

Town of Mills River  
Minutes of the Planning Board  
Tuesday, March, 2017

The Town of Mills River Planning Board met on Tuesday, March 7, 2017, at 7:00 PM in the Mills River Town Hall. Board members present were: Jim Humphrey, Randy Austin, Cheryl Janoski, Brian Kimball, Sherri Hill, Chae Davis, Jim Foster and Connie Vlahoulis. Ronnie Edwards was absent (excused). Town Manager Jeff Wells, Zoning Enforcement Officer Jesse James and Tax Collector/Deputy Town Clerk Aurelie Taylor were also present. There are no open seats on the Board.

Chairman Jim Humphrey called the meeting to order and those present stood for a moment of silence and gave the Pledge of Allegiance.

**Adjustments/Additions to Agenda:** None.

Brian Kimball made a motion to approve the minutes from January 3, 2017. Connie Vlahoulis seconded the motion and the motion passed by unanimous verbal assent.

**Public Comment:** None

**Old Business:**

**A. Sign Ordinance Overview – Town Manager Jeff Wells**

Zoning Enforcement Officer Jesse James introduced an update to the sign ordinance, the text of which appears below:

**SIGN ORDINANCE UPDATE**  
**PLANNING BOARD MEETING MARCH 7<sup>TH</sup> 2017**

1. PURPOSE AND INTENT- Same information written in bullets instead of paragraph form.
2. GENERAL PROVISIONS/APPLICABILITY- Use to be 2 sections (Applicability and General Provisions separated). Combined and shortened for
3. DEFINITIONS- Will update last.
4. SIGN PERMIT REQUIRED- Rewritten but same information.
5. DETERMINATION OF SIGN COPY AREA AND SIGN HEIGHT- Combined Height and area into one section. Re-written but same information.
6. SIGN ILLUMINATION- Moved closer to the front of sign ordinance. Took out section (C) No sign within 100 linear feet of a pre-existing residential structure may be illuminated between the hours of 11:00 p.m. and 6:00 a.m. unless the business is open and operating. A residence shall be deemed “preexisting” for purposes of this chapter if it has a valid building permit in effect for construction of the structure or if construction of the structure was complete on or prior to the effective date of this provision.(do we want to do this? How would we enforce?).

7. CONSTRUCTION STANDARDS- Added section. Chapter 31 of the NC building code is applicable to the entire ordinance.
8. COMMON SIGNAGE PLAN FOR MULTI UNIT DEVELOPMENTS OR DEVELOPMENTS WITH MORE THAN ONE PRINCIPLE BUILDING- Added section- Creates a sign plan  
  - requirement instead of segmented application process with large scale and/or phased developments where multiple signs are needed.
9. SIGNS PERMITTED IN MR-GB, MR-NC, MR-LI, AND MR-MU ZONING DISTRICTS- Took out section on suspended shingle post/arm signs (need to either re-write or take out all together and consider these free-standing). Projecting signs- added the maximum number of projecting signs permitted shall be 1 per tenant frontage. Added- a projection sign can take place of a wall sign or in lieu of. Wall signs- Changed area computation to wall signage shall not exceed 10% of the total surface area of the wall with a max of 150 sq feet. Use to read 1.5 linear square foot of building frontage. Non-residential subdivision signs will be re-written in another section.
10. SIGNS FOR NON-RESIDENTAL USES PERMITTED IN THE MR-30 ZONING DISTRICT- Added this section- 50% of the requirements in previous section ^ 154.258
11. CHANGEABLE COPY- Discussed in previous meeting- voted for changes (see re-write hand out) Still need to discuss background on manual changeable copy.

## SIGNS

### 154.250 PURPOSE AND INTENT

It is the intent of this subchapter to authorize the use of signs:

1. To encourage the effective use of signs as a means of communication in the Town.
2. To preserve Mills River as a community that is attractive to business and industry while also preserving the natural beauty of the area.
3. To protect existing property values in both residential and non-residential areas.
4. To improve pedestrian and traffic safety.
5. To minimize the possible adverse effects of signs on nearby public and private property.
6. To improve the overall aesthetics of the community by preventing over-concentration, improper placement, and excessive height, bulk, and area of signs.

