

- f) Sidewalks and walkways shall be constructed to meet ADA requirements
- g) When a retaining wall of 30 inches or more in height or a steep grade exceeding a 1:1 ratio is located within five feet of a sidewalk or other constructed system designed and placed as to direct public pedestrian traffic, a barrier shall be constructed and maintained between the sidewalk and the grade change.
- h) When the horizontal slope of a sidewalk exceeds the minimum grade allowed by ADA, it shall be treated as a ramp with railing requirements.

6.17.4 MAINTENANCE

All sidewalks shall be adequately maintained and kept in a safe and neat manner.

6.18 SIGNAGE

6.18.1 INTENT

It is the general intent of this section to help protect and preserve the historic and aesthetic character of Hillsborough while balancing with those interests the need of businesses, government and the traveling public to safely and accurately identify and read information on permitted signs. Toward that end, the Town adopts these regulations regarding the number, area, location and other characteristics of signs.

6.18.2 SIGNS SUBJECT TO CONTROL

All signs visible from vehicular rights-of-way, both new and existing, shall be erected, maintained, and operated in accordance with this Ordinance and other relevant controls unless specifically exempted. The definition of "sign" also includes those messages inside a building specifically oriented to persons outside the building. The provisions of this section do not apply to window displays of merchandise but do apply to signs mounted in windows.

6.18.3 ZONING COMPLIANCE PERMIT REQUIRED

Before any sign, except those specifically exempted from such a requirement, shall be erected or structurally altered, a Zoning Compliance Permit must be obtained.

In the case of a multi-tenant development, the Zoning Compliance Permit shall be issued in the name of the owner of the multi-tenant development or his agent rather than in the name of any individual tenant thereof, and it shall be the sole responsibility of such owner or agent to allocate among the tenants the permissible maximum sign surface area established by this Ordinance. Upon application by the owner of a multi-tenant development, the Planning Director may issue a master sign permit that allocates permissible maximum sign surface area among the various buildings, businesses or tenancies in the development according to a formula established and furnished by the owner, and thereafter sign permits shall be issued to individual tenants only in accordance with the allocation formula on record with the Planning Director. No sign permit shall be issued for any sign which conflicts with the allocation formula on record, and no new freestanding sign may be erected except in accordance with the then existing sign regulations established by this Ordinance, and with the allocation formula on record.

6.18.4 PERMANENT SIGNS NOT SUBJECT TO PERMIT REQUIREMENTS

The following permanent signs are allowed and are not subject to the permit requirements of this Ordinance, but are subject to all other applicable provisions of this Ordinance, including Historic District requirements for Certificates of Appropriateness as described in Section 3.12, *Certificate of Appropriateness* of this Ordinance when located in the Historic District.

- 6.18.4.1** Non-illuminated signs not exceeding two (2) per lot and six (6) square feet each in area, bearing only property identification numbers and names, post office box numbers, and names of occupants of the premises.
- 6.18.4.2** Signs two (2) square feet in area posted on private property relating to private parking, warning the public against trespass or danger from animals.
- 6.18.4.3** Flags or insignia of any governmental or non-profit organization when not displayed in connection with commercial activity or promotion. One flag (each) of the United States and of the State of North Carolina no larger than 100 square feet may be displayed in connection with a commercial activity without being subject to the permit requirements of this section.
- 6.18.4.4** Legal notices, identification and informational signs installed by the Town of Hillsborough
- 6.18.4.5** Local traffic directional signs erected in the travel right of way by or on behalf of a governmental entity provided such signs are consistent with the Manual of Uniform Transportation Control Devices or Town's official wayfinding plan.
- 6.18.4.6** Memorial signs or tablets, and names and construction dates of buildings when cut into any masonry surface or when placed as a cast iron (or similar) plaque affixed to the building structure.
- 6.18.4.7** Signs not exceeding four (4) square feet and bearing no advertising matter directing and guiding traffic on multi-family or non-residential property.
- 6.18.4.8** At each entrance to a residential, multi-family, or non-residential development or recognized neighborhood, there may be not more than two (2) signs identifying such development and/or the tenants within. A single side of any such sign may not exceed sixteen (16) square feet, nor may the total surface area of all such signs exceed thirty-two (32) square feet. Such signs must be made of natural materials.
- 6.18.4.9** In addition to the signs allowed in Section 6.18.4.1.h, the owner, property manager, home owners association or residents association of a residential or multi-family development may install a community event bulletin board at each entrance to the development. A community event bulletin board shall not be located in the public right of way, nor shall it be located in such a way as to interfere with lines of sight for vehicular traffic on, entering or exiting the public right of way. Each sign shall meet the following criteria: one unlighted, single-sided sign per entrance, 3' X 4' maximum dimensions, and 6' maximum installation height. The sign face (i.e., the single side of the sign on which

