



Town of Waynesville

TOWN OF WAYNESVILLE

Planning Board – Regular Meeting

Town Hall, 9 South Main St., Waynesville, NC 28786

August 19, 2013

Monday – 5:30 PM

A. CALL TO ORDER

1. Welcome/Calendar/Announcements
2. Adoption of Minutes

Motion: *To approve the minutes of July 15, 2013 as presented (or as corrected).*

B. DISCUSSION OF THE DRAFT SIGN ORDINANCE

3. Proposed changes to Waynesville Sign Ordinance (Chapter 11 of the Land Development Standards).

C. ELECTION OF PLANNING BOARD CHAIRMAN AND VICE CHAIRMAN

D. ADJOURN

MINUTES OF THE TOWN OF WAYNESVILLE PLANNING BOARD
REGULAR MEETING
July 15, 2013

THE WAYNESVILLE PLANNING BOARD held a regular meeting on Monday July 15, 2013 at 5:30 p.m. in the board room of the Town Hall, 9 South Main Street, Waynesville, NC.

A. CALL TO ORDER

1. Welcome/Calendar/Announcements

Chairman Patrick McDowell welcomed everyone and called the meeting to order at 5:30 p.m. With the following members present:

Marty Prevost
Danny Wingate
Shell Isenberg
H. P. Dykes, Jr.
Jon Feichter
Brooks Hale
Don Stephenson
Chairman Patrick McDowell

The following staff members were present:

Paul Benson, Planning Director
Eddie Ward, Deputy Town Clerk

2. Minutes of June 17, 2013

Board Member Marty Prevost made a motion, seconded by Board Member Don Stephenson to approve the minutes of June 17, 2013 as presented. The motion passed unanimously.

B. TRAINING SESSION

3. Training session on quasi-judicial procedures with Attorney Michael Egan

Planning Director Paul Benson introduced Attorney Michael Egan of Hendersonville, NC, and asked him to do a presentation and training session. Mr. Egan has been in practice for forty years and specializes in Land Use Law and Local Government Law, and does training sessions for protocol in quasi-judicial hearings. Some of the highlights in Mr. Egan's power point included witnesses, staff presentations, applicants' cases, testimonies, rebuttals, arguments, deliberations, motions, and votes. After the presentation, a mock case that involved the staff and board members proved to be very beneficial, and the members of the board had a better understanding of quasi-judicial hearings.

C. SIGN COMMITTEE

4. Consideration of sign committee membership

At the June 17, 2013 meeting, the Planning Board had agreed to form a study committee for the review of the Town of Waynesville's sign ordinance. Mr. Benson stated there had been several people express interest in serving on the committee. At this point, the staff recommends that the review process start with a subcommittee composed of two or three members of the Planning Board working with Town staff to become familiar with the ordinance and issues with the ordinance before presenting recommendations for public comment. After the subcommittee review, staff recommends that interested citizens be invited to become involved in a workshop process.

Chairman McDowell asked if anyone wanted to serve on the committee. Volunteers were Board Member Shell Isenberg, Board Member Danny Wingate, and Board Member Jon Feichter.

Chairman McDowell also reminded the Board that an election of a Planning Board Chairman and Vice Chairman will be held at the next regular meeting.

D. ADJOURN

With no further business, Board Member Brooks Hale made a motion, seconded by Board Member Marty Prevost to adjourn the meeting at 6:52 p.m. The motion passed unanimously.

Patrick McDowell, Chairman

Eddie Ward, Deputy Town Clerk

Planning Board Agenda Item
Draft Sign Ordinance Revision
August 19, 2013

The Planning Staff and Planning Board Subcommittee met and discussed several proposed changes to the Waynesville Sign Ordinance (Chapter 11 of the Land Development Standards).

The proposed revisions of this initial staff draft fall into several categories:

1. Changes to eliminate unnecessary provisions, confusing wording, redundancies and to create a more logical format,
2. Changes to clarify existing standards, including revised graphics and references to other pertinent sections of the ordinance
3. Substantive changes to Temporary Sign standards:
 - a. Window Signs – increase permissible size to 50% of window area (basically sanctions current practice regarding a virtually unenforceable section of the ordinance.
 - b. Special Event Signs (nonprofits) – adds standards for the number, location and maximum size and height of such signs
 - c. Vehicular Signs – exempts certain signage typically found on business vehicles, prohibits other signage where vehicles are basically used as sign pedestals (modeled on City of Asheville standards)
 - d. Ball Field Signs – establishes standards legitimizing signage but apply standards to mitigate adverse impact on neighboring properties (modeled on City of Brevard standards)
 - e. Promotional/Special Event Signs – adds permission for this highly sought after type of signage but as recommended by Roger Brooks (city economic development expert) limits number, size, frequency and duration of sign display.
4. Substantive changes to Permanent Sign standards:
 - f. Increase size of home occupation signs from 2 sq ft to 8 sq ft
 - g. Permits attached signs in residential districts, but reduces the size in NR and UR districts from 10% to 16 sq ft to create a uniform standard in all residential districts
 - h. Increases sign height from 6' to 8' in RC and CI districts
 - i. Increase maximum size in CI to 48 sq ft – the same standard as RC
 - j. Adds a provision for a Master Development Sign in all mixed use districts to enable larger development to have a larger sign.

