



Town of Jamestown
Planning Board

Welcome to the Town of Jamestown Planning Board meeting. We appreciate your interest and we encourage public participation in our meeting. Your comments are important to our decision making process. Please note that there will be opportunities during the meeting for you to address the Board members. The first opportunity will come if there is a public hearing on the agenda, when the Chair declares the hearing open for comment. The second opportunity to address the Board will come near the end of the agenda when the Chair will inquire if anyone wishes to address the members of the Board. Anyone addressing the Board will approach the podium; give your first and last name and your complete physical address. Comments may be limited to three minutes.

TO: Planning Board Members

FROM: Matthew Johnson, AICP - Director of Planning

RE: **Special Called Meeting**
Monday, September 20, 2021 – 6:00PM
Jamestown Town Hall, Civic Center

Items on the agenda:

1. Call to Order – Sarah Glanville, Chair of the Planning Board
2. Roll Call – Matthew Johnson, Assistant Town Manager/Director of Planning
3. Approval of minutes from the November 9, 2020, and November 23, 2020, meetings – Sarah Glanville, Chair of the Planning Board
4. Public Hearings:
*Procedure: Staff will present the case to the Board. The Chair will open the public hearing and request to hear from both those in favor and those opposed. If you wish to address the Board during the public hearing, please come to the podium and state your name and address for the record. Speakers may have up to 3 minutes to address the Board. Please note, this is not a time for dialogue or discussion and the Board may or may not engage with you at this time, even if direct questions are asked. **Once the public hearing is closed, no one may speak on the issue unless specifically requested by the Board Chair.***
 - A. Request for recommendation regarding the adoption of the 2021 Comprehensive Plan – Matthew Johnson, Asst. Town Manager/Planning Director
 - a. Vote on recommendation to Town Council – Sarah Glanville, Chair of the Planning Board
 - b. Adoption of the Statement of Consistency – Sarah Glanville, Chair of the Planning Board
 - B. Request for recommendation regarding several updates to the Land Development Ordinance – Anna Hawryluk, Town Planner
 - a. Vote on recommendation to Town Council – Sarah Glanville, Chair of the Planning Board

- b. Adoption of the Statement of Consistency – Sarah Glanville, Chair of the Planning Board
5. Consideration of updates to the Planning Board Rules of Procedure – Matthew Johnson, Asst. Town Manager/Planning Director
6. Consideration of date for next regularly scheduled meeting - Matthew Johnson, Asst. Town Manager/Planning Director
7. Public Comment Period: (Limited to a total of 30 minutes)
*Procedure: The Board Chair will ask the Town Clerk if anyone has signed up to speak to the Board. **It is advisable that if you wish to address the Board that you see the Town Clerk prior to the start of the meeting.** Once you have been recognized by the Chair, please come to the podium and state your name and address for the record. Speakers may have up to 3 minutes to address the Board. Please note, this is not a time for dialogue or discussion and the Board may or may not engage with you, even if direct questions are asked.*
8. Adjourn
9. Next regularly scheduled meeting - TBD

Due to COVID-19, restrictions on public entry to Town Hall will be observed. It is advisable that you contact the Town Clerk at 336-454-1138 before 12 noon on the date of the meeting to place your name on the list of speakers. Masks are required to be worn at all times upon entry to Town Hall.

Anyone entering Town Hall must agree to have their temperature taken by a contactless thermometer and are required to wear a face covering.

The meeting will be broadcast live on the Town’s YouTube channel at:

<https://www.youtube.com/townofjamestownnc>

Click “Subscribe” and tap the “bell” icon to be notified when we go live.

WORKING AGENDA

Items on the agenda:

1. CALL TO ORDER – Sarah Glanville, Chair of the Planning Board

- i. Welcome to the **September 20, 2021, Planning Board meeting**. In order to allow all attendees to be able to hear Board business, I would ask that at this time, members of the board and the audience please set your cell phones to “SILENT”. As a reminder, there are generally two opportunities for the public to address the Board. One will be during the “PUBLIC COMMENT” portion of the agenda. Speakers during that portion of the meeting will be limited to 3 minutes per speaker and were requested to sign up to speak with the Town Clerk. The other opportunity will be during any “PUBLIC HEARING”, when instructed by the Chair to do so. Speakers in a “PUBLIC HEARING” will be asked to keep their comments brief and must speak to the topic being considered. Thank you.

2. ROLL CALL

	Present	Absent
Sarah Glanville	<input type="checkbox"/>	<input type="checkbox"/>
Dennis Sholl	<input type="checkbox"/>	<input type="checkbox"/>
VACANT	<input type="checkbox"/>	<input type="checkbox"/>
Ed Stafford	<input type="checkbox"/>	<input type="checkbox"/>
Russ Walker	<input type="checkbox"/>	<input type="checkbox"/>
Donald Dale, ETJ	<input type="checkbox"/>	<input type="checkbox"/>
Robert Coon, ETJ	<input type="checkbox"/>	<input type="checkbox"/>
Cara Arena, ETJ	<input type="checkbox"/>	<input type="checkbox"/>
Sherrie Richmond, ETJ	<input type="checkbox"/>	<input type="checkbox"/>
Rebecca Rayborn, Council Rep.	<input type="checkbox"/>	<input type="checkbox"/>

3. Approval of minutes from the November 9, 2020, and November 23, 2020, meetings – Sarah Glanville, Chair of the Planning Board

- a. **Request from Staff: Staff requests approval of minutes from the Nov. 9, 2020, and Nov. 23, 2020, meeting as presented.**
 - i. Motion:
 - ii. Second:
 - iii. VOTE:

4. Public Hearings

A. Request for recommendation regarding the adoption of the 2021 Comprehensive Plan – Matthew Johnson, Asst. Town Manager/Planning Director

- a. Vote on recommendation to Town Council –Sarah Glanville, Chair of the Planning Board
 - i. Motion:
 - ii. Second:
 - iii. VOTE:
- b. Adoption of the Statement of Consistency –Sarah Glanville, Chair of the Planning Board
 - i. Motion:
 - ii. Second:
 - iii. VOTE:

B. Request for recommendation regarding several updates to the Land Development Ordinance – Anna Hawryluk, Town Planner

- a. Vote on recommendation to Town Council –Sarah Glanville, Chair of the Planning Board
 - i. Motion:
 - ii. Second:
 - iii. VOTE:
- b. Adoption of the Statement of Consistency –Sarah Glanville, Chair of the Planning Board
 - i. Motion:
 - ii. Second:
 - iii. VOTE:

5. Consideration of updates to the Planning Board Rules of Procedure – Matthew Johnson, Asst. Town Manager/Planning Director

6. Consideration of date for next regularly scheduled meeting - Matthew Johnson, Asst. Town Manager/Planning Director

7. Public Comment (LIMITED TO A TOTAL OF 30 MINUTES)

- a. *Reminder from Board Chair to audience: The Board Chair will ask the Town Clerk if anyone has signed up to speak to the Board. It is advisable that if you wish to address the Board that you see the Town Clerk prior to the start of the meeting. Once you have been recognized by the Chair, please come to the podium and state your name and address for the record. Speakers may have up to 3 minutes to address the Board.*

Please note, this is not a time for dialogue or discussion and the Board may or may not engage with you, even if direct questions are asked.

8. Adjourn

- a. Motion to adjourn:
- b. Second:
- c. VOTE:

9. Next regularly scheduled meeting - TBD

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**Planning Board Regular Meeting
November 9, 2020
6:00 pm in the Civic Center
Minutes & General Account**

Planning Board Members Present: Sarah Glanville, Chair; Ed Stafford, Vice Chair; Dennis Sholl, Eddie Oakley, Russ Walker, Richard Newbill (ETJ), Steve Monroe (ETJ), Cara Arena (ETJ), & Sherrie Richmond (ETJ)

Council Member Representative: Rebecca Mann Rayborn

Staff Present: Kenny Cole, Matthew Johnson, & Katie Weiner

Visitors Present: Bob Uber, Victor Jones, Jerry Fuqua, Laura Kathryn Fuqua, Matt McCarthy, James Walsh, Fran McCarthy, Janina Austin, Katie Gumerson, Chris Wheat, Amanda Hoderne, Zack Tran, Hal Kern, Robbie Perkins, Jeff Hohanadel, Brandon Horne, Jim Chandler, & Neal Beasley

Call to Order- Glanville called the meeting to order.

Roll Call- Johnson took roll call as follows:

Sarah Glanville- Present
Dennis Sholl- Present
Eddie Oakley- Present
Ed Stafford- Present
Russ Walker- Present
Richard Newbill- Present
Steve Monroe- Present
Cara Arena- Present
Sherrie Richmond- Present

Rebecca Mann Rayborn- Present

Public Hearing for Rezoning Request for the following parcels: 2221 Guilford College Road, 5300 Mackay Road, 2207 Guilford College Road, and 5303 Mackay Road from AG (Agricultural) to PUD (Planned Unit Development) - Glanville opened the public hearing to anyone that would like to speak regarding the rezoning request.

- Bob Uber, 1500 Bridges Drive, High Point- Uber stated that he was the founder and president of the Heroes Center. He said that their mission was to help veterans transition to civilian life after their service. He highlighted the importance of housing options for veterans. Uber stated that Diamondback had offered to donate fifteen to twenty homes specifically to Wounded Warriors which would be wheelchair accessible. He said that the homes would provide a wonderful opportunity for veterans in the area.
- Victor Jones, 2512 Burch Point, High Point- Jones stated that he had lived in Jamestown in the past. He added that he currently lived in High Point and served on their City Council. Jones said that he was also the Board Chair of the Heroes Center. He said that his goal was to convey how

significant a housing donation could be for the veterans in North Carolina. He spoke about his own return to civilian life after active duty and the struggles he faced. Jones stated that the developer had reached out to him and verbalized that he wanted to help veterans in the area. He encouraged the Planning Board to consider the positive impacts the project could have on the Town's economic development and also the veteran population.

- Jerry Fuqua, 5715 Roundtable Road- Fuqua stated that he had previously worked for the Guilford County School system. He said that he was concerned about the proposed density for the Castleton Village project and the negative impact it would have on the schools in the area. He added that some of the amenities that were included in the initial plan had been taken off the table. Fuqua stated that he did not oppose progress, but he wanted the property to be developed in a very conscientious way.
- Laura Kathryn Fuqua, 101 Mendenhall Road- Fuqua thanked the Planning Board for volunteering their time to serve the Town. She stated that her biggest concern about the project was that the density was much too high. She highlighted that the schools in Guilford County were already overcrowded. She said that the lot sizes were smaller than those in Adams Farm. Fuqua was also concerned that the baseball fields were no longer included in the plan and that there was no land set aside for a new school. She added that development of the property was imminent, but that it could be done in a more measured way.
- Matt McCarthy, Vertical Church- McCarthy stated that he was a pastor at the Vertical Church. He added that he had attempted to move to Jamestown about five years ago, but could not find a home in the area. He said that he loved the area. McCarthy spoke about the mission of the Vertical Church. He said that Diamondback had offered to donate property to build an additional church. He encouraged the Planning Board to consider the potential positive impacts of the project.
- James Walsh, Vertical Church- Walsh said that he and his wife had tried to find a home in Jamestown when they relocated to the area eight years ago, but they were unsuccessful. He stated that Zach Tran had approached the Vertical Church members about the possibility of donating land for a new church. Walsh added that he believed that the Castleton Village development offered the Town of Jamestown new opportunities.
- Fran McCarthy, Vertical Church- McCarthy stated that he was an elder at the Vertical Church. He said that everyone involved with the church was very excited about the prospect of opening a new church. He spoke about the positive impacts that the members of the church wanted to make on the lives of those in the Jamestown community.
- Janina Austin, 403 Thornwood Road- Austin said that she was concerned about the high density of the development and the overcrowding of schools. She also stated that she did not believe that the development was what veterans needed to help their transition. She was frustrated that the meeting was held in person.
- Katie Gumerson, 4648 Jamesford Drive- Gumerson spoke about a petition she had circulated that opposed the proposed development. She submitted the petition to the Town Clerk.

- Chris Wheat, 109 Daniel Paul Drive- Wheat said that he was a member of the Vertical Church. He added that he had also been a counselor and special education teacher at Jamestown Middle School for nine years. He said that everyone that attended the church was very excited that there could be a new church in Jamestown.

Glanville asked if there was anyone else that would like to speak. There was no one. Glanville closed the public hearing and called the applicant forward to address the Board.

Amanda Hodierne came forward and introduced the Diamondback team members to the Planning Board.

Hodierne spoke about the importance of the Comprehensive Plan and explained its purpose in regard to planning for the future. She stated that it was intended to be used as a tool to guide difficult decisions and rezoning requests. Hodierne spoke about the legal history of the use of Comp Plans in rezoning decisions. She gave examples of aspects of the Castleton Village Development which she believed were aligned with the Comp Plan.

Hodierne thanked the Planning Board for all the work they had done throughout their consideration of the proposal. She also listed the ways that the Master Site Plan had changed as a result of the feedback that was given to the development team. She noted that the development team was also going to take their arborist's recommendation into consideration in order to save as many heritage trees on the property as possible. She continued to list the ways that the plan had changed over the course of the consideration of the proposal. Hodierne noted the aspects of the plan that had not changed and explained why the developer had not met those requests.

Hodierne stated that the development team did believe that the Master Site Plan was consistent with the Comp Plan. She added that they also felt it achieved the future land use designations. She listed specific goals and policies that she believed were aligned with the development. She said that the rest of the team was willing to answer any questions that the Board may have.

Jeff Hochanadel came forward. He stated that he was the traffic engineer on the project. He said that his office was located at 5410 Trinity Road Suite 102 in Raleigh. He stated that one of his employees had conducted a traffic study for the proposed project. He gave an overview of the findings. He added that NCDOT had reviewed the study and had given them some recommendations. He explained the changes that NCDOT had requested. Hochanadel asked the Board if they had any questions.

Sholl asked Hochanadel if the study had been conducted before or during the Coronavirus pandemic because that would have an impact on traffic. Hochanadel said that the study had been conducted before Covid.

The Planning Board Members continued to discuss the details of the traffic study with Hochanadel. Several Members asked him about the turn lanes on Guilford College Road. He gave an overview of where the turn lanes would be located.

Glanville thanked Hochanadel for answering the Board's questions.

Robbie Perkins came forward. He stated that he worked for NAI Piedmont Triad which was a commercial real estate firm. He added that the address for his office was 348 North Elm Street in Greensboro. He

said that he was there to discuss the real estate market for the proposed development. Perkins spoke about the high demand for housing in the region. He added that it was currently a seller's market which meant that there were more people looking to buy homes than were actually available to be bought. He noted that homes were selling within about two months once they had been placed on the market. He highlighted the high demand for homes in Jamestown. He added that the economic viability of the project was strong.

Planning Board Members discussed the details of the real estate statistics with Perkins.

Neal Beasley, arborist for Castleton Village, came forward. He stated that he was a certified arborist and spoke about his credentials. He added that the purpose of his report was to gain an understanding of the trees that were on the property and use that knowledge to determine how the land should be developed. He presented an overview of his report and aerial maps of the Johnson property that highlighted the location of specific heritage trees. He also noted other important environmental features on the property that would impact the development. Beasley added that he would recommend that the large trees be preserved if possible. He briefly spoke about tree conservation areas and prevention of forest fragmentation.

Planning Board Members spoke with Beasley about the specific types of trees and vegetation located on the property.

Glanville called for a ten minute recess at 8:20 pm.

Glanville called the meeting back to order.

Hodierne came forward. She spoke about ways in which the developer had attempted to address school overcrowding and also noted their limitations in resolving that issue.

Hodierne stated that she was very appreciative of the work that the Planning Board had done in reviewing the rezoning request and for their recommendations on ways in which the developer could improve the plan. However, she said that she believed it was time for the request to be considered by the Town Council. She added that the developer had attempted to address all the requests that the Planning Board had made in a thoughtful way. She noted that the details of the plan would be further discussed during the next step of the review process by the Council.

Richmond stated that she was not satisfied with the level of quality of the development.

Walker said that he had not met a person that was in favor of the project. He added that he thought it was essential that the Planning Board had enough time to make a thoughtful decision about the request, and he was not ready to vote on the issue.

Newbill agreed that he was not ready to vote on the proposed development because he was not convinced that it was in the best interest of the community.

Glanville asked the Board Members if they had any specific direction that they could give to the developer that would allow them to improve the project. Nobody spoke.

Oakley thanked everyone that had worked on revising and redesigning the Castleton Village plan. However, he noted that he was shocked that the developer was still introducing new information to the Board about the plan so late in the process. He said that he was not satisfied with the quality of the development or the proposed density. He stated that he believed Jamestown deserved better.

Glanville said that she was not opposed to postponing the vote. However, she encouraged the Board to provide any new insight that they had to the developer so that those items could be addressed before the next meeting.

Hodierne requested a five minute recess.

Glanville called for a five minute recess.

Glanville called the meeting back to order.

Hodierne came forward and said that what she was hearing was that the Planning Board would be more comfortable with a single-family residential development. She added that she did not think it would be productive to continue to discuss the same details. She reiterated her request that the Planning Board vote on the project.

Glanville said that she did not believe that the Board was opposed to PUD. She added that the Board had put a lot of effort into the plan. She also noted that the developer had brought new information forward that night that they had not included in the proposal. Glanville added that the developer had submitted the updated plan a couple of days before the meeting which gave the Members very little time to review the documents. She noted that the Board should not be expected to vote on the project when the developer was still introducing new information.

Hodierne stated that she did not believe that it would be productive to continue to discuss the details of the project at the Planning Board level of the rezoning process.

Monroe spoke about the possibility that the project could potentially offer more affordable housing for residents in the area. He said that it was his understanding that there would be several different builders that would work with the developer to provide a variety of different types of homes. He added that he believed it was really important that working class people from all backgrounds had the opportunity to buy a home and live in Jamestown.

Stafford said that he was not offended by the work that the developer had done on the project. He stated that he was really in favor of a mixed use community, and he appreciated the historical touches that had been incorporated into the plan. Stafford noted that he understood that the developer had to be able to pay for the amenities that were offered. However, he was not sure that the Planning Board and the developer could come to a consensus on the proposal. He noted that he believed that the plan needed a little bit of tweaking.

Glanville said that she believed the Board could make a decision on the plan, but she did not think that the vote should happen that night.

There was a brief discussion about the upcoming 160D legislation changes between Johnson and the Planning Board Members. They discussed ways in which the new law may impact the rezoning process for the development.

Cole praised the Planning Board for all their hard work on the consideration of the project. He added that he thought the Planning Board was very close to being able to vote on the proposed development. He encouraged the Board to postpone their decision for a couple of weeks.

Stafford reiterated that some of the aspects of the plan were a direct result of the need for the developer to make a profit. He was concerned that the Town would lose a significant amount of control over the design of the development if the PUD were denied and the property was developed as single-family residential.

Several Planning Board Members stated that they were not against a PUD, but they were not satisfied with the current proposal for Castleton Village.

Monroe made a motion to continue the deliberation on the proposed rezoning to November 23rd at 6:00 pm in the Civic Center. Arena made a second to the motion. The motion passed by unanimous vote.

Public Comment Period- Nobody signed up.

Adjournment- Stafford made a motion to adjourn. Newbill made a second to the motion. The motion passed by unanimous vote.

The meeting ended at 9:42 pm.

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**Planning Board Meeting
November 23, 2020
Civic Center
Minutes & General Account**

Planning Board Members Present: Sarah Glanville, Chair; Ed Stafford, Vice Chair; Dennis Sholl, Eddie Oakley, Russ Walker, Richard Newbill, (ETJ), Steve Monroe (ETJ), and Sherrie Richmond (ETJ)

Planning Board Members Absent: Cara Arena (ETJ)

Council Member Representative: Rebecca Mann Rayborn

Staff Present: Matthew Johnson, Katie Weiner, & Kenneth Clouser (Audio and Visual Technician)

Visitors Present: Amanda Hodierne, Zach Tran, & Jane Walker Payne

Call to Order- Glanville called the meeting to order.

Roll Call- Johnson took roll call as follows:

Sarah Glanville- Present
Dennis Sholl- Present
Eddie Oakley- Present
Ed Stafford- Absent
Russ Walker- Present
Richard Newbill- Present
Steve Monroe- Present
Cara Arena- Absent
Sherrie Richmond- Present

Council Member Rayborn- Present

Public Hearing for Rezoning Request for the following parcels: 2221 Guilford College Road, 5300 Mackay Road, 2207 Guilford College Road, and 5303 Mackay Road from Ag (Agricultural) to PUD (Planned Unit Development) - Glanville stated that the public hearing for the rezoning request had been closed at the previous meeting. She added that the Board would deliberate and vote on their recommendation for the Town Council that night.

Stafford arrived at the meeting at 6:06 pm.

Oakley said that he was not in favor of approving the Castleton Village plan.

Newbill stated that he did not believe that it was a good fit for the Town of Jamestown.

Monroe said that he had given the plan great consideration. He added that Jamestown was his home and he was concerned about affordable housing. He stated that the median house price in the Triad was about \$276,000. Monroe said that he wanted working people to be able to afford to live in the Jamestown community. He also highlighted the need for diversity of housing. He noted that the

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proposed project would provide a variety of types of homes that would be available to people at an affordable price.

Stafford said that he really liked the planned unit development (PUD) concept. He noted that he thought that a mixed use plan would be appropriate for such a large piece of property. However, he believed that the lot sizes and the homes that were included in the most recent version of the plan were too small. He added that he liked the overall concept, but he thought that the proposed development was too dense. Stafford said that he did not disagree with Monroe, but he did not think that the quality of the homes were adequate for approval.

Glanville stated that she was also very concerned about affordable housing, but she was disappointed with the housing options included in the plan. She said that there was a way to integrate different types of homes at various price points within one development, and she was not satisfied with the Castleton Village proposal. Glanville said that she liked the idea of a planned unit development, but she did not think that the current plan was the right one for the Johnson property.

Walker agreed with Glanville. He stated that he liked the prospect of a PUD, but he did not think that the plan was sufficient. He added that he lived in a townhome community, but he did not like the townhome designs included in the plan. Walker said that he was not in favor of the proposal.

Richmond said that she was still very concerned about the potential impacts to the Guilford County school system.

Sholl stated that he was in favor of the idea of a PUD. He said that he also appreciated that the developer was willing to provide a large buffer between the development and the road. However, he said that the townhomes and the lots were too small. Sholl said that he was disappointed in the efforts made by the developer's arborist. He added that the proposal was not good enough.

Sholl made a motion to recommend the denial of the rezoning request to the Town Council. Richmond made a second to the motion.

Weiner took a roll call vote as follows:

Steve Monroe- Nay
Dennis Sholl- Aye
Russ Walker- Aye
Eddie Oakley- Aye
Ed Stafford- Aye
Richard Newbill- Aye
Sherrie Richmond- Aye

The motion passed with a 6 to 1 vote with Monroe voting in opposition.

Stafford made the following motion:

"I make a motion that the proposed zoning amendment be rejected based on the following:

1. The proposed zoning amendment is not consistent with the adopted comprehensive plan of the Town of Jamestown. The Planning Board further finds that the proposed zoning amendment is not consistent with the comprehensive plan because it is not in accord with the stated mission of preserving Jamestown's small-town character and historic resources, enhancing our quality of life, and maintaining our ability to provide adequate public services and infrastructure. Nor is it in line with the comprehensive land development plan growth management goal of building a balanced mixture of housing types to match a range of lifestyles and income levels or the community appearance goal of maintaining a strong sense of place by adding quality and value to our community character.

AND

2. The proposed zoning amendment is not reasonable. The Planning Board considers the proposed zoning amendment to be unreasonable because:
 - a. The report of the Town staff finding the proposed zoning amendment to be unreasonable is adopted by reference.
 - b. The Planning Board further finds that the proposed zoning amendment is unreasonable because the current proposal for the Planned Unit Development (PUD) zoning designation does not adequately address concerns and recommendations regarding unit density, population growth, infrastructural burden, and aesthetics do not contain a vibrant mixture of compatible uses and housing types.

AND

3. The proposed zoning amendment is not in the public interest. The Planning Board considers the proposed zoning amendment to be against the public interest because:
 - a. The report of the Town staff finding the proposed amendment to be against the public interest is adopted by reference.
 - b. The Board further finds that the proposed zoning amendment is against the public interest because it does not enhance Jamestown's small-town character and heritage, add value to existing neighborhoods, or specifically mitigate the impact of large population growth."

Walker made a second to the motion. The motion passed with a 6 to 1 vote with Monroe voting in opposition.

Adjournment-Oakley made a motion to adjourn. Newbill made a second to the motion. The motion passed by unanimous vote.

The meeting ended at 6:35 pm.



ENVISION *JAMESTOWN*
COMPREHENSIVE PLAN

**PLANNING BOARD DRAFT
SEPTEMBER 2021**



Town of Jamestown

North
Carolina

Comprehensive Plan

PLANNING BOARD DRAFT SEPTEMBER 2021

PREPARED BY
Benchmark Planning

SEPTEMBER 2021



ACKNOWLEDGMENTS

ENVISION JAMESTOWN STEERING COMMITTEE

Josh Apel

Denise Bowie

Pam Burgess

Steve Monroe, Planning Board

Eddie Oakley, Planning Board

Jane Payne, Planning Board

Cory Rayborn

Sherrie Richmond, Planning Board

Rich Salyards

Katherine Stamey Reese

Ed Stafford, Planning Board

Martha Stafford Wolfe, Council

TOWN COUNCIL

Lynn Montgomery, Mayor

Martha Stafford Wolfe, Mayor Pro Tem

John Capes

Rebecca Mann Rayborn

Lawrence Straughn

PLANNING AND ZONING DEPARTMENT

Matthew Johnson, AICP, Director

Anna Hawryluk, AICP, Town Planner



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INTRODUCTION



SECTION 1 INTRODUCTION

A comprehensive plan, generally known as a master plan or land use plan, is designed to guide all aspects of future growth and development in a community. The Envision Jamestown Comprehensive Plan provides a long-range strategic direction to elected officials, appointed boards, and staff as they develop and implement projects, programs, and policies to move the Town forward in the coming years.

PLAN PURPOSE

The Envision Jamestown Comprehensive Plan is the primary policy guide for future development, capital investments, and growth management decisions over the next decade. It sets forth the “blueprint” for the future of Jamestown, providing a clear vision and guiding principles. The Plan resulted from a nearly two-year long process guided by a commitment to public engagement; emphasizing the Town’s strong sense of community and its mission to provide a high quality of life for all residents.

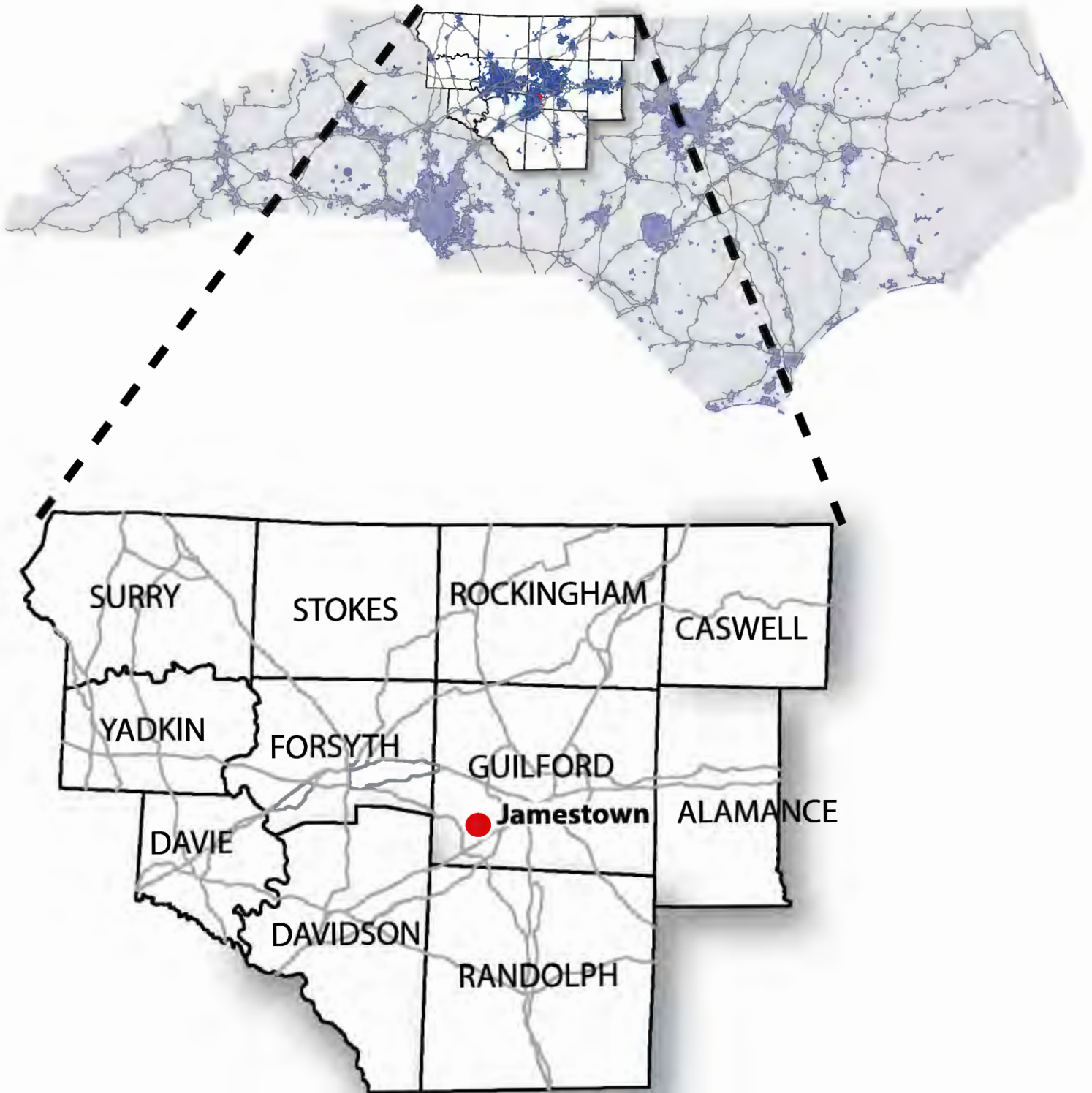
The Plan looks at development trends, existing plans, demographic and economic data, community perceptions, and the community’s vision; building upon existing assets and establishing a framework to move forward. The Plan is implemented over time through many decisions including annual budgeting, departmental work programs, zoning decisions, community investments, and development projects.

North Carolina law requires local governments which practice zoning to maintain a land use plan. The State also requires local governments that are considering a zoning map amendment to approve a statement describing whether its action is consistent with an adopted comprehensive plan and any other official plans as applicable (G.S. 160D-604/605).

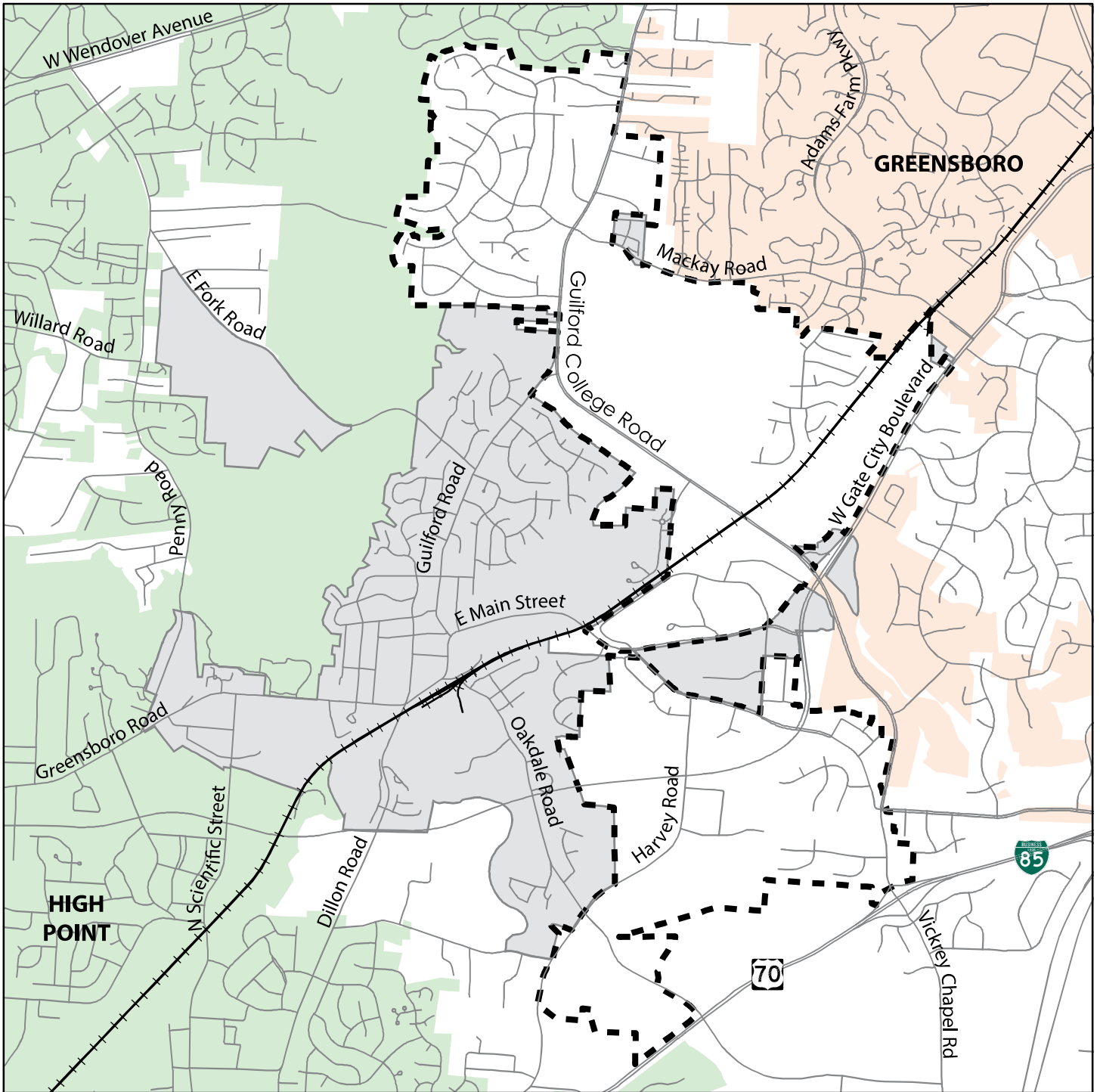
THE PLANNING AREA

Located in the heart of the Triad, Jamestown is a relatively small community within North Carolina’s third largest metro area, and is situated along a major corridor between two much larger municipal neighbors. The Envision Jamestown planning area includes the area within Jamestown’s corporate limits and extraterritorial zoning jurisdiction (ETJ). As shown in Map 2, Jamestown has immediate neighbors to the north, east and west, while annexation agreements with High Point further constrain the potential future extent of the Town to the south.

▼ Map 1 Regional Context



▼ Map 2 Envision Jamestown Planning Area



■ Jamestown

⋯ Jamestown ETJ

■ High Point

■ Greensboro

— Roads

⊥⊥⊥ Railroad



1 Mile

PLANNING PROCESS

The Envision Jamestown planning process began in January of 2020 and concluded with the adoption of the Comprehensive Plan by Town Council on <Date TBD>, 2021. The project was divided into a background research phase, plan development phase and a plan adoption phase. The process was guided by the Town's staff, the planning consultant, and a steering committee appointed by Town Council. As stated in the overview, public engagement was a focus of the process as summarized in the table below and in more detail on the pages that follow.

PLANNING STEPS	DATE
2020 MILESTONES	
Project Initiation	January 27
Listening Sessions	February 11 - 12
Steering Committee Meeting	February
Background Research	January - June
Steering Committee Meeting	April
Community Survey	April 15 - June 15
Steering Committee Meeting	June
Video Presentations Published	July
Envision Jamestown Public Meetings	August 11 - 13
Steering Committee Meeting	August
Jamestown Business Round-Tables	September 30
Downtown Walking Tours	October 3 - 6
Steering Committee Meeting	October
2021 MILESTONES	
Steering Committee (Vision and Principles)	February - March
Growth Management Workshop	May 1st and 4th
Steering Committee (Future Land Use)	June - July
Draft Plan Prepared	August
Steering Committee Plan Review	August - September
Public Review of Draft Plan	September - October
Planning Board Consideration	TBD
Town Council Adoption	TBD

STEERING COMMITTEE

The Town Council appointed a 12 member steering committee to provide guidance and oversight to Town staff and the planning consultant throughout the development of the Comprehensive Plan. The Steering Committee provided a representative sampling of the community, helping to ensure that the planning process and the resultant vision and guiding principles were grounded in the needs of the community, and thereby helping to ensure support for the various elements of the Plan as they were developed. Utilizing the Steering Committee led approach, regular meetings were held throughout the process with Town staff and the planning consultant providing information and resources to the committee along the way.

COMMUNITY ENGAGEMENT

At the beginning of the process, a public engagement plan was prepared to provide an outline of all aspects of public engagement throughout the process. In order to keep the community informed, engaged, and gather as much public input during the planning process as possible, the public engagement plan included the establishment of public meetings, the type and manner of public outreach, and other pertinent subjects. The major components included:

- The Envision Jamestown website, which was used to host information on the planning process, provide notice of upcoming meetings, and connect the community to other resources. The website can be accessed at www.EnvisionJamestown.com.
- Social media engagement through the Town's Facebook account. This was used in parallel with the website as a means of more actively disseminating information to the community, particularly regarding opportunities to attend public meetings, participate in the community survey, and similar activities.
- Structured listening sessions with representatives of the community.
- A community survey that was used to gather general input from the public on a range of issues affecting the future of the Town.
- Public meetings and workshops, including the Envision Jamestown Community Conversations, the Downtown Walking Tour, and the Growth Management Workshop.
- Press releases to local media outlets to highlight progress on the Comprehensive Plan and inform the community about upcoming meetings.
- Formal public hearings with the Planning Board and Town Council as each body was considering the draft plan prior to its adoption.

ENVISION JAMESTOWN WEBSITE

A project website, EnvisionJamestown.com, was developed as an outreach tool intended to convey messages of community interest during the planning process. The site was used to post the community survey link, provide project updates, share presentations, and display meeting advertisements throughout the project period. The website also included an opportunity for residents to submit comments and review documents related to the Plan. The project website received over 1,200 unique views. The Town's website also hosted links to the project website to enhance accessibility.

TOWN OF JAMESTOWN FACEBOOK PAGE

In addition to the project website, the Town used its existing Facebook Page to help provide information about meetings and other items of concern to the community. With nearly 5,700 followers, the Town's social media activity was a significant driver of the public's participation in the planning process. In particular, the page was very helpful in driving registrations for the three primary community workshops that were held during the process.

LISTENING SESSIONS

In February of 2020, the consulting team engaged a number of small groups in listening sessions. These meetings were conducted at Town Hall, in one hour time slots which were scattered throughout two days. Approximately 100 people were emailed invitations to participate in the listening sessions, and more than 35 residents, business owners, elected officials, and other stakeholders came out to discuss the state of the Town, their visions for the future, and priorities which they felt should be included in the Comprehensive Plan.



EnvisionJamestown.com
1,250+
ENGAGEMENT



Town of Jamestown
Facebook Page





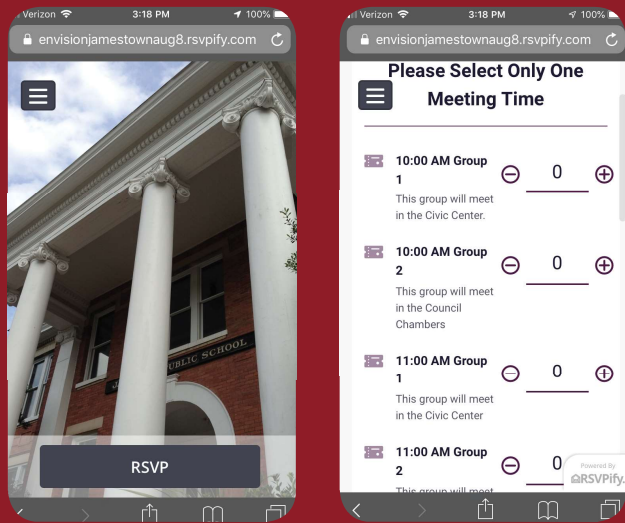
580
RESPONSES

Community Survey
April 15 - June 15, 2020

Public Kickoff
Videos **80+**
VIEWERS



Envision Jamestown
Meetings **50+**
PARTICIPANTS



COMMUNITY SURVEY

The Envision Jamestown community survey was open from April 15 to June 15, 2020. During this time, 580 residents and other interested members of community provided responses on a range of questions concerning existing and future services and development in the Town. The results from this survey were used to guide the development of the plan and are examined in detail on the following pages.

PUBLIC KICKOFF VIDEOS

Due to the guidelines surrounding the coronavirus pandemic, a large-scale public kickoff meeting was unable to take place. However, a series of online mini-presentations were made available on YouTube so that community members could stay informed about the Plan. All steering committee meetings were similarly streamed live on YouTube, allowing residents to stay engaged leading up to the virtual kickoff event. These videos were available throughout the duration of the project.

COMMUNITY CONVERSATIONS

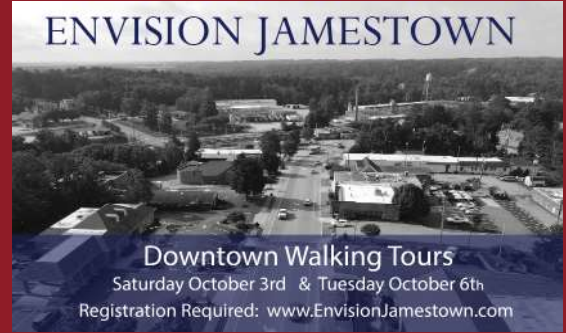
From August 11 to August 13 of 2020, residents participated in a series of small group meetings. Due to the COVID-19 pandemic, these were primarily conducted virtually, and residents were provided an opportunity to RSVP for time slots of their choice. The Envision Jamestown Meetings were community conversation style, where informal dialogue took place considering the Town's future. More than 50 residents signed up for these meetings and shared their thoughts on the community's assets and challenges, as well as improvements that they would like to see made in the future. The information garnered from these meetings helped to shape the remainder of the project.

DOWNTOWN WALKING TOURS

On October 3rd and 6th, 2020, residents were invited to participate in downtown walking tours as part of the Envision Jamestown process. The walking tours were conducted for periods of one hour and included a walk from Town Hall, down Main Street, to the Jamestown Public Library, and looping back up the opposite side of the street to end at Town Hall. The walking tours highlighted key success stories in downtown; sought opinions about specific uses, buildings, and design elements; and gave residents the opportunity to really examine their downtown. Similar to the Envision Jamestown meetings, residents were able to RSVP online for the walking tours, and more than forty citizens did so. These tours helped to fuel ideas for redevelopment and improvement projects in downtown, with a focus on connecting people to the shops, restaurants, and civic uses, such as Town Hall.

GROWTH MANAGEMENT WORKSHOPS

The final public workshop prior to beginning to draft the Comprehensive Plan were the growth management workshops, which were held on May 1st and 4th, 2021. This workshop included a discussion of the key elements impacting future development in and around Town, with an interactive segment aimed at identifying the desired uses and development styles of the remaining undeveloped portions of the Town. This also included a review of areas that could potentially be redeveloped. The results of this meeting provided direct input toward the Future Land Use Map presented in this Plan.



Downtown Walking Tours

40+ ATTENDEES



Growth Management

Workshop

25

PARTICIPANTS

COMMUNITY SURVEY RESULTS

The Envision Jamestown community survey was open for two months during the summer of 2020 and was advertised through the project website, Town Facebook page, and direct mail to residents. During this time, 580 people participated in the online survey which asked a wide range of questions surrounding the current and future state of the Town. As self-reported by those who took the survey, the vast majority of respondents (73%) live in the Town, 9% work in the Town, 44% own property in Jamestown, and 4% own a business in Jamestown. The key results from the community survey are summarized on the following pages.

SURVEY RESULTS - IDENTITY

The first question of the community survey asked respondents to provide words they would use to describe Jamestown to someone who was unfamiliar with the Town. The most frequent descriptions were friendly, small town, quaint, and quiet. The words in the graphic below were each used to describe Jamestown by more than twenty respondents, with larger words being the most commonly used (friendly was cited 301 times). In addition to these commonly cited descriptions, survey respondents referred to Jamestown as a bedroom community, known for parks and trees, vibrant, fun, active, well-maintained, residential, suburban, unique, village-like, walkable, upscale, and rural.

Survey respondents were asked about the physical element they most closely associate with the Town and the most frequent responses were the library, Town Hall, Main Street, the Town Park, downtown, and brick sidewalks. Additional features that residents associate with the Town include High Point City Lake Park, Jamestown United Methodist Church, Mendenhall Homeplace, Wrenn Miller Park, the Golf Course, trees, Southern Roots, and other restaurants.

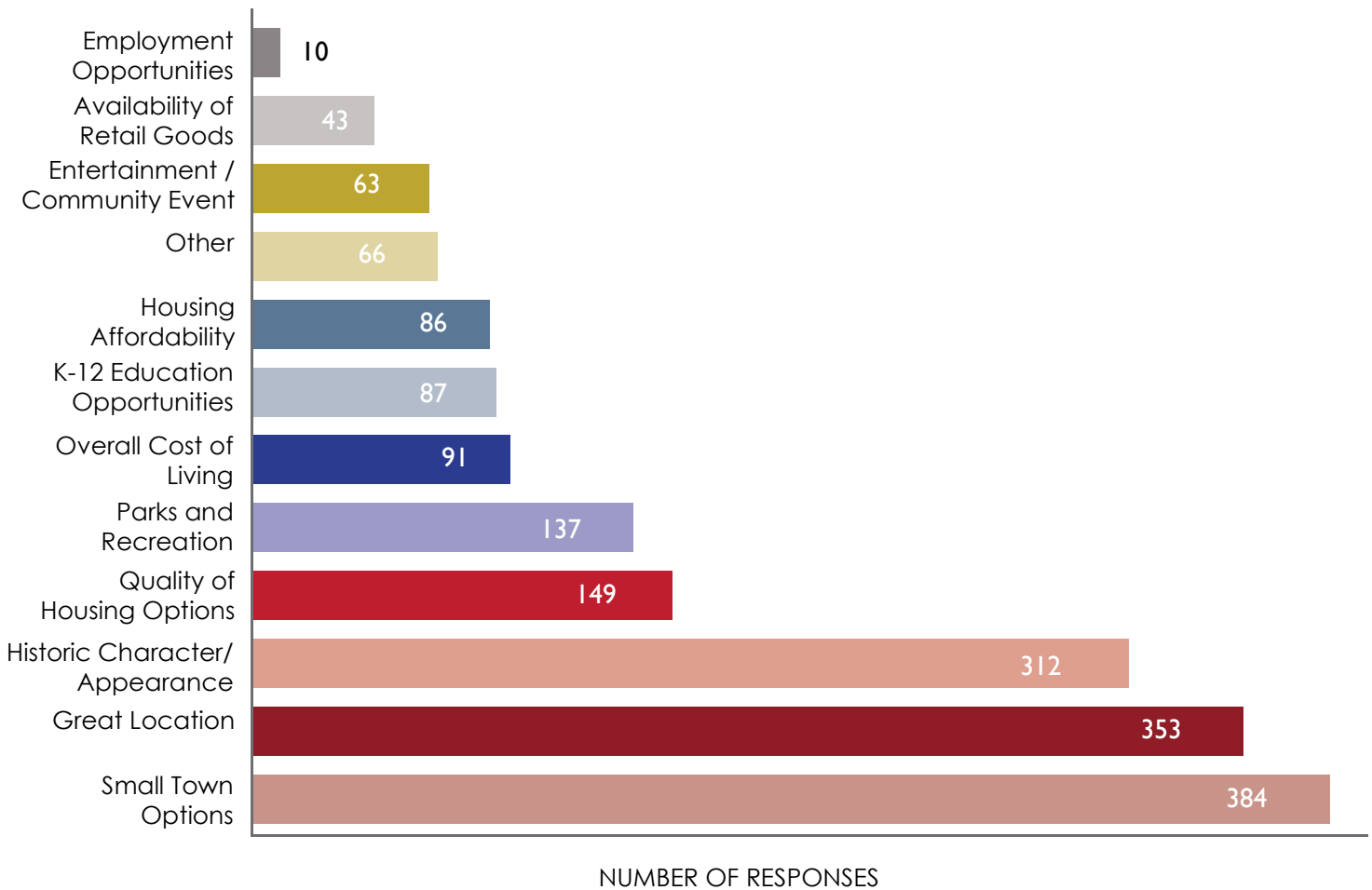
▼ Figure 1 Community Survey - Description of Jamestown



SURVEY RESULTS - QUALITY OF LIFE FACTORS

When asked about the quality of life they experience in Jamestown, respondents overwhelmingly (91%) reported that they experience a high quality of life and 9% reported an “average” quality of life. No respondents stated that their quality of life in Jamestown was low. Survey respondents were given a list of quality of life factors and asked to select the three which were most important to their decision to live in Jamestown. The top five scoring responses were “small town option” (66%), “great location” (61%), “historic character / appearance” (54%), “quality of housing options” (26%), and “parks and recreation opportunities” (24%). The lowest scoring response was “employment opportunities,” with only 10 votes (or 2%). There were a number of options which ranged somewhere in the middle, as shown in Figure 2 below.

