



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 Chairman declares the hearing open for comment. The second opportunity to address the Board will come near the end of the agenda when the Chairman 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: Anna Hawryluk– Planning Director
RE: **Regular Meeting**
June 12, 2023 – 6:00 PM
Jamestown Town Hall, Civic Center

Items on the agenda:

1. Call to Order – Sarah Glanville, Chair of the Planning Board
2. Roll Call – Anna Hawryluk, Planning Director
3. Approval of minutes from January 09, 2022 regular meeting – 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. LDO Amendments – Anna Hawryluk, Planning Director
 - a. Vote on recommendation to Town Council –Chair of the Planning Board
 - b. Adoption of the Statement of Consistency –Chair of the Planning Board
5. 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.*
6. Adjourn
7. The next regularly scheduled meeting will be July 10, 2023 at 6PM in the Civic Center Chambers.

This 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.

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**Planning Board Meeting
January 9, 2023
6:00 pm in the Civic Center
Minutes & General Account**

Planning Board Members Present: Sarah Glanville, Chair; Ed Stafford, Vice Chair; Dennis Sholl, Jane Walker Payne, Russ Walker, Jr., Donald Dale, Jr. (ETJ), Peggy Levi (ETJ), William McLean, Jr. (ETJ), & Sherrie Richmond (ETJ)

Planning Board Members Absent: Robert Coon (ETJ)

Council Member Representative- Rebecca Mann Rayborn

Staff Members Present: Matthew Johnson, Katie M. Weiner, Ty Cheek, & Tom Terrell, Land Use Attorney

Visitors Present: Martha Wolfe, Susan Dickenson, Marc Isaacson, Patricia Gray, Lisa Keck, Richard Kirkman, Katie Gumerson, Krisdena Reeser, Beth Hammer, Brent Ayers, Robert Frederick, & Carol Brooks

Call to Order- Johnson called the meeting to order. He explained the election process for the Chair and Vice Chair of the Planning Board.

Election of Chair of the Planning Board- Johnson opened the floor to the Planning Board Members for nominations for Chair.

Stafford nominated Glanville to serve as Chair of the Planning Board.

Johnson called for nominations two more times. There were no other nominations.

Stafford made a motion to elect Glanville to serve as the Chair of the Planning Board. Walker made a second to the motion. The motion passed by unanimous vote.

Election of Vice Chair of the Planning Board- Glanville opened the floor to the Planning Board Members for nominations for Vice Chair.

Walker nominated Stafford to serve as Vice Chair of the Planning Board.

Glanville called for nominations two more times. There were no other nominations.

Walker made a motion to elect Stafford to serve as Vice Chair of the Planning Board. Sholl made a second to the motion. The motion passed by unanimous vote.

Roll Call- Cheek took roll call as follows:

Sarah Glanville- Present
Dennis Sholl- Present
Ed Stafford- Present
Jane Walker Payne- Present

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Russ Walker- Present
Donald Dale, Jr. (ETJ)- Present
Robert Coon (ETJ)- Absent
Peggy Levi (ETJ)- Present
William McLean, Jr. (ETJ)- Present
Sherrie Richmond (ETJ)- Present

Council Member Rayborn- Present

Cheek stated that a quorum was present.

Setting Regular Planning Board Meeting Schedule for 2023- Glanville noted that there was an error on the schedule. She said that the August meeting date was August 14th and not August 7th.

Walker made a motion to adopt the Regular Planning Board Meeting Schedule for 2023. Levi made a second to the motion. The motion passed by unanimous vote.

Approval of minutes from the July 18, 2022 Planning Board Meeting- Richmond made a motion to approve the minutes from the July 18th Planning Board Meeting. Dale made a second to the motion. The motion passed by unanimous vote.

Public Hearing for the consideration of a Land Development Ordinance (LDO) text amendment- Johnson said that the Town had been working diligently to complete a Development Agreement with DR Horton. He stated that some challenges had arisen throughout the negotiation process. He added that some of the language in the LDO was not compatible with the Town's goals within the Development Agreement. He noted that the proposed text amendment arose as a result of the negotiation with DR Horton, but it was meant to simplify how development agreements functioned in relation to the Town's LDO. Johnson highlighted that it would allow the Town to require higher quality components within developments. He noted that the amendment clarified that a development agreement would be the governing document in areas that were specifically outlined and that the LDO, State laws, and Federal laws would govern where it was silent. He said that Terrell, the Town's Land Use Attorney, drafted a large portion of the language within the text amendment and that DR Horton had submitted the amendment application for consideration.

Levi suggested that "shall" be used instead of "may" in Section "5.5.1. Purpose."

