

**ORANGE COUNTY PLANNING DEPARTMENT
131 W. MARGARET LANE, SUITE 201
HILLSBOROUGH, NORTH CAROLINA 27278**



**AGENDA
ORANGE COUNTY PLANNING BOARD**

**ORANGE COUNTY WEST CAMPUS OFFICE BUILDING
131 WEST MARGARET LANE – LOWER LEVEL CONFERENCE ROOM (ROOM #004)
HILLSBOROUGH, NORTH CAROLINA 27278
Wednesday, March 2, 2016
Regular Meeting – 7:00 pm**

No.	Page(s)	Agenda Item
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- 1. **CALL TO ORDER**
- 2. **INFORMATIONAL ITEMS**
3 - 4 a. Planning Calendar for March and April
- 3. **APPROVAL OF MINUTES**
5 – 13 January 6, 2016 Regular Meeting
- 4. **CONSIDERATION OF ADDITIONS TO AGENDA**
- 5. **PUBLIC CHARGE**
Introduction to the Public Charge

The Board of County Commissioners, under the authority of North Carolina General Statute, appoints the Orange County Planning Board (OCPB) to uphold the written land development laws of the County. The general purpose of OCPB is to guide and accomplish coordinated and harmonious development. OCPB shall do so in a manner which considers the present and future needs of its residents and businesses through efficient and responsive process that contributes to and promotes the health, safety, and welfare of the overall County. The OCPB will make every effort to uphold a vision of responsive governance and quality public services during our deliberations, decisions, and recommendations.

Public Charge

The Planning Board pledges to the residents of Orange County its respect. The Board asks its residents to conduct themselves in a respectful, courteous manner, both with the Board and with fellow residents. At any time, should any member of the Board or any resident fail to observe this public charge, the Chair will ask the offending member to leave the meeting until that individual regains personal control. Should decorum fail to be restored, the Chair will recess the meeting until such time that a genuine commitment to this public charge is observed.

- 6. **CHAIR COMMENTS**

<u>No.</u>	<u>Page(s)</u>	<u>Agenda Item</u>
7.	14 - 54	UNIFIED DEVELOPMENT ORDINANCE (UDO) TEXT AMENDMENT - To review and discuss government-initiated amendments to the text of the UDO regarding sign regulations. This item is scheduled for the May 23, 2016 quarterly public hearing and is expected to return to the Planning Board in April for a recommendation. Presenter: Michael Harvey, Current Planning Supervisor
8.	55 - 85	UPDATE AND DISCUSSION ON UPCOMING WORK PLAN AND POPULATION AND EMPLOYMENT PROJECTIONS - To hear an update on the Planning Board's Work Plan which was recently reviewed by the Board of County Commissioners and to review prior Metropolitan Planning Organization (MPO) population and employment projections. Presenter: Craig Benedict, Planning Director
9.		COMMITTEE/ADVISORY BOARD REPORTS a. Board of Adjustment b. Orange Unified Transportation
10.		ADJOURNMENT

IF AN EMERGENCY OCCURS, OR IF YOU ARE RUNNING LATE FOR THE MEETING, PLEASE LEAVE A VOICE MAIL FOR MICHAEL HARVEY (919-245-2592).

< February		March 2016					April >
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	
		1	2	3	4	5	
		Regular BOCC Meeting 7:00 pm Whitted Building	Planning Board meeting @ 7:00 pm WCOB 004*				
6	7	8	9	10	11	12	
13	14	15	16	17	18	19	
	Board of Adjustment 7:30 pm WCOB 004		OUTBoard 7:00 pm WCOB 004				
20	21	22	23	24	25	26	
		Regular BOCC Meeting 7:00 pm Southern Human Services Center			Holiday/Offices Closed		
27	28	29	30	31			
	BOCC Work Session 7:00 pm Southern Human Services Center				Notes: * Planning Board Member Attendance Required or Expected WCOB = West Campus Office Building (131 W. Margaret Lane, Hillsborough)		

< February		April 2016					April >
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	
					1	2	
Notes: * Planning Board Member Attendance Required or Expected WCOB = West Campus Office Building (131 W. Margaret Lane, Hillsborough)							
3	4	5	6	7	8	9	
		Regular BOCC Meeting 7:00 pm Whitted Building	ORC – time TBD Planning Board meeting @ 7:00 pm WCOB 004*				
10	11	12	13	14	15	16	
	Board of Adjustment 7:30 pm WCOB 004	BOCC Work Session 7:00 pm Southern Human Services Center					
17	18	19	20	21	22	23	
		Regular BOCC Meeting 7:00 pm Southern Human Services Center	OUTBoard 7:00 pm WCOB 004				
24	25	26	27	28	29	30	

MINUTES
PLANNING BOARD
JANUARY 6, 2016
REGULAR MEETING

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MEMBERS PRESENT: Lydia Wegman (Vice Chair), At-Large Chapel Hill Township; James Lea, Cedar Grove Township Representative; Paul Guthrie, At-Large Chapel Hill Township; Andrea Rohrbacher, At-Large Chapel Hill Township; Maxecine Mitchell, At-Large Bingham Township; Patricia Roberts, Cheeks Township Representative; Laura Nicholson, Eno Township Representative; Herman Staats, At-Large; Lisa Stuckey, Chapel Hill Township Representative; Tony Blake, Bingham Township Representative

MEMBERS ABSENT: Buddy Hartley, Little River Township Representative

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

AGENDA ITEM 1: CALL TO ORDER

Lydia Wegman: Opened the meeting by making sure everybody was there that was coming.

AGENDA ITEM 2: ELECTION OF CHAIR AND VICE-CHAIR FOR 2016

Lydia Wegman: The first thing we have to do is our elections.

Lisa Stuckey: Lydia, are you interested in being the Chair?

Lydia Wegman: I am willing to be the Chair if that is the will of our Board. But if others would prefer to be the Chair I have no problem with that. Anybody else interested?

MOTION made by Laura Nicholson to elect Lydia Wegman as Chair. Seconded by Patricia Roberts.

VOTE: Unanimous

Lydia Wegman: Okay. Nominations for Vice-Chair.

Maxecine Mitchell: How about Tony?

Tony Blake: Well I will be Vice-Chair, if that's the will of the Board.

MOTION made by Maxecine Mitchell to elect Tony as Vice-Chair, seconded by Laura Nicholson.

VOTE: Unanimous

AGENDA ITEM 3: INFORMATIONAL ITEMS

- a. Planning Calendar for January and February

Lydia Wegman reviewed the calendar and discussed a change in the rules; the Chair or the Vice-Chair is required to attend the quarterly meeting. Everyone else is expected to attend, but not required.

Craig Benedict: The quarterly public hearing is a different date than usual in February. Usually it's later in the month and on Monday but this year it's on a Thursday, so just make special note of that.

AGENDA ITEM 4: APPROVAL OF MINUTES

52 December 2, 2015 ORC Notes
 53 December 2, 2015 Regular Meeting

54
 55 **MOTION** by Paul Guthrie to approve both sets of minutes. Seconded by Maxecine Mitchell.

56 **VOTE: UNANIMOUS**

57

58

59 **AGENDA ITEM 5: CONSIDERATION OF ADDITIONS TO AGENDA**

60

61 Michael Harvey: Sign regulations are being pulled from tonight's agenda.

62

63 Paul Guthrie: Do you care to elaborate?

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65 Michael Harvey: The county attorney's office has determined they want more time.

66

67 **AGENDA ITEM 6: PUBLIC CHARGE**

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Introduction to the Public Charge

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Public Charge

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89 **AGENDA ITEM 7: CHAIR COMMENTS**

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91 No comments from the Chair.

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Perdita Holtz reviewed abstract.

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Paul Guthrie: How do you plan to confirm that the applicants have filed by first class mail? I know in certified mail you would have a postal receipt, how are you planning to be able to confirm that if there's a challenge to lack of notice?

104 Perdita Holtz: The planning department is actually involved in the mailed notifications and we do a certificate of
105 mailing that you've seen in amendment packets. Whichever staff person is in charge of the mailing signs it to certify
106 it was done as stated.

107
108 Paul Guthrie: We don't need to do any language in here to make sure that happens?
109

110 Perdita Holtz: Correct.... In the case of governmental uses, which those are most likely going to be your fire
111 departments, we are asking that whoever is heading up that effort for the fire department would give us a statement
112 that certifies that they mailed it when they said they mailed it.

113
114 Paul Guthrie: But you're going to monitor private individuals who are asking for an action that are required to mail?
115

116 Perdita Holtz: Yes, we actually do the mailing. The planning department does the mailing; they just pay for them.
117

118 Tony Blake: But you guys make a copy of everything that's sent out anyways, right?
119

120 Perdita Holtz: Well, we have the mailing list of property owners and the actual letter that goes into the file.
121

122 Lydia Wegman: Other comments?
123

124 Tony Blake: I had one from people that have called me, my phones lit up when they heard a story about the airport,
125 and a couple of people were thinking that a broader notification should go out, in light of an airport. Or something that
126 has significant impacts like noise or what have you. So I wanted to float that idea and I wanted to get that in the
127 minutes so that the County Commissioners read it as well.

128
129 Andrea Rohrbacher: I can't remember what the outcome of this point was, it seems that at one meeting we discussed
130 putting some sort of lettering on the outside of the envelope to indicate that it had to do with development so that
131 people wouldn't think that it was junk mail.

132
133 Perdita Holtz: Right, and that is in there under the public hearing portion that it's going to say, "Notice of Hearing" on
134 the outside of the envelope.

135
136 Lydia Wegman: Other comments, questions?
137

138 Paul Guthrie: I have one other. Someone who doesn't receive notice but hears about the project, will they just come
139 directly to the planning organization and say, "Hey, we heard this was going on. What's going on?"
140

141 Perdita Holtz: Yes, because there's still the sign that's posted on the property so anybody seeing that sign could
142 contact us.

143
144 Paul Guthrie: Because there are certain things that affect well beyond 1000 feet or 500 feet. So you're able to
145 accommodate that without any problems? You don't need anything in the code to help you do that?
146

147 Perdita Holtz: No.
148

149 Paul Guthrie: Okay. Thanks.
150

151 Craig Benedict: Perdita, can you explain to the Board the new process a little bit that's going to be occurring in this
152 amendment that they're making recommendation and consistency before the public hearing?
153

154 Perdita Holtz: I hit on it earlier tonight, it's the first time that we're doing this new process and tonight is making a
155 recommendation in time for the February 18th quarterly public hearing so, it's the same types of actions, they're just
156 occurring in a different order than they used to.
157

158 Craig Benedict: So these do not get referred back to you unless the commission determines.
159
160 Lydia Wegman: So the commission could vote in February to approve this and we would not see it again?
161
162 Craig Benedict: That's correct. So there's some streamlining that we just accomplished as one of our goals for certain
163 things that are more housekeeping items like this.
164
165 Lydia: All right, any other comments or questions?
166
167 Lisa Stuckey: Okay, so I move approval of the statement of the consistency which is attachment 2 and the proposed
168 amendment package which is attachment 3 and that they be forwarded to the County Commissioners from the
169 Planning Board.
170
171 **MOTION** made by Lisa Stuckey to approve the text amendment. Seconded by Laura Nicholson
172 **VOTE:** Passed 9-1 (Tony Blake)
173
174 Tony Blake: I'm opposed. I'm opposed because I think that there's room for other notification in the event of a major
175 enterprise or undertaking, such as an airport.
176
177 Lisa Stuckey: It occurs to me that that could be part of the airport amendments.
178
179 Tony Blake: Sure, well I don't know so it's not clear to me that you could amend the airport thing and have it
180 supersede this or what. That I'm not clear on. It's my way of highlighting it.
181
182 Lisa Stuckey: I think that's not a bad idea.
183
184 Lydia Wegman: Yeah. Craig or Perdita, any comments on that?
185
186 Perdita Holtz: That's something that can be looked at when we go forward with the airport regulations, that the ORC
187 looked at in November.
188
189 Paul Guthrie: I just want to follow up on that. I think that's right for the point that he's making. I think there are some
190 issues beyond that that we could stumble into that you may at some point want to give yourself a background policy
191 to help you carry that out and don't hit them blind without any resource other than the fact that the rules didn't say we
192 had to do it. I can think of lots or monster projects that don't take up a lot of ground that could have a great deal of
193 interest in the County as a whole, and so I think you need to think whether you need some kind of framing that will
194 give you the latitude to move ahead and not get stopped with procedural issues at the beginning.
195
196 Perdita Holtz: Well, there have been instances in the past, Paul, when there have been major actions that we've
197 gone out and done informational sessions and stuff like that, and that's done on a case by case basis depending on
198 what the action is. It's just, we haven't done anything like that for the past 2 or 3 years because there haven't been
199 major actions, but there is precedent that we've done stuff like that.
200
201 Lydia Wegman: And I'll just add if I could, that it seems to be that those are projects that would come up as
202 independent or individual projects where it might come up, as opposed to something that would easily generally
203 define in the UDO text amendment.
204
205 Perdita Holtz: Yes, and that's just something that the County can undertake as part of their discretion in being a
206 government, particularly with the County as the instigator. As you know, it gets dicier if it's a SUP.
207
208 Craig Benedict: When we submit to the commissioners say, an amendment outline form, they ask us to do something
209 and we develop this form to say, "this is how we think we can accomplish it, this is what Boards may be involved,
210 maybe the environmental board is part of the amendment process." And we also suggest public outreach that may
211 be beyond what the code says and that would be an opportunity for the commission to say, "Well, we think there

212 should be a broader outreach meeting beyond 1,000 feet. So that can occur, especially when it's government
213 initiated.

214
215 Tony Blake: Yeah, the SUP case I was thinking of is the guy who builds the subdivision with 10 or 15 houses and a
216 runway and everybody's got their own little hangar; is that a public airport? Is that a private airport? And then if it's a
217 SUP and you only have to notify people within 1,000 feet that landing and taking off could extend quite a bit beyond
218 there. That's the just of my concern.

219
220 Lydia Wegman: Okay, great, thank you.

221
222 Patricia Roberts: Is there any airport planned?

223
224 Craig Benedict: No, there are no airports planned. We are in the process of updating our airport regulations. Some of
225 our outreach meetings were occurring around the holidays so it was decided to move it to a less busy time to
226 evaluate the new regulations. The best time to update your regulations is when there are no proposals out there. So
227 we will begin again, we're going to speak with the commissioners in a work session about the process and the
228 parameters of some of the updates and it probably will not come back until later this year.

229
230 Lisa Stuckey: I think all the schools I dealt with were in the cities of Chapel Hill or Carrboro, their jurisdictions. But
231 typically, we went way beyond 1,000 feet and there was a community meeting and there was a lot of use of various
232 media to get the word out because you don't want to build a big thing like that and then have all these people angry
233 later. So you know what to incorporate.

234
235 Tony Blake: Yeah, and it may be something that's already been considered and non-issue. I just couldn't find it
236 anywhere and I couldn't find anywhere where this could be superseded by a SUP.

237
238 Lydia Wegman: And the school would be a governmental use, wouldn't it?

239
240 Perdita Holtz: Schools actually come under a different section, but there's outreach you have to do.

241
242
243 **AGENDA ITEM 9: UNIFIED DEVELOPMENT ORDINANCE (UDO) TEXT AMENDMENT** - To make a
244 recommendation to the BOCC on government-initiated amendments to the text of the UDO
245 regarding temporary healthcare structures and other custodial care housing options. This
246 item is scheduled for the February 18, 2016 quarterly public hearing.

247
248 **PRESENTER:** Ashley Moncado, Special Projects Planner

249
250 *Ashley Moncado reviewed abstract*

251
252 Patricia Roberts: I was having kind of a hard time visualizing what this would look like. Does anybody have an
253 example?

254
255 Ashley Moncado: At one point we did have a little flyer, unfortunately it's not included in your packet tonight. It's a
256 mobile unit, so if you can picture a single wide manufactured home, even smaller than that. A temporary health care
257 structure originally is only about 300 square feet. It's a mobile unit so it's basically a room with a bathroom. It can go
258 on any lot where an existing single family home would be permitted. Your only issue with neighborhoods, they are
259 permitted at the county level, but if there's covenants or restrictions then they trump the Session Law.

260
261 Patricia Roberts: I see 1,000 square feet everywhere here except for the table, on the table it said it can't exceed 300
262 square feet.

263
264 Ashley Moncado: I think that is just referencing a temporary health care structure, which this is something from a
265 previous meeting where they wanted to know what other options there are out there for providing care to family

266 members, neighbors, friends. So this table was created to show all the different options that are currently available in
267 the County.
268
269 Patricia Roberts: 1,000 square feet is huge.
270
271 Ashley Moncado: Yes, and there was concerns shared from this Board as well as the BOCC regarding the original
272 proposed size. Originally, it was only 300 square feet and there were concerns that was too small. So, we increased
273 it to 1,000 square feet.
274
275 Patricia Roberts: And what's temporary? How long is temporary?
276
277 Ashley Moncado: Temporary is not defined by state statute so it could be a week, a year. It's not allowed to be
278 placed on a permanent foundation, it is to remain on its trailer so it can be pulled back out.
279
280 Patricia Roberts: What about hooking up the septic?
281
282 Ashley Moncado: You'd have to go through environmental health approval so they would be reviewed by Orange
283 County Environmental Health. If they don't have the capacity to add that, because it's considered an extra bedroom,
284 they will have to address that.
285
286 Patricia Roberts: So there's not that many places in the County where you can put one of these.
287
288 Tony Blake: Well, if you have a 5-acre lot.
289
290 Laura Nicholson: I noticed that you changed a lot of the things, but I still see the one person as the occupant
291 requirement. Was there any wiggle room there to allow? I'm just looking at the table and still seeing one.
292
293 Ashley Moncado: Yes, the table is only referencing temporary health care structure standards. But, if you look at the
294 actual amendments, we are allowing up to five unrelated to live in a single family dwelling unit and up to two people
295 to live with a temporary custodial care unit.
296
297 Paul Guthrie: How are you defining family?
298
299 Ashley Moncado: Well, we have to actual definition on page 47 of your packets and it's exactly as we've had it
300 previously, the only thing that we're changing is a minor grammar error as well as increasing it from three to five.
301
302 Paul Guthrie: The reason I ask the question is, the definition of a family has changed radically. And the only time
303 when the question comes up is when somebody's unhappy about it being permitted and one of the things you would
304 certify is that it meets this definition; and how do you prove a family? What are the standards of a family?
305
306 Ashley Moncado: I think it's outlined pretty well in the definition of what we're defining a family as and that's
307 something that as it's brought to our attention.
308
309 Paul Guthrie: Well, let me give you an example, two individuals live together and each individual, one has two
310 children and one has three children. There is no, in my mind, legal definition, of that being a family under the law. Are
311 they able to have a unit brought in for mom when she comes in from one of the mothers from one of the partners?
312
313 Ashley Moncado: Are you talking about the actual family definition of what we're talking about five unrelated people
314 or are you talking about the temporary health care structure-because there's no relationship requirement with that
315 anymore.
316
317 Paul Guthrie: I'm talking about that in the context of this whole.
318
319 Ashley Moncado: So the temporary custodial care unit, there's no relationship requirement .

