



Planning Board

Meeting Agenda

August 16, 2016 at 7:00 PM
Council Chambers, 201 S Main St

Meeting Called to Order, Invocation, and Overview of Board and general meeting rules

1. Approve minutes of the July 19, 2016 meeting
2. New Business
 - a. S1601 Lacy Ridge. An application by Chris Foust for 12 lots at the intersection of Knightdale and Lacy Holt.
 - b. AM1618 Harden Overlay. An application by Patricia Mayzes to permit mechanic work within the overlay.
 - c. AM1619 Utility Buildings. An application by Randy Freeman to permit sale of utility buildings on lots zoned General Business.
3. Old Business
 - a. Discussion regarding the City of Graham Development Ordinances
 - AM1612 Nonconforming Site Elements
 - AM1617 Update Home Occupations
4. Public comment on non-agenda items

Adjourn

A complete agenda packet is available at www.cityofgraham.com

PLANNING ZONING BOARD
Tuesday, June 21, 2016

The Planning & Zoning Board held their regular meeting on Tuesday, June 21, 2016 in the Council Chambers of the Graham Municipal Building at 7:00 p.m. Board members present were Dean Ward, Bonnie Blalock, Ricky Hall, Michael Benesch and Bill Teer. Members absent were Andy Rumley and Kenneth Dixon. Staff members present were Nathan Page, City Planner, Aaron Holland, Assistant City Manager, Jenni Bost Zoning Enforcement Officer, and Martha Johnson, Zoning/Inspections Technician.

Vice Chair Ricky Hall called the meeting to order and gave the Overview of the Board, general meeting rules and also gave the invocation.

1. Approval of the April 19, 2016 meeting minutes. Dean Ward made a motion for approval, second by Bonnie Blalock. All voted in favor.

2. New Business

a. RZ1602 Knightdale Residential. A proposal to rezone 17 acres from R-18 to R-9 off Lacy Holt Road. Nathan Page, City Planner explained this was a request to rezone approximately 17 acres from R18 to R9 at the intersection of Lacy Holt Road and Knightdale Road. There is water and sewer available along Lacy Holt Rd.

Chris Foust, the Developer spoke next. Mr. Foust passed out a drawing of the proposed subdivision. Mr. Foust stated he has five lots facing Lacy Holt Road being over 9,000 sq. ft. each and five lots on Knightdale Road averaging 2.3 to 3.5 acres each. Mr. Foust also stated the average house would be approximately \$250,000. Mr. Hall pointed out for the record that this will be a straight rezoning tonight and the Board is not here to look at the subdivision nor its layout.

Next we heard from some of the surrounding landowners:

Richard Hughes	931 Stonehaven Dr
Tom Balchin	2361 Knightdale Dr
Jerome Naylor	2345 Knightdale Dr
Sandra LeFrancois	973 Stonehaven Dr
Tom George	2498 Whispering Hills Dr
Anne Crabtree	2222 Lacy Holt Rd
Mary Taylor	974 Stonehaven Dr

Everyone that spoke from the surrounding properties had concerns about their home values, the integrity of their neighborhood, added traffic issues, where the access into the subdivision would be and runoff from the subdivision. No one was in favor of this rezoning.

Dean Ward said this was a straight rezoning request and based on the request it fits our footprint of the 2035 Comprehension Plan for the City of Graham. Bonnie Blalock asked Mr. Page to explain the setbacks for R18 and R9. Ms. Blalock said she understands the neighbors being upset but she also felt Mr. Foust has come up with something doable. Mr. Foust said rezoning the lots on Lacy Holt Road to R9 and leaving the lots on

Knightdale Dr to stay as R18 would be fine with him. Mr. Benesch stated that nobody likes change but if you look at what Mr. Foust wants to do on this property it is not a bad offer because others could come in and do worse. Dean Ward made a motion to approve this request for rezoning with the following conditions that the property on Lacy Holt Rd would be rezoned to R9 for the first 250 feet and the lots on Knightdale Dr would remain as R18. Bonnie Blalock second the motion, all voted aye 5 to 0.

3. Old Business

a. Discussion regarding the City of Graham Development Ordinances:

AM1612 Nonconforming Site Elements. The Board had concerns about this change. There was discussion about the percentage of the damage to the sign, what was normal maintenance, signs obstructing view and the time frame on the vacancy of the sign along with the condition. After much discussion Mr. Ward made a motion to table this item, second by Ricky Hall. All voted aye. The Board requested that Mr. Page have some written language for them at the next meeting.

AM 1613 Off-Street Parking. Mr. Page explained the proposed changes for this ordinance. Mr. Hall made a motion to approve, second by Dean Ward. All voted aye 5 to 0.

AM 1614 Table of Permitted Uses. Mr. Page explained the reduction of the complexity and length and to remove duplicate entries. Dean Ward made a motion to approve, second by Ricky Hall. All voted aye 5 to 0.

The Board came up with the next group of Ordinances to discuss:

Flag Lots

Removal of PUDS

Update requirements for Special Use Permits

Update Home Occupations

Remove Protest Petition

Next Dean Ward made a motion to the Board to meet monthly even if there isn't anything on the agenda to have training etc., Ricky Hall second the motion. All voted aye 5 to 0.

4. Public comment on non-agenda items. Jason Cox, 200 N Main St said that on the outstanding to do list is one for the downtown economic development. Mr. Cox is asking that this item make it to one of the meetings in the near future. Mr. Hall said the Board would take this item under consideration.

No further business the meeting was adjourned.

Respectfully Submitted,
Martha Johnson
Inspections/Zoning Technician



RECEIVED
JUL 25 2016
CITY OF GRAHAM
INSP. / P.Z.

Application for SUBDIVISION

P.O. Drawer 357
201 South Main Street
Graham, NC 27253
(336) 570-6705
Fax (336) 570-6703
www.cityofgraham.com

This application is for both major and minor subdivisions, as defined in Article VIII of the *City of Graham Development Ordinances*.

Site

General description of subdivision location, using nearest streets, streams or other identifiable features:

Two Parcels located at corner of Lacy Holt Road and Knightdale Drive

Tax Map#: 130050 / 130185 GPIN: 8872499679 / 8872590389

Current Zoning District(s): R9 & R18

Overlay District, if applicable:

Historic S Main St/Hwy 87 E Harden St/Hwy 54

Property Owner: Seth Stewart Holt

Mailing Address: 103 Marie Avenue

City, State, Zip: Goldsboro, NC 27530

Phone # _____

Applicant and Project Contact

Name: Chris Foust

Property Owner Engineer/Surveyor

Other Interested Party _____

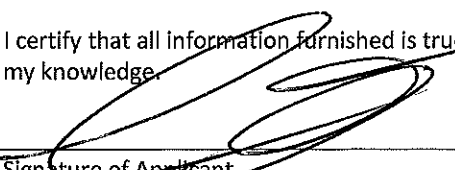
Mailing Address: 1851 South Main Street

City, State, Zip: Graham, NC 27253

Phone # (336) 516-1888

Email: kfoust@mcphersongrading.com

I certify that all information furnished is true to the best of my knowledge.

