

**ARTICLE N. SIGNS****SEC. 9-4-221 PURPOSE.**

It is the purpose of this article to allow certain signs of a residential and commercial nature in areas designated for those uses which will best provide and ensure:

(A) The health, safety and general welfare of the people;

(B) The adequate supply of light and air to adjacent properties;

(C) Adequate and proportionate advertisement displays which promote and protect the economic vitality of the community;

(D) That signage displayed adjacent to and visible from a public right-of-way will not distract or confuse the motoring public, thereby causing a public hazard; and

(E) That the aesthetic quality of the city is maintained for the benefit of all the citizens of the City of Greenville, Pitt County, and the State of North Carolina as a whole.

(Ord. No. 2337, § 1, passed 6-13-1991)

**SEC. 9-4-222 DEFINITIONS.**

For the purpose of this article, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

*Banner.* A temporary sign display that is constructed of non-self-supporting or rigid material that is supported on two or more sides or corners by a rope, wire or other attachment that allows the display to move when struck by wind, and which is not a permanent sign or flag as a defined in this section. (See also definition of flag.)

*Building frontage.* The distance expressed in linear feet of the horizontal dimension of a building wall that is parallel and adjacent to one or more of the qualifying areas listed below:

(a) A public or private street;

(b) A common parking area in the case of a planned center;

(c) A public parking area; or

(d) A public access walkway.

*Flag.* A non-self-supporting fabric or film display that is supported on one side by a pole or mast, and is allowed to hang limp without vertical or horizontal structure and/or to move freely when struck by wind. A non-self-supporting fabric or film display that is supported on two or more sides or corners, or that is supported only along the top (highest) side shall constitute a banner. (See also definition of banner.)

*Freestanding sign.* A sign that is not directly and permanently attached to, supported by or erected on a building or other structure having a principal function other than support of the sign. To qualify as a permanent freestanding sign, displays made from non-self-supporting materials, including flex-face type signs, shall be permanently affixed to the sign support structure by a method approved by the Building Inspector, and the display (sign face) shall be enclosed and/or attached either by a two-inch or wider raised frame that supports the sign face, or within a two-inch or wider raised sign cabinet specifically designed for support of the sign.

*Lot frontage.* The distance expressed in linear feet of the common property boundary lines of a lot of record and a public or private street.

*Off-premises sign.* An outdoor advertising sign used for the purpose of displaying non-point-of-sale advertisement which directs attention to a business, establishment, profession, service, event, entertainment, condition or commodity that is located, manufactured, conducted, sold or otherwise offered or provided at an off-premises or off-site location other than the lot of record where the sign is constructed or displayed, except as further provided under section 9-4-236(B). Off-premises signs are hereby divided into two separate categories for purposes of regulation under section 9-4-236(B) as follows: temporary poster panel off-premises sign, and permanent panel off-premises sign. Any off-premises sign may be converted from either category to the other; provided, however, the use of any such sign shall be regulated in accordance with the category assignment of the sign at time of use.

*Permanent panel off-premises sign.* As used herein, a sign having a permanent frame and either a permanent or interchangeable solid display mounting surface upon which the sign's message or advertising content is permanently affixed to or painted directly on the display mounting surface. Specifically, any off-premises sign not meeting the definition of temporary poster panel off-premises sign below shall be construed as a "permanent panel off-premises sign."

*Temporary poster panel off-premises sign.* As used herein shall be defined as a sign having a permanent frame and solid display mounting surface upon which interchangeable messages, in the form of a temporary advertising poster composed of paper, film or other similar temporary non-self-supporting material, are mounted utilizing an adhesive or other similar temporary contact attachment method and which can be removed without disassembly of the display mounting surface. The term "temporary advertising poster" as used herein shall include only those displays which are printed, painted, drawn or otherwise created in complete content and form at a remote location and which are then adhered to the display mounting surface in single or multiple sheets. Mounting of poster displays to the display mounting surface by the use of nails, staples, screws, bolts, clips, hooks, cords, ropes, straps and similar methods shall be regarded as a permanent attachment as opposed to a temporary attachment and the poster displays shall not constitute a temporary advertising poster. All temporary advertising posters shall be open to the natural elements and shall not be enclosed or covered by plastic, glass or other permanent transparent material, enclosure or case.

*On-premises sign.* An advertising sign used for purposes of displaying point-of-sale advertisement which attracts attention to a business, establishment, profession, service, event, entertainment, condition or commodity that is manufactured, conducted, sold or otherwise offered or provided on the lot of record where the sign is constructed or displayed. "On-premises signs" are all signs not otherwise defined or regulated as off-premises signs.

*Owner occupant.* Any person, firm, corporation, lessee, receiver, trustee, guardian or personal representative holding legal title or legal right to occupy or carry on business in a structure or any facility, or any manager, operator or other person authorized to conduct business on behalf of an owner, and shall include each and every person who shall have title to or benefit of a sign, or for whose benefit any type sign is erected or maintained. Where there is more than one owner, as defined, their duties and obligations under this chapter are joint and several and shall include the responsibility for the sign.

*Planned center.* See Article B of this chapter.

*Roof sign.* A sign that is directly and permanently attached to and supported by the roof of a building or structure having a principal function other than support of the sign.

*Sign.* Any display device that is sufficiently visible and is located and designed to attract the attention of persons or to communicate any information to them.

*Subdivision directory sign.* A sign containing locational information relative to property owners, tenants, establishments or addresses within a platted subdivision. The sign shall contain no commercial advertisement.

*Temporary sign.* Any portable advertisement display that directs or attracts public attention to a specific event, product sold or service offered by the beneficiary of the display. Such signs include but are not limited to the following:

- (1) Signs made of paper, cloth, polyethylene film or other similar material;
- (2) Signs that are not permanently affixed to the ground or building surface in a manner approved by the Building Inspector;
- (3) Trailer signs;
- (4) Portable signs; and
- (5) Banners, flags or other similar devices.

*Wall sign.* A sign that is directly and permanently attached to and supported by a building or other structure having a principal function other than support of the sign. For purposes of this definition, poles, fences, storage tanks, bracing or other similar structures shall not be considered as a building or structure having a principal function other than support of the sign, and canopies and their support structures shall be considered as a building or structure having a principal function other than support of the sign.

- (1) To qualify as a permanent “wall sign,” displays made from non-self-supporting materials, including flex-face type signs, shall be permanently affixed to the building or other structure by a method approved by the Building Inspector, and the display (sign face) shall be enclosed and/or attached:
  - (a) By a two-inch or wider raised frame that supports the sign face; or
  - (b) Within a two-inch or wider raised sign cabinet specifically designed for support of the sign.
- (2) The intent of subsections (1)(a) and (b) is to prohibit direct contact attachment of non-self-supporting material signs on a supporting wall or qualified structure and to require that the display (sign face) is separated from the supporting wall or qualified structure by not less than two inches.