320
 321 Paul Guthrie: So the original house does not have to related to the individual at all?
 322
 323 Ashley Moncado: No, that's been removed.
 324
 325 Paul Guthrie: Okay. So, why are we defining a family as five?
 326
 327 Ashley Moncado: Because we have other issues regarding how many people are living within one single family
 328 home, or a unit. Which this, the family definition is being changed because that was an issue that was brought by the
 329 commissioners. They didn't like that it was limited to three, they wanted to see it increased. So, to me, it sounds like
 330 these are two different things. So, the family definition, we're addressing that in conjunction with this just because it's
 331 something that's been discussed previously that we just needed to address. We wanted to address it this time as part
 332 of this amendment package. But, there's no family relationship requirement related to the temporary custodial care
 333 units anymore.
 334
 335 Lydia Wegman: So maybe Paul is raising a good point as far as the family that should be considered independently,
 336 from the temporary custodial unit because it is true that now the term family doesn't mean blood, marriage or
 337 adoption. People do choose to live together.
 338
 339 Ashley Moncado: There's a possibility you could have a lot of people living in a house without having some sort of
 340 standard and structures to it. I understand that there's a lot of people that have families that they have children,
 341 they're not married or they're blended families. But, if you're looking at a family of that situation, I mean you could
 342 look at potentially having twenty people living in a house. And we have no way that you have to put some sort of limit
 343 on it to avoid that situation because then you could be looking at environmental health concerns where they have
 344 twenty people living in a house with four bedrooms.
 345
 346 Paul Guthrie: And you have adequate definitions in other parts of planning laws and regulations that limits the
 347 occupancy of a house?
 348
 349 Ashley Moncade: Well our family definition is also reflective of the North Carolina State Building Code. Which the five
 350 is derived directly from. There's our standard but there's another state standard that they have to adhere by.
 351
 352 Patricia Roberts: Well perhaps if they're under 18 they don't count.
 353
 354 Ashley Moncade: We can't do that. The state building code doesn't look at age.
 355
 356 Tony Blake: Chapel Hill is even more restrictive than this to reduce the number of students and people parking on the
 357 lawn and all that stuff. That was directly to address...
 358
 359 Patricia Roberts: It's four, right?
 360
 361 Tony Blake: Yeah, it's one less.
 362
 363 Lisa Stuckey: If the parents were not married, it would still be allowed?
 364
 365 Craig Benedict: Yes, as it's unrelated by blood.
 366
 367 Maxecine Mitchell: My understanding of it is, definitely people who are unrelated. So you can have a bunch of people
 368 sharing a house less than six people and one of them wants to bring their parents on the property and put this
 369 portable unit up, my question would be then that wouldn't be allowed because you have too many unrelated people
 370 there. Am I understanding that right?
 371

372 Ashley Moncado: They would still be able to. You have six people, unrelated, living in the house. Yes, they would still
 373 be able to bring that temporary custodial care unit on the property because we're looking at something separate from
 374 the temporary custodial care unit.

375
 376 Maxecine Mitchell: I just got confused because I thought that was a point to be a determined fact of whether you
 377 could put that portable unit for a parent or parents. But the family relationship has nothing to do with it?
 378

379 Ashley Moncade: For bringing the temporary custodial care unit on the property, no.
 380

381 Tony Blake: I have one question related to the fire departments. I see this footnote of manufactured homes are built
 382 to the standards of the department of housing urban development, HUD certificate, is required by Orange County
 383 prior to the placement in the County. Now, before a certain age there are trailers that are extreme fire hazards, built
 384 before a certain year. On page 34, at the bottom of the table, there's a footnote and I'm wondering, does Orange
 385 County have an ordinance that is to age out some of these older mobile homes and stuff?
 386

387 Michael Harvey: No.
 388

389 Patricia Roberts: Doesn't the state?
 390

391 Tony Blake: It's a problem in the fire department. A lot of people bring in mobile homes from other parts of the state
 392 where they're not allowed and they set them up and they're extreme fire hazards. They have aluminum wiring,
 393 they've just reached the end of their duty cycles and they're a fire trap, they going up like a matchstick and it's just
 394 something to consider, that struck me when I read that because I think these are actually HUD certified. But, that
 395 doesn't necessarily mean much.
 396

397 James Lea: I guess what's interesting Tony is how would you get a manufactured home built to the standards to the
 398 department of housing?
 399

400 Tony Blake: Well these all existed before HUD and I think they're pre-existing and as I said it's been a concern where
 401 these things are actually being imported from county to county where the regulations lack. That contributes to North
 402 Carolina being in the burn belt.
 403

404 Craig Benedict: I'll check with the division.
 405

406 Tony Blake: I think it is '76. I thought it was as late as '85 or something.
 407

408 Perdita Holtz: It is '76; I know this unequivocally.
 409

410 Tony Blake: Okay. Because there are some in Orange County.
 411

412 Perdita Holtz: Technically, they're mobile homes before that and '76 and later are manufactured homes.
 413

414 Tony Blake: Okay, so you know the rule better than I do. It just kind of set off a little alarm bell to me because it might
 415 encourage people to bring these things in and park them close.
 416

417 Lydia Wegman: Are there comment, questions?
 418

419 **MOTION** made by Laura Nicholson to approve the statement of consistency and the amendment. Tony Blake
 420 seconded.

421 **VOTE:** Unanimous.
 422

423 **AGENDA ITEM 10:** COMMITTEE/ADVISORY BOARD REPORTS

424 A. Board of Adjustment

425 B. Orange County Transportation

426

427 Lydia Wegman: Do we have any committee or advisory Board reports, Board of adjustments or the OUTBoard?

428 Michael, Craig?

429

430 Michael Harvey: BOA met November to review a Class B SUP for a retreat center and it was denied.

431

432 **AGENDA ITEM 11: ADJOURNMENT**

Lydia N. Wegman, Chair

**ORANGE COUNTY
PLANNING BOARD
ACTION AGENDA ITEM ABSTRACT**
Meeting Date: March 2, 2016

**Action Agenda
Item No. 7**

SUBJECT: Unified Development Ordinance (UDO) Text Amendment – Sign Regulations

DEPARTMENT: Planning and Inspections

ATTACHMENT(S):

INFORMATION CONTACT:

- | | |
|--|--|
| <ol style="list-style-type: none"> 1. Comprehensive Plan and Unified Development Ordinance Outline Form (UDO & Zoning 2015-01) 2. Future Land Use Map of the Comprehensive Plan 3. Draft UDO Text Amendment | <p>Michael D. Harvey, Planner III (919) 245-2597
Craig Benedict, Director (919) 245-2575</p> |
|--|--|
-

PURPOSE: To review and make comments on text amendments to the Unified Development Ordinance (UDO) initiated by the Planning Director modifying existing sign regulations.

BACKGROUND: As the Board may recall, staff has been working on amendments to existing sign regulations for approximately 1 year to address concerns over advertising needs for non-residential development on larger parcels and to ensure our standards are consistent with the recent Reid versus Town of Gilbert US Supreme Court decision. Please refer to Section B of Attachment 1 for more background information.

This item was first reviewed by the Planning Board at its April 1, 2015 ORC meeting. Agenda materials from this meeting can be viewed at: http://www.orangecountync.gov/4_1_15ORC_Packet.pdf. Meeting notes can be viewed at: http://www.orangecountync.gov/4_1_15_ORC_Notes.pdf. This item was slated for presentation at the December 2, 2015 ORC meeting but was pulled so staff could address County Attorney comments.

Please note there have been significant changes to the proposal since April and December of 2015 to address comments from the County Attorney's office with respect to revising existing standards to be 'content neutral' in order to be consistent with the Gilbert court case.

It is expected that the proposed final version will be on the April Planning Board agenda for a recommendation. These amendments are scheduled to be presented at the May 23, 2016 Quarterly Public Hearing.

FINANCIAL IMPACT: Please refer to Section C.3 of Attachment 1.

RECOMMENDATION(S): The Planning Director recommends that the Board review and offer comment(s) on the proposed modifications.

COMPREHENSIVE PLAN / FUTURE LAND USE MAP AND UNIFIED DEVELOPMENT ORDINANCE (UDO) AMENDMENT OUTLINE

UDO / Zoning-2015-01

UDO Text Amendment(s) clarifying allowable sign area.

A. AMENDMENT TYPE

Map Amendments

- Land Use Element Map:
From:
To:
- Zoning Map:
From:
To
- Other:

Text Amendments

- Comprehensive Plan Text:
Section(s):
- UDO Text:
 - UDO General Text Changes
 - UDO Development Standards
 - UDO Development Approval Processes
 Section(s):
- Other:

B. RATIONALE

1. Purpose/Mission

In accordance with the provisions of Section 2.8 *Zoning Atlas and Unified Development Ordinance Amendments* of the UDO, the Planning Director has initiated text amendment(s) to modify existing regulations governing allowable signage.

Current regulations do not offer a suitable distinction between various types of commercial development allowing for a sign of suitable size to accommodate a non-

residential project on a larger parcel of property. Existing regulations must also be refined to address a recent US Supreme Court decision.

2. **Analysis**

As required under Section 2.8.5 of the UDO, the Planning Director is required to: *'cause an analysis to be made of the application and, based upon that analysis, prepare a recommendation for consideration by the Planning Board and the Board of County Commissioners'*.

There has been an increase in inquires and interest with respect to development of large-scale commercial operations within the County, with an emphasis on property located within the:

- a. Commercial Transition,
- b. Commercial-Industrial Transition, and
- c. Economic Development Transition

Activity Nodes (please refer to Attachment 2 for additional detail).

Current sign regulations limit the total allowable square footage for freestanding and wall signs for most non-residential general use zoning districts to 32 square feet (8 feet by 4 feet in size) regardless of the property's location (in or outside of an Activity Node), size of parcel, or amount of road frontage. The 'one-size fits all' sign limit may, in fact, be a deterrent to non-residential development in the aforementioned Activity Nodes.

There is also a noticeable lack of clarity within the UDO addressing the development of large-scale properties with multiple tenants necessitating the need for a larger, freestanding sign, advertising local businesses and on what constitutes a blinking/flashing sign leading to enforcement concerns.

Recent court decisions, most notably Reed versus Town of Gilbert, also impact the County's current sign regulations. In this case the US Supreme Court sign regulations cannot be seen as allowing/disallowing a sign based on its content. For more information on the case and its potential impacts please refer to the following: <http://canons.sog.unc.edu/?p=8167>.

The amendments are necessary to address current concerns over advertising needs for non-residential development on larger parcels within the County and clarify the prohibition on the use of blinking/flashing signage by incorporating new definitions into the UDO.

Existing regulations also need to be revised to ensure our standards are 'content neutral' and consistent with the findings of the Gilbert case. To this end staff will be recommending maximum allowable signage area for various general use zoning districts including residential districts (i.e. RB, AR, R-1, etc.).

3. **Comprehensive Plan Linkage (i.e. Principles, Goals and Objectives)**

Land Use Goal 4: Land development regulations, guidelines, techniques, and/or incentives that promote the integrated achievement of all Comprehensive Plan goals.

4. New Statutes and Rules

Reed versus Town of Gilbert, a US Supreme Court Case impacting existing sign regulations.

d. PROCESS

1. TIMEFRAME/MILESTONES/DEADLINES

a. BOCC Authorization to Proceed

January 22, 2015 – The BOCC authorized staff to proceed with the amendment.

b. Quarterly Public Hearing

February 18, 2016

STAFF COMMENT: This item was originally intended for presentation at the February 19, 2015 Quarterly Public Hearing, which was cancelled due to weather.

Further delays were the result of various court proceedings. For more information on recent court decisions relating to sign regulations please refer to the following: <http://canons.sog.unc.edu/?p=8167>.

c. BOCC Updates/Checkpoints

January 22, 2015 – Approval of Amendment Outline form authorizing staff to proceed with project.

April 1, 2015 Ordinance Review Committee (ORC) meeting (BOCC received materials).

December 2, 2015 Ordinance Review Committee (ORC) meeting (BOCC received materials).

STAFF COMMENT: this item was pulled from the ORC agenda the day of the meeting.

March 2, 2016 – Regular Planning Board meeting (BOCC received materials).

May 23, 2016 – Public Hearing.

d. Other

N/A

2. PUBLIC INVOLVEMENT PROGRAM

Mission/Scope: Public Hearing process consistent with NC State Statutes and Orange County ordinance requirements.

a. Planning Board Review:

January 26, 2015 – Planning Board members were e-mailed the amendment

packet for initial review and comment.

April 1, 2015 – ORC. During this meeting the following comment(s) were made:

- A Board member asked if digital signs were dangerous?

STAFF COMMENT: Staff believes digital signs pose several issues for motorists due to the frequency of the sign’s message being changed as well as the incorporation of a scrolling message. We believe they represent a distraction as motorists are frequently looking at the sign to see the next advertisement.

- A Board member asked how portable signs are addressed.

STAFF COMMENT: Portable signage is addressed in Section 6.12.6 of the UDO and are specifically banned.

- A Board member asked what constituted a snipe sign.

STAFF COMMENT: As detailed in Article 10 *Definitions* of the UDO a snipe sign is a small sign advertising services (i.e. ‘We Buy Houses’) or off-site signage advertising homes for sale.

December 2, 2015 – ORC. This item was pulled from the ORC agenda as staff was still working to address comments from the Attorney’s office.

March 2, 2016 – Regular Meeting.

b. Advisory Boards:

N/A

_____	_____
_____	_____

c. Local Government Review:

N/A

_____	_____
_____	_____

d. Notice Requirements

Legal advertisement published in accordance with the provisions of the UDO.

e. Outreach:

<input type="checkbox"/> General Public:	_____
<input type="checkbox"/> Small Area Plan Workgroup:	_____
<input type="checkbox"/> Other:	_____

3. FISCAL IMPACT

Modification of existing language will not require the outlay of additional funds by the County. Processing of the amendment shall be handled by staff utilizing existing budgeted funds.

e. AMENDMENT IMPLICATIONS

The amendment will allow for larger freestanding and wall signs for projects where there is adequate road frontage necessitating the development of additional advertising space and clarify what constitutes a blinking/flashing sign to aid in enforcement efforts. It will also ensure County sign regulations are legally sufficient given the recent Gilbert US Supreme Court case.

f. SPECIFIC AMENDMENT LANGUAGE

Please refer to Attachment 4.

Primary Staff Contact:

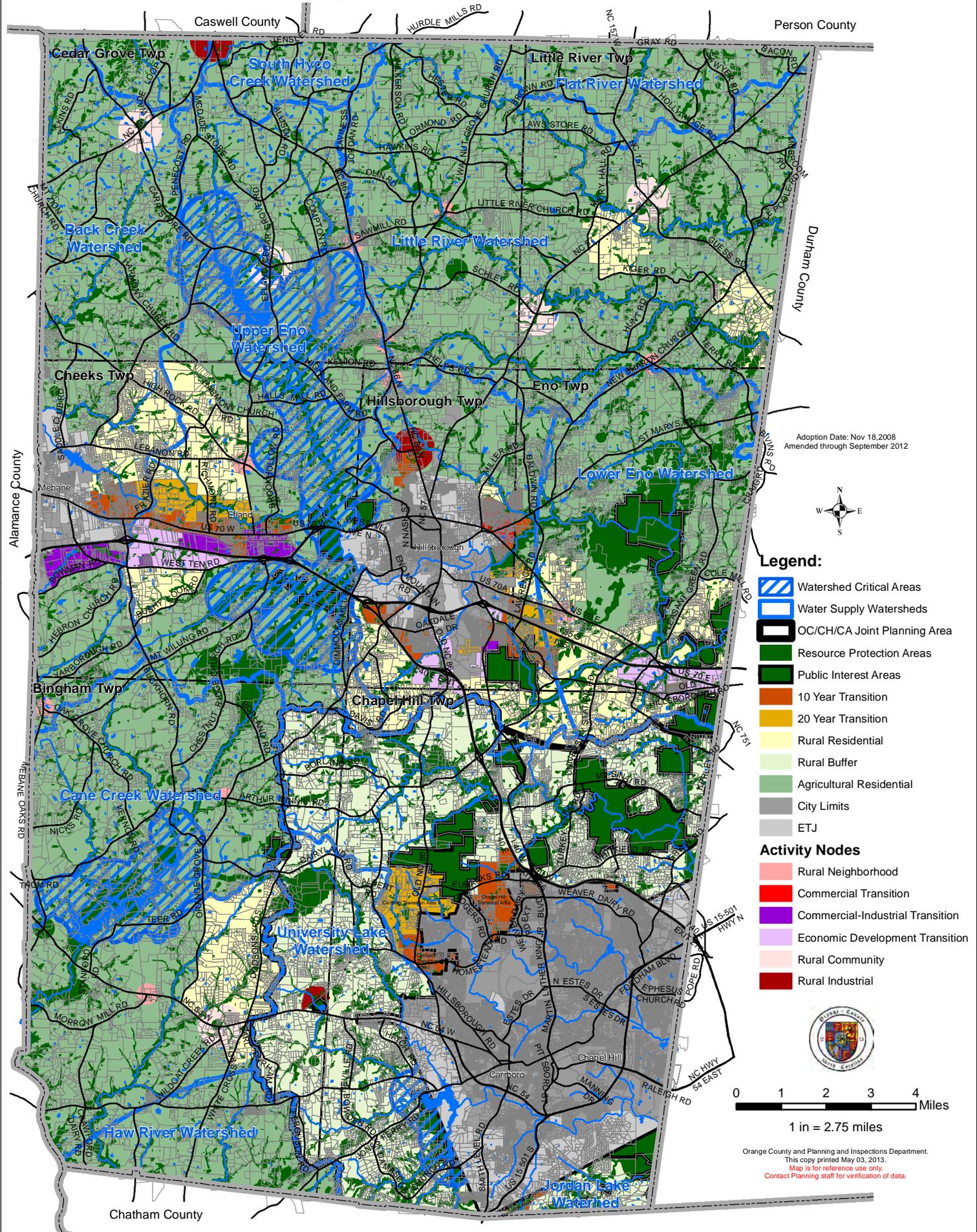
Michael D. Harvey

Planning

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mharvey@orangecountync.gov

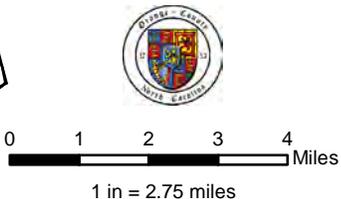
Future Land Use Map of the Orange County Comprehensive Plan



Adoption Date: Nov 18, 2008
Amended through September 2012



- Legend:**
- Watershed Critical Areas
 - Water Supply Watersheds
 - OC/CH/CA Joint Planning Area
 - Resource Protection Areas
 - Public Interest Areas
 - 10 Year Transition
 - 20 Year Transition
 - Rural Residential
 - Rural Buffer
 - Agricultural Residential
 - City Limits
 - ETJ
- Activity Nodes**
- Rural Neighborhood
 - Commercial Transition
 - Commercial-Industrial Transition
 - Economic Development Transition
 - Rural Community
 - Rural Industrial



Orange County and Planning and Inspections Department.
This copy printed May 03, 2013.
Map is for reference use only.
Contact Planning staff for verification of data.

