

## Article 10 Signs

### Sec. 10.1 General

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#### 10.1.1 Purposes

The purposes of these sign regulations are to:

- A. Permit the effective use of signs as a means of commercial and noncommercial communication;
- B. Maintain and enhance the aesthetic environment and the ability of the city to attract sources of economic development and growth;
- C. Maintain pedestrian and traffic safety and minimize the distractions, hazards and obstructions caused by signs;
- D. Minimize the possible adverse effects of signs on nearby public and private property;
- E. Enable the fair and consistent enforcement of these sign regulations; and
- F. Ensure that the constitutionally guaranteed right of free speech is protected.

#### 10.1.2 Applicability

Unless otherwise expressly exempted, the sign regulations of this article shall be binding upon every owner of a building, every lessee, and every person responsible for or who causes the construction, repair, relocation, or alteration of any sign in the City of Hickory. Signs may be erected, placed, established, painted, created or maintained only in conformance with the provisions of this article.

#### 10.1.3 Permits Required

Unless otherwise expressly exempted, no sign may be erected or structurally altered until a Zoning Compliance Permit has been obtained in accordance with Sec. 2.6.

#### 10.1.4 Computations and Measurements

##### A. Number of Signs

For the purpose of determining the number of signs, a sign shall be considered to be a single display surface or display device containing elements organized, related and composed to form a unit. Where matter is displayed in a random manner without organized relationship of units, where strings of lights are used, or where there is a reasonable doubt about relationship of elements, each element or light shall be considered to be a single sign. For back-to-back signs or those with an interior angle no greater than 15 degrees, both surfaces shall be considered to be a single sign. In the case of v-type or double-faced signs with an interior angle greater than 15 degrees, the entire surface shall be considered to be a single sign.

##### B. Sign Area of Individual Signs

The surface area of a sign shall be computed as including the entire area within a parallelogram, triangle, circle, semi-circle or other regular geometric figure, including all of the elements of the display, but not including any blank masking border (a plain strip, bearing no advertising matter around the edge of a sign), frames, display or identification or licensing officially required by any governmental body, or structural elements outside the sign surface and bearing no advertising matter. The width of the masking border or sign frame structure shall not extend beyond the maximum surface area more than 6 inches.

C. Area of Double-Faced Signs

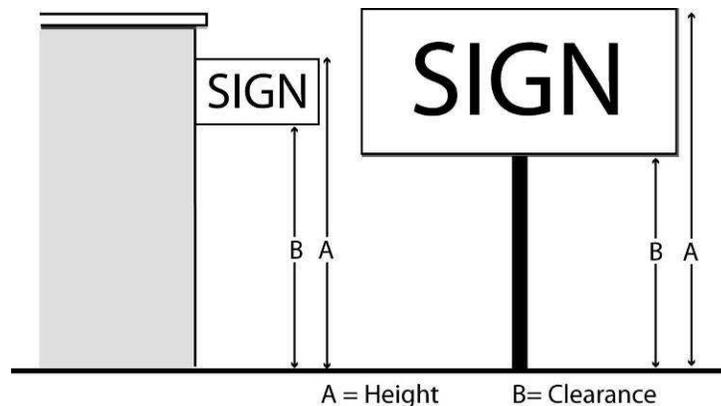
Where the sign faces of a double-faced sign are parallel or the interior angle formed by the faces is 15 degrees or less, only 1 display face shall be counted in computing sign area. If the 2 faces of a double-faced sign are of unequal area, the area of the larger sign face shall be counted as the sign's area. In the case of signs with an interior angle greater than 15 degrees, cylindrical signs, signs in the shape of cubes, or other signs that are substantially three-dimensional with respect to their display surfaces, the entire display surface or surfaces shall be included in computations of sign area.

D. Embellishments

In the case of embellishments (display portions of signs extending outside the general display area), surface area extending outside the general display area and bearing advertising material shall be computed separately as part of the total surface area of the sign.

E. Height and Clearance

The overall height of the sign or sign structure is measured from the normal grade to the highest point of the sign or sign structure (see Figure 10-1). Clearance is measured from the normal grade to bottom of the sign structure enclosing the sign face. Normal grade shall be construed to be the existing grade prior to construction, or 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 cannot reasonably be determined or where the normal grade is below the 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 street.