Signature of Applicant 

Date 7-25-16

Submit SUBDIVISION MAPS with this application

Proposed Subdivision

Subdivision Name: Lacy Ridge

Type of Application:

- Preliminary Plat, Major Subdivision
 Final Plat*, Major Subdivision
 Final Plat*, Minor Subdivision

**By signing this application, I authorize the City of Graham to record the Final Plat.*

Number of Lots: 12

Total Acreage: 17.58

Related Development (if any): _____

Subdivision Maps

This application **must be accompanied** by a subdivision map, which may include one or more sheets to provide sufficient detail for review. **See the back of this application for a checklist of items that should be shown on the subdivision map, as applicable.** The following copies of the subdivision map are required to be submitted with this application:

- For Major Subdivision Preliminary Plan, 4 paper copies and an electronic pdf
 For Major Subdivision Final Plats, an electronic pdf for preliminary review, then 2 Mylar and 2 paper copies
 For Minor Subdivision Final Plats, an electronic pdf for preliminary review, then 2 Mylar and 1 paper copy

Other Requirements

- NCDOT Driveway Permit, if a new or relocated driveway is proposed on a NCDOT road, or for existing driveways if the use of the property is changing
 NCDOT 3-Party Encroachment Agreement, if things such as a sidewalk or utility connection are proposed in the right-of-way
 Flood Elevation Certificate, if there is Special Flood Hazard Area near the development
 Floodplain Development Permit, if development is proposed in a Special Flood Hazard Area
 Stormwater Permit, if one or more acres is disturbed
 Erosion Control Permit from the NC Dept. of Environment and Natural Resources if the land disturbing activity exceeds one acre

FOR OFFICE USE ONLY

DEVID#

Fee \$



STAFF REPORT

Prepared by Nathan Page, Planning Director

Lacy Ridge (S1601)

Type of Request: Major Subdivision

Meeting Dates

Planning Board on August 16, 2016

City Council on September 6, 2016

Contact Information

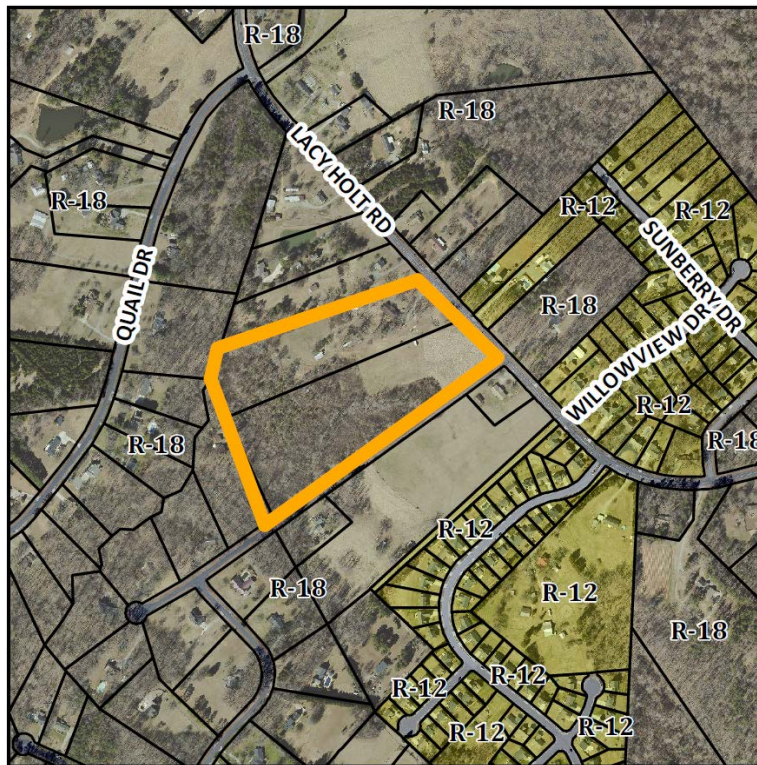
Chris Foust

1851 S Main Street, Graham, NC 27253

336-516-1888; kfoust@mcphersongrading.com

Summary

This is a request to create a new major subdivision on the subject properties for 12 lots. The property currently has a dilapidated single family dwelling upon it, as well as an abandoned trailer.



Location

Lacy Holt Rd and
Knightdale Dr

GPIN: 8872499679, 8812590389

Current Zoning

High Density Residential (R-9) and
Low Density Residential (R-18)

Overlay District

none

Surrounding Zoning

R-18, R-12

Surrounding Land Uses

Single family

Size

17.6 acres

Public Water & Sewer

Available along Lacy Holt Rd

Floodplain

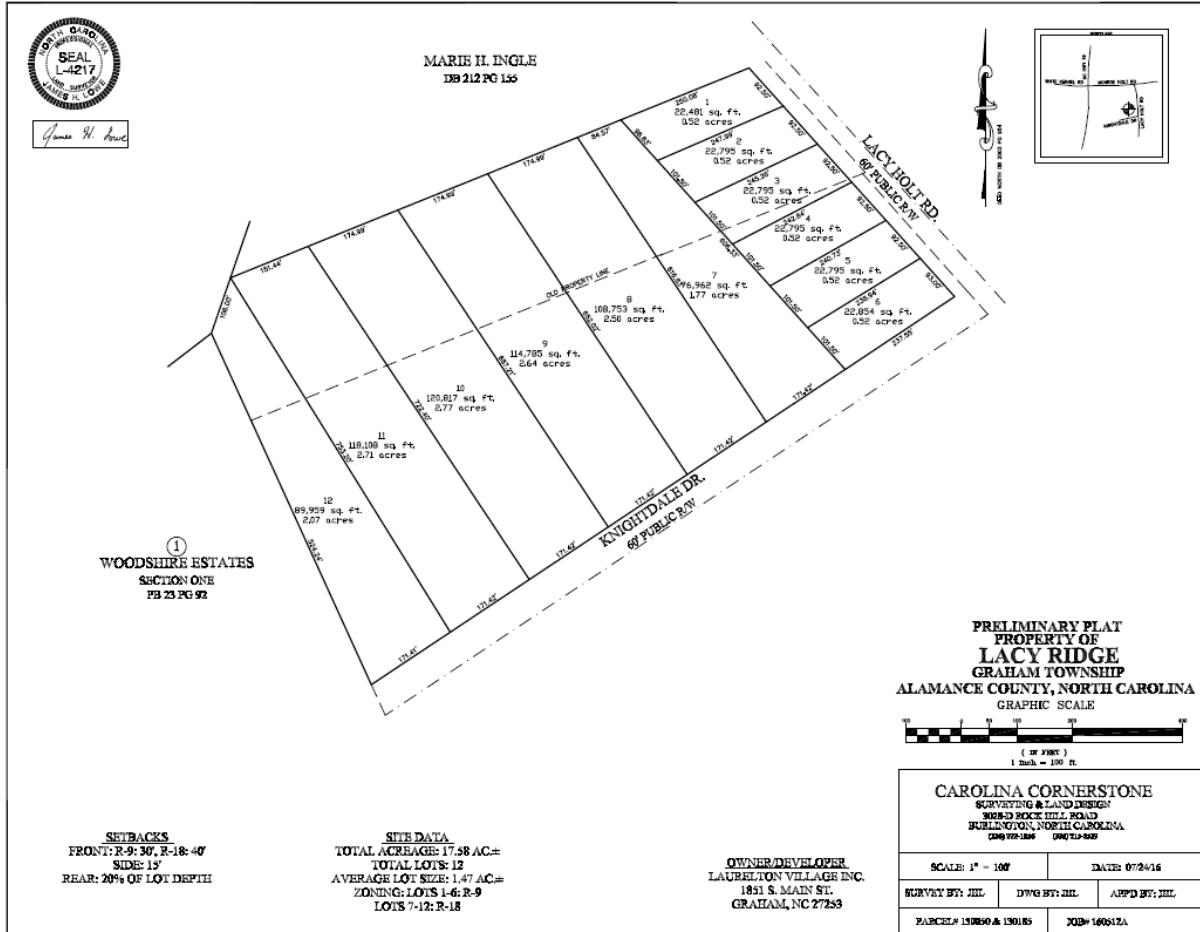
No

Staff Recommendation

Approval

Technical Review Committee

The Technical Review Committee reviewed the application and provided comments to the applicant via the Planning Department. As of the publishing of this agenda packet, the applicant had not responded to the comments. There are substantial required revisions to the plans, but they do not affect the number of proposed lots, nor the access points from Lacy Holt Rd and Knightdale Dr.



