

March 28, 2007

RE: ZONING TEXT AMENDMENT UDO-164

Dear Interested Parties:

The attached report of the Planning Board to the City of Winston-Salem City Council is sent to you at the request of the Council Members.

When the text amendment is scheduled for public hearing, you will be notified by Renee Henderson, City Secretary, of the date on which the City Council will hear this petition.

After the City Council has considered the text amendment, it will be forwarded to the Forsyth County Board of Commissioners. You will be notified by Jane Cole, Clerk to the Commissioners, when it is scheduled for hearing by the Board of Commissioners.

Sincerely,

A. Paul Norby, FAICP  
Director of Planning

Attachment

pc: Jane Cole, County Manager's Office  
Renee Henderson, City Secretary  
Melynda Dunigan, 1875 Mallard Lakes Drive, Winston-Salem, NC 27106  
Carol Dimling, 701 Oaklawn Avenue, Winston-Salem, NC 27104  
Nancy Byrum, 1836 Flatrock Street, Winston-Salem, NC 27107  
Robert Vorsteg, 3620 Marlowe Avenue, Winston-Salem, NC 27106  
Gayle Anderson, 601 W. 4th Street, Winston-Salem, NC 27101  
Graham Bennett, P. O. Box 2736, Winston-Salem, NC 27102  
Steve Williams, 5446 University Parkway, Winston-Salem, NC 27105

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Jack Perkins, 6100 Gun Club Road, Winston-Salem, NC 27103  
Perry Hudspeth, 2516 Reynolda Road, Winston-Salem, NC 27106  
Don Flow, 224 Roslyn Road, Winston-Salem, NC 27104  
Evelyn Acree, 770 Martin Luther King, Jr., Blvd., Winston-Salem, NC 27101  
Alexander Cooper, 546 S. Stratford Road, Winston-Salem, NC 27103  
Tom Blair, 592 West Second Street, Winston-Salem, NC 27101  
Richard Redding, 318 Indera Mills Court, Winston-Salem, NC 27101  
Tommy Doughton, 633 W. Fourth Street, Suite 150, Winston-Salem, NC 27101  
Ken Fleming, P. O. Box 1408, Winston-Salem, NC 27101  
Tim Braun, 906 Marguerite Drive, Winston-Salem, NC 27106  
Barnes Daniels, 2728 Winslow Lane, Winston-Salem, NC 27103  
Ken Fleming, 601 West Fourth Street, P. O. Box 1408, Winston-Salem, NC 27101  
Tom Blair, President of DataMax Corporation, 711 Coliseum Plaza Court, Winston-Salem, NC 27106  
Robert Simon, 526 S. Stratford Road, Winston-Salem, NC 27103  
Curly Williams, 9911 Benefit Church Road, Kernersville, NC 27051  
Bob Northington, 1190 Arbor Road, Winston-Salem, NC 27104  
Steve Fowler, 110 Fox Lake Court, Winston-Salem, NC 27106  
David Powell of David's Cleaners, 3435 Robinhood Road, Winston-Salem, NC 27106  
Bill Haymore, 2701 University Parkway, Winston-Salem, NC 27115  
Hill Stockton, 229 S. Stratford Road, Winston-Salem, NC 27103  
Ellen Blair, 592 West Second Street, Winston-Salem, NC 27101  
Glenn Cobb, 195 Executive Park Blvd., Winston-Salem, NC 27104

**ACTION REQUEST FORM**

**DATE:** March 28, 2007  
**TO:** The Honorable Mayor and City Council  
**FROM:** A. Paul Norby, FAICP, Director of Planning

**COUNCIL ACTION REQUEST:**

Request for Public Hearing on Zoning Text Amendment proposed by City-County Planning Staff

**SUMMARY OF INFORMATION:**

Zoning Text Amendment proposed by City-County Planning Staff to amend Chapter A and Chapter B of the *Unified Development Ordinances* to revise the regulations for On-Premises Signs (UDO-164).

**PLANNING BOARD ACTION:**

**MOTION ON PETITION:** APPROVAL  
**FOR:** UNANIMOUS  
**AGAINST:** NONE  
**SITE PLAN ACTION:** NOT REQUIRED

## STAFF REPORT

**DOCKET #:** UDO-164

**STAFF:** Kirk Ericson

### REQUEST

This UDO text amendment is proposed by City-County Planning Board staff to amend the UDO by modifying Chapter A, Article II, Definitions, and Chapter B, Article III, Sign Regulations. These modifications revise the sign standards for Winston-Salem and Forsyth County in order to simplify and clarify the sign regulation and review process, and make these standards more reflective of the mainstream of other North Carolina communities.

### BACKGROUND

The need to revise our sign ordinance comes from several sources. The *Legacy* comprehensive plan, adopted in 2001, recommends enhancing the appearance of thoroughfares by requiring reduced sign sizes and heights (Action Item 17). The City Council requested a similar action as part of their 2002 Strategic Plan. A sign ordinance revision has also been a part of the City-County Planning Board's adopted work program since 2002. A community survey conducted by the Community Appearance Commission (CAC) ranked sign clutter as one of the main appearance problems in the community, and the CAC subsequently went on record requesting that sign regulations be overhauled. Additionally, staff realized that new sign standards could reduce the disparity between overall sign regulations and those which have become standard features of Special Use rezonings over the last 15 years. As a result, there could be less frequent need for Special Use District rezonings where sign size could be an issue. The Inspections Division also realizes the beneficial effect that an easier to understand and enforce sign ordinance can have on their department. Primarily, a new sign ordinance can also be a means of improving the visual appearance of our community, thereby making the community more attractive to new residents, visitors, and businesses.

The process used to develop the proposed sign ordinance was started in 2003. Staff researched other sign ordinances, particularly those of similarly sized municipalities in North Carolina and surrounding states as well as literature on sign regulation in general. Staff conducted a field survey of local signage and toured other cities in North Carolina. Staff also had conversations with people responsible for developing and enforcing sign regulations in various cities, and discussed the proposed ordinance with staff from the Urban Land Institute. An advisory committee was created in order to assist in determining the best approaches to sign regulation revisions. This committee met for several months in 2003-2004, and consisted of representatives who were designated by many different groups including the Chamber of Commerce, the Black Chamber of Commerce, the sign industry, design professionals, commercial realtors, civic/neighborhood groups, the Planning Board, and the Community Appearance Commission. Over several months, the sign committee developed a draft sign ordinance. This ordinance was then reviewed interdepartmentally.

Staff initially reviewed the ordinance from late 2004-early 2005 and suggested changes based on input from the Inspections Division and City Attorney's Office. At this point, the Chamber of Commerce requested a delay in going forward with the public process until 2006. Planning Staff presented a preliminary draft to the Chamber's Local Issues Committee in fall 2005 and received individual comments. Keeping these issues in mind, staff again reviewed and revised the sign ordinance, and in March 2006 two public information meetings were held. These meetings were well publicized, and various members of the community attended and made comments on the sign ordinance. Staff made several changes in response to these comments, and two more information sessions were held in May 2006. One of these meetings was held at the Chamber of Commerce and the other was held at City Hall South. Both of these meetings were well publicized, and again staff took comments and answered questions on the sign ordinance. Staff requested any final comments to be submitted by mid June and planned on a Planning Board hearing in August. At the Chamber's request, this public hearing was rescheduled from August to September to give more time for information about the proposed ordinance to get out. Staff stayed in close contact with the Chamber from March-June 2006, and made several changes to the sign ordinance that were beneficial to both the business community and the community as a whole.

Some major areas of discussion included the size and height of freestanding signs, methods of measuring sign size and height, attached sign size (attached sign size has not been regulated under the current sign ordinance), temporary sign regulations (temporary signage is illegal under the current ordinance), electronic message boards, abandoned signs, signs in the downtown area, and amortization of non-conforming freestanding signage.

Our current sign regulations were developed in the 1980s and allow signs up to 35 feet tall and 150 square feet in area. This is a very permissive allowance, and very few North Carolina communities allow signs any larger than this. Our current sign ordinance allows signs similar to those in High Point, North Wilkesboro, Rockingham, Greensboro, Jacksonville, and Fayetteville. Other major N.C. municipalities, such as Raleigh and Durham, have more restrictive sign ordinances than ours, but those are much less restrictive than places such as Cary and Chapel Hill. Our proposed sign ordinance is very similar to those of Raleigh and Durham, and several smaller cities and suburban areas around the state. In Forsyth County, the proposed regulations are similar to ones adopted several years ago in Clemmons, and are more permissive than those adopted in Kernersville and Lewisville.

## **ANALYSIS**

There are several benefits to having reduced signage in the community. Appropriately scaled signage demonstrates to visitors, tourists, and potential residents and businesses that a community takes pride in its appearance. While staff recognizes that other issues, such as the presence of overhead utility lines, can also have a negative effect on community appearance, sign clutter is a significant characteristic of an unattractive streetscape. Lower signs are put in the range of vision of drivers, and are easier to see quickly while driving. Smaller signage is also less expensive to construct, which represents a savings over the long run for. Reduced signage should be appropriately scaled to buildings and landscaping and should contribute to a unified streetscape appearance. Attractive business districts are also more sustainable over the long run than unattractive ones. Reduced sign size also would reduce the contrast between areas such as

Clemmons, Lewisville and Kernersville on the one hand, and Winston-Salem and Forsyth County on the other hand. The most significant feature of the proposed sign ordinance is the height and area of on-premises freestanding signs. The maximum sign size allowed by the proposed sign ordinance is 15 feet and 75 square feet for highway commercial and industrial development. Again, this figure is in the middle range of other major N.C. communities. Office and lower intensity commercial development would have a maximum sign allowance of 8 feet and 50 square feet. Downtown development is allowed signs of 6 feet and 36 square feet, in keeping with the fact that most downtown development will primarily utilize attached signage. Shopping Centers are allowed increased signage, and can have a maximum of 18 feet and 100 square feet, depending on specific conditions (size and zoning district) of that shopping center. Signs that are located within ¼ mile of an interchange and 400 feet from the centerline of a controlled access road in certain zoning districts have a maximum size allowance of 50 feet in height and 150 square feet in area. Freestanding signs with irregular shapes are allowed to exceed the respective area requirements of their zoning districts by 30 percent, provided certain conditions are met. This provision is designed to reward creative signage, which helps contribute to a unique community appearance. Attached signage ranges from 5-15 percent of building wall area, depending on whether a development is zoned for residential, office, or commercial development. All current wall signs will be grandfathered as part of the proposed sign ordinance, and the proposed attached signage regulations allow for similarly sized signs to those that currently exist in the community.

While temporary banners are prohibited under the current sign code, staff recognizes the appropriateness of this type of signage for a business or organization. As a result, temporary banners have been provided with restrictions by the new sign ordinance. Similarly, staff has seen the proliferation of electronic message boards (EMBs) in recent years, and recognizes that these signs are an evolution of manually changeable copy signs. If left unregulated, however, these signs can negatively contribute to the appearance of streetscapes due to the tendency of many such signs to continually change or even flash. Electronic signs are allowed by the proposed sign ordinance, but have additional requirements which control their rate of change and location. Staff has also proposed allowing certain temporary construction and development and real estate signs.

The proposed sign ordinance allows existing on-premises attached signage to be grandfathered, and proposes a ten year amortization period for freestanding signage that would be made nonconforming. Amortization provides a level playing field for new and existing signs in the community. Amortization periods for other North Carolina communities have ranged from 5-10 years. Staff believes that a ten year amortization period allows a fair amount of time for sign owners to come in conformance with the new standards. Many cities, including Winston-Salem, have used amortization successfully in the past as a means of promoting a fair time period to phase in new sign requirements.

Adoption of the proposed sign ordinance would require adequate enforcement efforts. Currently, Inspections is limited in its ability to apply adequate enforcement resources, and as a result, there has been a proliferation of illegal temporary signage in the community. Due to a lack of manpower, enforcement of the sign ordinance has largely existed on a complaint driven basis. This approach has not been well received by the community, and efforts have been and are being

made to change the methods of enforcement. This need for enforcement resources exists regardless of whether a new sign ordinance is adopted or whether the existing sign ordinance remains in place.

However, Inspections may need some temporary additional resources to properly administer the amortization provision of the proposed sign ordinance. Increased staff effort may be needed periodically during the amortization period. Letters will need to be sent out during this amortization period to non-conforming sign owners. Near the end of the amortization period, field enforcement staff will need to check which non-conforming signs remain in existence and advise owners as to the compliance deadline. While this sounds like a significant amount of additional work, other municipalities have used interns to do the initial field work. It should be noted that in other communities with amortization periods for signs, many signs become compliant through the normal business cycle, such as the installation of a new corporate trade dress, change of tenants, closing of businesses, and voluntary sign changes. This lessens considerably the non-conforming signs that actually remain near the end of the amortization period.

While some in the community feel that there is no need to change the present sign ordinance that was developed over 20 years ago, many in the community have expressed support for standards that put our visual appearance in line with communities that are competitive in the 21<sup>st</sup> century economy. Revised sign regulations should not be seen as a unique aesthetic concern, but should be seen as part of a broader commitment to good community appearance. As with other recently revised supplementary development standards, our sign standards were created after a thorough period of research, and were not intended to be too permissive or too restrictive, but instead to be comparable to the mid-range of the other major communities in North Carolina. Staff recommends approval of the proposed text amendment.

## **RECOMMENDATION**

### **APPROVAL**

## **UPDATE: SEPTEMBER 2006 – MARCH 2007**

A public hearing on the sign ordinance was held in September 2006 where public comment was received from various stakeholders. At this hearing, the Planning Board directed staff to further research various aspects of the sign ordinance in order to help the Board gain a better understanding of the possible consequences of adopting the proposed sign ordinance. During the fall of 2006 staff conducted a windshield survey of over 1200 existing signs in Winston-Salem and found that approximately 80 percent conformed to the area requirements of the proposed ordinance, and approximately 56 percent conformed to the height requirements. This survey took into account both the primary and secondary commercial corridors in the city, and found higher rates of compliance in the secondary corridors (82 percent area, 60 percent height) than in the primary corridors (76 percent area, 50 percent height). Staff also developed simulations of the rate of change for Electronic Message Boards to help the Board understand the effect of various rates of change and presented these simulations at public meetings. The Board was also taken on a tour of signs in Greensboro, High Point, Clemmons, Kernersville, and Winston-Salem in January 2007. This tour gave the Board an opportunity to view local communities with very restrictive, moderately restrictive, and minimally restrictive sign ordinances. Additionally, the tour of Clemmons allowed the Board to visit a community that is over six years into a ten year amortization period, and to discuss this amortization process with the Village Manager. Throughout the months following the September public hearing, staff worked closely with stakeholders as directed by the Board.

The Board discussed the sign ordinance in detail at their January 25, 2007 work session and scheduled a second public hearing for March 8, 2007. The version of the sign ordinance presented at the March hearing was similar to the version staff presented at the September public hearing, but included several minor changes. After their January work session, the Board decided to consider a 15 year amortization period in lieu of a 10 year amortization period for freestanding signs in an effort to provide a compromise on this issue. Early compliance with the amortization provisions of the ordinance would be required in situations where changes were made to the height, area, or structure of such signs. Replacing the removable face of a cabinet-type sign would not be subject to these provisions. The Board also changed the proposed minimum rate of change for Electronic Message Boards from 30 minutes in the September ordinance to 8 seconds in the March ordinance. A provision allowing for additional signs in office districts was also created by the Board at its January work session. Lastly, minor clarifications were made to the ordinance to facilitate easier enforcement by the Inspections Division, and the regulations for construction, development, and real estate signs were modified based on comments received from stakeholders.

**PUBLIC HEARING** - September 14, 2006

Kirk Ericson presented the staff report.

FOR:

Melynda Dunnigan, 1875 Mallard Lakes Drive, Winston-Salem, NC 27106

- I'm here representing the 30 neighborhood organizations who are members of the Winston-Salem Neighborhood Alliance. Many of those members are here tonight in the audience.
- We enthusiastically support this ordinance as a means to improve community appearance and quality of life.
- This update is long over due. As you heard, this didn't just come out of nowhere. The need for this revision was recognized in the *Legacy* plan and in the Winston-Salem City Council Strategic Plan. The existing regulations are about 25 years old so it really is time to consider updating them. Technology, for one thing, has changed in 25 years and you have these electronic signs and video signs. We really need to look at the situation now.
- In the 25 years since our ordinance has been updated, communities across the State including some in our own county, Clemmons, Kernersville, and Lewisville, have passed stronger signage regulations that make ours look very weak in comparison.
- The proposed ordinance would move us from a position, as we've heard, of having a very lax sign ordinance which is on a par with cities like Jacksonville, Fayetteville, and North Wilkesboro to a moderate ordinance close to that of Durham or Raleigh and quite far from the very restrictive ordinances of towns like Cary, Davidson, and Lewisville
- The process that was explained to you earlier has been a very exhaustive and thorough process to get us to the point where we are today.
- It's involved a lot of community input in developing these new regulations, as you've heard, a stakeholders committee worked for many months to develop the initial recommendations, after which the Planning staff sought out comments from many sectors of the community. After hearing concerns from some members of the business community, they went back and revised the regulations significantly. They changed the standards for sign height to make them less restrictive for sign height and area of signage and they also changed the recommendation for electronic signs as you've heard before.
- Those were the main changes that they made, but I think it was a very thorough process and it was really an attempt to meet everybody's concerns. So I just wanted to commend the staff for the terrific work I think they've done here.
- Not to change the existing regulations at all, we believe, is an unacceptable option.
- Not only is an attractive community good for quality of life and property values, but it's good for our local economy as it will allow us to compete with cities like Durham and Raleigh for new businesses that want to locate in an attractive area. Everything that I've read on the subject supports the view that stronger sign ordinances are good for businesses. Small, shorter signs are less expensive and lowering the height of signs and lessening sign clutter allows signs to be more easily seen by customers. More attractive signage is good for tourism which is important to our local economy. There is no evidence that I have found that stronger sign ordinances drive businesses out of the community. In fact, you tend to find the opposite.

- Cities that are attractive attract new businesses. Raleigh, for example, is the number one growth city on the east coast. They're doing quite well with the moderate sign restrictions that they have.
- In conclusion we believe that this is a good, middle-ground ordinance, not overly restrictive, but one that will benefit our community, including the business community, in tremendous ways in the years to come and we therefore ask that you approve it.
- In response to a request from the Planning Board, people in the audience stood to show their support for the ordinance.

Carol Dimling, 701 Oaklawn Avenue, Winston-Salem, NC 27104

- It's hard for me to believe that it's been over three years since I've been involved in this process. I suppose it only goes to show that indeed the wheels of progress do turn very slowly. From August to November of 2003 I had the opportunity to participate in the Citizens Advisory Committee that you've heard mentioned which was appointed to review the existing on-premises sign ordinance. In accordance with the *Legacy* comprehensive planning guide and the City Council's strategic plan, the advisory committee was appointed to assist the Planning staff in making an assessment of the on-premises sign ordinance which had not had significant revisions since 1985. That's 21 years ago. That's a pretty long time to not revisit that ordinance.
- The Committee members were selected to represent a broad spectrum of our citizens here in Winston-Salem. Members included representatives from the neighborhood associations, the Community Appearance Commission, the owner of a major sign company here in Winston-Salem, design professionals, civic and institutional groups, commercial realtors and a representative from the Chamber of Commerce. Staff members of the Planning Board were on hand to facilitate the process.
- We began our task by describing to each other areas that we have visited where we either had or had not been impressed by the signs that we saw. A good example of an area where we had been impressed with signs was the community of Knightsville which is east of Raleigh. They are governed by a sign ordinance that limits the height of all of their business signs. While all of their signs are of the same height, they are all readily visible and they are all easily identifiable. Fast food stores, restaurants, gas stations, shopping centers all conform to the same standards.
- An example of where our members were not impressed with signs was what we called the visual chaos of signs along such areas as Stratford Road or out along the Peters Creek Parkway corridor or Robinhood Road at the Peace Haven intersection.
- We agreed that not only is it more aesthetically pleasing to the eye when the size and number of signs is limited, the field of vision is also increased.
- Traffic safety was an issue that we felt was very important. We discussed it at length and we felt that needed to be taken into consideration given the ever-increasing amount of traffic on our highways here in the city.
- We continued over the weeks and months by also reviewing sign ordinances from our neighboring cities and surrounding communities and we found as you have heard that many of them have already set the bar.
- We ended up agreeing that in addition to the aesthetic value for its residents, a community's appearance plays an important role in attracting new business and also in promoting tourism to the area.