information may be posted) shall be oriented toward traffic exiting the development, so that the sign face is not visible from the public right of way outside the subdivision or multi-family development it serves. Postings on the bulletin board shall be maintained in a neat and orderly condition and monitored by the home owner's association or property manager.

6.18.4.10 Notwithstanding any other regulation to the contrary in this section 6.18, the name and/or logo of the Town of Hillsborough may be displayed on the water storage area (or container portion) of any Town-owned water tank, PROVIDED that no single display area may exceed the lesser of (a) 500 square feet or (b) the area calculated by multiplying (i) the height of the storage container portion of the tank by (ii) the diameter (for round) or width (for multi-lateral) of the storage container portion of the tank. No more than three (3) display areas may be placed on any tank, and all such display areas shall be placed a uniform distance from each other display area on the tank. The display area shall be painted or otherwise adhered flat against the exterior water tank surface, and may not be illuminated in any way.

6.18.5 TEMPORARY SIGNS NOT SUBJECT TO PERMIT REQUIREMENTS

No temporary sign may be affixed, attached, or painted upon any utility pole, or upon any tree, rock, or other natural object. All temporary signs referring to commercial operations must include the name of the business entity sponsoring the sign and must be professionally printed. The following temporary signs are not subject to the permit requirements of this Ordinance but are otherwise subject to the requirements of this Ordinance except as specifically indicated herein:

6.18.5.1 Temporary real estate signs on lots of less than one (1) acre, a single sign on each street front. The sign shall not exceed four (4) square feet in area and may contain the message that the property is for sale, lease, or rent and the name, address, and phone number of the property owner or agent. For lots of one (1) acre or more acres in area, a sign not exceeding thirty-two (32) square feet in area may be displayed. Such signs must be located on the property but are not subject to the setback requirements.

6.18.5.2 Temporary real estate signs advertising an existing single family dwelling for sale or rent may use up to two off site "pointer" signs not to exceed four (4) square feet in area and only displaying "for sale," "for rent," and either "by owner," or the logo of the agent. This type of sign is exempted from the provision requiring the business entity name. Such signs must be located on the property but are not subject to the setback requirements.

6.18.5.3 Construction site identification signs identifying the project, the architect, engineer, contractor, funding sources and/or other individuals or firms involved with the construction, the intended use or name of the building, and the expected completion date. Not more than one sign may be erected per site. The sign may not exceed four (4) square feet in area for single family or duplex construction, or thirty-two (32) square feet for multi-family or non-residential construction. The sign may not be erected prior to issuance of a Building Permit, and shall be removed within seven (7) days after of issuance of a Certificate of Occupancy for construction projects for which a Certificate of Occupancy will be

issued or otherwise within seven (7) days of completion of the work. This section also applies to signs identifying renovation and/or maintenance work on an existing, developed site.