*Wind blade.* A non-self supporting fabric or film display that is supported on one side by a pole or mast that is curved at the top so that the message is visible regardless of wind conditions. Wind blades shall be freestanding and shall not be attached to any permanent structure.

(Ord. No. 2337, § 1, passed 6-13-1991; Ord. No. 96-45, § 2, passed 6-13-1996; Ord. No. 02-63, §§ 1, 2, passed 6-13-2002; Ord. No. 06-76, § 1, passed 8-10-2006; Ord. 12-017, § 1, passed 4-12-2012)

#### **SEC. 9-4-223 PERMITS REQUIRED.**

(A) No sign shall be erected upon any lot or attached to, suspended from or supported on a building or structure, nor shall any existing sign be enlarged, removed, relocated or materially repaired unless a zoning compliance and building permit for the same has been issued by the city. The permit shall be on forms supplied by the city and shall contain such information as necessary to ensure that the requirements and conditions of this article can be met.

(B) There shall be no sign permit issued unless the plans, specifications and intended use of the sign or part thereof conform in all respects to all applicable provisions of the Zoning Ordinance and the North Carolina State Building Code. (Ord. No. 2337, § 1, passed 6-13-1991)

#### **SEC. 9-4-224 GENERAL REQUIREMENTS FOR SIGNS.**

(A) All signs shall be constructed and maintained in accordance with this article and the North Carolina State Building Codes, as amended. In the event of conflicting provisions of this article and the North Carolina State Building Codes, the more restrictive shall apply.

(B) No sign shall be erected or allowed to remain erected that is structurally unsafe, hazardous and in the opinion of the Building Inspector, constitutes a danger to the public safety. If, in the opinion of the Building Inspector, any sign should become insecure or in danger of falling or otherwise unsafe, the owner thereof or the person or firm maintaining the same shall, upon written notice from the Building Inspector, immediately secure the sign in a manner to be approved by the Building Inspector in conformity with the provisions of this article or remove the sign at the expense of the owner. Any freestanding sign that is not permanently attached to the ground in a manner approved by the Building Inspector shall be considered a danger to public safety.

(C) To ensure that signs are maintained in a safe and aesthetic manner, the following maintenance requirements must be observed for all signs visible from any public street.

- (1) No sign shall have more than 20% of its display surface area covered with disfigured, chipped, peeling, cracked, ripped or frayed material of any description for a period of more than 30 successive days.
- (2) No sign shall be allowed to remain with bent or broken display area(s), broken supports, loose appendages or struts, or allowed to stand more than 15 degrees away from the perpendicular for a period of more than 30 successive days.
- (3) No sign shall be allowed to have weeds, trees, vines or other vegetation growing upon it for a period of more than 30 successive days.
- (4) No indirect or internally illuminated sign shall be allowed with only partial illumination for a period of more than 30 successive days.

(Ord. No. 2337, § 1, passed 6-13-1991; Ord. No. 99-4, § 1, passed 1-14-1999; Ord. No. 02-94, § 1, passed 9-12-2002)

(D) Signs and sign support structures that are abandoned for a period of 12 months shall be removed regardless of compliance with subsections (A), (B) and (C) above. For purposes of this section, when an establishment, building or use that is the beneficiary of any on-premises sign has been vacated and is otherwise no longer in operation, all signs and sign support structures associated with the vacated establishment, building or use shall be deemed to be abandoned.

(Ord. No. 06-35, § 1, passed 4-13-2006)

#### **SEC. 9-4-225 NONCONFORMING SIGNS.**

(A) Any sign existing on the effective date (November 13, 1986) of this article that does not meet the requirements of this article or any amendment hereto shall be considered nonconforming. The sign shall be allowed to remain unless otherwise provided herein.

(B) No such nonconforming sign shall be altered, expanded or enlarged except as provided under subsection (C) below. Change in permanent copy shall be considered an alteration. For purposes of this section, permanent copy shall not include off-premises signs with changeable panels and reader board type signs with removable letters.

(C) Exemptions.

- (1) Any existing on-premises freestanding sign which is nonconforming with respect to a public street setback may be altered, provided all on-site freestanding sign(s) comply with all of the following conditions:
  - (a) Except as otherwise provided, the provisions of Article C of this chapter shall apply.
  - (b) The total number of all freestanding signs shall comply with applicable requirements.
  - (c) The sign surface area of all freestanding signs shall comply with applicable requirements.
  - (d) The altered freestanding sign height shall not be increased.

- (e) The altered freestanding sign shall not exceed the maximum height for the district for a sign which is set back ten or more feet from the public street right-of-way.
  - (f) There shall be no increase in any existing nonconforming situation or the creation of any new nonconforming situation.
- (2) Any existing off-premises sign which is nonconforming with respect to spacing, setback and/or construction may be altered, including replacement, provided the altered or replacement sign complies with all of the following conditions.
- (a) Except as otherwise provided, the provisions of Article C shall apply.
  - (b) No such sign shall be altered or replaced unless the sign is located within a zoning district that allows off-premises signs as a permitted use.
  - (c) There shall be no increase in any existing nonconforming situation or the creation of any new nonconforming situation.
  - (d) Except as further provided, a sign altered or replaced pursuant to this section shall comply with all applicable requirements including sign area, horizontal and vertical dimension, height, construction and landscaping as provided herein.
  - (e) There shall be no increase in sign size, including sign display area vertical or horizontal dimension, or in sign height.
  - (f) Prior to alteration or replacement of any such sign, the owner shall provide information, including photographic picture(s), scaled graphic depiction, site plan and any additional documentation as maybe required, to the Director of Community Development or his or her designee which illustrates and details the existing and proposed sign. No sign shall be altered or replaced prior to issuance of a zoning compliance and building permit.
  - (g) A building permit to replace the sign shall be obtained prior to the removal of the original sign. Construction of the replacement sign shall be initiated within the valid period of the original building permit. Failure to initiate construction of the sign within the valid permit period shall void any right to replace the sign under this section. Replacement of any sign initiated after the valid permit period shall be subject to all requirements in effect for location and construction of a new sign.

(D) Except as otherwise provided, no nonconforming sign shall be repaired when the repairs exceed 50% of the actual replacement value, as determined by the Building Inspector, except in conformance with this article.

(E) All temporary signs existing on the effective date (November 13, 1986) of this article which do not conform to the requirements set forth herein shall be removed within six months from the effective date of this article.

