

BURNSVILLE PLANNING BOARD
Regular Meeting
Monday, March 19, 2012

The Burnsville Planning Board, with members Chuck Aldridge, Randy Banks, Dean Gates, Schell McCall, and Harrison Tyner present, held a regular meeting on Monday, February 20, 2012, in the Town Hall. Also in attendance was town staff member Jeanne Martin; Town Councilors Ron Powell and Bill Wheeler, and visitors. Public Works Director Anthony Hensley and Code Enforcement Officer Ronnie Tipton were absent from the meeting. Chairman Dean Gates, who presided, called the meeting to order, stating that the purpose of the meeting was to consider regular business for the month of March, 2012.

- Approval of Minutes – Minutes from the Planning Board meeting held February 20, 2012, were presented. Chuck Aldridge made a motion to accept the minutes, as written. Motion carried.
- Public Comment – Wanda Proffitt asked Board members to be mindful in their planning process of the need for accessibility behind the businesses on Main Street, since it will be limited once the highway project is complete.
- Staff Reports - Town Zoning/Code Enforcement Officer Ronnie Tipton and Public Works Director Anthony Hensley were unavailable to report.
- Presentation of Sign Application for Cruz Life Center – Dr. Miguel Cruz told the Planning Board that signage located at his office will need to be changed to advertise his laser practice, and described the proposed sign. He said that he was aware the Board was involved in revising the sign ordinance, and would be happy to comply with guidelines. Randy Banks asked that he avoid the white background color.

Dean Gates told Dr. Cruz that approval from the Town Council will be necessary once the Planning Board has completed its work on the sign ordinance. He speculated that Council may consider the ordinance in June, and suggested that Dr. Cruz take his preliminary specifications to Ronnie Tipton for review.

- Old Business –
 - a. Discussion continued on regulatory criteria for the C-1 and C-2 sign ordinance:
 1. Abandoned Sign – No action (**Unanimously approved on February 20, 2012 to prohibit these signs in the C-1 and C-2 zoning districts.**)
 2. Advertising Statuary – Inasmuch as the establishment of regulatory criteria should be the responsibility of Burnsville’s Public Art Design Board, it was agreed that the ordinance should state: “Advertising statuary will be regulated by the Burnsville Public Art Design Board. Plans and drawings must be submitted to the Public Art Design Board, which in turn, shall present the request to the Town Council. A public hearing for said art will be announced before Council renders a vote on any petition under this

ordinance.” Harrison Tyner made a motion to recommend that Town Council consider delegating the authority to the Public Art Design Board to review advertising statutory town-wide (refer to Item #6 below) and make recommendations to the Zoning Administrator. Motion carried.

3. Amortization – The Board considered options for the establishment of a time period during which non-conforming signs must conform or face removal. Chuck Aldridge made a motion to accept the following amortization schedule (used by the Town of Saluda):

“Signs under \$1000 cost have one year to conform; signs under \$5000 but over \$1000 have three years to conform; and signs over \$5000 have five years to conform. If the value can’t be proven, it will be valued at less than \$1000.”

Motion carried. The town attorney will be consulted as to the legality of this amortization schedule.

4. Animated Sign – Schell McCall made a motion to prohibit this type sign . Motion carried.
5. Awning – No action. **(Unanimously approved on February 20, 2012 that canopy and awning advertising shall not exceed 20% of the area of the canopy, excluding canopy fringe. The area of advertising shall not exceed 32 square feet.**
6. Banner Sign – The Board referred to “Temporary Signs” and noted that the maximum size of 32 square feet and maximum height of 4 feet has been established, as well as a 30 day display period. Chuck Aldridge made a motion to accept this criteria for banner signs. Motion carried. This item will be eliminated in the future and integrated as Item 38 (1).

Randy Banks asked the Chairman to revisit Item #2 in order to consider comments made by a visitor, Armin Wessel. Chuck Aldridge made a motion to suspend the rules of order. Motion carried. Mr. Wessel, a member of the Public Art Design Board, explained the limitations of jurisdiction afforded the Art Design Board by the Town Council, and suggested that the Planning Board might recommend that Town Council consider delegating the authority to review advertising statutory town-wide and make recommendations to the Zoning Administrator (refer to Item #2 above).