- 6.18.5.4** Yard or garage sale signs announcing yard or garage sales, provided such signs do not exceed one (1) sign per lot and four (4) square feet in area per display surface, and are removed within seven (7) days of erection.
- 6.18.5.5** Temporary signs or banners announcing grand openings of new businesses only, which may be displayed for no more than 30 consecutive days. There shall be no more than one sign or banner for each business, such sign or banner shall not exceed 32 square feet in area, and shall be affixed to the structure the business is located within or at the driveway access for the building.
- 6.18.5.6** Temporary political signs advertising candidates or issues, provided such signs do not exceed nine (9) square feet in area per display surface, are mounted on stakes, do not exceed 3 feet in total height, are not erected more than 45 days before the date designated as election day, and are removed within seven (7) days after the election (in cases of run-off election, the political signs of the run-off candidates may remain until seven (7) days after the run-off election). Political signs may be located within the public right-of-way and setbacks provided that they do not intrude on the sight preservation triangle.
- 6.18.5.7** Banners or flags that are decorative or seasonal in nature or that are displayed in connection with the observance of holidays not to exceed three (3) per lot located in any zoning district. Banners or flags advertising special sale events of for-profit organizations are not covered by this section.
- 6.18.5.8** Directional or “pointer” signs for events. Any event may have up to off-site 2 signs, not exceeding 2 square feet each. Events do not have to meet the definition of “public event” in this ordinance to use this sign. The signs may be displayed for no more than one 24 hour period only that coincides with the event.

6.18.6 TEMPORARY SIGNS SUBJECT TO PERMIT REQUIREMENTS

The following temporary signs are subject to the permit requirements of this Ordinance and are subject to Historic District requirements for Certificates of Appropriateness as described in Section 3.12, *Certificate of Appropriateness* when located in the Historic District.

- 6.18.6.1 Sandwich board** signs may be displayed by businesses to advertise information beyond identifying the name and location of the business upon issuance of a Zoning Compliance Permit and approval by the Historic District Commission if the business is located in the Historic District, provided that the sign:
 - a) Has a maximum area of six (6) square feet per side;
 - b) Does not exceed four (4) feet in height;
 - c) Is located on a public sidewalk or walkway outside the clear pedestrian path as defined by the town code;
 - d) Is limited to a maximum of one per parcel, provided that if a single business

establishment occupies more than one parcel or is located on a corner lot, it may have only one sandwich board sign;

- e) Is displayed only during the open hours of the business; and
- f) Is made of wood or metal.
- g) Businesses which have permitted outdoor seating in the public right of way may display a single sided sign attached to the barrier installed to separate the outdoor seating from the clear pedestrian path. This sign must meet all of the requirements in subsections a-f above and receive the same permits as a sandwich board.

6.18.6.2 Announcements of public events as defined by this ordinance taking place within the Town or its extraterritorial jurisdiction may be permitted subject to the following standards. If an event that otherwise meets the definition occurs monthly or more frequently, the event does not qualify for the signage allowed in this section.

- (a) The event is sponsored by a non-profit, unit of state or local government, or formal association of merchants. For the purposes of this section, the entity that wishes to qualify may be requested to provide documentation of their status as an association, organization by the Planning Director.
- (b) Signs may be erected no more than 14 days prior to the event and shall be removed no later than 48 hours after the event has concluded. For any event lasting more than 2 days, signs may not be displayed for more than 17 days.
- (c) No event shall display more than 100 square feet of signage, including all off-site and on site signage allowed under this ordinance.
- (d) No event shall display more than 6 signs, as detailed below. The Planning Director will issue a Zoning Compliance Permit detailing the approved sign number, size, and locations.
 - i. One sign may be located on the lot hosting the event for the same display period. This sign may be a banner if it is securely fastened and adequately vented to not pose a threat to traffic. This sign shall be no larger than 32 square feet.
 - ii. One sign may be a banner posted at the “Welcome to Hillsborough” sign as detailed below. No event is required to have a banner. If an event decides to not use a banner, the total number of signs permitted is reduced to five.
 - iii. Four off-site signs, displayed in different locations, may be located in the public right of way, but not in a driveway or intersection sight triangle. These signs must be of rigid construction (not banners) and a single side may not exceed 8 square feet. The sign locations must be included in the permit application materials.