Please see the attached draft ordinance. New text is in red, deleted text is highlighted. No action is requested from the Planning Board at this time. The next step in the process will be to present this draft to interested citizens in a workshop meeting format for additional comments and input.

11 Signs

11.1 General Purpose and Intent

The purpose of this section and the other sign standards contained in this chapter, is to support and complement the various land uses allowed in the Town of Waynesville by the adoption of standards concerning the placement of signs. These standards are adopted under the zoning authority of the Town to achieve the following:

- To encourage the effective use of signs as a means of communication in the Town while preserving the rights of free speech under the First Amendment to the United States Constitution.
- To maintain and enhance the aesthetic environment and the Town's ability to attract sources of economic development and growth.
- To improve pedestrian and traffic safety.
- To minimize the possible adverse effect of signs on nearby public and private property.

11.2 Applicability

11.2.1 Permits Required

Except as provided by this section, it shall be unlawful for any person to erect, construct, enlarge, move or replace any sign without first obtaining a sign permit from the Administrator. Additional permits may be necessary pursuant to the regulations in the state building code or other sections of this ordinance.

11.2.2 Alteration of Sign Face

Repainting of a sign, if in conformance with the applicable standards of this chapter, shall be considered maintenance or repair and shall not require a permit. The changing of tenant name panels on multiple-tenant development signage shall not require a permit.

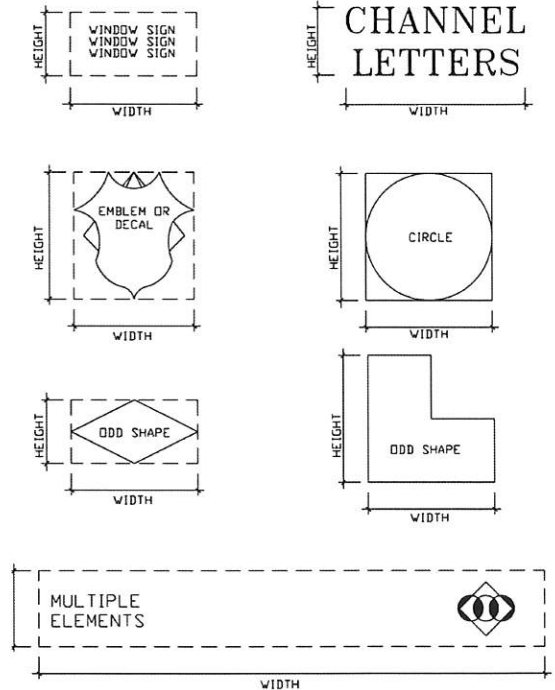
11.2.3 Compliance Required

Existing nonconforming signs shall be brought into full compliance subject to the requirements of Sections 13.2 and 13.7.

11.3 Computation of Signage Area

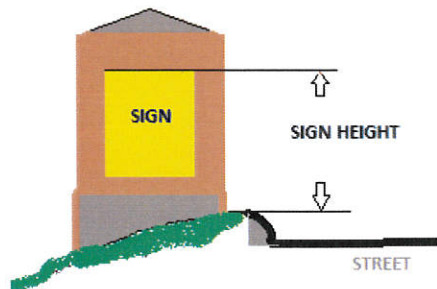
11.3.1 Computation of Sign Face

- A. The area of a sign face shall be deemed to be the entire area within the smallest square or rectangle that will encompass the extreme limits of the writing, representation, emblem, or other display on the sign.
- B. The area shall also include 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.
- C. Frames or structural members not bearing informational or representational matter shall not be included in computation of the area of a sign face.
- D. Signs attached to walls (other than building walls) or fences shall be treated as monument ground signs and allowed only where monument ground signs are permitted. Only that portion of that wall or fence onto which the sign face or letters are placed shall be calculated in the sign area.



11.3.2 Computation of Height

The height of a sign shall be measured from the highest point of a **Sign Face** sign or its support whichever is greater, to the base of the sign at the highest adjacent grade **at the base of the sign**.



