



**TOWN OF GRANITE QUARRY  
PLANNING BOARD  
REGULAR MEETING AGENDA  
July 13, 2020  
6:00 p.m.**

**Call to Order** **Chairman Luhrs**

**Swear in Planning Board Members** **Town Clerk**

**Determination of Quorum** **Chairman Luhrs**

**1. Approval of Agenda**

**2. Approval of Minutes** **June 8, 2020 Regular Monthly Meeting**

**Old Business** *(None)*

**New Business**

**3. Sign Ordinance Revision**

**ACTION REQUESTED:** Motion to approve recommended text amendments to Board of Aldermen per staff recommendation with any revisions or additions as applicable.

**4. Pool Fence Text Amendment**

**ACTION REQUESTED:** Motion to approve recommended text amendments to Board of Aldermen per staff recommendation with any revisions or additions as applicable.

**5. Driveway Ordinance Revision**

**ACTION REQUESTED:** Motion to approve recommended text amendments to Board of Aldermen per staff recommendation with any revisions or additions as applicable.

**Adjourn**

**Agenda Item Summary**  
Regular Monthly Meeting  
July 13, 2020  
Agenda Item 1

Summary

The Board may discuss, add, or delete items from the agenda.

**Approval of Agenda**

Motion Made By:

\_\_\_\_\_

Second By:

\_\_\_\_\_

For:

- Brenda Costantino
- Jerry Holshouser
- Ronald Jacobs
- Richard Luhrs
- Jared Mathis
- David Morris
- Michelle Reid
- Dolores Shannon
- Rev David Trexler
- 

Against:

- Brenda Costantino
- Jerry Holshouser
- Ronald Jacobs
- Richard Luhrs
- Jared Mathis
- David Morris
- Michelle Reid
- Dolores Shannon
- Rev David Trexler
- 

Action Requested

***Motion to adopt the agenda (as presented / as amended).***

**Agenda Item Summary**

Regular Monthly Meeting

July 13, 2020

Agenda Item 2

Summary

Draft minutes from the June 8, 2020 regular monthly meeting are attached for your review.

Action Requested

***Motion to approve the June 8, 2020 Regular Monthly Meeting minutes (as presented / as amended).***

**Approval of Minutes**

Motion Made By:

\_\_\_\_\_

Second By:

\_\_\_\_\_

For:

- Brenda Costantino
- Jerry Holshouser
- Ronald Jacobs
- Richard Luhrs
- Jared Mathis
- David Morris
- Michelle Reid
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- Rev David Trexler
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Against:

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- Rev David Trexler
-



**TOWN OF GRANITE QUARRY  
PLANNING BOARD  
REGULAR MEETING MINUTES  
June 8, 2020  
6:00 p.m.**

**Present:** Chairman Richard Luhrs, Jerry Holshouser, Michelle Reid, David Morris, David Trexler, Jared Mathis, Brenda Costantino

**Not Present:** Jamie Vanhoy, Dolores Shannon, Ronald Jacobs

**Staff:** Town Planner Steve Blount, Town Clerk Aubrey Smith

**Call to Order:** Chairman Luhrs called the Planning Board meeting to order at 6:00 p.m.

**Determination Quorum:** Chairman Luhrs verified there was a quorum present.

**Determination of Conflicts of Interest:** Chairman Luhrs reminded the Planning Board members that if anyone had a personal or professional conflict of interest, they needed to make it known. No members stated any conflicts.

**1. Approval of Agenda**

**ACTION:** Mr. Morris made a motion to adopt the agenda as presented. Mr. Holshouser seconded the motion. The motion passed with all in favor.

**2. Approval of Minutes**

**ACTION:** Rev. Trexler made a motion to approve the minutes from the May 11, 2020 Regular Monthly Meeting. Ms. Reid seconded the motion. The motion passed with all in favor.

**New Business**

**3. Subdivision**

**A. Staff Summary**

**Town Planner Steve Blount**

Mr. Blount presented from a PowerPoint he prepared to show the parcel for which subdivision had been requested. The new lot would be 1.66 acres with 97 feet of road frontage. The property is currently zoned HB. This property would not fall under the requirements of the Downtown Master Plan.

**B. Applicant Presentation**

Mr. Phillips, the surveyor for the property, introduced himself to the Board and made himself available for questions regarding the survey or technical aspects of property.

**C. Public Hearing**

**1) Open Public Hearing**

Chairman Luhrs opened the public hearing at 6:17 p.m.

**2) Public Comments**

There were no public comments.

**3) Close Public Hearing**

Chairman Luhrs closed the public hearing at 6:17 p.m.

**D. Board Deliberation**

The Board discussion included questions regarding the major subdivision process and the qualifications for a site plan approval to come back before the Planning Board.

**E. Board Decision**

**ACTION:** Mr. Morris made a motion to recommend the subdivision as requested. Rev. Trexler seconded the motion. The motion passed with all in favor.

**ACTION:** Mr. Morris made a motion to adopt the following Statement of Consistency, *“In voting to recommend the proposed subdivision of this property, The Granite Quarry Planning Board does find this decision to be in the best interest of the public and to be consistent in general with policies stated in the Town’s Comprehensive Plan.”* Rev. Trexler seconded the motion. The motion passed with all in favor.

**Adjournment**

**ACTION:** Mr. Morris made a motion to adjourn the meeting. Rev. Trexler seconded the motion. The motion passed with all in favor and Chairman Luhrs closed the meeting at 6:19 p.m.

Respectfully Submitted,

Aubrey Smith

Town Clerk

**Agenda Item Summary**

Regular Monthly Meeting

July 13, 2020

Agenda Item 3

Summary

Recent increased code enforcement efforts have led to some rethinking of some of our regulations, in this case, the Sign Ordinance.

The preamble to our sign ordinance (Chapter 6 of the UDO) explains that the purpose of the regulations, in addition ensuring traffic and pedestrian safety is, “To provide a pleasing overall environmental setting and good community appearance, which is deemed vital to the continued economic attractiveness of the Town and its environs.”

Attachment

- PowerPoint Presentation
- UDO Chapter 6: Signs

Action Requested

***Motion to approve recommended text amendments to Board of Aldermen per staff recommendation with any revisions or additions as applicable.***

**Sign Ordinance Revision**

Motion Made By:

\_\_\_\_\_

Second By:

\_\_\_\_\_

For:

- Brenda Costantino
- Jerry Holshouser
- Ronald Jacobs
- Richard Luhrs
- Jared Mathis
- David Morris
- Michelle Reid
- Dolores Shannon
- Rev David Trexler
- 

Against:

- Brenda Costantino
- Jerry Holshouser
- Ronald Jacobs
- Richard Luhrs
- Jared Mathis
- David Morris
- Michelle Reid
- Dolores Shannon
- Rev David Trexler
-

# Sign Ordinance Revision

Code Enforcement Oriented Revisions

As we begin our efforts to improve parts of our Uniform Development Ordinance, keep in mind an observation by Voltaire, "**Don't let the perfect be the enemy of the good.**"

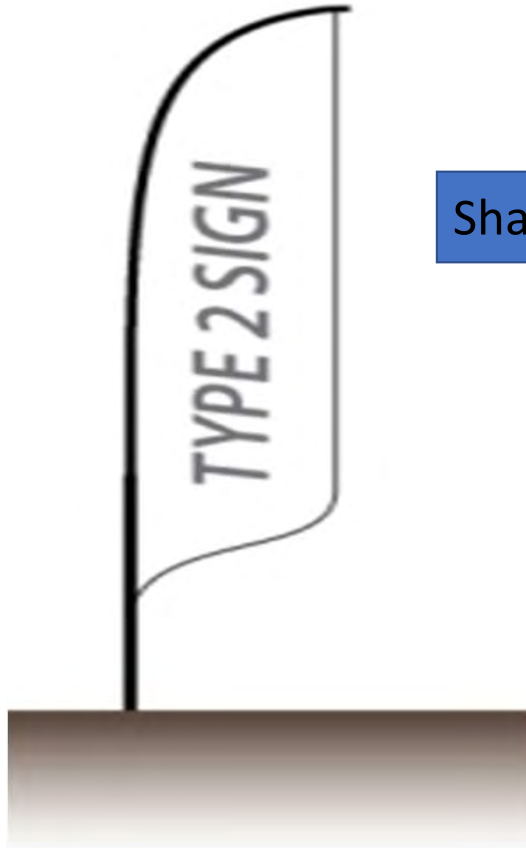
There is no limit on how often or how many times an ordinance can be revised. In the world of small business, business owners recognize a problem, gather information, evaluate that information, and make a decision. If that decision proves to be wrong or if a better option presents itself, the business owner has no qualms about changing his or her mind and adopting a new decision. This decision-feed back-decision loop is what helps make small businesses so efficient.

This same approach will help make our UDO better if never perfect!