6.18.6.3 Banners advertising public events, as defined by this ordinance, may only be installed at the “Welcome to Hillsborough” sign on South Churton Street. The Planning Director shall issue a Zoning Compliance Permit for each banner on a

first come first served

basis. The Planning Director will resolve any overlapping requests for banner displays. Banners that are part of a public event sign package authorized in Section 6.18.6.3 shall be displayed for a time period matching the other event signage. Otherwise the display period shall not exceed 14 days. Banners shall conform to written standards and safety guidelines as established by the Planning Director.

6.18.7 PROHIBITED SIGNS & PROHIBITED CHARACTERISTICS

- 6.18.7.1** Temporary signs, both new and existing, other than those expressly allowed in this Ordinance, are prohibited.
- 6.18.7.2** Devices consisting of flags other than those exempted by Section 6.18.4.3, banners, streamers, pennants, windblown propellers, balloons, strung light bulbs, flashing lights, rotating lights, strobe lights, fluorescent lights, rotating or other moving or apparently moving installations, are prohibited.
- 6.18.7.3** Vehicles, persons, and other creatures, devices, equipment or materials decorated in such a way as to promote a business or product and located or placed so as to be visible from the public right-of-way are prohibited.
- 6.18.7.4** Freestanding signs shall be securely fastened to the ground or to some other substantial supportive structure to minimize the danger that either the sign or the supportive structure may be moved by the wind or other forces of nature and cause injury to persons or property.
- 6.18.7.5** All non-exempt signs shall comply with the construction requirements of the North Carolina State Building Code. Trailer mounted signs do not meet these requirements.
- 6.18.7.6** Off-premise signage, both new and existing, other than those expressly allowed in this Ordinance, are prohibited.
- 6.18.7.7** Changeable message components, including but not limited to, marquees, push-up/drop-down tracks, sign lettering rails, and rotating LED or video screens are prohibited on all permanent signs. This does not apply to temporary signs, including sandwich boards.

6.18.8 TRAFFIC SAFETY PRECAUTIONS

Notwithstanding any other provisions in this Ordinance, the following practices in relation to signs are prohibited in order to preserve the safety of pedestrian and vehicular movement:

- 6.18.8.1** No part of any permanent sign may intrude into the sight preservation triangle.
- 6.18.8.2** No privately owned sign shall use words such as "stop", "slow", "caution", "danger", or similar admonitions in a format or manner which could be confused with traffic directional signs erected by government agencies.

- 6.18.8.3** No sign shall be erected which, by its location, color, nature, or message, (a) might be confused with or obstruct the view of traffic signals or signs or (b) might be confused with the warning lights of an emergency or public safety vehicle.

6.18.9 RESTRICTIONS ON ILLUMINATION

Unless otherwise prohibited by this chapter, signs may be illuminated only in accordance with this section. All illuminated signs allowed by this Ordinance must also comply with duly adopted regulations regarding light emissions as described in *Section 6.11, Lighting*. Notwithstanding the foregoing, internally illuminated signs are prohibited in the Historic District.

