

2100. DESIGN STANDARDS AND REGULATION OF SIGNS

The purpose of this section is to regulate the type, placement, and physical dimensions of signs in the interest of public health, safety, and welfare, while recognizing the need for signs in the business community.

2101. Definitions. (Amended 6-4-2007, 4-21-2008, and 1-13-2014)

Advertising display area: The advertising display surface area encompassed within any polygon that would enclose all parts of the sign by one continuous line, connecting the extreme points or edges of a sign and using the largest sign area or silhouette visible at any one time from any one point. The structural supports for a sign, whether they be columns, pylons, or a building, or a part thereof, shall not be included in the advertising area but all other ornamental attachments, inner connecting links, etc., that are not a part of the main supports of the sign are to be included in determining sign area.

Blinking: To shine intermittently, to turn on/off, or to open/close more than 15 (fifteen) times per minute.

Billboard: A sign that advertises an establishment, service, commodity, goods, or entertainment sold or offered on premises other than that where the sign is located. A billboard usually has a sign area larger than 32 (thirty-two) square feet. Also known as an outdoor billboard advertising sign.

Building: A type of structure having a roof, supported by columns or walls, for the shelter, housing, or enclosure of persons, animals, or goods, as per the North Carolina Building Code.

Controlled access highway: A highway, or section thereof, especially designed for through traffic and over, from, or to which highway owners or occupants of abutting property, or others, shall have only controlled right of easement of access.

Copy: The wording on a sign surface in either permanent or removable letter form.

County: The County of Carteret, North Carolina.

Enforcement officer: The Planning Director or designee.

Erect: To build, construct, attach, hang, place, suspend, or affix something, such as a building or a sign.

Face of sign: The area of a sign on which the copy is placed.

Flashing: A light that intermittently flashes on and off.

Flickering: A sudden brief movement.

Indirect illumination: A sign that is lighted by a light source outside of the sign.

Internal illumination: When a sign, whose light source is concealed or contained within the sign itself, becomes visible by shining through a translucent surface.

Lot: Land area of defined boundaries in single ownership, set aside for separate use or occupancy, and recorded as such in the office of the Carteret County Register of Deeds. The word "lot" includes "parcel", "plot", or "tract".

Lot line: Any boundary of a parcel.

Maintenance: The cleaning, painting, repair, or replacement of defective parts (including plumbing, electrical, or mechanical work that might require a building permit) in a manner that does not alter the basic design or composition of a structure, such as a sign, wind turbine, wireless telecommunications facility, or other structure.

Major access road: US 70, NC State Highway 24, NC State Highway 58, NC State Highway 101, and NC State Highway 12.

Oscillating: To move or travel back and forth between two points, as in a light that oscillates up and down, back and forth, etc..

Owner: A holder of any legal or equitable estate in the premises, whether alone or jointly with others, and whether in possession or not. The owner of property on which a sign is located is presumed to be the owner of the sign, unless facts to the contrary are officially recorded or otherwise brought to the attention of the Enforcement Officer (e.g., a sign leased from a sign company).

Parcel: Land area of defined boundaries in single ownership, set aside for separate use or occupancy, and recorded as such in the office of the Carteret County Register of Deeds. The word "parcel" includes "lot", "plot", or "tract"

Premises: A parcel of land with its appurtenances and buildings which, because of its unity of use, may be regarded as a unit of real estate.

Principal use: The use that constitutes the primary activity, function, or purpose to which a parcel or building is put.

Principal use sign: A sign that advertises an establishment, a service, commodity, or activity conducted upon the premises where such sign is located.

Public body: Any government or governmental agency of the County of Carteret, the State of North Carolina, or the United States of America.

Rotating: To turn about or around on an axis or center.

Scrolling: To move text or graphics up or down, back and forth, and/or across a display screen.

Semi-public body: Any organization operating as a non-profit activity and serving a public purpose or service, including such organizations as non-commercial clubs, lodges, theater groups, recreational and neighborhood associations, cultural activities, and schools.

