



# Certified Recommendation

Raleigh Planning Commission

CR# 11611

## Case Information: TC-1(B)-14 / Window Signs

### 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 regulate signage posted in windows.
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### Summary of Impacts

<i>Impacts Identified</i>	<p><u>Adoption of TC-1(B)-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(B)-14 could reduce the amount of visual clutter in the urban environment and along thoroughfares.</li> <li>The adoption of TC-1(B)-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 by the existing UDO standard which is more restrictive than this text change proposes.</li> </ol>
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### Public Meetings

<i>Submitted</i>	<i>Committee</i>		<i>Planning Commission</i>	
12-3-13 (Extension Granted by Council on 4-1-13)	2-18-14, 3-18-14, 4-15-14, 5-20-14, 6-17-14,	Text Change Committee	3-25-14	Request time extension; appoint stakeholder group



Staff Coordinator: Eric Hodge: [eric.hodge@raleighnc.gov](mailto:eric.hodge@raleighnc.gov)



## Zoning Staff Report – TC-1(B)-14

### Window Signs

#### Request

<i>Section Reference</i>	<b>Part 10 §10-2002 Definitions</b> <b>Part 10 §10-2083 Signage</b>  <b>UDO Article 7.3 Signage</b> <b>UDO Article 12.2 Definitions</b>
<i>Basic Information</i>	Amends the Zoning Code to add window signage regulations and UDO to make window signage regulations less restrictive.
<i>PC Recommendation Deadline</i>	February 24, 2015

#### Comprehensive Plan Guidance

<i>Applicable Policies</i>	Not applicable
<i>Action Items</i>	Not applicable

#### Contact Information

<i>Staff Coordinator</i>	Eric Hodge: <a href="mailto:eric.hodge@raleighnc.gov">eric.hodge@raleighnc.gov</a> ; 919.996.2639
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#### History/Overview

This text change was initiated by Petition of Citizen's to the City Council. Concerns were raised about window signage not being regulated in the Part 10 Zoning Code's "Legacy" zoning districts during the interim period between the adoption of the Unified Development Ordinance and the Citywide UDO Zoning Map Amendment.

#### Purpose and Need

This text change would regulate window signage in the "Legacy" zoning districts until such time that those properties were rezoned to a Unified Development Ordinance zoning district. This text change would also lessen the restrictions placed on the Unified Development Ordinance zoning districts by modifying the limitations such that signage would be allowed to cover a total of 50% of a building's windows as opposed to the 30% currently allowed by the UDO. Additionally, limitations on window signs in the area between 4' and 7' above the ground would be eliminated by this text change; the business community felt those regulations created a conflict with the area best suited for signage placement.

#### Alternatives Considered

No alternative other than the No Action approach was considered.

## Scoping of Impacts

Potential adverse impacts of the proposed text change have been identified as follows:

The adoption of this text change would accelerate the regulation of window signs in advance of the Citywide UDO zoning map amendment and would become a work program item for zoning enforcement staff.

The adverse impacts of taking no action (retaining the existing regulations) have been identified as follows:

Allowing unlimited window signage could contribute to the amount of visual clutter in urban and suburban environments. Those properties regulated by the Unified Development Ordinance would carry additional restrictions on window signage beyond what this text change proposes.

## Impacts Summary

### Adoption of Proposed Text Change

The adoption of this text change will result in a decrease in visual clutter in the urban and suburban environments.

### No action

The status quo will be maintained, and window signage would not be regulated in “Legacy” zoning districts. Window signage in UDO zoning districts would be limited to 30% coverage and would carry additional restrictions on the portions of the windows in which signage could be placed.

