



# Town of Waynesville

## TOWN OF WAYNESVILLE

### Planning Board – Regular Meeting

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

**October 21, 2013**

**Monday – 5:30 PM**

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#### A. CALL TO ORDER – Chairman Patrick McDowell

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

***Motion:** To approve the minutes of September 16, 2013 as presented (or as corrected).*

#### B. NEW BUSINESS

3. Consideration of a recommendation for adoption of the North Main Street Complete Streets Study
4. Public Hearing to consider a recommendation for rezoning property located at 33 Bennett Street from Hazelwood Business District to Commercial Industrial
5. Public Hearing to consider a recommendation for rezoning property located at 2566 Asheville Road from Raccoon Creek Neighborhood Residential to Commercial Industrial
6. Public Hearing to consider a recommendation for a text amendment to Chapter 11 of the Land Development Standards to adopt a revision to Sign Regulations

#### C. ADJOURN

MINUTES OF THE TOWN OF WAYNESVILLE PLANNING BOARD  
REGULAR MEETING  
September 16, 2013

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**THE WAYNESVILLE PLANNING BOARD** held a regular meeting on Monday September 16, 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:

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  
Jason Rogers, Codes Administrator

**2. Minutes of August 19, 2013**

***Board Member Danny Wingate made a motion, seconded by Board Member Jon Feichter to approve the minutes of August 19, 2013 as presented. The motion passed unanimously.***

Chairman McDowell asked Planning Director Paul Benson to give a summary of the items on the agenda. Mr. Benson said the Board would be following a slightly different process for scheduling Public Hearings. The items will be introduced, and the Board will have an opportunity to ask any questions they might have. The Board will then call for a Public Hearing to be held and schedule it for the next regular meeting. This process will give the Board more time to study the requests before making decisions.

**B. NEW BUSINESS**

**3. Rezoning request – 33 Bennett Street from Hazelwood Business District to Commercial Industrial – Call for Public Hearing 10/21/13**

The property at 33 Bennett Street, Waynesville, NC is approximately 1.3 acres located adjacent to the Norfolk Southern Railroad, north of Hazelwood Ave. and west of Brown Ave. It has long been in commercial use for Pearson Roofing and more recently for U-Haul trailer rentals. The current zoning is Hazelwood Business District (H-BD).

Mr. Benson said the Hazelwood Business District is a small scale center for business, retail and institutional activity for the residents of Hazelwood, Plott Creek, and Eagles Nest. A Mixture of uses is permitted, but development in the future must be sensitive in design and provide for a high level of pedestrian safety. On street parking is permitted and connections among properties within and surrounding this district is very important.

Surrounding land use is mixed with industrial to the west (Haywood Vocational Opportunities), commercial to the north and east (Pioneer Supply) and some residences to the east and south. Mr. Benson stated the site has railroad access and the request fits with the direction from the Land Development Standards Steering Committee to rezone property suitable for industrial development within the corridor served by a railroad. Rezoning of this property would open up the property to more uses in the future.

***A motion was made by Board Member Danny Wingate seconded by Board Member Don Stephenson to call a Public Hearing on October 21, 2013 to consider request to rezone the property located at 33 Bennett Street from Hazelwood Business District (H-BD) to Commercial Industrial (CI). The motion passed unanimously.***

#### **4. Rezoning Request 2566 Raccoon Creek from Raccoon Creek Neighborhood Residential (RC-NR) to Commercial Industrial (CI)**

Mr. Benson said this property is located in the ETJ on Asheville Road/US Business 23. It is adjacent to a large area of commercial Industrial zoning that includes the Hi-Tech Center. The property has long been in commercial use formerly as Plemmons Plumbing.

The property is across from a large vacant site that is being marketed as Commercial Industrial, and is expected to see the vacant site go into this type of development in the future. This property is also fairly close to the railroad and other existing commercial property.

The current business, David's Home Entertainment is interested in having more signage for his business, and the property is restricted to residential signage. With this rezoning, Mr. Sutton would have an increase of 5% in signage area.

An amendment of Map 13 of the 2020 plan is recommended to reflect the Mixed Use Medium to High for the portion of this site currently graded to highway level so the this rezoning would be compliant with planned land use.

***A motion was made by Board Member Brooks Hale, seconded by Board Member Jon Feichter, to recommend amendment of Map 13 of the 2020 Plan to indicate "Mixed Use, Medium to High" for the portion of this site currently graded to highway level. The motion passed unanimously.***



***A motion was made by Board Member Shell Isenberg, seconded by Board Member Brooks Hale, to call for a Public Hearing on October 21, 2013, to consider a recommendation to rezone the property located at 2566 Asheville Road from Raccoon Creek Neighborhood Residential to Commercial Industrial. The motion passed unanimously.***

### **C. OLD BUSINESS**

#### **5. Sign Ordinance Amendment – Call for the Public Hearing on 10/21/13**

Mr. Benson reported that a meeting of the Citizens Sign Ordinance Committee had been held on September 12, 2013. Citizens who had expressed interest in the sign ordinance re-write were given an opportunity to give their input. He said there had been a lot of good input and ideas. A lot of the comments received had already been addressed in the draft of the ordinance.

