

Section 93: Signs Which do not Require a Permit

The following types of signs are exempted from the sign permit requirements, but must comply with all other requirements of this Ordinance.

(1) Signs used by churches, synagogues, or civic organizations.
(2) Construction Signs - One construction sign for each street frontage of a construction project, not to exceed 20 square feet in sign area in residential zones or 35 square feet in sign area in all other zones. Such signs may be erected 10 days prior to beginning of construction and shall be removed within 30 days following completion of construction.

(3) Directional/Information Signs - Four freestanding directional/information signs per lot, not to individually exceed 3 square feet in sign area or 30 inches in height.

(4) Individual political signs - Non-illuminated political signs, not to individually exceed 12 square feet in sign area. Such signs shall be removed 30 days following the applicable election or referendum. Political signs may be placed only on private property and only with the permission of the property owner, provided that each candidate for political office, or the candidate's local representative in the case of statewide or national offices, shall apply for a general permit for all personal campaign signs, indicating that the candidate is aware of all regulations concerning political signs, that all supporters receiving said signs will be advised of these regulations and ordered to follow them, and that said signs shall be removed as required by these regulations.

(5) Public signs or notices or any sign relating to an emergency.

(6) Real Estate Signs - One non-illuminated real estate signs per street frontage, not to exceed 20 square feet in sign area. Such signs must be removed 30 days following rental, sale, or lease.

(7) Incidental Signs not to exceed 6 square feet in aggregate sign area per occupancy

(8) Residence signs, Nameplates or street address numbers, not exceeding 4 square feet in size.

(9) Signs used for bona fide navigational aids.

(10) Flags.

(11) Off-Site Real Estate Signs - Off-site real estate signs are generic signs with display content limited to a directional arrow and/or one descriptive phrase of "open house" or "home for sale," and allowed off the premises from where the real estate product is being offered and subject to the following provisions:

(a) Located on private property only with written permission of the applicable property owner. The property owner or real estate agent shall be subject to the applicable penalties for violation of these provisions.

(b) Maximum size is four (4) square feet.

(c) Maximum sign height is three (3) feet, measured from the adjacent ground elevation to the uppermost portion of the sign.

(d) Limitation of one (1) sign per intersection.

(e) No sign shall block any sight distances of any intersection.

(f) No sign shall be placed within a public or private road right-of-way.

(g) All signs shall be freestanding.

(h) No signs shall be placed on trees, utility posts, traffic control signs or other signs.

(i) Signs shall not have lighting, movable elements or flags.

(j) Allowable times of placement are as follows:

(1) A sign directing attention to a temporary sales office or model unit in a development of multiple lots or units offered for sale may remain in place seven days a week, for as long as the temporary sales office or model unit is on site.

(2) A sign directing attention to any property or properties other than a model unit or sales office as specified in paragraph (a), may remain in place from 4:00 p.m. on Friday to 8:00 a.m. on the following Monday. On the following specified holidays, signs may be posted after 4:00 p.m. the day prior to the actual holiday and must be removed by 8:00 a.m. the day following the holiday:

(i) New Year's Day

(ii) Martin Luther King, Jr. Day

(iii) Good Friday (Friday before Easter)

- (iv) Azalea Festival - Friday
- (v) Memorial Day
- (vi) Independence Day
- (vii) Labor Day
- (viii) Veteran's Day
- (ix) Thanksgiving Day - Thursday and Friday
- (x) Christmas Day (8/06/01)

Section 94: Signs Which Require A Permit

94-1: Subdivision Identification Signs - Two subdivision identification signs per entrance, not to exceed 35 square feet each in sign area. Identification signs may be located on privacy and freestanding walls. Unless otherwise specified, if the identification sign is located on a freestanding wall, the wall shall not exceed 6 feet in height, or the height of the subdivision privacy wall, whichever is greater. (8/06/01)

94-2: Identification Signs - One identification sign per apartment or condominium complex entrance, not to exceed 35 square feet in sign area. Identification signs may be located on walls provided such walls do not exceed 4 feet in height and 75 square feet in area.