Recent increased code enforcement efforts have led to some rethinking of some of our regulations, in this case, the Sign Ordinance...

The preamble to our sign ordinance (Chapter 6 of the UDO) explains that the purpose of the regulations, in addition ensuring traffic and pedestrian safety is, ***“To provide a pleasing overall environmental setting and good community appearance, which is deemed vital to the continued economic attractiveness of the Town and its environs.”***

**Issue-1** (Shark Fin Signs)



Shark Fin or Feather Signs



Shark Fin Signs

### **Shark Fin Signs**

Specifically, “*feather flags*” or “*shark fins*” are currently controlled as Type 2 Freestanding Temporary Signs along with other banner type signs. Per our ordinance, these types of signs are meant for the, “...*announcement of community, sporting and similar **special events**.*” Since these are meant to be used for “special events” and not ongoing messaging, these signs have a limited display period designated (30 days, four times a year). We have found that several businesses use these types of signs as a part of their general, year-round messaging and thus the duration adds inconvenience to the property owner while not improving the appearance of the Town.

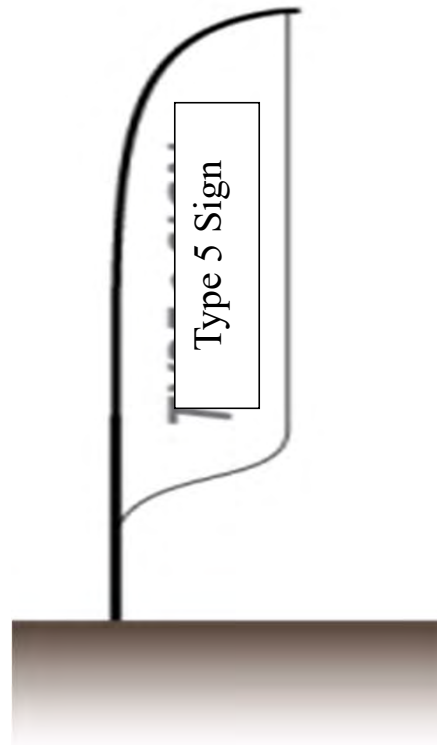
In addition to the display duration question, our current ordinance language allows only one of these signs per property parcel. This means that multi-tenant parcels can allow only one tenant at a time to have this type of sign and large property owners, being limited in this way are effectively being discriminated against, again, with no improvement in the Town's appearance.

To resolve these issues planning staff suggests that shark fin or feather flags being used for year-round messaging be assigned a new sign type and be managed as a hybrid between temporary and permanent. The sign(s) would be permitted for one year with possibility of renewal each year. More signs would be allowed on larger parcels and on multi-tenant parcels based on one sign per fifty feet of frontage. We suggest the following revisions to Chapter 6 of the Town's UDO:

1. Table 6.1 will be revised adding a Type 5 sign as follows:

Criteria	Type 5
Zoning District	Any District
Registration Required	Yes
Land Use	<ul style="list-style-type: none"> <li>• Properties of greater than 1 acre for which there is a valid building permit</li> <li>• Retail Use Group</li> <li>• Civic and Government Use Group</li> <li>• Institutional Use Group</li> <li>• Office and Service Use Group</li> </ul>
Max. Size <sup>1</sup> (square feet)	24
Max. Height (feet)	12
Number Permitted <sup>2</sup>	1 per 50 feet of road frontage
Max. Duration	1 year or following the issuance of a new Certificate of Occupancy <sup>3</sup>
Mounting	Supported by a single post or pole securely anchored to ground
Material	Flexible
Other	

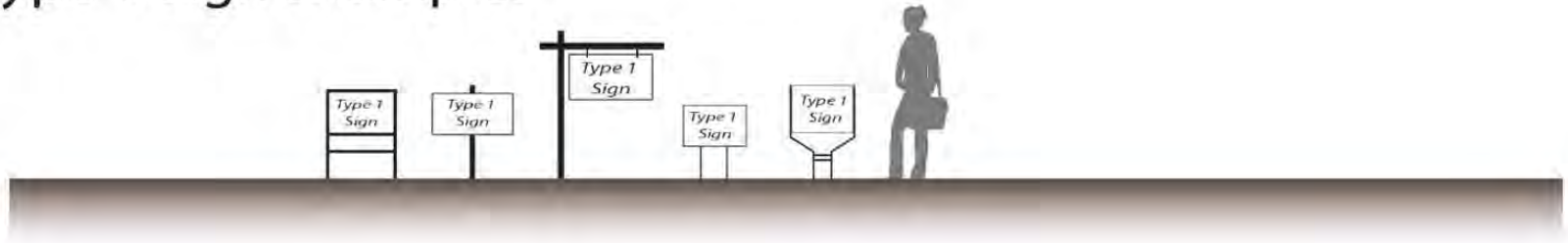
2. Figure 6.1 will be revised adding a Type 5 sign example as follows:



**Issue-2 (Type-1 Signs on Nonresidential Property)**

**FIGURE 6.1: TEMPORARY SIGN TYPE EXAMPLES**

Type 1 Sign Examples



### **Type-1 Signs on Nonresidential Property**

Another issue that needs to be addressed is found in the limitation of Type-1 temporary signs to residential properties shown in Table 6.1. While Code Enforcement staff supports the ban on these signs for most uses on non-residential properties, these are a type of sign commonly used by real estate agencies to advertise property is for sale. Staff feels this should be a listed exception. We suggest the following text be added to resolve this issue:

#### **6.1.C.6**

***Type-1 signs used by property owners or realtors advertising the sale of property where the sign is posted are allowed in all zoning classifications. Size and other limitations remain as stated in Table 6.1.***

### **Issue-3** (Change of Business Sign Permit)

#### **Change of Business**

When businesses change names or a leased space gets a new tenant, the existing sign often stays in place, but the sign face or lettering will change. In the past we have allowed these changes, accepting them as normal maintenance. To ensure that inappropriate language or images are not used and incidentally confirm that any new business is allowed in the current zoning classification, we are suggesting that any change of name, wording, imaging, etc. be handled as a new sign. Per Section 13.9, a non-conforming sign structure may remain in use if only the face or lettering is being replaced. To accomplish this change, we would make the following addition to the UDO:

#### **6.2.6.C**

*A change in sign face or lettering indicating a change in business will be considered as a new sign requiring issuance of a new permit. Changes in language or lettering that are made for the existing tenant shall be considered as normal maintenance and must be reviewed for appropriateness by the Town Planner or his designee but will not require a permit. Per Section 13.9, non-conforming sign structures may remain in use if only the face or lettering is being changed.*

## Issue-4 (Allowing Construction/Development Notification Sign)

### **Construction/Development Notification Sign**

It is common for major construction or development work at the site of an existing building to have a sign announcing the work along with the contractor's name, etc. These are typically Type 3 signs.

Unfortunately, in the "Land Use" section of Table 6.1, Type 3 signs are only allowed in Residential zoning classification (except for some exceptions) and at the bottom of the Type 3 column in that table it states, "Shall not be displayed upon a parcel that contains a permanent freestanding sign." We suggest the following revisions:

**In Table 6.1, in Land Use row of Type 3 signs, change "*Residential Use Group...*" to "*Residential and Commercial Use Group...*"**

**In Other row of Type 3 signs change language to say, "*One Type 3 sign may be displayed on a parcel that contains a permanent freestanding sign.*"**

Summary:

1. Shark Fin Signs- **Add Column for Type 5 signs to Table 6.1 as shown on Slide-9 and show Type 5 sign in Figure 6.1**
2. Type-1 Signs on Nonresidential Property- **add *6.1.C.6 Type-1 signs used by property owners or realtors advertising the sale of property where the sign is posted are allowed in all zoning classifications. Size and other limitations remain as stated in Table 6.1.***
3. Change of Business Sign Permit- **add- *6.2.6.C A change in sign face or lettering indicating a change in business will be considered as a new sign requiring issuance of a new permit. Changes in language or lettering that are made for the existing tenant shall be considered as normal maintenance and must be reviewed for appropriateness by the Town Planner or his designee but will not require a permit. Per Section 13.9, non-conforming sign structures may remain in use if only the face or lettering is being changed.***
4. Allowing Construction/Development Notification Sign- **In Table 6.1, in “Land Use” row of Type 3 signs, change “Residential Use Group...” to “Residential and Commercial Use Group...” and in “Other” row of Type 3 signs change language to say, “One Type 3 sign may be displayed on a parcel that contains a permanent freestanding sign.”**

Requested action:

1. After staff presentation, open for board discussion and questions of staff
2. If modifications or additions are recommended, consider each separately and add to staff recommendations as appropriate
3. If acceptable, approve recommended text amendments to Board of Aldermen per staff recommendation with any revisions or additions as applicable.