Sign: Any device, letter, numeral, figure, character, mark, plane, point, marquee sign, design, poster, pictorial, picture, stroke, stripe, line, trademark, reading matter or illuminated surface, that is so constructed, placed, attached, painted, erected, fastened, or manufactured in any manner, whatsoever, so that the same is used for the attraction of the public to any place, subject, person, firm, corporation, public performance, article, machine, or merchandise, whatsoever, that are displayed in any manner whatsoever, including out-of-doors, and are visible from any public way. Also included are any card, cloth, glass, metal, painted, paper, plastic, wooden, or other configuration of any character placed in or on the ground or any tree, wall, bush, rock, fence, pavement, building, structure, or thing, for the purpose of advertising, announcing, declaring, demonstrating or displaying information about a specific business, occupant use, activity, or building, including clocks, barber poles and similar devices. This shall exclude official notices issued by a court or public officer.

TYPES OF SIGNS:

1. **Abandoned sign:** A sign for which no legal owner can be found.
2. **Animated sign:** Any sign that uses movement or change of lighting to depict action or to create a special effect or scene.
3. **Awning sign:** A sign painted, sewn, woven into or as a part of, and/or otherwise applied to the fabric of an awning.
4. **Banner sign:** A sign that is hung, either with or without frames, usually from a single support or between two sources of support. National flags, flags of political subdivisions, and symbolic flags of any institution or business are not included in this definition. Banner signs are often used to advertise a special event.
5. **Banner sign:** A strip of cloth or other material on which a sign is drawn, written, or painted that is temporarily displayed.
6. **Billboard:** A sign that directs attention to and is not located on the premises where the business, commodity, service, or entertainment being advertised is conducted, sold, or offered.
7. **Building directory sign:** A sign identifying the businesses within a building or the locations of buildings on-site.
8. **Bulletin board sign:** A sign used to announce meetings or programs to be held at a church, school, auditorium, library, museum, community recreation center, or similar non-commercial place of public assembly and is located on the premises where the meeting or program is conducted.
9. **Business sign:** A sign that directs attention to a business, profession, or industry located upon the premises where the sign is displayed; to types of products sold, manufactured, or assembled on said premises; and/or to service or entertainment offered on said premises.
10. **Canopy sign:** A sign painted, glued, and/or otherwise attached to a canopy.
11. **Changeable copy sign:** A sign that is designed so that characters, letters, or illustrations are changed or rearranged manually without altering the face or the surface of the sign, which includes the changing of copies on billboards.
12. **Construction sign:** A sign that identifies architects, engineers, contractors, and other individuals or firms involved with construction on the premises, the name of the building or development, the intended purpose of the building, the expected completion date, and/or related information about the construction project.
13. **Digital marquee sign:** A sign conveying a message in an electronic format. Also known as an electronic message board. A digital marquee sign is not a changeable copy sign.
14. **Directional/informational sign:** An on-premise sign giving directions, instructions, and/or facility information and which may contain the name or logo of an establishment but no advertising copy (e.g., parking or exit and entrance signs).
15. **Directional sign:** Signs other than business signs which contain only the name of a parking area or similar accessory use to a business establishment to which direction is given, i.e., entrance/exit signs.
16. **Directory sign:** A sign on which the names and locations of occupants or the use of a building is given, such as office buildings and church directories.
17. **Double-faced sign:** A sign with two faces.
18. **Electronic message board:** A sign conveying a message in an electronic format. Also known as an electronic message board. An electronic message board is not a changeable copy sign.
19. **Flag sign:** A piece of fabric of distinctive design that is used as a symbol or as a signaling device.
20. **Flashing sign:** A sign that contains an intermittent, alternating, irregular, blinking, and/or sequential light.
21. **Flush-mounted sign:** A sign mounted flat against the surface of a building.
22. **Freestanding sign:** A sign that is not attached to a building and is permanently attached to the ground by one or more supports.
23. **Government flag sign:** A flag, banner, and the like bearing the colors and/or logo of a government agency.
24. **Government sign:** Any sign erected by a government agency.
25. **Ground or pole sign:** A type of freestanding sign that is supported by structures or supports in the ground and is independent of support from any building.
26. **Home occupation sign:** A sign used to identify the name of the individual, family, organization, or enterprise occupying the home and engaged in a home occupation or the profession of the occupant.
27. **Identification sign:** A sign whose copy is limited to the name and/or address of a building, institution, or person.
28. **Illegal sign:** A sign that does not meet the requirements of this ordinance, that has not received legal non-conforming status, and that does not have permit authorization, if required, under the terms of the old ordinance.
29. **Illuminated sign:** A sign illuminated in any manner by an artificial light source.
30. **Inflatable display sign:** A sign that is gas filled, whether or not the gases cause the sign to move.