- 6.18.9.1** Directional lighting fixtures used for sign lighting shall be top mounted so lighting is aimed down. Ground mounted signs with a height of five (5) feet or less may be ground lit, provided that the lights are shielded so as to illuminate the sign only, and the light shall not exceed 10 foot candles at the sign surface.
- 6.18.9.2** No illuminated signs are allowed in any residential zoning district, except signs at the entrance to a residential subdivision, neighborhood or multi-family development allowed by *Section 6.18.4.1h* above may be illuminated.
- 6.18.9.3** Freestanding signs and window signs may not be illuminated when the business is closed. Those signs advertising multiple businesses may not be illuminated when all the businesses advertised are closed.
- 6.18.9.4** Lighting directed toward a sign shall be shielded so that it illuminates on the face of the sign and does not shine directly into a public right-of-way or residential premises.
- 6.18.9.5** Subject to Section 6.18.9.7 illuminated tubing or strings of lights that outline property lines, outdoor sales areas, roof lines, or similar areas in an attempt to draw attention to a structure or area from a vehicular right of way are prohibited. This section will be enforced in concert with 6.11.6.9 so the intent of both sections is met.
- 6.18.9.6** Subject to Section 6.18.9.7 no sign may contain or be illuminated by flashing or intermittent lights or lights of changing degrees of intensity, except signs indicating the time, date, or weather conditions.
- 6.18.9.7** Sections 6.18.9.5 and 6.18.9.6 do not apply to temporary signs erected in connection with observance of holidays.
- 6.18.9.8** Within the historic overlay district, illuminated tubing signs shall not be permitted. For purposes of this subsection, the term “illuminated tubing sign” includes all signs in which illuminated tubing constitutes or forms all or part of the message of the sign, as well as signs in which the message area of the sign is outlined, underlined, or otherwise highlighted by illuminated tubing.

6.18.10 BILLBOARDS

Billboards within one hundred (100) feet of the right-of-way along all roads are prohibited, with the exception of existing billboards as of February 17, 1986.

These pre-existing

billboards shall be subject to the following restrictions:

- 6.18.10.1** They shall not be enlarged or expanded,
- 6.18.10.2** A signed statement with the name and address of the owner and current lease for each sign shall be kept on file with the Planning Director,
- 6.18.10.3** They shall be subject to yearly inspections,
- 6.18.10.4** They shall conform to the requirements set forth in N.C. Gen. Stat. § 136-126, et seq.

6.18.11 COMPUTATION OF SIGN AREA

For the purpose of determining the number of signs permitted, a sign shall be considered to be a single display device containing elements organized, related, and composed to form a unit.

Without limiting the generality of the above, a multi-sided sign shall be regarded as one sign.

- 6.18.11.1** The surface area of a sign shall be computed by including the entire area within a single, continuous, rectilinear perimeter of not more than eight (8) straight lines, or a circle or an ellipse, enclosing the extreme limits of the writing, representation, emblem or other display, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed, but not including any supporting framework or bracing that is clearly incidental to the display itself.
- 6.18.11.2** If the sign consists of more than one section or module, all of the area, including that between sections or modules, shall be included in the computation of the sign area.
- 6.18.11.3** With respect to three dimensional or multi-sided signs, the surface area shall be computed by including the area of all sides designed either to attract attention or communicate information.
- 6.18.11.4** Generally, parcels and businesses are permitted to have both freestanding and wall mounted signs to the extent to which signs can be erected and maintained to be in full compliance with this ordinance. The area of these signs is calculated independently.

6.18.12 TOTAL SIGN SURFACE AREA FOR WALL MOUNTED SIGNS

- 6.18.12.1** Unless otherwise provided in this section, the total sign surface area devoted to all signs on any lot shall not exceed the limitations set forth in this section, and all signs except temporary signs shall be included in this calculation. Signs, posters, banners and/or other advertising material placed in or on windows oriented toward the public outside the premises shall be counted in calculating the permitted wall sign area under this Ordinance.
- 6.18.12.2** For the purposes of managing wall mounted signs, the word “façade” shall include all planes facing the same direction regardless of structural offsets and the word “building” shall be determined by property boundaries unless

information is provided about interior fire walls dividing a structure into multiple components.

- 6.18.12.3** Unless otherwise limited by the provisions of this section, the wall sign surface area permitted on any building façade, shall be determined as follows:
- (a) 0.5 square feet of wall sign surface area per linear foot of building façade, or
 - (b) thirty-two (32) square feet of wall sign surface area per building façade, whichever is greater.