11.4 General Provisions

11.4.1 Standards Applicable to All Permitted Signs

Permitted signs shall be located outside of the street right-of-way, behind sidewalk areas and outside of the site triangle **as per Sections 6.7.2 for streets and 9.8.3 for driveways.**

11.4.2 Noncommercial Messages

~~Any sign, display or device allowed under this chapter may contain, in lieu of any other copy, any otherwise lawful noncommercial message.~~

11.5 Signs Not Requiring a Permit

11.5.1 Governmental Signs

- A. Signs posted by various local, state and federal agencies in the performance of their duties such as, **but not limited to**, regulatory signs, welcome signs and traffic signs.
- B. Signs installed under governmental authority which note the donation of buildings, structures or streetscape materials (such as, but not limited to benches, park facilities, etc.).

11.5.2 Flags, Etc.

Flags or insignia of any nation, organization of nations, state, county or municipality, any religious, civic or fraternal organization, or any educational or cultural facility and/or any one corporate flag per lot provided the height of any pole shall not exceed the maximum building height for the district.

11.5.3 Temporary Holiday Decorations

Temporary decorations or displays, when such are clearly incidental to and are customarily and commonly associated with any national, local or religious holiday/celebration.

11.5.4 Window Displays

Merchandise, pictures or models of products or services that are incorporated as an integral part of a window display.

11.5.5 Building Marker/Identification Signs

A sign cut or etched into masonry, bronze or similar material on a building **that identifies the building and is a permanent and integral part of the building.**

11.5.6 Legal and Warning Signs

- A. Signs erected to warn of danger or hazardous conditions such as signs erected by public utility companies or construction companies.
- B. Signs required for or specifically authorized for a public purpose by any law, statute or ordinance.

- C. Signs that display information pertinent to the safety or legal responsibilities of the general public with regard to a particular piece of property shall be located on the premises to which the information pertains. No advertising may be affixed to such a sign.

11.5.7 Occupant/Street Number Signs

Signs affixed to structures, mailboxes, decorative light posts, driveway entrances, etc., which serve to identify the address of the structure or occupant. All such signs must be placed in such a manner as to be visible from the street.

11.5.8 Vending Machine/Automatic Teller and Gasoline Pump Signs

Signs attached to and made an integral part of a vending machine, automatic teller machine or gasoline pump if advertising or giving information about the products or services dispensed or vended by that machine.

11.5.9 Directional Signs

- A. Directional signs must be located on the premises to which directions are indicated.
- B. Such signs may not exceed three (3) feet in height if freestanding.
- C. Directional signs may not exceed four (4) square feet per face.
- D. Such signs may contain no copy (i.e., company name or logo) other than directional information.
- E. Illumination of such signs shall be as permitted for on-premises signs in the land development district where the sign is located.
- F. No more than two (2) signs per entrance or exit shall be permitted.

11.5.10 Incidental Signs

- A. Signs containing information necessary or convenient for persons coming on premises shall be located on the premises to which the information pertains.
- B. No advertising may be affixed to such a sign.
- C. Such signs must be single-faced only and wholly attached to a building (may be located on windows or doors).

11.5.11 Real Estate Signs

- A. Only one (1) sign is allowed per street frontage.
- B. Such signs may not be illuminated.
- C. Such signs may be no greater than four (4) square feet in area (all types of signs) and four (4) feet in height (if freestanding) when located on a residential property.
- D. Such signs may be no greater than thirty-two (32) square feet in area (all types of signs) and eight (8) feet in height (if freestanding) for non-residential properties, except that such signs may not exceed the maximum height and size for permanent signs within the district.

- E. Real estate signs shall be removed within seven (7) days after the closing of the sale, rental or lease of the property.
- F. Such signs shall only be located on property for sale or lease.

11.5.12 Political Signs (rev.9/11/12)

- A. Such signs shall not be illuminated.
- B. Political signs may not be located within a public street right-of-way and shall not be attached to trees or utility poles or on publicly-owned property.
- C. Such signs may not exceed six (6) square feet in area and four (4) feet in height if freestanding.
- D. Political signs may be displayed during a period beginning thirty (30) days prior to the beginning date of "one-stop" early voting under G.S. 163-227.2 and concluding ten (10) days after the election.
- E. Any person wishing to erect political signs must first make application to the Administrator which application shall include a deposit that shall be returned to the applicant upon removal of all signs.
- F. Political signs located along State highways are exempt from this section and are instead regulated by G.S. 136-32.

11.5.13 Construction Signs

- A. Construction signs shall be allowed provided such signs do not exceed one (1) sign per street frontage with a maximum of two (2) signs per construction site.
- B. Such signs shall not exceed ~~four (4)~~ **sixteen (16)** square feet in area and ~~six (6) four (4)~~ feet in height for single-family or duplex residential construction or thirty-two (32) square feet in area and eight (8) feet in height for other construction.
- C. Construction signs shall not be erected prior to the issuance of a building permit and shall be removed within seven (7) days of the issuance of a certificate of occupancy on the last building in the development.