**Figure 10-1: Sign Heights and Clearance**

10.1.5 Signs Exempt from Regulation

The following signs shall be exempt from regulation under this article:

- A. externally illuminated or non-illuminated signs not exceeding 2 square feet in area, not of a commercial nature and bearing only property identification numbers and names, post office box numbers and names of occupants of the premises;
- B. historic markers erected by a governmental body;
- C. legal notices, identification and informational signs and traffic directional signs or any sign erected by or on behalf of a governmental body;

- D. integral decorative or architectural features of buildings, except letters, trademarks, moving parts or moving lights;
- E. signs directing and guiding traffic on private property, but which bear no advertising matter and do not exceed 4 square feet in area and have a maximum height of 2 feet;
- F. incidental signs used in conjunction with equipment or other functional elements of a use or operation. These shall include, but not be limited to, drive-thru window menu boards, signs of automatic teller machines, gas pumps, express mail drop boxes, vending machines or newspaper delivery boxes, or signs painted or permanently attached to currently licensed motor vehicles that are not parked or located so as to function as a sign;
- G. official flags, emblems, or insignia of corporate, professional, fraternal, civic, religious, or educational organizations limited to one per lot not exceeding 5 feet by 8 feet and located on the same lot as the organization; and
- H. official flags, emblems, or insignia of any government.
- I. Any flag displayed on residential property.

**Sec. 10.2 Prohibited Signs**

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- 10.2.1 The following signs and attention-getting devices shall be prohibited:
- A. Any sign erected or placed without a proper permit or otherwise not in compliance with these regulations;
  - B. Portable signs;
  - C. Roof signs (see Section 10.5.1B(4));
  - D. Balloons and inflatable signs;
  - E. Search lights or signs with flashing, moving, rotating, blinking or varying intensity of light or color;
  - F. Banners, flags, and streamers, except as otherwise allowed herein;
  - G. Signs painted or attached to any trees, rocks, or other similar organic matter;
  - H. Signs that are painted, pasted, or printed on any curbstone, flagstone, pavement, or any portion of any sidewalk or street, except traffic-control signs;
  - I. Signs that by their position, illumination, size, shape or color, obstruct, impair, obscure, or interfere with traffic signs, signals, or devices;
  - J. Signs that cause glare onto traffic or adjacent property;
  - K. Signs that emit audible sound, odor, or visible matter such as smoke or steam;
  - L. Signs that exhibit obscene material, including, but not limited to, specified sexual activities and specified anatomical areas as defined in Article 14;
  - M. Signs that obstruct any window, door, fire escape, stairway, or opening intended to provide light, air, or ingress/egress that would cause a violation of building codes;
  - N. Signs that encroach on a required Sight Triangle;
  - O. Signs that resemble any official signage or markers and that, by reason of content, location, position, shape or color, may be reasonably confused with or construed as traffic-control devices;

- P. Signs within public rights-of-way or on public property, except as otherwise expressly permitted;
- Q. Strings of lights not permanently mounted to a rigid background, unless otherwise expressly exempted or allowed under this article;
- R. Illuminated signs within any residential district; and
- S. Vehicular signs.

**Sec. 10.3 Sign Location**

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10.3.1 Sight Triangles

All signs shall comply with the Sight Triangle standards Sec. 9.4.

10.3.2 Right-of-Way

Unless otherwise expressly stated in this Land Development Code, all signs shall be located outside the public right-of-way.

10.3.3 Vehicle and Pedestrian Area Clearances

When a sign extends over an area where vehicles travel or are parked, the bottom of the sign structure must be at least 14 feet above the ground. When a sign extends over a sidewalk or other area accessible to pedestrians, the bottom of the sign structure must be at least 9 feet above the ground.

**Sec. 10.4 Alternative Sign Plan**

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The Planning Director may approve alternative sign plans to provide for flexibility in the application of sign regulations. Such plans are intended to allow property owners to address unique circumstances affecting their property such as excessive setbacks or topography and to encourage the removal or replacement of non-conforming signs. The Planning Director shall find that the alternative sign plan adheres to the purpose and intent of the regulations contained herein and that such plans result in the reduction of the total number of signs allowed or the total amount of sign area allowed, while allowing for reasonable exposure to the adjoining rights of way. Once approved, the alternative sign plan shall be used to guide the issuance of all sign permits related to the development in the future.

**Sec. 10.5 Signs in Commercial, Office & Institutional and Industrial Districts**

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The following standards shall be used to regulate the installation of all wall signs, ground mounted signs, and subdivision identification signs in all commercial, office & institutional and industrial zoning districts.