(F) Any sign erected after the effective date (November 13, 1986) of this article that does not conform to the requirements set forth herein shall be considered in violation of this article and must be removed at the owner's expense. (Ord. No. 2337, § 1, passed 6-13-1991; Ord. No. 95-137, § 1, passed 12-14-1995; Ord. No. 03-78, §§ 1-4, passed 8-14-2003; Ord. No. 06-75, § 1, passed 8-10-2006)

#### **SEC. 9-4-226 NONCONFORMING SIGN; ORDER TO REMEDY OR REMOVE.**

If any sign as defined by this article is erected or maintained in violation of this article, the owner of the sign shall be subject to the enforcement provisions of this article. (Ord. No. 2337, § 1, passed 6-13-1991)

**SEC. 9-4-227 SIGNS NOT REQUIRING PERMITS.**

The following signs shall not require a zoning compliance permit under this article; provided, however, any such signs shall comply with all other requirements of this article and chapter except that the signs shall not be included in or count towards the total allowable sign surface area or total number of allowable freestanding signs.

(A) Signs not exceeding three square feet in total sign surface area that are associated with residential use and that are not of a commercial nature. The sign surface area shall contain only property identification names or numbers or names of occupants or warnings to the public;

(B) Memorial plaques, cornerstones, historical tablets and similar devices;

(C) Signs erected by or on behalf of or pursuant to the authorization of a governmental body, including legal notices, identification and information signs and traffic directional or regulatory signs;

(D) On-premises flags, balloons, insignia of nonprofit or governmental organizations shall be allowed subject to all of the following requirements:

(1) Flags and wind blades are permitted as follows:

(a) Temporary freestanding flags and wind blades are not permitted.

(b) Flags with or without commercial messages that are located on functioning light poles internal to the business lot shall be no more than 50 square feet in area. There is no limitation on the number permitted per lot.

(c) Flags attached to permanent flag poles shall be permitted as follows:

1. Flags without commercial messages are limited to 100 square feet in area;

2. Flags with commercial messages are limited to 50 square feet in area;

3. Only one permanent flagpole is permitted per lot.

(2) Balloons, except as qualified and regulated under section 9-4-233(K) of this article, shall comply with all of the following requirements:

(a) Balloons shall be removed each day for the period extending between the hours of 10:00 p.m. and 8:00 a.m. unless otherwise provided herein;

(b) Balloons shall be maintained in accordance with section 9-4-224 of this article;

(c) No balloon shall exceed a maximum height of 125 feet above grade, as measured from the point of ground attachment to the highest balloon surface;

(d) Any balloon that exceeds 25 feet in height shall be set back from all street right-of-way lines and overhead public utility transmission and/or distribution lines a ground distance equal to the display height of the balloon plus 25 feet, as measured from the ground attachment point to the right-of-way line or to all ground points determined by a 90-degree vertical line extending from the closest overhead public utility transmission and/or distribution line as projected upon the ground, whichever is closer. The purpose of this requirement is to provide a 25-foot clear fall zone in the event of the balloons descent due to deflation or weather conditions;

(e) All balloons shall comply with the maximum height limitations set forth under Title 9, Chapter 3, Airport Zoning, of the Greenville City Code; and

- (f) No individual balloon regulated under this section shall exceed a dimension of 20 feet as measured by diameter in the case of spherical balloons, or as measured by the greatest length in the case of oblong or tubular balloons, including blimps and the like.
- (3) Insignia of nonprofit or governmental organizations shall not be displayed in connection with a commercial promotion or as an advertising device.

(E) Integral decorative or architectural features of buildings or works of art, provided the features or works of art do not contain advertisements, trademarks, moving parts or lights;

(F) Signs erected for the purpose of directing traffic on private property, identifying restrooms and parking area entrances or exits, provided the signs shall not exceed three square feet. The signs shall not contain any advertising, business name or logo;

(G) Signs painted on or otherwise permanently attached to current licensed motor vehicles that are not primarily used as signs; and

(H) Certain temporary signs:

- (1) Temporary signs erected in connection with elections or political campaigns. Such signs shall be subject to section 12-1-5 of the Greenville City Code.
- (2) Displays, including lighting, erected in connection with the observance of holidays. Such displays shall be removed within ten days following the holiday.
- (3) Construction site identification signs shall be removed within ten days after the issuance of the occupancy permit.
- (4) Signs attached temporarily to the interior of a building's window or glass door. Such signs may not cover more than 25% of the transparent surface area of the window or door to which they are attached. Signs painted on a window or glass door shall not be considered as temporary.
- (5) Temporary unilluminated real estate signs shall be subject to the following.
  - (a) Within any residential zoning district, the total sign display area of any real estate sign(s) erected on any lot shall not exceed 12 square feet, unless otherwise provided herein.
  - (b) Within any nonresidential zoning district, the total sign display area of any real estate sign(s) erected on any lot shall not exceed 50 square feet, unless otherwise provided herein.
  - (c) The total sign display area of all temporary real estate sign(s) located on any multi-family lot that contains not less than 20 attached dwelling units, in one or several structures, shall not exceed 50 square feet.
  - (d) For purposes of this section, the term "real estate sign" shall include both "for sale" and "lease occupancy advertising" signs.
  - (e) Real estate "for sale" signs erected under this section shall be removed within 14 days following the transfer of title of the lot, tract or unit associated with the signs.
  - (f) Real estate "lease occupancy advertising" signs erected under this section shall be removed within 14 days following the occupancy of all leasehold units associated with the signs.
  - (g) Temporary real estate signs that are attached to a building, fence, wall or other structure shall meet the requirements for a permanent wall sign included under section 9-4-234(B).

(h) Temporary real estate signs that are freestanding shall meet the requirements for a permanent freestanding sign included under section 9-4-234(C); provided, however, no freestanding real estate sign located in a residential district shall exceed four feet in height and no real estate sign located in a nonresidential district shall exceed eight feet in height.

(6) Temporary signs not covered in the foregoing categories, so long as the signs meet the following restrictions.

(a) Not more than one sign may be located on any lot.

(b) No such sign shall exceed six square feet in area.

(c) The sign shall be restricted to nonresidential uses only.

(Ord. No. 2337, § 1, passed 6-13-1991; Ord. No. 95-61, §§ 2-4, passed 6-8-1995; Ord. No. 99-4, § 2, passed 1-14-1999; Ord. No. 05-15, §§ 1-2, passed 3-10-2005; Ord. No. 06-76, § 2, passed 8-10-2006; Ord. 12-017, § 2, passed 4-12-2012)

#### **SEC. 9-4-228 DETERMINING THE NUMBER OF SIGNS.**

(A) For purposes of this article, a sign shall be considered a single display device or surface containing organized or related elements, and which form a unit. Randomly displayed elements without organized or related relationship shall be considered individually in determining the total number of signs.

(B) A double-face or a multi-side sign shall be regarded as one sign.

(Ord. No. 2337, § 1, passed 6-13-1991)

#### **SEC. 9-4-229 COMPUTATION OF SIGN SURFACE AREA.**

(A) The surface of a sign shall be computed by including the entire unit within a single, continuous, rectilinear perimeter forming 90-degree angles, enclosing the extreme limits of the writing, representation, emblem or other display, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed, but not including any supporting framework or bracing that is clearly incidental to the display itself, except as defined in subsection (B) of this section.