Some of the points that were brought up during that meeting included:

- Sign standards and enforcement
- Flush mounted signs being permitted in cases where the sidewalk is too narrow
- Permitting portable signs in alcoves
- Reducing standard clearance for canopies from 8 feet to 7 feet
- Requiring a dark background for ball field signs.

In addition, some modifications to the draft ordinance were discussed by the Board:

- Requirement for dark backgrounds on ball field fence signs only where the ball field is adjacent to residential properties
- Standards for commercial and non-commercial Special Event Signs be uniform
- Allow businesses' name or logos on Directional Signs
- Allow balloons under 12"
- Standard requiring vehicles to be parked to minimize their visibility to restrict them from being parked directly adjacent to fronting streets
- No banners permitted in Historic areas

After much discussion, it was consensus of the Board to call for a Public Hearing on 10/21/13.

### **D. ADJOURN**

***With no further business, a motion was made by Don Stephenson, seconded by Shell Isenberg to adjourn. The motion passed unanimously.***

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Patrick McDowell, Chairman

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Eddie Ward, Deputy Town Clerk



# North Main Street Complete Streets Study

Prepared for:

Town of Waynesville

JMTE Project 0146



*Located in Waynesville, North Carolina*

**J.M. LEAGUE**  
**Traffic Engineering**

525 N. Main Street  
Waynesville, NC 28786





## 1. Introduction

Waynesville's North Main Street Complete Streets Study represents the efforts conducted in 2013 to define design concepts for the intersection of North Main Street and Walnut Street east of downtown Waynesville. Past citywide and countywide planning efforts indicated this area as both a gateway for the Town of Waynesville and a vital link in the pedestrian and bicycle network, for both Waynesville and Haywood County residents and visitors. Project research and due diligence has revealed that many local citizens and Town officials consider this a critical "missing link" in the Waynesville sidewalk system.

To develop the recommendations contained in this study, the Town of Waynesville obtained a grant from the French Broad River Metropolitan Planning Organization (FBRMPO) and identified a team of engineering and planning consultants to carry out the grant on behalf of the Town. The North Main Street Complete Streets Study is the first step in realizing improvements at the intersection of North Main Street and Walnut Street that will accommodate transportation needs for motorists, pedestrians and bicyclists for many years to come.

The adoption of this study by the Town of Waynesville will be followed by more detailed design and environmental analysis that lead to land acquisition to accommodate the final design and construction of the project. Funding for these steps will likely come through partnerships that include the Town of Waynesville, FBRMPO and the North Carolina Department of Transportation (NCDOT). Other partners could include area developers, land owners, Haywood County, and other state or local agencies.



The intersection of North Main Street and Walnut Street in Waynesville is the subject of this Complete Streets study, which evaluated various design options to fill sidewalk gaps, provide for bicycle facilities and address future vehicular traffic needs.

## Background

The nature of transportation in large cities and small towns is undergoing a transformation in the United States. Communities are seeking more balance in consideration of the many users of the transportation system to create a safer transportation network, provide transportation options, enhance livability and promote economic development. This philosophy is known as the Complete Streets concept.

There exists a strong history of support from Complete Streets investments along North Main Street (US 23 Business) among the many stakeholders and agencies that have a role to play in funding, constructing and maintaining the street. The Town of Waynesville's past planning and policy efforts, in combination with plans led by Haywood County, the French Broad River Metropolitan Planning Organization (FBRMPO), and the North Carolina Department of Transportation, clearly point to the need for robust multi-modal investments along the North Main Street corridor.

The plan and policy synthesis section further discusses and summarizes the many plans and strategies these agencies and stakeholders have adopted.



It forms the basis for continued study and design of the corridor, as well as, helps identify how these agencies should support pursuits by the Town of Waynesville to re-build North Main Street to safely accommodate all modes of transportation—for both recreational and commuting purposes.



The Town of Waynesville pursued funding for this study, in part, to identify options that would complete the sidewalk network near the North Main Street and Walnut Street intersection.

A key part of the Complete Streets philosophy is improving roadway user safety while accommodating multi-modal transportation simultaneously. The reported vehicular crash history for this intersection for the past 10 years is low. This study is not an operational or driver safety project. As stated above and based on previous planning and policy efforts, this intersection was chosen because the need of multi-modal accommodations is clearly present.

## Project Goals and Objectives

- ◆ To develop a project that encompasses the Complete Streets philosophy
- ◆ To develop a project that will lead to economic development
- ◆ To develop a project that will foster community development
- ◆ To develop a project that can be expanded and connected to other activities, transportation systems, and community resources
- ◆ To develop a project that will serve the transportation needs of Waynesville
- ◆ To develop a project that will operate efficiently, effectively, and safely for all roadway users

## Recommended Alternative

The consultant team for the North Main Street Complete Streets study was tasked with taking a long-range view of growth and development in and around the intersection to develop a design alternative that met the goals and objectives listed above.

Based on these goals and objectives, a major realignment option for North Main Street and Walnut Street (Exhibit 1-1) is recommended to construct new pedestrian and bicycle facilities and create a realigned intersection that allows for a future direct connection to Vance Street that could be constructed if property north of Walnut Street redevelops.

This recommended alternative requires the full acquisition of two businesses located south of Walnut Street and represents a notable cost and impact to the project in order to fulfill the goals and objectives.

The summary of the breadth and depth of analysis undertaken to develop this recommendation is contained in *Chapter 6*.