- At the end of the process, the Advisory Committee agreed that revising our sign ordinance to include limits on the numbers and sizes of on-premises signs would be a good thing and pro-business for Winston-Salem. We gave our recommendations to the Planning staff.
- Mindful of the financial impact that our recommendations might have, we then debated and agreed upon an amortization period. This, as you've heard, is the period by which existing businesses have to come into conformity with any new ordinances. I might add that the Planning staff's recommendation ultimately ended up exceeding the Advisory Committee recommendation by three years. The Advisory Committee recommended a seven-year amortization period. The Planning staff recommended ten years. We have already seen, and you see by some of these signs on the display, that many businesses now as they replace existing signs and as you have new business development, they're already incorporating new standards into their signage. We think that this is probably in anticipation of revisions to the sign ordinance. The Citizen's Advisory Committee took it's assignment very seriously and as with any plan the devil is in the details, but we believe that the Planning staff has done an outstanding job working through all the various technical details and presenting a thoughtful and well organized proposal.
- We hope that you will agree.
- Thank you very much.

Nancy Byrum, 1836 Flatrock Street, Winston-Salem, NC 27107

- Good Evening.
- I am here with the Neighborhood Alliance and also representing the Waughtown Preservation and Revitalization Coalition.
- I'm constantly struck as we visit relatives in the Raleigh/Durham area and also in the Huntersville/Davidson area about the contrast in our signage and theirs. It gives a much more cluttered look when you come back home after being in these places. It's really hard to see some of the business signs here because it's like there's a war going on trying to see who can have the biggest sign or how many signs you can put on a building. If you drive down someplace like Peters Creek Parkway, or even Waughtown Street, you're struck by just the clutter and it really is sensory overload. It's very hard to grasp what a business is trying to tell you when there are so many huge signs. I feel like that this ordinance is long overdue and as everyone has said, it's very moderate. It's in the middle.
- And we just annexed a large segment coming into our community which makes us one of the larger cities in North Carolina. I think that we, in reflection on that, need to move into a more moderate and modern vein that we've been operating on. I just feel that this is really a necessary ordinance. The Planning staff has worked very hard on it. The committee that worked with them was a very diverse committee made up of all segments of the community and I do feel that giving ten years for the signs to come into compliance is very reasonable, so I ask you please pass this ordinance.
- Thank you.

Robert Vorsteg, 3620 Marlowe Avenue, Winston-Salem, NC 27106

- I'm vice president for the University Area Neighborhood Association.
- Chairman King and other ladies and gentlemen of the board, I heard about a distinguished visitor from England who first saw Times Square and looked about and said, "What a dazzling site. If only I couldn't read English. If only I couldn't read it."

- I drive out Reynolda Road and I get a growing sense that there's a competition going on to see who can build the tallest sign and in some cases you get a sense they also want to see who can build the biggest sign so as to eclipse the signs that are already there. There is that sense of clutter although I'm aware that there are other parts of town which are far worse.
- I suggest that this ordinance, like so many that come before you, is an attempt to present a solution to a problem where you have something that is intrinsically, in various ways, beneficial. Signs are an inevitable part of a commercial civilization, but they can be, as the Times Square visitor said, they can be a bit overwhelming and serve negative purposes so they have benefits and burdens and like so much else, the aim seems to be to find an equitable balance between those benefits and burdens and a balance which is fundamentally acceptable to the larger community.
- We can never come up with something that will please everyone who takes a stand on it and this is an attempt to do that and I believe it approximates as well as we're likely to find a reasonable solution.
- Having said that and having, not wanting to simply repeat what you have heard already, I talked to a couple of merchants at Reynolda Manor. I only had two to talk to and since I know we know the Chamber has been aggressively pursuing the attempt to stop this sign ordinance, I talked to the owner of the pet store there, Pet Supplies Plus, a Steve Benfield, and asked him what he thought of this and he said he's for the sign ordinance. He said he replied to the Chamber's letter and since he couldn't be here, gave me a copy of it that I might read it to you.
- It says, "I'm sorry, but I agree with the proposal. In the long run, making Winston-Salem as attractive as possible makes it a more desirable place to live and therefore will have a positive economic benefit on the area. If you only do what appears to benefit the bottom line of businesses, you become, well, you become New Jersey."
- Thank you.

#### AGAINST:

Gayle Anderson, 601 W. 4th Street, Winston-Salem, NC 27101

- Good afternoon. Thank you for the opportunity to speak on the sign ordinance today. I am here representing 1800 businesses who are members of the Chamber of Commerce and let me just assure you that while we have a lot of large businesses who are members, more than 85% of our membership are very small businesses having twenty or fewer employees.
- A lot of them are so small that they couldn't be here today. They can't afford to close their business for the afternoon to talk to you about this ordinance. But some of them are here in the audience and we won't have a chance for all of them to speak so I would like to ask all of the people who are here in opposition to this ordinance change to please stand at this time. Thank you.
- This afternoon we've heard Cary, and Knightdale, and Clemmons, and Kernersville and nobody's said Hilton Head, but I'm sure if we had a few more speakers, we would hear that too. And friends, those are all great places to go, but this isn't any of those places and to compare us to those communities is to make a very, very inappropriate comparison.

- When we compete against communities, we compete against Greensboro and High Point and Richmond and Charlotte and all of those have ordinances that are much, much, much less stringent than what is proposed today. Significantly less stringent.
- The Chamber has looked at this. We have listened to people say what they think and they feel, but I would ask you to think about what the facts are.
- There is no evidence that changing this ordinance when it talks about height or size or electronic message boards is going to benefit this community or that it's going to benefit local businesses. There is no evidence that it's going to set out to accomplish the things that people have talked about they'd like to accomplish today.
- I've been in economic development and in community development for thirty years in this community. Over those years, I've worked with a lot of existing businesses that want to expand, I've helped with businesses that want to come here. In thirty years, I have never had one business person complain about the signs in our community and the way that they look. If it was a significant factor in doing business or in attracting business, at some point in thirty years, someone would have brought that up.
- We also have been talking with our business leaders and we have to this point, resolutions from Winston-Salem Business who recruits for us, the 180 members of the Forsyth County Restaurant Association, Reynolda Manor Shopping Center, College Park, Parkway Plaza, construction companies, BB&T, Bank of Granite, Bowen Town and Country, Joyce Foods, Hubbard Realty, and I have 700 more. This community is speaking loud and clear and saying to you there are many more important things that we need to be doing to improve our economic development and our growth than to be looking at signs and spending thousands of dollars and hours worrying about a sign height and a sign size.
- We need to get on about the business of business and you need to let our business people go back and run their businesses and create the jobs that we all need in this community so we can prosper.

Graham Bennett, P. O. Box 2736, Winston-Salem, NC 27102

- I'm president of Quality Oil Company.
- Mr. Chairman, Board members, thank you for the time to allow us to come in front of you today. We are opposed to the sign ordinance as it is written today.
- You'll hear a lot of points. I want to highlight two points if you'll allow me to, quickly.
- First is given the economic climate of Winston-Salem and Forsyth County and particularly the efforts of so many to attract businesses to this community and to grow small businesses within the community, this is not the time to adopt a comprehensive sign ordinance that would put us at a competitive disadvantage with the cities that we compete with, principally, Greensboro, but major cities.
- Second is, we've heard a lot of talk on amortization. And I've heard a lot of arguments that people used to me that says, "Well, why should you care? You've pretty much gonna replace that sign in ten years, five or ten years anyway, so you're pretty much gonna be there, so what's the argument?"
- Quality Oil's been doing business in Winston-Salem since 1929. Many of our signs date back to the early sixties. They're standing tall and fresh and very sturdy and they are serving us well and we have no reason to expect for them to not have twenty more years. When you build a good sign, it is not on any ten year amortization. It is there for a long time and the impact to small business to replace that sign would be a very onerous.

- Other point on amortization. We do business across the state, from Outer Banks to Asheville and there's not a single city to our knowledge that requires amortization, so that, we don't want to be put at a competitive disadvantage there.
- In closing, we do know that the sign ordinance needs tweeking. It is our hope and our desire and my personal thought is that we have more time to work with the staff that has worked hard on this. We acknowledge that and staff has communicated with us, but we would like to have more time to deal with the staff and come up with a more appropriate change if indeed a change is needed, but we cannot support the ordinance that is proposed today.

Steve Williams, 5446 University Parkway, Winston-Salem, NC 27105

- Good afternoon, Chairman King, and members of the Board. I'm president of Wilco Hess. I live at 450 Sheffield Drive, Winston-Salem, NC 27104.
- Thank you for the opportunity to speak. Our company is fortunate enough to operate a number of locations in and around Forsyth County and we've been blessed to be able to operate over 123 different towns throughout the State of North Carolina.
- To the best of my knowledge, there's only been one instance since I've been in business with my father since 1982 that amortization has been placed on our company. That was in Durham, North Carolina. Now, I understand that Clemmons is implementing that. We've got four or five more years. So out of the 123 different towns and communities we're fortunate to operate in, 121 of them do not require amortization.
- Now does that mean that we haven't replaced signs? Absolutely we've replaced signs and we've had to change the sizes. But when we went in to propose to change our sign or change our sign ordinance, we were told these were the new guidelines that you had to conform to. Then we were given a choice. If we wanted to put a newer sign, relocate it, or build a new facility, we had a choice whether we wanted to do that or not. Whereas in this situation, we're being given a mandate which will cost businesses hundreds of thousands of dollars.
- The towns that I talk about that we do business in that we've not had amortization are Greensboro, Raleigh, Boone, Chapel Hill, some of these may surprise you, Wilmington, Clayton, Charlotte, and Mooresville. We operate signs and locations in those facilities and those towns and we have recently changed signs in those towns.
- As I've said, we've had a choice to update our signs whereas we've given right now the opportunity, we're not given a choice so we ask you to consider that.
- And then finally, I'd like to address some of the comments that have been made by the proponents that businesses would be attracted to this community because of the attractiveness of signs. Well, I can tell you speaking on my behalf and probably some of the other business developers and leaders in this room, that that's the last thing that enters my mind. The first thing I look at is market opportunity, the development cost and my return on my investment.
- The size of the signs make no difference whatsoever to me. So why put us at a undue hardship. We're not in favor of this. It's not the right time and I concur with what Graham Bennett said: We have more important things in this community to address right now than the size of the signs.
- Thank you very much for your time.

Jack Perkins, 6100 Gun Club Road, Winston-Salem, NC 27103

- Mr. Chairman, members of the Planning Board. My son and I own Ad Sign Corporation at 6100 Gun Club Road, Winston-Salem, NC 27103
- I want to bring something, show you a different look at what the sign ordinance is doing and what we have to go through and the owners have to go through in order to put up a sign. I look at that photograph up there and I'm getting an optical illusion like a lot of other people out here. I can do the same thing with my camera, but my point being, every one of those signs were permitted. They're permitted through the City of Winston-Salem. But to follow up some of the guidelines we have to go through on a wall sign, I've been a good customer of Inspections for 34 years.
- They're permitted through the City of Winston-Salem. But to follow up, some of the guidelines we have to go through on a wall sign, I've been a good customer of Inspections for 34 years and today we have seven different steps we have to go through to get a permit on a wall sign. We have seven different steps, additional steps, we have to go through to get a free-standing sign.
- Number one, you got to fill out a permit.
- Two, detailed drawings for front wall area, so on and so forth.
- Submit drawings, application and a check is due to the City of Winston-Salem.
- If the sign does not fit with the requirements, the sign permit will not be issued. That's understandable. After the sign is complete and installed, the sign company must apply for final zoning inspection. Fair.
- The time frame from date sign permit has mailed into Inspections, it currently can take anywhere from four to seven weeks. Along with our check that's tied up, after three or four weeks reasonable period of time, you call Inspections now and it's like I said, I've been, I've been a good customer for many years and I say, "Hey, Joe. What's going on?" or "Hey, Sam. What's going on?" and he says, "Jack, we passed it. It's just tied up in the Planning Board." Why the Planning Board? Well, I don't know. So-and-so has been on vacation. But I got to tell you, Inspections is overloaded. They are absolutely, every single one of them that we have talked to says that they are overloaded. Now we're talking about bringing in a new sign ordinances, putting more of a load on them, and this sort of thing and it just seems to me that it's creating additional problems there and you can't appreciate this unless you're involved in it.
- The last thing that I'm going to bring up is I checked with a friend of mine this morning and the 2004 census says there's approximately 8500 businesses in Winston-Salem. On a sign of three by six, three by eight, anything less than a four by eight, not including corporate identity signs like hotels, motels, your gas stations, your automobile signs, 8500 businesses, we're talking about \$2,500 per sign. Gentlemen, you multiply that with this struggling economy and you're talking about approximately 25 million dollars coming out of their pocket.

Perry Hudspeth, 2516 Reynolda Road, Winston-Salem, NC 27106

- I'm with Anchor Financial Management Group.
- I guess I have a little bit of a unique approach to this because I'm a small business owner and when I set up my business in 2002 I had no idea what it cost to be a small business owner today with all the licenses, the permits, the requirements, the taxes, it's

unbelievable. But I also agreed, one of the first things I did was join the Chamber of Commerce and I agreed to serve on this Citizens Advisory Committee as the Chamber's representative on the committee.

- I did not get to the first meeting, but at the second meeting which was the first one I attended, it became very obvious to me that there was not a discussion on "do we need a sign ordinance?", "do we need changes?" but that we were going to have a sign ordinance change. And we were able to talk about many different cities, many different locations, many different types of proposals throughout the next several meetings.
- I agreed with almost everyone I think on the committee that we have some unsightly signs, mostly vacant signs. We have some temporary signs that have been put up on the sides of buildings that are as large as the sides of the buildings and I don't think anyone in Winston-Salem would have any problem in cleaning up that situation, that unsightly mess.
- I also thought about the utility poles that are all over town with the pile of lines and grids that are strung all over town as well.
- I don't think there were many small business representatives on the committee. I think I was one of the few small business representatives so from that standpoint we didn't get a lot of feedback or input from small business owners.
- As I have looked at this proposal and as I have studied it further and looked at the cost to those small businesses who are not in compliance and the numbers that I have heard repeatedly are between 2,000 and 2,500 dollars just to bring their signs into compliance and that is a lot of money for a small business owner. I think we all agree with that.
- And then, finally, in closing, I just want to say that I was there for the final vote. The vote was on the issue of amortization. The vote was not unanimous. It was a seven to two split vote and I will mention that the minutes of November 25 record this vote.
- Ironically, I guess, the two people voting against it were me, the Chamber of Commerce representative, and the gentleman from the sign company.
- Thank you Mr. Chairman.

Don Flow, 224 Roslyn Road, Winston-Salem, NC 27104

- President of Flow Automotive Companies
- Others have spoken eloquently so far to my objects as well, so I will go quickly.
- The last five years I've spent 20% of my personal time which should have been work time as the volunteer chair of Winston-Salem Business Inc.
- I have met with CEOs from around the United States attempting to attract them to this city.
- And I can say unequivocally that not one at any time has any CEO ever told me that he would make a decision about coming to our community based on our signs, size of, small, large, anything to do being with part of our signs. Instead, every single company wants to know what kind of community we are as it relates to creating an environment and a culture that encourage growth to come and support them and stand beside them to help them grow as a company.
- We are not at a time when we can be complacent.
- Our city, as evidenced by the headlines today, remains very fragile economically.
- Small business is our best chance to continue to grow as a city. We need to do everything we can to ensure that we are not impeding their ability to grow.

- When you put your entire net worth on the line and put yourself in place and you buy a sign, we can not be sitting here pushing back against the person and say "take that back down again."
- Right now our metropolitan region ranks 167th out of 180 in the United States in economic flourishing and vitality. 167 out of 180. We are not Raleigh. Be sure about that, we are not Raleigh. I would give anything to be Charlotte, North Carolina in terms of our economic viability. I like our city better than Charlotte, but...
- Let me say that I am fortunate this time in my stage of life that I can afford a sign ordinance. Our company can afford to take down signs, but in 1957 when my father started this company, his entire initial net worth was putting up a sign. We've got pictures of him standing beside his sign. Don't we want to be a city who will do everything it can to encourage every person who puts them self at risk to try to help them grow their business because that little business that began in 1957 with that sign, now has an annual payroll of \$50 million. That feeds a lot of families throughout this State.
- Thank you.

Evelyn Acree, 770 Martin Luther King, Jr., Blvd, Winston-Salem, NC 27101

- Good afternoon, Mr. Chairman, members of the Board. I am City Executive for Mechanics and Farmers Bank.
- The proposed ordinance will have an adverse effect on the bank. We would have to change our sign that we've had for over 15 years, but more importantly it would have an adverse effect on our customers. Most of our customers are small businesses who cannot afford to change their signage.
- These businesses have challenges today because of the local economy and the world economy. They'd have some lasting effects that will far exceed ten more years.
- Changing signage for these businesses would be an added financial burden.
- In preparation for today, I spoke with a few of my small business customers. One customer told me that when the last sign ordinance changed several years ago, he had to pay to take his sign down and when he did so, it damaged his roof, so not only did he have to pay for the change in the sign, but an additional cost to repair the roof. Quite frankly, this unexpected and unbudgeted expense was a hardship for his business. The sign was in good shape and it served its purpose, the one that he had to take down.
- A cost of up to \$2,500 to alter a sign or up to \$25,000 for a new sign could be disastrous to a small business. Most sign companies will not allow you to pay on an installment plan. They want money up front. For these reasons, Mechanics and Farmers Bank joins with the Chamber in opposition of the sign ordinance.
- Thank you for your attention and consideration of this matter.

Alexander Cooper, 546 S. Stratford Road, Winston-Salem, NC 27103

- I'm representing Joe Hinson, George K. Walker Florist
- Yes, we do have one of those new electronic signs and I've got only one thing to say. We put the sign up in January. Since then we have spreadsheets to prove we have a 20% increase in business because of that sign.
- Thank you.

Tom Blair, 592 West Second Street, Winston-Salem, NC 27101

- Mr. Chairman, members of the Planning Board.
- President of DataMax Corporation.
- I had originally prepared several minutes of comments, but most of my points have been made and made very well by the previous speakers, so with your permission I'll just leave copies of my written comments for you to read later.
- But I would like to share just a couple of closing thoughts with you.
- There are a number of organizations in this town that are working diligently to recruit new companies, new employers to this town to replace some of the jobs lost during the decades of outsizing, or out-sourcing and down-sizing.
- There are other organizations such as the Chamber of Commerce working with existing businesses and you heard today that there are over 8500 employers in the community and by the way, 70% of those employee 9 or fewer people so we're talking about a lot of small businesses.
- Now for the efforts of these organizations to bear fruit, to succeed, we need to create a climate that's conducive to business growth and development and amending a workable sign ordinance, one that was born out a compromise a few years back, one that already meets the needs, the balanced needs of our community, and one which is not being fully enforced, is not the way to create this atmosphere.
- I urge you, I implore you to please find ways to help the businesses of this community to grow and prosper. Those efforts will be appreciated by all in the community and benefit everyone in this community.
- Thank you.

Arnold King: That's all the time. I'll say to the board, I have three other folks who've signed up. Do you want to give them a minute each or do you just...? Have you heard enough?

Carol Eickmeyer: Let's give them...

Arnold King: Okay, is that fair enough? Let Don Speight?

Don Speight: I yield.

Arnold King: Richard Redding

Richard Redding, 318 Indera Mills Court, Winston-Salem, NC 27101

- Vice-President, Meridian Realty Group
- I'm here in favor, from the business community to ask you to change our sign ordinance because in our end of the business in marketing and selling our community, there's a serious problem with the existing ordinance and the one that's proposed today.
- The new ordinance proposes a 32 square foot, four by eight maximum sign during construction of a project. One sign per project. It's down one year after it's been put up. Gary, could I get you to turn on the overhead?
- I had about fifteen minutes today to go out very quickly and want to show you signs at I-40 and Stratford for a new office building, rather than one four by eight, had six of them. That's 96 square feet each, 192 feet total. West End Village 64 square feet. Four of

them, 128 feet total. Right across the street from them, two signs, 68 and a 32 square foot, 96 foot total. A block down the street 128 feet. For the Southeast Gateway, four of them put together. The new YWCA two of them together. The main gateway sign four of them put together. I could bring you thousands of examples from across the city and this is not out of line with what you will see if you drive through Guilford County, if you drive through Piedmont Center, if you drive down I-40 and look at marketing in our competing counties. I would ask you for four specific changes that I will leave with you and sit down for the sake of timing to consider and please do change this section of the ordinance because both the existing one and the new one do not conform to what the industry is doing.

Arnold King: Thank you sir. Tommy Doughton.