10.5.1 Wall Signs

The following standards shall be applied to wall signs in commercial, office & institutional and industrial zoning districts:

A. Maximum Area and Number. *(TA 12-01)*

- (1) Wall signage shall be limited to a maximum size of two (2) square feet of area per each linear foot of primary building wall or bay width, not to exceed three hundred (300) square feet.
- (2) Buildings with primary walls in excess of one hundred fifty (150) linear feet shall be allowed wall sign area equal to fifteen percent (15%) of the total area of the primary wall face.

- (3) If a property has frontage on more than one public street, internal shopping center driveway or is located at the end of a multi-tenant shopping center, additional wall signage on the secondary walls shall be permitted subject to the following standards:
  - (a) Additional wall signage shall be permitted only if the architectural treatment of the primary building wall is extended to include the wall upon which the additional signage is to be placed.
  - (b) Additional wall signage shall be permitted at a maximum of one (1) square foot per each linear foot of primary building wall or bay width, not to exceed one hundred fifty (150) square feet.
- (4) The maximum number of signs permitted on the primary building wall shall be three (3). On secondary walls the maximum numbers of permitted signs shall be one (1).

B. Mounting

Wall signs shall be mounted consistent with the standards listed below:

- (1) Equipment  
Wall signs shall be mounted to conceal all mechanical or electrical equipment.
- (2) Projection  
Wall signs shall not project more than twenty-four (24) inches from the surface to which they are attached.
- (3) Building façade  
Wall signs shall be mounted parallel to the building facade.
- (4) Extensions  
Wall signs shall not extend above or below the edge of any wall or other surface to which they are mounted. Wall signs shall not be erected, constructed, or maintained upon or above the roofline of any building. This shall not preclude the placement of a wall sign against a mansard of a building providing the sign face is horizontally parallel to the building wall and does not extend either above the highest point or below the lowest point of the mansard to which it is affixed.

C. Other wall signs

An awning, canopy, or mansard may be used for the placement of the allowable square footage for wall signs.

D. Projecting signs in the C-1 zoning district (*TA 11-01*)

In lieu of a free standing sign, properties in the C-1 zoning district may provide one (1) sign that is mounted perpendicular to the surface to which it is attached.

Projecting signs are subject to the following standards:

- (1) If a projecting sign is placed on the property, no free standing sign shall be permitted.
- (2) The building to which the sign is attached must have a front setback of less than ten (10) feet.
- (3) The sign shall not project more than thirty-six (36) inches from the surface of the wall to which it is attached.

- (4) The sign shall not exceed thirty-two (32) square feet in area.
- (5) The sign shall be mounted to conceal all mechanical or electrical equipment.
- (6) The sign shall not be extend above below the edge of any wall or other surface to which it is mounted. Projecting signs shall not be erected, constructed, or maintained upon or above the roofline of any building.
- (7) The sign shall maintain clearance of at least nine (9) feet above any pedestrian walkway

10.5.2 Free Standing Signs (TA 11-01, 12-01 & 14-01)

The following requirements shall apply to all signs within all commercial, office & institutional and industrial zones.

Free Standing Sign Regulations			
Zoning District	Height (feet)	Maximum Number	Area (Square Feet)
C-2, C-3, and IND	20	1) 1 per principal building, 3 per site  2) 1 per public vehicular right-of-way frontage (street not driveway)	Two (2) sq. ft. per 1 linear foot of building frontage, with no single sign over 150 sq. ft.
NC, CC-1, CC-2, OI, and C-1	10	1) 1 per principal building and 3 per site  2) 1 per public vehicular right-of-way frontage (street not driveway)	60 sq. ft. per sign (120 total)

- A. Setbacks  
Freestanding signs shall be maintained at a minimum five (5) feet setback from all property lines.
- B. Sign Copy  
Freestanding signs may advertise only businesses or tenants located upon the subject property.
- C. Separation  
Free standing signs shall be located a minimum distance of one hundred (100) lineal feet from any commercial or industrial center identification sign or any other monument sign.
- D. Landscaping  
All freestanding signs shall be landscaped around the base of the sign to ensure that the structure blends in with the site and the character of the overall landscape plan. The area of landscaping shall not be less than the area of the sign face.
- E. Installation  
All free standing signs shall be ground mounted or supported by decorative supports. For purposes of these regulations, decorative supports shall mean at least 2 support members that are architecturally compatible with the principal structure on the site (no exposed

pipes, posts or other support members allowed). In lieu of 2 decorative supports a single support at least 1/3 the width of the sign may be used.