(B) With respect to three-dimensional or multi-sided signs (excluding double-face signs), the total sign surface area of all sides shall not exceed twice the maximum sign surface area as provided herein.

(C) With respect to decorative base or pylon mounted sign displays, the base or pylon shall not be utilized in the calculation of sign display area, provided the total area of the base or pylon does not exceed 50% of the total sign display surface area. In cases where the base or pylon area exceeds 50% of the total sign display area, the base or pylon shall be deemed to constitute a sign as defined herein and shall be utilized in the calculation of total sign area.

(Ord. No. 2337, § 1, passed 6-13-1991)

#### **SEC. 9-4-230 TOTAL ALLOWABLE SIGN SURFACE AREA.**

(A) Unless otherwise provided in this article, the total surface area devoted to all signs on any building shall not exceed the maximum limitations set forth in this section.

(B) Temporary signs shall not be included in this calculation.

(C) Unless otherwise provided in this article, the maximum sign surface area permitted for any residential use shall be three square feet.

(D) Unless otherwise provided in this article, the maximum wall sign surface area permitted for any nonresidential use shall be determined as follows.

- (1) All wall signs for any one use shall not exceed one and one-half square feet of sign surface area per linear foot of building frontage occupied by such use.
- (2) If a building has frontage on more than one qualifying area, then the total sign surface area permitted on the building shall be the sum of the sign surface area allotments related to each frontage.
- (3) Signage may be allowed on any building wall, provided that the sign surface area of all signs located on a wall of a structure may not exceed 25% of the total surface area of the wall on which the signs are located. Wall



signage may be placed on a canopy, provided that the sides of a canopy shall be considered as a wall, and the signage on a canopy shall be subject to the 25% limitations of this section.

(E) The display area of wall signs painted on, affixed to or otherwise displayed on or through a facade window shall not exceed 25% of the window area.

(F) In cases where the provisions of this section will not allow signage of at least 50 square feet, then the requirements of this section shall be waived to the extent that a total wall sign allowance of 50 square feet or less, at the option of the owner, shall be permitted.

(Ord. No. 2337, § 1, passed 6-13-1991; Ord. No. 94-156, §§ 10, 11, passed 12-8-1994; Ord. No. 95-29, § 9, passed 3-9-1995; Ord. No. 95-61, § 5, passed 6-8-1995)

#### **SEC. 9-4-231 NUMBER OF FREESTANDING SIGNS.**

(A) Except as authorized by this section, no lot or planned center may have more than one freestanding sign; provided, however, that if a lot or planned center is located on a corner and has at least 150 feet of frontage on each of the two intersecting public streets, then the lot or planned center may have not more than one freestanding sign along each side of the lot or planned center bordered by such streets.

(B) Additional frontage:

- (1) If a lot or planned center has 300 or more feet of frontage on a public street, then the lot or planned center may have not more than two freestanding signs along the street, provided the signs are spaced not less than 100 feet apart as measured from the center of the sign; or
- (2) If a lot or planned center has 500 or more feet of frontage on a single public street then the lot or planned center may have not more than three freestanding signs along the street, provided the signs are spaced not less than 100 feet apart as measured from the center of the sign.

(C) If a lot or planned center is bordered by two public streets that do not intersect (double frontage lot), then the lot or planned center may have not more than one freestanding sign on each public street, except as provided herein.

(Ord. No. 2337, § 1, passed 6-13-1991; Ord. No. 94-156, § 12, passed 12-8-1994; Ord. No. 95-61, §§ 6, 7, passed 6-8-1995)

#### **SEC. 9-4-232 FREESTANDING SIGN SURFACE AREA.**

(A) For purposes of this section, a side of a freestanding sign is any plane or flat surface area included in the calculation of the total sign surface area as provided herein.

(B) Unless otherwise provided, a single side of a freestanding sign may not exceed one-half square foot in surface area for every linear foot of frontage along the street toward which the sign is primarily oriented. However, in no case may a single side of a freestanding sign exceed 125 square feet in surface area.

(C) With respect to freestanding signs that have no discernible "sides," such as spheres or other shapes not composed of flat planes, no such freestanding signs may exceed one square foot in total surface area for every linear foot of lot frontage along the street toward which the sign is primarily oriented. However, in no case may the sign exceed 200 square feet in surface area.

(D) For purposes of this section, a single side of a double-face freestanding sign shall be considered as the total display surface for the calculation of sign area, provided the sides are separated no more than 30 inches at any point.

(Ord. No. 2337, § 1, passed 6-13-1991)

**SEC. 9-4-233 SPECIAL PROVISIONS FOR CERTAIN SIGNS.***(A) Subdivision entrance and multi-family development signs.*

- (1) *Freestanding signs.* Except as further provided under subsection (A)(2) below for the CD District, at any entrance to a subdivision or multi-family development there may be not more than two freestanding signs identifying the subdivision or development, and a single side of any such sign shall not exceed 50 square feet in total sign surface area. Freestanding identification signs shall be subject to section 9-4-234; provided, however, no such sign shall exceed a height of ten feet above the property grade. In cases where such signs are mounted on a decorative functional or nonfunctional wall, the wall area shall not be utilized to calculate total sign surface area. Such signage shall not be included in the calculation of or count towards the total sign surface area for the lot on which it is located.
- (2) *CD District wall and freestanding signs.*
  - (a) Each multi-family development located within a CD (Downtown Commercial) District may have either:
    1. Not more than two wall signs identifying the development;
    2. Not more than two freestanding signs identifying the development; or
    3. Not more than one freestanding sign and one wall sign identifying the development.
  - (b) No single side of a wall or freestanding sign allowed under this section shall exceed 50 square feet in total sign surface area. Freestanding and wall identification signs shall be subject to section 9-4-234; provided, however, no freestanding sign shall exceed a height of ten feet above the property grade. In cases where the signs are mounted on a decorative functional or nonfunctional wall, the wall area shall not be utilized to calculate total sign surface area. Such signage shall not be included in the calculation of or count towards the total sign surface area for the lot on which it is located.

(Ord. No. 09-17, passed 3-5-2009)

*(B) Grand opening signs.* Grand opening signs shall be subject to the following requirements and/or exemptions.

- (1) For purposes of this section, the term “grand opening” shall be construed as a singular event of limited (ten-day maximum) duration designed and intended to attract public attention to a recently established office, commercial, industrial or multi-family land use. Expansion of an existing principal use shall not be construed as a grand opening event. Addition of an accessory use shall not be construed as a grand opening event. No temporary use shall be construed as a grand opening event.
- (2) Such event shall commence not later than 60 days following any occupancy for use to qualify for a grand opening sign.
- (3) No grand opening sign(s) shall be displayed for more than ten total and continuous days.
- (4) No maximum sign surface area requirement shall be established for the sign(s).
- (5) Within a planned center each lot or unit occupied by a separate establishment may qualify for individual grand opening signs in accordance with this section.
- (6) Such sign(s) shall be exempt from the provisions of section 9-4-237 herein.