Tommy Doughton, 633 W. Fourth Street, Suite 150, Winston-Salem, NC 27101

- Thank you for giving me an opportunity to speak again.
- I'm a lifelong resident of Winston-Salem and again I'm glad you gave me an opportunity to speak real quickly because my concern is totally different from what everybody else has mentioned here tonight. I'm here on behalf, I'm a member of Mount Tabor United Methodist Church. I'm chair of their Board of Trustees. My concern is temporary signage and maybe what
- I'm talking about has already been addressed because I called several months ago concerned about this, but as originally proposed, there was no exception for churches to put out temporary signs so every time you want to have a barbecue or something to raise money for our youth or our preschool or after school program and we stick a sign out on our church property to let people know we have a preschool program that was going to be in violation. I don't know whether that change has been made. Hopefully it has, but I would ask one exemption for churches.
- Thank you.

Arnold King: That change has been made, I believe, Mr. Doughton. I will now declare the public hearing closed and the Board go into work session.

Jerry Clark: Can you give us a breakdown of that committee?

Glenn Simmons: Ten members : Dara Folan (CCPB), Lou Dunkelberg (CAC), Carol Dimling (Citizen at large), Perry Hudspeth (Chamber), James Davis (WS Black Chamber of Commerce), Henry Ebert (Ebert Sign Company), Ken Householder (West Fourth Landscape Architecture), Molly Leight (Neighborhood Alliance), David Gall (local Architect), Dr. Melvin Johnson (Provost & Vice-Chancellor of Academic Affairs WSSU)

Lynne Mitchell: Was attendance pretty consistent? Glenn Simmons stated that he had copies of the meeting minutes and there seemed to be a pretty good representation at each meeting.

Brenda Smith: How can we look at different ordinances in different type areas where we can compare them; not just for Highway Commercial zoning?

Paul Norby: A much more detailed chart comparing several cities was submitted a long time ago. It was hard to clearly understand because cities categorize things differently. This chart was an attempt to take every area's typical "Stratford Road" type commercial corridor and compare them.

Paul Norby: The other thing to keep in mind is that the proposed ordinance is attempting to narrow the wide gap between the sign conditions assigned to special use zoning cases over the last 15 years and those that apply to general use zoning.

Arnold King: Would we still be putting more restrictive conditions on special use district signs?

Paul Norby: That would depend on the corridor. On a road like Stratford Road that would have a lot of general use zoning and the larger sized signs, any special use zoning signs in the future would likely be more consistent with them. But on a corridor that is much more low key like Peace haven Road, the special use district signs would be more restrictive as they are now.

Carol Eickmeyer asked about Richard Redding's examples of construction signs. Staff will look at Richard's examples and see where adjustments could be made.

Carol Eickmeyer: I don't get amortization. I thought I understood it really well. But why isn't there any in Raleigh? Or is that not correct information?

Paul Norby: What I would like to do is communicate directly with the Planning Directors and let them tell me what provisions they have/had.

Kirk Ericson: A review of their ordinances indicated that Raleigh did have a five and a half year amortization period, which was enacted in the eighties. As well, Charlotte had an eight-year amortization period.

Clemmons has a ten-year, Lewisville has a seven year. Kernersville has a seven year, but there's an exception that allows one nonconforming sign on every property.

Carol Eickmeyer On the height issue, I would be curious to know how many too-tall signs there are in the community.

Ronnie: I would guess approximately half of them. It depends on which road you're on.

Carol: The thing that concerns me about this public hearing is that we heard from a lot of people speaking for others. That always makes me queasy because it is so easy to generalize. I'm at the point where I would like to know a little bit more, but my guess is that most of the people in the room today were not really affected.

Don Flow: It's not accurate to say we wouldn't be affected. We would be affected almost every single sign. But I wanted to speak to a bigger point than just my ability to effect because I'm large enough now. Thirty years ago I couldn't have afforded to pay for it. I would have been out of business if I had to write checks for all those. There's no negotiated price. General Motors says here's how much it will cost. Write a check or you're out. If you can't put a sign up, close

your business. That's just a fact. That's how it operates in your franchise agreement. But I got stopped by hundreds of small business people who said, "Don, can you speak to that and say it effects all of us." Here's the interesting part. There's nobody who hasn't said, "Let's look at this and think about it." But why at this point have a comprehensive sign ordinance that makes us all put out money for all kinds of things in this particular setting? There's so many guys who felt like, "I didn't have a voice in this. I didn't know this was coming down already."

Carol Eickmeyer: Are you telling me that GM sends you a particular size sign and says you have to put it up and therefore there's no option?

Don Flow: Absolutely. Well, they put that up, then if the City has an ordinance, you tear it down. They charge us. They come in and every manufacturer, any company in the world, puts the maximum size sign allowed in any city. I'm in half a dozen cities. They come in, they study it, they say, "Here's your sign." That's the cost and the same way in the floral business and everybody else. That's the world we live in with signs. So we negotiate and obviously I'd like to pay less if possible. They believe and they've got a lot of money and research that shows that signs make a big difference. People's ability to see them make a difference.

Carol Eickmeyer: What you're saying is that General Motors makes your signs to whatever the outside boundaries are of the community's ordinance. That's what they tell you that you need to have and buy from them.

Don Flow: Right. They come and have about five different ranges which they've found the most restrictive cities in the U.S. and the least restrictive, so they've got five and they come and do it and say, this is what fits in your city. This is what we want you to have. These signs are very expensive. That little Mini sign we have on Peters Creek is \$55,000.. That gives you a feel today of the cost of these signs to put them up.

Carol Eickmeyer: Is our proposed ordinance, besides effecting the height, going to effect the number that you can have?

Don Flow: It will effect the size, not just the height, but you've got the size of the panels as well. So those will all be effected. I'd have to look and get out, measure exactly on our footage if we'd be in compliance with that.

Don Flow: In our franchise agreement we are required to have a sign for every brand. They can cancel my franchise if I don't have that.

Carol Eickmeyer: Will this proposed sign ordinance restrict the number of those signs that you can have?

Don Flow: I was hoping to have one of the folks from the City come out and walk the property with me so I could fully understand whether that would or not because it's a little bit complicated on there because Healy comes to Stratford and so all the footage gets more difficult to measure.

Clarence Lambe: Plus where you have contiguous ownership of lots, you've got a problem with the number of signs per.lot that's a huge problem.

Steve Williams: One thing I want to make sure everybody understands is when they mention that the cost to the average business is \$2,000 to \$2,500, that's only if the sign's too high. That is if you're 20 feet and it's lowered to 15 feet. It'll cost anywhere from \$2,000 to maybe \$3,000 to get a company, get a crane, cut it off, get an electrician, unhook it, do it back and then that opens up another can of worms. For our company, every one of our signs would be out of compliance.

Carol Eickmeyer: Is it too high, too wide, too what?

Steve Williams: All of the above. It would cost our company approximately a quarter of a million dollars. Can we afford that? Probably. Do we want to pay it? No. It just doesn't make sense that we're burdening the business community that is always the one that the community looks to, but probably a lot of you don't know this, but we take our time to help recruit the businesses. I don't think Dell came here because of our sign ordinance. I think they came because we were a can-do, let's get it done, community. When Lowe's Hardware came and put their whole MIS Department, I don't know if any of you knew the business community banded together, raised quietly amongst us \$100,000 to give to Lowe's Hardware to locate their whole IT Department. Did we ask for anything in return? No. Was there a press release that we did that? No. We did it because it was the right thing to do for this community to help us move forward. And the only thing we're asking the council to do is to respect the members of the business community, not make us spend the money and then look at, address the amortization, sure, let us be involved in looking at the proposed ordinance, but if you look at this citizen action committee, there was not a single business owner on that committee. I've got the article that was in the March paper and there was one other notice sent out about the hearing, so it wasn't like this was rampantly addressed to the business community. Most people, I had a number of our employees go out to get petitions signed, myself included. The majority of small business owners had no clue what was about to get ready to hit them. They could not be here because they're minding their shops right now. But I can assure you that if they need to be, we'll rally the troops and have them here. Thank you for your time.

Carol Eickmeyer: The other thing that concerned me was the number of steps that it takes to get a sign approved.

Paul Norby: We'll ask Inspections to describe that,

Ronnie Grubbs: I can tell you I've had the conversation with Jack Perkins about signs. He is upset with our processes. Over the last few years we'd added reviews to them. Building codes now require that review. It's a footing review of any sign over six foot height has to have a footing specification by an engineer. We have to go out and inspect the footing just like we do a house. And it's added some review time to the process. We're trying to get over the hump. We're looking at our figures. We try to do a sign permit in five days. We're not hitting that mark. I looked last month 18% of our reviews went through in five days. We're working on it and we know we've got a problem. We're probably going to redistribute work and try to get some other people looking at signs, but we know where the problem is and we do have a problem.

Wesley Curtis: I think, too, Ronnie, it's not just the number of steps. It's filling out a form, turning in the form to...it just takes time. We need to try to address and not drag it out.

Ronnie Grubbs: The sign companies are promising to get a sign up in a certain time and if we drag on, they don't even have a permit and have promised the person their sign. Signs are a separate permit.

Chris Murphy explained that occasionally Planning is asked to get involved on a site with special use zoning. He gave an example of the day care off Jonestown Road near Country Club where the site plan was very old and didn't show a sign, so they had to come back through Planning to get approval for adding one.

Arnold King: We've got to do some work on this thing and I don't know if we're going to do it even within the 60 days given our reduced work session schedule, since staff is the petitioner, can we keep it longer than that?

Paul Norby: Basically, yes. I would answer differently if it were a petitioner from outside.

Arnold King: Do we want to bring this to a work session that we're involved in or do we want staff to go back and work with some of these folks again.

Lynne Mitchell: This is my comment. I sat on the streets standards committee and I know how hard, I want to thank all the people who were involved in it with staff because I know how much the blood, sweat and almost tears you put into something like this. I'm concerned about process. If this went through such a long process and this is where we're at, obviously there's something we have to look at with process. I don't know what went wrong to get to this point and have so much opposition and that's my concern. We need to revisit our process. I hope we do this at the front end. I really want to be respectful of the time, energy, and passion that people put into this.

Paul Mullican: I'd just like to make a comment about the small businessman. I know for a fact being a small businessman myself and working with, having rental property and working with tenants or whatever, the sign is the lifeblood for their business. If they can't have a sign people can find for their business, they're out of business. What I've heard here today, I don't want us to lose, I agree with you that, you know they showed pictures of the clutterness or whatever, I agree that needs to be cleaned up, but I don't want to lose sight of the small businessman and not and hurting him. I think we all agree with that. I know we do. I'm probably preaching to the choir here, but. \$3-4,000 is a lot of money. ..Whether you're Flow Motor Company or Paul Mullican, you've got to have a sign to get people in your door. We need to keep that in our mind, too. Let's keep that as a mindset. I don't think anyone in here would have any problem going forward with a new sign ordinance. The problem is the existing sign. I've had my sign on my building for 30 years and it's still the same sign and it still functions good. I'd hate to have to spend \$3,000 or \$4,000 ten years from now to change it.

Jerry Clark: I would love to see a comment time where people can comment.

Paul Norby: We have done that several times during this process already.

Arnold King: Ms. Anderson, can you come back to the mic? I want to ask you a question. Let me see if we understand where the chamber is coming from. Do you think we just don't need to address this issue at all? Or can you help us work through this thing to get some standards we can live with?

Gayle Anderson: I think we could work with you on standards. But I think if you were willing to grandfather existing signs, nobody would be here today because people could understand going forward and if something happened and they wanted to change their sign, that they would then come under the new regulations. The problem right now and what we're hearing from the small businesses that's why we did the petition, is "I got this great sign and it's been amortized, but you know, that doesn't give me a check to buy a new sign, so I want to be able to use my sign as long as it works for me and then if I want to replace it, or when I'm ready to replace it, I understand that it might have to be different.: It's like just because my house is paid for, that doesn't mean I can go buy a new one tomorrow for no reason. I think if there were a way to just grandfather existing signs and then move forward, that you would find that our chamber would support it and I think the other businesses who aren't members here would support it.

Arnold King: Then you could work with us to get those specific points that need to be addressed?

Gayle Anderson: Yes, we'd be happy to do that.

Arnold King: How much time would you need to summarize that information and get it to Paul? Can you do it in a month, two months?

Gayle Anderson: I think to be really fair and be able to go out and talk one on one to businesses if we had two months to do that, that would give us adequate time to do that because what we found in the last month or so is we have to go out and see them at their place of business. All the well meaning letters, e-mails whatever, but when you sit in front of somebody and say this is what's proposed and this is what it would mean to these signs, then they start to tell you what really matters to them.

Arnold King: And I would like for the proponents to do the same thing. If you can document how this attracts business and makes us a better community, I'd like to hear that as well. I think if we could take a couple of months, both sides feed information to Paul, and you work on the thing, and we can do that without violating our 60 day thing, we're probably looking at three-four months before we talk about it again, perhaps.

Clarence Lambe: I would hate to see us put a time frame on it. Something we frequently do not do is any kind of meaningful accurate cost benefit analysis. We do these things to a developer one at a time and a developer isn't going to stand up. When 8500 small businesses come up here then we start listening to it. I don't believe we would have gotten this far along had we not all heard in our last couple of meetings about the examples that even large employers took a look at their signs and decided they would be 95% in compliance. And then for Ronnie to have stood up a few minutes ago and say probably half the signs are going to be in noncompliance, that was news we should have heard two work sessions ago because then you can take \$3,000 number and multiple it by 5,000 and have \$15,000,000 and that's a real cost. And that assumes there's just one sign not in compliance for each business, not two or three or four. That's something I would really like for us to do a better job with is when we get ready to do something with an amendment to our ordinance is to really take a closer look at how it impacts the expense or just the cost of doing things in Winston-Salem.

Arnold King: I don't like putting a time limit on it, but we've got folks who've spent three years on this and I don't want it to be open ended.

Lynne Mitchell: Some things are hard to measure, like quality of life, prevention, you can't measure preventing not having a heart attack. There's also things when you look at best practices - what is being done across the rest of the country so you have to balance that science with some common sense.

Clarence Lambe: I'd like to strike my benefit requirement, I'll just say cost.

Paul Norby: Sixty days to get comments to us, we'll assemble all those then come back to you in work session and show you what things look like. If we're going to massage the ordinance, we'd certainly like to do that with you as a Board since we've tried to on our own through the last three years work with the ordinance that began with the advisory committee. We've made a recommendation and that doesn't mean to say there's not going to be information that would cause us to make some additional changes, but we'd like to do that in conversation with you all as opposed to us just going off and negotiating again with one group.

Lynne Mitchell: Is the chamber committed then to providing this information and giving constant feedback?

Gayle Anderson: Absolutely. We're committed to do that.

Clarence Lambe: Cost to clients would be extremely helpful.

Carol Eickmeyer: We need specifics. ... How many little guys really have 35' signs?

Gayle Anderson: We will provide you with as much information as we possibly can. If there are some specific things that you want us to address, because every business situation is going to be somewhat different, so it would be a little difficult to generalize. Basically, if you ask me today I'd say height and size are the two biggest issues. As one of the gentlemen said, it's expensive just to lower a sign. Number of signs again depends on how much square footage, frontage, so it's hard to go in and say 15% of the businesses say it's this because everyone we've talked to has a slightly different situation.

Arnold King: So, Paul, is technically what we're doing here withdrawing this and setting a proposal to have it back in January for public hearing again?

Paul Norby: We would not be withdrawing this, but I guess what I'd like to do is clarify with you better the process by which we're going to put together a new draft for which we would then have a public hearing. Maybe we can discuss at this upcoming work session about how we do that process-wise and then that might help inform us as to the schedule.

Arnold King: I want us to have a public hearing where Gayle Anderson can stand here and say, Yep, we support this.

Gayle Anderson: We'd like that too. So, shall I wait to hear from you about any more specifics that you want at this point?

Arnold King: No, I think you've got 60 days to get your information to Paul.

Jerry Clark: As I travel around the country, there are more communities that are reducing the sizes of these signs than I've ever seen before, especially smaller cities.

Paul Norby: Maybe we can arrange a little tour and come up with an inventory of different sizes and height that we could go around and look at.

Arnold King: I can solve the whole thing for you. The proponents...we need to get our City Council to take economic development money and pay for these signs.

Lynne Mitchell: It's not all about business. We have to have the balance.

Jerry Clark: There can be a way to look at individual situations at the end of the amortization time and look at possible hardships.

Arthur King: I would like to tip my hat to the folks who have worked so hard on this for all these years and say thank you. The problem is a social benefit and private cost.

MOTION: Carol Eickmeyer moved to continue this issue until early 2007 with the idea that we'll be getting input from the business community within 60 days and input from the citizenry in the same time period.

SECOND: Paul Mullican

VOTE:

FOR: Jerry Clark, Wesley Curtis, Carol Eickmeyer, Arnold King, Arthur King, Clarence Lambe, Lynne Mitchell, Paul Mullican, Brenda Smith

AGAINST: None

EXCUSED: None

### **PUBLIC HEARING** - March 8, 2007

Kirk Ericson presented the staff report.

FOR:

Tim Braun, 906 Marguerite Drive, Winston-Salem, NC 27106

- I represent the Historic Reynolda Neighborhood Association.
- Six years after the *Legacy* report in 2001, we still do not have a sign ordinance that is usable and is clearly a symptom of inaction on this front.
- Looking at the initial draft of this sign ordinance, there was a lot of thought by the stakeholders put into this. Once this draft became public, different parties in the community starting trying to erode away and dilute the good work that was brought together by the stakeholders.

- Every angle of the ordinance was looked at. The most egregious areas that have been changed deal with the timing of electronic message boards from what was decided as other communities going from 6-8 times in a 24-hour period to a period of 30 minutes and now we are down to 30 seconds. There was even discussion at the last session that there was a need for nine seconds because of other construction signs having nine seconds change. We've gone from reasonable figures to a rapid change-over on these signs.
- Another area that has been severely eroded from what was originally intended is the amortization plan, going from the 10 years that was originally drafted to 15 years. The triggers that were consciously thought about being built-in the longer time period have been taken away and in today's business environment, if you don't have a sign that's been renewed after 15 years, you're either doing something very well or you're probably not in business anymore. Ten years gives anyone plenty of time to plan for a capital investment of a sign and prepare for that long-term planning, even a small business.
- Most of the opposition to this ordinance as it's drafted is coming from members of the business community dealing with large businesses. A small business owner can't compete with these large businesses. However, large corporations such as Home Depot have a national perspective and are willing to deal with a variety of sign ordinances across the country. They gladly have a spectrum of signs to adapt to the situation.
- Here we have a few in the community who wish to erode our current draft to get what they need or what they feel they need overriding what was good work done by the original stakeholders.
- If they have a say in this, it's because they have personal motivations to drive this to the extent that they can take it on all fronts. However, the areas dealing with the change of the timing and the amortization of the areas that we need to look at maintaining what the original intent was and we need some courage from the Planning Board to adhere to what the original stakeholders intended and the progress to move forward as pointed out in the *Legacy* update just a few weeks ago.
- Thank you.

Barnes Daniels, 2728 Winslow Lane, Winston-Salem, NC 27103

- I consider the City of Winston-Salem to be my hometown.
- I have not been pressured or coerced to be here today.
- For many years I drove to Asheboro once a week and I noticed in High Point on US 311 a couple of signs, one at McDonalds and a pharmacy at West Chester interchange, that McDonalds has a brilliant scrolling sign that's within 20 feet of the curb and to me that is distracting and borders on being obnoxious. I have never stopped there to patronize them. The pharmacy sign is high and changes every 10 seconds or so. I've caught myself looking in the rear view mirror to see what the bargain of the day is. That's not a good practice.
- Recent studies stated that distractions for the motorists account for over 80% of the single vehicle accidents.
- These signs are distracting. I couldn't sit still at my house this afternoon and see you people overwhelmed by numbers that were coerced or pressured or maybe even bullied into signing onto a sign ordinance that was less than progressive.
- As Tim said, we've gone from hours down to 30 seconds. That is too much compromise for me.
- Thank you.

