT:		\$100.00

II. INSULATION		
\$0.015 PER SQUARE FOOT HEATED FLOOR		
(\$50.00 MINIMUM)		

III. ELECTRICAL		
\$50.00 APPLICATION FEE PLUS		
\$5.00 PER 220 VOLT OUTLET		
\$0.50 PER 110 VOLT OUTLET		
\$5.00 PER MOTOR		
SERVICE CHANGE & REPAIR		
UP TO 200 AMP	\$35.00	
201 AMP+	\$50.00	

IV. PLUMBING

A. \$50.00 APPLICATION FEE PLUS:		
\$5.00 PER FIXTURE		
B. SPRINKLER SYSTEM		
\$0.01 PER SQUARE FOOT FLOOR AREA		

V. MECHANICAL

\$50.00 APPLICATION FEE PLUS:		
A. AIR CONDITIONING & HEAT PUMPS		
0.1 - 5 TONS		\$20.00
5.1 - 50 TONS		\$25.00
50+ TONS		\$60.00
SPLIT SYSTEMS ADD		\$10.00
B. FOSSIL FUEL BURNING EQUIPMENT		
0.1 - 50,000 BTU		\$15.00
50,000 - 100,000 BTU		\$20.00
100,000 - 200,000 BTU		\$25.00
200,001+ BTU		\$30.00
C. REFRIGERATION		
(COMPRESSOR RATING)		
0.1 - TONS		\$10.00
5.1 - 15 TONS		\$15.00
15 + TONS		\$25.00
D. COOKING EQUIPMENT HOODS		
(COMMERCIAL ONLY)		
0.1 - 10 SQ.FT.		\$15.00
10.1 - 50 SQ.FT.		\$20.00
50.1 - 100 SQ.FT.		\$25.00
100+ SQ.FT.		\$35.00
EXHAUST FANS		
		\$5.00
VENTILATION EQUIPMENT		
(OTHER THAN RESIDENCES)		
		\$20.00

E. MODIFICATION, REPAIR OR REPLACEMENT OF		
DUCT WORK		\$30.00
GAS PIPING		\$30.00

VI. MOBILE HOMES

SET UP FEE	\$50.00
ELECTRICAL FEE	\$50.00
PLUMBING FEE	\$50.00
REINSPECTION FEE	\$30.00

VII. MISCELLANEOUS FEES

A. ABC COMPLIANCE	\$50.00
B. DAYCARE COMPLIANCE	\$50.00
C. FUEL TANK PRESSURE TEST	\$50.00
D. POWER OUTS (VACANT)	\$50.00
E. COMMERCIAL FIRE ALARM	\$50.00

VIII. SIGNS

A. NEW SIGN		
1. OUTDOOR ADVERTISING		
OFF PREMISES-		\$100.00 PER SIDE
2. PRINCIPLE USE		
0 – 50 SQ.FT.		\$50.00
51+ SQ.FT.		\$100.00
3. COMMERCIAL ACCESSORY -		
\$10.00 PER SIDE		
4. TEMPORARY -		
\$10.00 PER SIDE		
B. MODIFICATION		
ALL SIGNS		\$25.00 PER SIDE

IX. OTHER FEES

A. CONDITIONAL USE PERMIT	
1. APPLICATION FEE	\$350.00
2. SUBDIVISION - PAYABLE AT FINAL PLAT STAGE	
A. PER LOT W/IMPROVEMENTS	\$50.00
B. PER LOT W/O IMPROVEMENTS	\$20.00
B. VARIANCE OR APPEAL TO ADMINISTRATIVE DECISION:	
APPLICATION	
	\$350.00
C. REZONING PETITION	
APPLICATION	
	\$350.00
D. ZONING TEXT AMENDMENTS	
	\$300.00
E. ANNEXATION PETITION	
APPLICATION	
	\$200.00
F. LAND USE PERMIT (ZONING)	
	\$25.00
G. ZONING CERTIFICATION LETTER	
	\$15.00
H. SITE PLAN REVIEW	
(LESS THAN 1 ACRE)	
	\$ 50.00
(FROM 1 TO 4.9 ACRES)	
	\$150.00
(5 ACRES & LARGER)	
	\$250.00
3 <sup>RD</sup> & EACH ADDITIONAL REVIEW	
	\$ 50.00
I. LAND USE ORDINANCE	
	\$ 30.00
J. FLOODPLAIN DEVELOPMENT PERMIT	
	\$25.00
COPIES	
8.5" X 11" (14")	\$ .25
11" X 17"	\$ .50
18" X 24"	\$ 2.00
24" X 36"	\$ 3.00
30" X 42"	\$ 4.00