11.5.14 Temporary Signs

- A. Window Signs: Temporary signs which are affixed to the inside of a window. **Such signs shall not exceed 50% of the window area except within designated National Register Historic Districts where such signs shall not exceed 25% of the window area.** ~~and which do not exceed a cumulative total for all such signs of sixteen (16) square feet in area are allowed per establishment.~~
- B. Special Event Signs: Signs may be erected by public or non-profit organizations such as schools and churches for promoting special events as follows:
 - 1. Signs for public events such as fund drives, fairs, festivals, sporting events, etc. may be displayed for a period of thirty (30) days ~~and may be allowed on or off premises.~~ Such signs shall not be illuminated. Such signs ~~are limited to~~ **may either be Ground Signs or Attached Signs. A Special Event Ground**

Sign is limited to two (2) times the maximum size of permanent Ground Signs permitted within the district and shall comply with the maximum height established for Ground Signs within the district. If placed on a building all standards applicable to permanent Attached Signs shall be met provided that the Special Event Sign may be erected in addition to permitted permanent Attached Signs. A maximum of one (1) Special Event Ground Sign or one (1) Special Event Attached Sign is permitted per property per street front. ~~eighteen (18)~~ square feet in size and six (6) feet in height.

C. Yard Sale Signs

1. Such signs may be located on-premises only and may not be located within a public right-of-way nor placed on a tree, street sign or utility pole.
2. Such signs may not be illuminated.
3. Yard sale signs are limited to four (4) square feet in area and four (4) feet in height.
4. One (1) yard sale sign is allowed per street frontage.
5. Such signs may be displayed **no more than one day in advance of the sale and be removed the day following the sale** ~~only on weekends and shall not be erected before 5:00 P.M. on Friday and shall be removed by 7:00 A.M. on Monday.~~

~~D. Regional and Town Center Signs~~

- ~~1. Ground signs may be erected at locations which represent the entrance of the regional/town center districts.~~
- ~~2. Only two (2) ground signs per area center district shall be erected.~~
- ~~3. The sign face shall be an oval shape with no more than two (2) faces allowed per sign.~~
- ~~4. The sign face shall not be larger than 4.5 feet in width and 3 feet in height. Smaller sign faces shall have a proportion of 1.5 feet wide to 1 foot high.~~
- ~~5. The overall height of the sign shall be no greater than four (4) feet above ground level.~~
- ~~6. Area center signs shall be supported with six (6) inch by six (6) inch pressure treated posts which shall be painted black.~~

D. Vehicular Signs: signs not prohibited under Section 11.8.11 displayed on vehicles and equipment which are being operated in the normal course of business, such as signs indicating the name of the owner or business and which are affixed or painted onto such vehicles or equipment, provided that when not being so operated, such vehicles are parked or stored in areas appropriate to their use as vehicles and in such a manner and location so as to minimize their visibility from any street to the greatest extent feasible.

E. Ball Field Fence Signs: nonprofit organizations, i.e., local ball leagues, may attach signage to ball field fences providing the following requirements are met:

1. Sign panels must be of uniform size and weather durable material and cannot exceed three feet by five feet in dimension.
2. Signage must be attached to the interior (ball field) of the chain link fencing, have advertising copy on only the interior (ball field) side of fencing and cannot be self-illuminated.
3. The back (exterior) side of the sign must be a dark solid color and be uniform in color with all the other signs. All signs must be kept clean and in good repair.
4. Signage cannot exceed one per fence panel. Sign must be uniform in height. Signage can be erected two weeks prior to the beginning of the ball season and must be taken down within two weeks from the conclusion of the season.
5. The organization or tenant leasing the property will be responsible for installing and removing the signs.

F. Decorative Flags (except American Flags) shall be counted towards the maximum signage square footage for Attached Signs permitted in the district. Only one (1) flag for every 25 feet of linear building frontage is permitted. All such flags on a single building face shall count as one of the 3 permitted Attached Signs permitted on that building face.

G. Promotional Signs

1. One (1) per property per street frontage
2. May either be Ground Signs or Attached Signs. A Promotional Ground Sign is limited to two (2) times the maximum size of a permanent Ground Sign permitted within the district and shall comply with the maximum height established for a permanent Ground Sign within the district. If placed on a building all standards applicable to a permanent Attached Sign shall be met provided that the Promotional Sign may be erected in addition to permitted permanent Attached Signs. A maximum of one (1) Promotional Ground Sign or one (1) Promotional Attached Sign is permitted per property per street front.
3. Duration: may be displayed a maximum of 14 days in any three (3) month period.
4. Content shall be for a unique, time-limited event.
5. Frequency: no more than four (4) times per year.
6. Permit required: a permit application shall be submitted indicating the size, content, location and dates of erection and removal. The permit fee shall be the same as that for a corresponding permanent sign as established by the Schedule of Fees and Charges.
7. Moveable Signs are expressly prohibited.