Conformity to the *Graham 2035 Comprehensive Plan (GCP)* and Other Adopted Plans

Applicable Policies;

- 5.1.1 Housing Variety. Encourage a mix of housing types within Graham to increase choice. These can include single family dwelling units, multi family dwelling units, small units, prefabricated homes, cohousing, and clustered housing. *The subdivision will provide additional small lot homes, and some larger lot homes in the southwestern portion of Graham.*
- 4.3.1 Land Use Patterns. Promote development of efficient land use patterns to allow continued quality and efficiency of water systems. Discourage the extension of water service into areas that are not most suitable for development. *The site would use existing city infrastructure, and is projected to use septic and well for the large rear lots, where the impacts to a stream may be lessened due to the low density.*

Planning Type Neighborhood

Development Type Suburban Residential

For single family residential, townhouses, duplexes, accessory dwelling units, and small scale multi-family dwelling of twelve units or less.

Buildings should be located near the front of the property line, oriented towards the street, and include front porches and other private outdoor spaces.

Recess garages behind the front of buildings to avoid streetscapes dominated by garage doors.

Density of 3 to 6 DU/acre

Staff Recommendation

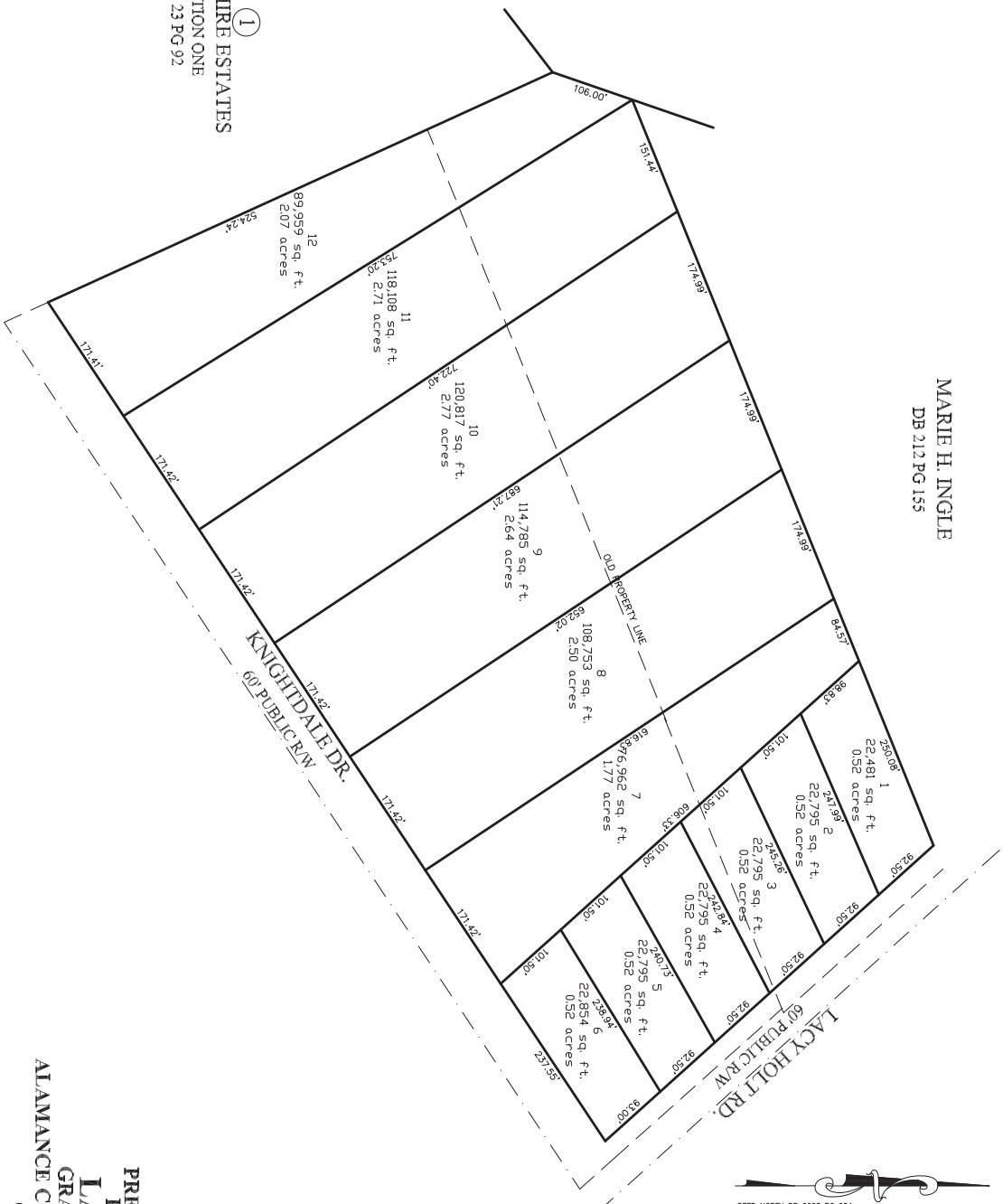
Based on The *Graham 2035 Comprehensive Plan* and the *City of Graham Development Ordinance*, staff recommends **approval** of the subdivision. The following supports this recommendation:

- Approving the subdivision would further the policies and strategies put forth by the *Graham 2035 Comprehensive Plan*, such as Housing Variety.



James H. Ingle

MARIE H. INGLE
DB 212 PG 155

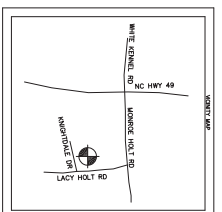


WOODSHIRE ESTATES
SECTION ONE
PB 23 PG 92

SETBACKS
FRONT: R-9: 30' R-18: 40'
SIDE: 15'
REAR: 20% OF LOT DEPTH

SITE DATA
TOTAL ACREAGE: 17.58 AC±
TOTAL LOTS: 12
AVERAGE LOT SIZE: 1.47 AC±
ZONING: LOTS 1-6: R-9
LOTS 7-12: R-18

OWNER/DEVELOPER
LAURELTON VILLAGE INC.
1851 S. MAIN ST.
GRAHAM, NC 27253



PRELIMINARY PLAT
PROPERTY OF
LACY RIDGE
GRAHAM TOWNSHIP
ALAMANCE COUNTY, NORTH CAROLINA

CAROLINA CORNERSTONE
SURVEYING & LAND DESIGN
3028-D ROCK HILL ROAD
BURLINGTON, NORTH CAROLINA
(360) 222-1858 (360) 215-2599

SCALE: 1" = 100'	DATE: 07/24/16
SURVEY BY: JHL	DWG BY: JHL
APPR BY: JHL	
PARCEL # 130050 & 130185	JOB# 160512A



STAFF REPORT

Prepared by Nathan Page, City Planner

**Text Amendment for: Section 10.465
Prohibited Uses**

Contact Information
Not applicable

Type of Request: Text Amendment

Meeting Dates

Planning Board on August 16, 2016
City Council on September 6, 2016

Summary

Patricia Mayzes has proposed to amend the Development Ordinance for the Harden Street Overlay.