Melynda Dunnigan, 1875 Mallard Lakes Drive, Winston-Salem, NC 27106

- Again I'm here representing the views of the Winston-Salem Neighborhood Alliance.
- We have done an electronic petition in favor of the sign ordinance with up to 580 signatures on that now.
- Much work and discussion has gone into the development of this ordinance as you've heard earlier. The result is not extreme by any measure. As you've heard there have been significant compromises on sign height and area, on amortization, and on electronic signs from what the original stakeholders committee had proposed.
- The Neighborhood Alliance supports this ordinance because we believe it will improve our city's appearance and make Winston-Salem a more livable community.
- We believe the quality of life is important and while I can't cite statistics that show the connection between a community's quality of life and economic vitality, I think it is just common sense. You'll remember this very same argument was made by those who were in favor of the downtown baseball stadium.
- While we support this ordinance, there are two changes in the draft from what was originally considered last December and today that we do have concerns about. They have been highlighted already. The extension of the amortization period from 10 to 15 years and the shortening of minimum time between message changes on electronic message boards.
- The Neighborhood Alliance considers these changes to be compromises on what had already been compromises which just resulted in the weakening of the ordinance in a way that really goes too far in our opinion.
- We see no justification to a 15-year amortization period. The stakeholders committee recommended seven years and we saw that the original draft had 10 years. We've also seen that the sign survey that was done showed that there are a significant number of signs which are nonconforming that can be brought into compliance simply by lowering them. There's also an allowance for signs that are nonconforming.
- We've also seen that Clemmons has a 10-year amortization period and they're about 6 1/2 years into that period now. You may recall from the bus trip that Gary Looper, the Village Manager for Clemmons, said that business is booming. Sign regulations aren't driving businesses away. They are doing fine.
- On electronic message boards, the Neighborhood Alliance applauds the fact that flashing and continually scrolling signs as well as video signs are disallowed in this draft of the ordinance because these signs are dangerously distracting. We are seeing more and more of these signs and it is reasonable to assume that they will continue to go down in price and proliferate. Our community needs to be prepared once this proliferation does occur.
- The senior planner in Gainesville, Florida stated: "In my opinion, electronic signs are the new billboards in terms of signs which will undoubtedly cheapen and degrade the ambience of communities which are not able to control them."
- The stakeholders committee recommended banning all electronic message boards, but written into this ordinance was a compromise that would allow message boards to exist, but just to change copy much more slowly at about 30 minutes. We've also seen that other communities here have much more stringent requirements on copy changes on electronic message boards. Several times a day only. The 30-minute requirement is not particularly onerous. It does require a change in the way the signs are used. You can't sit at a traffic light and get a couple of changes of the signs, so that would make the

signs less usable from that perspective. However, you also need to consider the community concern. The community concern has to do with the fact that these electronic message boards are distracting. If we are going to allow them at all, we need to have the copy change slow enough that you don't have this constant blinking effect.

- The simulation that was shown last month that showed you what you would see if you had lots of these electronic message boards in one location and you had frequent copy changes.
- By setting a very short time for copy changes, it makes it very difficult to enforce the ordinance because it's going to be very difficult to tell whether somebody is in compliance or not.
- I don't have any hard data that proves that electronic message boards represent a safety hazard because the studies that need to be done on this question really have not been done yet. The Federal Highway Administration has a report on this and that's what they say, but they have funded a study that is going on right now to look at this question because they are concerned about it as a safety issue.
- There is plenty of research on driver distraction that bears out the claim that visual complexity compromises safety by forcing drivers to scan the environment longer for street signs, turns, or landmarks. It is common sense that electronic message boards which frequently change in copy will contribute to this visual complexity and pose a hazard.
- In conclusion, the Neighborhood Alliance would urge you to approve this ordinance, but with a ten-year amortization period and a 30-minute delay for message changes on electronic message boards.

#### AGAINST:

Ken Fleming, 601 West Fourth Street, P. O. Box 1408, Winston-Salem, NC 27101

- I will be very brief in my comments so I hope you can bear with me because I'd like to defer a lot of my time to the many businesses that have chosen to come here in support of the business community's position on the ordinance.
- I'd like to take a second to ask those who are here in support of the business community to please stand. Thank you.
- The business community has worked extremely hard to evaluate the ordinance and to come to some point of compromise in recognizing both the opposition's recommendations, the staff's recommendations, and the Planning Board's voice.
- We feel that the business community has made a significant compromise to this point from the original request of this ordinance but in any compromise we feel we have to have something that's best for the community.
- Our goal in this process has always been to get to a point that a majority of our businesses could live with an ordinance understanding that there are some businesses that will be impacted and our question is how do we minimize that.
- I have a document that I'd like to share with you, an outline of this document. I can pass this around as I'm talking. Outlined in this document are what we feel are some very minor changes and adjustments that will allow us at the end of the day in this process to feel very good about this ordinance.
- I'd like to highlight a few of those with you and have you consider these in your discussions.

- Electronic message boards: We've done a lot of research on that. We've had a lot of discussion about it among the business community and we feel it should be in the range of 5-8 seconds, consistent with what we consider the largest user of electronic message board signs in the State of North Carolina Department of Transportation.
- We also feel that no entity, public or private, should be excluded and must comply equally to any ordinance that is determined to be sufficient.
- As you all recall, we had originally asked for a 20' sign standard on new signs but quite frankly, the business community has had great discussion over this. It is our wish to have a 20' sign, but we do feel that if some of the other items we have requested are considered, we could live with a 15' sign height for new signs and 75 square feet in area.
- We would like you to consider what we feel is a very minimal adjustment to the sign height of existing signs. Currently there is a 15' height for existing signs with a two foot variance. We feel and have talked to a lot of businesses that if that size is increased by only three feet to 20' in height, it would allow many more signs to comply and be grandfathered under the existing proposal, but we also understand that any sign that does not meet that 20' requirement would have to be bound by the amortization schedules and provisions of 15 years that's in the proposal now.
- Also as part of our recommendation and questioning, we'd like some clarification on the issue revolving around multiple signs on single tax lot properties. There's some wording in the ordinance that described limiting the number, limiting sign height if you have multiple signs on a single property and we'd like to have some discussion, or have the board have some discussion on that issue.
- Thank you very much.

Tom Blair, President of DataMax Corporation, 711 Coliseum Plaza Court, Winston-Salem, NC 27106

- My association actually started as the Winston-Salem Merchants and we've been advocates for small businesses in our community for well over a century.
- Today among other things we operate a charitable foundation which is exclusively committed and dedicated to economic and educational development in Forsyth County.
- As participants in local economic development, we fully realize the important role that small businesses play. In fact, 70% of the employers in our county have nine or fewer employees so you can see the impact small business has.
- The Dell deals just don't come along that often.
- I am here today speaking on behalf of the small business owners that don't have enough staff to allow them the time to be here themselves to speak to you.
- There's a mistaken notion that given three or seven or ten years, it should be fairly easy for a small business to come up with the money to replace their signs, but that's indeed a misconception. Most small business owners are too busy worrying about meeting the next payroll, paying the rent, or maybe keeping their copy machine repaired or operating. Coming up with thousands of dollars in a few years to replace a perfectly good sign that has plenty of life left in it would be a considerable financial struggle for these small companies. Many of the small businesses in town including the 180 members, or many of the 180 members of the Restaurant Association in the community have signs as their only means of advertising. This is a very critical item for small businesses.

- I ask you to think about our small employers as you deliberate sign issues and I ask you to help us encourage these small employers to grow and prosper and to provide the jobs that our citizens need going forward.
- Thank you very much for your time.

Robert Simon, 526 S. Stratford Road, Winston-Salem, NC 27103

- Thanks for giving me an opportunity to express my business views.
- I do sympathize with most of the views here on both sides. However, I have a business to operate and we are a single store, small business involved with Windsor Jewelers. We need your help for businesses to have their products and services recognized. We are currently permitted for an electric message board sign which we're in the middle of deciding whether to go forward with or not. The benefits it offers our business are many from fighting the internet to competitors in other markets. Keeping dollars local is our goal and we want to showcase our goods and services.
- It's important to do that through your signage to the potentials that are driving up and down the road. It hallmarks exactly where you are.
- I want you all to think back just in the last year of all the local retailers that have recently gone out of business from Buena Vista shop next door to us, Fine Lines, La Cache, A. J.'s Jewelry, Lucky 32 restaurant. Business signatures, those are our signs and our message boards are vital and changing them is costly, not just in dollars, but in future jobs.
- Look at our efforts in Winston-Salem to fund and create jobs locally. This in many ways is counter productive.
- As far as signage being permitted to movie theaters, coliseums, as mentioned earlier, I think it's sauce for the goose. I think everybody should have the same requirements.
- I've heard concerns today and before about proliferation of these message centers. Few businesses can really afford \$30,000 to \$350,000 signs. The costs have not come down. In fact, the costs have increased because the technology is constantly being refined. The service and maintenance on these signs is extremely costly on an annual basis. It's not something we're going to see them coming up all over the place because it's not even appropriate for most businesses in our community.
- As for the DOT and the time changes, as it was mentioned, the DOT standard is 8 seconds. Frequent changes do have a constant rhythm that is not a distraction. Infrequent changes actually are a distraction. The DOT changes messages most frequently at 3 and 4 second intervals and they are promoting safety when they are doing that. They're the number one users of message centers as was mentioned earlier.
- Please think about helping the businesses in our community, not hindering us. Thank you.

Curly Williams, 9911 Benefit Church Road, Kernersville, NC 27051

- I own the Harley Davidson Dealership out here.
- I didn't realize I was going to speak, but appreciate the privilege of this.
- We put up our sign to attract business because we really need it. It helps pay for our business. About 30% of our business comes from the sign. I don't understand the reasoning for trying to cut back on the businessman's sign because all of us need our signs to attract our business. If we cut back the signs, the businesses will have to go someplace else that won't have the kind of restrictions that you people have.

- Guys, I appreciate it very much. I know that each man in this room and each lady that owns a business, look at this very carefully. Understand that we have employees. I will soon have about 70 employees in my store. They need a job. They need an income to pay their bills just like we do and we'd appreciate it very much if you'd give us a break on this and we thank you for the opportunity.

Bob Northington, 1190 Arbor Road, Winston-Salem, NC 27104

- I'm here representing a public entity: The Public Assembly Facilities Commission which was created by the City Council approximately four and a half years ago to help oversee and market the Coliseum, the Convention Center, the Annex, and Bowman Gray Stadium and Ernie Shore Stadium.
- We've spent over \$250,000 of your money, tax payers money, on message boards, signage, on three signs: The Coliseum, the Annex, and quite recently at the Convention Center.
- The purpose for those signs is to market what's going on in those facilities. Those signs are not for sale or for rent to anyone who is not using the public assembly facilities in Winston-Salem. They are for promotion. Can you imagine how little promotion you could get with a 30-minute or even a 30-second signage change?
- Billboards on Interstate 40 change, the electronic ones, change every 8 seconds. Cars are driving past them in excess of 70 miles an hour.
- Part of our charge as I said is to market the facilities. We have contracts with users of the facilities in order to assist them in marketing and to attract them to bring events to our facilities. We need the same standard as the state has, 8-10 seconds signage change, otherwise the quarter of a million dollars that we have vested has very little use and I guess I would have to be the one to tell the City Council that we can't use the signs that they recently paid for.
- Speaking now just for a moment as a regular citizen, I've sat in the chairs that you folks are sitting in and I know what you are facing, but I don't think it's right and I've never thought it was right to single out individual users or groups of users and treat them differently than other groups of users. Enforcement becomes a nightmare and the equity of that situation just doesn't exist.
- There's no reason that a movie theatre who frankly competes with a public assembly facility or a drug store or a jewelry store should have to follow different rules as compared to a government sign. It just doesn't make sense to me. It's not fair. It's not equitable.
- Lastly, I'd just like to say that I've sat here and heard conversations about stakeholders. I think I am one. I'm a tax payer. I've lived here sixty-one years, nearly, and I've seen the benefit of having facilities that people can come and enjoy and spend money in our City and I hope you will allow us to continue to use the quarter of a million dollars of signs to promote events at those facilities.

Steve Fowler, 110 Fox Lake Court, Winston-Salem, NC 27106

- I'm current chairman of the Realtors Commercial Alliance and my comments are more specific to one part of the ordinance and that's regarding the construction, development, and lender signs as well as real estate signs in general and the builder signs.

- At the beginning of the process there was a great deal of concern as to the potential negative economic impact of the initial proposal, proposition, rather to place on real estate and building industry here in the City. We are all citizens and tax payers and stakeholders in the prosperity and beauty of Winston-Salem and Forsyth County.
- As the process continued forward, much work and time was invested by the Planning staff to assess comment and input from various members of the real estate community and for that we're very much appreciative.
- The process as it continued on, that input was incorporated into various changes into the process and into the proposal that you have in front of you.
- Even though there are certain issues that we still have some degree of concern about, we feel that overall there was a receptive audience in terms of staff, taking our concerns at face value and understanding that we too want to have an ordinance that is appropriate and one that would serve the City well regardless of your position on signage basically.
- We do appreciate very much that the concerns we had were listened to and we just want to make sure that again in terms of any kind of signage and things, that everyone is treated equal.
- Thank you.

David Powell of David's Cleaners, 3435 Robinhood Road, Winston-Salem, NC 27106 was signed up but was unable to attend. Ken Fleming read a letter from him which contained the following points. A copy of the letter is Exhibit A-13 in the file.

- I could not leave my small business at such a busy time of the day.
- My business would be impacted by this ordinance.
- I cannot absorb the nearly \$7,500 cost to comply with the new ordinance. That cost would probably be \$15,000 at the time of compliance and the sign makers will not allow me 15 years to pay for the sign. They want their money up front.
- The sign has many useful years, is well-maintained, and is my advertising budget and strategy.
- The additional cost would mean I would have to let go one of my part-time workers, a valued employee.

Bill Haymore, 2701 University Parkway, Winston-Salem, NC 27115

- I represent Goodwill Industries of Northwest North Carolina.
- Goodwill Industries has our headquarters here in Winston-Salem and we operate several businesses, one of which would be effected by the sign ordinance.
- We are a not-for-profit organization. We are too supported by the community and the donations that make the work we do possible.
- The cost of changing our sign wouldn't bankrupt our business, but our business is in the business of helping people. Last year we placed over 1,000 people in full-time employment and provided training services to over 15,000 people.
- The cost associated with doing the sign work would directly effect them out of revenues that we would be able to put back into training and helping people find jobs.
- I urge you to reconsider and to look at the ordinances that you have to help keep our costs down and enable us to do more to provide for our community.

Hill Stockton, 229 S. Stratford Road, Winston-Salem, NC 27103

- Thank you Chairman King and members of the Commission . Serving on another City commission I know what the pay grade is so I appreciate your time. I need to go to these sign companies for an estimate. Our estimate is \$10,000. Our sign is pretty innocuous sign. It's about 20 feet tall, not very big, and we are right across Thruway Shopping Center and tend to compete against all the signs in Thruway. I've got a lot of people that want to talk behind me basically over I understand everybody on the approval side, but none of them really have a financial stake. We don't have 70 employees, we have 10. \$10,000 does have to come from somewhere and generally that's going to be in money that we try to donate throughout the community during the year. It appears, although ours is rather innocuous, it seems to me that the one constant in all the pictures that you brought up there, I could see the signs, but I could barely see them through all the telephone poles so I think if you gave Duke Power 10-15 years to clean up their telephone poles, it would probably effect their net income less than it will effect us.

Ellen Blair, 592 West Second Street, Winston-Salem, NC 27101

- I am not a business person. I'm a private artist and a long-time resident of the City. You've heard from my husband who is sitting behind me. Politically there is little we agree on. He leans to the conservative positions and I am liberal. We are just like Matlin & Carvel, only in reverse.
- Sign ordinance is one thing we do agree on. We're talking about commercial areas, the business people's neighborhoods. I would not want the Chamber of Commerce coming into my residential neighborhood telling me to reduce the size or color of my shutters or change my garage door. Why then should we be able to do virtually the same thing in their neighborhoods?
- The excuse that their neighborhoods are on public thoroughfares is not a valid reason. Most of our homes are also on public roads.
- In addition, the commercial areas are just that - commercial. I can't imagine that there would be very much of an improvement with just a diminishment of signs.
- I'm not against sign regulations. Let's allow reasonable signage in their neighborhoods, signage necessary to promote a healthy business environment. We are trying to encourage new businesses in Winston-Salem and after all, we depend on them for our jobs.
- The business community has proposed reductions in height and size and asked for an amortization schedule that will allow them to take advantage of the useful life of their signs. That seems like a very reasonable compromise to me. I urge you to promote that proposal.

Steve Williams, 5446 University Parkway, Winston-Salem, NC 27105

- I represent Wilco-Hess and I want to talk about not just how this affects our company but just how this affects the small business and make certain everyone understands the financial effect to the community.
- I've heard the expression "it's only going to cost \$2,500 or \$3,000". Well that's not entirely accurate. "Only" only applies when it's not your money.
- \$2,500 or \$3,000 is only to lower the sign. If you have to replace the sign, you're talking about somewhere around \$8,500. If you look at that over 15 years from now, that's going to cost the business owner somewhere around \$15,000 to \$17,000. That's a lot to ask for a single business owner.

- That single business owner, what are they going to do with that sign? Are they going to take it and make a picnic table or whatever? I mean it's a useful, productive sign. They've had it permitted, they've had it inspected, it's paid for and they pay taxes on it. They have no other options to do with that sign.
- So where will their money come from? Many of them will have to borrow money. They will not add staff, reduce their investment or reduce their contributions to the community.
- Now in my case at Wilco-Hess, I must be one of the unlucky 25%. Every single one of my signs would be in noncompliance. In today's dollars it would only be \$148,000 I'd have to spend. Fifteen years from now it would be \$293,000. That is a significant amount of money.
- I would obviously prefer to invest these dollars in growing my business. This isn't about putting that money in my pocket. I would love to add more jobs, increase investment in the community, and provide employment opportunities, rather than reducing staff, not growing our company and reducing our corporate giving. I think our company has always been a good steward. We've been in business here since 1963. I ask each of you to put yourselves in our position. Wake up tomorrow morning, imagine opening the paper and realize that you're going to have to change the color of the roof on your house. Your house has been there, it's been permitted, it's been paid for. But now it's decided that you're going to have to change the color of your roof and how are you going to pay for it?
- That's basically how the business community is. I don't think it would be very well received by you or anyone here. We want the same thing you do. A lot of us have been raised here, we've raised our children here, our businesses are based here, we want a vibrant community. We want the very best for Winston-Salem so we ask you to seriously consider what we've asked as a business community. We all have to compromise a little bit.
- Thank you for your time.

Glenn Cobb, 195 Executive Park Blvd., Winston-Salem, NC 27104

- I'm here today as the chairman of the Local Issues Subcommittee of the Government Affairs Committee of the Chamber of Commerce.
- I'll just say very briefly, we started off, gosh two years ago with this process and we've come a long way together, I think. I really appreciate the staff as well as the members of the board working really hard to hear where the business community was coming from, where builders and realtors were coming from. We took a laundry list of twenty-plus concerns and now have it whittled down to two or three. I feel like that's really good progress. We still would like you to consider the amortization issue. We still would like you to consider the signs that are 15-20 feet tall, giving them a grandfathering position. We'd also like you to consider that electronic message boards be at least allowed to change every eight seconds.
- I'll stop there and again, thank you for all you've done to listen to our concerns.

Since opponents went slightly over on the time they were allowed for speaking, the proponents were given another minute to present any new information.

Melynda Dunnigan, 1875 Mallard Lakes Drive, Winston-Salem, NC 27106

- I just wanted to say the statement was made about the eight seconds and the highway allowing the eight second message change interval. I don't think you should necessarily jump to the conclusion that means they're doing that because it's a safety issue. I don't think anyone has proven that. I do know that eight seconds is the amount of time that if you're traveling at 62 miles per hour on a highway and looking at letters that are about 14 inches in height, that's the amount of time that sign will be viewable. So it makes sense to have an eight second interval, but I don't think that has anything to do with safety.

## **WORK SESSION**

During discussion by the Planning Board, the following points were made:

1. Arnold King summarized where the Board is with this issue. This Board's goal all along has been to arrive at revisions to the sign ordinance that will be beneficial to the community and implement these changes with fairness, without creating an undue financial burden on anyone. Board members still represent different ends of the spectrum on issues mentioned today, but after extensive discussion and struggle, we have settled on the changes shown in today's staff report and ordinance as a compromise which is best for the community. I want everyone to know that a lot of work has gone into this.
2. Arnold King: I'm going to recommend two changes. The first is to allow the copy changes on the entire face of the sign (no scrolling, no flashing, no blinking) every eight seconds. But I'm also going to request that Winston-Salem Department of Transportation becomes the department responsible for regulating this in the future.
3. Lynne Mitchell: Thanked staff, the stakeholder group, and those who have participated in this process. I will support this because of compromise and because sometimes something is better than nothing. If we don't move forward now, we may never get something. I wish we were more progressive.
4. Carol Eickmeyer: It's important that everyone who participated in this process knows that you have been heard. If you hadn't been heard, we would be discussing an entirely different proposal. We are indeed at each end of the spectrum and none of us are happy about this, but I think this is a good compromise.
5. Jerry Clark: I understand the business community's position. We have agonized over this. We really want to be a progressive city, but it takes movement. Sometimes you can't see that things will be better, but you have to have faith that where we're going will be a better place in 15 years.

