

C-UDO-89  
AN ORDINANCE AMENDING CHAPTERS A and B OF  
THE  
*UNIFIED DEVELOPMENT ORDINANCES*

Be it ordained by the Village Council of the Village of Clemmons, North Carolina, that the *Unified Development Ordinances* is hereby amended as follows:

**Chapter A, Article II, Definitions**

**Article II Definitions**

**AFFORDABLE HOUSING.** Housing is affordable to households with low incomes, meaning that these households pay no more than thirty percent (30%) of their income for housing costs like rent, mortgage, and utilities.

**APPARENT SUNRISE/SUNSET.** The time of sunset as determined by the National Oceanic and Atmospheric Administration (NOAA), US Department of Commerce, for the specific geographic location and date.

**ARCHITECTURAL ELEMENTS.** The unique details and component parts that, together, form the architectural style of houses, buildings, and structures.

**AVERAGE GRADE.** The average elevation of the finished ground surface around all sides of a sign, building or structure is measured where the sign, building, or structure meets the ground surface.

**AWNING.** A structure made of cloth, metal, or other material affixed to a building in such a manner that the structure may be raised or retracted from a building to a flat position against the building, but not a canopy.

**COMPLETE STREETS.** Streets designed and operated to enable safe use and support mobility for all users. Those include people of all ages and abilities, regardless of whether they are traveling as drivers, pedestrians, bicyclists, or public transportation riders. The concept of Complete Streets encompasses many approaches to planning, designing, and operating roadways and rights of way with all users in mind to make the transportation network safer and more efficient. A “complete street” typically includes such improvements as sidewalks, bicycle lanes, and other accommodations that improve safe travel and access for all people, regardless of their mode of transportation.

**CONVENTION CENTER.** An establishment developed primarily as a meeting facility, including facilities for recreation and related activities provided for convention participants, excluding overnight lodging.

**EVENT CENTER.** A building or property used by groups for celebratory events (e.g. weddings, parties, reunions, etc.), meetings, and other events. Occupancy must be less than three hundred (300) persons, but more than one hundred (100) persons. Otherwise, it shall be regulated as a convention center or small-scale event center. Events may occur outdoors. Typically, food service and alcohol are associated with this use.

**EVENT CENTER, SMALL-SCALE.** A building or property used by groups for celebratory events (e.g. weddings, parties, reunions, etc.), meetings, and other events. Occupancy must be less than one

hundred (100) persons. Events may occur outdoors. Typically, food service and alcohol are associated with this use, provided meals are only served to guests attending events.

**FENCE WRAP.** A product designed to cover temporary or permanent fencing and scaffolding. It can be used to mask areas so visibility is reduced or completely blocked out.

**HAND-CARRIED COMMERCIAL SIGN.** See Sign, Hand-carried Commercial.

**MARQUEE.** A permanent roof-like structure constructed of rigid materials supported by and extending from the façade of a building, frequently used to display signage.

**MURAL.** A painting or art using other mediums executed directly on a wall, ceiling, floor, or ground.

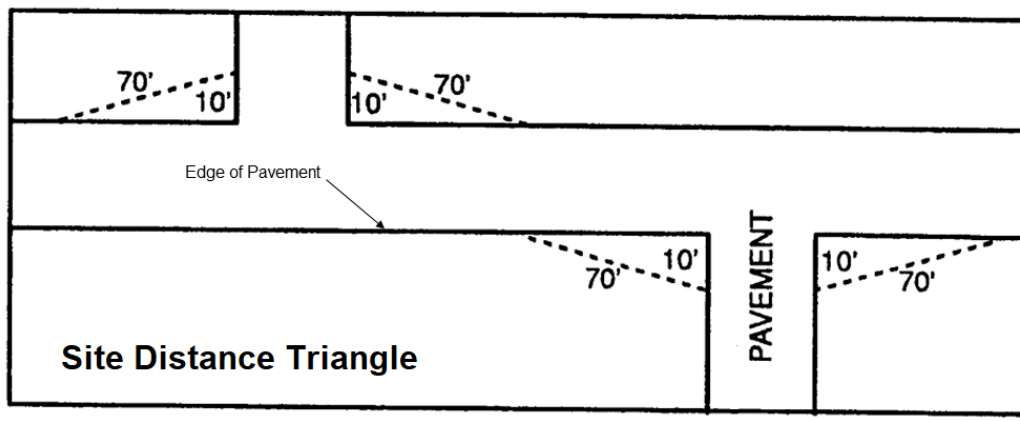
**NITS.** A measurement of the brightness of light. One nit is equal to one candela (one candlepower) per square meter (1cd/m<sup>2</sup>).