The following amendments to the Development Ordinance are proposed:

Existing Language:

Section 10.465 Prohibited Uses

The following uses shall not be allowed in the East Harden Street/Highway 54 Overlay District:

Adult Entertainment; All Incinerators; Asphalt Mixing Plant; Auto Repair with outside storage visible from East Harden Street; Bars (as principal use); Campgrounds, commercial; Flea Market; Hazardous Waste Facilities; Jails; Junkyards, Salvage Yards; Landfill, Demolition Debris; Landfill, for Household and Commercial Waste; Manufactured Dwelling Park; Manufactured Home Sales; Medical Waste Operations; Pawnshops; Petroleum and Petroleum Products Storage, over 100,000 gallons; Racetracks for automobiles, motorcycles; Recycling Facility; Sexually Oriented Business; Shooting Range, Indoor; Shooting Range, Outdoor; Tattoo Business; Towers, Cellular and Digital Communications (excludes government uses); Towers, Radio and Television.

<u>Project Name</u>
Harden Overlay (AM1618)
<u>Location</u>
city-wide
<u>Current Zoning</u>
not applicable
<u>Proposed Zoning</u>
not applicable
<u>Overlay District</u>
not applicable
<u>Staff Recommendation</u>
Approval

Language Proposed by Patricia Mayzes:

Section 10.465 Prohibited Uses

The following uses shall not be allowed in the East Harden Street/Highway 54 Overlay District:

Adult Entertainment; All Incinerators; Asphalt Mixing Plant; Auto Body Repair with outside storage of vehicles that are unappealing and unattractive visible from East Harden Street; Bars (as principal use); Campgrounds, commercial; Flea Market; Hazardous Waste Facilities; Jails; Junkyards, Salvage Yards; Landfill, Demolition Debris; Landfill, for Household and Commercial Waste; Manufactured Dwelling Park; Manufactured Home Sales; Medical Waste Operations; Pawnshops;

Petroleum and Petroleum Products Storage, over 100,000 gallons; Racetracks for automobiles, motorcycles; Recycling Facility; Sexually Oriented Business; Shooting Range, Indoor; Shooting Range, Outdoor; Tattoo Business; Towers, Cellular and Digital Communications (excludes government uses); Towers, Radio and Television.

Alternate Language:

Section 10.465 Prohibited Uses

The following uses shall not be allowed in the East Harden Street/Highway 54 Overlay District:

Adult Entertainment; All Incinerators; Asphalt Mixing Plant; Vehicle assembling, painting, upholstering, rebuilding, reconditioning; body and fender work; Bars (as principal use); Campgrounds, commercial; Flea Market; Hazardous Waste Facilities; Jails; Junkyards, Salvage Yards; Landfill, Demolition Debris; Landfill, for Household and Commercial Waste; Manufactured Dwelling Park; Manufactured Home Sales; Medical Waste Operations; Pawnshops; Petroleum and Petroleum Products Storage, over 100,000 gallons; Racetracks for automobiles, motorcycles; Recycling Facility; Sexually Oriented Business; Shooting Range, Indoor; Shooting Range, Outdoor; Tattoo Business; Towers, Cellular and Digital Communications (excludes government uses); Towers, Radio and Television; Used Tire Sales.

This doesn't include "Vehicle repair shops, not including body or fender repair" as a prohibited use, and would therefore permit mechanical work and repair in the overlay. It is also recommended that this amendment be applied to the Highway 87 Overlay, as the character of the two has thus far been linked.

Conformity to The Graham 2035 Comprehensive Plan and Other Adopted Plans

1.1.1: Wayfinding and Gateways Develop an upgraded "wayfinding" and signage system for installation along gateways and corridors. Designate gateways for entrances to the historic downtown area, and further develop plans for public improvements and landscaping in the gateway areas. *The Highway 54 and 87 overlays are the primary approaches to our downtown, and businesses permitted in the overlay should be carefully considered.*

1.1.2: Design Guidelines Develop commercial and residential site design guidelines that enhance community character and appearance, to be used with special use permit and conditional rezoning applications. *While this is not a new permit for an SUP or a Conditional Zoning, it will have the same effect as it applies to all of the parcels in the portion of the Overlay for which the changes are made.*

<u>Planning District</u> All
<u>Development Type</u> All

Applicable Planning District Policies and Recommendations

- Not applicable; city-wide.

Staff Recommendation

Based upon The Graham 2035 Comprehensive Plan, and with the rewriting of the table of permitted uses, this is a reasonable time to adjust the prohibited uses in the overlay districts. Staff recommends **approval** of the alternate language.

The intention of the overlay is better served by the prohibition of vehicle body repair and tire sales.



PLANNING BOARD Recommendation & Statement of Consistency

Per NCGS 160A-383, zoning regulations shall be made in accordance with an adopted comprehensive plan and any other officially adopted plan that is applicable. The Planning Board shall advise and comment on whether the proposed amendment is consistent with "The Graham 2035 Comprehensive Plan" and any other officially adopted plan that is applicable. The Planning Board shall provide a written recommendation to the City Council that addresses plan consistency and other matters as deemed appropriate by the Planning Board, but a comment by the Planning Board that a proposed amendment is inconsistent with "The Graham 2035 Comprehensive Plan" shall not preclude consideration or approval of the proposed amendment by the City Council.

Harden Overlay (AM1618)
Type of Request
Text Amendment
Meeting Dates
Planning Board on August 16, 2016
City Council on September 6, 2016

I move to **recommend APPROVAL** of the application as presented.

I move to **recommend DENIAL**.

The application is **consistent** with *The Graham 2035 Comprehensive Plan*.

The application is **not fully consistent** with *The Graham 2035 Comprehensive Plan*.

The action is reasonable and in the public interest for the following reasons:

This report reflects the recommendation of the Planning Board, this the 16th day of September, 2016.

Attest:

Andy Rumley, Planning Board Chairman

Martha Johnson, Secretary



STAFF REPORT

Prepared by Nathan Page, City Planner

Text Amendment for: Section 10.135 Table of Permitted Uses

Contact Information

Not applicable

Type of Request: Text Amendment

Meeting Dates

Planning Board on August 16, 2016

City Council on September 6, 2016

Summary

Randy Freeman has proposed to amend the Development Ordinance for Utility Buildings.

The following amendments to the Development Ordinance are proposed:

Existing Language:

Project Name
Utility Buildings (AM1619)

Location
city-wide

Current Zoning
not applicable

Proposed Zoning
not applicable

Overlay District
not applicable

Staff Recommendation
Approval

Section 10.135 Table of Permitted Uses

Use Type	R-18	R-15	R-12	R-9	R-7	C-R	R-MF	R-G	O-1	C-O-1	B-3	B-2	B-1	C-B	E-1 (Note 19)	E-2 (Note 19)	C-1	C-MXR	C-MXC	LUC
Utility building sales, sales of storage sheds and trailers															X	X	C			

Language Proposed by Randy Freeman:

Section 10.135 Table of Permitted Uses

Use Type	R-18	R-15	R-12	R-9	R-7	C-R	R-MF	R-G	O-1	C-O-1	B-3	B-2	B-1	C-B	E-1 (Note 19)	E-2 (Note 19)	C-1	C-MXR	C-MXC	LUC
Utility building sales, sales of storage sheds and trailers												X			X	X	C			

Currently, most of our valuable commercial land (along our most traveled corridors), is zoned B-2, General Business. This amendment would allow storage sheds, trailers, and utility buildings to be sold from these parcels, including in the overlays.

Conformity to The Graham 2035 Comprehensive Plan and Other Adopted Plans

2.1.6 Locally Owned Businesses. Facilitate the creation and growth of small locally-owned businesses and support programs that provide technical and financial assistance to promote sustainable

operating practices. *This would allow for an additional use in our General Business Zoning District, perhaps better utilizing some of our larger lots.*

Applicable Planning District Policies and Recommendations

- Not applicable; city-wide.