### 154.251 GENERAL PROVISIONS/APPLICABILITY

The regulations in the following sections pertaining to signs specify the number, types, sizes, heights, and locations of signs, which are permitted within the jurisdiction of the Town. Except as otherwise provided, no sign shall be erected, placed, altered, constructed, moved, converted, or enlarged except with the provisions of this chapter.

#### 154.252 DEFINITIONS

#### 154.253 SIGN PERMIT REQUIRED

Unless otherwise provided, all signs must obtain a sign permit. This includes the erection, placement, alteration, construction, moving, conversion, or enlargement of any sign within the Town's jurisdiction.

All permit requests are reviewed by the Zoning Administer of his/her designee. Applications for a sign permit shall be accompanied by plans or drawings that depict the location

and dimensions of said sign(s). Sign permits expire after 6 months after issuance unless the applicant has completed construction of the permitted sign(s).

Notwithstanding the above, changing or replacing the permanent copy of an existing and conforming sign shall not require a permit, provided the copy change does not change the nature of the sign such as to render the sign in violation of the Town Code.

#### 154.254 DETERMINATION OF SIGN COPY AREA AND SIGN HEIGHT

(A) In measuring the copy area of a sign, the entire face of the sign shall be included. Where both sides of a double-faced sign contain lettering or other allowable display, one side only shall be used to compute the allowable copy area of the sign. Where the sign consists of individual letters, numbers, characters, figures, or displays attached in some manner to a building or a sign face of irregular shape, the sign copy area shall include the area of the smallest circle, square, or rectangle that can encompass the total sign area composed of letters, numbers, characters, figures, or displays or the irregular shaped sign face. Where signs have appendages or additions, such as "pop-ups" or "cutouts" that extend beyond the main sign copy area, the area of such appendages or additions shall be measured separately, but included in the total sign copy area. Also to be included in the total sign copy area shall be any area designed for changeable copy as defined in Section 154.261. Spherical, cylindrical or other three-dimensional signs not having conventional sign faces shall be computed from the smallest three-dimensional geometrical shape or shapes which best approximate the actual surface area of the sign.

(B) The maximum height of a sign shall be measured from the highest point of natural grade under the sign to the highest point of the sign. The grade shall not be altered in such a way as to increase the sign height.

#### 154.255 SIGN ILLUMINATION

All sign illumination shall be provided by a continuous light source that is installed only with the intent to illuminate said sign.

- (A) Signs illuminated by an external source shall be directed to the sign only with minimal spillover onto a street or adjacent properties.
- (B) Whether illuminated internally or externally, the sign shall not produce glare or reflection that interferes with traffic safety.
- (C) No internal or external illuminated sign shall flash, pulse, blink, strobe, or alternate light at any time.

#### 154.256 CONSTRUCTION STANDARDS

All signs shall be constructed according to requirements of Chapter 31 of the North Carolina State Building Code, as amended.

\*\*\*\* Additions Updated 3/3/2017

#### 154.257 COMMON SIGNAGE PLAN FOR MULTI-UNIT DEVELOPMENTS OR DEVELOPMENTS WITH MORE THAN ONE PRINCIPAL BUILDING

A Common Signage Plan shall be prepared for developments with multiple buildings and/or multiple units. The signs must be uniform in design and features. All types and colors of signs, as long as they produce a unifying theme and meet all dimensional requirements in Section 154.258, will be considered except for those expressly prohibited by the Town Code.

A site layout plan shall be part of the sign permit application for each existing and proposed signs. The plan shall contain all sign types, location, lighting scheme, and provisions for shared usage of freestanding signs.

154.258 SIGNS PERMITTED IN THE MR-GB, MR-NC, MR-LI, AND MR-MU  
ZONING DISTRICTS

(A) Freestanding Signs

- a. The maximum height of a freestanding sign shall be 20 feet.
- b. The maximum area of a freestanding sign shall be 80 square feet.
- c. The maximum area of a freestanding sign requiring a Common Signage shall be 125 square feet.
- d. The maximum number of freestanding signs shall be 1 per street frontage.
- e. All freestanding signs shall be located behind the street right-of-way or 10 feet from the curb or edge of a street where right-of-way does not exist or cannot be determined.
- f. No sign shall be placed so as to interfere with automobiles entering or exiting the roadway.
- g. Freestanding signs that adjoin a residential use shall adhere to a 15 foot side yard setback.