*(C) Planned center directory signs.* Such signs may be allowed, provided they do not exceed 20 square feet in display area, six feet in height and are located no closer than ten feet from the property line. There shall be no more than two directory signs within any planned center. The signs shall contain no commercial advertisement. The signage shall be allowed in addition to the maximum wall or freestanding sign allowance for the lot on which the signage is located.

- (D) *Nonresidential subdivision directory signs.* Shall be subject to all of the following standards and requirements.
- (1) There shall be no more than two directory signs within a subdivision.
  - (2) Such signs shall contain no commercial advertisement. For purposes of this section establishment names and trademarks shall not be construed as commercial advertisement.
  - (3) Such signs shall be located on private property and no portion of the sign shall extend beyond any property boundary line or street right-of-way line.
  - (4) No sign shall exceed a height of five feet unless the sign is set back not less than ten feet from the street right-of-way.
  - (5) Such signage may contain subdivision identification in addition to individual establishment identification panels.
  - (6) Where the sign contains any subdivision identification, that portion of the sign devoted to subdivision identification shall be subject to the maximum area and number of signs criteria set forth under subsection (A) of this section.
  - (7) Additional specific standards for commercial and/or office subdivisions are as follows:
    - (a) Maximum display area including subdivision identification shall not exceed 50 square feet.
    - (b) Maximum height shall be ten feet.
    - (c) Individual establishment identification panels shall not exceed four square feet in display area.
  - (8) Additional specific standards for industrial subdivisions are as follows:
    - (a) Maximum display area including subdivision identification shall not exceed 125 square feet.
    - (b) Maximum height shall be 25 feet.
    - (c) Individual establishment identification panels shall not exceed 16 square feet in display area.
  - (9) Such signage shall be allowed in addition to the maximum wall or freestanding sign allowance for the lot on which the signage is located.
  - (10) This section shall not apply to subdivisions which constitute a planned center. Planned center directory signage shall be in accordance with subsection (C) of this section.
- (E) *Restaurant menu reader boards.* No restaurant menu reader board shall exceed 42 square feet in surface area or eight feet in height. Menu reader boards shall be set back not less than 20 feet from any property line. One menu reader board shall be allowed per each drive-through facility, and the display shall contain no commercial advertisement that can be viewed from any adjacent street right-of-way or property line. The signage shall not be included in the calculation of or count towards the total allowable sign surface area.  
(Ord. No. 99-38, § 1, passed 4-8-1999)
- (F) *Church signs.*
- (1) *Off-premises directional signs.* Church off-premises directional signs shall not exceed three square feet in area or six feet in height. Such signs shall be located on private property and shall be allowed in addition to the maximum wall or freestanding sign allowance for the lot on which the signage is located.

(2) *On-premises signs.*

(a) *Wall signs.* Shall be in accordance with section 9-4-230 of this article.

(b) *Freestanding signs.*

1. Shall not exceed 36 square feet in surface area except as further provided. The number, height and location of the sign(s) shall be in accordance with sections 9-4-231 and 9-4-234 of this article except as further provided.
2. When a lot qualifies for two or more freestanding signs along any one street, the owner may option to erect one 72-square foot sign in lieu of two 36-square foot signs. Within any residential zoning district, no freestanding sign which exceeds 36 square feet in surface area shall exceed ten feet in height.

(G) *Permitted nonresidential uses.* Except as otherwise provided, signs for permitted nonresidential uses, excluding home occupations, located in a residential zoning district may be allowed, provided the signs meet the following restrictions.

- (1) Signs shall not exceed 12 square feet in display surface area.
- (2) Signs shall not exceed five feet in height above the property grade in the case of a freestanding sign.
- (3) Signs shall not exceed one sign per lot.

(H) *Home occupations.*

- (1) Freestanding signs shall be prohibited.
- (2) Except as otherwise provided, wall signs shall be limited to two square feet of total sign display area.
- (3) Bed and breakfast inn signage shall be subject to the following standards: wall signs shall be limited to four square feet of total sign display area.

(I) *Open door and/or open window signs.* Any sign which can be viewed through an open doorway and/or open window from any point outside the building may be allowed subject to all of the following.

- (1) Such signage shall be included in the calculations of and count toward the total allowance of wall sign surface area.
- (2) Such signs shall be permanently attached to the building by manner of an approved rigid frame structure, by a solid metal chain or cable, or a combination thereof.
- (3) Such sign surface area shall be constructed of an approved rigid material or shall be bound on not less than two sides by a rigid frame which prohibits the signage from swaying loosely when struck by moving air.
- (4) All portions of the signs shall be set back inside the interior finished wall of the building.
- (5) All such signs shall not cover or obstruct more than 25% of the door or window opening.
- (6) The lowest part of the signs displayed through an open doorway shall be not less than eight feet above the doorway threshold if the signs are located within ten feet of the subject doorway.
- (7) Such signs shall be exempt from the wall sign projection standard set forth under section 9-4-234(B) of this article; provided, however, no vertical dimension of any the sign including supports shall exceed four feet.
- (8) Signs located on and/or beneath a canopy shall not be construed as open door and/or open window signs.

- (9) Signs which are not designed to attract the attention of or convey a message to persons located outside the building and which are designed only to provide information or warnings to persons located inside the establishment are exempt from regulation under this section.

(J) *Temporary non-profit and governmental organization signs.* Temporary sign(s), including banners, erected in conjunction with a special event sponsored and conducted by a nonprofit or governmental organization shall be allowed subject to all of the following conditions.

- (1) It is the intention of this section that no such sign shall be displayed in conjunction with a commercial promotion or as an advertising device for a commercial establishment, product or service.
- (2) Not more than one on-premises and three off-premises signs shall be allowed in conjunction with any event. No sign shall be erected on any lot without the consent of the property owner.
- (3) No such sign shall exceed 30 square feet of sign surface area.
- (4) There shall be not more than one special event sign allowed on any lot.
- (5) The maximum frequency of any special event display shall not exceed one occurrence within any 12-month period and the maximum duration of the display shall not exceed seven days. For purposes of this section, the duration of each separate event display shall be measured in continuous days.
- (6) Each display shall contain the name and current phone number of the event sponsor and the sign permit number indelibly printed on the communication side/surface in one-inch or larger letters.
- (7) The sign shall be located completely on private property. No portion of the sign or its support structure shall be located on or across any public street right-of-way or private street easement.
- (8) The sign shall not be located within any sight distance triangle as defined in Title 6, Chapter 2 of the Greenville City Code or as provided by notation or description upon any map recorded pursuant to the subdivision regulations.
- (9) No such sign shall be suspended from or attached to any public utility pole, apparatus, structure or support/guy wire, any public or private traffic-control or directional sign, structure or device, or any tree or shrub located on public or private property.
- (10) No such sign shall be erected or maintained which obstructs any traffic-control sign or device or warning sign located on public or private property.
- (11) No such sign shall be erected on or across any recognized or improved pedestrian area, path, walkway or sidewalk, driveway, interior drive or parking lot drive aisle.
- (12) Any sign erected or maintained in conflict with this section shall be considered a nuisance and/or hazard to the public and shall be subject to immediate removal by the city at the expense of the sponsoring nonprofit organization and/or property owner in addition to other available remedies as provided by law.
- (13) Such sign(s) shall be exempt from section 9-4-237(G) herein.