▼ Figure 2 Community Survey - Decision to Live in Jamestown

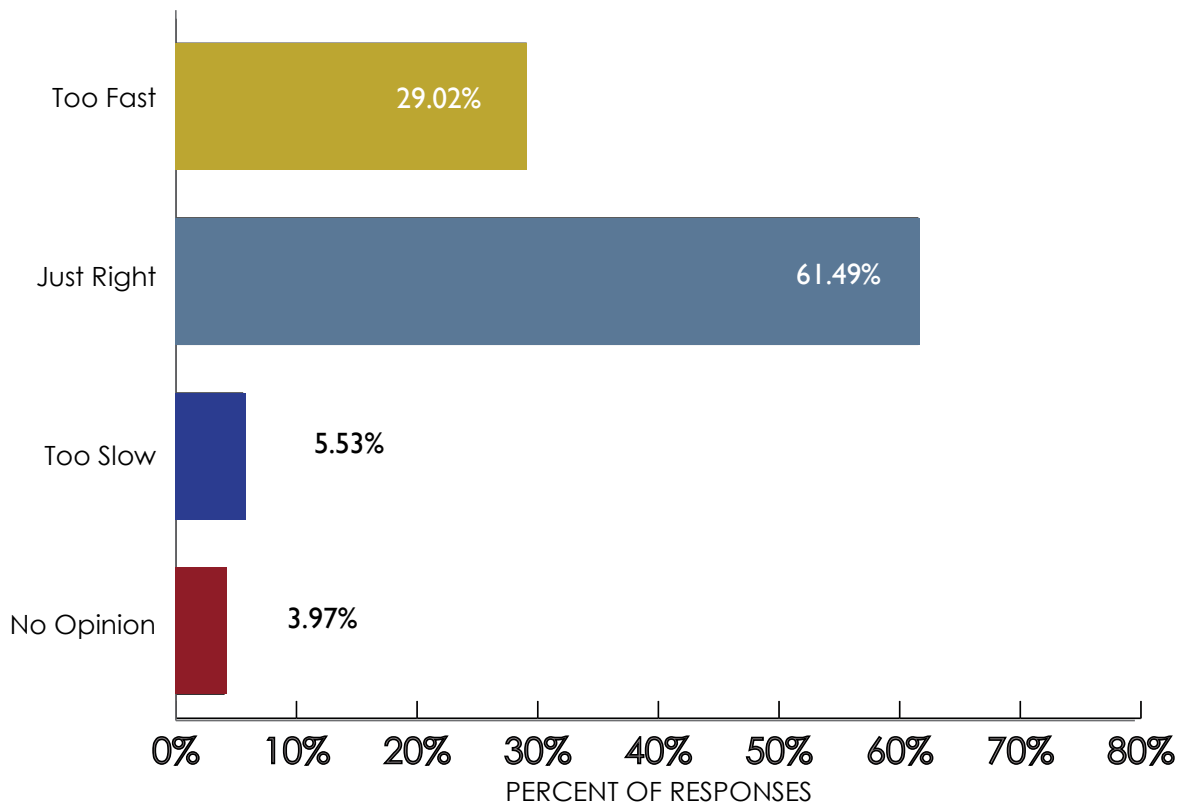


SURVEY RESULTS - GROWTH AND DEVELOPMENT

When asked about development in Jamestown in recent years, the majority of respondents (61%) described the pace of development as “just right.” Almost one-third described the pace of development as “too fast,” while only about 6% of survey respondents felt that development is occurring too slowly. In fact, growth and development was identified as the number one challenge to the Town in the future. This was followed by a number of challenges which relate to development, including maintaining the small town feel, parking, housing, traffic, schools, protecting small businesses, the development of the Johnson Farm (referred to in the plan as Mackay-Guilford), downtown, Main Street, and controlled growth.

Related to a growing population is also town services, which were asked about in the survey. Although about 23% of survey respondents did not feel there is a need to expand the Town’s current services, 19% of respondents requested that the Town move toward adopting uniform containerized garbage collection. The additional comments related to town services were focused outside of services, such as a desire for increased commercial activity.

▼ Figure 3 Community Survey - Pace of Development



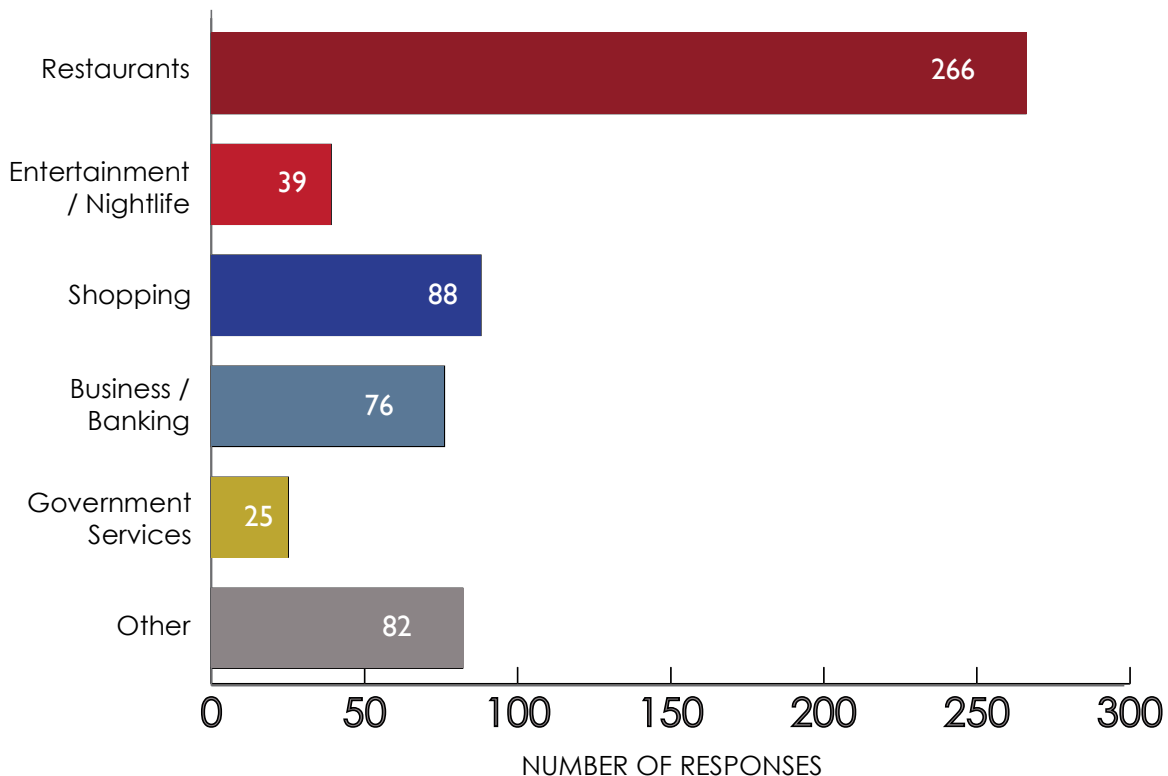
SURVEY RESULTS - DOWNTOWN JAMESTOWN

A key aspect of the community survey was downtown. Many of the people who took the survey indicated they visit downtown for its restaurants. A large portion of respondents also said that they go downtown for shopping, business, banking, and other activities. Most of the survey respondents (76%) drive when they visit downtown, while about 16% walk and very few of the people who took the survey use alternative modes of transportation to get downtown.

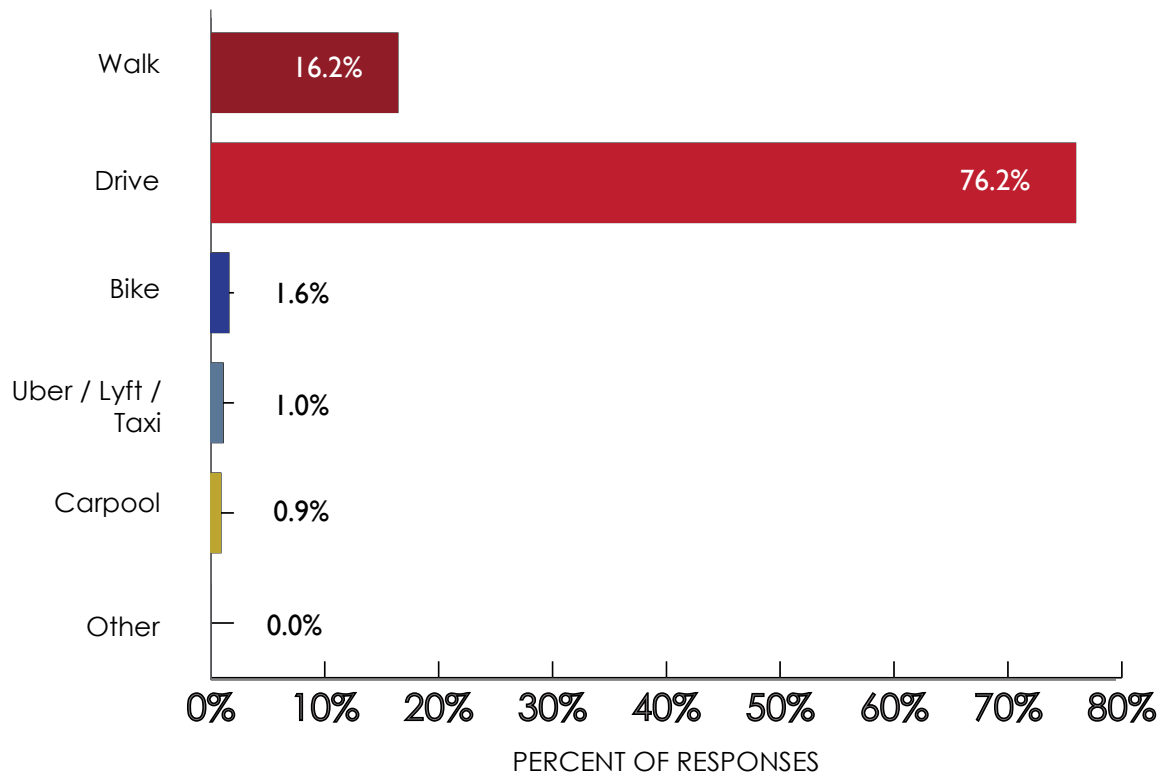
Survey respondents' perception about parking in downtown is varied, with just over 40% of survey respondents parking nearby and walking downtown, 34% having a hard time finding a place to park, and almost 8% thinking that there is nowhere to park downtown. Almost 20% of respondents feel that there are always plenty of places to park downtown. These diverging opinions seem to occur largely because of misunderstandings of where visitors are allowed to park and a varying degree of distances that people are willing to walk when parking away from their destination.

In addition to existing conditions, the community survey included a question about improvements that could be made to downtown. The most frequent request was to add parking. This was followed by attracting new businesses, enhancing building facades, adding more restaurants, developing more shops, adding trees and landscaping, expanding the sidewalk system, and redeveloping or tearing down the vacant buildings, including the properties at the intersection of Main Street and Oakdale Road.

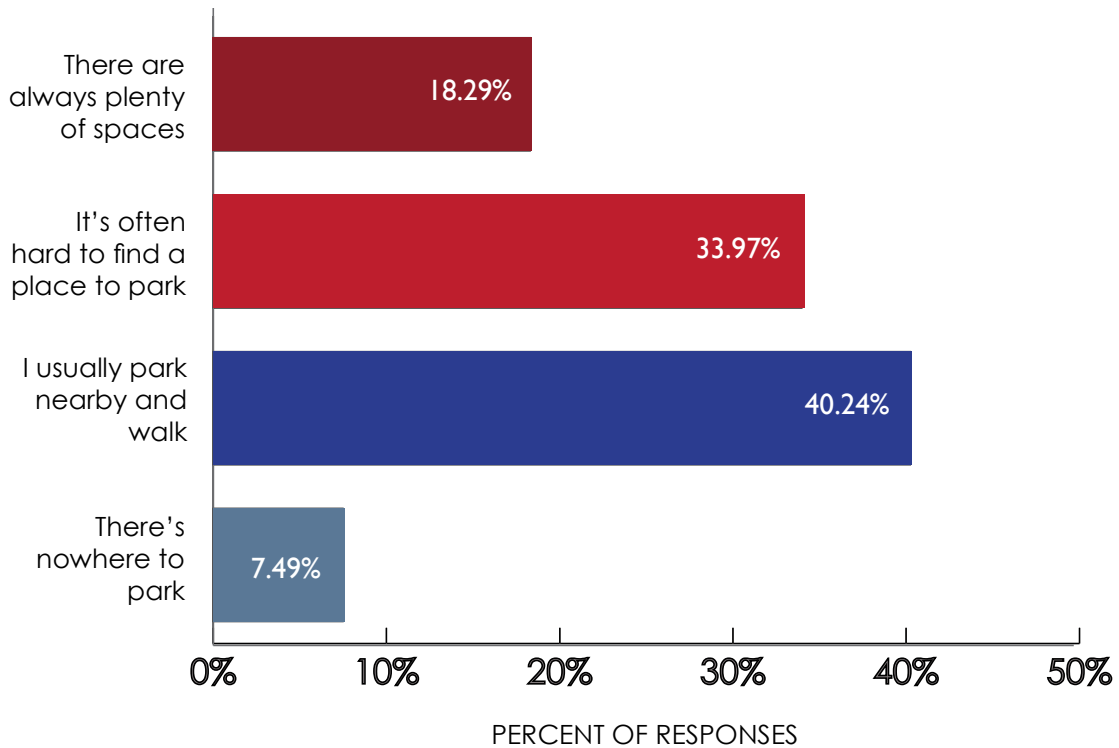
▼ Figure 4 Community Survey - Downtown Jamestown



▼ Figure 5 Community Survey - Downtown Transportation



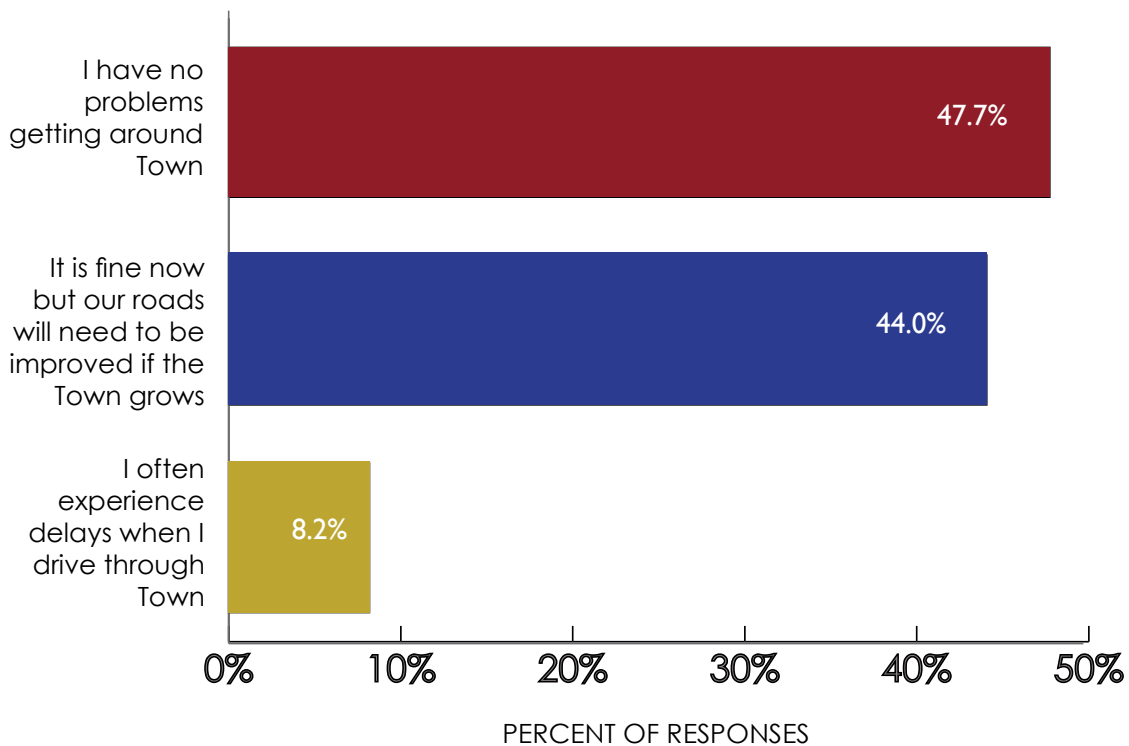
▼ Figure 6 Community Survey - Downtown Parking



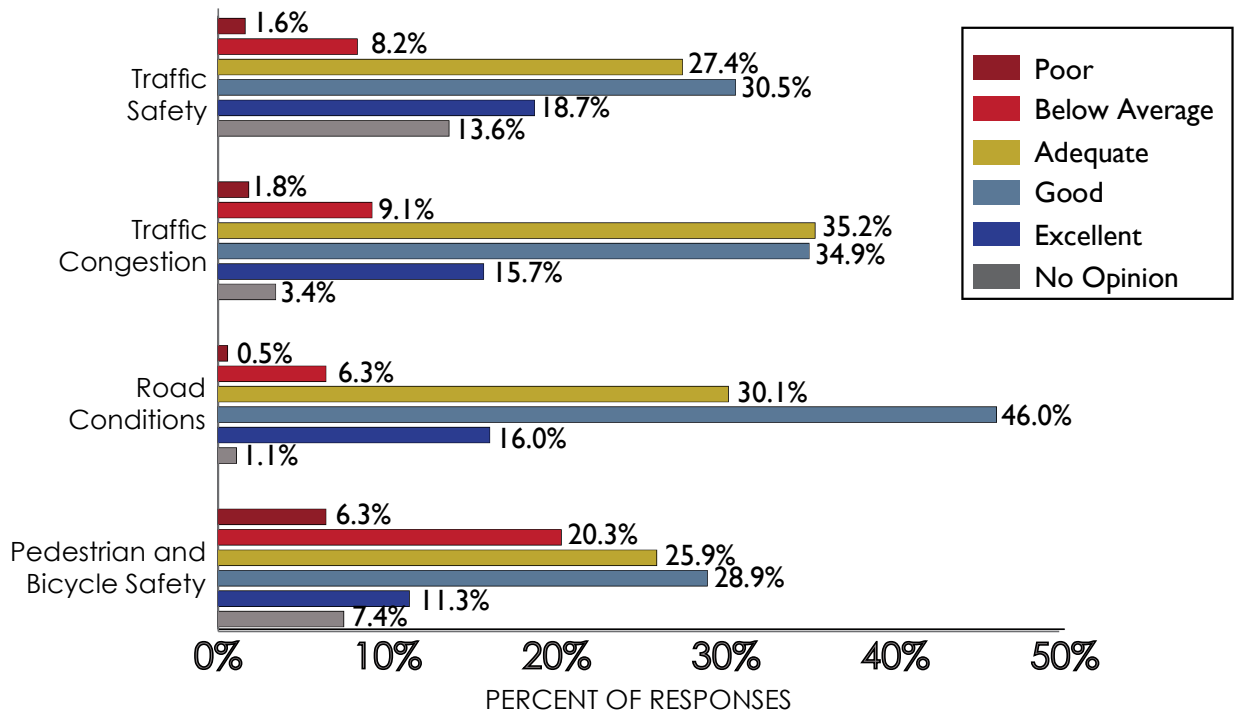
SURVEY RESULTS - TRANSPORTATION AND TRAFFIC

When asked about traffic in Jamestown, about half of the survey respondents said they have no problems getting around, but 44% believe the roads will need to be improved if the Town grows. Just over 8% of those who took the survey already say they experience delays when they drive through Town. Despite that, very few people think that traffic safety, traffic congestion, or road conditions are poor or below average in the Town. Many of the people who took the survey think most aspects of the transportation network are either adequate or good; however, more than one quarter of respondents do feel that pedestrian and bicycle safety are poor or below average. Specifically, people are concerned with locations and segments described in Figure 9. Those words which are largest received the greatest concern; with Main Street receiving more than 100 responses and Guilford Road receiving 80 responses. Most of the people who took the survey drive around Town, and almost 150 of respondents walk, but only about 11 bike and very few carpool or use ride shares. Although the number of self-reported bike riders was low, when asked about transportation improvements, the greatest number of people asked for bike lanes. This was followed by sidewalks, increased parking access, speed reductions / enforcement, improved pedestrian crossings, multi-use paths, and general road maintenance. In general, survey respondents are not sure how the bypass will impact the Town. They feel it will reduce traffic and increase the walkability of downtown, but also perceive that it may have negative impacts on downtown businesses.

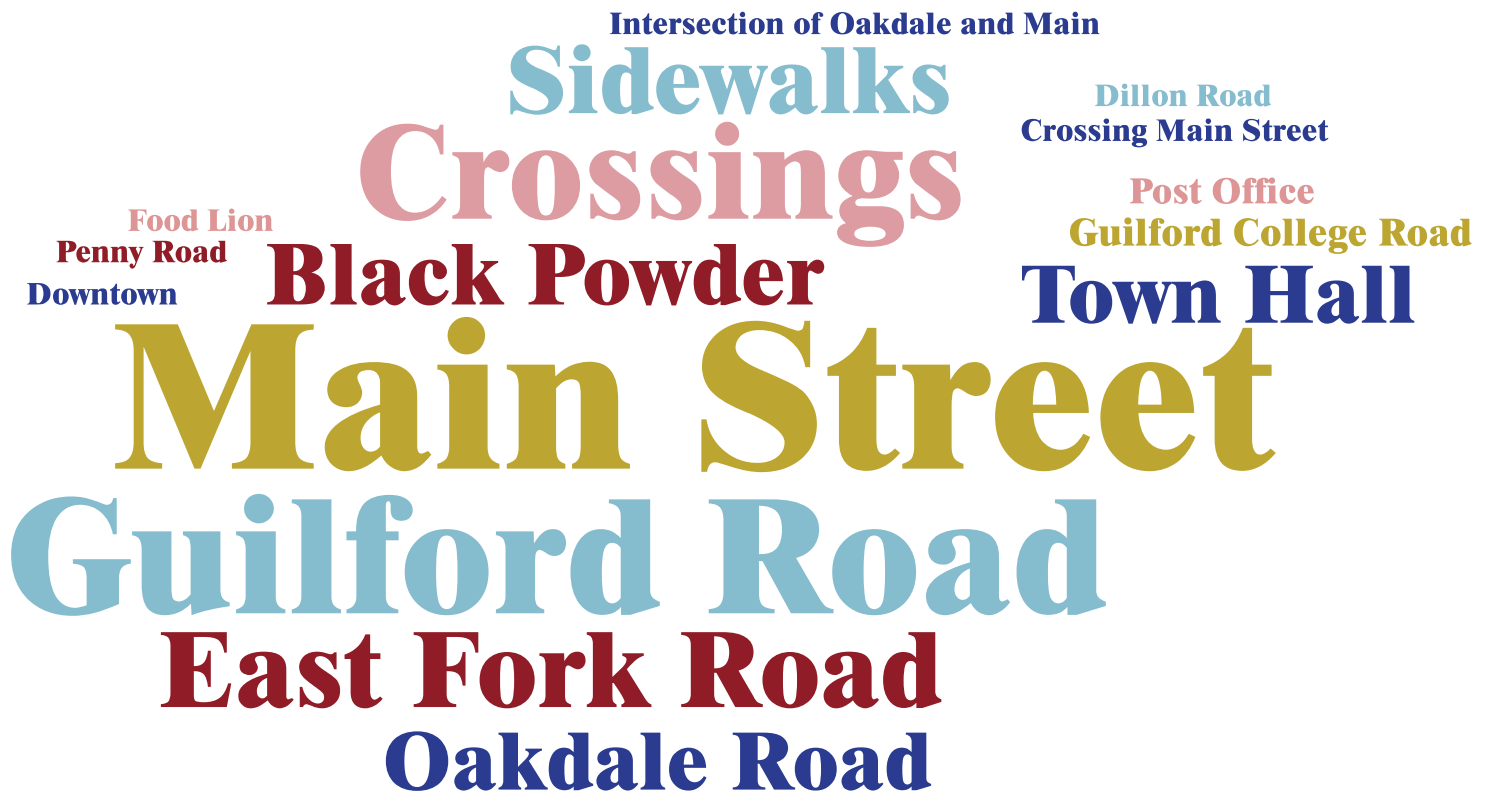
▼ Figure 7 Community Survey - Traffic



▼ Figure 8 Community Survey - Transportation Network



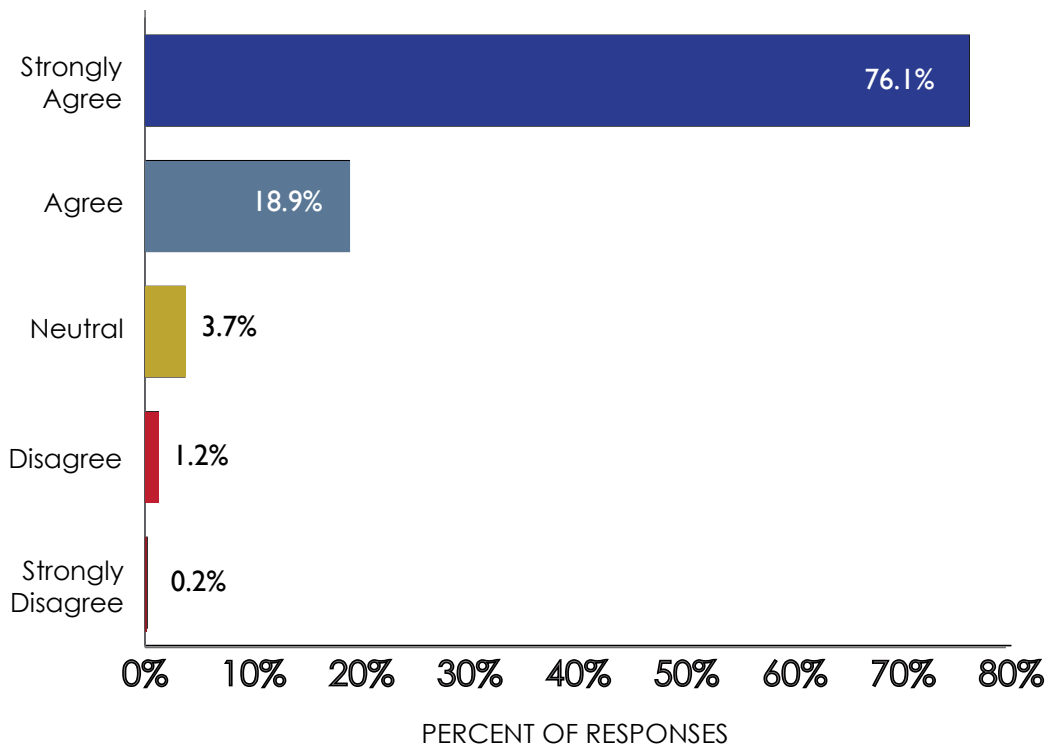
▼ Figure 9 Community Survey - Pedestrian and Bicycle Safety Concerns



SURVEY RESULTS - HISTORIC, CULTURAL, AND NATURAL RESOURCES

The vast majority of those who took the community survey believe that it is important to protect the Town's historic and cultural resources. In particular, they feel that those resources listed in Figure 11 are the most important to maintaining the Town's historic character. Almost 230 respondents indicated the Jamestown Library as an important historic resource, and almost 100 respondents indicated the Mendenhall Homeplace as an important resource. The remaining resources that were identified received 35 or fewer responses. Survey respondents were also asked to indicate if they felt any of the Town's historic or cultural resources were in danger of being lost, to which more than 50 people indicated they were worried about losing Oakdale Cotton Mill and the Johnson Farm (Mackay-Guilford). Around 25 people were worried about losing the Mendenhall Homeplace and the Jamestown Library. A few others expressed concern about losing farmland in general, the Armstrong House, downtown, and the previous loss of the Potter House. Similarly, survey respondents were asked to identify the most significant natural and environmental resources in the area and all of the responses received are shown in Figure 12, with the largest words being cited most frequently. The top three resources were greenways / trails (143 responses), High Point City Lake Park (116 responses), and parks in general (64 responses). In fact, almost half of the people who took the survey believe that the Town does not have enough parks. Another 42% feel that the Town has the right number of parks for its size, but about 120 respondents would like to see more walking trails and picnic areas along the Deep River and around 60 people would like to see a park, rafting, kayaking, and fishing access along the River.

▼ Figure 10 Community Survey - Protection of Historic and Cultural Resources



▼ Figure 11 Community Survey - Important Historic and Cultural Resources



▼ Figure 12 Community Survey - Important Natural Resources



SURVEY RESULTS - VISION FOR THE FUTURE

The last question of the community survey asked respondents to share their vision for the future of Jamestown. Specifically, the questions requested them to share what should change and what should stay the same by the year 2040. The table below provides a summary of the responses received. The most frequent request by far was to maintain the small town feel. This was followed by controlling or limiting growth, promoting small business and restaurant growth, and providing more parks and open spaces. As the results show, there were a wide variety of components to respondents' vision for the future of the community.

▼ Figure 13 Community Survey - Vision

	NUMBER OF RESPONSES
Maintain Small Town Feel	303
Controlled / Limited Growth	132
Small Business / Restaurant Growth	131
Provide more Parks and Open Space	93
Increased Pedestrian and Bicycle Amenities	63
Focus on Beautification	61
Clean Up Buildings and Grounds	59
No / Limited New Multi-Family Housing	55
Remain the Same	52
High End Single Family Development	39
Embrace / Protect History	34
More Community Events / Spaces	30
Stronger Architectural Guidelines	29
Preserve Natural Resources	26
Better / More Schools	21
Low Crime Rate	17
Attract More Young Families	17
Housing at a Variety of Pricing Levels / Diversified Population	16
Do Not Become "Cookie Cutter"	16
Retirement Community / Housing	13
Make Infrastructure Improvements	13
Improved Parking Downtown	13
Add Recreational Opportunities along the Deep River	8
Trash Cans for Pick Up	7
Redevelop Oakdale Cotton Mill	4

OUR VISION

FOR THE FUTURE



SECTION 2 OUR VISION FOR THE FUTURE

VISION

During the development of the Plan, the steering committee, staff, and consultants developed a vision statement that would accurately guide the Town into the future, ensuring it placed a strong emphasis on the existing assets the Town would like to maintain while also allowing growth to occur in a way that would continue to support itself. Though the Town Council had previously adopted a vision statement, this was directed beyond the lens of government management to extend to all development decisions the Town will make in the future. The adopted vision statement, “Envision Jamestown,” is displayed below.

ENVISION JAMESTOWN

Jamestown is a community whose history and character are the foundations of its future.

We strive to maintain our small-town charm while growing in a manner that respects our traditional development patterns and our valuable cultural and natural resources.

As a community of neighbors, we embrace diversity and inclusiveness as we seek to strengthen the social and physical connections that unite our Town.

Moving forward, we will continue to seek excellence in all that we do as we build a community that everyone is proud to call home.

GUIDING PRINCIPLES

The vision that is stated above captures the broad elements of importance in terms of major decisions and priorities the Town will make in the future. In order to provide some implementable actions to further direct the elected officials, a set of guiding principles, which fall underneath this vision statement, were created. The vision statement and these guiding principles were utilized to make the future land use map and recommendations which are shared in this section of the Plan. The guiding principles are examined on the following pages.

GUIDING PRINCIPLE #1

Jamestown will actively facilitate high-quality growth that is both compatible with the Town's traditional development pattern and innovative in how it meets the needs of our diverse and dynamic community.

- Establish objective design standards that achieve the aesthetic and superior construction quality that is expected by the community to enhance value and quality of life.
- Implement subdivision standards that facilitate growth in a manner that achieves the Town's desired urban development pattern and quality of public infrastructure.
- Ensure that infill development is compatible with its surroundings, from both a use and aesthetic perspective.
- Avoid the introduction of generic and monotonous development styles (both site development patterns and architecture) that detract from Jamestown's unique sense of place and small town charm.

GUIDING PRINCIPLE #2

As the strength of our community is directly tied to the long-term success of our neighborhoods, we will work diligently to promote and maintain the quality of life and aesthetic standards that our residents expect in Jamestown.

- Prevent the emergence of blighting influences and public nuisances in residential areas through proactive code enforcement.
- Protect established neighborhoods from encroachment by adjacent incompatible land uses through the appropriate application of zoning regulations.
- Invest in neighborhood infrastructure improvements that supports a high quality of life for residents.
- Ensure that Jamestown's residents have access to housing that is appropriate for all stages of life and family situations, including housing to allow older residents to "age in place."

GUIDING PRINCIPLE #3

Our community places a significant amount of value in the cultural and historic resources that provide an everyday reminder of the Town's proud past. We will actively seek to preserve these resources that contribute so much to our identity and sense of place.

- Limit the demolition and relocation of contributing historic structures in Jamestown, to the extent feasible.
- Secure the permanent preservation of iconic features in the community, including, without limitation, the smokestack and water tower at Highland Containers.

- Increase the number of eligible historic properties with designated Historic Landmark status.
- Facilitate private investment in the restoration of historic resources, with an emphasis on major adaptive reuse projects, such as Oakdale Mill.

GUIDING PRINCIPLE #4

The ability to safely walk and ride a bicycle throughout the Town is critical to maintaining our community's high quality of life. We will ensure that our community is well-connected with the necessary infrastructure to support walking and biking as an important mode of transportation for all residents.

- Develop an updated bicycle and pedestrian plan to guide future infrastructure and safety improvements.
- Expand Jamestown's greenway network and seek partnerships to develop connections to regional trail systems, with a focus on developing a connection between Main Street, Oakdale Mill, and Penny Road to connect to the Bicentennial Greenway.
- Provide every neighborhood in Jamestown with connections to a pedestrian system that will allow them to walk safely to any other destination in the community.
- Proactively implement pedestrian and bicycle safety improvements at major intersections and along the Town's primary transportation corridors.
- Ensure that equitable access to pedestrian infrastructure is provided to residents on both sides of the railroad as well as both the eastern and western portions of Main Street.

GUIDING PRINCIPLE #5

Downtown Jamestown is the center of culture, commerce, and social life in our community, and we will endeavor to maintain its vibrancy, improve the quality of the built environment, and provide the infrastructure that supports its success.

- Invest in public infrastructure improvements to enhance the appearance of downtown, and establish prominent gateways at the eastern and western entrances on Main Street.
- Actively support the redevelopment and adaptive reuse of underutilized land and buildings in downtown.
- Improve visual and physical connections between downtown and primary visitor parking areas.
- Improve the safety of Main Street for all forms of transportation, with a focus on traffic calming, particularly at the northern and southern gateways to downtown.
- Proactively enforce property maintenance codes to prevent the emergence of blighting influences in commercial districts.

GUIDING PRINCIPLE #6

Every neighborhood in Jamestown will have convenient access to a wide variety of public parks, natural open spaces, and other recreational opportunities that meet the diverse needs, abilities and desires of our residents.

- Require the development and dedication of neighborhood parks in conjunction with all new residential development.
- Establish a greenway trail and water access along the Deep River.
- Develop neighborhood scale parks in existing residential areas that lack convenient access to recreational amenities.
- Ensure that all of Jamestown's neighborhoods have safe pedestrian and bicycle access to local parks.

GUIDING PRINCIPLE #7

Our government will provide cost-effective and efficient public services and high-quality infrastructure that meet the needs and exceeds the expectations of the community.

- Finalize long-term plans for the collection of solid waste.
- Ensure that the Town has sufficient water and sewer capacity to meet the service demands that will accompany new growth.
- Ensure that the Town has adequate staffing levels in all departments to carry out their missions and efficiently enact Town policies.
- Develop public facilities that enable the Town to effectively carry out its mission of public service.

GUIDING PRINCIPLE #8

We will seek to diversify and strengthen our local economy by supporting place-based economic development strategies that leverage the unique cultural and natural resources in our community.

- Identify a development partner and work to facilitate the restoration and redevelopment of the Oakdale Cotton Mill and Mill Village.
- Make downtown Jamestown a premier leisure, entertainment, and shopping destination for people from throughout the Triad and beyond.
- Leverage the significant daytime population of GTCC to expand local business opportunities.
- Develop a connection between the Oakdale Cotton Mill and Downtown Jamestown along the Deep River to build synergy between these unique areas of the community.
- Incorporate the full range of Jamestown's historic and cultural assets into its promotions and economic development strategy.

GUIDING PRINCIPLE #9

We will work diligently with our partners in law enforcement and emergency services to ensure that Jamestown has the resources to maintain a high level of public safety for our residents.

- Maintain the Town's strong law enforcement partnership with the Guilford County Sheriff's Department.
- Ensure that the Town's contracted fire protection service has adequate resources to meet the community's anticipated needs for emergency response.
- Ensure that the residents of Jamestown have access to timely and high-quality emergency medical care.
- Mitigate hazards to the community from both natural and man-made sources through the adoption and enforcement of adequate public safety regulations.

GUIDING PRINCIPLE #10

Jamestown is a welcoming and inclusive community that values the benefits of diversity in all aspects of the Town and its residents.

- Expand the capacity of the Town and its partners to provide opportunities for community focused social events that bring people from all walks of life together.
- Develop and encourage participation in new activities and organizations that foster civic engagement.
- Promote the development (and retention) of a wide range of housing types that meet the needs of current and future residents of all ages, family compositions, and socioeconomic backgrounds.
- Ensure that residents of the Town's ETJ are included in all matters and encourage their participation in the social and civic life of Jamestown.

GUIDING PRINCIPLE #11

The quality and health of the natural environment is as important to our community as the quality of the built environment, and we will work to preserve and protect these vital resources.

- Protect and preserve mature trees and tree stands from removal in conjunction with land development activity, and promote the growth of healthy forests in the community.
- Protect riparian areas from encroachment by development to preserve water quality and natural habitats.
- Protect contiguous and connected tracts of open space from development to preserve wildlife habitat, protect the environment, and provide passive recreation opportunities.

GUIDING PRINCIPLE #12

Our local transportation network will move people and goods throughout the community in a context sensitive manner that prioritizes safety over speed, provides significant internal connectivity, and facilitates access to the regional network.

- Utilize the opening of the Jamestown Bypass to re-imagine the role of Main Street, with a focus on enhancing its safety and comfort for bicyclists and pedestrians through measures such as reducing the speed limit through the core of the town.
- Continue to work with the NCRR and Norfolk Southern on improving the safety of the Town's rail crossings for both drivers and pedestrians.
- Improve Jamestown residents' access to regional transit options.
- Ensure that new development provides adequate internal and external transportation connectivity and provides reasonable mitigation of traffic impacts.

GUIDING PRINCIPLE #13

We will seek to build upon our existing partnerships with other local governments and public service providers to ensure that our community is well-represented in regional affairs and receives the services and benefits that are necessary to maintain our high quality of life.

- Build relationships with other communities and grassroots organizations in Guilford County to advocate with a stronger voice for school funding and other matters with the Guilford County Board of Education.
- Continue to participate in the High Point Metropolitan Planning Organization to ensure that Jamestown's transportation infrastructure needs are well-represented as plans and funding priorities are developed.
- Collaborate with Greensboro, High Point, and the Piedmont Triad Regional Water Authority on long-range utility service plans.
- Seek intergovernmental partnerships to ensure that Jamestown has access to affordable municipal solid waste transfer and disposal options
- Work with GTCC to develop programs and partnerships for the mutual benefit of the college and residents of Jamestown.

FUTURE LAND USE

SECTION 3 FUTURE LAND USE

INTRODUCTION

The development of a future land use strategy for the Town of Jamestown was at the forefront of the Envision Jamestown planning effort. The resulting strategy, as established on the Future Land Use Map and future land use classifications is based on a wide range of inputs and analyses that were performed. These included reviews of the previously adopted growth strategy and future land use maps in the 2007 Comprehensive Land Development Plan, a growth area analysis conducted as part of this process, public input during the planning process, and the analysis and exploration of the data collected as part of the background research phase of the process.

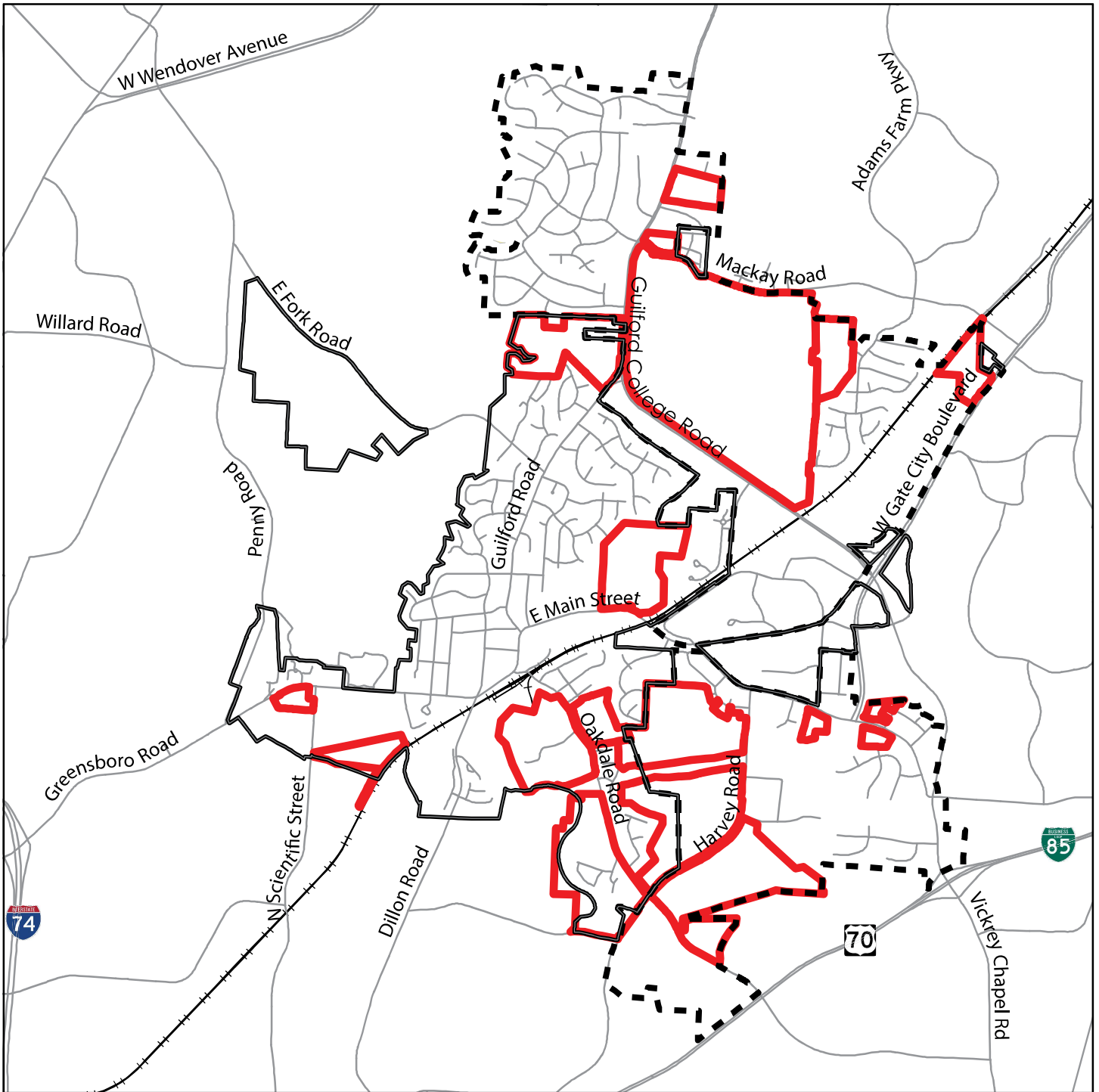
GROWTH AREA ANALYSIS

One of the primary inputs into the development of the future land use strategy, as set forth in the Future Land Use Map, was the determination of the areas that would be most likely to experience development pressure in the coming years. Not all areas will see the same degree of growth pressure due to a variety of factors, and, so, a deliberate evaluation of the Town's land resources was made to explore the potential of each area of the community for growth so that appropriate land use policies could be developed.

The availability of developable land is the overriding factor in preparing a growth analysis. To that end, the initial step in the process was to identify land resources with characteristics that would be conducive for development. These include, current use, parcel size, and the potential for assemblage with adjacent development tracts, among other factors. Once identified, these parcels were further analyzed for attributes such as their proximity and access to major transportation routes, utility infrastructure, and the nature of adjacent development. Next, each parcel, or group of parcels, was analyzed for environmental constraints, such as topography and the presence of natural hazards like floodplains. Finally, regulatory and similar constraints were identified, such as the presence of water supply watershed critical areas, which limits development density and impervious surfaces, and the presence of easements or rights-of-way for utilities which might reduce the amount of land available for development.

The resulting stock of potential growth areas, shown in Map 3 on the facing page, provided a preliminary inventory of potential development tracts in the study area. These were then further evaluated to determine their likely future use and the relative degree of growth pressure that each would experience in the coming years. This analysis, in turn, was used in the development of the Future Land Use Map and the future land use classifications that comprise the overall land use strategy.

▼ Map 3 Preliminary Growth Areas



-  Jamestown
-  Jamestown ETJ
-  Roads
-  Railroad
-  Preliminary Growth Areas







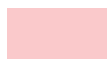






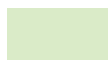



1 Mile

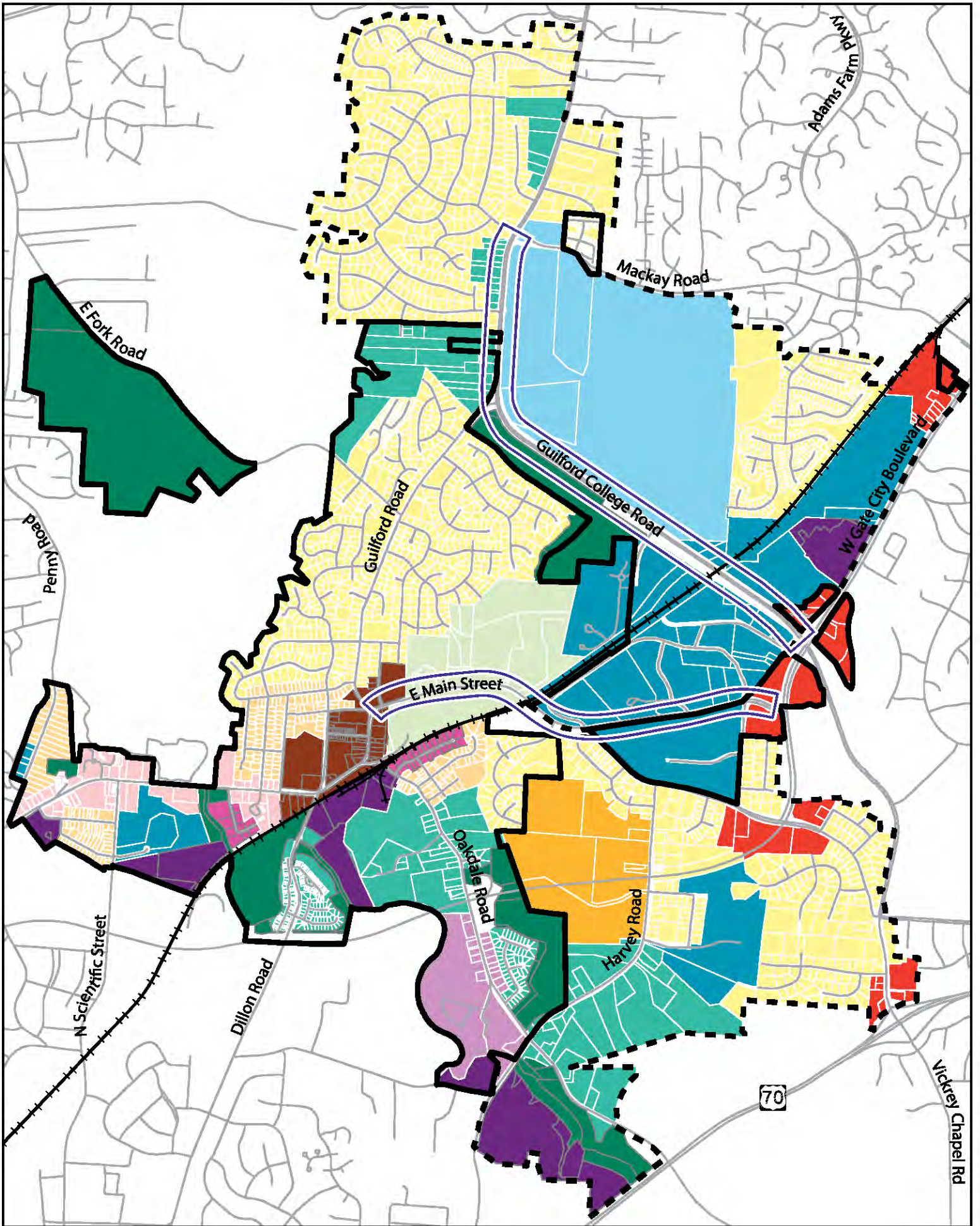
FUTURE LAND USE MAP

The Future Land Use Map provides the Town with a guiding vision that will be used by elected and appointed officials, citizens, and developers as they make land use and development decisions to implement town policies and determine future capital improvements. Specifically, as the Town considers legislative decisions related to rezonings and zoning ordinance amendments, they must approve a statement regarding the consistency of the proposed changes with the Comprehensive Plan with any motion to approve or deny said applications. The land use categories and map contained in this section demonstrates how the Town desires to both change and preserve existing land use patterns as they experience growth over time. For this reason, it is important to monitor, review, and update the future land use categories and map as new growth, new infrastructure, and changes in the community's vision and direction occur.

The following pages provide details on each of the future land use categories. This includes an explanation of the general character preferences, recommended land uses, and general design standards for each area of the Town.

FUTURE LAND USE CATEGORIES

- | | |
|--|---|
|  Town Center |  Mixed Use |
|  Commercial Corridor |  Mackay-Guilford |
|  West Main |  Town Residential |
|  Business Park |  Suburban Residential |
|  Industrial |  Deep River Residential |
|  Mill District |  Estate Residential |
|  Campus |  Parks and Open Space |
|  Character Corridor | |



FUTURE LAND USE CATEGORY DESCRIPTIONS

TOWN CENTER

The Town Center is focused on Jamestown's traditional downtown area, extending along Main Street from Ragsdale Road to Guilford Road. The Town Center classification is intended to support and perpetuate the walkable, mixed-use, development pattern in the core of the town. This area serves as the economic, cultural and civic heart of the community, and includes a mix of businesses that cater to both residents and visitors to the community. Traditional development patterns in the Town Center have buildings constructed adjacent to the sidewalks to create an inviting atmosphere for pedestrians, while parking and service areas are located to the rear or sides of buildings. New development in the Town Center complements the traditional development pattern and architectural styles found in Downtown Jamestown, with masonry construction and buildings not exceeding two stories in height above grade.

COMMERCIAL CORRIDOR

The Commercial Corridor land use classification is applied in strategic locations along, and adjacent to, Jamestown's major vehicular transportation routes. This classification is intended to accommodate the development of larger scale and auto-oriented commercial development, as well as higher density multi-family developments. Although primarily located on the Town's periphery, the quality of new development in the Commercial Corridor should reflect on the high-quality architectural standards found in the core of the Town.