6.18.12.4 In the CC district, wall signs are only permitted on facades providing primary access to businesses for customers. The maximum aggregate wall sign surface area for each façade providing primary access to businesses for their customers shall be 32 square feet, regardless of the façade area or length. This limit shall apply to all wall mounted signs, including exterior, interior, awning, and hanging types.

6.18.12.5 When a building has wall area that is not parallel or perpendicular to the adjoining street, the allowable sign area for that wall section shall be calculated by measuring the entire façade oriented along the same angle (consistent with Section 6.18.12.2) and apply the calculation in Section 6.18.12.3a. There is no minimum allowance for angled wall sections.

6.18.12.6 When a building has visibility and/or access from both a public right of way and a parking area, each business may have a wall mounted sign on both facades. The “front” façade shall be the one oriented toward the public right of way and the “rear” façade shall be the opposite façade. The sign area allowed on the “front” façade shall be calculated as detailed in Section 6.18.12.3. The sign area allowed on the “rear” façade shall be the lesser of the area allowed when calculated under Section 6.18.12.3 or 75% of the area of the sign on the front façade.

6.18.12.7 Hanging signs are permitted and considered wall signs under this ordinance for determining size, location, and illumination. The calculation for allowable sign area shall be for a single side of a hanging sign, not divided in half. A single side of a hanging sign shall be compared to the building façade area for determining compliance with the requirement in the CC district in Section 6.18.12.4.

6.18.12.8 When a building contains a sign band, such a building may only use a flush mounted wall sign and it must be located and centered within the sign band area. Hanging signs shall not be used on a façade with a sign band.

6.18.13 FREESTANDING SIGN SURFACE AREA

6.18.13.1 For purposes of this section, a side of a freestanding sign is any plane or flat surface included in the calculation of the total sign surface area as provided in Section 6.18.11, *Computation of Sign Area*. For example, wall signs typically have one side. Freestanding signs typically have two sides (back to back).

6.18.13.2 A single side of a freestanding sign may not exceed: twenty (20) square feet in

surface area for lots zoned Central Commercial or for lots with fifty (50) feet or less of frontage on the street toward which the sign is primarily oriented; thirty-two (32) square feet on lots with more than fifty but less than 130 feet of frontage; fifty (50) square feet on lots with 130 feet or more of frontage. For the purpose of calculating the amount of freestanding sign surface area allowed by this section, the street frontage must be continuous.

6.18.14 NUMBER OF FREESTANDING SIGNS

- 6.18.14.1** No parcel may have more than one (1) freestanding sign oriented toward a street for each street along which the development has frontage. If a single use parcel has frontage along the same street in non-continuous sections separated by more than 500 linear feet of street frontage, one freestanding sign may be allowed on each section of frontage for which there is vehicular access based on the length of that continuous section, provided, however, that the sign surface area for the development may not exceed the area calculated pursuant to Section 6.18.13 for single tenant parcels and Section 6.18.18 for multi-tenant developments.
- 6.18.14.2** If a lot is located at the intersection of two (2) streets and a freestanding sign is placed on that lot so that it is oriented toward both streets, the allowable sign area shall be based on the frontage width of the street where the front door is located or, if the door faces the intersection, the frontage width of the street used as the street address for the property.

6.18.15 LOCATION AND HEIGHT REQUIREMENTS

- 6.18.15.1** A freestanding sign shall observe a setback of 10 feet from any property line unless a lesser or greater standard is otherwise specified in this ordinance or allowed by the permit issuing authority.
- 6.18.15.2** In the case of an existing building being used for non-residential purposes in a corridor where the street right-of-way is 100 feet or greater and the right-of-way is only improved to a two lane section, the non-residential use may install any freestanding sign that otherwise meets this ordinance without a right-of-way setback. This provision is only available until there are funded right-of-way improvements that widen the street section to four or more lanes adjacent to the lot containing the non-residential use that will begin within 2 years of any requested sign permit.
- 6.18.15.3** No sign may extend above any parapet or be placed on any roof surface. This subsection shall not apply to displays, including lighting, erected in connection with the observance of holidays on the roofs of residential structures.
- 6.18.15.4** No part of a freestanding sign may exceed a height of seven (7) feet, measured from adjacent ground level.
- 6.18.15.5** Except within the Historic District and CC, freestanding signs shall be ground mounted or monument type signs with the support located under the sign.