It is the intent of this section to require minimum light levels during established business hours or in those instances where members of the general public will be on-site to ensure public safety.

- (B) Pedestrian walkways and plazas must be lighted and fixtures mounted at a lower height for security and to create an inviting pedestrian environment.
- (C) Accent lighting must also be provided to illuminate such key locations as building and driveway entries, and activity areas.
- (D) Lighting for the purpose of illuminating landmarks and unique features of the site is also encouraged.
- (E) All light fixtures are to be concealed source fixtures except for pedestrian-oriented accent lights.
- (F) Security lighting fixtures or floodlights must not project over the fascia or roof line of the building(s).
- (G) Parking area and driveway fixtures should be mounted at or below a maximum height of 25 feet above the surface of the parking area or driveway.
- (H) The design of light fixtures and structural supports must be compatible with the architecture of the principal building(s) and identification signs.
- (I) Where building faces are illuminated, lighting fixtures must be integrated within the architectural design of the buildings.
- (J) Ground-mounted lighting fixtures must be weather-proof and vandal resistant.
- (K) **Hillsborough EDD**

In addition to the standards established above, the following standards shall apply within the Hillsborough EDD:

- (1) Lighting must be high efficiency lighting systems and lighting levels must be reduced during non-use hours to promote energy conservation.
- (2) 12:1 minimum/maximum glare ratio.
- (3) Maximum footcandles = 80

SECTION 6.12: SIGNS

6.12.1 Purpose and Intent

The purpose of this Section is to regulate the type, placement and physical dimensions of all signs in the interest of public health, safety and welfare, while recognizing ~~the their~~ need for signs within the business community.¹

It is the intent of this section to regulate signs on a per lot basis in conjunction with the zoning designation of the lot as described on ~~the current tax roll~~ the Official Zoning Atlas² whether a sign is directly visible from a street right-of-way or not.

¹ Signs are allowed throughout the County for various reasons having nothing to do with the 'business community'. The language is unnecessary and is being recommended for deletion.

² The 'current tax roll' does not display zoning information.

6.12.2 Outdoor Advertising Signs³

The provisions of this Article establish standards and review criteria relating to the location, erection, maintenance, lighting, setbacks, and use of signs. This includes regulations pertaining to outdoor advertising (i.e. Billboards) signage.

The regulation and permitting of outdoor advertising is also subject to State requirements, including the State Outdoor Advertising Control Act, and Federal requirements. In cases where there is a conflict between County regulations and State or Federal regulations, relating to the location, erection, maintenance, lighting, setbacks and use of outdoor advertising signage, the corresponding State or Federal law shall take precedent.

In cases where there is no applicable State/Federal standard, then existing County regulations shall be enforced.

6.12.3 General Requirements

- (A) No sign of any type nor any part thereof shall be erected, painted, posted, reposted, placed, replaced, or hung in any zoning district except in compliance with these regulations.
- (B) No person shall erect or maintain a sign, and no property owner shall allow a sign to be erected or maintained on his-their⁴ property, except in conformity with these regulations.
- (C) Unless otherwise permitted, a Zoning Compliance Permit approved in accordance with the provisions of this Ordinance shall be required prior to erecting a sign, ~~unless otherwise permitted.~~
- (D) A permit shall be required when a sign face is altered due to a change in the use the property or for change of copy of an existing sign ~~the alteration of an existing sign structure, for any sign when the use of the premises changes, or when an existing sign is altered.~~; however no ~~permit will be required for~~ the changing of copy on a changeable message or reader board sign.⁵
- (E) In no case shall decorative features or landscaping at the base of a sign obstruct the view of motorists.
- (F) Sign Locations
 - (1) All signs shall be located outside the sight visibility triangle (see Section 6.2.10).
 - (2) No sign, including supporting frames or base, shall be located within five feet of a public right-of-way.
 - (3) No sign may be attached, affixed, or painted upon any utility poles, governmental signs, trees, rocks, or other similar natural object within the public right-of-way.
 - (4) No sign shall be permitted on the side street frontage of a corner lot if the lot is located within 100 feet of a residential district.
- (G) Illuminated Signs
 - (1) No illuminated sign shall be so designed or placed that direct or reflected light or glare constitutes a hazard or annoyance to motorists or occupants of adjoining properties.
 - (2) Signs shall be illuminated in accordance with the provisions of this Ordinance.

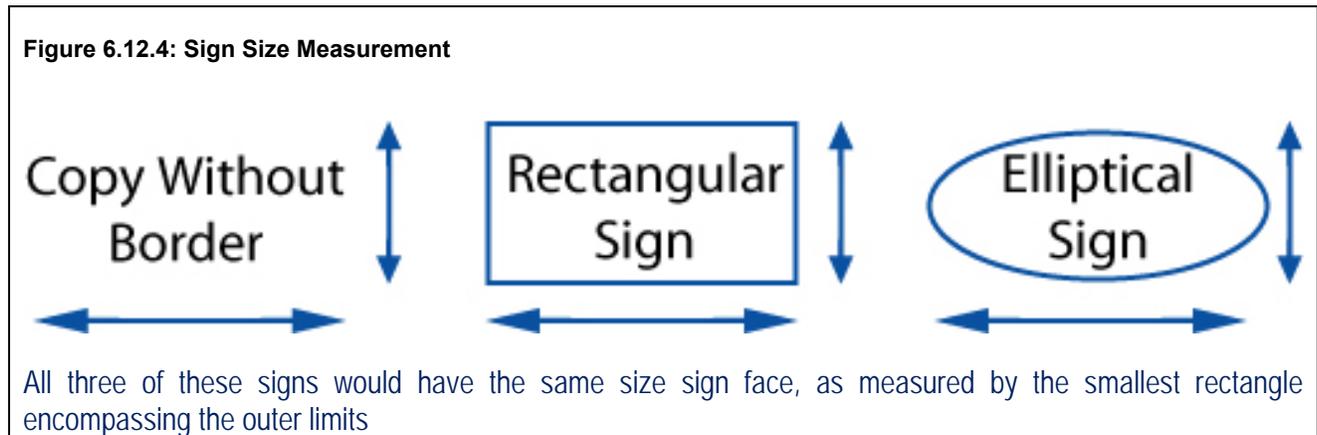
³ Staff is adding the word 'Signs' to ensure consistency within the UDO with respect to our references to a 'billboard'.

⁴ Staff is changing language to eliminate gender specific references.

⁵ Staff is attempting to clarify and simply the requirements of this section.

6.12.4 Determination of Sign Area

- (A) For the purposes of this Ordinance, the area of display surface of a sign shall be computed as including the entire area visible from any one point, within a regular geometric form or combination of forms, comprising all of the display area of the surface and including all of the elements within the display area and the sign frame, including the lattice work, frame, border molding, lettering and display area incidental to the sign's decoration. This does not include structural members or other support mechanisms not bearing advertisement material.
- (B) In the case of wall-mounted signs without a border or frame, the surface area shall include such reasonable and proportionate space as would be required if a border or frame were used:
- (C) Examples:



6.12.5 Exempt Signs

The following permitted signs are considered exempt and do not require the issuance of a Zoning Compliance Permit:

- (A) Signs erected by a governmental agency to regulate, control, or direct vehicular or pedestrian traffic;
- (B) Legal notices, warnings, regulatory or informational signs erected by a public government agency;⁶
- (C) Signs erected within a public right-of-way maintained by the North Carolina Department of Transportation (NC DOT);⁷
- (D) Signs required by law;
- ~~(E) "No trespassing" signs, not exceeding six square feet in area;~~⁸
- ~~(F) Real estate signs, not exceeding four square feet in area;~~⁸
- ~~(G)(E) Flags, emblems or insignia of any national, state or political subdivision;~~⁸

⁶ We do not use the term 'public agency' within this section of the UDO. We make reference to 'government agency'. The amendment is necessary to ensure consistency.

⁷ As we have no enforcement capability within NC DOT rights-of-way we cannot require a Zoning Compliance Permit for sign erected within same.

⁸ Language is being eliminated as this could be construed as establishing regulations based on the 'content' of the sign, which is no longer allowed per the recent Reed versus Town of Gilbert US Supreme Court decision.

- ~~(H)(F)~~ Property number signs not exceeding ~~two-four~~ square foot in area ~~with no more than 2 individual signs allowed per property~~ and bearing only address numbers of premises or other identification of premises not having commercial connotations;⁹
- ~~(H)(G)~~ Holiday decorations ~~in season that do not contain or display a commercial message~~;⁹
- ~~(J)(H)~~ Signs on trash receptacles, indicating the owner or party responsible for maintenance;
- ~~(K)(I)~~ Hazardous chemical identification/notification signs on residential and non-residential structures;
- ~~(L)(J)~~ Signs on newspaper boxes;
- ~~(M)(K)~~ Private drive signs, one per drive entrance, not exceeding two square feet in area, ~~with the message content limited to the words "Private Drive" and the address of any residences utilizing the private roadway~~;⁹
- ~~(N)(L)~~ Security and warning signs posted on private property ~~warning the public against trespassing, or similar messages, provided that any such sign does~~⁹ not exceeding two square feet in area; ~~and~~.
- ~~(O)~~ Political Signs, in accordance with the following standards:⁹
- ~~(1)~~ Political Signs are allowed in all zoning districts.
 - ~~(2)~~ A Zoning Compliance Permit shall not be required to allow for the placement of a political sign on private property.
 - ~~(3)~~ There shall be no limit to the number of political signs that can be placed on private property so long as the placement of these signs complies with the provisions of this Ordinance and the signs do not create a public safety hazard.
 - ~~(4)~~ Within residential zoning districts, political signs shall not exceed nine square feet in area or four feet in height.
 - ~~(5)~~ Within non-residential zoning districts, political signs shall not exceed the maximum allowable sign area permitted for freestanding signs.
 - ~~(6)~~ Political signs shall only be erected 90 days prior to the established date of a general election, school board election, referendum, special election, primary, or other similar political activity.
 - ~~(7)~~ Political signs shall be removed within 21 days after an election.
 - ~~(8)~~ Political signs shall be allowed within rights of way of the State highway system only in accordance with State law.
 - ~~(9)~~ Political signs shall not be allowed on telephone poles, utility poles, trees, other similar natural objects, and other signs or sign structures.

6.12.6 Prohibited Signs

The following signs are prohibited in all zoning districts:

- ~~(A)~~ ~~Advertising signs~~ Signs resembling or mimicking traffic signals, traffic signs, emergency vehicles' flashing lights, ~~non-governmental sanctioned signs utilizing the words 'stop', 'slow', 'caution', 'danger'~~,¹⁰ or any sign that is likely to be misconstrued ~~by the traveling public~~ as being official governmental signs or emergency warnings, or which by their distracting nature create a hazard to motorists;

⁹ Again, language is being eliminated to ensure compliance with the recent Reed versus Town of Gilbert US Supreme Court decision.

¹⁰ In consultation with the Attorney's office any regulation of wording would be inconsistent with the findings of Reed versus Gilbert and ought to be eliminated.

- (B)** Signs, except for off-premises signs allowed under this Section, advertising an activity, business, product or service no longer conducted on the premises upon which the sign is located. Such signage shall be removed within 90 days from the date of termination of such activity. Upon failure of the owner to remove such signs within the prescribed time, the Planning Director shall take appropriate legal action to have such sign removed;¹¹
- (C)** Flashing, blinking, pulsating, signs or signs with moving parts ~~except for signs showing time of day and temperature that are part of an approved sign advertising a permitted business activity on a parcel of property;~~¹²
- (D)** Signs with electronic moveable copy, scrolling messages, or other similar electronic displays designed to change display more than once an hour or a maximum of 8 times in a 24 hour period;¹³
- (E)** Signs, other than traffic, governmental, street name signs, ~~political signs erected in accordance with State law,~~ or other official governmental ~~or public~~ agency signs, shall not be permitted within any street-private street right-of-way;¹⁴
- (F)** Roof signs;
- ~~**(G)** Snipe signs;~~¹²
- ~~**(H)**~~**(G)** Beacon lights, animated signs, and trailer signs ~~and snipe signs;~~¹²
- ~~**(H)**~~**(H)** Portable signs, unless approved ~~for a special event~~ in accordance with Section 6.12.41(D)13(C);¹⁵
- ~~**(J)**~~**(I)** Signs supported in whole or in part by water, gas, air, or could otherwise be designated as inflatable signs; Individuals erecting an inflatable sign shall be subject to an immediate notice of violation and shall be required to remove the sign within the time frame it would normally take to deflate the sign, unless approved for a special event in accordance with Section 6.12.41(D)13(C);¹⁵
- ~~**(K)**~~**(J)** Signs mounted on a single pole or mast;
- ~~**(L)**~~ ~~Signs that contain rotating sign panels or objects;~~¹⁶
- ~~**(M)**~~**(K)** Signs that obstruct ingress and egress to any door, window, fire escape, stairway, ladder, or other opening intended to provide light, air, ingress, or egress for any room or building; and
- ~~**(N)**~~**(L)** Signs that violate any provision of any law of the State of North Carolina relative to outdoor advertising.
- ~~**(O)**~~**(M)** Signs erected on telecommunication facilities or support structures other than those required by local, State, or Federal law.¹⁷

¹¹ Language within the highlighted section is still being evaluated.

¹² In consultation with the County Attorney we are eliminating language that could be construed as establishing prohibitions or allowances based on a signs content.

¹³ Staff is proposing a universal standard for what constitutes electronic changeable copy to ensure proper enforcement. In reviewing the standard with the Attorney's office there does not appear to be concern over establishing limits on the number of times in a given day the display can change.

¹⁴ As we have no authority to regulate signage within NC DOT rights-of-ways we are amending the language within this section accordingly.

¹⁵ Regulations governing special event displays has been moved. This is the new section reference.

¹⁶ Staff is recommending this provision be deleted as it is redundant given the wording of Section 6.12.6 (C).

¹⁷ From time to time staff receives requests to allow signage on telecommunication facilities. To date we have forbidden such placement. We are including language within the UDO formalizing this prohibition.

6.12.7 Submittal Requirements

In order to erect a sign, other than exempt signs, a Zoning Compliance Permit application must be submitted and approved in accordance with the provisions of Section 2.4 and the following specific submittal requirements:

- (A) A drawing to scale showing the design of the sign, including dimensions, method of attachment or support, source of illumination. If attached to a structure, the drawing must indicate where on the structure it will be installed;
- (B) A plot plan drawn to scale indicating the location of the sign relative to property lines, easements, buildings, streets and other ~~on-premise~~ signs;
- ~~(C) Sign copy shall be submitted for all proposed signs to the Planning department for review and approval. No sign shall have lewd or lascivious letters, words, or characters designating the same; and¹⁸~~
- ~~(D)~~(C) Sign plans shall be submitted to the Planning Department for approval prior to the Building Inspector issuing a Building Permit. A record of such applications and actions taken shall be kept in the Planning Department.

6.12.8 Expiration of Permits

- (A) Notwithstanding other provisions of this Section, zoning compliance permits for signs shall expire within 180 days from the date of issuance unless within that time the work authorized by the permit has been completed.
- (B) If a zoning compliance permit for a sign expires, no further work to construct, erect, move, enlarge, illuminate, or alter the sign may take place unless a new zoning compliance permit is obtained. The applicant shall be subject to all regulations applicable at the time a new application is submitted.
- (C) No person may continue to operate, maintain, or leave standing any sign or part or component thereof for more than 30 days after the permit authorizing such sign has expired, unless a new sign application has been submitted and the Planning Director authorizes the sign, or portion thereof to remain

6.12.9 Permit Revocation

- (A) The Planning Director may revoke any zoning compliance permit for a sign issued in accordance with this Section and Section 2.4 for any of the following reasons:
 - (1) Issuance of the permit under a mistake of material fact when, had the correct fact been known, the permit would not have been issued;
 - (2) Misrepresentation of a material fact by the applicant for a sign permit; and
 - (3) Failure to comply with any of the provisions of this Section, except that a permit for a nonconforming sign may not be revoked so long as the nonconforming situation is allowed to continue pursuant to the provisions of this Ordinance.
- (B) Before revoking a zoning compliance permit for a sign, the Planning Director shall give the permit holder 20 days notice by certified mail of his/her intent to revoke the permit and shall inform the permit holder of the reasons for the proposed revocation and of his/her right to obtain an informal hearing on the allegations.
- (C) If the permit is revoked, the Planning Director shall provide to the permit holder owner a written statement of the decision and the reasons thereof. The Planning Director shall also inform the permit holder of his/her right to appeal the decision to the Board of Adjustment.

¹⁸ In consultation with the County Attorney we are eliminating language that could be construed as establishing prohibitions or allowances based on a sign's content.

- (D) No person may continue to operate, maintain, or leave standing any sign or part or component thereof for more than 30 days after the permit authorizing such sign has been revoked in accordance with this Section.

6.12.10 Maintenance

All signs, together with braces, guys and other supports shall be kept in good repair. If at any time a sign should be abandoned, declared unsafe, or deemed poorly maintained, the Planning Director shall notify the owner of the sign of such condition. Failure of the owner to correct the maintenance condition shall cause the Planning Director to take appropriate legal action to have the sign removed.

6.12.11 ~~Signs Permitted in All Zoning Districts~~¹⁹ Signs Permitted in Residential Zoning Districts

The following sign allotments shall be permitted within the zoning districts indicated, in accordance with all other provisions of this Section and specific standards for each sign established herein:

(A) Table of Allowable Sign Area – Residential Land Uses

	<u>RB</u>	<u>AR, R-1, R-2, R-3, R-4, R-5, R-8, R-13</u>	<u>MPD-CZ (Residential Development Only)</u>
<u>Cumulative Allowable Sign Area Per Parcel</u>	<u>48 square feet</u>	<u>64 square feet</u>	<u>96 square feet</u>

(B) Specific Sign Standards

- (1) No sign in a residential zoning district shall be more than 12 square feet in area.
- (2) There shall be no more than 6 signs allowed on a property either zoned or used to support a residential land use.
- (3) Signs shall be setback ten feet from all property lines or the edge of any existing or projected street right-of-way.

~~The following signs are permitted in all zoning districts with the issuance of a zoning compliance permit, in accordance with the requirements of this Section and the additional standards for each sign established herein:~~

- ~~(a) **Permanent Identification Signs for Subdivisions, Multi-family Developments, Mobile Home Parks, and Schools**~~
 - ~~(2) Identification signs shall not exceed 32 square feet in area and six feet in height.~~
 - ~~(3) Developments shall be limited to two signs at each point of ingress/egress.~~
 - ~~(4) Signs shall be placed outside of the site visibility triangle so as not to obstruct the view of traffic.~~
 - ~~(5) Signs may be illuminated in such a fashion so as not to affect the view of motorists.²⁰~~

¹⁹ After reviewing with the County Attorney’s office it has been determined this entire section is written from the standpoint of establishing regulations based on the ‘content’ of a sign. As a result we have deleted the existing language and will relocate several provisions to a new Section of the UDO as detailed herein. This revised section will address allowable signage within residential zoning districts only.