**NON-COMMERCIAL.** Not having a commercial objective; not intended to suggest a commercial transaction.

**PAVEMENT MARKINGS.** The markings used on paved roadways to provide guidance and information to pedestrians and drivers.

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

**SIGHT DISTANCE TRIANGLE.** The sight distance triangles identify areas at the corners of intersections of roads and driveways where views of approaching traffic should not be obstructed.



**SIGN, A-FRAME.** Portable outdoor signs that stand up like an easel to form a two-sided A shape. A-frame signs are also known as sidewalk or “sandwich” boards.

**SIGN, ABANDONED.** A sign that no longer identifies or advertises a bonafide business, lesser, service, owner, product, or activity and is no longer maintained.

**SIGN, AIR-ACTIVATED.** Devices consisting of banners, streamers, pennants, streamers, wind-blown propellers, strung light bulbs, feather flags, spinners, or similar installations.

**SIGNS, ATTACHED.** A sign that is permanently affixed to, or painted on, a building, canopy, or wall and having a permanent or changeable copy face. Examples include: wall, awning, canopy, projecting, and shingle signs.

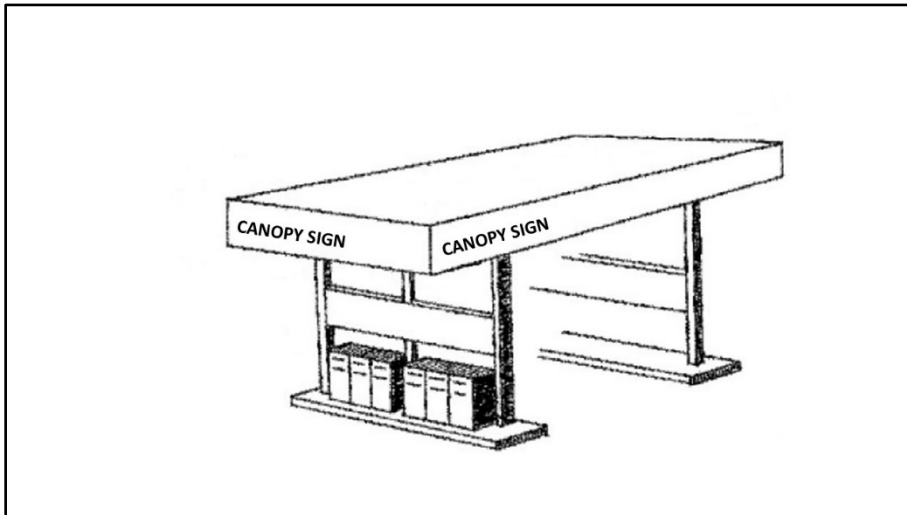
**SIGN, AWNING (ON PREMISES).** ~~An on-premises sign constructed of fabric-like, non-rigid material which is a part of a fabric or flexible plastic awning framed and attached to a building.~~ A sign where graphics or symbols are painted, sewn, or otherwise adhered to a fabric-like, non-rigid material which is a part of a fabric or flexible plastic awning framed and attached to a building.



**SIGN, BOX.** See Sign, Cabinet.

**SIGN, CABINET.** A sign with text or symbols printed on a plastic or acrylic sheet that is mounted on a cabinet or box that houses the lighting source and equipment. Often referred to as a Box Sign.

