

VILLAGE OF WESLEY CHAPEL
COUNCIL MEETING MINUTES
WESLEY CHAPEL UNITED METHODIST CHURCH
120 Potter Road, Wesley Chapel, NC 28110
May 17, 2011 – 7:00 P. M.

The Village Council of Wesley Chapel, North Carolina, met in the Fellowship Hall of Wesley Chapel United Methodist Church at 120 Potter Road South, Wesley Chapel, North Carolina.

Present: Mayor Horvath, Mayor Pro-tem Bradford; Council Members Brotton, Hess and Ormiston

Others Present:

Village Clerk/Finance Officer: Cheryl Bennett; Planning and Zoning Administrator Joshua Langen

Concerned citizens: Chuck Adams, Marnie Holland, Butch & Becky Plyler, David & Paula Coohron, Wendy Winchester, Pat Stitt, Julie Brown, Dan deMattos, Rick Morris, Douglas Wighton, Bill Bennett

Meeting was called to order at 7:00 PM and a quorum was present.

1. PLEDGE OF ALLEGIANCE / INVOCATION

Mayor Horvath led the Pledge of Allegiance and Mayor Pro-tem Bradford gave the invocation.

2. ADDITIONS, DELETIONS, AND / OR ADOPTION OF AGENDA

Ormiston made a motion to adopt the agenda with the addition of “Sidewalks” under Item 6 and “Consider Purchase of Replacement PC” under Item 8. Brotton seconded the motion.

The motion passed unanimously.

3. PUBLIC FORUM ON PROPOSED DOWNTOWN RESOLUTION

Todd Hess recapped the process by which the Downtown Committee prepared the proposed Resolution and Council modified it. The purpose of the Downtown Committee was to review the recommendations of the Master Plan concerning housing alternatives near the retail center, explore the conflict between the visual and written surveys, consider alternatives to traditional zoning, and determine the types of buildings that would be compatible.

The proposed Downtown Committee Resolution was developed by the Downtown Committee, with input from Council, Mayor, staff, Master Plan recommendations and survey results, site visits, development plans currently underway, planned activities in the area, and the Wingate University marketing class analyses.

The Village Center was defined; the de-facto center is at Waxhaw-Indian Trail Road and Highway 84. The Master Plan focused on Zones I and IV. The idea was to concentrate denser housing in Zone IV, and maybe Zones I and II if voluntary annexation occurred, possibly using conservation subdivisions, and fan out to R-40 areas. Hess noted the contained area will be anchored by the town hall and park, and hopefully walkways between them. A recommendation is to authorize the development of housing types that would allow a broader spectrum of the population to experience ownership and to live within the Village Center, including younger couples and older people. This would foster development of an age-in-place community. Allowing residential housing densities of one house per quarter acre (R-10) in a designated area of zone IV would be off-set by requiring a set aside of land dedicated to beneficial public uses. Beneficial public uses include: additional and/or improved public roadways, safe pedestrian walkways, promoting recreation and community interactions, facilitating advancement of a lifestyle that complements the community and improves the economic viability of Wesley Chapel, and other uses serving the overall public good. Hess reported another recommendation is to discourage additional highway commercial retail development while allowing neighborhood commercial retail development. This would create a less urban, more rural, small downtown. Another recommendation is to adopt an architectural design standard including a pattern book of design selections that fosters development of residential and commercial structures in the village center that evokes the small town rural character of Wesley Chapel. The Resolution recommends adopting additions and amend, as necessary the Village ordinances to promote the objectives defined in the Resolution. Hess offered his cell phone number and e-mail if citizens would like to contact him.

He then opened the session to questions and answers. Mayor Horvath presented charts of land usage from the Master Plan, they looked at the rate of growth which was higher then, and showed how the rural feel would be lost as land was used up. He showed different types of housing and the effect they would have on land, and noted he understood we don't want higher density across the board, and things such as apartments are not desired.

A citizen said he liked much of what is in the Resolution, particularly walkability. His concern is it doesn't address walkability anywhere except in the central area. To produce a rural feel, he felt much more effort to connect all areas including Hunters Pointe where he lives is needed. Mayor Horvath said by itself, you are correct; the Master Plan had a section on connectivity, also the LARTP includes multi-modal forms of transportation, and DOT standards now include sidewalks and bike lanes. New developments must build sidewalks and Council got New Town Elementary to build sidewalks. Safe Routes to Schools offers grants; sidewalks are expensive. Hess added that he is a runner, but he doesn't bike anymore because it is too dangerous. Bradford said the Parks and Rec survey found connectivity to be a priority, but it is a patchwork and long process, so they focused on a park first. The Carolina Thread Trail group did a presentation a couple of weeks ago, and Parks and Rec approved the plan, which entails a twenty year vision.

Julie Brown said she liked the chart showing green space. Langen said the Master Plan estimated 2600 new homes would be built, and with one house per acre build-out shows very little green space in 2030. Three alternate scenarios with more homes on quarter acre and half acre lots show more green space, and the same number of homes. A citizen said the opportunity is now while there is green space, and when the land is developed, the opportunity is gone.

Chuck Adams said folks don't want high density, and quarter acre houses don't contribute to the rural flair and will contribute to more traffic. Hess said development will come one way or another; Adams replied you can decide how you want the community to look and growth will only come with the permission Council gives; he also said people in Zone IV don't want it. Hess said you will get more density but there will be services to support it. You will get increased traffic anyway but as you get professional services, people can walk to work. Mr. Adams said a citizen said in a prior meeting that when purchasing anything more than a greeting card, they wouldn't walk to Target. Hess said the equation is more complex, he was not sure that more houses makes more traffic if you provide incentives to walk; those incentives don't exist with R-40 housing. Chuck Adams said it is a long way from the town hall to the park, and how many people will stroll that distance. Hess noted if you are in the center, you can walk to the park or the town hall. Chuck Adams suggested Council needs more people than were present to tell you what they think.

Rick Morris said he never heard water and sewer discussed; increasing the density will affect the schools, and water and sewer is not available. Hess said the respite from development has helped Union County, they are now more liberal with water and sewer allocations; as far as schools, there are no more trailers at Weddington High School, but the issues will probably come back as growth increases. Rick Morris said he didn't agree. Mayor Horvath said we don't control water and sewer; the County Commissioners are coming to talk with the towns and a recent County policy change was increasing allocations to non-residential development as they are trying to get a more optimal balance of residential vs. non-residential development as the latter provides more revenue and demands less services; he also noted we are talking about a constrained area. Hess said the housing we are trying to facilitate is for younger couples with pre-school if any children, and retired couples with no school-age children.

A citizen asked if neighborhood commercial would be in addition to what is existing, and would add density. The zone was specified as being in Zone IV which is behind Harris Teeter. The citizen asked about Zone VII; Mayor Horvath noted there will be more sections of stores beyond the Hickory Tavern.

A citizen said he moved here in 2002, and all this is way too much to start with, and adding more commercial is crazy. Another citizen agreed.

Julie Brown said even the shopping center will be re-done in time, because trends and desires change. Then the developer will be in a position where we can renegotiate with them. Hess said that is a good point, when they upfit they would have to adhere to standards, and will be guided by what brings in profit, and what brings people in.

