

**AGENDA**  
**City of Brevard**  
**Brevard Planning Board**  
**Regular Meeting**  
**Tuesday, April 21, 2015 at 7:00 PM**  
**Council Chambers, City Hall**  
**95 W. Main Street, Brevard NC 28712**

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- I. Welcome and Introduction of Planning Board Members
  - II. Approval of Minutes: None
  - III. New Business:
    - 1. Application #15-129, Jay Egolf, Proposed Text Amendment to Unified Development Ordinance Chapter 12.11.A.1
    - 2. Group Development Sign Standards
  - IV. Old Business: None
  - V. Other Business
  - VI. Adjourn

Agenda posted and emailed to T. Times, April 16, 2015, jhp



The City of  
**Brevard**  
North Carolina

**PLANNING BOARD STAFF REPORT**

**APRIL 20, 2015**

**Title:** Group Developments - Ground Sign Location  
**Speaker:** Daniel P. Cobb, AICP, CFM, CZO, Assistant Planning Director  
**From:** Daniel P. Cobb, AICP, CFM, CZO, Assistant Planning Director  
**Prepared by:** Daniel P. Cobb, AICP, CFM, CZO, Assistant Planning Director  
**Approved by:** Joshua S. Freeman, AICP, CFM, Planning Director 

**Executive Summary:** Planning Board will consider and offer recommendations regarding proposed amendments to Brevard City Code, Unified Development Ordinance, Chapter 12, Signs.

**Background:** Jay Egolf of Egolf Motors would like to place an additional ground sign at the northernmost entrance of his property located at 1235 Asheville Highway. Egolf Motors is considered a *group development* (defined below), and as such, additional signage is allowed. However, additional ground signs at entrances to group developments are only permissible if they are separated from other ground signs by at least 500'. In this case the proposed location is less than 500', Mr. Egolf proposes to reduce this distance to 300'.

While small directional signs indicating entrances, exists, and parking lot directions are allowed without the issuance of a permit, they may only be up to two square feet per side. Mr. Egolf would like a larger sign (32 square feet) as indicated by his application for a ground sign.

This specific request is to modify UDO chapter 12, section 12.11.A.1.

**Discussion:** UDO Chapter 19 provides the following definition of a group development:

*Group development:*

*[1.] Groupings of two or more principal structures or principal uses built on a single lot, tract or parcel of land (or grouping thereof) not subdivided into the customary streets and lots and designed for occupancy by separate families, businesses or other enterprises normally permitted within the underlying district (Examples may include, but are not limited to, summer camps, school campuses and hospitals, shopping centers, industrial parks, and apartment complexes, or any other combination of primary structures).*

*[2.] Individual structures designed to accommodate a variety of distinct uses may be considered as a group development at the discretion of the administrator.*

Attachment 01 shows all identified group developments within the City of Brevard. It is important to note that this amendment is specific to regulations regarding PDD's, group developments, and institutional campuses with expansive highway frontages. Traditional commercial properties with one entrance will not benefit from this particular amendment, as it is specific to ground signs along the same street frontage.

In addition to the requirements mentioned above, Planning Board should remember the City's access management standards as detailed in Chapter 9 of the UDO. Wherein the allowable number of driveways per development (potential locations for additional signs) is tightly controlled. For example, only developments with an excess of 500' of highway frontage are allowed two driveways, which would allow a maximum of two signs under the proposed amendment.

**Staff / Board Recommendation:** Staff does not offer a recommendation on this matter.

The Planning Board's responsibility is to formulate a recommendation to Brevard City Council. The Board's options are as follows:

1. Recommend approval of the proposed text amendments as presented.
2. Recommend approval of the proposed text amendments, with recommended modifications.
3. Recommend denial of the proposed text amendments as presented.

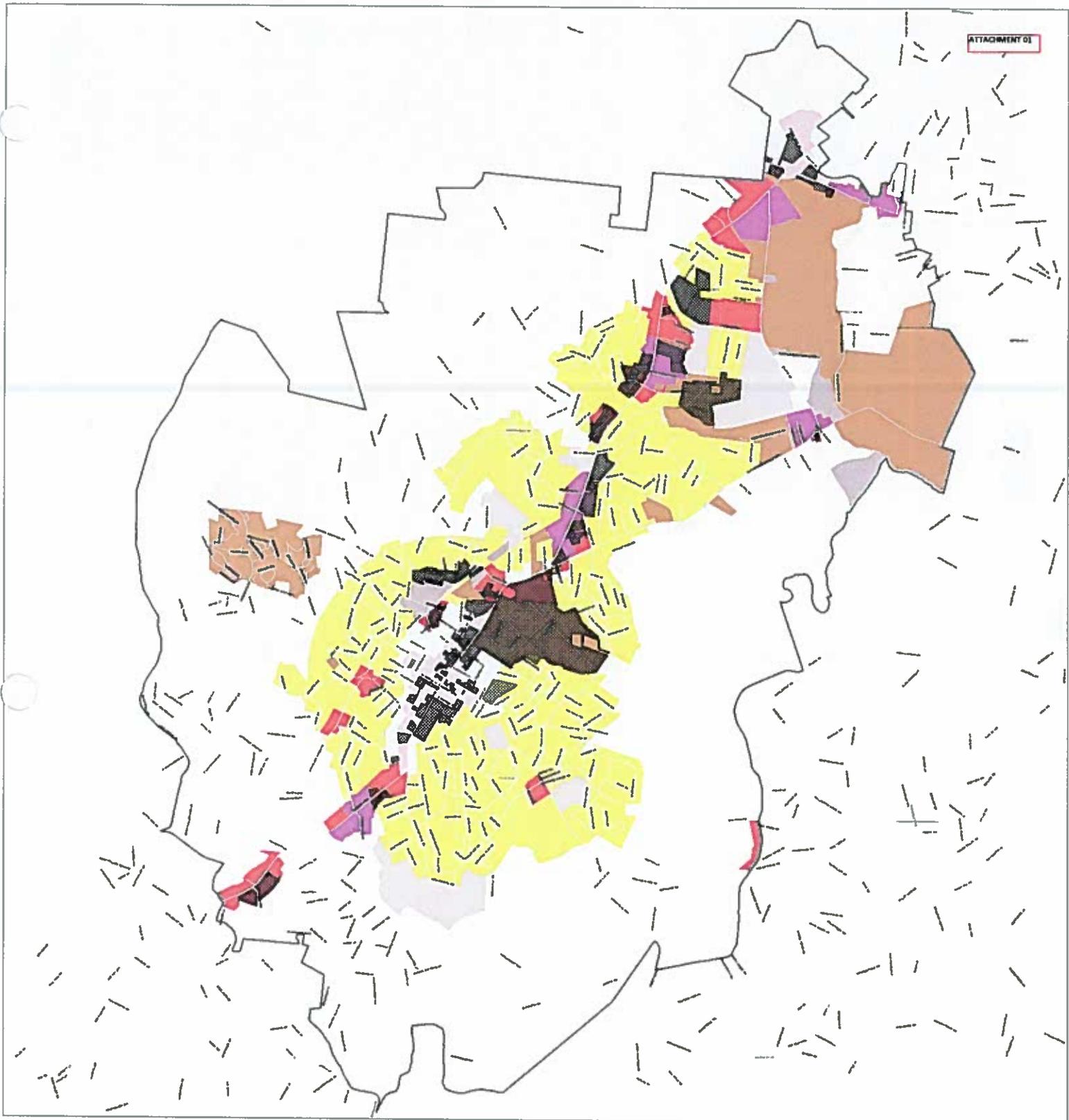
In its review, the Planning Board may request additional information from Staff, and may take up to 45 days to formulate a recommendation to City Council, meaning that the Board must forward a recommendation on or before Friday, June 5, 2015.

