

## **8.7 SIGNS**

The purpose of this Section is to accomplish the following objectives:

To ensure that signs are designed, constructed, installed, and maintained so that public safety and traffic safety are not compromised;

To minimize distractions and visual obstructions that contribute to traffic hazards and endanger public safety;

To allow for adequate and effective communication while preventing visual clutter; and

To ensure a high standard for the design and size of signs so that they enhance the aesthetic appearance and attractiveness of the community, and create an aesthetic environment that has a positive impact on economic development.

**8.7.1 Permitted Signs: Location, Size, and Number**

All signs are subject to Sec. 8.7.9 *Definitions*, Article 12: *Definitions*, and Sec. 8.7.2 through 8.7.6. The sections listed specifically in Sec. 8.7.1 have been included for emphasis and user convenience and shall not be construed to exclude other sections of the Ordinance. Any sign permitted by these regulations may display or publish a non-commercial message. This includes both signs that require and do not require a permit. Exemptions from Sec. 8.7.1 are found in subsection 8.7.1.C.

**Table 8.7.1**

P = allowed with permit    X = not allowed    √ = allowed without permit

| Sign Type   | Conditions                                 | Residential Uses | Commercial Uses | Industrial Uses | Office & Institutional Uses | Illumination <sup>1</sup> |
|---|--|------------------|-----------------|-----------------|-----------------------------|---------------------------|
| <b>Permanent Sign Types</b>   |  |                  |                 |                 |                             |                           |
| 1   | Awning                                     | 8.7.1.A.1        | X               | P               | P                           | Yes                       |
| 2   | Home Occupation                            | 8.7.1.A.2        | P               | X               | X                           | No                        |
| 3   | Building Marker                            | 8.7.1.A.3        | √               | √               | √                           | Yes                       |
| 4   | Reserved                                   |                  |                 |                 |                             |                           |
| 5   | Directory:<br>• Building                   | 8.7.1.A.5        | X               | P               | P                           | Yes                       |
| 6   | • Ground                                   | 8.7.1.A.6        | P               | P               | P                           | Yes                       |
| 7   | Flags                                      | 8.7.1.A.7        | √               | √               | √                           | Yes                       |
| 8   | Gasoline Sales                             | 8.7.1.A.8        | X               | √               | √                           | Yes                       |
| 9   | Governmental                               | 8.7.1.A.9        | √               | √               | √                           | Yes                       |
| 10  | Health/Hospital                            | 8.7.1.A.10       | X               | X               | X                           | Yes                       |
| 11  | Incidental                                 | 8.7.1.A.11       | √               | √               | √                           | Yes                       |
| 12  | Marquee                                    | 8.7.1.A.12       | X               | √               | X                           | Yes                       |
| 13  | Menu Board                                 | 8.7.1.A.13       | X               | P               | X                           | Yes                       |
| 14  | Principal Ground:<br>• Non-residential     | 8.7.1.A.14       | X               | P               | P                           | Yes                       |
| 15  | • Residential                              | 8.7.1.A.15       | P               | X               | X                           | Yes                       |
| 16  | Special/Historic                           | 8.7.1.A.16       | P               | P               | P                           | Yes                       |
| 17  | Suspended                                  | 8.7.1.A.17       | X               | P               | P                           | Yes                       |
| 18  | Wall                                       | 8.7.1.A.18       | X               | P               | P                           | Yes                       |
| 19  | Interior Sign                              | 8.7.1.A.19       | X               | P               | X                           | Yes                       |
| 20  | Projecting                                 | 8.7.1.A.20       | P               | P               | P                           | Yes                       |
| B.6   | Window                                     | 8.7.1.B.6        | X               | √               | √                           | Yes                       |
| <b>Temporary Sign Types</b>   |  |                  |                 |                 |                             |                           |
| 1   | On-premise, Non-commercial Temporary Signs | 8.7.1.B.1        | √               | P               | P                           | No                        |
| 2   | Construction Sites                         | 8.7.1.B.2        | P               | P               | P                           | No                        |
| 3   | Event, commercial                          | 8.7.1.B.3        | X               | √               | √                           | No                        |
| 4   | Event, non-commercial                      | 8.7.1.B.4        | X               | √               | √                           | No                        |
| 5   | Seasonal Outdoor Sales                     | 8.7.1.B.5        | P               | P               | P                           | Yes                       |
| 6   | Window                                     | 8.7.1.B.6        | X               | √               | √                           | No                        |
| 7   | Sandwich Board Sign                        | 8.7.1.B.7        | X               | √               | X                           | No                        |
| <b>Prohibited</b>   |  |                  |                 |                 |                             |                           |
| See Sec. 8.7.2 <i>Prohibited Signs</i>  |  |                  |                 |                 |                             |                           |
| Central Business District, Apex National Register Historic District, Small Town Character Overlay District, Mixed Office-Residential-Retail, and Downtown Festival District                       |  |                  |                 |                 |                             |                           |
| See Sec. 8.7.7 <i>Central Business District, Apex National Register Historic District, Small Town Character Overlay District, Mixed Office-Residential-Retail, and Downtown Festival District</i> |  |                  |                 |                 |                             |                           |
| Planned Developments PUD-CZ, TND-CZ, MEC-CZ (except those governed by Sec. 8.7.7)   |  |                  |                 |                 |                             |                           |
| See Sec. 2.3.4  |  |                  |                 |                 |                             |                           |
| Sign Design and Color   |  |                  |                 |                 |                             |                           |
| <sup>1</sup> Subject to Sec. 8.7.4.C <i>Uniform Color Scheme</i> , 8.6 <i>Exterior Lighting</i> , and 8.7.6.B <i>Sign illumination</i> .  |  |                  |                 |                 |                             |                           |

A) ***Permanent Sign Types***

Permanent signs are allowed as follows:

1) *Awning*

A material such as fabric, metal, flexible plastic, or vinyl that is supported by or attached to a frame and that extends from the exterior wall of a building without ground-mounted support and meets the conditions below:

Awning signs shall be allowed provided that:

- a) On a single-occupant property, one (1) awning sign may be allowed only in lieu of all other signage otherwise permitted on the wall to which the awning is attached.
- b) On a multi-occupant property, one (1) awning sign may be allowed over each occupant entrance, in lieu of other wall signs, and if so shown on the Master Signage Plan.
- c) The maximum area of an awning sign shall not exceed 10% of the total awning face front or side area.
- d) Awning signs may be illuminated only with direct surface lighting and not with any form of backlighting.
- e) Also subject to Sec. 8.7.4 *Sign Design and Color*, Sec. 8.7.5 *Master Sign Plan Requirement*, and Sec. 8.6.4.F *Building, Ground Mounted Fixtures and Accent Lighting*.
- f) Awnings in the Central Business District, Small Town Character Overlay District, and Planned Development Districts shall be exempt from this section and subject to 8.7.7.A.5 *Awning Signs*.



**Figure 8.7.1.A.1: This awning sign does not exceed 10% of total awning face area.**

2) *Home Occupation Signs*

Signs advertising home occupations shall be permitted where a home occupation has been approved per Sec. 4.5.5 Home Occupation. Home Occupation signs shall be permitted as follows:

- a) A Home Occupation sign permit is required and shall be obtained from the Planning Department;
- b) In addition to meeting the requirements of Sec. 8.7.4 Sign Design and Color, plastic and/or acrylic sign faces are prohibited;
- c) A sign is permitted on the home where a Home Occupation has been approved, provided:
  - (i) The sign shall be no larger than 12 inches by 12 inches;

- (ii) The sign shall be placed no higher than six (6) feet at the front door; and
- (iii) The sign shall not be internally lit; external lighting shall be limited to traditional residential lighting fixtures.
- d) Where a home occupation exists on a lot with a minimum of 300 feet of linear road frontage, one (1) permanent sign may be placed in the front yard, provided:
  - (i) The sign shall be no larger than 18 inches by 24 inches;
  - (ii) The maximum height of the sign shall be four (4) feet;
  - (iii) The sign shall not be internally lit;
  - (iv) The sign shall not be located in the right-of-way and shall be located so that it does not obscure vision at driveway sight triangles.