31. **Legal sign:** Any sign not an illegal sign. A sign that complies with the requirements of this ordinance.
32. **Menu board sign:** A sign (usually an illuminated metal box with pictures and prices of food items) advertising one or more products offered at a drive-thru. Such signs might be on poles or posts, ground-mounted, wall-mounted, in temporary sign frames, etc. and are typically not readable from off the premises.
33. **Message board:** A sign in which the text is in LED (light emitting diode) form, uses light bulbs to form a message, or is manually changeable using removable text and/or graphics.
34. **Non-commercial sign:** A sign that carries no commercial message, statement, or expression. Non-commercial signs include signs expressing political views, religious views, or signs of for-profit organizations related to their tax-exempt purposes.
35. **Non-conforming sign:** A sign that was erected legally but does not comply with subsequently-enacted sign restrictions and regulations or a sign that does not conform to the sign code requirements but has received approval from the zoning board of adjustment.
36. **Non-governmental flag sign:** A flag, banner, and the like bearing the colors and/or logo of a business, family, fraternal organization, non-profit agency, or the like.
37. **Obsolete sign:** A sign related to or identifying a business or activity that has not been conducted on the premises for at least 6 (six) months; a transpired election or event; a political party or profit organization that no longer exists; or the structure for a sign that is not allowed under this Ordinance if such structure cannot be used for a legal use or does not comply with the height, size, physical location, or other physical requirements of this Ordinance.
38. **Off-premises commercial sign:** A sign structure advertising an establishment, merchandise, service or entertainment that is not sold, produced, manufactured, or furnished at the property on which said sign is located (e.g., "billboards").
39. **Off-premises tri-view sign:** An off-premises sign on which each face intermittently rotates with a maximum of 3 (three) faces per side.
40. **On-premises commercial sign:** A sign that pertains to the use of the premises on which it is located.
41. **Outdoor advertising sign:** A type of off-premises sign, usually a billboard, including a standard poster panel, either freestanding or attached to a structure, that directs attention to a business, commodity, service, entertainment, or other commercial activity, conducted, sold, or offered elsewhere than on the premises on which said sign is located.
42. **Political sign:** A sign used in connection with an election or referendum.
43. **Portable sign:** A sign not permanently attached to the ground or other permanent structure, including signs with attached wheels; A- or T-frame signs; sandwich board signs; signs attached or painted on vehicles parked and visible from the right-of-way (even if said vehicle is used as a vehicle in the normal day-to-day operations of the business).
44. **Principal Use Sign:** A sign which directs attention to a business, commodity, service, entertainment, or other activity, conducted, sold, or offered exclusively on the premises upon which said sign is located.
45. **Prohibited sign:** A sign that is not permitted in the jurisdiction of this ordinance.
46. **Projecting sign:** A sign that is attached to a building by supports and extends at any angle from the building greater than 45° (forty-five degrees) for more than 2 (two) feet.
47. **Public sign:** A sign erected by, or on behalf of, a governmental body to post a legal notice, identify public property, convey public information, and/or direct or regulate pedestrian or vehicular traffic.
48. **Real estate sign:** A sign that is used to offer for sale, lease, or rent the property upon which the sign is placed.
49. **Roof sign:** A sign that extends above the ridge of the roof or a sign placed on the roof.
50. **School identification sign:** A sign that identifies a school by name and/or logo.
51. **Snipe sign:** A sign of any material that is attached in any way to a utility pole, tree, or any object other than a building, roof, or sign post.



