

**AN ORDINANCE TO AMEND CITY CODE ARTICLE 30-5.L SIGNS AND RELATED SECTIONS,
BEING A COMPLETE REVISION OF THE SIGN CODE (8/10/2016)**

WHEREAS, the City of Fayetteville has the authority pursuant to Part 3 of Article 19 of Chapter 160A of the North Carolina General Statutes, to adopt zoning regulations, to establish zoning districts and to classify property within its jurisdiction according to zoning district, and may amend said regulations and district classifications from time to time in the interest of the public health, safety and welfare; and

WHEREAS, a comprehensive amendment to the City's zoning regulations was adopted on December 13, 2010, and is codified in Chapter 30 of the Fayetteville City Code (herein "Unified Development Ordinance"), and maps dividing and classifying the property within the City's zoning jurisdiction were adopted on July 25, 2011, and are on file and maintained in the offices of the Fayetteville Development Services Department (herein "Official Zoning Maps"); and

WHEREAS, the Fayetteville City Council held a public hearing on June 27, 2016, to consider amending certain provisions of the Unified Development Ordinance in Chapter 30-3.H Overlay Zoning Districts; and

WHEREAS, following the public hearing, the Fayetteville City Council determined that the proposed amendment is in the interest of the public health, safety and welfare; it is supported by adopted plans; and it is consistent with state law;

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

Section 1. No change to Section 30-5.L.1 Organization of Signage.

Section 2. Delete Items a.1 through a.14 in Section 30-5.L.2 Purpose with the following new Items a.1 through a.8 and, further, add the clarifying phrase "properties adjoining or near" in Item b. and delete the phrase "as now or hereafter fixed" in Item d, as shown below:

30-5.L.2. Purpose

- a. The purpose of this section is to provide standards to safeguard life, public health, safety, property, and welfare by guiding, coordinating, and regulating the type, number, placement and scale (size and height) of signs referenced to different zoning districts, as well as the quality of material, construction, erection, alteration, illumination, display, use, maintenance and removal of signs in the City. In addition the purpose of this section is to:
- ~~1. Reduce excess and distracting signage and sign clutter;~~
 - ~~2. Encourage the innovative use of design;~~

- ~~3. Promote both renovation and proper maintenance to assure that permitted signs do not become a hazard or nuisance;~~
- ~~4. Protect the public interest in the creation, maintenance, safety, and appearance of the City's streets and highways;~~
- ~~5. Promote the safety of and a more attractive and visually harmonious environment for visitors and business interests in the City;~~
- ~~6. Preserve and increase property values in both residential and nonresidential areas;~~
- ~~7. Prevent the overcrowding of land;~~
- ~~8. Be sensitive to and recognize the need for local businesses to adequately identify their products and services and to provide reasonable regulations while safeguarding their interests;~~
- ~~9. Prevent the over-concentration, improper placement, and excessive height, bulk, number and area of signs;~~
- ~~10. Encourage a high standard for signs in order that they should be appropriate to and enhance the aesthetic appearance and attractiveness of the community and, further, create an aesthetic environment that contributes to the ability of the community to attract sources of economic development and growth;~~
- ~~11. Allow for adequate and effective signs for communicating identification while preventing signs from dominating the visual appearance of the area in which they are located;~~
- ~~12. Create a more productive, enterprising and professional business atmosphere;~~
- ~~13. Allow signs appropriate to the planned character and development of the referenced zoning districts; and~~
- ~~14. Promote a positive community appearance and aesthetically pleasing overall environmental setting as part of a concerted City-wide effort to protect and enhance the quality of life for residents and visitors of the City.~~

1. Ensure that signage is sufficiently visible to the public for which it is intended.
2. Provide regulatory direction and incentives to improve the quality of commercial and noncommercial signage in the City of Fayetteville.
3. Ensure that signage reflects and complements the character of the location where it is installed.
4. Establish standards in keeping with the state-of-the-art technology and materials.
5. Coordinate and balance the location of signage with other site features, including site lighting and landscaping, in order to minimize conflicts and ensure adequate visibility of installed signage.
6. Enhance the aesthetic vitality of the City of Fayetteville by allowing and promoting creative sign design.
7. Allow designated historic and character-defining signs to remain in place.
8. Establish clear requirements and incentives for the effective display of addresses.

b. **Outdoor advertising**

It is recognized that, unlike on-premises identification and business signs which are actually a part of an enterprise, business, or activity, outdoor advertising is a separate and distinct use of

properties adjoining or near public thoroughfares. With a view to this distinction, billboards or outdoor advertising signs (also known as off-premises signs) are regulated differently from on-premises signs. It is intended that billboards or outdoor advertising signs be located away from residential areas and that such signs be regulated to protect the character of the area wherein billboards or outdoor advertising signs are located, and to conserve property values in these areas. The provisions of this section are intended to correspond with the balance of the Ordinance.

c. **Authority**

The provisions of these advertising and sign regulations are authorized by [North Carolina General Statutes Section 160A-174](#).

d. **Jurisdiction**

The provisions set forth in these advertising and sign regulations shall be applicable within the City limits of the City, as now or hereafter fixed.

Section 3. In Section 30-5.L.3. General Provisions, make the following changes to 30-5.L.3.b Determination of Sign Copy Area, 30-5.L.3.e Protection of First Amendment Rights, 30-5.L.3.g Changeable Copy, 30-5.L.3.j Use of Multiple Signs for One Message, and 30-5.L.3.l to replace Contractor’s Signs with Address Signs Required, all as shown below:

Section 3a. In Section 30-5.L.3.b General Provisions – Determination of Sign Copy Area, make the following changes to Item b.1 to modify what is included in calculations or measures, Item b.5 to include changeable copy area as part of the total sign area, and to delete Item b.6 limiting the number of sign faces for ground signs, all as shown below:

b. **Determination of Sign Copy Area**

1. In measuring the copy area of a sign permitted under this section the entire face of the sign containing the sign copy shall be included. Specifically exempted from this provision are poles, pole covers, bases of ground signs, and decorative elements not containing sign copy.
2. ---
3. ---
4. ---
5. Also to be included in the total sign copy area shall be any area designed for changeable copy. Any area designed for changeable copy shall also be counted as part of the total sign area.
6. ~~Each ground sign shall contain not more than two sign areas, with a total of four sign faces, with the exception of those combined or common ground signs permitted in this section.~~

Section 3b. In Section 30-5.L.3.e Protection of First Amendment Rights, add the word “both” in the last sentence for clarification, as follows:

e. **Protection of First Amendment Rights**

Any sign, display, or device allowed under this section may contain, in-lieu of any other copy, any otherwise lawful noncommercial message which does not direct attention to a business operated for profit, or to a commodity or service for sale; provided that such sign complies with

the size, lighting, spacing, setback and other requirements of this article. This includes **both** signs requiring and not requiring a permit.