(B) Projecting Signs

- a. The minimum width of a building front for a projecting sign shall be 20 feet.
- b. The maximum height of a projecting sign shall be 8 feet.
- c. The maximum area of a projecting sign shall be 16 square feet.
- d. The maximum projection from a wall shall be 4 feet.
- e. The maximum number of projecting signs shall be 1 per tenant frontage.
- f. No projecting sign shall extend above the highest point of a roofline or parapet.
- g. No projecting sign shall be permitted on the same facade along which there is a wall sign.

(C) Marquee or Awning Signs

- a. The maximum height shall be 16 inches.
- b. The maximum width shall be 40 inches.
- c. Signs hung below a marquee or awning shall conform in size and appearance to existing signs under the same marquee or awning.
- d. Sign clearance shall be 8 feet from sidewalk or other walkway.

(D) Wall Signs

- a. Wall signage shall not exceed 10% of the total surface area of the wall to which the sign(s) is located up to a maximum of 150 square feet. The 150 square foot maximum can be waived as part of a Common Signage Plan if no sign(s) on a building wall or building unit exceeds the 10% surface area wall requirement.
- b. No wall sign shall project more than 18 inches from the building wall.
- c. No wall sign intended for the façade of a building shall cover any window or part of a window.
- d. Signs that are displayed on or through windows are exempt.
- e. No wall sign shall extend above the highest point of a roofline or parapet.

(E) Monument signs

- a. Only buildings set back more than 30 feet from the right of way and having 100 feet or more of street frontage may use a monument sign.
- b. All monument signs shall be located behind the street right of way or 10 feet to any adjacent lot line. A 15 feet side yard setback shall be required of the side lot line abuts a residential use.
- c. Changeable copy is not permitted for a monument sign.
- d. The maximum number of monument signs shall be 1 per street frontage.

- e. Computation of sign height and area shall be 50% of allowable height and area of a freestanding sign.

154.259 SIGNS FOR NON-RESIDENTIAL USES PERMITTED IN THE MR-30 ZONING DISTRICT

Signs for permitted uses in the MR-30 zoning district shall not exceed 50% of the requirements found in Section 154.258.

~~154.260 HOME OCCUPATION SIGNS~~

154.261 CHANGEABLE COPY SIGNS

Changeable copy signs are permitted by right in the MR-GB zoning district. In all other zoning districts a Special Use Permit approval from Town Council is required as defined in 154.138 and 154. 180.

(A) Manual changeable copy signs

- a. In no case shall a manual changeable copy sign comprise more than 40% of the freestanding sign copy area, up to a maximum of 32 square feet.
- b. The copy area (background) must be one uniform color.
- c. The letters and numbers may be colored red or black.

(B) Electronic changeable copy signs

- a. Shall be located on freestanding signs only.
- b. In no case shall an electronic changeable copy sign comprise more than 40% of the freestanding sign copy area, up to a maximum of 32 square feet.
- c. Messages shall remain in a fixed position for at least 8 seconds.
- d. Messages shall not contain flashing, scrolling, blinking or similar type movements. In addition messages shall not contain any animation.
- e. Message transition must be instantaneous.
- f. Electronic changeable copy signs shall have a black background screen. All lighted characters, letters, and numbers shall only be green or red in color.

\*\*\*\* Additions Updated 3/7/2017

154.262 SIGNS PERMITTED WITHOUT A SIGN PERMIT

- (A) Signs Required by Law
- (B) Public (Governmental) Signs
- (C) Warning (Health, Safety Hazard) Signs
- (D) Flags (Non-advertising/non-informational)
- (E) Transportation Signs
- (F) Campaign Signs at Polling Places
- (G) Address Numbers
- (H) Signs Required by Americans with Disabilities Act
- (I) Window Signs
- (J) Building Memorial
- (K) No Trespassing (Soliciting, Hunting, Fishing, Parking, etc.)
- (L) Signs Associated with a Seasonal or Religious Holiday
- (M) Agricultural Signs