Exhibit 1-1

## Recommended Alternative: Major Realignment

The major realignment alternative is the recommended approach to addressing various long-term transportation, land use and economic development needs east of downtown Waynesville. The recommended realignment shown below has notable impacts to properties, which is typical for an urban environment. The impact to the two businesses south of Walnut Street is significant, requiring relocation. The long-term vision to create a more direct and safe multi-modal connection to the recreational facilities north of the intersection along Vance Street was a major consideration in recommending this alignment.





## STAFF REPORT

**Agenda Item:** Rezoning Request  
**Location:** 33 Bennett Street  
**PIN:** 8605-83-4552  
**Area:** 1.3 acres  
**Owner(s):** Kincove, LLC  
**Requested Rezoning:** Hazelwood Business District (HBD) to Commercial Industrial (CI)

### **Background**

The subject property is located adjacent to the Norfolk Southern railroad north of Hazelwood Avenue and west of Brown Avenue. It does not front Brown Avenue but is connected to Brown Ave. via Bennett Street to the north and Carolina Avenue to the south of the property. It has long been in commercial use for Pearson Roofing and more recently for U-Haul trailer rentals.

Current zoning is Hazelwood Business District (H-BD). The Purpose and Intent of this district as established by the Land Development Standards (Section 2.3.6.B.):

The H-BD is a small scale center for business, retail and institutional activity serving the residents of Hazelwood, Plott Creek, Eagles Nest and other surrounding neighborhoods. A broad mixture of uses is permitted, however, development in the future must be sensitive in design and provide for a high level of pedestrian safety and comfort. The large undeveloped tracts of land in this district must be well connected both to the neighborhood and the center as they develop. On-street parking is permitted and encouraged on many streets. Articulation in this area should occur at the scale of the pedestrian with buildings built at the scale of a neighborhood center. Connections among properties within this district and to surrounding districts are very important.

The requested Commercial Industrial (CI) zoning district has the following Purpose and Intent as established by the Land Development Standards (Section 2.3.8.A.):

The CI district is an area designed to accommodate research and development, industrial and manufacturing uses, administrative facilities and limited supporting commercial services. While a broad mixture of uses is permitted, the principal focus in this area shall be on industrial development. High design and performance standards will be important for future development as this district is highly visible not only from a usage standpoint but also because of its location at one of the major entrances into Waynesville. Connectivity within the district is required to create an industrial campus feel within this area.

### **2020 Land Development Plan**

Under North Carolina law local municipal zoning is required to be based on an adopted comprehensive land development plan. In Waynesville this document is: Waynesville: Our Heritage, Our Future, 2020 Land Development Plan. According to this plan,

specifically Map 15, planned land use for the subject property is “Industrial” (see attached map). The requested zoning is therefore is consistent with planned land use.

**Surrounding Land Use/Zoning Pattern:**

Surrounding land use is mixed with industrial to the west (Haywood Vocational Opportunities), commercial to the north and east (Pioneer Supply, Forga Mini-Warehouses) and a few residences to the east and south.

This request would create a legal spot zone since it is in compliance with planned land use. Also it is possible that other surrounding properties, particularly to the west could be rezoned to CI in the future.

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**Staff Recommendation:**

Staff recommends approval of this request. This fits with the 2020 Plan and meets the recent direction from the Land Development Standards Revision Steering Committee that the Town rezone property suitable for industrial development within the corridor served by the railroad. This site does have railroad access.