3) *Building Marker*

A name, stamp, or seal placed on a building to signify ownership or origin and meets the conditions below:

Building marker signs shall be allowed provided that:

- a) Such sign(s) shall not exceed one (1) on any single building;
- b) Such sign(s) shall not exceed three (3) square feet in area;
- c) Such sign(s) shall contain no commercial logo or message;
- d) Such sign(s) shall be made of permanent material, such as bronze or masonry, and be permanently affixed to the building wall.
- e) Also subject to Sec. 8.7.4 *Sign Design and Color* and Sec. 8.7.5 *Master Sign Plan Requirement*.



**Figure 8.7.1.A.3: These permanent building markers do not exceed three (3) square feet.**

4) *Reserved*

5) *Building Directory*

A wall sign that lists tenants or occupants of a building or project with unit numbers, arrows or other directional information and meets the conditions below:

Building wall-mounted directory signs shall be allowed on non-residential multi-tenant buildings provided that:

- a) Such signs are limited to one (1) per building entrance not to exceed two (2) per building.

- b) The total size of the wall-mounted directory sign does not exceed 10 square feet.
- c) Also subject to Sec. 8.7.4 *Sign Design and Color* and Sec. 8.7.5 *Master Sign Plan Requirement*.

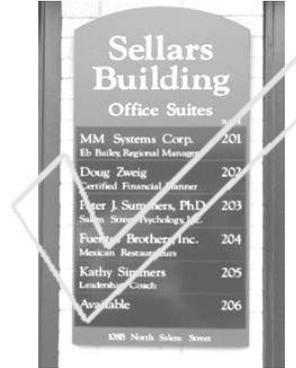
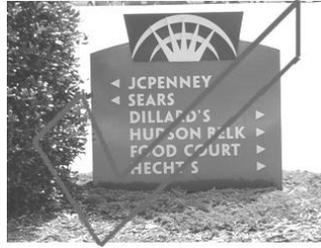


Figure 8.7.1.A.5: This wall mounted directory sign does not exceed ten (10) square feet.

- 6) *Directory Ground*  
A ground sign with a continuous base less than two (2) feet in height that lists tenants or occupants of a building having more than one tenant or project with unit numbers, arrows or other directional information and meets the conditions below:

Directory ground signs shall be allowed provided that:

- a) *Non-residential*
- (i) Non-residential logo/name directory signs internal to the site within an integrated development, multiple use development, or mixed use development shall be located not less than 50 feet measured perpendicular from any vehicular entrance public right-of-way and at principal intersections within the site, where such intersections are not less than 50 feet from any public right-of-way as shown on an approved Master Signage Plan.
  - (ii) Such signs shall not exceed 20 square feet in area and 48 inches in height.
  - (iii) Such signs shall not be located within a required buffer.
  - (iv) Such signs may contain logos or business names with arrows or other directional information but shall not contain any commercial message.
  - (v) Such signs may be internally or externally lighted in accordance with Sec. 8.7.6.B *Sign Illumination*.
  - (vi) Also subject to Sec. 8.7.4 *Sign Design and Color* and Sec. 8.7.5 *Master Sign Plan Requirement*.



**Figure 8.7.1.A.6.a: This non-residential directory sign is located away from public right-of-way and is of proper size.**

b) *Multi-Family Residential*

- (i) One (1) directory sign may be located near the principal entrance to a parking area for multi-family projects, as shown on an approved Master Signage Plan.
- (ii) Such sign shall be located away from any public right-of-way, so that drivers can conveniently pull up and read the directory without impeding traffic on any driveway or entrance serving the development.
- (iii) Such sign may contain an unlimited number of pieces of information, but letters shall not be more than three (3) inches in height and shall not be legible from any public right-of-way.
- (iv) Such sign shall not exceed eight (8) square feet in area and five (5) feet in height.
- (v) Such sign may be internally or externally lighted in accordance with Sec. 8.7.6.B *Sign Illumination*.
- (vi) Also subject to Sec. 8.7.4 *Sign Design and Color*.

7) *Flags*

A fabric, usually rectangular or triangular in shape, representing a country, state or other civic entity, corporation, business or other private organization designed to be flown from a flag pole and meets the conditions below:

Flags shall be allowed provided that:

- a) No more than one flag of each type (e.g. state, national, non-profit organization, corporate) may be displayed on any lot unless the lot has more than one road frontage, in which case there may be one flag of each type at each entrance, or addressing each road frontage, with no more than 3 flag poles per entrance or road frontage.
- b) A maximum of 2 flags shall be allowed per a flag pole.
- c) Flag poles shall not exceed 30 feet in height nor shall flags on these poles exceed a size of five (5) feet by eight (8) feet.
- d) Flag poles exceeding 30 feet in height on May 4, 2004 may remain, however, flags flown on taller poles shall not exceed a size proportionate to a five-foot by eight-foot flag on a thirty-foot pole.

- e) No building mounted flag or flag pole shall extend above the roofline.
  - f) Flags shall not be faded, tattered or torn.
- 8) *Gasoline Sales*  
A service station sign advertising fuel prices in accordance with North Carolina General Statutes and meets the conditions below:  
Gasoline sales signs shall be allowed provided that:
- a) Gasoline price or self-service sign located and secured to each pump island shall not exceed nine (9) square feet.
  - b) A gasoline price/self-service changeable copy sign, not to exceed nine (9) square feet, may be included on the principal ground sign (not to exceed the total square footage shown in Table 8.7.1.A.14 if a principal ground sign is allowed. Changeable copy for gasoline prices can be achieved through the use of LED lights only on the principal ground sign or on the gasoline canopy, but not both. LED lights shall not be used for any other purpose than to display gasoline prices.
  - c) An official North Carolina vehicle inspections sign shall be permitted on the building, provided said sign does not exceed four (4) square feet.
  - d) Signage and logos on pump island canopies are restricted to no greater than 10% of the face of the canopy.
  - e) A stripe is permitted on the canopy provided that the overall color scheme in the Master Sign Plan for the gas station is limited to white or black and one other color when a stripe is introduced on the canopy.
  - f) Also subject to Sec. 8.7.4 Sign Design and Color and Sec. 8.7.5 *Master Sign Plan Requirement*.
- 9) *Governmental*  
Temporary or permanent sign erected and maintained by or required by the city, county, state or federal government and meets the conditions below:  
Governmental signs are allowed to include but are not limited to the following:
- a) Municipal, county, state and federal traffic signs.
  - b) Historical markers, monuments or signs erected by public authority.
  - c) Signs denoting the location of underground utilities.
  - d) Signs posted by or under the authority of municipal, county, state, or federal authorities for crime prevention, public safety, health, zoning, and identification.



Figure 8.7.1.A.9: Signs posted under state and municipal authority for public information are allowed.