**Fiscal Impact:** None.

**Policy Impact:** No specific policy exists to inform the proposed text amendment. Policy issues pertain to community character, aesthetics, and the advertisement needs of businesses and institutions within the City of Brevard; the Planning Board should carefully consider these factors in formulating its recommendation to City Council.

**Attachments:**

Attachment 01: Non-Residential and Mixed Use Group Developments within the Regulatory Jurisdiction of the City of Brevard.



- Legend**
- Group Developments
  - City of Brevard Regulatory Jurisdiction
  - Streets**
  - General Industrial
  - Downtown Mixed Use
  - Neighborhood Mixed Use
  - Residential Mixed Use
  - General Residential (R)
  - General Residential (H)
  - Special District

The map contains non-residential & mixed use multi-unit group developments within the regulatory jurisdiction of the City of Brevard.

Group Developments are defined as follows:

- (1) Groupings of two or more principal structures or principal uses built on a single lot, tract or parcel of land, siting grouped thereby not subdivided into the customary streets and lots and designed for occupancy by separate families, businesses or other enterprises normally permitted within the underlying district. (Examples may include, but are not limited to, summer camps, school campuses and hospitals, shopping centers, industrial parks, and apartment complexes, or any other combination of primary structures.)
- (2) Individual structures designed to accommodate a variety of distinct uses may be considered as a group development at the discretion of the administrator.

There are approximately 120 non-residential group developments comprised of 280 parcels of record and covering a total area of 6,400 ± acres.

**NON-RESIDENTIAL AND MIXED USE GROUP DEVELOPMENTS WITHIN THE REGULATORY JURISDICTION OF THE CITY OF BREVARD**



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**Exhibit A**  
**(Ordinance Number 2015-\_\_\_)**

**Chapter 12 Signs**  
**Subsection 12.11.A.1**

5 **12.11. - Additional standards for planned development districts, group developments,**  
6 **institutional campuses, and other similar projects.**

7     A. *Ground signs visible from a public street.* One ground sign may be permitted at each  
8     development entrance provided that:

- 9             1. No part of any ground sign shall be closer than ~~500~~300 feet to any part of  
10             another ground sign within the same development along the same street  
11             frontage.  
12             2. No part of any ground sign shall be closer 250 feet to any part of any other  
13             ground sign within the same development.  
14             3. A ground sign may be situated at the convergence of two public streets upon  
15             which the development fronts but where no entrance is located. However, signs  
16             permitted under this provision shall be considered as situated upon both  
17             converging streets and shall be separated from all other ground signs within the  
18             same development in accordance with 12.11.A.1 and 2., above.  
19             4. Developments that are divided by a public street shall be considered as separate  
20             developments for the purposes of this subsection.  
21             5. No other ground signs will be permitted except in accordance with Section  
22             12.11, below.  
23             6. These requirements shall apply regardless of whether such developments are  
24             subdivided into individual parcels.  
25             7. All other requirements of this Chapter shall apply to such ground signs. Ground  
26             sign size and height requirements shall be the same as the base district within  
27             which the development is located.  
28             8. Out-parcels as defined in Chapter 19 of this ordinance shall be allowed one  
29             ground sign in accordance with Section 12.9(B).

30  
31     B. *Wall signs visible from a public street.* Individual businesses and buildings located within  
32     planned development districts, group developments, institutional campuses, and other  
33     similar projects may have the following:

- 34             1. One wall sign which shall not to exceed 50 square feet or 50 percent of the  
35             surface area of the wall upon which the sign is located, whichever is the lesser.

- 36 2. For buildings having frontage on more than one public right-of-way, signs may be  
37 placed on both walls fronting the public right-of-way.  
38 3. One identification sign not to exceed 16 square feet. That sign may be located on  
39 the rear or side of the business.  
40 4. One menu reader board for each drive-through restaurant establishment. Menu  
41 reader boards shall not be greater than 32 square feet in area or seven feet in  
42 height.  
43 5. One suspended or projection identification sign per business establishment, not to  
44 exceed eight square feet per side of sign up to a maximum of 16 square feet of  
45 aggregate surface area for the entire sign. Suspended or projected identification  
46 signs shall be located at the main entrance of the business.  
47 6. The aggregate area of all wall signs, including building identification signs, business  
48 identification signs, identification signs, suspended signs, projection signs, menu  
49 reader boards, and product information signs, shall not exceed 50 percent of the  
50 total surface area of the front wall space of the business (surface area of said wall  
51 shall be computed excluding windows and doors).

52 C. *Internal development signage.*

- 53 1. There shall be no limit to the number signs posted within an Institutional  
54 Campus, group development, planned development district, or other similar  
55 developments, when such signs are in no way visible from any public street or  
56 right-of-way, or any adjacent property.  
57 2. Ground signs permitted under this provision shall comply with Section 12.11.A.1  
58 and 2., above.  
59 3. Ground signs permitted under this provision shall be no larger than 32 square  
60 feet of surface area per side of sign up to a maximum of 64 square feet of  
61 aggregate surface area per sign, and shall not exceed five [feet] in height.

- 62 D. *[Compliance:]* Otherwise, signs permitted the development under this section shall  
63 comply with all other requirements of this chapter, and other forms of signage within  
64 the development shall comply with all requirements of this chapter.

**ORDINANCE NO. 2015-\_\_**

**AN ORDINANCE AMENDING THE CITY OF BREVARD  
UNIFIED DEVELOPMENT ORDINANCE CHAPTER 12  
TO MODIFY SIGN LOCATION DIMENSIONAL STANDARDS**

WHEREAS, the City of Brevard received a citizen request to amend the Unified Development Ordinance; and,

WHEREAS, the City of Brevard Planning Board has recommended that Brevard City Code, Unified Development Ordinance, Chapter 12 be amended to modify dimensional standards for locations of signs within group developments; and,

WHEREAS, a public hearing was conducted on (update after Planning Board) by Brevard City Council, and, after hearing all persons wishing to comment, and upon review and consideration of the proposed amendments, it is the desire of the City Council of the City of Brevard that Brevard City Code, Unified Development Ordinance, Chapter 12 be amended to make the adjustments as outlined below.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BREVARD, NORTH CAROLINA THAT:

SECTION 01. Amendments to Brevard City Code, Unified Development Ordinance, Chapter 12. Signs, Subsection 12.11.A.1 Additional standards for planned development districts, group developments, institutional campuses, and other similar projects, as depicted in Exhibit A, which is attached hereto and incorporated herein by reference.

SECTION 02. As to any conflict between this ordinance and any parts of existing ordinances, the provisions of this ordinance shall control.

SECTION 03. If any section, subsection, paragraph, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed severable and such holding shall not affect the validity of the remaining portions hereof.

SECTION 04. The enactment of this ordinance shall in no way affect the running of any Amortization provisions or enforcement actions, or otherwise cure any existing zoning violations.

SECTION 05. This ordinance shall be in full force and effect from and after the date of its adoption.