Section 3c. In Section 30-5.L.3.g Changeable Copy, modify to establish a maximum frequency of change, and delete language implying limitations to alphabetical or numerical characters, as shown below:

g. Changeable Copy

Unless otherwise specified by this section, any sign allowed in this section may use manual or electrically or mechanically activated changeable copy **provided that the text, numbers or images change no more frequently than once every six seconds involving alphabetical or numerical characters only.**

Section 3d. Delete Section 30-5.L.3.j Use of Multiple Signs for One Message, replacing it with "Reserved."

~~j. Use of Multiple Signs for One Message~~

~~No sign shall be permitted which uses a series of two or more signs placed in a line parallel to a street or highway, or in similar fashion, all carrying a single advertising message, part of which is contained on each sign. Reserved.~~

Section 3e. Replace Section 30-5.L.3.l with the following "Address Signs Required", as shown below:

l. Address Signs Required.

To aid in the identification of residential and commercial properties by public safety officers and the general public, address signs shall be required. Such signs shall be of sufficient size to identify the property address from the adjoining public right-of-way to which the property is addressed. Such address signs must contain the street number assigned to the property, but can also designate the street name. Address signs can be combined with the sign copy of any freestanding or attached signage and shall not be counted toward the maximum allowed signage, provided that the address sign not contain more than one square foot for every four linear feet of frontage for the applicable property or occupancy, respectively. (See also Section 24-167 of the City Code of Ordinances.)

Sign Contractor's License

No person may engage in the business of contracting for erecting, altering, relocating, constructing or maintaining signs without a valid contractor's license and all required state and federal licenses.

Section 4. In Section 30-5.L.4 Prohibited Signs, make the following changes to Items 4.c Flashing Signs, 4.d Motion Signs, 4.e Vehicle Signs (DELETE), 4.g Signs in Rights-of-Way, 4.k Roof Signs, 4.t Off-Premises Temporary Real Estate Signs (DELETE), 4.w Temporary Special Advertising Devices, and 4.z Vehicles with Large Signs Parked Near the ROW, as shown below:

30-5.L.4. Prohibited Signs

The following signs, components, and characteristics are expressly prohibited within all zoning districts unless specifically stated otherwise in this section:

- a. **Simulated Public Safety, Warning, or Traffic Signs** [no change]
- b. **Snipe Signs** [no change]
- c. **Flashing Signs**
Signs or devices with flashing, intermittent, animated or changing intensity of illumination; provided, however, traffic signals, railroad crossing signals, and other official warning or regulatory signs and electronically controlled message centers or readerboards where different copy changes, involving alphabetical, or numerical characters only, that present messages of a public service or commercial nature shall not be considered flashing signs.
- d. **Motion Signs**
Signs or devices designed to attract attention, all or any part of which use movement or apparent movement by fluttering, revolving, rotating, spinning, swinging, animation or moving in some other manner, including fabric signs not securely fastened to their supporting structures, and are set in motion by movement of water or the atmosphere or by mechanical, electrical, or any other means, other than a rotating sign permitted by special use permit under Section 30-5.L.10. Such signs or devices include, but are not limited to, banners, pennants, ribbons, streamers, spinners, propellers, discs, consecutively hung official or unofficial flags, and bunting, whether or not any such sign or device has a written message but do not include non-advertising/non-informational flags; provided, however, signs or devices that only move occasionally because of the wind are not prohibited if their movement (i) is not a primary design feature of the sign or device, is not intended to attract attention to the sign or device, and is permitted for a limited period of time for a special event not to exceed 60 days.
- e. **Vehicle Signs**
Signs placed upon, painted on, attached to or displayed on parked vehicles or trailers, where the primary purpose of the vehicle or trailer is to advertise a product or business or to direct people to a business or activity. Reserved.
- f. **Signs Obstructing Motorists' Visibility** [no change]
- g. **Signs in Rights-of-Way**
Any sign erected in or over any public right-of-way is prohibited except for:
 1. Signs as permitted and regulated in the Downtown district; governmental signs; and
 2. Identification signs in the median of a local public street serving as access to a single coordinated development encompassing both sides of the public street. Such exception requires approval of the Engineering and Infrastructure and Fire Departments as part of the Alternative Large Development Signage Plan (See Sec. 30-5.L.10(g)) and may involve such conditions as an encroachment agreement or other aspects related to safety and visual impacts, including lighting, placement and maintenance of the sign.
- h. **Signs Obstructing Light, Air, or Ingress/Egress of Buildings** [no change]
- i. **Signs Emitting Glare** [no change]
- j. **Portable or Moveable Signs** [no change]
- k. **Roof Signs (above roof line)**
Signs which are located in any way above the highest point of the roof or parapet, except as otherwise provided in this section.

- l. **Discontinued Signs** [no change]
- m. **Obscene Signs** [no change]
- n. **Signs Below Minimum Clearance** [no change]
- o. **Improperly Maintained Signs** [no change]
- p. **Illuminated Temporary Signs** [no change]
- q. **Painted Wall Signs or Painted Roof Signs** [no change]
- r. **Signs on Private Property Without Consent** [no change]
- s. **Novelty Signs** [no change]
- t. **Off-Premises Temporary Real Estate Signs**
Signs concerning the sale, lease, or rent of real estate that is not located upon the real estate on which the sign information is directed. Reserved.
- u. **Off-Premises Temporary Construction or Announcement Signs** [no change]
- v. **Unspecified Temporary Signs** [no change]
- w. **Temporary Special Advertising Devices**
Searchlights, stroboscopic lights, laser lights or similar illuminating systems. Also, inflatable and three-dimensional objects, except those specifically provided for herein.
- x. **All Other Signs not Specifically Permitted** [no change]
- y. **Object or Device Attached to Items For Sale** [no change]
- z. **Vehicles with Large Signs Parked Near the ROW**
 - 1. Except when in the process of loading or unloading or generally carrying out activities associated with the normal conduct of business (except advertising), vehicles and trailers with signs exceeding eight square feet on any one side, except automobiles, vans and light trucks, are prohibited from parking within 50 feet of a public right-of-way. Automobiles, vans and light trucks containing such signage may park in any legally-established parking space on the property on which the business being advertised is being conducted.
 - 2. Exceptions to subsection (1) above may be considered by the City Manager in cases where lot size or topographical constraints require parking of vehicles closer than 50 feet from the right-of-way, or when the inventory of a business (such as rental trucks) greatly relies on the storage area within the subject 50-foot zone.