10.5.3 Window Signs (TA 11-01)

- A. Signs shall be allowed on the inside or outside of window glass of non-residential properties provided that they cover no more than 33 percent of the gross glass area on any one side of the buildings and are not separately illuminated.

10.5.4 Subdivision/Project Identification Signs

- A. Subdivision/project identification signs may be located within the required front setback at the entrance of a subdivision/project road, provided the location of such marker is outside the required sight triangle and the normal maintenance limits. Such signs shall be subject to the following standards:
- B. Two (2) signs shall be permitted for each major street intersection, with a maximum of two (2) intersections permitted for any subdivision or project.
- C. Residential subdivision/project identification signs, shall not exceed 16 square feet in size and 6 feet in height. For nonresidential subdivision/project identification signs, the standards of Sect.10.5.2 shall apply, provided that nonresidential subdivision name markers shall not exceed 40 square feet in area.
- D. Subdivision/project identification signs in nonresidential districts shall not list individual occupants of the subdivision or project.

10.5.5 Campus and Shopping Center Directional Signage (TA 11-01)

Such signage shall be permitted when a site contains more than one tenant or principal building provided that the following criteria are met:

- A. The sign shall be placed at least 5 feet from any public right of way.
- B. Such signs shall not exceed sixteen (16) square feet in area and six (6) feet in height.
- C. Such signs may contain business names or logos with arrows or other directional information but shall not contain any commercial message.
- D. Such signs shall not be separately illuminated.

**Sec. 10.6 Signs in Residential Zoning Districts**

Unless otherwise expressly stated in this Land Development Code, The maximum number, area and height of signs within residential zoning districts shall be regulated in accordance with the following table of standards:

Zoning District	Maximum Number of Signs Per Lot	Maximum Sign Area (square feet)	Maximum Height (feet)
R-1 thru R-4	1 per road frontage	32	6
One wall sign and one monument sign are allowed provided that the total sign area does not exceed 32 square feet for all non-residential uses allowed. No signs are allowed for residential uses including home occupations except as otherwise provided herein.			

**Sec. 10.7 Off-Premise Signs (Billboards) (TA 14-01)**

No new off premise signs shall be allowed. Existing signs (non-digital and non-LED) may be replaced subject to compliance with the following:

- A. Signs located within 660 feet of the nearest edge of the right-of-way of the interstate or primary highway systems of North Carolina shall comply with the requirements of G.S. Chapter 136, Article 11, "Outdoor Advertising Control Act," and any regulations established by the North Carolina Department of Transportation.
- B. Pursuant to G.S. § 136-129.1, signs located more than 660 feet beyond the nearest edge of the interstate or primary highway systems of North Carolina which are erected or maintained so as to be read from an interstate or primary highway shall be limited to directional and other official signs and notices and on-premises advertising.
- C. The maximum permitted area shall be 300 square feet for all off-premise signs.
- D. The maximum height of an off-premise sign shall be 35 feet or 35 feet above the elevation of the pavement adjacent to the off-premise sign, whichever is higher.
- E. Off-premise signs shall observe the setback requirements of the underlying zoning district, provided that if structures on adjacent lots are set back from the front lot line by more than the required front setback, off-premise signs shall be setback at least as far as the adjacent structures.
- F. Off-premise signs shall be separated from other structures on the same lot by a distance of at least 20 feet.
- G. Off-premise signs shall not be permitted within 400 feet of any residential area, park, school, hospital, sanitarium, cultural facility, cemetery, church, synagogue, nursing home, college, university or technical college. The 400-foot distance shall be measured along the street right-of-way adjacent to the district or use.
- H. Roof-mounted off-premise signs are prohibited.
- I. LED, solid-state or digital billboards and signs are prohibited. No existing billboard may be converted to a LED or digital display.
- J. Off-premise signs shall be limited to one per lot.
- K. The minimum horizontal separation for off-premise signs shall be as follows:
  - (1) Off-premise signs on lots or parcels adjacent to Federal Aid Primary Highways (US 321 and I-40): 500 feet between off-premise signs on the same side of the right-of-way and 500 feet for off-premise signs on opposite sides of the right-of-way.
  - (2) Off-premise signs on all other lots or parcels: 750 feet between off-premise signs on the same side of the right-of-way and 375 feet on opposite sides of the right-of-way.
  - (3) Off-premise sign shall be a minimum of 500 feet from the use, product or service to which it refers. All distances shall be measured along the centerline of the street adjacent to the off-premise sign.

