



# **Planning Board**

## **Meeting Agenda**

March 19, 2019 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 February 19, 2019 meeting
2. Old Business
  - a. AM1901 Feather Flags. Application by Richard Shevlin. Request to permit Feather Flags within the City of Graham.
3. Public comment on non-agenda items

Adjourn

*A complete agenda packet is available at [www.cityofgraham.com](http://www.cityofgraham.com)*

# PLANNING ZONING BOARD

Tuesday, February 19, 2019

The Planning & Zoning Board held their regular meeting on Tuesday, February 19, 2019 in the Council Chambers of the Graham Municipal Building at 7:00 p.m. Board members present were Dean Ward, Nate Perry, Bonnie Blalock, Ricky Hall, Eric, Crissman and Michael Benesch. Justin Moody was absent. Staff members present were Nathan Page, Planning Director, Alexa Powell, Planner Aaron Holland Assistant City Manager and Debbie Jolly, Zoning and Inspection Technician. Chair Hall called the meeting to order, gave the Overview of the Board, general meeting rules and gave the invocation.

1. Approval of the January 15, 2019, meeting minutes. Ricky Hall made a motion to approve seconded by Nate Perry. All voted in favor. Mr. Hall ask to move New Business SUP1901 to top of agenda.
2. New Business
  - a. SUP1901 Kronbergs Campground. Application by Chuck Talley –Aaron Holland explained the application for Special Use Permit to permit a Commercial Campground with up to 75 Recreational Vehicle spots upon site. Chuck Talley 808 Sideview St gave his presentation on the RV park stated it is a 34 Arce park plan is showing 61 spaces application states up to 75 he does not see doing 75. Plan has gone through TRC per Mr. Talley and he plans to meet all of them. The planning board had a brief discussion, asked Mr. Talley a few question. Eric made a motion to approve SUP1901 on staff recommendation based The Graham 2035 Comprehensive Plan and the City of Graham Development Ordinance conditions. Ricky Hall seconded. All voted Aye.
3. Old Business
  - a. CR1803- Signature Woody- Application by Brian Wise, GPIN 8884821071 and 8884825405. Application to rezone from R-18 to CR to construct up to 288 multifamily units. Alexa Powell presented the project and spoke about the public meeting he had with the community. Mr. Wise gave an overview on his project. Mr. Wise answered questions from the board and the public.

The following individuals spoke about the project;

Richard Ramos-	1196 Valley Dr.
Jeanne Neal-	967 Woody Dr.
Chuck Talley-	808 Sideview Dr.
Gary Eichmann-	100 Joe Ct.
Tom Boney-	114 W Elm. St.
Vic Pate-	1037 Valley Dr.
Sammy Holt-	1016 Camelot Ln.
Nathan Page-	617 W. Davis St.

Chairman Hall closed the public hearing. The Planning Board asked Mr. Wise some questions, and then asked Mr. Page some question about the DOT study. The board discussed the concerns. Eric made a motion to approve CR1803 on staff recommendation based The Graham 2035 Comprehensive Plan and the City of Graham Development Ordinance and the developments compliance with the Graham Development Ordinance, Staff recommends approval of the

Conditional Rezoning, with the following conditions A final site plan must be approved by the Technical Review Committee issuance of any multi-family permits. A TRC approved sidewalk connection to highway 54 shall be installed. The NCDOT required improvements shall be required prior to the issuance of a Certificate of Occupancy for any dwelling units. Three voted Aye Nate Perry, Ricky Hall, and Eric Crissman. Three opposed, Dean Ward, Bonnie Blalock, Michael Benesch.

#### New Business

- b. AM1901 Feather Flags. Application by Richard Shevlin. Request to permit Feather Flags within City of Graham. Alexa Powell made the presentation. Mr. Shevlin made his presentation to allow feather flags in the City of Graham. Chuck Talley – 808 Sideview St spoke in favor of the feather flags. The board asked Mr. Page a question on the time period of zoning violations notices for signs and he deferred to Jenni Bost, Zoning Enforcement to provide the timeline. After a brief discussion, Michael made a motion to table item AM1901 to give staff time to look at language. Ricky Hall seconded. Four voted Aye. Two Opposed Nate Perry and Eric Chrisman.
- c. Small Area Business Plan- Mr. Page presented a new committee that has been formed and asked the board for a volunteer to serve on the committee. Nate Perry and Eric Crissman both volunteered, Nate Perry was selected as the representative.

