

ARTICLE 26 SIGNS

26.01	Applicability	26-1
26.02	Permit and Inspections Required	26-2
26.03	Maintenance	26-2
26.04	Enforcement; Removal of Certain Signs	26-2
26.05	Prohibited	26-3
26.06	Temporary or Other Exempt Signs	26-4
26.07	General Requirements for Signs	26-11
26.08	Signs Requiring a Permit	26-15

26.01 Applicability

26.01.01 All signs constructed, installed, modified, moved, painted or replaced shall comply with the standards of this Article, whether such signs do or do not require a sign permit.

26.01.02 Signs shall only be placed on private property with the permission of the owner, whether such signs do or do not require a sign permit.

26.01.03 Any sign permitted by these regulations may display or publish a noncommercial message, whether such signs do or do not require a sign permit.

26.01.04 No sign or sign structure shall be subject to any limitation based upon the viewpoint of the message contained on such sign or displayed on such sign structure. The regulations of this Article are not intended to favor commercial speech over constitutionally-protected political or noncommercial speech. A sign containing a noncommercial message may be substituted for any sign containing a commercial message that is allowed by the regulations of this article.

26.01.05 Transitional Provisions

A. Subject to Subsection 7.05.02(C)(2), all permanent signs legally erected prior to July 1, 2023 may remain in place and in use.

1. Temporary signs are required to be made compliant with the standards set forth in Sections 26.05 and 26.06 by July 1, 2023.
2. An existing sign containing electronic/digital copy is required to come into compliance with the requirements set forth in Subsection 26.07.07 by January 1, 2024 unless compliance is not possible based on the technical limitations of the sign.
3. All window signage is required to come into compliance with the requirements set forth in Subsection 26.08.06(F) by January 1, 2024.

B. All violations of this Article in effect prior to July 1, 2023 shall remain violations of the Ordinances of the Town and all penalties and enforcement remedies set forth hereunder shall be available to the Town as though the violation were a violation of

this Article. However, if the effect of this Article is to make a sign that was formerly nonconforming become conforming, then enforcement action shall cease.

(Ord. PL05781-061322; 07-01-2023)

26.02 Permit and Inspections Required

26.02.01 Unless otherwise specified, the construction, installation, modification, movement, or replacement of any sign requires a sign permit.

26.02.02 All signs shall be constructed and installed in accordance with the applicable provisions of the North Carolina State Building and Electrical Codes.

26.02.03 Except for temporary signs, upon notification of completion by the applicant, the Planning and Inspections Department shall make a final inspection of the sign to verify compliance with the permit and all applicable codes.

(Ord. PL05781-061322; 07-01-2023)

26.03 Maintenance

26.03.01 All permanent signs shall be maintained in good structural condition, firmly affixed to the ground, a building, or other support structure by direct attachment, and in compliance with all building and electrical codes.

26.03.02 The following maintenance activities do not require a sign permit:

- A.** Normal maintenance and repair of a sign, including such activity as painting, cleaning, and similar activities.
 - 1. Exception: The following activities are not considered normal maintenance or repair: structural changes, changes in the electrical components of the sign, an increase in any sign dimension, or changes in the location of a sign.
- B.** Changing or replacing the sign face within an existing sign structure so long as no electrical or structural changes are made to the sign structure and the size of the sign face is not increased.
- C.** Changing the copy of a changeable message component of a sign.

(Ord. PL05781-061322; 07-01-2023)

26.04 Enforcement; Removal of Certain Signs

26.04.01 Enforcement of this Article is addressed in Article 12 Enforcement.

26.04.02 Any temporary sign deemed to create a traffic hazard or otherwise pose a threat to public safety shall be removed at the direction of the Administrator.

26.04.03 Any temporary sign placed in the public right-of-way in violation of this Article shall be deemed a public nuisance and may be seized by the enforcement official or other representative of the Town, and the person owning or placing the sign may be charged

both with a violation of this chapter and with the cost of removing and disposing of the sign.

26.04.04 Removal of signs not in use or abandoned

- A.** Property owners shall be responsible for removing any abandoned sign or sign structure or signage not in current use within the time frames noted below. Removal shall include all sign support components and shall include repair to conceal any and all damage to any property resulting from the removal of the discontinued sign.
1. Within ninety (90) days, sign copy shall be removed from a sign or sign part as to which the advertised business, goods, service, or use has permanently or indefinitely ceased;
 2. A sign structure that has been permanently or indefinitely abandoned shall be removed within 12 months of the commencement of such abandonment.
 3. Signs that are associated with seasonal establishments such as ski shops, Horn in the West, etc. shall not be considered not in use or abandoned provided there is clear intent to continue in the coming season.

(Ord. PL05781-061322; 07-01-2023)

26.05 Prohibited

26.05.01 Signs that are not expressly allowed under these regulations are prohibited. Without limiting the foregoing, the following sign and sign structures are specifically prohibited:

- A.** Abandoned signs
- B.** Balloons, pennants, streamers
- C.** Signs with animation, streaming video, flashing, scrolling, fading, and other illusions of motion
- D.** Portable signs
- E.** Roof signs
- F.** Rotating signs
- G.** Snipe signs
- H.** Feather banners except those allowed per Section 26.06.
- I.** Inflatable signs except those allowed per Section 26.06.
- J.** Signs imitating or resembling official traffic or government signs or signals
- K.** Signs placed on vehicles or trailers which are parked or located for the primary purpose of displaying said sign(s). Vehicles or trailers that display signs must be operated for bona fide business purposes at least every forty-eight (48) hours during weekdays to be exempted from this provision.