6.18.15.6 Within the Historic District and CC, freestanding signs may be supported by two posts or poles, one on each end of the sign, or hang from a ground installed bracket. Such signs must be wholly located on the parcel and not encroach in or over the public right of way. Hanging signs attached to a building are treated as wall mounted signs.

6.18.15.7 No sign or supporting structure may be located within or over any public right-of-way except that, within the Historic District and CC, signs and supporting structures may be located within or over the public right of way so long as:

(a) No portion of any sign or supporting structure is located within or over the traveled or paved portion of any street.

(b) Any sign or supporting structure that is attached to the building façade and extends twelve inches or less over a public sidewalk must be mounted so the entire sign is no less than twenty-seven inches and no more than eight feet in height measured from the public sidewalk.

(c) Any sign or supporting structure that is attached to the building façade and extends more than twelve (12) inches over a public sidewalk is mounted at a height providing at least eight (8) feet of clearance from the sidewalk.

6.18.16 NONCONFORMING SIGNS

6.18.16.1 Nonconforming signs, because of their location, design, height and other features, detract from the quality of life and sense of place Hillsborough seeks to achieve and maintain. Therefore, it is the intent of this Ordinance that all nonconforming signs will eventually be brought into conformity with its provisions, and that nonconforming signs will ultimately be phased out of existence. A freestanding sign in the Central Commercial district may observe a zero setback from the right of way edge along the parcel front, consistent with the zoning district front setback.

6.18.16.2 No person may engage in any activity that causes an increase in the extent of non-conformity of a nonconforming sign. Without limiting the generality of the foregoing, no nonconforming sign may be enlarged or altered, nor may any illumination be added to any nonconforming sign.

6.18.16.3 A nonconforming sign structure may not be moved, replaced, or otherwise changed except to bring the sign into complete conformity with this Ordinance. The message contained on the sign may be changed provided that no change is made to the sign structure, and the sign area and dimensions are not changed.

6.18.16.4 If a nonconforming sign is damaged to an extent equal to or greater than 50% of the sign replacement cost (new) or destroyed, it may not thereafter be repaired, reconstructed, or replaced except in conformity with all the provisions of this Ordinance, and the remnants of the former sign structure shall be cleared from the land.

6.18.16.5 If the owner or occupant of premises with of a nonconforming sign discontinues operations for a period of 90 consecutive days, then the owner shall remove the nonconforming sign and the sign structure shall be cleared from the land.

6.18.17 REMOVAL OF NONCONFORMING SIGNS

- 6.18.17.1** Any permanent sign that was in compliance with this section before amendments in 2008 or later made it nonconforming may continue to exist for a period not to exceed six (6) years from the date which the property owner is notified in writing by the Planning Director of the nonconformity.
- 6.18.17.2** Any permanent sign that was nonconforming with this section prior to amendments made in 2008 may continue to exist for a period not to exceed three (3) years from the date which the property owner is notified in writing by the Planning Director of the nonconformity.
- 6.18.17.3** Any non-exempt temporary sign on private property must be removed within thirty (30) days of the receipt by the property owner of the written notice from the Planning Director detailing the nonconformity.
- 6.18.17.4** Any temporary sign, either exempt or nonconforming, located within the public right-of-way may be removed by town staff if such sign is determined to be in violation of this Ordinance. Persons or businesses who repeat violations of this provision twice within any thirty (30) day period may be subject to escalating fines as described in Section 8, *Enforcement*.