A citizen asked if this would be like the southwest quadrant of Ballantyne. Hess replied yes, or like Blakeney. The citizen said that quadrant is the least successful area of Ballantyne and filled with town homes with walking access. Mayor Horvath said what makes us different is they are off of a main road, and we have a main road bisecting our town; we are still getting input on the recommendations and if we do not plan, it sets us up for haphazard development. DOT doesn't have additional funds for more roads, when he moved here in 2004 his concern was adequate roads at the intersection. We are trying to address homes for younger people and older people, and balance things like preventing empty stores and peoples' desires.

Pat Stitt was on the Master Plan Committee and Downtown Committee, she said retail was already here, and they discussed live/work like attorneys, wine dealers, or art galleries, that would contribute to the rural feel. She said she didn't want more density but we have to deal with what we have and how to transition from retail and make it quaint. She noted that we would still have one house per acre, since the rest would be green space. She noted Langen had done some renderings for their meetings. Chuck Adams said he didn't hear R-40 cluster, he heard R-10. Hess said it doesn't work out mathematically to ask a developer so what can we get and what incentive does he have; he probably prefers to sell an R-40 house than four R-10 houses. Butch Plyler asked how many acres would be R-10. Hess said it would mostly be in the upper section of Zone IV, it would be a buffer between Harris Teeter and about 20 – 50 acres. Butch Plyler said that would be maybe 240 people, and how would that take care of a business, even an attorney has to be near a courthouse, it would be hard to fund those businesses. Hess said it would fan out; there would be some intermediate zones like one third acre homes. Butch Plyler asked if Hess had contacted landowners. Hess said he sent out a letter. Mr. Plyler recommended talking to people and get them on board, you need people willing to sell and willing to develop. Bradford said we need a plan in place before that happens. We are still trying to find out what people want at this point; she has heard a variety of opinions.

Marnie Holland said she liked the renderings Langen had done showing more green space. Mayor Horvath noted there is only so far you can show, because a developer may not come in and build it like you depict. Hess said the Master Plan recommended up to 65 acres in that Zone be conservation subdivisions. Pat Stitt said she agreed with Butch Plyler, you need to talk with homeowners and get them on board, and even ask for land donations.

A citizen asked about Zones IV and V, under the optimum mix, how many homes would there be there? Hess said Zone V would be mostly R-40. Mayor Horvath said Zone IV is 163 acres, 22 acres are park, the shopping center is about 11 acres, so the net area is about 130 acres. The citizen asked how many homes would empty to the roads. Mayor Horvath said we haven't gotten to that point; Zone V is 189 acres, if it was all R-40 it would be 189 homes.

The sketches on page 19 of the proposed resolution were discussed; since the descriptions were hard to read. Hess said the buffer around Harris Teeter might be R-10, and this might be the next range, and then Zone V would be mostly R-40. Pat Stitt noted you might also require developers to take care of the roads in

an area; Hess said it would be an offset; you give us land for a road in return for higher density.

Bradford asked for input on the best way to get people to come out to the meetings and offer input. Langen suggested HOA newsletters, rotary clubs, farmers associations, and fire departments. Suggestions included robocalls and a booth at the fall festival.

4. CONSIDER APPROVAL OF AMENDMENTS TO ZONING ORDINANCE FOR:

- Article 2 Signs Definitions
- Article 8 Signs
- Article 9 Off-Street Parking

Langen noted text in orange are Todd Hess' comments and the latest Planning Board changes, green is housekeeping changes. Article 2 was discussed first. Mayor Horvath and Hess said the sign definitions are looking better. Article 8 was discussed next. Some indent corrections on pages 8-9 and 8-12 were noted, and on page 8-10 small roman numerals should be used at the bottom half of the page. The current ordinance does not always comply with standard outline form, discussion was held, it was decided to go with standard outline form, using upper case letters, then numbers, and periods not parentheses. Hess suggested instead of using aa, bb; use aa, ab, ac, etc. (like on an excel spreadsheet). We will use upper case letters for the signs definitions.

Langen reported on Article 9 Off-Street Parking; the numbers at 9.1.9 were changed, and assuming the amphitheater is a temporary use, and the park is all passive recreation, it would require 60 spaces, and half can be unpaved. Langen reported cooperative parking is for businesses that are not open at the same time. Cumulative totals are those for all uses which are likely to be used at one time on a permanent basis, and the greater parking requirement calculated for any cumulative or for any single permanent uses shall be the parking standard. Multiple cumulative totals were discussed; Langen said it would be for several activities in one area and a couple of activities in another area. Ormiston said she called the construction planner for Mecklenburg County and he said ultimately parking is determined by the zoning. He said for a marked regulation ball field it would require 40 spaces, it would be drastically different for open space. She sent information to him and he will apply their formula for determining parking.

Ormiston said she wants to know the reasoning or research behind the numbers. Bradford said she did have some info on passive parks from Matthews, but Charlotte didn't have info on the passive parks and take it on a case by case basis. Ormiston requested we hold Article 9 for more data. Bradford asked if we could add the part about allowing for a traffic study. Ormiston and Mayor Horvath agreed that it is good and allows for unique situations. Article 9 will be held for the June 13 meeting.

Bradford made a motion to approve the text amendments to Article 2 and Article 8, incorporated herein. Ormiston seconded the motion.

The motion passed unanimously.

The approved text is as follows.

ARTICLE 2
DEFINITIONS OF TERMS USED IN THIS ORDINANCE

Canopy.

~~A permanent structure other than an awning, made of cloth, metal or other material attached or unattached to a building for the purpose of providing shelter to patrons or automobiles, or as a decorative feature on a building wall either detached from or attached to and extending from the enclosed portion of a building, and used principally to provide shelter in connection with activities conducted in the principal building. Canopy definition excludes temporary structures or structures utilizing cloth or other flexible materials. A canopy shall not be a completely enclosed structure.~~

Roof Line.

~~The highest point of a flat roof or mansard roof and the lowest point of a pitched roof, excluding the main roof structure, which shall not include cupolas, chimneys, pylons, steeples, parapets or other minor projections.~~

Sign.

Any object, display or structure, or part thereof, situated outdoors, ~~which~~ that is used to advertise, identify, display, direct, or attract attention to an object, person, institution, organization, business, product, service, event or location by ~~any means, including~~ words, letters, figures, design, symbols, fixtures, colors, illumination, or projected images. The term "sign" does not include the flag or emblem of any nation, organization of nations, state, or political subdivision thereof; works of art which ~~in no way promote or identify~~ a product, ~~or~~ business, or organization; scoreboards located on athletic fields; and ~~or~~ religious symbols used by tax-exempt religious organizations.

a) Sign, Advertising

~~A sign, other than a directional sign which directs attention to or communicates information about a business, commodity, service or event that exists or is conducted, sold, offered, maintained or provided at a location other than the premises where the sign is located. Any advertising sign allowed under this Ordinance may display either commercial or noncommercial copy.~~

A. Sign, Animated

A sign depicting action, motion, light or color changes through electrical or mechanical means. Although technologically similar to flashing signs, the animated sign emphasizes graphics and artistic display.

B. Sign, Area

The entire face of a sign including the advertising surface but not including framing, trim, molding, or supporting structure. In computing area, ~~only one~~ the side of a double-faced sign with the largest advertising surface shall be considered.

eC. Sign, Attached

An on-premises sign affixed by permanent mount or mechanism or painted on the wall of any building and affixed to the building throughout its entire dimension. Painted signs are limited to lettering, graphics, and or logos indicating goods, identity, or services specific to the business or enterprise conducted within the structure or building. A painted work of art or mural that is not associated with or identifies a product, business or organization and is not considered an attached sign. A window sign is not considered an attached sign. A projecting sign is not considered an attached sign.

dD. Sign, Canopy and Awning

A sign attached to or painted or printed onto a canopy or awning. For the purposes of this Ordinance, the permitted size of a canopy or awning sign will be calculated on the basis of the size of the building wall to which the canopy is attached. It will, for measuring purposes, be considered a wall sign. A sign attached to or painted or printed onto an awning.