8. Facsimile Signs are permitted only within RC districts in lieu of and under the same standards as a Promotional Sign.

11.6 Permitted Signage by District

11.6.1 Permitted Signage by District

The following **permanently mounted** signs and their related maximum dimensions are allowed subject to the issuance of a sign permit.

District	Ground Sign	Attached Sign	Permitted Illumination	Other Standards
Residential-Low Density (RL)	16 sq ft – 4 ft tall	16 sq ft	None permitted	
Residential-Medium Density (RM)	16 sq ft – 4 ft tall	16 sq ft	External illumination only	
Neighborhood Residential (NR)/ Urban Residential (UR)	16 sq ft – 4 ft tall	10% of wall 16 sq ft	External illumination only	
Neighborhood Center (NC)	24 sq ft – 6 ft tall	10% of wall	External illumination only	Pedestrian Sign – 1 Per Business, Master Development Sign
Business District (BD)	24 sq ft – 6 ft tall Exceptions: Ground signs are not permitted on Main Street from Church Street to Russ Avenue; Ground signs shall be	1 sq ft for each 1 linear ft of wall frontage – maximum of 100 sq ft	Internal illumination permitted except within a National Register Historic District	Pedestrian Sign – 1 Per Business, Master Development Sign

	limited to 16 ft – 4 ft tall along Wall Street from East Street to Howell Street			
Regional Center (RC)	48 sq ft – 8 6 ft tall	15% of wall	Internal illumination permitted	Multiple Message Pedestrian Sign – 1 per business, Master Development t Signs Permitted
Commercial Industrial (CI)	48 32 sq ft – 8 6 ft tall	15% of wall	Internal illumination permitted	Master Development t Sign

11.6.2 Other Permitted Signage

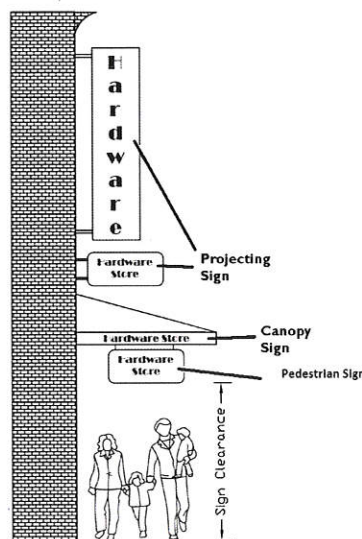
Development Type	Standard
Home Occupations (All Residential Districts)	8 sq ft
Master Development Sign (For Development 5 acres or greater) within RC districts	160 sq ft – 25 ft tall – 1 permitted per major road frontage
Master Development Sign (For Development 2 acres or greater) within NC and BD districts	48 sq ft – 8 ft tall – 1 permitted per major road frontage
Neighborhood Entrance Ground Signs	16 sq ft – 6 ft maximum above grade – 1 per entrance subject to Planning Board design approval

11.7 Signage Types**11.7.1 Ground Signs**

- A. All Ground Signs shall be located **out of the street right-of-way or at least ten (10) feet for the edge of pavement whichever is greater** ~~a minimum of 5 feet behind the street right-of-way.~~
- B. No Ground Sign shall be located in any required buffer yard, **or within a sight triangle as established by Sections 6.7.2 for streets and 9.8.3 for driveways.** ~~or within 10 feet of a side property line, 20 feet from any right-of-way intersection, or within any required sight triangle.~~
- C. Ground signs shall include a base (min. 1 ft in height) constructed of rock, brick, or other masonry material or permanent landscaping.
- D. **Neighborhood Entrance Ground Signs shall be professionally designed and produced using high-quality materials and shall be appropriate in size, number and location for the neighborhood or district being identified as approved by the Planning Board following a public hearing.**
- E. **One (1) ground sign is permitted per building provided that building directly fronts a public street, or that no other principal building on the same property is situated between the building and the public street.**