- L. Temporary signs except those allowed per Section 26.06.
- M. Trademarks, emblems, pictures, etc. displayed in a three (3) dimensional nature
- N. Pavement marking of any kind, except for traffic control
- O. Offensive Signs as defined by N.C. Gen. Stat. § 19-1.1
- P. Billboards or any other off-premise advertising
- Q. Signs placed in the public right-of-way (whether Town- or state-maintained)
- R. Signs that threaten public safety (for example, by blocking egress to the public way)
- S. Lighting that has the primary intent or effect of drawing attention to goods or services offered on the premises, e.g., branding, rather than lighting intended to provide functional lighting or lighting traditionally used to accentuate landscaping or architectural features of a building.
- T. Any other sign(s) not expressly authorized by another section of this Ordinance.

(Ord. PL05781-061322; 07-01-2023)

26.06 Temporary or Other Exempt Signs

26.06.01 General Regulations. Except as provided at Subsection 26.06.05 below (regarding temporary signs that require neither registration nor a permit), temporary signs require proper registration with the Administrator but do not require a permit.

- A. Temporary signs shall either attach securely to a structure or shall be securely ground-mounted.
- B. Temporary signs shall not be illuminated.
- C. Temporary signs are not permitted in public-maintained rights of way unless expressly allowed herein.
- D. Temporary signs are not permitted within 11 feet of the edge of pavement of any roadway or alley; provided, that with respect to parcels currently used for low-density residential purposes, noncommercial temporary signs may be closer than 11 feet to the edge of pavement if on property clearly maintained by the property owner/tenant rather than the town or NCDOT.
- E. Temporary signs may not be or mounted upon trees, utility poles, traffic control signs, lights, or devices, or in any place or manner prohibited by the provisions herein, or upon a portable sign structure.
- F. Unless specifically provided otherwise herein, temporary signs may not exceed 4 square feet in size.
- G. No compensation (including by barter) may be given for permission to post an off-premise sign.

- H.** Temporary signs otherwise allowed under the provisions of this Section 26.06 placed on the parcel located on the northwestern side of Highway 105 and bounded by Blowing Rock Road, Highway 105, and Faculty Streets are exempt from the provisions of subsections C, D, and F of this Subsection 26.06.01, subject to the following:
1. A maximum of one (1) thirty-two square foot sign (32 sq. ft.) or two (2) signs equaling thirty-two square feet (32 sq. ft.) per event/organization are allowed.
 2. Signs shall not exceed eight feet (8') in height or ten feet (10') in width.
 3. Signs shall be located (in their entirety) within thirty-five feet (35') of the pedestrian signals located at that corner.
 4. Signs shall not disturb landscaping, interfere with any pedestrian signal, or impede pedestrian traffic along the public sidewalk.
 5. A sign that does not comply with the requirements of this subsection G may be summarily removed by the Administrator.
 6. This provision is not intended and shall not be deemed to abrogate in any way the rights of the property owner and/or tenant. Said owner and/or tenant retain all of their legal rights to consent or withhold consent to placement of any or all signs upon their property.
 7. This subsection **H** is intended to accommodate local community members' customary use of signs placed on said parcel for noncommercial expression and to provide notice of community events. Thus, this provision is intended to effectively designate a limited public forum. However, the Town retains its right to close this forum at any time should the advantages to the community of allowing this limited public forum become, in the view of the Town Council, outweighed by contrary public interests such as distraction to passing motorists, visual blight, or other public safety and welfare concerns.

26.06.02 On-premises temporary signs

- A. General-use on-premises temporary signs.** Each commercial-use parcel, or each tenant in a multi-tenant commercial development, is allowed to display one on premise advertising temporary sign, subject to the following conditions:
- B.** Maximum size per sign is twenty-four square feet (24 sq. ft.).
 - C.** Maximum height for any free-standing temporary sign shall not exceed eight feet (8').
 - D.** Any temporary sign attached to a building façade shall be placed on the façade the commercial use being advertised is located.
 - E.** Except in the B1 Downtown Core and B1 Downtown Interface zoning districts, the use of a feather banner is allowed.
 - F.** The sign may not be illuminated.

G. Temporary signs are limited to a display period of fourteen (14) consecutive days and there shall be at least thirty (30) days between display periods.

H. On-premises temporary signs for special events.

1. For purposes of this Subsection (H), a “special event” means:
 - a. A civic, community, or business event up to one week in duration that is held no more than annually; provided, that a particular business may have only one qualifying event per year for purposes of this section; or
 - b. The opening, change in location, or substantial expansion of a business, civic organization, or civic campaign/effort.
2. The sponsor(s) of a special event is allowed to display up to two (2) signs at the event site. Each sign may not exceed twenty-four square feet (24 sq. ft.).
3. Other than the signs allowed in Subsection 26.06.05, in no event may more than two (2) on-premises advertising temporary signs be displayed at any one time under any authority granted under section 26.06, including the sign allowed per Subsection 26.06.02(A).
4. The signs may not be illuminated.
5. Signs may not be displayed for more than thirty (30) days.
6. Inflatable Signs: An inflatable sign may be used as an on-premises sign allowed under this subsection, on the following conditions:
 - a. Only one (1) inflatable sign may be displayed per tax parcel for no more than one period of up to seven days per year per business or event. This limitation shall not apply, however, to events permitted by the Town of Boone pursuant to Chapter 94 of the Boone Code of Ordinances.
 - b. Any inflatable sign must be set back and away from any pedestrian or vehicular right- of-way, any utility poles, above ground utility lines and any other hazardous structure, at least the vertical distance from the ground to the top of the sign when it is displayed at its maximum height, plus ten feet (10’).
 - c. An inflatable sign may not obstruct visibility for vehicular traffic.
 - d. Any inflatable sign must be secured to the ground in conformity with the manufacturer’s specifications.
 - e. No inflatable sign may be displayed in such a way that the top of the sign is more than twenty-five feet (25’) above the ground level.
 - f. Inflatable signs shall not be illuminated.
 - g. No inflatable sign may exceed 400 cubic feet when fully inflated.