Section 5. Make the following changes to 30-5.L.5 Exempt Signs, in sections 5.d Internal Signs, 5.e Flags, 5.h Hand-Carried Signs, 5.p Historical Commemorative Signs, and, finally, 5.w [New] to provide for Signs on Perimeter Construction Fences

30-5.L.5. Exempt Signs

The following signs and devices shall be exempt from the standards in this section:

- a. **Public (Governmental or Utility) Signs** [no change]
- b. **Warning (Health, Safety, Hazard) Signs** [no change]
- c. **Signs Not Legible Off-Premises** [no change]

d. **Internal Signs**

Signs located on the interior of buildings, courts, lobbies, stadiums or other structures which are not primarily intended to be seen from the exterior of such buildings or structures.

e. **Flags (Non-Advertising and Non-Informational)**

1. Flags of the United States, North Carolina, County or City jurisdictions, foreign nations having diplomatic relations with the United States, or organizations of nations; flags of any religious, civic or fraternal organization, or any educational or cultural facility; any one corporate flag per lot; or any other flags adopted or sanctioned by the City Council, subject to United States Congressional protocol; except when such are used in connection with a commercial promotion or as an advertising device or as an integral part of a sign regulated under this section; provided not more than five such flags shall be flown on any lot or parcel, and provided such flags are displayed on permanent pole structures. Failure to display such flags in a manner which meets Congressional protocol will be a violation of this Ordinance.
2. A greater number than five flags may be flown for community facilities and institutions, such as, but not limited to cemeteries, military museums, public parks, athletic facilities and hospitals.
3. Proper maintenance shall not permit flags which are torn, ripped, frayed, separated from their grommets or incompletely fixed to their pole structures.
4. All flags used in connection with a commercial promotion as an advertising device or as an integral part of a commercial sign must comply with the regulations of this section for area, height, number and location.

f. **Vehicular ID Signs** [no change]

g. **Vehicle Terms of Sale/Lease Signs** [no change]

h. **Hand-Carried Signs**

Otherwise legal Signs carried by individuals, provided such signs contain not more than ten square feet of sign area, are made of durable materials used by professional sign fabricators such as banner/flag fabric or core-ply, are limited to one such sign per individual and per lot frontage, and the individual carrying the sign is not on any public property, including public rights-of-way.

i. **Incidental Object or Product Signs** [no change]

j. **Signs Required by Law** [no change]

k. **Holiday or Special Event Lights/Decorations** [no change]

l. **Integral Decorative or Architectural Building Features** [no change]

m. **Artwork** [no change]

n. **Memorial Signs, Plaques, or Grave Markers** [no change]

o. **Membership/Credit Card Acceptance Decals** [no change]

p. **Historical Commemorative Signs**

Commemorative historical tablets, markers, plaques, monuments or signs or signs specifically exempted by resolution of City Council due to their historic character or interest.

q. **Transportation Facilities Signs** [no change]

r. **Campaign Signs at Polling Places** [no change]

s. **Window Displays** [no change]

- t. **Outdoor Merchandise Displays** [no change]
- u. **Religious Symbols** [no change]
- v. **Street Numbers** [no change]
- w. [new] Per State Session Law 2015-246, fence wraps displaying signage when affixed to perimeter fencing at a construction site are exempt from zoning regulation pertaining to signage under this Article until the certificate of occupancy is issued for the final portion of any construction at that site or 24 months from the time the fence wrap was installed, whichever is shorter. If construction is not completed at the end of 24 months from the time the fence wrap was installed, the city may regulate the signage but shall continue to allow fence wrapping materials to be affixed to the perimeter fencing. No fence wrap affixed pursuant to this subsection may display any advertising other than advertising sponsored by a person directly involved in the construction project and for which monetary compensation for the advertisement is not paid or required.

Section 6. In Section 30-5.L.6 Signs Authorized without a Permit, substantive changes are made as shown below to sections 6.b and 6.c to allow for off-premises directional signs for certain real estate events, and Table 30-5.L.6, including provisions for addresses and to allow balloons and banners for a limited number of special events (openings, closings, and specified holidays) and to clarify footnote language regarding political signs:

30-5.L.6. Signs Authorized Without a Permit

- a. The signs identified in Table 30-5.L.6, Signs Allowed Without a Permit, are permitted in all zoning districts without issuance of a Sign Permit or payment of fees, provided the conditions, regulations, limitations and requirements applicable in Table 30-5.L.6, Signs Allowed Without a Permit, as well as other applicable requirements of this section are met.
- b. A maximum total of no more than three open house real estate directional off premises freestanding A-frame style signs or banners are allowed. Signs are limited to four square feet in area size and four feet in height and banners are limited to twelve square feet in area and seven feet in height. Such signs and banners pertaining to a specific residential property may be displayed on between Friday Saturday and Sunday when open house real estate events are being conducted for that property sometime during those days between the hours of 9:00 a.m. and 6:00 p.m. Such signs and banners shall not be placed on public property or anywhere in the public right-of-way. Such signs and banners shall only be placed on private property with the prior consent of such property owner and shall indicate the contact information of the responsible broker on each such sign or banner. Up to four inflatable balloons of up to one foot in diameter may be affixed to each sign but not to banners. These provisions also apply to residential sales offices when they are open between Friday and Sunday.
- c. Directional real estate signs. Finding individual properties for sale when such properties have frontage on a cul-de-sac or a similar minor street accessing fewer than 30 lots can be difficult due to limited visibility. To address this issue, a City-approved generic directional real estate sign not exceeding 2 sq. ft. in area and 30 inches in height may be placed in the right-of-way at or near the corner of the nearest through street to direct the public to properties for sale. One such

sign shall be allowed for each intersection and shall be removed upon sale of the affected property or properties.

- d. Signs that do not meet the provisions of this subsection or other applicable parts of this section shall be considered in violation of this Ordinance. Only temporary Political, temporary special event of a civic or nonprofit organization, or private drive signs shall be permitted off premises. None of the signs permitted without a permit shall be illuminated.