WEST MAIN

The West Main future land use classification is applied to the majority of the land along West Main Street from the Town Center to the Town's western border with High Point (from Ragsdale Road to Penny Road). This land use classification is intended to accommodate a wide variety of low to moderate intensity uses, including offices, civic uses, attached residential development, and small format retail stores along this traditionally mixed-use corridor. With the majority of the parcels in this area also located in the Jamestown National Register Historic District, new development will be sensitive to the rich historic context of the area and utilize development styles that blend well with the unique character of the West Main corridor.

BUSINESS PARK

The Business Park land use classification is intended to accommodate a variety of small to mid-sized commercial, service, and low intensity assembly, warehousing and manufacturing uses that create low volumes of customer visits, low amounts of truck traffic, and few, if any, off-site environmental impacts. Within these areas, the Town seeks to preserve opportunities for smaller business enterprises to make Jamestown their home and support a diverse economic climate in the community.

INDUSTRIAL

The Industrial land use classification is applied to the traditional legacy industrial areas of Jamestown, primarily along the North Carolina Railroad line. This land use classification is intended to accommodate the ongoing use, development, and redevelopment of larger scale manufacturing enterprises in areas where the existing development context and heavy infrastructure is well-suited for such uses. Uses in these areas, while larger in scale and heavier in intensity than those found in the Business Park classification, should create minimal levels of external impact to the surrounding community to ensure their compatibility with the greater Jamestown community.

MILL DISTRICT

The Mill District future land use classification is applied to the former Oakdale Cotton Mill property and surrounding parcels that are part of the historic mill village that housed many of Oakdale's workers. The intent of this land use classification is to foster the preservation and revitalization of the mill and mill village in a manner that preserves the rich history of Oakdale while catalyzing a transition of the mill property into a mixed-use development focused on the mill, including additional residential development on the property to support the revitalization effort.

CAMPUS

The Campus future land use classification is applied throughout the Town to the many large scale civic, educational, and institutional uses that are located in Jamestown. The intent of this land use classification is to accommodate the use and growth of these important uses in the community in a responsible manner that is complementary of Jamestown's traditional development pattern.

MIXED USE

The Mixed Use future land use classification is applied exclusively to the properties located on, and adjacent to, the intersection of the Jamestown Bypass and Harvey Road. The intent of the Mixed Use classification is to facilitate the development of these key properties with a mixture of low intensity office and service uses in proximity to the bypass intersection, along with a mixture of a wide range of housing types in larger integrated developments in this prime growth area. In general, all nonresidential uses should be located along the Harvey Road and bypass frontages - with development standards that maintain the small town and historic aesthetic of the community, while residential uses should represent the majority of the development and occupy the interior of these parcels.

MACKAY-GUILFORD

The Mackay-Guilford future land use classification is applied to the largest single undeveloped property in Jamestown's planning jurisdiction. As one of the premier potential development tracts in the Triad, this property is expected to experience significant development interest in the near

future. Given the size and prominent location of this tract, the Town is expecting a development plan for the site that is designed in a manner to create an integrated, walkable, and mixed-use neighborhood that contains a wide range of housing options and a central community focal point where residents can easily access neighborhood scale retail, dining, and service uses within a short walk or bike ride of their homes. With an abundance of land resources, it is expected that the future development of this tract will provide significant amounts of open space for both recreational use and for the preservation of critical habitats that exist on the property. It is also expected that the development of this area will preserve the most important aspects of the historic landscape - connecting the past to the future. The resulting development of Mackay-Guilford is expected to yield a complementary and enduring addition to the Jamestown community that respects the history, character, and aesthetic quality of the Town.

TOWN RESIDENTIAL

The Town Residential land use classification is intended to accommodate existing residential neighborhoods that were developed in Jamestown's traditional "urban core" in areas along the West Main Street corridor, adjacent to downtown, and along Oakdale Road. With their proximity to nonresidential areas of town, careful consideration should be given to the nature of development on their periphery to ensure that it is compatible with the character of these older neighborhoods.

SUBURBAN RESIDENTIAL

The Suburban Residential land use classification is the most prevalent of the future land use classifications applied on the Future Land Use map, encompassing the majority of the planned residential neighborhoods in the community outside of the Town's traditional core area. Although primarily developed in larger single-family residential subdivisions, this land use classification is also intended to accommodate lower intensity attached residential development in the same context, along with low intensity civic uses, such as churches. Where undeveloped land is included in this classification, it is intended to be developed in a manner similar to adjacent suburban residential development.

DEEP RIVER RESIDENTIAL

The Deep River Residential land use classification is intended primarily for lands located in the critical watershed areas in the planning jurisdiction. Where utilities are present, cluster/conservation style residential development will be most prevalent given impervious surface limitations. Outside of areas served by municipal utilities, it is expected that when development or land subdivision does occur, it will be larger lot "rural" style residential development taking access from existing roads.

ESTATE RESIDENTIAL

The Estate Residential land use classification is applied to the large residential tracts along East Main Street just outside of downtown. Given the historic nature of this area and the environmental

constraints that create access limitations to some properties, it is expected that single-family residences on “estate” sized lots will be the predominant development pattern.

PARKS AND OPEN SPACE

This land use classification is intended to designate areas that are either in use as parks or have low development potential given environmental constraints or other factors that make their development unlikely.

CHARACTER CORRIDOR

The intent of the “Character Corridor” future land use designation is to identify areas adjacent to major roadways where it is important to the community to maintain an aesthetic that is complementary to the once rural nature of the outskirts of Jamestown. East Main Street, particularly through the Estate Residential area, provides a good example of the intent of the desired aesthetic, while Guilford College Road is an emerging opportunity to replicate that aesthetic - embodied by the preservation of mature trees as natural screening along the roadway, white pasture fences, and a generally rural quality to the scenery - despite being located in the heart of a major metropolitan area. The Town’s current scenic corridor zoning regulations provide a tool to carry this recommendation forward and ensure that the aesthetic vision for these important thoroughfares is maintained and enhanced in the future.



OUR

COMMUNITY

SECTION 4 OUR COMMUNITY

This section highlights key information about the Town, its resources, and its capacity for growth. This includes a broad range of demographic, economic, and land analysis data concerning the Town and the greater region. This information, coupled with the community input and Steering Committee guidance contributed to the plan’s Vision and the Guiding Principles, as well as the Future Land Use Map

TOPICS COVERED

The following information helps establish a baseline of existing opportunities and constraints that influence growth and redevelopment in Jamestown. The key factors highlighted in this section are divided into six major subsections:

- Historic Context
- Livability
- Demographics
- Housing
- Economy
- Land Use
- Infrastructure
- Environment

Much of the data in this section comes from the United States Census Bureau, AARP, the Town of Jamestown, and Guilford County. Typically, each data set indicates the source when presented. The Town’s extraterritorial jurisdiction (ETJ) is not included in data displayed for the Town. However, it is captured in data for Guilford County.

REGIONAL COMPARISONS

A number of the statistics shared in this section include a comparison to a set of peer communities. This is particularly true concerning the AARP Livability Index, which is best used as a metric of comparison. The peer communities identified in this Plan were developed based on two factors: 1) proximity to Jamestown and the region; and 2) similar characteristics or characteristics which the Town would like to emulate.

In general, these peer communities are used to determine how Jamestown is doing in terms of providing services to its residents, as well as how it is growing and changing in relation to the greater region. In addition to the communities which were identified as peer communities, much of the data also compares the Town with Guilford County and the State of North Carolina, as they provide a larger scaled comparison to the region.

HISTORICAL CONTEXT

The area which is known today as the Town of Jamestown is the earliest continuously settled place in the Piedmont region. The first known inhabitants were the Keyauwee Indians, who are believed to have been living in the region as early as 1701, and moving south around 1760. By the late 1700s, European settlers, many of which were Quaker families, moved to Jamestown from Pennsylvania in search of productive farmland. James Mendenhall established a farmstead in 1762 and the family operated the area's first grist and lumber mills, as well as owned much of the Town's original land.

By 1800, Jamestown had about 150 residents, its own post office, an inn, and a Free Mason's lodge. Around this same time, gold was discovered near Jamestown and several mines became profitable. The Town was officially founded in 1816 and was named in honor of James Mendenhall. At the time, the local economy was dominated by farming and related industries, but a gun factory which manufactured a muzzle-loading gun known as the "Jamestown Rifle" was a mainstay of Jamestown's industry through the latter half of the nineteenth century.

Though Jamestown's Quakers attempted to remain neutral during the civil war, many residents ended up manufacturing shoes, uniforms, and weapons for the Confederacy in order to avoid paying heavy taxes. The Town was a known "stop" along the Underground Railroad, as many homes in the area had trap doors leading to the basement where they would help slaves escape north. The railroad which bisects the Town today was built in 1856, providing a vital link for freight and some passengers.

Education has long been a cornerstone of Jamestown, which was home to a Quaker children's school, a seminary for young women, a law school, and North Carolina's first medical school. The "Old School" was built in 1915 as a neoclassic centerpiece of Main Street, and today serves as the Jamestown Public Library.

In April of 1947, the North Carolina General Assembly granted Jamestown incorporation. The Town adopted zoning and began constructing a municipal water and sewer system soon after. By the 1950's, the population reached around 750 people and the Town provided street lighting, water and sewer service, and a fire department. During the 1960's and 1970's, the Town grew quickly, with many old farms being converted to residential neighborhoods. An ABC board was formed, the Town Hall was built, and the Jamestown Park and Golf Course were established.

Today, more than 3,600 people call Jamestown home. The almost three mile area boasts small town charm within minutes of the greater Triad region, including the large cities of Greensboro, High Point, and Winston Salem. The Town remains committed to well-planned growth that strikes a balance between maintaining the community's character and heritage while attracting jobs and businesses.

LIVABILITY

AARP LIVABILITY INDEX

The AARP Public Policy Institute created a Livability Index, which provides an indicator score that is meant to assist communities in determining how livable their community is in relation to seven primary categories: housing, neighborhoods, transportation, environment, health, engagement, and opportunity. This is one tool that can be used to measure how the combination of policies and the built environment create a livable and inclusive community for residents of all ages, abilities, and backgrounds. Therefore, this index is a good indicator of which aspects of a community are doing well and areas where a community can seek to improve its rating. The seven livability categories are shown below.

▼ Figure 14 AARP Livability Categories
Source: AARP Public Policy Institute Livability Index

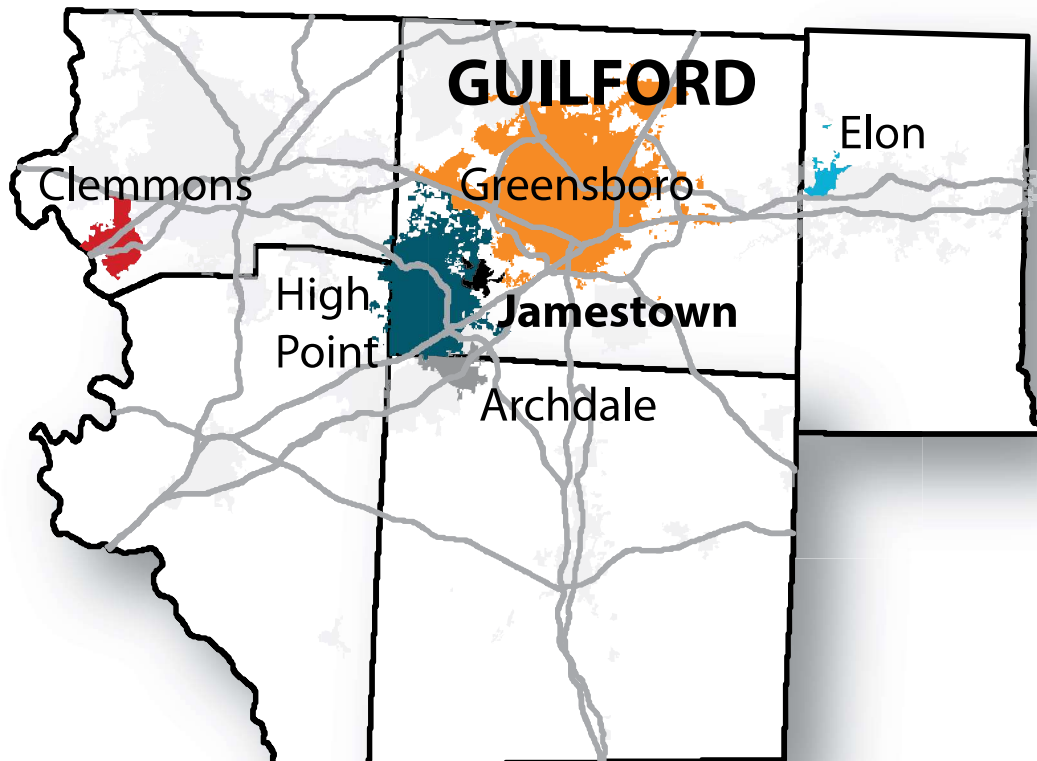


REGIONAL COMPARISONS

The AARP Livability Index is best used as a metric to compare a community against similarly situated locales. For this reason, Jamestown is compared here with a set of regional peer communities that are either similarly situated in the region or have similar economic and demographic characteristics. Jamestown's peer communities are shown in Map 4 below. The State of North Carolina was also included in this analysis.

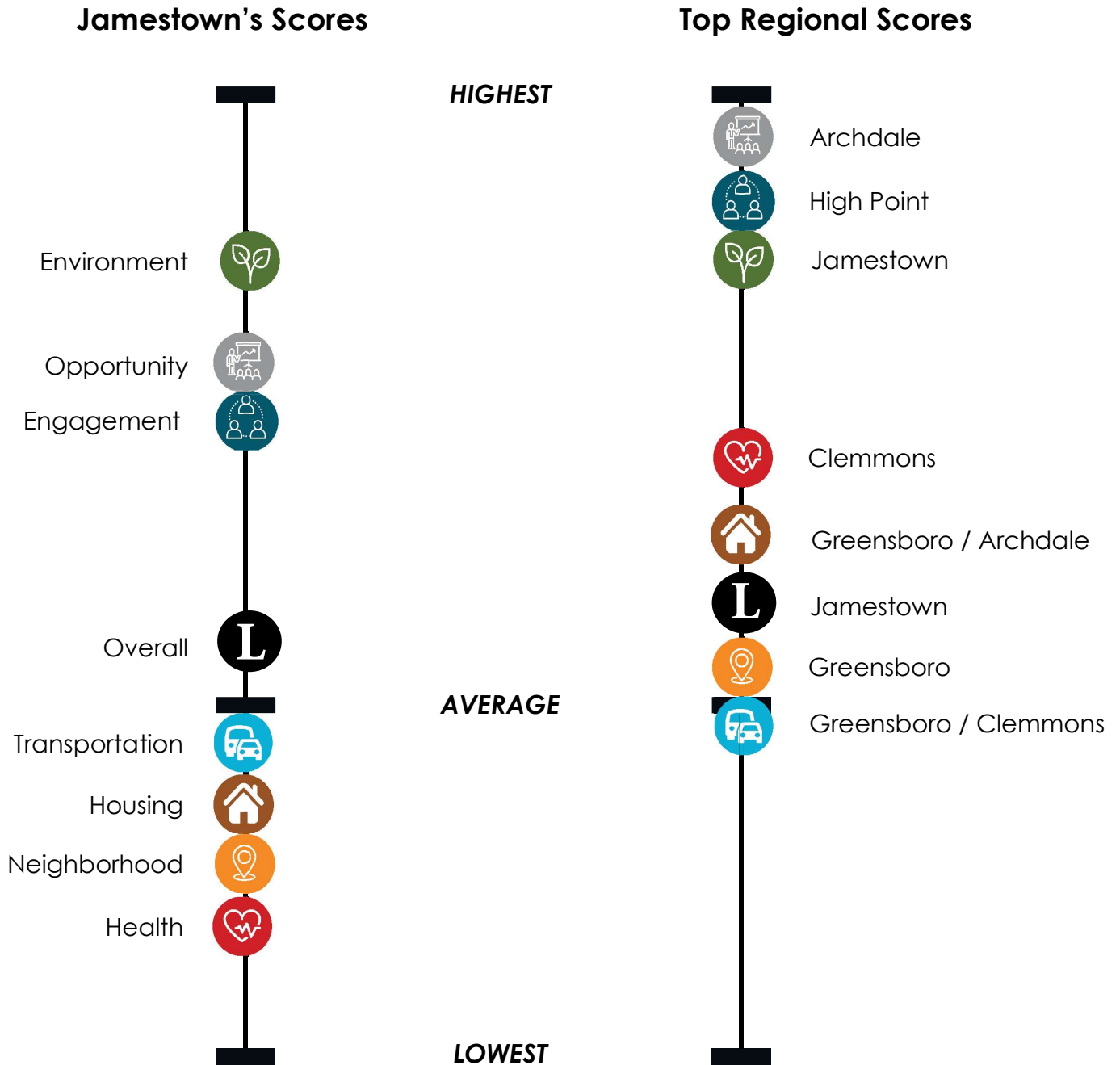
The following page provides a cursory review of Jamestown's scores for all livability categories, as well as the highest ranking peer communities for each of the indicators. This is followed by pages which explain each individual category and demonstrate how Jamestown ranks against its regional neighbors and statewide peer communities on each element. It should be noted that there are inherent errors in the national data sets used in developing the Livability Index that may have varying impacts on communities' scores (such as missing data). These errors will typically affect most communities equally, especially when comparing communities within a state or sub-region of a single state, and so they tend to be mitigated by having the same positive or negative impact on the scores of geographic peers. Where these errors are expected to occur, they are explained in the explanation section of that indicator in this report.

▼ Map 4 Jamestown and Regional Peer Communities



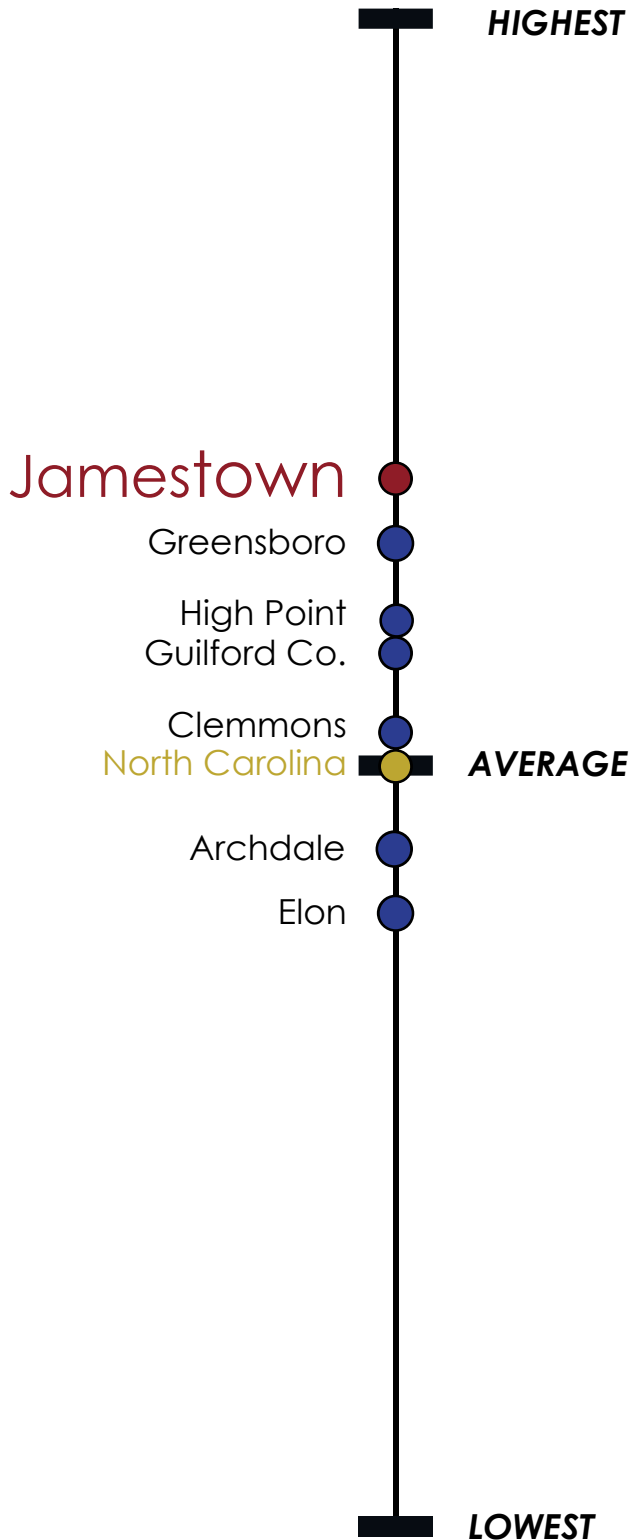
OVERALL LIVABILITY SCORES

While the peer communities and the State have relatively comparable scores and are considered to have “average livability,” Jamestown has the highest overall livability score. Similarly, Jamestown has the highest ranking environmental score, rising much higher than a number of its peer communities. While Jamestown ranks around “average” for most of the indicators, the housing score ranks near the lower end of the spectrum (predominantly because of a lack of affordable housing).





OVERALL LIVABILITY

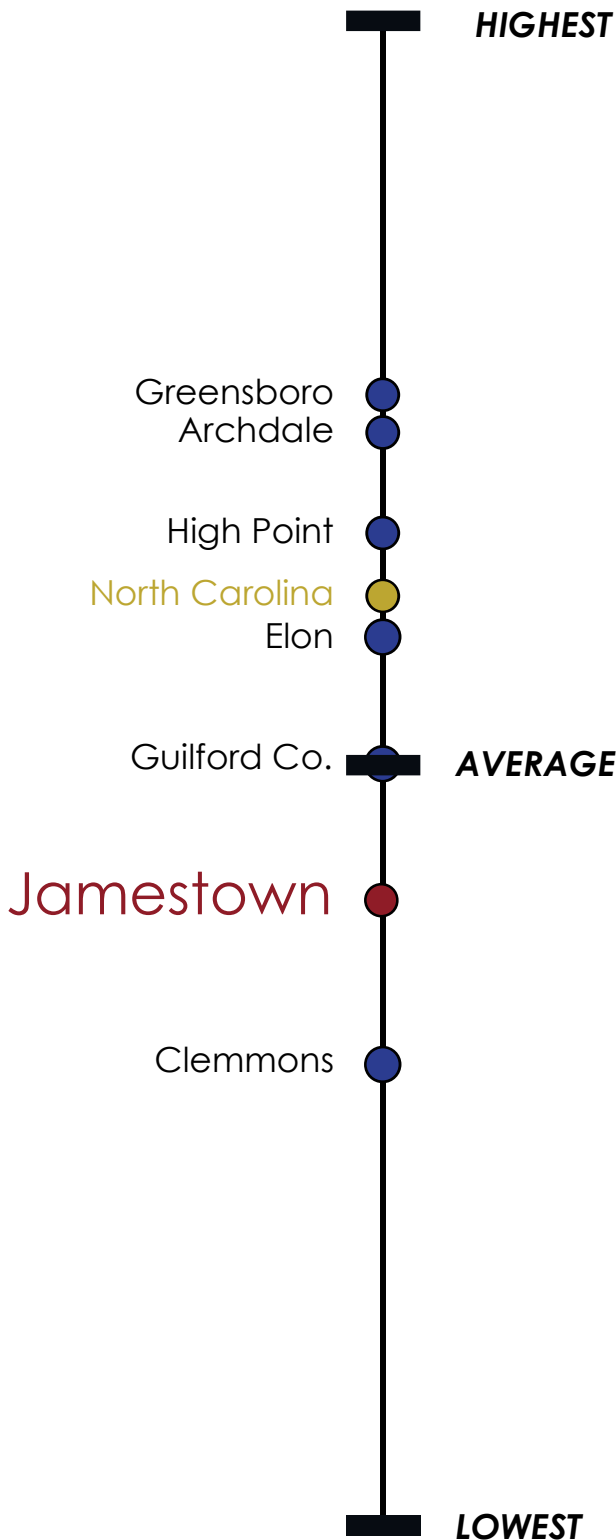


OVERALL LIVABILITY

The graphic on the left identifies how Jamestown scores in overall livability in comparison with its peer communities. Jamestown has the highest overall livability score of the selected communities, though is certainly comparable. In order to provide context on the overall standing of the state, North Carolina's score is shown in yellow. It should be noted that comparable and peer cities were identified based on two specific factors. The first set (Greensboro, High Point, and Guilford County) were selected for their geographic location in relation to Jamestown. The second set (Clemmons, Archdale, and Elon) were chosen for their attributes which are comparable to the Town. The following pages are set up in a similar fashion related to the seven primary categories of the Livability Index.



HOUSING



HOUSING

The AARP Livability Index defines housing livability by examining housing accessibility, multi-family availability, housing affordability, the cost burden of housing, and subsidized housing. Jamestown does poorly in this category, scoring below the national average and most of its peer communities. Of particular note is the indicator that Jamestown scores in the bottom third of the country: housing affordability (cost burden). This is primarily attributed to an attribute that Town residents have generally spoken positively about - its high housing values. The Town also scores poorly in housing options, as the Town is composed primarily of single family homes. This indicator will probably increase slightly with the upcoming development of additional multi-family housing.



NEIGHBORHOOD

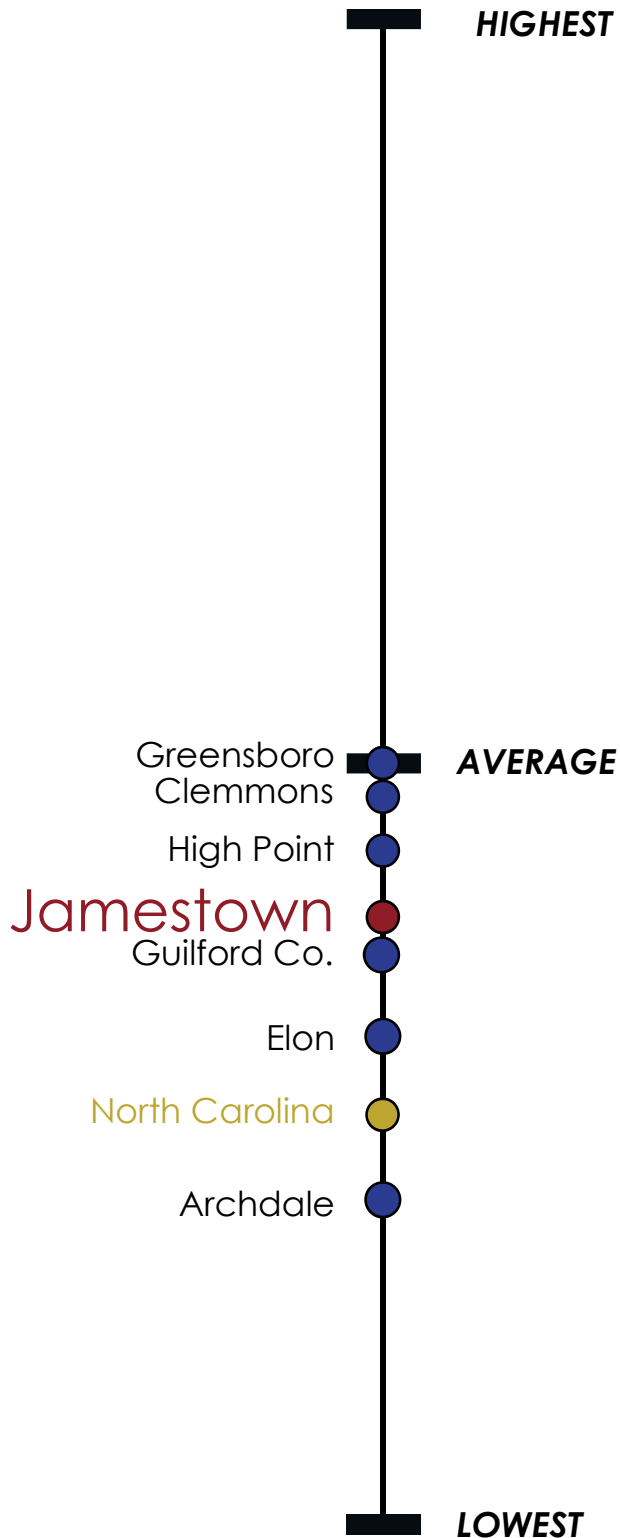


NEIGHBORHOOD

The neighborhood indicator evaluates proximity to destinations such as grocery stores, farmers' markets, libraries, and parks. Per AARP, Jamestown has a neighborhood score of 47 (50 is average). This is equal to Guilford County and higher than a number of its peers, but below High Point and Greensboro. While this is important to review, it should be noted that we believe Jamestown's score for this category should be slightly higher than indicated by AARP, as the data sets provided to conduct the livability index do not include Jamestown's Library and the crime rates may be skewed by the County.



TRANSPORTATION

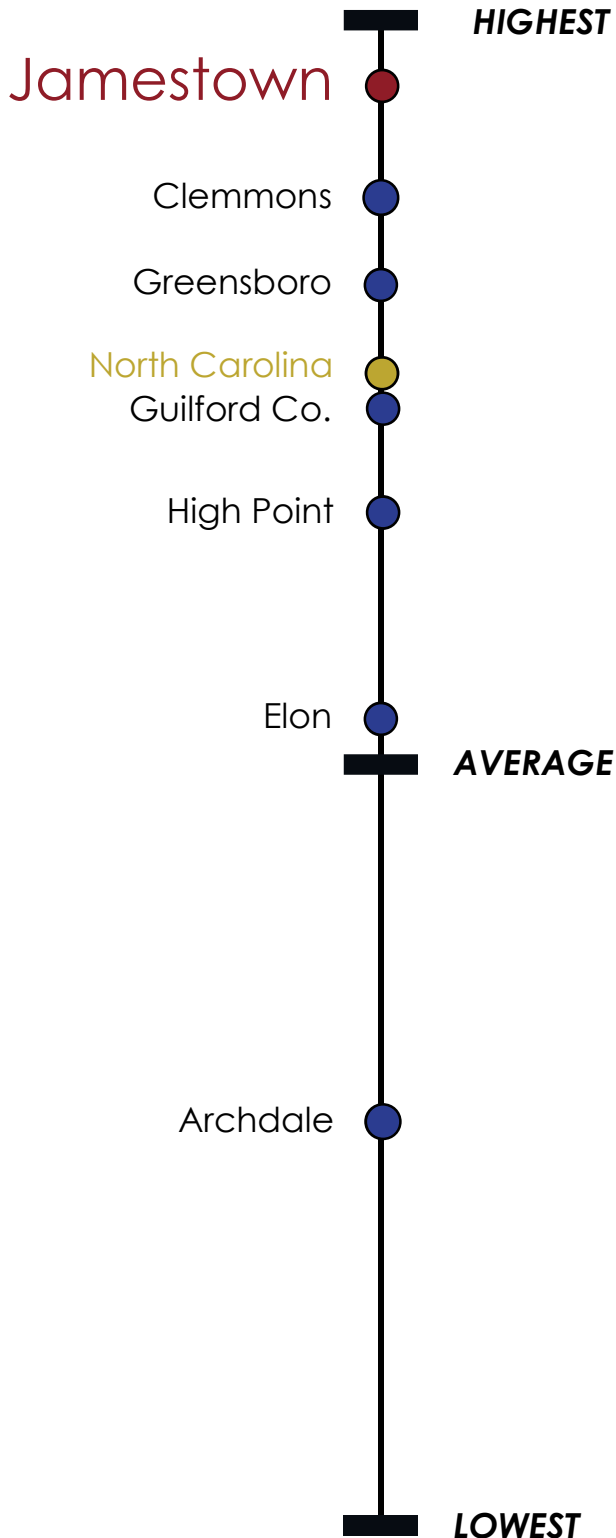


TRANSPORTATION

When examining transportation scores, the AARP analyzes transit frequency, ADA stations and vehicles, walk trips, congestion, household transportation costs, speed limits, and crash rates. In comparison to the country and region, Jamestown fares just below average in this category. It's important to note that much of this is because there are very limited transportation options in the Town, reducing its score by 30%. Further, congestion scores may be increased with the opening of the Bypass and safe streets scores could be increased with related improvements to Main Street.



ENVIRONMENT

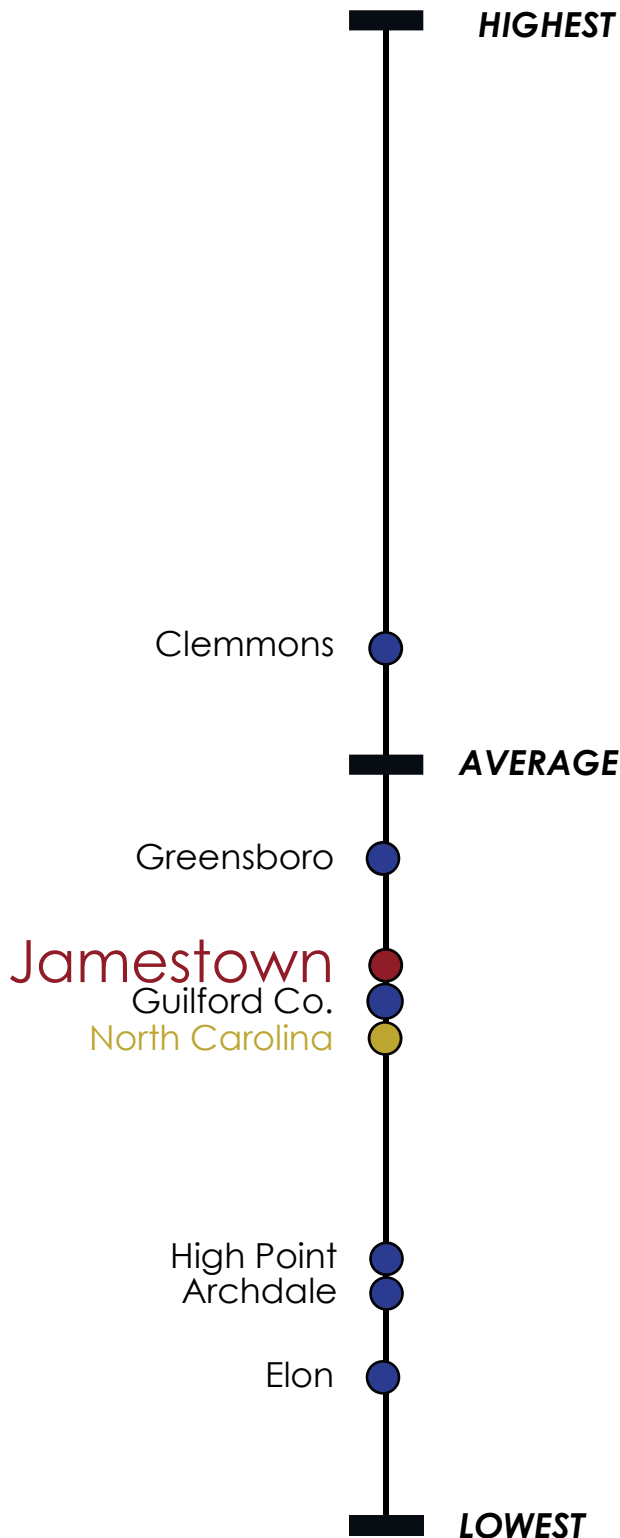


ENVIRONMENT

The AARP Livability Index reviews environmental livability based on drinking water quality, regional air quality, near-roadway pollution, and local industrial pollution. This indicator is one that Jamestown does really well in, scoring higher than all of its peer communities and the State. This is predominantly because of exceptional air quality ratings, based on the limited presence of highways or industrial pollution adjacent to residential areas.



HEALTH

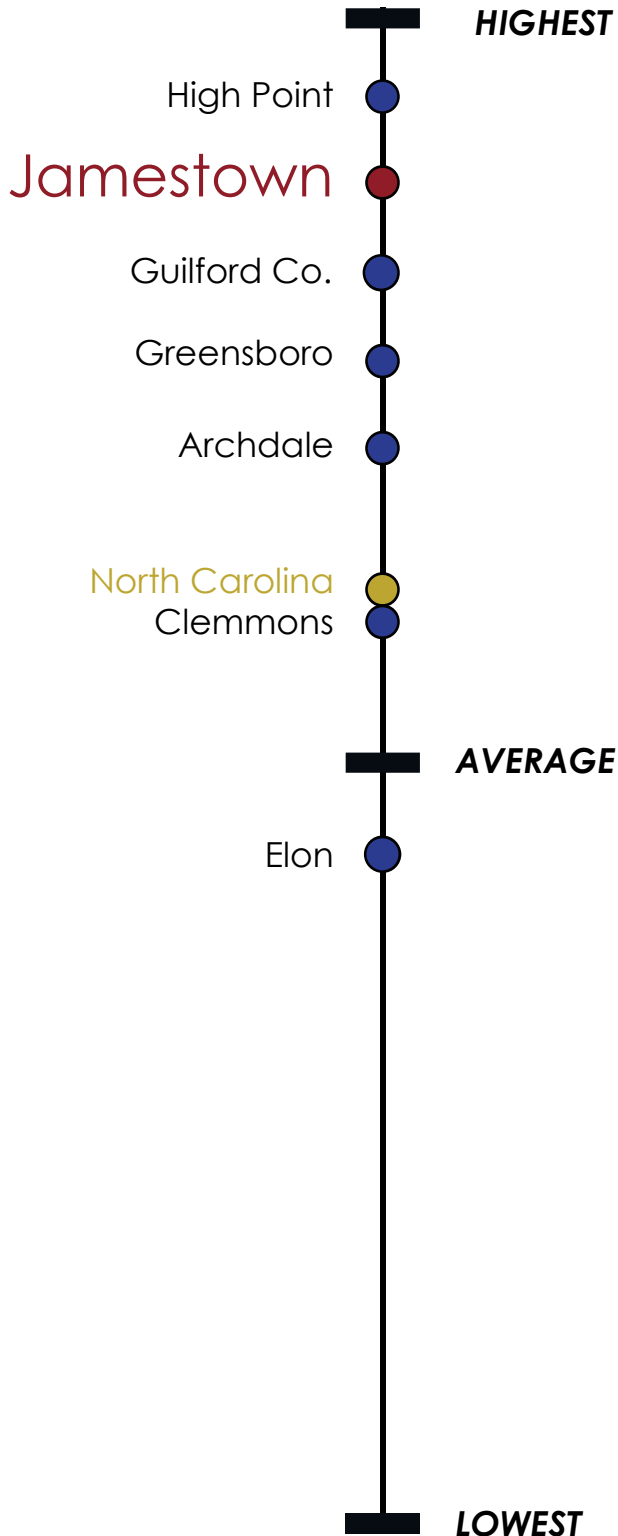


HEALTH LIVABILITY

The AARP Health Livability Index score is based upon population characteristics which include smoking prevalence, obesity prevalence, access to exercise opportunities, health care professional shortage areas, preventable hospitalization rates, and quality of health care (patient satisfaction). According to AARP, Jamestown falls in the top to middle third of the country in terms healthy behaviors and quality of health care, though it falls into the bottom third of the country in terms of patient satisfaction and access to health care. This is most likely attributed to the lack of facilities within the Town limits. Jamestown's score is comparable to its peer communities, and equal to the County and State.



ENGAGEMENT

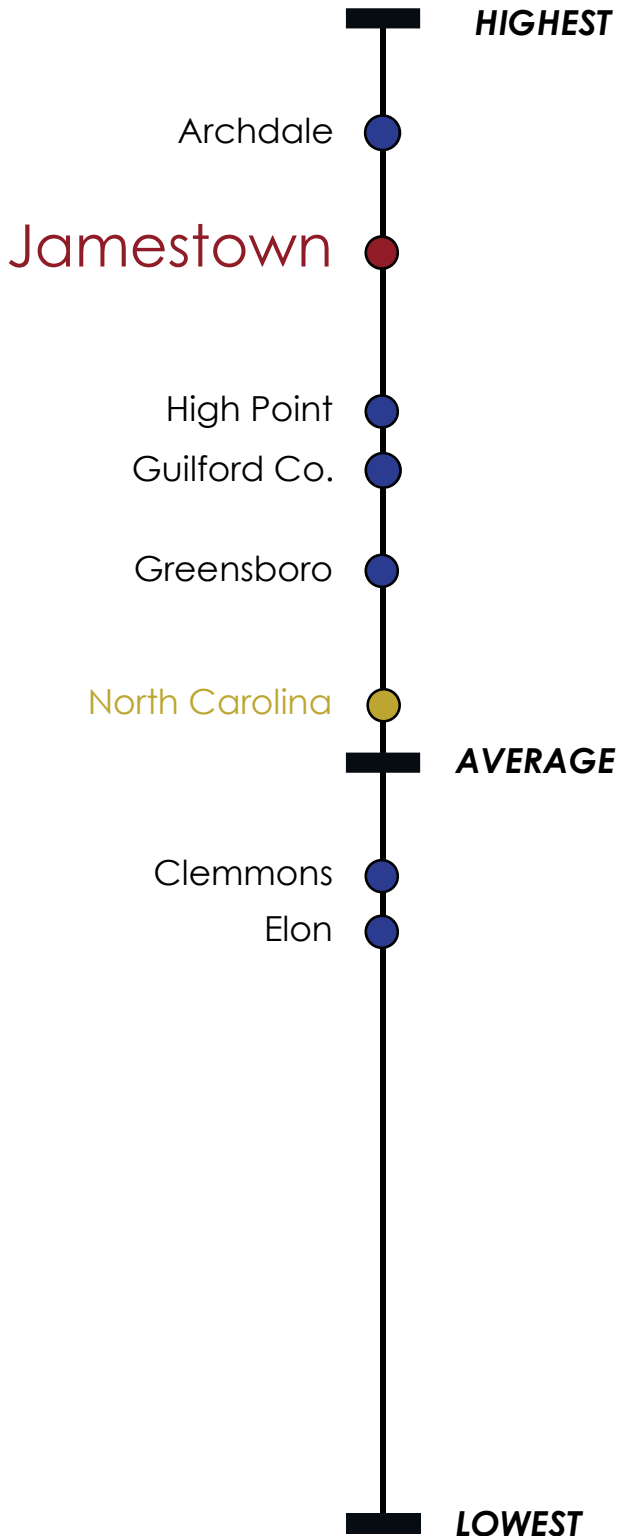


ENGAGEMENT

Engagement is examined by reviewing internet access, civic engagement (voting rate), and opportunity for civic engagement. When breaking this category down to these metrics, Jamestown scores in the top third of the country in regard to internet access, opportunities for civic involvement, and voting rates. The Town scores in the middle third of the country in regard to social involvement index and cultural, arts, and entertainment institutions. It's possible that because the entertainment that exists within the Town is smaller scale than would be considered "an institution," the actual value of this category could be higher. Though, Jamestown scores higher than most of its peer communities.



OPPORTUNITY



OPPORTUNITY

The AARP Livability Index defines opportunity by examining income inequality, jobs per worker, high school graduation rate, and age diversity. This is another indicator that Jamestown scores high in, with Archdale as the only peer community with a higher score. We view this as a positive asset for the Town, as the statistics that lead to opportunity are hard to manufacture. The only sub-indicator holding Jamestown back from a higher score is the income inequality, as there is a great disparity between the rich and poor populations in the Town.

DEMOGRAPHIC TRENDS

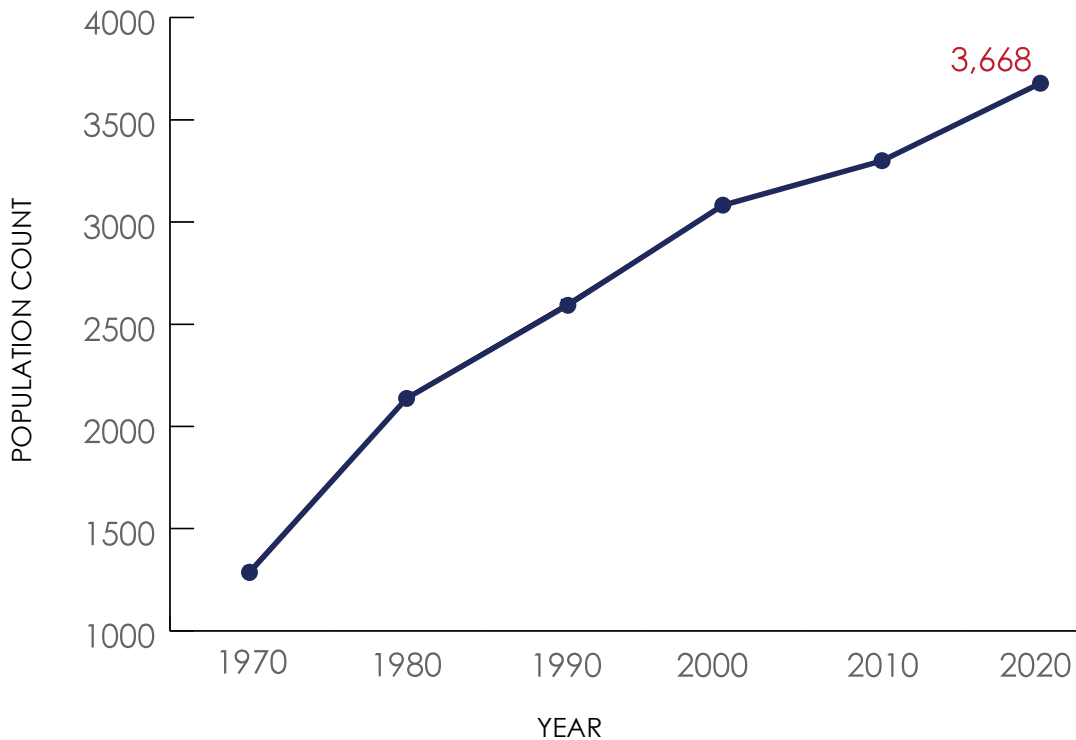
POPULATION GROWTH

The recently released results of the 2020 Census show the Town's population to be 3,668 residents as of April 1, 2020. The Town has seen steady growth over the past 50 years, and the growth rate over the past decade has accelerated somewhat as compared to the period of 2000-2010. During the last decade, Jamestown's population grew at a rate that was comparable to Guilford County, the State of North Carolina, and the larger cities in Guilford County (see Figure 16). When looking at some of the other smaller peer communities in the region, Jamestown had a slower rate of growth than both Clemmons and Elon, while Archdale grew at around half the rate of Jamestown.

The State Demographer anticipates that Guilford County's population will continue to increase over the next thirty years, growing from 541,299 residents in 2020 to 720,661 residents in 2050. With such substantial growth anticipated for the County as a whole, Jamestown is expected to see a similar demand for new homes and residents in line with the County's overall growth, although ultimately Jamestown will be limited by the availability of land resources within its corporate limits and ultimate growth area.