Staff Recommendation

Based upon The Graham 2035 Comprehensive Plan, staff recommends **approval** of the alternate language.

The addition of utility building sales, sales of storage sheds and trailers permits additional business opportunities in our jurisdiction.



PLANNING BOARD Recommendation & Statement of Consistency

Per NCGS 160A-383, zoning regulations shall be made in accordance with an adopted comprehensive plan and any other officially adopted plan that is applicable. The Planning Board shall advise and comment on whether the proposed amendment is consistent with "The Graham 2035 Comprehensive Plan" and any other officially adopted plan that is applicable. The Planning Board shall provide a written recommendation to the City Council that addresses plan consistency and other matters as deemed appropriate by the Planning Board, but a comment by the Planning Board that a proposed amendment is inconsistent with "The Graham 2035 Comprehensive Plan" shall not preclude consideration or approval of the proposed amendment by the City Council.

Utility Buildings (AM1619)
Type of Request
Text Amendment
Meeting Dates
Planning Board on August 16, 2016
City Council on September 6, 2016

I move to **recommend APPROVAL** of the application as presented.

I move to **recommend DENIAL**.

The application is **consistent** with *The Graham 2035 Comprehensive Plan*.

The application is **not fully consistent** with *The Graham 2035 Comprehensive Plan*.

The action is reasonable and in the public interest for the following reasons:

This report reflects the recommendation of the Planning Board, this the 16th day of September, 2016.

Attest:

Andy Rumley, Planning Board Chairman

Martha Johnson, Secretary



STAFF REPORT

Prepared by Nathan Page, City Planner

Text Amendment for: 10.71 Nonconforming Site Elements

Contact Information

Not applicable

Type of Request: Text Amendment

Meeting Dates

Planning Board on April 19, 2016, June 21, 2016

City Council on July 5, 2016

Summary

The City Council proposes to amend the *Development Ordinance*, Article IV, Division 1, Section 10.71 Nonconforming Site Elements.

The following amendments to the Development Ordinance are proposed:

Section 10.71 Nonconforming Site Elements (5)

Original Language:

- (5) All nonconforming signs, except outdoor advertising signs, must be brought into compliance or removed (including the entire sign and any or all supports) if any or all of the following occurs:
 - a. If damage to the sign exceeds 50% of its original value or replacement value, whichever is less;
 - b. If the sign is demolished or damaged to the extent where more than fifty percent (50%) of its display area requires replacement;
 - c. If the business or activity on the premises is discontinued for a continuous period of 90 days or more;
 - d. If additions or expansions of buildings, parking areas, or uses of open land occur that are greater than 3,000 square feet; or
 - e. If any change in the existing use of the property occurs.

Project Name

Nonconforming Site Elements

(AM1612)

Location

city-wide

Current Zoning

not applicable

Proposed Zoning

not applicable

Overlay District

not applicable

Staff Recommendation

Approval

Tracking Changes:

- (5) All nonconforming signs, except outdoor advertising signs, must be brought into compliance or removed (including the entire sign and any or all supports) if any or all of the following occurs:

- a. If damage to the sign exceeds 50% of its original value or replacement value, whichever is less;
- b. If, apart from normal maintenance or replacement of existing panels, the sign display area is demolished, or damaged, or removed to the extent where more than fifty percent (50%) of its display area ~~requires replacement~~ is affected;
- c. If the business or activity on the premises is discontinued for a continuous period of ~~90~~ 180 days or more;
- d. If additions or expansions of buildings, parking areas, or uses of open land occur that are greater than 3,000 square feet; or
- e. If any change in the existing ~~use~~ Land Use Classification of the property occurs.

Proposed Language:

- (5) All nonconforming signs, except outdoor advertising signs, must be brought into compliance or removed (including the entire sign and any or all supports) if any or all of the following occurs:
- a. If damage to the sign exceeds 50% of its original value or replacement value, whichever is less;
 - b. If, apart from normal maintenance or replacement of existing panels, the sign display area is demolished, damaged, or removed to the extent where more than fifty percent (50%) of its display area is affected;
 - c. If the business or activity on the premises is discontinued for a continuous period of 180 days or more;
 - d. If additions or expansions of buildings, parking areas, or uses of open land occur that are greater than 3,000 square feet; or
 - e. If any change in the existing Land Use Classification of the property occurs.

Burlington's Language:

Section 32.14 (I) Non-Conforming Signs: Non-conforming signs existing on the effective date of this ordinance may remain in place and be maintained for three years after the effective date of this ordinance, except that no non-conforming sign shall be altered to 50 percent or more of its current value unless it is made to conform to the requirements of this section. Within three years after the effective date of this ordinance, nonconforming signs shall be removed.

Alternative Language:

When an existing non-conforming sign structure is in place, the display area can be completely refaced if the structure does not endanger the public. The entire sign must be refaced to use this exemption, and no alterations are permitted to the sign box.

Conformity to The Graham 2035 Comprehensive Plan and Other Adopted Plans

Not applicable

Applicable Planning District Policies and Recommendations

- Not applicable; city-wide.

Planning District

All

Development Type

All

Staff Recommendation

Based on *The Graham 2035 Comprehensive Plan*, other jurisdictions and best practices, staff **recommends approval** of the text amendment. The following supports this recommendation:

- The proposed amendment permits redevelopment of existing sign boxes in the overlay which may be nonconforming, but are permitted to continue as permitted nonconformities.

Municipality Population

Lenoir	17,888	<p>1108 Non-Conforming Signs</p> <p>Retention - Any sign existing on the effective date of this ordinance which does not conform to the requirements set forth herein will be allowed to remain if in good repair, but shall not be:</p> <p>1108.11 Changed to another <i>nonconforming</i> sign;</p> <p>1108.12 Structurally altered to prolong life of the sign;</p> <p>1108.13 Expanded;</p> <p>1108.14 Reestablished after discontinuance of sixty (60) days; or</p> <p>1108.15 Reestablished after damage or destruction if estimated expenses of reconstruction exceeds sixty (60%) percent of the tax value of the sign.</p> <p>6.6.1 Continuation of a Nonconforming Sign Nonconforming signs may continue to be utilized in connection with any use or building permitted in this Ordinance only on the following special conditions, limitations, and restrictions:</p>
Morganton	16,692	<p>(A) Only normal maintenance and repair may be performed on a nonconforming sign. Normal maintenance and repair, as used herein, means repainting, changing copy, changing lights, replacing broken glass or other routine work necessary to keep the sign safe, in good repair or neat in appearance. Normal maintenance shall not include major structural alterations or replacements, re-designs or substantial rebuilding of the sign.</p> <p>(B) A nonconforming sign shall not be enlarged, raised, relocated, or have illumination added.</p> <p>(C) If damaged, destroyed or permitted to deteriorate to an extent of more than 60 percent of the appraised replacement cost, a nonconforming sign shall not be repaired or replaced, and shall be immediately removed.</p> <p>(D) Additional signs shall not be allowed nor shall existing signs be enlarged or raised for any business which displays a nonconforming sign.</p> <p>(E) A nonconforming sign shall not be re-established once the sign structure has been removed.</p> <p>(F) A nonconforming sign shall not be re-established after the use has been discontinued regardless of reason or intent for 180 days or more.</p> <p>(G) If a nonconforming sign is blank or advertises a business, service, commodity, accommodation, attraction or other enterprise or activity that is no longer operating or being offered or conducted, that sign shall be deemed abandoned and shall be removed or brought into compliance by the sign owner, property owner, or other party having control over such sign within 180 days after the use has ceased operation or the service or commodity has ceased being offered.</p> <p>(H) Nonconforming portable and temporary signs shall be removed within 60 days of the effective date of this Ordinance.</p>

(c) Continuance of nonconforming uses. A nonconforming use may not be changed, expanded or resumed to any other nonconforming use, unless the Board of Adjustment finds that such use is no more detrimental to the neighborhood than the initial nonconforming use of the property in question. A change of title or possession or right to possession of property with a nonconforming use shall not be construed to prevent the continuance of such nonconforming use.