Table 30-5.L.6: Signs Allowed Without a Permit				
SIGN TYPE	ADDITIONAL REQUIREMENTS	MAX. NUMBER ALLOWED	MAXIMUM COPY AREA (SQ. FT.)	MAXIMUM HEIGHT IF FREESTANDING
Public interest, security and warning (no trespassing, soliciting, hunting or fishing/posted/private parking/danger/warning)	(5)	-	1	4
Temporary Business Signs (Grand Opening) (Opening) (Business Promotions)	<ul style="list-style-type: none"> There are three opportunities for businesses to promote themselves with special temporary signage: grand openings, going out of business sales, and specified holiday events. Business promotions may extend for 30 consecutive days for grand openings and going out of business sales. The timeframe for specified holiday event promotions is provided below. Businesses may promote themselves with attached or freestanding banners (maximum area: 32 square feet; maximum height: 10 feet; one per frontage), with American flags, and with small balloons (12 inches or less in diameter) and balloon clusters not to exceed 8 feet in height. In addition to grand opening and store closing events, temporary business signs may be displayed for Memorial Day, Fourth of July, and Veterans Day sales events up to three days before and on the day of the event. If the holiday happens to fall on a Saturday, the temporary signs may also be displayed on the Sunday following the holiday. 			
Temporary (Going out of business)	(4)	1	32	10
Temporary (Special event for of civic or non-profit organization)	(3)(4)(8)(11)	2	32	8
Temporary (Remodeling/repair)	(6)	1	4	6
Temporary (Construction—One- or two- family dwelling)	(7)(11)(12)(13)	2	6	8

Table 30-5.L.6: Signs Allowed Without a Permit

SIGN TYPE	ADDITIONAL REQUIREMENTS	MAX. NUMBER ALLOWED	MAXIMUM COPY AREA (SQ. FT.)	MAXIMUM HEIGHT IF FREESTANDING
Temporary (Construction other than one- or two-family dwelling)	(7)(11)(12)(13)	2	32	14
Temporary (Construction announcement)	(7)(11)(16)	2	32	14
Temporary (Political)	(2)	-	16	8
Occupant/Address (Ground or wall)	(1)(5)(11)	2 per frontage 2	2 for single family and duplex residential 1 per each 4 linear feet of frontage or occupancy, as applicable	6 if displayed as a standalone ground sign
Private Drive	(9)	1	2	6
Informational/instructional (Traffic directions, restrictions or arrows, entrance, exit, location of rest rooms, public telephones, parcel pick-up, freight or service entrances, parking/loading areas and the like)	(5)	-	6	4
Temporary (Real estate sale/lease/rent of other than one- or two-family dwelling or lot)	(10)(11)(14)(18)	2	4	6
Temporary (Real estate sale/lease/rent of other than one- or two-family dwelling or lot; includes Real Estate Sales Office/Model Home Sales)	(10)(11)(14)(18)	2	32	12

Table 30-5.L.6: Signs Allowed Without a Permit

SIGN TYPE	ADDITIONAL REQUIREMENTS	MAX. NUMBER ALLOWED	MAXIMUM COPY AREA (SQ. FT.)	MAXIMUM HEIGHT IF FREESTANDING
Home occupation (Wall)	-	1	2	-
Open/Closed/Hours	(5)	2	2	6
Window	-	2	32	-
Permanent professional or business announcement (wall)	-	1	2	-
Building memorial (Wall)	(15)	1	2	-
Handicapped	(17)	-	-	-
Philosophical, religious, educational or other noncommercial	(11)	2	2	4
Sports Sponsorship Signs - Not Facing Field (19)	(19)	-	32	See (19)

Table 30-5.L.6: Signs Allowed Without a Permit

SIGN TYPE	ADDITIONAL REQUIREMENTS	MAX. NUMBER ALLOWED	MAXIMUM COPY AREA (SQ. FT.)	MAXIMUM HEIGHT IF FREESTANDING
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ADDITIONAL REQUIREMENTS:

1. Permitted once only for a 30-day period. See also Section 24-167 of the City Code of Ordinances.
2. ~~Permitted from 60 days prior to ten days following election, placed only upon~~ Political signs may be displayed up to 60 days prior to the election day for which they are intended and must be removed within 10 days following that election. They are only allowed to be placed on private property and only with permission of the property owner. No temporary political sign shall be placed on public property, on any right-of-way or attached in any manner as a snipe sign including, but not limited to, attachment to a pole, tree, fence, rock or another sign.
3. When not displayed in connection with a commercial promotion.
4. Permitted for 30-day period prior to and must be removed within five days of close of event.
5. Must not contain advertising matter.
6. Must be removed immediately upon completion of work.
7. Must be removed by the time a permanent sign is erected or a certificate of occupancy for the building is issued, whichever occurs first.
8. Sign may advertise only the name, time and place of the event when conducted by a public agency or for the benefit of any civic, fraternal, religious or charitable cause; provided that no such sign shall be displayed in any residential zoning district, except on the immediate site of the event to which it pertains.
9. Sign language shall be limited to the words "private drive" and the address of any residences utilizing the private roadway.
10. Signs shall be removed within seven days after the sale is closed, or rent or lease transaction is finalized.
11. Not more than one sign per street front.
12. Rider signs not exceeding two square feet in area may be added.
13. Construction site signs may identify the project, the owner or developer, architect, engineer, principal contractor, subcontractors and material suppliers and funding sources, and may contain related information including, but not limited to, sales or leasing information. Such signs shall not be erected more than 30 days prior to the issuance of a building permit. See also Section 30-5.L.5.w Exempt Signs.
14. Signs may contain the message that the real estate on which the sign is located, including buildings, is for sale, lease or rent, together with information identifying the owner or agent.
15. Message may contain name of building and date of construction.
16. Limited to six months prior to obtaining a building permit.
17. Must be in conformity with Americans With Disabilities Act and state building code regulations.
18. Temporary real estate signs shall not include banners, balloons, pennants, streamers, ribbons, spinners, propellers, discs, consecutively hung official or unofficial flags and/or bunting.
19. Sports sponsorship signs may be installed by public or private organizations on the fence(s) or wall(s) surrounding the applicable sports field or stadium. Sports sponsorship signs that face the field or playing area are not regulated by this code unless they are not maintained, cause public safety issues, or are installed in such a manner as to intentionally be viewable from off the premises. Sports sponsorship signs that face outward or that face inward but are readily viewable or intended to be viewed from the street right-of-way shall be:
 - no closer than 75' (rounded up to allow a whole sign) from the street right-of-way,
 - 6 feet or less in height from the adjoining ground and shall not extend above the fence or structure to which they are affixed,
 - made of rigid material and securely fastened to the fence or wall to which they are affixed,
 - in a single row (no outward facing signs can be placed above another sign),
 - at least 75 feet from any residentially used and zoned property,
 - maintained so as to present a legible, attractive appearance (e.g., not torn, faded, or otherwise deteriorated),
 - illuminated using only ambient sources,
 - limited to displaying only the team or sport being supported and the supporting individual, business, or organization. In particular, no logos of products, such as soft drinks, shall be displayed on the signs unless they are manufactured or distributed by the sponsor;
 - limited to fences whose purpose is to define and contain the activities on a playing field for youth team sports; and
 - shall have an inward-facing sponsorship sign behind it.