#### 4. Public comment on non- agenda items

Eric Crissman made a motion to adjourn Mr. Hall Seconded. All vote Aye.

No further business the meeting was adjourned.

Respectfully Submitted,  
Debbie Jolly



# STAFF REPORT

Prepared by Nathan Page, Planning Director

## Text Amendment for: Feather Flags

**Type of Request:** Text Amendment

### Meeting Dates

Planning Board on February 19, 2019

City Council on March 5, 2019

### Contact Information

Richard Shevlin  
510 Wildwood Lane  
Graham NC 27253

### Summary

Richard Shevlin has requested permitting Feather Flags within the City of Graham.

### Project Name

Feather Flags (AM1901)

### Location

city-wide

### Current Zoning

not applicable

### Proposed Zoning

not applicable

### Overlay District

not applicable

### Staff Recommendation

Denial

### Existing Language:

#### Section 10.397 General limitations

- a. Except where specifically exempted by this chapter, all signs, including the supports, frames and embellishments thereto, shall not be located within any public right-of-way, nor shall any sign be attached, affixed or painted on any utility pole, light standard, telephone or telegraph pole, any tree, rock or other natural object.
- b. No sign shall obstruct any window, door, fire escape, stairway, ladder or opening intended to provide light, air, ingress or egress for any building, structure or lot.
- c. No sign shall have more than two (2) display surfaces.
- d. Illuminated signs may have either an exterior or interior source of illumination. Exterior illumination, where the source of illumination is provided by such devices as spotlights or floodlights, shall be placed so that it is not directly visible from any residential district, or from adjacent properties. Internal illumination means that the source of illumination is from within the sign itself. Neon tube illumination shall be prohibited except as internal illumination. All wiring, grounding, etc., for illuminated signs shall meet the requirements of the National Electrical Code.
- e. Animated, rotating, flashing or other moving or apparently moving signs must display a static message for a minimum of twenty (20) seconds.
- f. Devices consisting of banners, streamers, pennants, windblown propellers, strung light bulbs and similar installations shall be prohibited, except with the written permission of the city manager.

- g. Mobile or portable signs (including A and T-shaped signs) shall be prohibited except for the uses specified in paragraphs (10), (11) and (14) of Section 10.393 Exemptions,
- h. All signs shall be maintained in a state of good repair. No sign shall be continued which becomes structurally unsafe or endangers the safety of the public or property. When evidence of an unsafe sign is brought to the attention of the inspector, he shall order that such sign be made safe or be removed. A period of forty-eight (48) hours following receipt of the notice by the person owning or using the sign shall be used for compliance.
- i. No sign shall be erected on the roof of any building.
- j. No dilapidated sign may be ordered to be moved unless the condition continues to exist after thirty (30) days from the date the building inspector gives notice to the sign owner. Notice shall be complete upon the posting of such determination affixed to the affected sign. In addition, the building inspector shall, on the same date, mail a copy of such determination by certified mail, return receipt requested, to the person, firm, or corporation, if any, who listed the sign for ad valorem taxes. This requirement shall be satisfied upon mailing. If the sign has not been listed for ad valorem taxes for the preceding or current year of such determination, no notice shall be required to be mailed.

*(Section 10.397 amended 1/6/2009, 6/1/2010)*

**Proposed Language:**

**Section 10.397                      General limitations**

- a. Except where specifically exempted by this chapter, all signs, including the supports, frames and embellishments thereto, shall not be located within any public right-of-way, nor shall any sign be attached, affixed or painted on any utility pole, light standard, telephone or telegraph pole, any tree, rock or other natural object.
- b. No sign shall obstruct any window, door, fire escape, stairway, ladder or opening intended to provide light, air, ingress or egress for any building, structure or lot.
- c. No sign shall have more than two (2) display surfaces.
- d. Illuminated signs may have either an exterior or interior source of illumination. Exterior illumination, where the source of illumination is provided by such devices as spotlights or floodlights, shall be placed so that it is not directly visible from any residential district, or from adjacent properties. Internal illumination means that the source of illumination is from within the sign itself. Neon tube illumination shall be prohibited except as internal illumination. All wiring, grounding, etc., for illuminated signs shall meet the requirements of the National Electrical Code.
- e. Animated, rotating, flashing or other moving or apparently moving signs must display a static message for a minimum of twenty (20) seconds.
- f. Devices consisting of banners, streamers, pennants, windblown propellers, strung light bulbs and similar installations shall be permitted. ~~prohibited, except with the written permission of the city manager.~~