- 26.06.03 Off-premises advertising temporary signs generally prohibited.** Off-premises advertising temporary signs are prohibited except as provided in Subsection 26.06.04.
- 26.06.04 Temporary signs advertising public special events.** A “public special event” for purposes of this Subsection 26.06.04 means and includes a temporary event that:
- A.** Is lawfully held at a facility owned by the town, Watauga County, Watauga County School Board, or State of North Carolina; or
 - B.** Is approved as a special event pursuant to the town’s Special Event Policy per Chapter 116 of the Town of Boone Code of Ordinances.
 - 1. Signs may be used to advertise public special events, subject to the following conditions: The sign is limited to four square feet (4 sq. ft.) in area and no more than three feet (3’) in height.
 - 2. The sign may be posted for display no earlier than seventy-two (72) hours before the beginning of the advertised event, and the sign must be removed within forty-eight (48) hours following that event.
 - 3. The owner or tenant of the parcel on which the sign is posted must specifically consent to the posting of the sign.
 - 4. No more than 12 signs may be posted within the town’s corporate limits.
- 26.06.05 Temporary or other signs requiring neither a permit nor registration.** Neither registration nor permitting is required for the following signs; provided, that any such sign shall conform to any applicable standard set forth in this article:
- A. Noncommercial Message Temporary Signs:**
 - 1. Noncommercial message temporary signs are allowed in all districts, subject to the general regulations set forth at Subsection 26.06.01.
 - 2. Noncommercial messages are messages and emblems that do not function to direct attention to or promote a business, product, service, event, or activity, either on-site or off-site. Examples of noncommercial messages include, but are not limited to, signs advocating a public issue, recommending a candidate for office, and personal messages.
 - B. A-Frame Signs:** A-frame signs provided they meet the following requirements:
 - 1. Allowed for all uses within all zoning districts.
 - 2. One (1) A-frame sign is permitted per building entrance regardless of the number of tenants.
 - 3. The A-frame sign shall be placed within ten feet (10’) of the building entrance.

4. In accordance with Town Code § 96.002, a minimum unobstructed sidewalk clearance of four-foot (4') in width must be left clear and unimpeded for pedestrians.
 5. A-frames signs shall not interfere with pedestrians (including egress paths to public way) or vehicular surface areas.
 6. The A-frame sign is limited to six square feet (6 sq. ft.) in area per side and four feet (4') in height.
 7. Illumination of such signs is prohibited and the sign is prohibited from having any type of electronic component.
 8. A-frame signs shall be used while the establishment is open to the public only and shall be stored indoors at any other time.
- C. ATM Signs:** ATM signs provided total signage may not exceed fifteen square feet (15 sq. ft.) in area per machine.
- D. Bench Signs:** Bench Signs provided they meet the following requirements:
1. Shall be located on private property zoned R3, B1, B2, B3, OI, WD, M1, U1, E1, E2, or E2.
 2. The size of the sign may not exceed fifteen square feet (15 sq. ft.).
 3. Signage shall not extend beyond any dimension of the bench.
- E. Building Identification Signs:** Signs that identify buildings and that are permanently integrated in a building's facade with etching, embossing and/or engraving.
- F. Construction Signs:** Temporary construction signs provided they meet the following requirements:
1. The sign is posted on a lot currently under construction pursuant to a valid zoning or building permit.
 2. Only one non-illuminated sign with a maximum of two (2) sides per lot is permissible.
 3. The sign must be removed upon issuance of a certificate of occupancy for all construction at that site.
- G. Fence Wraps:** Fence wraps displaying signage when affixed to perimeter fencing at a construction site provided they meet the following requirements:
1. Such fence wraps are allowed until a certificate of occupancy is issued for the final portion of any construction at that site or 24 months from the time the fence wrap was installed, whichever time period is shorter. After such period has elapsed, the signage must be removed or covered.

2. No fence wrap affixed pursuant to this section may display any advertising other than advertising sponsored by a person directly involved in the construction project and for which monetary compensation for the advertisement is not paid or required.

- H. Government Sign:** A duly authorized temporary or permanent government sign.
- I. Historical plaques or markers** approved by a governmental entity or the National Registry of Historic Places or similar bona fide authority empowered to recognize historic places or structures
- J. Home Occupation Signs:** A permanent non-illuminated wall sign that may not exceed four square feet (4 sq. ft.).
- K. Living Sign:** A non-illuminated sign constructed of living materials such as shrubs, trees, and/or flowers.
- L. Logos:** Logos, labels, and trademarks located on mechanical equipment, solid waste or recycling containers, newspaper and soft drink dispensers, gas station pumps, and similar equipment are not regulated by this Article.
- M. Parking-control Warning Signs:** Parking Parking-control warning signs shall comply with the requirements of Boone Town Code § 73 Towing.
1. A building(s) with a single-establishment shall prominently display the name of the establishment.
 2. Shopping Center/Mall developments shall follow the regulations set forth in 26.12.01(F).
 3. All signs shall be clearly visible form the controlled parking spaces.
- N. Political Signs In the Public Right of Way:** Political signs are permitted in the public right of way only to the extent such signs comply with the requirements as to size and time of posting set forth at N.C. General Statute § 136-32, as such may be re-codified or amended from time to time. For the definition of political signs as used herein, see N.C. General Statute § 136-32(c).
1. Such signs may not exceed 864 square inches in area per display face and two faces per sign and may not be higher than 42” above the edge of the pavement of the road.
 2. Such signs may only be placed with the permission of the property owner fronting the right of way where the sign is to be placed.
 3. In all cases, the property owner and the political candidate shall be equally responsible for the removal of the signs within 48 hours after the election.
 4. Any political sign that remains in a right-of-way maintained by the town more than 30 days after the election is to be deemed unlawfully placed and abandoned

property, and any person may remove and dispose of such political sign without penalty.

- O. Pushcart Signs:** Signs contained on vendor push carts that do not exceed fifteen square feet (15 sq. ft.) in area per push cart.
- P. Real Estate Signs:** A real estate sign advertising the real estate upon which the sign is located as being for rent, lease, open house or sale. Real estate signs are permissible subject to the following regulations:
 1. Only one (1) sign per lot is allowed.
 2. The sign shall not be illuminated.
 3. Area and Height Requirements:

Zoning District	Maximum Area	Maximum Height
Residential Zoning Districts	4 ft ²	5 ft.
B1 Downtown Core	4 ft ²	5 ft.
Remaining Zoning Districts	20 ft ²	8 ft.