## CHAPTER 35 ARTICLE XVII. SIGNS\*

### Sec. 35-270. Definitions.

Unless otherwise specifically provided, or unless clearly required by the context, the words and phrases defined in this section shall have the meaning indicated when used in this article:

*Building sign.* A sign that is attached to a building wall or structure.

*Changeable Copy sign.* Any sign that is designed so that copy can be periodically changed, either manually in the field or through mechanical or computerized methods, including but not limited to readerboards and computerized pixel-lit message boards. This definition shall not apply to off-premises/outdoor advertising displays whose face may periodically rotate or change to display multiple messages.

*Flag.* A piece of cloth or material of like flexibility, usually rectangular in shape, attached from one (1) or two (2) edges, of distinctive color and design, used as a symbol, decoration or advertisement. This definition includes political flags and does not include purely decorative flags erected on residential property.

*Freestanding sign.* A sign that is attached to, erected on, or supported by some structure (such as a pole, mast, frame, or other structure) that is not itself an integral part of a building or other structure whose principal function is something other than the support of a sign. A sign that stands without supporting elements, such as "sandwich sign," is also a freestanding sign.

*Logo or corporate logo.* The graphic or pictorial presentations of a message, including, but not limited to, the use of shapes, designs, decorations, emblems, symbols or illustrations, or the superimposition of letters or numbers, or any other use of graphics or images.

*Off-premises signs/outdoor advertising display.* A sign that draws attention to or communicates information about a business, service, commodity, accommodation, attraction, or other activity that is conducted, sold or offered at a location other than the premises on which the sign is located.

*Sign.* Any device that (1) is sufficiently visible to persons not located on the lot where such device is located to accomplish either of the objectives set forth in subdivision two of this definition, and (2) is designed to attract the attention of such persons or to communicate information to them.

*Streamer.* A long narrow flag, banner, or pennant; or an interconnected series of small triangular or rectangular flags.

*Temporary sign.* A sign that (1) is used in connection with a circumstance, situation, or event that is designed, intended or expected to take place or to be completed within a reasonably short or definite period after erection of such sign, or (2) is intended to remain on the location where it is erected or placed for a period of not more than fifteen (15) days. If a sign display area is permanent but the message displayed is subject to periodic changes, that sign shall not be regarded as temporary.

(Ord. No. 927, 1-12-87; Ord. No. 1630, 9-8-97)

**Sec. 35-271. Permit required for signs.**

- (a) Except as otherwise provided in sections 35-272 (Signs excluded from regulation) and 35-273 (Certain temporary signs; permit exceptions and additional regulations) no sign may be erected, moved, enlarged, or substantially altered except in accordance with and pursuant to:
  - (1) A zoning permit, or special use permit if the sign is erected, moved, enlarged or altered as part of development activity that required such a permit; or
  - (2) A sign permit if the development activity does not involve a change in use and therefore none of the permits specified in subsection (1) is required; or
  - (3) A special use permit if such a permit is required to be received pursuant to the provision of section 35-277(g).
- (b) The permits listed in paragraph (a) may be issued only if the plans submitted demonstrate that the signs, if constructed in accordance with those plans, will conform to all of the requirements of this chapter.