Typical snipe signs

52. **Special event sign:** A sign advertising events, such as the Seafood Festival, Big Rock Blue Marlin Tournament, and other similar happenings.
53. **Subdivision sign:** A sign that identifies a subdivision name and/or logo.
54. **Suspended sign:** A sign that hangs, such as from a ceiling or an awning or canopy roof.
55. **Temporary sign:** A sign that is mounted on a mobile framework or movable apparatus that is portable and/or moveable, including arrow-type signs, spring-type signs, metal frame signs, pricing-type signs, and special purpose advertising signs.

56. **Three-dimensional sign:** A sign that has height, depth, and breadth and incorporates an object into an advertising sign (e.g., a three-dimensional hamburger or life-sized pig advertising a food place).
57. **Trailer sign:** A sign mounted on a vehicle normally licensed by the State of North Carolina as a trailer.
58. **Wall sign:** A sign painted, attached, or mounted on the wall of a building or structure, other than a projecting sign, that is attached to or painted on any wall of any building and which may project from the plane of the wall less than 12 (twelve) inches. This definition shall not include freestanding walls, which would be a ground-mounted sign. A sign attached to the lower slope of a mansard or canopy roof, or a sign affixed to or forming an awning or canopy, shall be considered a wall sign for purposes of this Ordinance, notwithstanding the fact that certain portions of such sign may project more than 12 (twelve) inches. For purposes of this Ordinance only, a "wall" shall include any permanent architectural extension of a wall, including parapets, even if such extension projects beyond or above the enclosed portions of the building.
59. **Window sign:** A sign that is not a temporary sign and is attached to, painted on, etched into, or hangs behind a window and is legible from outside the window. Window signs shall include signs, posters, symbols and any other identification of/or information about the occupant or the activity and/or use of the premises, including neon "open" signs. Included in the definition is any sign, displayed in, attached to, or painted on a window that is visible from any public street and is intended to attract the attention of persons outside the building, but excluding merchandise displays and incidental informational signs (e.g.; credit cards accepted, hours, non-appurtenant community service announcements, etc.).

Sign area: The advertising display surface area encompassed within any polygon that would enclose all parts of the sign by one continuous line, connecting the extreme points or edges of a sign, and using the largest sign area or silhouette visible at any one time from any one point. The structural supports for a sign, whether they be columns, pylons, or a building, or a part thereof, shall not be included in the advertising area but all other ornamental attachments, inner connecting links, etc., that are not a part of the main supports of the sign are to be included in determining sign area.

Sign face: The informational area of a sign on one side of a sign.

Sign height: The height of a sign shall be the vertical distance from normal grade to the highest point of the sign. Any berming or filling or excavating solely or primarily for the purpose of locating the sign shall be computed as a part of the sign height.

Special events display: A banner sign erected on the premises of an establishment having a grand opening or special event.

Stationary: Unchanging in condition; not moving.

Structure: Something built or constructed, such as a walled and roofed building, a manufactured home, a gas or liquid storage tank that is principally above ground, a wind turbine or communications tower, a water tank, etc., exclusive of fences, mailboxes, flagpoles, lampposts, doghouses, birdhouses, and well pump covers.

Used or occupied: A parcel or structure that is not completely vacant or is otherwise devoted to a use, whether active or passive or constant or intermittent.

2102. General requirements.

No sign of any type nor any part thereof shall be erected, painted, posted, reposted, placed, replaced, or hung in any zoning district except in compliance with these regulations.