4. The real estate sign shall be removed either within forty-eight (48) hours after the property closing or execution of a leasing contract.
- Q. Temporary Decorations:** Temporary decorations or displays, when such are clearly incidental to and are customarily and commonly associated with any national, local or religious holiday/celebration.
 - R. Temporary Use/Seasonal Sale Signs:** Temporary signs shall be allowed in conjunction with lawfully established temporary uses in all districts. Such signs must be located on the parcel on which the temporary use is occurring and may be attached or freestanding subject to the following:
 1. Temporary uses may be permitted up to two signs.
 2. These signs shall not exceed a cumulative total of sixteen square feet (16 sq. ft.) in area.
 3. Signs for temporary uses are allowed for the duration of the temporary use.
 - S. Umbrella Signs:** Umbrella signs used in connection with outdoor seating provide they meet the following requirements:
 1. The signs shall be painted or printed on the umbrella.
 2. Umbrellas shall not be erected at an acute angle for the purpose of serving as signage.
 3. Umbrella signs shall be located on the umbrella itself and shall not be suspended from or otherwise hang from an umbrella.

4. Signage shall not be illuminated.

T. Vehicle Signs: Vehicle signs, unless such signs are used in a manner prohibited hereinafter, provided they meet the following requirements;

1. Vehicles must be operated in the normal course of business and may include the name of the owner or business;
2. Signage when affixed or painted onto vehicles and equipment and the like, are exempt from regulation, provided that, when not being so operated, such vehicles are parked or stored in areas appropriate to their use as vehicles and in such a manner and location on the lot so as to minimize their visibility from any street to the greatest extent feasible.
3. All such vehicles must have current and valid registration and inspection.
4. Vehicles or equipment that display signs must move to perform only business-related activities at least every forty-eight (48) hours.

(Ord. PL05781-061322; 07-01-2023)

26.07 General Requirements for Signs

26.07.01 Sign Area

- A.** The sign area includes the area within a single, continuous perimeter enclosing the extreme limits of characters, lettering, logos, illustration, or ornamentations, together with any material or color forming an integral part of the display or differentiating the sign from the background to which it is placed. Structural supports with no sign copy shall not be included in the sign area. If a sign is attached to an entrance wall or fence, only that portion of that wall or fence onto which the sign face or letters are placed shall be calculated in the sign area.
- B.** Where a sign has two (2) sign areas back-to-back, the area of only one side shall be considered as the sign area. The maximum angle of a double-faced sign is 45 degrees, except for signs located on corner lots in which case the angle may be 90 degrees.
- C.** All signs are limited to two (2) sides.

26.07.02 Sign Height

- A.** Freestanding: The height of a sign shall be computed as the distance from the base of the sign at normal grade to the top of the highest attached component of the sign. Normal grade shall be construed to be the newly established grade after construction, exclusive of any filling, berming, mounding or excavating solely for the purpose of locating the sign. In cases where the normal grade is below grade at street level, sign height shall be computed on the assumption that the elevation of the normal grade at the base of the sign is equal to the elevation of the nearest point of the crown of a public or private street.

1. The Administrator may approve deviations from this provision in order to accommodate topographic peculiarities of a particular parcel, so long as the result of such deviation serves the manifest objectives of this subsection.

B. Attached: Attached signs shall not project higher than the building soffit or eave height.

26.07.03 Vertical Clearance

- A.** For attached signs, vertical clearance is measured as the vertical distance measured from the ground directly below the sign to the lowest point of the sign. Any sign encroaching onto a sidewalk may be no less than eight feet (8') at the lowest point from the lowest point of the sign as measured to the sidewalk underneath.

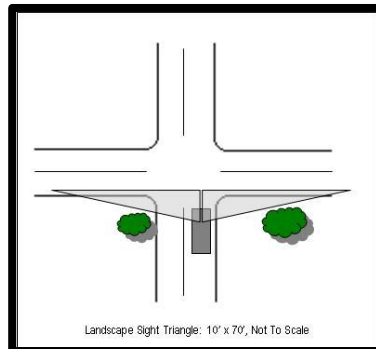
26.07.04 Sign Setback

- A.** A sign setback of at least one foot (1') is required from any easement, property line, or right-of-way. This setback is measured from the applicable easement, property line, or right-of-way to the closest component of the sign or sign structure.

26.07.05 Location

- A.** Signs shall be located on the same lot/building as the use being advertised unless a permanent off-premise sign in an access easement is permitted subject to the following requirements:
1. Application required: No permanent off-premise sign may be placed or displayed in an access easement area until a permit authorizing its display is issued.
 2. No permit for a sign that will be displayed or located within an access easement may be issued unless there are no roads contiguous with the lot upon which the development is located, or the access easement in which the sign is to be located is the only available and planned vehicular access to the aforementioned lot.
 3. The applicant must submit a certified copy of the instrument creating the easement with the application. The access easement area must be the only available and planned access for the development requesting the permanent off-premise sign. The Administrator may require that the applicant provide a signed statement from an attorney that such easement confers upon the applicant the right to display a sign within the easement if the Administrator is unsure of the scope of the rights created by the easement. Unless the easement affords rights to display a sign for the full potential life of the development, it will be considered legally insufficient.
 4. The only sign that may be permitted for display in an off-premise easement is a ground mounted/monument sign which must meet all dimensional, separation, location, and lighting requirements of this Article for a ground mounted/monument sign in the zoning district in which it will be placed or the development is located, whichever is more restrictive, unless any such requirement is explicitly superseded by this section.