11.7.2 Attached (Includes Canopy, Projecting, Flag and Pedestrian Signs)

- A. The maximum permitted aggregate area of Attached Signs includes the area of any windows or doorways.
- B. Attached signage may not extend above the vertical wall to which the sign is attached or extend out into the **street tree** planting area or street side of the sidewalk.
- C. The preferred location for Attached Signs is between the first floor window and window sill of second floor, or on a sign frieze area of the building if original to the building. **(Exception: Building identification which is an integral part of the building's design and architectural character shall not be considered a sign for the purposes of this standard.)**
- D. Signs on Windows and Doors: Signage posted on windows and doors shall not exceed 25 percent of the window/door area.
- E. Maximum of 3 Signs Permitted: No more than three attached signs **(excluding a single Pedestrian Sign where permitted)** may be erected provided the total surface area permitted is not exceeded.
- F. Canopy/Awning Signs: Signs on awnings shall be considered Attached Signs. Maximum Awning Sign Area: 50 percent of awning area.
- G. Projecting Signs: Attached signs may not project more than **three (3) four (4)** feet from the façade of the building on which the sign is located.



- H. Clearance Required: The bottom of any attached sign, if extended from the façade of a building shall be at least eight (8) feet above any pedestrian walkway.
- I. Clearance from Curb/Street: Under no circumstance shall a sign or canopy/awning overhang any closer than 2 feet from the face of the existing curb.

J. Decorative Flags (except American Flags) shall be counted towards the maximum signage square footage permitted in the district. Only one (1) flag for every 25 feet of linear building frontage is permitted.

11.7.3 Pedestrian

- A.** Pedestrian signs **shall be hung perpendicular to the sidewalk and be generally centered between the edge of the building façade and the outside edge of the canopy or awning. In no case shall the sign project beyond the outside edge of the canopy or awning.** may not project more than four (4) feet from the façade of the building on which the sign is located.
- B.** The bottom of any pedestrian sign, if extended from the façade of a building shall be at least eight (8) feet above any pedestrian walkway.

11.7.4 Electronic Changeable Face Signs (Permitted in RC Only)

Electronic changeable face signs are permitted as a component of otherwise permitted signage subject to the following standards.

- A.** No electronic changeable face sign may change its message or copy, or any pictures or images that are part of the message, more frequently than once every minute.
- B.** When the message of an electronic changeable face sign is changed mechanically, it shall be accomplished in three (3) seconds or less. When the message of an electronic changeable face sign is changed in an electronic manner, through the use of light emitting diodes, back lighting or other light source, the transition shall occur within two (2) seconds.
- C.** The portion of the sign face of an electronic changeable face sign which accommodates multiple messages shall not exceed 50 percent (50%) of the total sign face area and may not change its message or copy, or any pictures or images that are part of the message, more frequently than once every minute; the remaining portion shall be static.
- D.** Electronic changeable face signs which are illuminated or which use electronic lighting to display message shall be subject to the restrictions and limitation applicable to illumination in this ordinance.
- E.** There shall be located no more than one electronic changeable face sign per lot, and such sign shall be permitted only on a ground sign and not on any attached sign or window sign.

11.7.5 Portable Signs (Permitted in BD Only)

- A.** Permitted only in Business Districts (Central, Hazelwood and North Main)
- B.** Permitted only on properties where no Ground Signs exist.
- C.** A maximum of 1 sign per public entrance is permitted.
- D.** The maximum dimensions shall be:

- a. area of 6 square feet
 - b. height of 4 feet
 - c. width of 2 feet
- E. A minimum sidewalk clear zone of 5 feet shall be maintained between the sign and any other sidewalk obstruction including but not limited to hydrants, light poles, planters, etc. If this clear zone cannot be met a sign is not permitted.
- F. The signs shall be self-supporting and stable (designed to prevent tipping over or blowing away).
- G. The sign shall be placed in front of the business not more than 3 feet from the front door or entry alcove.
- H. Portable signs shall have a minimum spacing of 15 feet from each other.
- I. Portable Signs shall not obstruct building entrances
- J. Portable Signs shall be removed daily at the end of each business day and shall not be displayed while the business is closed.
- K. Shall not be attached to buildings or other structures.
- L. Shall not be illuminated or contain any electrical component.
- M. No objects shall be attached such as, but not limited to, balloons, banners, merchandise and electrical or mechanical devices.
- N. The signs shall have a maximum of 2 parallel faces on opposite sides.
- O. The signs shall only contain information and advertising for the business at the sign location and shall not contain any endorsement or logos for any other business.
- P. Sign design shall comply with the following:
 - 1. Materials shall be durable, weatherproof, and be finished with paint, stain or other decorative finish.
 - 2. Permanent lettering and logos shall be professionally painted or applied.
 - 3. Use of unique logos, shapes and art work related to the business is encouraged.
 - 4. Signs shall be maintained in good condition and repair.
- Q. A sign permit shall be required. The permit application shall contain a diagram with the specific approved location for sign placement. The Town will supply a permit sticker which shall be displayed on each sign.
- R. The Town of Waynesville may require the temporary removal of portable signs for special events.