Hope Mills
Albemarle

16,163
16,003

§ 92.034 NONCONFORMING SIGNS.

(A) Except as herein provided, nonconforming signs that were otherwise lawful on the effective date of this subchapter may be continued.

(B) No person may engage in any activity that causes an increase in the extent of nonconformity of a nonconforming sign or causes a previously conforming sign to become nonconforming.

(C) A nonconforming sign may not be moved or replaced except to bring the sign into complete conformity with this subchapter. Once a nonconforming sign is removed from the premises or otherwise taken down or moved, the sign may only be replaced with a sign that is in conformance with the terms of this subchapter.

(D) Minor repairs and maintenance of nonconforming signs necessary to keep a nonconforming sign for a particular use in sound condition are permitted so long as the nonconformity is not in any means increased.

(E) If a nonconforming sign is destroyed by natural causes, it may not thereafter be repaired, reconstructed, or replaced except in conformity with all the provisions of this subchapter, and the remnants of the former sign structure shall be cleared from the land. For purposes of this section, a nonconforming sign shall be considered "destroyed" if it receives damage to an extent of more than 50% of the sign's value immediately prior to the sign having received the damage.

(F) Notwithstanding other provisions contained in this section, the message of a nonconforming sign may be changed so long as this does not create any new nonconformities.

(G) (1) If a nonconforming on- premises sign that advertises a business, service, commodity, accommodation, attraction, or other enterprise or activity has for a period of at least 180 days not been operated, conducted, or offered, that sign shall be deemed abandoned and shall be removed or brought into compliance by the sign owner, property owner, or other party having control over such sign within 30 days after the 180-day period has expired.

(2) Notwithstanding the above, if there is a change of name of business on a particular piece of property, and there were one or more on-premises nonconforming signs which advertised the former business or use, any new signs used, and all new sign faces for the new use or business, must meet all sign requirements for the underlying zoning district.

(H) (1) If a nonconforming sign remains blank for a continuous period of 180 days, that sign shall be deemed abandoned and shall, within 30 days after such abandonment, be altered to comply with this subchapter or be removed by the sign owner, owner of the property where the sign is located, or other person having control over such sign.

(2) For purposes of this subchapter, a sign shall be deemed "blank" if:

(a) It advertises a business, service, commodity, accommodations, attraction, or other enterprise or activity that is no longer operating or being offered or conducted; or

(b) The advertising message it displays becomes illegible in whole or substantial part; or

(c) It does not contain an advertising message. (For such purposes, the terms "Sign For Rent," "Sign For Lease," "Sign for Sale," etc. shall not be deemed to be an advertising message).

(l) All nonconforming signs shall be removed within ten years following the effective date of this subchapter.

2.3.4 Nonconforming Signs (a) Continuation: Except as set forth in Section 9.7 of this Ordinance, requiring removal of a sign when the establishment it serves is discontinued, nonconforming signs may be continued subject to the limitations set forth in this Section;

Pinehurst

15,752

(b) Enlargement or Alteration: A nonconforming sign, including its permanent message or its structure, shall not be extended, enlarged, moved, or otherwise altered unless the sign is made to conform to the applicable requirements of this Ordinance, except as outlined in (e) and (f) below;

(c) Damage or Destruction: When a nonconforming sign is demolished or damaged to the extent that more than 50 percent of its surface area requires replacement, the sign shall be removed or made to conform to the applicable requirements of this Ordinance;

(d) Cost of Repair or Maintenance: When the repair or maintenance cost of a nonconforming sign exceeds 50 percent of the replacement cost, the sign shall be removed or made to conform to the applicable requirements of this Ordinance.

(e) Legal Nonconforming Residential Neighborhood Development: Signs located at the entrance to the development made nonconforming by their placement within Village of Pinehurst Public Rights of Way may be replaced. These replacement signs shall conform to all other regulations including size and height and shall be constructed to meet NCDOTs and Village of Pinehurst requirements for vehicular safety. No sign shall be replaced under this provision without the approval of the Pinehurst Village Council. The Village Council may dictate a location that deviates from the original location if in their opinion this would be in the best interest of the public. The individual or entity desiring to construct the new signage shall also be required to obtain a Right of Way Encroachment.

(f) Non-Conforming signs serving multi-tenant developments may change out tenant names if no more than 1/3 of the message is changing.

8.8.1. Signs in existence on the effective date of this Ordinance which do not conform to the provisions of this Ordinance, but which were constructed, erected, affixed or maintained in compliance with all previous regulations, shall be regarded as nonconforming signs. Although it is not the intent of the Ordinance to encourage the continued use of nonconforming signs, nonconforming signs shall be allowed to continue and a decision as to the continued existence and use or removal of such signs shall be controlled as follows:

Larinburg

15,507

8.8.1.1. No nonconforming sign shall be changed to another nonconforming sign.

8.8.1.2. No nonconforming sign shall have any changes made in the words or symbols used or the message displayed on the sign unless the sign is specifically designed for periodic change of message.

8.8.1.3. No nonconforming sign shall be structurally altered so as to change the shape, size, type or design of the sign other than to make the sign conforming.

8.8.1.4. No nonconforming sign shall be re-established after the activity, business or use to which it relates has been discontinued and such sign shall be removed.

8.8.1.5. No nonconforming sign shall be re-established and all remains of the sign must be removed after damage or destruction, if the estimated expense of repairs exceeds fifty percent of the estimated total value of the sign at the time of destruction. If damaged by less than fifty percent, but repairs are not made within three months of the time such damage occurred, the nonconforming sign shall not be allowed to continue and must be removed.

8.8.1.6. No nonconforming sign shall be relocated unless the sign can be made to conform with this Ordinance in its new location.

8.8.2. Signs located on premises which come within the zoning jurisdiction of the City of Laurinburg after the effective date of this Ordinance and which signs do not comply with the provisions of this Ordinance shall be subject to the requirements listed above.

8.8.3. Any nonconforming sign which is structurally altered, relocated or replaced shall immediately be brought into compliance with all the provisions of this Ordinance.

8.8.4. Signs in existence on the effective date of this Ordinance which do not comply with provisions regulating use of strobe lights, ziplights, flashing lights or rotating beacons; flags, streamers or strings of lights; or permanently installed or situated merchandise, shall be made to conform within ninety days from the effective date of this Ordinance.

8.8.5. The UDO Administrator shall order the removal of any sign maintained in violation of the provisions of this section for which removal procedures are herein prescribed, accordingly: the UDO Administrator shall give ninety days written notice to the owner or lessee to remove the sign or to bring it into compliance with this Ordinance. If the owner or lessee fails to remove the sign within ninety days after the ninety-day written notice has been given, the UDO Administrator or his duly authorized representative may institute removal proceedings according to the procedures specified in G.S. 160A-175.

Eden

15,403

(1) Sign Removal A sign for which the permit has been revoked shall be removed by the owner.

(2) Signs in Public Rights-of-Way Any sign installed or placed on public property or rights-of-way, except in compliance with this chapter or under an encroachment agreement with the North Carolina Department of Transportation or the city shall be forfeited to the public and be subject to confiscation.