**SIGN, CANOPY.** A sign attached to or constructed in or on the face of a canopy.



**SIGN, CANTILEVERED.** A permanently affixed sign which is wholly independent of a building for support where the primary support is supplied by a post and the sign hangs from a bracket or support.



**SIGN, CONTINUOUS WALL.** See Sign, Wraparound.

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

**SIGN, CROWN.** A wall sign located on the upper horizontal band of a building and extending no more than 3 feet from the building façade. The building to which the crown sign is attached must be at least 55 feet and 4 stories in height.



**SIGN, DEVELOPMENT IDENTIFICATION.** A permanently affixed sign which is wholly independent of a building for support and attached along its entire width to a continuous pedestal that is used to identify entry to a development.



**SIGN, DIGITAL CHANGEABLE COPY.** A sign that is composed of light emitting diodes (LEDs) or comparable light sources and is capable of displaying variable messages and graphics, which are generally created on a computer. Digital electronic message centers are also known as EMCs.

**SIGN, DRIVE-THROUGH RESTAURANT.** See Sign, Restaurant Menu.

**SIGN, FREE-STANDING.** A sign anchored directly to the ground or supported by one or more posts, columns, or other vertical structures or supports, and not attached to or dependent for support from any building. Freestanding signs are sometimes referred to as ground, cantilever, multitenant, or development identification signs.

**SIGN, GHOST.** An old hand-painted advertising sign that has been preserved on a building for an extended period of time.

**SIGN, GROUND. (ON-PREMISES).** ~~A freestanding on-premises sign~~ A free-standing sign attached to a contiguous structural base or planter box that is the same width or greater than the message portion of the sign, permanently affixed to the ground. Ground signs do not include free-standing signs supported by poles.



**SIGN, HAND-CARRIED COMMERCIAL.** A sign held by or attached to a human for the purposes of advertising or otherwise drawing attention to a business, commodity, service, or product. This may include a person dressed in costume to advertise or draw attention to a business, commodity, service, or product.

**SIGN, INCIDENTAL.** Any sign, handbill, or poster which is placed to advertise or announce a specific event, or which pertains to a particular event or occurrence, or which is not designed or intended to be placed permanently, or which relates to such events or occurrence that are not taking place on the premises on which the sign is located.

**SIGN, INFLATABLE.** Inflatable signs, inflatable devices, and signs that are designed to appear as inflatable signs (e.g., plastic balloons).

**SIGN, MONUMENT.** A freestanding sign having the appearance of a solid base of landscape construction materials such as brick, stucco, stonework, textured wood, tile, or textured concrete materials compatible with the materials of the primary structure on the subject property.

**SIGN, MULTI-TENANT.** A freestanding, monument sign for multiple-tenant commercial centers with five (5) or more tenant spaces shall first focus on identifying the name of the center and second on all of the tenants.

**SIGN, OFF-PREMISE.** Any sign used for the purpose of displaying, advertising, directing attention to, or identifying a product, service, business, or activity that is sold, located, or conducted on a premise other than on the premises where such sign is displayed.

**SIGN, ON-PREMISE.** Any sign used for the purpose of displaying, advertising, directing attention to, or identifying a product, service, business, or activity that is sold, located or conducted on the premises where the sign is located.