Richmond stated that she was concerned about the amount of flexibility allowed in the text amendment.

Glanville requested that "Town Council" be capitalized consistently throughout the amendment.

Terrell came forward. He presented an overview of his work with the Town on the Development Agreement and the proposed text amendment. He spoke about DR Horton's rezoning and annexation request. He stated that Planned Unit Development (PUD) districts allowed the Town and developers to have flexibility when agreeing to guidelines for a particular development. He added that the Town's PUD district description needed to be more expansive in order to allow the Town to require higher quality components for PUD developments. Terrell stated that DR Horton had noted numerous areas throughout the LDO that conflicted with the specific requirements within the Development Agreement.

He said that the proposed text amendment allowed the Town to have the freedom to work with a developer to design the best possible development. Terrell spoke about the detailed description of what constituted “higher quality” within the amendment. He provided a multitude of examples of higher quality aspects of the DR Horton development that would be allowed as a result of the text amendment. He highlighted that the additional flexibility that the amendment would provide could also help the Town avoid frivolous lawsuits.

Terrell discussed the use of “shall” and “may” in Section “5.5.1 Purpose” with Levi. He explained the legal reasons why the use of the term “may” was appropriate.

Glanville spoke with Terrell about who had drafted the amendment. Terrell said that he had created the template for the amendment which had led to further revisions between the Town and Isaacson. Glanville highlighted the potential impact that the amendment could have on other future PUDs and stated that she was glad that it was not solely written by the DR Horton team because they were focused on their proposed project.

Richmond noted that she was in favor of the environmental protection language that had been included in the amendment.

Marc Isaacson came forward. He stated that his address was 804 Green Valley Road in Greensboro. He noted that he appreciated the work that had been done to bring the amendment to the Planning Board for consideration. He reiterated that the flexibility the amendment would provide would enable the Town and DR Horton to negotiate the best development possible through the Development Agreement process.

Richmond spoke with Isaacson about the applicability of the amendment to future projects as well as the DR Horton development.

Glanville opened the floor to anyone that would like to speak regarding the proposed text amendment.

- Susan Dickenson, 608 Havershire Drive- Dickenson said that she was concerned about the possible impacts the development may have on the critical watershed. She wanted staff and DR Horton to take more time to include every detail in the Development Agreement.
- Patricia Gray, 105 Bellwood Court- Gray spoke about the size of the 467 acre tract of land owned by DR Horton and stated that it was approximately the same size as the NC Zoo. She highlighted the environmental benefits that the property provided for the community. She recommended that the Planning Board deny the text amendment.
- Robert Frederick, 500 Wyndwood Drive- Frederick said that he was concerned about the proposed amendment language because DR Horton had submitted it for consideration. He said that the Town and DR Horton had not been able to agree on the Development Agreement details for over a year. He did not think it was appropriate for Council to determine what constituted “higher quality.”
- Lisa Keck, 108 Bellwood Court- Keck said that there were a lot of decisions being made with missing environmental and historical data. She stated that surveys, updated arborist reports, endangered species impacts, etc. should be required by the Town.

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- Katie Gumerson, 4648 Jamesford Drive- Gumerson said that the Planning Board had the opportunity to slow development down if they voted to recommend the denial of the amendment. She was really confused about who wrote the text amendment.
- Brent Ayers, 2120 Guilford College Road- Ayers was concerned about potential negative environmental impacts. He said that the amendment would allow for the developer to double the population of the Town. He encouraged the Planning Board to deny the amendment and hold the developer accountable.
- Krisdena Reeser, 2621 Glasshouse Road- Reeser requested that the Planning Board explain the purpose of the adoption of the original PUD zoning district in 2019. She quoted the consistency statement that the Planning Board had adopted for the district in 2019. She did not understand why the Planning Board was considering an amendment to the LDO for the district.

Glanville asked if anyone else would like to speak regarding the amendment. Nobody came forward. Glanville closed the public hearing.

Richmond stated that the Planning Board and the Town staff had worked very hard to hold the developer accountable in every way legally possible. She said that the property owner had certain rights that had to be taken into consideration throughout the process. She highlighted the language within the amendment that protected the Town's interests.

Glanville said that the amendment had to be read in its entirety in order to understand the protections that it provided for the Town. She spoke about the language within the amendment that allowed for the Council to determine what constituted "higher quality." She stated that elected officials may change, but they represented the citizens of the Town. She added that if their definition of "higher quality" was not consistent with the majority of the citizens that they would be voted out of office. Glanville reiterated that the amendment would apply to the DR Horton project and other PUD developments that may be proposed in the future. She said that she had reviewed the text amendment and did not find that it weakened the Town's position in any way. .