Section 7. Changes are made in the following sections of 30-5.L.7 Signs Permitted with a Sign Permit, in section 7.a General Standards, subsections 1.b (to require a building permit) and 1.d (DELETED), and subsections 2 through 5 (to clarify various permit requirements); and in section 7.b Specific Standards, subsections 1 (large residential/multi-building developments), 3 (DELETED) and 10 (NEW – freestanding signs for new car dealerships), as follows:

Section 7a. In 30-5.L.7. a General Standards for Signs Permitted With a Sign Permit, modify subsections 1.b to require a building permit, and delete subsection 1.d regarding maximum height and setback. Further, modify subsections a.2 through a.5 to clarify permits and procedures, as shown below:

30-5.L.7.a General Standards

1. Required

- a. With the exception of those signs specifically exempt from the regulations of this section or those signs specifically exempt from requiring a permit, it shall be unlawful for any person to print, paint, stand, stain, engrave, construct, place, erect, illuminate, attach, suspend, enlarge, move, relocate, replace or otherwise put into use or materially alter any sign or advertising structure or cause such work to be done, without first obtaining a sign permit for such sign from the City Manager as required by this Ordinance (see Section 30-2.C.11, Sign Permits).
- b. Building and/or electrical permits may be required in accordance with the North Carolina Building Code. An additional permit shall be required from the City Manager before power may be connected to any electrical sign.
- c. Notwithstanding the provisions of this subsection, changing or replacing the permanent copy of an existing lawful sign shall not require a permit, provided the copy change does not change the nature of the sign such as to render the sign in violation of this section.
- d. ~~All freestanding signs permitted by this section in all referenced zoning districts shall have a maximum height limit of eight feet and shall have a minimum setback of ten feet from any public right of way.~~

2. Issuance

- a. Sign permits are issued in accordance with the standards in Section 30-2.C.11, Sign Permits. A permit is required for each separate sign, and new sign structure construction shall not commence until a permit is issued.
- b. The sign structure must be completely constructed and erected within 180 days from the date of the permit issuance. During the 180-day period, newly permitted sign structures shall be considered as though in existence for the purpose of applying sign spacing standards.
- c. ~~The application for a permit for erection of a sign or structure in which electrical wiring and connections are to be used shall be submitted to the Electrical Inspector. The Electrical Inspector shall approve the permit if the plans and specifications comply with the State Building Code or disapprove the application if noncompliance with such code is found. This action of the Electrical Inspector shall be taken after submission of the~~

application to the City Manager for final approval or disapproval of the permit, but before power may be connected to such sign.

3. *Inspection of Sign Upon Completion*

Any person installing, structurally altering, or relocating a sign for which a permit has been issued shall notify the City Manager upon completion of the work. The City Manager may require a final inspection, including an a building or electrical inspection, and inspection of footings on freestanding signs to verify conformance with this section and other applicable chapters of the City Code. The City Manager may require at the time of issuance of a permit that written notification for an inspection be submitted prior to the installation of certain signs.

4. *Revocation*

- a. Any valid permit issued for a lawful sign structure shall be revoked by the City Manager for any one of the following reasons:
 1. Mistake of material facts by the issuing authority for which, had the correct facts been made known, the sign permit in question would not have been issued.
 2. Misrepresentation of material facts by the applicant on the application for the sign permit.
 3. Failure to construct sign structure within 180 days from the date of issuance of the permit.
 4. Any alteration of a sign structure for which a permit has previously been issued which would cause that sign structure to fail to comply with the provisions of this section or other applicable chapters of the City Code or the North Carolina State Building Code.
- b. All rights and privileges acquired under this section are mere licenses revocable at any time by the City Council, and all such permits shall contain this provision.

5. *Permits for Freestanding Signs for Multiple Establishments on a Single Lot*

In case of a parcel or lot occupied or intended to be occupied by multiple enterprises (e.g., a shopping center):

- a. A sign permit for a freestanding sign shall be issued in the name of the lot owner or his agent rather than in the name of any individual establishment, and it shall be the sole responsibility of such owner or agent to allocate among the establishments the permissible maximum freestanding sign surface area.
- b. Upon application by such owner or agent, the City Manager may issue a master freestanding sign permit that allocates permissible freestanding sign surface area to the various buildings or establishments within the development according to an agreed upon formula, and thereafter sign permits may be issued to individual establishments only in accordance with the allocation contained in the master freestanding sign permit.

Section 7b. Modify Section 30-5.L.7.b Specific Standards, subsections 1 (to address identification signs at entrances), delete subsection 3 (for sale signs), and add a new subsection 10 (freestanding signs for new car dealerships), as follows:

30-5.L.7.b Specific Standards

1. Residential and Large Multi-building Developments - Identification Sign

On-premises ground signs identifying a single-family residential subdivision; apartment,

town house, condominium or other multifamily residential complex; recreational facility or mobile home park, and not exceeding 32 square feet in area. There shall be a limit of one double-faced sign or two single-faced signs for each road or driveway entrance to the development named on the sign. Such signs shall be limited to the name and the address of the premises and the on-site address and phone number of the resident agent and may be directly or indirectly illuminated. In addition one identifying sign for an accessory management or rental office not exceeding six square feet shall be permitted. Such identification signs may be placed in the median or right-of-way of an entrance drive if set back at least 15 feet from the intersecting ROW or as approved by the Traffic Engineer and Fire Department. Identification signs in the median or right-of-way of an entrance drive for qualifying other large developments such as office parks may be approved through the Alternative Signage Plan process which shall also require the approval of the Traffic Engineer and the Fire Department.

