



To: Board of County Commissioners  
Planning Board

From: Joshua Grant, Division Manager

Date: April 10, 2025

Re: UDO Proposed Amendment #2025-2  
Shalyn Brooks, applicant

*The following information is for use by the Lincoln County Board of Commissioners and Planning Board at their joint meeting/public hearing on May 5th, 2025.*

### Proposal

The amendment proposed to the Lincoln County Unified Development Ordinance includes:

**Amend Article 3.9 to create an allowance for windblown signage, specifically the feather flag variety. The language now provides examples of temporary signs for better clarity, creates needed cross references, establishes a square footage standard, height requirement, and prescribes some safety standards including not allowing such signs in the Right-of-Way and Site Triangles.**

### Background Information

The sign regulations as currently prescribed in the Unified Development Ordinance prohibit windblown signage including banners such as feather flags. In practice, the urbanized areas within the community have struggled to operate in compliance with the current standards which promote sandwich board style signs over feather flags. Many shopping centers are served better by the feather flag style signs due to the highway corridor nature of many businesses in Lincoln County. Many of the feather flag style signs are translucent and can be seen through, which provides a safer alternative. Currently, signage that is designed for a downtown business district is being utilized out of place, which is not only unsightly, but is a safety concern for the blocking of site triangles and are often placed within the Right-of-Way to be legible creating hazards for motorists traveling through the area.

The full text of the proposed amendment is included with the text amendment application.



PLANNING & INSPECTIONS DEPARTMENT  
Joshua L. Grant, Manager

## Zoning Amendment

### Proposed Statement of Consistency and Reasonableness

**Case** UDO #2025-2

**Applicant** Shalyn Brooks

**Parcel ID#** N/A

**Location** N/A

#### Proposed amendment

Amend 3.9.7 of the Lincoln County Unified Development Ordinance to permit windblown signage

This proposed amendment is **consistent** with the Lincoln County Land Use Plan and other adopted plans in that:

The amendment better aligns the standards in the development ordinance with the community type designations provided in the Land Use Plan.



### **Unified Development Ordinance**

### **Text Amendment Application**

Lincoln County Planning and Inspections Department  
115 W. Main St., Lincolnton, NC 28092  
Phone: (704) 736-8440

#### **Part I**

Applicant Name

Shalyn Brooks

Applicant Address

1133 Southwood Dr. Denver NC 28031

Applicant Phone Number

704.860.5649

#### **Part II**

Briefly describe the proposed text amendment.

Amendment to ordinance section 3.9.7.C allowing the use of feather flags for Lincoln County businesses. Perhaps with guidelines, such as; temporary use during business hours, one sign/flag per business, quality of flag, out of the right of way, etc.

#### **Part III**

Provide the full text of the proposed amendment (on a separate sheet if necessary) with proposed deleted text shown as struck through and proposed added text underlined.

**\$400 APPLICATION FEE MUST BE RECEIVED BEFORE PROCESSING.**

I hereby certify that all of the information provided for this application and attachments is true and correct to the best of my knowledge.

S. Brooks  
Applicant

3/17/25  
Date

## B. Off-Premises Signs

A sign that draws attention to or communicates information about a business, service, commodity, accommodation, attraction, or other activity that is conducted, sold, or offered at a location other than the premises on which the sign is located.

### 1. Billboard

A sign which describes or calls attention to products, activities, or services which are not customarily engaged in, produced, or sold on the premises upon which the sign is located. (This type of sign is prohibited in Lincoln County.)

### 2. Directional Sign

A sign which provides directions to a location where products, activities, attractions or services are available.

## C. Temporary Signs

A sign that is used in connection with a circumstance, situation, or event that is designed, intended, or expected to take place or to be completed within a reasonably short or definite period of time after the erection of such a sign. See §3.9.6.H for all temporary sign types and the applicable standards.

### 1. Decorative Flags or Banners

Signs mounted by the County to utility poles located within the public right-of-way displaying non-commercial information, specifically holiday decorations and seasonal banners.

### 2. Promotional Banner

~~An on-premises sign indicating special events such as grand openings, sales or similar non-permanent activity.~~

## D. Portable Signs

A sign designed or intended to be readily relocated whether or not it is permanently attached to a building, structure or on the ground. Portable signs also include signs on wheels or on portable structures such as trailers, tent signs, easel signs, A-frame or T-shaped signs and normal advertising placed on motor vehicles which are not used regularly and are placed in such a manner as to attract attention.

## E. Historic Sign

A sign that is 50 years or older, or a sign that is particularly unique in character, design, or history, or that is part of the historic character of a business or building.

## F. Roof Sign

A sign that is attached to the roof of a building that projects above the apex of the roof to which it is attached. (This type of sign is not allowed in Lincoln County. See §3.9.7.)



Figure 62. Roof Sign

### C. Other Types of Signs

#### 1. Temporary Signs

The signs described in this section may be erected on a temporary basis. No sign shall be placed in a public right-of-way, nor attached to a pole or structure owned by a public utility company.

- (a) One on-premises construction project sign, not to exceed 20 square feet in size, may be erected in a residential district, and up to two on-premises construction project signs may be erected in a business, industrial, or office and institutional zone, so long as the sum of the areas of one face of these signs does not exceed 32 square feet. Construction signs shall not be erected prior to site plan or plat approval or the issuance of a building permit, and shall be removed within 15 days after final inspection and approval of the project.

- (b) Political signs are permitted in all zoning districts for a period not exceeding 60 days prior to official (final) voting day, and shall be removed within seven days of the closing of the polls. With the exception of election days, no political signs shall be placed on public property paid for by public funds or tax money. Signs shall not exceed 32 square feet in aggregate area per lot, and shall not exceed eight feet in height. No such sign shall be located within or over the public right-of-way. At the polls, any number of political signs may be erected. Such signs shall not be placed more than 24 hours preceding the opening of the polls, and shall be removed within 24 hours following the closing of the polls.