**ORDINANCE NO. (2015) 424 TC 365  
TC-1(B)-14**

**AN ORDINANCE TO CLARIFY THE  
CITY OF RALEIGH WINDOW SIGN REGULATIONS**

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

**Section 1.** Sec. 10-2002 of the Part 10 Raleigh City Code, Definitions, is hereby amended by inserting the following underlined language into the existing definition of “Sign” and deleting the language shown with a strike-through:

*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 displays 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 Part 10A Raleigh Unified Development Ordinance, Defined Terms, is hereby amended by inserting the following underlined language into the existing definition of “Sign” and deleting the language shown with a strike-through:

*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 displays 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. 10-2083.2 of the Part 10 Raleigh City Code, Schedule of Permitted Signs in Zoning Districts, is hereby amended by inserting the following underlined language into the chart as a general use in the following underlined districts:

“Window”: *Office & Institution-1, Office & Institution-2, Office & Institution-3, Buffer Commercial, Shopping Center, Neighborhood Business, Business Zone, Thoroughfare District, Industrial-1 and Industrial-2.*

**Section 4.** Section 7.3.2 of the Part 10-A Raleigh Unified Development Ordinance, Signs Allowed by District, is hereby amended by inserting a “P” under the IH district column on the

Window Sign row noting that window signs are a type of permitted signage allowed in the IH district.

**Section 5.** Sec. 7.3.7.B1 of the Part 10A Raleigh Unified Development Ordinance, Window Signs, is hereby amended by deleting the language shown with a strike-through and replacing it with the language shown underlined:

Area per business (max combination of all windows covered by window signs): 30% 50%.  
per side of the building facing along any street per floor and not less than 32 square feet per  
side of the building facing along any street per floor.

**Section 6.** Sec. 10-2083.2 of the Part 10 Raleigh City Code, Specific Sign Regulations, is hereby amended by adding Window Signs and including standards therefore by inserting the following underlined language:

Window Signs: Area per business (max combination of all windows covered by window signs): 50% per side of the building facing along any street per floor and not less than 32 square feet per side of the building facing along any street per floor.

**Section 7.** Sec. 7.3.7.B2 of the Part 10A Raleigh Unified Development Ordinance, Window Signs, is hereby amended by deleting the section in its entirety:

~~Window signs may only cover 5% of window area between 4 and 7 feet above the adjacent sidewalk.~~

**Section 8.** Sec. 10-2083.1 of the Part 10 Raleigh City Code, Schedule of Permitted Signs in Zoning Districts, is hereby amended by inserting the following underlined language:

**Maximum Signage.**

The total maximum signage allowed for a *premise* with a single establishment located in a *nonresidential zoning district*, excluding Residential Business District or special areas of control, is two (2) square feet per linear foot on the side of the *building* facing along any *street*, except a controlled access *street*, from which the establishment has a direct grade level public entrance, up to a three hundred (300) square foot total maximum.

Any *premise* with more than one (1) establishment located in a zoning district, other than any *residential zoning district*; Residential Business District; and special areas of control, is allowed for each establishment, a total maximum signage of two (2) square feet per linear foot on the side of the *building* facing any *street*, except a controlled access *street*, from which the establishment has a direct grade level public entrance up to three hundred (300) square feet, but if any *ground high profile sign*, or *ground medium profile*, or *ground low profile sign*, or tract identification *sign* is located on the *premise*, up to two hundred (200) square feet is the maximum allowable signage per establishment.

This maximum allowable signage limitation shall not apply to landmark signs permitted pursuant to §10-2083.2, product and information signs permitted pursuant to §10-2083.2, unit

number identification signs under ten (10) inches in height, or to temporary signs and window signs permitted pursuant to §10-2083.2. All premises containing units are required to have unit number signs in accordance with §10-2083.1(c)(2).

Notwithstanding this maximum allowable signage limitation, no *premise*, including those in *residential districts*, is prevented from having at least thirty-two (32) square feet of *on-premise* signage. Allowable signage *may* be allocated among the permitted *signs* in the district, provided that, the applicable *sign* regulations in §10-2083.3 are met, and further provided that the total signage allowed herein is not exceeded.

**Section 9.** Sec. 7.3.16.B.4. of the Part 10A Raleigh Unified Development Ordinance, Nonconforming Signs, is hereby amended by the insertion of the following provisions and deleting the language shown with a strike-through:

The maximum allowable signage limitation does not apply to Landmark signs, product and information signs, unit numbering identification signs under 10 inches, ~~and~~ temporary signs and window signs permitted pursuant to Sec. 7.3.7.

