

TOWN OF WAYNESVILLE

Planning Board

9 South Main Street
Waynesville, NC 28786
Phone (828) 456-8647 • Fax (828) 452-1492
www.waynesvillenc.gov

Development Services
Director
Elizabeth Teague

Chairman

Patrick McDowell

Planning Board Members

Danny Wingate (Vice)

Anthony Sutton

Marty Prevost

Robert Herrmann

Phillip Gibbs

H.P. Dykes, Jr.

Pratik Shah

Ginger Hain

Regular Meeting

Town Hall, 9 South Main Street, Waynesville, NC 28786

Monday, December 19, 2016, 5:30 PM

A. CALL TO ORDER

1. Welcome/Calendar/Announcements

Alternative dates for regularly scheduled meeting which conflicts with Martin Luther King Day on January 16, 2017.

2. Adoption of Minutes

Motion: To approve the minutes of November 21, 2016 as presented (or as corrected)

B. NEW BUSINESS

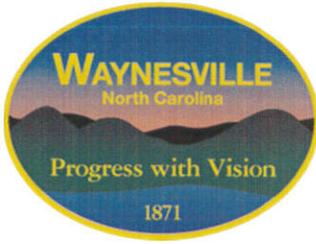
1. Public hearing to consider a map amendment request for 59 Abel Lane, 48 Misti Lane and 12 Misti Lane; Haywood County Tax Parcel Identification Numbers 8616-42-9030, 8616-51-0949, and 8616-52-0138 from Howell Mill Medium Density Residential to Howell Mill Urban Residential District.

C. OLD BUSINESS

1. Revised Draft of Signage Ordinance for Planning Board Comment and Review.

D. PUBLIC COMMENT/CALL ON THE AUDIENCE

E. ADJOURN



TOWN OF WAYNESVILLE Planning Board

9 South Main Street
Waynesville, NC 28786
Phone (828) 456-8647 • Fax (828) 452-1492
www.waynesvillenc.gov

Chairman

Patrick McDowell

Planning Board Members

Danny Wingate (Vice)

Anthony Sutton

Marty Prevost

Robert Herrmann

Phillip Gibbs

H.P. Dykes, Jr

P Shah

Ginger Hain

Development Services

Director

Elizabeth Teague

MINUTES OF THE TOWN OF WAYNESVILLE PLANNING BOARD Regular Meeting Town Hall – 9 South Main St., Waynesville, NC 28786 November 21, 2016

THE WAYNESVILLE PLANNING BOARD held a regular meeting on November 21, 2016 at 5:30 p.m. in the board room of the Town Hall, 9 South Main Street, Waynesville, NC.

A. CALL TO ORDER

1. Welcome/Calendar/Announcements

Chairman Patrick McDowell welcomed everyone and called the meeting to order at 5:30 p.m.

The following members were present:

Danny Wingate
Bucky Dykes
Anthony Sutton
Robert Herrmann
Patrick McDowell
Ginger Hain
Pratik Shah

Absent:

Phillip Gibbs
Marty Prevost

The following staff members were present:

Elizabeth Teague, Development Services Director
Eddie Ward, Deputy Clerk

2. Adoption of Minutes

A motion was made by Board Member Anthony Sutton, seconded by Board Member Bucky Dykes, to approve the minutes of the October 17, 2016 regular meeting as presented. The motion passed unanimously.

B. NEW BUSINESS

1. Public Hearing to consider a request a Special Use Permit for 33 Bennett Street, (PIN 8605-83-6614)

Background:

Chairman McDowell opened the Public Hearing at 5:35 p.m., and asked anyone who wished to speak during the hearing to come forward and be sworn in. After swearing in witnesses, and presenting the protocols of the hearing, Chairman McDowell asked Development Services Director, Elizabeth Teague, to present background information on this Special Use request.

Ms. Teague explained that this property has served as a storage and warehouse facility since 1990. The property has been owned by Kincove LLC – Mr. Mike Miller, since 1994. In 2014 the property was rezoned from Hazelwood Business District, to Commercial-Industrial in anticipation of adding new storage buildings to the site. Ms. Teague explained that the Commercial Industrial District is designed to accommodate research and development, industrial and manufacturing uses, administrative facilities, and limited other uses supporting commercial services. The property at 33 Bennett Street backs up to the railroad, and was once part of the Hazelwood Industrial District. It is also surrounded by property that is zoned Hazelwood Business District.