(Ord. No. 927, 1-12-87; Ord. No. 1228, 8-6-90)

**Sec. 35-272. Signs excluded from regulations.**

The following signs are exempt from regulation under this chapter except for those stated in subsections 35-282(b) through (e):

- (1) Signs not exceeding four (4) square feet in area that are customarily associated with residential use and that are not of a commercial nature, such as (a) signs giving property identification names or numbers or names of occupants, (b) signs on mailboxes or paper tubes, and (c) signs posted on private property relating to private parking or warning the public against trespassing or danger from animals.
- (2) Signs erected by or on behalf of or pursuant to the authorization of a governmental body, including legal notices, identification and informational signs, and traffic, directional or regulatory signs.
- (3) Official signs of a noncommercial nature erected by public utilities.
- (4) Flags, pennants, or insignia of any governmental or nonprofit organization when not displayed in connection with a commercial promotion or as an advertising device.
- (5) Integral decorative or architectural features of buildings or works of art, so long as such features or works do not contain letters, trademarks, moving parts, or lights.

- (6) Signs directing and guiding traffic on private property that do not exceed four (4) square feet each and that bear no advertising matter.
- (7) Church bulletin boards, church identification signs, and church directional signs that do not exceed one per abutting street and thirty-two (32) square feet in area and that are not internally illuminated.
- (8) Signs painted on or otherwise permanently attached to currently licensed motor vehicles that are not primarily used as signs.
- (9) Signs proclaiming religious, political, or other noncommercial messages (other than those regulated by Chapter 3, Article II. *Political Campaign Signs*, of the Code of the City of Lumberton) that do not exceed one per abutting street and sixteen (16) square feet in area and that are not internally illuminated.

(Ord. No. 927, 1-12-87)

**Sec. 35-273. Certain temporary signs; permit exemptions and additional regulations.**

- (a) The following temporary signs are permitted without a zoning, special use, or sign permit. However such signs shall conform to the requirements set forth below as well as all other applicable requirements of this chapter except those contained in sections 35-276 through 35-278.
  - (1) Signs containing the message that the real estate on which the sign is located (including buildings) is for sale, lease, or rent, together with information identifying the owner or agent. Such signs shall be removed immediately after sale, lease, or rental. A single sign on each street frontage may be erected. All Such real estate signs shall meet the following restrictions:
    - (a) May not exceed six (6) square feet in area for single family/duplex lots and commercial properties less than one (1) acre.
    - (b) May not exceed thirty-two (32) square feet for all other commercial property.
    - (c) May not exceed sixty-four (64) square feet for commercial property located within two-hundred (200) feet of an interstate right-of-way.
  - (2) Construction site identification signs. Such signs may identify the project, the owner or developer, architect, engineer, contractor and subcontractors, funding sources, and may contain related information. Not more than one such sign may be erected per site, and it may not exceed thirty-two (32) square feet in area. Such signs shall not be erected prior to the issuance of a building permit and shall be removed within ten (10) days after the issuance of the final occupancy permit.
  - (3) Signs attached temporarily to the interior of a building window or glass door. Such signs, individually or collectively, may not cover more than fifty (50) percent of the surface area of the transparent portion of the window or door to

which they are attached. Such signs shall be removed within thirty (30) days after placement.

- (4) Displays, including lighting, erected in connection with the observance of holidays. Such signs shall be removed within ten (10) days following the holidays.
- (5) Signs erected in connection with elections or political campaigns. Such signs shall be regulated solely by Chapter 3, Article II. *Political Campaign Signs*, of the Code of the City of Lumberton).
- (6) Signs indicating that a special event such as a fair, carnival, circus, festival or similar happening is to take place on the lot where the sign is located. Such signs may be erected not sooner than two (2) weeks before the event and must be removed not later than three (3) days after the event.
- (7) Temporary signs not covered in the foregoing categories, so long as such signs meet the following restrictions:
  - (a) Not more than one such sign may be located on any lot.
  - (b) No such sign may exceed four (4) square feet in surface area.
  - (c) Such sign may not be displayed for longer than three (3) consecutive days nor more than ten (10) days out of any three hundred sixty-five-day period.
- (b) Other temporary signs not listed in paragraph (a) shall be regarded and treated in all respects as permanent signs, except that (as provided in section 35-276) temporary signs shall not be included in calculating the total amount of permitted sign area.