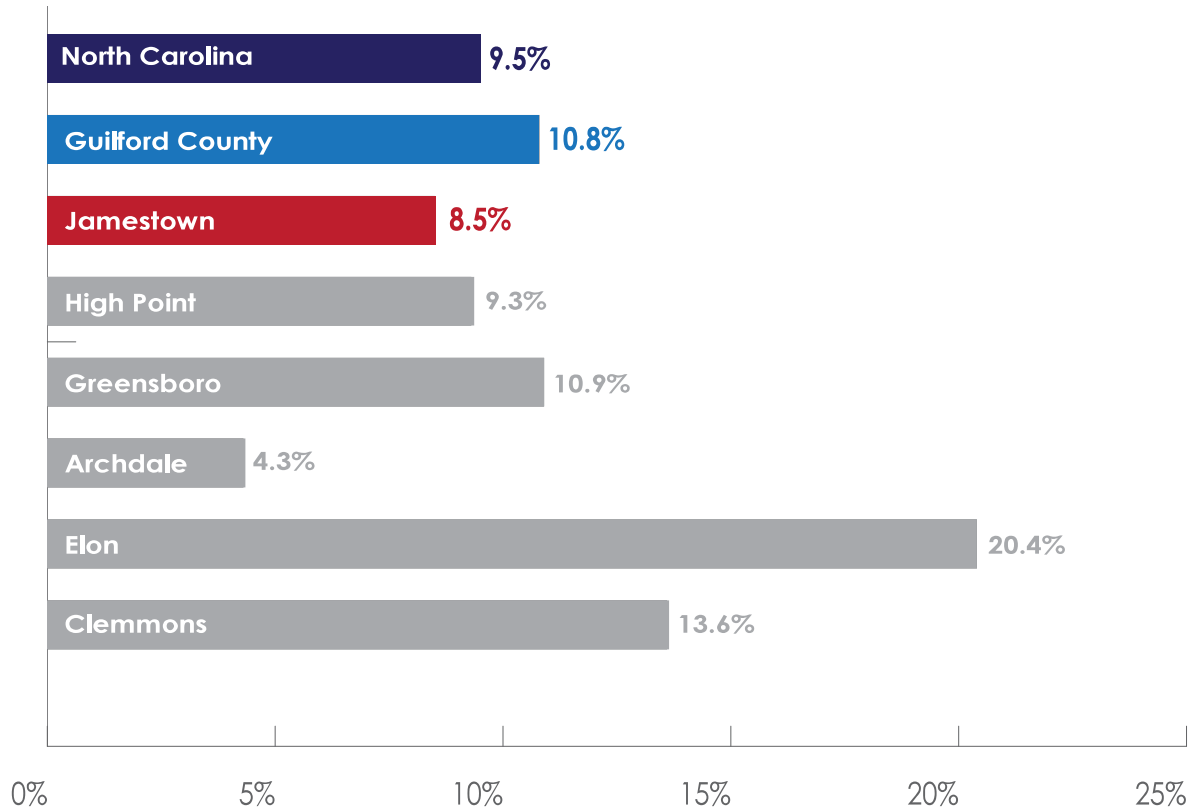
AGE AND HOUSEHOLDS

▼ Figure 15 Historic Population Growth
Source: US Census Bureau 2020 Decennial Census



▼ Figure 16 Population Growth Comparisons

Source: US Census Bureau - 2010 and 2020 Decennial Census



▼ Figure 17 Projected Population Growth - Guilford County

Source: U.S. Census Bureau and NC Office of State Budget & Management

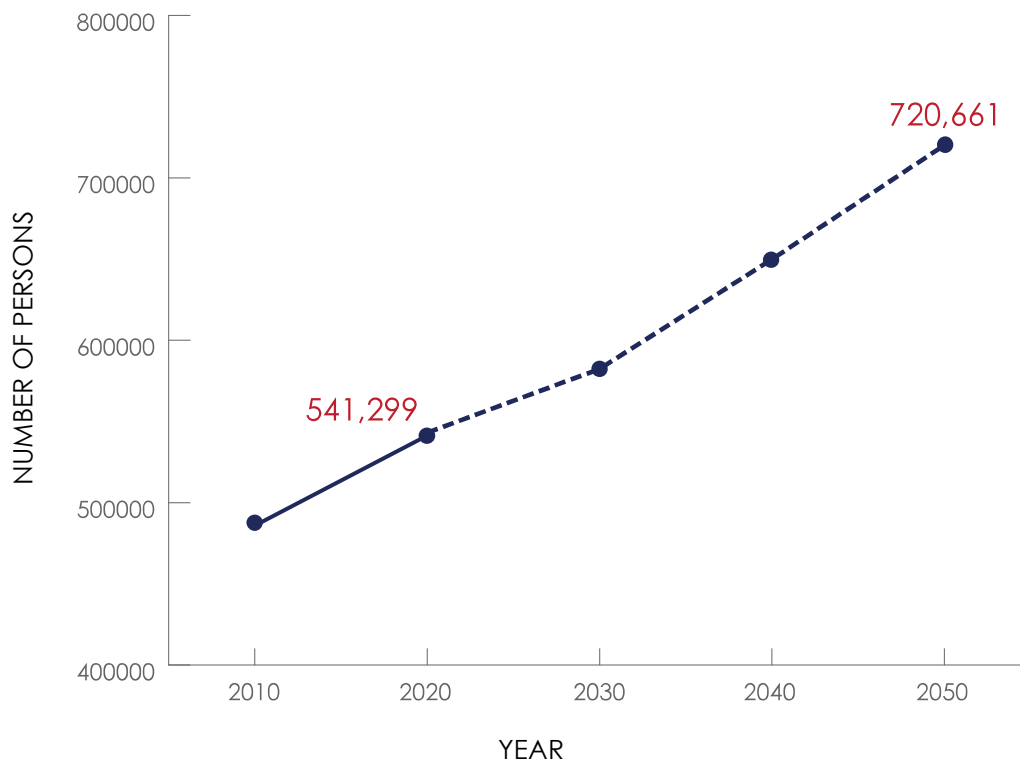
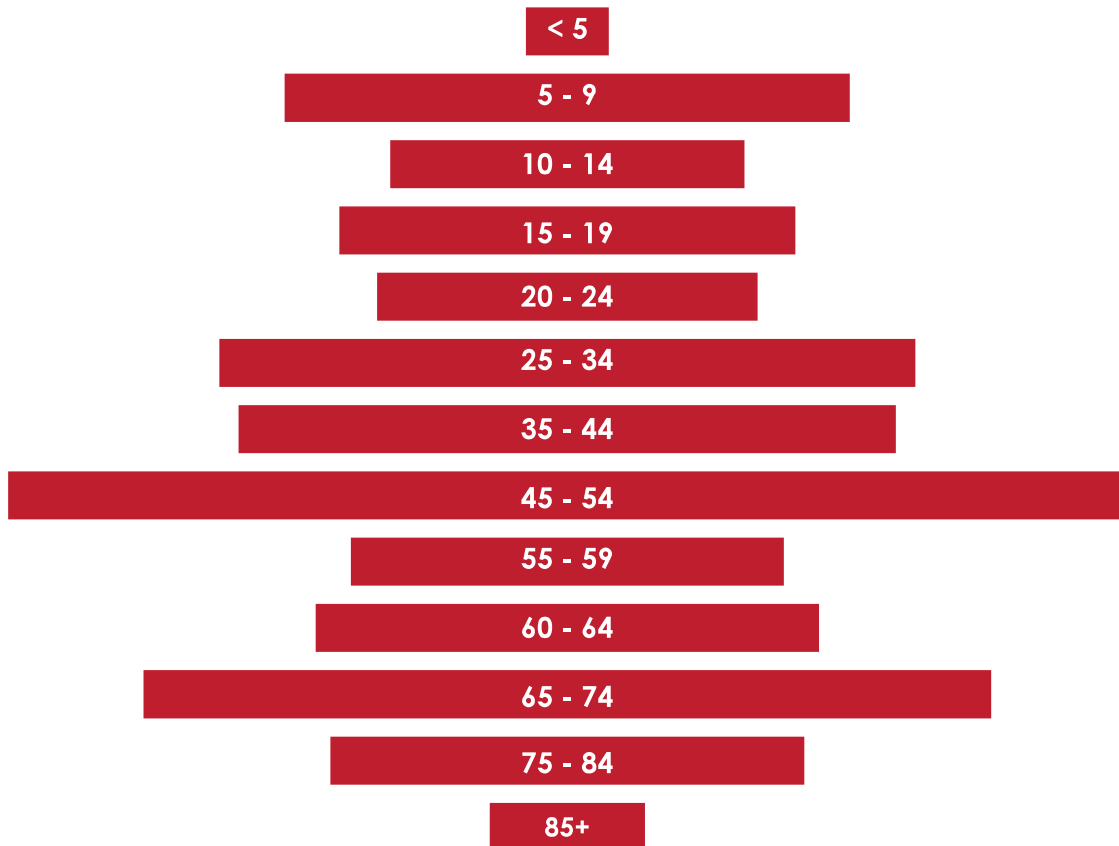


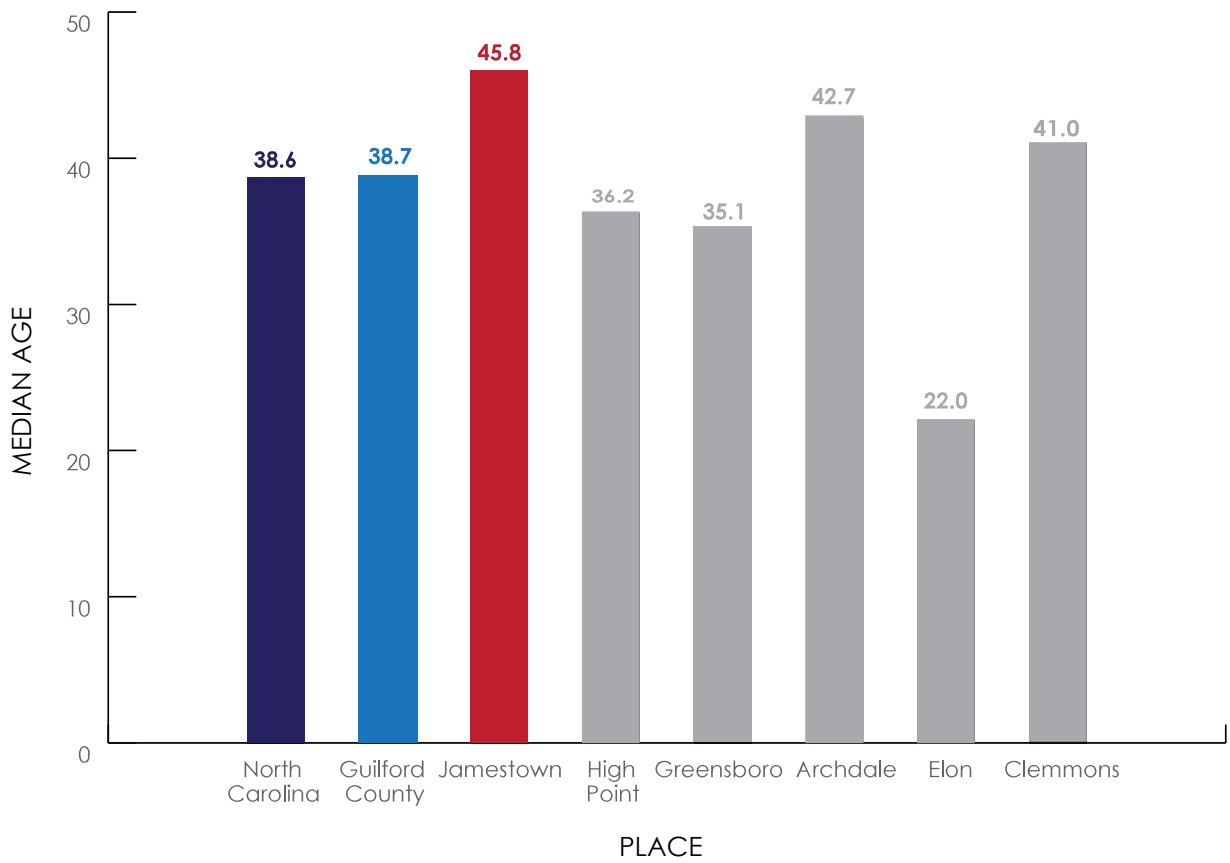
Figure 18 shows the number of people in each age cohort in the Town of Jamestown. The largest share of residents are in the age groupings between 45 and 54 and between 65 and 74. The smallest age groups are under the age of 5 and over 85 years old. While these groups do not appear drastically different in size at first glance, the combination of these factors contributes to create a significantly older median age in the Town than in the greater Triad region. At 45.8 years, Jamestown's median age is around seven years older than Guilford County and the State. Despite having a relatively small number of children under the age of five, almost one third of the Town's households are families with children. Another third of the population are people who live alone. This number is somewhat high for a Town like Jamestown, where a large share of the housing stock is comprised of single family homes. Almost 12% of those over the age of 65 years old also live alone. This number is slightly high, but not concerningly so, particularly given the fact that many of those over the age of 65 are between 65 and 84 years old. Having a high number of elderly people living alone can create risks in terms of increased resident dependency and associated health needs.

▼ Figure 18 Population Pyramid of Relative Size of Age Groups
 Source: American Community Survey, 2019 (5-YR Estimate)



▼ Figure 19 Median Age

Source: American Community Survey, 2019 (5-YR Estimate)



▼ Figure 20 Households

Source: American Community Survey, 2019 (5-YR Estimate)



28.7%
LIVING ALONE



27.5%
FAMILY WITH CHILDREN

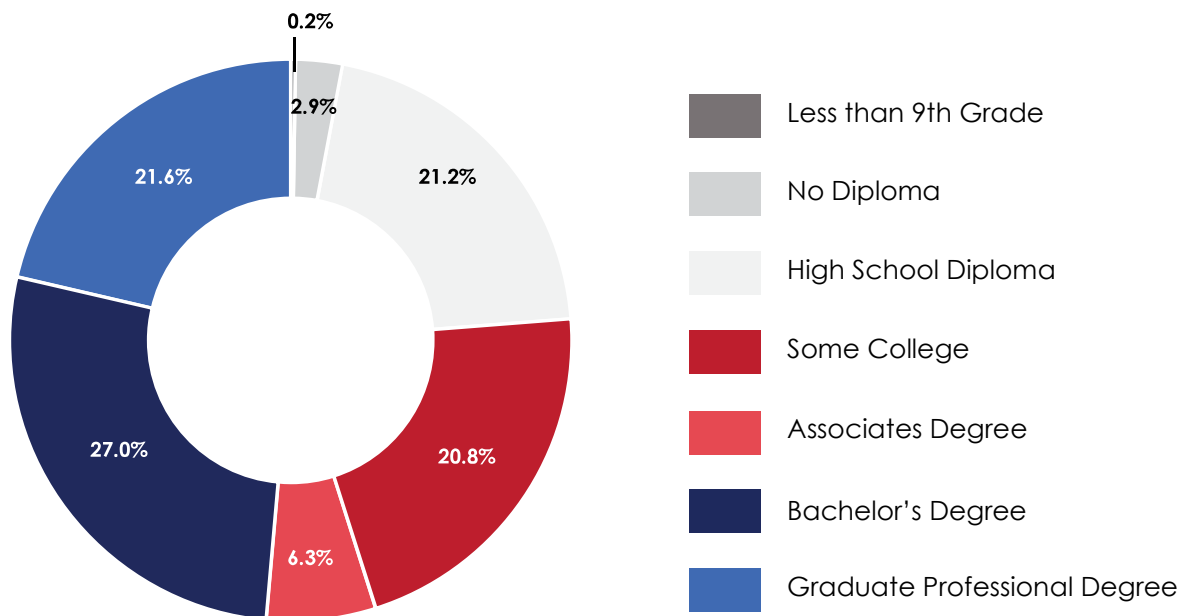


11.8%
OVER 65 LIVING ALONE

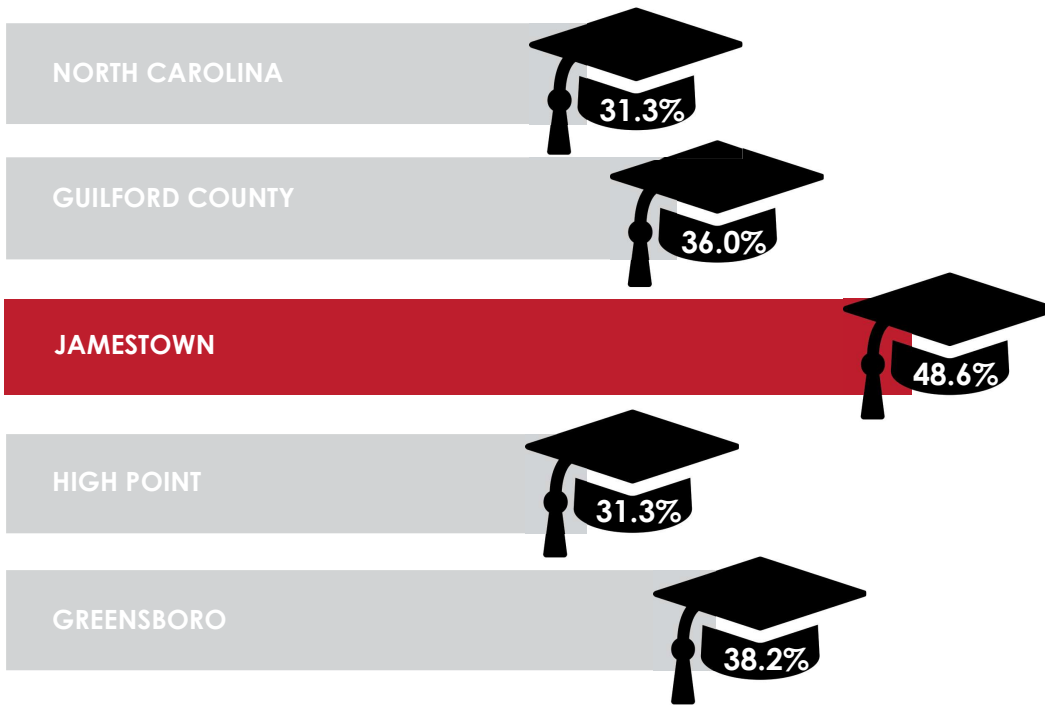
EDUCATIONAL ATTAINMENT

Almost one half of Jamestown's residents who are over the age of 25 have attained a Bachelor's degree or higher level of education. There are an additional 27% who have attended some college or received an Associates degree, and only around 3% who have not completed high school. The share of the Town's population with higher levels of education is much higher than the region, where only around one-third of the residents have received a Bachelor's degree or higher. It is interesting to note that almost 22% of those with higher levels of education have a Graduate degree or higher, indicating a much higher level of attainment in education when compared to a typical North Carolina community. In fact, between 2010 and 2019, the share of the Town's population with a college degree has increased slightly, while those who have not completed high school and those who have not completed college has decreased. Generally, educational attainment has continued to increase in Jamestown over time. Higher levels of educational attainment typically have impacts on the types of jobs residents are employed in, the salaries for those jobs, employment rates, and associated factors that are generally associated with greater educational attainment.

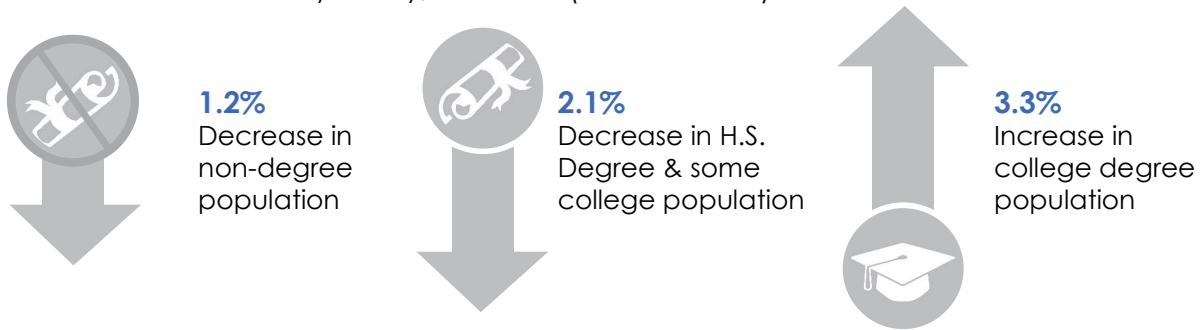
▼ Figure 21 Educational Attainment
Source: American Community Survey, 2019 (5-YR Estimate)



▼ Figure 22 Percentage of the Population with a Bachelor's Degree or Higher
 Source: American Community Survey, 2019 (5-YR Estimate)



▼ FIGURE 23 Trend Comparison (Net Change 2010-2019, % of 25 Yrs.+ Population)
 Source: American Community Survey, 2010-2019 (5-YR Estimates)



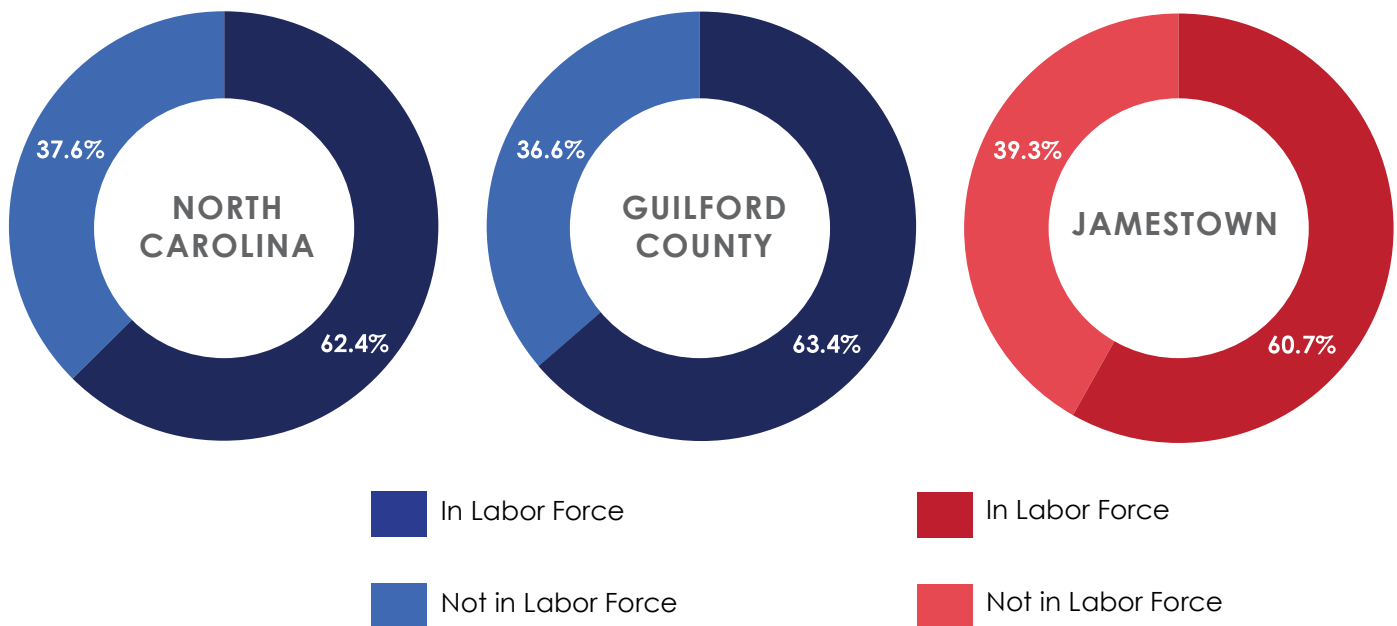
ECONOMIC FACTORS

LABOR FORCE AND INDUSTRY SECTORS

At just over 60%, the labor force participation rate for residents over the age of 16 is lower than the rate seen in Guilford County and the State as a whole. This is due, likely in large part, to the higher median age and relatively large number of residents in the over 65 age group. Those who are in the labor force are employed in a wide range of industry sectors. Most notably, about 20% of residents work in the educational and health care fields, about 16% work in retail trade, and between 11% and 13% work in either manufacturing or entertainment and hospitality services. There are no Town residents employed in agriculture, forestry, fishing, or mining; and very few residents are employed in construction, wholesale trade, information, or public administration.

Though the American Community Survey does include data on unemployment rates, it is not often very accurate and the Federal Reserve Bank of St. Louis has much more informative data on employment rates. The Federal Reserve Bank unemployment rates for the United States, North Carolina, and Guilford County between 2000 and 2020 are shown in Figure 25. Guilford County has experienced employment trends that have roughly mirrored those of North Carolina and the United States as a whole, and it is assumed that due to the higher educational attainment and labor concentration in professional services in Jamestown, it has fared better during periods of increased unemployment than the County would have experienced as a whole.

▼ Figure 24 Labor Force Participation
Source: American Community Survey, 2019 (5-YR Estimate)



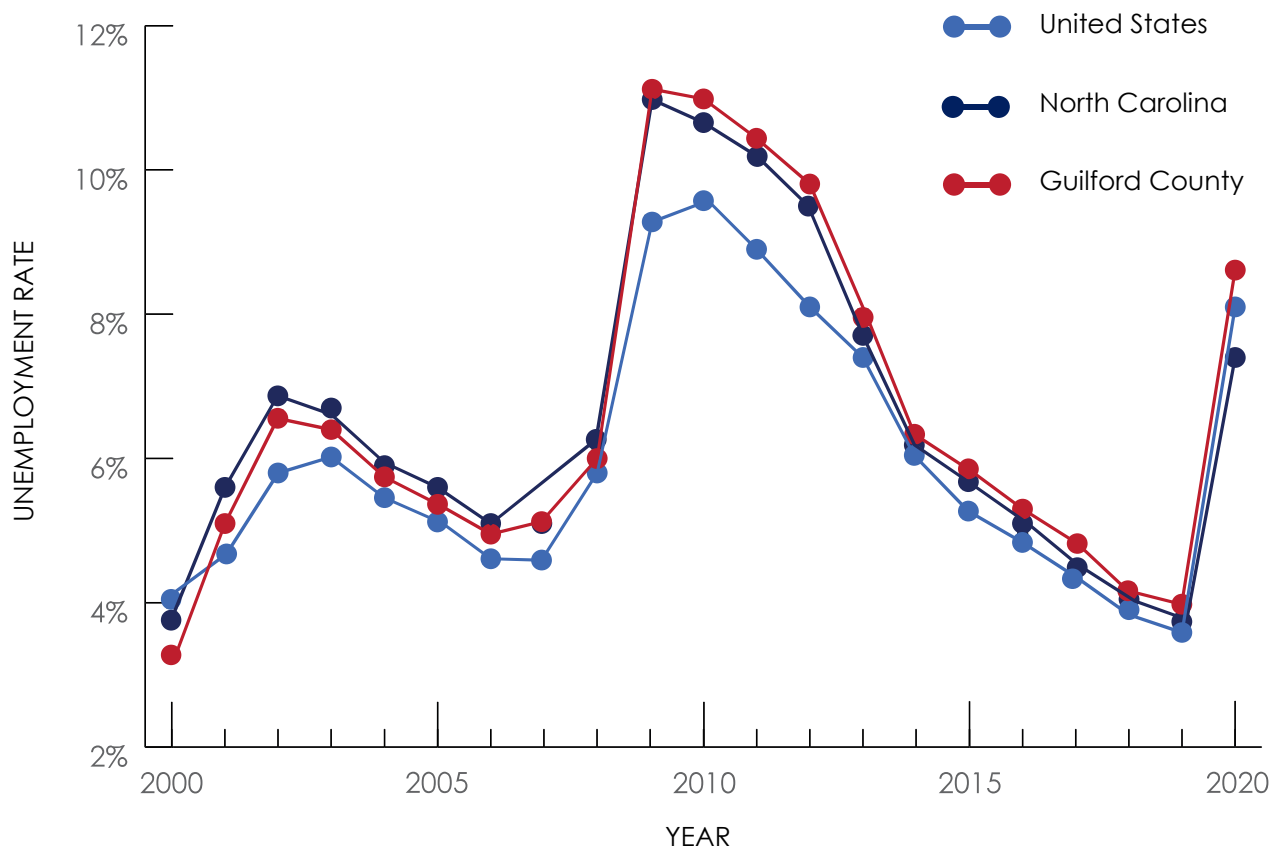
▼ Figure 25 Key Industry Sectors

Source: American Community Survey, 2019 (5-YR Estimate)

INDUSTRY SECTOR	NUMBER OF WORKERS	PERCENTAGE
Agriculture, Forestry, Fishing, and Mining	0	0.0%
Information	16	0.8%
Public Administration	54	2.8%
Construction	59	3.0%
Wholesale Trade	65	3.3%
Transportation, Warehousing, and Utilities	106	5.4%
Other Services	118	6.1%
Finance, Insurance, and Real Estate	143	7.3%
Professional and Administrative Services	209	10.7%
Entertainment and Hospitality Services	224	11.5%
Manufacturing	247	12.7%
Retail trade	312	16.0%
Educational and Health Care	394	20.2%
Total (Workers 16+)	1,947	100%

▼ Figure 26 Unemployment Rates

Source: Federal Reserve Bank of St. Louis Economic Research Data



INCOME

Despite having a lower share of its residents in the labor force, Jamestown's median household income is higher than both Guilford County and North Carolina. At around \$61,000 in 2019, the average Jamestown family earns almost \$7,000 more than those living in Guilford County as a whole. A number of factors contribute to the relative wealth of the community, including higher educational attainment, a heavier focus on "professional" employment, and a higher median age, which means that workers are generally more advance in their careers, and thus are more likely to receive higher salaries and wages than their younger counterparts.

▼ Figure 27 Income Comparisons of Households

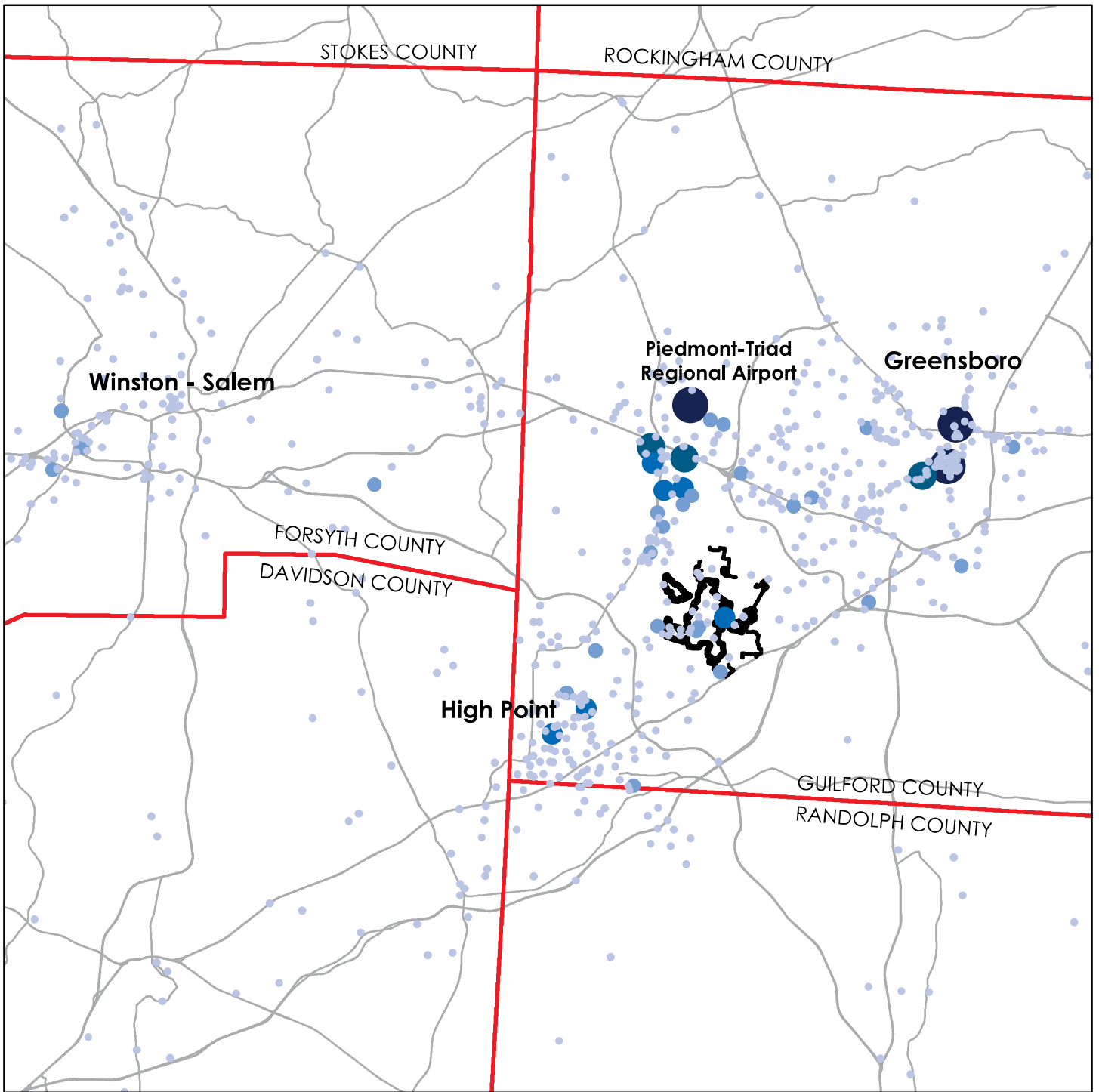
Source: American Community Survey, 2019 (5-YR Estimate)



EMPLOYMENT LOCATION

The majority of Jamestown's residents work inside Guilford County, with only about 14% commuting outside of the County for employment opportunities. Map 5 shows the locations of where residents of the Town work at the Census block level, with the small light colored dots representing locations where between one and five residents work, while the largest, darkest dots show locations where between 20 and 33 residents work. The largest concentration of residents work in Greensboro; particularly in the area around the Moses Cone Hospital, in downtown, and around the Piedmont - Triad Regional Airport. There are also a number of people who work along the Interstate - 40 corridor, in High Point, in Winston-Salem, and within Jamestown itself. While very small segments of the population commute into Davidson and Randolph Counties for work, the vast majority stay within Guilford or Forsyth Counties. Though not shown on this map, there are also a few residents who commute as far as Raleigh, Durham, Chapel Hill, Cary, Burlington, Fayetteville, Charlotte, Mooresville, and Hickory.

▼ Map 5 Place of Work (for Jamestown Residents)



▭ Jamestown
— Major Roads

- 1 - 5 Jobs
- 6 - 10 Jobs
- 11 - 15 Jobs
- 16 - 20 Jobs
- 20 - 33 Jobs



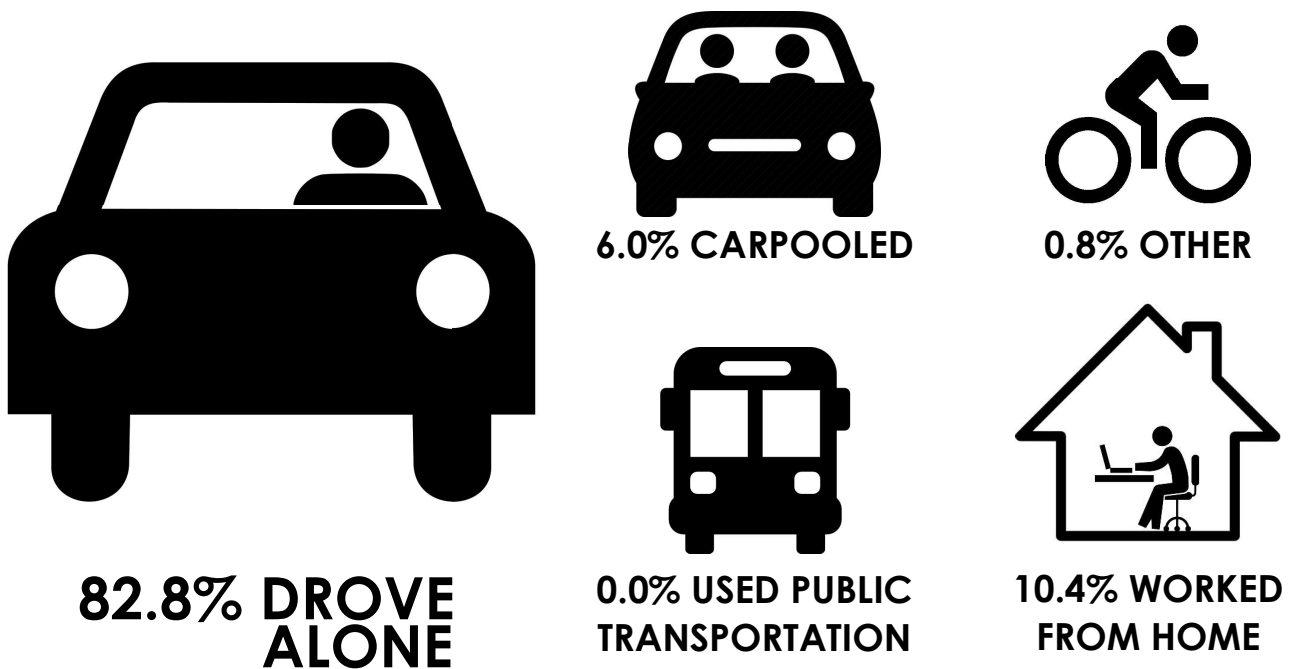
1 Mile

COMMUTING TO WORK

Many of the employed residents drive alone in a car to work, which is very typical of most American communities. It is peculiar that about 6% of residents are carpooling to work. Having a higher rate of commuting is typical in communities of lower incomes or in more traditional employment fields, such as manufacturing and laboring. However, it also indicates consciousness in terms of environmental and economic impacts of single occupancy vehicles. Another important note is that more than 10% of Jamestown's residents were working from home in 2019. It is likely that this number has increased in 2020. As most of Jamestown's residents are employed inside of Guilford County, the median travel time to work is slightly lower than the County and the State, averaging around 21 minutes. In fact, more than half of Jamestown's employed residents commute less than ten miles to work, with many working in Greensboro, High Point, Archdale, and Winston-Salem.

▼ Figure 28 Means of Transportation

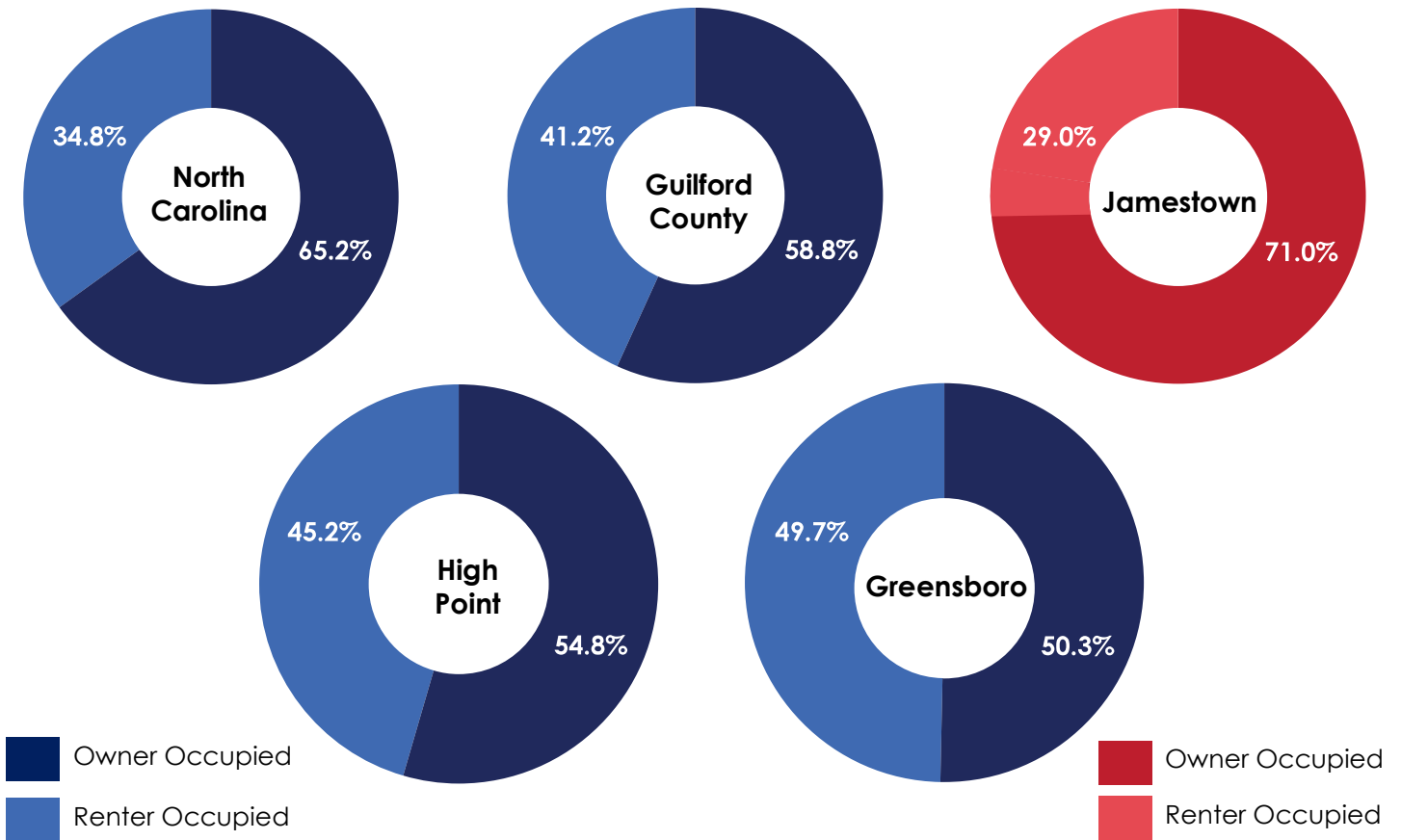
Source: American Community Survey, 2019 (5-YR Estimate)



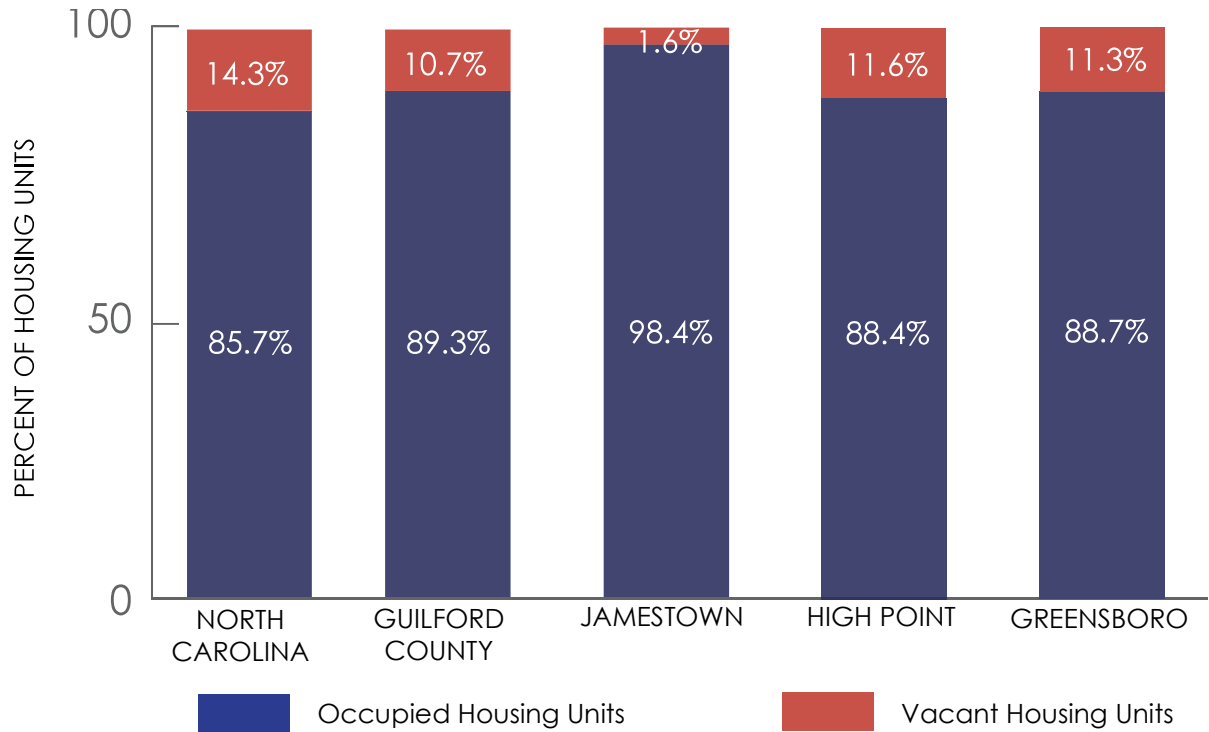
HOUSING

Characteristics of housing are largely related to employment and income data examined on the previous pages. In Jamestown, about 75% of the housing units are single family homes and about one quarter of the units are multi-family homes. The majority of all housing in the Town (71%) is occupied by its owner. This is higher than the region overall, which averages between 50% and 59% owner occupancy. This is also higher than the State's average owner occupancy rate of 65.2%. Despite the development of more than 300 housing units between 2010 and 2019, there is also a very low vacancy rate in Jamestown. Typically, when less than 5% of a Town's housing stock is vacant, this indicates a demand for new housing. In Jamestown, only 1.6% of all housing units are vacant. This is striking, particularly when looking at vacancy rates for the region, which range from 10% to 15%. In addition to this, the median home value in Jamestown is high. At around \$220,000, the median home in Jamestown is worth greater than \$40,000 more than the County and State. The only peer communities which boasts higher median home values are Elon (\$253,300) and Clemmons (\$226,600). This does impact affordability of housing, which is limited on average to those who earn the median household income of \$61,000 or higher.

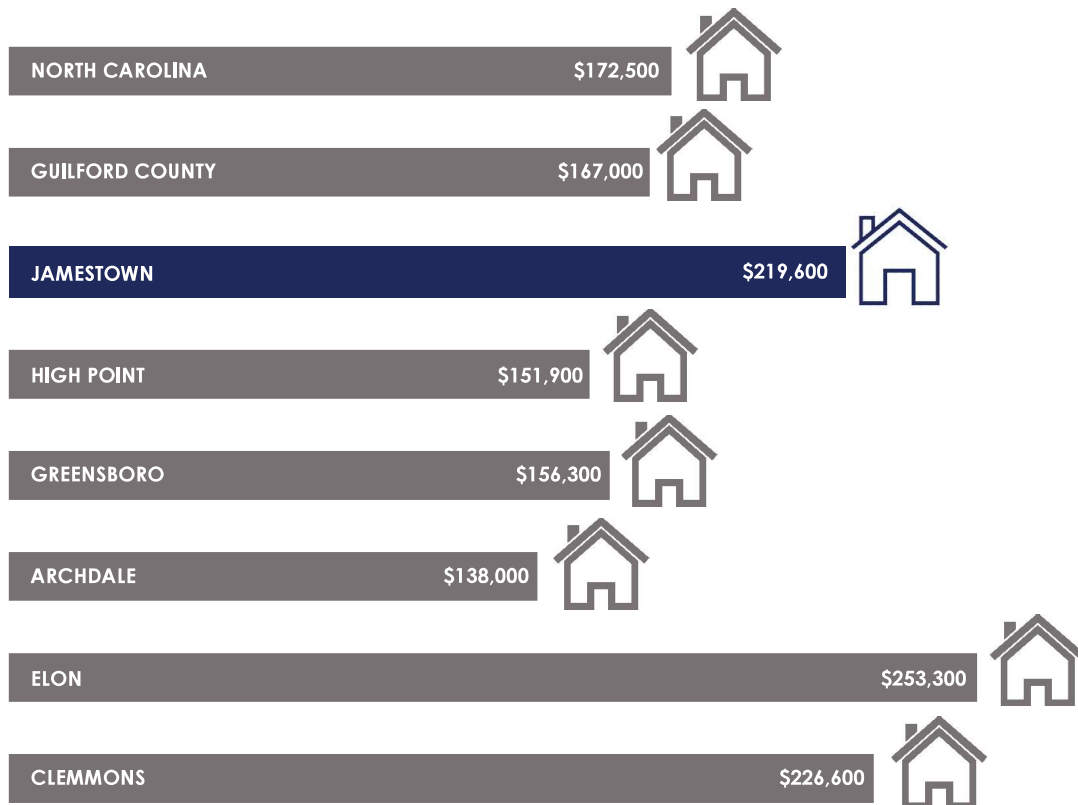
▼ Figure 29 Housing Tenure (Owner / Renter Occupancy)
Source: American Community Survey, 2019 (5-YR Estimate)



▼ Figure 30 Vacant Versus Occupied Housing Units
 Source: American Community Survey, 2019 (5-YR Estimate)



▼ Figure 31 Median Home Values
 Source: American Community Survey, 2019 (5-YR Estimate)



LAND USE AND DEVELOPMENT REGULATION

EXISTING LAND USE

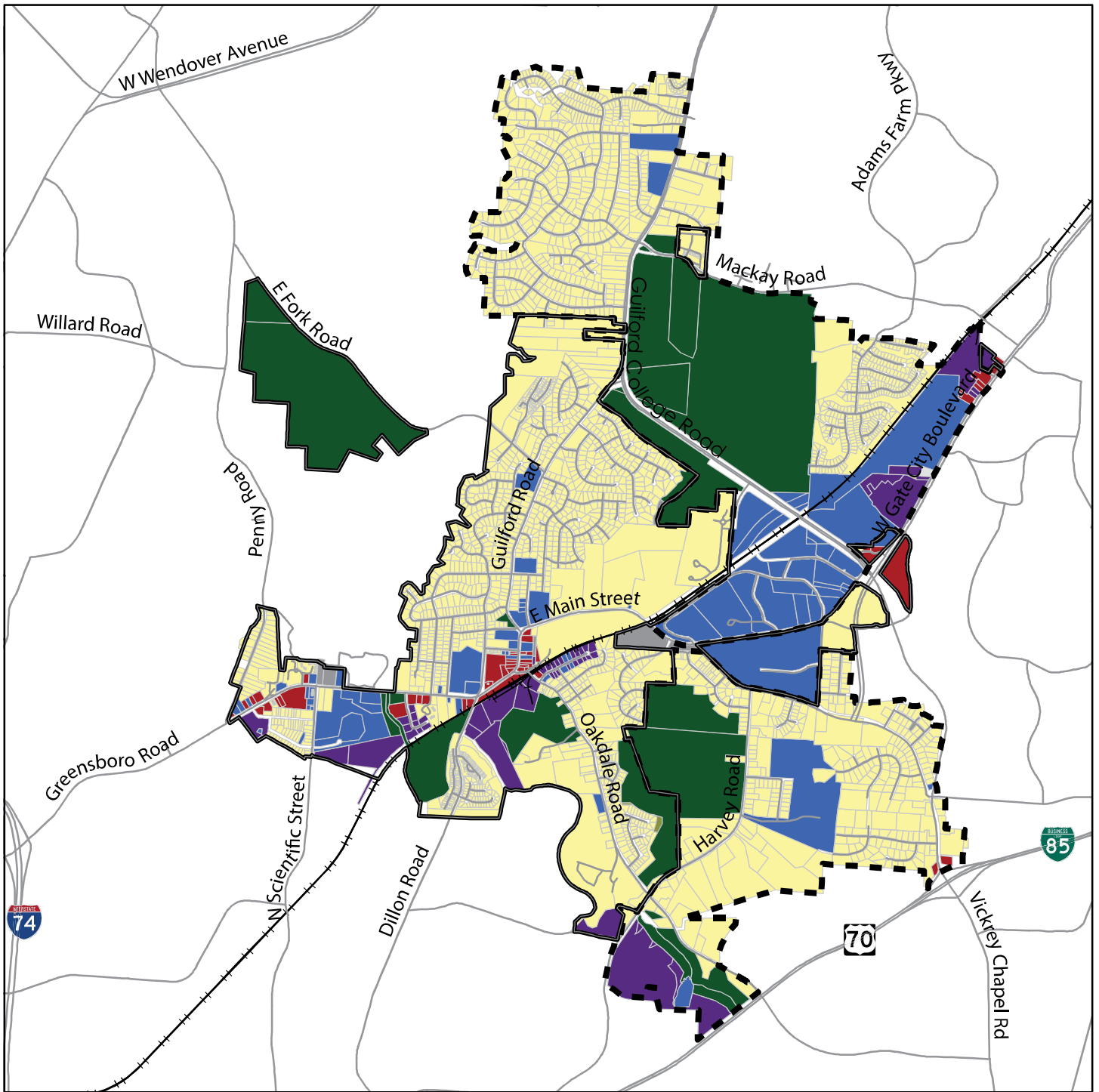
The primary developed land use classification in Jamestown and its ETJ is single-family residential development, the vast majority of which occurred during the postwar era through the turn of the 21st Century. These conventional residential subdivisions began close to the downtown core of Jamestown and generally grew northward along Guilford Road - from Main Street to Cedarwood in the northern ETJ. Residential development typically has occurred on moderately sized lots, with lot areas of around 1/3 of an acre or larger being quite common. Multi-family residential development is scattered throughout the Town, and typically of a smaller scale. A number of these developments are located along Main Street. Uniquely, Jamestown also is home to a traditional mill village, with a number of homes remaining in the historic worker housing area that supported Oakdale Mill.









Public and institutional uses are a significant feature in the Town's existing land use pattern, with the GTCC campus, Ragsdale High School Campus, and a number of other schools and institutional uses calling Jamestown home. As a share of the overall land area, these public and institutional uses occupy an outsized portion of the study area, which conveys a number of benefits, but also creates some challenges given the nature of some of the impacts, particularly traffic, that are typically created by such uses.

Commercial land uses were typically concentrated in downtown Jamestown until postwar suburban development began to emerge in the community, which led to the development of a competing commercial area on the western edge of Town near the High Point city limits. This has led to the commercialization of a good bit of the intervening area along West Main Street between downtown and High Point over the years. As the center of gravity has shifted, however, a new area of commercial development has begun to emerge around Guilford College Road and Gate City Boulevard. Despite the emergence of competing commercial districts, downtown Jamestown has been thriving, as a unique focal point of the community that provides one of, if not the only, authentic historic small-town downtown environments in the urban core of the Triad.