**Section 10.** Sec. 10-2083.4 (a) of the Raleigh City Code, Nonconforming Signs, is hereby amended by the insertion of the following new subsection:

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

**Section 11.** Section 7.3.17 of the Part 10A 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.

**Section 12.** All laws and clauses of laws in conflict herewith are repealed to the extent of such conflict.

**Section 13.** 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 14.** 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 15.** This text change has been reviewed by the Raleigh City Planning Commission.

**Section 16.** This ordinance has been adopted following a duly advertised public hearing of the Raleigh City Council.

**Section 17.** This ordinance has been provided to the North Carolina Capital Commission as required by law.

**Section 18.** 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 19.** This ordinance is effective 90 days after adoption.

**ADOPTED:** April 7, 2015

**EFFECTIVE:** July 7, 2015

**DISTRIBUTION:** Planning – Bowers, Crane, Hodge  
City Attorney – Botvinick, Hargrove-Bailey  
Department Heads  
Transcription Svcs – Taylor

*Prepared by the Planning and Development Department*



*City of Raleigh*  
*North Carolina*

To: Ruffin Hall – City Manager

From: Joint Commission on Signage  
Eric Hodge, AICP – Assistant Planning Administrator

Date: November 10, 2014

Re: Recommended Changes to City of Raleigh Sign Ordinance

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The City of Raleigh Joint Commission on Signage has endorsed the following recommendations of the Sign Task Force and has proposed the following changes to both the Unified Development Ordinance and the Part 10 Zoning Code:

- Window Signage: Allow up to 50% of the windows per floor per building facade to be used for signage. This is an increase from the 30% maximum currently contained in the UDO. Remove the requirement to maintain a “free and clear” area on a window between four and seven feet.
- Vehicle Signs: Create a definition for Vehicular Signage. Vehicle signs may not be located within 40 feet of the right-of-way, unless screened. Box trucks or tractor trailers with vehicular signage must be located at least 100 feet from the right-of-way. Vehicles used solely as signage are prohibited.

The City of Raleigh Joint Commission on Signage has endorsed the following recommendations of the Sign Task Force and has proposed the following changes to only the Unified Development Ordinance given the pending citywide UDO remapping:

- Common Signage Plan/Multi-establishments: Increase the specified maximum number of colors for sites with more than 1 principal building or establishment from 3 colors plus black and white to seven colors plus black and white.
- Changeable Copy Signs: delete the word “manually” so that electronic and LED signs are included under the 4 changes per 24 hour period limitations.

**Requested Action:**

The City Council has provided authorization on text changes involving Window and Vehicle Signs for both the Part 10 Zoning Code and the Part 10-A Unified Development Ordinance; however, authorization is required for any text amendments related to String Lights, Common Signage Plan and Changeable Copy Signs. Staff recommends the City Council authorize the submittal of the text amendment to the UDO and not the Part 10

Zoning Code since it will be retired shortly. If the City Council so authorizes, staff will forward an ordinance to be reviewed by the Planning Commission, culminating with a public hearing at City Council. If the City Council wishes to amend the Part 10 Zoning Code as well, a joint public hearing must be held between the City Council and the Planning Commission first.

The Planning Commission has conducted reviews of earlier versions of the Vehicle and Window Sign regulations. The Joint Commission on Signage recommends the Council refer these recommendations to the Planning Commission for further review since there were modifications. If the City Council so authorizes, staff will forward the draft ordinances on to the Planning Commission for further review and recommendation, culminating with a public hearing at City Council.

### **Background Material**

The Joint Commission on Signage discussed five primary topics related to signage in the zoning code as recommended by the Sign Task Force: window signage, vehicular signage, string lighting, Common Signage Plan/Multi-establishments and Changeable Copy Signs. Below is additional detail related to these five discussion points.

### **Window Signs (TC-1(B)-14):**

A window sign is an on-premise sign attached flat but parallel to a window or is within 12 inches of the window. Displays of merchandise are not window signs. A sign permit is not required and window signage is exempt from consideration as signage when calculating the maximum signage allowed. Window signage is not regulated in the Part 10 zoning code as a result of a previous code interpretation that signage only occurs on the outside of the building. The new Unified Development Ordinance does include regulations for window signage.

The Joint Commission on Signage recommends increasing the amount of window signage from the 30% limitation currently found in the Unified Development Ordinance to 50% (maximum combination of all windows covered by window signs) per façade per floor and not less than 32 square feet per façade per floor.