Adopted and approved this the (update after Planning Board)

\_\_\_\_\_  
Jimmy Harris  
Mayor

ATTEST:

\_\_\_\_\_  
Desiree D. Perry, CMC, NCCMC  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Michael K. Pratt  
City Attorney



The City of  
**Brevard**  
North Carolina

**NEW BUSINESS STAFF REPORT**

**APRIL 21, 2015**

**Title:** UDO Chapter 12 Signage Amendments, Group Developments  
**Speaker:** Joshua S. Freeman, AICP, CFM, Planning Director  
**Prepared by:** Joshua S. Freeman, AICP, CFM, Planning Director  
**Approved by:** Joshua S. Freeman, AICP, CFM, Planning Director

**Executive Summary:** Planning Board will consider proposed amendments that would require new ground signs in group developments to accommodate all tenants within the same development.

**Background:** Group developments are common form of development within the City of Brevard. At the present time, owners of group developments are not required to design ground signs to support a sign panel for all tenants or business units within the same development.

**Discussion:** Staff proposes amending Brevard City Code, Unified Development Ordinance, Chapter 12. Signage, Section 12.11.A to include language that would require the owners of group developments to design ground signs to support a sign panel for all tenants or business units within the same development. This amendment would not apply to existing signage, but would apply when new ground signs are erected in new or existing group developments.

**Fiscal Impact:** NA.

**Policy Analysis:** There is no existing policy through which to evaluate the proposed amendment.

**Staff Recommendation:** Staff recommends approval of the proposed amendment as presented.

**Attachments:**

Attachment A: Proposed Amendment to UDO Chapter 12, Section 12.11.A

1 CHAPTER 12. - SIGNS

2 12.1. - Purpose.

3 The purpose of this article is to permit such signs in the City of Brevard and its extraterritorial  
4 jurisdiction that will not, by their reason, size, location, construction, or manner of display, endanger the  
5 public safety of individuals, confuse, mislead, or obstruct the vision necessary for traffic safety, or otherwise  
6 endanger public health and safety; and to permit and regulate signs in such a way as to support and  
7 complement land use objectives set forth in the zoning ordinance for the City of Brevard.

8 12.2. - General regulations.

9 The following regulations shall apply to all signs in all districts:

10 A. *Compliance:* No sign of any type shall be constructed, erected, painted, posted, placed, replaced,  
11 or hung in any district except in compliance with this ordinance.

12 1. *Repainting of signs:*

- 13 i. Nonconforming painted signs may be repainted so long as the new coat of paint is for  
14 maintenance purposes and the design of the sign is not altered in any fashion.  
15 ii. If, during repairing, the design of the sign structure is altered in any way, then the entire  
16 structure shall comply with the provisions of this ordinance. See also Section 12.2(B).

17 2. *Billboards:*

- 18 i. Billboards existing at on or before May 6, 1991 shall be allowed to be reposted so long  
19 as the structure of the sign itself remains in good repair.  
20 ii. The structure of the billboard shall be subject to all other provisions of this ordinance,  
21 particularly Section 12.2(D).  
22 iii. If at any time an advertising message on a billboard becomes obsolete or in disrepair,  
23 the advertising copy itself shall be subject to subsections 12.2(B) and 12.2(C), without  
24 the structure being subject to the provisions, provided it is in good repair.

25 3. *Vandalism and adverse weather:*

- 26 i. Signs destroyed by vandals or adverse weather conditions shall be allowed to be  
27 replaced even if such signs do not conform to this ordinance provided they existed  
28 before the date of enactment of this ordinance and they are replaced in the exact same  
29 location, in the exact same manner and with the exact same advertising copy of the  
30 same size as the previously destroyed sign.  
31 ii. Adverse weather conditions shall not be interpreted to be normal weathering of a sign.  
32 iii. If a sign is allowed to deteriorate over time due to exposure to the weather elements,  
33 then it shall not be deemed as replaceable under this section.

34 B. *Maintenance:*

- 35 1. All signs, together with braces, guys and supports, shall at all times be kept in good repair.  
36 2. If at any time a sign should become unsafe or poorly maintained, the administrator shall  
37 notify the owner or lessee of the sign of such condition.  
38 3. Upon failure of the owner or lessee to correct such condition within 30 days, the administrator  
39 shall order the removal of such sign.  
40 4. The expense of the removal of the sign shall be billed to the owner or lessee of said-sign.  
41 5. See Section 12.5(E) and Chapter 18 of this ordinance for collection procedures.

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C. *Removal of obsolete signs:*

1. Signs identifying establishments no longer in existence, products no longer being sold, and services no longer being rendered shall be removed from the premises within 30 days from the date of termination of such activities except that ground sign supports, braces, and guys which are not easily dismantled and are to be sold as a portion of the business assets shall remain.
2. However, remaining sign supports, braces, and guys shall comply with all other requirements of this ordinance. If remaining sign supports, braced, and guys are not used to support signs identifying establishments in compliance with this chapter for a period of two years or more, such sign supports, braces, and guys shall be removed in accordance with this chapter.
3. Temporary signs and political signs shall be removed within ten days after the termination of the event or election advertised.
4. Upon failure of the owner or lessee of these signs to remove such signs within the prescribed time period, the administrator shall order their removal subject to the terms of this article and Chapter 18 of this ordinance and any additional expense of removal shall be billed to the owner or lessee of said sign(s).

D. *Nonconforming signs:*

1. Any sign existing on the date of enactment of this ordinance which does not conform to the requirements of said ordinance shall be taken down and removed or brought into compliance by the owner, agent, or person having the beneficial use of the building, land, or structure upon which such sign may be found within a period of ten years.
2. The amortization period for nonconforming signs is ten years. All signs must be in compliance by April 1, 2000.
3. The amortization period for those signs which do not comply with the setback provisions of this ordinance, but that conform in every other respect, shall be extended to expire on January 1, 2003.
4. Signs subject to the provisions of G.S. 136-131.1 are exempt from the requirements for removal or compliance.
5. Removal of nonconforming signs: Any sign existing on the date of enactment of this article shall not be repaired if 50 percent or more of the structure must be restored in order for it to be deemed in good repair; instead, such a sign shall be removed and a new sign which conforms to the regulations set forth by this article may be erected.
6. Relocation of nonconforming signs: Any nonconforming sign existing on the date of enactment of this article may be relocated on the same premises of the establishment having beneficial use of said structure so long as it is the same sign structure and the nonconformance is not increased in any manner beyond the point of noncompliance that existed before the movement of said structure.
7. Replacement of nonconforming sign inserts: The plastic inserts within existing nonconforming sign frames may be replaced for continued use until the amortization period expires.
8. Nonconforming signs within newly annexed areas outside the city's area of extraterritorial jurisdiction (ETJ):
  - i. Nonconforming signs within voluntary annexed areas outside the city's ETJ must comply with the provisions of this article (the sign ordinance) within one year from the effective date of annexation.
  - ii. Nonconforming signs within involuntary annexed areas outside the city's ETJ must comply with the provisions of this article by April 2000, or three years from the effective date of annexation, whichever is greater.

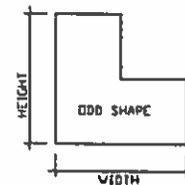
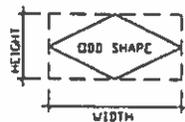
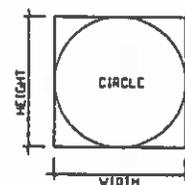
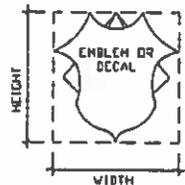
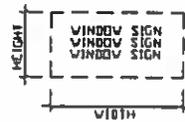
90 12.3. - Computation of signage area.