11.8 Prohibited Signs

The following signs are prohibited:

11.8.1 Off Premises Signs

All off-premises signs unless specifically allowed elsewhere in this chapter are prohibited.

11.8.2 ~~Portable~~ or Movable Signs

11.8.3 Roof Signs

Roof signs are prohibited; provided however, that signs on the surfaces of a mansard roof or on parapets shall be permitted provided that the signs do not extend above the mansard roof or parapet to which they are attached.

11.8.4 Animated/Flashing Signs or Signs of Illusion

Signs displaying blinking, flashing or intermittent lights, animation, and moving parts or signs giving the illusion of movement are prohibited.

11.8.5 Signs Resembling Traffic Signals

Signs that approximate official highway signs, warning signs or regulatory devices are prohibited.

11.8.6 Signs on Roadside Appurtenances

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

11.8.7 Abandoned Signs or Sign Structures

- A. Signs that advertise an activity or business no longer conducted on the property on which the sign is located are prohibited.
- B. Sign structures on which no sign is erected are prohibited.
- C. Such signs or sign structures must be removed within sixty (60) days of becoming an abandoned sign or sign structure.

11.8.8 Pennants, Streamers, Balloons, Banners, Etc.

Signs containing or consisting of pennants, ribbons, streamers, balloons, or spinners or similar devices are prohibited.

11.8.9 Signs Obstructing Access

Signs which obstruct free ingress or egress from a driveway or a required door, window, fire escape or other required exitway.

11.8.10 Facsimile Signs

Except for permitted temporary Promotional/Special Event Signs within RC districts (Section 11.5.14.G.).

11.8.11 Signs on Vehicles

Signs placed on vehicles or trailers which are parked or located for the primary purpose of displaying such sign, including any sign erected in the bed of trucks or trailers and any that project from the sides or top of any vehicle or trailer.

11.9 Sign Illumination

11.9.1 Generally

All lighted signs shall have their lighting directed in such a manner as to illuminate only the face of the sign. If separate fixtures are used to illuminate a sign, lighting fixtures used to illuminate an outdoor advertising sign either shall be by directed ground lighting or mounted on the top of the sign, and shall **comply with the shielding requirements be fully shielded.**

11.9.2 Internal Illumination

Where internally illuminated signs are permitted they must meet the following requirements:

- A. Such signs shall consist of light lettering or symbols on a dark background.
- B. The lettering or symbols shall constitute no more than forty (40) percent of the surface area of the sign.
- C. The luminous transmittance for the lettering or symbols shall not exceed thirty-five (35) percent.
- D. The luminous transmittance for the background portion of the sign shall not exceed fifteen (15) percent.
- E. Light sources shall be fluorescent tubes, spaced at least twelve (12) inches on center, mounted at least 3.5 inches from the translucent surface material.
- F. Channel letter type signs may use neon tubing as an internal illumination source, provided that the light source is shielded by translucent faces or that a silhouette type sign is used where the light source illuminates the sign background and the letters or symbols are opaque.
- G. Outdoor advertising signs of the type constructed of translucent materials where the copy only is illuminated from within do not require shielding provided the light source or bulb is not showing.
- H. Electronic changeable face signs shall comply with the following:
 - 1. The outdoor advertising sign shall have an automatic dimmer (factory set to the illumination intensities set below) and a photo cell sensor to adjust the illumination intensity or brilliance of the sign so that it shall not cause glare or impair the vision of motorists, and shall not interfere with any driver's operation of a motor vehicle.
 - 2. The sign shall not exceed a maximum illumination of 7,500 nits (candelas per square meter) during daylight hours and a maximum illumination of 500 nits between dusk to dawn as measured from the sign's face at maximum brightness.
 - 3. Any illumination devices shall be effectively shielded so as to prevent beams or rays of light from being directed at any portion of a street or highway. Illumination intensity or brilliance shall not cause glare or impair the vision of motorists, and shall not interfere with any driver's operation of a motor vehicle.

11.9.3 Conformance with Other Provisions

All lighting shall be in conformance with Chapter 10, Lighting.

11.10 Maintenance and Non-Conformities

The following maintenance requirements must be observed for all signs visible from any public street or highway within the jurisdiction of the Town of Waynesville.

11.10.1 Surface Appearance

No sign shall have more than twenty (20) percent of its surface area covered with disfigured, cracked, ripped or peeling paint or poster paper for a period of more than thirty (30) successive days.

11.10.2 Broken Displays

No sign shall remain with a bent or broken display area, broken supports, loose appendages or struts or stand more than fifteen (15) degrees from the perpendicular for a period of more than thirty (30) successive days.