~~(B) — Signs for Non-profit Organizations on Premise²⁴~~

- ~~(1) — Signs shall not exceed 12 square feet in area.~~
- ~~(2) — Signs may not display any advertising matter or logo.~~
- ~~(3) — Signs may not be illuminated.~~

~~(C) — Off-Premise Religious Facility Signs²²~~

- ~~(1) — Signs shall identify the name and/or location of a religious facility.~~
- ~~(2) — Signs shall not exceed six square feet in area and may not be illuminated or contain moving parts.~~
- ~~(3) — Signs must be placed on a legal lot of record and the applicant shall provide a notarized statement from all owners of property allowing the off-premise sign to be erected on their property. There shall be only one off-premise religious facility sign permitted per parcel and a maximum of two per intersection.~~
- ~~(4) — The placement of a off-premise religious facility sign shall be treated as an accessory use of property.~~

~~(D) — Special Event Displays~~

- ~~(1) — Signs or banners shall not exceed 32 square feet in area.~~
- ~~(2) — All displays must be located outside of the right-of-way and have approval of property owners when located on private property.~~
- ~~(3) — Pennants
 - ~~(a) — Pennants may be displayed during the special event to attract attention but only within 30 feet of the principal area where the special event is occurring.~~
 - ~~(b) — Pennants must be installed at a minimum height of 18 feet above grade to ensure adequate height clearance for vehicles underneath.~~~~
- ~~(4) — Portable Signs
 - ~~(a) — Sites shall be limited to one portable sign per right-of-way frontage. However, there shall be no more than two portable signs permitted on-site at one time.~~
 - ~~(b) — Signs shall be limited to 16 square feet in area, per sign face.~~
 - ~~(c) — Signs shall be located in accordance with Section 6.12.3(F).~~~~
- ~~(5) — Inflatable Signs
 - ~~(a) — No more than one inflatable sign shall be permitted on-site at one time.~~
 - ~~(b) — Inflatable signs shall not exceed 25 feet in height.~~
 - ~~(c) — Signs shall be located a minimum of 25 feet from all property lines.~~~~
- ~~(6) — Special Event Displays may only be erected for a two week period and must be removed within five days following the event.~~

~~(E) — Signs Advertising Agricultural Products Produced on the Premises~~

- ~~(1) — Shall not exceed 32 square feet.~~
- ~~(2) — Shall be limited to two signs per parcel.~~

~~(F) — Temporary Construction and Financial Institution Signs~~

²³ Moved from Section 6.12.14 of the existing sign ordinance.

- ~~(1) — Shall not exceed 24 square feet in area, per sign;~~
- ~~(2) — May not to exceed two signs per building site;~~
- ~~(3) — Signs shall be erected only after a Building Permit authorizing construction on-site has been issued; and~~
- ~~(4) — Signs must be removed within seven days after construction work has been completed and the certificate of occupancy has been issued.~~

~~(G) — Directional/Informational Signs~~

- ~~(1) — May be displayed on parcels of property utilized for non-residential purposes.~~
- ~~(2) — May not exceed two square feet in area.~~
- ~~(3) — May contain corporate logos or other similar graphical displays so long as they provide some necessary information to patrons (i.e. entrance and exit locations, one-way entrance ways, drive-through entranceways, ATM location, etc.).~~
- ~~(4) — A maximum of three directional/informational signs may be displayed on a non-residential parcel of property.~~

~~(H) — Temporary Real Estate Signs, in excess of four square feet in area~~

- ~~(1) — One sign shall be permitted per building site, not to exceed 24 square feet in area.~~
- ~~(2) — Signs shall not be placed within any public street right of way.~~
- ~~(3) — Signs must be removed after property has been transferred.~~

~~(I) — Landmark Signs~~

~~Signs shall be erected only after the historical significance of the particular site has been verified and that proposed location of the sign has been approved by the Orange County Planning Department and all other related agencies (i.e. NC Department of Transportation).~~

6.12.12 Signs Permitted in ~~Specific Non-Residential~~ Zoning Districts

The following ~~signs cumulative sign allotments~~ shall be permitted ~~with~~ in the zoning districts indicated, in accordance with all other provisions of this Section and specific standards for each sign established herein:

(A) Table of Allowable Sign Area – Nonresidential Land Uses

	<u>LC-1, NC-2, EC-5, E-I</u>	<u>CC-3, GC-4, I1, EDB-1, EDE- 1, REDA-CZ</u>	<u>OI, 1-2, 1-3, AS, ASE-CZ</u>	<u>EDB-2, EDE-2, MPD-CZ</u>	<u>EDH-1, EDH-2, EDH-3</u>	<u>EDH-4, EDH-5</u>
<u>Cumulative Allowable Sign Area Per Parcel</u>	<u>140 square feet</u>	<u>200 square feet</u>	<u>240 square feet</u>	<u>300 square feet</u>	<u>160 square feet</u>	<u>200 square feet</u>

~~(A)(B) On-Premise Commercial-Specific Signs Standards~~

~~(1) Freestanding or Ground Monument Signs~~

~~(2)(a) These signs s~~shall comply with all state and county building codes and the National Electric Code. Clearance of signs is required from high voltage power lines and signs shall be located in such a way that they will maintain horizontal and vertical clearance of all overhead electrical conductors in accordance with the National Electric Code specifications,

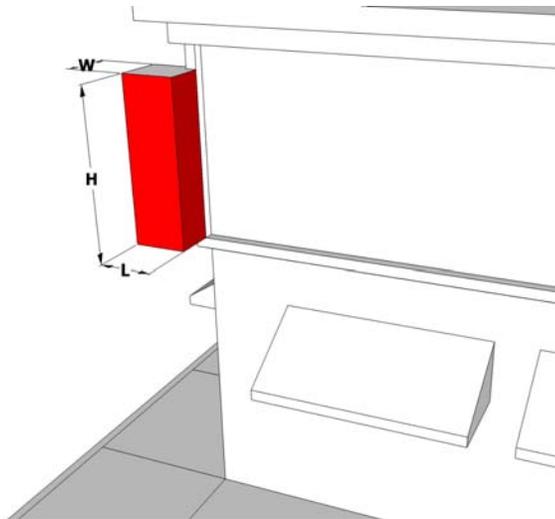
provided that no sign shall be installed closer than ten feet horizontally or vertically from any conductor or public utility guy wire.

- ~~(3)~~ On-premise commercial signs shall be permitted within the following zoning districts: LC-1, NC-2, CC-3, GC-4, EC-5, OI, EI, I-1, I-2, I-3, AS, MPD-CZ, MHP-CZ and all of the Economic Development zoning districts.
- ~~(b)~~ Sign(s) must be placed perpendicular to approaching vehicular traffic so that it is clearly visible and does not obstruct the view.²³
- ~~(c)~~ Required Setbacks:
- ~~(i)~~ All on-premise commercial signs Signs shall be setback ten feet from ~~the front, side, and rear property~~ all property lines or the edge of any existing or projected street right-of-way ~~line~~ whichever is greater.
- ~~(ii)~~ Signs greater than 32 square feet in area, as allowed herein, shall be setback an additional 10 feet.
- ~~(4)~~~~(iii)~~ In cases where a property abuts a residential zoned parcel of property, the side or rear yard setback requirement shall be doubled.
- ~~(5)~~ **Number of Signs Permitted**
- ~~(d)~~ Number of Signs Permitted:
- ~~(a)~~~~(i)~~ One on-premise ~~One freestanding sign commercial sign~~ shall be permitted per parcel. ~~However, one~~ An additional ~~on-premise commercial~~ sign may be permitted for parcels with frontage on more than one publicly maintained right-of-way in accordance with the provisions of this Section.
- ~~(b)~~~~(ii)~~ Under no circumstances shall ~~No~~ more than one three-dimensional sign shall be permitted on-site.
- ~~(c)~~~~(iii)~~ For multi-tenant buildings and/or sites permitted as a conditional use or conditional zoning district, additional on-premise commercial signs or sign area may shall be permitted by the Board of County Commissioners with the approval of a master sign plan.
- ~~(6)~~~~(e)~~ Height of Signs:
- ~~(a)~~~~(i)~~ Pole signs ~~Freestanding signs~~ shall be limited to a height of 24 feet with a mandatory ground clearance of eight feet from the normal or finished grade elevation of the property at the base of the sign
- ~~(b)~~~~(ii)~~ Ground signs ~~Ground monument signs~~ shall not exceed six feet in height from the normal or finished grade elevation of the property at the base of the sign
- ~~(7)~~~~(f)~~ The allowable area for on-premise commercial signs shall be determined as follows Allowable sign area:
- ~~(i)~~ Single or double-faced signs shall not exceed 32 square feet in area, per sign face. For parcels zoned CC-3, GC-4, OI, I-2, I-3, AS, EDB-2, EDE-2, EDH-4, EDH-5, MPD-CZ that:
- a. Are larger than 60,000 square feet in area, and

²³ Moved from Section 6.12.14 of the existing sign ordinance.

- b. Have more than 300 feet of linear frontage along a NC Department of Transportation (NC DOT) maintained roadway.
- (a) signage shall not exceed 72 square feet in area.
- (b)(ii) Three-dimensional signs shall not exceed a maximum volume of 54 cubic feet with no dimension exceeding six feet.

Figure ~~6.12.12.A.6~~: 6.12.12 (B) (1) (e) (ii) Three-Dimensional Sign Allowable Volume



NOTE: L x W x H may not exceed 54 cubic feet with no dimension exceeding 6 feet.

- ~~(8)~~ An on-premise commercial sign may contain a changeable copy sign as defined in this Ordinance. However, the total sign area, including the area of changeable copy, shall not exceed the maximum allowable area established in Section 6.12.12(A)(6)(a) above.
- ~~(9)(g)~~ No on-premise commercial sign shall be oriented in such a manner as to be directly visible from a major transportation corridor as established in this Ordinance.
- ~~(B)(2)~~ Off-Premise Commercial Signs Outdoor Advertising Signs
 - ~~(1)(a)~~ These signs shall ~~Shall~~ comply with all state and county building codes and the National Electric Code. Clearance of signs is required from high voltage power lines and signs shall be located in such a way that they will maintain horizontal and vertical clearance of all overhead electrical conductors in accordance with the National Electric Code specifications, provided that no sign shall be installed closer than ten feet horizontally or vertically from any conductor or public utility guy wire.
 - ~~(b)~~ Off-premise commercial signs (billboards) Outdoor advertising signage shall be permitted within the GC-4, EC-5, I-1, and I-2 general use zoning districts and is prohibited for location within the Major Transportation Corridor (MTC) Overlay District.
 - ~~(2)(c)~~ No electric tap outs allowing for an independent light source to receive power shall be allowed.
 - ~~(3)(d)~~ Off-premise commercial signs Outdoor advertising shall be considered the principal use of property and shall not be permitted as an accessory

use. There shall be no additional principal uses allowed on the same parcel. ~~Off-premise commercial signs shall not be permitted as accessory uses.~~

~~(4)~~(e) ~~No off-premise commercial sign~~Outdoor advertising shall not be located closer than 200 feet to the right-of-way of major thoroughfares (i.e. US 70, NC 86, NC 40, and NC 57) and 600 feet to the right-of-way for all other thoroughfares and streets.

~~(5)~~(f) ~~The height of an off-premise commercial sign~~Signs shall not exceed 25 feet in height as measured from the grade of the right-of-way or surface grade beneath the sign, whichever is less. The clearance of an ~~off-premise sign~~Outdoor Advertising sign shall not be less than eight feet from the grade of the right-of-way or surface grade beneath the sign, whichever is less.

~~(6)~~(g) ~~Off-premise commercial~~Outdoor Advertising signs shall be limited to 480 square feet of sign area.

~~(7)~~(h) In no case shall an ~~off-premise commercial~~Outdoor Advertising sign be located closer than 1,000 feet to an existing off-premise commercial sign.

~~(8)~~ ~~Off-premise commercial signs are prohibited within the Major Transportation Corridor (MTC) overlay district.~~

~~(9)~~(i) No person may, for the purpose of increasing or enhancing the visibility of any off-premises commercial sign, damage, trim, destroy, or remove any trees, shrubs, or other vegetation in the following locations:

~~(a)~~a. Within the right-of-way of any public street or road, unless the work is done pursuant to the express written authorization of the North Carolina Department of Transportation;

~~(b)~~b. On property that is not under the ownership or control of the person responsible for such work, unless the work is done pursuant to the express authorization of the property owner where the vegetation is located; and,

~~(c)~~c. In any area where such vegetation is required to remain under a permit issued in accordance with this Ordinance.

~~(C)~~(3) Wall Signs

~~(1)~~(a) Shall either be mounted or painted on a building.

~~(2)~~(b) Wall signs may be internally illuminated and shall comply with all applicable state and county building codes and the National Electric Code.

~~(3)~~ ~~Wall Signs shall be permitted within the following zoning districts: LC-1, NC-2, GC-3, GC-4, EG-5, OI, EI, I-1, I-2, I-3, AS, MPD-CZ and all of the Economic Development zoning districts.~~

~~(4)~~(c) All wall signs shall be offset a minimum of ten feet from the corner of the building on which it is mounted.

~~(5)~~(d) Wall signs shall not protrude more than 12 inches from the face of building on which it is mounted.

~~(6)~~(e) Number of Signs Permitted

~~(a)~~(i) Only one wall sign shall be permitted per building facade. In cases where a building is located on a corner lot, an additional wall sign may be permitted on the building wall facing the second street right-of-way, subject to the requirements of this Ordinance.

~~(b)~~(ii) For multi-tenant buildings permitted as a conditional use or conditional zoning district additional wall signs ~~may shall~~ be permitted by the Board of County Commissioners with the approval of a master sign plan.

~~(7)~~(f) The allowable sign area shall be determined as follows:

~~(i)~~ One square foot of sign area for every ½ foot of building length facing a public right-of-way, not to exceed 32 square feet. For parcels zoned CC-3, GC-4, OI, I-2, I-3, AS, EDB-2, EDE-2, EDH-4, EDH-5, MPD-CZ that:

a. Are larger than 60,000 square feet in area, and

b. Contain a structure with more than 100 linear feet of building length facing a public right-of-way, and

c. Has more than 300 feet of linear frontage along a NC Department of Transportation (NCDOT) maintained roadway.

signage shall not exceed 64 square feet in area

~~(8)~~(g) A changeable copy sign may be utilized as a wall sign.

~~(9)~~(h) Wall signs shall not extend above the soffit, parapet, or eave line of the building to which it is attached.

~~(D)~~(4) Projecting Signs

~~(1)~~(a) Projecting signs shall be mounted on a building.

~~(2)~~(b) Projecting signs may be internally illuminated and shall comply with all applicable state and county building codes and the National Electric Code.

~~(3)~~ Projecting signs shall be permitted within the following zoning districts: LC-1, NC-2, CC-3, GC-4, EC-5, OI, EI, I-1, I-2, I-3, AS, MPD-CZ and all of the Economic Development zoning districts.

~~(4)~~(c) Projecting signs shall adhere to the minimum setback requirements established for all structures within the zoning district in which it is located.

~~(5)~~(d) Only one projecting signs shall be permitted per building facade even in cases of a building located on a corner lot.

~~(6)~~(e) The allowable sign area shall be determined as follows: one square foot of sign area for every ½ foot of building length, facing a public right-of-way, not to exceed 32 square feet in area.

~~(a)~~ One square foot of sign area for every ½ foot of building length, facing a public right-of-way, not to exceed 32 square feet in area.

~~(7)~~(f) Projecting signs shall clear sidewalks and pedestrian paths by a height of at least ten feet above finished grade.

~~(8)~~(g) Projecting signs shall not extend above the soffit, parapet, or eave line of the building to which it is attached.

~~(9)~~(h) Projecting signs shall not be located at the corner of a building except at right angles to the building façade.

~~(E)~~(5) Window Signs

~~(1)~~ Window signs shall be permitted within the following zoning districts: LC-1, NC-2, CC-3, GC-4, EC-5, OI, EI, I-1, I-2, I-3, AS, MPD-CZ and all of the Economic Development zoning districts.

~~(2)(a)~~ Window signs shall be limited to a maximum of 30% of the total window area where the sign is to be located.

~~(3)~~ Window signs may be utilized for advertising specials or sales within the business, or displaying the name and other pertinent business information associated with the principal use.

~~(4)(b)~~ Signs may be etched, painted or otherwise attached to be made a permanent addition to the pane of glass.

~~(F)(6)~~ **Awning Signs**

~~(1)~~ Awning signs shall be permitted within the following zoning districts: LC 1, NC 2, CC 3, GC 4, EC 5, OI, EI, I 1, I 2, I 3, AS, MPD-CZ and all of the Economic Development zoning districts. See Section 6.12.14(E) for additional standards for Awning Signs located in Economic Development Districts.

~~(2)(a)~~ Awning Signs shall be located above the main entrance to a nonresidential land use and shall contain the name of the use.

~~(3)(b)~~ Awning Sign area shall be limited to a maximum of 50% of the total awning area erected over the entrance of a nonresidential land use. Where an awning sign is utilized at a multi-use development, the amount of sign area shall be computed as part of the overall sign area allotted to wall signs, not to exceed 50% of the total awning area.

~~(4)(7)~~ **Changeable Copy Signs**²⁴

~~(a)~~ Shall not exceed 32 square feet in area.

~~(b)~~ Bulletin boards/reader boards may be internally illuminated.

~~(5)~~

~~(G)~~ **Drive-Through Menu Signs**²⁵

~~(1)~~ Applicants must establish to the satisfaction of the Planning Director that a drive-through menu sign is considered a customary accessory use to the principal business on the property and is necessary for the normal operations of the commercial operation.

~~(2)~~ Signs shall be limited to 32 square feet in area.

~~(3)~~ No external illumination shall be permitted.

~~(4)~~ A land use that utilizes such a sign shall also be permitted an independent speaker box, no greater than 12 square feet in area with a height no greater than four feet.

6.12.13 Sign Standards for Specific Uses

In addition to the requirements contained herein, the following land uses shall adhere to these additional standards:

(A) Subdivisions, Multi-family Developments, Mobile Home Parks, and Schools

(1) Regardless of its location, land uses shall have a cumulative sign allotment of 140 square feet further restricted as follows:

(a) Freestanding or ground monument signage shall not exceed 32 square feet in area.

²⁴ Originally located in Section 6.12.13 and moved here.

²⁵ After reviewing existing language with the Attorney's office, it has been determined existing regulations concerning drive-thru signs are content based and have to be deleted. Staff will be reviewing other enforcement options.