(Ord. No. 927, 1-12-87; Ord. No. 2006.04.01, 04-24-2006)

#### **Sec. 35-274. Determining the number of signs.**

- (a) For the purpose of determining the number of signs, a sign shall be considered to be a single display surface or display device containing elements organized, related, and composed to form a unit. Where matter is displayed in a random manner without organized relationship of elements, each element shall be considered a single sign.
- (b) Without limiting the generality of paragraph (a), a multisided sign shall be regarded as one sign.

(Ord. No. 927, 1-12-87)

#### **Sec. 35-275. Computation of sign area.**

- (a) The surface area of a sign shall be computed by including the entire area within a single, continuous, rectilinear perimeter of not more than eight (8) straight lines, or a circle or an ellipse, enclosing the extreme limits of the writing, representation, emblem or other display, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which

it is placed, but not including any supporting framework or bracing that is clearly incidental to the display itself.

- (b) If the sign consists of more than one section or module, all of the area, including that between sections or modules, shall be included in the computation of the sign area.
- (c) With respect to three-dimensional or multi-sided signs, the surface area shall be computed by including the total of all sides designed either to attract attention or communicate information.
- (d) The sign surface area of any sign located on the wall of a structure where the closest element of the sign is at least one hundred (100) feet from the street centerline shall be computed by multiplying the true sign surface area (determined in accordance with the other provisions of this section) by five-tenths (0.5).
- (e) Unless otherwise provided in this article, the maximum sign surface area permitted on any lot in any residential district (see section 35-135) is four (4) square feet.
- (f) For the purposes of computing sign area, changeable copy signs shall not exceed forty (40) percent of the total sign surface area as determined by this section.

**(2006)**

#### **Sec. 35-276. Building signs.**

- (a) Subject to the other provisions of this section, the maximum building sign area permitted on a lot in a commercial (section 35-136) or manufacturing (section 35-137) district shall not exceed five (5) percent of the total surface area of the building wall on which the sign is located.
- (b) No building sign may extend above any parapet or be placed upon any roof surface, except for purposes of this section, roof surfaces constructed at an angle of seventy-five (75) degrees or more from horizontal shall be regarded as building wall. This subsection shall not apply to displays, including lighting, erected in connection with the observance of holidays on the roofs of structures.
- (c) No building sign or supporting structure may be located in or over the traveled portion of any public right-of-way unless the sign is attached to the structural element of a building and an encroachment permit has been obtained from the city (and from the state if necessary).
- (d) Whenever a development does not have a freestanding sign, the maximum building sign area established in subsection (a) may be increased by the maximum freestanding sign surface area permissible for said development. If, pursuant to this subsection, a building sign is erected, moved, enlarged or altered so that its area exceeds the maximum established in subsection (a), then a freestanding sign shall not be erected for said development until the area of the building sign is reduced so that it is no greater than the maximum established in subsection (a).