- (N) Temporary Signs
  - a. On Premise
    - i. Real Estate/For Lease
    - ii. Grand Opening
    - iii. Going Out of Business
    - iv. Construction
    - v. Remodeling/Repair
    - vi. Sidewalk
    - vii. Special Event

154.263 EXTENDED USE TEMPORARY SIGNS

154.264 SIGNS PROHIBITED

- (A) Billboards (Outdoor Advertising)
- (B) Flashing, Strobing, Pulsating, Blinking
- (C) Motion
- (D) Snipe
- (E) Signs Obstructing Motorist Visibility
- (F) Signs in Right of Way
- (G) Signs Above Roofline
- (H) Obscene Signs
- (I) Permanent Off-Premise
- (J) Balloons and Other Inflatables
- (K) Signs Erected or Placed without a Permit or not in Compliance with Regulations

154.265 SUBDIVISION AND DEVELOPMENT SIGNS

- (A) Residential Subdivisions
- (B) Industrial Parks
- (C) Office Parks

Jessie went over the Summary, explaining the changes and recombinations of sections. Jim Humphrey asked to back up to the permit and exempt signage sections. Jessie explained that they had not looked at either of those as yet and had no suggestions on changes; he felt that Planning Board needed to discuss the permitting before staff made changes. He quickly explained that presently exempt signs included real estate, political, governmental, safety, and incidental signs. Using Bojangles as an example, Jesse and Jeff went over the timeline of how a sign is permitted at present.

Jim Foster mentioned that he thought the allowable height for signs should be 30' rather than 20'. There was some discussion on visibility vs. safety of taller signs. Jess will check and see if DOT has a standard; Jeff mentioned that different heights could be allowed in different areas of Town.

Discussion began on manual changeable copy signs. The Board agreed that colors should be limited to black and/or red letters on a white background.

Randy Austin asked if there were any provision for dimming of LED signs; Jeff felt that the section of the ordinances dealing with illumination should cover any problems with brightness, as well as the requirement that the colors be either green or red.

Jeff told the Board that staff will continue through the list presented at the January meeting. Jim asked that exemptions and enforcement be dealt with at the April meeting.

Jeff then presented his Summary of Council Visioning meeting, the text of which appears below:

<b>Issue</b>	<b>Discussion</b>	<b>Directive</b>
NC 280 Multi-Use Path	Is Council comfortable with plan as presented and moving forward with a Phase 1 design?	Seek input to determine public interest before moving forward.
Economic Development Expenditures	Tax incentive payments. Contributions to HCPED and Agribusiness HC. Additional request from HCPED for contribution to Economic Investment Fund.	Comfortable with similar contribution levels for both organizations. No contribution to Economic Investment Fund.
Personnel Handbook	Update handbook. Some policies are dated. With increased staff level and responsibilities: needs to add job descriptions, salary scale, redefine types of employment, etc.	Update Personnel Handbook.
Park projects	Incorporating restrooms into shelter facility. Siting of both shelter and basketball court. Additional projects: shade over playground, swings, wind screen for tennis courts.	Complete PARTF grant application with basketball court and shelter/restroom facility. Price shade structure, swings, and tree project for inclusion in budget.
USDA Loan Status	Possibility of increasing payments by \$1000 per month to further shorten loan.	Include increased payment in budget.
Community/Senior Center	Are existing community facilities sufficient?	No action.

Street Light Project	NC 280 and Butler Bridge Road intersection possible new project.	Price project for inclusion in budget.
Staffing	Current staffing adequate. Additional growth will warrant more staffing needs. More responsibility for Administrative Assistant.	Upgrade Administrative Assistant position by adding Accounting Technician duties.
Comprehensive Plan	Follow up discussion from joint Planning Board meeting.	No action.
Other	Culvert to access field adjacent to new parking lot. Converting metal halide light fixtures to LED in parking lot.	Research project feasibilities.

Jeff mentioned that there would be no increase in the cost per Deputy with the Sheriff's Office. There was a short discussion of the Hwy 280 Bike Path project.

As there was no further business to discuss, Chae Davis made a motion to adjourn the meeting. Brian Kimball seconded the motion and the motion passed by unanimous verbal assent.

Respectfully submitted,

Aurelie Taylor  
Tax Collector/Deputy Town Clerk