94-3: Freestanding Signs in residential areas - For permitted nonresidential uses, including churches and synagogues, one freestanding sign per frontage, not exceeding 35 square feet in sign area, and 1 marquee sign not to exceed 25 feet in sign area. All permitted freestanding signs shall have a maximum height limit of 6 feet and shall have a minimum setback of 5 feet from any property line. For permitted freestanding signs which are to be illuminated, such illumination must come from a light source which is external to the sign itself.

94-4: Principal Use Signs
(1) Freestanding Signs

- a. Primary - One primary freestanding sign per premises, as per Table -1 of this Article.
- b. Auxiliary - An additional (Auxiliary) freestanding sign shall be allowed for property having in excess of 100 linear feet of road frontage; one auxiliary freestanding sign shall be permitted for each 100 linear feet of road frontage. Auxiliary signs may contain up to 50 percent of the allowable area of primary freestanding signs or 20 square feet, whichever is greater. Auxiliary signs shall not be permitted within 50 feet of any other auxiliary or primary sign located on the same parcel of property. No more than 2 auxiliary freestanding signs shall be permitted on each road frontage for each parcel of property.
- c. Carolina Beach Road - Freestanding Signs along Carolina Beach Road shall comply with the provisions of this Section except that only one freestanding ground sign not to exceed six (6) feet in height and a maximum surface area of 150 square feet shall be permitted. (8/06/01)

(2) Wall Signs - Up to 5 wall signs per occupancy, in aggregate not to exceed 20 percent of the area of the wall to which the signs are attached, up to a maximum size of 250 square feet per each occupancy.

(3) Under-Canopy Signs - One under-canopy sign per occupancy, not to exceed 4 square feet in sign area.

(4) On-Premises Window Signs - Any principal building may install on-premises window signs, provided:

- a. The area of such signs shall not exceed an aggregate area equal to 10 percent of the total ground floor glassed window area of the building.
- b. Such signs, if located inside the window, may be neon signs.
- c. Such signs are prohibited above the second floor occupancy.

(5) Special regulations and allowances for principal use signs:

- a. Corner Lots - Where an occupancy is on a corner or has more than one main street frontage, additional wall sign and additional freestanding sign are allowed on the additional frontage, not to exceed the number

and size limitations of other allowed wall and freestanding signs.

b. Minimum Clearance - All freestanding, awning, marquee, and under-canopy signs shall have a minimum clearance of 9 feet over any pedestrian use area.

c. Awning Signs - Three awning signs per occupancy, not to exceed 20 percent of the surface area of an awning.

d. Multi-Unit Signs - Multi-unit signs consist of 3 or more individual identification signs. These individual signs shall be designed to reflect a unified graphic appearance (e.g., size and material type), as determined by the Building Inspector. Individual commercial logos are permitted on multi-unit signs so long as they do not constitute more than 25 percent of the area of the applicable individual occupancy identification sign.

Table 1: Freestanding Sign Standards

Zoning District	Number of Lanes(1)	Street Frontage (Feet)	Front Setback(2)(3) (Min./Max.) (Feet)	Max. Primary Sign Height (Feet)	Max. Aux. Sign Height (Feet)	Max. Primary Sign Area (SF)	Max. Aux. Sign Area (SF)
B-1, PD	2	N/A	10/20	20	10	50	25
	4	< 100 > 100	10/20 10/20	20 20	N/A 12	50 65	N/A 32
B-2, I-1 I-2, A-1 SC	2	< 100	10/20	20	N/A	65	N/A
		> 100	10/25	20	18	100	50
	4	< 100	10/25	20	N/A	100	N/A
		> 100	10/30	25	20	150	75
		> 300	10/30	30	20	175	90

NOTE (1) Number of lanes refers to the ultimate number of lanes based upon existing roadway conditions or upon construction plans approved as part of the current NC DOT Transportation Improvement Program.

NOTE (2) Notwithstanding the minimum and maximum front setback requirements indicated above, primary freestanding signs which do not exceed 6 feet in height and are less than 76 percent of the maximum sign area established above may be located within 5 feet of the front property line and shall have no maximum front setback.

NOTE (3) "Front Setback" refers to the setback from the front or corner side property lines.