Stafford made a motion to recommend the approval of the text amendment to the LDO pertaining to the PUD zoning district to the Town Council. Walker made a second to the motion.

Weiner took a roll call vote as follows:

Sherrie Richmond- Aye
Donald Dale, Jr.- Aye
Jane Walker Payne- Aye
Ed Stafford- Aye
Russ Walker- Aye
Dennis Sholl- Nay
William McLean, Jr.- Aye
Peggy Levi- Aye

The motion passed by a 7 to 1 vote with Sholl voting in opposition.

Stafford made the following motion:

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

1. The proposed rezoning amendment is consistent with the adopted Comprehensive Plan of the Town of Jamestown. The Planning Board further finds that the proposed zoning amendment is consistent with the Comprehensive Plan because: The Land Development Ordinance (LDO) text amendment adds language to strengthen the Town's position in meeting key Guiding Principles of the Comprehensive Plan including:
 - A. Facilitating high quality and innovative growth compatible with the Town's traditional development patterns (Guiding Principle #1)
 - B. Promoting the quality of life and aesthetic standards Jamestown residents expect (Guiding Principle #2)
 - C. Preserving and protecting the natural environment and vital resources (Guiding Principle #11)

AND

2. The proposed zoning amendment is reasonable. The Planning Board considers the proposed zoning amendment to be reasonable because:
 - A. The report of the Town staff finding the proposed zoning amendment to be reasonable is adopted by reference.
 - B. The Planning Board further finds that the proposed zoning amendment is reasonable because: The text amendment strengthens the Town's role in managing large-sized developments that significantly affect the Town's resources and its residents. The new Section 5.5 Development Agreements adds regulatory language that furthers the Town's position during the development process.

AND

3. The proposed zoning amendment is in the public interest. The Planning Board considers the proposed zoning amendment to be in the public interest because:
 - A. The report of the Town staff finding the proposed zoning amendment to be in the public interest is adopted by reference.
 - B. The Planning Board further finds that the proposed zoning amendment is in the public interest because: The language added through the proposed text amendment clarifies a system of checks and balances that includes Town staff, the Town Council, State statute, and public review. "

Payne made a second to the motion. The motion passed by unanimous vote.

Public Comment- Nobody signed up.

Adjournment- Richmond made a motion to adjourn. Payne made a second to the motion. The motion passed by unanimous vote.

The meeting ended at 7:16 pm.

11.5 Landscape Plan Procedures

11.5-3 Financial Guarantee in Lieu of Installation of Plant Materials

(B) The performance bond or irrevocable letter of credit shall be in an amount equal to ~~150~~ 125 percent of the estimated cost of the installation of the required plant materials, as determined by the Town.

Per 160D-804.1(3)

"...The amount of any extension of any performance guarantee shall be determined according to the procedures for determining the initial guarantee and shall not exceed one hundred twenty-five percent (125%) of the reasonably estimated cost of completion of the remaining incomplete improvements still outstanding at the time the extension is obtained."

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 or their designee. 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 or their designee, 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 shall be permitted that contain~~ 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 seven days following the applicable primary or election. **Bullet moved to 17.6-1 "Temporary Real Estate, Construction, Campaign, Philosophical or Yard Sale"**
- 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.

- 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.



*Example of a Combined Construction/
Financing and Real Estate*

- 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 or their designee 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.

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;
- 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.

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.



Example of a Warning Sign

Standards

1. Warning signs may not exceed 6 square feet in area or 8 feet in height.
2. 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.



Example of a Historical Sign

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



Examples of Flags

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.

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.
6. Development projects under active building permits ~~containing no more than six square feet in area in residential districts and no more than 36 square feet in area in nonresidential or mixed-use districts~~ are permitted one sign per property street frontage **up to 36 square feet in area** provided they are removed after the applicable permit is no longer active due to completion of permitted work or permit expiration.
7. In nonresidential or mixed use districts during "election season," snipe or yard signs, **shall be permitted that contain** no more than six square feet in area 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 seven days following the applicable primary or election. **Moved from 17.6 bullet**



Example of Real Estate Sign

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.



Example of a Temporary Sandwich Board Sign

- Such signs must be brought in at the close of business day. Such signs may not be left up overnight.

Temporary Event

Standards

- Temporary event signs in nonresidential zoning districts may not exceed 60 square feet in area or 6 feet in height.
- Temporary event signs in all other districts may not exceed 36 square feet in area or 6 feet in height.
- Such signs may not be illuminated.
- 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).
- Temporary event signs are permitted to be put up six (6) times per calendar year with a minimum of 28 days in between.