Long a center of industrial activity, from early craftsmen producing black powder firearms for use on the frontier, to entrepreneurial mill owners using the power of the Deep River to produce textiles, Jamestown continues to be home to a number of industries. These are primarily located along the North Carolina Railroad that runs along the edge of downtown, with the larger industries located on the east side of the tracks. In addition to this rail served industrial area, there are also two smaller business parks, as well as the former Oakdale Mill, furniture related facilities near Business 85, and several other isolated industrial campuses in the Town's jurisdiction.

▼ Map 6 Generalized Land Use



- | | |
|---|--|
|  Jamestown |  Residential |
|  Jamestown ETJ |  Office / Institutional / Public |
|  Roads |  Commercial |
|  Railroad |  Agriculture/ Recreation / Open Space |
| |  Industrial |



1 Mile

CURRENT ZONING MAP

Jamestown has eleven zoning district classifications and these are shown in Map 7. As some of these are quite specific in terms of density and character, they can be condensed into five generalized types of zoning for the sake of analysis: residential, commercial, civic, agricultural / recreational, and industrial. Similar to the generalized land use data, residential districts account for the largest portion (47%) of zoned areas and commercial districts account for the smallest portion of the zoned area (3%). Residential districts include Single Family Residential, Multi-Family Residential, and Residential / Main Street Transition. Commercial zoning districts include Commercial / Main Street Transition, Main Street, Commercial, and Bypass. The only other zoning districts which were grouped collectively for the purpose of analysis are the Agriculture and Parks and Recreation districts.

▼ Figure 32 Generalized Zoning Composition

Source: Town of Jamestown

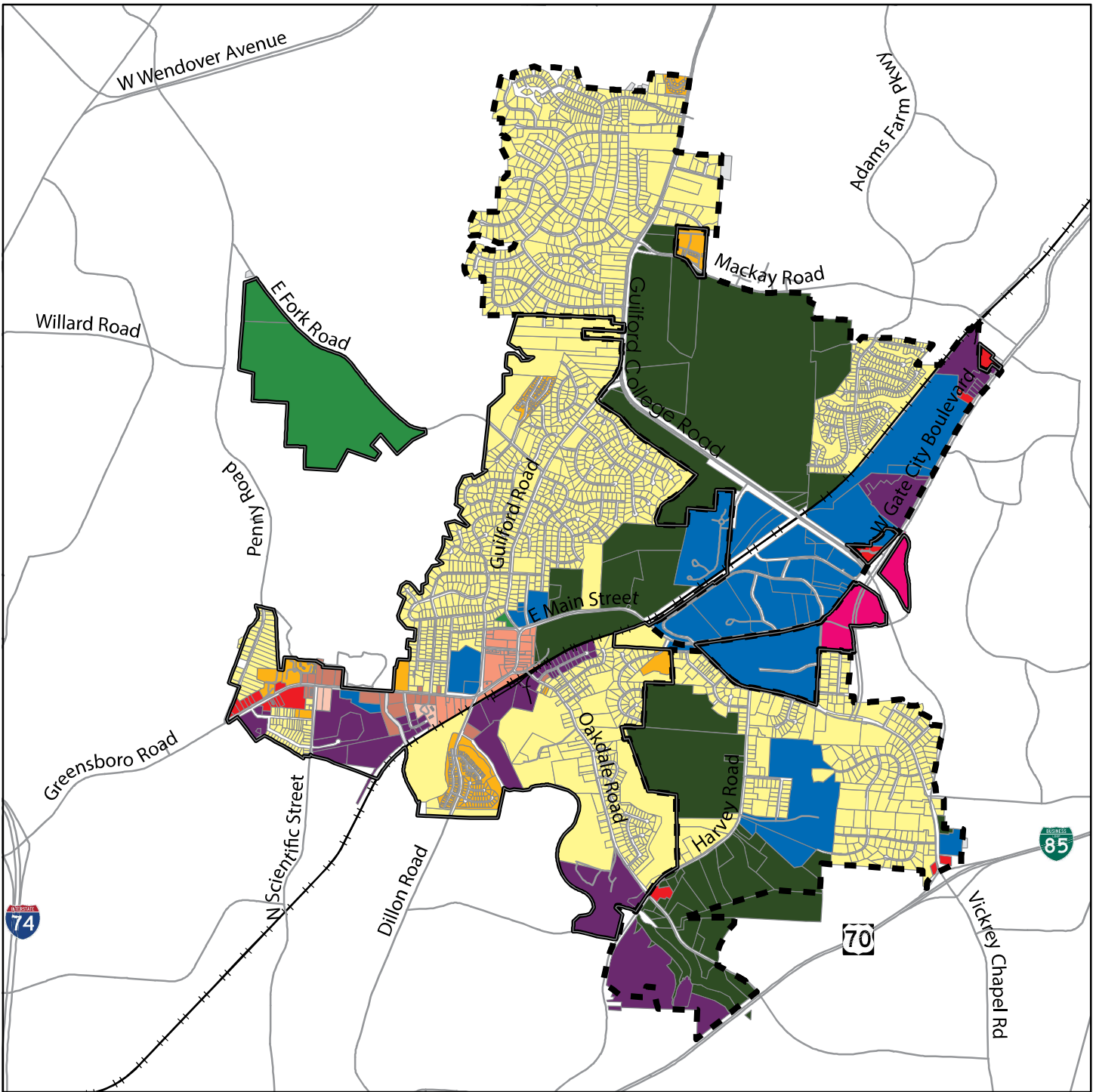
GENERALIZED ZONING	AREA	PERCENT OF TOTAL AREA
Residential Districts	1,830 Acres	47%
Agricultural / Recreational Districts	1,168 Acres	30%
Civic Districts	521 Acres	13%
Industrial Districts	260 Acres	7%
Commercial Districts	124 Acres	3%

During the development of the plan, the Town also adopted a new Planned Unit Development district that is intended to be used as a tool to permit the design and development of innovative and integrated neighborhoods on a larger scale than can be adequately regulated by the conventional regulatory structure of the general zoning districts. Such developments will typically include a wider range of housing types than is typically seen in most conventional residential developments, and will generally include some nonresidential uses in a centralized area that is connected to the overall development. Planned Unit Developments also will typically include an integrated transportation network, with robust facilities provided for bicyclist and pedestrians, along with significant amounts of open space and recreational amenities.

CORRIDOR OVERLAYS

In addition to the eleven general zoning districts, the Town has three corridor overlays: the Bypass, the Gateway Scenic Overlay, and the Rural Scenic Overlay. These are all shown on Map 8. The overlays include development standards such as use, dimension, and landscaping requirements, predominantly to ensure the protection of these roadways and their aesthetic qualities.

▼ Map 7 Adopted Zoning Map

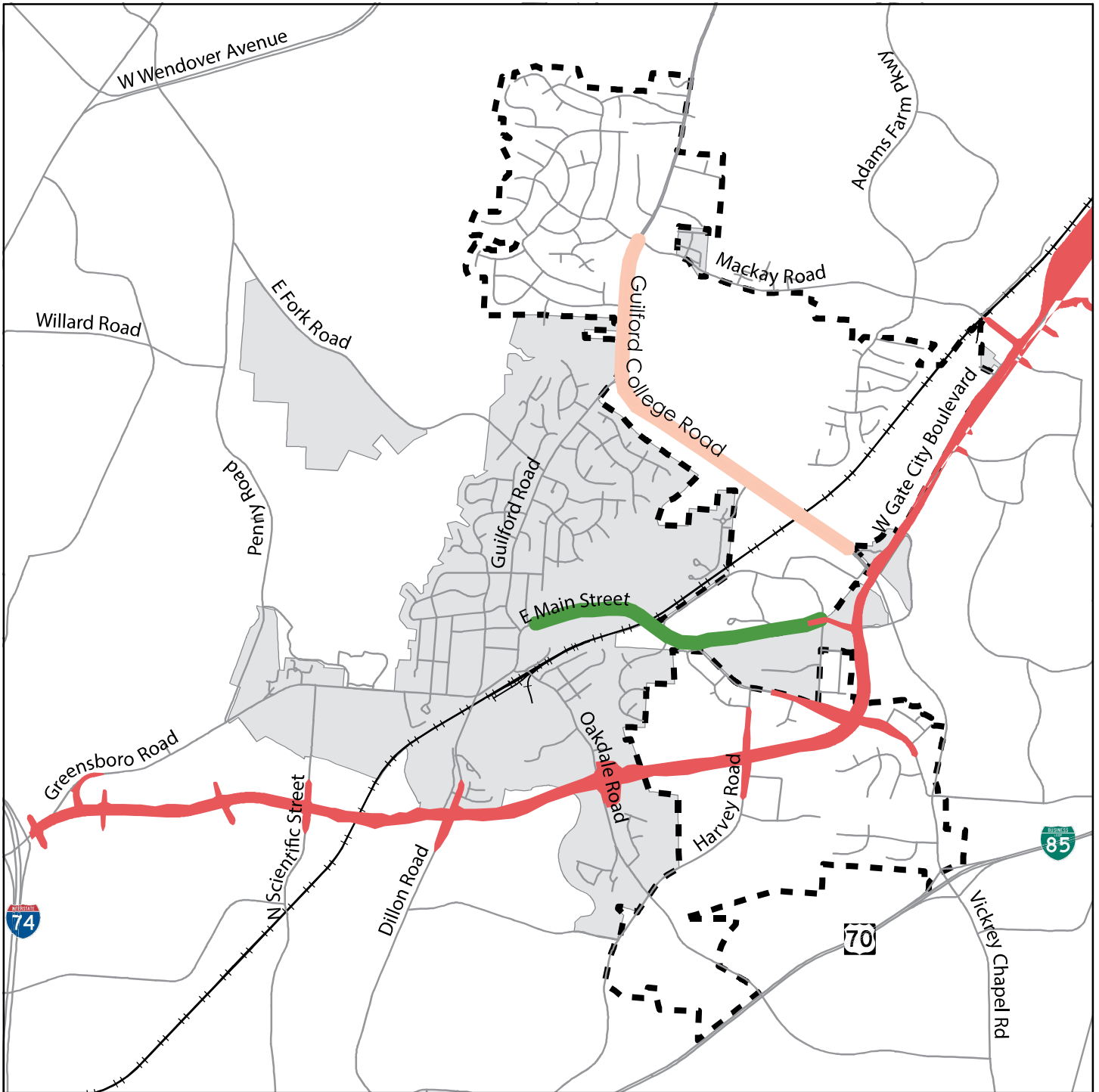






- | | |
|--|---|
|  Agriculture |  Main Street |
|  Parks and Recreation |  Civic |
|  Single Family Residential |  Commercial |
|  Multi-Family Residential |  Bypass |
|  Residential / Main Street Transition |  Industrial |
|  Commercial / Main Street Transition | |






1 Mile

▼ Map 8 Corridor Overlays



-  Jamestown
-  Jamestown ETJ
-  Roads
-  Railroad

-  Future Bypass ROW
-  Gateway Scenic Overlay
-  Rural Scenic Overlay



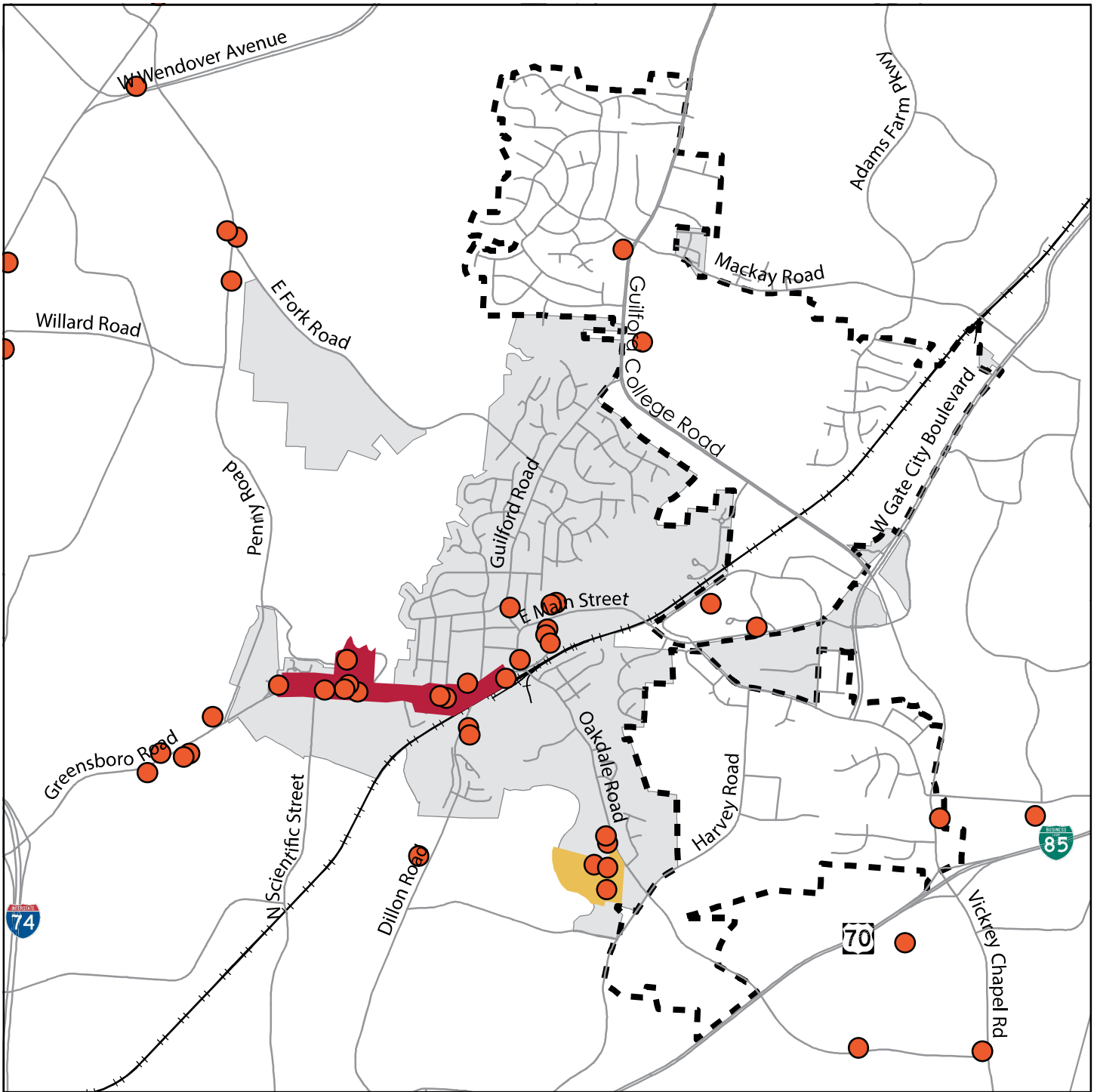
1 Mile

HISTORIC ASSETS

The Town has a number of historic assets, as illustrated in Map 9. In total, there are 26 historic assets (primarily buildings), in addition to two historic districts which appear on the National Register. The Oakdale Cotton Mill and Village is one district while an area generally described as the Mendenhall Homeplace is the other. The Mendenhall Homeplace district includes the Mendenhall Homeplace as it is demarcated today, as well as both sides of West Main Street from the Town limits to Ragsdale Road, just south of downtown. This was the full extent of the original homestead. Though the historic assets are dispersed throughout the Town and ETJ, there are large concentrations of historic resources in the two historic districts, as well as along Main Street in general. The full list of identified historic resources includes:

- Bundy House
- Coffin House #1
- Coffin House #2
- Frazier House
- Futrell - Mackey - Armstrong House
- Gas Station
- Guilford Technical College
- Jamestown Friends Meeting
- Jamestown Public School (former)
- Johnson House
- Lindsay Medical School
- Mackay - Armstrong - Thornton House
- Mendenhall Homeplace
- Mendenhall Store
- Oakdale Cotton Mill
- Oakdale Cotton Mill Village
- Oakdale Mill Superintendent House
- Oakdale School
- Oakdale Store
- Potter Log House Site
- Potter's Mill House
- Ragsdale Barn
- Ragsdale Carriage House
- Ragsdale Cook's House
- Ragsdale House
- Ragsdale Tenant House

▼ Map 9 Historic Assets



- Jamestown
- Jamestown National Register Historic District
- Jamestown ETJ
- Oakdale Cotton Mill National Register District
- Roads
- Historic Sites
- Railroad



1 Mile

INFRASTRUCTURE

TRANSPORTATION NETWORK

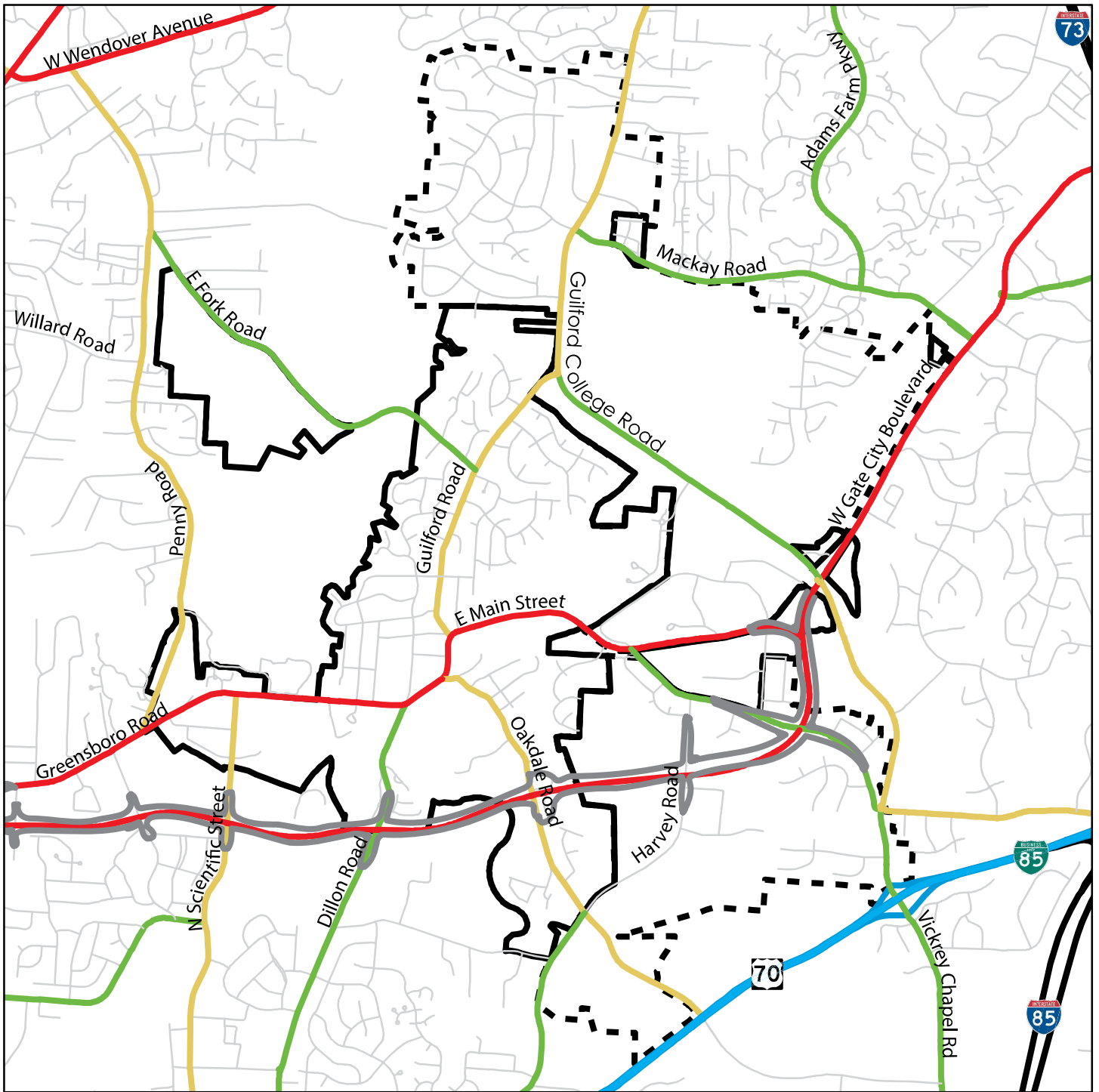
The road network in the Town has an extremely loose grid in the neighborhoods, though the main corridors are not gridded at all. The primary roads include Guilford College Road, Guilford Road, Main Street, and Oakdale Road. These all intersect, often times at irregular geometries, and they connect the town to Greensboro to the north, High Point to the south and west, and Business 85 and Interstate 85 to the southeast. These primary roads are owned and maintained by the North Carolina Department of Transportation, though the Town does own and maintain some of the smaller, local roads.

Currently, there are sidewalks along Guilford Road and Guilford College Road, as well as along portions of Main Street and a few of the neighborhoods streets. West Main Street has sidewalks on at least one side of the road and East Main Street recently saw a sidewalk extended from downtown to the railroad bridge. Similarly, Oakdale Road and the remaining local streets lack sidewalk connections. This is an effort that the Town has been working on, as they are currently expanding sidewalk connections and intend to continue to do this into the future, as shown in the planned improvement maps in this section. In fact, the Town recently opened a new pedestrian bridge along E Fork Road. While there are not any bike lanes in the Town, there are a couple of designated on-street bike routes, as well as recreational trails, including connections to GTCC and an extensive unpaved trail system in the Piedmont Environmental Center.

ROADWAY FUNCTIONAL CLASSIFICATION

The functional classification of roadways in and around the Study Area are shown in Map 10. All of the light gray roads are local streets, while the remainder of the roads are NCDOT-maintained roadways. Those shown as green on the map are major collectors, which connect local streets with arterial roadways. The streets shown in yellow are minor arterials and those shown in red are principal arterials. Arterial roadways include multi-lane highways and other roadways which supplement the interstate system. Minor arterials are generally smaller than principal arterials, though they both provide significant connections for the system overall. The blue line (Business - 85) is a freeway / expressway, and the bold black lines are interstate roads (Interstate 85 and Interstate 73 on the edges of the map). The dark gray border also displays the portion of the Jamestown Bypass which has been constructed to date.

▼ Map 10 Functional Classification



- | | | | |
|--|------------------|--|------------------------|
| | Jamestown | | Major Collectors |
| | Jamestown ETJ | | Minor Arterials |
| | Local Roads | | Principal Arterials |
| | Railroad Track | | Freeways / Expressways |
| | Jamestown Bypass | | Interstates |



1 Mile

TRANSPORTATION CRASH / SAFETY DATA

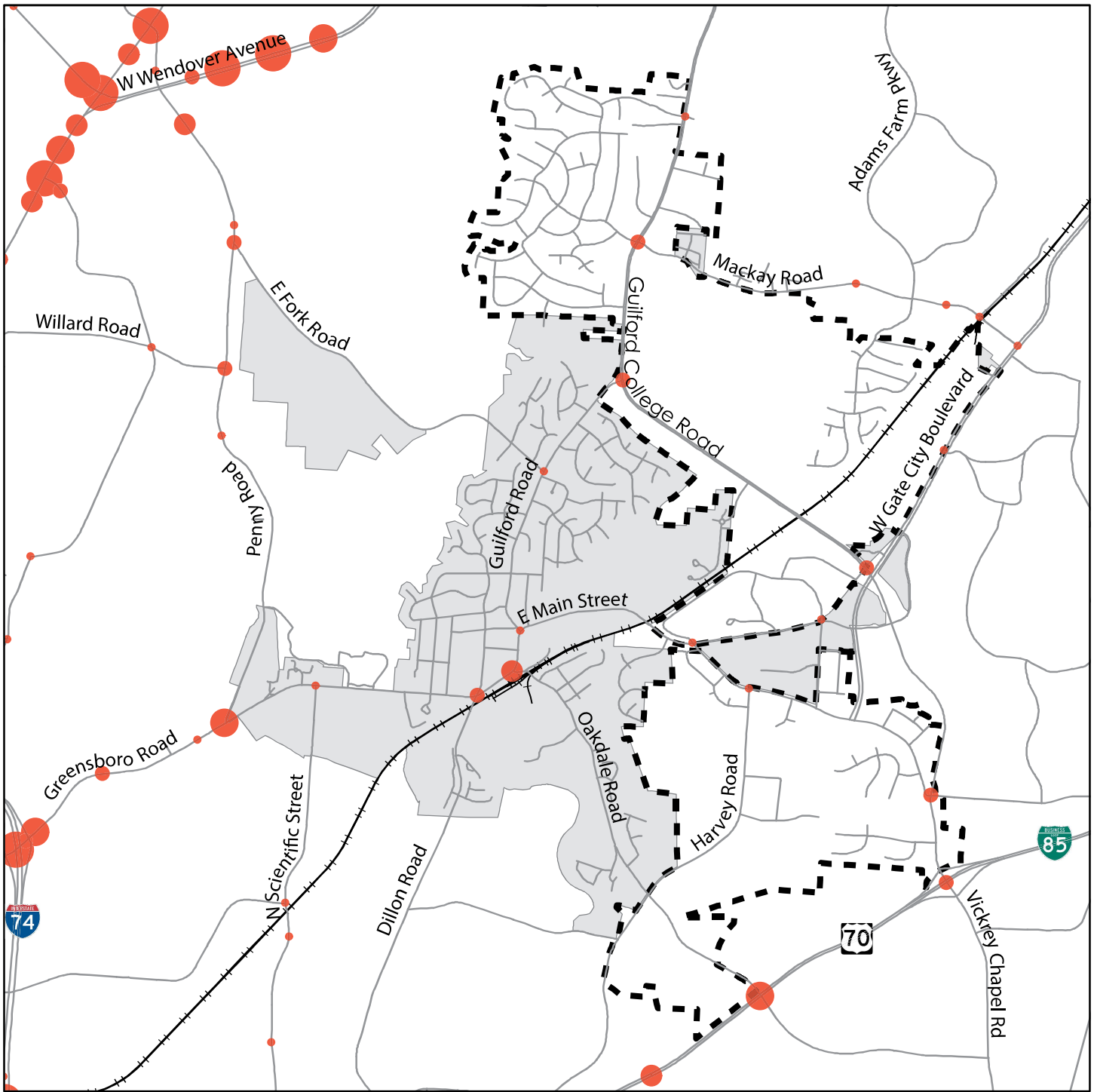
Maps 10,11, and 12 display vehicle, pedestrian, and bicycle crash data in the Town in recent years. This data is useful in helping to identify areas where there are safety issues that may be resolved through improvements to the transportation infrastructure, the addition or modification of signals, or instituting regulatory changes, such as modifying speed limits or prohibiting turning movements. By identifying the location and severity of vehicular, bicycle, and pedestrian incidents, support can be built for funding improvements or making necessary regulatory changes.

The vehicular crash data is focused on the major intersection in and around Jamestown. Within Town, the majority of vehicular crashes have been occurring on Main Street, with the Penny Road and Oakdale Road intersections seeing the highest number of crashes along the corridor. The Guilford Road and Dillon Road intersections also saw a relatively large number of crashes during the period covered by this data (2014-18). Given the relative volume and lower speed of Main Street, it appears that the corridor has a larger number of incidents than would be expected. Other areas of potential concern are the Oakdale Road intersection with Business 85 and the three major intersections along the Guilford College Road corridor - Mackay Road, Guilford Road and Gate City Boulevard.

Within the study area, pedestrian crashes were heavily concentrated during the period of data availability (2007-18) in along Main Street in downtown Jamestown from Dillon Road to Guilford Road. This corridor, which features a 35 MPH speed limit is heavily traversed by pedestrians patronizing downtown businesses, and the combination of a high permissive speed, sight distance limitations, awkward intersection angles, and frequent curb cuts make the corridor somewhat dangerous for pedestrians.

While Jamestown is a prime destination for cyclists from throughout the region, there were relatively few identified bicycle crashes during the same period as compared to pedestrian crashes. Although there is a lack of designated bicycle lanes, cyclists in Jamestown tend to be more experienced, and perhaps more aware of potential hazards than the cycling public at-large. The high speeds and lack of bicycle infrastructure on Guilford College Road - a popular cycling route for road bikers, has led to a concentration of incidents along that corridor from the northern edge of Cedarwood to Guilford Road.

▼ Map 11 Vehicle Crashes by Intersection (2014 - 2018)



■ Jamestown

⋯ Jamestown ETJ

— Roads

⊢ Railroad

● Less Than 9 Total Crashes

● 10 - 19 Total Crashes

● 20 - 29 Total Crashes

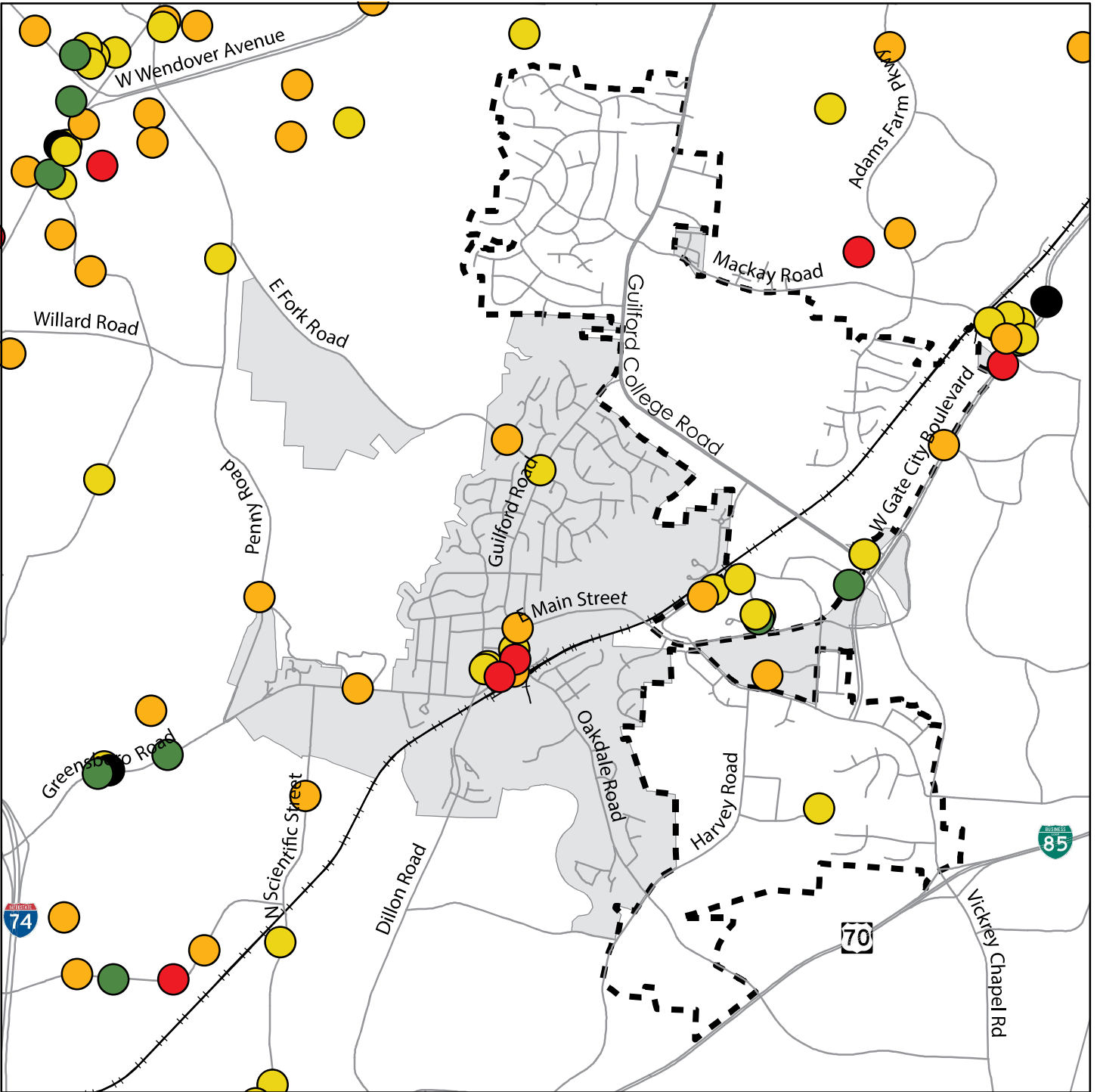
● 30 - 39 Total Crashes





● More Than 39 Crashes








1 Mile

▼ Map 12 Pedestrian Crash Data (2007-2018)

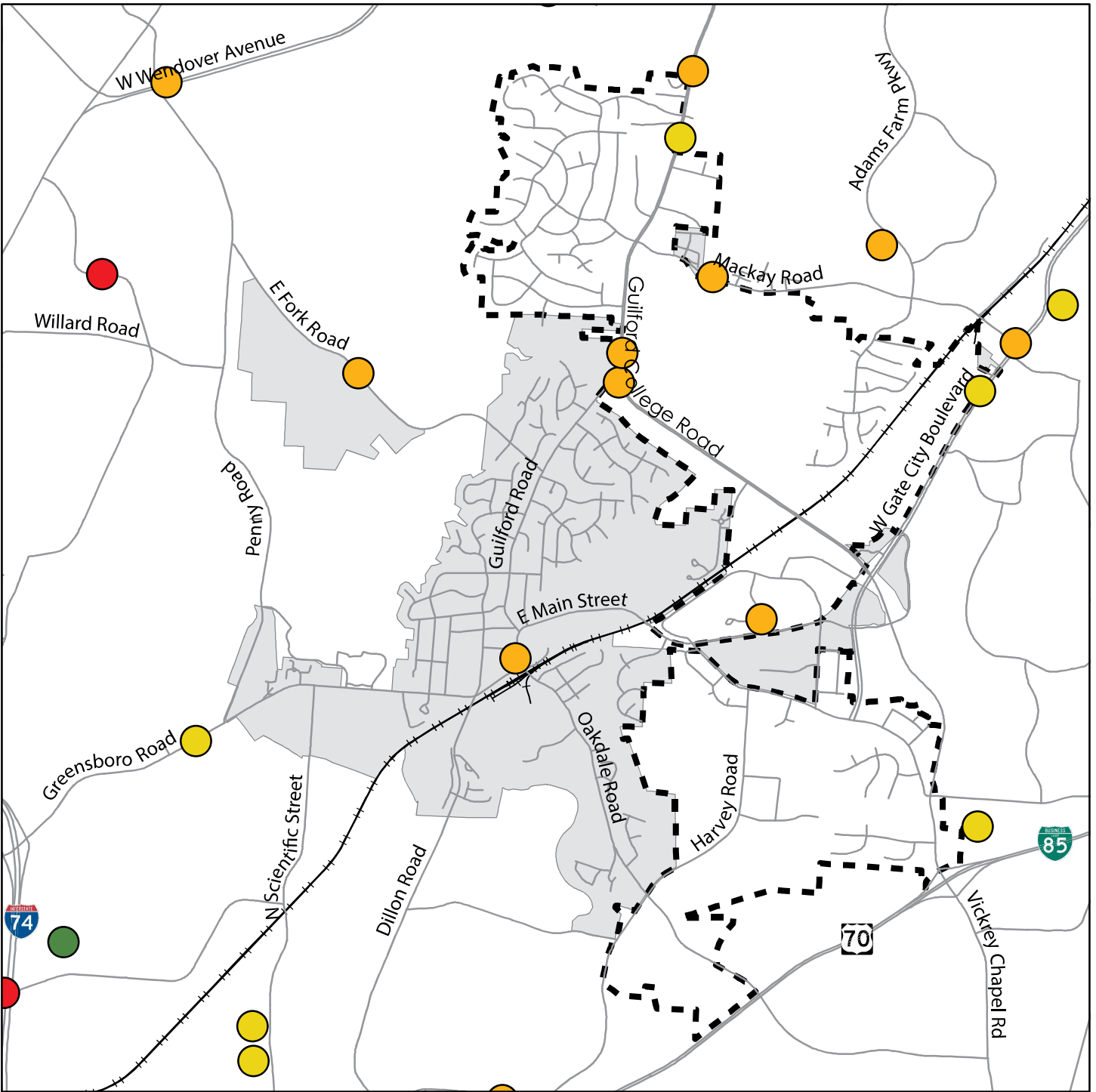


-  Jamestown
-  Jamestown ETJ
-  Roads
-  Railroad

-  A : Suspected Serious Injury
-  B : Suspected Minor Injury
-  C : Possible Injury
-  K : Killed
-  O : No Injury


1 Mile

▼ Map 13 Bicycle Crash Data (2007-2018)



- Jamestown
- Jamestown ETJ
- Roads
- Railroad

- A : Suspected Serious Injury
- B : Suspected Minor Injury
- C : Possible Injury
- K : Killed
- O : No Injury



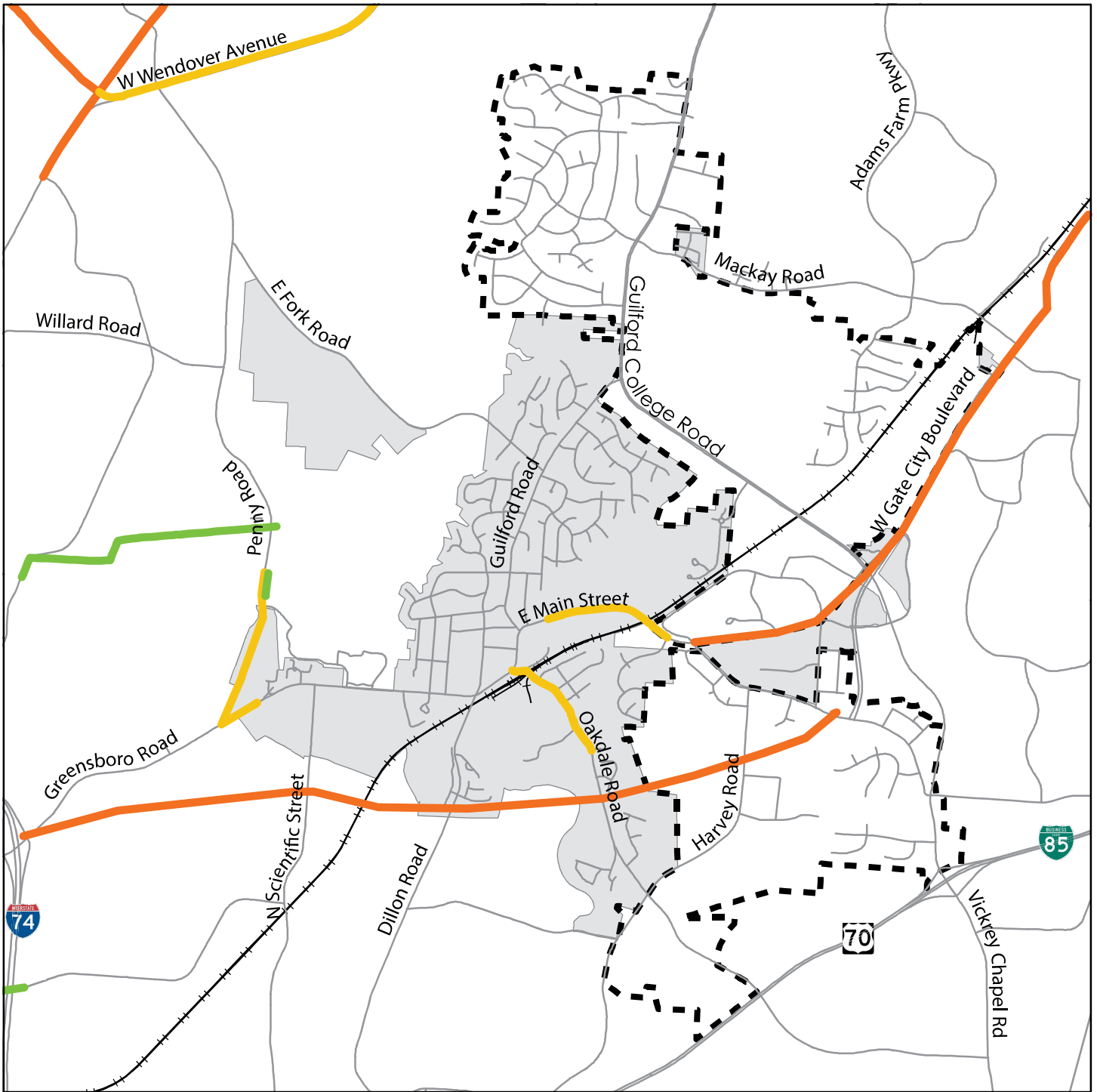
1 Mile





PLANNED TRANSPORTATION IMPROVEMENTS





The North Carolina Department of Transportation develops a State Transportation Improvement Program (STIP) which outlines the planned and funded transportation improvements which are scheduled for implementation over the next decade. There are a few projects scheduled for completion in Jamestown between 2020 and 2029 and these are shown in Map 13. The projects include road improvements, sidewalk construction, and multi-use paths. Some of these are already under construction, including the Jamestown Bypass. The STIP also includes new sidewalks, as shown in yellow on Map 14. Similar to the road improvements, a couple of these are already in progress, including Oakdale Road sidewalks from Main Street to Chimney Court, as well as on Main Street from Town Hall to GTCC. The STIP also calls for constructing sidewalks on Penny Road from the existing sidewalk to Main Street. Lastly, the STIP identified a multi-use trail on the edge of the Study Area, extending the Deep River Greenway just west of Penny Road.

In addition to the pedestrian improvements designated in NCDOT's State Transportation Improvement Program, the Town has a Pedestrian Transportation Plan from 2010 which is still being implemented, but due for an update in the near future. The sidewalks and trails proposed in the Pedestrian Plan are shown in Map 15 and these include filling the gaps of sidewalk on Guilford Road and Main Street, developing sidewalks along Oakdale Road and East Main Street, and building a number of sidewalks on local streets. These sidewalks are all shown in yellow on the map. Additionally, the plan included multi-use trails, which are shown in green. These would connect from Lydia's Bridge to Guilford College Road and from High Point City Lake Park to Penny Road, along High Point Lake.

▼ Map 14 State Transportation Improvement Program (2020 - 2029)



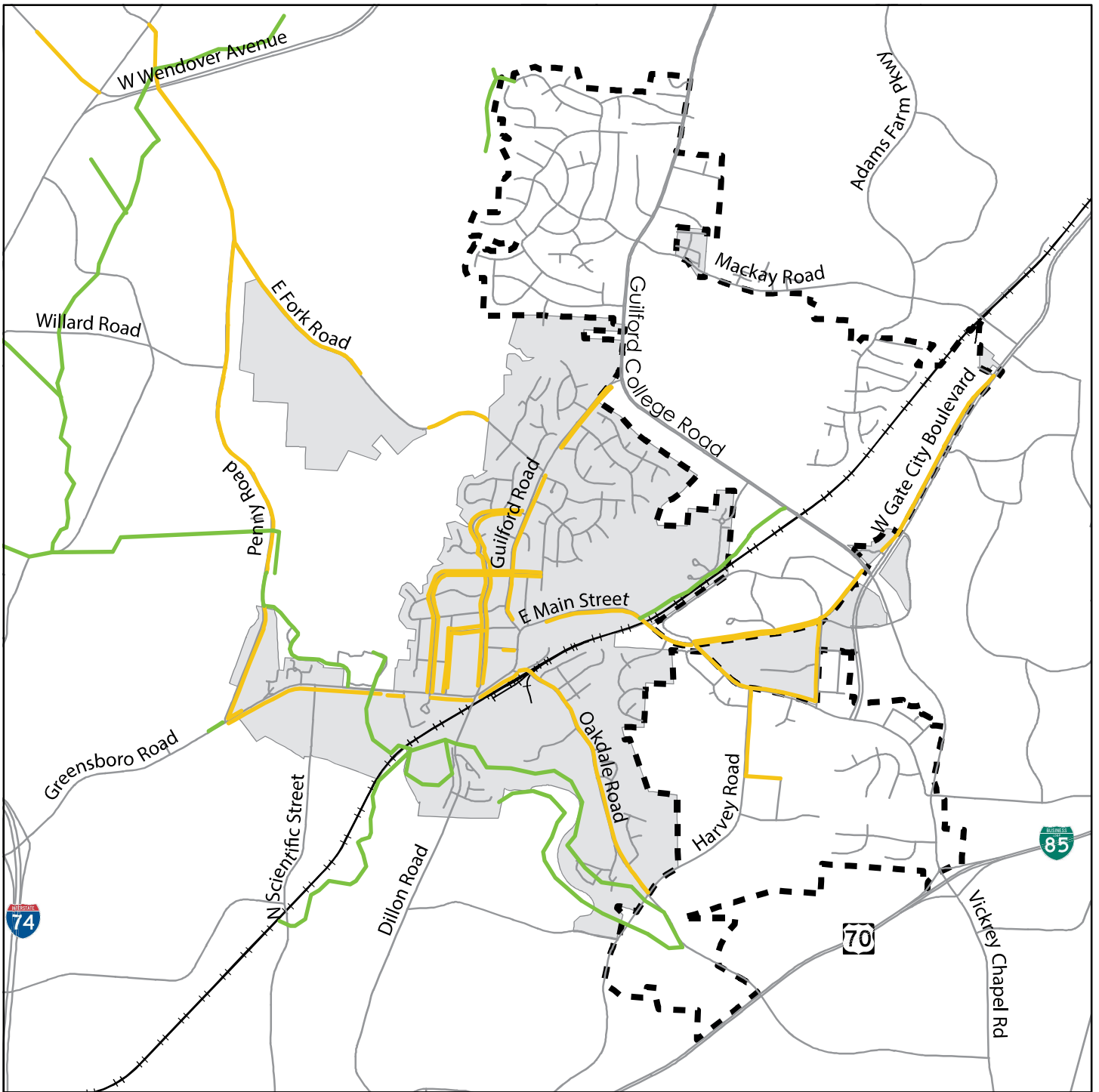
-  Jamestown
-  Jamestown ETJ
-  Roads
-  Railroad

-  Roads
-  Planned Sidewalks
-  Planned Multi-Use Trails
-  Planned Road Improvements



1 Mile

▼ Map 15 Proposed Improvements - 2010 Pedestrian Transportation Plan



■ Jamestown

⋯ Jamestown ETJ

— Roads

⊢ Railroad

— Proposed Sidewalks

— Proposed Trails



1 Mile

WATER SYSTEM

The Town's water system is displayed on Map 16 on the following page. Nearly all of the area within the corporate limits of the Town is served by the municipal water system, with some minor exceptions. Though not shown on this map, the Town did recently extend water service to the new shopping center at Grandover Village. Additionally, the Town provides water service to portions of its extraterritorial jurisdiction. Most of the residential land north of Town and west of Guilford College Road, including the Cedarwood subdivision are serviced by the Town's water system. A water line runs from Cedarwood to Adams Farm Parkway, along Mackay Road, where it provides service to the southern portion of the Adams Farm subdivision. The Town also provides water service along some portions of East Main Street outside of the Town limits, as well as to residential areas off Harvey Road in the southern portion of the ETJ.

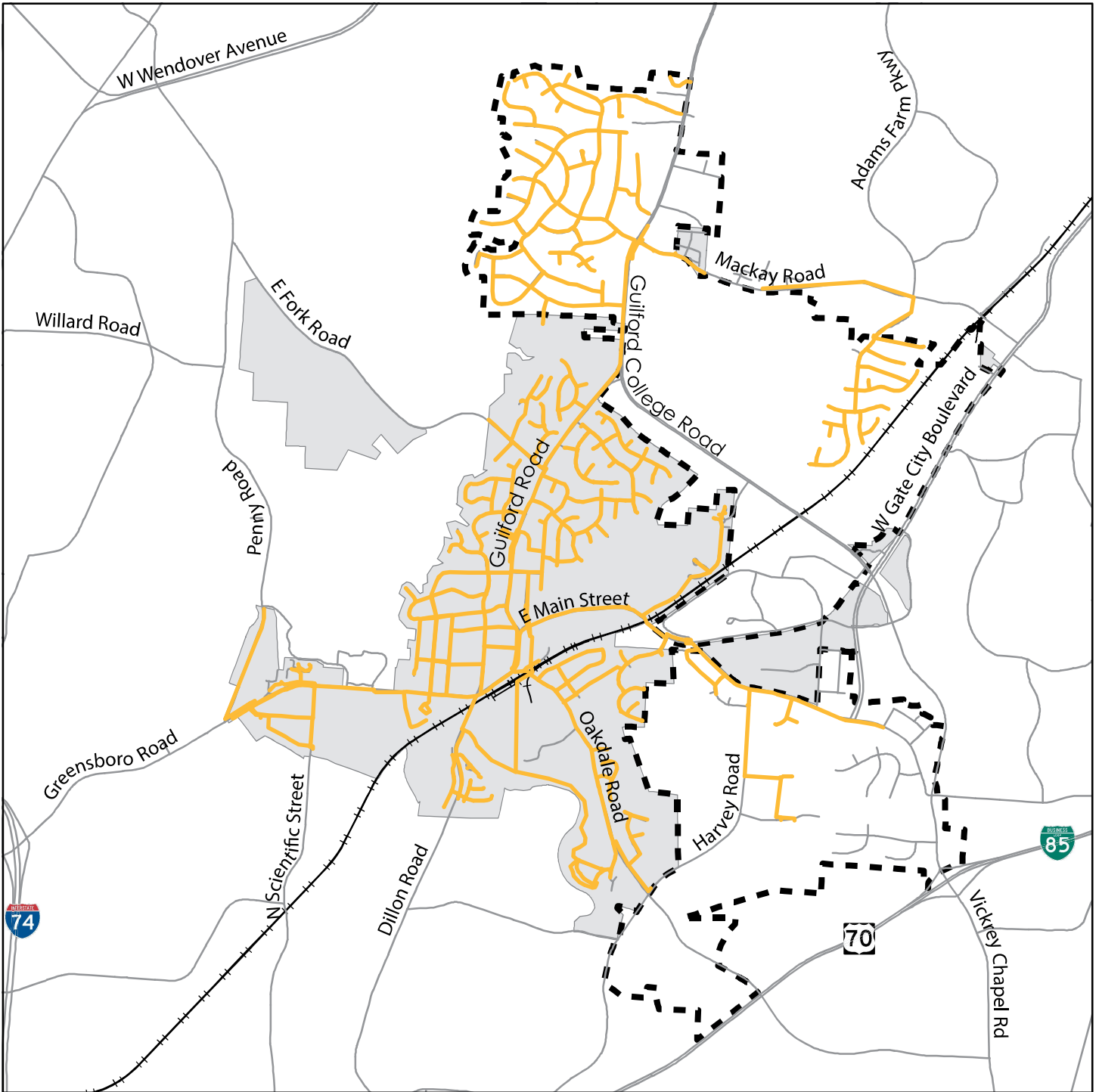
The Town receives its treated drinking water through the Piedmont Triad Regional Water Authority, which owns the Randleman Reservoir in central Randolph County. Jamestown is a member of this organization and owns a share of the reservoir through its membership. Water supplied from the reservoir to Jamestown's system flows through Greensboro and High Point with major interconnections to each system that provide a reliable and redundant supply of water to the system

SEWER SYSTEM

The Town's sewer system is displayed in Map 17. Sewer mimics much of the same service area as water, though it does extend a bit farther in a few areas. Generally speaking, sewer is available throughout the entire Town, excluding the Jamestown Park Golf Course. Sewer extends to some of the same areas of the extraterritorial jurisdiction as the water system, providing services to the new Publix shopping center, Guilford Technical Community College, Cedarwood and Adams Farm. There is limited service to other portions of the ETJ, with Jamestown Middle School being one of the few large customers in the souther/ eastern portion of the ETJ.