2. *Bulletin Board* [no change]

~~3. *For Sale Sign*~~

~~Signs not exceeding 32 square feet in area advertising the sale of subdivision lots, not more than one sign to be located on private property at each major approach to the subdivision; provided that the display of such signs shall be limited to a six-month period or until 75 percent of the lots are sold, whichever comes first, and may not be illuminated. Reserved.~~

4. *Existing Nonconforming Sign* [no change]

5. *Recreational Identification Sign* [no change]

6. *Assisted Living Sign* [no change]

7. *Institutional Sign* [no change]

8. *Yard Sale Sign* [no change]

9. *Multi-Screen Theater Complex Sign* [no change]

10. *Freestanding Signs for New Car Dealerships*

Regardless of the provisions elsewhere in this section, new car dealerships may display one freestanding sign for every new automobile "make" franchised at the dealership per frontage.

Section 8. In Section 30-5.L.8 modify the standards in Table 30-5.L.8.a Permitted Signs in Non-Residential Zoning Districts as shown below, and in Section 30-5.L.8.b, add standards to provide incentives to use wall, ground or "pylon" signs instead of pole signs.

Section 8a. Modify Table 30-5.L.8.a to increase ground sign maximum area and height, increase the area allowed for signs in OI and NC districts, and establish some flexibility for larger projecting signs, 3-D signs, and other miscellaneous adjustments to encourage creative, attractive, effective signage.

Table 30-5.L.8.A: Permitted Signs in Non Residential Zoning Districts

TYPE OF SIGN		NON-RESIDENTIAL ZONING DISTRICT	
		OI, NC	LC, CC, MU, DT, BP LI, HI [8]
Exempt signs		Not regulated	
Signs permitted without a permit in all zoning districts		See Section 30-5.L.6	
Signs permitted with a permit in all districts		See Section 30-5.L.7	
PERMANENT ON-PREMISE SIGNS			
Maximum number [1]		2	3
FREESTANDING SIGN STANDARDS [2]			
Ground Sign	Copy area (sf per linear foot of lot frontage)	4/1.5 1.5/1	1/1
	Copy area maximum (sf)	48-75	150
	Minimum setback (feet)	10	10
	Maximum height (feet)	12-6	20-8

Table 30-5.L.8.A: Permitted Signs in Non Residential Zoning Districts

TYPE OF SIGN		NON-RESIDENTIAL ZONING DISTRICT	
		OI, NC	LC, CC, MU, DT, BP LI, HI [8]
Pole Sign	Copy area (sf per linear foot of lot frontage)	1/1	1/1
	Copy area maximum (sf)	32 50	150
	Minimum setback (feet)	5	5
	Maximum height (feet)	15	25
Wall, Canopy, Awning, Marquee Sign [3] [4]	Copy area (sf per linear foot of building frontage)	1/1	1/1
	Copy area maximum (sf)	48 50	500
Projecting Sign [5]	Copy area (sf per linear foot of building frontage)	1/1	1/1
	Copy area maximum (sf)	24 50	48 500
PERMANENT OFF-PREMISES SIGNS			
Billboard Sign [6] [7]	Maximum copy area	300 sf in LI district; 400 sf in HI district	
	Maximum height	30 feet in LI district; 25 feet in HI district	

Table 30-5.L.8.A: Permitted Signs in Non Residential Zoning Districts

TYPE OF SIGN	NON-RESIDENTIAL ZONING DISTRICT	
	OI, NC	LC, CC, MU, DT, BP LI, HI [8]
	Minimum setback	25 feet

NOTES:

1. Parcels having road frontage on more than one public street are permitted permanent on-premises signs for each public street. A freestanding sign on a corner lot may be increased up to 50 percent of the allowable area for one sign, not to exceed 200 square feet, if one sign is used where two would have been permitted.
2. Freestanding pole and under-canopy signs shall maintain a minimum clearance of nine feet over any pedestrian areas and of 14 feet over any vehicular paths.
3. Canopy and awning signs may be painted or printed upon a canopy or awning or may be attached, provided such attached sign shall be affixed flat to the surface of the canopy or awning completely within the limits of the canopy or awning, and may be directly illuminated. Under-canopy, canopy soffit or ceiling signs shall be so hung beneath a canopy that the copy or display shall be perpendicular to the building wall. Signage shall be permitted along the edge of a canopy provided the sign copy shall not extend in any direction above, beyond or below the canopy edge. The fringe or drip-flap portion of a canvas awning shall be considered as a canopy edge. Signage shall be permitted above the edge of the canopy on the protection covering of the canopy provided the signage is within the parallel edges of the protective covering and is an integral part of the protective covering or is applied directly thereto.
4. A marquee sign may extend over a required front yard or sidewalk, provided that a vertical clearance of nine feet or more is maintained beneath the sign. No marquee sign shall be closer than two feet, measured in horizontal distance from the curb line or edge of any street. Marquee signs may extend for the full length and width of the marquee.
5. A projecting sign shall not extend vertically above the roof line or parapet wall of a building **unless it is used as a substitute for a freestanding sign**. The minimum height from grade to the lowest edge of a projecting sign shall be nine feet above a pedestrian walkway or 14 feet above a vehicular drive. No projecting sign shall be closer than two feet, measured in horizontal distance from the curb line or edge of any street.
6. Billboard signs are permitted provided the following requirements are met: a. One sign face shall be permitted per sign, except that if back-to-back or double-faced there may be two sign faces; b. No such off-premises billboard sign shall be located less than 2,000 feet from another such off-premises billboard sign; c. No such off-premises sign shall be located less than 500 feet from any residential zoning district; d. The area immediately surrounding billboard structures shall be appropriately maintained.
7. Billboard signs are permitted **only** in LI and HI zoning districts **exclusively**.
8. When standards for signs in the DT downtown district in Table 30-5.L.8.a and Section 30-5.L.9.a conflict, **the more restrictive provisions of Section 30-5.L.9 shall apply.**
9. **Three-dimensional (3-D) signs of any type are encouraged and may be approved by the Planning Commission through the alternative signage plan process or the Historic Resources Commission through the certificate of appropriateness process, as applicable.**

Section 8b.

Modify the section immediately following Table 30-5.L.8.a to correct the numbering from 30-5.L.8.a.2 to 30-5.L.8.b, adding the title “Bonuses and Incentives”, deleting subsection currently listed as a.3, and renumbering the two remaining subsections of text as shown below.