- (b) Ground monument signage shall not exceed six feet in height from finished grade. Freestanding signage shall comply with the height requirements as detailed herein.
- (c) For subdivisions and multi-family developments, there shall be a limit of 2 freestanding or ground monument sign(s) at each point of ingress/egress.
- (d) For all other uses 1 freestanding or ground monument sign shall be permitted.
- (e) All other signage shall not exceed 12 square feet in area

(B) Churches

- (1) Regardless of its location, a church shall have a cumulative sign allotment of 120 square feet further restricted as follows:
 - (a) There shall be a limit to one freestanding and one changeable copy sign per property each limited to 32 square feet in area.
 - (b) Wall signs shall be limited to 32 square feet in area.
 - (c) All other signage shall be limited to 12 square feet in area.

(C) Special Event Displays²⁶

- (1) Shall only be allowed within a non-residential zoning district.²⁷
- (2) Signs shall not exceed 32 square feet in area.
- (3) All displays must be located outside of public or private rights-of-way and have approval of property owners when located on private property.
- (4) Pennants
 - (a) Pennants may be displayed during the special event to attract attention but only within 30 feet of the principal area where the special event is occurring.
 - (b) Pennants must be installed at a minimum height of 18 feet above grade to ensure adequate height clearance for vehicles underneath.
- (5) Portable Signs
 - (a) Sites shall be limited to one portable sign per right-of-way frontage. However, there shall be no more than two portable signs permitted on-site at one time.
 - (b) Signs shall be limited to 16 square feet in area, per sign face.
 - (c) Signs shall be located in accordance with Section 6.12.3(F).
- (6) Inflatable Signs
 - (a) No more than one inflatable sign shall be permitted on-site at one time.
 - (b) Inflatable signs shall not exceed 25 feet in height.
 - (c) Signs shall be located a minimum of 25 feet from all property lines.
- (7) Special Event Displays may only be erected for a two week period and must be removed within five days following the event.

(A) Changeable Copy Signs Utilized by Churches or Public Entities²⁸

²⁶ Originally located in Section 6.12.11 and moved here.

²⁷ Staff has added the provision to avoid having special event displays in residential districts.

~~(1) — Shall not exceed 32 square feet in area.~~

~~(2) — Bulletin boards/reader boards may be internally illuminated.~~

~~(B)~~**(D) Service Stations/Gas Station**

(1) Signs ~~may be~~ erected above gas pumps shall be subject to the following standards:

(a) No internal or external illumination shall be permitted; and

(b) Signs shall be limited to four square feet in area; ~~and~~

~~(c) — Signs must advertise items for sale on the property. Under no circumstances may a sign advertise a sale, activity, business, or product not associated with the principal use of property.~~

(2) Signs ~~may be~~ erected on the canopy covering gas pumps shall be subject to the following standards: limited to 12 square feet in area per sides facing right-of-way.

~~(a) — Advertising material shall be limited to trademarks, logos, and the name of the service station or other similar display.~~

~~(b) — Such displays shall be limited to six square feet of area.~~

(E) Yard Sales/Garage Sales

(1) Regardless of location, yard and/or garage sales shall have a cumulative sign allotment of 16 square feet further restricted as follows:

~~(3)~~(a) Signs shall be erected on the property where the sale is taking place.

~~(4)~~(b) Signs shall be limited to four square feet of area.

~~(5)~~(c) No off-site displays shall be permitted.

~~(6)~~(d) Signs shall be removed no later than sunset of the day the event occurs.

~~(C)~~**(F) Institutional Uses and Private Parks/Recreation Facilities Located within Residential Zoning Districts**

(1) One ground and one wall sign shall be permitted;

(2) Maximum sign area shall be 32 square feet per sign ~~face~~; and

(3) No ground monument sign shall exceed six feet in height.

~~(D)~~**(G) Home Occupations**

(1) The Home Occupation shall have a valid Zoning Compliance Permit issued by Orange County;

(2) There shall only be one sign limited to eight square feet in area and four feet in height;

(3) Such sign shall not be illuminated by any means;

(4) Sign shall not be located within any public street right-of-way, sight visibility triangle, easement, vehicular area or other similar area; and

~~(5) — The sign message shall be limited to the business name and telephone number.~~

~~(E)~~**(H) Parks, Public and Non-profit; Recreational Facilities, Non-Profit; Recreational Facilities, Golf Courses; and Recreational Facilities, Profit Parks, Public**

~~(1) — Purpose and Intent~~

²⁸ Moved to Section 6.12.12.

- ~~(a) Unlike signs for non-residential development(s), signs for recreational land uses are intended to serve a different function and purpose. Signs within these types of land uses are intended to provide essential information concerning:~~
 - ~~(i) Rules and regulations governing the operation of the facility;~~
 - ~~(ii) Educational information identifying unique aspects of the facility, the property itself, or significant environmental features that are located on the property; and~~
 - ~~(iii) Identification of sponsors or public/private partnerships that are responsible for the development, upkeep, and maintenance of existing recreational amenities.~~
- ~~(b) While some of this information could be construed as being advertising material, the County views such signs as identifying those responsible for the existence of the facility and allows for recognition of entities that have entered into partnerships with the operator of the facility to provide local residents with recreational opportunities.~~

~~(2)~~ **Applicability**

~~The regulations included herein govern the erection of signs at the following:~~

- ~~(a) Parks, Public and Non-profit,~~
- ~~(b) Recreational Facilities, Non-Profit,~~
- ~~(c) Recreational Facilities, Golf Courses, and~~
- ~~(d) Recreational Facilities, Profit within the County.~~

~~(1) Regardless of location Parks, Public shall have a cumulative sign allotment limit of 300 square feet.~~

~~(3)~~~~(2)~~ **Permitted Signs**Specific Sign Standards

- ~~(a) Freestanding or ground monument identification signs ~~announcing the name of the facility/land use are~~ subject to the following standards:
 - ~~(i) There shall be only one freestanding or ground monument identification sign per property. One additional sign shall be allowed for parks having frontage on more than one right-of-way,~~
 - ~~(ii) Freestanding identification signs shall be limited to 20 square feet of sign area. In Economic Development Districts, a maximum sign area of 32 square feet shall be permitted. Sign(s) shall be limited to 32 square feet of sign area,~~
 - ~~(iii) The sign may be either a ground or pole sign,~~
 - ~~(iv)~~~~(iii) Freestanding identification signs Sign(s) shall be set back a minimum of ten feet from all property lines, and~~
 - ~~(iv)~~~~(iv) Illumination of freestanding identification signs shall be permitted in accordance with the provisions of this Ordinance,~~~~
- ~~(b) Wall Signs~~
 - ~~(i) Shall either be mounted or painted on a building.~~
 - ~~(ii) All wall signs shall be offset a minimum of five feet from the corner of the building face on which it is mounted.~~
 - ~~(iii) Wall signs shall not protrude more that 12 inches from the side of building on which it is mounted.~~

- (iv) Only one wall sign shall be permitted per building except as follows:
 - a. In cases where a building is located on a corner lot, a second wall sign may be erected on the building wall facing the second street right-of-way subject to the requirements of this Ordinance.
 - b. If a building façade faces athletic fields or other similar recreational areas on the property, a second wall sign, up to 32 square feet in area, may be erected facing these facilities, not to exceed the allowable sign area as calculated herein,
 - c. Under no circumstances may more than one wall sign be located on the same building façade.
 - (v) The maximum sign area shall be determined as follows:
 - a. One square foot of wall sign area for every ½ linear foot of building length along a right-of-way or facing an athletic field or similar recreational use, not to exceed 32 square feet in area.
 - (vi) A changeable copy sign can be utilized as a wall sign.
 - (vii) Wall signs shall not extend above the soffit, parapet, or eave line of the building to which it is attached.
 - (viii) The sign may be internally illuminated or have external illumination installed consistent with the provisions of this Ordinance.
- (c) Informational Signs
- ~~(i)~~ ~~Shall be allowed in an effort to provide information concerning individual recreational amenities available on the property and are limited to those signs necessary to identify the name of a specific recreational facility, amenity, or use.~~
 - ~~(ii)~~(i) Signs shall be no larger than 20 square feet in area.
 - ~~(iii)~~ ~~The sign shall contain information identifying the recreational amenity.~~
 - ~~(iv)~~(ii) The number of signs shall be directly proportional to the number of individual recreational amenities present on the site.
 - ~~(v)~~ ~~Informational signs may contain the name, logo, or slogan of a sponsor that is responsible for the development/upkeep/maintenance of the recreational amenity subject to the following limitations:~~
 - ~~a.~~ ~~The name and/or logo of a sponsor shall not take up more than 80% of the total sign area.~~
 - ~~b.~~ ~~No other advertising material shall be permitted on the sign.~~
 - ~~(vi)~~(iii) Maximum height of an informational sign regulated under this section shall be seven feet.
 - ~~(vii)~~(iv) Informational signs shall be located a minimum of five feet from any active recreational activity fields (i.e. soccer, baseball, football, etc) or one foot from any established nature, man-made trail, and/or passive recreational area.
 - ~~(viii)~~(v) Informational signs regulated under the provisions of this section shall be set back a minimum of ten feet from all property lines.

~~(ix)(vi)~~ Informational signs ~~regulated under this section~~ shall not be illuminated.

(d) Informational Kiosks

~~(i)~~ ~~Shall be permitted in an effort to provide information concerning operational requirements, contact numbers for services or emergency situations, and educational information on the park itself or any significant site features.~~

~~(ii)(i)~~ A maximum of eight informational kiosks shall be permitted per 100 acres of property.

~~(iii)(ii)~~ Informational kiosks shall be limited to 32 square feet of sign area exclusive of architectural supports or housing.

~~(iv)(iii)~~ Informational kiosks may be internally illuminated or have external illumination installed consistent with the provisions of this Ordinance.

~~(v)(iv)~~ Informational kiosks shall be ground mounted, not to exceed seven feet in height, exclusive of architectural supports or housing.

~~(vi)(v)~~ Informational kiosks shall be located a minimum of five feet from any active recreational activity fields (i.e. soccer, baseball, football, etc) or one foot from any established nature, man-made trail, and/or passive recreational area.

~~(vii)(vi)~~ Informational kiosks shall be set back a minimum of ten feet from all property lines.

~~(viii)~~ ~~An informational kiosk may contain the name, logo, or slogan of a sponsor that is responsible for the development/upkeep/maintenance of the recreational amenity subject to the following limitations:~~

~~a.~~ ~~The name and/or logo of a sponsor shall not take up more than 20% of the total kiosk area.~~

~~b.~~ ~~No other advertising material shall be permitted on the kiosk.~~

~~(e)~~ ~~Directional Signs~~

~~(i)~~ ~~Shall be allowed in an effort to provide information to visitors on the location of recreational amenities or offices located on the property.~~

~~(ii)~~ ~~Directional signs shall be limited to six square feet in area.~~

~~(iii)~~ ~~Directional signs shall not include any advertising material.~~

~~(iv)~~ ~~All directional signs shall be ground mounted signs not exceeding seven feet in height.~~

~~(v)~~ ~~All directional signs shall be located a minimum of five feet from any active recreational activity field or one foot from any established nature or man-made trail, and shall be set back a minimum of ten feet from all property lines.~~

~~(f)(e)~~ Scoreboards

~~(i)~~ One scoreboard, not to exceed 144 square feet, shall be permitted for each athletic field and shall not be counted as part of the cumulative sign allotment for the park.

(l) Golf Course

- ~~(1) Regardless of location a Golf Course shall have a cumulative sign allotment limit of 320 square feet further restricted as follows~~
 - ~~(a) Freestanding or ground monument signage shall not exceed 32 square feet in area.~~
 - ~~(b) Ground mounment signage shall not exceed six feet in height from finished grade. Freestanding signage shall comply with the height requirements as detailed herein.~~
 - ~~(c) Only one freestanding or ground monument sign shall be permitted.~~
 - ~~(d) All other signage shall not exceed 12 square feet in area.~~
 - ~~(i)(e)~~

6.12.14 Additional Standards for Economic Development Districts

In addition to the overall sign standards established herein, the following specific standards shall apply in the Economic Development Districts:

(A) General Standards

- ~~(1) A sign plan must be submitted and approved as part of the comprehensive site plan or master plan.²⁹~~
- ~~(2) For multiple use sites or buildings, unified directional/informational signs and the use of coordinated individual wall signs is the preferred approach to business identification.³⁰~~
- ~~(3)(1) Sign colors must not be overpowering but must accent the building which the sign identifies or on which it is mounted.³¹~~
- ~~(4)(2) The light from an illuminated sign must not be permitted to shine into any road right-of-way or across property lines.~~
- ~~(5)(3) In addition to the prohibited signs in Section 6.12.6, the following types of signs are specifically prohibited for location within the individual Economic Development Districts: off premises advertising signs, billboards outdoor advertising³², inflatable, and portable signs.~~

(B) Identification Signs³³

(1) Freestanding Identification Signs

- ~~(a) Only one freestanding identification sign is permitted for each development. However, a second sign may be permitted where a site has more than one vehicular entrance on different sides of the building.~~
- ~~(b) A freestanding identification sign must be placed perpendicular to approaching vehicular traffic so that it is clearly visible and does not obstruct the view of any other identification or information sign.~~
- ~~(c) A freestanding identification sign must be located at least 10 feet from any property line or driveway.~~

(2) Buckhorn EDD & Eno EDD Only³⁴

²⁹ Already required for all sign permits – see Section 6.12.3 General Requirements of the UDO.

³⁰ As this regulation is content based, meaning staff will have to read the sign to determine how it should be classified and regulated, the provision is not longer viable based on recent court rulings.

³¹ While we have not recommended modification of this existing standard, staff is not sure how it could be enforced given its nebulous and subjective nature.

³² Outdoor advertising is now the 'defined' term within the UDO referencing a billboard. Staff is changing the language to be consistent with its reference.

³³ These regulations are already located within Section 6.12.12. There is no reason to repeat them.

The following criteria shall govern the number, size, and height of identification signs in the Buckhorn and Eno EDDs:

TABLE 6.12.14.B.3: BUCKHORN AND ENO EDD IDENTIFICATION SIGN STANDARDS	
Maximum Number of Signs	3 per use
Maximum Number of Freestanding Signs	1 per use
Maximum Total Square Footage of All Signs	200 sq. ft.
Maximum Size of Any Sign	75 sq. ft.
Maximum Height of Any Sign	12 ft.

~~(C) Directional/Informational Signs~~³⁵

~~In lieu of the requirements contained in Section 6.12.11(G), the following requirements shall apply to Directional/Informational signs located in Economic Development Districts:~~

- ~~(1) Information signs must be placed perpendicular to approaching traffic so that they are visible and legible.~~
- ~~(2) Signs must be located outside of the site visibility triangle.~~
- ~~(3) Information signs must be positioned to avoid confusing backgrounds, particularly when they are intended to direct vehicular traffic on or to and from the site.~~
- ~~(4) Information signs may be placed no closer than six feet to the edge of a road or drive, and, in no case, may they be located within a street right of way unless they are erected by a governmental agency.~~
- ~~(5) Information signs may not exceed four feet in height.~~
- ~~(6) Information signs may not contain advertising material or exceed six square feet in area.~~

~~(D) Temporary Signs~~

- ~~(1) Temporary signs may be used for construction and real estate information, and future tenant identification, in accordance with the provisions of this Section.~~

~~(B) Specific Sign Stanadrds~~

~~(E)(1) Awnings~~

- ~~(1)(a) The form and color of the awnings must be consistent.~~
- ~~(2)(b) A minimum eight-foot vertical clearance must be maintained.~~
- ~~(3)(c) Signs on awnings must be painted on or screen printed and limited to the awning's flap (valance) or end panels.~~
- ~~(4)(d) Canvas, treated canvas, matte finish vinyl, and fabric awnings are permitted.~~
- ~~(5)(e) Plexiglas, metal, and glossy vinyl illuminated awnings are prohibited in the Hillsborough EDD and strongly discouraged in the Buckhorn and Eno EDDs.~~

~~(F) Signage for Parks, Public and Non-profit; Recreational Facilities, Non-Profit; Recreational Facilities, Golf Courses; and Recreational Facilities, Profit~~

³⁴ Staff believes this is already captured within Section 6.12.12 as revised herein.

³⁵ This entire section has been deleted as it would require staff to review the content of the sign to determine if rules are applicable. As previously indicated on the advice of the County Attorney's office we can no longer have standards giving the appearance we are regulating signage based on content.

Total sign area shall be limited to 500 square feet for all signs permitted herein, not including Directional Signage erected in accordance with the provisions of this Section.

(G)(C) Basic Sign Design Schedule for Specific Sign Standards - Hillsborough EDD

The following design schedule has been approved for the Hillsborough EDD:

TABLE 6.12.14.G: HILLSBOROUGH EDD SIGN DESIGN SCHEDULE					
SIZE OF DEVELOPMENT (ACRES)	MAXIMUM SYMBOL OR LETTER HEIGHTS (INCHES)			GROUND OR MONUMENT SIGNS (SQ. FT.)	SIGN HEIGHT (FEET)
	FASCIA LETTER SIZE	BORDER	MONUMENT LETTER SIZE		
0 - 4.9	24	6	18	50	6
5.0 – 19.9	30	9	24	100	8
Over 20	36	12	36	150	10
(Dev. Name)					
Major Tenants	72	24	-	-	-
Additional Information	24	6			
Wall Signs	32 square feet of wall sign allowed per tenant unless building façade exceeds 64' wide. For frontages exceeding 64', ½ square foot of building frontage. No wall shall exceed 100 square feet.				

SECTION 6.13: STREAM BUFFERS

6.13.1 Purpose

The purpose of the regulations included in this Section is to protect County water resources by establishing minimum buffers adjacent to streams, rivers, water bodies and other water features and limiting development and other land disturbing activities within those buffers.

6.13.2 Applicability

The stream buffer regulations and standards contained herein shall be applicable to all streams and water features, as follows:

- (A) Streams identified by any of the following means:
 - (1) Shown as solid blue lines or as broken blue lines on the USGS Quadrangle maps,
 - (2) Shown as water feature in the Orange County Soil Survey, or
 - (3) A water feature identified by a field determination of County staff trained in surface water identification through the North Carolina Division of Water Quality (NCDWQ).
- (B) Stream buffers shall extend around the perimeter of all water features if any portion of the stream buffer of a stream touches the water feature. Disputes pertaining to water feature decisions by County staff shall be filed directly to the NCDWQ.

6.13.3 Calculating Width of Stream Buffer

- (A) **Special Flood Hazard Area Zoning Overlay Districts & FEMA Floodplains**
 - (1) Those streams identified by FEMA as having floodplains shall have stream buffers calculated from the outside edges of the 100-year floodplain.
- (B) **Calculating Slope Value**
 - (1) Draw 250' length perpendicular lines, at 200-foot horizontal intervals along the entire length of the outside edges of the stream, or the outer edge of the FEMA floodplain, whichever is greater.

customary accessories, ornaments, furniture and landscaping shall be permitted in any setback if they do not constitute substantial impediments to free flow of light and air across the setback or violate provisions of these or other regulations regarding visibility.