The Town is a capital owner in the City of High Point's Eastside Wastewater Treatment Plant. All wastewater flows from Jamestown go through the plant via a main transmission line and pump station system along the Deep River. Future expansions of capacity at the plant that would permit additional flows to accommodate growth will require a coordinated partnership with the City of High Point, and, possibly, the City of Archdale which also owns a share of the plant.

▼ Map 16 Water System



■ Jamestown

— Water Lines



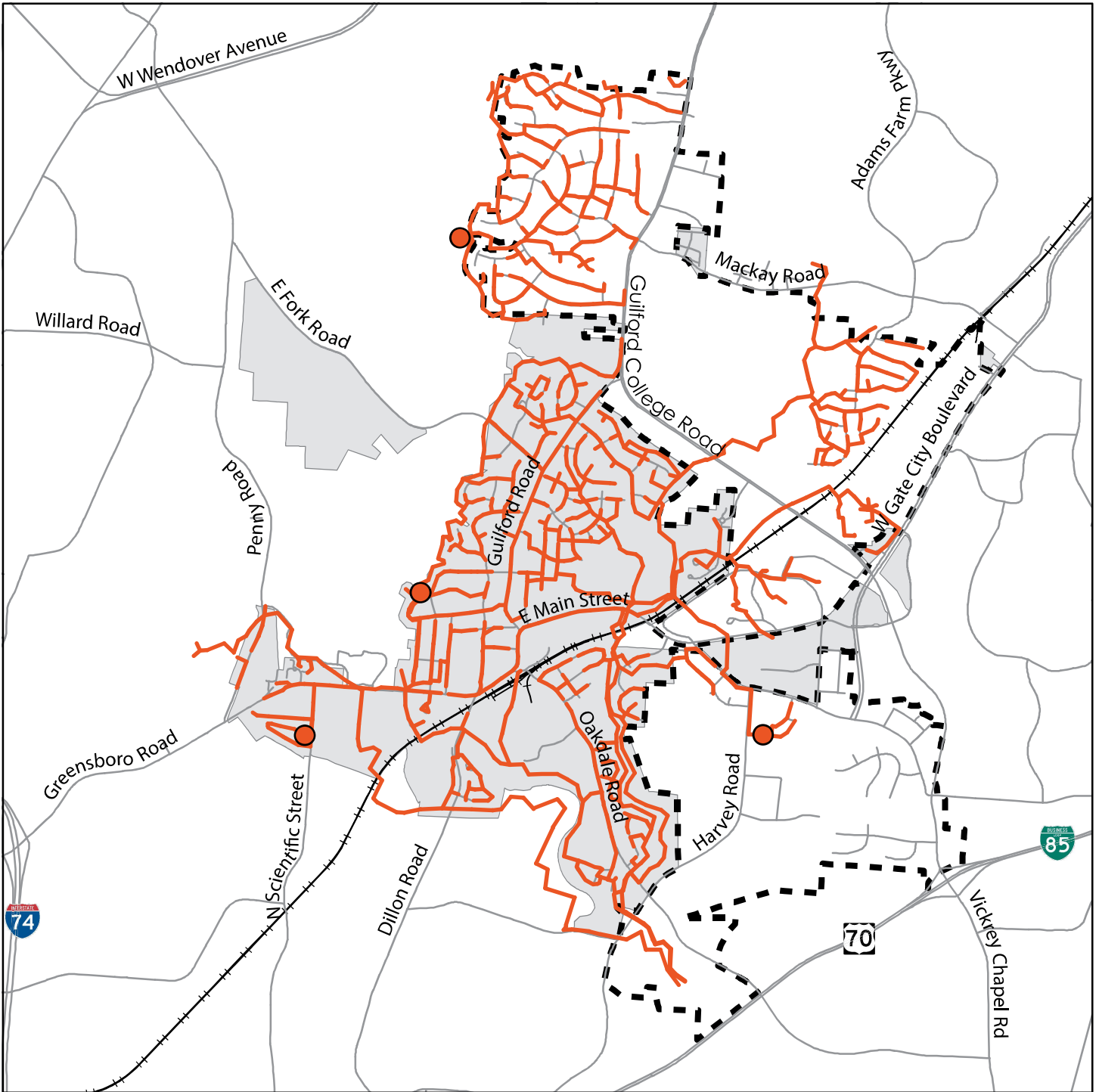
1 Mile

⋯ Jamestown ETJ

— Roads

⊢ Railroad

▼ Map 17 Sewer System



■ Jamestown

⋯ Jamestown ETJ

— Roads

⊢ Railroad

— Sewer Lines

● Sewer Pump Stations



1 Mile

ENVIRONMENTAL CONSTRAINTS

FLOOD HAZARD AREAS

There are two major sources of flood hazard present within the study area. The Deep River, including the dammed portion of the river that forms High Point City Lake is situated along the western edge of Town, and runs generally along the southwestern boundary of the town to the southern edge of the ETJ. The flood hazard associated with the southern reaches of the Deep River are related to both the potential from runoff to swell the river, which is kept at a somewhat higher elevation by the Oakdale Mill dam, as well as the hazard associated with the flooding potential from the dam at High Point City Lake. The second area of major flood hazard potential is along Bull Run Creek, which runs from north to south in the eastern part of Jamestown to its confluence with the Deep River south of Oakdale Mill.

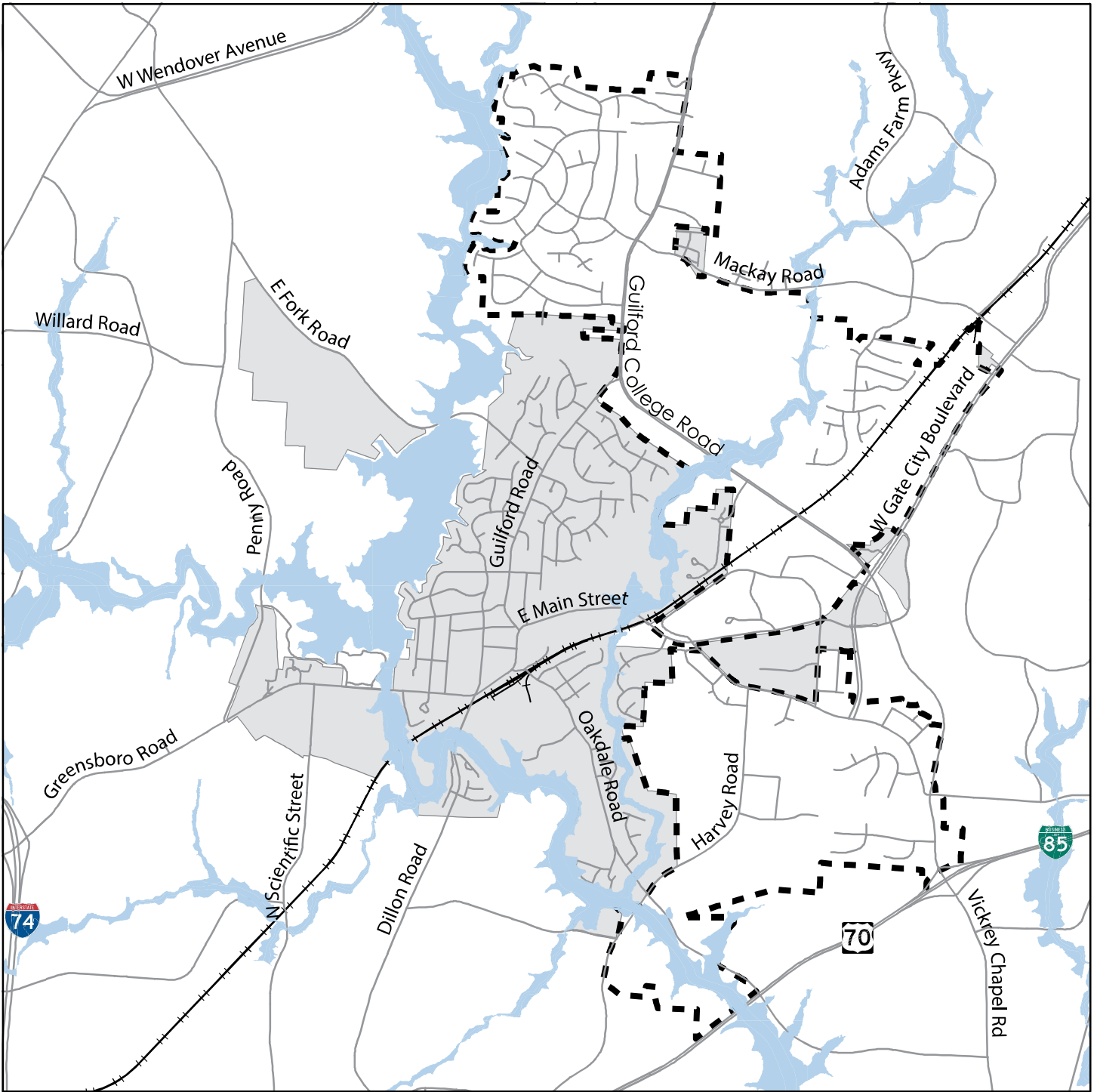
Development within these flood hazard areas is regulated to limit the exposure of lives and property to flooding incidents. While the preservation of these areas as natural open spaces provides some limitation to new development, the areas that fall within floodplains will generally coincide with required riparian buffers for stormwater and water supply watershed protection. The enactment of local flood damage prevention regulations also allows the community access to the National Flood Insurance Program, which subsidizes flood insurance in communities that comply with FEMA / State flood damage prevention requirements.

WATER SUPPLY WATERSHEDS

The Town and its ETJ fall within three water supply watersheds, as shown in Map 19. These include the East Fork Deep River (High Point Lake) Watershed, the Deep River (Randleman Lake) Watershed, and the Deep River (Jamestown) Watershed. All of the watersheds are classified as WS - IV (Water Supply - IV - Highly Developed). The areas shown in red on the map are “critical” watershed areas, which are intended to protect areas immediately adjacent to drinking water sources, while the remainder of the area, shown in blue on the map, is the “balance” of the watershed area - essentially anything outside of the critical areas.

Local governments are mandated by the state to adopt and enforce development regulations within water supply watersheds. These primarily take the form of residential density and/or impervious surface area limitations. Within critical watershed areas, allowances for impervious surfaces and required riparian setbacks are more strict than within the balance of the watershed area. Additional use restrictions also apply for certain types of development that have greater potential to pollute surface waters if accidental discharges occur. The use of watershed density averaging is generally permitted, allowing property owners to transfer density or impervious surfaces between parcels in the same watershed in exchange for the permanent conservation of “sending” properties.

▼ Map 18 Floodplains



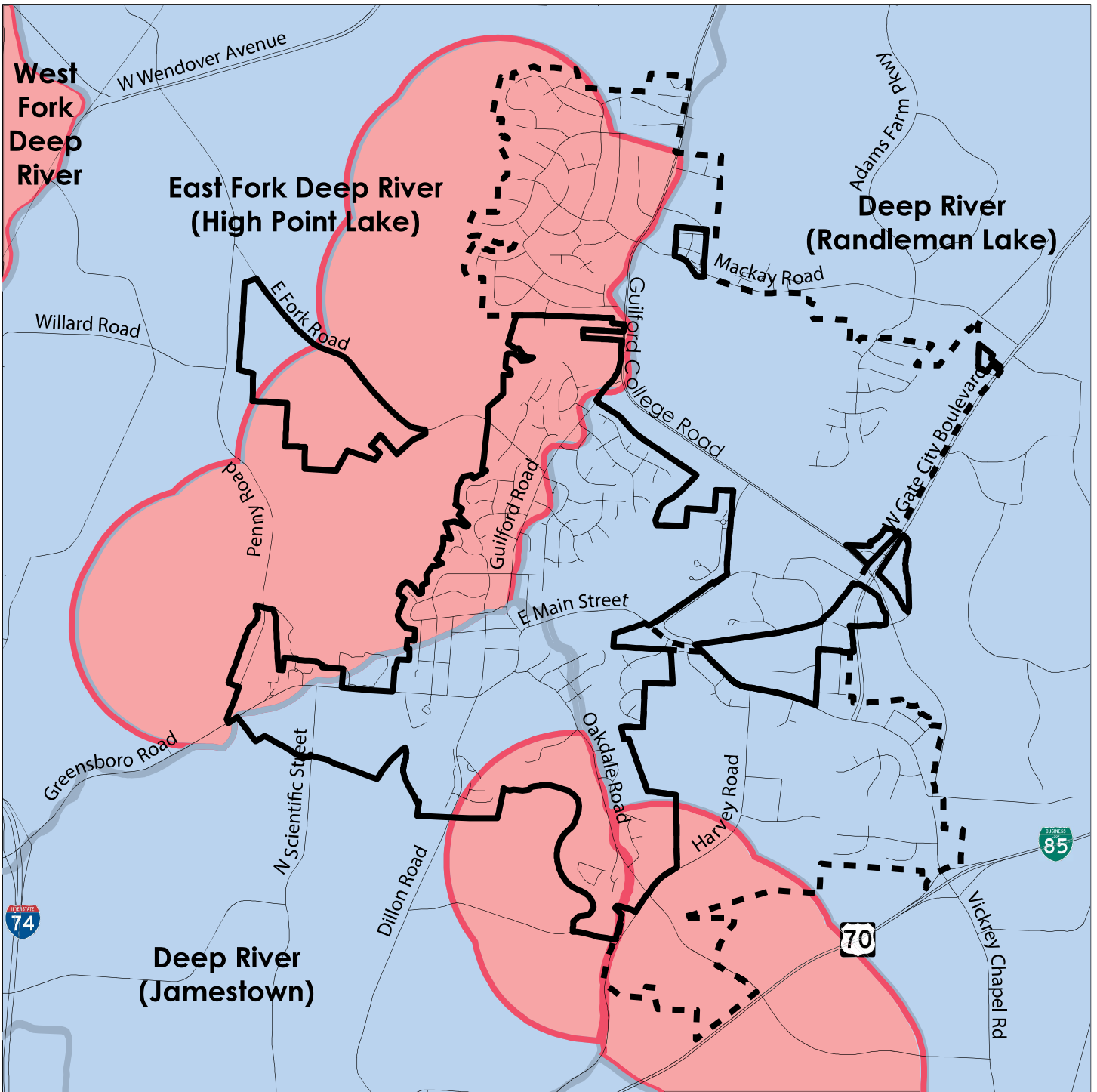
- Jamestown
- Jamestown ETJ
- Roads
- Railroad

Floodplain



1 Mile

▼ Map 19 Water Supply Watersheds



Jamestown

Jamestown ETJ

Roads

Railroad

Water Supply Watersheds Areas

Critical Watershed Area

General Watershed Area



1 Mile



MOVING FORWARD



SECTION 5: MOVING FORWARD

IMPLEMENTING THE PLAN

With the Envision Jamestown Comprehensive Plan adopted, it is now time to move forward with implementing the Vision through the underlying Guiding Principles, the supporting objectives, and, of course, the Future Land Use policy framework. This plan is grounded in the community input that was received during the planning process and the analyses that were performed of the data that form the basis of our understanding of the community. The process, ideas, information, and proposed policies were vetted by the Comprehensive Plan Steering Committee throughout the development of the plan. Taken together, the public input and close oversight of the plan development process have produced a plan with broad community support that will serve the Town of Jamestown for years to come as it seizes the coming opportunities to build upon the strong foundation that past generations have built as it seeks to implement the community's vision for the future.

Plan implementation will take many forms, including the adoption of policies, budgeting for new programs and capital improvements, creating new plans to address specific issues identified in the comprehensive plan, and updates to ordinances and regulations. To that end, the Comprehensive Plan will serve as a guide for elected and appointed officials, Town staff, residents, business and property owners, and those with development interests in the community. The plan will help to guide their actions and ensure that there is clarity as to the desired path forward. In particular, land use decisions will be guided by the plan, as it must be consulted for consistency each time a major policy decision is made.

MONITORING AND UPDATING THE PLAN

For the plan to remain effective and relevant to current conditions, it must be regularly monitored and maintained through reviews and, as necessary, updates to the data and policy recommendations that it contains. A best practice that can be implemented in Jamestown is for the Planning Board to undertake regular reviews of the plan on an annual basis following its adoption, and make any recommendations for updates to the Town Council that it feels may be necessary based on progress toward implementation and changing conditions in the community. More thorough updates to the plan should be undertaken every 5-10 years, at most, to ensure that there are opportunities for the community as a whole to engage in a broader planning process that reassesses the vision and other aspects of the plan to account for ongoing changes in the makeup of the community and the values of its residents. If properly maintained and updated regularly, the Comprehensive Plan will serve as a foundational element of every aspect of the community, and help to maintain a clear and consistent direction as the Town moves forward toward realizing its vision for the future.

ARTICLE 24
NUISANCE ABATEMENT, PROPERTY MANAGEMENT CODE & MINIMUM HOUSING CODE

24.1 Title

This article shall be known as the Town of Jamestown Nuisance Abatement, Property Maintenance Code & Minimum Housing Code.

24.2 Purpose

The Town of Jamestown has determined that poorly maintained properties can lead to neighborhood decline by contributing to lower property values and by discouraging potential buyers from purchasing in neighborhoods with poorly maintained properties. Additionally, the Town has determined that poorly maintained properties create public safety impacts, including creating fire and other life safety hazards, serving as places for the infestation of insects and vermin, and creating attractive public nuisances. The Town recognizes that it has an obligation to protect its residential and nonresidential neighborhoods from decline and devaluation and to maintain public health and safety. Consequently, the Town has established the following regulations for nuisance abatement and the maintenance of properties within its corporate jurisdiction and its extraterritorial jurisdiction.

24.3 Scope

The provisions of this code shall apply to all structures, premises and properties within the corporate jurisdiction of the Town of Jamestown and its extraterritorial jurisdiction.

24.4 Minimum Housing Regulations

Statutory reference:

Repair, closing or demolition of abandoned structures, see G.S. 160D-1201

24.4-1 General Provisions

The provisions of this chapter and of the regulatory codes herein adopted shall apply to the following:

(A) The location, design, materials, equipment, construction, reconstruction, alteration, repair, maintenance, moving, demolition, removal, use and occupancy of every dwelling or any appurtenances connected, attached, or used in connection with any dwelling.

(B) The installation, erection, alteration, repair, use and maintenance of plumbing systems consisting of building sewers, building drains, waste and vent systems, hot and cold-water supply systems, and all fixtures and appurtenances thereof.

(C) The installation, erection, alteration, repair, use and maintenance of mechanical systems consisting of heating, ventilating, air conditioning or refrigerating systems, fuel burning equipment, and appurtenances thereof; and

(D) The installation, erection, alteration, repair, use and maintenance thereof.

24.4-2 State Building Code Adopted

The current version of the North Carolina State Building Code is hereby adopted, and any later adopted versions of the State Building Code shall be deemed adopted by the town without further action by the Town Council.

24.4-3 Compliance with State Building Code

All dwellings, nonresidential buildings and other structures which are hereafter constructed, reconstructed, erected, altered, extended, enlarged, repaired, demolished, or moved shall conform to the requirements of the North Carolina State Building Code.

24.4-4 Finding; Purpose

(A) Pursuant to G.S. § 160D-1201, it is hereby found and declared that there exist in the town dwellings which are unfit for human habitation due to dilapidation, defects increasing the hazards of fire, accidents and other calamities, lack of ventilation, light and sanitary facilities, and due to other conditions rendering the dwellings unsafe or unsanitary, and dangerous and detrimental to the health, safety and morals, and otherwise inimical to the welfare of the residents of the town.

(B) In order to protect the health, safety, and welfare of the residents of the town, as authorized by G.S. § 160D-1201 et seq., it is the purpose of this chapter to establish minimum standards of fitness for the initial and continued occupancy of all buildings used for human habitation, as expressly authorized by G.S. § 160D-1205.

24.4-5 Fitness of Dwellings and Dwelling Units

(A) Every dwelling and dwelling unit used as a human habitation, or held out for use as a human habitation, shall comply with the North Carolina State Building Code and all of the minimum standards of fitness for human habitation and other requirements this code.

(B) No person shall occupy as owner-occupant or let to another for occupancy or use as a human habitation, any dwelling or dwelling unit which does not comply with the North Carolina State Building Code and all the minimum standards of fitness for human habitation and other requirements of this code.

24.4-6 Structural Condition

(A) Walls or partitions or supporting members, sills, joists, rafters, or other structural members shall not list, lean or buckle, and shall not be rotted, deteriorated or damaged, and shall not have holes or cracks which might admit rodents.

(B) Floors or roofs shall have adequate supporting members and strength to be reasonably safe for the purpose used.

(C) Foundations, foundation walls, piers or other foundation supports shall not be deteriorated or damaged.

(D) Steps, stairs, landings, porches or other parts or appurtenances shall be maintained in a condition that they will not fail or collapse.

5. (E) Adequate facilities for egress in case of fire or panic shall be provided.

6. (F) Interior walls and ceilings of all rooms, closets and hallways shall be finished of suitable

materials, which will, by use of reasonable household methods, promote sanitation and cleanliness, and shall be maintained in a manner so as to enable the occupants to maintain reasonable privacy between various spaces.

(G) The roof, flashings, exterior walls, basement walls, floors and all doors and windows exposed to the weather shall be constructed and maintained so as to be weather and watertight.

(H) There shall be no chimneys or parts thereof which are defective, deteriorated or in danger of falling, or in a condition or location as to constitute a fire hazard.

(I) There shall be no use of the ground for floors, or wood floors on the ground.

24.4-7 Basic Equipment and Facilities

(A) Plumbing system.

(1) Each dwelling unit shall be connected to a potable water supply and to the public sewer or other approved sewage disposal system.

(2) (a) Each dwelling unit shall contain not less than a kitchen sink, lavatory, tub or shower, water closet, and adequate supply of both cold water and hot water.

(b) All water shall be supplied through an approved pipe distribution system connected to a potable water supply.

(3) All plumbing fixtures shall meet the standards of the North Carolina State Building Code and shall be maintained in a state of good repair and in good working order.

(4)(a) All required plumbing fixtures shall be located within the dwelling unit and be accessible to the occupants of the same.

(b) The water closet and tub or shower shall be in a room or rooms affording privacy to the user.

(B) *Heating system.* Every dwelling and dwelling unit shall have facilities for providing heat in accordance with either division (B)(1) or (B)(2) below.

(1) *Central and electric heating systems.* Every central or electric heating system shall be of sufficient capacity, and shall be connected, so as to heat all habitable rooms, bathrooms and water closet compartments in every dwelling unit to a minimum temperature of 70°F measured as a point three (3) feet above the floor.

(2) *Other heating facilities.* Where a central or electric heating system is not provided, each dwelling and dwelling unit shall be provided with sufficient fireplaces, chimneys, flues or gas vents whereby heating appliances may be connected so as to heat all habitable rooms to a minimum temperature of 70°F measured three (3) feet above the floor.

(3) *Portable kerosene heaters.* Portable kerosene heaters are not acceptable as a permanent source of heat but may be used as a supplementary source in single family dwellings and duplex units. An owner who has complied shall not be held in violation of this subsection where an occupant of a dwelling unit uses a kerosene heater as a primary source of heat.

(C) *Electrical system.*

(1)(a) Every dwelling and dwelling unit shall be wired for electric lights and convenience receptacles. Every habitable room shall contain at least two (2) floor or wall-type electric convenience receptacles, connected in a manner as determined by the North Carolina State Building Code.

(b) There shall be installed in every bathroom, water closet room, laundry room and furnace room, at least one supplied ceiling, or wall-type electric light fixture.

(c) In the event wall or ceiling light fixtures are not provided in any habitable room, then each habitable room shall contain at least three floor or wall-type electric convenience receptacles.

(2) Every public hall and stairway in every multi-dwelling shall be adequately lighted by electric lights at all times when natural daylight is not sufficient.

(3) All fixtures, receptacles, equipment and wiring shall be maintained in a state of good repair, safe, capable of being used, and installed in accordance with the North Carolina State Building Code.

24.4-8 Ventilation

(A) *General.*

(1) Every habitable room shall have at least one (1) window or skylight facing directly to the outdoors.

(2) The minimum total window area, measured between stops, for every habitable room shall be 10% of the floor area of the room.

(3) Whenever walls or other portions of structures face a window or any room and the light-obstructing structures are located less than five (5) feet from the window and extend to a level above that of the ceiling of the room, the window shall not be deemed to face directly to the outdoors and shall not be included as contributing to the required minimum total window area.

(4) Whenever the only window in a room is a skylight-type window in the top of the room, the total window area of the skylight shall equal at least 15% of the total floor area of the room.

(B) *Habitable rooms.*

(1) Every habitable room shall have at least one (1) window or skylight which can easily be opened, or other device as will adequately ventilate the room.

(2) The total openable window area in every habitable room shall be equal to at least 45% of the minimum window area size or minimum skylight-type window size as required, or shall have other approved, equivalent ventilation.

(C) *Bathroom and water closet rooms.* Every bathroom and water closet compartment shall comply with the light and ventilation requirements for habitable rooms except that no window or skylight shall be required in adequately ventilated bathrooms and water closet rooms equipped with an approved ventilation system.

24.4-9 Space, Use and Location

(A) *Room sizes.* Every dwelling unit shall contain at least the minimum room size in each habitable room as required by the North Carolina State Building Code.

(1) Every dwelling unit shall contain at least 150 square feet of habitable floor area for the first occupant, at least 100 square feet of additional habitable area for each of the next three (3)

occupants, and at least seventy-five (75) square feet of additional habitable floor area for each additional occupant.

(2) In every dwelling unit and in every rooming unit, every room occupied for sleeping purposes by one occupant shall contain at least seventy (70) square feet of floor area, and every room occupied for sleeping purposes by more than one (1) occupant shall contain at least fifty (50) square feet of floor area for each occupant twelve (12) years of age and over and at least thirty-five (35) square feet of floor area for each occupant under twelve (12) years of age.

(B) *Ceiling height.* At least one-half ($1/2$) of the floor area of every habitable room shall have a ceiling height of not less than seven (7) feet and six (6) inches.

(C) *Floor area calculation.*

(1) Floor area shall be calculated on the basis of habitable room area. However, closet area and wall area within the dwelling unit may count for not more than 10% of the required habitable floor area.

(2) The floor area of any part of any room where the ceiling height is less than four and one-half ($4\ 1/2$) feet shall not be considered as part of the floor area computing the total area of the room to determine maximum permissible occupancy.

4. (D) *Cellar.* No cellar shall be used for living purposes.
5. (E) *Basements.* No basement shall be used for living purposes unless:

(1) The floor and walls are substantially watertight.

(2) The total window area, total openable window area and ceiling height are equal to those required for habitable rooms; and

(3) The required minimum window area of every habitable room is entirely above the grade adjoining the window area, except where the window or windows face a stairwell, window well or access way.

24.4-10 Safe and Sanitary Maintenance

(A) *Exterior foundation, walls, and roofs.*

(1) Every foundation wall, exterior wall and exterior roof shall be substantially weather tight and rodent proof, shall be kept in sound condition and good repair, shall be capable of affording privacy; shall be safe to use and capable of supporting the load which normal use may cause to be placed thereon.

(2) Every exterior wall shall be protected with paint or other protective covering to prevent the entrance or penetration of moisture or the weather.

(B) *Interior floors, walls, and ceilings.* Every floor, interior wall and ceiling shall be substantially rodent proof, shall be kept in sound condition and good repair and shall be safe to use and capable of supporting the load which normal use may cause to be placed thereon.

(C) *Windows and doors.* Every window, exterior door, basement or cellar door, and hatchway shall be substantially weather tight, watertight, and rodent proof, and shall be kept in sound working condition and good repair.

(D) *Stairs, porches, and appurtenances.* Every outside and inside stair, porch and any appurtenance thereto shall be safe to use and capable of supporting the load that normal use may cause to be placed thereon; and shall be kept in sound condition and good repair.

(E) *Bathroom floors.* Every bathroom floor surface and water closet compartment floor surface shall be constructed and maintained so as to be reasonably impervious to water and so as to permit the floor to be easily kept in a clean and sanitary condition.

(F) *Supplied facilities.* Every supplied facility, piece of equipment or utility which is required under this chapter shall be so constructed or installed that it will function safely and effectively and shall be maintained in satisfactory working condition.

(G) *Drainage.* Every yard shall be properly graded so as to obtain thorough drainage and so as to prevent the accumulation of stagnant water.

(H) *Noxious weeds.* Every yard and all exterior property areas shall be kept free of species of weeds or plant growth which are noxious or detrimental to health.

(I) *Egress.* Every dwelling unit shall be provided with adequate means of egress as required by the North Carolina State Building Code.

24.4-11 Control of Insects, Rodents, and Infestations

(A) *Screens.* In every dwelling unit, for protection against mosquitoes, flies and other insects, every door opening directly from a dwelling unit to outdoor space shall have supplied and installed screens and a self-closing device; and every window or other device with openings to outdoor space, used or intended to be used for ventilation, shall likewise be supplied with screens installed.

(B) *Rodent control.* Every basement or cellar window used or intended to be used for ventilation, and every other opening to a basement which might provide an entry for rodents, shall be supplied with screens installed or other approved device as will effectively prevent their entrance.

(C) Infestation.

(1) Every occupant of a dwelling containing a single dwelling unit shall be responsible for the extermination of any insects, rodents, or other pests therein or on the premises; and every occupant of a dwelling unit in a dwelling containing more than one dwelling unit shall be responsible for the extermination whenever his or her dwelling unit is the only one infested.

(2) Whenever infestation is caused by failure of the owner to maintain a dwelling in a rodent proof or reasonably insect proof condition, extermination shall be the responsibility of the owner.

(3) Whenever infestation exists in two or more dwelling units in any dwelling or in the shared or public parts of any dwelling containing two or more dwelling units, extermination shall be the responsibility of the owner.

(D) Rubbish storage and disposal. Every dwelling and every dwelling unit shall store rubbish as required by town ordinances, and the owner, operator, or agent in control of the dwelling or dwelling unit shall be responsible for the removal of rubbish.

(E) Garbage storage and disposal. Every dwelling and every dwelling unit shall be supplied with an approved garbage disposal facility, which may be an adequate mechanical garbage disposal unit (mechanical sink grinder) in each dwelling unit or an incinerator unit, to be approved by a Town Building Inspector, in the structure for the use of the occupants of each dwelling unit, or an approved outside garbage can as required by town ordinances.

24.4-12 Rooming Houses; Exceptions

All the provisions of this chapter, and all the minimum standards and requirements of this chapter, shall be applicable to rooming houses, and to every person who operates a rooming house, or who occupies or lets to another for occupancy any rooming unit in any rooming house, except as provided in the following divisions.

(A) Water closet, hand lavatory and bath facilities.

(1) At least one (1) water closet, lavatory basin and bathtub or shower, properly connected to an approved water and sewer system and in good working condition, shall be supplied for each four (4) rooms within a rooming house wherever the facilities are shared.

(2) All the facilities shall be located within the residence building served and shall be directly accessible from a common hall or passageway and shall be not more than one (1) story removed from any of the persons sharing the facilities. at all times.

(3) Every lavatory basin and bathtub or shower shall be supplied with hot and cold water

(4) The required facilities shall not be located in a cellar.

(B) *Minimum floor area for sleeping purposes.* Every room occupied for sleeping purposes by one (1) occupant shall contain at least seventy (70) square feet of floor area, and every room occupied for sleeping purposes by more than one (1) occupant shall contain at least (fifty) 50 square feet of floor area for each occupant (twelve) 12 years of age and over and at least (thirty-five) 35 square feet of floor area for each occupant under (twelve) 12 years of age.

(C) *Sanitary conditions.* The operator of every rooming house shall be responsible for the sanitary maintenance of all walls, floors and ceilings, and for the sanitary maintenance of every other part of the rooming house; and he or she shall be further responsible for the sanitary maintenance of the entire premises where the entire structure or building within which the rooming house is contained is leased or occupied by the operator.

(D) *Sanitary facilities.* Every water closet, flush urinal, lavatory basin and bathtub or shower required by subsection (A) above shall be located within the rooming house and within a room or rooms which afford privacy and are separate from the habitable rooms, and which are accessible from a common hall and without going outside the rooming house or through any other room therein.

24.4-13 Responsibilities of Owners and Occupants

(A) *Public areas.* Every owner of a dwelling containing two or more dwelling units shall be responsible for maintaining in a clean and sanitary condition the shared or public areas of the dwelling and premises thereof.

(B) *Cleanliness.* Every occupant of a dwelling or dwelling unit shall keep in a clean and sanitary condition that part of the dwelling, dwelling unit, and premises thereof which he or she occupies and controls.

(C) *Rubbish and garbage.*

(1) Every occupant of a dwelling or dwelling unit shall dispose of all his or her rubbish and garbage in a clean and sanitary manner by placing it in the supplied storage facilities.

(2) In all cases, the owner shall be responsible for the availability of rubbish and garbage storage facilities.

(D) *Supplied plumbing fixtures.* Every occupant of a dwelling unit shall keep all supplied plumbing fixtures therein in a clean and sanitary condition and shall be responsible for the exercise of reasonable care in the proper use and operation of the same.

(E) *Care of facilities, equipment, and structure.* No occupant shall willfully destroy, deface, or impair any of the facilities or equipment, or any part of the structure of a dwelling or dwelling unit.

24.4-14 Inspector; Powers and Duties

(A) *Inspector appointed.* The Jamestown Town Manager is hereby appointed to serve as the Jamestown Minimum Housing Inspector. The Manager may delegate these duties to any Town employee or contractor.

(B) *Duties.* It shall be the duty of the Inspector:

(1) To investigate the dwelling conditions, and to inspect dwellings and dwelling units located in the town, in order to determine which dwellings and dwelling units are unfit for human habitation, and for the purpose of carrying out the objectives of this chapter with respect to the dwellings and dwelling units;

(2) To take action, together with other appropriate departments and agencies, public and private, as may be necessary to effect rehabilitation of housing which is deteriorated;

(3) To keep a record of the results of inspections made under this chapter and an inventory of those dwellings that do not meet the minimum standards of fitness herein prescribed; and

(4) To perform the other duties as may be herein prescribed.

(C) *Powers.* The Inspector is authorized to exercise the powers as may be necessary or convenient to carry out and effectuate the purpose and provisions of this chapter including the following powers in addition to others herein granted:

(1) To investigate the dwelling conditions in the town in order to determine which dwellings therein are unfit for human habitation.

(2) To administer oaths and affirmations, examine witnesses and receive evidence.

(3) To enter upon premises for the purpose of making examinations and inspections; provided, the entries shall be made in accordance with law and in the manner as to cause the least possible inconvenience to the persons in possession; and

(4) To appoint and fix the duties of the officers, agents and employees as he or she deems necessary to carry out the purpose of this chapter.

(D) *Relief from personal liability.* Any official, officer, employee, or authorized qualified third-party agency or individual charged with the enforcement of this code, while acting for the Town, shall not thereby be rendered liable personally, and is hereby relieved from all personal liability for any damage accruing to persons or property because of an act required or permitted in the discharge of the official duties described herein.

24.4-15 Procedure for Enforcement; Service of Complaints and Orders

(A) Procedure for enforcement.

(1) Preliminary investigation; Notice; Hearing.

(a) Whenever a petition is filed with the Inspector by a public authority or by at least five (5) residents of the town charging that any dwelling or dwelling unit is unfit for human habitation, or whenever it appears to the Inspector, upon inspection, that any dwelling or dwelling unit is unfit for human habitation, he or she shall if his or her preliminary investigation discloses a basis for the charges, issue and cause to be served upon the owner of and parties in interest in the dwelling or dwelling unit a complaint stating the charges and containing a notice that a hearing will be held before the Inspector at a place therein fixed, not less than ten (10) nor more than thirty (30) days after the serving of the complaint.

(b) The owner or any party in interest shall have the right to file an answer to the complaint and to appear in person, or otherwise, and give testimony at the place and time fixed in the complaint.

(c) Notice of the hearing shall also be given to at least one of the persons signing a petition relating to the dwelling.

(d) Any person desiring to do so may attend the hearing and give evidence relevant to the matter being heard.

(e) Hearings before the Inspector shall be quasi-judicial in nature. The rules of evidence prevailing in courts of law or equity shall not be controlling in hearings before the Inspector.

(2) Procedure after hearing.

(a) After the notice and hearing, the Inspector shall state in writing his or her determination whether the dwelling or dwelling unit is unfit for human habitation. If the Inspector determines the dwelling or dwelling unit is unfit for human habitation, then he or she shall also determine whether the structure is deteriorated or dilapidated.

(b) 1. If the Inspector determines that the dwelling or dwelling unit is deteriorated, he or she shall state in writing his or her findings of fact in support of the determination, and shall issue and cause to be served upon the owner thereof an order directing and requiring the owner to repair, alter and improve the dwelling or dwelling unit to comply with the minimum standards of fitness established by this chapter within a specified period of time, not to exceed ninety (90) days.

2. If the Inspector determines that the dwelling or dwelling unit is deteriorated, the order may also require that the property be vacated and closed. The Inspector may issue an order to vacate and close only if the Inspector determines in writing that continued occupancy during the time allowed for repair will present a significant threat of bodily harm, taking into account the nature of the necessary repairs, alterations, or improvements; the current state of the property; and any

additional risks due to the presence and capacity of minors under the age of eighteen (18) or occupants with physical or mental disabilities.

(c) If the Inspector determines that the dwelling is dilapidated, he or she shall state in writing his or her findings of fact to support the determination, and shall issue and cause to be served upon the owner thereof an order directing and requiring the owner to either repair, alter and improve the dwelling or dwelling unit to comply with the minimum standards of fitness established by this chapter or else vacate and remove or demolish the same within a specified period of time not to exceed ninety (90) days. However, notwithstanding any other provision of law, if the dwelling is located in a historic district of the town and the town's Historic District Commission determines, after a public hearing as provided by ordinance, that the dwelling is of particular significance or value toward maintaining the character of the district, and the dwelling has not been condemned as unsafe, the order may require that the dwelling be vacated and closed consistent with G.S. § 160D-949.

(d) An order issued shall also state:

(i) That the failure to make timely repairs as directed in the order shall make the dwelling subject to the issuance of an unfit order, and

(ii) That any person aggrieved by the order may appeal the decision to the Board of Adjustment within thirty (30) days from the rendering of the decision or service of the order.

(B) Whenever the Inspector orders a dwelling be vacated and closed or removed or demolished, notice of the order shall be given by first-class mail to any organization involved in providing or restoring dwellings for affordable housing that has filed a written request for such notices. A minimum period of forty-five (45) days from the mailing of such notice shall be given before removal or demolition by action of the Inspector, to allow the opportunity for any organization to negotiate with the owner to make repairs, lease, or purchase the property for the purpose of providing affordable housing. The Inspector or Town Clerk shall certify the mailing of the notices, and the certification shall be conclusive in the absence of fraud. Only an organization that has filed a written request for such notices may raise the issue of failure to mail such notices, and the sole remedy shall be an order requiring the Inspector to wait forty-five (45) days before causing removal or demolition.

(C) Methods of service of complaints and orders.

(1) Complaints or orders issued by the Inspector shall be served upon persons either personally or by registered or certified mail. When service is made by registered or certified mail, a copy of the complaint or order may also be sent by regular mail. Service shall be deemed sufficient if the registered or certified mail is unclaimed or refused, but the regular mail is not returned by the post office within ten (10) days after the mailing. If regular mail is used, a notice of the pending proceedings shall be posted in a conspicuous place on the premises affected.

(2) If the identities of any owners or the whereabouts of persons are unknown and cannot be ascertained by the Inspector in the exercise of reasonable diligence, or, if the owners are known but have refused to accept service by registered or certified mail, and the Inspector makes an affidavit to that effect, then the serving of the complaint or order upon the owners or other persons may be made by publication in a newspaper having general circulation in the town at least once no later than the time at which personal service would be required under this chapter. When service is made by publication, a notice of the pending proceedings shall be posted in a conspicuous place on the premises thereby affected.

24.4-16 Failure to Comply with an Order

(A) *Failure to comply with an order – in personam remedy.* Pursuant to G.S. § 160D-1208, if the owner of any deteriorated dwelling or dwelling unit shall fail to comply with an order of the Inspector to repair, alter or improve the same within the time specified therein, or if the owner of a dilapidated dwelling shall fail to comply with an order of the Inspector to vacate and close, and remove or demolish the same within the time specified therein, the Inspector may submit to the Town Council a resolution directing the Town Attorney to institute any appropriate action in the Guilford County Superior Court for an order directing the owner and/or occupants to comply with the order of the Inspector; to otherwise prevent the unlawful erection, construction, reconstruction, alteration or use; to restrain, correct or abate the violation; to prevent the occupancy of the dwelling; or to prevent any illegal act, conduct or use in or about the premises of the dwelling.

(B) *Failure to comply with an order – in rem remedy.*

(1) If the owner of any deteriorated or dilapidated dwelling or dwelling unit shall fail to comply an order of the Inspector issued pursuant to this chapter, the Inspector may petition the Town Council adopt an ordinance authorizing the Inspector to carry the Inspector's order into effect. Upon adoption of said ordinance, the Inspector shall proceed to cause the dwelling or dwelling unit to be repaired, altered or improved to comply with the minimum standards of fitness established by this chapter or to be vacated and closed and removed or demolished, as directed by the ordinance of the Town Council and shall cause to be posted on the main entrance of the dwelling or dwelling unit a placard with the following words: "This building is unfit for human habitation; the use or occupation of this building for human habitation is prohibited and unlawful."

(2) No ordinance adopted by the Town Council shall direct the Inspector to take an action other than those actions specified in the Inspector's written order, except that the Council may allow additional time to repair a dwelling.

(3) No ordinance shall be adopted to require demolition of a dwelling until the owner has first been given a reasonable opportunity to bring it into conformity with the town Minimum Housing Code.

(4) Occupation of a building so posted shall constitute a Class 1 misdemeanor.

(B) Each ordinance shall be recorded in the office of the Guilford County Register of Deeds and shall be indexed in the name of the property owner in the grantor index.

24.4-17 Costs a Lien on Premises; Sale of Materials

(A) As provided by G.S. § 160D1203(7), the amount of the cost of any repairs, alterations or improvements, or vacating and closing, or removal or demolition, caused to be made or done by the Inspector shall be a lien against the real property upon which the cost was incurred, which lien shall be filed, have the same priority, and be collected as the lien for special assessment provided in G.S. Chapter. 160A, Art. 10.

(B) If the real property upon which the cost was incurred is located within the corporate limits of the town, then the amount of the cost is also a lien on any other real property of the owner located within the town limits or within one (1) mile thereof except for the owner's primary residence. The additional lien provided in this subdivision is inferior to all prior liens and shall be collected as a money judgment.

(C) If the dwelling is removed or demolished by the Inspector, he or she shall sell the materials of the dwelling, and any personal property, fixtures or appurtenances found in or attached to the

dwelling, and shall credit the proceeds of the sale against the cost of the removal or demolition and any balance remaining shall be deposited in the Guilford County Superior Court by the Inspector, shall be secured in a manner directed by the Court, and shall be disbursed by the Court to the persons found to be entitled thereto by final order or decree of the Court. Nothing in this subsection shall be construed to impair or limit in any way the power of the city to define and declare nuisances and to cause their removal or abatement by summary proceedings, or otherwise.

24.4-18 Abandonment of Intent to Repair

(A) If (i) the Town Council has adopted an ordinance as provided in this chapter or the Inspector has issued an order determining a structure is deteriorated and ordering a dwelling to be repaired or vacated and closed and (ii) the dwelling has been vacated and closed for a period of one (1) year pursuant to the ordinance or order, then the Council may conduct a hearing to determine whether the owner has abandoned the intent and purpose to repair, alter or improve the dwelling in order to render it fit for human habitation. If after a hearing, the Council finds that the owner has abandoned his or her intent to repair the dwelling and that the continuation of the dwelling in its vacated and closed status would be inimical to the health, safety, morals and welfare of the town in that the dwelling would continue to deteriorate, would create a fire and safety hazard, would be a threat to children and vagrants, would attract persons intent on criminal activities, would cause or contribute to blight and the deterioration of property values in the area, and would render unavailable property and a dwelling which might otherwise have

been made available to ease the persistent shortage of decent and affordable housing in this State, then in such circumstances, the Council may, after the expiration of such one (1) year period, enact an ordinance and serve such ordinance on the owner, setting forth the following:

(1) If it is determined that the repair of the dwelling to render it fit for human habitation can be made at a cost not exceeding fifty percent (50%) of the then current value of the dwelling, the ordinance shall require that the owner either repair or demolish and remove the dwelling within ninety (90) days; or

(2) If it is determined that the repair of the dwelling to render it fit for human habitation cannot be made at a cost not exceeding fifty percent (50%) of the then current value of the dwelling, the ordinance shall require the owner to demolish and remove the dwelling within ninety (90) days.

(B) This ordinance shall be recorded in the Guilford County Register of Deeds and shall be indexed in the name of the property owner in the grantor index. If the owner fails to comply with this ordinance, the Inspector shall effectuate the purpose of the ordinance.

24.4-19 Alternative and Supplemental Remedies

(A) Neither this chapter nor any of its provisions shall be construed to impair or limit in any way the power of the town to define and declare nuisances and to cause their abatement by summary action or otherwise, or to enforce this chapter by criminal process as authorized by G.S. § 14-4.

(C) The enforcement of any remedy provided herein shall not prevent the enforcement of any other remedy or remedies provided herein or in other ordinances or laws.

(D) If any occupant fails to comply with an order to vacate a dwelling, the Inspector, with authorization from the Town Council, may file a civil action in the name of the city to remove such occupant. The action to vacate the dwelling shall be in the nature of summary ejectment and shall be commenced by filing a complaint naming as parties-defendant any person occupying such dwelling. The Guilford County Clerk of Superior Court shall issue a summons requiring the defendant to appear before a magistrate at a certain time, date and place not to exceed ten (10) days from the issuance of the summons to answer the complaint. The summons and complaint shall be served as provided in G.S. § 42-29. The summons shall be returned according to its tenor, and if on its return it appears to have been duly served, and if at the hearing the Inspector produces a certified copy of an ordinance adopted by the Town Council pursuant to this chapter authorizing the Inspector to proceed to vacate the occupied dwelling, the magistrate shall enter judgment ordering that the premises be vacated and that all persons be removed. The judgment ordering that the dwelling be vacated shall be enforced in the same manner as the judgment for summary ejectment entered under G.S. § 42-30. An appeal from any judgment entered hereunder by the magistrate may be taken as provided in G.S. § 7A-228, and the execution of such judgment may be stayed as provided in G.S. § 7A-227. An action to remove an occupant of

a dwelling who is a tenant of the owner may not be in the nature of a summary ejectment proceeding pursuant to this paragraph unless such occupant was served with notice at least thirty (30) days before the filing of the summary ejectment proceeding that the Town Council has ordered the Inspector to proceed to exercise his or her duties pursuant to this chapter to vacate and close or remove and demolish the dwelling.

24.4-20 Appeals

(A) An appeal from any decision or order of the Inspector may be taken to the Zoning Board of Adjustment by any person aggrieved thereby or by any officer, board or Council of the town. Any appeal from the Inspector shall be taken within thirty (30) days from the rendering of the decision or service of the order by filing a notice of appeal with the Inspector, which notice shall specify the grounds upon which the appeal is based.

(B) Upon the filing of any notice of appeal, the Inspector shall promptly transmit to the Zoning Board of Adjustment all the papers, photographs and other documents constituting the record upon which the decision appealed from was made.

(C) When an appeal is from a decision of the Inspector refusing to allow the person aggrieved thereby to do any act, his or her decision shall remain in force until modified or reversed. When any appeal is from a decision of the Inspector requiring the person aggrieved to do any act, the appeal shall have the effect of suspending the requirement until the hearing by the Zoning Board of Adjustment, unless the Inspector certifies to the board, after the notice of appeal is filed with him or her, that because of facts stated in the certificate (a copy of which shall be furnished to the appellant), a suspension of his or her requirement would cause imminent peril to life or property. In that case the requirement shall not be suspended except by a restraining order, which may be granted for due cause shown upon not less than one (1) day's written notice to the Inspector, by the board, or by a court of record upon petition.

(D) The Zoning Board of Adjustment shall fix a reasonable time for hearing appeals, shall give due notice to the parties, and shall render its decision within a reasonable time. Any party may appear in person or by agent or attorney. The board may reverse or affirm, wholly or partly, or may modify the decision or order appealed from, and may make any decision and order that in its opinion ought to be made in the matter, and to that end it shall have all the powers of the Inspector, but the concurring vote of a majority of the members of the board shall be necessary to reverse or modify any decision or order of the Inspector. The board shall have power also in passing upon appeals, when practical difficulties or unnecessary hardships would result from carrying out the strict letter of the ordinance, to adapt the application of the ordinance to the necessities of the case to the end that the spirit of the ordinance shall be observed, public safety and welfare secured, and substantial justice done.

(E) Every decision of the Zoning Board of Adjustment shall be subject to review by proceedings in the nature of certiorari instituted in the Guilford County Superior Court within fifteen (15) days of the decision of the board, but not otherwise.

(F) Any person aggrieved by an order issued by the Inspector, or a decision rendered by the Zoning Board of Adjustment may petition the Guilford County Superior Court for an injunction restraining the Inspector from carrying out the order or decision and the court may, upon such petition, issue a temporary injunction restraining the Inspector pending a final disposition of the cause. The petition shall be filed within thirty (30) days after issuance of the order or rendering of the decision. Hearings shall be had by the court on a petition within twenty (20) days and shall be given preference over other matters on the court's calendar. The court shall hear and determine the issues raised and shall enter such final order or decree as law and justice may require. It shall not be necessary to file bond in any amount before obtaining a temporary injunction under this subsection.