2.b. Bonuses and Incentives

1. A single establishment on a large single parcel or lot may exceed the maximum copy area, the maximum height and the maximum number for freestanding pole signs in Table

30-5.L.8.b, Large Parcel Sign Standards, as follows, provided the maximum height shall not exceed 35 feet:

Table 30-5.L.8.B: Large Parcel Sign Standards		
LOT OR PARCEL (ACRES)	MAXIMUM COPY AREA (PERCENT)	MAXIMUM HEIGHT (FEET)
<u>1.0 to 2.499 3.0 to 4.99</u>	20	2
<u>2.5 to 4.999 5.0 and above</u>	30	4
<u>5.0 or more acres</u>	<u>40</u>	<u>6</u>

~~3. Provided the maximum height shall not exceed 35 feet.~~ 4. 2. One additional freestanding pole sign shall be permitted for every additional 100 feet of lot frontage in excess of 150 feet up to a maximum of three freestanding pole signs. Maximum copy area and number of total permanent on-premises signs in Table 30-5.L.8.b, Large Parcel Sign Standards, may be exceeded by the same extent.

Section 8c. Create a new section “c. Sign Quality Incentives” to encourage use of certain sign features or types, as shown below:

C. Sign Quality Incentives

In order to promote higher- quality sign design, the following incentives increase maximum allowable sign area offered. Only a single incentive may be taken for each listed sign type.

- a. For wall signs, up to a 50% area incentive may be allowed if channel lettering is used.
- b. For wall signs, up to a 50% area incentive may be allowed if the wall sign is substituted for an otherwise allowable freestanding sign.
- c. For pole signs, up to a 20% area incentive may be allowed if a pole cover between 25% and 50% of the width of the widest part of the sign is provided.
- d. For all signs, up to a 50% area incentive may be allowed if the three- dimensional signs are provided. (See Table 30-5.L.8.A., Footnote 9 and Section 30-5.L.10.g. for approval process for 3-D signs.)

Section 9. In Section 30-5.L.9 Signs Permitted in the DT Downtown Zoning District, modify Subsection a.17 to use 9 feet instead of 8.5 feet as the minimum height clearance, as shown below:

a. Generally

17. Banners and Flags

Each business with an entrance onto a public sidewalk is entitled to two flags or two banners or a combined total of one of each. Flags must be state, national or international flags, except one other-type flag is allowed per business. The maximum wall-mounted flag size shall be 25 square feet. One additional flag or banner is allowed for each 50 linear feet of property up to a total of five. Flags overhanging public sidewalks shall be no larger than six square feet if they are less than nine 8.5 feet above the sidewalk which they overhang. No flag less than nine 8.5 feet above the sidewalk which they overhang shall extend no more than three feet over the sidewalk or 25% of the width of the sidewalk, whichever is less. Banners shall not extend more than 18 inches over the public sidewalk, shall be a minimum of four feet above the sidewalk and shall contain no more than six square feet in area. They must be designed to minimize movement by means of attachment to the building or by material or by both.

Section 10. In Section 30-5.L.10 Signs Permitted by Special Approval, modify Subsections to delete 10.b Rotating Signs for Large Multiple Establishments on a Single Lot; modify 10.c Community Street Banner to adjust the time standards; modify 10.d to delete the requirement for the special use procedure; modify 10.e Community Banners Within the Municipal Services District to specify the approval process and certain standards for attaching banners and their size; make minor adjustments to subsections 10.f (subdivision signs); and in 10.g Large Development Alternative Signage Plan, make several adjustments including to the heading, to reduce minimum site size from 10 to 5 acres for alternative signage plans and make other clarifications or minor adjustments.

30-5.L.10. Signs Permitted by Special Approval

The following signs are permitted only by special approval issued by the designated granting authority and shall conform to all stated regulations and to all conditions and requirements imposed by the granting authority in issuing the special sign approval:

a. Festival and Major Special Event Signs

For the purpose of giving directions and information, temporary on-premises and off- premises signs pertaining to festivals and other major special events are permitted with approval by the City Manager subject to a special approval specifying size, location, lighting, design, display and duration. The number of signs shall be set by the City Manager. Such approval shall also require a compliance deposit for each sign in an amount established by the City Council. Each permitted sign must be removed upon the expiration date of the approval. The compliance deposit shall be refunded when the permitted sign(s) is removed in a timely manner upon the expiration date of

the approval. In addition to the other remedies cited in this Ordinance, failure to remove a sign upon the expiration date of the approval will result in City caused sign removal and retention of the compliance deposit.

b. Rotating Signs for Large Multiple Establishments on a Single Lot

Permanent freestanding signs for large multiple establishments of 31 or more individual establishments on a single parcel or lot which are permitted by Section 30-5.L.8, Signs Permitted in Nonresidential Zoning Districts, may be permitted to rotate for the purpose of identifying individual establishments with approval of the City Council, subject to a special approval specifying size, location, lighting, design and rotating speed. Reserved.

c. Community Street Banner

For the purpose of enhancing the community and portraying aspects of the City, off-premises community street banners are permitted with approval by the City Council subject to a special approval. The City Council shall specify the location, design, display and duration, but the duration shall be a minimum of 90 days and a maximum of 180 days. The number of banners shall be set by City Council. Proper maintenance shall not permit banners that are torn, ripped, frayed, separated from their grommets or incompletely affixed to the street pole. The actual surface area of the flag, banner, bunting, hanging sign, display or other form of decoration shall be as specified by City Council two feet wide and six feet long. The form of advertising shall be corporate logo, trademark or name and shall be located at the bottom end of the banner and shall not exceed 20 percent of the total surface area on either side.

d. Advertisement on Bus Shelters and Benches

1. Advertisements are permitted on bus shelters and benches with approval by the City Manager or designee via a special use permit. The number of bus shelters and benches utilizing advertising shall be set by the City Manager. Proper maintenance shall not permit advertisements to be torn, ripped, frayed or damaged. All advertisements shall be of professional quality.
2. One double-faced advertisement box, flat or angle, not to exceed 24 square feet in sign area, per side, may be attached to a shelter for bus passengers; provided however, such advertisements must be placed at the end of the shelter furthest from the approaching traffic flow on the side of the street on which the shelter is located and may not be placed on the back or any other portion of the shelter. Such advertisement shall not extend beyond the limits of the shelter. Placement of such advertisement on the top of any shelter serving bus passengers is specifically prohibited. An advertisement may be attached to a bench at designated bus stops; provided however, such advertisements must be placed on the back of the bench facing the street and such advertisement shall not extend the length or width of the bench back.