The Joint Commission also recommends the deletion of the following limitation on window signage currently found within the Unified Development Ordinance: "Window signs may only cover 5% of window area between 4 and 7 feet above the adjacent sidewalk."

A public hearing has already occurred for the Part 10 zoning code changes. A public hearing has not occurred for the UDO changes. If the City Council concurs with this recommendation, Staff will forward these suggestions to the Planning Commission for review and recommendation.

### **Vehicle Signs (TC-1(A)-14):**

Vehicle signage is not currently regulated in either the Part 10 code or the UDO. A definition for vehicle signage would be added to each code, as would standards for vehicle signs. The Joint Commission recommends the inclusion of the following language to the Unified Development Ordinance:

*Vehicle sign:* Any sign attached to or painted on, or otherwise positioned, (whether exterior or interior), in or on, located upon a vehicle, trailer or a tractor trailer.

*Vehicle Signs shall* comply with all of the *following* standards:

Vehicle signs shall not be located within 40 feet (100 feet for a trailer or box truck) of the right-of-way of any street unless parking concealed from the right-of-way or further from the right-of-way does not exist.

Vehicle signs permitted as part of an approved temporary event or vehicles used in direct connection with the business, other than as signage, are not subject to these provisions during the course of their normal business usage.

**Prohibited:**

Signs attached to, painted on or otherwise positioned (whether exterior or interior), in or on an inoperable or unlicensed vehicle (motorized or non-motorized) located in view of the right-of-way.

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 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.

A public hearing has been conducted for the Part 10 code changes. A public hearing has not occurred for the UDO changes. The Planning Commission reviewed the initial text change and recommended approval. The Sign Task Force suggested modification to the regulations somewhat and those recommendations have also been endorsed by the Joint Commission. If the City Council concurs with this recommendation, staff suggests that the vehicle sign text change be forwarded to the Planning Commission for additional review and recommendation.

**Changeable Copy Signs (Part of TC-1(C)-14):**

In order to limit the frequency with which electronic or LED signs can change their imagery, both the Joint Commission on Signage and the Sign Task Force recommend deleting the word “manually” from the regulations governing changeable copy signs so that all types of changeable copy signs are regulated equally and are limited to changing only 4 times within a 24 hour period.

If City Council agrees with this recommendation and authorizes a text change on this topic, staff will forward the draft text change to the Planning Commission for their review and recommendation. Staff suggests that a text change be processed for only the UDO, as the Part 10 zoning code will be retired shortly.

**Common Signage Plan/Multi-establishments (Part of TC-1(C)-14):**

To achieve congruity within sites with more than one principal building or development containing more than one establishment, a common signage plan must be approved by staff. Both the Part 10 Zoning Code and the Unified Development Ordinance limit the specific number of colors for common signage plans to three colors plus black and white. Both the Joint Commission on Signage and the Sign Task Force recommend increasing the number of allowed colors to seven plus black and white.

Planning and Development Staff, as well as the City’s Economic Development Staff, recommend removing all limitations on the number of colors allowed for these types of developments if the Council is so inclined to move in this direction. Staff feels that if all of the primary colors in the color spectrum could be allowed under the proposed text change (seven colors plus black and white), then what is the harm in allowing additional tones into the allowed signage color palette. It would allow for more sign creativity within a development, even more than the Joint Commission on Signage is proposing.

If City Council agrees with this recommendation of the Joint Commission on Signage or that of Staff and authorizes a text change on this topic, staff will forward the draft text change to the Planning Commission for their review and recommendation. Staff suggests that a text change be processed for only the UDO, as the Part 10 zoning code will be retired shortly.

**No Recommended Action: String Lights**

String lighting is not currently regulated in either the Part 10 zoning code or the UDO. The Sign Task Force recommended the inclusion of String Light regulations but the Joint Commission on Signage did not endorse the Task Force's recommendation and does not endorse the regulation of string lighting.

**Additional Signage Concerns:**

The Joint Commission on Signage would like additional direction from the City Council as to what the other issues are relative to the sign ordinance that need the Joint Commission's future consideration.