MOTION: Clarence Lambe moved approval of the zoning text amendment as presented today with a change in timing for electronic message boards to eight seconds and with a request to City Council asking them to look into having Section 70 of the City Code govern the interval of sign change in the future.

SECOND: Brenda Smith

VOTE:

FOR: Jerry Clark, Wesley Curtis, Carol Eickmeyer, Arnold King, Arthur King, Clarence Lambe, Lynne Mitchell, Paul Mullican, Brenda Smith

AGAINST: None

EXCUSED: None

Written comments submitted by Planning Board members:

Carol Eickmeyer: For the ordinance particularly if WS-DOT will be responsible for the public safety impact of changing signs. I strongly recommend that the City Council add the enforcement regulation of the frequency of change on EMBs to DOT's role - it will become a safety issue.

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A. Paul Norby, FAICP  
Director of Planning

**UDO-164**  
**AN ORDINANCE AMENDING**  
**CHAPTERS A AND B OF THE *UNIFIED DEVELOPMENT ORDINANCES***  
**TO MODIFY THE ON-PREMISES SIGN REGULATIONS**

Be it ordained by the City Council of the City of Winston-Salem, North Carolina, that the *Unified Development Ordinances* is hereby amended as follows:

**Section 1.** Chapter A - Definitions Ordinance, Article II - Definitions is amended as follows:

## **Chapter A - Definitions Ordinance**

### **Article II – Definitions**

~~**GROUND SIGN.** See Sign, Ground (On-Premises) and Sign, Ground (Off-Premises).~~

~~**PROJECTING SIGN.** See Sign, Projecting (On-Premises).~~

~~**REAL ESTATE SIGN.** See Sign, Real Estate.~~

~~**ROOF SIGN.** See Sign, Roof (On-Premises).~~

~~**SIGN.** Any form of publicity which is visible from any public way, directing attention to an individual, business, commodity, service, activity, or product, by means of words, lettering, parts of letters, figures, numerals, phrases, sentences, emblems, devices, designs, trade names or trademarks, or other pictorial matter designed to convey such information, and displayed by means of paint, bills, posters, panels, or other devices erected on an open framework, or attached or otherwise applied to stakes, posts, poles, trees, buildings, or other structures or supports.~~

~~**SIGN, AWNING (ON-PREMISES).** An on-premises sign constructed of fabric like, non-rigid material which is a part of a fabric or flexible plastic awning framed and attached to a building.~~

~~**SIGN, GROUND (OFF-PREMISES).** A freestanding sign which draws attention to or communicates information about a business, service, commodity, accommodation, attraction, or other activity which is conducted, sold, or offered at a location other than the premises on which the sign is located.~~

~~**SIGN, GROUND (ON-PREMISES).** A freestanding on-premises sign.~~

~~**SIGN, MARQUEE.** Any canopy substantially framed in steel which is durably constructed and of sufficient strength and design to carry superimposed sign structures.~~

~~**SIGN, OFF-PREMISES.** See Sign, Ground (Off-Premises).~~

~~**SIGN, PROJECTING (ON-PREMISES).** An on-premises sign supported by a pole or other supporting structure, hanging from a building.~~

~~**SIGN, REAL ESTATE.** A sign which is designed for the sale, lease, promotion, and identification of real estate.~~

NOTE: Items to be deleted are indicated with a ~~strikeout~~; items to be added are indicated with an underscore; *italicized* items are the wording presented to the Planning Board in September 2006.

~~**SIGN, ROOF (ON PREMISES).** An on-premises sign located above the eaves and below the peak of the roof where the sign is located.~~

~~**SIGN, WALL (ON PREMISES).** An on-premises sign affixed to the wall of any building and completely in contact with the building throughout its greatest dimension, which does not extend beyond the main wall of the building more than twelve (12) inches except in accordance with these regulations.~~

~~**WALL SIGN.** See Sign, Wall (On-Premises).~~

**BUILDING FRONTAGE.** Building frontage shall be the total length in linear feet of an establishment's portion of a building that fronts directly on a street, regardless of whether such portion of the building is functionally the front, rear, end or side of the building. Buildings with no street frontage shall use the linear frontage of the building's principal entrance.

**CANOPY.** A structure, either detached from or attached to and extending from the enclosed portion of a building, and used principally to provide shelter in connection with activities conducted in the principal building. This definition includes but is not limited to fuel station, bank and pharmacy canopies

~~**EASEMENT, SIGHT.** *An easement which grants the right to maintain an unobstructed view across property located at a driveway or a street intersection.*~~

**ROOFLINE.** The highest point of the main roof structure which shall not include cupolas, pylons, projections or minor raised portions of the roof.

**SIGHT EASEMENT TRIANGLES.** An area located on private property which is on both sides of any public/private street intersection or at any driveways to the property. Said area is ten (10) feet perpendicular to the accessing street right-of-way and tapers to seventy (70) feet along the street right-of-way. The intent of this easement area is to not allow any structures or signs in these areas to block the view of any motorists entering or exiting the property. An illustrative example of this is shown in Section D.4.(B)(4)(c).

**SIGN.** Any form of publicity which is visible from any public way, directing attention to an individual, business, commodity, service, activity, or product, by means of words, lettering, parts of letters, figures, numerals, phrases, sentences, emblems, devices, objects, designs, trade names or trademarks, or other pictorial matter designed to convey such information, and displayed by means of paint, bills, posters, panels, or other devices erected on an open framework, or attached or otherwise applied to stakes, posts, poles, trees, buildings, or other structures or supports. Notwithstanding the above, the following are considered signs: Beacons, spotlights, searchlights, and reflectors.

**SIGN, ANIMATED.** Any sign which flashes, revolves, rotates, or swings by mechanical means or which uses a change of lighting to depict action or to create a special effect or scene.

**SIGN AREA.** The total square footage of a sign as measured by the smallest rectangle, or sum of rectangles, that will encompass the extreme limits of the sign message, including logos, background, and framing up to three (3) inches wide, regardless of sign shape and whether or not open spaces exist. Any cutouts or extensions shall be included in the area of the sign. In the case of separate panel or cabinet type signs, the open spaces between the panels shall not count as sign area.

**SIGN, ATTACHED.** An on-premises sign that is attached to a building wall or other surface. Awning signs, canopy signs, window signs, projecting signs, suspended signs, and wall signs are all considered attached signage.

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**SIGN, AWNING (ON-PREMISES).** An on-premises attached sign displayed, attached to or incorporated into the surface of an architectural projection or shelter projecting from and supported by the exterior wall of a building and composed of a covering of non-rigid materials, and/or fabric on a supporting framework that may be either permanent or retractable.



**SIGN, BANNER.** A temporary sign made of a flexible material such as canvas, sailcloth, plastic or waterproof paper.

**SIGN, CANOPY.** An on-premises sign attached to a canopy. See definition of “canopy.”



**SIGN, CHANGEABLE COPY.** A sign or portion of a sign that is devoted to and designed for manually or automatically changeable copy text and graphics. Changeable copy signs do not include time, date and/or temperature signs and electronic message signs as hereinafter defined.

**SIGN, CONSTRUCTION AND DEVELOPMENT.** A temporary sign allowed for a limited period of time that identifies a development under construction as well as design, construction and marketing information for a development.

**SIGN, ELECTRONIC MESSAGE BOARD.** A sign, or portion of a sign, that displays an electronic image and/or video, which may or may not include text. Such signs include any sign, or portion of a sign, that uses changing lights to form a sign message or messages or uses electronic means to change the sign message. Electronic message boards include but are not limited to signs also known as Electronic Reader Boards, Electronic Message Center Signs, Tri-Panel Message Systems, and Commercial Electronic-Variable Message Signs (CEVMS). Electronic Message Signs are not considered flashing signs.



**SIGN, EMERGENCY, SAFETY, WARNING, OR TRAFFIC.** Any emergency, safety, warning, or traffic sign installed by or at the direction of a governmental authority or with its approval.

**SIGN, EXTERNALLY ILLUMINTED.** A sign that features artificial illumination from a light source which provides light directly onto the sign face, or portions of the sign face, or its background, which light is then reflected back to the viewer.

**SIGN, FREESTANDING.** An on-premises sign, identifying the principal use conducted on the lot where the sign is located, that is placed on or anchored in the ground with one or more supports and that is not part of a building or other structure. Can also be referred to as a ground, monument, pole or pylon sign.

**SIGN, GOVERNMENT.** Any temporary or permanent sign erected and maintained for any government purposes other than signs placed on the premises of a publicly owned building or structure or other land use designed to identify to the land use to the public. Examples of government signs include, but are not limited to, speed limit signs, city limit and welcome signs, street name signs, and traffic signs. Conversely, a sign placed on a public building such as library, school or public safety building which identifies said building, shall not be considered a government sign.

**SIGN, GROUND SURFACE.** Any sign composed of manmade or organic materials displayed upon the surface of the ground.

**SIGN HEIGHT.** The height of an on-premises freestanding sign shall be measured from the road to which the sign is oriented or average grade of the site where the sign is located; whichever is higher, to the top of the highest attached component of the sign, the sign face, sign structure and any other appurtenance. Any change in a site's grade specifically designed to increase a sign's height shall be included as part of the sign's height.

**SIGN, HISTORIC.** A sign, or reproduction of a sign, which was originally installed at least twenty five (25) years ago and has received official certification as a Historic Sign by the Forsyth County Historic Resources Commission.

**SIGN, HOME OCCUPATION.** A sign used in conjunction with a home occupation meeting the requirements of Section B.2-6.4(D) of the UDO.

**SIGN, INCIDENTAL.** A temporary or permanent on-premises sign that is intended to provide information or direction for the convenience and necessity of the public and whose purpose is secondary to the use of the lot on which it is located. Such signs include but are not limited to entrance and exit signs, building numbers, addresses, private parking signs, telephone, no trespassing signs or dangerous animal signs. Incidental signs are not intended to provide identification or advertising from any public way.

**SIGN, INFORMATION, DIRECTION AND IDENTIFICATION.** A sign containing information relating to direction and/or identification of a use that is installed by or at the direction of a governmental authority or with its approval. An Information, Direction, and Identification sign shall not contain any commercial content other than a symbol, name or logo of the establishment it serves.

**SIGN, INTERNALLY ILLUMINATED.** A sign that features artificial illumination from a light source located behind the sign face and which transmits light through the sign face or portions of the sign face to the viewer. Also known as backlit illumination. Exposed neon tubing and similar lighting shall not be considered an internally illuminated sign.

**SIGN, LEAD-IN (DIRECTIONAL).** An off-premises sign that solely provides directional information regarding the sale or lease of residential property.

**SIGN, MENU BOARD.** A sign displaying the bill of fare of a drive-in or drive-through restaurant.

**SIGN, NEON.** An illuminated sign containing a glass tube filled with neon or phosphors which are bent to form letters, symbols or other shapes.

**SIGN, ON-PREMISES.** A sign displaying information pertaining only to a business, industry, activity, or profession located on the premises where the sign is displayed, and pertaining only to the name of the business, type of product sold, manufactured, or assembled, and/or service, activity, or entertainment offered on said premises, including business identification and occupancy signs.

**SIGN, PANEL CHANGE OUT.** Removing and/or replacing the advertising or copy area panel(s) of a sign without replacing or modifying the sign structure.

**SIGN, POLITICAL.** A temporary sign used in connection with a local, state, or national election or referendum.

**SIGN, PORTABLE.** A sign not permanently attached to the ground or other permanent structure, including but not limited to signs with attached wheels, A-frame signs, signs attached or painted on vehicles parked and visible from a street, unless said vehicle is used as a vehicle in the normal day-to-day operations of the business it advertises and is parked on the same zoning lot as the business. A sandwich board sign as defined by and in conformance with this ordinance is not considered a portable sign.



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**SIGN, PROJECTING.** An on-premises attached sign end-mounted or otherwise attached to an exterior wall of a building and which projects not more than three (3) feet from the wall to which it is attached.



**SIGN, REAL ESTATE.** Any temporary sign displayed for the purpose of offering for sale, lease or rent the property on which such sign is erected, affixed or otherwise established.

**SIGN, ROOF.** An on-premises attached sign that is taller than the roof to which it is attached. Signs that do not extend above the roof, but are attached to the lower slope of a roof or attached to a parapet wall above a flat roof are considered wall signs. Signs that do not extend above the roofline but are attached to a mansard roof or canopy are considered wall signs.

**SIGN, SANDWICH BOARD.** A single or double-faced moveable sign that is intended to be used on a sidewalk or pedestrian way in front of the business for which the commercial message is intended.

**SIGN, SUSPENDED.** An on-premises attached sign that is suspended from the underside of a horizontal plane surface or arm, such as a canopy or marquee, and is supported by such surface.



**Suspended Sign**

**SIGN, TEMPORARY.** A portable sign as defined by this ordinance or a sign to be used for a limited time period.

**SIGN, WALL.** An on-premises sign affixed to or painted on the wall of any building and completely in contact with the building throughout its greatest dimension, which does not extend beyond the main wall of the building more than fifteen (15) inches except in accordance with these regulations. A painted work of art or mural is not considered a wall sign. A window sign is considered a wall sign.

**SIGN, WINDOW.** An on-premises wall sign that is permanently etched into, attached to, or painted on the outside of a window and is legible from outside the window.

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Section 2. Chapter B – Zoning Ordinance, Article II – Zoning Districts, *Official Zoning Maps*, and Uses is amended as follows:

## Chapter B - Zoning Ordinance

### Article II - Zoning Districts, *Official Zoning Maps*, and Uses

#### 2-1 ZONING DISTRICTS

##### 2-1.3 COMMERCIAL ZONING DISTRICTS - PURPOSE STATEMENTS AND REGULATIONS

(E) NB Neighborhood Business District.

- (3) **Supplementary District Requirements.** Minimum lot sizes for single family residences must meet the requirements of Table B.3.4. Other supplemental district requirements are:

- (i) Signage. Only one sign per structure will be permitted in NB Districts. This sign may be a ~~ground~~ freestanding sign, projecting sign, roof sign, or wall sign. This sign ~~will be limited to four (4) square feet as defined in~~ shall meet the requirements of Section B.3-2.

(G) LB Limited Business District.

- (3) **Supplementary District Requirements in GMAs 4 and 5.**

- (c) ~~Signage.~~ Only one sign per structure will be permitted in LB Districts in GMAs 4 and 5. The sign will be limited to thirty-six (36) square feet as defined in Signage shall meet the requirements of Section B.3-2.

Section 3. Chapter B – Zoning Ordinance, Article III – Other Development Standards is amended as follows:

## Chapter B - Zoning Ordinance

### Article III - Other Development Standards

#### 3-2 SIGN REGULATIONS

##### 3-2.1 SIGN REGULATIONS

- (A) **Purpose.** Signs are a necessary and beneficial use of property that contributes to our community's economic vitality and appearance. Reasonable sign regulations are necessary to protect public property and community aesthetics. The intent of this

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Ordinance is to regulate the type, number, physical dimensions, erection, placement and maintenance of signs in Winston-Salem and Forsyth County. The purpose is to:

- (1) Promote the public health, safety, and welfare of residents and visitors;
- (2) Provide an environment which fosters growth and development of business;
- (3) Protect commercial districts from visual clutter;
- (4) Protect property values;
- (5) Eliminate distractions which are hazardous to motorists and pedestrians;
- (6) Protect and enhance the natural beauty, cultural attributes, distinctive character and visual environment of Winston-Salem and Forsyth County;
- (7) Protect the public's ability to identify establishments and premises in an orderly, readable and safe manner;
- (8) Protect the public's investment in public buildings, streets, roads, highways and open spaces; and
- (9) Balance the individual rights of property owners to communicate their message with the public's right to be free of unreasonable distractions and aesthetic intrusions.

**(B) Effect.** The effect of this section is:

- (1) To establish a permit system that allows a variety of signs on business premises and a limited variety of signs on other premises, subject to this ordinance and its permit procedures.
- (2) To allow certain small, unobtrusive signs incidental to the principal use of a site without a permit if such signs meet the substantive requirements of this ordinance.
- (3) To prohibit off-premises advertising signs, except where regulation is controlled by State or Federal law.
- (4) To allow a variety of types of noncommercial signs subject to the same substantive and permit requirements that control on-premises signs.
- (5) To allow certain types of signs to make minor encroachments of the public right of way, if specially permitted.
- (6) To prohibit all signs not expressly permitted by this ordinance.

**(C) General Requirements.**

- (1) **Applicability.** The provisions of this Section are applicable to all signs, both off-premises and on-premises, unless otherwise provided for in this Ordinance. Any sign, in the districts where it is permitted, shall hereafter be in compliance with the provisions of this Section and shall meet all other regulations applicable to signs, including those found in the Code of Ordinances of the City of Winston-Salem and the Code of Ordinances of the County of Forsyth for signs erected in those jurisdictions, and in the North Carolina Building Code and National Electric Code.
- (2) **Required Permits and Approvals.**
  - (a) **Zoning Permit.** A zoning permit shall be secured from the Zoning Officer prior to the construction, reconstruction, erection, enlargement, relocation, structural alteration, repair or removal to a sign, except as otherwise provided for in Section B.3-2.1(E) of this Ordinance.

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- (b) **H and HO Districts.** Prior to issuance of a zoning permit, a sign within the H and HO zoning districts requires the issuance of a Certificate of Appropriateness from the Forsyth County Historic Resources Commission.
  - (c) **Overlay District Approval.** Prior to issuance of a zoning permit, a sign within the NCO, TO, or AO zoning districts may be subject to additional approvals and requirements as provided for in the applicable overlay district section of this Ordinance.
  - (d) **Historic Sign Approval.** Prior to issuance of a zoning permit, a Historic Sign must meet the additional provisions Section B.3-2.1(F)(5) of this Ordinance and be classified as a Historic Sign by the Forsyth County Historic Resources Commission.
- (3) **Illumination.** Any externally illuminated sign shall be shielded so as not to cast direct light onto any residential district and as not to create a safety hazard.
- (4) **Location.**
- (a) **Public R.O.W.** No portion of a sign shall be located within the public right-of-way or sight distance triangles except as permitted by this Ordinance or Chapter 70 of the Code of Ordinances of the City of Winston-Salem, and with approval by the City of Winston-Salem or the NC Department of Transportation. This includes all above ground and below ground supports, frames, and embellishments or any portion of a sign attached to, affixed to, or painted on any utility pole, light standard, utility box or pedestal, tree, rock, or other natural object located within the public right-of-way or sight-distance triangles.
  - (b) **Traffic Hazard.** No sign shall be located in a manner which creates a traffic hazard.
  - (c) **Ingress and egress.** No sign shall be located in a manner that impairs ingress and egress through windows, doors, or other means of entering or exiting from a structure or building.
- (5) **Maintenance.** Signs shall be maintained in sound and safe condition. Any sign or supporting structure declared to be unsafe by the Director of Inspections shall be repaired or removed by the owner immediately after notice by the Director of Inspections.
- (6) **On-Premises Sign Area Measurement Provisions.**
- (a) **Sign Area Measurement.** Sign area shall be computed by means of the smallest rectangle, or sum of rectangles, that will encompass the extreme limits of the sign message, including logos, background, and framing less than three (3) inches wide, regardless of sign shape and whether or not open spaces exist. Any cutouts or extensions shall be included in the area of the

sign. In the case of separate panel or cabinet type signs, the open spaces between the panels shall not count as sign area.

- (b) **Sign Area Measurement of Individual Letters.** In the case of individual letters or graphic elements affixed to, painted on or incised into a building wall or window, or part of an awning or canopy, the sign area shall comprise the smallest rectangle which completely encompasses all such letters and graphic elements and any accompanying background of a color different than the color of the surface to which the letters are attached. Where such sign includes multiple words and/or graphic elements, each word and graphic element shall be computed separately.
- (c) **Area of a Multi-Faced Sign.** Each face of a sign that contains two (2) faces may contain up to the maximum permitted sign area. Where two sign faces are not attached back to back, they must be joined at an angle of no more than ninety (90) degrees. Each face of a sign with three (3) or more faces shall contain a minimum of fifty (50) percent less sign area per face than the maximum permitted sign area.
- (d) **Area of a Multi-Tenant Sign or Changeable Copy Sign.** The face and frame of a portion of a sign that includes the names of individual tenants or an area for changeable copy shall count toward the total area of the sign.