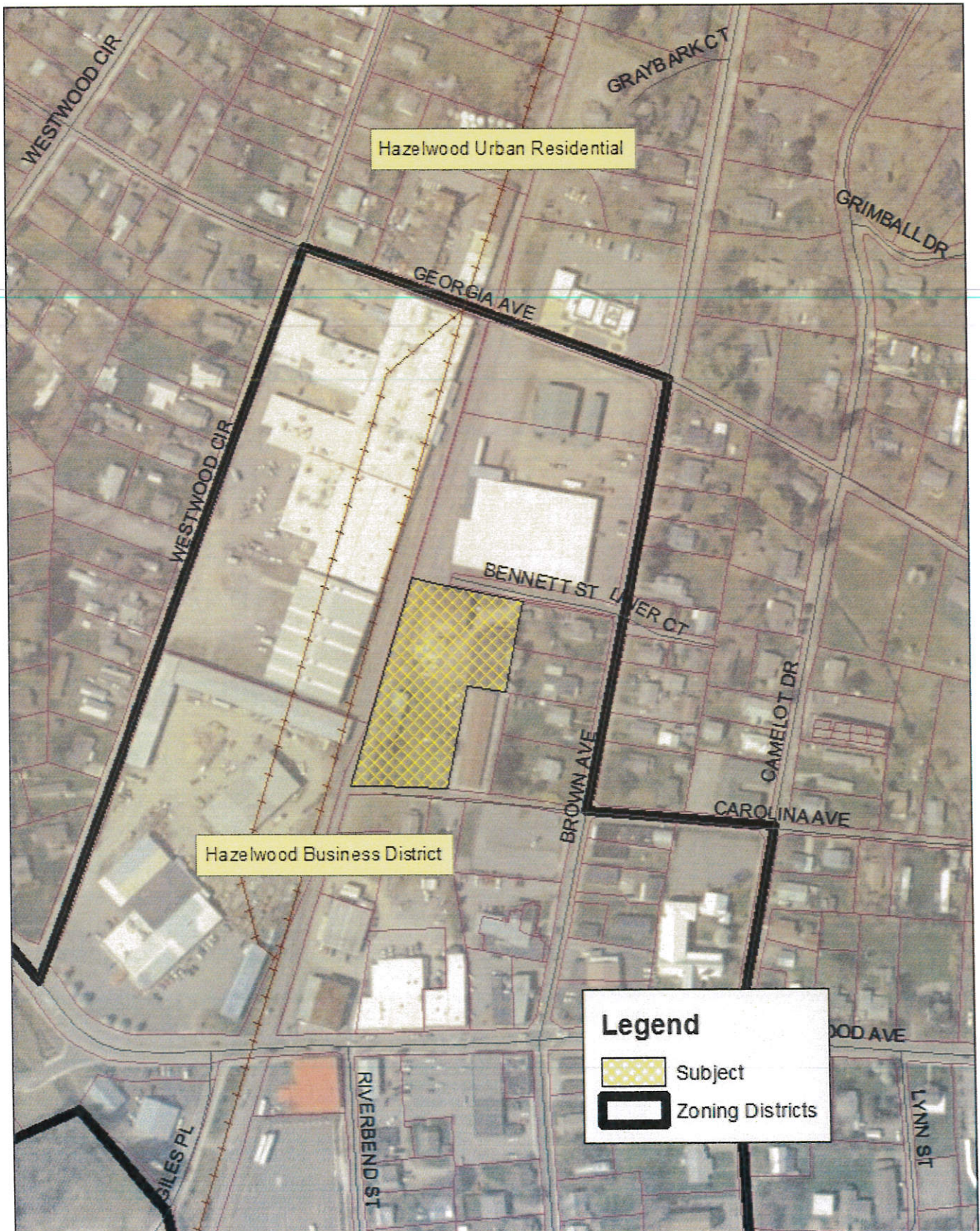
**Suggested Action:**

Motion to recommend to the Board of Aldermen that the property located at 33 Bennett Street be rezoned from Hazelwood Business District to Commercial Industrial.