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

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

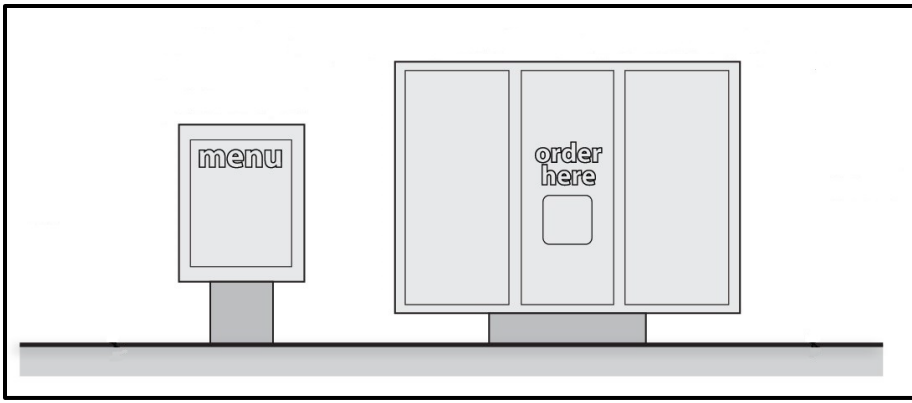
**SIGN, PORTABLE.** Any sign or advertising device that is not permanently embedded in the ground or affixed to a building or other structure, including any sign that rests upon the ground, frame, trailer, vehicle, building, or other structure or item, except as specifically permitted in this Ordinance.

**SIGN, PROJECTING. (ON-PREMISES).** An on-premises sign supported by a pole or other supporting structure, hanging from a building. A sign applied to or mounted to the wall or surface of a building or structure, with a display surface that projects 12 inches or more from the outside wall of the building or structure.



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

**SIGN, RESTAURANT MENU.** A sign displaying the food products and prices provided by the eating and drinking establishment.



**SIGN, ROOF. (ON-PREMISES).** An on-premises sign located above the eaves and below the peak of the roof where the sign is located. A sign erected, constructed, painted, or placed upon or over a roof or parapet wall of a building and which is wholly or partly supported by the building or roof structure.

**SIGN, SANDWICH BOARD.** See Sign, A-frame.

**SIGN, SHINGLE.** A pedestrian-oriented projecting sign hung from a bracket that is attached to a wall so as to allow free movement of the sign board.



**SIGN, SNIPE.** A sign made of any material when such sign is tacked, nailed, posted, pasted, glued or otherwise attached to trees, poles, fences or other objects, and the advertising matter appearing thereon is not applicable to the present use of the premises upon which such sign is located.

**SIGN, TEMPORARY.** A portable sign as defined by this Ordinance to be used for a limited time period. Any sign, banner, pennant, valance, flags (not intended to include flags of any nation, state, city or other governmental agency or non-profit organization), searchlights, balloons or other air-filled or gas-filled figures or advertising display constructed of cloth, canvas, light fabric, cardboard, wallboard or other light materials, with or without frame, intended to be displayed for a limited period of time

only. Different types of temporary signs and banners included in this category are: construction, grand opening displays, real estate, special event, political, A-frame, sandwich board, and garage sale.

**SIGN, TRAFFIC SAFETY.** A sign usually on the side of a street or highway bearing symbols or words of warning or direction to motorists or pedestrians.

**SIGN, VEHICLE.** Signs attached to or painted on a vehicle (motorized or non-motorized) located in view of the rights-of-way.



**SIGN, WALL (ON-PREMISES).** An on-premises sign affixed to the wall of any building and completely in contact with the building throughout its greatest dimension, which does not extend beyond the main wall of the building more than twelve (12) inches except in accordance with these regulations. A wall sign is a sign attached to or painted on a wall or building, with the exposed display surface of the sign in a plane parallel to the plane of the wall to which it is attached or painted.



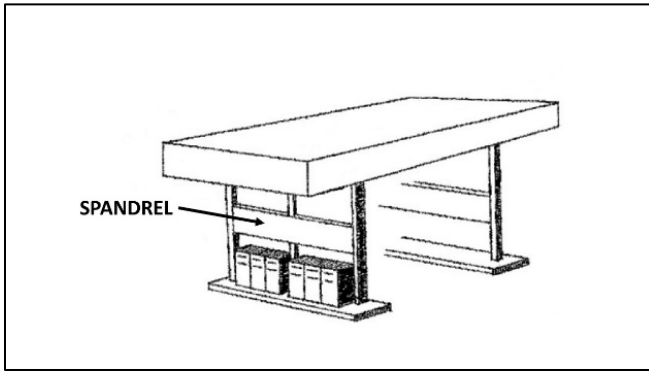
**SIGN, WAYFINDING.** Signage that helps persons find their way around a business, institution, or other physical location. It directs persons from point to point and confirms one's progress along a route.