# CHAPTER 6: SIGNS

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6.3 Prohibited Signs.....	6-17

## CHAPTER 6: SIGNS

### Section 6.1 Purpose and Applicability

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- A. This Chapter is intended to regulate and control signs and their placement throughout the Town of Granite Quarry and its extraterritorial area for the following purposes:
- To provide a pleasing overall environmental setting and good community appearance, which is deemed vital to the continued economic attractiveness of the Town and its environs;
  - To create a more productive, enterprising, professional business atmosphere;
  - To allow signs appropriate to the planned character and development of each zoning district;
  - To ensure that permitted signs do not become a hazard or nuisance;
  - To promote traffic safety;
  - To prevent the overcrowding of land;
  - To facilitate fire and police protection;
  - To protect and enhance the value of properties; and
  - To promote the public safety and general welfare of the Granite Quarry area.
- B. The provisions of this Chapter shall apply to the construction, erection, alteration, use, type, number, location, size, height, and maintenance of all signs. Except as otherwise provided in this Ordinance, it shall be unlawful for any person to erect, construct, enlarge, move, or replace any sign, without first having obtained a sign permit for such sign from the Zoning Administrator as required by this Ordinance.
- C. The following signs are exempt from the requirements of this Chapter:
1. Wall signs of less than one (1) square foot.
  2. Incidental signs not legible from off-site or a public right-of-way. Examples include gas pump signs, drive-through menu boards, on-site directional signs, and signs within a sports stadium.
  3. Government signs posted or authorized by various local, state and federal agencies in the performance of their duties including providing community information and facilitating economic development. Examples of such signs include regulatory signs, traffic signs, welcome signs, wayfinding signs, bulletin board and directory signs.
  4. Address signs affixed to structures, mailboxes, decorative light posts, driveway entrances, etc., which serve to identify the address of the structure or occupant for the purposes of postal service and emergency E-911 location.
  5. Flags attached to a permanent flag pole that is permanently affixed to the ground provided that there are no more than four (4) flags per lot of record and flags are located outside the public right-of-way unless they are installed by a government entity.

**Section 6.2 General Provisions**

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**6.2.1 Sign Design Guidelines**

- A. Materials, colors, and shapes of proposed signs should be compatible with the buildings and the surrounding area.
- B. The sign shall not be the dominant feature of its location.
- C. A uniform sign plan shall be required for all office and retail complexes and multi-tenant buildings. All tenants shall comply with the approved uniform sign plan.

**6.2.2 Sign Area**

- A. For wall signs, placard signs, and window signs, the area of the sign shall be the smallest rectangle that can encompass all letters and logos included in the sign.
- B. For freestanding signs, neighborhood identification signs, banners, and other similar signs, the area shall include the rectangular area of the surface to which the sign is affixed.

**6.2.3 Sign Height**

The height of a sign shall be measured from the highest point of a sign to the point of ground surface beneath it. Ornamentation such as caps, spires, and finials shall not extend more than two (2) feet from the top of the sign. The use of berms or raised landscape areas is only permitted to raise the base of the sign to the mean elevation of the fronting street.

**6.2.4 Sign Setbacks**

- A. All signs shall be set back a minimum of five (5) feet from the street right-of-way and adjacent property lines.
- B. At intersections, no sign shall be in the sight triangle as defined by this Ordinance.
- C. No ground sign shall be located within 100 feet of any other ground sign unless the Zoning Administrator determines that practical difficulties exist for locating the sign.

**6.2.5 Sign Illumination**

Illuminated signs shall conform to the following:

- A. All illuminated signs shall have their lighting directed in such a manner as to illuminate only the face of the sign.
- B. External light sources shall not be visible from the right-of-way nor cause glare hazards to pedestrians, motorists, or adjacent properties.
- C. All lighting shall meet all applicable electrical codes.
- D. A new sign within 100 feet of an existing residential structure shall not be illuminated between the hours of 12:00 midnight and 6:00 a.m.

## CHAPTER 6: SIGNS

E. Lighting for signs shall be maintained and shall not create excessive noise.

### 6.2.6 Maintenance and Upkeep of Signs

- A. All signs and all components thereof, including supports, braces, and anchors shall be kept in a good state of repair, in compliance with all building and electrical codes, and in conformance with the requirements of this Ordinance (unless deemed a legal nonconforming sign by Chapter 13 of this Ordinance). Any sign which is determined by the Zoning Administrator or building inspector as being insecure, in danger of falling or otherwise endangering the public safety shall be immediately removed by its owner unless it is repaired and made to otherwise comply with the requirements of this Ordinance.
- B. If a sign advertises a business, service, commodity, attraction or other enterprise or activity that is no longer operating or being offered or conducted, then that sign and sign structure shall be considered discontinued regardless of reason or intent and shall, within 180 days after such discontinuation, be removed by the owner of the property where the sign is located.

### 6.2.7 Removal of Signs in the Right-of-Way

The Zoning Administrator or his designee may remove and destroy or otherwise dispose of any sign placed on public property or within any right-of-way of any public or private street. Penalties shall be levied for each such sign as outlined in Chapter 15 of this Ordinance.

## Section 6.3 Temporary Signs

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The provisions of this section shall apply to the placement and display of temporary signage within the Town's jurisdiction. Any temporary sign that does not comply with the provisions of this Section is prohibited. Any sign which is permanently displayed shall comply with the provisions of Section 6.4, Permanent Signs.

### A. Common Standards

All temporary signs shall comply with the following common standards:

1. Temporary signs shall not be illuminated or be provided with any electric service.
2. Temporary signs shall not be placed within any public street right-of-way, including within medians, unless expressly permitted by this ordinance or the North Carolina General Statutes.
3. Temporary signs attached to building walls (other than permitted temporary window signs) shall not be placed in a manner that obstructs any window, door, fire department sprinkler connection, or street number sign.
4. Temporary signs shall not be affixed to a permanent sign or its supporting structure, including both building mounted and freestanding permanent signs.
5. Temporary signs shall not be placed in a manner that obstructs clear sight distance

(within the required sight triangle) for motorists at street intersections or driveways.

6. Temporary signs, other than Type 4 Freestanding Temporary Signs, shall not be placed upon any sidewalk or other pedestrian walkway.
7. Temporary signs shall not be placed on the roof of a building, or affixed to a motor vehicle, tree, utility pole or street sign.
8. Where temporary signs are limited in the duration of their display and limited in the total number of displays per calendar year, any required period of separation between such displays shall carry through to the following calendar year, and shall be observed prior to initiating the first allowed display during the new calendar year.
9. Temporary signs shall be constructed of durable weatherproof materials and shall not be made with unfinished plywood or paper.

**B. Freestanding Temporary Signs**

**1. General Provisions**

The following standards shall apply to all Freestanding Temporary Signs:

- a. Signs shall not be affixed to poles, posts, stakes or other supporting structures that are permanently installed or anchored into the ground through the use of concrete foundations or similar anchoring techniques.
- b. Signs, other than Type 4 Freestanding Temporary signs, shall be set back from the edge of the right-of-way by a minimum of five (5) feet.
- c. No more than one (1) Freestanding Temporary Sign may be displayed on a parcel or group of adjacent parcels under common ownership or tenancy at any given time, regardless of type, unless otherwise expressly permitted.
- d. Signs shall present a finished appearance. Rough cut, unpainted plywood and similar unfinished surfaces shall not be used.

**2. Type 1 Freestanding Temporary Signs**

Signs in this category consist of small, temporary yard signs that are typically associated with (but not limited to) the advertisement of real estate, political campaigns and meeting announcements. For examples of Type 1 Temporary Freestanding Signs, see Figure 6.1. Such signs are also subject to NCGS 136-32(b).

**3. Type 2 Freestanding Temporary Signs**

Signs in this category are typically referred to as “banners” that are typically associated with (but not limited to) the announcement of community, sporting and similar special events. This sign type includes horizontal banners mounted to two poles and vertical banners, such as “feather flags” or “shark fins”, that are mounted to a single pole. For examples of Type 2 Temporary Freestanding Signs, see Figure 6.1.

## CHAPTER 6: SIGNS

### 4. Type 3 Freestanding Temporary Signs

Signs in this category are large temporary signs typically associated with (but not limited to) the advertisement of large tracts of land for sale, construction and development activity or the advertisement of commercial or industrial buildings for sale or lease. For examples of Type 3 Temporary Freestanding Signs, see Figure 6.1.

### 5. Type 4 Freestanding Temporary Signs

The category of signs defined as Type 4 Freestanding Temporary signs shall include only those signs which are constructed in a manner that is commonly referred to as an “A-frame” or “sandwich board” sign. The faces of the sign shall be connected at the top by hinges or similar mechanisms and the sign shall be self-supporting when placed in its display position. For examples of Type 4 Temporary Freestanding Signs, see Figure 6.1.