(D) **Prohibited Signs or Objects.** The following signs or uses of signs are prohibited, unless otherwise provided for in this Ordinance:

- (1) **Abandoned Sign.** A freestanding sign relating to or identifying an activity or establishment that is no longer conducted on the premises. Such signs include the sign's structure if the structure cannot be used for a legal use or does not comply with the height, area, or other physical requirements of this Ordinance. Such sign shall be in violation of the zoning ordinance if not brought into conformance or removed within 365 days after notification of the property and sign owner(s) by the Zoning Officer. A sign which meets the height and area requirements of this ordinance shall not be removed from its supporting cabinet structure unless a new sign will replace that sign in the aforementioned structure. An Abandoned sign not replaced shall be left in its cabinet structure and shall be painted or otherwise masked using a solid, uniform color covering the sign.
- (2) **Roof Sign.** A sign that extends higher than the roof of a building or is attached to or painted on a roof structure, panels or walls constructed to screen rooftop mechanical equipment or a roof top penthouse. See Section B.3-2.1(I)(7).
- (3) **Temporary and Portable Sign.** Any sign not permanently attached to the ground or other permanent structure, unless otherwise provided for in this Ordinance. Such signs include, but are not limited to, signs with attached wheels and signs attached or painted on vehicles parked and visible from the right-of-way, unless said vehicle is used as a vehicle in the normal day-to-day operations of the business it advertises and is parked on the same zoning lot as the business.

This provision shall not apply to sandwich board signs as set forth in Section B.3-2.1(E)(11).

- (4) **Sign with Moving and Flashing Lights or Parts.** Notwithstanding the provisions of Section B.3-2.1(F)(2), a sign with blinking, chasing, flashing or moving effects; or a sign displaying intermittent or flashing lights similar to those used in governmental traffic signals or used by police, fire, ambulance, or other emergency vehicles. Such signs include beacons, spotlights, searchlights, or reflectors and signs which revolve, rotate or swing by mechanical means.
  - (5) **Windblown Sign.** A fluttering, spinning, windblown or inflatable device, including pennants, streamers and propeller discs, except as set forth in Section B.3-2.1(E)(1), B.3-2.1(E)(2), and B.3-2.1(F)(4).
  - (6) **Use of Warning Words or Symbols.** A sign using the words *stop*, *danger*, or any other word, phrase, symbol, or character similar to terms used in a public safety warning or traffic sign.
  - (7) **Sexually Oriented Signs.** A sign which exhibits matter depicting, describing, or relating to (i) "specified anatomical areas," as defined in G.S. 14-202.10 (10), or "specified sexual activities," as defined in G.S. 14-202.10 (11); and/or (ii) "sexually oriented devices," as defined in G.S. 14-202.10 (9).
  - (8) **Ground Surface Sign.** A sign composed of manmade or organic materials displayed upon the surface of the ground.
- (E) **Signs Allowed in Any District Without a Zoning Permit.** The following signs or uses of signs which meet the additional provisions of this Section are permitted in any zoning district, unless otherwise specified, with no zoning permit required:
- (1) **Local, State, National, Corporate, and Organizational Flags.** Local, state, and national flags shall have no size limitations. Additionally, one (1) corporate logo flag or organizational flag may exist on premises where an American Flag is flown. A corporate logo or organizational flag shall be no larger than the American Flag with which it is flown.
  - (2) **Government Approved Signs.** A sign required by law; emergency, safety, warning, or traffic sign; or a sign installed by, at the direction of or with the approval of a governmental authority shall have no size requirements. Such signs include signs approved by a governmental authority which promote special points of interest and events, including but not limited to decorative banners in conformance with Section 70-14 of the City of Winston-Salem Code.
  - (3) **Historical Marker.** A historical marker erected or placed by a historical nonprofit corporation, the Forsyth County Historic Resources Commission or other governmental authority with a maximum area of twelve (12) square feet.
  - (4) **Church Directional Signs.** A sign in conformance with Article IV, Section 70-101 of the Code of Ordinances for the City of Winston-Salem.

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- (5) **Gasoline Pump, Automatic Teller, and Vending Machine Sign.** A sign that displays prices or the name, trademark or logo of the company or brand it advertises provided the sign is an integral part of the permitted gasoline pump, automatic teller or vending machine.
- (6) **Menu Board at Fast Food Restaurant.** A menu board for a permitted restaurant with drive-through service shall be located in such a way as to be viewed from a designated drive-through lane and not located within the required front, side, or rear yard. In no case shall a menu board exceed thirty two (32) square feet in area.
- (7) **Vehicular Entrance and Exit Signs.** One (1) vehicular entrance and one (1) vehicular exit sign containing a maximum of six (6) square feet each and a maximum height of three (3) feet shall be permitted per driveway. Vehicular entrance and exit signs shall contain no commercial content other than a symbol, name or logo of the establishment it serves.
- (8) **Incidental Sign.** Such on-premises signs include, but are not limited to, pedestrian entrance and exit signs, building numbers and addresses, private parking signs, no trespassing signs or dangerous animal signs. An incidental sign shall contain a maximum of twelve (12) square feet, be a maximum of six (6) feet in height, and shall contain no commercial content other than a symbol, name or logo of the establishment it serves.
- (9) **Information, Direction, and Identification Signs.** Information, direction, and identification signs installed by or at the direction of a governmental authority or with its approval shall be allowed. Such sign shall have a maximum area of thirty six (36) square feet and a maximum height of six (6) feet except where health, safety and welfare issues require increased sign height, and shall contain no commercial content other than a symbol, name or logo of the establishment it serves. Any symbol, name, or logo shall not comprise more than twenty (20) percent of the sign area of the Information, Direction, and Identification Sign it is associated with.
- (10) **Home Occupation sign.** An on-premises home occupation sign shall be limited to one (1) sign per dwelling unit or principal use, and shall not exceed one (1) square foot in area.
- (11) **Sandwich Board Sign.** A sandwich board sign shall meet the following provisions:
- (a) The sign shall be used in conjunction with a non-residential use within the CB, PB, NB, and MU-S Districts *where the sidewalk is wide enough to allow for at least five (5) feet of width for unrestricted pedestrian movement with the sandwich board sign in place.* and as per City code requirements.
  - (b) One (1) sandwich board sign per principal use shall be permitted. A sandwich board sign shall not exceed eight (8) square feet in area and four (4) feet in height.
  - (c) The sign shall be moveable and shall not be illuminated or permanently attached to the building, sidewalk, street furniture,

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other signs, street trees, landscaping, utility poles or other appurtenances.

- (12) **Construction, Development, and Lender Sign.** Construction, Development, and Lender Signs will be permitted one temporary on-premises sign per development under construction, not to exceed thirty two (32) square feet in area and ten (10) feet in height for developments of five (5) acres or less and sixty four (64) square feet for developments of more than five (5) acres. Developments of five (5) acres or more with five hundred (500) feet or more of linear frontage shall be permitted an additional on-premises sign of the same dimensions. Construction and Development signs shall not be illuminated.
- (13) **Real Estate Sign.** An on-premises real estate sign for properties smaller than two (2) acres in the YR, AG, MH, RS and RM Districts shall have a maximum area of six (6) square feet. A sign in the YR, AG, MH, RS, and RM Districts for properties two (2) acres or more in size shall have a maximum area of thirty two (32) square feet in area and ten (10) feet in height. In all other districts, on-premises real estate signs shall not exceed thirty two (32) square feet in area and ten (10) feet in height. Lead-in (directional) off-premises real estate signs are permitted from Friday noon to Monday noon. Real Estate signs shall not be illuminated.
- (14) **Builder Sign.** An on-premises sign indicating the builder(s) of individual residential units, either within the context of a larger development project or as an individually constructed unit, shall be permitted. A Builder Sign shall have a maximum area of six (6) square feet and a maximum height of six (6) feet in all zoning districts. A Builder Sign shall be removed upon sale of the property it is associated with.
- (15) **Agricultural Sign.** A maximum of two (2) off-premises directional signs are permitted for agricultural produce grown and sold on the premises.
- (16) **Political Sign.** A political sign shall not exceed two (2) square feet in size. Within the City of Winston-Salem, additional provisions of Section 38-25 of the Code of Ordinances of the City of Winston-Salem shall apply.
- (17) **Yard Sale Sign.** An on-premises sign advertising a yard or garage sale shall not exceed two (2) square feet in size and shall be limited to one (1) sign per lot. Such signs may be erected seven (7) days prior to the event and shall be removed within two (2) days after the event. Lead-in (directional) off-premises yard sale signs are permitted from Friday noon to Monday noon.
- (18) **On-premises temporary special event signs or banners for religious, charitable, civic, fraternal, or similar non-profit organizations.** Temporary signage for the previously stated groups is allowed provided:
- (a) No more than one (1) sign per street frontage shall be permitted per event.

- (b) The sign/banner shall be located on the property on which the event will occur.
- (c) The sign/banner shall be erected no sooner than fourteen (14) days before and removed three (3) days after the event.
- (d) A period of no fewer than seven (7) days shall exist between the removal of one sign/banner and the installation of another.
- (e) The specific date or time period of the event being advertised shall be present on the sign/banner.

(F) **Signs Allowed With a Zoning Permit.** The following signs are allowed with a zoning permit in any zoning district where the specified uses are permitted.

- (1) **Electronic Time, Date, Temperature Sign.** An electronic time, date and temperature sign may be applied to a freestanding or attached sign of any permitted nonresidential use. An electronic time, date, and temperature sign shall not be included in the calculation of sign area permitted.
- (2) **Electronic Message Sign.** Electronic Message signs shall be allowed in all nonresidential zoning districts. A development may have either attached or freestanding Electronic Message signage, but not both, unless otherwise provided for in this ordinance. The following conditions shall apply to Electronic Message Signs:
  - (a) **Calculation of Area.** An Electronic Message Sign which is included within a larger sign shall be included in the calculation of the total permitted sign area.
  - (b) **Changes Per Day.** An Electronic Message Sign shall change no more than once per eight (8) seconds. Changes shall be complete and shall not contain any scrolling, flashing, or similar transitional effects between static messages (*Changed from the September 2006 draft recommendation of no more than one change per 30 minutes*)
  - (c) **Attached Signs.** Attached Electronic Message Signs shall have a maximum area of twenty four (24) square feet, unless otherwise provided for in this ordinance.
  - (d) **Area Bonus.** Signs six (6) feet in height and lower containing Electronic Messages shall be allowed a ten (10) percent increase in maximum sign area.
- (3) **Changeable Copy Sign.** A changeable copy sign may be applied to a freestanding sign for any permitted nonresidential use. Attached changeable copy signs are prohibited unless otherwise provided for in this ordinance. A changeable copy sign shall be included in the calculation of permitted sign area.
- (4) **Special Event Banner.** A temporary on-premises banner for uses not addressed in Section B.3-2.1(E)(18) shall be allowed in any zoning district, excluding AG, YR, RS, and RM districts, subject to the following requirements:

NOTE: Items to be deleted are indicated with a ~~strikeout~~; items to be added are indicated with an underscore; *italicized* items are the wording presented to the Planning Board in September 2006.

- (a) **Number.** Three (3) special event signs shall be permitted per establishment, per 12-month period. Each 12-month period shall begin with the issuance of the first permit and shall expire twelve (12) months from that date.
  - (b) **Display Period.** The sign shall not be displayed for more than thirty (30) consecutive days.
  - (c) **Location.** A Special Event Banners shall be attached to a building wall or canopy.
- (5) **Historic Sign.** A Historic Sign shall be approved by the Forsyth County Historic Resources Commission prior to issuance of a zoning permit, and is subject to the following additional provisions:
- (a) **Criteria for Classification.** To be classified as a Historic Sign, an application for classification shall be filed with the Historic Resources Commission staff, and the commission must find that the sign bears a close resemblance to its appearance when originally installed, that the original sign was erected twenty five (25) years prior to application for classification, and that the sign meets at least three (3) of the following criteria:
    - (i) Bears a national or local emblem, logo, or other graphic that is unique to the property or the establishment, or that it is a remnant of an advertising program that is no longer used by the parent company;
    - (ii) Is significant as reflecting the history of the building, structure, object, property or the development of the area, or recognized as important to the culture or history of Winston-Salem and Forsyth County;
    - (iii) Possesses unique characteristics or incorporates materials, design or craftsmanship not commonly found in newer signs;
    - (iv) Is unique, notably aesthetic or creative, so as to make a significant contribution as a work of art;
    - (v) Is recognized as a popular focal point within the community;
    - (vi) Is associated with historical individuals, events or places;
    - (vii) Is characteristic of a specific historic period;
    - (viii) Exhibits unique or rare characteristics that enhance the streetscape or the community at large.
  - (b) **Privileges.** A sign classified as a Historic Sign is exempt from the following provisions of this Ordinance:
    - (i) **Roof Signs.** A historic sign may remain as a roof sign.

- (ii) **Dimensional Requirements.** A Historic Sign may exceed dimensional requirements found elsewhere in this Ordinance.
  - (iii) **Obsolete Sign.** A Historic Sign may refer to an establishment or product which is not related to the existing establishment or products sold on the premises.
  - (iv) **Illumination and Materials.** A Historic Sign may retain its original lighting patterns and materials.
  - (v) **Removal.** The voluntary removal of a Historic Sign by an owner shall be permitted without Forsyth County Historic Resources Commission review.
  - (vi) **Maintenance.** Reasonable maintenance, repair, and restoration of a Historic Sign are permitted without Forsyth County Historic Resources Commission review.
  - (c) **Alterations.** Alterations to a Historic Sign shall not be allowed without prior approval by the Forsyth County Historic Resources Commission staff.
- (G) **On-Premises Signs Advertising a Nonconforming Use.** A nonconforming use shall be permitted on-premises freestanding and attached signs, provided the following additional provisions are met:

(1) **Freestanding Signs.**

- (a) **Existing Signs.** An Existing on-premises freestanding sign which advertises a nonconforming use may be replaced or may be replaced and increased in area by a maximum of twenty-five (25) percent provided that such increase will not result in a sign area greater than thirty-six (36) square feet and a sign height of greater than six (6) feet. There shall be only one such expansion permitted, regardless of the size of the expansion.
- (b) **New Signs.** A nonconforming use which does not have an existing on-premises freestanding sign shall be allowed one (1) on-premises freestanding sign which shall not exceed thirty-six (36) square feet in area and six (6) feet in height.

(2) **Attached Signs.**

- (a) **Existing Signs.** Existing on-premises attached signage which advertises a nonconforming use may be replaced or may be replaced and increased in area by a maximum of twenty-five (25) percent provided that such increase would not result in a sign area greater than fifteen (15) percent of the building wall area per wall. There shall be only one such expansion permitted, regardless of the size of the expansion.

(b) ~~New Signs.~~ A nonconforming use which does not have existing on-premises attached signage shall be allowed a maximum attached sign area of fifteen (15) percent per building wall.

(H) **On-Premises Freestanding Signs.** Unless otherwise provided for in this Ordinance, an on-premises freestanding sign shall meet the following additional provisions:

- (1) **Zoning Districts and Uses.** On-premises, freestanding signs shall be permitted in the zoning districts for the permitted uses as shown in Table B.3.6, On-Premises Freestanding Sign Provisions. Number, height and area provisions are also indicated in Table B.3.6, unless otherwise provided for in this Ordinance.
- (2) **Setback.** All parts of an on-premises freestanding sign shall be set back at least one and a half (1.5) feet from a street right-of-way.
- (3) **Sign Height.** The height of an on-premises freestanding sign shall be measured from the road to which the sign is oriented or average grade of the site where the sign is located; whichever is higher, to the top of the highest attached component of the sign, including the sign face, sign structure and any other appurtenance, excluding religious icons. Any change in a site's grades specifically designed to increase a sign's height shall be included as part of the sign's height.
- (4) **Irregular shapes.** A sign consisting of irregular, non-rectangular shapes shall be allowed to exceed its respective area requirements by thirty (30) percent in situations where thirty (30) percent or more of a sign's area consists of open space and/or cutouts. Irregular sign height shall be calculated using the method described in Section B.3-2.1(H)(3), and Irregular sign area shall be calculated using the methods described in B.3-2.1(C)(6)(a) and B.3-2.1(C)(6)(b).
- (5) **Multi-tenant building.** Tenants in a multi-tenant development shall not be permitted to have individual freestanding signs, unless otherwise provided for in this Ordinance. See Section B.3-2.1(H)(6) Shopping Center.

**TABLE B.3.6**

**On-premises Freestanding Sign Provisions**

<u>Zoning Districts</u> (c)	<u>Uses</u> (as listed in UDO Table B.2.6 Permitted Use Table)	<u>Maximum Height</u> (feet)	<u>Maximum Area</u> (square ft)		<u>Maximum Number of Signs Per Street Frontage</u>	
					<u>&lt;300 ft</u>	<u>&gt; 300 ft</u>
<u>NSB, HB, GB, LI, CPI, GI, C, MRB-S</u>	All permitted uses (a)	<u>15</u>	<u>75</u>		<u>1</u>	<u>2 (d)(g)(h)</u>
<u>LB, CI, GO, CPO, IP</u>	All permitted uses (a)	<u>8</u>	<u>50</u>		<u>1</u>	<u>2 (d)(g)(h)(i)</u>
<u>LO, CB, PB</u>	All permitted uses (a)	<u>6</u>	<u>36</u>		<u>1</u>	<u>2(d)(h)(i)</u>
<u>NB (e)</u>	All permitted uses (a)	<u>6</u>	Total freestanding and attached signs: 8 in GMA 1, 2, 3 18 in GMA 4 or 5		<u>1</u>	<u>1</u>
<u>NO (e)</u>	All permitted uses (a)	<u>6</u>	Total freestanding and attached signs: 8		<u>1</u>	<u>1</u>
<u>MU-S (b)</u>	All permitted uses (a)(b)	<u>(b)</u>	<u>(b)</u>		<u>(b)</u>	<u>(b)</u>
<u>All RS and RM Districts, MH, YR, AG (e)</u>	<ul style="list-style-type: none"> <li>Church or Religious Institution, Community or Neighborhood</li> <li>School, Private or Public</li> </ul>	<u>6</u>	<u>Lot frontage &lt; 100 ft</u>	<u>Lot frontage ≥ 100 ft</u>	<u>1</u>	<u>2 (d)</u>
			<u>36</u>	<u>50</u>		
	All Recreational Uses	<u>6</u>	<u>36</u>		<u>1</u>	<u>2 (d)</u>
	<ul style="list-style-type: none"> <li>Residential Subdivision</li> <li>Multifamily Development</li> <li>Planned Residential Development</li> <li>Manufactured Housing Dev.</li> <li>Congregate Care Facility</li> <li>Life-care Community</li> </ul>	<u>6</u>	<u>36</u>		<u>2 Signs at each principal entrance, not to exceed 2 per street frontage (f)</u>	
	All individual residential uses	<u>X</u>	<u>X</u>		<u>X</u>	<u>X</u>
	All other permitted uses	<u>6</u>	<u>18</u>		<u>1</u>	<u>1</u>

X – An attached freestanding sign not permitted, unless provided for elsewhere in the Ordinance.

(a) See Section B.3-2.1(H)(6) Exceptions.

(b) Provisions for the MU-S District will be determined on an individual project basis.

(c) Additional provisions may apply in the NCO, H, HO, TO and AO zoning districts. See applicable district provisions.

(d) An on-premises freestanding sign is permitted only at a primary entrance, with a minimum separation of two hundred (200) feet between any two (2) permitted on-premises freestanding signs on the lot.

(e) No Internal Illumination.

(f) In situations where two signs are used, each sign shall have a single face.

(g) Where two signs are permitted, one sign shall be a maximum of six (6) feet high and have a maximum area of thirty six (36) square feet.

NOTE: Items to be deleted are indicated with a ~~strikeout~~; items to be added are indicated with an underscore; *italicized* items are the wording presented to the Planning Board in September 2006.

(h) A pair of single faced signs located at a primary development entrance may be used as an alternative to a single two faced sign. Where a pair of signs is used, each sign shall be permitted fifty (50) percent of the total sign area allowed for a single two faced sign and each sign shall have a maximum height of eight (8) feet.

(i) In the LO, GO and CPO Districts, one (1) freestanding sign shall be allowed per building or per three hundred (300) linear feet of frontage, whichever is greater. In situations where more than one (1) sign per street frontage is utilized, each additional sign shall be a maximum of six (6) feet high and have a maximum area of thirty six (36) square feet.