(3) Obsolete Signs Any sign which advertises a business no longer conducted on the premises shall be by he owner within 90 days of cessation of such business.

(4) Unsafe Signs Any sign which is unsafe or insecure, or is a menace to the public shall be removed by the owner after due notice has been given by the Zoning Enforcement Officer.

(5) Abandoned or Deteriorated Signs Any sign which has been abandoned or which has not been properly maintained, to include cleaning and painting surfaces and replacement of damaged parts, shall be removed by the owner after due notice has been given by the Zoning Enforcement Officer.

(6) Signs Installed without Permit Any sign which has been installed in violation of the North Carolina State Building Code or in violation of this ordinance shall be removed by the owner after due notice has been given by the Zoning Enforcement Officer.

Roanoke Raj

15,345

Left Voicemail to call back

Section 705. Change in Use of Property Where a Nonconforming Situation Exists. A nonconforming non-structural use of the land may not be changed to any use but a nonconforming use. A nonconforming use of a structure may be changed either to another nonconforming use, provided that the proposed use is determined by the permit issuing authority to be an equal or higher use, or, to a conforming use. When a nonconforming use of the land or a structure has been changed to a conforming use, it shall not thereafter be used for any nonconforming use.

Henderson 15,271

(A). Nonconforming signs shall be governed by the provisions of this Section, and not those found in Article 12, Nonconforming Situations.

Stallings 15,270

(B). Subject to the remaining restrictions of this Section, nonconforming signs that were otherwise lawful on the effective date of this Ordinance may be continued in accordance with the removal schedule found in Section 9.10. *** Many 6 months, all before 7 years.

(C). No person may engage in any activity that causes an increase in the extent of nonconformity of a nonconforming sign. Without limiting the generality of the foregoing, no nonconforming sign may be enlarged or altered in a manner so as to aggravate the nonconforming condition. Nor may illumination be added to any nonconforming sign

(D). A nonconforming sign may not be moved or replaced except to bring the sign into complete conformity with this Ordinance.

Graham 14,647

13.1.6. CERTIFICATE OF NONCONFORMITY ADJUSTMENT REQUIRED. 13.1.6.1. A Certificate of Nonconformity Adjustment shall be required to enlarge, expand or otherwise alter any Nonconforming Use or Structure as set forth in this Section 13.1. A Certificate of Nonconformity Adjustment shall be issued by the Administrator subject to the requirements of this section. 13.1.6.2.

Application for a Certificate of Nonconformity Adjustment shall be submitted on a form prescribed by the Administrator. An applicant for a Certificate of Nonconformity Adjustment shall submit a detailed plan of the existing site, showing, the degree of Nonconformity with respect to the dimensional and design regulations of this Ordinance. In the case of a Nonconforming Use the application shall include an detailed explanation of the current Use including

Harrisburg 14,539

documentation of traffic generated by the current use.

A. The ordinary maintenance or repair of an on-site nonconforming sign is allowed. The copy of an on-site nonconforming sign may be altered, replaced, or modified if the following two (2) conditions are met:

Kinghtdale 14,256

1. There is no change in the supporting structural components of the said on-site non-conforming sign; and

2. Only the existing on-site tenants operating a business on the related site at the time of the original sign construction , and whose name already appears on the non-conforming sign are permitted to locate copy on the non-conforming sign. New tenants may be permitted to locate on the related site; however, if they wish to add their tenant name to the existing non-conforming sign, the sign shall be immediately brought into compliance with all the requirements of Chapter 12. Under no circumstance however, shall the nonconforming condition of any nonconforming sign be increased. Any other alteration, replacement, conversion or change will require the entire sign to be immediately brought into compliance with all the requirements of Chapter 12.

B. Nonconforming signs which are destroyed or damaged by 50 percent (50%) or more of their value shall not be rebuilt or repaired except in conformance with the requirements of Chapter 12.

C. When the establishment to which a sign is related ceases or is vacated, the sign shall be classified as 'obsolete', and such sign, including all of its attendant supports, frames, and hardware, shall be removed within 180 days of the cessation or vacating of the use or establishment unless such sign is used by a new use or establishment on the premises in accordance with all of the other requirements of Chapter 12.

D. If there is an expansion of the heated square footage of an existing business, or a change in use to an existing building (except multi-tenant buildings), and there were one (1) or more on-premise nonconforming signs which advertised the former or current business or use, any new signs and all new sign faces for the new use or business must meet all the requirements of Chapter 12.

E. Residential neighborhood identification signs which exist prior to the adoption of this Ordinance may be replaced with new signs in the same location as the existing signs as long as the sign will comply with the sign area and height limitations of Chapter 12.

(3) Nonconforming signs or billboards shall be eliminated or changed to conform with the provisions of this chapter within eighteen months of the date such signs or billboards become nonconforming.

Mount Holly

14,176

Whenever any nonconforming sign, or part thereof, is altered, replaced, or changed, the entire sign must immediately comply with the provisions of this Article.

Reidsville

14,067

Hendersonvi

13,814

Section 13-4 Nonconforming Signs.

a) After the effective date of this Ordinance, it shall be unlawful for any person to erect, construct or place any sign which does not conform to the requirements set out herein on any parcel of real property within the jurisdiction of this Ordinance.

b) Any advertising sign or business identification sign which is not specifically prohibited and is permanently affixed to a building, structure or the ground, which is nonconforming because of its height, size, setback or location shall be allowed to continue and shall be maintained as provided for in the preceding sections, but shall not be:

- 1) Changed to another nonconforming sign;
- 2) Structurally altered (except to meet safety requirements);
- 3) Altered so as to increase the degree of non-conformity of the sign.;
- 4) Expanded;
- 5) Re-established after its discontinuance for 60 days; City of Hendersonville Zoning Ordinance Page 191 Amended through 07-02-15
- 6) Continued in use after cessation or change of the business or activity to which the sign pertains; or
- 7) Re-established after deterioration, damage, destruction or voluntary demolition if the cost of reconstruction exceeds 60% of the replacement cost of a sign of comparable quality.

Mebane

13,698

10-7 Nonconforming Signs

Signs in existence on the effective date of this Ordinance which do not conform to the provisions of this Ordinance, but which were constructed, erected, affixed or maintained in compliance with all previous regulations, shall be regarded as nonconforming signs. Although it is not the intent of this Ordinance to encourage the continued use of nonconforming signs, nonconforming signs shall be allowed to continue and a decision as to the continued existence and use or removal of such signs shall be controlled as follows:

(a) No nonconforming sign shall be changed to another nonconforming sign. Mebane UDO, Article 10 10-6 February 4, 2008

(b) No nonconforming sign shall have any changes made in the words or symbols used or the message displayed on the sign unless the sign is specifically designed for periodic change of message.

(c) No nonconforming sign shall be structurally altered so as to change the shape, size, type or design of the sign other than to make the sign a conforming sign.

(d) No nonconforming sign shall be re-established after the activity, business or use to which it relates has been discontinued and such sign shall be removed.

(e) No nonconforming sign shall be re-established and all remains of the sign must be removed after damage or destruction, if the estimated expense of repairs exceeds sixty percent of the estimated total value of the sign at the time of destruction, as determined by the Building Inspector. If damaged by less than sixty percent, but repairs are not made within three months of the time such damage occurred, the nonconforming sign shall not be allowed to continue and must be removed.

(f) No nonconforming sign shall be relocated unless it is brought into conformance with the requirements of this Ordinance.

(g) Normal maintenance and repair of a nonconforming sign is permitted providing the shape, size, type or design of the sign is not altered.