- (c) Signs indicating special events, such as a fair, carnival, festival, ~~grand opening, sale~~, or similar non-permanent activity to be conducted within Lincoln County. Such sign shall not exceed 32 square feet in area and may be erected for a period not to exceed 30 days. Such signs shall be removed by the applicant within seven days after the event has taken place, and may be permitted only one time within a 12-month period. Other types of temporary signs not described here are exempt per §3.9.6.H or prohibited per § 3.9.7 pursuant to any applicable standards as outlined in these sections.

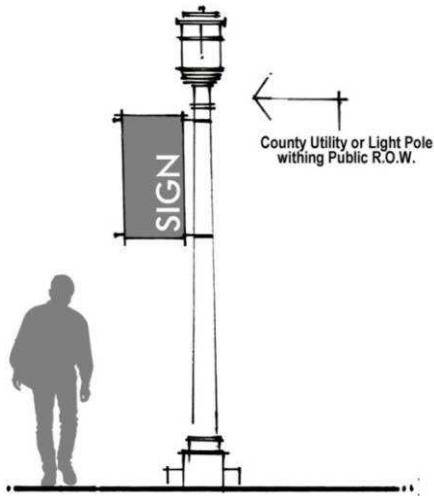


Figure 72. Temporary Signs

### §3.9.6. Exempt Signs

The following signs shall not be subject to regulation hereunder:

- A. Signs erected by or on behalf of or pursuant to the authorization of a governmental body.
- B. Flags, pennants, or insignia of any governmental or nonprofit organization, when not displayed in connection with a commercial promotion or as an advertising device.
- C. Signs directing and guiding traffic on private property that do not exceed four square feet in size each and that bear no advertising message.
- D. Signs painted on or otherwise permanently attached to currently licensed, insured and operable motor vehicles that are not primarily used as signs.
- E. Signs not exceeding four square feet in size that are customarily associated with residential use and that are not of a commercial nature, such as signs giving names of occupants, signs on mailboxes and paper tubes, and signs posted on private property relating to private parking or warning the public against trespassing or danger from animals.
- F. "Yard Sale" signs located on-site and not exceeding four square feet in area not used in connection with any continuous commercial activity.
- G. Signs containing the message that the real estate on which the sign is located is for sale, lease, or rent, together with information identifying the owner or agent, subject to the following requirements:
  - 1. One on-site sign per street frontage not greater than 32 square feet in area may be located on the property being advertised. If the property so advertised lies on a corner lot or through lot, then a second sign may be permitted along the second street so long as the two signs are at least 100 feet apart as measured by the shortest straight line.
  - 2. In addition, a maximum of three off-premise directional signs, each not exceeding four square feet in area, shall be permitted off the subject premises.
  - 3. All of these signs shall be located off the street right-of-way.
  - 4. The provisions regarding directional signs found in §3.9.5.B.2 shall not apply herein.
  - 5. All such signs shall be removed within seven days after the property has been sold, rented, leased, etc.
  - 6. No sign allowed under this subsection shall be lighted.
- H. Temporary signs for a nonresidential use located in a nonresidential district, provided that:
  - 1. Only one temporary sign shall be allowed per parcel of property; except in the case of a shopping center or other multi-tenant development, one sign per tenant shall be allowed.
  - 1.2. Temporary Signs shall include traditional horizontal banners, corrugated plastic signs, A-frame signs (aka sandwich board), and feather style windblown signs.

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Signs Prohibited

**2.3.** No such sign shall exceed ~~12~~eight square feet in sign area and ~~8~~eight~~five~~ feet in height.

**3.4.** No such sign shall be illuminated.

**4.5.** All such signs shall be located outside of off the public street right-of-way and outside of any sight triangles on or adjacent to the property. In no event shall a temporary sign extend above the roofline of a non-residential use or structure.

- I. Displays, including lighting, erected in connection with the observance of holidays. Such signs shall be removed within ten days following the holiday.

### **§3.9.7. Signs Prohibited**

The following signs are expressly prohibited within all zoning districts:

- A. Portable signs, including any signs painted on or displayed on vehicles or trailers usually parked in public places primarily for displays, except where provided for in paragraph §3.9.6 above. Additionally, any such prohibited sign designed to be portable shall not be permitted to be altered so as to be made permanent.
- B. Roof signs.
- C. ~~Windblown signs, including banners, p~~ennants, streamers, spinners, blimps, gas balloons, and ~~no more than two~~ flags, unless specifically provided for in paragraph §3.9.6 above.
- D. Any sign or device set into motion by mechanical, electrical, or other means.
- E. Any flashing sign or device displaying flashing or intermittent lights or lights of changing degrees or intensity, except a sign indicating time and/or temperature, with changes alternating on not less than a three-second cycle.
- F. Any sign which is a copy or imitation of an official sign, or which purports to have official status.
- G. Off-premises signs, unless specifically provided for in this section.
- H. Signs in rights-of-way pursuant to the requirements of NCGS 136-30 (a), NCGS 136-32 and NCGS 14-145.

### **§3.9.8. Obsolete or Deteriorated Signs**

#### **A. Obsolete Signs**

1. Signs which identify business establishments no longer in existence, products no longer being sold, services no longer being rendered, or events which have already occurred shall be removed by the owner of the premises on which the sign is situated within 90 days of receipt of notification by the Director. In the case of sign structures designed to carry messages printed on non-permanent materials such as paper or cardboard, this provision applies only to the message, not the sign structure.
2. When a sign is determined to have particular historical or culturally significant value, such determination to be made by a majority vote of the Board of Commissioners, the terms of this section may be waived.