E. Sign, Banner

A temporary sign made of a flexible material such as canvas, sailcloth, plastic or waterproof paper.

F. Sign, Billboard

A large outdoor sign typically found in high traffic areas such as alongside busy roads. Billboards and presenting large advertisements primarily oriented towards passing vehicular traffic.

G. Sign, Campaign or Election

A sign that advertises a candidate or issue to be voted upon on a ~~definite~~ an upcoming, defined, election day.

H. Sign, Canopy

A sign attached to or painted or printed onto a canopy. For the purposes of this Ordinance, the advertising portion of the canopy will, for measuring purposes, be considered an attached sign.

I. Sign, Changeable Copy

A sign or portion of a sign that is devoted to and designed for manually or automatically changeable copy text and graphics. Changeable copy signs do not include time, date and/or temperature signs and electronic message board signs as

hereinafter defined. Changeable copy signs shall be Monument Signs.

eJ. Sign, Construction Announcement

A sign placed at a construction site identifying or announcing the project or the name of the architect, engineer, contractor, financier, or others involved in the development of the project.

fK. Sign, Directional

A temporary sign fronting on a road containing only the name of the principal use, directional arrow/description and/or mileage to the principal use related circumstances.

g) Sign, Directory

~~A sign on which the names and locations of occupants or the use of a building or property is identified.~~

L. Sign, Electronic Message Board

A sign, or portion of a sign, Electronic Reader Boards, Electronic Message Center Signs, Tri-Panel Message Systems, or Commercial Electronic-Variable Message Signs (CEVMS) that displays an electronic image, time, date, temperature, moving or changeable text, and/or video, and uses Light Emitting Diode (LED), Liquid Crystal Display (LCD) or Cathode-Ray technology. Variable display signs utilizing incandescent or florescent backlit illumination or any type of externally lit illumination shall be considered Changeable Copy signs. Electronic Message Signs are not considered flashing signs.

hM. Sign, Flashing

A sign that uses an intermittent or flashing light source or windblown and/or mechanically moved reflective material to attract attention.

i) Sign, Free Standing

~~A sign that is not affixed to a building and is securely and permanently mounted to the ground. Such sign may include a ground, pole or monument sign.~~

jN. Sign, Ground

Any sign which extends from the ground or which has supports which places the bottom thereof less than three and one half feet from the ground directly beneath the sign. An advertising sign made of permanent material, not including canvas, cardboard or plastic sheeting, and is permanently affixed to the ground with approved footings.

O. Sign, Handwritten

Any Sign that is prepared by non-mechanical means and without the use of a

printing device.

P. Sign, Historical Federal or State

A sign describing a historical building, event, landscape or person and developed as part of a Federal or State historical preservation/identification effort.

Q. Sign, Historical Local

A sign describing a historical building, event, landscape or person and developed as part of a local historical preservation/identification effort recognized by Federal, State or Local government or non-profit (as designed by the Internal Revenue Service) entity.

R. Sign, Height

The height of an on-premises freestanding sign shall be measured from the average grade of the site where the sign is located to the top of the highest attached component of the sign, the sign face, sign structure and any other appurtenance. Any change in a site's grade specifically designed to increase a sign's height shall be included as part of the sign's height.

kS. Sign, Identification

A sign ~~which~~ that displays only the occupant family name and/or address, and/or crest, or insignia, trademark occupation or professional of an occupant or the name of any building on the premises associated with a property.

l) Sign, Illuminated

A sign either internally or externally illuminated.

T. Sign, Illuminated - External

A sign that features artificial illumination from a light source and provides light directly onto the sign face, or portions of the sign face, where light is then reflected back to the viewer.

U. Sign, Illuminated - Internal

A sign that features artificial illumination from a light source located behind the sign face and transmits light through the sign face or portions of the sign face to the viewer. Also known as backlit illumination. Exposed neon tubing, incandescent lighting and similar non-changing light emitting diode lighting shall not be considered an internally illuminated sign.

mV. Sign, Incidental

A permanent on-premises sign that is intended to provide information or direction for the convenience and necessity of the public or a permanent sign affixed to permanent outdoor product storage enclosures. Entrance, parking and one-way signs, building numbers, addresses, private parking signs, no trespassing signs, dangerous animal, identification, event, instructional and seasonal signs are

considered incidental. Signs used in conjunction with equipment or other functional elements for a use or operation, including, non-restaurant drive-through window menu boards, and signs on automatic teller machines and gas pumps are considered incidental. Incidental signs shall not provide advertising of products, businesses or organizations beyond identification of the primary associated business or organization. Product storage enclosure signs are permitted to provide commercial identification or advertising for products, businesses or organizations associated with enclosure content only.

W. Sign, Inflatable

A sign that is fully or partially inflated through the use of a mechanical device.

n) Sign, Instructional

~~An on-premises sign designed to guide vehicular and/or pedestrian traffic by using such words as “Entrance”, “Exit”, “Parking”, “One Way”, or similar directional instruction, but not including any advertising message. The name or logo of the business or use to which the sign is given direction may also be included on the sign.~~

X. Sign, Internal

A temporary sign providing advertising for products and services provided on-premise of outparcels developed as B1 Zoning or part of a B-2 Conditional Use Permit and not visible from any public roadway.

o) Sign, Lighted

~~A sign illuminated only by light cast upon the sign from an external light source.~~

p) Sign, Luminous

~~A sign lighted by or exposed to artificial lighting either by lights or in the sign.~~

Y. Sign, Menu Board

A sign displaying the bill of fare of a drive-in or drive-through restaurant.

qZ. Sign, Monument

A free-standing ground sign with a sign (support) structure that: (1) is designed as one architecturally unified and proportional element with the sign itself, (2) is at least 90 percent of the width of the sign face and (3) is solid from grade at the base of the sign to the top of the sign structure. Monument signs must contain a minimum of one (1) foot of masonry above grade and attached to the bottom of the sign to screen any supporting structure. – completely surrounds the sign face and is constructed of masonry material other than cinder-block. Monument sign faces shall be surfaced with stucco, painted wood, or masonry material other than cinder-block. Monument signs may be backlit or externally illuminated and must

comply with Section 4.10.

AA. Sign, Neon

An illuminated sign containing glass tubes filled with neon gas that ~~which are bent to~~ form letters, symbols or other shapes.

rAB. Sign, Off-Premises

A sign that ~~draws attention to or communicates information about~~ not located on the premises where a business, service, commodity or product or that exists or is conducted, sold, offered, maintained and/or provided at a location other than the premises where the sign is located.

sAC. Sign, On-Premises

A sign that ~~draws attention to or communicates~~ references information about pertaining only to a business, service, commodity, that exists or is conducted, sold, offered, maintained or provided on the premises where the sign is located industry, activity, or profession located on the premises where the sign is displayed, and pertaining only to the name of the business, type of product sold, manufactured, or assembled, and/or service, activity, or entertainment offered on said premises, including business identification and occupancy signs.