**TABLE 6.1: FREESTANDING TEMPORARY SIGN CRITERIA**

Criteria	Type 1	Type 2	Type 3	Type 4
Zoning District	Any district	Any district	Any District	Any District
Registration Required	No	Yes	Yes	No
Land Use	<ul style="list-style-type: none"> <li>• Residential Use Group for lots or developments of 3 acres or less</li> <li>• Vacant or undeveloped properties of 1 acre or less</li> </ul>	<ul style="list-style-type: none"> <li>• Retail Use Group</li> <li>• Civic and Government Use Group</li> <li>• Institutional Use Group</li> <li>• Office and Service Use Group</li> <li>• Recreation and Entertainment Use Group</li> <li>• Permitted Temporary Use</li> </ul>	<ul style="list-style-type: none"> <li>• Residential Use Group for lots or developments of greater than 3 acres</li> <li>• Vacant or undeveloped properties of greater than 1 acre and with a minimum of 200 feet of frontage on a public right-of-way</li> <li>• Properties of greater than 1 acre for which there is a valid building permit</li> </ul>	<ul style="list-style-type: none"> <li>• Retail Use Group</li> <li>• Civic and Government Use Group</li> <li>• Institutional Use Group</li> <li>• Office and Service Use Group</li> <li>• Recreation and Entertainment Use Group</li> <li>• Permitted Temporary Use</li> </ul>
Max. Size <sup>1</sup> (square feet)	6	24	16	6
Max. Height (feet)	4	Horizontal-6 ft Vertical-8ft	6	4
Number Permitted <sup>2</sup>	1	1	1	1 per tenant <sup>4</sup>
Max. Duration	No Limit	30 days up to 4 times per calendar year with minimum 7 days separation	2 years or following the issuance of a Certificate of Occupancy <sup>3</sup>	Between daily opening and closing
Mounting	Supported by posts or stakes	Supported by posts or stakes	Supported by a minimum of 2 posts or stakes	A-frame
Material	Rigid	Flexible	Rigid	Rigid
Other	NCGS 136-32 applies within state rights-of-way		Shall not be displayed upon a parcel that contains a permanent freestanding sign.	• May be located on sidewalk if with a minimum 3-foot

**CHAPTER 6: SIGNS**

				<p>clearance</p> <ul style="list-style-type: none"> <li>• Shall not be placed in a landscaped area or parking area or driveway</li> <li>• Shall not include tract mounted changeable copy</li> <li>• May include chalkboard or dry erase surfaces</li> </ul>
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<sup>1</sup>The display area may be either single or dual-sided, but shall not consist of more than one (1) distinct component.

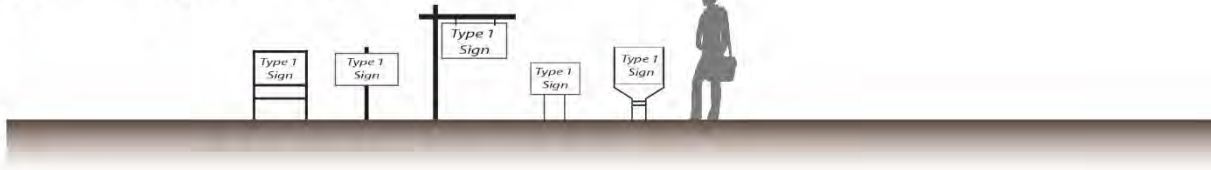
<sup>2</sup>Per parcel or group of adjacent parcels under common ownership or tenancy

<sup>3</sup>Provided that this limit shall not be apply if the land, and any building(s) and/or structure(s) upon such parcel or group of parcels is not occupied or in active use for purposes other than a use in the Residential Use Group at any time during the period of display.

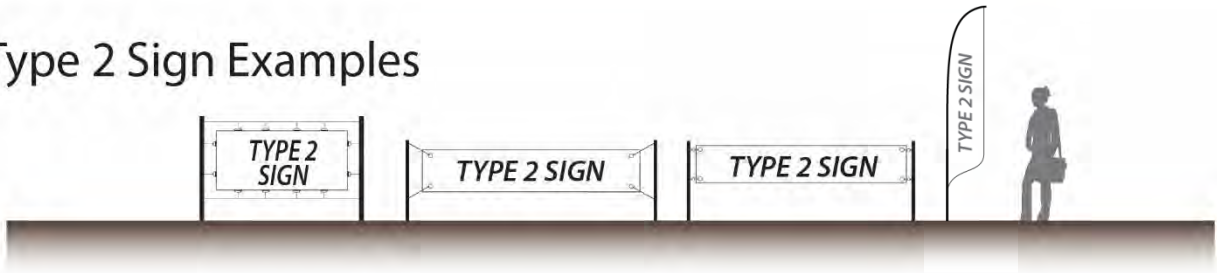
<sup>4</sup>Provided there is a separation of a minimum of 50 feet if there is more than one customer entrance per tenant space.

FIGURE 6.1: TEMPORARY SIGN TYPE EXAMPLES

Type 1 Sign Examples



Type 2 Sign Examples



Type 3 Sign Examples



Type 4 Sign Example



C. Building Mounted Temporary Signs

1. *Window Signs (temporary).*

Signs temporarily attached or temporarily painted to a window or door, announcing sale or special features shall be permitted provided they do not exceed 50% of the area of said window or door. Signs that exceed 50% of the area of said window shall be treated as wall signs. **MAXIMUM COVERAGE: 50% of window area**

**2. Banners.**

A banner may be hung securely against a wall face.

- **MAXIMUM SIZE: 24 SQUARE FEET**
- **MAXIMUM NUMBER: 1 PER TENANT**
- **MAXIMUM TIME: NOT TO EXCEED A 30 DAY PERIOD, 4 TIMES PER CALENDAR YEAR.**

**Section 6.4 Permanent Signs**

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**6.4.1 Signs Permitted by Zoning District**

<b>Sign Type</b>	<b>RR</b>	<b>RL</b>	<b>RM</b>	<b>RH</b>	<b>OI</b>	<b>NB</b>	<b>CB</b>	<b>HB</b>	<b>LI</b>	<b>HI</b>	<b>PUD</b>
Development Entrance	XL	XL	XL	XL	XL	XL	XL				XL
Primary Ground	XL	CL	CL	CL	XL	XL	XL	XL	XL	XL	CL
Directional Ground					XL	XL	XL	XL	XL	XL	
Transitional Multi-Tenant Ground					XL	XL	XL	XL	XL	XL	
Driveway Entrance Signs	XL	CL	CL	CL	XL	XL	XL	XL	XL	XL	CL
Building Mounted Signs	XL	C	C	C	XL	XL	XL	XL	XL	XL	XL

Legend:

X= Sign Allowed

C= Sign for Civic Uses only

L= Illumination Allowed

**6.4.2 Sign Requirements by Type**

**A. Development Entrance Sign**

- **MAXIMUM SIZE: 32 square feet** (area may be split between two (2) signs on either side of entrance)
- **MAXIMUM HEIGHT: 6 feet tall**
- **MAXIMUM NUMBER: One (1) per street frontage entrance**, except that maximum area may be split between two (2) signs on either side of the entrance

**B. Primary Ground Sign**

- **MAXIMUM SIZE: Maximum sign area is 32 square feet.** For multi-tenant signs, four (4) square feet per tenant may be added up to a maximum of 64 square feet.
- **MAXIMUM HEIGHT: 10 feet tall** in OI, NB, CB, HB, LI, & HI districts & 6 feet tall in RR, RL, RM, RH, & PUD districts
- **MAXIMUM NUMBER: 1 per street frontage**
- **OTHER: Primary ground signs shall be monument style** with the bottom of the sign portion of the structure beginning no more than three (3) feet from the ground. Developments with two (2) or more tenants shall utilize a multi-tenant sign. The total area of ground signs may be up to 50 percent changeable copy or electronic reader board.

## CHAPTER 6: SIGNS

### C. Directional Ground Sign

Directional ground signs are allowed for entities not located on the main business corridor of Salisbury Avenue. The sign must be located on property adjacent to property upon which the entity is located within 400 feet.

- **MAXIMUM SIZE:** Maximum sign area is 24 square feet.
- **MAXIMUM HEIGHT:** 6 feet tall
- **MAXIMUM NUMBER:** 1 per parcel
- **OTHER:** Directional ground signs shall be monument style with the bottom of the sign portion of the structure beginning no more than three (3) feet from the ground. Developments with two (2) or more tenants shall utilize a multi-tenant sign. The total area of ground signs may be up to 50 percent changeable copy or electronic reader board. A signed letter of permission to install the sign from the property owner must accompany the sign permit request.

### D. Transitional Multi-Tenant Ground Sign

When a business, organization, or other entity opens in a location where there is an existing yet non-conforming sign and the sign ordinance does not allow an additional sign per property, a transitional multi-tenant ground sign shall be permitted. Transitional conforming ground signs may be placed on multi-tenant property where there is an existing single tenant non-conforming ground sign in use. The transitional multi-tenant sign installation may use any configuration that will allow future space for all other tenants within the maximum area and height requirements of a multi-tenant ground sign.