Mini-Warehouses are allowed in the Commercial Industrial District, but require a Special Use Permit. The Planning Board must find the following criteria related to the proposed Special Use Permit:

1. *Conforms to the character of the neighborhoods, considering the location, type and height of buildings or structures and the type and extent of landscaping on the site.*
2. *Adequate measures shall be taken to provide ingress and egress so designed as to minimize traffic hazards, and to minimize traffic congestion on the public roads.*
3. *Adequate utilities (water, sewer, drainage, electric, etc.) are available for the proposed site.*
4. *Shall not be noxious or offensive by reason of vibration, noise, odor, dust smoke or gas.*
5. *Shall not impede the orderly development and improvement of surrounding property for permitted uses within the land development district.*
6. *The establishment, maintenance or operation of the use shall not be detrimental to or endanger the public health, safety, or general welfare.*

Ms. Teague said the project must comply with minimum standards for the Commercial Industrial District, and must comply with the Supplemental Use Standards for mini-warehouses in districts other than Business Districts which include:

3.8.2 Mini-Warehouses – Other Districts

- A. Lighting: Lighting must be deflected, shaded and focused away from any adjoining residentially zoned property. Ms. Teague noted that there is no residentially zoned property adjoining this property.
- B. Uses Permitted
 1. Sales cannot be conducted on the site.
 2. Cannot be used on a temporary or permanent basis as a dwelling.
 3. Repair of stored items is not permitted.
- C. Outside Storage: No outside storage permitted except the storage of recreational vehicles.

Ms. Teague stated that because of the pre existing condition of the site, and because the area is outside the floodplain, new storage buildings will have minimal environmental impact. This property is adjacent to a Business District; therefore, no buffering will be required in accordance with Section 8.4.1 of the Land Development Standards. Mr. Miller is proposing an opaque wooden fence where the property fronts Carolina Avenue. Mr. Miller will use the existing fence where it fronts along the tracks. This is in the railroad right-of-way, and he has communicated with the railroad regarding his plans. If Mr. Miller is granted the Special Use Permit, he would have to confirm his agreement to the Town with the railroad. Also, as the Staff Administrator Ms. Teague asked to be able to work with Mr. Miller on alternative buffer on the project.

The site plan indicates a 20 foot driveway surrounding and in between buildings, and this complies with the 15 foot and 10 foot setbacks required in the Commercial Industrial District.

The Public Hearing has been duly notified.

Consistency with 2020 Land Development Plan

Staff finds that this application is consistent with Waynesville Our Heritage, Our Future, 2020 Land Development Plan by improving and existing site and expanding storage capacity to Waynesville consumers.

Surrounding Land Use/Zoning Patterns

Hazelwood Business District, which surrounds the property, is historically industrial in nature. It abuts another storage facility and two single family residences to the East, The Pioneer Supply Company to the north, railroad tracks to the west, and Carolina Avenue to the south.

Proposed Development

The project will place two modular buildings on the existing site. Considerations for the Special Use Permit will include:

1. Conforms to the character of the neighborhood in location, type and height of the buildings. The buildings will be similar architectural style to the adjacent storage buildings and of smaller scale to the Pioneer Supply store.
2. Adequate measures shall be taken to provide ingress and egress so designed as to minimize traffic hazards and to minimize traffic congestion on public roads.
3. Adequate utilities. Water sewer and drainage are available on the property, and this use will not increase demand.
4. Properly managed warehouses shall not be offensive by reason of vibration, noise, odor, dust smoke or gas. The only vibration felt would be coming from the railroad.
5. The addition of additional storage units on this site will no impact the existing land use surrounding it.
6. The addition of new storage buildings will not cause any negative impacts to public health, safety or welfare.

Staff Recommendations:

Staff recommends that the Planning Board can issue the Special Use Permit to Mr. Mike Miller, doing business as Kincove, LLC with the following Findings of Fact:

1. *The Planning Board has jurisdiction to hear this application for a Special Use Permit as part of its role pursuant to Section 14.3.1.E.3 of the Land Development Standards of the Code of Ordinances for the Town of Waynesville.*
2. *The applicant desires to add storage units to a site that is already being used for storage going back to 1990. Mini-warehouse storage is allowed in the district with a Special Use Permit.*
3. *The described real property is owned by Mike Miller, doing business as Kincove LLC and Mr. Miller has standing to pursue this application. Mr. Miller has a similar operation in Clyde, NC.*
4. *Proper notice of the hearing was posted and published as required by North Carolina General Statutes and by the Town of Waynesville.*
5. *The proposed Special Use as described in the application and as shown on the conceptual site plan meets the minimum requirements of the C-I District.*

6. *The proposed Special Use Permit meets the 6 standards and requirements of a Special Use District and is not detrimental to the public health, safety, and welfare.*

Suggested Actions

1. Motion to adopt the recommended Findings of Fact provided (or as amended) in the staff's recommendation to the Board.
2. Motion to recommend approval (or approval with conditions, or denial) of the Special Use Permit.