(K) *Temporary on-premises special event spotlights and roof mounted inflatable balloons.* Except as otherwise provided herein, temporary special event spotlights and roof mounted inflatable balloons shall be allowed, subject to all of the following requirements.

- (1) *Spotlights.*
  - (a) Not more than one spotlight shall be displayed on any lot at any one time.

- (b) No spotlight shall be displayed for more than two consecutive days.
- (c) No lot shall display any spotlight(s) for more than 20 total days per calendar year.

(2) *Roof mounted inflatable balloons.*

- (a) Not more than one roof mounted inflatable balloon shall be displayed on any lot at any one time.
- (b) No roof mounted inflatable balloon shall be displayed for more than two consecutive days.
- (c) No lot shall display any roof mounted inflatable balloon(s) for more than 20 total days per calendar year.

(3) *Terms.*

- (a) For purposes of this section, the term “lot” shall be construed to include all contiguous parcels occupied by an establishment.
- (b) For purposes of this section, the term “roof mounted inflatable balloon” shall be construed to include only those balloons which meet all of the following requirements: are mounted onto the roof of a structure having a principal purpose other than the support of the balloon; are mounted on the roof of a qualified structure by means of a gravity dependent and/or direct contact attachment method; and are not tethered to the roof of a structure in a manner which allows the balloon to free-float above the surface of the roof.

(L) *Golf course signs.* Golf courses located within a residential district shall be subject to the following requirements:

- (1) Wall signage, including accessory use identification signage, shall not exceed 20 square feet in total sign surface area.
- (2) Golf course (principal use) freestanding signage shall be limited to one sign. The sign shall not exceed 20 square feet in total sign surface area and shall not exceed five feet in height.
- (3) No freestanding signage shall be permitted in conjunction with an accessory use, including but not limited to any dining facility and/or restaurant, snack bar, pro-shop, social club, tennis court or swimming facility.
- (4) Freestanding and wall signage shall be illuminated by indirect lighting only

(Ord. No. 2337, § 1, passed 6-13-1991; Ord. No. 95-53, § 1, passed 5-11-1998; Ord. No. 95-61, § 8, passed 6-8-1995; Ord. No. 96-29, § 1, passed 3-14-1996; Ord. No. 96-35, § 1, passed 5-9-1996; Ord. No. 96-73, § 1, passed 8-8-1996; Ord. No. 96-79, § 1, passed 8-8-1996; Ord. No. 96-91, § 1, passed 9-12-1996; Ord. No. 97-64, § 1, passed 6-12-1997; Ord. No. 99-4, §§ 3 and 4, passed 1-14-1999; Ord. No. 99-152, § 1, passed 12-9-1999; Ord. No. 05-15, § 3, passed 3-10-2005; Ord. No. 05-89, § 8, passed 8-11-2005; Ord. No. 07-11, § 5, passed 1-11-2007)

**SEC. 9-4-234 LOCATION AND HEIGHT REQUIREMENTS.**

(A) Except as further provided, no portion of any sign shall extend beyond any property boundary line of street right-of-way line.

(B) Additional wall sign standards.

- (1) No wall sign shall extend above the top of any exterior wall line of the building to which it is attached, except as provided under subsection (B)(2) below.
- (2) Wall signage may be permitted on the front (outside) edge of a decorative roof structure (i.e., canopies, awnings and the like), provided the top of the signage does not extend above the decorative roof structure and does not extend more than five feet above the exterior wall to which the decorative roof structure is attached.

Also, wall signage may be permitted on top of a decorative roof structure (i.e., canopies, awnings and the like), provided the top of the signage does not extend above the exterior wall to which the structure is attached and provided the signage does not extend past the front (outside) edge of the decorative roof structure.

- (3) No wall sign shall project more than 12 inches from the building, except as provided under subsection (B)(4) and (5) below.
- (4) Except as further provided, wall signage may be located on a sign support frame provided the sign and support frame shall not project more than three total feet from the building and provided the depth of the sign, as measured perpendicular from the outside surface of the front face to the outside surface or plane of the rear (building side) of the sign, is not more than 12 inches.
  - (a) No wall sign, including any sign support frame, erected on a decorative roof structure (i.e., canopies, awning and the like) shall project more than 12 inches from the front (outside) edge of the decorative roof structure.
  - (b) When a wall sign is erected on a sign support frame and when the sign and support frame projects more than 12 total inches from the building, the message portion of the sign, including any letters and/or graphics, shall be parallel in orientation to the building wall.
  - (c) When a sign and/or support frame projects more than 12 inches from a building the lowest part of the sign, display shall be not less than eight feet above the adjacent finished ground surface elevation.
- (5) Wall projection signs.
  - (a) For purposes of this section, wall projection signs shall be any wall sign that projects more than 12 inches from the building and does not qualify under subsection (4).
  - (b) Wall projection signs shall be allowed only in the CD (downtown commercial) district and such signs shall be subject to compliance with all of the following requirements:
    1. Shall be permanently attached to an exterior wall of a building in a manner approved by the Building Inspector.
    2. Shall not be attached to the outside edge of a canopy or extend beyond any outside edge of a canopy.
    3. May project horizontally from the building wall not more than four feet.
    4. There shall not be more than 12 inches between the sign display areas (faces) of a double-sided sign. Three-dimensional projection wall signs not composed of flat sign display surfaces shall not be permitted.
    5. Projection wall signs shall be located on private property, provided however, a projection wall sign may encroach into the street right-of-way in accordance with an encroachment agreement approved by the city, and where applicable, the State Department of Transportation.
    6. One projection wall sign is allowed for each side of a building that fronts a public street or public alley.
    7. Projection wall signs for individual principal use establishments located in a common building shall not be located closer than eight feet from any other projection wall sign located on the same building.
    8. All projection wall signs for individual principal use establishments located on a common building facade shall be of equal dimension, including but not limited to, individual sign display area, width, height, horizontal projection. Sign height above grade may vary provided compliance with subsection (m) below.