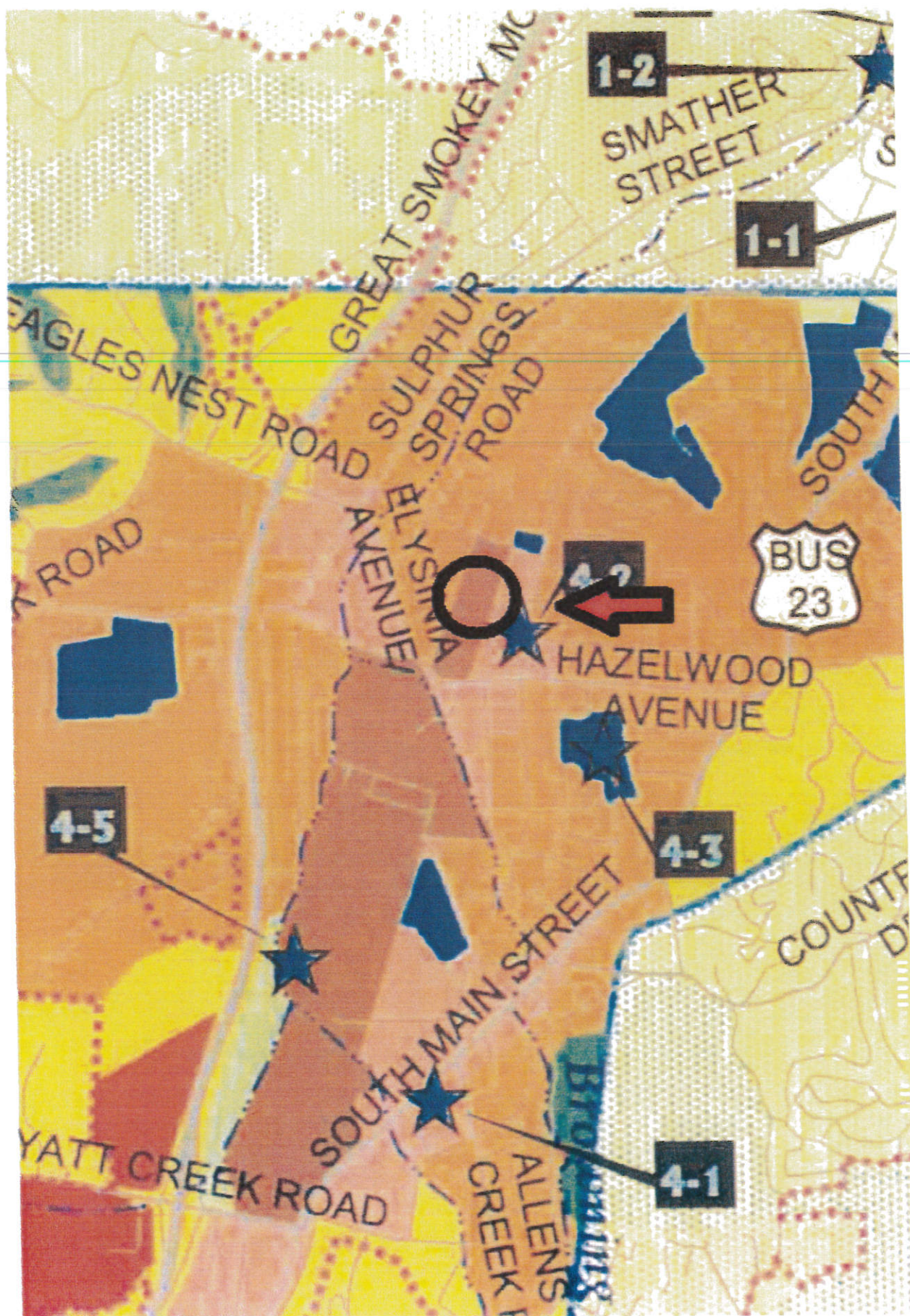




# Location Map 33 Bennett Street Zoning Area







## STAFF REPORT

**Agenda Item:** Rezoning Request  
**Location:** 2566 Asheville Road (US Business 23)  
**PIN:** 8616-94-7692  
**Area:** 4 acres  
**Owner(s):** David & Rosemary Sutton  
**Requested Rezoning:** Raccoon Creek Neighborhood Residential (RC-NR) to Commercial Industrial (CI)

### **Background**

The subject property has 400' of frontage on Asheville Road/US Business 23 in the ETJ northeast of the corporate limits. It is adjacent to a large area of Commercial Industrial zoning that includes the Hi-Tech Center. It has long been in commercial use formerly for Plemmons Plumbing and more recently for David's Home Entertainment.

Current zoning is Raccoon Creek Neighborhood Residential (RC-NR). The Purpose and Intent of this district as established by the Land Development Standards (Section 2.3.3.G):

The Raccoon Creek Neighborhood District (RC-NR) is a medium density residential area surrounding one of the major entrances into Waynesville -- Business 23. There are two centers for this area -- the Ratcliff Cove Neighborhood Center and the Junaluska School/ballfield area within the district itself. Water service is available throughout much of the district with sewer available along Business 23 and Francis Farm Road. Higher density development is encouraged west of Business 23 with lower density clustered development proposed to the east. It is suggested that the County explore recreational uses on the landfill property on Francis Farm Road -- an area that could become another focal point for the community. Development will occur at a residential scale. Development fronting onto Business 23 must form a street wall along this entryway into town.

The requested Commercial Industrial (CI) zoning district has the following Purpose and Intent as established by the Land Development Standards (Section 2.3.8.A.):

The CI district is an area designed to accommodate research and development, industrial and manufacturing uses, administrative facilities and limited supporting commercial services. While a broad mixture of uses is permitted, the principal focus in this area shall be on industrial development. High design and performance standards will be important for future development as this district is highly visible not only from a usage standpoint but also because of its location at one of the major entrances into Waynesville. Connectivity within the district is required to create an industrial campus feel within this area.

### **2020 Land Development Plan**



Under North Carolina law local municipal zoning is required to be based on an adopted comprehensive land development plan. In Waynesville this document is: Waynesville: Our Heritage, Our Future, 2020 Land Development Plan. According to this plan, specifically Map 15, planned land use for the subject property is "Residential, Low to Medium" (see attached map). The requested zoning is therefore not consistent with planned land use.

However, at its September 2013 meeting the Planning Board voted to recommend that Map 15 of the 2020 Plan be amended to reflect Commercial Industrial land use for the frontage of the subject property; thereby keeping the requested rezoning in conformance with planned land use.

**Surrounding Land Use/Zoning Pattern:**

Surrounding land use is mixed with vacant land to the west across Asheville Road and to the east, residential to the south and commercial to the north (Peak Energy convenience store). However, it is likely that the vacant tract to the west is likely to undergo commercial or industrial development at some point in the future as it is a relatively large (10 + acres) graded site, and is currently zoned CI.

This request would create a logical extension of the existing CI district.