5. Limitations on the number of signs allowed: Only one (1) permanent off-premise sign will be allowed on a lot which is subject to an access easement which also allows a permanent off-premise sign (further known as the hosting lot). The permanent off-premise sign shall count as one of the free-standing signs (not including directory signs) allowed for the hosting lot. Furthermore, if at the time of application, existing signs on the hosting lot have either a combined square footage that meets/exceeds the maximum square footage allowed, or meet/exceed the maximum number of freestanding signs allowed, the applicant must provide a written declaration from the owner or occupant of the hosting lot indicating which sign(s) will be removed. If any signs are required to be removed, this shall be done prior to the issuance of the permit for the permanent off-premise sign.
- B. Signs may be located in a required building setback or landscaped street-yard or buffer. If a sign is located in a required setback it shall not be otherwise located so as to obstruct pedestrian or vehicular traffic.
 - C. To ensure that signs do not constitute a traffic hazard, a sight triangle ten feet (10') by seventy feet (70') will be observed at all intersections of driveways/streets with adjacent streets (see diagram below).



- D. No sign shall be located in or overhang any easement or right-of-way for public use, including alleys and sidewalks.
 1. Exempted from this requirement are any signs within a B1 zoning district. These signs shall first obtain an encroachment agreement authorizing such incursion in accordance with Chapter 96 of the Boone Town Code.
 - a. An encroachment agreement shall be required for any replacement of signs that do not have an encroachment agreement.

26.07.06 Audio Components

- A. Audio components are prohibited as part of any sign, except for drive-through signs where the audio component is designed, located, shielded, and directed to prevent detection from surrounding properties.

26.07.07 Changeable/Digital Copy

- A. Up to 50% of a permissible principal sign permitted in Section 26.08 may contain changeable/digital copy subject to the regulations herein and shall be limited to a dark background with light colored numerals and letters.
- B. Only one of the two allowable signs may contain changeable/digital copy.
- C. No such sign can be placed within 100 feet of a residential zoned property except for non-residential uses along a major traffic corridor, collector, or arterial street as defined in Article 34.
- D. A sign with a changeable/digital copy shall contain additional information so the sign is not completely blank if the changeable message area is removed.
- E. For electronic/digital changeable copy, the maximum brightness is limited to 5,000 nits when measured from the sign's face at its maximum brightness, during daylight hours, and 500 nits when measured from the sign's face at its maximum brightness between dusk and dawn, i.e., the time of day between sunset and sunrise. The sign shall have an ambient light meter and automatic or manual dimmer control that produces a distinct illumination change from a higher allowed illumination level to a lower allowed level for the time period between one-half hour before sunset and one-half hour after sunrise. No sign may display light of such intensity or brilliance to cause glare or otherwise impair the vision of the driver or result in a nuisance to a driver.
 - 1. Applicants shall submit a certification from the sign manufacturing confirming compliance with the standards set forth above.
- F. Images and messages displayed in changeable/digital copy area must be complete in themselves, without continuation in content to the next image or message or to any other sign. The image shall be static with all animation, streaming video, flashing, scrolling, fading, and other illusions of motion otherwise prohibited. For example, the transition between messages shall be instantaneous and without special effects.
- G. Any sign containing changeable/digital copy located on a local historic landmark or within a local historic district must obtain a Certificate of Appropriateness from the Historic Preservation Commission as outlined in UDO Article 8 prior to the issuance of a sign permit.
- H. Changeable copy messages may change or alternate every five (5) minutes.

26.07.08 Illumination

- A. Where permitted, permanent signs may be internally or externally illuminated. In no case shall a temporary sign be illuminated.
- B. Lighting for permanent signs shall be consistent throughout a project, unless otherwise permitted within a Master Sign Plan, in which there is a variety of façade design and building types.

- C. All external illumination of a sign shall concentrate the illumination upon the printed area of the sign face.
- D. The use of blinding, flashing, moving, rotating, intermittent, or otherwise distracting lighting is prohibited.
- E. All sign illumination, both external and internal, shall be designed, located, shielded, and directed to prevent the casting of glare or direct light upon rights-of-way and surrounding properties, and prevent the distraction of motor vehicle operators or pedestrians in the rights-of-way.
- F. Internal illumination shall be allowed for certain types of permanent signs within the following zoning districts: B1 Downtown, B2 Neighborhood Business, B3 General Business, O/I Office/Institutional, WD Wellness District, and Education districts.
 - 1. Cabinets may be utilized, provided all electrical wiring is contained within the cabinet or support structure. Sign copy must be translucent and all background materials must be opaque.

26.07.09 Materials

- A. Unless otherwise specified, permanent signs shall be constructed of brick, wood or simulated wood, stone, concrete, metal, plastic, or high-density urethane (HDU) foam board or similar durable foam construction.
- B. Unless otherwise specified awning signs may also be constructed of durable weather resistant material such as canvas, nylon, or vinyl-coated fabric held taut between sign framework.
- C. Unless otherwise specified, temporary signs shall be made of canvas, nylon, vinyl-coated fabric or similar weatherproof materials.

(Ord. PL05781-061322; 07-01-2023)

26.08 Signs Requiring a Permit

26.08.01 All principal signs shall require a permit, and are divided into three subcategories: attached, freestanding, and accessory.

- A. Accessory signs shall require a permit, unless otherwise noted. Accessory sign copy is not included in principal sign calculations.

26.08.02 Number of Signs Allowed

- A. Each establishment is permitted two (2) principal signs. In no case may both signs be of the same type, except for wall signs in compliance with Subsection 26.08.04(D)(3).
 - 1. Exception 1: Tenants within a multi-tenant development are permitted two (2) attached signs and the development overall will be allowed a tenant directory sign in compliance with Subsection 26.08.06(E).