- **MAXIMUM SIZE:** Maximum sign area is 32 square feet. For multi-tenant signs, four (4) square feet per tenant may be added up to a maximum of 64 square feet.
- **MAXIMUM HEIGHT:** 10 feet tall
- **MAXIMUM NUMBER:** 1 per street frontage
- **OTHER:** Transitional multi-tenant ground signs shall be monument style with the bottom of the sign portion of the structure beginning no more than three (3) feet from the ground. Developments with two (2) or more tenants shall utilize a multi-tenant sign. The total area of ground signs may be up to 50 percent changeable copy or electronic reader board. The in-use non-conforming business may become part of the conforming multi-tenant sign only after removal of the nonconforming sign.

#### MULTI-TENANT GROUND SIGN EXAMPLE



**E. Driveway Entrance Signs.**

Signs that are located at driveway entrances to indicate the location of vehicular entrances and exits for a property.

- MAXIMUM SIZE: 4 square feet
- MAXIMUM HEIGHT: 3 feet tall
- MAXIMUM NUMBER: 2 per entrance/exit

**F. Building Mounted Sign Requirements**

The following shall be included in the permanent building sign category:

- Standard Wall Signs (flush signs and channel letters)
- Canopy signs
- Awning signs
- Blade signs (projecting and suspended)
- Permanent window signs



*Standard Wall Sign*



*Blade Sign*



*Canopy Sign*



*Awning Sign and Window Sign*

1. The following regulations apply to all building mounted signs:
  - MAXIMUM SIZE: 1 square foot per linear foot of building wall fronting on a street. Blade signs shall not exceed 4 square feet.
  - MAXIMUM NUMBER: Up to 4 may make up the allowable area per tenant
  - PROJECTION: Maximum projection from the wall face shall meet the following standards for each sign type:
    - Standard: 12 inches
    - Projecting: 5 feet (perpendicular to building)
    - Suspended: Shall not extend beyond canopy or awning edge (perpendicular to building)

## CHAPTER 6: SIGNS

- Bottom of the sign shall be at least 8 feet above the ground immediately below it. The height of the top edge of the signboard or bracket shall not exceed the height of the wall from which the sign projects.
- OTHER: Building mounted signs shall front on a public street or face a parking lot where a main building entrance is located. Building mounted signs may front a railroad track if the building wall is visible from a street across the track. Signs shall not extend above the parapet or eave of the building or extend into the street right-of-way.

### **Section 6.5 Prohibited Signs**

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- A. Any sign which the Zoning Administrator determines obstructs the view of bicyclists or motorists using any street, approach to any street intersection, or which interferes with the effectiveness of or obscures any traffic sign, device, or signal shall be prohibited.
- B. Illuminated, highly reflective signs, or spot lights which hamper the vision of motorists or bicyclists.
- C. Signs not erected by a public authority which may be erroneously construed as government signs or emergency warning signs. An example of this is a sign which contains a picture of a traffic sign plus the word "Stop", "Yield", etc.
- D. Any sign located outdoors which interferes with free passage from or obstructs any fire escape, downspout, window, door, stairway, ladder, or opening intended as a means of ingress or egress or providing light or air.
- E. Any sign (other than a government sign), banner or display placed on any curb, sidewalk, post, pole, hydrant, bridge, tree, or other surface located on, over, or across any public street or right-of-way, unless otherwise permitted.
- F. Any sign located to intentionally deny an adjoining property owner visual access to an existing sign.
- G. Flashing signs, signs with flashing or reflective disks, signs with flashing lights or lights of changing degree of intensity or color.
- H. Illuminated tubing or strands of lights except between November 15 and January 15.
- I. Portable or temporary signs except as permitted by Section 6.3.
- J. Facsimile signs, three-dimensional objects, or human figures which may or may not contain advertising matter, and may or may not contain information about products sold on the premises, and is located in such a manner as to attract attention.
- K. Parked vehicles with messages (exempting vehicles with commercial advertising which are used regularly and customarily to transport persons or property for business).
- L. Rotating signs, other than on-premise rotating identification names which contain a logo

and/or business name on it.

- M. Roof signs.
- N. Pole Signs.
- O. Billboards (off-premises advertising).
- P. Signs placed on property without permission of its owners or agent.
- Q. Inflatable signs including inflated balloons having a diameter of greater than two (2) feet.
- R. Any sign whose sign face was initially constructed and designed to be placed and/or transported on wheels, regardless if said sign face is removed from its base and placed on or in the ground so as to otherwise classify said sign as a "freestanding" sign as herein defined.
- S. Other signs not expressly permitted in this Ordinance.

**Agenda Item Summary**

Regular Monthly Meeting

July 13, 2020

Agenda Item 4

Summary

Review of current pool fence regulations and suggested amendments.

Attachment

- Swimming Pool Fence Regulations Memo

Action Requested

***Motion to approve recommended text amendments to Board of Aldermen per staff recommendation with any revisions or additions as applicable.***

**Pool Fence Text Amendment**

Motion Made By:

\_\_\_\_\_

Second By:

\_\_\_\_\_

For:

- Brenda Costantino
- Jerry Holshouser
- Ronald Jacobs
- Richard Luhrs
- Jared Mathis
- David Morris
- Michelle Reid
- Dolores Shannon
- Rev David Trexler
- 

Against:

- Brenda Costantino
- Jerry Holshouser
- Ronald Jacobs
- Richard Luhrs
- Jared Mathis
- David Morris
- Michelle Reid
- Dolores Shannon
- Rev David Trexler
-

MEMO

June 22, 2020

RE: Swimming Pool Fence Regulations

Narrative:

The Granite Quarry Uniform Development Ordinance (UDO) requires that all pools be enclosed by a fence at least four feet tall. Section 4.2.2.M specifically says, “*Swimming pools shall be enclosed with a fence of at least 4 feet in height*”, and that is all it says. We have cited several people with above ground swimming pools for not having a fence. Some argue that above ground pools with removable or securable ladders should be exempt as the pool itself serves as a barrier. This seems like a very logical argument.

Once pool owners accept that a fence must be installed (because that is the current language of the UDO) they ask detailed questions about what types of material are required, etc. As you can see, our current ordinance does not address those questions.

When considering a UDO text amendment we look at text from surrounding municipalities. During this research I found many were as simple as ours and others were very detailed, including other aspects of pool construction and operation. It turns out, however, that swimming pools are controlled by the State through the NC Building Code. Few people buying an above ground pool at Lowes or Walmart would stop to consider State Building Codes or even the need for a local permit much less something specific like the need for a fence. State Building Code addresses fencing and gates as follows:

#### **AV105.2 Outdoor Swimming Pool**

An outdoor swimming pool, including an in-ground, above-ground or on-ground pool, hot tub or spa shall be surrounded by a barrier which shall comply with the following:

1. The top of the barrier shall be at least 48 inches (1219 mm) above [grade](#) measured on the side of the barrier which faces away from the swimming pool. The maximum vertical clearance between [grade](#) and the bottom of the barrier shall be 2 inches (51 mm) or 4 inches (102 mm) where [concrete](#) or fixed [solid](#) material is used measured on the side of the barrier which faces away from the swimming pool. Where the top of the pool structure is above [grade](#), such as an above-ground pool, the barrier may be at ground level, such as the pool structure, or mounted on top of the pool structure. Where the barrier is mounted on top of the pool structure, the maximum vertical clearance between the top of the pool structure and the bottom of the barrier shall be 4 inches (102 mm).
2. Access gates shall comply with the requirements of Section AV105.2, Items 1 through 7, and shall be equipped to accommodate a locking device. Pedestrian access gates shall open outward away from the pool and shall be self-closing and have a self-latching device. Gates other than pedestrian access gates shall have a self-latching device. Where the release mechanism of the self-latching device is located less than 54 inches (1372 mm) from the bottom of the gate, the release mechanism and openings shall comply with the following:

- A. The release mechanism shall be located on the pool side of the gate at least 3 inches (76 mm) below the top of the gate; and
- B. The gate and barrier shall have no opening larger than 1/2 inch (12.7 mm) within 18 inches (457 mm) of the release mechanism.

Without going too far into unneeded operational detail, I would like to revise the current UDO language as follows:

Section 4.2.2

- M. All outdoor swimming pools, including in-ground, above-ground or on-ground pools, hot tubs or spas shall be surrounded by an enclosure which shall comply with the following:
  - (1) The purpose of the enclosure is to prevent unauthorized access by children and pets so as to prevent accidents such as drowning.
  - (2) The top of the barrier or fence shall be at least 48 inches above the ground.
  - (3) The enclosure may include the use, in addition to fencing and/or walls, building structures such as the house, garage or outbuildings as long as the pool is completely enclosed and secured from unauthorized access.
  - (4) Fencing material shall have a minimum opening of four inches and shall not be more than two inches above the ground.
  - (5) Fencing material shall be of a durable material usually used for fencing, and shall be installed in a way as to be strong enough to prevent access by children or pets. Materials and setbacks will be in compliance with Section 8.4.2 of the UDO.
  - (6) Access gates shall open outward, be designed for automatic closure and shall include child-proof latching devices on the inside of the gate.
  - (7) Pool and enclosure shall be installed and operated per NC Building Code Section AV105.2

**Agenda Item Summary**

Regular Monthly Meeting

July 13, 2020

Agenda Item 5

Summary

Current UDO and Code of Ordinances have sections concerning driveways, but the UDO spells out that, “These driveway requirements do not apply to single-family detached and two-family attached (duplex) residential uses.”