**Staff Recommendation:**

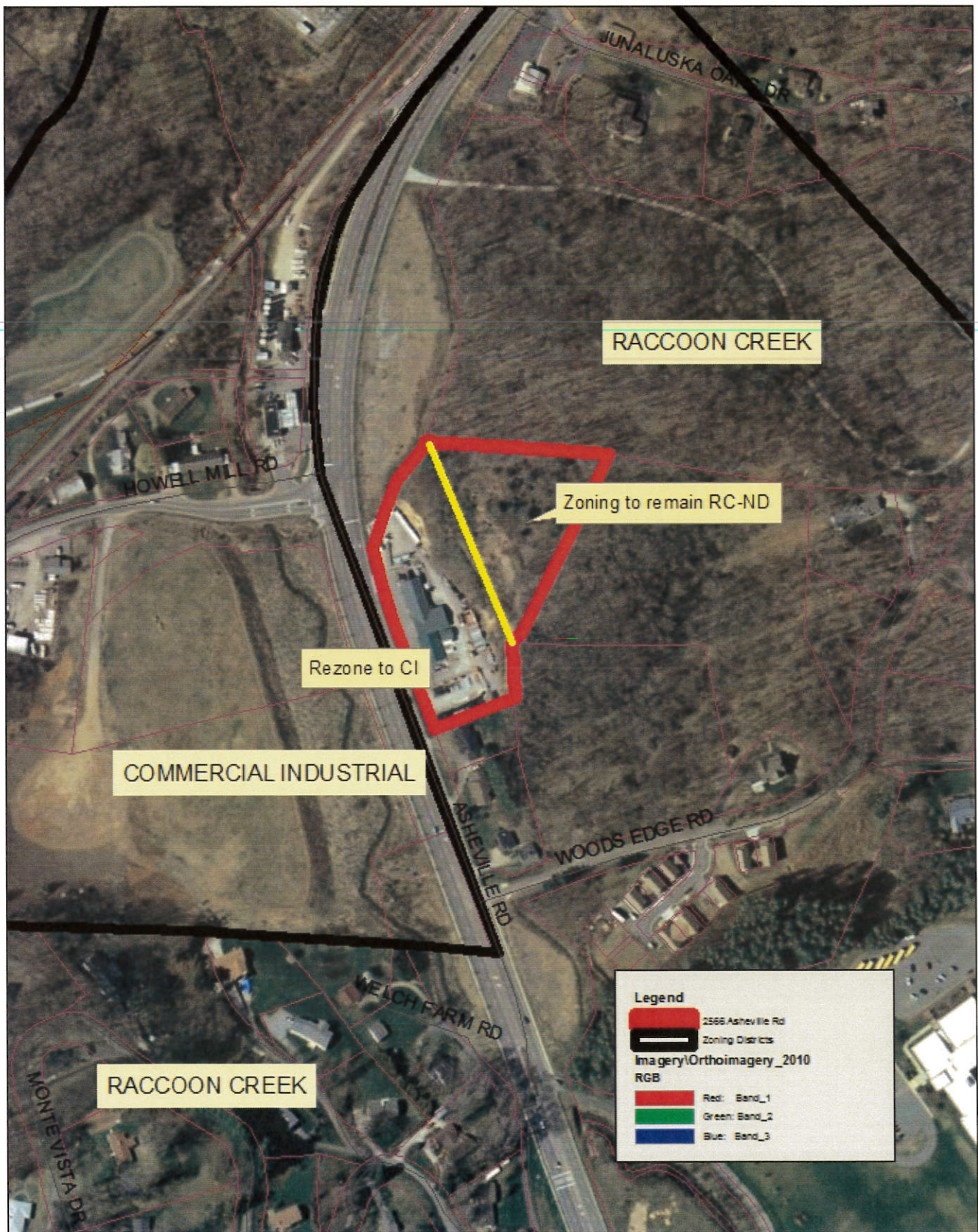
Staff recommends approval of this request since this is an existing commercial site adjacent to CI zoning. Doing so would eliminate the current nonconforming status of the development. However, staff recommends that the site be split-zoned with the CI zoning limited to the existing graded area of the site to discourage further grading into the large steep embankment to the rear of the existing site.

**Suggested Action:**

Motion to recommend that the Board of Aldermen rezone the portion of the property located at 2566 Asheville Road, as shown on the attached "Proposed Rezoning 2566 Asheville Road" from Raccoon Creek Neighborhood Residential to Commercial Industrial.



# Proposed Rezoning 2566 Asheville Road





**Planning Board Agenda Item**  
**Draft Sign Ordinance Revision**  
**October 14, 2013**

The Planning Staff, Planning Board Subcommittee and Citizens Stakeholder Committee have reviewed and incorporated changes into the draft 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. 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)
  - c. Ball Field Signs – establishes standards legitimizing signage but apply standards to mitigate adverse impact on neighboring properties (modeled on City of Brevard standards)
  - d. Promotional/Special Event Signs – adds permission for this highly sought after type of signage but as recommended by Roger Brooks (economic development expert) limits number, size, frequency and duration of sign display. Adds a provision for Facsimile Signs (3-D inflatable “wind dancers”) in Regional Commercial districts.
4. Substantive changes to Permanent Sign standards:
  - e. Increase size of home occupation signs from 2 sq ft to 8 sq ft
  - f. 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
  - g. Increases sign height from 6’ to 8’ in RC and CI districts
  - h. Increase maximum size in CI to 48 sq ft – the same standard as RC
  - i. 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 struck through and highlighted. Following the public hearing the Board is requested to make a recommendation to the Board of Aldermen: 1) to adopt as written, 2) to not adopt, or 3) to adopt with changes. 🍷



## **Draft Sign Ordinance (LDS Chapter 11) Proposed Revisions 9/12/2013 Draft**

### Page 11-2

- 11.3.1.D Clarifies that provision does not apply to attached signs; changes terminology from “monument” to “ground” signs to be consistent.
- 11.3.2 Changes height measurement from top of sign structure to top of sign face – permits a bit more height.
- New Sign Height graphic has been added to illustrate above point

### Page 11-3

- 11.4.1 Adds specific sight triangle references for streets and driveways
- 11.5.1 Gives governmental agencies a bit more flexibility for sign placement
- 11.5.5 Adds more descriptive language to permanent Building Identification signs

### Page 11-4

- 11.5.9.D. Permits either company name or logo on directional signs

### Page 11-5

- 11.5.13 Increases the permitted size of temporary construction signs from 4 to 16 square feet for single family and duplex projects
- 11.5.14.A Increases the maximum size of temporary signs from 16 square feet to 50% of window area (25% in historic districts)
- 11.5.14.B These provisions for non-profit Special Event Signs have been combined with 11.5.14.G – however the allowance for off-premises signs was removed.

