



# Certified Recommendation

Raleigh Planning Commission

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## Case Information: TC-1-14 / Signage

### Comprehensive Plan Guidance

<i>Applicable Policy Statements</i>	Not applicable
<i>Action Items</i>	Not applicable

### Summary of Text Change

<i>Summary</i>	Amends the Part 10 Zoning Code and UDO to further regulate signage posted in windows and on vehicles.
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### Summary of Impacts

<i>Impacts Identified</i>	<p><u>Adoption of TC-1-14:</u></p> <ol style="list-style-type: none"> <li>The adoption of the text change would align the signage regulations for both the Part 10 zoning code and the UDO, related to window signage.</li> <li>The adoption of TC-1-14 could reduce the amount of visual clutter in the urban environment and along thoroughfares.</li> <li>The adoption of TC-1-14 would increase the workload of the zoning enforcement officers.</li> </ol> <p><u>No Action:</u></p> <ol style="list-style-type: none"> <li>Materials posted inside windows would not be classified as a sign. Property owners and tenants would be free to post materials inside windows. Once the new zoning map is approved, window signage would be regulated.</li> <li>Vehicular signage would continue to be allowed.</li> </ol>
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### Public Meetings

<i>Public Hearing</i>	<i>Committee</i>		<i>Planning Commission</i>	
2-4-14	2-18-14; 3-18-14	Text Change Committee	3-25-14	Request time extension; appoint stakeholder group

#### Attachments

- Staff report
- Staff memo
- Ordinance

## Planning Commission Recommendation

<p style="text-align: center;"><i>Recommendation</i></p>	<ol style="list-style-type: none"> <li>1. The Planning Commission requests that this text change be separated into two parts: one to address vehicular signage TC-1(A)-14 and one to address window signage TC-1(B)-14.</li> <li>2. The Commission requests that the City Council appoint a ten-person stakeholder group to discuss window signage. The stakeholder group can consist of six members with business interests and four members with neighborhood interests.</li> <li>3. The stakeholder group can work with the Text Change Committee to have a recommendation within 90 days.</li> <li>4. Each text change request will remain in committee for further research and discussion.</li> <li>5. The Commission requests a time extension for TC-(B)-14, window signage. The time extension would provide another 90 days to review the request.</li> </ol>
<p style="text-align: center;"><i>Findings &amp; Reasons</i></p>	<ol style="list-style-type: none"> <li>1. The Text Change Committee has conducted two public meetings to discuss the text change. There has been considerable discussion with a number of interested parties. Additional time is requested to continue the discussion.</li> <li>2. The appointment of a stakeholder group will focus discussion of the text change and allow for a number of industries to be represented along with neighborhood interests.</li> </ol>
<p style="text-align: center;"><i>Motion and Vote</i></p>	

This document is a true and accurate statement of the findings and recommendations of the Planning Commission. Approval of this document incorporates all of the findings of the attached Staff Report.

\_\_\_\_\_  
Planning Director

\_\_\_\_\_  
Date

\_\_\_\_\_  
Planning Commission Chairperson Date

Staff Coordinator:

Travis Crane: [travis.crane@raleighnc.gov](mailto:travis.crane@raleighnc.gov)

**ORDINANCE NO. (2013)**

**AN ORDINANCE TO CLARIFY THE CITY OF RALEIGH SIGN REGULATION**

***NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH THAT:***

**Section 1.** Sec. 10-2002 of the Raleigh City Code, Definitions, is hereby amended by inserting the following underlined language into the existing definition of “Sign”:

*Sign.* Any temporary or permanent identification, description, animation, illustration, or device, illuminated or non-illuminated, which is visible from any right-of-way, situated indoors or outdoors, and which directs attention to any realty, product, service, place, activity, *person*, institution, performance, commodity, firm, business or solicitation, including any permanently installed or situated merchandise or any emblem, painting, banner, *poster*, bulletin board, pennant, placard or *temporary sign* designed to identify or convey information. Signs do not include signs located inside buildings, courts, lobbies, stadiums, or other structures that are not positioned in such a manner so as to be intended to be seen from the exterior of the building or structure.