Table 2: Permitted and Prohibited Signs

Sign Type	Res	O&I	B-1 PD	B-2 SC	I-1 AI	I-2
Above Roof	X	X	X	X	X	X
Animated	X	X	X	X	X	X
Attached (Wall)	X	P	P	P	P	P
Awning	X	P	P	P	X	X
Banner	X	P	P	P	P	P
Balloons/Blimps	X	P	P	P	P	P
Construction	P	P	P	P	P	P
Directional	P	P	P	P	P	P
Flag	P	P	P	P	P	P
Flashing	X	X	X	X	X	X
Freestanding	P	P	P	P	P	P
Incidental	X	P	P	P	P	P
Integral	P	P	P	P	P	P
Pennant	X	X	X	X	X	X

Political	P	P	P	P	P	P
Portable	X	X	P	P	P	P
Projecting	X	X	X	X	X	X
Real Estate	P	P	P	P	P	P
Revolving	X	X	X	X	X	X
Sandwich Board	X	X	X	X	X	X
Spec. Purpose	X	X	X	X	X	X
Wind Device	X	X	X	X	X	X
Window	X	P	P	P	P	P

NOTE (1) See specific sections for area, height, number, setback, location, permitting and other sign requirements.

Section 95: Temporary and Special Event Signs

95-1: Balloons/Blimps - Allowed for special events with a permit for up to seven (7) days of consecutive use, 5 times per calendar year per location, subject to the following conditions:

1. The balloon or blimp may not be more than 1,000 cubic feet in size, nor the total of the longitudinal and latitudinal dimensions of the device, measured along their axes, exceed 37 linear feet;
2. The balloon or blimp shall be securely anchored at a point within the applicable setback for buildings in the zoning district where the balloon or blimp is flown
3. The balloon or blimp may not be flown more than 50 feet in the air unless located at least 100 feet from any active public roadway; its height may thereafter be increased in proportion to its distance from the roadway, to a maximum of 100 feet. (Example: if the device is anchored 125 feet from a road, it may be flown at a height of 75 feet;
4. No balloon or blimp shall be flown in windy conditions (sustained winds of 25 m.p.h. or more) or inclement or stormy weather; all applicable state or federal regulations must be observed;
5. No balloons or blimps may be flown within a 1 mile radius of another such device; and
6. No device authorized by this section may consist of more than 1 balloon or blimp, or have attached to it any streamers, banners or other paraphernalia.

For purposes of this provision, a balloon or blimp may display advertising copy that is not specific to the premises or establishment where the special event is occurring, but may not be displayed at any other premises.

"Special events," as used in this provision includes grand openings, special sales and other promotional activities. If, in the opinion of the Building Inspector, any balloon or blimp is creating or contributing to a hazardous situation, he may direct that it be removed or that the manner of its display be altered to remove the hazard.

95-2: Banners - Allowed for special events with a permit for up to 30 days of consecutive use, 2 times per calendar year (separated by a minimum of 30 days). There shall be no more than 2 banners per occupancy per permit. In the case of public parks, each group or activity will be considered a separate occupancy. Museums and cultural arts centers are permitted continuous, year-round display of 1 banner and there is no time constraint imposed upon any 1 banner's display. A second banner may be permitted in compliance with the banner restrictions applied to other uses. For grand openings, or other special events, a banner may be used for no more than 30 days for 1 time per calendar year. These banners are allowed with a permit in the Commercial and Industrial districts.

95-3: Flags - Flags are allowed as specified in Table 3. Ground-mounted flagpoles shall not exceed height limits established in Table 3. Roof-mounted flagpoles shall not exceed the maximum height permitted in each zoning district for roof-mounted antennae. No more than 2 flags shall be permitted per each flagpole

not to exceed the cumulative area established in Table 3. The United States, North Carolina, city and county flags are exempt from all restrictions of this Article.

Table 3: Flag Regulations by District

Zoning District	Parcel Size	No. of Flagpoles	Max. Area	Max. Height
Commercial and Industrial	Less than 1 acre	3	80 SF	35 feet
	1 to 3 acres	5	200 SF	50 feet
	3 to 10 acres	10	200 SF	50 feet
	More than 10 acres	10	800 feet	80 feet
All Other	N/A	1	80 SF	35 feet

95-4: Pennants - Prohibited except as navigational aids, or if used by a religious activity or by an educational or charitable organization (see Flags).