**Sec. 35-277. Freestanding signs.**

- (a) The provisions of this section shall apply to freestanding signs except for off-premises signs/outdoor advertising displays. For purposes of this section, a side of a freestanding sign is any plane or flat surface included in the calculation of the sign surface area as provided in section 35-275. For example, building signs typically have one side. Freestanding signs typically have two (2) sides (back to back) although four-sided and other multi-sided signs are also common.
- (b) Except as authorized by this subsection, a single side of a freestanding sign may not exceed five-tenths (0.5) square feet in surface area for every linear foot of street frontage along the street toward which such signs is primarily oriented, except that in no case may a single side of a freestanding sign exceed one hundred (100) square feet in surface area if the lot on which the sign is located has less than four hundred (400) feet of frontage and two hundred (200) square feet on lots with four hundred (400) or more feet of frontage.
  - (1) A single side of a freestanding sign having a height greater than twenty (25) feet and not more than fifty (50) feet may not exceed four (4) square feet in surface area for every foot of height of the sign.
  - (2) A single side of a freestanding sign having a height greater than fifty (50) feet and not more than one hundred (100) feet may not exceed six (6) square feet in surface area for every foot of height of the sign.
- (c) With respect to freestanding signs that have no discernible "side," such as spheres or other shapes not composed of flat planes, no such freestanding sign may exceed five-tenths (0.5) square feet in total surface area for every linear foot of street frontage along the street toward which such sign is primarily oriented. However, in no case may such sign exceed one hundred (100) square feet in surface area.
- (d) Freestanding signs shall observe the setback requirements set forth in section 35-184.
- (e) Except as authorized by this subsection, no part of freestanding sign may exceed a height measured from the adjacent ground level of twenty-five (25) feet in the B-4, B-5, M-1 and M-2 districts and fifteen (15) in all other districts.
  - (1) A freestanding sign may have a height no greater than one hundred (100) feet measured from the adjacent ground level in the B-4 and B-5 districts if it is located within two hundred (200) feet of an interstate right-of-way.
  - (2) A freestanding sign may have a height no greater than fifty (50) feet measured from the adjacent ground level in the B-4 and B-5 districts if it is located within eight hundred (800) feet of an interstate right-of-way except that a special use permit must be granted if the sign is located within eight hundred (800) feet of property having a residential zoning classification other than the A (agricultural) district.

- (f) Except as authorized by this subsection, no development may have more than one freestanding sign.
  - (1) If a development is located on a corner lot that has at least four hundred (400) feet of frontage on each of the two (2) intersecting public streets, then the development may have not more than one freestanding sign along each side of the development bordered by such streets.
  - (2) If a development is located on a lot that is bordered by two (2) public streets that do not intersect at the lot's boundaries (double front lot), then the development may have not more than one freestanding sign on each side of the development bordered by such streets.

(Ord. No. 927, 1-12-87; Ord. No. 1015, 2-15-88; Ord. No. 1228, 8-6-90; Ord. No. 1425, 1-10-94; Ord. No. 1454, 7-25-94; Ord. No. 1466, 10-10-94)

**Sec. 35-278. Off-premises signs/outdoor advertising displays.**

- (a) A single side of an off-premises sign/outdoor advertising display may not exceed six hundred seventy-two (672) square feet in surface area with a maximum sign face height of fourteen (14) feet and sign face width of forty-eight (48) feet on interstate highways nor more than ninety-six (96) square feet on all other arteries. However, in no case may the total surface area of three-dimensional and multi-sided signs exceed one thousand six hundred (1,600) square feet in surface area on interstate highways nor more than one hundred ninety-two (192) square feet on all other arteries.
- (b) No off-premises sign/outdoor advertising display may be located closer to any other off-premises sign/outdoor advertising display on the same side of the highway than one thousand (1,000) feet for interstate highways and two thousand (2,000) feet for all other arteries.
- (c) Off-premises signs/outdoor advertising displays shall observe the setback requirements established for freestanding signs set forth in section 35-184.
- (d) The maximum height of an off-premises sign/outdoor advertising display shall not exceed fifty (50) feet on interstate highways nor more than twenty-five (25) feet on all other arteries measured from the average finished grade at the sign or finished grade of the highway directly adjacent to the sign, whichever is higher, to the top of the sign/display.
- (e) As provided in the table of permissible uses (use classification 27.00), no off-premises signs/outdoor advertising display (except those exempt from regulation or from permit requirements under section 35-272 or 35-273) may be located in any district other than a B-4, B-5, M-1 or M-2 district.
- (f) No off-premises sign/outdoor advertising display may be located closer than one hundred (100) feet to any residential use or district within the same block and on the same side of the street.
- (g) Changeable copy as defined by Sec. 35-270 shall not be allowed as part of an off-premises sign/outdoor advertising display.