### Page 11-6

- 11.5.14.C Increases the flexibility of dates/times for posting Yard Sale Signs
- 11.5.14.D Removes Regional and Town Center Signs from section on temporary signs (moved to permanent sign section).
- 11.5.14.D New section defining permitted Vehicular Signs
- 11.5.14.E New section defining permitted Ball Field Fence Signs

### Page 11-7

- 11.5.14.F Includes Decorative Flag regulations (moved from Attached Sign section, otherwise unchanged)
- 11.5.14.G Adds new provision for Promotional/Special Event Signs
- 11.5.14.H Adds a new provision for Temporary Uses Signs

## Page 11-8

### 11.6.1 Permitted Signage by District

- Adds permission for an Attached Sign of 16 square feet for Residential Low and Medium districts
- Changes Attached Sign maximum size from 10% of wall area to 16 square feet for Neighborhood and Urban Residential districts for consistency throughout residential districts
- Adds a larger sign – Master Development Sign – for larger properties (2 acres +) in Neighborhood Center and Business Districts
- Increases height of Ground Signs in Regional Center and Commercial Industrial districts from 6 feet to 8 feet
- Increases maximum size of Ground Signs in Commercial Industrial from 32 to 48 square feet for consistency with Regional Commercial
- Clarifies that Pedestrian Signs are permitted in Regional Center districts
- Corrects nomenclature by changing Multiple Message Signs to Master Development Sign in Regional Center districts
- Adds Master Development Sign to Commercial Industrial districts

## Page 11-9

- 11.6.2 Other Permitted Signage
  - Increases maximum size of home occupation signs from 2 to 8 square feet
  - Adds maximum size (48 square feet), and height (8 feet), standards for new Master Development Sign in Neighborhood Center and Business Districts
  - Removes size and height standards for Neighborhood Entrance, Neighborhood Center, Business District and Regional Center District Signs and references Planning Board design approval
- 11.7.1.A removes 5' setback for Ground Signs from edge of right-of-way; establishes a minimum of 5' setback from edge of public way
- 11.7.1.B adds street and driveway site triangle references; deletes language regarding setback of 20' from right-of-way intersections.
- 11.7.1.D adds general standards for Planning Board evaluation of Neighborhood Entrance Signs
- 11.7.1.E adds a standard of 1 ground sign per building per public street frontage (past practice has been to permit only 1 ground sign per property although this is not specified in the current ordinance)
- 11.7.2 clarifies that only permanent Window Signs count toward the permitted aggregate area of Attached Signs
- 11.7.2.B clarifies that attached signage may not extend into the street tree planting area



#### Page 11-10

- 11.7.2.E clarifies that one Pedestrian Sign is not counted against the maximum of 3 Attached Signs permitted
- 11.7.2.G permits the maximum projection of Projecting Signs to increase from 3 to 4 feet from the building façade
- Attached Sign Graphic changed labels of the various signs shown to match text of the ordinance
- 11.7.2.J Decorative Flag standard move to Temporary Sign section
- 11.7.3.A Changes Pedestrian Sign location standard from a maximum of 4 feet from the façade of the building to the outside edge of the canopy or awning

#### Page 11-11

- 11.7.3.B Reduces the minimum height of Pedestrian Signs from 8 to 7 feet above the sidewalk
- Establishes standards for permitting Portable Signs in Business Districts

#### Page 11-13

- 11.8.8 Removes Banners from prohibited signs since a banner type sign may be used as a permitted Temporary Sign; expands the language somewhat to prohibit devices similar to pennants, streamers and balloons.
- 11.8.8 Excludes balloons 12" or less in diameter (from being prohibited)
- 11.8.10 Provides an exception on the prohibition of Facsimile Signs for temporary use in Regional Commercial districts
- 11.8.11 Clarifies that certain signs attached to vehicles are prohibited (this prohibition is implied under the prohibition of Portable Signs currently)
- 11.9.1 Clarifies shielding requirements for sign lighting

#### Page 11-15

- 11.10.4 Adds reference to Chapter 13 Nonconforming Uses that pertain to removal of Non-Conforming Signs.

### **Chapter 17, Definitions**

Public Way – adds definition from Building Code for reference in sign location

Sign, Canopy (Awning) – inserts the term "Canopy" in the definition for consistency with text of ordinance

Sign, Ground – clarifies meaning; eliminates unnecessary and undesirable language

Sign, Pedestrian – clarifies meaning and eliminates incorrect overlap with Canopy/Awning Signs

Sign, Static – eliminated, doesn't appear in ordinance

Sign, Tri vision – eliminated, doesn't appear in ordinance

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# 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.