B. Each development is permitted the use of accessory signs in accordance with the guidelines set forth herein.

Table of Permanent Signs										
Principal										
Zoning Districts:	Residential	R3	B1	B2	B3	O/I	M1	WD	Educational	Reference
ATTACHED										
Awning/Canopy	L	L	L	L	L	L	L	L	L	26.08.04(A)
Marquee			L		L				L	26.08.04(B)
Projecting	L	L	L	L	L	L	L	L	L	26.08.04(C)
Wall	L	L	L	L	L	L	L	L	L	26.08.04(D)
Painted Wall					L		L			26.08.04(E)
FREESTANDING										
Monument	L	L	L	L	L	L	L	L	L	26.08.05(E)
Pole		L		L	L	L	L	L	L	26.08.05
Accessory										
Directional	L	L	L	L	L	L	L	L	L	26.08.06(A)
Incidental	L	L	L	L	L	L	L	L	L	26.08.06(B)
Menu Board		L	L	L	L	L	L	L	L	26.08.06(C)
Suspended	L	L	L	L	L	L	L	L	L	26.08.06(D)
Tenant Directory	L	L	L	L	L	L	L	L	L	26.08.06(E)
Window	L	L	L	L	L	L	L	L	L	26.08.06(F)

26.08.03 Master Sign Plans

A. A Master Sign Plan is required for all residential subdivisions, multi-family and townhouse developments, non-residential subdivisions, and all multi-building and multi-tenant commercial developments before any permanent signs and their components may be erected.

1. All owners, tenants, subtenants and purchasers of individual units within the development shall comply with the approved Master Sign Plan.
2. Residential developments that have only one (1) entrance sign, and have no other signs, shall not be required to submit a Master Sign Plan.

B. A Master Sign Plan Application shall include all of the following:

1. The location of each principal and accessory sign.
2. Sign type, size, height, materials, color, illumination, and landscaping (if applicable) for each principal or accessory sign.

3. Computations of the total sign areas demonstrating compliance with all sections of this Article.
 4. Allocation of permitted wall sign area among tenants in proportion to the overall building frontage as set forth in Subsection 26.08.04(D).
- C. All lighting and landscaping elements of signs within a Master Sign Plan shall be consistent throughout the development, unless explicitly specified within the plan.
 - D. Amendments to approved plans. A Master Sign Plan may be amended via application submitted by the owner of the property, or an agent, tenant, or contract purchaser specifically authorized by the owner. The application must include written authorization from all owners affected by the proposed amendment(s). If an association for the property exists, then the association shall provide written authorization for all owners within the development.
 - E. After approval of, or amendment to, a Master Sign Plan, no permanent sign shall be erected except in accordance with such plan.
 - F. Master Sign Plans shall be enforced in the same way as any other provision in this Article.
 - G. In the case of any conflict between a provision of an approved Master Sign Plan and one (1) or more provisions of this Article, the Master Sign Plan shall control.

26.08.04 Attached Permanent Sign Types

A. Awning/canopy signs.

1. On a single-tenant property one (1) awning or canopy sign is allowed only in lieu of all other attached signage permitted on the wall the awning is attached that abuts a public or private street or right-of-way. Tenants occupying spaces with facades abutting multiple streets are permitted one awning or canopy sign per façade.
2. Sign copy on any awning or canopy sign surface is limited to 25% of the total surface area including any valances, not to exceed forty-eight square feet (48 sq. ft.)
 - a. Sign copy allowed above may be applied directly to the awning/canopy or attached to or directly above the top of the awning/canopy with a maximum height of twenty-four inches (24”).
3. Signs may be externally illuminated only.

B. Marquee signs.

1. A marquee sign shall be allowed for theaters, museums, auditoriums, and other entertainment facilities in addition to the two allowable principal signs, subject to the following requirements:
 - a. Marquee signs shall conform to the applicable sign requirements for the district in which they are located, however the area of the marquee sign shall

be permitted an increase in size up to an additional 100% provided that one of the other signs to which the establishment is entitled is reduced in size. The percentage of increase in area shall be equal to the reduction in area of the other permitted sign.

2. The following regulations shall apply solely to a historical reconstruction of a projecting theater marquee:
 - a. A projecting theater marquee shall be allowed only in the B1 Downtown Core.
 - b. No portion of a projecting theater marquee shall be less than eight feet (8') above grade nor higher than sixteen feet (16').
 - c. A projecting theater marquee and supporting structures shall not extend over the edge of any sidewalk or into any street right-of-way absent an encroachment agreement authorizing such incursion by the Town.
 - d. The projecting theater marquee shall only be attached to the building in which the theater is located and must be above an entrance to the theater. No projecting theater marquee sign shall be wider than the building to which it is attached.
 - e. Signage may be installed directly upon the vertical face or faces of a projecting theater marquee with the following conditions:
 - i. Channel letters may extend above such vertical face or faces provided that the letter height is restricted to twelve inches (12") in height.
 - ii. No sign may extend below such vertical face or faces with the exception of lighting elements. All lighting elements shall meet the requirements of Subsection 26.08.04(B)(2)(b) above.
 - iii. The changeable copy portions of a projecting theater marquee shall not exceed fifty percent (50%) of the total area of all faces and comply with Section 26.07.07.
 - iv. All other signage attached to a projecting theater marquee may not exceed twenty percent (20%) of the total area of all faces.
 - f. A projecting theater marquee may include the use of flashing, scrolling, or intermittent lights subject to the following conditions:
 - i. The flashing, scrolling, blinking, or intermittent lights may only be in operation during the time the theater is open to the public and prohibited between the hours of 11 p.m. to 7 a.m.
 - ii. Light fixtures on the projecting theater marquee do not have to meet the requirement for full cut-off fixtures as required in Subsection 25.05.02.

- g. Encroachment: Where a projecting theater marquee extends over a public sidewalk or other public property, an executed encroachment agreement approved by the Boone Council shall be required prior to issuance of any sign permit for a projecting theater marquee.
- h. A projecting theater marquee may be constructed either as part of a new structure or as an addition to an existing structure as follows:
 - i. Site-specific plans and specifications must be submitted from a registered North Carolina licensed structural engineer demonstrating that the projecting theater marquee complies in all ways with appropriate code provisions of the Town and the State of North Carolina, including but not limited to, materials, drainage, roof strength, bracing and anchorage.
 - ii. A final certification from the registered North Carolina licensed structural engineer shall be required stating that the projecting theater marquee complies with all appropriate code provisions of the Town and the State of North Carolina and that the projecting theater marquee has been constructed according to their submitted design.