(Ord. No. 927, 1-12-87; Ord. No. 1103, 2-6-89; Ord. No. 1153, 9-18-89; Ord. No. 1434, 2-28-94; Ord. No. 1604, 2-10-97); Ord. No. 2075, 12-11-06)

**Sec. 35-279. Subdivision and multifamily development entrance signs.**

At any entrance to a subdivision or multifamily development there may be not more than two (2) signs identifying such subdivision or development. A single side of any such sign may not exceed sixteen (16) square feet, nor may the total surface area of all such signs located at a single entrance exceed thirty-two (32) square feet. Notwithstanding the foregoing, if the entrance is located upon an arterial street and the sign is designed to complement, in its construction and location, the surrounding environment, then a special use permit may be granted to allow a larger area, but, in no event, shall a single side of any such sign exceed thirty-two (32) square feet or the total surface area of all such signs located at a single entrance exceed sixty-four (64) square feet.

(Ord. No. 927, 1-12-87; Ord. No. 1237, 9-24-90)

**Sec. 35-280. Sign illumination and signs containing lights.**

- (a) Unless otherwise prohibited by this chapter, signs may be illuminated if such illumination is in accordance with this section.
- (b) No sign within one hundred fifty (150) 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 it 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) Internally illuminated freestanding signs may not be illuminated during hours that the business or enterprise advertised by such sign is not open for business or in operation.
- (e) Subject to paragraph (g), illuminated tubing or strings of lights that outline property lines, sales areas, roof lines, doors, windows, or similar areas are prohibited.
- (f) Subject to paragraph (g), no sign may contain or be illuminated by flashing or intermittent lights or lights of changing degrees of intensity, except signs indicating the time, date or weather conditions. Changeable copy signs shall not be considered as having flashing or intermittent lights or lights of changing degrees of intensity. Changeable copy signs shall not have moving lights, including animated or scrolling advertising. If a message is changed electronically, it must be accomplished within an interval of two (2) seconds or less. Changeable copy signs must contain a default sign that will freeze the sign in one position if a malfunction occurs.
- (g) Paragraphs (e) and (f) do not apply to temporary signs erected in connection with observance of holidays.

(Ord. No. 927, 1-12-87)

### **Sec. 35-281. Miscellaneous restrictions and prohibitions.**

- (a) No sign may be located so that it substantially interferes with the view necessary for motorists to proceed safely through intersections or to enter onto or exit from public streets or private roads.
- (b) Signs that revolve or are animated or that utilize movement or apparent movement to attract the attention of the public are prohibited with the exception of flags and/or streamers. Without limiting the foregoing, animated display boards and propellers are prohibited, but signs that only move occasionally because of wind are not prohibited if their movement (i) is not a primary design feature of the sign, and (ii) is not intended to attract attention to the sign.

The restriction of this subsection shall not apply to signs specified in section 35-272(4) or to signs indicating time, date, or weather conditions.

- (c) No sign may be erected so that by its location, color, size, shape, nature or message, it would tend to obstruct the view of or be confused with official traffic signs or other signs erected by governmental agencies.
- (d) Freestanding signs and off-premises signs/outdoor advertisement displays shall be securely fastened to the ground or to some other substantial supportive structure so that there is virtually no danger that either the sign or the supportive structure may be moved by the wind or other forces of nature and cause injury to persons or property.
- (e) V-type off-premises signs/outdoor advertising displays are prohibited. (Steel monopole signs shall be excluded from this requirement.)

(Ord. No. 927, 1-12-87; Ord. No. 1153, 9-18-89; Ord. No. 1630, 9-8-97)

### **Sec. 35-282. Signs within the medical arts district.**

Notwithstanding any other provisions of this article excepting for the provisions of section 35-281, signs in the B-6 (medical arts) district may be erected, moved, enlarged, or substantially altered pursuant to plans approved by city council.

(Ord. No. 1448, 6-27-94)

### **Sec. 35-283. Blimps and balloons.**

Blimps and balloons indicating a special commercial event such as grand openings, special sales, etc. and being located on the lot where such special happenings are to take place may be erected no more than twice in one (1) calendar year and for a period not to exceed two (2) weeks. Such blimp or balloon shall meet the following restrictions:

- (a) Not more than one (1) such balloon or blimp may be located on any lot.
- (b) Such balloon or blimp may not exceed two hundred (200) square feet in surface area. (Surface area is defined as the length times width of an inflated balloon.)
- (c) Such balloon or blimp may not be flown at a height above fifty (50) feet.