11.10.3 Illuminated Signs

No indirect or internally illuminated sign shall have only partial illumination for a period of more than thirty (30) successive days.

11.10.4 Limitation on Non-Conforming Signs

All legal nonconforming signs in existence as of the effective date of this chapter may be continued and shall be maintained in good condition. However, a nonconforming sign shall not be:

- A. Changed to another type or shape of nonconforming sign; provided, however, the copy, content, or message of the sign may be changed so long as the shape or size of the sign is not altered.
- B. Structurally altered so as to prolong the life of the sign.
- C. Expanded.
- D. Reestablished after discontinuance for sixty (60) days.
- E. Reestablished after damage or destruction where the estimated expense of reconstruction exceeds fifty (50) percent of the appraised replacement cost of the sign in its entirety.
- F. For change of use, parking area expansion and building expansion/reconstruction the Non-Conforming Sign removal requirements of Section 13.7.**

(definitions regarding signs, from Chapter 17)

Sign Any display of letters, words, numbers, symbols, emblems, pictures or any combination thereof made visible for the purpose of attracting attention or of making something known, whether such display be made on, attached to, or constructed as part of a building, structure, vehicle or object.

Sign, Abandoned A sign that advertises an activity or business no longer conducted on the property on which the sign is located.

Sign, Attached A sign erected parallel to the facade of any building to which it is attached, and supported throughout its entire length by the building face.

Sign, Canopy (Awning) A sign, which is painted, stitched, sewn, or stained onto the exterior of a **canopy** or awning.

Sign, Directional A sign or guide whose sole purpose is to direct pedestrian or vehicular traffic on the premises on which it is displayed. Examples include: "entrance," "exit," "driveway", "one-way traffic," etc.

Sign Face The part of the sign that is or can be used to identify, advertise, or communicate information or for visual representation that attracts the attention of the public for any purpose.

Sign, Facsimile An over-sized, three dimensional object, such as an automobile, human figure, etc. that may or may not contain advertising matter, and may or may not contain information about products sold on the premises, and is located in such a manner as to attract attention.

Sign, Electronic Changeable Face A sign, display, or device, or portion thereof, which electronically changes the fixed display screen composed of a series of lights, including light emitting diodes (LED's), fiber optics, or other similar new technology where the message change sequence is accomplished immediately. Electronic changeable face outdoor advertising signs include computer programmable, microprocessor controlled electronic or digital displays that display electronic, static images, static graphics, or static pictures, with or without textual information, and trivision outdoor advertising signs. Electronic changeable face outdoor advertising signs do not include animated or scrolling images, graphics, video active images (similar to television images), projected images or messages onto buildings or other objects, or static outdoor advertising signs.

Sign, Ground A **free-standing** sign that is mounted generally flush with the surrounding grade. ~~It may not be attached to a pole or pylon, nor raised by mounting on a man-made berm, wall, or similar structure.~~

Sign, Incidental A single-faced sign attached wholly to a building, window or door containing information relative to emergencies, store hours, credit cards honored and other similar accessory information.

Sign, Movable A sign that may be moved from one location to another, is not permanently affixed to the ground, and is differentiated from a portable sign in that it may be equipped for transporting by motor vehicle or other mechanical means and includes sign referred to as trailer signs.

Sign, Off-Premise A sign identifying/advertising and/or directing the public to a business, or merchandise, or service, or institution, or residential area, or entertainment which is located, sold, rented, leased produced, manufactured and/or furnished at a

place other than the real property on which said sign is located. This definition shall include signs commonly referred to as “outdoor advertising” or “billboards.”

Sign, Pedestrian A sign which is suspended from **and** attached to **a canopy or awning**, supported from, applied to, or forms part of a canopy. Also known as a canopy-suspended sign.

Sign, Portable A sign that is movable by a person without aid of a motor vehicle or other mechanical equipment.

Sign, Real Estate Temporary signs advertising the sale, rental or lease of property.

Sign, Static A type of outdoor advertising sign, generally, but not limited to, a rigidly assembled sign, display, or device, that is free standing and affixed to the ground, the primary purpose of which is to display advertising messages or information that can be changed manually in the field. Such signs commonly referred to as “billboards” are generally designed so that the copy or poster on the sign can be changed frequently and the advertising space is for lease.

Sign, Temporary A sign advertising a special event or sale and not intended to be displayed on a permanent basis.

Sign, Tri-vision A type of electronic changeable face outdoor advertising sign composed in whole or in part of a series of vertical or horizontal slats or cylinders that are capable of being rotated at intervals so that partial rotation of the group of slats or cylinders produces a different image and when properly functioning allows on a single sign structure the display at any given time of up to three images.