- g. Mobile or portable signs (including A and T-shaped signs) shall be prohibited except for the uses specified in paragraphs (10), (11) and (14) of Section 10.393 Exemptions,
- h. All signs shall be maintained in a state of good repair. No sign shall be continued which becomes structurally unsafe or endangers the safety of the public or property. When evidence of an unsafe sign is brought to the attention of the inspector, he shall order that such sign be made safe or be removed. A period of forty-eight (48) hours following receipt of the notice by the person owning or using the sign shall be used for compliance.
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*(Section 10.397 amended 1/6/2009, 6/1/2010)*

#### **Staff Alternative Language:**

#### **Section 10.397                      General limitations**

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- b. No sign shall obstruct any window, door, fire escape, stairway, ladder or opening intended to provide light, air, ingress or egress for any building, structure or lot.
- c. No sign shall have more than two (2) display surfaces.
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- e. Animated, rotating, flashing or other moving or apparently moving signs must display a static message for a minimum of twenty (20) seconds.
- f. Devices consisting of banners, streamers, pennants, windblown propellers, strung light bulbs and similar installations shall be permitted, when a sign permit has been applied for and approved for a period not to exceed 14 days per calendar year per lot. ~~prohibited, except with the written permission of the city manager.~~

- g. Mobile or portable signs (including A and T-shaped signs) shall be prohibited except for the uses specified in paragraphs (10), (11) and (14) of Section 10.393 Exemptions,
- h. All signs shall be maintained in a state of good repair. No sign shall be continued which becomes structurally unsafe or endangers the safety of the public or property. When evidence of an unsafe sign is brought to the attention of the inspector, he shall order that such sign be made safe or be removed. A period of forty-eight (48) hours following receipt of the notice by the person owning or using the sign shall be used for compliance.
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(Section 10.397 amended 1/6/2009, 6/1/2010)

## Conformity to The Graham 2035 Comprehensive Plan and Other Adopted Plans

**Strategy 1.1.1 Wayfinding and Gateways** Develop and 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. *Feather Flags, due to their motion, can create a distraction for drivers.*

### Planning District

All

### Development Type

All

**Strategy 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. *Feather flags are unlikely to enhance community appearance.*

### Applicable Planning District Policies and Recommendations

- Not applicable; city-wide.

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### Staff Recommendation

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

- The 2035 Plan, in Strategy 1.1.1, indicates that signage shall be attractive and minimal.

City Name	Permit Flags?	
Burlington	No	
Haw River	No	
Elon	No	
Gibsonville	No	
Mebane	No	
Greensboro	No	
Siler City	Yes	
Jamestown	No	
Asheboro		Sent Email
Thomasville	Yes, Considering Language to Limit	
High Point	Yes, 30 days 3 times a year	
Kernersville		Left Vmail
Oak Ridge	No	
Summerfield		Left Vmail
Winston Salem	No	
Reidsville	No	
Roxboro	Yes, 2 per business	
Yanceyville		Left Vmail
Eden	No	
Durham	No	
Butner	No	
Chapel Hill	No	
Pittsboro	No	
Raleigh	Requires Permit	
Cary	No	
Apex	Requires Permit	
Morrisville	No	
Holly Springs	Only with an approved Master Sign Plan	





## 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.*

### Feather Flags (AM1901)

#### Type of Request

Text Amendment

#### Meeting Dates

Planning Board on Feb 19, Mar 19, 2019

City Council on April 2, 2019

- ☐ I move to **recommend APPROVAL** of the application as presented.
- ☐ I move to **recommend APPROVAL** of the alternative language, as proposed by the Planning Board.
- ☐ I move to **recommend DENIAL**.

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- ☐ The application is **consistent** with *The Graham 2035 Comprehensive Plan*.
- ☐ The application is **not fully consistent** with *The Graham 2035 Comprehensive Plan*.
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The action is reasonable and in the public interest for the following reasons:

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This report reflects the recommendation of the Planning Board, this the 19<sup>th</sup> day of March, 2019.

Attest:

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Ricky Hall, Planning Board Chair

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Debbie Jolly, Secretary