91 A. The area of a sign face (which is also the sign area of a wall sign or other sign with only one face) shall  
92 be computed by means of the smallest rectangle that will encompass the extreme limits of the writing,  
93 representation, emblem or other display, together with any material or color forming an integral part of  
94 the background of the display or used to differentiate the sign from the backdrop or structure against  
95 which it is placed, but not including any supporting framework, base, bracing or decorative fence or  
96 wall when such fence or wall otherwise meets the regulations of this chapter and is clearly incidental  
97 to the display itself.

98 B. For a single wall on a single-occupant building, all pieces of information or other graphic  
99 representations on that wall shall be measured as though part of one sign, encompassed within one  
100 rectangle, which may not exceed the permitted total wall area to which the sign is affixed. For a single  
101 wall on a multi-occupant building, the area of signs shall be computed using these principles and each  
102 individual sign shall not exceed the permitted total wall area to which the sign(s) is affixed.

103 C. Where the sign faces of a double-faced sign are parallel or the interior angle formed by the faces is 60  
104 degrees or less, only one display face shall be measured in computing sign area. If the two faces of a  
105 double-faced sign are of unequal area, the area of the sign shall be the area of the larger face. In all  
106 other cases, the areas of all faces of a multi-faced sign shall be added together to compute the area  
107 of the sign. Sign area of multi-faced signs is calculated based on the principle that all sign elements  
108 that can be seen at one time or from one vantage point should be considered in measuring that side  
109 of the sign.

110 D. Spherical, cylindrical or other three-dimensional signs not having conventional sign faces shall be  
111 computed from the smallest three-dimensional geometrical shape or shapes which will best  
112 approximate the actual surface area of such faces.



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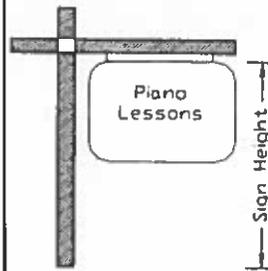
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115 **Signage Area**

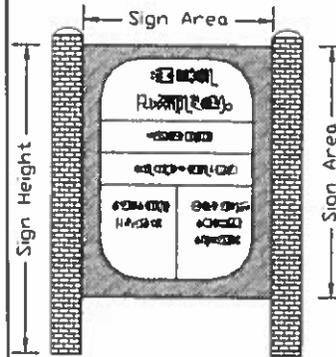
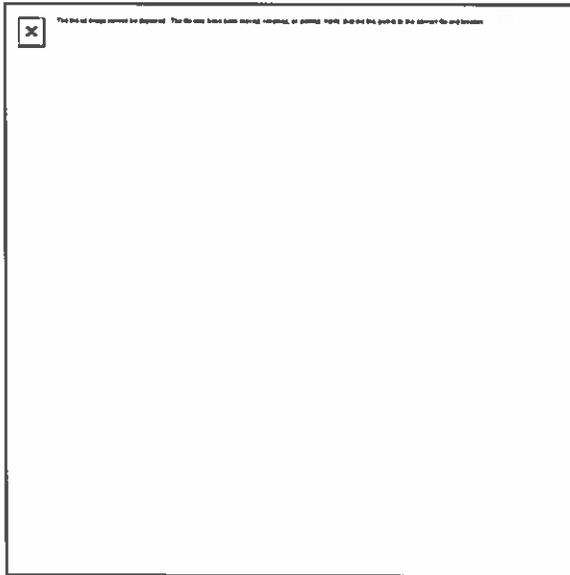
116 12.4. - Computation of sign height.

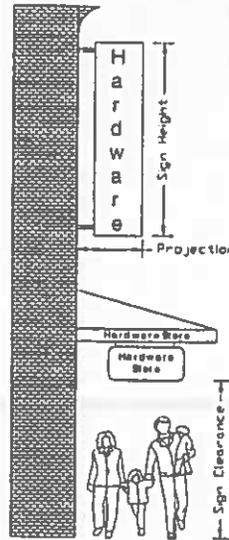
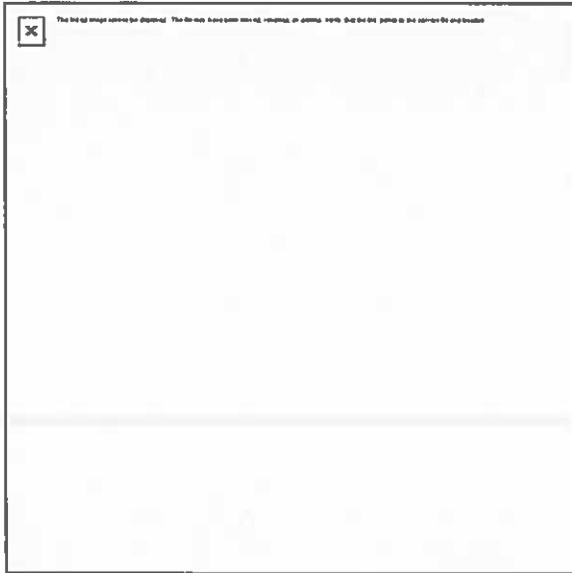
- 117 A. Sign height shall be measured from the street grade of the closest point in the street the sign is located  
118 along or the grade at the base of the sign, whichever is higher, to the highest point of the sign structure.  
119 The maximum height of a ground sign cannot exceed 25 feet unless otherwise addressed in this  
120 ordinance.

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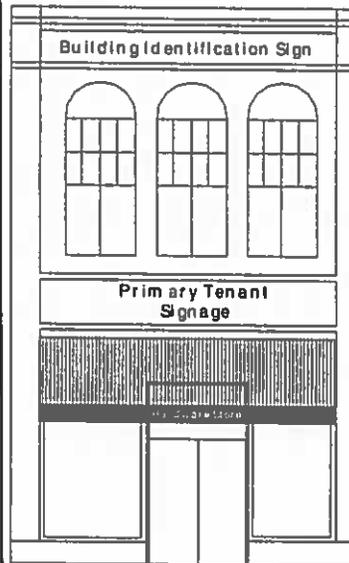
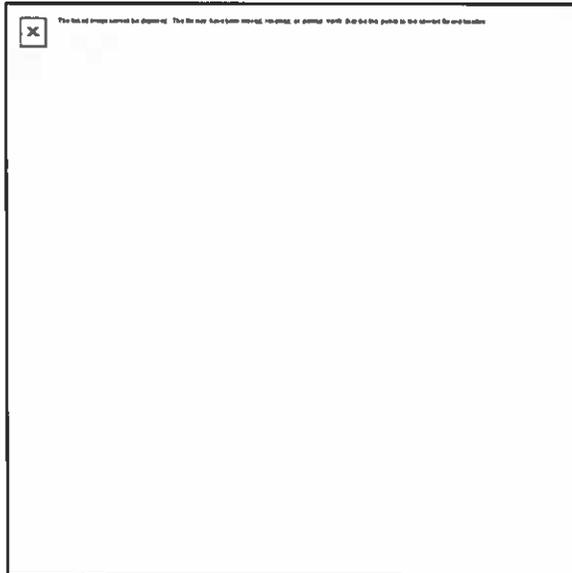


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125 12.5. - General provisions.