**SIGN, WINDOW.** Any sign, picture, symbol, or combination designed to communicate information about an activity, business, commodity, event, sale, or service and placed inside a window or upon the window pane or glass and is visible from the exterior of the window.



**SIGN, WRAPAROUND.** Wraparound signs or other continuous wall signs that extend around a building corner or radii.

**SPANDREL.** A panel or box-type structure that spans between and/or is connected to the support columns of a porch, colonnade or canopy, usually for architectural embellishment and/or signage purposes.



**SPEECH, COMMERCIAL.** Any speech which promotes a type of commercial transaction.

**SPEECH, NON-COMMERCIAL.** Any speech or writing which does not promote a commercial transaction.

**STRUCTURE, SUPPORTING.** A structural support is a part of a building or structure that provides the necessary stiffness and strength in order to resist the internal forces (vertical forces of gravity and lateral forces due to wind and earthquakes) and guide them safely to the ground.

**VEHICLE AREA CLEARANCE.** The minimum distance between the lower end of the vehicle body (or chassis) and the road.

**VEHICLE, INOPERABLE.** An inoperable vehicle means any motor vehicle that cannot be started and moved under its own power without the assistance of another person, vehicle, or gravity.

**VEHICLE, UNLICENSED.** Any motor vehicle that does not display a valid license plate or registration.

**EXTERNAL WASH ILLUMINATION.** A sign which has light cast on its surface from an artificial exterior source installed for the purpose of illuminating the sign.

**WAYFINDING.** The process of using spatial and environmental information to navigate oneself within the built or natural environment.

### **Chapter B, Article II, Section 1.3 (A) NO Neighborhood Office District**

(d) Signage. ....Only one sign per structure will be permitted in NO Districts. This sign may be a ground sign, projecting sign, roof sign, or wall sign. This sign will be limited to eight (8) square feet as defined in Section B.3-2.

### **Chapter B, Article II, Section 1.3 (B) LO Limited Office District**

(5) A maximum of five percent (5%) of the gross floor area of development within the LO zoning district may be used for the following uses:

- Food or Drug Store
- General Merchandise Store
- Services, Business A
- Services, Personal
- Restaurant (without drive-through service)
- Retail Store, Specialty and Miscellaneous

(a) The uses listed above shall be further restricted to the following conditions:

(i) All non-office uses shall be within the same building as the office development and shall not exceed twenty-five percent (25%) of the gross floor area of said building.

(ii) All non-office development shall be calculated as a percentage of existing or new office square footage on the same zoning lot.

(iii) No non-office development shall be occupied until a minimum of seventy-five (75%) of office square footage in the building has been built.

(iv) A maximum of two thousand (2,000) square feet of non-office uses shall be allowed in any single office structure.

~~(v) No freestanding signage for non-office uses is permitted.~~

~~(vi) Building signage shall be limited to a maximum of six (6) square feet of copy area and shall not be internally illuminated.~~

### Chapter B, Article II, Section 1.3 (E) NB Neighborhood Business District

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

### Chapter B, Article II, Section 1.3 (G) LB Limited Business District

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

### Chapter B, Article II, Section 2-4.5 Table B.2.6 Permitted Uses Table

Table B.2.6 PERMITTED USES																																				
Use Type	YR	AG	RS40	RS30	RS20	RS15	RS12	RS9	RS7	RSQ	RM5	RM8	RM12	RM18	RMU	MH	NO	LO	CPO	GO	NB	PB	LB	NSB	HB	GB	CB	MRB-S <sup>4</sup>	LI	CPI	GI	CI	IP	C	MX	CONDS
<b>BUSINESS AND PERSONAL SERVICES</b>																																				
Signs, Off Premise																								Z					Z		Z	Z				67

### Chapter B, Article II, Section 2-5.67 Use Conditions

~~2-5.67 — SIGNS, OFF PREMISES. All signs must comply with the provisions of Section B.3-2.~~

Reserved.