**Mike Miller
Jones Cove Road
Clyde, NC 28721**

Mr. Miller said that he was granted a zoning variance in 2014 for this property. Due to health issues, he was delayed in proceeding with the request for the Special Use Permit for additional storage facilities. He stated a storage shed is located on the southwest corner of the property, adjacent to the railroad tracks, and this building would be demolished. On the northwest corner of the property is another 60 X 60 building that had wind damage and the metal roof had to be replaced recently. The new storage buildings will be painted to match the existing buildings. Mr. Miller estimates between 130 and 140 new buildings to be placed on the site. About 110 of the units will be without temperature controls, and the remainder will be temperature controlled, housed in the existing brick and block structure. These units will closely resemble Mr. Miller's facility in Clyde, and will be state of the art. Cameras and alarms will be installed in the units and can be monitored 24 hours a day.

Board Member Robert Herrmann had questions for Mr. Miller concerning what would be allowed to be stored in the units. Mr. Miller explained that someone would be on site at the units from 6:00 am until 9:00 pm, and after that the gates are secured so no one is allowed to enter. Mr. Miller explained to the Board that background checks are performed on all tenants, and there are specifics in the contracts as to what can and cannot be stored in the buildings.

With no further comments, questions or rebuttals, Chairman McDowell closed the Public Hearing at 5:58 pm.

A motion was made by Board Member Anthony Sutton, seconded by Board Member Bucky Dykes, to adopt the Staff recommended Findings of Fact as presented. The motion passed unanimously.

A motion was made by Board Member Anthony Sutton, seconded by Board Member Bucky Dykes, to approve the Special Use Permit for the property located at 33 Bennett Street, PIN 8605-83-6614. The motion passed unanimously.

C. OLD BUSINESS

1. Revised Draft of Signage Ordinance for Planning Board Comment and Review

Chairman McDowell asked Ms. Teague to give background information on the proposed text amendment to the Land Development Standards regarding Political Signs. Ms. Teague stated that because of a decision issued in June of 2015 by the U. S. Supreme Court, local governments must amend any content-specific regulations within local sign ordinances.

Ms. Teague referred to the preliminary revision provided in the agenda packet. She said in this revision, the content driven requirements have been taken away from the ordinance, while still trying to stay true to the ordinance goal of trying to avoid the clutter of unnecessary signage.

The Board had questions concerning the allowance of only one sign per street frontage. The Board had lengthy discussion concerning whether the ordinance should be revised to allow more than one temporary sign, or allowing several signs which equal the 16 square feet per property. Board Member Anthony Sutton made the point that he was concerned about property owner's rights to be able to place political signs on their property.

After much discussion, it was the consensus of the Board to delay any decision at this point, and to discuss a revised draft of the Text Amendment at a Public Hearing that will be held at the next meeting in December.

D. CALL ON THE AUDIENCE

No one spoke

E. ADJOURN

With no further business, a motion was made by Board Member Robert Herrmann, seconded by Board Member Bucky Dykes, to adjourn at 6:39 pm. The motion passed unanimously.

Patrick McDowell, Chairman

Eddie Ward, Deputy Clerk

Planning Board Staff Report
Request for Rezoning Multiple Properties along Howell Mill and
December 19, 2016

Agenda Item: Zoning Map amendment.
Address, PINs, acreage, owners: 59 Abel Lane, 48 Misti Lane and 12 Misti Lane; Haywood County Tax Parcel Identification Number 8616-42-9030, 8616-51-0949, and 8616-52-0138, belonging to Thomas Mack Moody.
Acreage of area: 1.65 acres total
Requested Rezoning: From Howell Mill Medium Density Residential District to Howell Mill Urban Residential.
Other: These properties are all within the Town’s extra-territorial jurisdiction (ETJ).

Background:

In May of 2016, the Planning Board voted to recommend a change in zoning designation for properties on the opposite side of Howell Mill Road to “Urban Residential.” This zoning designation was created as part of that earlier zoning request in order to provide a zoning option which was residentially focused, but which would allow professional offices and business services uses. The goal was for this area to serve as a transitional district between the intensive commercial uses allowed in the Regional Center District along Russ Avenue and the Medium Density Residential District along Howell Mill Road. Mr. Moody has submitted this request for three lots across Howell Mill Road and adjacent to the DC Plus Packaging warehouse.