(H) Amortization Schedule (1) *Nonconforming* Signs.

.....All *nonconforming* signs shall be removed or brought into compliance with the requirements of this Ordinance within seven (7) years from October 14, 1999, or until removed, renovated, altered, destroyed, or damaged as specified in this section, whichever is earlier. All *nonconforming* signs in any areas annexed into the Town of Lewisville after October 14, 1999 shall also be removed or brought into compliance with the requirements of this Ordinance within seven (7) years from the date of annexation or until removed, renovated, altered, destroyed, or damaged as specified in this section, whichever is earlier. *Nonconforming* signs situated on zoning lots used for any use allowed under the IP, RS zoning classifications and existing as of August 10, 2000, shall not be subject to amortization hereunder; provided such *nonconforming* signs shall be removed or brought into compliance if renovated, altered, destroyed or damaged as specified in this section; provided, further, however, with respect to all on-premises religious signs in any or all districts made *nonconforming* per Section B.3-2.1(B)(f), if any such religious sign is renovated, altered, destroyed or damaged, then such sign may be replaced with an identical sign so long as such sign is rebuilt within six (6) months or such renovation, alternation, destruction or damage.



PLANNING BOARD Recommendation & Statement of Consistency

Per NCGS 160A-383, zoning regulations shall be made in accordance with an adopted comprehensive plan and any other officially adopted plan that is applicable. The Planning Board shall advise and comment on whether the proposed amendment is consistent with "The Graham 2035 Comprehensive Plan" and any other officially adopted plan that is applicable. The Planning Board shall provide a written recommendation to the City Council that addresses plan consistency and other matters as deemed appropriate by the Planning Board, but a comment by the Planning Board that a proposed amendment is inconsistent with "The Graham 2035 Comprehensive Plan" shall not preclude consideration or approval of the proposed amendment by the City Council.

**Nonconforming Site Elements
(AM1612)**
Type of Request
Text Amendment
Meeting Dates
Planning Board on April 19, 2016
June 21, 2016
City Council on July 5, 2016

I move to **recommend APPROVAL** of the application as presented.

I move to **recommend DENIAL**.

The application is **consistent** with *The Graham 2035 Comprehensive Plan*.

The application is **not fully consistent** with *The Graham 2035 Comprehensive Plan*.

The action is reasonable and in the public interest for the following reasons:

This report reflects the recommendation of the Planning Board, this the 21st day of June, 2016.

Attest:

Andy Rumley, Planning Board Chairman

Martha Johnson, Secretary



STAFF REPORT

Prepared by Nathan Page, City Planner

Text Amendment for: Section 10.136
Notes to the Table of Permitted Uses and
Section 10.16 Definitions

City Council on August 2, 2016

Contact Information

Not applicable

Type of Request: Text Amendment

Meeting Dates

Planning Board on July 19, 2016

Summary

Staff proposes to amend the *Development Ordinance*, Article IV, Division 6, Section 10.136, and Article II, Section 10.16 Definitions. Home Occupation. *This amendment is proposed to clarify what will be permitted as a home occupation in every neighborhood and every home in the City of Graham. The language is currently duplicated in the Development Ordinance, and needs exist only in one location. This amendment will remove the note to the table of permitted uses, and proposes to change the language listed under definitions.*

The following amendments to the Development Ordinance are proposed:

Existing Language:

Section 10.136 Notes to the Table of Permitted Uses

- **9. Home Occupations** - Home occupations are permitted only as an incidental use inside the home and must operate within the following guidelines:
 - a. A home occupation shall occupy no more than 25% percent of the gross floor area of a dwelling unit.
 - b. No outside storage or display of items associated with the home occupation is permitted.
 - c. The home occupation must be conducted entirely within a dwelling unit.
 - d. Only one person may be employed who is not an occupant of the residence.
 - e. Activities shall not generate traffic, parking, noise, odors, or electrical interference beyond what normally occurs in the zoning district.
 - f. Instruction in music, dancing, art or similar subjects shall be limited to no more than five students at one time.
 - g. Sign Specifications: See Section 10-398 (2).

Examples of home occupations include, but are not limited to: typing services, telephone sales, architects, accountants, food catering, and handcrafting, etc.

<u>Project Name</u>
Home Occupation (AM1617)
<u>Location</u>
city-wide
<u>Current Zoning</u>
not applicable
<u>Proposed Zoning</u>
not applicable
<u>Overlay District</u>
not applicable
<u>Staff Recommendation</u>
Approval

Proposed Language:

Section 10.136 Notes to the Table of Permitted Uses

9. [Reserved]

Section 10.16 Definitions

Home Occupations - Home occupations are permitted only as an incidental use inside the home and must operate within the following guidelines, without changing the essential residential character of the dwelling:

- a. A home occupation shall occupy no more than 25% percent of the gross floor area of a dwelling unit.
- b. ~~No outside storage or display of items associated with the home occupation is permitted. There shall be no outdoor storage or visible evidence of equipment or materials used in the home occupation, unless the equipment or materials are of a type and quantity that could reasonably associated with the principal residential use. One commercial road-legal vehicle, with no more than three axles is permitted. A single trailer used for cargo/storage may be used if it is attached to vehicle at all times, but no construction or industrial equipment can be stored on the trailer.~~
- c. The home occupation must be conducted entirely within a dwelling unit. Up to one hundred square feet of an accessory building may be used in connection with the business.
- d. Only one person may be employed who is not an occupant of the residence. Employees may not come to the residence for exterior work purposes, including pick-up of materials, vehicles, assignments, or similar purposes.
- e. Activities shall not generate traffic, parking, noise, odors, or electrical interference beyond what normally occurs in the zoning district.
- f. Instruction in music, dancing, art or similar subjects shall be limited to no more than five students at one time.
- g. Sign Specifications: See Section 10-398 (2).

Examples of home occupations include, but are not limited to: typing services, telephone sales, architects, accountants, food catering, and handcrafting, etc.

Conformity to The Graham 2035 Comprehensive Plan and Other Adopted Plans

Not applicable

Applicable Planning District Policies and Recommendations

- Not applicable; city-wide.

Planning District

All

Development Type

All

Staff Recommendation

Based on *The Graham 2035 Comprehensive Plan* and practice by other jurisdictions, staff **recommends approval** of the text amendment. The following supports this recommendation:

- The proposed amendment more clearly defines what uses are permitted as an incidental use in every household in the City of Graham.



PLANNING BOARD Recommendation & Statement of Consistency

Per NCGS 160A-383, zoning regulations shall be made in accordance with an adopted comprehensive plan and any other officially adopted plan that is applicable. The Planning Board shall advise and comment on whether the proposed amendment is consistent with "The Graham 2035 Comprehensive Plan" and any other officially adopted plan that is applicable. The Planning Board shall provide a written recommendation to the City Council that addresses plan consistency and other matters as deemed appropriate by the Planning Board, but a comment by the Planning Board that a proposed amendment is inconsistent with "The Graham 2035 Comprehensive Plan" shall not preclude consideration or approval of the proposed amendment by the City Council.

Home Occupations (AM1617)
Type of Request
Text Amendment
Meeting Dates
Planning Board on July 19, 2016
City Council on August 2, 2016

I move to **recommend APPROVAL** of the application as presented.

I move to **recommend DENIAL**.

The application is **consistent** with *The Graham 2035 Comprehensive Plan*.

The application is **not fully consistent** with *The Graham 2035 Comprehensive Plan*.

The action is reasonable and in the public interest for the following reasons:

This report reflects the recommendation of the Planning Board, this the 19th day of July, 2016.

Attest:

Andy Rumley, Planning Board Chairman

Martha Johnson, Secretary