- 126 A. *Building code compliance:* All signs shall fully comply with the requirements of the State of North  
127 Carolina building and electrical codes.
- 128 B. *Sign setback requirements:* No portion of any freestanding sign may be located closer than ten feet to  
129 any street right-of-way except in the DMX district where signs shall be no closer than five feet to any  
130 street right-of-way. No portion of any freestanding sign shall be located any closer than 12 feet to any  
131 side or rear property line. No sign shall be located in such a manner as to constitute a traffic or safety  
132 hazard.
- 133 C. *Illumination of signs:* Signage shall comply with all applicable provisions of Chapter 11 of this  
134 ordinance. Unless otherwise expressly prohibited, signs may be illuminated provided that lighting  
135 fixtures used to illuminate a sign either shall be by directed ground lighting or mounted on the top of  
136 the sign, and shall comply with shielding requirements of Chapter 11 of this ordinance. Lighting fixtures  
137 shall illuminate only the face of the sign, and shall not project into any portion of the traveled roadway.

138 D. *Permit required:* A permit, issued by the administrator, shall be required for all signs unless otherwise  
139 provided herein. No permit shall be issued until the administrator inspects plans for such signs and  
140 determines that they are in accordance with the requirements contained in this article. The fee  
141 schedule for sign permits shall be determined by city council.

142 E. *Enforcement of regulations:*

143 1. Any nonconforming sign constructed after the date of enactment of this chapter or any sign  
144 maintained in a nonconforming manner after the passage of the amortization period specified in  
145 Section 12.2(D) shall be subject to the enforcement procedures as set forth in Chapter 18 of this  
146 ordinance.

147 2. *Removal.* If the nonconforming sign has not been brought into compliance with the provisions of  
148 this ordinance or removed within 30 days of having been issued a Notice of Decision/Notice of  
149 Intent as set forth in Chapter 18, Section 18.3(D), then said sign may be removed by the city and  
150 the cost of removal shall be billed to the owner or lessee of the sign. Furthermore, the city may  
151 pursue any other remedy available under Chapter 18 of this ordinance or State Law.

152 3. *Failure to pay removal costs.* If the owner or lessee of a nonconforming sign that has been  
153 removed by the city fails to pay for the costs of removal within 30 days of the billing date for such  
154 action, then the city will collect the cost as a lien on the property in the same manner as provided  
155 in G.S. 105-355 and 105-356 for delinquent property taxes. The amount of such lien may include  
156 the actual cost of removal of said sign, plus any fines which may have been levied and not paid,  
157 plus 15 percent representing penalty and interest for cost of collection, plus attorney fees.

158 12.6. - Prohibited signs.

159 The following signs are prohibited in all districts except as otherwise permitted by this section.

160 A. *Signs constituting traffic hazards:* Any sign located in a manner or place so as to constitute a  
161 hazard to traffic as demonstrated by the administrator.

162 B. *Signs in public right-of-way or easement:* Any freestanding sign located in a public right-of-way  
163 or easement, or extending over into a public right-of-way or easement, except as otherwise  
164 allowed by this chapter. The administrator may remove any sign located within a public right-of-  
165 way.

166 C. *Signs obstructing passages:* Any sign that obstructs or substantially interferes with any window,  
167 door, fire escape, stairway, ladder or opening intended to provide light, air, ingress or egress for  
168 any building.

169 D. *Off-premises advertising signs:* Billboards and other types of off-premises advertising signs,  
170 unless otherwise allowed by this chapter.

171 E. *Flashing devices:* Any flashing device or sign displaying flashing or intermittent lights or lights of  
172 changing degrees of intensity, except a sign indicating time and/or temperature, with changes  
173 alternating on not less than a five-second level.

174 F. *Moving devices:* Any moving signs or device to attract attention, all or any part of which moves  
175 by any means, including motion by the movement of the atmosphere or by electrical or other  
176 means, including but not limited to pennants, flags, propellers or discs, whether or not any said  
177 device has a written message. Moving devices may, however, be allowed if in compliance with  
178 Section 12.8(M) or 12.9(J).

179 G. *Posted signs:* Any sign posted to utility poles, trees, fences, rocks or other signs.

180 H. *Copies of official signs:* Any sign which is a copy or an imitation of an official sign, or which  
181 purports to have official status.

182 I. *Portable signs.*

183 J. *Roof signs.*

184 K. *Signs not permitted:* Any sign not expressly permitted elsewhere in this ordinance.

185 12.7. - Exempt signs.

186 The following signs are exempt from the provisions of this ordinance:

- 187 A. *Governmental agency signs:* Signs erected by a governmental agency to regulate, control or  
188 direct traffic including signs indicating bus stops, taxi stands, and similar transportation facilities.  
189 Such signs may be illuminated, flashing, or moving as required for public safety. Furthermore,  
190 signs erected by a governmental agency which convey information regarding a public service or  
191 the location of a public facility may also be illuminated as is necessary.
- 192 B. *Signs required by law:* Signs erected pursuant to federal, state, or local laws or ordinances.
- 193 C. *Warning signs:* Signs which warn of hazards to life, limb, and property such as high voltage  
194 electrical equipment, explosives and the like.
- 195 D. *"No trespassing" signs:* "No trespassing" signs not to exceed four square feet in surface area.

196 12.8. - Signs permitted without a permit.

197 The following types of signs shall be permitted in any use district without the issuance of a sign permit  
198 provided they meet the stated requirements:

- 199 A. *Temporary real estate signs:* Temporary real estate signs advertising a specific piece of property  
200 for sale, lease, rent, or development, located on said property, provided such signs shall not  
201 exceed eight square feet in surface area per side of sign up to a maximum of 16 square feet of  
202 aggregate surface area. Signs shall not be illuminated and shall not exceed one per parcel of  
203 land unless such land is located at an intersection of two streets; in such case, two signs shall be  
204 allowed, one facing each street.
- 205 B. *Signs on window glass:* Signs on window glass, regardless of size.
- 206 C. *Private traffic signs:* Private, unofficial traffic signs not exceeding two square feet in surface-area  
207 per side of sign up to a maximum of four square feet of aggregate surface area per sign, which  
208 indicate directions, entrances, and exits. Such signs are to be located entirely on the property to  
209 which they pertain, and shall not contain any advertising message.
- 210 D. *Organization signs:* Any flag, badge, insignia, or design customarily displayed by any  
211 governmental agency or government, or any charitable, civic, fraternal, patriotic, religious, or  
212 similar organization.
- 213 E. *Political party headquarters signs:* Signs for political party headquarters shall meet the  
214 requirements set forth for the district in which they are located.
- 215 F. *Service station signs:* Gasoline service stations or any businesses selling gasoline are allowed,  
216 in addition to other provisions of this ordinance, the following signs:
- 217 1. *Price and self-service signs attached to gasoline pumps:* Gasoline price/self-service signs  
218 located at and secured to each pump island and not exceeding nine square feet per side of  
219 sign. One gasoline price/self-service sign may be freestanding and located at a place other  
220 than the pump island, but must be on the business site and meet all other sign regulations.  
221 If such signs are freestanding signs, they shall not exceed 40 inches in height.
- 222 2. *Brand name and grade signs:* Each brand sign, emblem of the gasoline sold, the grade of  
223 gasoline and any other related signs shall not exceed nine square feet in total aggregate  
224 surface area for each pump island.
- 225 3. *North Carolina inspections sign:* A North Carolina inspections sign at any location on the  
226 business premises as long as said sign is not placed in any right-of-way. Said sign shall not  
227 exceed 40 inches in height.