AD. Sign, Official Government, Emergency and Safety

Any temporary or permanent sign erected and maintained for any government, public safety or division of government, for purposes other than signs placed on the premises of a publicly owned building or structure or other land use designed to identify ~~to~~ the land use to the public. Speed limit signs, city limit and welcome signs, street name signs, and traffic signs are considered official signs. Conversely, a sign placed on public buildings, ~~such as~~ libraries, schools or public safety buildings which identifies said buildings, shall not be considered an official sign.

†AE. Sign, Permit

A permit issued by the Zoning Administrator that authorizes the recipient to erect, move, enlarge, or substantially alter a sign.

uAF. Sign, Pole

A ~~detached-ground~~ sign erected and maintained on a free-standing frame, mast, post or pole and not attached to any building, but not including ~~ground-mounted or monument~~ signs. The bottom of such sign shall be greater than three and one-half (3 1/2) feet from the ground directly beneath the sign.

AG. Sign, Political

A temporary sign used in connection with a local, state, or national election or referendum.

vAH. Sign, Portable

Any sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported, ~~including, but not limited to, signs designed to be transported~~ by means of wheels; signs converted to A- or T-frames; or umbrellas used for advertising. A sandwich board sign as defined by and in conformance with this ordinance is not considered a portable sign.

AI. Sign, Professional name plate

A sign that displays only the name and/or crest, or insignia, trademark, occupation or profession of an occupant or the name of any building on the premises.

~~w~~**AJ. Sign, Projecting**

Any sign other than an attached, wall, awning, canopy or marquee window sign, which is permanently affixed to a building, extending beyond the façade plane and oriented towards any direction other than flush with the building façade and is supported only by the wall on which the sign is mounted.

~~x~~**Sign, Public Interest**

~~A sign on private property that displays information pertinent to the safety or legal responsibilities of the general public such as “Warning” and “No Trespassing” signs.~~

~~y~~**AK. Sign, Real Estate**

~~A sign that is used to offer for sale, lease, or rent the premises upon which such sign is placed.~~

~~z~~**AL. Sign, Roof**

~~A sign erected or maintained in whole or in part upon or over the roof or parapet of a building.~~

AM. Sign, Sandwich Board

A single or double-faced moveable sign that is intended to be used on a sidewalk or pedestrian way in front of the business for which the commercial message is intended.

~~aa~~**AN. Sign, Temporary**

~~Any sign erected and maintained for a specific and limited period of time. Any sign not permanently affixed to a building or footings as well as banners and any sign made of flexible materials shall be considered a temporary sign.~~

AO. Sign, Under Canopy

A fixed sign mounted underneath a canopy and attached to canopy structure or fixed product storage enclosures underneath canopy.

AP. Sign, Vehicular

Signs on parked vehicles visible from the public right of way, painted onto motorized vehicles and attached accessory vehicular equipment, magnetic signs, or attached consumables delivery signs, where the primary purpose is to advertise a product or used to direct people to a business or activity located on the same or nearby property, and said vehicles are not used in the normal day to day operations of said business. For the purposes of this Ordinance vehicular signs shall not include business logos, identification or advertising on vehicle primarily used for other transportation purposes. Vehicular signs shall not include banners or other signs not permanently affixed to the vehicle, such signs shall be prohibited.

AQ. Sign, Window

A sign, other than a projecting sign, to include design elements placed inside or outside the window, used to advertise, announce, or identify a person or entity, or communicate information of any kind, or to draw attention to the business or use.

Tenant

Any occupant of a habitable structure.

Tenant, In-line

An occupant of a separately-metered space located within a non-residential multi-tenant building.

ARTICLE 8

SIGNS

Signs are permitted in accordance with regulations listed below and in accordance with other applicable regulations of this Ordinance.

Section 8.1 Intent

The purpose of this Article is to permit such signs that will not, by their reason, size, location, construction, or manner of display, endanger the public safety of individuals, confuse, mislead, or obstruct the vision necessary for traffic safety, or otherwise endanger public health, safety, and general welfare; protect and enhance property values and community appearance as part of the Village's concerted effort to enhance the aesthetic quality of the Village; and to permit and regulate signs in such a way as to support and complement land use objectives set forth in the Future Land Use plan.

Section 8.2 General Requirements

- A. Applicability. The provisions of this Section are applicable to all signs, both off-premises and on-premises, unless otherwise provided for in this Ordinance. Any sign, in the districts where it is permitted, shall hereafter be in compliance with the provisions of this Section and shall meet all other regulations applicable to signs, including those found in the Code of Ordinances of the Village of Wesley Chapel for signs erected in those jurisdictions, and in the North Carolina Building Code and National Electric Code.
- B. Required Permits and Approvals. A zoning permit shall be secured from the Zoning Administrator prior to the construction, reconstruction, erection, enlargement, relocation, or structural alteration ~~or repair~~ of a sign. A complete application must be submitted to and approved by the Zoning Administrator in order to obtain a zoning permit.
- C. Maintenance. Any sign in the Village of Wesley Chapel that is found to be in need of repair shall be renovated or removed within thirty (30) days by the owner upon receipt of written notification, or said sign may then be removed by the Zoning Administrator, and the reasonable cost of such removal, including associated attorney's fees, shall be the owner's responsibility.
- aD. Any lighted sign or lighting device shall be so oriented as not to cast light upon a public right-of-way so as to cause glare, intensity or reflection that may constitute a traffic hazard or a nuisance, or cast light upon adjacent property that may constitute a nuisance.
- bE. ~~Lighted~~ Illuminated signs shall employ only devices emitting a light of constant intensity, and no signs shall be illuminated by a flashing, intermittent, rotating or moving light.
- ~~e. No electric sign shall be so located with relation to pedestrian traffic as to permit such sign to be easily reached by any person. The bottom of such sign shall be located a minimum of ten (10) feet above the grade immediately under said sign, if the sign is within fifteen (15) feet of the edge of the street right-of-way.~~
- ~~d. The area of a sign shall be measured by measuring one face of the entire sign including any border or trim and all of the elements of the matter displayed, but not including the base or apron, supports or other structural members. The area of a double face sign shall be the area of one face of the sign.~~
- F. All free-standing sign structures shall be self-supporting structures clad with any masonry material except cinder-block and be erected

on or set into and permanently attached to concrete foundations. Such structures shall comply with the building codes of Union County, North Carolina.

G. No portion of a free-standing sign, including projections, may extend into or over an existing public right-of-way.

H. All signs shall be located in a manner that does not impair traffic visibility.

Section 8.23 Signs Permitted Without Permit

The following signs shall not require a permit:

~~aA.~~ Official Government, Emergency, and Safety Signs and Signs required to be posted by law. Signs established by governmental agencies. "Warning" signs, and "No" Trespassing, "Private Property" and signs. Traffic signs indicating directions, entrances, or exits are limited to two (2) square feet.

~~b.~~ One (1) sign, including a professional name plate, per dwelling unit, denoting the name of the occupant not to exceed one and one half (1-1/2) square feet in area.

B. Identification, Name and/or Address signs, not to exceed one and one half (1-1/2) square feet in area.

~~eC.~~ Temporary signs for candidates seeking public office. Such signs shall not be placed on property more than thirty (30) days prior to the election date. All political signs shall be removed by the candidates within five (5) days after Election Day (including primaries). (Revised 10.14.02)

~~dD.~~ One Real Estate sign advertising real estate "for sale", "for rent", or "for lease", not greater than six (6) square feet in area located upon property so advertised. Such signs shall be removed within seven (7) days after the property has been sold, (upon closing) rented or leased. Any signs erected pursuant to this provision must not violate Section 8.34 of this Ordinance. Any signs advertising real estate subdivisions shall be limited to one (1) sign, per entrance, no greater than twelve (12) square feet in area.