C. Projecting signs.

- 1. Projecting signs shall be erected so that the sign is perpendicular to the building wall on which they are attached. In cases where a projecting sign has two sign faces that are not perpendicular, the interior angle formed between faces shall be sixty (60) degrees or less.
- 2. The maximum area for a projecting sign is eight square feet (8 sq. ft.) in residential zoning districts, and sixteen square feet (16 sq. ft.) in all other zoning districts.
- 3. Projecting signs shall not project more than four foot (4") from any building on which they are attached.
- 4. Projecting signs shall be centered over, or located near, the principal doorway.
- 5. Projecting signs may be externally or internally illuminated.

D. Wall signs.

- 1. Wall signs shall be erected so that the sign is attached flush against and parallel to the exterior wall or surface of a building. Where a wall sign utilizes channel letters for interior lighting, a raceway may separate the sign from the wall provided that all electrical components of the sign are housed within the raceway, and the raceway does not extend more than six (6) inches from the face of the wall or surface of the building.
- 2. The maximum area for wall signs shall be determined by a ratio of allowable square feet of sign area per linear foot of building frontage. In no case may a wall sign in any district exceed the maximum, as listed in the table below:

Zoning District	Ratio	Maximum Area (square feet)
Residential districts (residential uses)		4 sq. ft.
Residential districts (non-residential uses)		16 sq. ft.
Residential districts (non-residential uses on major traffic corridors, arterial or collector streets)	0.5:1	48 sq. ft.
R3 Multi-family residential		16 sq. ft.
B1 Downtown Core	0.5:1	48 sq. ft.
B1 Downtown Interface	1:1	80 sq. ft.
B2 Neighborhood Business	1:1	80 sq. ft.
B3 General Business	1:1	120 sq. ft.
O/I Office/Institutional	1:1	64 sq. ft.
M1 Manufacturing	1:1	120 sq. ft.
WD Wellness district	1:1	80 sq. ft.
Education districts	1:1	64 sq. ft.

3. Wall signs may be placed on either the primary or secondary façade, but allowable size calculations shall be measured along the primary façade. Where an establishment elects to have two (2) wall signs, one shall be placed on the primary façade and the other on a secondary façade. The two (2) signs may be equal in size, but in no case may the secondary façade sign be larger than the primary façade sign. The sum of the area of the two (2) wall signs shall not exceed the allowable square footage defined in the table in Subsection 26.08.04(D)2.
4. No portion of a wall sign may extend above, below, or beyond the edge of the wall or surface on which it is attached.
5. Wall signs may be externally or internally illuminated.

E. Painted wall signs.

1. Painted wall signs shall be allowed on secondary façades in the B3 General Business zoning district, provided they meet the requirements of the table in Subsection 26.08.04(D)2.
2. Painted wall signs may be externally illuminated.

26.08.05 Freestanding Permanent Signs.

- A. Maximum area and height of freestanding signs can be found in Table 26.08.05 below.
- B. No freestanding sign shall be placed less than forty feet (40') from another freestanding sign unless no other option is available.
- C. Freestanding signs must be placed in either:

1. A landscaped streetyard or buffer that meets current standards; or
2. A landscaped area that is at least three feet (3') in width and the least the length of the greatest dimension of the sign.

D. Multi-Tenant Developments

1. In lieu of a separate freestanding sign per individual tenant, multi-tenant developments are allowed a freestanding multi-tenant directory monument sign that is approximately fifty percent (50%) larger than the size of a monument sign for a single establishment (for most zoning districts). See Table 26.08.04 for more detail.
 - a. Exception: Tenants in a multi-tenant development will be allowed to have a freestanding sign if the establishment has an exterior building frontage in the development of eighty linear feet (80 lf) or more. In the instance the exterior frontage requirement has been met, then the establishment may be permitted a freestanding sign as one (1) of its two (2) permitted signs along the street that the building frontage is located along.

E. Monument Signs.

1. So as to incentivize the use of monument signs over pole/pylon signs (if the latter is allowed), the maximum size of a monument sign is approximately thirty-five percent (35%) larger than the alternative pole/pylon sign.
2. In addition to the standards above, in the B1 districts, a monument sign is only allowed in areas that have either a pedestrian-oriented courtyard, landscaped greenspace, or landscaped buffer that contains four times the size (in area) of the proposed sign and shall be set back either a minimum of six feet (6') from the edge of right-of-way or back of the public sidewalk, whichever is the most restrictive.
3. Developments in the B1DI, B3, OI, WD, and M1 zoning districts shall be allowed additional monument signs at secondary entrances for the general public provided that:
 - a. The height of the monument sign located at the secondary entrance shall not exceed four feet (4') in height.
 - b. The maximum area of the monument sign located at the secondary entrance shall not exceed 50% of the maximum area of the freestanding sign located at the primary entrance.
 - c. The monument sign located at the secondary entrance does not front the same linear public or private street as the freestanding sign located at the primary entrance.
 - d. All other requirements for monument signs are met.