The purpose and intent of the Howell Mill Road Residential District as established by the Land Development Standards, Section 2.3.3(C) states:

The **Howell Mill Residential—Medium Density District (HM-RM)** shall develop as a residential neighborhood providing a mix of housing types and densities. Long, narrow lots are encouraged to provide for the establishment of good block widths throughout the area. Higher density housing is encouraged south of Howell Mill Road with lower density housing provided to the north. The center of the neighborhood is the Waynesville Recreation Center, providing recreational and social opportunities for all of Waynesville but with particular convenience and importance for those residing in this district. The proximity of this area to Russ Avenue shall be enhanced with improved transportation connections. Development occurring off of Howell Mill Road shall also incorporate connectivity between streets and shall include, where appropriate, pedestrian access to the Recreation Center and the Richland Creek Greenway. Nonresidential uses typically found in residential areas are permitted.

The Urban Residential zoning category has the following purpose and intent, Section 2.3.4:

The Howell Mill Road Urban Residential District (HM-UR) is a transitional neighborhood that buffers rural and medium density residential areas from the intense commercial uses found within the Russ Avenue Regional Center District. It is convenient to town and the Recreation Center and served by the multi-modal Howell Mill Road, yet valued for its green spaces, vistas and peaceful character. Future development should build on, and connect to, this transportation infrastructure and accommodate vehicles, pedestrians and cyclists and be of a residential scale and design.

The change to Urban Residential would increase the allowable density from 8 units/acre to 16 units/acre. It would permit multi-family developments at a higher density of up to 24 units/acre as part of a special use permit. A comparison table of permitted uses is attached for reference.

Consistency with 2020 Land Development Plan:

As discussed at the community meeting and in the Planning Board’s deliberations back in May, the rural and residential nature of the area was identified by the residents as an important value in the area. In the Town’s Comprehensive Plan, Waynesville Our Heritage, Our Future, 2020 Land Development Plan. The Plan states that the land use goal is to:

“Promote the orderly growth, development and enhanced land values of the Town of Waynesville by preserving and improving Waynesville’s existing neighborhoods, creating more attractive commercial centers, maintaining a strong downtown area, taking steps to reduce urban sprawl and protecting the natural beauty of the community.” (2020 LDP, p 4-2)

With an objective to:

“Designate appropriate amounts of land to reflect the desired development patterns and to accommodate the projected residential, commercial, industrial and institutional needs of the Town of Waynesville.” (p. 4-2)

The Land Development Plan specifically speaks to the goal of creating a variety of residential opportunities for all incomes and to promote infill development and mixed use areas. The Future Land Use Map of the 2020 Plan (Maps 12 and 13) show this area along Howell Mill Road and adjacent to the Town’s Recreation center as Medium to high density residential. Adjusting the map to Mr. Moody’s request would create a higher density residential and mixed use district. It would also keep commercial uses on a residential scale, preserving the nature of the original zoning. This would be consistent with the Future Land Use Map and with the Plan’s goals to create infill and prevent urban sprawl.

Surrounding Land Use/Zoning Patterns:

The area proposed for rezoning is across the street and south from the recently expanded Ingles and the Ingles’ Russ Avenue Regional Center Conditional District Zoning. The 59 Abel Lane property abuts the DC Plus LLC Packaging warehouse to the west. The Misti Lane properties abut residential property to the east.

Staff Recommendation:

Staff recommends in favor of this zoning map amendment.

Requested Actions:

1. Motion to find that the map amendment is consistent with the Town of Waynesville's Comprehensive Land Use Plan.
2. Motion to recommend the proposed map amendment to the Board of Aldermen to rezone the property to the Urban Residential District.



TOWN OF WAYNESVILLE PLANNING DEPARTMENT

Application for Land Development Standards Map Amendment

Application is hereby made on NOV 10, 20 16 to the Town of Waynesville for the following map amendment:

Property owner of record: THOMAS MACK MOODY -
Address/location of property: PN 8616-42-9101 - 8616-42-9011 -
Parcel identification number(s): 8616-41-9942 - 59 ABEL LANE .
Deed, Plat Book/Page, (attach legal description): 8616-51-0949 48 MISTI LEIGH LN.
The property contains 1.69 acres. 8616-52-0138-12 MISTI LEIGH LN.
Current district: HOWELL MILL RESIDENTIAL MEDIUM DENSITY.
Requested district: HOWELL MILL URBAN RESIDENTIAL.

The property is best suited for the requested change for the following reason(s), (attach additional sheets if necessary):

NEXT DOOR TO COMMERCIAL ZONED PROPERTY (ASSOCIATED PARKING)
OPPORTUNITY FOR HIGHER DENSITY - MIXED USE / LIGHT COMM.
OFFICE SPACE, ETC.

Applicant Contact Information

Applicant Name (Printed): THOMAS M. MOODY
Mailing Address: 248 FAIRWAY HILLS DR. WAYNESVILLE, NC 28786
Phone(s): 828-646-7301 CELL
Email: TMOODY1943@YAHOO.COM.