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

- Only one identification sign is allowed per building.
- Identification signs may not exceed 4 square feet per tenant or 24 square feet whichever is less.
- 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.



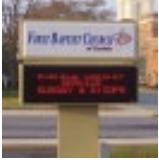
- Changeable copy signs are allowed as either attached or freestanding signs provided they are incorporated into the general or attached signage allowed. For example, the changeable copy area shall be calculated as a part of the overall cumulative sign area and shall be a part of the overall sign and 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.

17.7-2A Digital Signage

- **Digital Signage shall only be permitted in Civic, Commercial, and Bypass zoning districts.**
- 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 message** 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.
- **Each message must be displayed for a minimum of (10) seconds.**
- 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.
- **Each message will be no longer than 4 lines of information in length.**

- The sign may not contain live or prerecorded video.
- Digital and non-digital menu boards shall have a total maximum square footage of 32 sq. ft. per lane; and shall be limited to a maximum height of 8 ft. Signs shall be limited to three signs per drive through lane.
- Digital menu boards for businesses in commercial zoning may be allowed upon meeting size, time, and brightness standards.
- 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 ten 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.

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 17.7-3

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
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
Digital		32	8	Ambient	6"	One per lot development	-	Shall comply w/ design requirements of Sec. 17.7-2A Only allowed for properties zoned Civic, Commercial, and Bypass zoning districts.

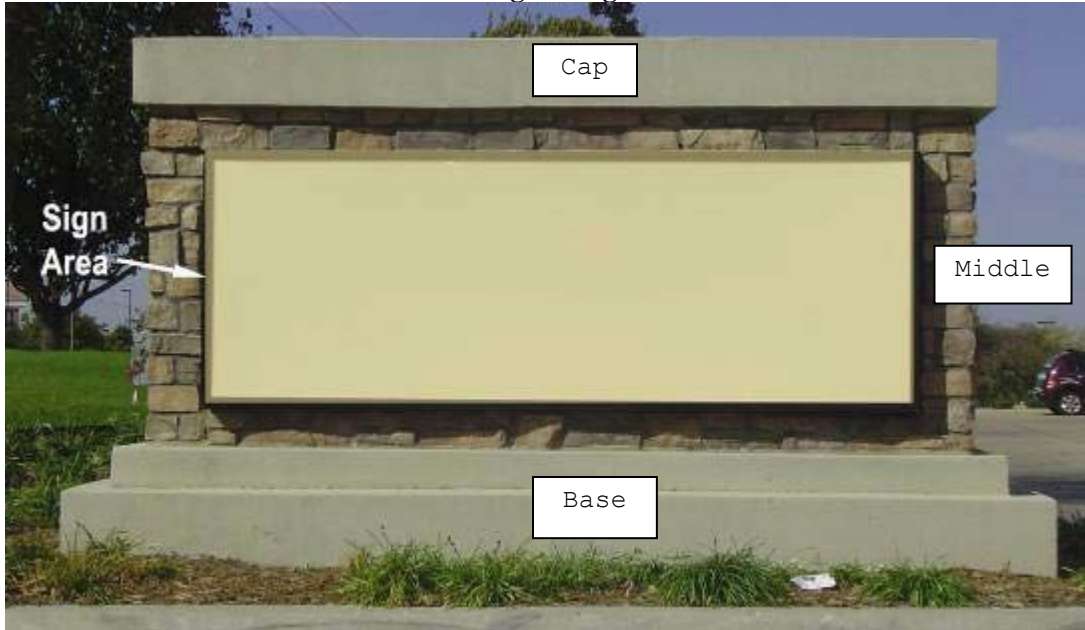
*May encroach into adjoining street right-of-way pursuant to an encroachment agreement.

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 or combination of materials shall be used in monument sign structure construction:

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

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. Only the following materials or combination of materials shall be used in monument sign structure construction:

- Wood, or wood synthetic
- 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	AG, B, C, CIV, CIV/CO, CMST, IND, MS, PNR, RMST	Up to 60 square feet of banner materials may be attached to an occupancy space. Pennant-style or temporary feather 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 Civic zoning 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 30 days from the receipt of an occupancy permit or start of Town utility services.
Special Event Signs		<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 businesses may be approved by the Planning Director or their designee 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 or their designee 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>

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.
- (B) Commercial, institutional, industrial, or mixed-use developments containing three or more acres in area.
- (C) 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 or their designee.

- (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 or their designee to be necessary for understanding the purpose and intent of the proposed master sign plan application.