~~e.~~ Permanent subdivision or planned residential identification signs.

~~fE.~~ One (1) sign, no more than six (6) square feet in area, advertising the sale of produce out of a home garden on the premises where

the produce is being sold shall be permitted with no more than six (6) square feet in area.

~~g. Churches may have two (2) free standing directional signs only. The signs shall be no larger than two (2) square feet in area and placed off the right of way.~~

hF. Signs advertising a yard sales, the sale of up to two (2) or fewer personal vehicles, or for the recovery of lost pets, or the like. All yard sales' signs shall be removed twenty-four (24) hours after the yard sale has been terminated. No such sign shall be greater than four (4) square feet in area. All such signs shall be located off the street right-of-way.

~~i. Temporary signs advertising fund raising and/or events of general community interest and support, and conducted under the auspices of one or more charitable organizations (e.g. churches, volunteer fire department and community service organizations) located within the Village. Such signs may be posted no earlier than thirty (30) days before the advertised date of planned activity, and must be removed no later than five (5) days thereafter. All such signs shall be no larger than ten (10) square feet in area, and must not violate any provision of Section 8.3 of this Ordinance. (Added 03.12.01)~~

G. On-premises incidental signs, as defined by Article 2. Outdoor product storage enclosure signs shall be no larger than four (4) square feet and may display commercial content for items stored. All other incidental signs shall be no larger than two (2) square feet in area.

H. Window signs covering no more than fifty percent (50%) of total window square footage. Window signs on window exteriors shall be professionally manufactured.

I. Permanent Historical plaques, tablets or markers placed by a federal or state governmental agency.

J. Vehicular signs in accordance with Article 2.

K. Internal signs, not readable from a public roadway, limited to B1 and B2 zoned property on an exclusive parcel and not permanently affixed ground signs, are allowed, provided they measure less than four (4) square feet in area. Internal signs are not considered Banner signs. All Banner signs require temporary sign permits and must comply with Section 8.5.A.

- L. Free-standing Sandwich Board signs, as defined in Article 2, limited to one (1) sign per establishment, located within five feet (5') of the principal entrance and not located greater than one foot (1') from the relevant building façade.

Section 8.34 Prohibited Signs *(Revised 09.10.01)*

Any unauthorized signs placed in a public right-of-way may be taken down and destroyed without prior notification to the sign owner.

The following signs are expressly prohibited within all zoning districts, unless as otherwise specified in this Ordinance.

- ~~a~~A. All off-premise signs, including billboards, except where expressly
allowed.
- ~~b~~B. All portable signs, except those authorized by Section 8.7.
- ~~c~~C. Flashing light signs (except signs which give time and temperature only Electronic Message Board signs are not considered Flashing signs). *(Revised 10.14.02)*
- ~~d~~D. Any sign which the Zoning Administrator determines obstructs the view of pedestrians, bicyclists or motorists using any street, private driveway, approach to any street intersection, or which interferes with the effectiveness of or obscures any traffic sign, device or signal.
- ~~e~~. Luminous signs.
- E. Exposed neon, incandescent, or non-changing light emitting diode (LED) signs (except for interior neon window signs or non-changing light emitting diode (LED), in compliance with window signage regulations, and exterior neon or non-changing light emitting diode (LED) open/closed signs exceeding two (2) square feet).
- ~~f~~F. Any sign placed upon a traffic control sign, tree, or utility pole, for any reason ~~whatsoever~~ except as provided in Section 8.3(A).
- ~~g~~G. Any permanent sign that is an inflatable device.
- H. Pole or post mounted-signs, excepting incidental or temporary signs.

- I. Animated signs.
- J. Signs temporarily attached to vehicles, defined in Article 2.
- K. Awning Signs
- L. Handwritten signs, including temporary signs and window signs. Signs advertising temporary uses, as permitted in Section 4.7, and Signs permitted in Sections 8.3.D, E, F, G and L are excluded.
- M. Roof signs.
- N. Window signage covering more than fifty percent (50%) of window area.

Section 8.85 Temporary Signs

aA. Banners, Pennants and Temporary Signs:

The following temporary signs are allowable after the Zoning Administrator has issued a temporary sign permit, for a total period not to exceed thirty (30) days, four (4) times per calendar year per tenant. Consecutive applications are permissible. Unlighted on premise portable signs, banners, and windblown signs such as pennants, spinners, flags, directional and feather/blade signs and streamers for special events and grand openings. For in-line tenant spaces, banners shall be limited to portion of building being occupied or used by tenant. Banner signs affixed to buildings shall be limited to one (1) sign per business or tenant space and twenty four (24) square feet in area. Banner and other temporary signs affixed to the ground shall be limited to one (1) sign per adjacent public roadway and limited to ten (10) square feet in area.

bB. Inflatable Signs:

Temporary inflatable signs and mechanical advertising devices are allowable after the Zoning Administrator has issued a temporary sign permit, for a total period not to exceed ten (10) days, once per calendar year.

bC. Construction Announcement Signs:

Announcement signs are signs that indicate the names, address, etc. of firms making improvements on property. One sign per project shall be permitted and shall require a Sign Permit, good for

one (1) year and renewable, one time, for one (1) additional year and shall be single faced of a maximum area of twenty (20) square feet. Announcement signs are not to be used to advertise real estate or subdivisions. No illumination of announcement signs shall be permitted.

eD. Off-Premise Directional Signs: (Added 09.08.03)

~~A permit for temporary off-premise signage may be approved by the Zoning Administrator in the event of temporary-extenuating circumstances such as road closures that hinder access to a business or special event. The signs shall be allowed only while the relevant extenuating circumstance persists. The maximum number of signs permitted at any location shall be one (1) and the total number of temporary off-premise signs permitted shall be three (3). The maximum area of off-premise signs shall be six (6) square feet and the maximum height shall be six (6) feet. Permits shall be valid for six (6) months or until termination of the road closure, whichever comes first. Consecutive applications are permissible. All requirements of Section 8.7 shall also be met, excepting off-premises prohibition. A letter from the property owner of the proposed location of the off-premise sign granting permission for the installation of the sign shall be required.~~

E. Fund-Raising and General Community Interest Signs:

A permit for temporary signage for the purposes of Fund-Raising and General Community Interest and support, conducted under the auspices of one or more charitable organizations, such as churches, emergency service providers, community service organizations, religious, charitable, civic, fraternal, or similarly non-profit or not-for-profit organizations located within the Village requires approval by the Zoning Administrator. Such signs may be posted no earlier than thirty (30) days before the advertised date of planned activity, and must be removed no later than five (5) days thereafter. All such signs shall be no larger than twenty four (24) square feet in area and may be off-premises signs with permission of the property owner. No signs shall be located in public right-of-way (ROW) or be prohibited as specified in Section 8.4.

~~Section 8.5 Attached (On Structure) Signs~~

- a. ~~On Structure signs shall be considered either attached signs or painted wall signs.~~
- b. ~~No sign painted on a building or wall shall exceed twenty percent~~

_____ (20%) of the wall area, or a maximum of sixty four (64) square feet.

c. _____ No sign shall be located on the roof of any structure or extended above the parapet or eave line of any structure.