### **Sec. 10.8 Political Signs**

Non-illuminated political sign(s) may be displayed on any private property. Such sign(s) shall not exceed 16 square feet in area individually or in total and are permitted in required front yards. Such sign(s) shall be placed no more than sixty (60) days before the election to which they pertain is set to take place. All signs must be removed no later than 7 days after the election or campaign to which they pertain. Signs placed in public rights of way may be removed by the City and shall be discarded. No zoning compliance permit shall be required to display political signs.

## **Sec. 10.9 Electronic Message Boards**

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The following regulations shall apply to all electronic message boards:

- 10.9.1 Electronic message boards shall meet the same dimensional and location requirements as provided for free standing signs.
- 10.9.2 For purposes of this section, electronic signs that display only time and/or temperature shall not be considered electronic message boards.
- 10.9.3 Electric message boards may use LED or digital technology. All messages must remain static for a minimum of eight (8) seconds before changing.

## **Sec. 10.10 Temporary Signs**

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### 10.10.1 General Standards

- A. A bond in an amount to be set by City Council shall be posted to ensure timely removal of temporary signs that require a Zoning Compliance Permit. Such bond shall not limit the City's authority to take additional enforcement actions permitted by this Land Development Code. The bond shall be forfeited if the City has to take any action to cause removal of the sign upon expiration or violation of the temporary sign permit.
- B. A-frame signs or electrified signs shall not be used as temporary signs.

### 10.10.2 Real Estate Signs

Real estate signs shall be allowed without the issuance of a Zoning Compliance Permit, subject to the following standards:

- A. Real estate signs shall not be illuminated.
- B. Real estate signs may only contain the message that the property is for sale, lease or rent and the name, address and phone number of the agent or owner.
- C. Real estate "Open House" signs no greater than five square feet shall be limited to one sign per street frontage on the premises for sale and up to ten off-premise signs spaced no closer than two hundred feet. Such signs are permitted only during daylight hours and when the real estate professional, seller, or agent is in attendance at the premises that is for sale.
- D. Real estate signs shall be removed immediately upon the sale or lease of the property.
- E. For lots of less than 5 acres in area in a residential, office or central business district, a single real estate sign on each street frontage may be erected. It shall not exceed 6 square feet in area and shall not be located within any Safe Sight Triangle.
- F. For lots of 5 acres or more in area in a residential, office or central business district, a single real estate sign on each street frontage may be erected. Each sign shall not exceed 32 square feet in area.
- G. For lots in commercial or industrial areas, not including the CBD, real estate signs shall not exceed 32 square feet in area, however, parcels with frontage along US 70, I- 40, and US 321 north of US 70 shall be allowed 20 square feet of sign area per acre up to a maximum of 128 square feet.

### 10.10.3 Construction Signs

Construction signs shall be allowed without the issuance of a Zoning Compliance Permit, subject to the following standards:

- A. Construction signs shall not be illuminated.
- B. Construction signs may contain only the identification of the project, its owner and/or developer, architect, engineer, land planner, landscape architect, contractor and subcontractors.
- C. Construction signs shall not exceed 16 square feet in area in non-residential zones and 8 square feet in residential zones and shall be set back at least 5 feet from all property lines and outside of required sight triangles.
- D. Construction signs shall not be erected prior to issuance of a building permit, and shall be removed within 15 days of the final inspection.