10) *Health/Hospital*

Permanent signs erected and maintained by an Ambulatory Healthcare Facility with Emergency Department or a Hospital and meet the conditions below:

- a) Permitted signs in subsections 8.7.1.A.10.b., c., d., and e below must be approved as part of a Master Sign Plan for the Ambulatory Healthcare Facility with Emergency Department or Hospital use
- b) Principal ground signs shall be allowed provided that:
  - (i) One principal ground sign is allowed at each intersection of two public streets bordering the facility.
  - (ii) Maximum height is six feet (6').
  - (iii) Maximum size is 70 square feet.
  - (iv) The principal ground sign shall identify only the facility name, not the tenants or occupants thereof.
  - (v) Also subject to Sec. 8.7.4 *Sign Design and Color*, 8.7.5 *Master Sign Plan Requirement*, Sec. 8.7.3 *Sign Area Measurement*, and 8.7.6.B *Sign Illumination*.
- c) Emergency Department ground signs shall be allowed provided that:
  - (i) One Emergency Department ground sign is allowed at each major entrance to the facility.
  - (ii) Maximum height is eight feet (8').
  - (iii) Maximum size is 80 square feet.
  - (iv) The Emergency Department ground sign shall identify only the facility name and emergency department information, not the tenants or occupants thereof.
  - (v) Also subject to Sec. 8.7.4 *Sign Design and Color*, 8.7.5 *Master Sign Plan Requirement*, Sec. 8.7.3 *Sign Area Measurement*, and 8.7.6.B *Sign Illumination*.
- d) Wall signs shall be allowed provided that:

- (i) The sign surface area of a sign located on a wall of a structure may not exceed 10% of the total surface area of the wall on which the sign is located. The Emergency Department band shall not be counted in the measurement of the wall sign but in no case shall it exceed 34 square feet.
  - (ii) No wall sign attached to a building may project more than 12 inches from the building wall.
  - (iii) Also subject to Sec. 8.7.4 *Sign Design and Color*, 8.7.5 *Master Sign Plan Requirement*, Sec. 8.7.3 *Sign Area Measurement*, and 8.7.6.B *Sign Illumination*.
- e) Directory ground signs shall be allowed provided that:
- (i) Maximum height is four feet (4').
  - (ii) Maximum sign face size is 24 square feet.
  - (iii) Such signs may contain logos or business names with arrows or other directional information but shall not contain any commercial message.
  - (iv) Such signs may be internally or externally lighted in accordance with Sec. 8.7.6.B *Sign Illumination*.
  - (v) The signs shall be located so as not to be legible from the public right-of-way. If this is not feasible, the signs can be located as close as 50 feet measured perpendicular from the public right-of-way.

11) *Incidental*

A sign, generally informational, that has a purpose secondary to the use of the subject property on which it is located, such as “no parking”, “entrance”, “loading only”, and other similar directives and meets the conditions below:

Incidental signs shall be allowed and include but are not limited to the following:

- a) Signs or plates on structures or premises giving the name or address of the occupant, mailboxes, paper tubes and similar uses customarily associated with structures.
- b) Signs posted upon private property relating to private parking or warning the public against trespassing, against danger from animals or other dangers or dangerous conditions so long as such signs are of an allowed size and description.
- c) Private unofficial traffic signs indicating onsite directions, entrances, exits, or hazards.
- d) Such signs shall not include logos or commercial messages or be extended to the supporting structure.
- e) The size of such signs shall not exceed two (2) square feet or four (4) feet in height.

- f) Signs that indicate towing shall be no smaller than 24" x 24" and be prominently displayed at the entrance thereto, displaying the name and phone number of the towing and storage company, and, if individually owned or leased, the parking lot or spaces within the lot are clearly marked by signs setting forth the name of each individual lessee or owner.



**Figure 8.7.1.A.11: Mailboxes (left) and signs posted upon private property relating to private parking (right) are allowed if sized appropriately.**

- 12) *Marquee*  
A theater wall sign designed to have changeable copy and meets the conditions below:

In addition to wall signs, marquee signs with changeable copy shall be allowed at theaters provided that:

- a) Such changeable copy signs shall cover not more than one (1) square foot of sign area for each linear foot of theater building frontage.
- b) Non-electric copy only.
- c) Such signs shall be subject to total wall sign area limits and be affixed to the wall.
- d) Also subject to Sec. 8.7.4 *Sign Design and Color* and 8.7.5 *Master Sign Plan Requirement*.

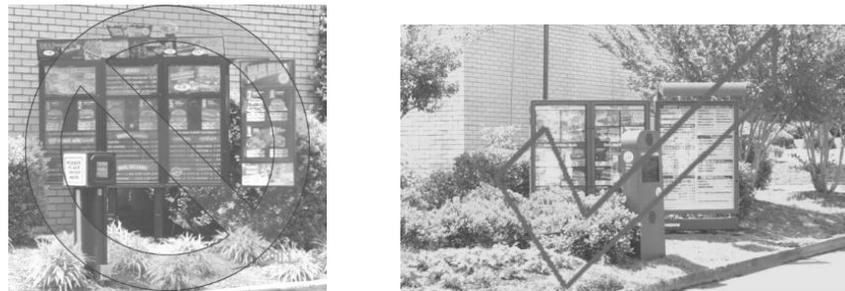


**Figure 8.7.1.A.12: This marquee sign with changeable copy covers less than one (1) square foot of sign area for each linear foot of theater building frontage.**

- 13) *Menu Board*  
An accessory sign providing items and price associated with a drive-thru window or walk-up window and meets the conditions below:

Changeable menu boards shall be allowed provided that:

- a) Such signs shall not exceed 32 square feet in area, except as provided in subsection c. below, and six (6) feet in height.
- b) Except as provided in subsection c. below, two (2) signs shall be permitted per drive-through lane not to exceed 64 combined square feet. The two (2) menu boards shall be no closer than eight (8) feet at any point.
- c) One (1) menu board sign up to 40 square feet in area and six (6) feet in height shall be allowed, as opposed to two (2) menu board signs as referenced in subsections a. and b. above.
- d) Such signs shall not be legible from a public right-of-way or adjacent property.
- e) Such signs may be internally and externally illuminated per Sec. 8.7.6.B *Sign Illumination*.
- f) Also subject to Sec. 8.7.4 *Sign Design and Color* and 8.7.5 *Master Sign Plan Requirement*.



**Figure 8.7.1.A.13: The menu board sign on the left is too large, whereas the sign on the right meets requirements.**

- 14) *Principal Ground: Non-Residential*  
A sign supported permanently upon the ground by a continuous base or two (2) or more support posts at the outside edge, not attached to any building and meets the conditions below. If supported by posts, the bottom of the sign shall be located no more than two (2) feet above grade and meets the conditions below:

Principal ground signs are allowed provided that size and height limitations set forth below are met.

**Table 8.7.1.A.14**

| Street Frontage       | Maximum Size (sq. ft.) | Maximum Height (feet) | Minimum Setback from right-of-way (feet)* |
|-----------------------|------------------------|-----------------------|---|
| < 200 feet            | 20                     | 4                     | 10  |
| ≥ 200 feet < 400 feet | 30                     | 5                     | 10  |
| ≥ 400 feet            | 40                     | 6                     | 10  |

\*Does not apply to signs located within the median of a vehicular entrance.

- a) *Single Use Development that is not part of a Multiple Use Development, Mixed Use Development, or Integrated Development:*
  - (i) A Single Use Development that is not part of a Multiple Use Development, Mixed Use Development, or Integrated Development shall be allowed one (1)

principal ground sign near each major full service vehicular entrance.