Section 8.6 Free-Standing Signs

a. _____ No free-standing sign shall be located higher than twenty (20) feet above grade as measured to the top of the sign.

b. _____ No part of the sign shall be located closer than five (5) feet to any adjacent side lot line.

c. _____ No portion of a free-standing sign including projections may extend into or over an existing public right of way.

d. _____ All free-standing sign structures or poles shall be self-supporting structures erected on or set into and permanently attached to concrete foundations. Such structures or poles shall comply with the building codes of Union County, North Carolina.

e. _____ All signs shall be located in a manner that does not impair traffic visibility.

f. _____ The bottom of any free-standing sign located within fifteen (15) feet of the edge of the street right-of-way line shall be a minimum of ten (10) feet above the grade immediately under said sign.

Section 8.7 Ground Signs

a. _____ No part of a ground sign including projections may extend into or over an existing public right of way.

b. _____ Ground signs are permitted so long as the building or structure in which the activity is conducted is set back at least thirty (30) feet from the street right-of-way.

c. _____ All ground signs must be secured to the ground or affixed so as not to create a public safety hazard.

d. _____ The sign shall be located so as to not impair traffic visibility.

e. _____ The maximum area of the sign shall be twenty (20) square feet.

f. _____ No part of the sign shall be located closer than five (5) feet to any adjacent side lot line.

Section 8.96 Signs Allowed in All Residential -R- Districts by Permit

A. Signs on premises of single-family dwellings and on the premises of manufactured or modular homes shall be regulated as follows:

1. Types of sign permitted: _____

_____ Professional Name Plate

2. Permitted number of signs: _____

One (1) per dwelling unit

3. Maximum area of signs:

Three (3) square feet

B. Signs on premises of small group day care homes shall be regulated as follows:

1. Types of sign permitted:

Professional Name Plate

2. Permitted number of signs:

One (1) per dwelling unit

3. Maximum area of signs:

Three (3) square feet

C. Signs on residential subdivision community property shall be allowed by permit or shall be approved though preliminary plat review and shall be regulated as follows:

1. Types of sign permitted:

a. Permanent Residential Subdivision Monument Identification signs shall be approved as part of the preliminary plat approval process or shall require issuance of a permit and shall follow the following guidelines:

i. No part of the sign shall be located closer than ten (10) feet to any adjacent side lot line.

ii. Sign structures, including sign face(s), shall be limited to ten (10) feet in height and one hundred (100) square feet in area.

iii. Signs shall be single or double-faced with each sign face being no greater than thirty (30) square feet in area.

iv. Sign faces shall be surfaced with stucco, painted wood, or masonry material other

than cinder-block.

v. Incorporation of gate houses and walls attached to Subdivision Monument signs may be considered for approval by the Planning Board during preliminary plat review.

vi. Monument sign structures shall be constructed of masonry material other than cinder block.

b. Permanent Residential Subdivision Changeable Copy signs shall be approved as part of the preliminary plat approval process or shall require issuance of a permit and shall follow the following guidelines;

i. No part of the sign shall be located closer than ten (10) feet to any adjacent side lot line.

ii. Sign structures, including sign face(s), shall be limited to five (5) feet in height and twenty five (25) square feet in area.

iii. Signs shall be single or double-faced with each sign face being no greater than fifteen (15) square feet in area.

iv. Sign faces shall not be surfaced with cinder-block.

v. Residential Changeable Copy signs shall not be visible from non-subdivision roads.

vi. Changeable Copy signs shall be Monument signs constructed of masonry material other than cinder block.

2. Permitted number of signs: _____

a. Two (2) Monument Identification signs per subdivision entrance

b. One (1) Changeable Copy sign per subdivision.

D. Signs for all other non-residential uses in a Residential -R- district shall require issuance of a permit and shall be regulated as follows:

1. Types of sign permitted: _____

a. Monument ~~Identification~~ signs shall be approved as

part of a conditional use process or shall require issuance of a permit and shall follow the following guidelines:

- i. No part of the sign shall be located closer than ten (10) feet to any adjacent side lot line.
 - ii. Sign structures, including sign face(s), shall be limited to five (5) feet in height and twenty five (25) square feet in area.
 - iii. Signs shall be single or double-faced with each sign face being no greater than twenty (20) square feet in area.
 - iv. Sign faces shall be surfaced with stucco, painted wood, or masonry material other than cinder-block.
 - v. Monument sign structures shall be constructed of masonry material other than cinder block.
- b. Changeable Copy signs are restricted to Church and School Uses and shall be approved as part of the conditional use approval process, or shall require issuance of a permit, and shall follow the following guidelines:
- i. No part of the sign shall be located closer than ten (10) feet to any adjacent side lot line.
 - ii. Sign structures, including sign face(s), shall be limited to five (5) feet in height and twenty five (25) square feet in area.
 - iii. Signs shall be single or double-faced with each sign face being no greater than twenty (20) square feet in area.
 - iv. Sign faces shall not be surfaced with cinder-block.
 - v. Changeable Copy signs shall be Monument signs constructed of masonry material other than cinder block.
- c. Permanent Local Historical signs from a recognized historical society shall be allowed by permit and shall be limited to six (6) square feet in area.

2. Permitted number of signs:

- a. One (1) Monument ~~Identification~~ sign per property
- b. One (1) Changeable Copy sign per Church/School property
- c. One (1) Local Historical sign per building structure

Section 8.107 Signs allowed in the B-1, B-2, O-I and L-1 Zoning Districts by permit

A. Signs on premises of permitted B-1, B-2, O-I and L-1 uses conducted in buildings or with buildings associated shall require issuance of a permit, or be approved as part of a conditional use permit process, and shall be regulated as follows:

1. Types of sign permitted:

- a. Attached (On-Structure or Canopy) signs for any free-standing structure or in-line tenant space shall be allowed, shall require a permit and must comply with the following guidelines:
 - i. Signs shall be fastened by permanent mount or mechanism, as defined in Article 2.
 - ii. No attached sign or combination of signs, shall exceed five percent (5%) of the wall area, or a maximum of twenty (20) square feet.
 - iii. No sign shall be located on the roof of any structure or extended above the parapet or eave line of any structure.
- b. Under Canopy signs, as defined in Article 2, shall be allowed, by permit, and shall be limited to eight (8) square feet in area.
- c. Free-Standing Individual Non-Residential Monument signs shall be allowed by permit and shall conform to the following guidelines:
 - i. Sign structures, including sign face(s), shall be limited to five (5) feet in height and twenty five (25) square feet in area.
 - ii. No part of the sign shall be located closer than ten (10) feet to any adjacent side lot

line.

iii. Signs may be single or double-faced. Sign faces shall be limited to twenty (20) square feet.

d. Electronic Message Board signs incorporated into approved monument signs.

e. Permanent Local Historical signs from a recognized historical society shall be allowed by permit and shall be limited to six (6) square feet in area.

f. Projecting signs, provided they are made of non-flexible material, are a maximum of three (3) sq. feet in area and have at least ten (10) feet of ground clearance.

2. Permitted number of signs

a. Attached signs are restricted by combined total square footage as indicated

b. Unlimited under-canopy signs are allowed

c. One (1) Sandwich Board sign per tenant

d. One (1) Non-Residential monument sign per property

e. One (1) Local Historical sign per structure

f. One (1) projecting sign per tenant

B. Signs on premises of permitted B-2 uses conducted in buildings or with buildings associated shall require issuance of a permit, or be approved as part of a conditional use permit process, and shall be regulated as follows:

1. Types of sign permitted:

a. Permanent shopping center Monument signs shall be allowed as part of a CUP-B-2 Shopping Center conditional use approval process and shall conform to the following regulations, unless altered during the conditional use process;

i. No shopping center Monument sign shall be greater than twenty (20) feet in height.

ii. No part of the sign shall be located closer than ten (10) feet to any adjacent side lot

- iii. line.
The maximum area of the sign structure, including sign face(s), shall be two hundred (200) square feet.
- iv. Signs shall be single or double-faced with each sign face being no greater than seventy-five (75) square feet in area.