2102.1. *Application materials.* Each application for a zoning permit for a sign shall be made in writing and shall contain or have attached the following information:

- a) A drawing approximately to scale showing the design of the sign, including dimensions, method of attachment or support, source of illumination and showing the relationship to any building or structure to which it is or is proposed to be installed;
- b) A plot plan approximately to scale indicating the location of the sign relative to property lines, easements, buildings, streets and other on-premises signs;
- c) Two sets of plans to be submitted to the building inspector, when required;
- d) No zoning permit for a sign is required for a construction sign, real estate sign or financial institution sign related to the financing of the project under construction, so long as it is not over 16 (sixteen) square feet and there is not more than 4 (four) feet from the bottom of the sign to the ground thereunder. (Amended 1-13-2014)

Sign plans shall be submitted to the zoning enforcement officer for approval prior to the building inspector issuing a building permit. A record of such applications and actions taken shall be kept in the planning department.

2102.2. *Signs prohibited in all districts.* The following signs are prohibited in all zoning districts:

- a) Advertising signs resembling traffic signals, traffic signs, emergency vehicles' flashing lights and which are likely to be misconstrued by the traveling public as being official governmental signs or emergency warnings or which by their distracting nature create a hazard to motorists;
- b) Signs, except for off-premises signs allowed under this section, advertising an activity, business, product or service no longer conducted on the premises upon which the sign is located. Such signage shall be removed within 90 days from the date of termination of such activity. Upon failure of the owner to

remove such signs within the prescribed time, the zoning enforcement officer shall take appropriate legal action to have such sign removed;

- c) Flashing, blinking, pulsating, and portable signs or signs with moving parts;
- d) Signs, other than traffic, governmental or street name signs or official signs, shall not be permitted within any street right-of-way;
- e) Roof signs;
- f) Three-dimensional signs;
- g) Beacon lights, animated signs, trailer signs and snipe signs;
- h) Portable signs.

2102.3. *Illuminated signs.* No illuminated sign shall be so designed or placed that direct or reflected light or glare constitutes a hazard or annoyance to motorists or occupants of adjoining properties.

2102.4. *Determination of sign area.* For the purposes of this ordinance, the square footage area of any sign shall be measured by the smallest area enclosed by one continuous line connecting the extreme points or edges of the sign. This includes lattice work, frame, border molding, lettering, and display area incidental to the sign's decoration.

2102.5. *Maintenance.* All signs, together with braces, guys and supports shall at all times be kept in good repair. If at any time a sign should become abandoned, unsafe, or poorly maintained, the zoning officer shall notify the owner of the sign of such condition, and upon failure of the owner to correct such condition, the zoning officer shall take appropriate legal action to have such sign repaired or removed.

Sections 2103-5 Left blank intentionally ... no changes for now.

2106. Zoning permit not required.

The following signs are permitted in all districts, unless indicated otherwise. A zoning permit shall be required for all illuminated signs. No zoning permit shall be required for the following signs:

- 2106.1 Signs erected by a governmental agency to regulate, control, or direct vehicular or pedestrian traffic;
- 2106.2 Legal notices, warnings, regulatory or informational signs erected by a public agency;
- 2106.3 Signs required by law;
- 2106.4 "No trespassing" signs not exceeding 15 (fifteen) square feet in area;

2106.5 Temporary real estate signs advertising a specific property for sale, lease, rent or development, located on said property, provided that such signs do not exceed 16 (sixteen) square feet in area and are not illuminated. (Amended 1-13-2014)

These signs shall be limited to 1 (one) per street front, 1 (one) per waterfront and 1 (one) per golf course front per parcel. Such signs shall not be placed within any public street right-of-way. In the event the real estate sign is located on the waterfront portion of a lot in Carteret County, a coastal area management act permit may be required;

2106.6 Typical 6 (six) square foot standard real estate signs;

2106.7 Temporary construction signs and financial institution signs displayed in residential districts, 1 (one) sign per parcel, not exceeding 15 (fifteen) square feet;

2106.8 Flags, emblems or insignia of any national, state, or political subdivision;

2106.9 Property number signs not exceeding 1 (one) square foot in area and bearing only address numbers of premises or other identification of premises not having commercial connotations;

2106.10 Holiday decorations in season;

2106.11 Political signs not exceeding 32 square feet.

Sections 2107-15 Left blank intentionally ... no changes for now.