- (ii) If there are no major full service vehicular entrances, then one (1) principal ground sign is permitted near a limited-service vehicular entrance.
- (iii) Additional options for the location of such sign are as follows:
  - (a) A business located on a corner with one (1) vehicular entrance on each roadway may opt to have one (1) principal ground sign on the corner instead of the signs located at each vehicular entrance.
  - (b) A principal ground sign may be located in the median of a vehicular entrance where the median is a minimum of 50 feet long and 10 feet wide, provided that the sign is not located within 10 feet of either end of the median.
  - (c) A principal ground sign may be allowed in the buffer in close proximity to a vehicular entrance within a sign easement to be shown on the approved site plan.
- (iv) Also subject to Sec. 8.7.4 *Sign Design and Color* and 8.7.6.B *Sign Illumination*.

b) *Multiple Use Development, Mixed Use Development, or Integrated Development*

A group of two (2) or more uses or entities planned and developed in a joint manner that are governed by a common business, tenant, homeowner or other association or by common conditions, covenants, and restrictions, regardless of whether such uses or entities are located on the same lot or parcel and meets the conditions below:

Principal ground signs for Multiple Use Development, Mixed Use Development, or Integrated Development shall be allowed provided that:

- (i) One (1) principal ground sign shall be allowed at each major full service vehicular entrance in close proximity to that entrance.
- (ii) If there are no major full-service vehicular entrances, then one (1) principal ground sign is permitted near a limited-service vehicular entrance.
- (iii) Principal ground sign(s) shall be allowed in the buffer within a sign easement to be shown on the approved site plan.
- (iv) A principal ground sign may be located in the median of a vehicular entrance where the median is a minimum of 50 feet long and 10 feet wide, provided that the sign is not located within 10 feet of either end of the median.

- (v) Such sign may be mounted on a fence or wall that does not exceed six (6) feet in height. For size limitations refer to Table 8.7.1.A.14.
- (vi) Also subject to Sec. 8.7.4 *Sign Design and Color*, 8.7.5 *Master Sign Plan Requirement*, and 8.7.6.B *Sign Illumination*.

15) *Principal Ground: Residential*

A sign supported permanently upon the ground by a continuous base or two (2) or more support posts at the outside edge, not attached to any building and meets the conditions below. If supported by posts, the bottom of the sign shall be located no more than two (2) feet above grade and meets the conditions below. Principal ground signs, not to include those located within the median of a vehicular entrance, shall be set back no less than 10 feet from the right-of-way.

a) Residential Subdivision

- (i) A maximum of two (2) principal ground signs shall be permitted to be located at each vehicular entrance.
- (ii) A principal ground sign may be located in the median of a vehicular entrance where the median is a minimum of 50 feet long and 10 feet wide, provided that the sign is not placed within 10 feet of either end of the median.
- (iii) Principal ground signs shall be allowed in the buffer within a sign easement to be shown on the approved site plan.
- (iv) Such sign(s) shall not exceed a total of 40 square feet per vehicular entrance.
- (v) A principal ground sign may be mounted on a fence or wall that does not exceed six (6) feet in height; however, the sign itself may not exceed the size limitations set forth in this subsection and the sign must be only an incidental part of the wall or fence design.
- (vi) If illuminated, such sign(s) shall be externally illuminated.
- (vii) Also subject to Sec. 8.7.4 *Sign Design and Color* and Sec. 8.7.6.B *Sign Illumination*.

b) Multi-family Residential

- (i) A maximum of two (2) principal ground signs shall be permitted to be located in close proximity to each major full-service vehicular entrance. If there is no full-service vehicular entrance, then one (1) principal ground sign is permitted at one (1) limited-service vehicular entrance.
- (ii) A principal ground sign may be located in the median of a major full-service vehicular entrance where the median is a minimum of 50 feet long and 10 feet wide, provided that the sign is not placed within 10 feet of either end of the median.

- (iii) Principal ground sign(s) shall be allowed in the buffer within a sign easement to be shown on the approved site plan.
- (iv) Principal ground sign(s) shall not exceed a total of 40 square feet per vehicular entrance.
- (v) A principal ground sign may be mounted on a fence or wall that does not exceed six (6) feet in height; however, the sign itself may not exceed the size limitations set forth in this subsection and the sign must be only an incidental part of the wall or fence design.
- (vi) Reserved.
- (vii) If illuminated, such sign(s) shall be externally illuminated.
- (viii) Also subject to Sec. 8.7.4 *Sign Design and Color* and Sec. 8.7.6.B *Sign Illumination*.

16) *Special/Historic*

A sign that is unique or a sign affixed to or associated to historic buildings, events or places and meets one or more of the criteria and conditions below:

- Significant as evidence of the history of the product, business or service advertised.
- Significant as reflecting the history of the building or the development of the historic district. A sign may be the only indicator of a building's historic use.
- Characteristic of a specific historic period, such as gold leaf on glass, neon, or stainless steel lettering.
- Integral to the building's design or physical fabric, as when a sign is part of a storefront made of Carrara glass or enamel panels, or when the name of the historic firm or the date are rendered in stone, metal, or tile. In such cases, removal can harm the integrity of a historic property's design, or cause significant damage to its material.
- Outstanding examples of the signmaker's art, whether because of their excellent craftsmanship, use of materials, or design.
- Local landmarks, that is, signs recognized as popular focal points in the community.
- Elements important in defining the character of a district, such as marquees in a theater district.

Special and historic signs may be permitted provided that:

- a) Property owners shall make application to the Town Council for such designation of special or historic signs.
- b) Such designated special or historic signs are excluded (exempted) from Sec. 10.6 *Nonconforming Signs*.



**Figure 8.7.1.A.16: Special and historic signs are permitted within an historic district and places of historic significance.**

17) *Suspended*

A sign that is suspended from the underside of a horizontal plane surface and is supported by such surface and meets the conditions below:

Suspended signs shall be allowed provided that:

- a) Such sign(s) shall not exceed one (1) per building entrance or tenant, whichever is less.
- b) Such sign(s) shall not exceed two (2) square feet in total area.
- c) Such sign(s) shall not be directly or internally illuminated.
- d) Such sign(s) may be in addition to wall signs as permitted.
- e) Such sign(s) shall contain only the address, suite number, logo or name of the occupant or business served by the entrance.
- f) Also subject to Sec. 8.7.4 *Sign Design and Color* and 8.7.5 *Master Sign Plan Requirement*.



**Figure 8.7.1.A.17: This suspended sign is less than two (2) square feet.**

18) *Wall*

A sign attached parallel to a wall, professionally painted on the wall surface or erected and confined within the limits of an outside wall of any building or structure, which is supported by such wall or building and meets the conditions below:

Wall signs shall be allowed provided that:

- a) The sign surface area of a sign located on a wall of a structure may not exceed 10% of the total surface area of the wall on which the sign is located.
  - b) Buildings containing one business with a front façade 600 feet in length or greater may install wall-mounted customer directional signs identifying the service or function. Examples of such signs include but are not limited to “Pharmacy,” “Grocery,” and “Lumber Yard.” Such signs are limited to two per front façade and 100 square feet each.
  - c) No wall sign attached to a building may project more than 12 inches from the building wall.
  - d) Also subject to Sec. 8.7.4 *Sign Design and Color*, 8.7.5 *Master Sign Plan Requirement*, Sec. 8.7.3 *Sign Area Measurement*, and 8.7.6.B *Sign Illumination*.
- 19) *Interior Sign*  
A ground sign located adjacent to parking spaces that are reserved as drive-up pick-up locations which meets the conditions below:
- a) Such sign shall be no more than 10 feet in height and no more than 10 square feet in area if located at least 200 feet from a public right-of-way, or is not visible from a public right-of-way.
  - b) Such sign shall be no more than four (4) feet in height and no more than four (4) square feet in area if located less than 200 feet from a public right-of-way, or is visible from a public right-of-way.
  - c) Such sign may be internally illuminated per Sec. 8.7.6.B *Sign Illumination*.
  - d) Also subject to Secs. 8.7.4 *Sign Design and Color* and 8.7.5 *Master Sign Plan Requirement*.
- 20) *Projecting Signs*  
A sign affixed to a building or wall in such a manner that its leading edge extends more than 12 inches beyond the surface of said building or wall and meets the conditions below:
- a) Projecting signs shall maintain a minimum vertical clearance of nine (9) feet and shall not project higher than the building height, roof line, or parapet wall.
  - b) Projecting signs may only be used as an alternative to a wall sign. In no instance shall a single tenant have a projecting sign, and a wall sign located on the same building façade.
  - c) The maximum sign area permitted for such sign shall be determined by the mounting height of the top of the sign as listed in Table 8.7.1.A.20 below.