2. Permitted number of signs

- a. One (1) shopping center Monument sign per shopping center

Section 8.9 Signs Permitted in All Residential-R Districts

~~A. Signs on premises of single family dwellings and on the premises of manufactured or modular homes shall be regulated as follows:~~

- ~~a. Types of sign permitted: Identification~~
- ~~b. Permitted number of signs: One (1) per dwelling unit~~
- ~~c. Maximum area of signs: Three (3) square feet
(Revised 03.31.03)~~
- ~~d. Permitted location: Behind street right of way~~

~~B. Signs on premises of small group day care homes shall be regulated as follows:~~

- ~~a. Types of sign permitted: Identification~~
- ~~b. Permitted number of signs: One (1) per dwelling unit~~
- ~~c. Maximum area of signs: Three (3) square feet~~
- ~~d. Permitted location: Behind street right of way~~

~~C. Signs on premises of cemeteries shall be regulated as follows:~~

- ~~a. Types of sign permitted: Identification~~

~~_____~~ b. ~~Permitted number of signs:~~ ~~One (1) per street front~~

~~_____~~ c. ~~Maximum area of signs:~~ ~~Twenty (20) square feet~~

~~_____~~ d. ~~Permitted location:~~ ~~Behind required setback~~

~~_____~~ D. ~~Signs on all other non-residential uses in an Residential – R – district shall be regulated as follows:~~

~~_____~~ a. ~~Types of sign permitted:~~ ~~Identification and bulletin board.~~

~~_____~~ b. ~~Permitted number of signs:~~ ~~One (1) identification and one (1) bulletin board each if only one principal building is involved. A third sign is permitted if the building is located on a through lot or has frontage on three or more streets. If more than one (1) principal building is involved, one (1) identification and one (1) bulletin board for the first principal building is permitted plus one (1) identification or (1) bulletin board for each additional principal building.~~

~~_____~~ c. ~~Maximum area of signs:~~ ~~One Principal Building – No sign shall be greater than thirty two (32) square feet. Two or more Principal Buildings – No sign shall be~~

~~greater than sixteen (16) square feet.~~

~~_____~~
~~_____~~ d. ~~Permitted location:~~ ~~_____~~ ~~Identification and bulletin board:~~
~~_____~~ ~~Behind right of way line.~~

Section 8.10 Signs permitted in the B-1, B-2 and L-1 Zoning Districts

~~_____~~ A. ~~Signs on premises of permitted uses conducted in buildings or with buildings associated shall be regulated as follows:~~

~~_____~~ a. ~~Types of sign permitted:~~ ~~_____~~ ~~Business and/or identification~~

~~_____~~ b. ~~Permitted number of signs~~ ~~_____~~ ~~Attached One (1) only except that an additional free standing sign may be permitted on through lots or lots having frontage on three (3) or more streets. All requirements of Section 8.5 shall also be met.~~
~~_____~~ ~~Ground One (1) only except that an additional ground sign may be permitted on through lots having frontage on three (3) or more streets.~~

~~_____~~ c. ~~Maximum area of signs:~~ ~~_____~~ ~~Attached One (1) square foot of aggregate area per linear foot of building street frontage up to a maximum of sixtyfour (64) square feet per premises regardless of the number of~~

~~establishments occupying such premises. Free Standing Onehalf (1/2) the permitted size of attached signs, except as indicated in Section 8.10.~~

~~Ground Twenty (20) square feet.~~

~~d. Permitted location:~~

~~Attached Signs shall be located on the building and shall not extend above the parapet of the building nor more than eighteen (18) inches from any building wall or marquee face provided that such sign shall not project more than six (6) inches into the street right of way unless it is at least ten (10) feet above street grade, in which case it may not extend more than eighteen (18) inches into the street right of way.~~

~~Free Standing Signs shall be no greater than twenty (20) feet in height and in accordance with Section 8.6.~~

~~Ground Behind street right of way line and in accordance with Section 8.7.~~

~~B. Shopping Center Identification signs shall be regulated as follows:~~

- a. ~~Type of sign permitted:~~ ~~Shopping Center Identification~~
- b. ~~Permitted number of signs:~~ ~~A shopping center containing three (3) or more businesses with separate entrances shall have one freestanding identification sign giving the names of the businesses located in the shopping center. No other free-standing signs shall be allowed. Such sign shall be in accordance with Section 8.6.~~
- c. ~~Maximum area of signs:~~ ~~One hundred (100) sq. feet provided that no portion of the sign advertising a particular business shall be in excess of twenty (20) square feet.~~
- d. ~~Permitted height:~~ ~~The maximum height of said sign shall be twenty (20) feet and shall be located behind the right-of-way line.~~

Section 8.118 Menu board for drive-through restaurant

- A. The exterior maximum height is sixty (60) inches (curb side height) or seventy-two (72) inches (from drive surface). The maximum width is eighty (80) inches. The internal portion for the menu is a maximum of forty-eight (48) inches high by seventy-two (72) inches wide, and can only be used for the sign panel.

- B. The maximum number of signs is two (2) per ~~restaurant~~ drive through lane for Fast Food or Drive-In/Drive-Through Restaurants.
- C. If a second sign is utilized, the exterior maximum height is sixty (60) inches (curb side height) or seventy two (72) inches (from drive surface.) The maximum width is eighty (80) inches. The internal portion for the menu is a maximum of forty-eight (48) inches high by seventy-two (72) inches wide, and can only be used for the sign panel.
- D. Menu board signs shall be located on the side of the building opposite the main thoroughfare and ultimately left to the discretion of the Zoning Administrator.
- E. If two signs are erected, they must be at least twelve (12) feet apart.
- F. No additional signage may be placed on the menu board for drive-through restaurant signs.
- G. Any sign must be located at least fifteen (15) feet from any property line.
- H. The predominant color and material of the exterior of such signs should be the predominant color and material of the principal building.
- I. If a speaker post is used, it must be of the same material used for the exterior of the sign.

Section 8.9 Non-Conforming Signs

The following requirements are established to regulate non-conforming signs:

A. Conformance Required

Any sign legally in use prior to the effective date of this ordinance or any amendments hereto which does not satisfy the requirements of this ordinance is declared to be nonconforming and may be continued, provided, however, that prohibited signs, as specified in Section 8.4, and any associated components or equipment, be brought into compliance with the requirements of this Article or be removed entirely. The eventual elimination, as expeditiously and fairly as possible, of nonconforming signs is as much a subject of health, safety and welfare as is the regulation of new signs.

B. Regulations of Non-Conforming Signs

A nonconforming sign may be continued but it shall not be:

1. Changed or replaced with another nonconforming sign, except that context may be changed.

2. Expanded or modified in any way which increases the sign's nonconformity. Nor may illumination be added.
3. Moved except to bring the sign into complete conformity with this Article.
4. Re-established once the sign structure has been removed, if not already present.