9. Projection wall signs shall be considered part of the total wall sign allowance.
  10. Properties with frontage having 100 feet or less may have a maximum projection wall sign area of 15 square feet and properties with frontage having more than 100 feet may have a maximum projection wall sign area of 30 square feet.
  11. Properties with frontage having more than 100 feet and with at least a three-story building located on the property with a height of at least 40 feet and the building lot coverage area of at least 80% of the property may have a maximum projection wall sign area of 50 square feet.
  12. Minimum height of a projection wall sign, as measured from the finished grade directly below the sign to the lowest point of the sign, shall be not less than eight feet, except as further provided. Projection wall signs subject to street right-of-way encroachment agreement approval shall have a minimum height of not less than ten feet, or per encroachment agreement condition, whichever is greater.
  13. If required, all right-of-way encroachment agreement(s) must be granted by the approval authority prior to sign permit application. A copy of any encroachment agreement and any conditions shall be attached to the sign permit application.
- (6) (a) To qualify as a permanent wall sign, displays made from non-self-supporting materials, including flex-face type signs, shall be permanently affixed to the building or other structure by a method approved by the Building Inspector, and the display (sign face) shall be enclosed and/or attached:
1. By a two-inch or wider raised frame that supports the sign face; or
  2. Within a two-inch or wider raised sign cabinet specifically designed for support of the sign.
- (b) The intent of subsections (B)(6)(a)1. and 2. is to prohibit direct contact attachment of non-self-supporting material signs on a supporting wall or qualified structure and to require that the display (sign face) is separated from the supporting wall or qualified structure by not less than two inches.

(C) No freestanding sign may exceed five feet in height above the average centerline grade of the public street toward which the sign is oriented, except as provided below:

- (1) Within any MI, MS, MO, MCG, MCH and/or CD Zoning District, no freestanding sign may exceed 15 feet in height above the average centerline grade of the public street toward which the sign is oriented, provided the sign is set back not less than ten feet from the right-of-way of the public street; or
- (2) Within any CDF, CG, CN, CH, IU, PIU, I, PI, OR and/or O Zoning District, no freestanding sign may exceed 25 feet in height above the average centerline grade of the public street toward which the sign is oriented, provided the sign is set back not less than ten feet from the right-of-way of the public street.

(D) No sign shall be erected, maintained, painted or drawn on any tree, rock, natural feature or utility pole. "Utility pole" shall include but not be limited to any traffic-control, lighting, power, telephone or other similar utility pole.

(E) No sign shall be erected or maintained so as to obstruct any fire escape or any window or door or opening used as a required means of egress or so as to prevent free passage from one part of a roof to any other part thereof. No sign shall be attached in any form, shape or manner to a fire escape or be placed in such a manner as to interfere with any opening required for ventilation.

(F) No sign shall be erected or maintained which simulates or closely resembles an official traffic-control or warning sign in such a manner as to, or could in any way, confuse or mislead the traffic.

(G) No freestanding sign shall be permitted in sight distance areas as defined in Title 6, Chapter 2 of the Greenville City Code.

(Ord. No. 2337, § 1, passed 6-13-1991; Ord. No. 97-85, §§ 1, 2, passed 8-14-1997; Ord. No. 98-34, § 1, passed 3-12-1998; Ord. No. 06-76, § 2, passed 8-10-2006; Ord. No. 10-44, §§ 1-4, 5-13-2010; Ord. No. 11-022, § 1, passed 5-12-2011; Ord. 15-010, § 1, passed 2-12-2015)

**SEC. 9-4-235 SIGN ILLUMINATION AND SIGNS CONTAINING LIGHTS; ELECTRONIC AND MECHANICAL INTERCHANGEABLE SIGN FACE COPY.**

(A) Unless otherwise prohibited by this article, signs may only be illuminated in accordance with this section.

- (1) Illumination, either internal or indirect, shall not be added to nonconforming signs.
- (2) No sign may contain or be illuminated by flashing or intermittent lights or lights of changing degrees of intensity or color, except signs indicating only time and/or date and/or temperature and except signs containing electronic and/or mechanical interchangeable sign face copy in accordance with subsection (B) below.
- (3) Indirect illuminated sign light shall be shielded so that only the face of the sign is illuminated and the light shall not shine directly into a public or private street travel way, drive or parking area or into a residential dwelling or premises.
- (4) No indirectly illuminated sign shall be constructed or maintained within 50 feet of any residential zone or dwelling unit in any zone.
- (5) No illuminated sign shall imitate any traffic-control sign or device or be located or utilized in any manner which may confuse or distract the motoring public.

(B) Unless otherwise provided by this article, signs may only contain electronic and/or mechanical interchangeable sign face copy in accordance with this section.

- (1) Electronic and/or mechanical interchangeable sign face copy shall not be added to nonconforming signs.
- (2) No electronic and/or mechanical interchangeable sign face copy shall be changed to include any new or different copy, color, intensity or graphic representation, more than one time in any 60-minute period. For purposes of this section, all wall and/or freestanding signage associated with any use or establishment shall be considered as a whole, and a change to any electronic and/or mechanical sign face copy shall prohibit any change to any other associated sign face copy until the expiration of the minimum 60-minute period required between changes as specified. The provisions of this subsection shall not apply to time and/or date and/or temperature displays.
- (3) Each allowed change of sign face copy shall be completed by one continuous action or movement and the total duration of such action or movement shall not exceed five total and continuous seconds.

(Ord. No. 2337, § 1, passed 6-13-1991; Ord. No. 02-94, § 2, passed 9-12-2002)

**SEC. 9-4-236 OFF-PREMISES ADVERTISING SIGN REQUIREMENTS.**

- (A) The following additional standards and regulations shall apply to all off-premises advertising signs.
- (1) *Off-premises advertising signs.* Off-premises advertising signs shall be permitted only within the CH, IU and I Zoning Districts or as provided herein.
  - (2) *Compliance.* No such signs shall be altered, expanded, enlarged or replaced except in conformance with this section and section 9-4-225(C)(2).