Signature of Property Owner(s) of Record Authorizing Application:

Thomas M. Moody

Note: Map Amendment Requests require a fee based on the size and number of lots being requested for amendment. The request will be scheduled for the next agenda opening for the Waynesville Planning Board. Please submit application to: Town of Waynesville Planning Department, 9 South Main Street, Waynesville, NC 28786.

Parcel Report For 8616-52-0138

MOODY, THOMAS M
248 FAIRWAY HILLS DR
WAYNESVILLE, NC 28786

Account Information

PIN: 8616-52-0138
Legal Ref: 409/163

Add Ref: S1/90
809/862

Site Information

DWELLING
SINGLE FAMILY
12 MISTI LEIGH LN
Heated Area: 2368
Year Built: 1912
Total Acreage: 0.46 AC
Township: WAYNESVILLE

Site Value Information

Land Value: \$17,300
Building Value: \$115,700
Market Value: \$133,000
Deferred Value: \$0
Assessed Value: \$133,000
Sale Price: \$0
Sale Date: 06/15/1990
Tax Bill 1: \$996.71
Tax Bill 2: \$996.71



1 inch = 100 feet

November 10, 2016

Disclaimer: The maps on this site are not surveys. They are prepared from the inventory of real property found within this jurisdiction and are compiled from recorded deeds, plats and other public records and data. Users of this site are hereby notified that the aforementioned public primary information sources should be consulted for verification of any information contained on these maps. Haywood county and the website provider assume no legal responsibility for the information contained on these maps.

Parcel Report For 8616-42-9030

MOODY, THOMAS M
248 FAIRWAY HILLS DR
WAYNESVILLE, NC 28786

Account Information

PIN: 8616-42-9030
Legal Ref: 574/496
409/163
Add Ref: CAB07298
A16/397

Site Information

DWELLING
SINGLE FAMILY
59 ABEL LN
Heated Area: 1500
Year Built: 1950
Total Acreage: 0.7 AC
Township: WAYNESVILLE