**Table 8.7.1.A.20**

| Projecting Sign Location                 | Maximum Sign Area |
|--|-------------------|
| Ground Floor                             | 12 square feet    |
| Between ground floor and secondary story | 18 square feet    |
| Between second story and third story     | 32 square feet    |
| Third story and above                    | 48 square feet    |

- d) The number of projecting signs shall be limited to one (1) per ground-floor public entrance with frontage on a street; or if on a corner lot, one (1) projecting sign per ground-floor public entrance per façade with street frontage.
- e) The outside edge of the projecting sign shall not project more than five (5) feet beyond the façade of the building.
- f) Also subject to Sec. 8.7.3 *Sign Area Measurement*, Sec. 8.7.4 *Sign Design and Color*, 8.7.5 *Master Sign Plan Requirement*, and 8.7.6.B *Sign Illumination*.
- g) Projecting signs in compliance with the above regulations may project into the air rights of a public right-of-way if approval for such encroachment is obtained from the governmental authority having jurisdiction over improvements in the public right-of-way prior to the approval of the sign permit.



**Figure 8.7.1.A.20 Examples of projecting sign type.**

- B) Temporary Sign Types  
Temporary signs are allowed as follows:
  - 1) *On-premise, Non-commercial Temporary Signs*  
A temporary sign with a non-commercial message that is not associated with an event nor located on residential property shall be allowed as follows:
    - a) Only one (1) sign shall be permitted on-site.

- b) Such sign shall not exceed 16 square feet and four (4) feet in height if freestanding or 32 square feet if affixed to the building.
  - c) The permit for such sign shall be limited to 60 days each.
  - d) Such sign shall be located on private property. Written permission from the property owner shall be obtained.
- 2) *Construction Sites*  
An on-premise temporary sign erected during the active construction of a development project that meets the conditions below:
- a) One (1) sign is allowed per full-service vehicular entrance. If there is no full-service vehicular entrance, then such sign may be located at one (1) limited-service vehicular entrance.
  - b) Such sign shall not exceed 32 square feet or a maximum height of five (5) feet.
  - c) Construction Plan approval is required prior to approval of the sign permit.
  - d) Sign shall be removed prior to approval of the Certificate of Occupancy for the final building in a non-residential, multi-family, or mixed-use development and no later than the time at which 100% of the properties within a residential subdivision have initially been sold to a private owner or initially leased to the first resident.
- 3) *Event, commercial*  
Temporary on-premise signs erected during commercial events shall be allowed provided that:
- a) No more than three (3) signs advertising promotional or other commercial events shall be permitted on-site.
  - b) The combined sign area for the number of signs permitted shall not exceed 16 square feet if freestanding or 32 square feet if affixed to the building. Freestanding signs shall not exceed four (4) feet in height.
  - c) The effective date for a permit for such sign(s) shall not be sooner than two (2) weeks prior to the commencement of the event. Such sign(s) shall be removed no later than two (2) days after the end of the event.
  - d) See Sec. 4.6 *Temporary Uses and Structures*.
- 4) *Event, non-commercial*  
Temporary, on-premise signs erected during non-commercial events shall be allowed provided that:
- a) No more than three (3) signs for such event shall be permitted on-site.
  - b) The combined sign area for the number of signs permitted shall not exceed 16 square feet if freestanding or 32 square feet if affixed to the building. Freestanding signs shall not exceed four (4) feet in height.

- c) The effective date for a permit for such sign(s) shall not be sooner than two (2) weeks prior to the commencement of the event. Such sign(s) shall be removed no later than two (2) days after the end of the event.
  - d) Signs shall be non-illuminated only.
  - e) One (1) structure holding the sign, such as a banner, may remain between events and shall not be used to display signs between events and shall not exceed a maximum of five (5) feet in height.
  - f) See Sec. 4.6 *Temporary Uses and Structures*.
- 5) *Seasonal Outdoor Sales Signs*  
Outdoor temporary signs not located on a bona fide farm shall be permitted on sites with a temporary use permit allowing seasonal outdoor sales provided that:
- a) Such signs shall be limited to 32 square feet and five (5) feet in height.
  - b) Such signs shall be permitted for no more than 30 days.
  - c) See Sec. 4.6 *Temporary Uses and Structures* and Sec. 8.7.6.B *Sign Illumination*.
  - d) Such signs shall be displayed only on the premises where the seasonal products are being sold.
- 6) *Window*  
Any sign that is placed on the outside or inside of a window or door and is visible from the exterior and meets the conditions below:
- a) Signs shall be allowed on the show window glass of non-residential buildings provided that all such commercial and incidental signs (both temporary and permanent) do not exceed a combined maximum of 25% of the total window area per facade.
  - b) Temporary window signs shall only be installed on the inside of a window or door.
- 7) *Sandwich Board Sign*  
A sign consisting of two panels joined together at the top and configured in the shape of an inverted "V" so that the bottom of the sign rests upon or near the ground and meets the conditions below.
- Sandwich Board Signs shall be allowed provided that:
- a) The total area of the signboard (including both sides) shall not exceed 14 square feet.
  - b) Any sandwich board sign shall not exceed two (2) linear feet in width, with a maximum height of 42 inches.
  - c) The sign must be constructed of materials that present a finished appearance. Rough cut plywood is not acceptable. The sign's lettering should be professionally painted or applied.

- d) The sign shall not interfere with vehicular circulation and shall be placed to allow for at least three (3) feet of sidewalk width for unrestricted pedestrian movement;
  - e) The sign shall be removed at the end of the business day.
  - f) Any person erecting a sandwich board sign shall indemnify and hold harmless the Town and its officers, agents, and employees from any claim arising out of the presence of the sign on Town property or public right-of-way.
- C) The following are exempt from the standards in this Section:
- 1) Any official or public notice or warning sign required by a valid and applicable federal, state, or local law, regulation or chapter; by a public utility company; or by order of a court of competent jurisdiction.
  - 2) Any sign located within the right-of-way or on private property that is used as a traffic control device. This includes, but is not limited to, any sign that is described and identified in the Manual on Uniform Traffic Control Devices (MUTCD) and approved by the Federal Highway Administrator as the National Standard, regulatory signs (that give notice of traffic laws or regulations), warning signs (that give notice of a situation that might not readily be apparent), and guide signs (that show route designations, directions, distances, services, points of interest, and other geographical, recreational, or cultural information).
  - 3) Signs erected by or on behalf of a governmental or quasi-governmental agency including, but not limited to, noncommercial signs identifying a government building or service, traffic control signs, street name signs, street address signs, warning signs, safety signs, informational signs, traffic or other directional signs, public notices of events, public notice of government actions, proposed changes of land use, any proposed rezoning, or any other governmental sign.
  - 4) Seasonal Agricultural Signs erected on a property where seasonal agricultural products were grown and are offered for sale. "On-Site Agricultural Products" are seasonal agricultural products which were grown on the property where they are offered for sale. Pursuant to UDO Sec. 1.4.4 *Bona Fide Farms Exempt*, on a private property where On-Site Agricultural Products are sold, Seasonal Agricultural Signs are not regulated by the Town of Apex.
  - 5) Non-commercial signs on a residential property.