- 228 G. *Numbers and nameplates:* House numbers and nameplates are permitted in accordance with  
229 Brevard City Code, Chapter 62, Article VII, Property Addressing and Road Naming.
- 230 H. *Construction signs:* One construction sign per construction project not exceeding 32 square feet  
231 of sign area in residential districts or 64 square feet in commercial or industrial districts, provided  
232 that such signs shall be erected no more than five days prior to the beginning of construction for  
233 which a valid building permit has been issued, shall be confined to the site of construction, and  
234 shall be removed five days after completion of construction and prior to occupancy.
- 235 I. *Public notice:* Official notices posted by public officers or employees in the performance of their  
236 duties.
- 237 J. *Commemorative plaques:* Commemorative plaques of recognized historic agencies or  
238 identification emblems of such agencies, provided that no plaque or emblem seal exceeds four  
239 square feet in area.
- 240 K. *Nonprofit organization signs:* Any sign erected by city personnel on behalf of a nonprofit  
241 organization sponsoring a one-time or annual event.
- 242 L. *Public-owned ball field fence signs:* Nonprofit organizations, i.e., local ball leagues, may sell  
243 advertising signage to merchants for attachment to ball field fences providing the following  
244 requirements are met:
- 245 1. Sign panels must be of uniform size and weather durable material and cannot exceed three  
246 feet by five feet in dimension.
  - 247 2. Signage must be attached to the interior (ball field) of the chain link fencing, have advertising  
248 copy on only the interior (ball field) side of fencing and cannot be self-illuminated.
  - 249 3. The back (exterior) side of the sign must be a dark solid green color and be uniform in color  
250 with all the other signs. All signs must be kept clean and in good repair.
  - 251 4. Signage cannot exceed one per fence panel. Sign must be uniform in height.
  - 252 5. Signage can be erected two weeks prior to the beginning of the ball season and must be  
253 taken down within two weeks from the conclusion of the season.
  - 254 6. The city/county/state agency (owner) or tenant leasing the property will be responsible for  
255 installing and removing the signs.
- 256 M. *Automobile and motorized vehicle dealer signs:*
- 257 1. Automobile dealers and motorized vehicle dealers within commercial districts are allowed to  
258 attach to vehicles for sale small pennants, flags or balloons on antennas and/or twirl-ads on  
259 hoods/roofs.
  - 260 2. Said devices shall not exceed two per vehicle; devices are less than three square feet in  
261 size; and devices are maintained and secured in a proper manner.
  - 262 3. If a device is not secured or maintained to the satisfaction of the administrator such device  
263 shall be deemed a prohibited moving device and be immediately removed.

264 12.9. - Signs allowed with permits.

265 The following types of signs shall be allowed within the City of Brevard upon the issuance of a sign  
266 permit for each proposed sign and subject to the regulations set forth below:

- 267 A. *Signs allowed in GR districts:* The following types of signs shall be allowed in all of the residential  
268 districts subject to the accompanying restrictions and the issuance of a sign permit:
- 269 1. *Nameplate signs:*
    - 270 i. Home occupations shall be allowed one nameplate sign for purposes of identification.

- 271 ii. Signs shall not exceed four square feet of surface area and shall be attached to the  
272 residence.
- 273 iii. Signs shall not be illuminated.
- 274 2. *Ground signs at neighborhood entrances:* Distinct neighborhoods, residential subdivisions,  
275 residential group developments, residential planned development districts, and  
276 manufactured home parks are permitted one ground sign at each entrance.
- 277 i. Such communities may include those older existing communities that may not have  
278 been permitted as unified projects (e.g., "Welcome to the Rosenwald Community",  
279 "Maple Street Community"). However, such signs shall be of a uniform design to be  
280 approved by the city. Designs and locations shall be approved by the administrator in  
281 consultation with the public works director and the community appearance commission.
- 282 ii. Signs shall be no larger than 32 square feet of surface area per side of sign up to a  
283 maximum of 64 square feet of aggregate surface area per sign.
- 284 iii. Signs shall not exceed five in height and may be indirectly illuminated in accordance  
285 with Chapter 11 of this ordinance.
- 286 iv. Such signs may be located within the center median of boulevard streets at  
287 neighborhood entrances. Such placement shall require an encroachment agreement  
288 from the North Carolina Department of Transportation or the City of Brevard, as  
289 applicable.
- 290 3. *Nonresidential uses:* Nonresidential uses permitted in residential districts shall be allowed  
291 one ground or wall identification sign per street fronted on by the permitted use. Said sign  
292 shall be no larger than 32 square feet of surface area per side of sign up to a maximum of  
293 64 square feet of aggregate surface area for said sign. Signs shall not exceed five feet in  
294 height and shall not be illuminated.
- 295 B. *Ground signs (non-residential):* The following standards shall apply to individual businesses on  
296 individual parcels. Non-residential group developments, non-residential planned development  
297 districts, and institutional campuses shall be subject to the same dimensional requirements, but  
298 the number of allowable ground signs in such developments is set forth in Section 12.11, below.
- 299 1. One ground sign not to exceed the following surface area limitations:
- 300 i. DMX, NMX, and RMX districts: 32 square feet in surface area per side of sign, up to a  
301 maximum of 64 square feet of aggregate surface area for the entire sign;
- 302 ii. CMX districts: 85 square feet in surface area per side of sign up to a maximum of 170  
303 square feet aggregate surface area for the entire sign;
- 304 iii. IC district: 24 square feet per side of sign up to a maximum of 48 square feet of  
305 aggregate surface area for the entire sign;
- 306 iv. GI district: 50 square feet per side of sign up to a maximum of 100 square feet of  
307 aggregate surface area for the entire sign;
- 308 v. Signs shall not exceed 25 feet in height in any district.
- 309 C. *[Reader boards:]* Reader boards are allowed on ground signs provided that the total area of the  
310 sign, including the reader board, does not exceed the area allowed by this subsection.
- 311 D. *Electronic display signs:* Electronic display signs may be permitted as ground or wall signs,  
312 subject to the following additional requirements:
- 313 1. Only one electronic display sign shall be permitted per parcel.
- 314 2. Only one electronic display sign shall be permitted within any group development, planned  
315 development, or institutional campus.