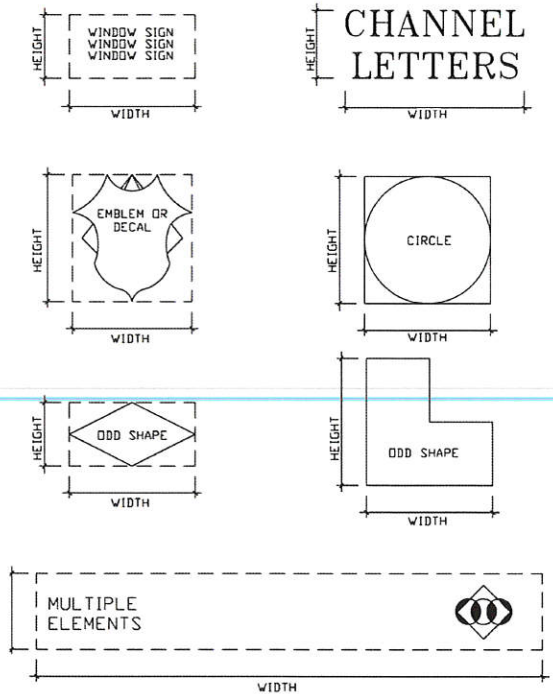
### 11.2.3 Compliance Required

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

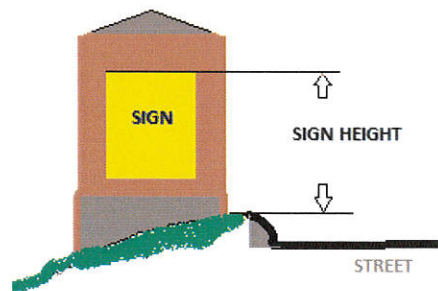
#### 11.3.1 Computation of Sign Face

- 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, provided that height of the sign structure shall not exceed the height of the Sign Face by greater than twenty percent (20%).**





## 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 and either company name or logo.
- 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 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. Where adjacent properties are in residential use the back (exterior) side of the sign must be a dark solid color and be uniform in color with all the other signs.
4. All signs must be kept clean and in good repair.
5. Signage cannot exceed one per fence panel.
6. Sign must be uniform in height.
7. 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.
8. 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 three (3) permitted Attached Signs permitted on that building face.

#### **G. Promotional/Special Event Signs**

1. One (1) per property per street frontage
2. May be either a Ground Sign, or Attached Sign
3. The maximum size and height shall be the same as established for a permanent sign of the same type in the district in which the sign is erected.
4. Duration: may be displayed on one (1) occasion in any three (3) month period for a maximum of fourteen (14) consecutive days or on one (1) occasion in any six (6) month period for a maximum of thirty (30) consecutive days.
5. 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 except there shall be no fee for public or non-profit organizations such as schools and churches for promoting special events such as fund drives, fairs, festivals, sporting events.
6. Moveable Signs are expressly prohibited.
7. Facsimile Signs are permitted only within Regional Commercial (RC) districts.
8. Banner type Promotion/Special Event Signs shall not be permitted within any district listed on the National Register of Historic Places.

**H. Temporary Uses Signs** for uses permitted by Section 4.6 shall be the same as

Promotional/Special Event Signs in subsection G. of this section provided that the duration shall be the same as that of the specific Temporary Use.

## 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	<b>16 sq ft</b>	None permitted	
Residential-Medium Density (RM)	16 sq ft – 4 ft tall	<b>16 sq ft</b>	External illumination only	
Neighborhood Residential (NR)/ Urban Residential (UR)	16 sq ft – 4 ft tall	<b>10% of wall</b> <b>16 sq ft</b>	External illumination only	
Neighborhood Center (NC)	24 sq ft – 6 ft tall	10% of wall	External illumination only	Pedestrian Sign – 1 Per Business, <b>Master Development Sign</b>
Business District (BD)	24 sq ft – 6 ft tall Exceptions: Ground signs are not permitted on Main Street	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	Pedestrian Sign – 1 Per Business, <b>Master Development Sign</b>



	from Church Street to Russ Avenue; Ground signs shall be limited to 16 ft – 4 ft tall along Wall Street from East Street to Howell Street		District	
Regional Center (RC)	48 sq ft – 8 ft 6 in tall	15% of wall	Internal illumination permitted	Multiple Message Pedestrian Sign – 1 per business, Master Development Sign Permitted
Commercial Industrial (CI)	48 sq ft – 8 ft 6 in tall	15% of wall	Internal illumination permitted	Master Development 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& CI 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 five (5) feet for the edge of the Public Way 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, **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. **Residential Neighborhood and Business District Entrance 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 for and on each public street frontage provided that building directly fronts the public street, and no other principal building on the same property is situated between the building and the public street.**

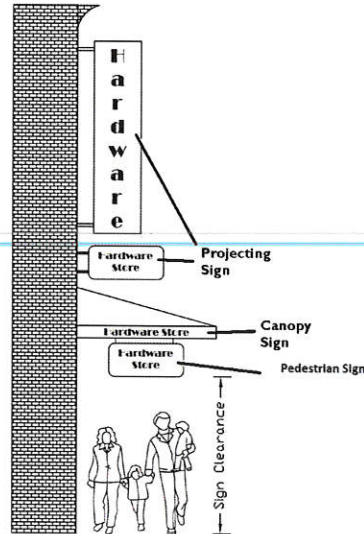
### 11.7.2 Attached (Includes Canopy, Projecting and **Permanent Window Flag Signs**)

- A. The maximum permitted aggregate area of Attached Signs includes the area of any **permanent Window Signs 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) seven (7)** 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 greater than twelve (12) inches in diameter, 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)**

**Public Way** A street, alley, sidewalk or other parcel of land open to the outside air leading to a street that has been dedicated or otherwise permanently appropriated to the public use.



**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.