7. Billboard – No action **(Unanimously approved on February 20, 2012 that these signs are prohibited in the C-1 and C-2 zoning districts.**
8. Business Sign – After discussion of various options, Harrison Tyner made a motion to eliminate the definition of “business sign.” Motion carried
9. Campaign or election sign (refer to Item #38 – Temporary Signs {3} Political Signs) – The Board considered the following regulatory criteria for this type sign:

Signs may be displayed during a period beginning 30 days prior to an election and concluding 48 hours after the election. In the event of a runoff election, political signs for the candidate involved may remain on display until 48-hours after the runoff election.

- Maximum Size: 3 square feet
- Maximum Height: 3 feet high
- Maximum Number: 1 per candidate per lot of record

Harrison Tyner made a motion to accept the above regulatory criteria. Motion carried.

10. Canopy – No action **(Unanimously approved the same criteria as “Awning Signs” on February 20, 2012.**

11. Changeable Copy Sign – Chuck Aldridge made a motion to eliminate the previously adopted definition. Motion carried. Chuck Aldridge then made a motion to replace the definition for “Changeable Copy Sign” with:

A sign that is designed so that characters, letters, or illustrations can be manually changed or rearranged without altering the face or surface of the sign.

The definition will apply to wall signs, freestanding signs, etc. Motion carried.

12. Civic Signs – Although these signs are typically exempt and require no permit, the Board decided to consider regulatory criteria. Schell McCall made a motion to adopt regulatory criteria as follows:

Flagpoles may not exceed 25 feet in height. Wall-mounted flags, emblems, or insignia shall be limited to one per zoning lot and shall not exceed 40 square feet in area.

The motion failed for lack of a second. Motion was made by Dean Gates to adopt regulatory criteria as follows:

Civic signs shall be regulated by criteria assigned to the sign type.

Motion carried.

13. Construction Signs – (See Item 38(2) Defined as “temporary signs announcing new buildings or projects erected after the commencement of building construction or site development. Each construction site will be limited to one sign.” Motion was made by Harrison Tyner to limit size of construction signs to 32 square feet, with a maximum height of 8 feet. Motion carried.

14. Directional Signs – Motion made by Harrison Tyner:

Directional signs cannot exceed two square feet in area or be located closer than five feet from any property line.

Motion carried.

15. Double Faced Sign – Chuck Aldridge made a motion to adopt regulatory criteria as follows:

Double faced signs shall be regulated by criteria for the type sign it is determined to be, and both sides shall not be located more than 24” from each other.

Motion carried.

16. Electrical sign – (See Item 24 – Illuminated Sign) - Chuck Aldridge shared his concerns with illuminated signs. Harrison Tyner made a motion to eliminate the definition for electrical sign, as it is redundant. Motion carried.

Motion made by Chuck Aldridge to study regulatory criteria for electrical signs before recommendations can be considered by the Planning Board. Motion carried.

Chuck Aldridge and Schell McCall agreed to serve on a subcommittee to conduct the study.

17. Electronic Message Board – Motion made by Chuck Aldridge to adopt regulatory criteria for Electronic Message Boards as follows:

Electronic Message Boards shall be uniform in color and shall be limited to light emitting diode (LED) or liquid crystal display (LCD) boards and shall not contain any scrolling, moving or animated display. The minimum time between any display change shall be three seconds for onsite commercial signs. Electronic

Message Boards shall be allowed in the same size and locations as other sign types permitted in the zoning ordinance.

Motion carried.

18. Erect – No action; definition already adopted.
19. Exempt – No action; definition already adopted.
20. Flashing Sign – Schell McCall made a motion to prohibit this type sign. Motion carried.
21. Freestanding Sign – No action. **(Unanimously approved regulatory criteria on February 20, 2012.)**
22. Landmark Sign – Dean Gates recommended that the definition be left as it is and leave the regulation of these signs to the discretion of the Town Council.
23. Illegal Sign – No action; definition already adopted.
24. Illuminated Sign – See Item 16 above.
25. Marquee Sign – Chuck Aldridge made a motion to adopt the following regulatory criteria:

Marquee signs shall be limited to 1 square foot of sign area to 2 linear feet of building frontage on which the sign is attached, or a maximum of 100 square feet, whichever is lesser, and shall be below the roofline and no high than 18 feet above the ground.

Motion carried.

26. Monument Sign – No action. **(Unanimously approved regulatory criteria on February 20, 2012.)**
27. Murals – These will be regulated in the same manner as Line Item 2 above
28. Nonconforming Sign – No action.
29. Off Premises Sign – No action. **(Unanimously approved regulatory criteria on February 20, 2012.)**
30. Portable Sign – Dean Gates made a motion to revise the definition of Portable Signs to:

A sign that is not permanently affixed to a building, structure, or the ground or designed to be permanently affixed to a building, structure, or the ground.