### **8.7.2 Prohibited Signs**

The following signs are expressly prohibited within all zoning districts:

- A) Commercial and non-commercial signs within the public right-of-way with the exception of those permitted by NCGS 136-32 or unless specifically authorized elsewhere in this Section.
- B) Commercial off-premise signs, as defined in Sec. 8.7.9 *Definitions*.
- C) Any sign located in the required sight triangle, as defined in Sec. 8.7.9 *Definitions*.

- D) No sign may extend above a parapet or be placed upon a roof surface except that for purposes of this section, roof surfaces, such as a mansard roof, constructed at an angle of 75 degrees or more from horizontal shall be regarded as wall space.
- E) Any nonexempt sign which is not authorized by a valid permit.
- F) Obsolete signs, as defined in Sec. 8.7.9 *Definitions*.
- G) Portable signs, as defined in Sec. 8.7.9 *Definitions*, except sandwich board signs.
- H) Animated Signs or Attracting Devices as defined in Sec. 8.7.9 *Definitions*, except decorative banners on residential property displayed by the resident with non-commercial messages are allowed. Banners are permitted only in accordance with the specific authorizations provided in Sec. 8.7.1.B *Temporary Sign Types*.
- I) Reserved.
- J) Signs comprised in whole or in part of exposed lighted tubing. This requirement shall not prohibit the use of lighted tubing when it is fully contained within a sign fixture or element thereof, or if it is a two (2) square foot or smaller sign displaying the word "OPEN" with or without a logo.
- K) Pole signs as defined in Sec. 8.7.9 *Definitions*.
- L) Billboard signs as defined in Sec. 8.7.9 *Definitions*.
- M) Changeable copy sign(s) as defined in Sec. 8.7.9 *Definitions*, except for gasoline sales sign, menu boards, and marquee that comply with this Ordinance.
- N) Series signs as defined in Sec. 8.7.9 *Definitions*.
- O) Box-style signs with internally-illuminated backgrounds. Individually illuminated letters and logos are permitted.
- P) Exposed LED signs with the exception of LED signs used to display gas prices as permitted by Sec. 8.7.1.A.8.b.

### 8.7.3 Sign Area Measurement

- A) ***Sign surface area measurement***
  - 1) The surface area of a sign shall be measured by including the entire area within a single, continuous, eight-sided, straight-sided perimeter.
  - 2) Enclose 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.
  - 3) Do not include any supporting framework or bracing that is clearly incidental to the display itself.
- B) ***Signs consisting of multiple elements***

If the sign consists of multiple elements, all of the area, including that area between elements shall be included in the computation of the sign area.

- C) ***Double faced signs***
  - 1) The sign surface area of a double faced, back-to-back sign with identical words on both sides shall be regarded and calculated as one sign.
  - 2) A double-faced sign with an angle shall be regarded and calculated as two signs.

#### **8.7.4 Sign Design and Color**

- A) ***Finishes***

All signs requiring permits must be constructed of materials that present a finished appearance. Rough cut plywood is not acceptable. The sign's lettering should be professionally painted or applied.
- B) ***Architectural Consistency***

All signs shall be consistent with the architectural style, color, scale and materials of the principal building of a development.
- C) ***Uniform Color Scheme***

Sign colors shall be limited to no more than four (4) colors plus white and black. Each Pantone color shall be considered one (1) color. The colors (and materials) chosen shall blend with or complement the colors (and materials) of the principal building(s) on the lot or within the development. It is not the intent of this requirement to restrict the use of, or to in any way alter, the color composition of a federally registered trademark or other logo. However, if the color content of a federally registered trademark or business logo is not consistent with the color limitations of this sub-section, or otherwise is in conflict with the uniform color scheme, then the Planning Director, at the Director's discretion, shall:

  - 1) Restrict the use of the federally registered trademark or other logo to no more than 10% of the surface area of a wall or ground sign allowed proposed on the lot or within the development, or
  - 2) Prohibit the use of the federally registered trademark or other logo altogether from any sign or signs if the presence of the federally registered trademark in its standard federally registered colors are determined by the Planning Director to be detrimental to the aesthetic integrity of the overall development, or
  - 3) Allow the applicant to voluntarily alter the color composition of the federally registered trademark or other logo in such a manner as to be in harmony with the uniform color scheme of the development.

#### **8.7.5 Master Sign Plan Requirement**

A Master Sign Plan for multiple use development, mixed use development or integrated development shall provide the following:

- A) Consistency among signs on the premises with regard to location of each sign on the building(s), size of the signage allotted per use, business or out parcel, color scheme (including signs otherwise exempt from regulation), lettering or graphic style, materials and lighting.
- B) The allocation of signage among the various uses, businesses, or out parcels shall be determined by the owner of the lot or building, or their authorized agent, but shall in no case exceed the limitations established in this Section.

- C) The Master Sign Plan shall be approved by the Planning Director prior to the issuance of any sign permits.
- D) The Master Sign Plan may be modified by the owner or their authorized agent, so long as any nonconformities thereby created are brought into compliance with the revised Master Sign Plan and the current requirements of this Article within 90 days of its approval by the Planning Department.

#### **8.7.6 Installation Requirements**

A) ***Procedure for obtaining a sign permit***

- 1) Application for a sign permit, where required by this Section, shall be made to the Planning Department.
- 2) A sign permit shall become null and void if the sign is not erected within 12 months from the date of issuance of the permit.
- 3) A permit fee shall be charged according to the current fee schedule adopted by the Town Council.
- 4) If the sign or signs proposed in an application meet the requirements of this Section, then a sign permit shall be issued.
- 5) The applicant shall obtain all required building permits for sign construction.
- 6) If the sign or signs proposed in an application fail to meet 1 or more of the requirements of this Section, then the permit shall be returned to the applicant for revisions.
- 7) A sign located within a multiple use development, mixed use development or integrated development shall not be permitted until a Master Sign Plan has been approved.
- 8) Any modification or replacement of a sign or support or frame shall be subject to a sign permit.

B) ***Sign illumination***

Unless otherwise prohibited by this Section, signs may be illuminated if such illumination is in accordance with this Section. All electric signs and lighting for externally illuminated signs shall also be in accordance with Sec. 8.6.4.F *Building, Ground Mounted Fixtures and Accent Lighting*, the Building and National Electric Code, and shall obtain all required building permits. All wiring to ground signs or to lighting equipment erected after the effective date of this Section must be underground.

- 1) *Signs near residential premises.* No sign within 150 feet of a residential premise may be illuminated between the hours of midnight and 6 a.m., unless there is no spillover of lighting or glare to the residential area beyond the boundaries of the lot where the lighting is located.
- 2) *Shielding of lights.* External lighting directed toward a sign shall be shielded so that it illuminates only the face of the sign and does not shine directly or cause glare onto a public right-of-way or residential premises.
- 3) *Flashing or intermittent lights.* No sign shall contain or be illuminated by flashing or intermittent light or lights of changing degrees of intensity.