### Chapter B, Article V, Section 5-2.9 Amortization of Nonconforming Uses

See Section B.3-2.1(H) for the amortization schedule of nonconforming signs.

(A) Amortization Schedule

(1) On-Premises Signs.

- (a) Nonconforming Signs. One on-premises sign per zoning lot or business not conforming to these standards may be allowed to remain in its present location provided that the sign was legally erected in compliance with all laws existing prior to October 14, 1985, and provided that the owner filed notice with the City of Winston-Salem Inspections Division within ninety (90) days of that date. Said notice shall contain documentation on the location, height, size, and dimensions of the sign to remain, as well as a photograph showing the entire sign and its supporting structure. Said sign shall be allowed to remain at its present location for the remaining life of the sign, and any such sign removed, renovated, altered, destroyed, or damaged by fifty percent (50%) or more of its value shall not be rebuilt or replaced except in compliance with this Ordinance.
- ~~(b) Other Nonconforming Signs. All other nonconforming signs shall be removed or brought into compliance with the requirements of this Ordinance within seven (7) years from October 14, 1985, or until removed, renovated, altered, destroyed, or damaged as specified in this section, whichever is earlier.~~
- ~~(c) Nonconforming Signs Existing Prior to May 14, 2001. All nonconforming signs shall be removed or brought into compliance with the requirements of the Ordinance within ten (10) years from May 14, 2001, or until removed, renovated, altered, destroyed, or damaged by fifty percent (50%) or more of its physical replacement value, whichever comes first.~~

(2) Off-Premises Signs.

- (a) No amortization schedule shall apply to the non-conforming off-premises along both sides of the interstate (I-40) corridor from the eastern corporate limits to the western corporate limits.
- (b) Except as provided above, issues of maintenance, damage, removal, repair, alteration, natural destruction, and abandonment are controlled by Section 5-2.9(A)(1)(a) NONCONFORMING USES and Chapter B section 3-2.1 (B) (7) Construction and Maintenance, for existing off-premise signs.

**Chapter B, Article V, 5-4.3 Maintenance, Renovation, Expansion and Reconstruction**

(A) Maintenance. Normal repair and maintenance may be performed to allow the continuation of nonconforming structures or improvements.

(1) Illumination of Nonconforming Signs; Restrictions.

- I. Lighting shall not be added to or used to illuminate nonconforming signs or signs conforming by virtue of the nonconformity.
- II. All such lighting shall be subject to any other provisions related to the illumination of signs.

(2) Digital Changeable Copy and/or Image Signs; Restrictions. Digital Changeable Copy and/or Image signs shall comply with the following regulations:

- I. The sign shall not contain or display flashing, intermittent, or moving lights, including animated or scrolling text or graphics; and

- II. The changeable copy and/or image remains in a fixed position for at least eight (8) seconds; and
- III. If a message is changed electronically, it must be accomplished within an interval of two (2) seconds or less; and
- IV. The sign must contain a default design that will freeze the sign in one position if a malfunction occurs; and
- V. Nonconforming structures shall not be modified to an automatic changeable facing.


(B) Renovation. Renovation of nonconforming structures or improvements is permitted if the renovation does not increase the floor area or cubical content of the structure or the area of any improvement. Static off-premise billboard signs shall not be converted to digital off-premise billboards.

**This ordinance shall be effective upon adoption**

Approval this 8th day of May, 2023.

  
\_\_\_\_\_  
Michael Rogers, Mayor

Attest:

  
\_\_\_\_\_  
Lisa Shortt, Village Clerk