24.4-21 Conflict with other provisions

In the event any provision, standard or requirement of this chapter is found to be in conflict with any provision of any other ordinance or code of the town, the provision which establishes the higher standard or more stringent requirement for the promotion and protection of the health and safety of the residents of the town shall prevail.

24.4-22 Violations

(A) It shall be unlawful for the owner of any dwelling or dwelling unit to fail, neglect or refuse to repair, alter or improve the same, or to vacate and close and remove or demolish the same, upon order of the Inspector duly made and served as herein provided, within the time specified in the order, and each day that any failure, neglect or refusal to comply with the order continues shall constitute a separate and distinct offense.

(B) It shall be unlawful for the owner of any dwelling or dwelling unit, with respect to which an order has been issued pursuant to this chapter, to occupy or permit the occupancy of the same after the time prescribed in the order for its repair, alteration or improvement or its vacation and closing, and each day that the occupancy continues after the prescribed time shall constitute a separate and distinct offense.

24.4-23 Penalty and Enforcement

In addition to the other remedies provided here in, any provision of this chapter may be enforced by any remedy, including but not limited to civil penalties as provided in Code Section 10.99 and G.S. §§ 160A-175 and 160D-404.

24.5 Maintenance of Structures

24.5-1 General. The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety, or welfare. All exterior surfaces, including but not limited to, doors, door and window frames, cornices, porches, trim, balconies, decks, and fences shall be maintained in good condition. Exterior wood surfaces, other

than decay-resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking, and chipped paint shall be eliminated, and surfaces repainted. All siding and masonry joints as well as those between the building envelope and the perimeter of windows, doors, and skylights shall be maintained weather resistant and watertight. All metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion and all surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Oxidation stains shall be removed from exterior surfaces, except that surface designed for stabilization by oxidation, such as copper roofs and flashing, are exempt from this requirement. The following standards are established for exterior features of structures:

- Premises identification. Buildings shall have approved address numbers placed in a position to be plainly legible and visible from the street or road fronting the property.
- Structural members. All structural members shall be maintained free from deterioration and shall be capable of safely supporting the imposed dead and live loads.
- Foundation walls. All foundation walls shall be maintained plumb and free from open cracks and breaks and shall be kept in such condition to prevent the entry of insects and vermin.
- Exterior walls. All exterior walls shall be free from holes, breaks, and loose or rotting materials and maintained to prevent deterioration.
- Roofs and drainage. The roof and flashing shall be sound, tight, and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters, and downspouts shall be maintained in good repair and free from obstructions. Water from roofs shall not be discharged in a manner that creates a public nuisance.
- Decorative features. All cornices, belt courses, corbels, terra cotta trim, wall facings, and similar decorative features shall be maintained in good repair with proper anchorage and in a safe condition.
- Overhang extensions. All overhang extensions including, but not limited to canopies, marquees, signs, metal awnings, fire escapes, standpipes, and exhaust ducts shall be maintained in good repair and properly anchored. When required, all exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or other surface treatments.
- Stairways, decks, porches, and balconies. Every exterior stairway, deck, porch and balcony, and all appurtenances attached thereto, shall be maintained in a structurally sound condition, with proper anchorage and support capable of handling normally imposed loads.
- Chimneys and towers. All chimneys, cooling towers, smokestacks, and similar appurtenances shall be maintained in a structurally safe and sound condition. All exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or other surface treatments.
- Handrails and guards. Every handrail and guard shall be firmly fastened in a manner capable of supporting normally imposed loads and shall be maintained in good condition.

- Window, skylight, and door frames. Every window, skylight, door, and frame shall be kept in sound condition, in good repair and weather tight.
 - Glazing. All glazing materials shall be maintained free from cracks and holes.
 - Operable windows. Every window, other than a fixed window, shall be easily operable and capable of being held in both open and closed positions by window hardware.
 - Insect screens. Every door, window, and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas, or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged, or stored shall be supplied with approved tightly fitting screens of not less than 16 mesh per inch. Screens shall not be required where other approved means, such as air curtains or insect repellent fans, are employed. Where required and installed, screens shall be maintained in good condition, free of holes and other openings.
 - Doors. All exterior doors, door assemblies, and hardware shall be maintained in good condition. Locks at all entrances to dwelling units, rooming units and guestrooms shall tightly secure the door.
2. **24.5-2 Vacant or unoccupied structures.** Vacant or unoccupied structures shall be maintained in accordance with the standards provided in section 24.4-1 above. Such structures shall be further maintained to prohibit unauthorized entry.
 3. **24.5-3 Structures undergoing demolition.** Structures undergoing demolition shall be maintained to protect public safety, health, and welfare. Demolition operations shall:
 - Minimize the off-site release of dust and other particulates.
 - Be maintained and secured to not create an attractive public nuisance.
 - Remove salvage materials, debris, and rubble periodically to maintain safe on-site working conditions.
 - Result in full and complete post-demolition cleanup, including the removal of all debris and rubble and maintaining compliance with the property maintenance standards in section 24.5 below. As part of demolition permitting, the Town requires a demolition permit be obtained from the Town of Jamestown and the Town may require the posting of performance bonds or other financial guarantees as deemed necessary to ensure compliance with these regulations.

24.5-4 Unsafe structures. An unsafe structure is one that is found to be dangerous to the life, health, property, or safety of the public or the occupants of the structure because it is so damaged, decayed, dilapidated, structurally unsafe, or of such faulty construction or unstable foundation that partial or complete collapse is possible. Unsafe structures shall be subject to the enforcement procedures provided in section 24.6 below.

24.6 Maintenance of Property and Premises.

24.6-1 General. All exterior property and premises shall be maintained in a clean, safe, and sanitary condition. Specific standards for exterior features and situations are provided as follows:

- Grading and drainage. All premises shall be graded and maintained to prevent the erosion of soil and to prevent the accumulation of stagnant water thereon, or within any structure located thereon, except for approved retention areas and reservoirs.
- Sidewalks and driveways. All sidewalks, walkways, stairs, driveways, parking spaces, and similar areas shall be kept in a proper state of repair and maintained free from hazardous conditions. Public sidewalks shall not be blocked by trees and other vegetation located on adjoining private properties and shall be kept clear of weeds, litter, and other potential obstructions by the adjoining private property owner.
- Weeds. All premises and exterior property shall be maintained free from weeds or plant growth in excess of nine inches other than trees, shrubs, and cultivated flowers and gardens.
- Rodent and insect harborage. All structures and exterior property shall be kept free from rodent and insect harborage and infestation. Where rodents or insects are found, they shall be promptly exterminated by approved processes which will not be injurious to human health. After extermination, proper precautions shall be taken to eliminate rodent and insect harborage and prevent reinfestation.
- Exhaust vents. Pipes, ducts, conductors, fans, or blowers shall not discharge gases, steam, vapor, hot air, grease, smoke, odors, or other gaseous or particulate wastes directly upon abutting or adjacent public or private property or that of another tenant.
- Accessory structures. All accessory structures, including detached garages, fences, and walls, shall be maintained structurally sound and in good repair.
- Motor vehicles. Except as provided for in other regulations, no inoperative or unlicensed motor vehicle shall be parked, kept, or stored on any premises, and no vehicle shall at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled. Painting of vehicles is prohibited unless conducted inside an approved spray booth. Exception: A vehicle of any type is permitted to undergo major overhaul, including body work, provided that such work is performed inside a structure or similarly enclosed area designed and approved for such purposes.
- Defacement of property. No person shall willfully or wantonly damage, mutilate, or deface any exterior surface of any structure or building on any private or public property by placing thereon any marking, carving, or graffiti unless specifically allowed by the Town. It shall be the responsibility of the owner to restore said surface to an approved state of maintenance and repair in a reasonably expeditious fashion, not to exceed 30 days.
- Swimming pools, hot tubs, and spas. Swimming pools, hot tubs, and spas located exterior to a structure shall be maintained in a clean and sanitary condition and in good repair. Private swimming pools, hot tubs, and spas containing water more than 24 inches in depth shall be surrounded by a fence or barrier at least 48 inches in height above the finished ground level measured on the side of the barrier away from the pool, hot tub, or spa. Gates and doors in such barriers shall be self-closing and self-latching. Where the self-latching device is less than 54 inches above the bottom of the gate, the release mechanism shall be located on the pool side of the gate. Self-closing and self-latching gates shall be maintained such that the gate will positively close and latch when released from an open position of six inches from the gatepost. No such enclosure shall be

removed, replaced, or changed in a manner that reduces its effectiveness as a safety barrier.

- Accumulation of rubbish or garbage. All exterior property and premises shall be free from any accumulation of rubbish or garbage, including trash, junk, debris, dead vegetation, building materials, accumulations of newspapers, circulars, and flyers, and discarded personal items such as furniture, clothing, and large and small appliances. Every occupant of a structure shall dispose of all rubbish and garbage in a clean and sanitary manner by placing such rubbish and garbage in approved containers supplied by the owner of every occupied premises. The owner of the property or premises shall be responsible for the removal of rubbish and garbage.
- Refrigerators and other large appliances. Refrigerators and other large appliances not in operation shall not be discarded, abandoned, or stored in an exterior location on any premises. Refrigerators shall not be placed in an exterior location for pick-up and disposal by the Town of Jamestown without removal of the doors. Refrigerators and other large appliances shall not be placed in an exterior location for more than five (5) days for pick-up and disposal by the Town of Jamestown.
- Outdoor storage of equipment, appliances, raw materials for manufacturing, items being recycled, vehicles undergoing repair or dismantling, and similar items used or sold in the conduct of a business shall be screened from view from areas off the premises by fencing or landscaping. Goods or other items that are part of approved outdoor displays, such as cars for sale at a new or used car lot, seasonal plants, and vegetables for sale at a lawn and garden store, etc., shall be exempt from this requirement.

24.7 Administration

1. **24.7-1 Responsibility for administration.** The Town of Jamestown Planning Director, or his/her designee, shall be responsible for the administration of these regulations. Such duties shall include the review and evaluation of complaints regarding nuisances and unmaintained properties, the inspection of structures, properties, and premises perceived to be in violation of these regulations, the pursuit of remedies for violations of these regulations, and the assignment of penalties as specified in these regulations for the purpose of obtaining regulatory compliance.
2. **24.7-2 Review and evaluation of complaints.** Citizen complaints regarding nuisances and unmaintained properties shall be presented in writing to the Planning Director. Upon receiving the complaint, the Planning Director shall review and evaluate said complaint. This review and evaluation may include inspection(s) of the subject property, meetings with the property owner(s), and other actions as needed to prepare a thorough evaluation of the complaint. Upon completion of the evaluation, the Planning Director shall prepare a report detailing his/her evaluation for presentation to the Jamestown Town Council. This report shall include a recommendation regarding action to be taken in response to the complaint. This report shall be forwarded to the Town Council for review and action at a regularly scheduled meeting. Upon reviewing the report, the Town Council shall direct staff regarding action to be taken in response to the complaint.

3. **24.7-3 Inspections.** The Planning Director or designee shall personally make all of the required inspections or shall accept reports of inspection by qualified third-party agencies or individuals. All reports of such inspections shall be in writing and shall be certified by a responsible officer of such qualified agency or individual. The Planning Director or designee is authorized to engage such expert opinion as deemed necessary to satisfactorily administer these regulations. Payment of inspection costs associated with third-party agencies or individuals shall be assigned to the owner of record of the subject structure, property, or premises upon determination that a violation exists and shall be so noted in the notice of violation.
4. **24.7-4 Right of entry.** In carrying out these duties, the Planning Director or designee is authorized to enter such structures, properties, or premises at reasonable times. If entry is refused or not obtained, recourse shall be pursued as provided by law.
5. **24.7-5 Relief from personal liability.** Any official, officer, employee, or authorized qualified third-party agency or individual charged with the enforcement of this code, while acting for the Town, shall not thereby be rendered liable personally or professionally, and is hereby relieved from all personal liability for any damage accruing to persons or property as a result of an act required or permitted in the discharge of the official duties described herein.

24.8 Enforcement.

1. **24.8-1 General enforcement.** Except for unsafe structures, a violation of these regulations shall be enforced as provided below. In no case shall violations of this ordinance be considered criminal offenses except as specifically provided by statute.
2. **24.8-2 Notice of violation.** The Planning Director shall provide notice of the violation and any required remedies. The notice of violation shall be served by any means authorized under G.S. 1A-1, Rule 4, and shall direct the violator to correct the violation within 30 days after receipt of the notice of violation. The violator may be the property owner, the leasehold tenant, or occupant, or any combination thereof deemed necessary to ensure compliance with these regulations.
3. **24.8-3 Failure to comply with a notice of violation.** Any person who fails to comply with a notice of violation of any of the provisions of this Article shall be subject to a civil penalty of five hundred dollars (\$500.00). A civil penalty may be assessed from the date of the violation. Each day of a continuing violation shall constitute a separate violation. The decision of the Planning Director to assess a civil penalty may be delivered by personal service, by registered mail or certified mail returned receipt requested, or by any means authorized under G.S. 1A-1, Rule 4.
4. **24.8-4 Appeal to Superior Court.** Every decision of the Planning Director to assess a civil penalty shall be subject to review by the Guilford County Superior Court by proceedings in the nature of certiorari. Any petition for review by the Superior Court shall be filed with the clerk of Superior Court within 30 days after the decision of the Planning Director to assess a civil penalty.
5. **24.8-5 Failure to Appeal and/or Pay.** Any civil penalty assessed a person who violates the provisions of these regulations shall be recovered by the Town in a civil action in a debt,

to be brought in the Guilford County Superior Court if the violator fails to give notice of timely appeal and fails to pay the penalty within the prescribed period after he or she has been cited for the violation.

6. **24.8-6 Unsafe structure enforcement.** An unsafe structure is one that is found to be dangerous to the life, health, property, or safety of the public or the occupants of the structure because it is so damaged, decayed, dilapidated, structurally unsafe, or of such faulty construction or unstable foundation that partial or complete collapse is possible. Such structures shall be condemned and removed in accordance with the provisions of G.S. 160D-1119 through 160D-1125 and this article.
7. **24.8-7 Posting.** Upon determination that an unsafe structure exists, the Planning Director shall post a notice of condemnation in conspicuous place on the exterior wall of the building as required in G.S. 160D-1119. Such notice may order the structure closed to the extent necessary to not constitute an attractive nuisance.
8. **24.8-8 Removal of notice of condemnation.** Any person removing a notice of condemnation posted by the Planning Director shall be guilty of a civil penalty as specified in G.S. 160D-1120.
9. **24.8-9 Vacation.** Any occupied structure condemned and posted by the Planning Director shall be vacated as ordered by the Planning Director.

24.8-10 Notice; failure to take corrective action. If the owner of a structure that has been condemned as unsafe pursuant to G.S. 160D-1119 fails to take prompt corrective action, the Planning Director shall give him written notice, by certified or registered mail to his last known address or by personal service. The notice shall specify that the building or structure is in a condition that appears to meet one or more of the following conditions:

- Constitutes a fire or safety hazard.
- Is dangerous to life, health, or other property.
- Is likely to cause or contribute to blight, disease, vagrancy, or danger to children.
- Tends to attract persons intent on criminal activities or other activities which would constitute a public nuisance.

The notice shall further specify that a hearing will be held before the Planning Director at a designated place and time, not later than 10 days after the date of the notice, at which time the owner shall be entitled to be heard in person or by counsel and to present arguments and evidence pertaining to the matter; and that following the hearing, the Planning Director may issue such order to repair, close, vacate, or demolish the building or structure as appears appropriate.

24.8-11 Alternative notice. If the name or whereabouts of the owner cannot after due diligence be discovered, the notice shall be considered properly and adequately served if a copy thereof is posted on the outside of the building or structure in question at least 10 days prior to the hearing and a notice of the hearing is published in a newspaper having general circulation in the Town at least once not later than one week prior to the hearing.

24.8-12 Order to take corrective action. If, following the hearing described above, the Planning Director finds that the structure is unsafe, he or she shall issue an order that specifies the corrective action that must be taken by the property owner under a timeframe that complies with G.S. 160D-1122.

24.8-13 Appeal of order to take corrective action. The property owner may appeal the order to take corrective action in accordance with the provisions of G.S. 160D-1123.

24.8-14 Failure to comply with order. Any person who fails to comply with an order to take corrective action shall be subject to a civil penalty of up to \$500 per day, with each day on which action to comply is not taken considered a separate violation. The Town may enforce the order as provided in G.S. 160D-1124.

24.9 NON-RESIDENTIAL BUILDING CODE:MINIMUM STANDARDS FOR NONRESIDENTIAL BUILDINGS AND STRUCTURES

24.9-1 JURISDICTION AND AUTHORITY

- (A) Authority. Pursuant to G.S. § 160D-1129 the Town Council hereby adopts these standards for nonresidential buildings and structures to ensure that said buildings and structures meet minimum maintenance, sanitation, and safety standards. These standards shall apply in addition to the requirements of the North Carolina State Building Code and any other applicable regulations.
- (B) Jurisdiction. The provisions of this section shall apply within the corporate limits and the Extra Territorial Jurisdiction (ETJ) of the Town of Jamestown.
- (C) Inspector Appointed, Powers and Duties. The Jamestown Planning Director or their designee is hereby authorized to implement and enforce the provisions this ordinance, "Minimum Standards for Nonresidential Buildings and Structures." The Minimum Housing Inspector shall be referred to herein as the "Inspector." Except as provided herein, the Inspector shall have the same powers and duties when enforcing minimum standards for nonresidential buildings and structures as they have when enforcing the Minimum Standards Code.

24.9-2 MINIMUM STANDARDS

- (A) Compliance With the North Carolina State Building Code. Every nonresidential building and structure shall comply with applicable provisions of the North Carolina State Building Code, especially those provisions that pertain to the prevention of conditions that are dangerous and injurious to the public health, safety, and welfare.
- (B) Structural Condition.
 - (1) Walls or partitions or supporting members, sills, joists, rafters or other structural members shall not list, lean or buckle, and shall not be rotted, deteriorated or damaged, and shall not have holes or cracks which might admit rodents.
 - (2) Floors or roofs shall have adequate supporting members and strength to be reasonably safe for the purpose used.
 - (3) Foundations, foundation walls, piers or other foundation supports shall not be deteriorated or damaged.
 - (4) Every outside and inside stair, porch, landing, loading dock and any other appurtenance shall be safe to use and capable of supporting the load that normal use may cause to be placed thereon; and shall be kept in sound condition and good repair.
 - (5) The roof, flashings, exterior walls, basement walls, floors and all doors and windows exposed to the weather shall be constructed and maintained to be weather tight and watertight.
 - (6) There shall be no chimneys or parts thereof which are detective, deteriorated or in danger of falling, or in a condition or location as to constitute a fire hazard.
 - (7) There shall be no use of the ground for floors, or wood floors directly on the ground. SEP
- (C) Plumbing system.
 - (1) Each nonresidential building or structure shall be connected to a potable water supply and to the public sewer or other approved sewage disposal system, if such connections are required by the North Carolina State Building Code.
 - (2) Each nonresidential building or structure shall contain at least the minimum number of toilets and other sanitary facilities required by the North Carolina State Building Code.
 - (3) All water shall be supplied through an approved pipe distribution system connected to a potable water supply.

- (4) All plumbing fixtures shall meet the standards of the North Carolina State Building Code and shall be maintained in a state of good repair and in good working order.
- (D) Heating and Electrical System.
 - (1) The heating and electrical systems of nonresidential buildings and structures shall comply with the North Carolina State Building Code.
 - (2) Every public hall and stairway in every multi dwelling shall be always adequately lighted by electric lights when natural daylight is not sufficient.
- (E) Safe and Sanitary Maintenance.
 - (1) Every foundation wall, exterior wall and exterior roof shall be substantially weather tight and rodent proof, shall be kept in sound condition and good repair; shall be safe to use and capable of supporting the load which normal use may cause to be placed thereon.
 - (2) Every exterior wall shall be protected with paint or other protective covering to prevent the entrance or penetration of moisture or the weather.
 - (3) Every floor, interior wall and ceiling shall be substantially rodent proof, shall be kept in sound condition and good repair and shall be safe to use and capable of supporting the load which normal use may cause to be placed thereon.
 - (4) Interior walls and ceilings of all finished interior spaces shall be finished of suitable materials, which will, by use of reasonable commercial methods, promote sanitation and cleanliness.
 - (5) Every window, exterior door, basement or cellar door, and hatchway shall be substantially weather tight, watertight, and rodent proof, and shall be kept in sound working condition and good repair.
 - (6) Every bathroom floor surface and water closet compartment floor surface shall be constructed and maintained to be reasonably impervious to water and to permit the floor to be easily kept in a clean and sanitary condition.
 - (7) Every supplied facility, piece of equipment or utility which is required under this section, or the North Carolina State Building Code shall be so constructed or installed that it will function safely and effectively; and shall be maintained in satisfactory working condition.
 - (8) Every yard shall be properly graded to obtain thorough drainage and to prevent the accumulation of stagnant water.
 - (9) Every yard and all exterior property areas shall be kept free of species of weeds or plant growth which are noxious or detrimental to health.
 - (10) Every dwelling unit shall be provided with adequate means of egress as required by the North Carolina State Building Code.
- (F) Control of Insects, Rodents, and Infestations
 - (1) Screens. Every window or other device with openings to outdoor space, used or intended to be used for ventilation, shall be supplied with screens installed.
 - (2) Every basement or cellar window used or intended to be used for ventilation, and every other opening to a basement which might provide an entry for rodents, shall be supplied with screens installed or other approved device as will effectively prevent their entrance.
 - (3) Infestation.
 - a. Every occupant shall be responsible for the extermination of any insects, rodents or other pests therein or on the premises; and every occupant of a nonresidential building or structure containing more than one unit shall be responsible for the extermination whenever his or her unit is the only one infested. ^{1}_{SEP}

- b. Whenever infestation is caused by failure of the owner to maintain a nonresidential building or structure in a rodent proof or reasonably insect proof condition, extermination shall be the responsibility of the owner. ^[L]_[SEP]
- c. Whenever infestation exists in two or more nonresidential units or in the shared or public parts of any nonresidential building or structure containing two or more units, extermination shall be the responsibility of the owner. ^[L]_[SEP]
- (G) Rubbish and garbage storage and disposal. Every nonresidential building or structure shall store rubbish and garbage as required by town ordinances, and the owner or occupant of the building or structure shall be responsible for the removal of rubbish and garbage.
- (H) Responsibilities of Owners and Occupants.
 - (1) Public areas. Every owner of a nonresidential building or structure with two or more units shall be responsible for maintaining in a clean and sanitary condition the shared or public areas of the building or structure and premises thereof.
 - (2) Cleanliness. Every occupant of a nonresidential building or structure shall keep in a clean and sanitary condition that part of the building or structure and premises thereof which he or she occupies and controls.

24.9-3 INVESTIGATION, HEARING AND ORDER

- (A) Investigation. Whenever it appears to the Inspector that any nonresidential building or structure has not been properly maintained so that the safety or health of its occupants or members of the general public are jeopardized for failure of the property to meet the minimum standards established by this code, the Inspector shall undertake a preliminary investigation. If entry upon the premises for purposes of investigation is necessary, such entry shall be made with the permission of the owner, owner's agent, a tenant, or other person legally in possession of the premises or pursuant to a duly issued administrative search warrant issued in accordance with G.S. § 15-27.2.
- (B) Complaint and Hearing. If the preliminary investigation discloses evidence of a violation of the minimum standards, the Inspector shall issue and cause to be served upon the owner of and parties in interest in the nonresidential building or structure a complaint. The complaint shall contain the following:
 - (1) The charges. ^[L]_[SEP]
 - (2) A notice that a hearing will be held before the Inspector (or his or her designated agent) at a place within Guilford County scheduled not less than ten (10) days nor more than thirty (30) days after the serving of the complaint.
 - (3) That the owner and parties in interest shall be given the right to answer the complaint and to appear in person, or otherwise, and give testimony at the place and time fixed in the complaint; and
 - (4) That the rules of evidence prevailing in courts of law or equity shall not be controlling in hearing before the Inspector.
- (C) Hearing and Order.
 - (1) Hearings shall be quasi-judicial in nature and shall be conducted in the same manner as hearings provided for in Chapter 80.
 - (2) If, after notice and hearing, the Inspector determines that the nonresidential building or structure has not been properly maintained so that the safety or health of its occupants or members of the public is jeopardized for failure of the property to meet the minimum standards established by this code, the Inspector shall issue an order that states the following:
 - a. The order shall provide writing findings of fact in support of the Inspector's determination. ^[L]_[SEP]

- b. The order may require the owner to take remedial action, within a reasonable time specified, subject to the procedures and limitations of this subsection. ^{[[1]]}_{SEP}
- c. The order shall state that any person aggrieved by the order may appeal the decision to the Zoning Board of Adjustment within thirty (30) days from the rendering of the decision or service of the order.

(3) Limitations on Orders.

- a. An order may require the owner to repair, alter, or improve the nonresidential building or structure in order to bring it into compliance with the minimum standards established by this code or to vacate and close the nonresidential building or structure for any use. ^{[[1]]}_{SEP}
 - b. An order may require the owner to remove or demolish the nonresidential building or structure if the cost of repair, alteration, or improvement of the building or structure would exceed fifty percent (50%) of its then current value. Notwithstanding any other provision of law, if the nonresidential building or structure is designated as a local historic landmark, listed in the National Register of Historic Places, or located in a locally designated historic district or in a historic district listed in the National Register of Historic Places and the Town Council determines, after a public hearing as provided by ordinance, that the nonresidential building or structure is of individual significance or contributes to maintaining the character of the district, and the nonresidential building or structure has not been condemned as unsafe, the order may require that the nonresidential building or structure be vacated and closed until it is brought into compliance with the minimum standards established by this code. ^{[[1]]}_{SEP}
 - c. An order may not require repairs, alterations, or improvements to be made to vacant manufacturing facilities or vacant industrial warehouse facilities to preserve the original use. The order may require such building or structure to be vacated and closed, but repairs may be required only when necessary to maintain structural integrity or to abate a health or safety hazard that cannot be remedied by ordering the building or structure closed for any use. ^{[[1]]}_{SEP}
- (D) Relief from personal liability. Any official, officer, employee, or authorized qualified third-party agency or individual charged with the enforcement of this code, while acting for the Town, shall not thereby be rendered liable personally, and is hereby relieved from all personal and professional liability for any damage accruing to persons or property as a result of an act required or permitted in the discharge of the official duties described herein.

24.9-4 ACTION BY THE TOWN COUNCIL UPON FAILURE TO COMPLY WITH THE ORDER

- (A) Failure to Comply with an Order to Repair, Alter, Improve or To Vacate and Close.
 - (1) If the owner fails to comply with an order to repair, alter, or improve or to vacate and close the nonresidential building or structure, the Town Council may adopt an ordinance ordering the Inspector to proceed to effectuate the purpose of these sections with respect to the particular property or properties that the Inspector found to be jeopardizing the health or safety of its occupants or members of the public. The property or properties shall be described in the ordinance. The ordinance shall be recorded in the office of the Guilford County Register of Deeds and shall be indexed in the name of the property owner or owners in the grantor index.
 - (2) Following the adoption of an ordinance, the Inspector may cause the building or structure to be repaired, altered, or improved or to be vacated and closed, as provided in the ordinance. The Inspector may cause to be posted on the main entrance of any nonresidential building or structure so closed a placard with the following words: "This building is unfit for any use; the use or occupation of this building for any purpose is prohibited and unlawful." Any person who occupies or knowingly allows the occupancy of a building or structure so posted shall be guilty of a Class 3 misdemeanor.
- (B) Failure to Comply with an Order to Remove or Demolish
 - (1) If the owner fails to comply with an order to remove or demolish the nonresidential building or structure, the Town Council may adopt an ordinance ordering the Inspector to proceed to effectuate the purpose

of these sections with respect to the particular property or properties that the Inspector found to be jeopardizing the health or safety of its occupants or members of the general public. No ordinance shall be adopted to require demolition of a nonresidential building or structure until the owner has first been given a reasonable opportunity to bring it into conformity with the minimum standards established by this code. The property or properties shall be described in the ordinance. The ordinance shall be recorded in the office of the Guilford County Register of Deeds and shall be indexed in the name of the property owner or owners in the grantor index.

- (2) Following adoption of an ordinance, the Inspector may cause the building or structure to be removed or demolished.
- (C) Action by the Town Council Upon Abandonment of Intent to Repair. If the Town Council has adopted an ordinance or the Inspector has issued an order requiring the building or structure to be repaired or vacated and closed, and the building or structure has been vacated and closed for a period of two (2) years pursuant to the ordinance or order, the Town Council may make findings that the owner has abandoned the intent and purpose to repair, alter, or improve the building or structure and that the continuation of the building or structure in its vacated and closed status would be inimical to the health, safety, and welfare of the municipality in that it would continue to deteriorate, would create a fire or safety hazard, would be a threat to children and vagrants, would attract persons intent on criminal activities, or would cause or contribute to blight and the deterioration of property values in the area. Upon such findings, the Town Council may, after the expiration of the two-year period, enact an ordinance and serve such ordinance on the owner, setting forth the following:
 - (1) If the cost to repair the nonresidential building or structure to bring it into compliance with the minimum standards is less than or equal to fifty percent (50%) of its then current value, the ordinance shall require that the owner either repair or demolish and remove the building or structure within ninety (90) days; or
 - (2) If the cost to repair the nonresidential building or structure to bring it into compliance with the minimum standards exceeds fifty percent (50%) of its then current value, the ordinance shall require the owner to demolish and remove the building or structure within ninety (90) days.
 - (3) In the case of vacant manufacturing facilities or vacant industrial warehouse facilities, the building or structure must have been vacated and closed pursuant to an order or ordinance for a period of five (5) years before the Town Council may act under this subsection. The ordinance shall be recorded in the office of the Guilford County Register of Deeds and shall be indexed in the name of the property owner in the grantor index. If the owner fails to comply with the ordinance, the Inspector shall effectuate the purpose of the ordinance.

24.9-5 SERVICE OF COMPLAINTS AND ORDERS

- (A) Complaints or orders issued by the Inspector pursuant to these sections shall be served upon persons either personally or by registered or certified mail so long as the means used are reasonably designed to achieve actual notice. When service is made by registered or certified mail, a copy of the complaint or order may also be sent by regular mail. Service shall be deemed sufficient if the registered or certified mail is unable to be served, but the regular mail is not returned by the post office within ten (10) days after the mailing. If regular mail is used, a notice of the pending proceedings shall be posted in a conspicuous place on the premises affected.
- (B) If the identities of any owners or the whereabouts of persons are unknown and cannot be ascertained by the Inspector in the exercise of reasonable diligence, and the Inspector makes documentaion to that effect, the serving of the complaint or order upon the owners or other persons may be made by publication in a newspaper having general circulation in the town at least once no later than the time that personal service would be required under these sections. When service is made by publication, a notice of the pending proceedings shall be posted in a conspicuous place on the premises affected.

24.9-6 LIENS

- (A) The amount of the cost of repairs, alterations, or improvements, or vacating and closing, or removal or demolition by the Inspector shall be a lien against the real property upon which the cost was incurred, which lien shall be filed, have the same priority, and be collected as the lien for special assessment provided in Article 10 of Chapter 160A of the General Statutes.
- (B) The amount of the costs of repairs, alterations, or improvements, or vacating or closing, or removal or demolition by the Inspector shall also be a lien on any other real property of the owner located within the town limits except for the owner's primary residence. The additional lien provided in this subdivision is inferior to all prior liens and shall be collected as a money judgment.
- (C) If the nonresidential building or structure is removed or demolished by the Inspector, he or she shall offer for sale the recoverable materials of the building or structure and any personal property, fixtures, or appurtenances found in or attached to the building or structure and shall credit the proceeds of the sale, if any, against the cost of the removal or demolition, and any balance remaining shall be deposited in the Guilford County Superior Court by the public officer, shall be secured in a manner directed by the Court, and shall be disbursed by the Court to the persons found to be entitled thereto by final order or decree of the Court.

24.9-7 EJECTMENT

If any occupant fails to comply with an order to vacate a nonresidential building or structure, the Inspector may file a civil action in the name of the town to remove the occupant. The action to vacate shall be in the nature of summary ejectment and shall be commenced by filing a complaint naming as parties-defendant any person occupying the nonresidential building or structure. The Guilford County Clerk of Superior Court shall issue a summons requiring the defendant to appear before a magistrate at a certain time, date, and place not to exceed ten (10) days from the issuance of the summons to answer the complaint. The summons and complaint shall be served as provided in G.S. § 42-29. The summons shall be returned according to its tenor, and if on its return it appears to have been duly served and if at the hearing the Inspector produces a certified copy of an ordinance adopted by the Town Council pursuant to these sections to vacate the occupied nonresidential building or structure, the magistrate shall enter judgment ordering that the premises be vacated, and all persons be removed. The judgment ordering that the nonresidential building or structure be vacated shall be enforced in the same manner as the judgment for summary ejectment entered under G.S. § 42-30. An appeal from any judgment entered under this subsection by the magistrate may be taken as provided in G.S. § 7A- 228, and the execution of the judgment may be stayed as provided in G.S. § 7A-227. An action to remove an occupant of a nonresidential building or structure who is a tenant of the owner may not be in the nature of a summary ejectment proceeding pursuant to this subsection unless the occupant was served with notice, at least thirty (30) days before the filing of the summary ejectment proceeding, that the Town Council has ordered the Inspector to proceed to exercise his or her duties pursuant to these sections to vacate and close or remove and demolish the nonresidential building or structure.

24.9-8 CIVIL PENALTIES

Civil penalties levied shall be in accordance with Section 10.99 and any other applicable provisions of this Code.

24.9-10 APPEALS

An appeal from any decision or order of the Inspector may be taken to the Town Council by any person aggrieved thereby or by any officer, Town Council. The procedure for an appeal shall be in accordance with the code of ordinance, and any person aggrieved by a decision or order of the Inspector shall have the remedies provided in G.S. § 160D-305.

24.9-11 ABANDONED STRUCTURES

- (A) As authorized by G.S. § 160D-1201(b), the Town Council may determine that any abandoned structure within the corporate limits of the town or its extraterritorial jurisdiction is a health or safety hazard because of the attraction of insects or rodents, conditions creating a fire hazard, dangerous conditions constituting a threat to children or frequent use by vagrants as living quarters in the absence of sanitary facilities.
- (B) If the Town Council determines that an abandoned structure is a health or safety hazard, the Council may require the property owner to repair, close or demolish the structure pursuant to the same provisions and procedures as are prescribed under the Jamestown Minimum Housing Code for the repair, closing or demolition of dwellings found to be unfit for human habitation.
- (C) The Town Council may determine that an abandoned structure is a health or safety hazard only after a quasi-judicial hearing on the matter. Using the procedure set forth in the code of ordinance, the town shall provide notice to the property owner and any mortgage holder of record not less than ten (10) nor more than thirty (30) days prior to the hearing. The owner or any party in interest shall have the right to submit written evidence prior to the hearing and to give testimony in person, or otherwise, during the hearing.
- (D) This authority provided by this section shall be supplemental to and may be used in lieu of or in conjunction with any other authority provided in this code.

24.10 COMMERCIAL MAINTENANCE CODE

24.10-1 PURPOSE.

It is the purpose of the provisions of this chapter to provide a just, equitable and practicable method, whereby commercial buildings, or structures which from any cause, endanger the life, limb, health, morals, property, safety or welfare of the public or their occupants, diminish property values, exhibit characteristics of abandonment or neglect, or detract excessively from the appropriate appearance of the commercial area, may be required to be repaired, vacated or demolished. The provisions of this code are cumulative with and in addition to any other remedy provided by law, including the current editions of standard codes adopted by the town.

24.10-2 SCOPE.

The provisions of this code shall apply to all commercial buildings and structures which are now in existence, or which may be built within the town limits or annexed therein, and to all lands zoned commercial within the town limits.

24.10-3 APPLICABILITY.

- (A) Every commercial building or structure and the premises on which it is situated, used or intended to be used for commercial business occupancy shall comply with the provisions of this chapter, whether or not the building shall have been constructed, altered or repaired before or after the enactment of this chapter, and irrespective of any permits or licenses which shall have been issued for the use or occupancy of the building, or for the installment or repair of equipment or facilities prior to the effective date of this chapter.
- (B) This chapter establishes minimum standards for the initial and continual occupancy and use of all commercial buildings and does not replace or modify standards otherwise established for the construction, repair, alteration or use of the building equipment or facilities contained therein except as provided.

- (C) Where there is mixed occupancy, any commercial business use therein shall be nevertheless regulated by and subject to the provisions of this chapter.

24.10-4 CONFLICTING PROVISIONS.

In any case where the provisions of this chapter impose a higher or lower standard than that set forth in any other ordinance of the town or under the laws of the state, the higher standard shall prevail. Interpretation shall be the authority of the Commercial Maintenance Code Administrator.

24.10-5 COMPLIANCE.

- (A) It shall be the duty of each owner and each operator of a commercial building or premises within the town to comply with the regulations and requirements set forth in this chapter. No license, permit or certification of occupancy shall be issued unless and until all applicable sections of this chapter have been complied with.
- (B) No land or building or combination thereof shall be used in a manner inconsistent with or in conflict with the requirements of this chapter.

24.10-6 DEMOLITION OF COMMERCIAL BUILDINGS.

Where a building is under the jurisdiction of the code, the building may be demolished by the owner provided that the following requirements are met:

- (A) The owner obtains a demolition permit from the Town of Jamestown.
- (B) All sewer, gas, water and similar taps or connections are properly closed and disconnected.
- (C) All debris from the building is removed from the site. This requirement is for the removal of all debris that is above the street level of the building.
- (D) The lot is graded to a smooth, even, finished grade, and free from building material, debris, holes and/or depressions. Where building debris remains on the site below street level, the owner must back fill the lot with 12 inches of clean fill which shall be graded to a smooth, even finished grade.
- (E) Where walls of adjacent buildings become exposed as a result of the demolition, the walls must have all doors, windows, vents or other similar openings closed with material of the type comprising the wall. No protrusions or loose material shall be in the wall. The exposed wall shall be painted, stuccoed, or bricked so as not to detract from the aesthetics and value of the adjacent property and weather proofed to prevent deterioration of the wall.

24.10-7 BUILDINGS AND PREMISES DAMAGED.

- (A) Any building or premises damaged by fire, storm, collapse or an act of nature to such an extent that the cost of repair and reconstruction does not exceed 50% of the physical valuation of the entire structure at the time the damage occurred, the damaged portions of the building or premises may be razed or shall be secured to prevent unauthorized entry and repaired in a manner that complies in all respects with all ordinances of the town related to new buildings.
- (B) The razing or repair work shall begin within 120 days of the damage. Extensions of this time requirement may be issued by the Commercial Maintenance Board of Adjustments and appeals upon showing of cause by the property owner.

24.10-8 DUTIES AND RESPONSIBILITIES OF OWNER

RELATIONSHIP OF DUTIES AND RESPONSIBILITIES TO OCCUPANCY.

The provisions of this chapter that apply to the exterior or exterior components of a structure or building shall be complied with whether the structure or building is occupied or vacant. All unoccupied or vacant structures or buildings shall be secured by the owners to prevent the entry of unauthorized persons or the formation of nuisance conditions such as infestation, including roosting birds.

NUISANCES AND HAZARDS.

It shall be the duty and responsibility of the owner of commercial premises to see that the commercial premises under the control of the owner are maintained to ensure that there is compliance with the following provisions of this section:

- (A) The premises are free of all nuisances and any hazards to the safety of the occupants, customers or other persons utilizing the premises or to pedestrians passing thereby.
- (B) The premises are free of loose and overhanging objects which, by reason of location above ground level, constitute a danger of falling on persons in the vicinity thereof.

(State Building Code Reference, § 105.12, Unsafe buildings)

- (C) The premises are free of holes, excavations, breaks, projections, or obstructions on walks, driveways, parking lots and parking areas, and other parts of the premises which are accessible to and used by persons on the premises. All the holes and excavations shall be filled and repaired, walks and steps replaced, and other conditions removed where necessary to eliminate hazards or unsafe conditions with reasonable dispatch by the owner upon their discovery.

CONDITION OF EXTERIOR OF PREMISES AND STRUCTURES.

- (A) The exterior of the premises and structure shall be maintained in good repair and free from deterioration so as not to constitute a nuisance.
- (B) All surfaces shall be maintained free of cracked or broken glass, loose shingles, loose wood, crumbling stone or brick, loose, or broken plastic or other similar hazardous conditions.

(State Building Code reference, § 105.12, Unsafe buildings)

- (C) All structures and decorative elements of building exteriors shall be repaired or replaced in a workmanlike manner to match as closely as possible the original materials and construction techniques.

SOUNDNESS OF FLOORS, INTERIOR WALLS AND CEILINGS.

All floors, interior walls and ceilings of every structure shall be structurally sound and shall be maintained in a good condition compatible with its business use, and where open to the public shall be maintained in a condition so as not to constitute a hazard to the public.

STRUCTURALLY DEFICIENT BUILDING IN REAR.

Structures at the rear of buildings attached or unattached to the principal commercial structure, which are found by the Maintenance Code Administrator to be structurally deficient, shall be properly repaired or demolished.

REMOVAL OF MISCELLANEOUS ELEMENTS ON BUILDING WALLS, ROOFS AND SURROUNDING PREMISES.

All existing miscellaneous elements on building walls and roofs and surrounding premises, such as empty electrical or other conduits, unused sign brackets and the like shall be removed.

WALLS.

(A) All foundation walls shall be kept structurally sound, and capable of bearing imposed loads safely.

(State Building Code reference, § 1302.3, Concrete footings and § 1302.5, Foundation walls)

(B) All material used to maintain or reconstruct a wall or part thereof, including the application of sidings or other surfacing material, shall be of standard quality.

(C) Where a wall of a building has become exposed as a result of demolition of adjacent buildings the wall must have all doors, windows, vents or other similar openings closed with material of the type comprising the wall. No protrusions or loose material shall be in the wall. The exposed wall shall be painted, stuccoed, or bricked so as not to detract from the aesthetics and value of adjacent property and weather proofed, if necessary, with construction material to prevent deterioration of the wall.

WINDOWS.

(A) All windows must be tight fitting and have sashes of proper size and design. Sashes with rotten wood, broken joints, or broken or loose mullions or muntins shall be replaced. All broken and missing windows shall be replaced with glass or plexiglass. All exposed wood shall be repaired and painted.

(B) All windows shall be maintained free of broken glass. Where a window glass larger than four square feet becomes cracked to an extent that the largest single portion of the window free of a crack is less than 80% of the total surface area of the window glass, the window glass shall be replaced by a pane free of cracks.

(C) All openings originally designed as windows shall be maintained as windows, complete with sills, lintels, frame, and glass, unless specifically approved by the Fire Chief for enclosure. Where the Fire Chief approves the enclosure of a window, it must be so enclosed by either bricking the opening, blocking the opening with concrete blocks, and stuccoing the exterior, or by boarding up the opening. When boarding is used, it shall be of trim fit, sealed to prevent water intrusion and painted or stained to properly conform with the other exterior portions of the building.

PAINTING.

(A) All exterior surfaces which require paint or sealing in order to protect the underlying surface from deterioration shall be so painted or sealed.

(B) All exterior surfaces which have been painted shall be maintained free of peeling and flaking. Where 15% or more of the aggregate of any painted wall shall have peeling or flaking or previous paint worn away, the entire wall shall be repainted.

SIGNS.

All advertising structures and awnings and their accompanying supporting members shall be maintained in good repair and shall not constitute a nuisance or safety hazard. All non-operative signs shall be repaired or shall, with their supporting members, be removed forthwith. In the event the signs, billboard,

marquees, or awnings are not properly maintained in accordance with the foregoing, they shall, together with their supporting members, be removed forthwith. In the event the awnings or marquees are made of cloth, plastic or of a similar material, the awnings or marquees shall be maintained so as not to show evidence of excessive tearing, ripping, or other holes which diminish their function and cause unsightly conditions. Nothing herein shall be construed to authorize any encroachments on streets, sidewalks, or other parts of the public domain.

WASHROOMS.

- (A) All washrooms and water closet compartment floors shall be surfaced with water-resistant material and shall be always kept in a dry and sanitary condition.
- (B) All washrooms shall be provided with permanently installed artificial lighting fixtures with a switch and wall plate so located and maintained that there is not danger of short circuiting from water, from other bathroom facilities or from splashing water.

(National Electrical Code reference, Protection against corrosion, § 300-6, and Switches, § 380-4)

GARBAGE.

- (A) There shall not be stored or allowed to accumulate flammable or combustible liquids or other materials on the premises unless they are of a type approved for storage by the regulations of the National Fire Protection Association, and then only in quantities as may be prescribed by the regulations.

(Fire Protection Code reference, Order to eliminate injurious or hazardous conditions, and State Building Code.

- (B) No garbage or solid waste shall be stored or allowed to accumulate on the premises unless contained in trash receptacles.

APPURTENANCES.

- (A) All chimneys, flues and vent attachments thereto shall be maintained structurally sound. Chimneys, flues, gas vents or other draft-producing equipment which are in use shall provide sufficient draft to develop the rated output of the connected equipment, shall be structurally safe, durable, smoke-tight and capable of withstanding the action of flue gases (State Building Code reference, Chimneys, fireplace stoves, fireplaces and venting systems)

- (B) All exterior porches, landings, balconies, stairs, and fire escapes shall be provided with banisters or railings properly designed and maintained to minimize the hazard of falling, and the same shall be kept structurally sound, in good repair, and free of defects.

(State Building Code reference, Outside stairs, and exterior balconies, § 1108, and Fire escapes, § 1007.4)

- (C) All cornices shall be made structurally sound, and rotten or weakened portions shall be removed and/or replaced to match as closely as possible the original patterns. All exposed wood shall be painted. (State Building Code reference, § 710)

- (D) Gutters and downspouts shall be replaced or repaired as necessary and shall be neatly located and securely installed.

- (E) Where a parking lot is constructed as part of a commercial business or as a business itself, the parking lot, and all curbing, surfacing, sidewalks, and other parts thereof shall be maintained free of broken surfaces, holes, or other similar conditions. All commercial parking lots so described herein shall be repaired or replaced with like material.

- (F) Where landscaping has been incorporated in the development plan of a commercial business or where landscaping has been required by the town as part of a development plan, including parking plan, the landscaped areas shall be maintained in a manner to equal and reflect the original landscaping approved for the development plan.
- (G) Where curb cuts are abandoned due to new construction, change of access or general discontinuous use, the curb cut shall be closed and replaced with a standard sidewalk and curb and gutter arrangement.
- (H) Damage to public sidewalks or curbs and gutters located in the public right-of-way shall be repaired or replaced at no expense to the town when the damage is caused by vehicles making deliveries to the commercial premises under the control of the owner.

24.10-9 DUTIES AND RESPONSIBILITIES OF OPERATOR

ENSURING COMPLIANCE.

It shall be the duty and responsibility of the operator to ensure compliance with this subchapter.

SAFE AND SANITARY CONDITION OF PREMISES.

All parts of the premises under the control of the operator shall be kept in a safe and sanitary condition consistent with the business use, and the occupant shall refrain from performing any acts which would render other parts of the premises unsafe or unsanitary, or which would obstruct any adjacent owner or operator from performing any duty required, or from maintaining the premises in a safe and sanitary condition.

ELIMINATION OF INFESTATION.

Every operator shall be responsible for the elimination of infestation in and on the premises, subject to the operator's control.

MAINTENANCE OF PLUMBING FIXTURES.

Every operator shall maintain all plumbing fixtures in a safe and sanitary condition.

GARBAGE CONTAINERS.

No garbage or other solid waste shall be stored or allowed to accumulate on the premises unless contained in receptacles which are in accordance with § 50.05.

REPAIR OF DAMAGE TO PUBLIC RIGHT-OF-WAY.

Damage to public sidewalks or curb and gutter located in the public right-of-way shall be repaired or replaced at no expense to the town when the damage is caused by vehicles making deliveries to the business under the control of the operator.

NOTIFYING OWNER OF DEFECTS.

Where the owner would not otherwise know of a defect of any facility, utility or equipment required to be furnished hereunder and the same is found to be defective or inoperable, the operator affected thereby shall, upon learning of the defect, provide notice to the owner.

24.10-10 ADMINISTRATION AND ENFORCEMENT

MAINTENANCE CODE ADMINISTRATOR.

- (A) The Maintenance Code Administrator is hereby established and shall be the person delegated as the same by the Town Manager. It shall be his or her duty and responsibility to enforce this chapter and to legally proceed against each person found in violation of the requirements of this chapter.
- (B) All inspections, regulations, and enforcement of violations of the provisions of this chapter, unless expressly stated to the contrary, shall be under the direction and supervision of the Administrator.
- (C) All buildings and premises as set forth in this chapter are subject to inspections by the Administrator or the Administrator's designated representatives. Upon presentation of proper identification and credentials to the owner, agent, or occupant in charge of the property and/or premises, and securing the person's oral or written permission, the Administrator and/or representative may enter and make any inspections as necessary during all reasonable hours.
- (D) If permission for entry for the purpose of inspections is denied, and no emergency exists, the Administrator shall, after presentation of probable cause, procure a court order from the district court judge.
- (E) In cases of emergency where extreme hazards are known to exist which may involve potential loss of life or severe property damage, the above limitations will not apply.
- (F) Relief from personal liability. Any official, officer, employee, or authorized qualified third-party agency or individual charged with the enforcement of this code, while acting for the Town, shall not thereby be rendered liable personally, and is hereby relieved from all personal liability for any damage accruing to persons or property because of an act required or permitted in the discharge of the official duties described herein.

BOARD OF ADJUSTMENTS AND APPEALS.

- (A) There is hereby established a Board to be called the Board of Adjustments and Appeals.
- (B) The Board of Adjustments and Appeals shall be that authorized, established, and appointed body responsible for hearing appeals and requests for variance, created and authorized by this chapter.
- (C) The procedures, rules and processes established for the Board of Adjustment shall apply.
- (D) The duties of the Board of Adjustments and Appeals shall be to:
 - (1) Consider and determine appeals whenever it is claimed that the true intent and meaning of this chapter or any of the regulations hereunder have been misconstrued or wrongly interpreted or applied by the Maintenance Code Administrator or the Administrator's representative.
 - (2) Grant, in cases where the application of the requirement of this code in the allowance of the stated time for the performance of any action required hereunder would appear to cause undue hardship on an owner, reasonable extensions of time not to exceed six months from date of the notice. No subsequent appeal shall be considered where an appeal has been previously decided involving the same building or premises and the same citation unless the appellant can demonstrate to the satisfaction of the Board a change in circumstances sufficient to justify reopening the appeal.