e. Community Banners Within the Municipal Service District

1. For the purpose of providing information and portraying a festive appearance for downtown, on-premise banners are allowed within the downtown municipal service district through a by special use permit certificate of appropriateness issued by (i) the Historic Resources Commission for properties within the Downtown Historic district and or (ii) a permit issued by the Joint Appearance Commission for those properties outside the Downtown Historic district, but within the downtown municipal service district.
2. Banners under this provision shall be attached to the primary building or to a freestanding sign structure on the premises. These banners shall be prevented from rotating, fluttering, or

otherwise moving in the wind or rain and shall be constructed of material that will withstand exposure to wind and rain without significant deterioration. Banners are permitted only on property owned or occupied by tax exempt non-profit entities or governmental funded organizations, which entities or organizations have as their principal focus cultural or park activities within the municipal service district.

3. Sign copy shall be limited to the name of the organization or entity, the announcement of a special event or exhibition and accompanying graphic or pictorial pertaining to the organization, event, or exhibition. The total square footage of banners shall be sized in accordance with the character and appearance of the site. Banners placed on buildings shall not extend beyond exceed the linear street front footage of the building.

f. **Permanent Subdivision Ground Based Subdivision Signs**

Permanent ~~subdivision~~ ground based ~~subdivision~~ signs not technically on land within a given subdivision may be considered in cases where the wayfinding needs of the public are served for an area traditionally considered part of a given subdivision.

g. **Large Development Alternative Signage Plan**

Regardless of the other provisions of this Article, the Planning Commission may, at its sole discretion, approve a signage plan for certain development projects listed in this section. The approved signage plan may include signs of different sizes, types, locations, placement and height from those otherwise enumerated in this Article.

1. *Purpose*

The purposes behind this section are:

- a. To permit creativity in sign design and placement to address site issues and constraints associated with topography, pedestrian-orientation, wayfinding and other conditions unique to the subject development.
- b. To encourage the development of comprehensive signage plans for large developments that promote an integrated approach to sign design and placement that is both attractive and informative.

2. *Application*

Alternative signage plans may be submitted for the following types of development: Commercial, industrial, institutional, office, residential or mixed use developments containing five ten or more acres in area, and, regardless of site area, 3-D signs, artist studios and galleries, business incubators, schools, and large cultural or public facilities of a singular nature (for example, large public museums, city-wide or regional sports or convention centers, transportation centers).

3. *Submittal process*

Alternative signage plan applications may be submitted for Planning Commission consideration at the time of original consideration of the proposed development or separately from the original development proposal. The following information or material shall be required for a signage plan application.

- a. Owner and contract name, address, telephone number and signature(s), as applicable.
- b. A signage plan proposal illustrating the proposed signs, their proposed location, their proposed purpose, along with a statement as to why the existing sign code cannot or should not be followed in the subject case.

- c. An analysis showing how the proposed signage plan differs from what could be provided under the existing city sign regulations set forth in this Article.
- d. Other similar information determined by the City Manager to be necessary for understanding the purpose and intent of the proposed signage plan application.

4. *Review procedure*

The City Manager shall schedule the alternative signage plan for Planning Commission consideration at a publicly noticed meeting to hear the request, consider any public comment, and make a decision. Appeal of the decision may be made to the City Council in accordance with procedures in 30-2.C.18 Appeal, Item (c) Initiation. In reviewing the proposed signage plan, the Planning Commission shall take the following matters into consideration.

- a. The extent to which the proposed signage plan deviates from the sign allowances otherwise applicable in this Article.
- b. The rationale provided by the applicant for the deviations.
- c. The extent to which the signage plan promotes city goals for way-finding, pedestrian-orientation, and business identification.
- d. The degree to which the signage plan creatively and effectively addresses the issues and constraints unique to the site with regard to signage.
- e. The degree to which the signage plan creates a unified approach to development signage that is attractive and effective in communication.

- 5. The Planning Commission may deny or approve the proposed signage plan in part or in total and may establish conditions regarding approval.

30-5.L.11. Sign Construction Standards [no change]

30-5.L.12. Sign Maintenance, Repair, Removal, and Disposal of Signs [no change]

Section 11. Add or modify the definitions for six types of signs, as shown below, in Article 30-9 Definitions:

Sign, Channel Letter

An attached sign consisting of individual three-dimensional letters, numbers or symbols that uses the building wall or façade as the sign's background.

Sign, Ground

A freestanding sign with a base which either appears to rest on the ground or which has a support which places the base and portion of the sign copy area less than ten feet from the ground. ~~A-Pylon and monument signs~~ is-a-are ground signs.

Sign, Official

Any sign, symbol or device erected and maintained by a Federal, State, County or municipal government or authorized by a Federal, State, County or municipal government to be erected and maintained by a private party for the purpose of informing, directing or guiding the public.

Sign, Pole

A freestanding sign ~~with the base and all of the sign copy area at least ten feet above the ground and~~ which is supported from the ground by one or more poles or similar support structures of narrow width (maximum of 20 percent of the width of the sign face) ~~and not attached to any building~~. (Not a ground sign).

Sign, Pole Cover

Decorative covers placed over the supporting structures of pole signs.

Sign, Three-Dimensional (or 3-D)

Freestanding or attached signs that have or appear to have height, width, and depth in forming figures, shape, letters, numbers or symbols. (Channel letter signs are not 3-D signs.)

Section 12. If any section, subsection, sentence, clause, or phrase of this ordinance is, for any reason, held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, sentence, clause, or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid.

Section 13. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 14. The City Clerk and/or City Manager are hereby authorized to renumber, revise formatting, correct typographic errors, to verify and correct cross references, indexes and diagrams as necessary to codify, publish and/or accomplish the provisions of this ordinance or future amendments as long as doing so does not alter the material terms of this Development Ordinance.

Section 15. It is the intention of the City Council, and it is hereby ordained that the provisions of this ordinance shall be made part of the Code of Ordinances, City of Fayetteville, North Carolina, and become effectively immediately.

Adopted this the 22th day of August, 2016.

City of Fayetteville, NC

Nat Robertson, Mayor

ATTEST:

Pamela J. Megill, City Clerk