Sign

Any letter, figure, character, mark, plane, point, marquee, design, poster, pictorial, picture, stroke, stripe, line, trademark, reading matter, or illuminated surface which is constructed, placed, attached, painted, erected, fastened or manufactured in any manner so that the same shall be used for the attraction of the public to any place, subject, person, firm, corporation, public performance, article, machine, or merchandise, which are displayed in any manner, including out-of-doors.

Sign, Abandoned

A sign for which no legal owner can be found or ~~any sign face or sign structure~~ that advertises a business not conducted on the premises for over 90 days. In making the determination that a sign advertises a business no longer being conducted, the Planning Director shall consider the following: the existence or absence of a current occupational license, utility service deposit, or account; use of the premises; and relocation of the business.

Abandoned Sign shall also include the following:

- a) Through age and/or obsolescence a sign that no longer conforms to structural or maintenance specifications of Section 6.12, or
- b) Any pole, pylon, or structure expressly installed for the purpose of affixing a sign that bears no sign or copy.

Sign, Advertiser

Any person who is a lessee or owner of a sign, an agent of same, or anyone that has beneficial use of a sign.

Sign, Advertising Display Area

The advertising display surface area encompassed within any polygon that would enclose all parts of the sign. The structural supports for a sign, whether, they be columns, pylons, or a building, or a part thereof, shall not be included in the advertising area. Also known as Sign Area.

- An example of how advertising display area or sign area is calculated is as follows:



- In this example, the sign area was determined by enclosing the letters in an imaginary rectangle:

In cases where there may not be any formally 'enclosed' area, the surface area shall include such reasonable and proportionate space as would be required if a border or frame were used.



Sign, Alteration of

Includes, but is not be limited to, the addition of sign surface area, the changing or relocation of light source or the relocation ~~of an outdoor advertising display from of a sign structure one position to another.~~ This term shall include structural changes in the sign, but shall not include the changing of copy on a sign that is designed as a changeable copy sign.

Sign, Animated

Any sign that uses movement or change of lighting to depict action or to create a special effect or scene.

Sign, Architectural Feature of

Any construction attendant to, but not an integral part of the sign, which may consist of landscaping, building, or structural forms that enhance the site in general; also, graphic stripes and other architectural painting techniques applied to a structure that serves a functional purpose, or when the stripes or other painting techniques are applied to a building provided such treatment does not include lettering, logos or pictures.

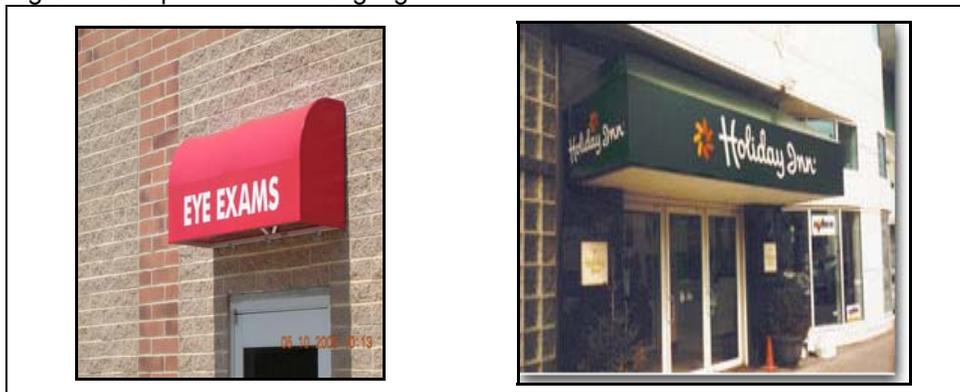
Sign Area

That area enclosed by one continuous line, connecting the extreme points or edges of a sign. The area shall be determined using the largest sign area or silhouette visible at any one time from any one point. This area does not include the main supporting sign structure, but all other ornamental attachments, inner connecting links, etc., which are not a part of the main supports of the sign are to be included in determining sign area. Also see "Sign, Advertising Display Area."

Sign, Awning

A structure supported entirely from the exterior wall of a building and composed of non-rigid materials (except for the supporting framework) upon which ~~a sign~~ advertising material is indelibly drawn, painted or printed.

- Following are examples of an awning signs:



Sign, Banner

A sign intended to be hung either with or without frames, possessing characters, letters, illustrations, or ornamentations applied to paper, plastic, or fabric of any kind. ~~National flags, flags of political subdivisions, and symbolic flags of any institution or business.~~ Flags shall not be considered banners for the purposes of this Ordinance. ~~Banner signs are regulated under the Special Event Display section of Section 6.12.~~

- Following is an example of a banner sign:



Sign, Changeable Copy

A sign that is designed so that characters, letters, or illustrations can be changed or rearranged without altering the face or the surface of the sign. ~~This shall also include the changing of copies of billboards.~~ Changeable copy signs, for the purposes of this Ordinance, shall mean signs on which the copy is changed manually. Also referred to as a reader board sign.

- Example of Changeable Copy Sign:



Sign, Construction

~~A sign that gives the name or names of principal contractors, architects, and lending institutions responsible for construction on the site where the sign is placed.~~



Sign Copy

The wording on a sign surface in either permanent or removable letterform.



Sign, Digital; Digital Display

A form of electronic display that shows information, ~~advertising, and other~~ messages utilizing LCD (Liquid Clear Display), LED (Light Emitting Diode), plasma displays, or involves the projection of an image onto a building or the surface area of a structure, which shall include a sign as defined herein.

Sign, Directional/Informational, On-site

An on-premise sign giving directions, instructions or facility information and which may contain the name or logo of an establishment but no advertising copy (e.g., parking or exit and entrance signs).
Examples of on-site directional/information signs include:



Sign, Directory

A sign on which the names and locations of occupants or the uses of a building is given. This shall include office buildings and church directories



Sign, Double-Faced

A sign with two faces.

Sign, Drive-Through Menu Board

An outdoor menu for establishments offering service via a drive through window. These signs shall not be considered a ground or monument sign.



Sign, Electronic Changeable Message

An electronically activated sign whereby the message content or display, either wholly or in part, may be changed by means of electrical, electronic, or computerized program.

Sign, to Erect

To build, construct, attach, hang, place, suspend, or affix a sign.

Sign, Exempt

All signs for which permits are not required but which must, nonetheless, conform to the other terms and conditions of Section 6.12.

Sign, Flashing

A sign on which any portion of it changes light, intensity, switches on and off in a constant pattern, or contains moving parts or the optical illusion of motion caused by use of electrical energy or illumination.

Sign, Government

Any sign erected and maintained by a municipal, County, State, or Federal government for traffic direction or for designation of or direction to any school, park, hospital, historic site, or public service, property or facility.

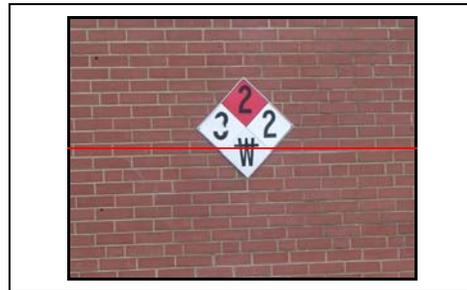
Sign, Ground; Monument Sign

A sign supported on the ground by pillars, posts, masonry wall, or other similar approved structure erected on the ground, and not attached to any part of a building.



Sign, Hazardous Identification/Notification

~~A sign designed to provide essential public safety information concerning the storage or hazardous materials on a parcel of property. There shall be no limit on the number of signs that are erected for this purpose so long as the signs do not contain commercial advertising material, company logos or names.~~



Sign Height

The vertical distance measured from the top of the sign, including any supporting structure, frame, or architectural feature, to the grade of the land at the base of the sign or the grade level of the adjacent right-of-way providing access, whichever is less.

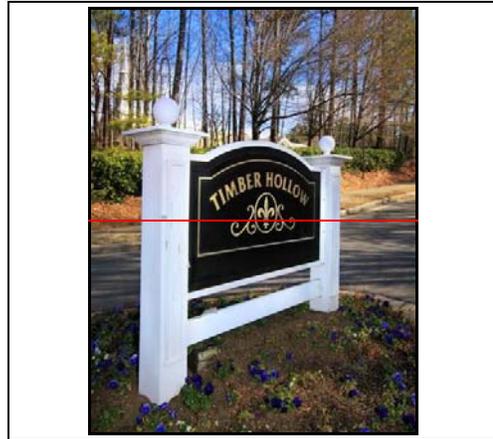
- Example of how height shall be determined:



Sign, Identification

A sign whose copy is limited to the name and address of a building, institution, development, community name, or person. This definition shall include signs identifying names of residential subdivisions, school sites, apartment/condominium developments, business/industrial parks, and other similar uses. Identification Signs can contain logos, art work, mascots, renderings, and other graphic representations designed to accentuate the advertisement.

- An example of identification sign includes:



Sign, Illegal

A sign that does not meet the requirements of this Ordinance and which has not received legal non-conforming status and which does not have permit authorization, if required, under the terms of previous ordinances.

Sign, Illuminated

A sign illuminated in any manner by an artificial light source.

Sign, Indirectly Illuminated

A sign that is lighted by a light source not seen directly.

Sign, Inflatable

A sign that is inflated to take on a specific shape or figure that is utilized to attract attention to a business event or location, special event, or parcel of property for commercial purposes. Inflatable signs are commonly utilized to announce special sales or events. As per the Orange County Sign Ordinance, Inflatable Signs shall be prohibited throughout the County. Any individual erecting an inflatable sign shall be subject to an immediate notice of violation and be required to remove the sign within the time it would normally take to deflate the sign.

- Examples of inflatable signs include:



Sign, Internally Illuminated

A sign whose light source is concealed or contained within the sign itself, and which becomes visible in darkness by shining through a translucent surface.

Sign, Landmark

~~A sign advertising that a specific structure or site is considered historically significant and is listed in the National Register of Historic Places, U.S. Department of Interior, or designated by local ordinance in accordance with guidelines issued by the U. S. Department of Interior.~~



Sign Maintenance

The cleaning, painting, repair or replacement of defective parts of a sign in a manner that does not alter the basic copy, design or structure of the sign.

Sign, Nonconforming

A sign that was erected legally but that does not comply with subsequently enacted sign restrictions and regulations or a sign which does not conform to the sign code requirements but has received approval from the Board of Adjustment.

Sign, Off-Premise Commercial

~~A sign structure advertising an establishment, merchandise, service, or entertainment that is not sold, produced, manufactured, or furnished at the property on which said sign is located. This definition includes billboards and other similar outdoor advertising mechanisms.~~

- ~~▪ Example of an off-premise commercial sign includes:~~



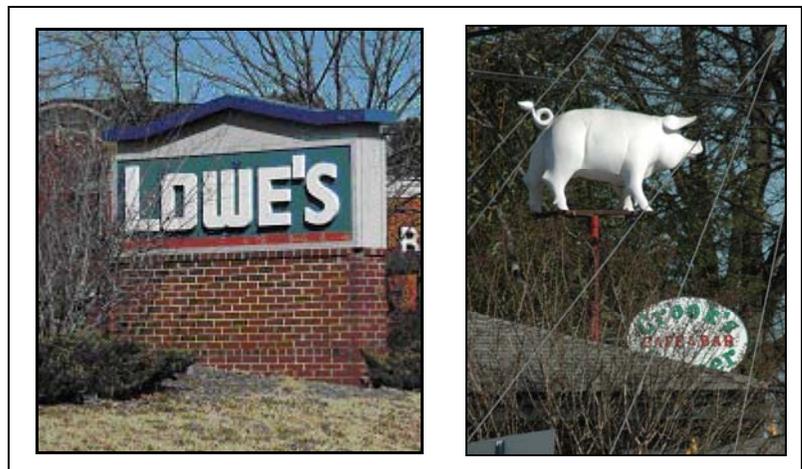
Sign, Off-Premise Religious

~~A sign located off the property of a religious facility intended to provide directional information as to the location of a specific religious facility. Such signs shall only be erected at major roadway intersections and contain the name and address of the facility as well as a directional arrow to provide motorists an idea of which road is necessary to access the facility.~~

Sign, On-Premise Commercial

A sign that pertains to the use of the premises where it is located. On-Premise Commercial Signs can contain changeable copy or a reader board so long as the total square footage allowed for the sign is not exceeded. For the purpose of this ordinance, pole mounted signs shall not be permitted. Pole mounted signs shall be considered signs mounted on a single pole or mast rather than on two posts or poles or ground mounted.

- Examples of on-premise commercial signs include:



Sign Owner

A person recorded as such on official records. The owner of property on which a sign is located is presumed to be the owner of the sign unless facts to the contrary are officially recorded or otherwise brought to the attention of the Planning Director (e.g., a sign leased from a sign company).

Sign, Pole

A sign that is elevated above the ground by one or more upright supports placed upon the ground and not attached to any part of a building.

Sign, Political

~~For the purposes of this Ordinance, a sign used in connection with a local, state, or national election or referendum.~~

Sign, Portable

An example of a portable sign:



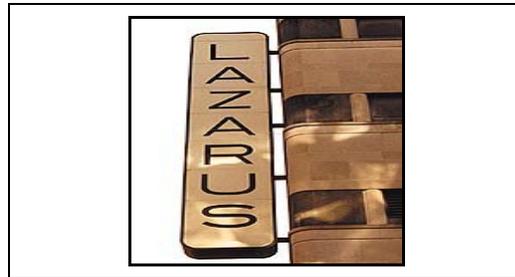
A sign that is mobile and that may or may not have wheels. ~~Portable signs advertise services offered by a non-residential operation on the parcel of property on which they are located.~~

Sign Prohibited

A sign that is not permitted by the sign provisions contained in this Ordinance.

Sign, Projecting

A sign that is attached to a building wall and extending perpendicular to, or approximately perpendicular to, the building wall and 12 inches or more beyond the face of the building wall.



Sign, Real Estate

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

~~Examples of real estate signs include:~~



Sign, Roof



A sign, or any portion thereof, erected, constructed, or projecting upon or over the roof or parapet wall of any building whether the principal support for the sign is on the roof, wall, or any other structural element of the building. **Where a building has more than one roofline, the roofline shall be considered to be highest roofline located directly behind the sign, as viewed from the business frontage.**

Sign, Scrolling Display

The vertical, horizontal, flashing, or intermittent movement of a static message or display on an electronic changeable message sign.

Sign, Snipe

~~Any sign of any size, made of any material, including paper, cardboard, wood, vinyl, and metal, when such sign is tacked, nailed, posted, pasted, glued or otherwise attached to a tree, utility pole, fence, existing sign, other similar object or is placed directly into the ground, and the advertising matter appearing thereon is not applicable to the premises upon which said sign is located. Also includes any sign installed without permission of the owner of the property upon which the sign is located. Snipe signs primarily advertise services, location of off-site developments or homes for sale, or other similar activities. Snipe signs are not permitted in Orange County.~~

~~Examples of snipe signs include:~~



Sign, Special Event Displays or Signs

Signs ~~or other attention grabbing devices such as pennants, flags, streamers, and other similar items that are~~ designed to call attention to a special event ~~and are~~ only intended to be utilized on a temporary basis.

- Examples of special event displays or signs include:



Sign, Three-Dimensional

A sign that has height, depth and breadth that incorporates an object into an advertising sign (e.g., a three dimensional hamburger or life-sized pig advertising a food place).

- An example of a three-dimensional sign includes:



Sign, Time and Temperature

A sign containing illuminated numerals, which may flash alternately, to show the time and/or temperature.

Sign, Trailer

A sign mounted on a vehicle normally licensed by the state of North Carolina as a trailer and used principally for advertising or promotional purposes.

Sign, Wall

A sign painted or mounted on the wall of a building or structure. Wall signs can be comprised of reader boards or changeable copy signs. A wall sign can contain letters, symbols, trademarks, or other similar graphic representations designed to represent the name of an operation normally erected on the front or side of a structure.



Sign, Window

A sign erected on the interior side of a window of a place of business advertising any service, product, special, or sale conducted within the business where it is located. Window signs can also include the

stenciling of the name of a non-residential establishment and may include hours of operation, phone numbers, and other pertinent information associated with the non-residential land use.

- An example of a window sign includes:



Site Specific Development Plan

A plan approved by the Orange County Board of Commissioners in accordance with the Class A Special Use Permit process and which describes, with reasonable certainty, the type and intensity of use for a specific parcel or parcels of property located within the County's zoning jurisdiction. A Site Specific Development Plan shall be deemed approved upon the effective date of the Board of Commissioners' action.

Site Plans, Special Use Permits, Conditional Use Districts, Conditional Zoning Districts, and Preliminary Subdivision Plats may be approved as Site Specific Development Plans in accordance with the provisions of this Ordinance. Site Specific Development Plans are required only where an applicant wishes to vest his property rights for a period longer than that otherwise permitted by this Ordinance.

Solar Array – Accessory Use

Include any photovoltaic, concentrated solar thermal, or solar hot water devices that are accessory to, and incorporated into the development of an authorized use of the property, and which are designed for the purpose of reducing or meeting on-site energy needs.

Solar Array – Large Facility

A solar facility located on a developed or undeveloped parcel of property producing more than 20 but less than 100 kilowatts of power that converts sunlight into electricity, whether by photovoltaics (PV), concentrating solar thermal (CST) devices, or various experimental solar technologies, with the purpose of supplying power to existing land use(s) as well as the wholesale or retail sale of generated electricity

Solar Array – Public Utility

A utility-scale commercial facility that converts sunlight into electricity, whether by photovoltaics (PV), concentrating solar thermal (CST) devices, or various experimental solar technologies, producing more than 100 kilowatts of power with the primary purpose of wholesale or retail sales of generated electricity.

Solid Waste Disposal Facility

Any facility involved in the disposal of any hazardous or non-hazardous refuses or sludge from a waste treatment plant, water supply treatment plant or air pollution control facility, domestic sewage and sludges generated by the treatment thereof in sanitary sewage collection, treatment and disposal systems, and other material that is either discarded or is being accumulated, stored or treated prior to being discarded, or has served its original intended use and is generally discarded, including solid, liquid, semisolid or contained gaseous material resulting from industrial, institutional, commercial and agricultural operations, and from community activities.

Solid Waste Disposal Site

Any place at which solid wastes are disposed of by incineration, sanitary landfill or any other method.

**ORANGE COUNTY
PLANNING BOARD**
ACTION AGENDA ITEM ABSTRACT
Meeting Date: March 2, 2016

**Action Agenda
Item No. 8**

SUBJECT: Upcoming Work Plan and 2045 Metropolitan Planning Organization (MPO) and Metropolitan Transportation Plan (MTP) Population and Employment Projections

DEPARTMENT: Planning and Inspections

ATTACHMENT(S):

1. PowerPoint on Population and Employment Projections
2. 2016 Planning Board Work Plan
3. Most Recent BOCC Goals

INFORMATION CONTACT:

Craig N. Benedict, Director, 919-245-2592

PURPOSE: To briefly discuss the BOCC review of the 2016 Planning Board and staff work program and BOCC upcoming goals.