**(6) Exceptions to On-Premises Freestanding Sign Provisions.**

**(a) Shopping Center.** Freestanding signs shall be permitted for any shopping center in accordance with the maximum number provisions found in Table B.3.6 and with provisions for height, area and number of signs as shown in Table B.3.6a Shopping Center – On-premises Freestanding Sign Provisions. An individual tenant in a shopping center shall not be permitted an individual freestanding sign, with the exception of outparcel sites.

<b>TABLE B.3.6a</b>		
<b>SHOPPING CENTER</b>		
<b>On-premises Freestanding Sign Provisions (a)</b>		
<b><u>Zoning District</u></b>	<b><u>Max. Height (feet)</u></b>	<b><u>Max. Area (square feet)</u></b>
<u>HB, GB, CB, CI, MRB-S</u>	<u>18</u>	<u>100</u>
<u>PB, LB, NSB, MU-S (b)</u>	<u>16</u>	<u>80</u>
<u>Outparcels: 800 square feet or greater (b)</u>	<u>6</u>	<u>36</u>

(a) An on-premises freestanding sign is permitted only at a primary entrance, with a minimum separation of two hundred (200) feet between any two (2) permitted on-premises freestanding signs on the lot.

(b) Provisions for the MU-S District will be determined on an individual project basis.

**(b) Indoor or Drive-in Theater, or Recreational Services, Indoor, Limited to SIC 792 (Theatrical Producers).** All provisions of Table B.3.6 shall apply except as follows: One (1) freestanding sign shall be permitted per theater establishment. When a freestanding sign is utilized, the maximum permitted freestanding sign area shall be increased to two hundred (200) square feet. A changeable copy and/or electronic message sign may be applied to freestanding and/or attached signage, with the total area of freestanding and attached changeable copy and/or electronic message signage not to exceed two hundred (200) square feet.

**(c) Stadium, Coliseum, or Exhibition Building.** A changeable copy and/or electronic message sign may be applied to freestanding and/or attached signage, with the total area of freestanding and attached changeable copy and/or electronic message signage not to exceed two hundred (200) square feet.

When a Stadium, Coliseum, or Exhibition Building has a maximum seating capacity of 15,000 or less, the maximum permitted freestanding

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sign area shall be increased to two-hundred (200) square feet, and the maximum height shall be twenty-two (22) feet. When the building has a maximum seating capacity of greater than 15,000, the maximum permitted sign area shall be three-hundred fifty (350) square feet and the maximum height shall be increased to thirty-five (35) feet.

**(d) Signs Adjacent to a Controlled Access Road.** Signs located on property zoned HB, GB, MRB-S, CI and CB and located within four hundred (400) feet of the centerline of a controlled access road as defined by NCDOT and within one quarter (1/4) of one (1) mile of an interchange with a non-controlled access road may display additional sign area up to a maximum of one hundred fifty (150) square feet and a maximum height of fifty (50) feet.

**(e) Parks and Recreation Areas Open to the Public With One Thousand (1,000) Acres of More.** A freestanding sign shall not exceed eighty five (85) square feet in area. Maximum height shall be fifteen (15) feet. Signs shall be spaced at least four hundred (400) feet apart. Exempt from this spacing requirement are signs located within fifty (50) feet of the centerline of the main entrance to the park or recreation area. The main entrance shall be defined as the one major controlled access point from a major or minor thoroughfare to the park or recreation area. The nearest sign located to the main entrance signs shall meet the four hundred (400) foot spacing requirement.

**(f) CPO, LI, and GI Entrance Signs.** Development in the CPO, LI, and GI districts consisting of multiple parcels or a single parcel greater than five (5) acres in size shall be allowed one two-faced sign or a pair of single-faced signs located at the primary development entrance(s). Each sign face shall have a maximum area of seventy five (75) square feet and a maximum height of fifteen (15) feet. All other signs in the aforementioned CPO, LI, or GI development shall meet the requirements specified in Table B.3.6.

**(I) On-Premises Attached Signs.** Unless otherwise provided for in this Ordinance, an on-premises attached sign shall meet the following additional provisions:

**(1) Zoning Districts.** On-premises attached signs shall be permitted in the zoning districts and in conformance with the provisions as shown in Table B.3.6b.

**(2) Permitted Sign Area.** Any type or combination of types of attached sign(s) may be used to meet the permitted area for attached signs, unless otherwise provided for in this Ordinance. The maximum total attached sign area permitted per establishment shall be the area calculation shown in Table B.3.6b.

**(a) Total Sign Area.** The maximum wall area that may be covered with attached signage shall be calculated by multiplying the vertical dimension of a building wall by the length of its frontage in linear feet.

NOTE: Items to be deleted are indicated with a ~~strikeout~~; items to be added are indicated with an underscore; *italicized* items are the wording presented to the Planning Board in September 2006.

then by the appropriate percentage from Table B.3.6b. The standard vertical measurement of a building shall be fourteen (14) feet per story for the purposes of calculating attached signage. Where multiple establishments share one building, each establishment's portion of building frontage shall be calculated separately. Sign area shall be calculated separately for each building wall.

- (3) **Joint identification Sign.** A multiple tenant building or development may erect an attached development identification or joint identification sign. No additional sign area beyond the maximum permitted is provided for a development or joint identification sign.
- (4) **Location.** An attached sign may be located on any wall of a building, including those walls that do not have street frontage.
- (5) **Clearance.** An attached sign, with the exception of wall and window signs, shall maintain a clearance of nine (9) feet above a sidewalk and thirteen and one-half (13.5) feet above a street, alley or driveway.
- (6) **Projection and Setback.** An attached sign may project into the right-of-way, as long as the sign is setback at least two (2) feet from the curb line of any street and an encroachment agreement has been approved by the City of Winston-Salem or NCDOT.
- (7) **Height.** An attached sign shall not extend above the roofline of a building or structure, except where a wall sign is attached to a parapet wall which extends above a flat roof. In which case, the wall sign may extend to the top of the parapet wall or a maximum of two (2) feet above the roof line, whichever is less.

**TABLE B.3.6b**

**On-premises Attached Sign Provisions**

<b>Zoning Districts</b>	<b>Uses - as listed in UDO Table B.2.6 Permitted Uses</b>	<b>Maximum Area (square feet)</b> <small>(a)(b)(c)(d)</small>	<b>Conditions</b> <small>(d)</small>
RS, RM, MH, YR, AG	Individual residential units or manufactured homes	X	X
	All other residential uses and nonresidential uses	5% of wall	Internally illuminated signs are prohibited. Only one freestanding or attached sign is permitted.
NO	All permitted uses	total for freestanding and attached signs = 8	Internally illuminated signs are prohibited
NB	All permitted uses	total for freestanding and attached signs = 8, GMA 1.2.3 18, GMA 4.5	Internally illuminated signs are prohibited
LO, GO, CPO, IP	All permitted uses	10% of wall	<b>Theater, Recreational Services, Indoor, Limited to SIC 792 (Theatrical Producers), Stadium, Coliseum, and Exhibition Building.</b> A Theater, Stadium, Coliseum, or Exhibition Building may apply a changeable copy and/or an electronic message sign to a freestanding and/or attached sign, with the total area of freestanding and attached changeable copy and/or electronic message signage not to exceed two hundred (200) square feet.
PB, LB, CB, HB, GB, NSB LI, CPI, GI, CI, C, MRB-S	All permitted uses	15% of wall	
MU-S	All permitted uses	individual basis	Individual basis

X - An attached sign is not permitted, unless provided for elsewhere in the ordinance.

a - Total square footage for all attached signs, unless otherwise noted in chart.

b - Multiple Tenant Buildings. The total permitted attached sign area shall be allocated to tenants based on the building frontage of each individual tenant. See Section B.3-2.1(I)(2).

c. For the purpose of calculating the percentage of a building wall that may be covered with attached signage, fourteen (14) feet per story shall be the standard measurement used to calculate the vertical surface of a building wall. See Section B.3-2.1(I)(2).

d. See Section B.3-2.1(I)(8) Additional Requirements for Specific Types of Attached Signs.

e. Maximum sign area per building wall shall be calculated according to the standards above for buildings of three (3) stories or less. Buildings of four or more stories shall follow the requirements of section B.3-2.1(I)(9)(a) below.

**(8) Additional Requirements for Specific Types of Attached Signs.**

**(a) Awning, Canopy, and Permanent Window Signs.**

**(i). Area.** The copy area of an awning, canopy, or permanent window sign shall not exceed thirty (30) percent of the awning; canopy; or window pane, section, door or grouping of such.

**(ii). Illumination.** No internal illumination of an awning sign shall be permitted.

**(b) Projecting sign.**

**(i). Number.** Only one projecting sign shall be permitted per building frontage.

NOTE: Items to be deleted are indicated with a ~~strikeout~~; items to be added are indicated with an underscore; *italicized* items are the wording presented to the Planning Board in September 2006.

- (ii). **Projection.** A projecting sign shall not extend horizontally more than three (3) feet beyond the surface to which the sign is attached and no more than one and a half (1.5) feet into a public right-of-way.
- (iii). **Height.** A building shall not be permitted to have the top of a projecting sign located higher than the second story, or twenty-eight (28) feet.
- (c) **Suspended sign.** One suspended sign shall be permitted per primary public entrance.
- (d) **Wall Sign.**
  - (i). **Attachment.** A wall sign shall be attached to a rigid backing of no less than one-quarter (1/4) inch in thickness. The sign shall be permanently attached to a solid surface such as a building wall.
  - (ii). **Projection.** A wall sign shall not extend horizontally more than fifteen (15) inches beyond the surface to which it is attached.
- (9) **Exceptions.**
  - (a) **Wall Signs for Tall Buildings.** The maximum sign area per wall for the first three (3) stories of a building which is four (4) stories or greater in height shall be calculated using the standards of Table B.3.6b above. In addition, five (5) percent of the wall area for each additional story above the first three (3) stories may be added to the total permitted sign area of the first three (3) stories.
  - (b) **Theater, Recreational Services, Indoor, Limited to SIC 792 (Theatrical Producers), Stadium, Coliseum, or Exhibition Building Sign.** See Table B.3.6b.

~~(A)~~ **General Requirements**

- ~~(1)~~ **Applicability.** ~~Signs, in the districts where they are permitted, shall hereafter be erected or placed only in compliance with the provisions of this section, provided that any sign permitted by this Ordinance, regardless of location on or off premises, orientation, sign structure, or subject matter, may display noneommercial messages.~~
- ~~(2)~~ **Zoning Permit Required.** ~~A zoning permit shall be secured from the Director of Inspections prior to the construction, reconstruction, erection, enlargement, relocation, or structural alteration.~~
- ~~(3)~~ **Applicability of Other Sign Regulations.** ~~(W) Any sign shall meet all other regulations applicable to signs, including those found in Chapter 70 of the City of Winston-Salem Code for signs erected in that jurisdiction.~~

NOTE: Items to be deleted are indicated with a ~~strikeout~~; items to be added are indicated with an underscore; *italicized* items are the wording presented to the Planning Board in September 2006.

~~(4) — **Prohibited Signs.** The following signs or use of signs is prohibited.~~

- ~~(a) — Flashing Lights. Signs displaying intermittent or flashing lights similar to those used in governmental traffic signals or used by police, fire, ambulance, or other emergency vehicles.~~
- ~~(b) — Use of Warning Words or Symbolology. Signs using the words *stop*, *danger*, or any other word, phrase, symbol, or character similar to terms used in a public safety warning or traffic signs.~~
- ~~(c) — Temporary, Nonpermanent Signs. Temporary, nonpermanent signs, including over-head streamers, are not permitted in any zoning district, unless otherwise specified in these regulations.~~
- ~~(d) — Moving and Flashing Signs (excludes electronic time, temperature, and message signs). Moving and flashing signs, excluding electronic time, temperature, and message signs, are not permitted in any zoning district. This includes pennants, streamers, banners, spinners, propellers, discs, any other moving objects; strings of lights outlining sales area, architectural features, or property lines; beacons, spots, searchlights, or reflectors visible from adjacent property or rights of way.~~
- ~~(e) — Banners Advertising Special Events or Sales. **(W)** Banners advertising special events or sales are not permitted except within the City of Winston-Salem under the provisions of Chapter 70 of the City of Winston-Salem Code, if applicable.~~

~~(5) — **Illumination.** Illuminated signs shall be so shielded as not to cast direct light onto any residential district.~~

~~(B) — **Permitted Signs**~~

~~(1) — **Signs Permitted in Any District.**~~

- ~~(a) — Entrance and Exit Signs. One entrance and one exit sign containing a maximum of six (6) square feet each and a maximum height of three (3) feet shall be permitted per driveway. Entrance and exit signs shall contain no commercial content other than a symbol, name or logo of the establishment it serves.~~
- ~~(b) — Emergency, Safety, Warning, or Traffic Signs. Emergency, safety, warning, or traffic signs installed by or at the direction of a governmental authority or with its approval shall be permitted without size limitations.~~
- ~~(c) — Local, State, and National Flags. Local, state, and national flags shall have no size limitations.~~
- ~~(d) — Real Estate Signs. In all RS and RM Districts, a real estate sign is limited to six (6) square feet. In all other districts, real estate signs shall not exceed eighteen (18) square feet. Lead-in (directional) signs are allowed from Friday noon to Monday noon.~~

NOTE: Items to be deleted are indicated with a ~~strikeout~~; items to be added are indicated with an underscore; *italicized* items are the wording presented to the Planning Board in September 2006.

- (e) ~~Political Signs.~~ Political signs shall not exceed two (2) square feet in size.
  - (f) ~~Religious Institution Bulletin Boards.~~ On premises bulletin boards for religious institutions shall not exceed fifty (50) square feet in size.
  - (g) ~~Religious Institution Directional Signs.~~ ~~(W)~~ Only two (2) directional signs are permitted for each religious institution, provided the signs shall not exceed six (6) square feet each and are located on the same street as the religious institution the signs identify. Lettering on the signs shall consist only of the name of the religious institution and a directional arrow. Within the City of Winston-Salem, other requirements of Chapter 70 of the City of Winston-Salem Code shall also apply.
  - (h) ~~Occupancy Signs.~~ Occupancy signs shall be limited to one sign per dwelling unit or principal use, and no such sign shall exceed one square foot in area.
  - (i) ~~Historical Markers.~~ Historical markers shall be erected or placed by a bona fide historical association or by a governmental agency and shall not exceed twelve (12) square feet in area.
  - (j) ~~Landmark Indicators.~~ Landmark indicators including signs, banners or streamers displayed in the downtown, center city, or other limited areas, which promote special points of interest and events and do not exceed fourteen (14) square feet in area are permitted. Said signs shall be installed by the jurisdiction, its agents, or employees, at the direction of, or with the approval of, the Elected Body.
  - (k) ~~Information, Direction, and Identification Signs.~~ Information, direction, and identification signs installed by or at the direction of a governmental authority or with its approval and institutional use signs: On premises ground and projecting signs not to exceed thirty-six (36) square feet. Signs shall be so located to not obstruct the vision of drivers of motor vehicles. Wall and roof signs shall also be permitted.
  - (l) ~~Agricultural Signs.~~ Up to two off-premises directional signs are permitted for agricultural produce grown and sold on the premises.
- (2) ~~Application of Table of Permitted Districts for Signs.~~ The following signs shall be permitted in the zoning districts as indicated in Table B.3.6, Permitted Districts for Signs, and shall comply with all regulations of the applicable district unless otherwise regulated by specific regulations of this section.

Table B.3.6  
Permitted Districts for Signs

	<u>R</u>	<u>N</u>	<u>L</u>	<u>C</u>	<u>G</u>	<u>N</u>	<u>P</u>	<u>L</u>	<u>N</u>	<u>H</u>	<u>G</u>	<u>G</u>	<u>L</u>	<u>C</u>	<u>G</u>	<u>G</u>	<u>I</u>	<u>G</u>	<u>M</u>
	<u>M</u>	<u>O</u>	<u>O</u>	<u>P</u>	<u>O</u>	<u>B</u>	<u>B</u>	<u>B</u>	<u>S</u>	<u>B</u>	<u>B</u>	<u>B</u>	<u>I</u>	<u>P</u>	<u>I</u>	<u>I</u>	<u>P</u>	<u>U</u>	<u>S</u>

NOTE: Items to be deleted are indicated with a ~~strikeout~~; items to be added are indicated with an underscore; *italicized* items are the wording presented to the Planning Board in September 2006.

	R M	N O	O F	C O	G O	N B	P B	L B	N S B	H B	G B	C B	L I	C P I	G I	G I	I P	C	M U S
Off-Premises Signs																			
Ground Sign										Z			Z		Z	Z			
On-Premises Signs																			
Ground Sign	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z
Awning		Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z
Projecting Sign	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z		Z	Z	Z	Z	Z	Z	Z
Roof Sign			Z	Z	Z		Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z
Wall Sign	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z

Z = Districts in which signs permitted; zoning permit required.

**~~(C)~~(J) Off-Premises Ground Freestanding Signs**

- (1) **Zoning Districts.** Ground Freestanding signs (off-premises) are permitted only in the HB, LI, GI, and CI zoning districts ~~in the districts as shown in Table B.3.6~~ and only along designated roads which are not identified as view corridors listed in Section B.3-2.1~~(C)~~(J)(2) and exist along designated roads as per Section B.3-2.1(J)(3).
- (2) **View Corridors.** No off-premises sign shall be permitted in any view corridor as described in Table B.3.7 and shown on the *View Corridor Map* located in the office of the Planning Board.

Table B.3.7  
View Corridors

Designation	Location
1. "A"	The north side of Business 40 from Broad Street on the west to Cameron Avenue on the east
2. "B"	The south side of Business 40 from Cherry Street on the west to Salem Avenue on the east
3. "C"	The west side of US 52 from 16th Street on the north to the Southern Railroad line on the south
4. "D"	The west side of US 52 from the Southern Railroad line on the north to Stadium Drive on the south
5. "E"	The east side of US 52 from I-40 on the north to Stadium Drive on the south
6. "F"	The south side of Business 40 from US 52 on the west to US158 (Reidsville Road) on the east
7. "G"	Both sides of I-40 from Jonestown Road on the west to the City zoned jurisdiction on the east

NOTE: Items to be deleted are indicated with a ~~strikeout~~; items to be added are indicated with an underscore; *italicized* items are the wording presented to the Planning Board in September 2006.

Designation	Location
8. "H"	Both sides of US 311 from I-40 on the west to the Forsyth County line on the east
9. "I"	Both sides of US 311 connector from Business 40 on the north to I-40 on the south
10. "J"	Both sides of the Northern Beltway from Stratford Road (US 158) on the south to US 52 on the north
11. "K"	Both sides of the Northeast connector from US 52 on the west to the eastern terminus of the connector on the east
12. "L"	Both sides of I-40 in the unincorporated area of Forsyth County
13. "M"	Both sides of US 421 from I-40 on the east to the Winston-Salem City limits on the west. ( <b>W</b> )

**(3) Designated Roads.**

- (a) Permitted Areas. ~~Ground Freestanding~~ signs (off-premises) are permitted only along roads in the Interstate System or the National Highway System.

**(4) Location and Setbacks.**

- (a) Distance from the centerline. ~~Ground Freestanding~~ signs (off-premises) shall be located within six hundred sixty (660) feet of the centerline of the roadway to which they are oriented.
- (b) Spacing. ~~Ground Freestanding~~ signs (off-premises) shall be located no closer than one thousand (1,000) feet from other off-premises signs on the same side of the road.
- (c) Setback. ~~Ground Freestanding~~ signs (off-premises) shall be set back from each property line a minimum of one-half the distance required for principal structures as defined in Section B.2-1 and Table B.3.1 and Table B.3.2.
- (d) Distance from Residential Zones. ~~Ground Freestanding~~ signs (off-premises) shall be located no closer than the following distances from residentially zoned property:
- (i) Freeways/Expressways in the Interstate System. On freeways/expressways in the Interstate System:
- [A] Twenty-five (25) feet from any residence;
- [B] Fifty (50) feet from any residential zone abutting the permitted zone away from the roadway; and,
- [C] One hundred (100) feet from any residential zone abutting the permitted zone parallel to the roadway.

- (ii) Other Roads in the National Highway System. On other roads in the National Highway System:
  - [A] Twenty-five (25) feet from any residence;
  - [B] One hundred (100) feet from any residential zone abutting the permitted zone away from the roadway; and,
  - [C] One hundred (100) feet from any residential zone abutting the permitted zone parallel to the roadway.