**Section 2.** Article 12.2 of the Raleigh Unified Development Ordinance, Defined Terms, is hereby amended by inserting the following underlined language into the existing definition of “Sign”:

*Sign.* Any temporary or permanent identification, description, animation, illustration, or device, illuminated or non-illuminated, which is visible from any right-of-way, situated indoors or outdoors, and which directs attention to any realty, product, service, place, activity, *person*, institution, performance, commodity, firm, business or solicitation, including any permanently installed or situated merchandise or any emblem, painting, banner, *poster*, bulletin board, pennant, placard or *temporary sign* designed to identify or convey information. Signs do not include signs located inside buildings, courts, lobbies, stadiums, or other structures that are not positioned in such a manner so as to be intended to be seen from the exterior of the building or structure.

**Section 3.** Sec. 10-2083.4 of the Raleigh City Code, Nonconforming Signs, is hereby amended by the insertion of the following provisions:

(5) Any paper, poster board or similar sign or display shall be removed or otherwise made conforming.

**Section 4.** Article 7.3.17 of the Raleigh Unified Development Ordinance, Nonconforming Signs, is hereby amended by the insertion of the following provisions:

E. Within ninety (90) days after the effective date of this provision or within ninety (90) days following an extension of areas in which this section is applicable:

1. Any paper, poster board or similar sign or display shall be removed or otherwise made conforming.
2. Any portable sign, banner or windblown sign not authorized by Article 7.3.13.J, temporary signs, or Article 7.3.13.L, windblown signs, shall be removed.
3. Signs attached to, painted on or otherwise positioned in or on a vehicle (motorized or non-motorized) located in view of the right-of-way shall be removed.
4. Any existing nongovernmental flashing sign shall stop flashing,
5. Any existing sign which mechanically moves shall cease its movement.
6. Any message, copy, or announcement which uses a series of two (2) or more signs following one another placed parallel to a street or highway carrying a single message, copy, or announcement part of which is contained on each sign shall terminate.

**Section 5.** Sec. 10-2083.3 of the Raleigh City Code, Prohibited Signs, is hereby amended by the insertion of the following underlined provisions:

- (13) Signs attached to, painted on or otherwise positioned in or on an inoperable or unlicensed vehicle (motorized or non-motorized) located in view of the right-of-way.
- (14) Signs attached to, painted on or otherwise positioned in or on a licensed vehicle that is located in view of the right-of-way when in a location or for a period of time that indicates that the primary intended use of the vehicle is for displaying the sign to passing motorists or pedestrians, except that such signs are allowed on a temporary basis in association with a temporary event permit.
- (15) Any sign unlawfully erected or maintained.

**Section 6.** Article 7.3.15 of the Raleigh Unified Development Ordinance, Prohibited Signs, is hereby amended by the insertion of the following underlined provisions:

- (M) Signs attached to, painted on, or otherwise positioned in or on an inoperable or unlicensed vehicle (motorized or non-motorized) located in view of the right-of-way.
- (N) Signs attached to, painted on, or otherwise positioned in or on a licensed vehicle that is located in view of the right-of-way when in a location or for a period of time that indicates that the primary intended use of the vehicle is for

displaying the sign to passing motorists or pedestrians, except that such signs are allowed on a temporary basis in association with a temporary event permit.

(O) Any sign unlawfully erected or maintained.

**Section 7.** All laws and clauses of laws in conflict herewith are repealed to the extent of such conflict.

**Section 8.** The terms of this ordinance are declared to be severable pursuant to the provisions of Part 14 of the Raleigh City Code and Article 1 of the Unified Development Ordinance.

**Section 9.** If this ordinance or application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given separate effect and to this end the provisions of this ordinance are declared to be severable.

**Section 10.** This text change has been reviewed by the Raleigh City Planning Commission.

**Section 11.** This ordinance has been adopted following a duly advertised public hearing of the Raleigh City Council.

**Section 12.** This ordinance has been provided to the North Carolina Capital Commission as required by law.

**Section 13.** This ordinance shall be enforced as provided in N.C.G.S. 160A-175 or as provided in the Raleigh City Code. All criminal sanctions shall be the maximum allowed by law notwithstanding the fifty dollar limit in N.C.G.S. §14-4(a) or similar limitations.

**Section 14.** This ordinance is effective 60 days after adoption.

**ADOPTED:**

**EFFECTIVE:**

**DISTRIBUTION:**

Prepared by the Raleigh City Attorneys Office