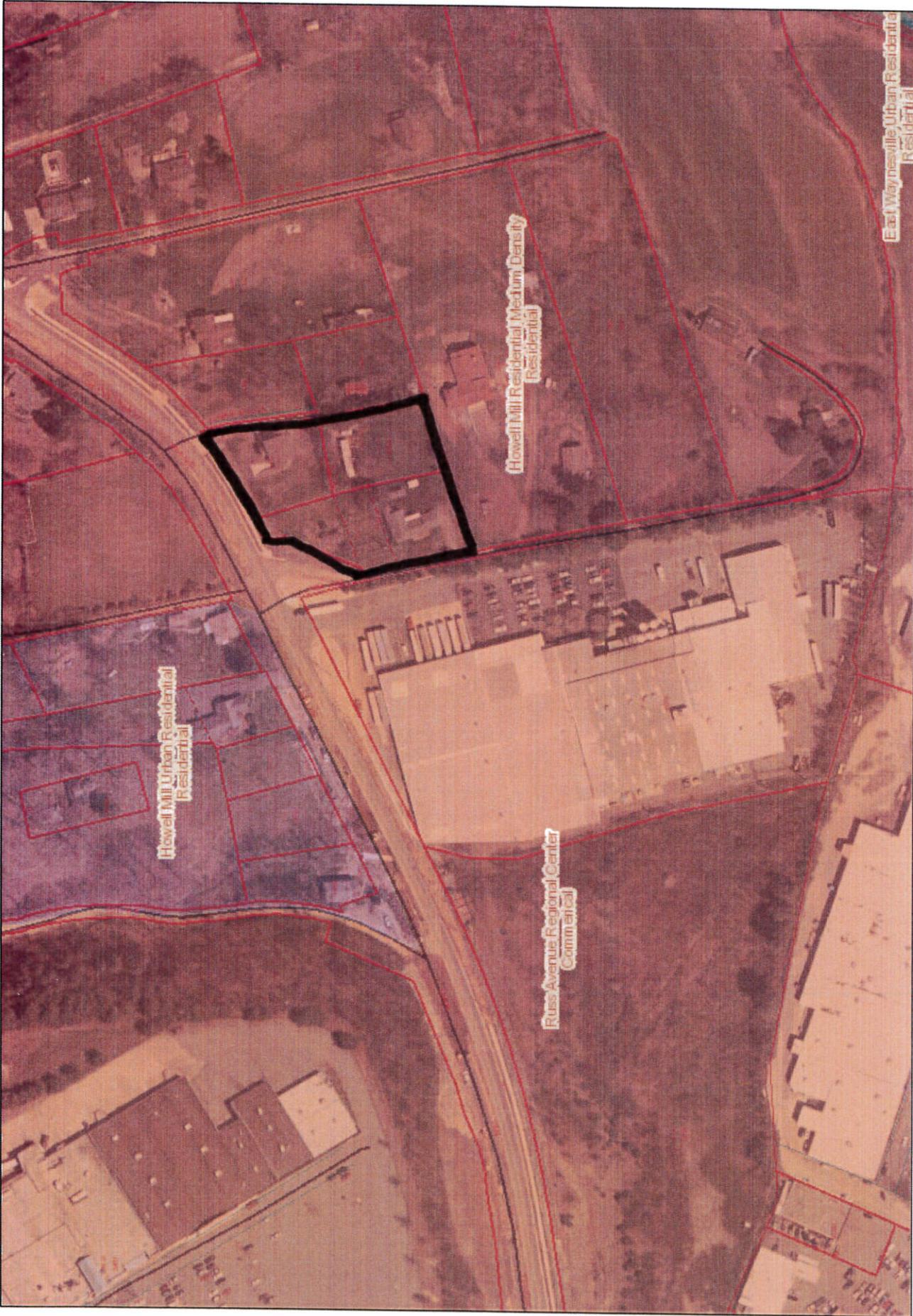
Site Value Information

Land Value: \$14,800
Building Value: \$81,000
Market Value: \$95,800
Deferred Value: \$0
Assessed Value: \$95,800
Sale Price: \$100,500
Sale Date: 09/23/2003
Tax Bill 1: \$0.00
Tax Bill 2: \$0.00



1 inch = 50 feet
December 12, 2016

Disclaimer: The maps on this site are not surveys. They are prepared from the inventory of real property found within this jurisdiction and are compiled from recorded deeds, plats and other public records and data. Users of this site are hereby notified that the aforementioned public primary information sources should be consulted for verification of any information contained on these maps. Haywood county and the website provider assume no legal responsibility for the information contained on these maps.



Disclaimer: The maps on this site are not surveys. They are prepared from the inventory of real property found within this jurisdiction and are compiled from recorded deeds, plats and other public records and data. Users of this site are hereby notified that the aforementioned public primary information sources should be consulted for verification of any information contained on these maps. Haywood county and the website provider assume no legal responsibility for the information contained on these maps.

Howell Mill Road Area Zoning

 AREA OF REQUEST


1 inch = 200 feet
December 13, 2016

Planning Board Staff Report

Subject: Text Amendment to the Land Development Standards regarding Political Signs
Ordinance Section: 11.5.12
Applicant: Town of Waynesville
Meeting Date: December 19, 2016

Background:

This version of the working draft responds to discussion from the November meeting. At that meeting, the Planning Board raised concerns about limiting political signage and possible conflicts with freedom of expression. In re-writing these rules the Town is responding to a decision of the Supreme Court but for which there is not a precedent of interpretation. Additionally, the State Legislature has expressly passed rules that govern political signage (see attached). Therefore, this draft defers to the State Statute Guidance in regards to political signage, but defers to the Court Case in all other types of temporary signs.

The goals in developing these revisions are to keep the Town compliant and up to date with the current interpretation of laws, while staying consistent the purpose and intent of the Town's Sign Ordinance and Comprehensive Land Use Plan.

Suggested Motion:

- 1) Motion to move forward with the Signage Draft as provided (or as amended) in order to set a Public Hearing and make a recommendation to the Board of Aldermen.

11.5 - Signs Not Requiring a Permit.

11.5.1-10 remain the same. Real Estate, Special Event, Yard Sales, and Promotional/Special Events are combined with other temporary signs to eliminate their distinction by content.

11.5.11 Real Estate Signs

- ~~A. Only one (1) sign is allowed per street frontage.~~
- ~~B. Such signs may not be illuminated.~~
- ~~C. Such signs may be no greater than four (4) square feet in area (all types of signs) and four (4) feet in height (if freestanding) when located on a residential property.~~
- ~~D. Such signs may be no greater than thirty two (32) square feet in area (all types of signs) and eight (8) feet in height (if freestanding) for non-residential properties, except that such signs may not exceed the maximum height and size for permanent signs within the district.~~
- ~~E. Real estate signs shall be removed within seven (7) days after the closing of the sale, rental or lease of the property.~~
- ~~F. Such signs shall only be located on property for sale or lease.~~

11.5.11 Temporary Signs for uses permitted by Section 4.6 provided that the duration shall be the same as that of the specific Temporary Use or for a period not to exceed 6 months.

