Approved 1/6/2016

SUMMARY NOTES
ORANGE COUNTY PLANNING BOARD
DECEMBER 2, 2015
ORDINANCE REVIEW COMMITTEE (ORC)

NOTE: A quorum is not required for Ordinance Review Committee meetings.

MEMBERS PRESENT: Lydia Wegman (Vice Chair), At –Large Chapel Hill Township; James Lea, Cedar Grove Township Representative; Paul Guthrie, At-Large Chapel Hill Township; Buddy Hartley, Little River Township Representative; Herman Staats, At-Large; Patricia Roberts; Cheeks Township Representative

STAFF PRESENT: Craig Benedict, Planning Director; Michael Harvey, Current Planning Supervisor, Perdita Holtz, Special Projects Coordinator, Meredith Pucci, Administrative Assistant II

AGENDA ITEM 1: CALL TO ORDER AND ROLL CALL

Planning Board and staff introduced themselves.

AGENDA ITEM 2: UNIFIED DEVELOPMENT ORDINANCE (UDO) TEXT AMENDMENTS – SIGNS
TO REVIEW AND COMMENT UPON PROPOSED AMENDMENTS TO THE UDO REGARDING SIGN REGULATIONS.
PRESENTER: MICHAEL HARVEY, CURRENT PLANNING SUPERVISOR

Michael Harvey: This item was presented for review to the Planning Board in April. Since then a U.S. Supreme Court case has forced us to change our outlook regarding a few standards in the UDO. That information is provided on page 4 of your packet regarding Reed v. Town of Gilbert. The thing to take away from the court case is that signs cannot be regulated based on content. They are a couple provisions in our UDO that allowed signs to be regulated based on content that had to be removed. That is the major difference that you may recall from the April meeting. Continued to review abstract starting on page 9.

Lydia Wegman: So there are no off premise signs permitted at all?

Michael Harvey: They are prohibited from the stand point that we do not allow a business to post a sign somewhere in the county saying shop this way. Billboards are basically off site advertising signs and are the only permitted offsite advertising signage. Those are regulated on page 9. Remind everyone that there are state and federal laws that preempt our enforcement of outdoor advertising.

James Lea: Religious facilities that currently have signs up that are not consistent with this will be allowed to keep their signs up?

Michael Harvey: Yes, as consistent with the non-conforming standards.

James Lea: But they cannot add anything additional?

Michael Harvey: Correct. No new signage and they can't modify the current signage.

Paul Guthrie: Can they rehabilitate them?

Michael Harvey: They can, but there are limitations to rehabilitate them related to cost. You are allowed to paint them or general maintenance needs; however, if someone hits it with a car you are out of luck.

Michael Harvey continued to review the abstract.

Michael Harvey: This item is scheduled for your review at the January Planning Board meeting. This item will follow the new process so you will be reviewing this and making a recommendation to the BOCC prior to presentation at the February Quarterly Public Hearing.

Paul Guthrie: Do you expect any push back on this?

Michael Harvey: No sir. The push back I expect is that they need to be larger than 64 square feet.

Craig Benedict: We are planning to provide pictures and examples of signs in the county that are in compliance and are not in compliance with these standards. This will give a perspective of what's allowed now and what will be allowed with the proposed changes.

Patricia Roberts: That is a great idea to determine what a good example is. Why are we limiting sign size? Is there a reason?

Michael Harvey: To control visual clutter along roadways. To ensure uniformity with respect to the display of the message, so that one property owner is treated differently than another. Also, to encourage and promote the clustering of signage to avoid unnecessary erection of multiple signs for larger projects.

Michael Harvey: If you have any additional questions please feel free to contact me.

Craig Benedict: When we were creating the Unified Development Ordinance there were many sections including signage that we wanted to review and modify. At that time the Commissioners requested to just organize those sections at that time and to come back later with amendments. We are noticing that with the development of water and sewer lines along the interstate and increased interest we do not want to provide the ability to promote development in every other place in the UDO until they get to the sign code and they face issues or problems for these projects. We are trying to be more flexible.

Patricia Roberts: These corporations have signs already worked out that they have to have that is always the same size.

Michael Harvey: Yes and no. If you look at Asheville as an example, you have chains that have adapted their signage to accommodate a very restrictive sign code.

AGENDA ITEM 3: ADJOURNMENT