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3. Electronic display signs shall display only non-moving text and images with changes alternating on not less than a five-second level, and shall display no scrolling, flashing, blinking, or otherwise moving message.
  4. Electronic display signs shall adhere to all other applicable wall or ground sign requirements of this chapter, as well as the lighting standards of Chapter 11 of this ordinance.
  - E. *[Canopy signs:]* Signs may be attached to a canopy provided that the total area of both the ground signs and all canopy signs does not exceed the amount described in this subsection.
  - F. *[Sandwich board signs:]* In lieu of ground signs, business establishments within DMX, NMX, and RMX districts may instead be permitted a single sandwich board sign to be placed on the sidewalk adjacent to the front of the individual business or on the brick paved area providing such a location does not pose a safety hazard. A sandwich board sign is an A-frame or inverted V-shape sign which is portable and usually double-sided. This sign must comply with Section 46-1 of the City Code and must not exceed four feet in height or eight square feet in area per side of sign. Business establishments located in the Times Arcade Alley may also be permitted to collectively place one such sign near the West Main Street alleyway entrance in the brick paved area, providing such a location does not pose a safety hazard and providing further that the sign is removed at the end of each day when the last business in the Times Arcade Alley closes.
  - G. *Wall signs:* Each establishment located in CMX, DMX, NMX, RMX, IC, and GI districts shall be allowed wall signs in accordance with the following provisions:
    1. *Wall sign:* One wall sign located on the street frontage side of the building.
    2. *Projection sign:* One suspended or projection identification sign per business establishment, not to exceed eight square feet per side of sign up to a maximum of 16 square feet of aggregate surface area for the entire sign. Suspended or projection identification signs shall be located at the main entrance of the business.
    3. *Identification sign:* Each establishment located in one of the above-mentioned districts shall be allowed one small business identification sign not to exceed 16 square feet in surface area. That sign may be located on the rear or side of the business.
    4. *Marquee signs allowed in all commercial districts:* Theaters located within commercial districts shall be allowed a marquee with one or two copy sign surfaces. Total copy area allowance, for all sign surfaces, shall not exceed five square feet per linear foot of canopy with a maximum total height limit of no more than five feet at any point. A marquee shall not extend more than ten feet from the building nor be less than nine feet above the ground or sidewalk at the lowest point.
    5. *Menu reader board:* Each drive-through restaurant establishment shall be allowed one menu reader board. Menu reader boards shall not be greater than 32 square feet in area or seven feet in height.
    6. *[Aggregate of wall signs:]* The aggregate of all wall signs, including building identification signs, business identification signs, suspended signs, projection signs, marquee signs, and product information signs, shall not exceed 25 percent of the total surface area of the front wall space of the building (surface area of said wall shall be computed excluding windows and doors).
  - H. *Building identification signs:*
    1. Each building located in non-residential districts shall be permitted one building identification sign in lieu of allowable ground sign attached to the front of said building, or to the side of the building if the side faces on a street, alley, or other public right-of-way.
    2. Such building identification signs shall not exceed 32 square feet of aggregate surface area.
  - I. *Temporary banners or A-frame signs:*

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1. Temporary banners or A-frame signs may be allowed in CMX, DMX, NMX, RMX, GI, and IC districts, subject to the following requirements:
    - i. Temporary banners or A-frame signs advertising the initial openings of business establishments, special events, or special sales may be permitted provided the location of such signs is approved by the administrator and meets all other requirements.
    - ii. Banners shall be attached to any part of the building wall.
    - iii. Said signs shall not exceed 32 square feet of total aggregate surface area; A-frame signs shall not exceed 16 square feet per side of sign.
    - iv. Said signs may be installed ten days prior to the initial opening, special event, or special sale and may remain ten days after completion of the promotion.
    - v. Permits for these on-premises signs shall be obtained on an annual basis.
- 374 J. *Decorative flags, banners and other moving devices:* Decorative flags, banners, pennants, and  
375 other moving devices (balloons, windsocks, etc.) may be allowed in all districts except GR, subject  
376 to the following requirements
- 377 1. A plan for all banners, flags, pennants, and devices indicating locations must be submitted  
378 to the administrator. An annual permit is required showing location, size, style, copy, and  
379 manner of installation of said banners, flags, pennants, and devices.
  - 380 2. Manner of installation must be based on established safety standards.
  - 381 3. No banner, flag, pennant, or moving device shall obstruct any fire escape, window, or door,  
382 or be placed in such a manner so as to interfere with any openings required for ventilation,  
383 nor offer hindrance to fire department equipment or personnel.
  - 384 4. All banners, flags, pennants, or moving devices shall be constructed of a fire-retardant  
385 material or be treated to be fire retardant.
  - 386 5. All banner, flag, pennant, or moving devices must be well-maintained; frayed, faded, or worn  
387 banners constitute illegal moving devices.
  - 388 6. No advertising message from any off-premise business may be contained on the face of any  
389 banner, flag, pennant, or moving device.
  - 390 7. No banner, flag, pennant, or moving device may overhang any portion of a vehicular  
391 travelway, except as otherwise allowed by this ordinance.
  - 392 8. No illuminated, electric, or motor-powered devices may be allowed; glare cannot pose a  
393 problem to passing motorists.
  - 394 9. No banner, flag, pennant, or moving device shall be secured to the wall in such a manner  
395 that the bottom portion is at least seven feet from the sidewalk or does not interfere in any  
396 manner with pedestrian traffic.,
  - 397 10. Banners or flags cannot exceed a width of four feet and a length of six feet.
  - 398 11. Banners, flags and other devices cannot exceed one per every 20 linear feet of storefront.
  - 399 12. If, in the opinion of the administrator, said devices cause a nuisance or safety problem, the  
400 owner of said devices must relocate or remove them to the satisfaction of the code  
401 [enforcement] officer.
  - 402 13. Banners, flags or pennants must be properly designed and engineered to withstand the  
403 average prevailing winds and to meet the minimum wind load requirement of the North  
404 Carolina Building Code.
  - 405 14. This provision is subject to annual review by the planning board.
- 406 K. *Political signs:*

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1. No political sign shall be permitted in the corporate limits or one-mile extraterritorial boundary of the City of Brevard unless a candidate for a political office, or the candidate's designee, first deposits \$500.00 to insure the removal of such signs.
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2. Ten days after the election, the \$500.00 deposit will be refunded to the candidate or candidate's designee if all the candidate's political signs have been removed.
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3. If the signs have not been removed, the \$500.00 deposit will be forfeited to the city. \_\_\_\_\_
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4. Candidates who have made a deposit and are nominated in a primary election may keep their political signs up until ten days after the general election.
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5. Any political signs of candidates who have not complied with this section shall be removed subject to the terms of this article.
- 417
6. All political signs must comply with the following standards:
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- i. Ground signs may not exceed 16 square feet per side of sign. Maximum height of sign from grade to top of sign shall be six feet.
- 420
- ii. Political signs may not be posted more than 90 days prior to an election or primary.
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- iii. Candidates must remove their signs within ten days after the election or primary, in compliance with Section 12.9(K).
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- iv. Location. All signs must comply with Section 12.6
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- L. *Festivals and special events sponsored by government, educational, religious, charitable, civic, fraternal, or political organizations and institutions:* Signs, banners, balloons, decorative flags and windsocks (hereafter, "special event signage") may be displayed during festivals and special events by permit during the day(s) of the event, subject to the following requirements:
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1. Special event signage shall comply with all provisions of Section 12.9(J) except where modified herein.
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2. Special event signage shall be approved by the administrator before being displayed. A plan showing the location, type and amount of all decorative signage and devices, along with the duration of the event, must be submitted to the administrator for review and approval.
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3. A \$200.00 deposit, per event, must be given to the city insuring removal of all special event signage.
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4. If the special event signage has not been removed, the \$200.00 deposit will be forfeited to the City of Brevard.
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5. Any signs or other devices which have not complied with this section shall be removed subject to the terms of Section 12.2(C).
- 439
6. All special event signage must be firmly secured and well maintained.
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7. No special event signage shall create a traffic hazard or obstruction to motorists or pedestrians.
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8. The size of the overall special event signage shall not exceed 32 square feet of total aggregate surface area. However, if said special event signage is located in the DMX District, the width cannot exceed four feet and the length cannot exceed six feet.
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9. With single sponsorship, the proportion of a sponsor's logo or name shall not exceed 25 percent of the overall area for any face of special event signage.
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10. No more than three sponsor logos or names may be listed on special event signage. Sponsors logos or names shall not exceed when added together, 30 percent of the overall area for any face of special event signage.