Table 26.08.05 Types of Freestanding Signs

Zoning District	Pole/Pylon Signs Maximums		Monument Signs Maximum Area/Height Maximums		Multi-Tenant Directory Monument Signs Maximums	
	Area (Square Feet)	Height (Feet)	Area (Square Feet)	Height (Feet)	Area (Square Feet)	Height (Feet)
Residential districts (residential uses)			30	6	30	6
Residential districts (non-residential uses)			30	6	30	6
Residential districts (non- residential uses on major traffic corridors, arterial or collector streets)			41	6	62	6
B1 Downtown Core			32	6	16	4
B1 Downtown Interface			41	6	41	4
B2 Neighborhood Business	30	20	41	6	62	6
B3 General Business	50	20	68	6	102	8
O/I Office/Institutional	30	20	41	6	62	8
M1 Manufacturing	50	20	68	6	102	8
WD Wellness district	30	20	41	6	62	8
Education districts	50	20	68	6	102	8

26.08.06 Accessory Signs

A. Directional signs.

1. Directional signs shall be allowed for all uses in association with vehicle and pedestrian entrances, parking areas, and general wayfinding. They may be attached or freestanding, but may not exceed four (4) square feet in area.
2. Attached directional signs are subject to the following requirements:
 - a. Shall be limited to wall signs.
 - b. Shall be attached flush against and parallel to the exterior wall or surface of a building.
 - c. No portion of the sign may extend above, below, or beyond the edge of the wall or surface on which it is attached.
 - d. Attached directional signs may be externally illuminated.
3. Freestanding directional signs are subject to the following requirements:

- a. May not exceed three feet (3') in height outside of any required site triangle and may not exceed two feet (2') within any required site triangle.
- b. Freestanding directional signs may be externally or internally illuminated in the B2 Neighborhood Business, B3 General Business, O/I Office/Institutional, M1 Manufacturing; and externally illuminated in all other districts.

B. Incidental signs.

1. Incidental signs shall be allowed in all districts provided they contain no logo or on-premise advertising. They may be attached or freestanding, but may not exceed four (4) square feet in area.
2. Attached incidental signs are subject to the following requirements:
 - a. Shall be limited to wall signs.
 - b. Shall be attached flush against and parallel to the exterior wall or surface of a building.
 - c. No portion of the sign may extend above, below, or beyond the edge of the wall or surface on which it is attached.
 - d. Attached incidental signs may be externally or internally illuminated.
3. Freestanding incidental signs are subject to the following requirements:
 - a. May not exceed three (3) feet in height outside of any required site triangle and may not exceed two feet (2') within any required site triangle.
 - b. Freestanding incidental signs may be externally or internally illuminated in the B2 Neighborhood Business, B3 General Business, O/I Office/Institutional, M1 Manufacturing; and externally illuminated in all other districts.

C. Menu Boards.

1. In the B1 zoning districts, each building entrance may have one walk-up menu board, subject to the following requirements:
 - a. The menu board must be located inside a display box, permanently mounted adjacent to the building entrance.
 - b. The display box shall not exceed eight (8) square feet in area.
 - c. The display box shall be appropriate in size, location, and design to the character and architectural detail of the building.
 - d. The display box may be externally illuminated, or internally illuminated utilizing full cut-off fixtures within the display box.
2. In the remaining zoning districts, where allowed, uses that utilize a drive-thru or walk-up service may erect one (1) menu board for each drive-thru or walk-up lane

or window. Menu boards may be attached or freestanding, subject to the following requirements:

- a. Attached menu boards shall be limited to wall signs, which shall be attached flush against and parallel to the exterior wall or surface of a building, with no portion of the sign extending above, below, or beyond the edge of the wall or surface on which it is attached and shall not exceed fourteen square feet (14 sq. ft.).
- b. Freestanding menu boards shall not exceed eight (8) feet in height, must be placed within an approved landscaped area, and shall be set back one (1) foot from interior lot lines and shall not exceed twenty-eight square feet (28 sq. ft.) in area.
- c. Each drive-thru menu boards shall not exceed twenty-eight (28) square feet.
- d. Menu boards shall not be legible from any public street.
- e. Menu boards may be externally or internally illuminated.

D. Suspended Signs

1. Suspended signs shall be allowed under canopies and along pedestrian arcades provided that they are attached in a secure manner, with brackets and mounting devices maintained and in good repair. Signs shall be mounted so that the method of installation is concealed to the extent practical.
2. The maximum area for a suspended sign shall not exceed four (4) square feet in all districts.
3. Unless specifically authorized by an encroachment agreement approved by the Town Council, no suspended sign may overhang a public street or public sidewalk.
4. Suspended signs may not be illuminated.

E. Tenant directory wall signs.

1. Developments with more than one tenant shall be permitted to install a tenant directory wall signs subject to the requirements herein.
 - a. Each building with multiple tenants is allowed a tenant directory sign at each entrance into the building.
 - b. Tenant directory signs shall be attached flush against and parallel to the exterior wall or surface of a building, with no portion of the sign extending above, below, or beyond the edge of the wall or surface on which it is attached.
 - c. Tenant directory signs may not be illuminated.

F. Window signs.

1. Window signs placed on the interior of a window or door are limited to the ground floor in the R3 Multi-Family and B2 Neighborhood Business zoning districts. All other commercial uses in all other zoning districts are permitted window signs up to and including the third story.
2. With the exception of one open/closed sign, window signs shall not be illuminated, including by means of any electronic discharge tubing or similar lighting manufactured into shapes that forms letters, parts of letter, skeleton tubing, or other decorative elements or logos. Additionally, in no case may a window or a door be outlined using any type of lighting.
 - a. Exception 1: The use of seasonal string lighting for any legitimate merchandise display is exempt provided such lighting is both clearly temporary (not to exceed 60 days) and seasonal in nature.
 - b. Exception 2: This regulation is not intended to prohibit the internal lighting of a storefront window/merchandise display.

26.08.07 Murals

- A.** Murals shall be treated as wall signs and subject to the same regulations, except as set forth in this section.
- B.** A mural shall not be treated as a sign, shall not require permitting, and shall be allowed without restriction as to size, if it meets the following criteria:
 1. Murals shall be limited to the rear and secondary facades and shall not be allowed on any primary facade.
 2. Murals are allowed to be applied only to wall surfaces. No mural or part of a mural is allowed on any part of any roof, fence, window, door, window trim, door trim, or other architectural feature.
 3. Murals proposed for structures located in a historic district or landmark may require approval per historic district/landmark standards. This section is not intended to in any way modify the applicable requirements of the historic district/landmark.

(Ord. PL05781-061322; 07-01-2023)