- (3) *Removal of sign.* Where the premises or property upon which the sign is erected is changed to another zone other than CH, IU or I, the sign shall be removed within 90 days from the effective date of the change.
- (4) *Spacing.* The minimum spacing requirement between each off-premises advertising sign shall be 1,000 feet from the center of the sign.
- (5) *Size and height.*
  - (a) Such signs shall not measure more than 400 square feet of total sign area or display surface, and the display surface shall not be more than 12 feet in the vertical dimension nor greater than 40 feet in the horizontal. Copy extensions of 120 or less shall not be included in the calculation of total sign display surface area.
  - (b) A single side of a double face or V-type signs shall be regarded as the total display surface for purposes of calculating total sign surface area, provided the sides are separated by not more than 20 feet at any point.
  - (c) The top of the sign shall not exceed 35 feet in height (exclusive of copy extensions) as measured from the surface elevation of the ground or main roadway surface elevation nearest the sign, whichever is highest.
  - (d) The minimum vertical clear distance between the property grade and the bottom of the trim or other frame support shall be not less than 12 feet.
  - (e) All support structure(s) shall be painted in a neutral color to blend with the surrounding area.
- (6) *Setback.*
  - (a) The setback requirements shall be the same as set forth in the CH, IU or I Districts for the front yard, side yard and rear yard setbacks; provided, however, no sign shall be closer than ten feet to a side or rear property line.
  - (b) All off-premises advertising signs shall be set back at least 300 feet from the nearest edge of a zoning boundary which describes property zoned for residential purposes, including the R-6, R-6A, R-6S, R-6N, R-6MH, R-9, R-9S, R-15S, RA-20, OR, CDF, MR and MRS Zoning Districts.
  - (c) No off-premises signs shall be located closer than 100 feet to the intersection of two public streets.
  - (d) All setback requirements as set forth above shall be measured from the extreme outermost edge of the sign as projected upon the ground and measured from this ground point to the nearest property line or nearest zoning district.
- (7) *Construction.*
  - (a) All off-premises advertising signs shall be self-supporting single-pole structures erected on or set into and permanently attached to concrete foundations. The sign's structure, electrical system and other construction elements shall be designed and built according to the North Carolina State Building Code as evidenced by engineering drawings drawn to scale by a licensed engineer or architect. The signs shall be engineered to withstand a wind loading of 36 pounds per square feet.
  - (b) Off-premises advertising signs shall be located and constructed in such a way as to maintain horizontal and vertical clearance of all overhead electrical conductors in accordance with the North Carolina State Building Code and the National Electronic Code as incorporated therein; provided, that in no case shall an outdoor advertising sign be erected with any part closer than ten feet horizontally or vertically from any conductor or public utility guy wire.

(8) *Additional requirements.* The immediate premises shall be kept free from debris or undergrowth. A landscaping plan shall be approved by the Director of Community Development and shall be maintained on the immediate premises by the sign owner. The landscaping shall consist of ground cover, shrubs, trees or other permanent vegetation that will effectively screen the sign's base. For purposes of this article, the "immediate premises" shall be defined as an area surrounding the sign's structural support not less than ten feet in all directions from the base.

(9) *Off-premises signs.* Off-premises signs shall not be included in or count toward the total number of on-premises signs or the total sign surface area allocation calculation for on-premises signs.

(Ord. No. 2337, § 1, passed 6-13-1991; Ord. No. 95-29, § 10, passed 3-9-1995; Ord. No. 97-85, §§ 1, 2, passed 8-14-1997; Ord. No. 02-63, § 3, passed 6-13-2002; Ord. No. 06-75, § 1, passed 8-10-2006)

(B) *Exemptions.* Any temporary poster panel off-premises sign may be utilized to advertise a business, establishment, profession, service, event, entertainment, condition or commodity that is located, manufactured, conducted, sold or otherwise offered or provided on the lot of record where the sign is constructed or displayed, provided all of the following:

(1) Such temporary poster panel off-premises sign(s) are rental signs owned by a third party and leased to others for advertising as part of the third party's bona fide sign rental business;

(2) Such temporary poster panel off-premises sign(s) are either conforming or legal (existing) nonconforming off-premises signs as regulated by this article; and

(3) A zoning compliance permit for such use has been reviewed and approved for each separate location. The purpose of this section is to ensure that the subject sign structure and method of display is in compliance with applicable requirements. There is otherwise no limitation on the frequency or duration of any such display provided compliance with all the provisions of this article.

(Ord. No. 02-63, § 4, passed 6-13-2002; Ord. No. 03-78, § 5, passed 8-14-2003)

#### **SEC. 9-4-237 SIGNS THAT ARE NOT PERMITTED UNDER THE PROVISIONS OF THIS ARTICLE.**

Except as otherwise provided, the following signs are not permitted under the provisions of this article:

(A) Kites or other similar devices;

(B) Balloons, except as otherwise provided under section 9-4-227(D)(2) of this article;

(C) Spotlights, except as otherwise provided under section 9-4-233(K)(1) of this article;

(D) Flags that exceed 100 square feet in surface area which are displayed upon property that contain commercial use;

(E) Temporary signs other than as specified under section 9-4-227 of this article;

(F) Signs attached to radio or television towers or poles, including satellite dish transmission or reception devices;

(G) Signs suspended between two structures or poles and supports by a wire, rope or similar device including banners, except as otherwise provided under section 9-4-233 of this article;

(H) Roof signs, except as otherwise provided under section 9-4-233(K)(3) of this article;

(I) Revolving signs;

(J) Flashing signs, except as otherwise provided under section 9-4-235 of this article;

(K) Strings or ribbons, tinsel, small flags and other similar devices; and

(L) Pinwheels, windmills or other similar devices.

(Ord. No. 2337, § 1, passed 6-13-1991; Ord. No. 96-73, § 2, passed 8-8-1996; Ord. No. 99-4, § 5, passed 1-14-1999; Ord. No. 99-152, § 2, passed 12-9-1999)

## **ARTICLE O. PARKING**

### **SEC. 9-4-241 PURPOSE.**

- (A) (1) The purpose of these regulations is to ensure proper and uniform development of public and private parking and loading areas in the city and its extraterritorial areas; to relieve traffic congestion in the streets; and to minimize any detrimental effects of off-street parking areas on adjacent properties.
- (2) The purpose of these regulations is also to improve the visual quality of parking areas by making them more pleasant, attractive, and compatible with the surrounding environment; to ensure safe and efficient operation of parking areas by clearly defining and delineating potential circulation movements of motorists and pedestrians; and to improve air quality and encourage energy conservation by moderating the microclimate of parking lots.

(B) The requirements contained in these regulations shall be considered as minimum standards.

(C) The owner, developer or operator of any existing or proposed use shall evaluate anticipated needs to determine if they are greater than the minimum requirements herein specified.

(Ord. No. 2337, § 1, passed 6-13-1991; Ord. No. 2539, § 1, passed 11-12-1992)

### **SEC. 9-4-242 OFF-STREET PARKING AND LOADING REQUIRED.**

No permit for new construction, expansion, development, occupancy or related activity shall be issued for any use unless the use is in accordance with the provisions of this article.

### **SEC. 9-4-243 EXEMPTIONS.**

The provisions of this article shall not apply to the following uses:

- (A) Nonresidential land uses within the CD District; or
- (B) Any proposed or existing principal use regardless of district which meets all of the following conditions:
- (1) Existing structure(s) cover 75 or more of the lot on which the existing or proposed use is located;
  - (2) No expansion of any structure is proposed; and
  - (3) The maximum number of off-street parking spaces permitted by conforming site layout are provided on the same lot as the principal use.

(Ord. No. 2337, § 1, passed 6-13-1991; Ord. No. 94-156, § 13, passed 12-8-1994)

### **SEC. 9-4-244 PARKING PLAN REQUIRED.**

(A) A parking plan which conforms to the provisions of this article shall be submitted to the Director of Community Development for site plan review in accordance with the specific submission standards of the *Land Development Administration Manual* which is incorporated herein by reference.