Since the UDO supersedes the Code of Ordinances when conflicting language exists, that statement applies to both documents. As such, we currently have no driveway regulations concerning single and two-family residential buildings.

The proposed text amendment fixes this problem and clarifies detailed information for all residential, commercial and industrial driveways.

Attachment

- PowerPoint Presentation
- Current Driveway Standards Memo
- Driveways Memo

Action Requested

***Motion to approve recommended text amendments to Board of Aldermen per staff recommendation with any revisions or additions as applicable.***

**Driveway Ordinance Revision**

Motion Made By:

\_\_\_\_\_

Second By:

\_\_\_\_\_

For:

- Brenda Costantino
- Jerry Holshouser
- Ronald Jacobs
- Richard Luhrs
- Jared Mathis
- David Morris
- Michelle Reid
- Dolores Shannon
- Rev David Trexler
- 

Against:

- Brenda Costantino
- Jerry Holshouser
- Ronald Jacobs
- Richard Luhrs
- Jared Mathis
- David Morris
- Michelle Reid
- Dolores Shannon
- Rev David Trexler
-

# Driveways

UDO Text Amendment

Section 9.6

Current UDO and Code of Ordinances have sections concerning driveways, but the UDO spells out that, ***“These driveway requirements do not apply to single-family detached and two-family attached (duplex) residential uses.”***

Since the UDO supersedes the Code of Ordinances when conflicting language exists, that statement applies to both documents. As such, we currently have no driveway regulations concerning single and two-family residential buildings.

The proposed text amendment fixes this problem and clarifies detailed information for all residential, commercial and industrial driveways.

Note:

The Town's control of driveways may include streets and road within our town limits and ETJ even when said roads are maintained and access is controlled by NCDOT

**160A-307. Curb cut regulations.**

A city may by ordinance regulate the size, location, direction of traffic flow, and manner of construction of driveway connections into any street or alley. The ordinance may require the construction or reimbursement of the cost of construction and public dedication of medians, acceleration and deceleration lanes, and traffic storage lanes for driveway connections into any street or alley if:

- (1) The need for such improvements is reasonably attributable to the traffic using the driveway; and
- (2) The improvements serve the traffic of the driveway.

No street or alley under the control of the Department of Transportation may be improved without the consent of the Department of Transportation. However, if there is a conflict between the written driveway regulations of the Department of Transportation and the related driveway improvements required by the city, the more stringent requirement shall apply. (1971, c. 698, s. 1; 1987, c. 747, s. 16.)

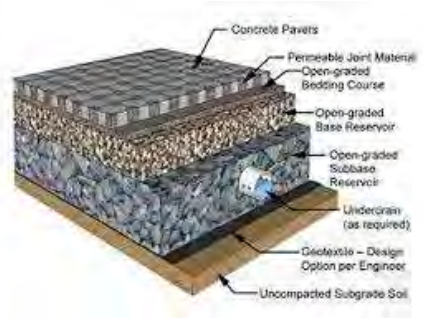
- I, the undersigned property owner, request access and permission to construct driveway(s) or street(s) on public right-of-way at the above location.
- I agree to construct and maintain driveway(s) or street entrance(s) in absolute conformance with the current "Policy on Street and Driveway Access to North Carolina Highways" as adopted by the North Carolina Department of Transportation.
- I agree that no signs or objects will be placed on or over the public right-of-way other than those approved by NCDO
- I agree that the driveway(s) or street(s) will be constructed as shown on the attached plans.
- I agree that that driveway(s) or street(s) as used in this agreement include any approach tapers, storage lanes or speed change lanes as deemed necessary.
- I agree that if any future improvements to the roadway become necessary, the portion of driveway(s) or street(s) located on public right-of-way will be considered the property of the North Carolina Department of Transportation, and I will not be entitled to reimbursement or have any claim for present expenditures for driveway or street construction.
- I agree that this permit becomes void if construction of driveway(s) or street(s) is not completed within the time specified by the "Policy on Street and Driveway Access to North Carolina Highways".
- I agree to pay a \$50 construction inspection fee. Make checks payable to NCDOT. This fee will be reimbursed if application is denied.
- I agree to construct and maintain the driveway(s) or street(s) in a safe manner so as not to interfere with or endanger the public travel.
- I agree to provide during and following construction proper signs, signal lights, flaggers and other warning devices for the protection of traffic in conformance with the current "Manual on Uniform Traffic Control Devices for Streets and Highways" and Amendments or Supplements thereto. Information as to the above rules and regulations may be obtained from the District Engineer.
- I agree to indemnify and save harmless the North Carolina Department of Transportation from all damages and claims for damage that may arise by reason of this construction.
- I agree that the North Carolina Department of Transportation will assume no responsibility for any damages that may be caused to such facilities, within the highway right-of-way limits, in carrying out its construction.
- I agree to provide a Performance and Indemnity Bond in the amount specified by the Division of Highways for any construction proposed on the State Highway system.
- The granting of this permit is subject to the regulatory powers of the NC Department of Transportation as provided by law and as set forth in the N.C. Policy on Driveways and shall not be construed as a contract access point.
- I agree that the entire cost of constructing and maintaining an approved private street or driveway access connection and conditions of this permit will be borne by the property owner, the applicant, and their grantees, successors, and assignees.
- **I AGREE TO NOTIFY THE DISTRICT ENGINEER WHEN THE PROPOSED WORK BEGINS AND WHEN IT IS COMPLETED.**

Items noted on NCDOT  
driveway permit  
application

The issues of concern in controlling driveways are:

1. Shall a driveway be allowed?
2. How wide the curb cut should be?
3. How many driveways are permitted?
4. What material can be used for the driveway and curb cut apron?
5. Where the driveway is located in relation to other things like road intersections, property lines, etc.
6. Technical details of driveway

In addition to concrete, asphalt and gravel, there are many other driveway paving materials

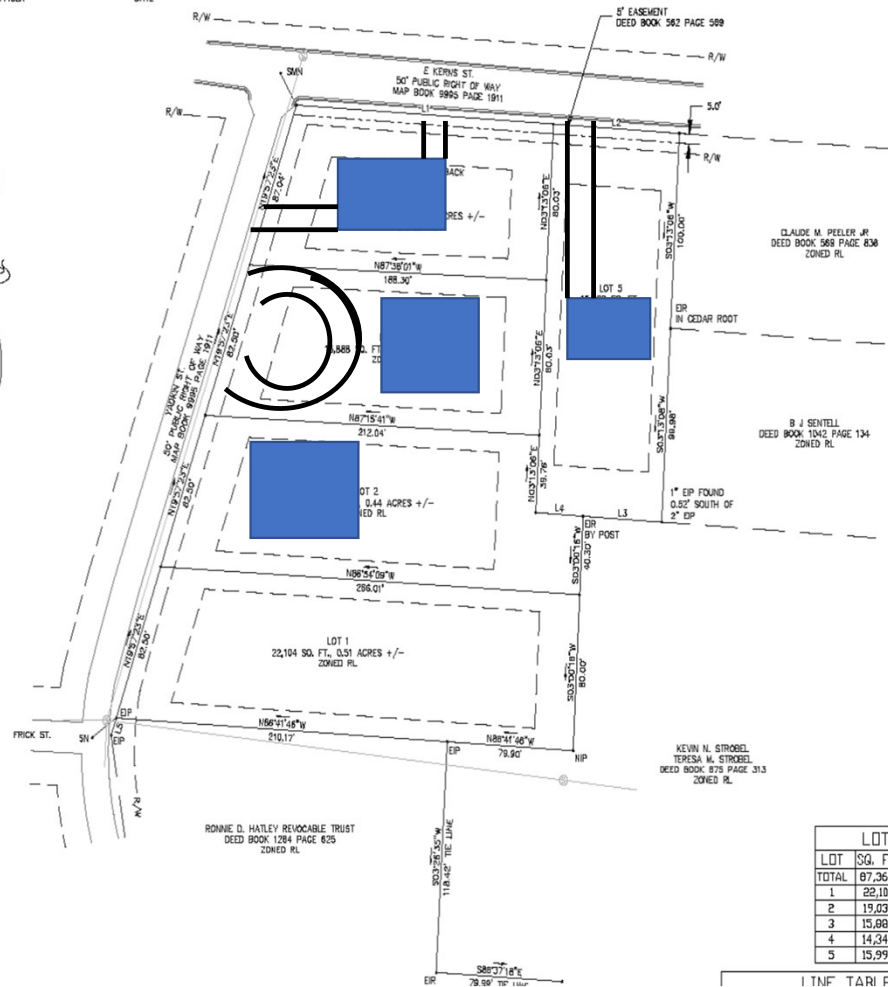


I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS OF THE TOWN OF GRANITE QUARRY AND THAT THIS PLAT IS APPROVED FOR RECORDING IN THE OFFICE OF THE REGISTER OF DEEDS OF ROWAN COUNTY.

