

CHAPTER 7: SIGNS

(UPDATED 4/4/11)

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Section 7.1 Purpose

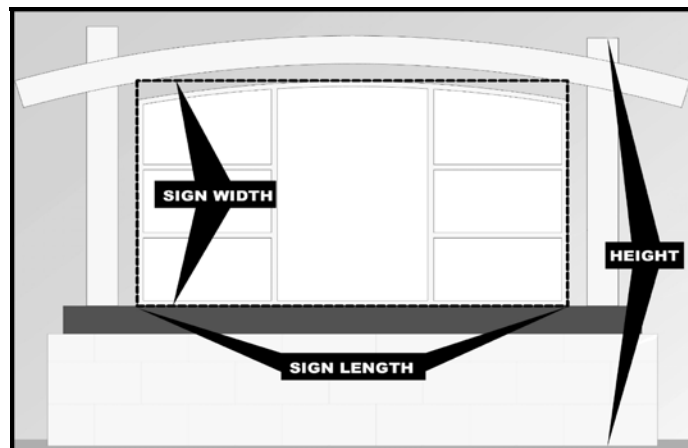
The purpose of this chapter is to support and complement the various land uses allowed in Currituck County by the adoption of policies and regulations concerning the placement of signs in order to:

- A. Promote the general health, safety, and welfare of the community;
- B. Protect the public investment in roadways, as well as individual property values;
- C. Minimize visual distractions to motorists by promoting the reasonable, orderly, and effective display of signs;
- D. Preserve the environment from excessive and obtrusive signs in support of the Currituck resort and tourism industry; and,
- E. Enhance the image, appearance, and economic vitality of the community.

Section 7.2 General Provisions

The following general provisions shall apply to all signs:

- A. No sign may be constructed, erected, moved, enlarged, illuminated, or substantially altered except in accordance with the provisions of this ordinance.
- B. Measurements
 - 1. Sign area shall be determined by drawing the smallest rectangular or square geometric form to encompass the extreme limits of the writing, representation, emblem, color, 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. Sign area shall not include any supporting framework, bracing, or decorative fence or wall when such fence or wall otherwise meets the UDO regulations and is clearly incidental to the display itself.



2. A two-sided or multi-sided sign shall be regarded as one sign (calculate square feet of one face only) so long as:
 - A. With respect to V-type signs, the angle between the faces does not exceed 45 degrees; and,
 - B. With respect to double faced (back to back) signs, the signs are structurally attached and the distance between the backs of each face of the sign does not exceed three feet.
3. Sign height shall be measured from natural grade or from the nearest adjacent street grade to which the sign is oriented; whichever is higher, to the top of the highest component of the sign.

C. Illumination

1. Illuminated signs shall be designed, installed, and maintained in a manner that avoids glare or reflection on adjoining properties and does not interfere with traffic safety.
2. A sign shall not be erected that contains, employs, or utilizes lights or lighting which rotates, flashes, moves, or alternates.
3. Outer Banks Overlay Commercial Districts Additional Requirements
 - a. All signs, if illuminated, shall be illuminated externally, with the exception of neon signs.
 - b. Sign lighting shall not exceed 15 foot candles at any location on the property and shall not exceed 1.5 foot-candles measured at ground level.

D. Clearing of Vegetation

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

1. Within the right-of-way of any public street or road, unless the work is done pursuant to the express written authorization of the North Carolina Department of Transportation;
2. On property that is not under the ownership or control of the person doing or responsible for such work, unless the work is done pursuant to the express authorization of the person owning the property where such trees or shrubs are located; and /or,
3. In any area where such trees or shrubs are required to remain under a permit issued under this ordinance.

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E. Design, Construction, Maintenance

1. All signs shall be adequately secured to meet all applicable building code standards and shall be maintained in good structural condition.
2. Peeling or flaking paint, broken panels, missing letters, defective illumination, torn fabric, and other damage to a sign or sign structure shall be replaced or repaired.
3. A sign that includes a reference to a closed establishment shall remove the reference to the closed establishment within 30 days. The sign shall be altered in such a way as to not detract from the overall appearance of the sign. Exposed lighting, such as occurs with the removal of a transparent panel, is not acceptable under any circumstance.
4. Flags shall be attached to a singular pole or building and shall have no other means of support (i.e. be free-flying). Flags that are shredded, torn, tattered, or frayed must be replaced or removed upon written notification from the administrator.

F. Professional Appearance

All signs shall present a professional appearance by being designed and constructed using material, lettering, and graphic standards commonly used in the sign industry. Hand crafted and lettered signs are not prohibited in their entirety, but are subject to removal if in the opinion of the administrator the sign does not meet the spirit of this ordinance.

G. Indemnification

All persons involved in the maintenance, installation, alteration, or relocation of any sign shall agree to hold harmless and indemnify the County of Currituck, its officers, agents, and employees against any and all claims of negligence resulting from such work.