95-5: Portable Signs - Allowed with a permit for up to 30 days of consecutive use, 2 times a calendar year (separated by a minimum of 30 days) for parcels zoned commercial or industrial; prohibited elsewhere. Portable signs cannot exceed 35 square feet in size and 6 feet in height, or be located within 5 feet of any property line; one portable sign per parcel. At the expiration of the permit period, the sign, which includes the lettering as well as the signage cabinet, shall be removed.

Section 96: Outdoor Advertising Signs (5/4/87)

96-1: Where Permitted - Outdoor advertising signs and structures that comply with the provisions of this Ordinance shall be permitted in I-1, I-2 and A-I zoning districts provided the specific outdoor advertising sign location is 400 feet or more from any residential zoning district, place of worship, public park, or school. Outdoor advertising signs shall not be constructed within areas designated under the SHOD district. Outdoor advertising signs shall not be permitted in, upon, or over any navigable public waterway, marsh, or within 400 feet landward of the mean high water line.

96-2: Location, Setbacks and Spacing of Outdoor Advertising Signs

- (1) Setbacks - Each outdoor advertising sign shall comply with the applicable setback requirements of the district in which it is located. In no case, however, shall an outdoor advertising sign be located less than 10 feet from any right-of-way or property line.
- (2) Corner Lots - No part of an outdoor advertising sign may be located within a triangular area formed by the street right-of-way lines and a line connecting them at points 50 feet from the right-of-way intersection.
- (3) Spacing of Outdoor Advertising Signs - No part of any outdoor advertising sign shall be located less than 1,000 feet from any part of another outdoor advertising sign.
- (4) Back of Outdoor Advertising Sign - The backs of all outdoor advertising signs shall be painted in a neutral color to blend with the surrounding area and to prevent the reflection of car lights and sunlight.

96-3: Single Outdoor Advertising Sign Structure - An outdoor advertising sign shall be considered as one sign structure when it is designed to be viewed from:

- (1) One direction and consists of a single face sign placed in such a manner to be viewed by one directional flow of traffic; or
- (2) Two directions and consists of two sign faces arranged either back-to-back or in a V-shape.
- (3) In no case shall there be more than 1 sign face per directional flow of traffic.

96-4: Area and Height Requirements for Outdoor Advertising Signs

(1) No outdoor advertising sign facing streets with 4 or more traffic lanes may exceed 150 square feet; outdoor advertising signs facing streets with fewer than 4 traffic lanes may not exceed 75 square feet. The allowable sign area of outdoor advertising signs with equal size and shape for both double-faced (back-to-

back) and V-type outdoor advertising signs is measured by computing the area of only one side of the outdoor advertising sign. Both sides of a double-faced or V-type outdoor advertising sign shall be of equal size. No point on either side shall be more than 15 feet from the nearest point of the other side.

(2) No outdoor advertising sign or part thereof, including base, apron, supports, supporting structures, and trim, may exceed 30 feet in height. Rooftop outdoor advertising signs are prohibited.

96-5: Inspection of Outdoor Advertising signs - The Building Inspector shall inspect all outdoor advertising signs periodically to determine that the same are in a safe condition and meet the requirements set forth in this section.

96-6: Clearance for Overhead Electrical Conductors - Outdoor advertising signs shall be located in such a way that they maintain horizontal and vertical clearance of all overhead electrical conductors in accordance with National Electrical Code specifications, provided that no outdoor advertising sign, except official traffic signs, shall be installed closer than 10 feet horizontally or vertically from any conductor or public utility guy wire.

96-7: Illumination - All outdoor advertising sign illumination devices shall be in conformance with the North Carolina State Building Code, Volume IV and all other state and local codes governing illumination. All illumination shall be designed so as to be contained to the sign area of the outdoor advertising sign.

96-8: Back of Sign - The backs of all outdoor advertising signs shall be painted in a neutral color to blend in with the surrounding area.

96-9: Trimming of Vegetation Prohibited - There shall be no trimming of vegetation on public property or rights-of-way to make any outdoor advertising sign more visible.

96-10: Maintenance - All outdoor advertising signs shall be maintained in a state of good repair. Whenever it shall appear to the Building Inspector that any outdoor advertising sign has been constructed or is being maintained in violation of the terms of this section or is unsafe or insecure, such outdoor advertising sign shall either be made to conform with all outdoor advertising sign regulations or shall be removed at the expense of the owner, within 10 days after written notification thereof by the Building Inspector.