SUBDIVISION ADMINISTRATOR \_\_\_\_\_ DATE \_\_\_\_\_

I, \_\_\_\_\_ REVIEW OFFICER OF ROWAN COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATE IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

REVIEW OFFICER \_\_\_\_\_ DATE \_\_\_\_\_



LOT DATA		
LOT	SG. FT.	ACRES +/-
TOTAL	87,364	2.01
1	22,104	0.51
2	19,038	0.44
3	15,088	0.36
4	14,342	0.33
5	15,992	0.37

1 TNF TARI F

Single driveways into garage, multiple driveways, driveways from two streets, circular driveways, no driveway at all! Lots of different options.



Concrete driveways in upscale development- design controlled by restrictive covenants



Concrete apron with gravel driveway  
in older neighborhood



Double-wide curb cut serving two driveways- one concrete, one gravel



Continuous curb cut in downtown area- must be fixed over time.



House in the woods almost burned down because firetrucks couldn't get close enough to house

Maintained at front but not at rear

Gravel driveway serving multiple homes

Text for revision is attached.

This will be first of several steps taken to have a comprehensive driveway ordinance that addresses most or all issues

Action requested:

- Suggest additional text revisions or additions
- Recommend adoption to Board of Aldermen

MEMO

Date: 01/28/2020

RE: Current Driveway Standards

In Uniform Development Ordinance:

### **Section 9.1 Parking General Provisions**

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The purpose of this section is to ensure that adequate and well-designed parking is provided for developments in the Town of Granite Quarry. The following are general requirements for all new developments **except single-family detached residential and two-family attached residential (duplexes)**. The expansion of existing development shall follow these requirements to the greatest extent possible.

### **Section 9.6 Driveways**

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**These driveway requirements do not apply to single-family detached and two-family attached (duplex) residential uses.**

- A. Driveways shall be not less than 10 feet in width for one-way traffic and 18 feet in width for two-way traffic.
- B. Twelve (12) foot wide driveways are permissible for two-way traffic when:
  - The driveway is not longer than 50 feet; and
  - The driveway provides access to not more than five (5) parking spaces; and
  - Sufficient turning space and stacking area is provided so that vehicles need not back into a public street.
- C. In no case shall a driveway width exceed 36 feet, except as required by NCDOT.
- D. Driveways shall be as nearly perpendicular to the street right-of-way as possible.
- E. Driveways shall line up with other driveways across the street and be shared between adjacent uses wherever possible.
- F. No driveway on a thoroughfare shall be less than 300 ft from an existing driveway, unless a shared driveway arrangement is not feasible, or other similar hardships as determined by the Technical Review Committee.

#### ***10.1.9.4 Driveways***

The number of street and driveway connections permitted serving a single property frontage or commercial development shall be the minimum deemed necessary by the Town or NCDOT for reasonable service to the property without undue impairment of safety, convenience, and utility of the roadway. Normally, not more than two (2) driveways shall be permitted for any single property frontage. The arrangement of driveways should be related to adjacent driveways and nearby street intersections and meet the following criteria:

1. Commercial drives leading to a site in the Commercial or Industrial districts must include vertical curb and gutter as stated in 10.1.5.
2. Residential drives shall be located a minimum of 10 feet from the point of tangency of curb radii of street intersections.
3. Driveways serving streets with traffic volumes in excess of 300 ADT or accessing thoroughfares shall be located a minimum of 250 feet from the point of tangency of the radius of curvature of the intersecting street.
4. Where two (2) driveways are proposed along a single property frontage to facilitate operations, the minimum distance between the centerlines of the drives shall be 200 feet.
5. The minimum distance between the centerlines of driveways into shopping centers or facilities generating in excess of 300 ADT shall be a minimum of 400 feet.
6. Full access driveways open to signalization should be 1000 feet apart. Driveways which access thoroughfares and serve more than 1500 ADT shall provide deceleration lanes in approach to the driveway.

In Code of Ordinances:

#### **Sec. 15-51. Construction specifications.**

The construction of driveways shall be according to town specifications.

#### **Sec. 15-52. Permit required.**

It shall be unlawful for any person to break out any street curb for the purpose of constructing a driveway entrance, or to construct any driveway across the grass plot or sidewalk, without first obtaining a written permit from the public works department.

#### **Sec. 15-53. Supervision of work.**

Any and all work performed under the provisions of this article shall be done under the supervision of the public works department.

#### **Sec. 15-54. Paving generally.**

All driveway entrances constructed or reconstructed upon the street rights-of-way of the town shall be paved in the manner described in this article.

**Sec. 15-55. Proximity to intersections, hydrants, etc.**

No driveway entrance shall be permitted to intersect the radius of any street corner or be so located that it interferes with intersection sidewalks (or no closer than twenty-five (25) feet to the intersection of right-of-way line, whichever is greater), traffic signals, lamp standards, fire hydrants or other public improvements unless specific approval is obtained from the public works department and necessary adjustments to public improvements or installations are accomplished without cost to the town, and in accordance with section 15-58(g).

**Sec. 15-56. Minimum size of serviced area.**

The area to which a driveway provides access shall be sufficiently large to store vehicles using the driveway completely off the right-of-way and shall be of sufficient size to allow the functions related thereto to be carried out completely on the private property.

**Sec. 15-57. Side clearance.**

All portions of the driveway including the returns shall be between the property lines of the property served, and shall not encroach on adjoining properties. (Rev. 8-7-2006)

**Sec. 15-58. Number, width of openings.**

- (a) Residential generally. The width of residential driveway entrances shall be limited to twenty (20) feet each as measured along the curblines with not more than two (2) such entrances to the same property. When two entrances are constructed to serve the same residence, there shall be a minimum distance of twenty-five (25) feet of curb allowed to remain between the driveway entrances measured along the curblines.
- (b) Duplex (two-family). The width of a driveway entrance shall be limited to twenty (20) feet each as measured along the curblines when two entrances are made to the same property, provided there shall be a minimum distance of twenty-five (25) feet of curblines allowed to remain between the driveways. The width of a single driveway entrance to serve a duplex shall be limited to twenty-four (24) feet. There shall be no more than two (2) entrances to the same property.
- (c) Multifamily. When driveway entrances are constructed to serve apartment houses, such entrances may be twenty-four (24) feet in width measured at the curblines with not more than two such entrances to the same property from the same street. When two driveway entrances are constructed, there shall be at least twenty-five (25) feet between driveway entrances measured at the curblines.
- (d) Joint driveways. The width of a joint driveway, as may be authorized by the zoning department, serving two adjacent pieces of property shall be limited to twenty-four (24) feet along the curblines, provided no other means of driveway access is reasonably available and the permit for such driveway is signed by the then owner(s) of the adjacent property. There shall be no more than one (1) joint driveway for each two (2) adjacent pieces of general residential property and no more than two (2) joint driveways for each two (2) adjacent pieces of duplex or multifamily residential property.
- (e) Business. Driveway entrances and exits, either or both, constructed to serve business property shall not exceed thirty-five (35) feet in width and not more than two (2) such curb openings shall be permitted from

the same street to serve any business or combined group of businesses such as shopping centers. When two (2) openings are constructed, there shall be a minimum distance of five (5) feet of curb allowed to remain between the driveway entrances.

- (f) Industrial. Curb openings made to provide entrances or exits to industrial plants may be fifty (50) feet in width with not more than one such entrance to the same property; except, that the zoning department may approve, without the concurrence of the Board of Aldermen, a second entrance when it deems such is in the public interest to facilitate ingress and egress to the property. When two (2) or more such industrial driveway entrances are constructed, there shall be a minimum of fifty (50) feet between such entrances as measured at the curblines.
- (g) Corner lots. Property having frontage on two intersecting streets within one hundred (100) feet of the intersection of such streets shall have access only from the minor or less intensively used street except as may be authorized under section 15-69, and in accordance with section 15-55.

**Sec. 15-59. Relocation, alteration or driveway approaches-Permit required; limitation.**

Existing driveway approaches shall not be relocated, altered or reconstructed without a permit approving such relocation, alteration or reconstruction. Such driveway approaches when so relocated, altered or reconstructed shall be subject to the limitations set forth in sections 15-59 through 15-62.