A. General Requirements:

1. *Such signage shall be limited to the time period for the project or purpose it describes and must be removed within ten (10) days upon completion of the project or event.*
2. *Such signage shall not be placed on any Town property or Park without the permission of the Town Manager.*
3. *Regulations regarding such temporary signs in a public or private right of way shall not create a safety hazard or impediment to use of the right-of-way, including:*
 - a) *Such signs shall not be placed in a way as to interfere with pedestrians, cyclists, or motorists' access along rights-of-way, nor be placed so as to interfere with the line-of-sight of any motorist, or be placed in any way that creates a safety hazard for any mode of transportation.*
 - b) *Such signs shall be placed a minimum of three (3) feet from any curb or edge of pavement.*
 - c) *Such signs shall not be placed within a Town maintained sidewalk or greenway.*
 - d) *Such signs shall not be attached to trees or utility poles.*
 - e) *Such signs shall not be illuminated unless they are part of an existing billboard or compliant sign structure that is already illuminated.*

f) Such signs shall be of break-away or flexible material unless they are part of an existing billboard or compliant sign structure.

g) Such signs shall be limited to six (6) square feet in area and four (4) feet in height, or the maximum of the District in which it is located, whichever is less.

4. *Regulations regarding such signs on private property shall comply with the dimensional requirements for a permanent sign of the same type in the district in which the sign is erected.*

5. *One (1) per property per street frontage*

6. *May be either a Ground Sign, or Attached Sign*

7. *Moveable Signs are expressly prohibited.*

8. *Banner type signs shall not be permitted within any district listed on the National Register of Historic Places.*

B. **Window Signs:** Temporary signs which are affixed to the inside of a window. Such signs shall not exceed 50% of the window area except within designated National Register Historic Districts where such signs shall not exceed 25% of the window area.

~~C. **Special Event Signs:** Signs may be erected by public or non-profit organizations such as schools and churches for promoting special events as follows:~~

~~1. Signs for public events such as fund drives, fairs, festivals, sporting events, etc. may be displayed for a period of thirty (30) days.~~

~~2. The maximum size and height shall be the same as established for a permanent sign of the same type in the district in which the sign is erected.~~

~~C. **Yard Sale Signs**~~

~~1. Such signs may be located on premises only and may not be located within a public right of way nor placed on a tree, street sign or utility pole.~~

~~2. Such signs may not be illuminated.~~

~~3. Yard sale signs are limited to four (4) square feet in area and four (4) feet in height.~~

~~4. One (1) yard sale sign is allowed per street frontage.~~

~~5. Such signs may be displayed no more than one day in advance of the sale and be removed the day following the sale.~~

C. Vehicular Signs: signs not prohibited under Section 11.8.11 displayed on vehicles and equipment which are being operated in the normal course of business, such as signs indicating the name of the owner or business and which are affixed or painted onto such vehicles or equipment, provided that when not being so operated, such vehicles are parked or stored in areas appropriate to their use as vehicles and in such a manner and location so as to minimize their visibility from any street to the greatest extent feasible.

D. Ball Field Fence Signs: nonprofit organizations, i.e., local ball leagues, may attach signage to ball field fences providing the following requirements are met:

1. Sign panels must be of uniform size and weather durable material and cannot exceed three feet by five feet in dimension.
2. Signage must be attached to the interior (ball field) of the chain link fencing, have advertising copy on only the interior (ball field) side of fencing and cannot be self-illuminated.
3. Where adjacent properties are in residential use the back (exterior) side of the sign must be a dark solid color and be uniform in color with all the other signs.
4. All signs must be kept clean and in good repair.
5. Signage cannot exceed one per fence panel.
6. Sign must be uniform in height.
7. Signage can be erected two weeks prior to the beginning of the ball season and must be taken down within two weeks from the conclusion of the season.
8. The organization or tenant leasing the property will be responsible for installing and removing the signs.

E. Decorative Flags (except American Flags) shall be counted towards the maximum signage square footage for Attached Signs permitted in the district. Only one (1) flag for every 25 feet of linear building frontage is permitted. All such flags on a single building face shall count as one of the three (3) permitted Attached Signs permitted on that building face.

G. ~~Promotional/Special Event Signs~~

- ~~1. One (1) per property per street frontage~~
- ~~2. May be either a Ground Sign, or Attached Sign~~
- ~~3. The maximum size and height shall be the same as established for a permanent sign of the same type in the district in which the sign is erected.~~
- ~~4. Duration: may be displayed on one (1) occasion in any three (3) month period for a maximum of fourteen (14) consecutive days or on one (1) occasion in any six (6) month period for a maximum of thirty (30) consecutive days.~~
- ~~5. Permit required: a permit application shall be submitted indicating the size, content, location and dates of erection and removal. The permit fee shall be the same as that for a corresponding permanent sign as established by the Schedule of Fees and Charges except there shall be no fee for public or non-profit organizations such as schools and churches for promoting special events such as fund drives, fairs, festivals, sporting events.~~
- ~~6. Moveable Signs are expressly prohibited.~~
- ~~7. Banner type Promotion/Special Event Signs shall not be permitted within any district listed on the National Register of Historic Places.~~

11.5.12. Political Signs (rev. 9/11/12)

1. Duration: such signs may be displayed during a period beginning thirty (30) days prior to the beginning date of "one-stop" early voting under G.S. 163-227.2 and concluding ten (10) days after the primary or election day immediately following.