10.10.4 Banners and Similar Temporary Signs (*TA 12-01*)

- A. Properties located within non-purely residential zoning districts (i.e. office, commercial and industrial) shall be permitted to display one (1) banner or similar temporary sign throughout the calendar year. Such signs shall be required to obtain a Zoning Compliance Permit annually. The following standards shall be met and maintained at all times:
  - (1) The sign shall not exceed thirty-two (32) square feet in area or eight (8) feet in height;
  - (2) Each establishment located on a lot shall be permitted one (1) banner or similar temporary sign under this subsection;
  - (3) The sign shall only be located on the property on which the item or service being advertised is located. No off-premise signs shall be permitted under this section;
  - (4) The sign shall not be located in any public right-of-way, nor shall the sign be placed in a manner which obstructs visibility at or around intersections;
  - (5) The sign shall be setback at least five (5) feet from all property lines and public rights-of-way;
  - (6) No sign shall be roof mounted; and
  - (7) Signs shall at all times be properly maintained. Such maintenance shall include the following:
    - (a) Torn or damaged signs shall be immediately removed or repaired;
    - (b) Signs shall be properly secured to the building or its mounting apparatus at all times.
- B. Temporary banners or similar temporary signs erected for not more than 12 weeks per calendar year announcing openings, closings, management changes or special events shall be allowed. Within non-purely residential zoning districts (i.e. office, commercial and industrial) these signs shall be allowed in addition to the sign outlined in subsection (A) above. Such signs shall be subject to issuance of a Zoning Compliance Permit and compliance with the following standards:
  - (1) Such signs shall be attached in total to a building wall, canopy, or the ground in such a manner as to ensure the sign will not become displaced;
  - (2) Such signs shall only advertise uses located on the property on which temporary sign is placed;

- (3) Each establishment located on a lot shall be permitted no more than 12 weeks of temporary sign use per year.;
  - (4) Such signs shall not exceed thirty-two (32) square feet in area and eight (8) feet in height;
  - (5) The permit for such signs shall be on display at the establishment;
  - (6) The sign shall not be located in any public right-of-way, nor shall the sign be planned in a manner which obstructs visibility at or around intersections; and
  - (7) The sign shall be setback at least five (5) feet from all property lines and public rights-of-way.
- C. For the purposes of this Section similar temporary signs shall consist of vertical banners and flags; provided such items do not contain any lights or moving parts. Under no circumstances shall portable signs, such as, but not limited to trailer or vehicular mounted signs be considered similar.

#### 10.10.5 Not-for-Profit Events

Temporary signs or banners announcing a noncommercial, civic or philanthropic event shall be allowed without the issuance of a Zoning Compliance Permit subject to the following standards:

- A. Such signs shall be allowed in any zoning district for not more than 14 days.
- B. Such signs or banners shall be limited to 1 per lot with the written permission of the owner.
- C. Such signs may be located in required setbacks.
- D. Such signs shall not exceed 32 square feet in area and 6 feet in height.

#### 10.10.6 Temporary Signs during Construction

Two temporary off-premise signs directing construction traffic during the construction period of a new business shall be allowed, subject to issuance of a Zoning Compliance Permit and compliance with the following standards:

- A. Such signs may not exceed 6 square feet in area or 3 feet in height.
- B. Only one such sign shall be allowed per lot, with the written permission of the property owner.
- C. Such signs shall not be located in any residential or office district.
- D. Such signs may be located in required setbacks.
- E. Such signs must be removed upon issuance of a certificate of occupancy.

### **Sec. 10.11 Sign Construction and Maintenance**

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#### 10.11.1 Construction

All signs shall be designed, constructed and maintained in accordance with the following standards:

- A. All signs shall comply with applicable provisions of the North Carolina State Building Code.
- B. Electric signs shall comply with applicable provisions of the National Electrical Code. Electric signs that have internal wiring or lighting equipment, and external lighting

equipment that directs light on signs, shall not be erected or installed until an electrical permit has been obtained from the appropriate governing body.

- C. Except for permitted banners, flags, temporary signs and window signs conforming in all respects with the requirements of this Land Development Code, all signs shall be constructed of permanent materials and shall be attached to the ground, a building or another structure by direct attachment to a wall, frame or structure.

#### 10.11.2 Maintenance

All signs shall be maintained in good structural condition, in compliance with applicable building and electrical codes and provisions of this Land Development Code. Specifically:

- A. A sign shall have no more than 20 percent of its surface area covered with disfigured, cracked, ripped or peeling paint, poster paper or other material for a period of more than 30 consecutive days.
- B. A sign shall not stand with bent or broken sign facing, with broken supports, with loose appendages or struts, or more than 15 degrees from vertical for a period of more than 10 consecutive days. No freestanding sign support structure shall stand for a period of more than 30 days after the sign face has been removed.
- C. A sign shall not have weeds, trees, vines, or other vegetation growing upon it, or obscuring the view of the sign from the public right-of-way from which it is to be viewed, for a period of more than 30 consecutive days.