- 450 11. Special event signage may not be illuminated, moving, or otherwise constitute a vehicular or  
451 pedestrian safety hazard.
- 452 12. Special event banners may be placed in or along the right-of-way of public streets in any  
453 district subject to the following requirements:
- 454 i. All other provisions of Section 12.9(J) are met; and
- 455 ii. A letter of permission from the proper utility company and/or property owner, ~~holding~~  
456 the city harmless, must be submitted if a banner, flag or pennant is to be attached to or  
457 erected from any pole owned by the utility company.
- 458 iii. Banners shall contain no commercial advertisement copy or business logos.
- 459 iv. The size of an overhead banner crossing the road shall not exceed 30 feet in length  
460 and four feet in height. All overhead banners crossing the road will be composed of no  
461 more than two dimensions.
- 462 v. Overhead street banners and other banners within a right-of-way may not be displayed  
463 earlier than ten days prior to the event and must be removed within ten days after the  
464 event.
- 465 vi. Fees for the installation of overhead street banners shall be established by city council.

466 (Ord. No. 15-08, §§ 29—31, 12-5-08)

467 12.10. - Off-premises directional signs.

- 468 A. *Ground signs in nonresidential districts.* For single establishments in all nonresidential districts except  
469 the DMX district, small self-illuminated ground signs are allowed to indicate directions to said  
470 establishments providing all of the following conditions are met:
- 471 1. Establishments with street frontage on US #64, US #276, and NC #280 cannot qualify for this  
472 type of signage.
- 473 2. Signs cannot exceed eight square feet per side of sign and cannot exceed eight feet in height.
- 474 3. No more than one directional sign may be allowed for each establishment.
- 475 4. A copy of the property owner's written permission allowing the posting of the sign must be  
476 submitted to the planning department along with a diagram showing location.
- 477 5. Signs cannot carry advertising messages but simply contain the name of the establishment or the  
478 generic type of business with directions or arrows indicating location.
- 479 6. Signs can only be posted within 50 feet of a street intersection with no more than two such signs  
480 at said intersection.
- 481 7. Signs cannot be posted in residential districts.
- 482 8. Signs shall meet all applicable setback requirements, shall not be located within any sight triangle,  
483 shall not be located in any public right-of-way, and cannot cause traffic visibility problems.
- 484 B. *Off-premises emergency room directional signs.* Hospitals providing emergency care services are  
485 allowed small self-illuminated ground signs to indicate directions to said establishments, providing all  
486 of the following conditions are met:
- 487 1. Signs cannot exceed 24 square feet per side of sign and cannot exceed four feet in height.
- 488 2. A copy of the property owner's written permission allowing the posting of the sign must be  
489 submitted to the planning department along with a diagram showing location.
- 490 3. Signs cannot carry advertising messages but simply contain the name of the establishment with  
491 directions or arrows indicating location.

492 4. Signs can only be posted within 200 feet of a street intersection with no more than two such signs  
493 at said intersection; signs cannot cause traffic visibility problems.

494 5. All other applicable regulations in the [zoning] ordinance must be met, including sign setback  
495 requirements and prohibition of signs in rights-of-way.

496 C. *Off-premises parking identification signs.* In addition to small traffic directional signs (see Section  
497 12.8(C)), owners of off-premise parking lots may have one additional ground sign located on the  
498 parking lot property provided the following conditions are met:

499 1. The ground sign maximum surface area is six square feet per side of sign, up to a maximum of  
500 12 square feet of aggregate surface area for the entire sign;

501 2. Maximum sign height (from ground to top of sign) is six feet;

502 3. A sign permit must be obtained indicating said sign complies with relevant sign setback  
503 requirements applicable to the district in which the sign is to be located.

504 12.11. - Additional standards for planned development districts, group developments, institutional  
505 campuses, and other similar projects.

506 A. *Ground signs visible from a public street.* One ground sign may be permitted at each development  
507 entrance provided that:

508 1. No part of any ground sign shall be closer than 500 feet to any part of another ground sign within  
509 the same development along the same street frontage.

510 2. No part of any ground sign shall be closer 250 feet to any part of any other ground sign within the  
511 same development.

512 3. A ground sign may be situated at the convergence of two public streets upon which the  
513 development fronts but where no entrance is located. However, signs permitted under this  
514 provision shall be considered as situated upon both converging streets and shall be separated  
515 from all other ground signs within the same development in accordance with 12.11.A.1 and 2.,  
516 above.

517 4. Developments that are divided by a public street shall be considered as separate developments  
518 for the purposes of this subsection.

519 5. No other ground signs will be permitted except in accordance with Section 12.11, below.

520 6. These requirements shall apply regardless of whether such developments are subdivided into  
521 individual parcels.

522 7. All other requirements of this Chapter shall apply to such ground signs. Ground sign size and  
523 height requirements shall be the same as the base district within which the development is  
524 located.

525 8. Out-parcels as defined in Chapter 19 of this ordinance shall be allowed one ground sign in  
526 accordance with Section 12.9(B).

527 9. Ground sign shall be designed to provide a sign panel for all tenants or business units within the  
528 same development. When multiple ground signs are employed within the same development, the  
529 property owner may distribute tenant panels among the various signs at his or her discretion.

530 B. *Wall signs visible from a public street.* Individual businesses and buildings located within planned  
531 development districts, group developments, institutional campuses, and other similar projects may  
532 have the following:

533 1. One wall sign which shall not to exceed 50 square feet or 50 percent of the surface area of the  
534 wall upon which the sign is located, whichever is the lesser.

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2. For buildings having frontage on more than one public right-of-way, signs may be placed on both walls fronting the public right-of-way.
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3. One identification sign not to exceed 16 square feet. That sign may be located on the rear or side of the business.
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4. One menu reader board for each drive-through restaurant establishment. Menu reader boards shall not be greater than 32 square feet in area or seven feet in height.
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5. One suspended or projection identification sign per business establishment, not to exceed eight square feet per side of sign up to a maximum of 16 square feet of aggregate surface area for the entire sign. Suspended or projected identification signs shall be located at the main entrance of the business.
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6. The aggregate area of all wall signs, including building identification signs, business identification signs, identification signs, suspended signs, projection signs, menu reader boards, and product information signs, shall not exceed 50 percent of the total surface area of the front wall space of the business (surface area of said wall shall be computed excluding windows and doors).

549 C. *Internal development signage.*

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1. There shall be no limit to the number signs posted within an Institutional Campus, group development, planned development district, or other similar developments, when such signs are in no way visible from any public street or right-of-way, or any adjacent property.
- 553
2. Ground signs permitted under this provision shall comply with Section 12.11.A.1 and 2., above.
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3. Ground signs permitted under this provision shall be no larger than 32 square feet of surface area per side of sign up to a maximum of 64 square feet of aggregate surface area per sign, and shall not exceed five [feet] in height.

- 557 D. *[Compliance:]* Otherwise, signs permitted the development under this section shall comply with all  
558 other requirements of this chapter, and other forms of signage within the development shall comply  
559 with all requirements of this chapter.

560 (Ord. No. 15-08, § 32, 12-5-08)