H. Removal by Administrator

Signs unlawfully placed in any street right-of-way or on any public property, including signs affixed to street and traffic signs or public utility poles, may be removed by the administrator without notice. Each sign so removed will be held for 10 days and retrieval of each sign will incur a fee as prescribed in the adopted fee schedule. Removal and disposal of illegally placed signs shall not preclude the prosecution of any person for illegally placing the signs.

Section 7.3 Exempt Signs

The following signs are exempt from the requirements of this chapter:

- A. Signs and legal notices erected by or on behalf of, or pursuant to, the authorization of a governmental body, including but not limited to, traffic, directional, or regulatory signs.

- B. Informational signs that identify public property, convey public information, or display other identification not having a commercial message.
- C. Signs designed to direct and guide vehicular and pedestrian traffic on private property, but bearing no advertising matter.
- D. Religious or civic symbols for noncommercial purposes, including lights and decorations temporarily displayed on holidays.
- E. Official signs of a non-commercial nature erected by public utilities.
- F. Residential flags or flags, pennants, and insignia of any governmental or non-profit organization when not displayed in connection with a commercial promotion or as an advertising device.
- G. Trademarks or product names which are displayed as part of vending machines, dispensing machines, automatic teller machines, and gasoline pumps.
- H. Vendor signs located at convenience stores. Such signs shall not be attached to public utility poles or traffic signs.
- I. Integral decorative or architectural features of buildings, except letters, trademarks, moving parts, or moving lights.

Section 7.4 Prohibited Signs

The following signs are expressly prohibited:

- A. Off-premise advertising signs (billboards), including digital billboards.
- B. Signs located within the sight distance triangle or public right-of-way.
- C. Signs attached to the structure of a lawfully permitted sign without a permit except as otherwise provided by this ordinance.
- D. Signs attached to any traffic sign, utility pole, or tree except as otherwise provided by this ordinance.
- E. A sign that by its location, color, illumination, size, shape, nature, or message would tend to obstruct the view of or be confused with official traffic signs or other signs erected by governmental agencies.
- F. Signs that emit a sound, odor, or visible matter such as smoke or vapor.
- G. Signs that exhibit statements, suggestive words, or pictures of an obscene or pornographic nature.

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- H. Banners, inflatable signs or balloons, flags (except those exempted by this ordinance), pennants, streamers, propellers, whirligigs, umbrellas with logos or commercial messages, and animated display boards.
- I. Signs or portions of signs designed to move by any means or give the appearance of movement in any manner except for suspended signs intended for pedestrians and flags as described in this ordinance.
- J. Roof signs.
- K. Vehicle signs on vehicles or trailers that are not currently licensed and registered by the Department of Motor Vehicles.
- L. Outer Banks Overlay District Additional Requirements
 - 1. Signs located on any land subject to periodic inundation by tidal saltwater.
 - 2. Signs with reflective lettering except those exempted by this ordinance.
 - 3. Any sign abandoned for more than six months and dilapidated signs where the cost to renovate or repair the sign is 50 percent or more of the sign replacement cost.
 - 4. Internally illuminated signs or signs which contain a visible light source except as otherwise provided by this ordinance.
 - 5. Portable signs (mobile marquees).
 - 6. Electronically controlled message signs.

Section 7.5 Signs Allowed Without a Zoning Permit

The signs listed in Tables 7.5.1 and 7.5.2 are allowed without issuance of a zoning permit provided the requirements of this chapter are met.

- A. Signs allowed by this section shall have a minimum setback of 10 feet from side property lines.
- B. Signs allowed by this section shall not be illuminated except as otherwise provided.

**Table 7.5.1 Signs Allowed WITHOUT a Zoning Permit
Excluding Outer Banks Overlay District**

Sign Type	Max. Number	Max. Area (sq. ft.)	Max Height (ft.)
Community Identification ¹	2 per entrance	60	15
Contractor ²	1 per lot	32	10
Directional	1 per street or intersection	8	8
Flags, Commercial ³	5 per lot	20 per flag	20
Flags, Subdivision	4 per main entrance	20 per flag	20
Home Occupation	1	6	6
Special Event ⁴	10	32	10
Political ⁵	N/A	32	10
Real Estate, Commercial	1 per lot	32	10
Real Estate, Residential Lot	1 per lot	8	4
Real Estate, Subdivision	500' apart	75	10
Roadside Market ⁶	N/A	32	N/A
Window (including neon signs)	N/A	25% of glass pane	N/A

1. May be externally illuminated and located within a private right-of-way, but not within the sight distance triangle.
2. Shall be removed upon issuance of the Certificate of Occupancy or completion of work.
3. One additional flag shall be allowed per business entrance and shall be anchored to wall, porch post, or railing of subject business.
4. Shall not be erected earlier than 30 days before the event and must be removed no later than 10 days after the event and must be in conjunction with an approved special event.
5. Shall be removed within 10 days following each separate election date.
6. May not be erected more than 30 days before the seasonal opening of such enterprise and shall be removed no later than 30 days after the enterprise closes for the season.