6.18.18 SIGNAGE FOR MULTI-TENANT DEVELOPMENTS

- 6.18.18.1** Freestanding signs may be allowed at each entrance drive to a multi-tenant development provided the driveways are separated by 300 feet or more.
- 6.18.18.2** The size of the freestanding sign allowed at each driveway access shall be determined by the frontage the development has on the street toward which the sign is oriented. A sign of that size is allowed at each driveway. For example, a multi-tenant development has 400 feet of frontage on a street and 2 driveway accesses. A freestanding sign may be installed at each driveway access that is 50 square feet in size.
- 6.18.18.3** If a multi-tenant development has more than 500 feet of access on any street, and the driveway accesses are separated by 300 feet or more, the freestanding sign at each driveway may be 100 square feet.
- 6.18.18.4** Upon application for a multi-tenant development signs, the owner shall submit a sign allocation plan that indicates how square footage will be shared among tenants. Different tenant may be advertised on each sign. No tenant listing can be in print smaller than 6 inches tall. The sign area may be increased by 10% if the sign includes only the development name and three individual tenants.
- 6.18.18.5** A multi-tenant development sign must observe a 10 foot setback from the public road and internal driveways. The tallest part of a freestanding multi-tenant development sign shall not exceed 7 feet when observing the 10 foot setback. Sign height may increase to 12 feet if one additional foot of setback from the public street is observed for each additional foot in height above seven feet.
- 6.18.18.6** Outparcels within a multi-tenant development (lots owned by entities other than the multi-tenant development) may install freestanding signs along the public road or private access drive to which they have driveway access. For the

purposes of determining sign specifications, a private access drive shall be treated as a public road for determining setback, height, and size of sign. A freestanding sign may only be installed oriented toward a street or access drive that the outparcel has driveway access to.

6.18.19 INTERNAL WAYFINDING

Multi-tenant developments with 2 or more access points or 3 or more buildings shall develop and install an internal wayfinding sign program with components for both drivers and pedestrians. Such signage may also be developed and installed for non-residential developments with 2 or more access point or 3 or more buildings. A unified sign plan must be submitted and approved before the signs are installed, showing that the signs comply with location, lighting, construction, and height limitations of this section. Individual wayfinding signs do not count toward development or tenant signage and will be permitted on a single Zoning Compliance Permit. Internal wayfinding signage must be at least 50 feet from the right of way of the street providing site access and must be oriented toward on-site traffic flow.

6.19 Reserved for Future Codification

6.20 STORMWATER MANAGEMENT

6.20.1 PURPOSE AND INTENT

6.20.1.1 The Town of Hillsborough’s planning jurisdiction is located wholly within the Upper Neuse River Basin and the Falls Lake watershed; both nutrient sensitive watersheds. The regulations contained in this subsection are adopted in order to:

- (a) protect the water quality of streams within the watershed;
- (b) comply with the NPDES System Phase II stormwater requirements; and
- (c) comply with the Town’s NPDES Phase II Discharge Permit.

6.20.1.2 The regulations are designed to accomplish these goals through the reduction and control of stormwater runoff and by addressing nutrient reductions for both new and existing development. The provisions of this Subsection became effective on October 1, 2007, and are intended to ensure the Town’s compliance with their NPDES Phase II Discharge Permit; Session Law 2006-246 and the Falls Nutrient Strategy (15A NCAC 02b.0275, .0277, .0278 and .0282).

6.20.2 APPLICABILITY

The following activities shall be subject to the requirement of this subsection:

6.20.2.1 New and re-development projects creating new impervious surface areas of 10,000 square feet or more in area.

6.20.2.2 New and re-development projects increasing existing impervious surface areas by 10,000 square feet or more in area.

6.20.2.3 Any activity disturbing 10,000 square feet or more of land in order to establish,