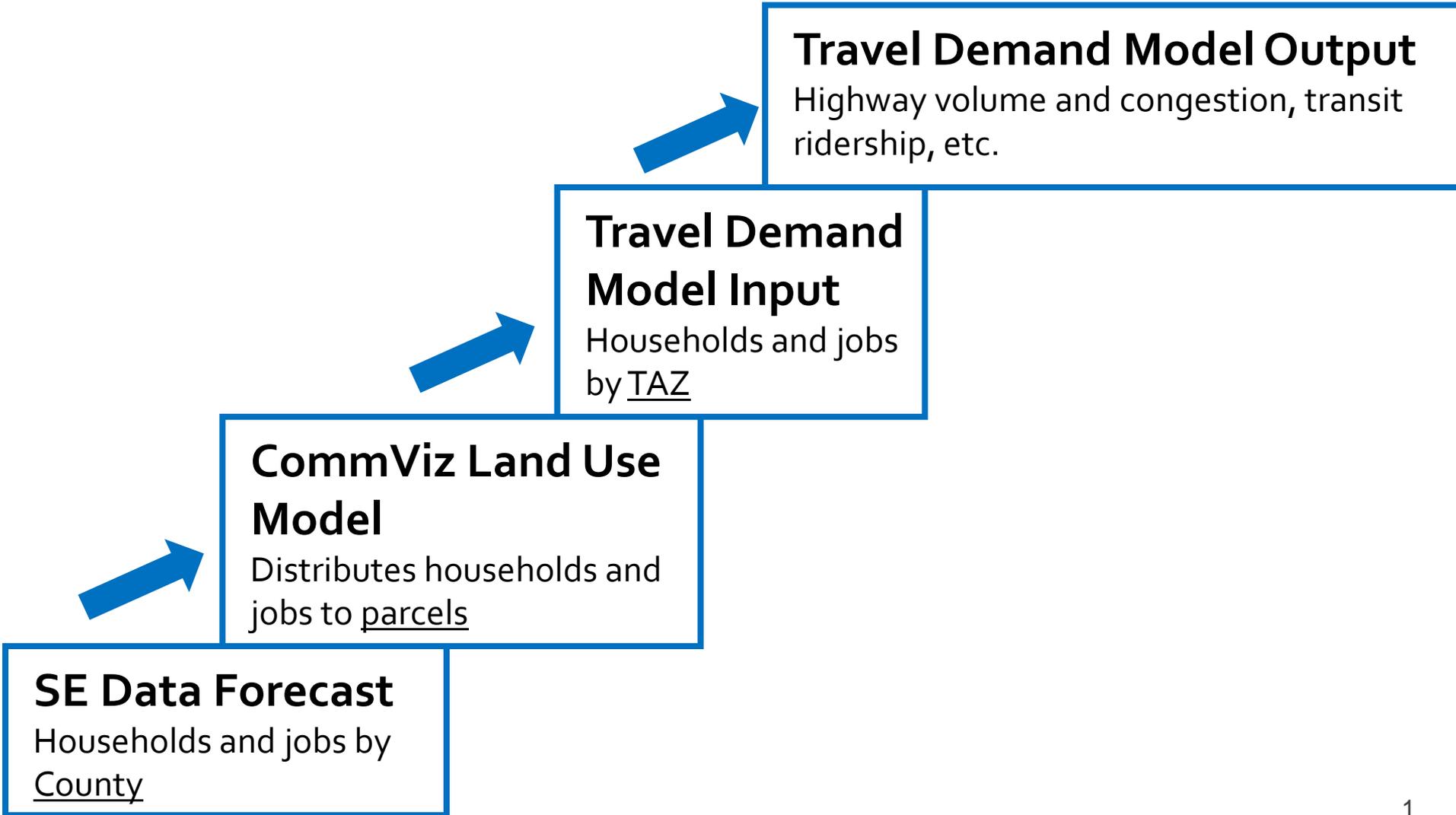
- Tonight's focus: Prior County 2040 Metropolitan Planning Organization (MPO) and Metropolitan Transportation Plan (MTP) population and employment projections.

BACKGROUND: Every 5 years the Durham-Chapel Hill-Carrboro (DCHC) MPO develops new projections of population and employment to input into a model that gauges traffic. The projected traffic volumes are compared to roadway infrastructure capacity and Metropolitan Transportation Improvement Program (MTIP) and State Transportation Improvement Plan (STIP) decisions are made where deficiencies are realized.

RECOMMENDATION(S): The Planning Director recommends the Board:

1. Hear the presentation.
2. Provide feedback as desired.

SE Data Use in Travel Modeling



Method – 2040 Forecast – Guide Totals at County Level

Dwelling Units (Population)

- Use N.C. Office of State Management and Budget
- County-level population forecasts up to year 2031
- Project county-level population to year 2040
- Trend in years 2026-2031

Employment

- Calculate county-level employment growth from 2010 to 2040 using Woods & Poole Economics forecasts.
- Apply resulting growth factors to current county-level Employment Security Commission (ESC) estimates.

Hey, these are reliable sources. What can go wrong?

Results – 2040 Forecast – Guide Totals at County Level

Population <i>--Guide Totals--</i>	Old Plan			New Plan		
	2035 LRTP			2040 LRTP		
Jurisdiction	2005	2035	Annual Rate	2010	2040	Annual Rate
Durham County	242,207	355,639	1.3%	268,925	432,571	1.6%
Orange County	121,992	171,453	1.1%	134,325	197,675	1.3%
Chatham County ⁽¹⁾⁽²⁾	34,067	117,130	4.2%	38,991	71,672	2.0%
Person County ⁽¹⁾	N/A	N/A	N/A	31,845	44,784	1.1%
Total	398,266	644,222	1.6%	474,086	746,702	1.5%

Wait a minute! Orange County growth rate increased from previous plan. Should we be concerned?

26,222 Increase
Change 2035 vs 2040 LRTP

Results – 2040 Forecast – Guide Totals at County Level

Employment-2 --Guide Totals--	Old Plan			New Plan		
	2035 LRTP			2040 LRTP		
Jurisdiction	2005	2035	Annual Rate	2010	2040	Annual Rate
Durham County	184,130	285,761	1.5%	194,770	306,637	1.5%
Orange County	68,680	116,669	1.8%	70,491	119,787	1.8%
Chatham County	8,199	23,863	3.6%	10,011	19,509	2.2%
Person County	N/A	N/A	N/A	8,791	13,093	1.3%
Total	261,009	426,293	1.6%	284,063	459,026	1.6%

Looks like employment growth rate matches the old plan. Must be good!

Increase 49,296
30 years

Let's Check it!

-- Orange County Population

Historical Population Growth Rates

	Orange
1970-1980	2.9%
1980-1990	2.0%
1990-2000	2.3%
2000-2010	1.2%
2010-2040	1.3%

Forecasted growth rate is generally lower than historical growth rate in Orange County

2040 MTP forecast is lower than most other forecasts.

Compare Population Forecasts

Source	Population Forecast
2040 MTP	197,675
Orange 2030 Comp Plan (linear)	193,728
Orange 2030 Comp Plan (exponential)	230,770
Woods and Poole	245,380

Note: Orange Comprehensive Plan is from April 2011

Let's Check It!

-- Orange County Population

Compare Population Growth Rates

County	Annual Rate
Harnett	2.6%
Johnston	2.3%
Wake	2.1%
Franklin	1.9%
Granville	1.8%
Chatham	1.8%
Durham	1.6%
Nash	1.6%
Orange	1.3%
Person	1.1%

These are population annual growth rates (2010 to 2040) for county areas inside TRM boundary.

Orange County has 2nd lowest annual growth rate.

So, the population forecast must be good!

Let's Check It!

-- Orange County Employment

Historical Employment Growth Rates

	Orange
1970-1980	7.0%
1980-1990	2.4%
1990-2000	3.2%
2000-2010	1.0%
2010-2040	1.8%

Forecasted growth rate is generally lower than historical growth rate in Orange County

So, the employment forecast must be good!

Reality Backup!

Here is what these forecasts translate to in residential units and commercial square footage...

ORANGE COUNTY 2010-2040

■ Employment Growth Reality?

- 50,000 Employees

- 568 Average Square Foot per Employee

- assuming six job sectors build equally

- 28,400,000 Square Feet over 30 Years

- ÷ 30 Years

- 947,000 Square Feet per Year

- ÷ 130,000 Sq. Ft. Per Walmart Shopping Building

- 7.3 Walmarts per Year

-



ORANGE COUNTY 2010 - 2040

50,000 New Employees
30 Years

1,670 New Employee per Year
÷ 100 Employees per one \$40 million
investment of 100,000 square feet

16.7 Development Projects

ORANGE COUNTY 2010 - 2040

947,000 Square Feet per Year

\$105 Average Building Value per Sq. Ft.

Assuming all 6 Sectors Develop Equally

\$100,000,000 Per Year

POPULATION GROWTH 2010 - 2040

- 70,000 People
- $\div 30$ Years
- 2,350 People Per Year
- Single Family
- 2,350 People
- **65% Single Family**
- 1,528 People
- $\div 2.8$ People per Unit
- 546 Single Family Homes
- $\div 2$ Units per Acre Gross (**Urban**)
- **273 Acres** per Year Needed
- OR
- x3 Acres per Unit (**Rural**)
- **1,638 Acres** Needed

POPULATION GROWTH 2010 - 2040

- 70,000 People
- $\div 30$ Years
- 2,350 People per Year

- 2,350 People per Year
- 35% Multifamily
- 823 People
- 2.0 Persons per Unit
- 412 Units per Year
- $\div 5$ Units per Acre Gross Urban
- **82 Acres** per Year Needed

Ongoing Activities

-- Orange County Population

63,350 pop. increases translates to...

Jurisdiction	Dwelling Units (per year)
Orange County	25,155 (839)
Unincorporated Orange County	11,843 (395) (47%)

372 SF
23 MF

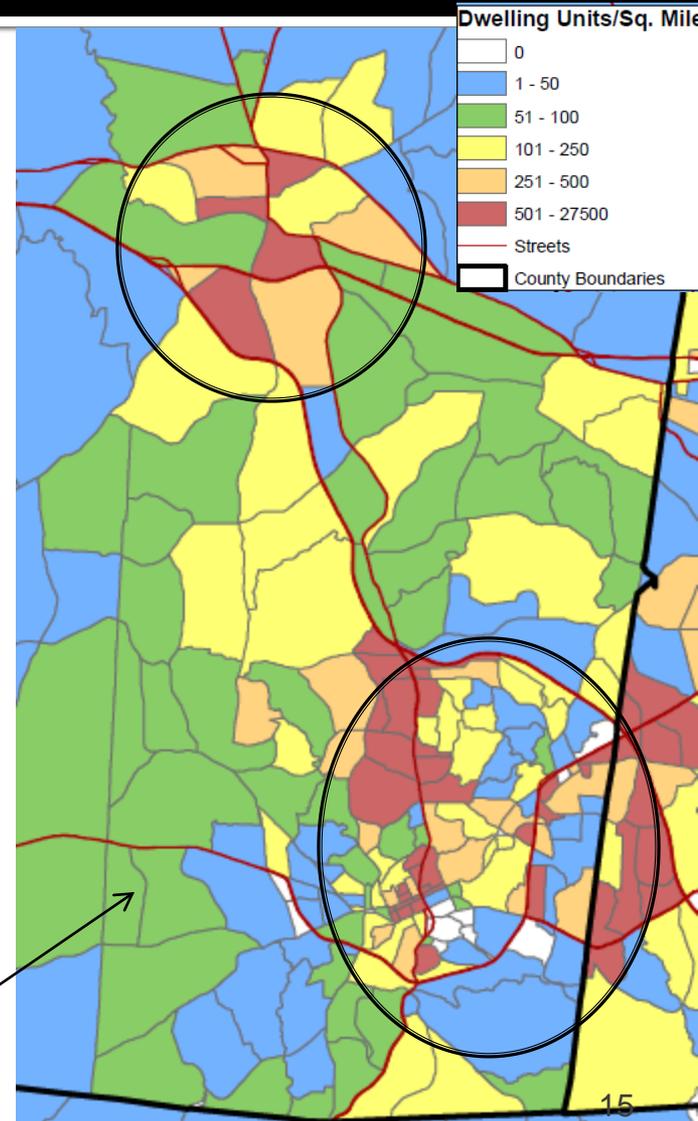


Why so much growth in unincorporated Orange?

Jurisdiction	Single Family D.U.'s			Multifamily D.U.'s		
	Supply	Demand	Net	Supply	Demand	Net
Town of Carrboro	611	611	0	319	260	59
Town of Chapel Hill	1,731	1,731	0	9,778	6,143	3,635
Town of Hillsborough	2,044	2,044	0	2,643	1,654	989
City of Mebane	743	611	132	632	60	572
City of Durham	198	198	0	0	0	0
Unincorporated Orange County	14,166	11,156	3,010	1,368	687	681
Countywide Totals	19,493	16,351	3,142	14,740	8,804	5,936

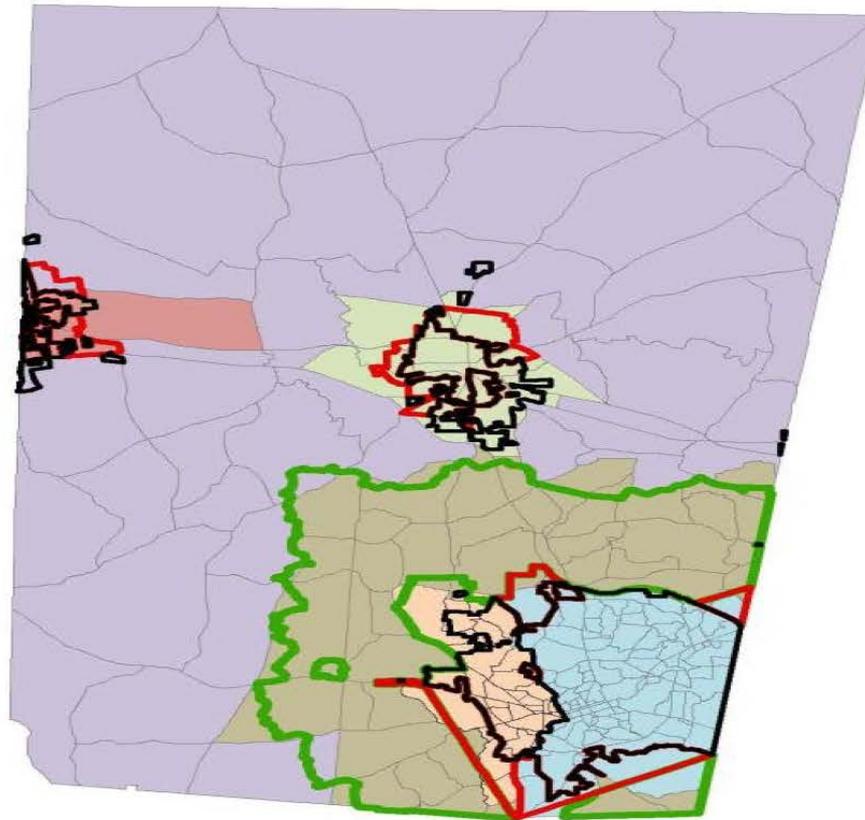
Single family build out in jurisdictions.

Growth pushed to areas immediately outside jurisdictions.



Employment

Location	2010 Employment	2040 Employment	Employment Increase	% Increase
Carrboro	4,879	8,060	3,181	65.20
Chapel Hill	53,040	81,325	28,285	53.33
County	3,317	7,704	4,387	132.26
Hillsborough	6,935	18,763	11,828	170.56
Mebane	1,453	1,996	543	37.37
Rural Buffer	1,360	2,426	1,066	78.38
Total	70,984	120,274	49,290	69.44



City Limits
 ETJ
 FLUM Rural Buffer
TAZ
 Carrboro
 Chapel Hill
 County
 Hillsborough
 Mebane/Efland
 Rural Buffer
 Transition

Imagine 2040 Data Source:
Imagine 2040 - CommunityViz Model
(December 2013) - Matt Noonkester

1 in = 3.5 miles
 Orange County Planning and Inspections
 Brian Carson (2/22/2016)

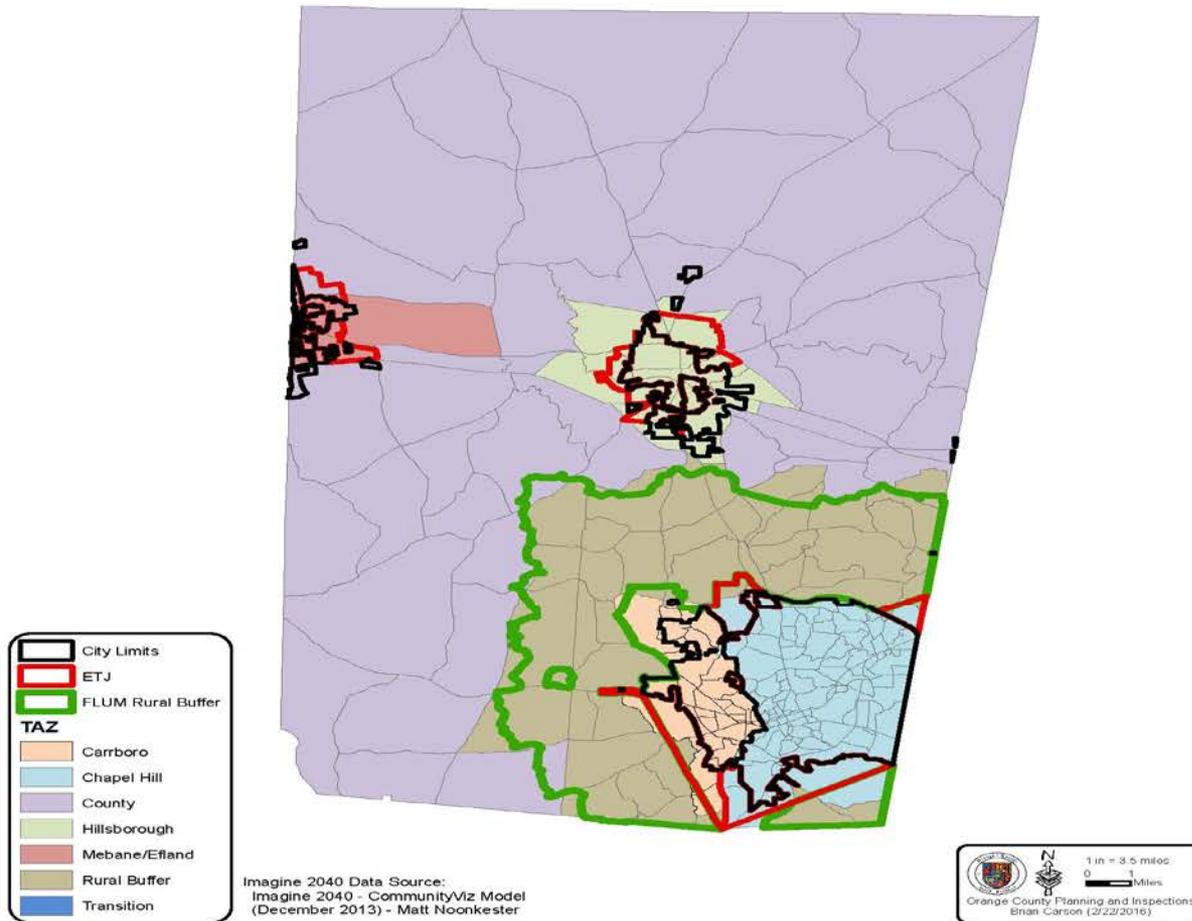
Employment Cont.