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**Table 7.5.2 Signs Allowed WITHOUT a Zoning Permit
Outer Banks Overlay District**

Sign Type	Max. Number	Max. Area (sq. ft.)	Max Height (ft.)
Community Identification ¹	1 per entrance	48	6
Contractor ²	1 per lot	8	4
Cottage Name	1 per lot/unit	12	N/A
Cottage For Rent	1 per lot/unit	2	N/A
Directional	1 per street or intersection	8	8
Flags, Commercial ³	1 per business entrance	15	Eave of roof
Flags, Subdivision ⁴	4 per major entrance	24 per flag	10
Home Occupation	1	6	6
Local Event ⁵	6	6	4
Special Event ⁶	3	32	6
Political ⁷	N/A	32	10
Real Estate, Commercial or Subdivision	1	32	6
Real Estate, Residential Lot ⁸	1 per lot	8	4
Roadside Market ⁹	N/A	32	N/A
Tent/Sandwich ¹⁰	1 per business unit	8	4
Window (including neon signs)	N/A	25% of glass pane	N/A

1. May be externally illuminated and located within a private right-of-way, but not within the sight distance triangle.
2. Shall be removed upon issuance of the Certificate of Occupancy or completion of work.
3. Shall be anchored to wall, porch post, or railing of subject business.
4. One additional flag and a 30 square foot banner shall be allowed at the model home location.
5. Up to a maximum of 4 off-premise and 2 on-premise. May be erected up to 72 hours before event and shall be removed within 48 hours after event. Signs shall display no commercial messages or logos.
6. Shall not be erected earlier than 7 days before the event and must be removed no later than 48 hours after the event and must be in conjunction with an approved special event.
7. Shall be removed within 10 days following each separate election date.
8. Open house directional signage shall be allowed at internal subdivision intersections.
9. May not be erected more than 30 days before the seasonal opening of such enterprise and shall be removed no later than 30 days after the enterprise closes for the season.
10. The sign may be displayed only from October 1st thru May 15th. Sign height shall be determined by measuring from natural grade.

Section 7.6 On-Premise Signs Allowed With a Zoning Permit

The signs listed in Tables 7.6.1 and 7.6.2 are allowed on lots containing at least one approved non-residential use upon issuance of a zoning permit provided the requirements of this chapter are met.

- A. All signs allowed by this section shall have a minimum setback of 10 feet from side property lines. Signs exceeding 10 feet in height shall have a minimum 10 foot setback from a public or private right-of-way.

- B. No more than 50 percent of the area of a sign can be a message board, reader board, or electronically controlled message sign. The message must remain stationary for a minimum of five seconds, except for time and temperature. Electronically controlled message signs are prohibited in the Outer Banks Overlay District.

**Table 7.6.1 On-Premise Signs Allowed WITH a Zoning Permit
Excluding Outer Banks Overlay District**

Sign Type	Max. Number	Max. Area (sq. ft.)	Max Height (ft.)
Freestanding, Individual Lot	1 per street frontage. ^{1,2}	128 ³	20
Shopping Center, Freestanding	1 per street frontage. ¹	# of Businesses	25
		4-10 = 200	
		>10 = 300	
Shopping Center, Outparcel	1 per lot	64	10
Wall	N/A	20 percent of wall surface to which sign is attached, not to exceed 400 square feet.	N/A

1. One additional sign shall be permitted for frontages that exceed 500 feet, not including outparcel frontage. The signs shall be spaced a minimum of 250 feet apart or at approved access points.
2. A total of two temporary signs are permitted per property. The total maximum size of one sign or two signs combined cannot exceed 40 square feet. If the property contains more than one street front, one additional temporary sign is permitted not to exceed 40 square feet.
3. For frontages that exceed 160 feet an additional 32 square feet of signage shall be permitted.

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**Table 7.6.2 On-Premise Signs Allowed WITH a Zoning Permit
Outer Banks Overlay District**

Sign Type ¹	Max. Number	Max. Area (sq. ft.)	Max Height (ft.)
Freestanding, Individual Lot	1 per street frontage ²	48	8
Shopping Center, Freestanding	1 per street frontage ²	80 ³	12
Shopping Center, Outparcel	1 per lot	32	6
Wall	N/A	32 ⁴	Eave of Roof

1. Monopole signs are prohibited.
2. One additional sign shall be permitted for frontages that exceed 500 feet, not including out parcel frontage. The signs shall be spaced a minimum of 250 feet apart or at approved access points.
3. Freestanding signage for a secondary road frontage shall not exceed 24 square feet in area and 8 feet in height.
4. The maximum square footage is an allowance per wall of a business or business unit. Businesses with 5,000 square feet or greater of gross floor area may have wall signage up to 54 square feet in area per wall.

E. Landscaping Requirements

This section shall apply to all shopping center and freestanding signs:

1. Landscaping shall be required that encompasses the entire base of the sign at a minimum rate of two square feet of landscape area per one square foot of sign area.
2. Required landscaping shall contain an appropriate combination of shrubs and ground cover. Ground cover must consist of vegetation and/or mulch.