**Sec. 8.7.7 / Central Business District, Apex National Register Historic District, Small Town Character Overlay District, Mixed Office-Residential-Retail, and Downtown Festival District**

4) *Style of internally illuminated signs.* Internally illuminated signs shall have individually illuminated letters and logos. Such letters shall have opaque sides and the acrylic front shall be flush with the sides instead of held by a lip. Provided, however, projecting signs shall be allowed to be internally illuminated only with the use of individual face or edge-lit halo letters, logos, and design forms with a maximum of one-half-inch visible acrylic on a common cabinet.

**C) Sign maintenance**

- 1) *Maintenance of signs.* All signs and all components thereof, including but not limited to supports, braces, and anchors, shall be kept in a state of good repair.
- 2) *Removal of message portion of signs.* If the message portion of a sign is removed, leaving only the supporting "shell" of a sign or the supporting braces, anchors, or similar components, the owner of the sign or the owner of the property where the sign is located or other person having control over such sign shall, within 60 days of the removal of the message portion of the sign, either replace the entire message portion of the sign or remove the remaining components of the sign. This subsection shall not be construed to alter the effect of Sec. 10.6 *Nonconforming signs*.

**D) Landscaping**

A freestanding permanent sign shall include landscaping at the base of the sign. The landscaping shall be designed to include, but not limited to, one or more of the following: annual and/or perennial flower beds; ground cover; ornamental grass; and shrubs. Turf and other grasses are not permitted as part of the landscaping of the sign. Landscaping of the sign shall be in keeping with the adjacent area landscaping. The required landscaping shall be well maintained.

**E) Unlawful cutting of vegetation**

No person may, for the purpose of increasing or enhancing the visibility of a sign, damage, aggressively trim, destroy, or remove trees, shrubs or other vegetation located:

- 1) Within the right-of-way of any public street, unless the work is done pursuant to the express written authorization of the North Carolina Department of Transportation and/or the Town.
- 2) On off-site property that is not under the ownership or control of the person doing or responsible for such work.
- 3) In an area where such trees or shrubs are required to remain under a permit issued under the Unified Development Ordinance, a development approval, or under Town landscape requirements.

**8.7.7 Central Business District, Apex National Register Historic District, Small Town Character Overlay District, Mixed Office-Residential-Retail, and Downtown Festival District**

**A) Sign Types**

**Table 8.7.7.A**  
P = allowed with permit

|   | <b>Sign Type</b> | <b>Conditions</b> | <b>Permitted</b> | <b>Illumination</b> |
|---|------------------|-------------------|------------------|---------------------|
| 1 | Projecting       | 8.7.7.A.1         | P                | Sec. 8.7.7.B.4      |
| 2 | Sandwich Board   | 8.7.7.A.2         | P                | Sec. 8.7.7.B.4      |

**Sec. 8.7.7 / Central Business District, Apex National Register Historic District, Small Town Character Overlay District, Mixed Office-Residential-Retail, and Downtown Festival District**

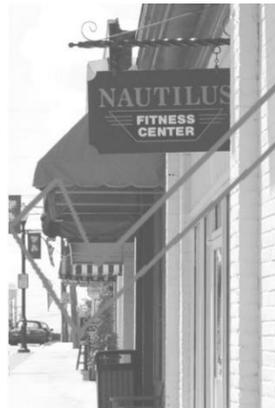
|   | <b>Sign Type</b> | <b>Conditions</b> | <b>Permitted</b> | <b>Illumination</b> |
|---|------------------|-------------------|------------------|---------------------|
| 3 | Wall             | 8.7.7.A.3         | P                | Sec. 8.7.7.B.4      |
| 4 | Bracket          | 8.7.7.A.4         | P                | Sec. 8.7.7.B.4      |
| 5 | Awning           | 8.7.7.A.5         | P                | Sec. 8.6.4.F.4      |

1) *Projecting Sign*

A sign affixed to a building or wall in such a manner that its leading edge extends more than 12 inches beyond the surface of said building or wall and meets the conditions below:

Projecting signs shall be allowed provided that:

- a) Such sign(s) shall not exceed an area equal to 2% of the façade area of the structure.
- b) The outside edge of the projecting sign shall not project more than five (5) feet beyond the façade of the structure.
- c) Projecting signs shall be placed a minimum distance of seven feet above the sidewalk or as required by the Building Code.



**Figure 8.7.7.A.1: This projecting sign is more than seven (7) feet above the sidewalk.**

2) *Sandwich Board Sign*

In addition to the standards in Sec. 8.1.7.B.7 such signs located in the Central Business District shall either be located in the designated area for outdoor storage, display, and sales/rentals for that business or on the brick utility strip in front of the business.

3) *Wall Sign*

A sign attached parallel to a wall, professionally painted on the wall surface or erected and confined within the limits of an outside wall of any building or structure, which is supported by such wall or building and meets the condition below:

Wall signs shall be allowed provided that:

- a) Such signs shall not exceed an area equal to 10% of the façade area of the structure minus the area of any projecting sign or awning sign.

**Sec. 8.7.7 / Central Business District, Apex National Register Historic District, Small Town Character Overlay District, Mixed Office-Residential-Retail, and Downtown Festival District**



**Figure 8.7.7.A.3: This wall sign is of appropriate size.**

4) *Bracket*

A sign hanging from an arm and post and meets the conditions below:

- a) Such signs shall only be allowed within the Apex National Register Historic District, Central Business District, Small Town Character Overlay District, and MORR and Planned Development districts.
- b) The bracket sign is permitted instead of a ground sign, not in addition.
- c) The sign may include the name of the business and tenants of a building.
- d) The post for such signs shall be between four and six feet in height.
- e) The sign itself does not exceed nine (9) square feet in size.
- f) The sign shall relate to the building to which it refers in architectural style, scale and materials.
- g) The sign shall not encroach within the public right-of-way nor hang over the public sidewalk.
- h) Such signs shall be subject to Sec. 8.7.4 *Sign Design and Color* and 8.7.5 *Master Sign Plan Requirement*.
- i) If the sign is to be illuminated, it shall meet the guidelines in Sec. 8.7.6.B *Sign Illumination*.



**Figure 8.7.7.A.4: This sign is not in the public right-of-way and meets the design guidelines.**

- 5) *Awning Signs*  
Awning signs shall be allowed provided that:
- a) On a single-occupant property, one (1) awning sign may be allowed provided that it shall not exceed 10% of the total awning face. The total signage area on the awning and building may not exceed 10%,
  - b) On a multi-occupant property, multiple awning signs may be allowed provided that the signs do not exceed 10% of the total awning face and if so shown on the Master Signage Plan. The total signage area on the awnings and buildings may not exceed 10%,
  - c) They be illuminated only with direct surface lighting and not with any form of backlighting, and
  - d) Shall also be subject to Sec. 8.7.4 *Sign Design and Color*, Sec. 8.7.5 *Master Sign Plan Requirement*, and Sec. 8.6.4.F *Building, Ground Mounted Fixtures and Accent Lighting*.

**B) General Regulations**

- 1) *Multiple occupancy of an area in single ownership or in a single structure.* Should an area in single ownership or in a single structure be occupied by more than one (1) establishment or firm, the allocation of permitted signs and display surface area among the several occupants shall be determined by the owner. The sign plan submitted for an area in single ownership shall show all such signs of uniform design, in harmony and consistent with each other. The total area for all such signs under the required plan shall be in conformance with this subsection.
- 2) *Sign location.* No sign shall be placed on a structure such that significant architectural features or details are disfigured, concealed or painted over. For purposes of this section, and by way of illustration, a significant architectural feature shall include, but not be limited to, windows, doors, cornices, and decorative wood, brick or stone work.
- 3) *Method of attachment.* The method of sign attachment shall respect the architectural integrity of the structure and relate to or become an extension of the design. The method of attachment of signs to existing structures shall be chosen to minimize damage to the structure.
- 4) *Lighting.* The use of front lighting shall respect the integrity of design of structures. With the exception of Interactive Digital Displays, the use of back-lighting, internally illuminated wall, internally illuminated bracket, or internally illuminated projecting signs shall be prohibited.

