























**Sec. 8.7.1 / Permitted Signs: Location, Size, and Number**

- 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**

<b>Street Frontage</b>	<b>Maximum Size (sq. ft.)</b>	<b>Maximum Height (feet)</b>	<b>Minimum Setback from right-of-way (feet)*</b>
< 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*.

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- 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.

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- (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:

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- 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.

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- 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 ten (10) percent 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*.















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given property regardless of the number of agricultural products being sold on that property.

- (v) *Physical Characteristics.* Each Off-Premises Seasonal Agricultural Sign shall not exceed five (5) square feet in area and four (4) feet in height. Off-Premises Seasonal Agricultural Signs may only be ground signs.
- (vi) *Limitation on Off-Site Agricultural Products.* Off-Site Agricultural Products shall not be a majority of the agricultural products offered for sale on a property during any time that an Off-Premises Seasonal Agricultural Sign is being displayed related to the property.
- (vii) *Contiguous Properties.* Contiguous properties owned by the same person, family, establishment, or entity shall be treated as one property for the purposes of the Section.
- (viii) *Limitations Are Comprehensive.* The limitations on Off-Premises Seasonal Agricultural Signs stated in Subsections i-vii of this Section shall apply regardless of the number of persons, family members, establishments, or entities that sell the products on a property and regardless of the number of booths, stands, tables, tents, or the like that are located on a property.
- (ix) See Section 4.6 *Temporary Uses and Structures* and Section 8.7.6(B) *Sign Illumination*.

b) Other Seasonal Outdoor Sales Signs  
Outdoor temporary sales signs advertising a product of a particular season shall be permitted provided that:

- (i) Such signs shall advertise the sale of seasonal products such as, but not limited to, Christmas trees, pumpkins, and fireworks.
- (ii) Such signs shall be limited to thirty-two (32) square feet and four (4) feet in height.
- (iii) Such signs shall be permitted for no more than thirty (30) days.
- (iv) See Section 4.6, *Temporary Uses and Structures* and Section 8.7.6(B) *Sign Illumination*.
- (v) Signs authorized by this Subsection 8.7.1(A)(29)(b) may be displayed only on the premises where the seasonal products are being sold.



**Figure 8.7.1(A)(29): This seasonal sign is located in the right-of-way.**

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30) *Window*

Any sign, picture, symbol, or combination thereof 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.
- c) An Interactive Digital Display is a digital window sign that is placed on the inside of a window or door and has a display area that changes at a predetermined frequency and upon a person interacting directly with the sign. This type of window sign shall meet the conditions listed above in addition to the following:
  - (i) Such sign shall only be placed on a window that is angled at least 45 degrees from the street.
  - (ii) The display area shall not exceed three (3) square feet.
  - (iii) The display area of the sign shall remain static for at least five (5) minutes unless a person is actively using the interactive features of the display area.
  - (iv) Such sign shall be equipped with automatic dimming technology that adjusts the sign's brightness in direct correlation with natural ambient light conditions.
  - (v) The brightness shall not exceed 6 footcandles from dusk to dawn when measured one (1) foot from the center of the display area.

31) *Yard Sale*

A sign advertising the sale of household articles in a residential yard or garage and meets the conditions below:

Yard sale signs shall be allowed provided that:

- a) Such signs shall be no larger than five (5) square-feet and four (4) feet in height.
- b) Such signs shall be displayed no longer than 36 hours before the event and shall be removed at the conclusion of the event.
- c) Such signs shall be allowed one (1) on-site and two (2) off-site on private property only with permission of property owners.



**Figure 8.7.1(A)(31): This sign is located in the public right-of-way.**

- B) **Home Occupation Signs**  
Signs advertising home occupations shall be permitted where a home occupation has been approved per UDO Section 4.5.5 *Home Occupation*. Home Occupation signs shall be permitted as follows:
- 1) A Home Occupation sign permit is required and must be obtained from the Planning Department;
  - 2) In addition to meeting the requirements of Section 8.7.4 *Sign Design and Color*, plastic and/or acrylic sign faces are prohibited;
  - 3) A placard is permitted on the home where a Home Occupation has been approved, provided:
    - a) The sign shall be no larger than 12 inches by 12 inches;
    - b) The placard shall be placed no higher than 6' at the front door; and
    - c) The sign shall not be internally lit; external lighting shall be limited to traditional residential lighting fixtures.
  - 4) Where a home occupation exists on a lot with a minimum of 300 feet of linear road frontage, one sign may be placed in the front yard, provided:
    - a) The sign shall be no larger than 18 inches by 24 inches;
    - b) The maximum height of the sign shall be 4 feet;
    - c) The sign shall not be internally lit;
    - d) The sign must be permanent and affixed to a permanent pole(s); and
    - e) The sign shall not be located in the right-of-way and must be located so that it does not obscure vision at driveway sight triangles.

### 8.7.2 Prohibited Signs

The following signs are expressly prohibited within all zoning districts:

- A) Signs within the public right-of-way. The only type of signs permitted in the public right-of-way are governmental or city-sponsored civic signs, or unless specifically authorized elsewhere in this section.
- B) Unless specifically authorized elsewhere in this ordinance, no off-premise signs, as defined in Sec. 8.7.9 *Definitions*, are permitted.
- 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) Abandoned signs, as defined in Section 8.7.9 *Definitions*.