- (d) Such balloon or blimp must be located a distance off any street right-of-way or public property equal to the height of said balloon or blimp or the setback as required for signs within the zoning district in which it is to be located, whichever is greater.
- (e) Non-conductive anchor line must be used between the ground and blimp.
- (f) Balloons or blimps shall not be illuminated from the interior, the ground or the air.
- (g) No third party advertising shall be allowed on such balloon or blimp.
- (h) No balloon or blimp shall be allowed in zoning districts near Interstate 95 where high-rise signs are allowed by the Land Use Ordinance.
- (i) A sign permit shall be required for the flight/erection of any balloon or blimp.
- (j) The land use administrator shall require the applicant to obtain a special use permit if:
  - (1) The balloon or blimp is to be tethered within one hundred (100) feet of a residential use or zoning district; or
  - (2) The balloon or blimp is of more than two (2) colors; or
  - (3) The balloon or blimp is in the shape of any animal or living creature or any part of any animal or living creature; or
  - (4) The balloon or blimp is so garish as to be a public safety hazard especially to automobile drivers; or
  - (5) The balloon or blimp does not meet the intent of the land use ordinance.

(Ord. No. 1630, 9-8-97)

#### **Sec. 35-284. Flagpoles and Flags**

- (a) The term flag in this subsection shall mean a piece of cloth or material of like flexibility, usually rectangular in shape, attached from one (1) or two (2) edges, of distinctive color and design, used as a symbol, decoration or advertisement. This definition includes political flags and does not include purely decorative flags erected on residential property. References to flagpole height in this subsection refer to vertical flagpoles. References to the number of flags and flag poles and flag dimensions refer to both vertical flagpoles and mast arm flagpoles [for example, staffs extending at an angle from a building].

(b) Except as otherwise provided herein, flags shall be displayed on flag poles. Such poles in nonresidential zoning districts shall not exceed the allowed height of the zoning district or 70 feet whichever is less. Flagpoles may not be placed on top of buildings unless they are located in the B-1, B-2 or B-2H districts. Variations from this ordinance regarding the height of poles located on top of buildings may be granted by the Board of Adjustment, through application for a special use permit. Flagpoles in residential districts shall not exceed 15 feet unless a special use permit is granted by the Board of Adjustment. A fee shall not be charged for a use permit request for a residential flag.

(c) The maximum dimensions of any flag shall be proportional to the flag pole height. The hoist side of the flag(s) shall not exceed 20% of the vertical height of the pole. In addition, flags are subject to the following dimensional limitations:

(d)	Pole Height [ft]	Maximum Flag(s) Size [total square ft]	Each
	Up to 25 ft.	24 sq. ft.	
	25 to 39 ft.	40 sq. ft.	
	40 to 49 ft.	60 sq. ft.	
	50 to 59 ft.	96 sq. ft.	
	60 to 69 ft.	150 sq. ft.	
	70 ft.	216 sq. ft.	

commercial property shall be allowed a maximum of 3 flag poles and each residential property shall be allowed a maximum of 1 flag pole unless a special use permit is granted by the Board of Adjustment.

(e) A maximum of 3 flags shall be allowed per flag pole.

(f) Logos or colors may appear on flags. No third party advertising can appear on flags (example: "Coke", "Marlboro", etc.). First party advertising (such as a business name) may appear on flags provided that the total area for signage on a given site or at a given development is not exceeded, and all other requirements of Article XVII are met.

(g) A vertical flag pole must be set back from all property boundaries a distance which is at least equal to the height of the pole.

(h) The flag and flag poles shall be maintained in good repair. Flag poles with broken halyards shall not be used and flags which are torn or frayed shall not be displayed.

(i) On United States and North Carolina holidays, there shall be no maximum flag size or number or other limitations on manner of display.

**Secs. 35-285--35-289. Reserved.**