96-11: Removal of Obsolete Outdoor Advertising Signs - Outdoor advertising sign messages which advertise a discontinued activity or use of a building or premise shall be removed within 60 days from the date the activity or use was terminated. Outdoor advertising signs advertising events such as shows, displays, festivals, circuses, fairs, athletic contests, dances, fund drives, elections, exhibits, meetings, conventions and the like shall be removed within 30 days after the date of termination of such events.

Section 97: Nonconforming Signs

97-1: Determination of Nonconformity - Existing signs which do not conform to the specific provisions of this Ordinance may be eligible for the designation "nonconforming" provided that:

- (1) The Building Inspector determines that such signs are properly maintained and do not in any way endanger the public;
- (2) The sign was covered by a valid permit or variance or complied with all applicable laws on 8/06/01; and
- (3) The sign is not placed under an amortization schedule.

97-2: Loss of Nonconforming status - A nonconforming sign may lose its nonconforming designation if:

- (1) The sign is relocated or replaced; or
- (2) The structure of the sign is altered in any way except towards compliance with this Ordinance. This does not refer to change of copy or normal maintenance.

97-3: Maintenance and Repair of Nonconforming Signs - Nonconforming signs are subject to all requirements of this Ordinance regarding safety, maintenance, and repair. However, if the sign suffers more than 50 percent appraised damage or deterioration, it must be removed or brought into conformance with this Ordinance.

97-4: Amortization

(1) Previously Amortized Signs - Under the provisions of the New Hanover County Zoning Ordinance in effect immediately prior to 8/06/01, certain on-premise and outdoor advertising signs were required to be removed or brought into compliance within the times set forth therein. The time periods for removal or compliance have expired and such signs shall be removed or brought into compliance after written notice from the Building Inspector. The provisions of this Ordinance, so far as they are the same as those provisions of the Zoning Ordinance in effect immediately prior to 8/06/01 shall be considered as continuations thereof and not as new enactments.

(2) Time Frames - Unless otherwise provided by law, all on-premise and outdoor advertising signs that are made nonconforming by this Ordinance, an amendment to this Ordinance or to the official zoning maps shall be removed or brought into compliance within the time frames specified in this subsection after the 8/06/01 effective date and amendment thereto or the amendment of the official zoning map.

Sign Type	Time Frame for Removal or Compliance
1	Nonconforming flashing or animated signs in any zoning district or special district
2	Nonconforming signs made of paper, cloth or other non-durable material in any zoning district or special district
3	Nonconforming outdoor advertising signs
4	Nonconforming on-premise freestanding signs(1)
5	Portable or other temporary signs
6	Signs requiring permits that are erected without permits, Prohibited Signs or signs that are otherwise erected illegally under the provisions of this Ordinance or any other City or County Ordinance
7	Nonconforming wall signs

Note(1) Nonconforming freestanding signs, which are within 15 percent of the maximum sign area requirements or within 4 feet of the maximum height requirements, shall not be required to be brought into compliance with the size or height requirements, as applicable, of this Ordinance. Freestanding signs that are nonconforming with regard to sign height and that are relocated in order to comply with the sign location requirements of this Ordinance shall also be brought into compliance with the sign height requirements. Nonconforming freestanding signs that are relocated under the provisions of this Ordinance may utilize 1 required parking space for the relocated sign if no other option exists for relocating the sign on the site as determined by the Building Inspector. Freestanding signs that are nonconforming only with regard to the front setback requirement shall not be subject to the amortization procedures outlined herein.

(3) No replacement - Another nonconforming sign shall not replace a nonconforming sign except that the substitution or interchange of poster panels, painted boards or demountable material on nonconforming signs shall be permitted.

(4) Repair - Minor repairs and maintenance of nonconforming signs such as repainting, electrical repairs and neon tubing repairs shall be permitted.

(5) Alteration, Relocation or Replacement - Nonconforming signs, which are structurally altered, relocated or replaced, shall comply in all respects with the provisions of this Ordinance, except as specifically excepted herein.

(6) Legally Established Nonconforming Uses - New signs related to legally established nonconforming uses may be erected provided they comply with the sign requirements of the district in which the use is located.