C. Maintenance of Non-Conforming Signs

Nonconforming signs shall be subject to all requirements of this Article regarding safety, maintenance, and repair. Nonconforming signs shall be maintained in good condition including necessary non-structural repairs, incidental alterations, or copy alterations, such as repainting and electrical repairs, which do not extend or intensify the nonconforming features of the sign.

5. TOWN HALL BUILDING COMMITTEE UPDATE

Brotton reported we contracted with MGES civil engineers to evaluate the stormwater and access drive options and costs, and are forwarding to them the information from Aston Properties about what category they fall in for stormwater. The architect contract is being reviewed by the attorney, it will then be sent back to the Architect, then to the attorney, then to Council.

6. PARKS AND REC COMMITTEE UPDATE:

- Stormwater Proposal Discussion
- CUP Draft and Process
- Fundraising Process – Parks and Rec Recommendation
- Sidewalks

Bradford said last night Parks and Rec approved the Carolina Thread Trail proposal and recommended the park name “Dogwood Park at Wesley Chapel”. After some discussion, Brotton made a motion to approve the park name “Dogwood Park at Wesley Chapel”; Ormiston seconded the motion.

The motion passed unanimously.

Bradford said we need a second appraisal on the Dogwood Park land for the PARTF grant; she got quotes ranging from \$450 to \$1500. Discussion was held on whether we should create an exemption resolution for Haden Stanziale to do the work on the CUP and design work on the park. Ormiston noted we want to get the best fee, and Hess expressed concern that the State sets \$30,000 as a limit and you want the economies of scale if you bid it out instead of doing it piecemeal. Brotton said his concern was that we have done exemptions for Haden Stanziale, and paid them \$33,000 to date, and the perception that we have allowed them to position themselves; also their rates are high compared to other bids. Hess noted if we bid it out they can still participate, their rates may be more competitive and we will save. Brotton noted with MGES we ended up with a \$2,000 discount. Bradford said the reason we went with Haden Stanziale twice was due to their historical results and the time crunch; another town went with our second choice and did not get results; when we interviewed the firms they were the most expensive, but the most favorable, and the low bid may not be the best quality. Mayor Horvath noted it goes back to the criteria that we want them to

meet. Consensus was to do an RFQ instead of an exemption resolution. Bradford said she would need help with the RFQ. Bennett said other towns had been very helpful with the town hall process, and she would request some information relevant to a park. Bradford made a motion to approve \$450 for Morrison Appraisal to do the second appraisal of the land at Dogwood Park with the assumption it does not exceed the December 2010 resolution exemption of \$30,000. Hess seconded the motion.

The motion passed unanimously.

Bradford said the PARTF contract had not come in yet, but is expected shortly. Hess made a motion to allow the Mayor to approve the contract with the State for the PARTF grant of \$500,000 after the attorney reviews it; Bradford seconded the motion.

The motion passed unanimously.

Bradford reported the Parks and Rec Committee recommended a separate group that would work with Partners for Parks and concur with Council on the amenities they fundraise for. Hess said he was hesitant to put more amenities until people can safely get to the park. Bradford said there are other grants out there. Mayor Horvath said he would like to see a plan from the Committee for the rest of the build-out and the route to the park is a good point. Julie Brown said the Committee went through the survey results, and found items 1-8 were taken care of except for the fitness center; they talked about a fundraiser for a picnic/barbecues shelter. The next item not covered is #15 a playground. They talked about setting individual fund raising goals. Ormiston asked for a priority list for the next meeting which would show which items would be covered by the grant. She noted the committee doesn't have the right to create a subsidiary group from Council; this would be something people do on their own. Brotton said we want the committee to stay a committee and outside funding be outside, the lines shouldn't blur. Julie Brown said her proposal is to resign from Parks and Rec and be a liaison to Partners for Parks and do fundraising. A discussion of roles as far as who can spend the funds was held. Bradford noted if a majority of Parks and Rec wanted to be in the fundraising group it would create problems with open meetings and notice and it would be useful for the fundraisers to get concurrence with Council on what amenities are desired.

Ormiston noted she heard about a planning grant for sidewalks from a COG delegate, it is awarded geographically and there may be a 20% match. We need to talk to the property owners involved regarding easements. She will find out more information and the grant is in November.

7. SELECTION OF TOPICS FOR MEETING WITH UNION COUNTY BOARD OF COUNTY COMMISSIONERS

Mayor Horvath provided a list of topics which was discussed. Land Use (Incompatible Uses) will include business/residential mix and downtown resolution. Roads and Fire Department Discussions were taken off the list. Other items are current status of Parks and Rec, any additional info from them on water and sewer, and where they are at on Carolina Thread Trail, animal control, and Sheriff's Office satellites.

8A. PRESENTATION AND REVIEW OF 2011-2012 BUDGET; REVIEW CIP BUDGET; CALL FOR PUBLIC HEARING ON BUDGET FOR JUNE 13, 2011 AT 7 PM

Hess commented that we are getting very close to funding a contract deputy for the latter half of the 2011-12 year. Hess asked about property values; Bennett said they come from the tax assessor's office; and the percentages collected come from the audit. Ormiston said a half year funding for a deputy would be about \$37,500 less what the shopping centers said they would provide. The proposed 2011-2012 budget was presented. Langen asked if it included training funds because the planning conference is in Charlotte; \$400 was included for Planning/Zoning training. Bradford asked about Parks and Rec funding. Bennett noted \$1,000 was included for off duty deputies, the insurance amount is from the League, utilities (1,800) includes the water, electric and propane, phone (\$600) is for the line for the security system at the house, materials and supplies were dispersed to more descriptive accounts, porta-pots were included in Maintenance/Grounds. Bradford made a motion to call for a public hearing on the proposed 2011-2012 budget for 7 pm on June 13, 2011 at Wesley Chapel United Methodist Church. Brotton seconded the motion.

The motion passed unanimously.

Hess asked about Capital Improvement Project funding; at this point we have spent \$782,650 on Dogwood Park and \$2,944 on the town hall. The amounts already approved for the capital projects will remain until the funds are spent. The CIP budget will be reviewed at the next meeting.

Bennett noted we had gotten our new insurance rates from the League; originally we had approved employer contributions of \$500 monthly, last year we approved \$600 monthly, and the employees were contributing \$35 monthly. This year it has gone up another \$10. Bennett noted we do not have a plan whereby employee contributions are made pre-tax, she will look into this further to see what kind of plan we would need to allow the contributions to be considered pre-tax.

8B. CONSIDER PURCHASE OF REPLACEMENT PC

Langen's computer has a failing hard drive; COG did a configuration for a Dell computer at \$2,231; they use Dell and get the five year support and then replace after five years. The ArcView software requires a computer with higher standards. After discussion Ormiston made a motion to approve up to \$1,500 for a laptop and \$1,250 for the ArcView software. Bradford seconded the motion.

The motion passed 3-1, with Hess voting nay.

9. RECAP OF NCLM TOWN HALL DAY IN RALEIGH

Ormiston made a motion to table the remaining items to the next meeting. Brotton seconded the motion.

The motion passed unanimously.

10. MAILING LISTS DISCUSSION FOR ANNOUNCEMENTS, ETC.

See above.

11. OTHER BUSINESS - none

12. COUNCIL COMMENTS - none

13. ADJOURNMENT

Bradford made a motion to adjourn; Brotton seconded the motion.

The motion passed unanimously.

The meeting adjourned at approximately 10:45 pm.

Respectfully submitted,

Cheryl Bennett, Clerk

Mayor Brad Horvath