17.10-4 Review procedure.

The planning director or their designee 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 or their designee.

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 or their designee, who will work to help property owners bring their signs into compliance. If no reasonable alternative exists, the Planning Director or their designee 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 adoption date.

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. Signs must meet minimum non-residential standards as defined in 24.10-8J.

17.15 Design Guidelines

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

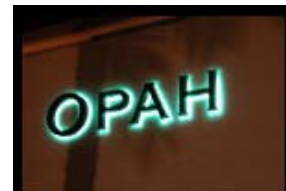
- Freestanding signs. Placement of freestanding signs should take into account existing trees and other site landscaping so as to maintain sign visibility. Landscaping around the base of freestanding signs is strongly encouraged to improve the overall appearance and visibility of these sign types as evidenced in the following example.
- 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.
 - Backlit, individual letter signs (aka, halo lighting) are encouraged where illumination is needed as illustrated below.
 - Avoid elaborate or confusing styles of text as illustrated in the example.
 - Attempt to use symbols rather than text; for example, this Norwegian pharmacy sign incorporates a symbol as well as text.
 - Use sign styles and designs that complement the architecture of the site where the signs are located. Jamestown is a historic town so using “period” signage is strongly encouraged.



Example of Landscaping Around the Base of a Monument Sign



Example of Externally Illuminated



Example of Backlit Individual Letters



Example of Confusing Style of Text



Example of Use of Symbols



Example of “Period” Pole Sign

19.30-1.Pet Waste.

- (A) Dogs at large prohibited. It shall be unlawful for the owner of any dog to allow the animal to be **outside an enclosure or otherwise confined** ~~off the premises of their owner~~ and not on a leash in the Town of Jamestown. *This restriction does not apply within the boundaries of a legal dog park.*

**PERMITTED USE TABLES
TOWN OF JAMESTOWN, NC**

Use Type	SIC	Agriculture (AG)	Parks & Recreation (PNR)	Single Family Residential (SFR)	Multi Family Residential (MFR)	Residential Main Street Transitional (R/MST)	Cluster Development Overlay (CDO)	Scenic Corridor Overlay (SCO)	Main Street (MS)	Main Street Periphery (MSP)	Commercial Main Street Transitional (C/MST)	Commercial (C)	Bypass (B)	Traditional Neighborhood Development Overlay (TND)	Civic (CIV)	Campus Overlay (CO)	Industrial (IND)
Day Care Center, Home Occupation for less than 6 children	0	S		S		S	S			S	S			S			
Dental, Medical or Related Office	8000								P	P	P	P	P	P			
Department, Variety or General Merchandise Store	5300								P	P	P	P	P	P			
Dormitories															S	S	
Drive Through Window as Accessory Use										S	S	S	S	S			
Drugstore	5912								P	P	P	P	P	P			
Dwelling, Duplex or Twin Home	0				P	P	P			P	P		P	P			
Dwelling, Multifamily (apartments or condominiums)	0				P	P	P			P			P	P			
Dwelling, Single Family Detached	0	P		P	P	P	P	P		P	P			P			
Dwelling, Townhouse	0				P	P	P	P	P	P			P	P			
Electronic Gaming Operation																	C
Employment Agency, Personnel Agency	7360								P	P	P	P	P	P			
Equestrian Facility	7999	P		P	P			C					C	C			
Equipment Rental & Leasing (no outside storage)	7350									P	P	P	P	P			P
Equipment Rental & Leasing (with fenced outside storage)	7350											P	P	P			P
Equipment Repair, Heavy	7690																P
Fabric or Piece Goods Store	5949								P	P	P	P	P	P			
Family Care Facility (Family Care Home)	0	P		P	P	P	P	P		P	P		P	P			
Fences	0	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Finance or Loan Office	6100								P	P	P	P	P	P			
Fire, Ambulance, Rescue Station	0			P	P	P	P		P	P	P	P	P	P	P	P	P
Floor Covering, Drapery or Upholstery Sales	5710								P	P	P	P	P	P			
Florist	5992								P	P	P	P	P	P			
Fortune Tellers, Astrologers RESERVED	7999																
Fuel Oil Sales	5980											P					P
Funeral Home or Crematorium	7261								P	P	P	P	P	P	P	P	
Furniture Framing	2426									P	P	P	P	P			P
Furniture Repair Shop	7641									P	P	P	P	P			P
Furniture Sales	5712								P	P	P	P	P	P			
Game Room, Video Game Room, Coin Operated	7993								P	P	P	P	P	P			
Garden Center or Retail Nursery	5261							P	P	P	P	P	P	P			P