2. Placement:

- a) No sign shall be permitted in the right-of-way of a fully controlled access highway.
- b) No sign shall be closer than three (3) feet from the edge of pavement of the road.
- c) No sign shall obscure motorist visibility at an intersection.
- d) No sign shall be higher than 42 inches above the edge of pavement of the closest road.
- e) No sign shall be larger than sixteen (16) square feet.
- f) No sign shall obscure or replace another sign.
- g) No sign shall be attached to a utility pole.

~~a. Permission: such signs may only be located on private property with the permission of the property owner. When located in the public right of way in front of residences, businesses or religious institutions the permission of the property owner shall be obtained.~~

3. Illumination: such signs may not be illuminated.

~~11.5.13 Construction Signs~~

- ~~A. Construction signs shall be allowed provided such signs do not exceed one (1) sign per street frontage with a maximum of two (2) signs per construction site.~~
- ~~B. Such signs shall not exceed four (4) square feet in area and four (4) feet in height for single family or duplex residential construction or thirty two (32) square feet in area and eight (8) feet in height for other construction.~~
- ~~C. Construction signs shall not be erected prior to the issuance of a building permit and shall be removed within seven (7) days of the issuance of a certificate of occupancy on the last building in the development.~~

Excerpt from NCGS

§ 136-32. Regulation of signs.

(a) Commercial Signs. - No unauthorized person shall erect or maintain upon any highway any warning or direction sign, marker, signal or light or imitation of any official sign, marker, signal or light erected under the provisions of G.S. 136-30, except in cases of emergency. No person shall erect or maintain upon any highway any traffic or highway sign or signal bearing thereon any commercial or political advertising, except as provided in subsections (b) through (e) of this section: Provided, nothing in this section shall be construed to prohibit the erection or maintenance of signs, markers, or signals bearing thereon the name of an organization authorized to erect the same by the Department of Transportation or by any local authority referred to in G.S. 136-31. Any person who shall violate any of the provisions of this section shall be guilty of a Class 1 misdemeanor. The Department of Transportation may remove any signs erected without authority or allowed to remain beyond the deadline established in subsection (b) of this section.

(b) Compliant Political Signs Permitted. - During the period beginning on the 30th day before the beginning date of "one-stop" early voting under G.S. 163-227.2 and ending on the 10th day after the primary or election day, persons may place political signs in the right-of-way of the State highway system as provided in this section. Signs must be placed in compliance with subsection (d) of this section and must be removed by the end of the period prescribed in this subsection.

(c) Definition. - For purposes of this section, "political sign" means any sign that advocates for political action. The term does not include a commercial sign.

(d) Sign Placement. - The permittee must obtain the permission of any property owner of a residence, business, or religious institution fronting the right-of-way where a sign would be erected. Signs must be placed in accordance with the following:

- (1) No sign shall be permitted in the right-of-way of a fully controlled access highway.
- (2) No sign shall be closer than three feet from the edge of the pavement of the road.
- (3) No sign shall obscure motorist visibility at an intersection.
- (4) No sign shall be higher than 42 inches above the edge of the pavement of the road.
- (5) No sign shall be larger than 864 square inches.
- (6) No sign shall obscure or replace another sign.

(e) Penalties for Unlawful Removal of Signs. - It is a Class 3 misdemeanor for a person to steal, deface, vandalize, or unlawfully remove a political sign that is lawfully placed under this section.

(f) Application Within Municipalities. - Pursuant to Article 8 of Chapter 160A of the General Statutes, a city may by ordinance prohibit or regulate the placement of political signs on rights-of-way of streets located within the corporate limits of a municipality and maintained by the municipality. In the absence of an ordinance prohibiting or regulating the placement of political signs on the rights-of-way of streets located within a municipality and maintained by the municipality, the provisions of subsections (b) through (e) of this section shall apply. (1921, c. 2, s. 9(b); C.S., s. 3846(r); 1927, c. 148, ss. 56, 58; 1933, c. 172, s. 17; 1957, c. 65, s. 11; 1973, c. 507, s. 5; 1977, c. 464, s. 7.1; 1991 (Reg. Sess., 1992), c. 1030, s. 39; 1993, c. 539, s. 981; 1994, Ex. Sess., c. 24, s. 14(c); 2011-408, s. 1.)