**(5) Size Measurement.**

- (a) Area Calculation. The sign area for ~~ground~~ freestanding signs (off-premises) shall be computed by means of the smallest square, circle, rectangle, triangle, or combination thereof, which will encompass the entire sign designated to attract attention, including any molding, trim, border, or frame. Any such measurements shall be taken on only one face of the sign; however, informational or advertising matter may be displayed on both sides of any permitted sign.
- (b) Maximum Sign Area. The maximum sign area of an off-premises ~~ground~~ freestanding sign shall be limited, depending on location, as follows:
  - (i) On freeways/expressways in the Interstate System outside the Center City Area, maximum sign size shall be six hundred seventy-two (672) square feet plus one hundred (100) square feet for extensions.
  - (ii) On freeways/expressways in the Interstate System inside the Center City Area maximum sign size shall be four hundred fifty (450) square feet.
  - (iii) On other roads in the National Highway System outside the Center City Area maximum sign size shall be three hundred (300) square feet.
- (c) Height. Off-premises ~~ground~~ freestanding signs shall be limited to a maximum height of thirty-five (35) feet above the roadway to which it is oriented or grade of the site on which the sign is located, whichever is higher. Sign height shall be measured to the highest portion of the sign, including any molding, trim, border, or frame designed to attract attention, excluding any extensions.
- (d) Existing signs which have been physically separated from the Lot. **(W)** Signs which were originally constructed as legal on-premises signs and continue to serve their original purpose of advertising a use, but, are subsequently, through division of land which occurred prior to April 1, 2001, located on a different zoning lot or otherwise separated from and

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no longer have any physical or recorded connection with the original use for which they were originally constructed, are permitted to remain as long as the use remains active. If the sign is damaged or destroyed, it can be replaced with no increase in size.

- (6) **Number of Faces.** Off-premises ~~ground~~ freestanding signs shall be permitted to have a maximum of two (2) faces, provided, however, that stacked and/or rooftop locations of off-premises signs shall not be permitted.

~~(D) — On-Premises Signs — Awning Signs~~

- ~~(1) — Zoning Districts.~~ Awning signs are permitted only in the districts as shown in Table B.3.6.
- ~~(2) — Attachment. (W)~~ Within the city limits of Winston-Salem, the awning sign must be attached to the building which it is advertising in accordance with Chapter 74 of the City of Winston-Salem Code.
- ~~(3) — Illumination.~~ No background illumination of an awning sign is permitted.
- ~~(4) — CB District Restriction.~~ In the CB District, printed information, limited to the name, street number, and address, or logo of the establishment(s) occupying the building to which the awning is attached, may be printed on the outside surface area of the awning. Printed information and/or logo shall not exceed one square foot per linear foot of building frontage on the street or thirty percent (30%) of the total outside surface area of the awning, whichever is less.
- ~~(5) — Restrictions in NO and NB Districts.~~ In the NO and NB Districts, only one of the following signs is permitted for each business: ~~awning, ground (on-premises), projecting, or wall.~~

~~(E) — On-Premises Signs — Ground Signs, Projecting Signs~~

- ~~(1) — Zoning Districts.~~ Ground signs (on-premises) and projecting signs are permitted only in the districts as shown in Table B.3.6 or as specified in Section B.3-2.1(E)(9).
- ~~(2) — Location and Setbacks.~~
  - ~~(a) — All parts of ground signs (on-premises) must be completely out of the right-of-way.~~
  - ~~(b) — A projecting sign may extend a maximum of eighteen (18) inches into the right-of-way.~~
  - ~~(c) — Ground signs (on-premises) shall be set back a minimum of one linear foot per square foot of sign area from any structure used exclusively as a residence.~~
- ~~(3) — Sign Measurement.~~

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- (a) ~~Area Calculation.~~ Sign area shall be computed by means of the smallest square, circle, rectangle, triangle, or combination thereof, which will encompass the entire advertising copy excluding architectural embellishments or structural supports. Any such measurements shall be taken on only one face of the sign; however, informational or advertising matter may be displayed on both faces of any permitted sign.
- (b) ~~Maximum Sign Area.~~ The maximum sign area of ground (on-premises) and projecting signs shall be limited in area to two and a half (2.5) square feet of sign area per linear foot of lot frontage for each type of sign with the following maximums:
- (i) ~~In the HB, LI, GI, and NSB Districts, sign size shall be limited to one hundred fifty (150) square feet;~~
  - (ii) ~~In the LB, PB, GB, CI, CPO, CPI, C, and MU-S Districts, sign size shall be limited to seventy five (75) square feet, except that in the LB District in GMAs 4 and 5, sign size shall be limited to thirty six (36) square feet;~~
  - (iii) ~~In the CB District, no projecting signs are allowed and ground signs are limited to a maximum of fifty (50) square feet;~~
  - (iv) ~~In the GO, LO and IP Districts, sign size shall be limited to thirty six (36) square feet;~~
  - (v) ~~In the NO District, sign size shall be limited to eight (8) square feet;~~
  - (vi) ~~In the NB District, sign size shall be limited to four (4) square feet;~~
  - (vii) ~~In any RM District, sign size shall be limited to eighteen (18) square feet; and~~
  - (viii) ~~In the GB District, the permitted sizes for signs shall be consistent for a site and the size permitted is the largest size permitted on the particular site.~~
- (c) ~~Height.~~ The maximum height of a ground (on-premises) or projecting sign shall be thirty five (35) feet, except fifteen (15) feet maximum in any RM District, measured from the road to which the sign is oriented or grade of the site, whichever is higher. Where a sign interferes with pedestrian clearance or sight distance, the lowest part of the sign shall be a minimum of nine (9) feet from the grade of the site on which the sign is located. Sign height shall be measured from the highest portion of the sign, including any molding, trim, border, or frame designed to attract attention, excluding any extensions.

- (4) ~~Number of Faces.~~** Ground signs (on-premises) which contain two (2) faces may contain up to the maximum sign area as computed under size requirements in this

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~~section. Signs with three (3) faces shall contain a minimum of fifteen percent (15%) less sign area for each face than the standard maximum. A sign with four (4) faces shall contain a minimum of thirty percent (30%) less sign area for each face than the standard maximum.~~

~~(5) — Number.~~

- ~~(a) — Maximum. Each zoning lot frontage of less than two hundred and fifty (250) feet shall be limited to one ground (on premises) and one projecting sign per street or right of way frontage. If the lot frontage contains more than two hundred fifty (250) feet, then two (2) signs of each type may be used on that street frontage, except in any RM District, with a minimum separation of one hundred twenty five (125) feet between these two (2) signs or between them and any other ground signs on the lot.~~
- ~~(b) — Restrictions in NO and NB Districts. In the NO and NB Districts, only one of the following signs is permitted for each business: awning, ground (on premises), projecting, and wall.~~

~~(6) — Exceptions.~~

- ~~(a) — Corner Lots and Lots with Two Hundred Fifty (250) Feet of Frontage. Corner lots and lots with two hundred fifty (250) or more feet of frontage are permitted a fifty percent (50%) addition in maximum ground and projecting sign size for using one sign where two (2) would be allowed.~~
- ~~(b) — Lots on Freeways/Expressways in the Interstate System. Signs located within four hundred (400) feet of the centerline of a freeway/expressway in the Interstate System, except in any RM District, may display additional sign area up to a maximum of two hundred (200) square feet and a maximum height of fifty (50) feet. This exception will become void along any highway which installs a government sponsored highway logo sign system.~~
- ~~(c) — Lots of Three (3) Acres or More. On zoning lots containing three (3) acres or more, the maximum size of ground and projecting signs shall be that permitted in the zoning district where the sign is permitted, regardless of the amount of road frontage of the lot.~~
- ~~(d) — Shopping Centers.
  - ~~(i) — Number and Size. Any shopping center or multiple proprietorship in one building or connected buildings occupied by four (4) or more tenants shall be permitted a fifty percent (50%) increase in ground sign (on premises) area provided that such signs shall be of the marquee type. If the lot frontage is greater than one hundred fifty (150) feet, two (2) ground signs may be used with seventy five (75) feet separation between signs and the fifty percent (50%) addition applies to both signs.~~~~

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~~(ii) — Freestanding Building Signs. A freestanding building located within designated shopping center parking lots and containing eight hundred (800) square feet or more shall be permitted one additional ground sign (on premises) not to exceed thirty-six (36) square feet.~~

~~(7) — Movie Theaters and Performance Halls. A changeable copy marquee may apply to either a ground or projecting sign with a fifty percent (50%) addition to the maximum size permitted in the district.~~

~~(8) — Illumination in RM Districts. In any RM District, internally illuminated signs are not permitted, except such internally illuminated signs in RM District which existed as of April 26, 1993 (F)/May 4, 1992 (W).~~

~~(9) — On-Premises Ground and Projecting Signs in the YR, AG, MH, and RS Districts.~~

~~(a) — Permitted Districts and Uses. On-premises ground and projecting signs are allowed with the following uses in the YR, AG, and MH Districts, and in any RS District:~~

~~(i) — Agriculture production~~

~~(ii) — Cemetery, licensed or unlicensed~~

~~(iii) — Church or Religious Institution, Neighborhood or Community~~

~~(iv) — Child day care center accessory to a church or school~~

~~(v) — Fish hatchery~~

~~(vi) — Golf course~~

~~(vii) — Manufactured housing development~~

~~(viii) — Park and shuttle lot~~

~~(ix) — Planned residential development and subdivision~~

~~(x) — Riding stable~~

~~(xi) — Shooting range, outdoor~~

~~(xii) — Utilities~~

~~(b) — Number and Size. Only one sign per use with a maximum of eighteen (18) square feet per zoning lot per street or right-of-way frontage. If a zoning lot is permitted more than one sign, there shall be at least fifty (50) feet of spacing between each sign.~~

~~(c) — Height. Fifteen (15) feet maximum, measured from the road or grade of the site to which the sign is oriented, whichever is higher.~~

~~(d) — Illumination. Internally illuminated signs are not permitted for these uses, except such internally illuminated signs which existed as of April 26, 1993 (F)/May 4, 1992 (W).~~

~~(F) — On-Premises Signs — Roof Signs, Wall Signs~~

~~(1) — Zoning Districts. Roof and wall signs are permitted only in the districts as shown in Table B.3.6 or as specified in Section B.3-2.1(F)(5).~~

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**(2) — Size.**

- (a) ~~Maximum Size.~~ There shall be no maximum size restriction, but in no case shall a wall sign extend horizontally beyond the main wall of a building more than twelve (12) inches.
- (b) ~~Restrictions in NO and NB Districts.~~ In the NO District, sign size shall be limited to eight (8) square feet; in the NB District, sign size shall be limited to four (4) square feet.

**(3) — Height.**

- (a) ~~Flat Roof Building.~~ On a flat roof building, no roof signs are allowed. No wall sign shall project more than fifty percent (50%) of its height above the wall on which it is placed, but in no case shall extend more than two (2) feet above the wall.
- (b) ~~Peaked Roof Building.~~ Signs on a peaked roof building shall not extend above the peak of the roof.

**(4) — Number.**

- (a) ~~Maximum Number.~~ There shall be no restriction on the number of roof and wall signs.
- (b) ~~Restrictions in NO and NB Districts.~~ In the NO and NB Districts, only one of the following signs is permitted for each business: awning, ground (on premises), projecting, and wall.

**(5) — Wall Signs in the YR, AG, MH, and RS Districts.** Wall signs are allowed with the following uses in the YR, AG, and MH Districts, and in any RS District:

- (a) Agriculture production
- (b) Cemetery, licensed or unlicensed
- (c) Church or Religious Institution, Neighborhood or Community
- (d) Child day care center accessory to a church or school
- (e) Fish hatchery
- (f) Golf course
- (g) Manufactured housing development
- (h) Park and shuttle lot
- (i) Planned residential development
- (j) Riding stable
- (k) Shooting range, outdoor
- (l) Utilities

**(6) — Rooftop Penthouses or Unenclosed Screening.** No signage is permitted on either roof top penthouses or unenclosed screening of roof top mechanical equipment.

**(G) — Other Sign Regulations**

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- ~~(1) **Menu Boards, Fast Food Restaurants.** Menu boards for fast food restaurants must be located in such a way as to be viewed from a designated drive-through lane and not located within the required front, side, or rear yards.~~
- ~~(2) **Adult Establishment Advertisements.** Adult establishments shall not be permitted to display promotional materials visible to the public from pedestrian sidewalks or walkways; nor shall any signage contain lewd or offensive language, or any sort of sexually explicit graphics.~~
- ~~(3) **Nonconforming Uses.** Nonconforming uses shall be permitted on premises ground, projecting, roof, or wall signs, provided such signs are on the premises of the use and provided:~~
- ~~(a) Existing signs as of April 26, 1993 (F)/May 4, 1992 (W) which advertise a nonconforming use on a site shall comply with the requirements of any zoning district which would permit such use. These existing signs may be replaced, or may be replaced and increased by a maximum of twenty-five percent (25%) provided that such increase would not exceed the requirements of any zoning district which would permit such use. Existing signs meeting these requirements may be replaced due to deterioration or destruction.~~
- ~~(b) Signs existing as of April 26, 1993 (F)/May 4, 1992 (W) which advertise a nonconforming use on a site that do not comply with the requirements of any zoning district which would permit such use, shall have one hundred and eighty (180) days after April 26, 1993 (F)/May 4, 1992 (W) to come into compliance or the signs shall be removed.~~
- ~~(c) Nonconforming uses which do not have ground (on-premises) signs on the site as of April 26, 1993 (F)/May 4, 1992 (W) shall not be permitted to install such signs.~~
- ~~(4) **Parks and Recreation Areas Open to the Public With One Thousand (1,000) Acres or More.** On premises ground and projecting signs not to exceed seventy-five (75) square feet. Maximum height of signs shall be fifteen (15) feet. Signs shall be spaced at least four hundred (400) feet apart. Exempt from this spacing requirement are signs located within fifty (50) feet of the centerline of the main entrance to the park or recreation area. The main entrance shall be defined as the one major controlled access point from a major or minor thoroughfare to the park or recreation area. The nearest sign located to the main entrance signs shall meet the four hundred (400) foot spacing requirement. Signs shall be so located as to not obstruct the vision of drivers of motor vehicles.~~

**(K) Amortization of Nonconforming On-Premises Signs.**

**(1) On-premises Freestanding Signs.**

- (a) Schedule.** On-premises freestanding signs made nonconforming by the provisions of this Ordinance shall be removed or brought into compliance within fifteen (15) years from (date of adoption).  
Nonconforming freestanding signs required to be moved as a result of

governmental action beyond the control of the sign owner may be reinstalled. Additionally, nonconforming freestanding signs destroyed or damaged may be reinstalled or rebuilt to their original documented specifications as provided by the sign owner. In all other situations, any change to the height, area, or structure of a nonconforming sign requiring a sign permit shall require the sign to conform to the standards of this ordinance. Replacing the removable fact of a cabinet-type sign shall not require conformance with the standards of this ordinance. These provisions shall be applicable for the duration of the amortization period. (Changed from the September 2006 draft recommendation of a ten year amortization period).

(b) **Sign Area.** An unmodified on-premises freestanding sign existing prior to (date of adoption) shall be considered conforming by this ordinance unless it exceeds the area requirements of its respective zoning district by more than twenty-five (25) percent.

(c) **Sign Height.** An unmodified on-premises freestanding sign existing prior to (date of adoption) shall be considered conforming by this ordinance unless it exceeds the height requirements of its respective zoning district by more than two (2) feet. Architectural embellishments shall not be included when calculating height for signs subject to the amortization provisions of this ordinance.

(2) **On-premises Attached Signs.** Any on-premises attached sign made nonconforming by the provisions of this Ordinance shall be allowed to remain until the sign is replaced and a new on-premises sign permit is requested for a new conforming sign. At that time, new signage for an establishment replacing all of its attached signage shall meet the standards of Section B.3-2.1(I) of this ordinance. New signage for an establishment replacing a portion of its on-premises attached signage shall be allowed an increase in sign area until the total attached signage limit of that establishment's zoning district has been reached. Buildings which currently exceed this limit will be allowed to replace portions of their signage with signage no larger than what currently exists. (This is the wording originally presented to the Planning Board for the September 14, 2006 meeting. The wording will be removed and replaced by the following item "(2)".)

(2) **On-premises Attached Signs.** Any establishment with on-premises attached sign made nonconforming by the provisions of this Ordinance shall be allowed to retain the existing sign(s) and sign structure(s). Panel change-outs will be permitted in existing nonconforming attached sign structures. Existing sign(s) and sign structure(s) being replaced must conform to the provisions of Section B.3-2.1(I).

(3) **Temporary, Nonpermanent On-premises Signs.** Any temporary, nonpermanent sign, including overhead streamers and all banners not conforming with the provisions of Section 70 of the City Code of Winston-Salem, made

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nonconforming by the provisions of this Ordinance shall be brought in conformance or be removed within six (6) months of (adoption date).

~~(H)~~(L) **Amortization of Nonconforming Off-Premises Signs Schedule (W)**

~~(1)~~ **On-Premises Signs.**

- ~~(a)~~ Nonconforming Signs. One on-premises sign per zoning lot or business not conforming to these standards may be allowed to remain in its present location provided that the sign was legally erected in compliance with all laws existing prior to the passage of this Ordinance, and provided that the owner filed notice with the Inspections Division not later than Thursday, August 15, 1985. Said notice shall contain documentation on the location, height, size, and dimensions of the sign to remain, as well as a photograph showing the entire sign and its supporting structure. Said sign shall be allowed to remain for the life of the sign, and any such sign destroyed or damaged by fifty percent (50%) or more of its value shall not be rebuilt or replaced except in compliance with this Ordinance.
- ~~(b)~~ Temporary, Nonpermanent Sign. All temporary, nonpermanent signs, including overhead streamers, and all banners not conforming with the provisions of Chapter 70 of the City of Winston-Salem Code shall be removed within six (6) months of April 15, 1985.
- ~~(c)~~ Other Nonconforming Signs. All other nonconforming signs shall be removed or brought into compliance with the requirements of this Ordinance within seven (7) years from April 15, 1985.

~~(2)~~(1) **Off-Premises Signs.**

- ~~(a)~~ Nonconforming Signs. All nonconforming off-premises signs shall be removed or brought into compliance with all requirements except Section B.3-2.1~~(C)~~(J)(4)(c), if applicable, within seven (7) years of the date of April 15, 1985.
- ~~(b)~~ View Corridors. The seven (7) year amortization of off-premises signs provided in this section shall not apply to view corridors "L" (I-40 in the unincorporated area of Forsyth County) and "M" (both sides of US 421 west of I-40), as identified in Table B.3.7. Off-premises signs, existing or for which a valid permit has been issued in these view corridors prior to February 6, 1989, may remain and be maintained and repaired. Such signs may not, however, be expanded or replaced in any manner with regard to their support structure, decking, sign face structure, lighting or any other component or group of components of their structure or foundation.

~~(H)~~(M) **Amortization of Nonconforming Off-Premises Signs Schedule (F)**

~~(1)~~ **On-Premises Signs.**

- (a) ~~Nonconforming Signs.~~ One on-premises sign per zoning lot or business not conforming to these standards may be allowed to remain in its present location provided that the sign was legally erected in compliance with all laws existing prior to October 14, 1985, and provided that the owner filed notice with the Inspections Division within ninety (90) days of that date. Said notice shall contain documentation on the location, height, size, and dimensions of the sign to remain, as well as a photograph showing the entire sign and its supporting structure. Said sign shall be allowed to remain at its present location for the remaining life of the sign, and any such sign removed, renovated, altered, destroyed, or damaged by fifty percent (50%) or more of its value shall not be rebuilt or replaced except in compliance with this Ordinance.
- (b) ~~Other Nonconforming Signs.~~ All other nonconforming signs shall be removed or brought into compliance with the requirements of this Ordinance within seven (7) years from October 14, 1985, or until removed, renovated, altered, destroyed, or damaged as specified in this section, whichever is earlier.

~~(2)~~(1) **Off-Premises Signs.**

- (a) Setbacks. All nonconforming off-premises signs shall be removed or brought into compliance with all requirements, except Section B.3-2.1~~(C)~~(J)(4)(c), within seven (7) years of October 14, 1985.
- (b) View Corridors. The seven (7) year amortization of off-premises signs provided in this section shall not apply to the view corridors listed in Table B.3.7. Off-premises signs, existing or for which a valid permit has been issued in these view corridors prior to February 6, 1989, may remain and be maintained and repaired. Such signs may not, however, be expanded or replaced in any manner with regard to their support structure, decking, sign face structure, lighting or any other component or group of components of their structure or foundation.

**Section 4.** This ordinance shall be effective upon adoption.