Location	2010 Employment	2040 Employment	Employment Increase	% Increase
Carrboro	4,879	8,060	3,181	65.20
Chapel Hill	53,040	81,325	28,285	53.33
County	3,317	7,704	4,387	132.26
Hillsborough	6,935	18,763	11,828	170.56
Mebane	1,453	1,996	543	37.37
Rural Buffer	1,360	2,426	1,066	78.38
Total	70,984	120,274	49,290	69.44

Note: These location areas are approximated by matching census tracts to corporate limits and ETJ.

Population & Dwelling Units

Location	2010 Pop	2040 Pop	Population Increase	% Increase	2010 Dwelling Units	2040 Dwelling Units	Dwelling Units Increase	% Increase
Carrboro	19,978	22,425	2,447	12.25	10,341	10,428	87	0.84
Chapel Hill	59,512	79,523	20,011	33.63	21,885	30,685	8,800	40.21
County	29,852	44,158	14,306	47.92	12,177	18,300	6,123	50.28
Hillsborough	10,579	22,973	12,394	117.16	5,073	10,068	4,995	98.46
Mebane	4,070	6,541	2,471	60.71	1,725	2,743	1,018	59.01
Rural Buffer	11,106	25,161	14,055	126.55	4,712	10,183	5,471	116.11
Total	135,097	200,781	65,684	48.62	55,913	82,407	26,494	47.38



Population & Dwelling Units Cont.

Location	2010 Pop	2040 Pop	Population Increase	% Increase	2010 Dwelling Units	2040 Dwelling Units	Dwelling Units Increase	% Increase
Carrboro	19,978	22,425	2,447	12.25	10,341	10,428	87	0.84
Chapel Hill	59,512	79,523	20,011	33.63	21,885	30,685	8,800	40.21
County	29,852	44,158	14,306	47.92	12,177	18,300	6,123	50.28
Hillsborough	10,579	22,973	12,394	117.16	5,073	10,068	4,995	98.46
Mebane	4,070	6,541	2,471	60.71	1,725	2,743	1,018	59.01
Rural Buffer	11,106	25,161	14,055	126.55	4,712	10,183	5,471	116.11
Total	135,097	200,781	65,684	48.62	55,913	82,407	26,494	47.38

Note: These location areas are approximated by matching census tracks to corporate limits and ETJ.

Reality Check!

What lies...
Behind the
numbers?

NAME OF BOARD/COMMISSION: Planning Board

Report Period: 2015 calendar year for annual report; 2016 calendar year for work plan

**ORANGE COUNTY ADVISORY BOARDS AND COMMISSIONS
ANNUAL REPORT/ WORK PLAN FOR THE COUNTY COMMISSIONERS**

The Board of Commissioners appreciates the dedication of all the volunteers on their boards and commissions and welcomes input from various advisory boards and commissions throughout the year. Please complete the following information, limited to the front and back of this form. Other background materials may be provided as a supplement to, but not as a substitute for, this form.

Board/Commission Name: **Planning Board**

Person to address the BOCC at work session- if applicable- and contact information: **Pete Hallenbeck, Chair, (919) 732-6551, pete@eflandfd.org** (please note the Chair is expected to change in January when the Planning Board holds elections since Mr. Hallenbeck's second term has expired so he is not eligible for reappointment – the Chair at the time the work session is held will address the BOCC)

Primary County Staff Contact: **Craig Benedict, Planning Director**; secondary contact: **Perdita Holtz, Planner III (Planning Systems Coordinator)**

How many times per month does this board/commission meet, including any special meetings and sub-committee meetings? **Once or twice per month (12 regular meetings + 4 Quarterly Public Hearings + special or sub-committee meetings such as the Ordinance Review Committee [ORC] which meets prior to the regular meeting several times a year).**

Brief Statement of Board/Commission's Assigned Charge and Responsibilities. **Under the authority of NC General Statute, the BOCC created the Planning Board to embark upon a continuing planning program, including but not limited to the preparation and maintenance of a Comprehensive Plan for Orange County, in protection of the public health, safety, and general welfare of present and future residents and businesses, landowners and visitors. The duties of the Planning Board are listed in Section 1.6.3 of the Unified Development Ordinance.**

What are your Board/Commission's most important accomplishments?

Within last 2 years:

- **UDO text amendment to require a neighborhood information meeting prior to public hearings for Special Use Permit applications.**
- **UDO text amendment to establish a new conditional zoning district for**

Agricultural Support Enterprises, both within the Rural Buffer and in the remainder of County planning jurisdiction, and various accompanying changes to the text.

- UDO text amendment to change standards related to home occupations which liberalized the ability to have home businesses.
- Pleasant Green Woods Phase IV major subdivision concept plan and preliminary plat.
- Triple Crown Farms major subdivision preliminary plat.
- Stroud's Creek major subdivision concept plan and preliminary plat.
- Class A SUP for a solar facility in Cheeks Township.

More recently:

- UDO text amendments for revisions to the public hearing process to enhance public input opportunities, streamline when possible, and improve legal integrity.
- UDO, Comprehensive Plan & Zoning Atlas Amendments to adopt two new zoning overlay districts in Efland that recognize community character and add flexibility to target development.
- In 2015, two property-owner initiated applications for non-residential rezonings were processed. The Planning Board reviewed these and issued a recommendation to the BOCC on each application.
- UDO text amendments related to temporary health care structures.
- Henderson Woods major subdivision concept plan and preliminary plat.
- UDO text amendments related to impervious surface matters.
- Class A SUPs for a solar facility in Bingham Township and for Emerson Waldorf School.
- UDO text amendments related to recreational land uses.

List of Specific Tasks, Events, or Functions Performed or Sponsored Annually.

- **Monthly Planning Board meetings**
- **Quarterly Public Hearings (4)**
- **Ordinance Review Committee (ORC) meetings and special meetings as required**
- **Review applications for ordinance amendments, major subdivisions, and Class A special use permits and provide recommendations to the BOCC**
- **Develop and recommend policies, ordinances, administrative procedures and other means for carrying out plans**
- **Coordinate with staff on ongoing planning updates, changes, and new techniques**

Describe this board/commission's activities/accomplishments in carrying out BOCC goal(s)/priorities, if applicable.

The Planning Board is involved in the ongoing implementation of the 2030 Comprehensive Plan. Potential projects listed in the "Implementation

Bridge,” such as updates to home occupation standards, continue to be worked on as do small area plan implementation measures, such as the Efland zoning overlay districts. The Implementation Bridge is a list of topics that were raised during the UDO adoption process in 2010-11 that further the goals and objectives of the Comprehensive Plan through the UDO.

The Planning Board also works with the BOCC, usually at an annual dinner meeting prior to the quarterly public hearing in November, to discuss joint goals (2009 and forward) and coordination with other advisory boards.

Describe the collaboration relationship(s) this particular board has with other advisory boards and commissions?

The Planning Board includes members who also serve on the Orange Unified Transportation Board (OUTBoard), Efland-Mebane Small Area Plan Implementation Focus Group, Commission for the Environment, and Alcoholic Beverage Control Board. There is also a position on the Board of Adjustment for a Planning Board member but that position is currently unfilled. In 2015, there was not direct collaboration with other advisory board (e.g., joint meetings) but the Planning Board Chair attended the joint advisory board training held by the BOCC/County Clerk.

If your board/commission played the role of an Element Lead Advisory Board involved in the 2030 Comprehensive Plan preparation process, please indicate your board's activities/accomplishments as they may relate to the Comprehensive Plan's goals or objectives.

(The Element Lead Advisory Boards include: Planning Board, EDC, OUTBoard, Commission for the Environment, Historic Preservation Commission, Agriculture Preservation Board, Affordable Housing Board, Recreation and Parks Advisory Council)

The processing of small area plan recommendations specifically addresses an objective included in the 2030 Comprehensive Plan. Following are specific Comprehensive Plan Goals and Objectives that have been part of the Planning Board's recent work:

Land Use Overarching Goal: Coordination of the amount, location, pattern and designation of future land uses, with availability of County services and facilities sufficient to meet the needs of Orange County's population and economy consistent with other Comprehensive Plan element goals and objectives.

Objective LU-1.1: Coordinate the location of higher intensity / high density residential and non-residential development with existing or planned locations of public transportation, commercial and community services, and adequate supporting infrastructure (i.e., water and sewer, high-speed internet access, streets, and

sidewalks), while avoiding areas with protected natural and cultural resources. This could be achieved by increasing allowable densities and creating new mixed-use zoning districts where adequate public services are available.

Objective LU-1.2: Evaluate and report on whether existing and approved locations for future residential and non-residential developments are coordinated with the location of public transportation, commercial and community services, and adequate supporting infrastructure (i.e., water and sewer services, high-speed internet access, streets and sidewalks).

Land Use Goal 3: A variety of land uses that are coordinated within a program and pattern that limits sprawl, preserves community and rural character, minimizes land use conflicts, supported by an efficient and balanced transportation system.

Objective LU-3.1: Discourage urban sprawl, encourage a separation of urban and rural land uses, and direct new development into areas where necessary community facilities and services exist through periodic updates to the Land Use Plan.

Land Use Goal 4: Land development regulations, guidelines, techniques and/or incentives that promote the integrated achievement of all Comprehensive Plan goals.

Land Use Goal 6: A land use planning process that is transparent, fair, open, efficient, and responsive.

Objective LU-6.1: Undertake a comprehensive effort to inform and involve the citizens of Orange County in the land use planning process.

Objective LU-6.2: Maintain a cooperative joint planning process among the County municipalities and those organizations responsible for the provision of water and sewer services to guide the extension of service in accordance with the Comprehensive Plan, the Orange County-Chapel Hill-Carrboro Joint Planning Agreement and Land Use Plan, and the policies of the municipalities.

Economic Development Overarching Goal: Viable and sustainable economic development that contributes to both property and sales tax revenues, and enhances high quality employment opportunities for County residents.

Objective ED-1.5: Identify barriers to development of desirable businesses and local businesses, and mitigate these barriers.

Transportation Goal 3: Integrated land use planning and transportation planning that serves existing development supports future development, and is consistent with the County's land use plans which include provisions for preserving the natural environment and community character.

Identify any activities this board/commission expects to carry out in 2016 as they relate to established BOCC goals and priorities.

If applicable, is there a fiscal impact (i.e., funding, staff time, other resources) associated with these proposed activities (please list).

The Board will continue its work in partnership with staff to further implement recommendations contained within small area plans and the UDO Implementation Bridge and to implement existing and new BOCC priorities, some of which may emerge at the January 2016 BOCC retreat:

1. **Airport Regulations:** Work related to revising airport regulations began in late 2015 and is expected to be completed in 2016.
2. **Sexually Oriented Businesses:** Work related to adopting regulations for sexually oriented businesses is underway and is expected to be completed in the first half of 2016.
3. **Affordable and Senior Housing, including Co-Housing:** On-going need for affordable housing opportunities, including senior housing, in the county. The UDO amendments currently being worked on related to temporary healthcare structures and other custodial care options address a small portion of the larger affordable and senior housing topic.
4. **Emergency Access:** Continue to work with appropriate staff/departments to better ensure properties can be reached by emergency personnel (e.g., driveway width and clearance, bridge weight limit signage and sufficiency to allow a fire truck to pass, gate width, curve radii sufficient for emergency vehicles). Amendments currently being worked on related to private road standards address a portion of this topic.
5. **Clustering in Rural Areas:** Consider rural village concepts. Examine innovative septic systems whether in individual or community settings. Clustering does not increase density in rural areas but creates a higher percentage of open space.
6. **Population Projections:** Analyze regional population and employment projections (including MPO 2040 and the development of the MPO 2045 MTP). Rationalize and offer 'ground truth' (i.e. what can realistically be built) to the amount and location of new development noted from population modeling (i.e. Community VIZ). Work with municipalities to aggregate their

projected ceiling density totals based on their densification efforts and create composite countywide total by adding unincorporated projections. Use in update to Comprehensive Plan Data Element.

7. **New and/or Revised Zoning District:** UDO text amendment to adopt a new general use zoning district and/or “fine tune” existing ED zoning to match locational attributes for targeted research and development industry and applied light manufacturing. Consider appropriate mixed use areas (includes high density residential) acknowledging the other areas will have a stronger non-residential use program.
8. **Parks and Recreation Dedications and Payment in Lieu Fees:** Now that the Parks and Recreation Master Plan is complete, jointly work with the Department of Environment, Agriculture, and Parks & Recreation (DEAPR) to evaluate level of service standards and how they would be implemented through the subdivision process included in the UDO. Also include hiking and/or preservation corridors in the land use plan so land dedications can occur where necessary.
9. **Fiscal Impact Analysis:** Work with the Manager’s office and Finance and/or a consultant to analyze the impacts of development to County services (revenues and expenditures) and to the cities as necessary.
10. **Legislative Changes:** Amend regulations as necessary in response to legislative changes at the State level
11. **Streamline Regulations:** Continue to streamline regulations where possible
12. **2016 BOCC Retreat:** Any priorities that emerge at the January 2016 BOCC retreat

What are the concerns or emerging issues your board has identified for the upcoming year that it plans to address, or wishes to bring to the Commissioners’ attention?

1. **Rural Enterprises:** Determine need to address water & sewage disposal issues in the Rural Activity Nodes to encourage development in these nodes. Evaluate non-residential thresholds and determine if changes are necessary.
2. **Mass Gathering/Special Events:** Revisions to UDO regarding mass gathering and special events (must wait until after Emergency Services/Attorney’s Office enacts a Mass Gathering Ordinance)
3. **Pre-zoning for Economic Development Projects:** Continue to “prezone” areas where possible to focus growth in appropriate areas with consistent land uses, thereby improving the review and approval process.
4. **Nuisance Ordinance:** Consider a nuisance ordinance for Economic Development, Commercial, and Commercial-Industrial Transition Activity Nodes and areas adjacent to these land use classifications to “protect” these

areas slated for economic development projects. In addition, consider these “city-like” rules in “urban” transition land use classifications of the county to protect existing community value.

5. **Transportation Issues:** Evaluate the need for better public transit in rural areas, including senior citizen mobility. Determine if rural “transit oriented development” could be hubs of transit located in the rural community nodes. Accent focus on transit dependent populations and their connection to other transit infrastructure.
6. **Wireless and Broadband Access:** The County (IT Department) is currently undertaking a study regarding wireless and broadband access in rural areas. Many rural areas lack reliable access to these services and solutions to providing areas with these services should be sought.
7. **Long-Term Planning for Potable Water and Waste:** Planning for potable water and waste (wastewater and solid waste) should continue to be a topic for study and discussion as growth in Orange County continues.

**ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS
GOALS AND PRIORITIES
Fiscal Year 2009-2010**

Goal One: Ensure a community network of basic human services and infrastructure that maintains, protects and promotes the well-being of all County residents.

Priority 4: Review services to identify and protect 'safety net' programs and services.

Priority 5: Encourage for profit investments in affordable housing and review available tools.

Goal Two: Promote an interactive and transparent system of governance that reflects community values.

Priority 6: Develop plan and tools to improve how County and citizens communicate with each other; foster two-way exchange.

Priority 7: Improve intra- and intergovernmental coordination, cooperation and collaboration. (a) Work with Town of Hillsborough on: Joint land use planning approaches, policies/ordinances, and annexation, and Economic Development Districts. (b) Work with City of Durham on: Economic Development Districts

Priority 8: Examine advisory boards and commissions to: (a) Ensure they are meeting their missions; (b) Determine how boards relate to each other and how their work can best be integrated with the BOCC; (c) Ensure sustainability goals; (d) Ensure fit with overall County vision; and (e) Recognize (and be sensitive to) consistencies represented by boards, commissions when framing this review

Priority 26: Clarify and communicate to public how and why County funding is allocated the way it is

Goal Three: Implement planning and economic development policies which create a balanced, dynamic local economy, and which promote diversity, sustainable growth and enhanced revenue while embracing community values.

Priority 2: Implement Comprehensive Plan (a) Rewrite zoning and subdivision regulations (Unified Development Ordinance).

Priority 3: Develop economic plans for three (3) districts.

Priority 9: Update economic development plan for County: (a) Clarify economic development plan for each district; (b) Identify spectrum of tools; (c) Identify other stakeholders; and (d) Identify what the County wants to see happen.

Priority 10: Develop an energy plan that includes economic development strategies to attract, retain, and grown 'green' business

Priority 19: Be actively involved and informed about UNC-CH decisions and intentions

Priority 20: Support transit, pedestrian, and bicycle facilities and other alternatives to the single passenger automobile.

Priority 21: Amend County zoning to address and modernize airport and related issues.

Goal Four: Invest in quality County facilities, a diverse work force, and technology to achieve a high performing County government.

Priority 11: Invest in technology to increase work efficiencies; e.g. web streaming, paperless agendas, integrated tracking systems between field and office.

Priority 22: Review and update County personnel and operational policies and procedures.

Priority 23: Design and fund space for County Attorney Offices. Manager and BOCC to discuss concept and staffing

Goal Five: Create, preserve, and protect a natural environment that includes clean water, clean air, wildlife, important natural lands and sustainable energy for present and future generations.

Priority 1: Conserve high priority natural areas, wildlife habitat, and prime forests.

Priority 12: Implement County's Environmental Responsibility goals

Priority 15: Complete stewardship and management plans for Lands Legacy.

Priority 16: Develop an accounting and assessment system of water and air pollution: (a) In conjunction with ICLEI; Set emissions reduction target

for 2030; Conduct public education campaign; and Link public with opportunities to improve energy efficiency and use sustainable energy sources; (b) Begin multi-year implementation of Observable Well Network

Priority 24: Plan to acquire/land bank for future park development.

Priority 25: Develop a policy/update current plan about how parks will be developed, appropriate ratio of parks to population, length of time to develop, and incorporation of such into the Capital Investment Plan (CIP).

Goal Six: Ensure a high quality of life and lifelong learning that champions diversity, education at all levels, libraries, parks, recreation, and animal welfare.

Priority 13: Plan to provide 'equitable' library services for Orange County residents.

Priority 14: Fulfill remainder of bond issuance approved by voters in 2001 for soccer and Twin Creeks

Priority 17: Review the Schools and Adequate Public Facilities Ordinance: (a) Is it doing what it was originally intended to do? (b) Does it have application for Durham and Mebane?

Priority 18: Address inequities between old and new schools. Older schools are in need of capital improvements. Building new schools has been the funding priority.