**Sec. 15-60. Same-Replacement of curbs.**

When the use of any driveway approach is changed making any portion or all of any driveway approach unnecessary in the opinion of the zoning department, the owner of the abutting property shall, at his own expense, replace all necessary curbs, gutters and sidewalks within sixty (60) days after written notice from the zoning officer.

**Sec. 15-61. Same-Reconstruction by abutting property owner.**

When an existing building or structure is served by a driveway approach (not conforming to the provisions of this article) which is demolished, repaired or altered, the owner of the abutting property shall, at his/her own expense, reconstruct the driveway approach so as to conform to the provisions of sections 15-59 through 15-62.

**Sec. 15-62. Driveway approaches; conformance to town standards.**

All work done in the construction of driveway approaches shall conform to town standards for concrete sidewalk and driveway approaches as established in this chapter or by the zoning department. The maintenance department will inspect all such work.

**Sec. 15-63. Thickness of pavements.**

The thickness of pavement shall not be less than six (6) inches including a top surface of not less than one inch of asphaltic concrete and the stone base.

**Sec. 15-64. Replacement of existing sidewalks.**

When any driveway entrance is constructed or reconstructed, any existing four (4) inch sidewalk shall be replaced with concrete specifications of 3,000 PSI or of not less than six (6) inches in thickness where the driveway crosses the sidewalk. The pedestrian walk shall be indicated by false cracks or lines in the pavement. The newly constructed section of sidewalk shall be at an elevation or grade approved by the maintenance department.

**Sec. 15-65. Materials for construction of residential driveways.**

Paving materials used shall be of cement with specifications of 3,000 PSI or asphaltic concrete with a thickness of at least six (6) inches.

**Sec. 15-66. Property owner's responsibility for maintenance and repairs.**

Responsibility for maintenance and repairs to new and existing driveway entrances or exits shall rest with the property owner. Upon receipt of a notice to repair damaged pavement, the property owner shall make the necessary repairs within sixty (60) days in accordance with the requirements set forth in this article. If the required repairs and/or maintenance are not completed within the time specified, the maintenance department will complete the necessary repairs and/or maintenance and the owner will be responsible for reimbursing the town. Failure to do so within the specified time will result in a lien being placed upon the property.

**Sec. 15-67. Driveways from state highway streets.**

Where the property is to be served by a driveway opening into a state highway street, a permit as required by the State Highway Commission Manual on Driveway Entrance Regulations shall be first submitted to the planning department for its review and approval. The requirements of this article or those of the Manual on Driveway Entrance Regulations, whichever is greater, shall be the minimum standards for development.

**Sec. 15-68. Responsibility for damages; use of barricades, lights.**

The property owner shall be responsible for removing all debris and surplus materials upon completion of the work and shall maintain the premises in a safe manner, providing adequate barricades and lights at his/her own expense to protect the safety of the public using adjacent street or sidewalks and shall hold the town free and harmless from all damages for any liability incurred.

MEMO

Date: March 16, 2020

RE: Driveways

Narrative:

Both Section 10.1.9.4 of the Uniform Development Ordinance (UDO) and Chapter 15, Article II of the Town's Code of Ordinances reference driveway regulations. As there is some language in each that is not in the other and as some requirements are contradictory, we are suggesting a completely new rewrite of the UDO section and a deletion of all driveway regulations currently included in the Code of Ordinances, specifically Section 10.1.9.4 in the UDO will be completely rewritten and Article II of Chapter 15 in the Code of Ordinances will be deleted. This new section will be used in the Town's codification project underway at this time.

Some of the confusion and contradiction comes from mixing the requirements for commercial and residential driveways and with little thought given to driveways included as a new structure is built versus those added after-the-fact. Our rewrite will breakout the requirements into several subsections to address differences and avoid confusion.

Suggested text amendment:

#### 10.1.9.4 Driveways

##### A. General

- a. It shall be unlawful for any person to break out or cut any street curb for the purpose of constructing a driveway entrance to any property or to construct any driveway across the grass planting strip or sidewalk where curbs do not exist without first obtaining a permit from the Town's Planning Department. A separate permit will not be required where driveway curb cuts are built as a part of a new or reconstructed street.
- b. Plans for curb cuts for new driveways including approach aprons, sidewalks, driveways and parking areas will be approved by the Town's Maintenance Director who will also inspect the final installation.
- c. No driveway shall be permitted to be closer than 5 feet to an adjacent property line. No driveway for a corner lot shall be permitted within 15 feet of the intersecting right-of-way lines.
- d. No driveway shall be permitted so to interfere with a sidewalk intersection, traffic signal, street light standard or support, fire hydrant or water meter.
- e. Driveways shall be constructed so as to prevent stormwater from flowing down the driveway. This shall be accomplished by sloping the approach apron (entrance) or driveway itself up from its connection to the road surface, maintaining a valley at the road connection point.
- f. Drainage ditches along roads will be piped under the driveway with a concrete pipe of adequate size to carry the water flow as determined by the Town's Maintenance Director but not less than 15 inches in diameter. Pipe should be

installed as per NCDOT standards and approved by the Town's Maintenance Director.

- g. Driveways connecting to State maintained roads shall be permitted by NCDOT and installed per their standards.
  - h. Street pavement, curb and gutters, and sidewalks disturbed during the installation of driveways shall be repaired to like-new condition by the contractor or property owner.
  - i. Driveway approach apron shall be constructed of poured concrete at least 6 inches thick on a stone base and at least 24 inches wide or wide enough to connect to new or existing sidewalks. When connected to an existing 4-inch thick sidewalk, that sidewalk shall be replaced with a new 6-inch thick, 3,000 PSI concrete sidewalk at least 5 feet wide (or wider if needed to match existing sidewalks).
  - j. When a driveway is relocated on a property, the unused portion of the existing curb cut will be replaced by the property owner. When an existing curb cut or driveway entrance is altered or repaired, it shall be made to conform to all dimensional requirements of this section.
  - k. Maintenance responsibility for all driveways including associated curb cuts, sidewalks and driveways will rest with the property owner. After notification, if not repaired within 60 days the Town will undertake needed repairs and bill the property owner for this work. If not paid, the Town will use all legal means to collect the outstanding bill including filling a lien on the property.
- B. Residential Driveways
- a. Driveways shall be no less than 12 feet wide and no greater than 20 feet wide.
  - b. Residential properties shall have no more than two driveway entrances on one street. Corner lots may have 2 driveway entrances on one street and an additional one on the other street.
  - c. Driveway material shall be a minimum of:
    - i. 4-inch thick 3,000 psi poured concrete over a compacted stone base or,
    - ii. Pressure compacted 4-inch thick asphalt over a compacted stone base or,
    - iii. Brick pavers over sand on a compacted soil base or,
    - iv. Pervious tiles installed per manufacturer's directions or,
    - v. Decorative rock laid over compacted stone base or,
    - vi. Other paving materials as might be approved by the Town's Maintenance Director
  - d. Driveway shall be installed per industry standards and manufacturer's instructions. Settable materials such as concrete shall be installed using removable forms (excavated dirt edge shall not be used as the form) and after forms are removed, dirt backfill shall be used to bring the adjacent lawn area up to the driveway top elevation. Non-settable materials shall be installed with an edging material (landscape timbers, metal edging, poured concrete edging, etc.) to prevent future erosion of the paving material.
- C. Commercial Driveways
- a. Commercial driveways shall be no less than 25 feet wide and no greater than 35 feet wide. Wider driveways may be approved during the site plan review process.
  - b. Commercial properties shall have no more than two driveway entrances on each street. Corner lots may have 2 driveway entrances on each street.

- c. Driveway material shall be a minimum of:
    - i. 4-inch thick 3,000 psi poured concrete over a compacted stone base or,
    - ii. Pressure compacted 4-inch thick asphalt over a compacted stone base or,
    - iii. Other paving materials as might be approved by the Town's Maintenance Director
    - iv. Maintenance Director may require thicker pavement if high truck traffic volume is expected.
  - d. Driveway shall be installed per industry standards and manufacturer's instructions.
- D. Industrial Driveways
- a. Driveways shall be no less than 35 feet wide and no greater than 50 feet wide. Wider driveways may be approved during the site plan review process.
  - b. Industrial properties shall have no more than two driveway entrances on one street.
  - c. Driveway material shall be a minimum of:
    - i. 6-inch thick 3,000 psi poured concrete over a compacted stone base or,
    - ii. Other paving materials as might be approved by the Town's Maintenance Director
    - iii. Maintenance Director may require thicker pavement if high truck traffic volume is expected.
  - d. Driveway shall be installed per industry standards and manufacturer's instructions.
- E. Variances
- a. Dimensional requirements of this section can be altered by the issuance of a variance by the Town's Board of Adjustment when their strict enforcement would cause undue hardship on the property owner or make the intended use of the property impossible. Variances may not be issued merely as a matter of cost savings.