**8.7.8 Nonconforming Signs**

Provisions governing nonconforming signs are set forth in Article 10.

**8.7.9 Definitions**

**Animated Sign or Attracting Device**

Any sign that uses movement or change of lighting to depict action or create a special effect, scene, or attract attention, including beacons, pennants, hand-held signs, feather signs, streamers, balloons or other inflatables used as signs, spot lights and search lights, high-intensity illuminated signs, electronic or mechanical indications of time and temperature, or other moving or flashing signs.

**Awning**

A material such as fabric, metal, flexible plastic, or vinyl that is supported by or attached to a frame and that extends from the exterior wall of a building without ground-mounted support.

**Bracket Sign**

A ground sign with one post and extending arm from which the sign hangs.

**Banner**

A temporary sign constructed of lightweight fabric or similar material such as, but not limited to vinyl, fabric, or paper.

**Billboard**

An off-premise outdoor advertising sign owned by a person, corporation, or other entity that engages in the business of selling the advertising or communicative space on that sign.

**Building Façade**

The entire area of a building facing or side extending from the roof or parapet to the ground and from one corner of the building to another but does not include any structural or nonstructural elements which extend beyond the roof of a building.

**Canopy**

A structure constructed of rigid materials, including but not limited to metal, wood, concrete, canvas, or glass, which is attached to and supported by a building, or which is free-standing and supported by column, poles, or braces extended to the ground.

**Changeable Copy**

A sign or portion of a sign with characters, letters or illustrations that can be changed or rearranged without altering the face or the surface of the sign.

**Commercial Message**

Any sign, wording, logo, or other representation that names or advertises a business, product, service or other commercial activity.

**Copy (permanent or temporary)**

The wording or pictorial graphics on a sign surface either in permanent or removable form.

**Development**

Single-use lots, multiple-use lots, shopping centers with or without outparcels connected thereto as shown on an approved Master Subdivision Plan, or any other group of non-residential projects planned as a total entity.

**Exterior Lighting**

Lighting, such as that used in and around buildings, recreation areas, parking lots, and signs designed to illuminate certain areas for visibility.

**Feather Sign**

A sign extending in a sleeve-like fashion down a telescoping or fixed pole that is mounted in the ground or on a building or stand. A feather sign is usually shaped like a sail or feather, and attached to the pole support on one (1) vertical side.

**Full-service Vehicular Entrance**

The principal vehicular full access point from which to enter and exit.

**Gasoline Sales Sign**

A service station sign advertising fuel prices in accordance with North Carolina General Statutes.

**Illegal Sign**

A sign erected, altered, replaced, or maintained in violation of this UDO.

**Illuminated Sign**

A sign with an artificial light source incorporated internally or externally for the purpose of lighting the sign.

**Internal Illumination**

A light source concealed or contained within the sign itself, such as fluorescent, neon tubing, or LED, which lights the sign but where the light source is not visible.

**Logo**

A graphic sign which represents a particular trademark or business symbol for identification.

**Master Sign Plan**

Sign criteria established per UDO Sec. 8.7.5 for design consistency among all signs within an integrated development, multiple use development, or mixed-use development.

**Mechanical Movement**

Animation, revolution, rotation, or other movement of any or all parts of a sign.

**Obsolete Sign**

A sign relating to or identifying a business or activity that has not been conducted on the premises for six (6) months or to a transpired election or event, or to a political party or non-profit organization that no longer exists. This also includes the structure for a sign that is not allowed under this Ordinance if such structure cannot be used for a legal use or does not comply with the height, size, or other physical requirements of the Ordinance.

**Off-premise Sign**

A sign that directs attention to a business commodity, service, or establishment conducted, sold, or offered at a location other than the premises where the sign is erected or affixed.

**On-premise Sign**

A sign that directs attention to a business commodity, service, or establishment conducted, sold, or offered on the premises on which the sign is erected or affixed.

**Pennant**

A lightweight plastic, fabric, or other material, whether or not containing a message of any kind, suspended from a rope, wire, string, or pole, usually in series, designed to move in the wind.

**Permanent Sign**

A sign constructed of durable materials and intended to exist for the duration of time that the use or occupant is located on the premises and that is permanently affixed or attached to the ground or a structure or which cannot be removed without special handling.

**Pole Sign**

A sign that is not attached to a building, but is supported by a pole(s) or mast which has as its principal function the support of the sign.

**Portable Sign**

A sign that is not permanently affixed to a building, structure, or the ground or other permanent structure including but not limited to; sandwich board signs/A-frame, T-frame signs, products, costumed characters, hand-held signs, umbrellas that are not associated with a restaurant seating area, hot air or gas-filled balloons, or a sign designed to be

transported, including, but not limited to the following: signs designed to be transported by means of wheels, signs attached to or painted on vehicles or trailers parked and visible from any public right-of-way.

**Projecting Sign**

A sign affixed to a building or wall in such a manner that its leading edge extends more than 12 inches beyond the surface of said building or wall.

**Roof Sign**

A sign attached to and extending above a roof of a building or other structure.

**Sight Triangle**

A triangular-shaped portion of land established at street intersections and driveways in which nothing is erected, placed, planted, or allowed to grow in such a manner as to limit or obstruct the sight distance of motorists entering or leaving the intersection, as set forth in the *Town of Apex Standard Specifications and Standard Details*.

**Sign**

An identification, description, animation, illustration, or attention getting device, illuminated or non-illuminated, which is visible from a public right-of-way and which directs attention to a realty, product, service, place, activity, person, institution, performance, commodity, firm, business or solicitation, including permanently installed or situated merchandise or an emblem, logo, painting, banner, poster, bulletin board, pennant, placard, or temporary sign designed to identify or convey information, with the exception of governmental and non-governmental flags.

**Sign Face**

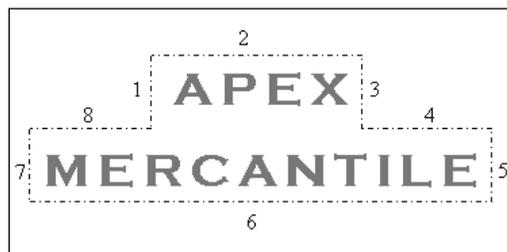
The entire surface area of a sign upon, against, or through which copy is placed.

**Sign Height**

The vertical distance measured from the sign's average grade level, provided that no filling, berming, or mounding solely for the purpose of locating the sign at a higher level is done.

**Sign Surface Area**

The entire area of a sign shall be the smallest rectangle entire area within a single, continuous eight-sided, straight-sided perimeter that encloses the entire sign inclusive of any border or trim and all the elements of the matter displayed, but excluding the base or apron, supports, and other structural members. In the case of three-dimensional or painted letters located directly on a wall surface, the surface area shall be defined as the area encompassing the individual letters themselves including any trim and excluding the background that supports the three-dimensional or painted letters.



**Temporary Sign**

A sign that is used in connection with a circumstances, situation or event that is designed, intended, or expected to take place or to be completed within a definite period of time after the erection of such sign. If a sign display area is permanent but the message displayed is subject to periodic changes, that sign shall not be regarded as temporary. For the purposes of this Section, a sign which is intended for use of one (1) year or less shall be deemed a temporary sign.