- G) Portable signs, as defined in Sec. 8.7.9 *Definitions*, except signs authorized by Sec. 8.7.7 *Central Business District*.
- 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.A.19-31 *Temporary Signs*. This shall not include Interactive Digital Displays permitted under Sec. 8.7.1.A.30.c.
- I) Illuminated tubing or strings of lights on trees and landscaping or outlining property lines or open sales areas, rooflines, or wall edges of a building. This requirement shall not apply to reasonable and customary holiday decorations as authorized by Sec. 8.7.1.A.25 *Holiday*.
- J) Signs comprised in whole or in part of exposed neon tubing. This requirement shall not prohibit the use of neon 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) Tourist Oriented Directional Signs (TODS). North Carolina General Statutes Chapter 136 Article 11B.
- M) Billboard signs as defined in Sec. 8.7.9 *Definitions*.
- N) 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. This shall not include Interactive Digital Displays permitted under Sec. 8.7.1.A.30.c.
- O) Series signs as defined in Section 8.7.9 *Definitions*.
- P) Box-style signs with internally-illuminated backgrounds. Individually illuminated letters are acceptable.
- Q) 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) ***Items of Information***  
In order to increase readability and to decrease confusion, the number of items of information per sign shall be kept to a minimum. 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; a "yard sales" or "graffiti" look with hand painted or paint stenciled letters is not acceptable.
- 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 into 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. This shall not include Interactive Digital Displays permitted under Sec. 8.7.1.A.30.c.

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) *Abandonment of signs.* If a sign advertises any enterprise or activity, including but not limited to a business, service, commodity, accommodation, or attraction that is no longer operating or being offered or conducted, that sign shall be considered abandoned and shall, within 90 days of the enterprise or activity ceasing, be removed by the sign owner, owner of the property where the sign is located or other party having control over the sign.
- 3) *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.

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

A) **Sign Types**

**Table 8.7.7(A)**

P = allowed with permit

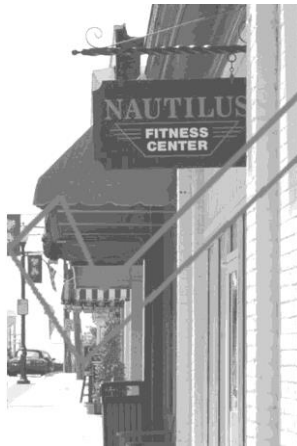
	<b>Sign Type</b>	<b>Conditions</b>	<b>Permitted</b>	<b>Illumination</b>
1	Projecting	8.7.7.A.1	P	Sec. 8.7.7.B.4
2	Sandwich Board	8.7.7.A.2	P	Sec. 8.7.7.B.4
3	Wall	8.7.7.A.3	P	Sec. 8.7.7.B.4
4	Bracket	8.7.7.A.4	P	Sec. 8.7.7.B.4
5	Awning	8.7.7.A.5	P	Sec. 8.6.4.F.4

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.



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

2) **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.

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

- b) Any sandwich board sign shall not exceed two (2) linear feet in width, with a maximum height of 42 inches. Within these specified maximum dimensions, creative shapes that reflect the theme of the business are encouraged (i.e. ice cream shops may display a sign in the shape of an ice cream cone).
- c) The sign must be constructed of materials that present a finished appearance. Rough cut plywood is not acceptable. The signs lettering should be professionally painted or applied; a “yard sales” or “graffiti” look with hand painted or paint stenciled letters is not acceptable, however, chalkboard signs shall be permitted. The written message of the sign should be kept to the minimum necessary to communicate the name of the business or a special message of the business.
- d) The sign shall be located within four (4) feet of the main building entrance to the business and its location shall not interfere with pedestrian or vehicular circulation;
- 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.
- g) Sandwich boards 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.



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

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

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**

**Abandoned Sign**

Any sign that advertises any enterprise or activity, including but not limited to a business, service, commodity, accommodation, or attraction that is no longer operating or being offered or conducted and has been vacated for a period of more than 90 days of the enterprise or activity ceasing.

**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, 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. This shall not include Interactive Digital Displays permitted under Sec. 8.7.1.A.30.c.

**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. This shall not include Interactive Digital Displays permitted under Sec. 8.7.1.A.30.c.

**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.

**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 or neon tubing, 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.

**Major Entrance**

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

**Master Sign Plan**

Sign criteria established per UDO Section 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.

**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.

**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, but shall not include emblems of religious orders or institutions.

**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.

**Series Signs**

A message, copy, or announcement, which uses a series of two (2) or more signs placed in a line generally parallel to a street, highway, or expressway carrying a single message, copy, or announcement, a part of which is contained on each sign.

**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 state, municipal, national, and religious flags.

**Sign Face**

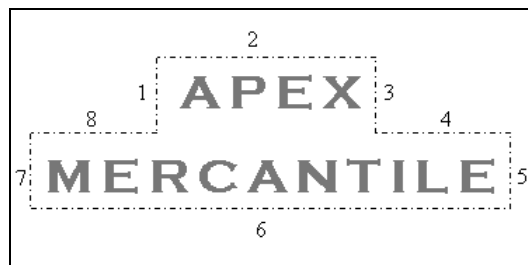
The entire surface area of a sign upon, against, or through which copy is placed.

**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.