- (E) All decisions of the Board of Adjustments and Appeals which vary the application of any provision of this chapter or modify an order of the Administrator shall specify in what manner the variance or modification is to be made, the conditions under which it may be made and the reasons therefor. Every decision shall be in writing, and a copy of all decisions shall be promptly filed in the office of the Commercial Maintenance Code Administrator, and it shall be open to public inspection.

APPEALS.

- (A) Within 10 days following receipt of a notice of violation, any person receiving the notice, believing that the literal application of this chapter will cause undue hardship or has been misconstrued, wrongly interpreted, or applied, may appeal in writing to the Board of Adjustments and Appeals for the relief as may be granted, after investigation of the grounds thereof, by way of a reasonable extension of time or a variation from strict compliance with the provisions of this chapter. The circumstances justifying the findings related to hardship are:
 - (1) Inability to immediately comply due to severe financial distress.
 - (2) The unavailability of services or equipment with which to comply, without fault of the applicant
and/or
 - (3) Other extenuating circumstances showing a good faith intention on the part of the applicant or another to comply when able to do so.
- (B) The appeal shall be on a form provided by and shall be addressed to the Office of the Commercial Maintenance Code Administrator, where proper forms will be prepared and forwarded to the Chairman of the Board of Adjustments and Appeals, who will set the date and time of hearing and so notify the applicant. This section shall not be construed to apply to any situation regarded by the enforcement authority as a real and immediate threat to public safety and health. Any person aggrieved by the decision of the Board may petition any court of competent jurisdiction within the county. Any appeal of this sort must be filed with the court within 15 days from the date of the Board's decision or it shall be considered abandoned.
- (C) To defray the cost of processing an appeal fee is to be set by the Board in the annual budget ordinance shall be required. All fees are payable to the town and must be paid prior to processing the appeal.

AMENDMENTS.

The Town Council may from time to time amend, supplement, or change the provisions and requirements of this code. Any amendment shall be by ordinance of the Board. Initiation of any amendment may be by the Town Council, Planning Board, or by a private citizen.

VIOLATIONS.

- (A) Whenever the Maintenance Code Administrator or any other authorized official determines that there exists a violation of any provision of this chapter, the Administrator shall give notice of the violation to the person responsible therefor or to the person's agent or representative, and order compliance.
- (B) The notice and order shall be in writing; specify in detail the violations, together with the respective sections of this chapter being violated; setting forth 30 days within which to correct the violations; contain an outline of remedial action which, if taken, will effect compliance.
- (C) Service of the notice shall be by delivery personally to the owner or operator of the property or the person responsible; by leaving the notice at the usual place of abode or business of the owner, operator or the person's agent, or by depositing the notice in the United States post office addressed to the owner or

operator or the person's agent or person responsible at the last known address with postage prepaid thereon, and certified or registered; or in the event service of the notice cannot be obtained in one of the above methods by posting and keeping posted for 24 hours a copy of the notice in a conspicuous place on the premises where the violation has occurred and published once a week for three weeks in a newspaper of general circulation in the town any information as is necessary to inform an owner, operator or person responsible of the location of the premises and the type of offense. No person shall deface or remove the notice without the consent of the Administrator.

PENALTY.

- (A) Any person, or any person's agent who shall violate a provision of this chapter, or after due notice shall fail to comply with orders issued by the Maintenance Code Administrator under the terms and provisions of this chapter shall be subjected to a civil penalty in the following amounts:
 - (1) For the first notice, a fine of \$150; and
 - (2) For the second notice, a fine of \$300.
- (B) The first notice citation shall be issued 1 day after the 120-day notice and order to correct the violation has expired, if not corrected. The second notice citation shall be issued 14 days after the first notice citation if the first notice citation has not been paid and the violation has not been corrected.
- (C) The Maintenance Code Administrator shall bring suit in small claims court for recovery. The Administrator shall represent the town in this matter.
- (D) Beginning on the fifth day after the issuance of the second notice, each day of any violation of this chapter shall constitute a separate violation punishable as separate violations of this chapter. Each day of violation will carry a civil penalty in the amount of \$75 per day.

ARTICLE 17
SIGN REGULATIONS

17.1 Title

This Article shall be known and may be cited as the “Town of Jamestown Sign Regulations.”

17.2 Applicability and Purpose

This Article applies to all signage erected in the Town of Jamestown and its extraterritorial jurisdiction. The purpose of this ordinance is to ensure the installation of safe and effective signage that promotes both business activity and the aesthetic character of the Town and its extraterritorial jurisdiction, as well as communicating essential information to the public. The following statements elaborate on this purpose:

- To provide opportunities for neighborhoods and commercial endeavors to be identified in an effective and equitable fashion.
- To promote public safety by reducing hazards associated with distracting or excessive signage.
- To establish and promote enhanced community character through signage that is reflective of the historic nature of the Town and its scale of development.
- To promote the integration of signage with the architectural characteristics and aesthetic quality of the Town’s development.
- To provide for flexibility in amount, type and scale of signage depending on the context of the development and the surrounding area.
- To facilitate efficient, thorough, consistent and effective enforcement of the sign regulations.

17.3 Definitions

Please see definitions in Article 3 of this Ordinance.

17.4 Applicability

Except as specifically exempted in this ordinance, no sign shall be erected, altered or displayed without a sign permit issued by the Town of Jamestown confirming compliance with the provisions of this ordinance. Signs made nonconforming by this ordinance shall be grandfathered until altered, abandoned, relocated, or removed.

17.4.1 Substitution of Messages

The sign regulations of this article are not intended to favor commercial speech constitutionally protected political or noncommercial speech. A sign containing a noncommercial message may be substituted for any sign containing a commercial message that is allowed by the regulations of this article.

17.5 Prohibited Signs and Sign Characteristics

The following signs are specifically prohibited by this ordinance in all zoning districts.

- Snipe/yard signs.

- Signs attached to light fixtures, curbs, sidewalks, gutters, streets, utility poles, public buildings, fences, railings, public telephone poles, or trees.
- Windblown signs not specifically permitted in this Article such as pennants, streamers, spinners, balloons, inflatable figures, and similar signs.
- Signs which prevent free ingress to or egress from any door, window, or fire escape.
- Signs erected or displayed in such a manner as to obstruct free and clear vision at any location, street, intersection, or driveway.
- Signs attached to or painted on a vehicle or trailer that is located in view of the right-of-way when in a location or for a period of time that indicates that the primary intended use of the vehicle is for displaying the sign to passing motorists or pedestrians.
- Signs in a series of 2 or more signs placed in a line parallel to a public or private street, or in a similar fashion, all carrying a single commercial message, part of which is contained on each sign.
- Any sign which interferes with vehicular or pedestrian traffic as a result of its position, size, shape, movement, color, fashion, manner, or intensity of illumination, including signs with the potential to be confused with any authorized traffic sign, signal, or device.
- Signs erected or displayed on or over public rights-of-way or other public property, other than those erected by governmental agencies or for which appropriate encroachment agreements have been executed pursuant to this ordinance.
- Portable signs, except as specifically permitted herein.
- Flags displaying commercial messages in residentially zoned districts.
- Signs that move or flash or have moving or flashing components, except as permitted under Section 6 below; signs that are intermittently lighted or have changing colors; signs that revolve; or any other similarly constructed signs.
- Signs attached to the roofs of buildings or are otherwise located above the roofs of buildings.
- Outdoor advertising sign (billboards). The exception being that existing outdoor advertising signs that are non-conforming may be disassembled and replaced with a newer structure upon approval by the Planning Director. The new signage shall be designed to result in no expansion of or increase in the non-conformity; shall not allow replacement with a digital sign; shall not exceed 30' in height; shall be designed to limit lighting to the sign face; and shall be designed to enhance the architectural features of adjacent buildings. Color renderings or photographic simulations shall be submitted to the Planning Director, who shall have the authority to deny permits for signs that do not meet the intent of this Ordinance.

17.6 Exempt Signs

The following signs are exempt from the requirements of this ordinance although, in some instances, building permits may be required, such as an electrical permit for a machine sign or a time and temperature sign.

- Warning and security signs required by statute or regulation, including signs placed by a public utility for the safety, welfare, or convenience of the public, including, but not limited to signs identifying fire department connections or high voltage, public telephone, or underground cables.

- Signs erected by a unit of local, state, or federal government on property or within a right-of-way over which said government has authority or a right to operate within.
- Signs placed inside ball fields and outdoor amphitheatres that face toward the interior of the field or amphitheater and are primarily intended for viewing by persons attending events of performances.
- Accent lighting, as defined herein, provided that not more than two architectural elements are accented per occupancy (e.g., two windows or a window and a roofline, etc.).
- Temporary signs that are displayed for three days or less. Incidental signs containing no more than two square feet in area provided that not more than a total of six square feet of incidental signage is displayed per occupancy. Incidental signs may flash provided they are located inside a building and no more than one such sign is displayed per occupancy.



Example of Incidental Signs



Example of Machine Signs

- Machine signs containing no more than six square feet in area, except drive-through menu kiosk machine signs may contain up to 12 square feet in area provided the portion of the signs devoted to a logo or business name contains no more than 25% of the total sign area.
- ~~Model home signs~~ provided not more than one such sign is displayed in a subdivision and such sign contain no more than six square feet in area.
- Signs attached to donation bins.
- Any traffic sign, public notice or warning required by a valid and

- applicable federal, state, or local law, regulation, approved development plan, or ordinance, including traffic control signs on private property.
- Address signs no greater than five square feet in area that are erected or placed to meet fire code requirements (NCFPC Section 505.1). Address signs in excess of five square feet in area shall be counted toward the area of signage permitted for attached or freestanding signs depending on placement.
- Retail store window displays of merchandise.
- Signs attached to vehicles provided the vehicles are not parked in such a manner as to create the effect of additional signage, whether on-premises or off-premises.
- ~~In nonresidential or mixed use districts during "election season", Snipe or Yard signs, without limit on the number, containing no more than six square feet in area in residential districts and up to three signs, no more than 24 square feet in area will be permitted in the right-of-way,~~ provided that such signs are erected no more than 30 days prior to the beginning of "one-stop" early voting under G.S. 163-227.2 and removed no later than 7 days following the applicable primary or election..
- Signs attached to umbrellas provided no more than 25% of the total area of the umbrella is devoted to signage.
- One temporary yard sign per property street frontage containing no more than six square feet in area in residential districts and no more than 24 square feet in area in nonresidential or mixed-use districts.

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- Development projects under active building permits containing no more than six square feet in area in residential districts and no more than 24 square feet in area in nonresidential or mixed-use districts are permitted one sign per property street frontage, provided they are removed after the applicable permit is no longer active due to completion of permitted work or permit expiration. If combined with a temporary yard sign, the total exempt sign area may be increased to 32 square feet.



Example of a Combined Construction/
Financing and Real Estate

- Flags that do not exceed 40 square feet in area, that they are displayed on flagpoles not exceeding 30 feet in height, that no more than one flag is displayed on a zone lot of less than one acre in size and not more than two flags are displayed on zone lots of one acre or more in size, and that all flagpoles are setback at least the height of the flagpole from all property lines. Flagpoles may be roof or wall-mounted provided size, height and setback requirements as established in this exemption are met.
- One sign per approved home occupation, not to exceed four square feet in area, and which must be attached to the building.
- Holiday lights and decorations, provided that such lights and decorations are not displayed for longer than a total of 60 days per calendar year in any nonresidential or mixed-use zoning district.
- Signs for “temporary businesses” such as, but not limited to, produce stands, street vendors, and vendors at special events that shall operate for a specified time period, not to exceed 7 consecutive days, are exempted. If the business is a recurring operation, such as produce stands that operate on weekends or on select days during the week, then said “temporary business” shall comply with the regulations set forth in this Ordinance; the exception being that the Planning Director may permit “temporary businesses” to use banners and temporary signage that comply with the standards and intent of this Ordinance to be used as signage, provided that the business puts the sign up at the start of the business day and takes it down at the close of each business day.

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17.6-1 Sign Standards for Signs Allowed without a Permit

(A) Allowed Signs. The following signs are permitted in all zoning districts and may be installed without obtaining a permit provided they comply with the standards listed in this section.

- directional, instructional or warning signs provided they contain no commercial message except a business logo or name;
- flags, except that commercial flags displayed in single-family residential zoning districts are prohibited;
- temporary signs, including:
 - temporary real estate, construction, campaign, philosophical or yard sale signs;
 - Signs announcing temporary events or special promotions that do not involve the closing of a public street.
- historical or memorial plaques, tablets, or markers;
- philosophical, personal, religious, educational, or other noncommercial signs.

- identification signs including:
 - name and address plates;
 - directory signs in developments with multiple occupants so long as the signs are not legible from a public street;
 - building markers (cornerstones or plaques); and
 - signs identifying home occupations and tourist homes (bed & breakfast) in residential districts

(B) Standards for Signs Allowed without a Permit

- All signs must be located on private property, outside the public street right-of-way, and outside any required sight triangle except for temporary off-site directional signs, which are subject to the standards below.
- An electrical permit is required if a sign will be illuminated.
- Windblown devices, including balloons and streamers, may not be attached to or otherwise made a part of the sign.

Directional

A sign with no commercial message and located off-site that aids the public in direction to religious assembly uses, hospitals, colleges and universities, and other similar institutional uses. Directional signs located adjacent to an existing or planned greenway (as shown on the adopted Pedestrian Plan) may contain the name, address, logo or other identifying symbol for adjacent use(s) to the greenway.



Example of a Directional Sign

Standards

1. Directional signs may not exceed 6 square feet in area or 8 feet in height.
2. Only external illumination is allowed.

Instructional

A sign with no commercial message that provides assistance, with respect to the premises on which it is maintained, for the direction, safety, or convenience of the public such as “entrance”, “exit”, “one way”, “telephone”, “parking”, “no parking”, and similar instructions. Instructional signs may include a name, address, logo, or other identifying symbol (not to exceed 30% of sign area) to aid in directing the public.



Example of an Instructional Sign

Standards

1. Instructional signs may not exceed 6 square feet in area or 8 feet in height.
2. Colleges, universities, hospitals, coliseums, and convention centers may have instructional signs that exceed the allowable area limit if approved as a part of a Master Sign Plan (see 17.10).
3. Instructional signs may be internally or externally illuminated.

Warning

A sign that displays information pertinent to the safety or legal responsibilities of the public such as signs warning of high voltage, “no trespassing”, and similar directives. Warning signs shall contain no commercial messages other than identification of the entity that controls the property or other focus of the danger that is the subject of the warning.

Standards

1. Warning signs may not exceed 6 square feet in area or 8 feet in height.
- 2.
3. Warning signs may be internally or externally illuminated.

Historical or Memorial Sign

A sign that commemorates a historical person, structure, place, or event; or that denotes, honors, celebrates, or acknowledges a historical person, structure, place or event.

Standards

1. Only 1 historical or memorial sign is permitted per lot.
2. Historical or memorial signs may not exceed 6 square feet in area or 8 feet in height.
3. Only external illumination allowed.
4. Such signs are allowed on any site or building certified or designated as having historic significance by a federal, state or local agency, or, if tied to a specific historical event, in close proximity to where the event occurred.

Flags

A piece of fabric or other flexible material attached to a permanent pole that is not readily movable containing colors, patterns, standards, words, or emblems.

Standards

1. Flags shall not exceed 60 square feet in area (calculated as a cumulative total).
2. Shall not be displayed on flagpoles not exceeding 30 feet in height.
3. No more than one flag shall be displayed on a zone lot of less than one acre in size and not more than three flags are displayed on zone lots of one acre or more in size.
4. All flagpoles are setback at least the height of the flagpole from all property lines.
5. Flagpoles may be roof or wall-mounted provided size, height and setback requirements as established in this article are met.
6. Only external illumination is allowed.



Example of a Warning Sign

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Example of a Historical Sign



Examples of Flags

THESE STYLE FLAGS ARE NOT PERMITTED IN ANY ZONING DISTRICT.

7. Pennant-style flags used on a temporary basis are not permitted in any zoning district.

Temporary Real Estate, Construction, Campaign Philosophical or Yard Sale

Real Estate Sign

A sign displayed for the purpose of offering for sale, lease, or rent the property on which such sign is erected, affixed, or otherwise established.

Construction Sign

A sign which identifies the architects, engineers, contractors, and other individuals or firms involved with construction on the property, the name of the building or development, the intended purpose of the building or development, and/or the expected completion date.



Example of Real Estate Sign

Standards

1. Temporary real estate, construction, campaign, philosophical or yard sale signs in nonresidential zoning districts may not exceed 36 square feet in area or 8 feet in height.
2. Temporary real estate, construction, campaign, philosophical or yard sale signs in all other zoning districts may not exceed 6 square feet in area or 6 feet in height.
3. Such signs may not be illuminated.
4. Temporary real estate, construction, campaign, philosophical or yard sale signs may only be located on private property with the property owner's permission.
5. Temporary real estate, construction, campaign, or philosophical signs may be erected 30 days prior to the election, event, construction, issue, sale or lease of the property and must be removed within 7 days of the completion of the election, event, construction, issue, or sale or lease of property.

Temporary Off-Site Directional Signs

A temporary sign displayed for the purpose of aiding the public to a property or development being offered for sale, lease or rent, or associated with a weekend event, that is not erected, affixed or otherwise established on the lot being offered for sale, lease or rent or containing the weekend event. Temporary Off-Site Directional Signs are intended to aid the traveling public in locating activities that do not take place during the normal work week or on a recurring basis.



Example of Temporary Off-Site Directional Signs

Standards

1. No more than one off-site directional sign per direction and per property, development, company or event may be placed at a street intersection where a prospective client must make a turn to travel to the subject property.
2. Signs for the same developer/builder/company/event must be spaced at least 600 feet from all other signs unless they are placed at a street intersection where a prospective client must make a turn to travel to the subject property.

3. Signs shall not be placed on lands within the public rights-of-way that are entirely surrounded by public streets, such as roadway medians and traffic islands.
4. Signs shall be placed so as not to interfere with or obstruct pedestrian or vehicular traffic or obstruct sight distances at intersections.
5. Except with the permission of the property owner or occupant, signs shall not be located in front of or abutting a lot containing a single-family detached dwelling.
6. Signs shall only be displayed from 12:00 P.M. (noon) on Friday to 12:00 P.M. (noon) the following Monday.
7. Signs shall be freestanding and may not be anchored to a sidewalk or attached to utility poles or other structures or appurtenances.
8. Such signs may not exceed 6 square feet in area or 3 feet in height.
9. Signs shall not be placed on property owned or maintained by the Town (ex. – signs are not permitted on the Town’s entry sign parks, library grounds, or Town Hall property)

Temporary Sandwich Board

Standards

1. One temporary sandwich board sign is allowed per storefront/establishment and only on paved surfaces.
2. Such signs may not exceed 8 square feet per side of sign, 2 feet in width (when opened) and 4 feet in height.
3. Such signs must be placed so as not to interfere with or obstruct pedestrian and vehicular access. A minimum of 5 feet of clear passage must be maintained on the sidewalk between the physical street edge and the sign.
4. Such signs may not be anchored to the sidewalk, or attached or chained to poles, newspaper vending boxes, or other structures or appurtenances.
5. Temporary sandwich board signs may bear a commercial message related to an associated establishment or any noncommercial message.
6. Such signs must be brought in at the close of business day. Such signs may not be left up overnight.



Example of a Temporary Sandwich Board Sign

Temporary Event

Standards

1. Temporary event signs in nonresidential zoning districts may not exceed 60 square feet in area or 6 feet in height.
2. Temporary event signs in all other districts may not exceed 36 square feet in area or 6 feet in height.
3. Such signs may not be illuminated.
4. Temporary event signs may only be displayed for three (3) days or less. Signs left up for longer than three (3) days require a Temporary Sign Permit (Section 17.8).



Example of a Temporary Event Sign

Identification

A sign affixed to a wall used to display: the name, address, logo, or other identifying symbol of the individual, family, business, institution, service, or organization occupying the premises; the profession of the occupant; the name of the building on which the sign is attached; or directory information in group developments or buildings with multiple tenants.



Example of an Identification Sign

Standards

1. Only one identification sign is allowed per building.
2. Identification signs may not exceed 4 square feet per tenant or 24 square feet whichever is less.
3. Identification signs may not exceed 6 feet in height.

17.7 Design and Dimensional Requirements for Permanent Signs Requiring a Permit

17.7-1 Requirements for signs extending over pedestrian and vehicular travel areas.

Signs extending over pedestrian and vehicular travel areas shall maintain a minimum clear distance between the ground and any portion of the sign and its associated support structure of nine and 14 feet respectively.








17.7-2 Permanent sign requirements.

The following tables and text provide the design and dimensional requirements for permanent signs that require a permit. Requirements include area, number, type of illumination, and letter height for both attached and freestanding signs. Setback and height requirements are established for freestanding signs and detailed design requirements are provided for monument and pole signs. Additionally:




- Only one general attached sign (blade, V-type, or flat) is allowed per street or parking frontage.
- Only one monument or pole freestanding sign is allowed per street frontage.
- Height of freestanding signs shall be measured from the elevation of the ground at the point of contact with the sign provided that the grade of the site is not artificially altered to increase the allowable height of the sign. For sloping sites, the applicable point of contact shall be the point having the highest elevation.
- The following permanent special purpose signs are allowed in addition to general attached and freestanding signs under the limitations provided in the following tables and elsewhere in this Article.
 - Window.
 - Directional.
 - Directory.
 - Awning.
 - Canopy.
 - Community identification.
- Time and temperature signs are allowed as either attached or freestanding signs provided they are incorporated into the general or attached signage allowed for a nonresidential property, no

more than one such sign is allowed per property, the message is limited to time and temperature information and changes no more frequently than once every five seconds, and the area of the time and temperature sign does not exceed 16 square feet. The square footage allowance constitutes an area bonus in addition to the maximum allowable area for the applicable sign type.

- Changeable copy signs are allowed as either attached or freestanding signs provided they are incorporated into the general or attached signage allowed. For example, the changeable copy area shall be calculated as a part of the overall cumulative sign area and shall be a part of the overall sign and may not exceed 50% of the overall signage square footage. Freestanding changeable copy signs are not permitted as a single cabinet but must be incorporated into the sign as a whole. In addition, the following standards shall apply:
 - Changeable copy signs shall only be permitted in nonresidential zoned districts.
 - Signs shall not change more frequently than once every 4 hours for manually changing signs and once every 5 seconds for digitally changing signs.
 - Digital signs must be off between 10pm and 7am daily (automatic timers are required) and must not exceed a 33% maximum white/bright factor (ex – no more than 1/3 of the sign copy shall use bright or white colors). If the digital sign is located within 200 ft. of a residentially zoned property, then the sign must not exceed a 10% maximum white/bright factor.
 - Digital signs may not exceed a maximum illumination of 1 foot-candle above ambient lighting conditions, as measured from the nearest property line or street right-of-way to the sign's face at maximum brightness. Each sign must be equipped with automatic dimming technology that adjusts the display's brightness based on ambient light conditions and automatic shutoff equipment when the sign is malfunctioning.
 - Transitions must be made from one image to the next in one second or less. Fading, flashing, scrolling, spinning or other animated effects may not be used as part of the transition.
 - No sequential messages are allowed. Each message displayed must be complete in themselves, without continuation in content to the next message or to any other sign.

Sign Type	Example	Sign Area Allowance (sq ft)	Max. Sign Height	Sign Illumination	Min. Letter Size	Max. Number	Minimum Setback from Property	Other Requirements
Blade (or Projecting)		32	-	Ambient, External, Internal	6"	One per street or parking frontage per occupancy	-	Only one sign (blade, V-type, or flat sign) allowed per occupancy per street or parking frontage
V-Type		32	-	Ambient, External, Internal	6"	One per street or parking frontage per occupancy	-	One sq. ft. of signage for each sq. ft. of occupancy frontage up to the maximum allowed Internally-illuminated signs – not more than 50% of sign face can be illuminated
Flat (or wall)		32	-	Ambient, External, Internal	6"	One per street or parking frontage per occupancy	-	No attached signage above second story. Wall signs may exceed the 32sf requirements up to a maximum of 5% of the wall façade size (sq. footage)
Window		8	8	Ambient	-	One per each 100 sq ft of display or window area or fraction thereof	-	A maximum allowance of three signs per street or parking frontage per occupancy
Awning		6	6	Ambient	4"	One per street or parking frontage per awning	-	Not more than two awning signs per occupancy per street or parking frontage
Canopy		16	16	Ambient, Internal	6"	One per Canopy*	-	Properties fronting on more than one street may have one canopy sign per street entrance
Monument		48	8	Ambient, External, Internal	6"	One per street frontage having access to the site	5'	Monument signs shall comply with the design requirements of Section <u>17.7-3</u>

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Sign Type	Example	Sign Area Allowance (sq ft)	Max. Sign Height	Sign Illumination	Min. Letter Size	Max. Number	Minimum Setback from Property	Other Requirements
Pole		32	10	Ambient, External, Internal	6"	One per street frontage having access to the site	10'	Pole signs shall comply with the design requirements of Section 17.7-4
Subdivision Entrance		32	6	Ambient	6"	One per each gateway or primary entrance	0'*	Subdivision Entrance Signs shall comply with design requirements for monument signs
Directory		16	6	Ambient, External, Internal	4"	One per street frontage having access to the site	25'	Only allowed for sites with multiple buildings Shall not be displayed so as to be prominently visible from off-site locations

*May encroach into adjoining street right-of-way pursuant to an encroachment agreement.

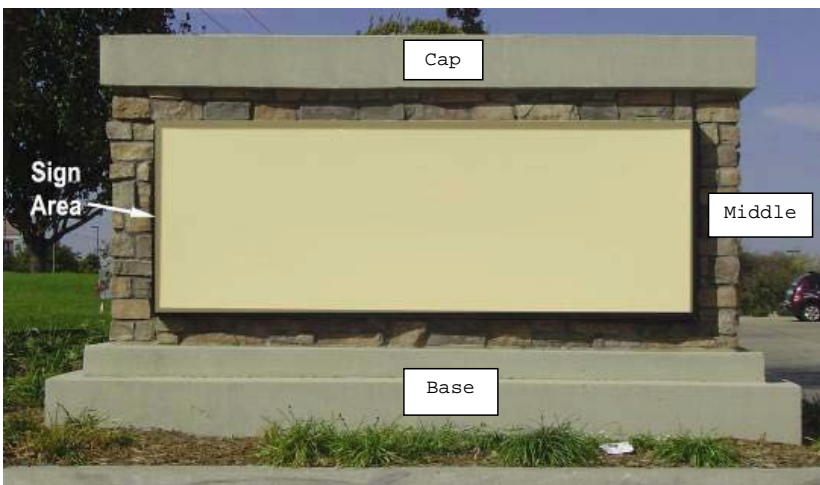
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17.7-3 Monument sign design requirements.

Monument signs are intended to serve a wider range of aesthetic and architectural purposes than pole signs. Consequently, the following design requirements are established for monument signs.

- (A) General design requirements and sign area measurement for monument signs. As in traditional building design, monument signs shall be designed to include a base, middle, and cap. The following illustration shows a monument sign having these architectural characteristics, as well as how sign area is to be measured on a monument sign.

Monument Sign Design Elements



- (B) Sign structure materials. In general, monument sign structures should be constructed of materials that are similar to or complementary to the principal building(s) on the premises where they are located. Only the following materials shall be used in monument sign structure construction, singly or in combination:
- Brick, painted or unfinished
 - Wood
 - Concrete or stucco
 - Natural stone or manufactured stone having a natural appearance
 - Metal
 - Glass
- (C) Sign copy materials. Sign copy materials for monument signs shall include the sign structure materials listed above. For internally illuminated monument sign copy, acrylic may be utilized, provided not more than 50% of the sign face is illuminated.

17.7-4 Pole sign design requirements.

The following design requirements are established for pole signs.

(A) General design requirements. Pole signs in Jamestown have traditionally been supported by two posts or suspended from a single post as shown in the following illustrations. Pole signs shall use one of these two forms of design.

Examples of Allowable Types of Pole Signs



(B) Materials. In general, pole signs should use materials that complement the principal building(s) on the premises where they are located. The following materials are acceptable for use in pole signs, singly or in combination:

- Wood
- Metal
- Brick, painted or unfinished
- Concrete or stucco
- Natural stone or manufactured stone having a natural appearance

17.8 Temporary Signs

The following tables provide the design, dimensional, and time of display requirements for temporary signs. Additionally: Nonconforming temporary signs shall not be grandfathered (see section 17.12 of this Article).

17.8-1 Requirements for temporary signs that require a permit.

The temporary signs listed in the following table require a permit and shall comply with the indicated zoning location and other requirements. All such signs, with the exception of searchlights, shall be illuminated solely by ambient light sources.

Temporary Sign Type	Allowable Zoning Districts	Requirements
Banners		Up to 60 square feet of banner materials may be attached to an occupancy space. Pennant-style temporary flags or banners are not permitted in any zoning district. Display time limit: 21 days, four times per calendar year with a 60-day separation between permits. Properties on which a religious institution, educational institution, or other civic organization are situated may display banners up to six times per year, provided that a minimum separation of one week is provided between displays.
Grand Opening		Up to 60 square feet of banner materials may be attached to an occupancy space. Display time limit: 21 days; Such signage may be placed beginning within 30days from the receipt of an occupancy permit or start of Town utility services.
Special Event Signs	All Commercial and Mixed-Use Districts	<p>One tethered balloon or searchlight to be located on-premises and displayed for not more than three consecutive days once per calendar year. Tethered balloons and searchlights shall conform to all applicable FAA regulations.</p> <p>Joint special event signage for three or more <u>businesses</u> may be approved by the Planning Director for special events. Such events shall not exceed seven days in duration or a cumulative total of 60 days per calendar year per occupancy with a 14-day minimum separation between permits. Event participants shall submit an application which outlines the types of signage desired and where such signage is proposed to be located. The Planning Director may meet with applicants on-site to determine acceptable locations for signage placement. Signage shall not exceed 60 sq. ft. per occupancy; however, accent balloons may also be displayed, with a maximum number of 12 balloons per occupancy.</p>

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17.8-2 RESERVED FOR FUTURE CODIFICATION

17.9 Signs Located in Local Historic Districts

Regardless of the other dimensional provisions of this Article, signs that are located in local historic districts shall be governed by the applicable design guidelines and review processes established for the local historic district.

17.10 Master Sign Plan

Regardless of the other provisions of this Article, the Town Council may, at its sole discretion, approve a master sign plan for specified areas of Town or for certain development projects listed in this section. The approved master sign plan may include signs of different sizes, types, locations, placement and height from those otherwise enumerated in this Article.

17.10-1 Purpose.

The purpose behind this section is to permit creativity in sign design and placement to address site issues and constraints associated with topography, pedestrian-orientation, way-finding and other conditions unique to the subject development or area of Town.

17.10-2 Application.

Master sign plans may be submitted for the following types of developments:

(A) Traditional Neighborhood Development projects.

Commercial, institutional, industrial, or mixed-use developments containing three or more acres in area. Areas of Town that are governed by a corridor plan or area plan that includes sign guidelines.

17.10-3 Submittal process.

Master sign plan applications may be submitted for consideration at the time of original submittal of the proposed development or separately from the original development proposal. The following information or material shall be required for a signage plan application and shall be indicated on an application form provided by the planning director.

- (A) Owner and contact name, address, telephone number and signature(s), as applicable.
- (B) A master sign plan proposal illustrating the proposed signs, their proposed location, and their proposed purpose, along with a statement as to why the existing sign code cannot or should not be followed in the subject case.
- (C) An analysis showing how the proposed signage plan differs from what could be provided under the existing sign regulations set forth in this Article.
- (D) Other similar information determined by the planning director to be necessary for understanding the purpose and intent of the proposed master sign plan application.

17.10-4 Review procedure.

The planning director shall schedule the master sign plan for Planning Board and Town Council consideration in accordance with the notice and hearing procedures set forth in Article 5 for zoning map amendments. In reviewing the proposed master sign plan, the Planning Board and Town Council shall take the following matters into consideration.

- (A) The extent to which the proposed master sign plan deviates from the sign allowances otherwise applicable in this Article.
- (B) The rationale provided by the applicant for the deviations.
- (C) The extent to which the master sign plan promotes Town goals associated with community character, way-finding, pedestrian-orientation, and business identification.
- (D) The degree to which the master sign plan creatively and effectively addresses the issues and constraints unique to the site with regard to signage.

The Planning Board shall provide a recommendation to the Town Council whether to deny or approve the proposed master sign plan in part or in total and shall further recommend conditions regarding approval where deemed warranted.

The Town Council may deny or approve the proposed master sign plan in part or in total and may establish conditions regarding approval. In the event that the master sign plan is denied, the applicant

must wait at least 365 days before reapplying for a new master sign plan substantially similar (as defined in Article 3) to the proposed master sign plan.

17.11 Permitting

Applications for sign permits and the associated fee schedule may be obtained from the Planning Department. Completed applications, including payment of fees, shall be reviewed for compliance with the requirements of this ordinance and may be approved, approved with conditions, or denied by the Planning Director.

Signs requiring sign permits under the provisions of this ordinance may also require additional permits, including building permits and electrical permits. It shall be the responsibility of the applicant to obtain all applicable permits.

17.12 Nonconforming Signs

Any existing permanent sign which does not comply with one or more of the requirements of this Article shall be grandfathered until such sign is removed, physically altered beyond maintenance (as defined), relocated, damaged or destroyed, after which it shall be brought into compliance with all requirements of this Article. An exception shall be made for signs which must be relocated as the direct result of a governmental action (such as, but not limited to, the acquisition of street right-of-way, eminent domain action, or installation of infrastructure). Such an exception will be subject to review by the Planning Director, who will work to help property owners bring their signs into compliance. If no reasonable alternative exists, the Planning Director may allow a sign to be relocated to an acceptable location on the same property. Signs which are permitted to be relocated shall not be altered in such a manner to constitute a change in the sign. Changes in the sign beyond maintenance as defined shall result in the sign being brought into compliance. Appeals may be made to the Board of Adjustment per the procedure in this Land Development Ordinance.

Nonconforming temporary signs shall not be grandfathered and shall be brought into compliance with all requirements of this Article within 60 days from most recent adoption date,

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17.13 Abandoned Signs

Signs located on the premises of a building that does not contain an active use or occupancy shall be considered abandoned signs and shall be removed by the owner of the property on which they are located. Failure to remove an abandoned sign shall be considered a violation of this ordinance. In addition, correction of an abandoned sign violation may include removal of the abandoned sign or signs by the Town at the owner's expense after proper notice of the violation and failure to act by the owner within the timeframe established in the notice of violation.

17.14 Maintenance

All signs, including exempt signs, shall be maintained in a satisfactory state of repair. This shall include, without limitation, correction of peeling or faded paint, repair or replacement of damaged panels, trimming of vegetation that obscures the sign(s), replacement of defective lighting of illuminated signs, secure attachment to the building for attached signs, and stable vertical alignment of freestanding signs.

17.15 Design Guidelines

In addition to the mandatory standards provided in sections 17.7 and 17.8 above, the following design guidelines for signs are provided in order to promote more attractive and functional design and placement of signs.

- Freestanding signs. Placement of freestanding signs should take into account existing trees and other site landscaping so as to maintain sign visibility. Landscaping around the base of freestanding signs is strongly encouraged to improve the overall appearance and visibility of these sign types as evidenced in the following example.



Example of Landscaping Around the Base of a Monument Sign

- Display windows are intended to offer opportunities to display merchandise or services available on the premises. Careful placement of signs in display windows will not obscure the visibility of merchandise or services. Additionally, display windows should not be “papered-over,” especially in pedestrian areas.
- General design guidelines. The following general guidelines are provided to guide overall sign design in the Town:
 - Use high quality, durable materials.
 - Minimize the need for sign lighting by placing signs where ambient light sources illuminate the sign. Where separate lighting is necessary, external illumination sources are preferred over internal illumination. All electrical conduit and junction boxes should be concealed.



Example of Externally Illuminated

- Backlit, individual letter signs (aka, halo lighting) are encouraged where illumination is needed as illustrated below.



Example of Backlit Individual Letters

- Avoid elaborate or confusing styles of text as illustrated in the following example.



Example of Overly Complicated Style of Text

- Attempt to use symbols rather than text; for example, this Norwegian pharmacy sign incorporates a symbol as well as text.



Example of Use of Symbols

- Use sign styles and designs that complement the architecture of the site where the signs are located. Jamestown is an historic town so using “period” signage is strongly encouraged.



Example of a “Period” Pole Sign

TOWN OF JAMESTOWN PLANNING BOARD

Rules of Procedures

I. Applicability

Rule 1. Applicability of Rules

These rules apply to all meetings of the Planning Board of the Town of Jamestown at which the Board is empowered to exercise any of the executive, quasi-judicial, administrative, or legislative powers conferred on it by law.

II. Open Meetings

Rule 2. Meetings to Be Open

(a) It is the public policy of North Carolina and of the Town of Jamestown that the hearings, deliberations, and actions of this Board and its committees be conducted openly.

(b) Except as otherwise provided in these rules and in accordance with applicable law, each official meeting of the Town of Jamestown Planning Board shall be open to the public and any person is entitled to attend such a meeting.

(c) For the purposes of the provisions of these rules concerning open meetings, an official meeting of the Board is defined as any gathering together at any time or place or the simultaneous communication by conference telephone or other electronic means of a majority of Board members for the purpose of conducting hearings, participating in deliberations, or voting upon or otherwise transacting public business within the jurisdiction, real or apparent, of the Board.

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III. Organization of the Board

Rule 3. Organizational Meeting

The Board shall hold an organizational meeting at its regular meeting place at 6:00 pm on the second Monday in January. Staff shall call the meeting to order and shall preside until a Chair is elected. If they have not already been sworn and inducted into office, the newly appointed members of the Board shall take and subscribe the oath of office as the first order of business. As the second order, the Board shall elect a Chair and Vice-Chair from among its members.

The Board shall be comprised of five regular members and four extraterritorial (ETJ) members. The five regular members shall reside within the Town limits and shall be appointed by the Town Council. ETJ members shall reside in the Town's extraterritorial area and shall be appointed by the Guilford County Board of County Commissioners after a favorable recommendation by the Town Council of the Town of Jamestown. The ETJ representatives shall deliberate and vote on those matters affecting policy and land in the extraterritorial jurisdiction.

Members of the Board shall serve a term of five (5) years, provided that upon initial appointment the terms of office may be staggered. The terms of all Board members shall not expire at the same time. Members may be reappointed to a second term, but shall not be reappointed for more than two (2) consecutive terms. Members who have served two (2) consecutive terms may be appointed to another term after a one term (5 year) hiatus from the Board. Members may serve as 'alternates' during the hiatus period if so appointed by the Town Council.

Vacancies to the Board may be filled by a new or alternate member. Members filling a vacancy shall serve for the remainder of the unexpired term. At the end of that term, a member appointed to a vacancy shall be eligible for a full 2-term service period if appointed to serve by the Town Council.

Rule 4. Election of the Chair

The Chair of the Board shall be elected annually for a term of one year and shall be eligible to be elected to serve successive terms. The Chair of the Board shall not serve greater than five (5) consecutive terms.

In absence of the Chair, the Vice-Chair shall perform all duties assigned to the Chair. The Vice-Chair shall be elected in the same manner and serve the same terms as the Chair of the Board.

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IV. Regular and Special Meetings

Rule 5. Regular and Special Meetings

(a) **Regular Meetings.** The Board shall hold a regular meeting on the second Monday of each month at 6:00 pm. If a regular meeting day is a holiday on which Town offices are closed, the Board shall decide upon an alternate meeting date by a motion prior to adjourning the immediately preceding regular meeting. Regular meetings shall be held at the Town Hall, 301 East Main Street in Jamestown. The Board may change the place or time of a particular regular meeting or all regular meetings within a specified time period by resolution adopted, posted, and noticed no less than ten days before the change takes effect. Such a resolution shall be filed with the Town Clerk and posted at or near the regular meeting place, and copies shall be sent to all persons who have requested notice of special meetings of the Board.

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(b) **Special Meetings.** The Chair, or Vice-Chair acting in absence of Chair, may at any time call a special meeting of the Board provided that a minimum of forty-eight (48) hours notice is given to all members. Staff shall cause the notice to be posted on the bulletin board of the Town Hall. In addition, the notice shall be delivered to individual persons and news media organizations that have requested such notice as provided in subsection (c), below. Only those items of business specified in the notice may be transacted at a special meeting, unless all members are present or those who are not present have signed a written waiver.

(c) **Sunshine List.** Any individual person and any newspaper, wire service, radio station, and television station may file with the Town Clerk a written request for notice of all special meetings of the Board. Requests by individuals must be renewed on or before the last day of each calendar year and are subject to a \$10.00 nonrefundable annual fee.

(d) **Work Sessions and Committee Meetings.** The Board may schedule work sessions, committee meetings, or other informal meetings of the Board or a majority of the members of the Board at such times and with respect to such subject matter as may be established by resolution or order of the Board. A schedule of any such meetings that are held on a regular basis shall be filed in the same place and manner as the schedule of regular meetings. Work sessions and other informal official meetings not held on a regular schedule are subject to the same notice requirements as special Board meetings.

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Rule 6. Broadcasting and Recording Meetings

(a) Except as provided in this rule, any radio or television station is entitled to broadcast all or any part of an official meeting of the Board that is required to be open to the public. Any person may photograph, film, tape-record, or otherwise reproduce any part of a meeting required to be open.

(b) Any radio or television station wishing to broadcast any portion of an official meeting of the Board shall so notify the Planning Director no later than twenty-four hours before the meeting. If the number of requests or the quantity and size of the necessary equipment is such that the meeting cannot be accommodated in the designated meeting room, the Planning Director may require the news media either to pool equipment and personnel or to secure and pay the costs of an alternative meeting site that is mutually agreeable to the Board and the media representatives.

V. Agenda

Rule 7. Agenda

(a) Staff shall prepare the agenda for each regular and special meeting. A request to have an item of business placed on the agenda for a regular meeting must be received at least 2 weeks (10 working days) before the meeting. Any Board member may request an item be placed on the agenda. The staff will review the request with the Board Chair prior to adding an item to the agenda.

(b) Due to requirements of various ordinances, deadlines to be added to the agenda may be increased.

(c) The agenda packet shall include the agenda document, any proposed ordinances or amendments to ordinances, and supporting documentation and background information relevant to items on the agenda. A copy of the agenda packet should be made available to each member of the Board at least one week (7 working days) before the meeting by any method chosen by each Planning Board Member. Documents in the agenda packet, if not previously available for public inspection, shall become so when packets have been delivered to each Board member.

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Rule 8. Informal Public Comments

Staff shall include on the agenda of each regular meeting a period of at least thirty minutes for comments or questions from members of the public in

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attendance. The Chair will first recognize individuals or groups who have made a prior appointment to be heard, and then may recognize others, subject to available time. The Chair may specify the time allotted to each speaker. After the time set aside for informal public comments has expired, the Chair will recognize further speakers only upon motion duly made and adopted.

Rule 9. Order of Business

Staff has the discretion to set the agendas before each meeting.

Without objection from the Board, the Chair may call items in any order most convenient for the dispatch of business.

VI. Conduct of Debate

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Rule 10. Powers of the Chair

The Chair shall preside at all meetings of the Board. A member must be recognized by the Chair in order to address the Board. The Chair shall have the following powers:

- 1. To rule on points of parliamentary procedure, including the right to rule out of order any motion deliberately offered with intent to cause delay or obstructive purposes;
- 2. To determine whether a speaker has gone beyond reasonable standards of courtesy in his or her remarks and to entertain and rule on objections from other members on this ground;
- 3. To call a recess at any time;
- 4. To adjourn in an emergency.

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Rule 11. Action by the Board

The Board shall proceed by motion. Any member, including the Chair, may make a motion.

Rule 12. Second Required

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Rule 13. One Motion at a Time

A member may make only one motion at a time.

Rule 14. Substantive Motion

A substantive motion is out of order while another substantive motion is pending.

Rule 15. Adoption by Majority Vote

A motion shall be adopted if approved by a majority of the votes cast, a quorum being present, unless these rules or the laws of North Carolina require an extraordinary majority.

Rule 16. Debate

The Chair shall state the motion and then open the floor for open debate

Rule 17. Renewal of Motion

A defeated motion may not be renewed at the same meeting.

Rule 18. Withdrawal of Motion

A motion may be withdrawn by the introducer at any time before the Chair puts the motion to a vote.

Rule 19. Duty to Vote

It is the duty of each member to vote unless excused by a majority vote according to law. The Board may excuse members from voting on matters involving their own financial interest or official conduct. A member who wishes to be excused from voting shall so inform the Chair, who shall take a vote of the remaining members. A member who fails to vote, not having been excused, shall be recorded as voting in the affirmative. An excused absence shall not be counted in the vote. An unexcused absence will be recorded as voting in the affirmative.

The Chair shall not be required to vote, except in the case of a tie.

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Rule 20. Faithful Attendance

Faithful attendance at Planning Board Meetings shall be a prerequisite to continued membership on the board. A member may miss up to 25% of the regular and special meetings or up to three (3) consecutive regular meetings per year with good cause: i.e. job requirements or personal emergency. Once a person misses more than 25% of the regular and special meetings or more than three (3) consecutive regular meetings without good cause in one year, the board should recommend dismissal of the person from the board to the Town Council. ETJ members are “called” when necessary and, as such, their attendance shall only be considered when “called”.

Rule 21. Conflict of Interest

At the beginning of consideration of a matter before the Planning Board, any member who has an interest, whether direct or indirect shall notify the Planning Board forthwith of said interest. The chairman shall excuse said member from further participation in the matter. A members’ withdrawal from participation shall not be interpreted as voting on the matter.

Members of appointed boards shall not vote on any advisory or legislative decision regarding a development regulation where the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable financial impact on the member. An appointed board member shall not vote on any zoning amendment if the landowner of the property subject to a rezoning petition or the applicant for a text amendment is a person with whom the member has a close familial, business, or other associational relationship. For purposes of this section, a close familial relationship means a spouse, parent, child, brother, sister, grandparent, or grandchild. The term includes the step, half, and in-law relationships.

Rule 22. Prohibition of Secret Voting

No vote may be taken by secret ballot. If the Board decides to vote by written ballot, each member shall sign his or her ballot and the minutes shall record the vote of each member. These ballots shall be retained and made available for public inspection until the minutes of that meeting have been approved, at which time they may be destroyed.

Rule 23. Action by Reference

The Board shall not deliberate, vote, or otherwise act on any matter by reference to an agenda or document number unless copies of the agenda or documents being referenced are available for public inspection at the meeting and are so worded that people at the meeting can understand what is being discussed or acted on.

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Rule 24. Recommendations for Adoption, Amendment, or Repeal of Land Use Ordinances

Recommendations for adoption, amendment, or repeal of ordinances may be made per request of the Town Council or by Planning Board initiative.

(a) Request by Town Council

Zoning Ordinances and Land Development Ordinance

The Town of Jamestown Town Council members shall refer all proposed amendments to the Planning Board for review. The Planning Board shall submit its recommendation in writing to the Town Council following the procedures set forth in the Land Development Ordinance. A majority vote is necessary for any recommendation to be sent to the Town Council. The Town Council is not bound by the recommendations, if any, of the Planning Board. [Planning staff may make minor edits that do not change the intent of the ordinance such as grammatical, spelling, or reference numbers without board approval.](#) Special exceptions may apply, whereby the Town Council may appoint a special committee to review planning related materials which reports directly to the Council. In the event Council appoints such a committee, the Planning Board shall be represented by on said committee by at least one member.

Other Land Use Ordinances

The Town of Jamestown Town Council members, at their discretion, may refer proposed amendments to the Planning Board for review. A majority vote is necessary for any recommendation to be sent to the Town Council. The Town Council is not bound by the recommendation, if any, of the Planning Board.

(b) Recommendations Initiated By Planning Board

Any member of the Planning Board may initiate discussions concerning the adoption, amendment or repeal of any Land Use ordinance. A majority vote is necessary for any recommendation to be sent to the Town Council.

Rule 25. Quorum

A majority of the Board membership shall constitute a quorum. The number required for a quorum is not affected by vacancies. If a member has withdrawn from a meeting without being excused by majority vote of the remaining members present, he or she shall be counted as present for the purposes of determining whether a quorum is present.

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Rule 26. Public Hearings

The Chair or staff has the authority to call public hearings. Public hearings required by law or deemed advisable by the Board shall be discussed setting forth the subject, date, place, and time of the hearing as well as any rules regarding the length of time allotted to each speaker and designating representatives to speak for large groups. Staff shall advertise for the public hearings with proper legal notice. At the appointed time, the Chair shall call the hearing to order and preside over it. When the allotted time expires, the Chair shall declare the hearing ended and the Board shall resume the regular order of business.

The Chair shall follow the approved methods for conducting a public hearing or other presentations to the Board. Generally, this is as follows:

- a. Staff Report
- b. Presentation of Business before Board by applicant (20 min. maximum, unless extended by a majority consensus of the Board)
- c. Speakers from the floor regarding business before Board (30 min. maximum for all speakers, unless extended by a majority consensus of the Board).
- d. Rebuttal Period for those presenting business before Board (15 min. maximum to respond, unless extended by a majority consensus of the Board).
- e. Closing of Public Comment period.
- f. Discussion among members of Board.
 - i. May request further information from applicant/speaker as necessary (for clarity).
 - ii. May request further information from staff as necessary.
 - iii. May request continuation of meeting to allow staff and/or applicant to address concerns.
- g. Call to vote on business before Board.

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Rule 27. Quorum at Public Hearings

A quorum of the Board shall be required at all public hearings required by law.

Rule 28. Minutes

Minutes shall be kept of all Board meetings.

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Rule 29. Reference to *Robert's Rules of Order*

To the extent not provided for in, and not conflicting with the spirit of, these rules, the Chair shall refer to *Robert's Rules of Order* to resolve procedural questions.

Rule 30. Reference to *Suggested Rules of Procedure for Small Local Government Boards*. Second Edition. Bell, A. Fleming, II. Institute of Government. University of North Carolina at Chapel Hill.

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