The motion further adopted the following regulatory criteria:

Portable signs are prohibited with the exception of a-boards and similar signs that do not exceed 6 square feet in advertising area, and are displayed only during business hours.

Motion carried.

31. Projecting Signs – After discussion, it was agreed to table this issue for research.
32. Public Interest Sign – Dean Gates made a motion to adopt the following regulatory criteria:

Public interest signs shall not exceed three square feet in size, and not more than two signs may be posted on any parcel.

33. Real Estate Signs – (refer to *Temporary Sign, Item 38 {4} Real Estate Signs – on premises*)-Motion made by Dean Gates to adopt the following definition:

On-Premises real-estate signs advertise the sale or lease of the property on which said sign is located. Signs shall be removed within seven (7) days of the sale or lease of the property. Signs advertising lots for sale within an approved subdivision may be posted at the entrance to the subdivision and shall be allowed until 75 percent of the lots are sold within the subdivision.

The motion further adopted the following regulatory criteria:

- Maximum Size: 6 square feet for individual residential properties and 32 square feet for multi-family residential, non-residential properties, vacant properties, and subdivisions.
- Maximum Height: 4 feet for residential; 8 feet for commercial.
- Maximum Number of Signs: 1 per lot residential; 1 per street frontage commercial.

Motion carried.

34. Roof Signs – Chuck Aldridge made a motion to leave the definition as it is and adopt regulatory criteria as follows:

Roof signs shall not exceed 32 square feet in area. Roof signs that exceed the peak of the roof are prohibited.

Motion carried.

35. Window Signs – Discussion revolved around whether window signs are temporary, permanent, or both. Chuck Aldridge made a motion to revise the definition to read as follows:

Window Sign is a sign that is painted or temporarily attached to a window or door. If said sign exceeds 35% of window or door area, it will be considered a temporary sign and must be removed within 30 days.

Motion carried.

36. Special Event Sign – Chuck Aldridge made a motion to adopt the following definition and establish regulatory criteria as follows:

Signs may be erected by public or non-profit organizations such as schools and churches for promoting public events such as fund drives, fairs, festivals, sporting events, etc. Signs may be displayed in C-1, C-2 and I-1 zoning districts during a period beginning 30 days prior to the event and concluding 48 hours after the event.

- Maximum Size: 32 square feet in area
- Maximum Height: 8 feet tall

37. Wall Signs – Chuck Aldridge made a motion to adopt the following regulatory criteria for wall signs:

A wall sign shall not protrude more than twelve inches (12”) from the the wall to which it is attached and shall not exceed 32 square feet or 20% of the wall area, whichever is the lesser.

Motion carried.

Board members considered a proposed definition for shopping centers. Motion made by Chuck Aldridge to adopt the following definition:

Shopping Center: Two or more retail or commercial establishments, including those located on out parcels, having any or all of the following characteristics:

- a. Establishments are connected by party walls, partitions, canopies, or similar features;
- b. Some or all of the establishments are located in separate buildings which are designed as a single commercial group sharing common parking areas and vehicular ways and which are connected by walkways or other access ways;

- c. Establishments are under the same management or association for the purpose of enforcing reciprocal agreements controlling management of parking;
- d. Establishments are structurally designed in an integrated fashion around or along the sides of a promenade, walkway, concourse or courtyard.

Motion carried.

Board members considered the definition of "Sign Height." Dean Gates made a motion to adopt the following definition:

Sign Height: The distance measured from the highest point of a sign to the base of the sign at the ground. The ground may not be altered for the sole purpose of changing sign height.

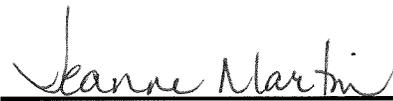
Motion carried.

- b. Review Downtown Zoning Repair – Pilot Project:

Harrison Tyner made a motion to return to Town Council/Betsy Kane for completion, with the notation there are no recommendations from the Planning Board. Motion carried. Members expressed interest in extending an invitation to Ms. Kane to a planning meeting

- Next Regular Council Meeting - The next regular meeting of the Planning Board will be held on Monday, April 16, 2012. There being no further business, Chuck Aldridge made a motion to adjourn and the motion carried.

Recorded by:



Jeanne Martin, CMC
Town Clerk