

Interoffice Memorandum



TO: Mayor and City Council

FROM: B. Todd Glover, City Administrator

DATE: June 28, 2019

SUBJECT: Regular City Council Meeting of July 1, 2019

REGULAR COUNCIL MEETING

NEW BUSINESS

- ITEM 5. ENGINEERING & PUBLIC WORKS: Resolution No. 2019-19 – Authorizing the Acceptance of the Low Bid of Beam’s Contracting, Inc. for the Walnut Lane Reconstruction Project**

A resolution has been prepared for Council’s consideration to authorize the acceptance of the low bid of Beam’s Contracting, Inc. for the Walnut Lane reconstruction project.

Please see **ATTACHMENT #5** for a copy of the proposed resolution and supporting documents.

- ITEM 6. PUBLIC SERVICES: Resolution No. 2019-20 – Authorizing the City to Accept a Grant of \$20,000 from the State of South Carolina Department of Health and Environmental Control to be Utilized in Purchasing Public Place Recycling Stations and Providing Public Education**

A resolution has been prepared for Council’s consideration to authorize the City to accept a grant of \$20,000 from the State of South Carolina Department of Health and Environmental Control to be utilized in purchasing public place recycling stations and providing public education.

Please see **ATTACHMENT #6** for a copy of the proposed resolution and a picture of the recycling stations.

- ITEM 7. PLANNING AND DEVELOPMENT: Planning Commission Recommendation (Memorandum # 19-005) and Project Staff Report: ANX 19-001, Bradley Terrace, Aiken County; Receipt of Information by Council – Motion**

On February 21, 2019, after a duly advertised and convened public hearing, the Planning Commission considered a request of Summer Lakes Development, LLC that the City annex ±5.42 acres of property located on Bradley Drive, Thaxton Court, and Bradley Court so that the site can be served by the City. The property’s contiguity is shown on the attached “Exhibit A.” If annexation is approved, the site will be used for residential development. **The Planning Commission, on a vote of 8-0, voted in favor of a recommendation to City Council to accept the petition for annexation with the requested R-7 zoning.** Receipt of the report for consideration by motion of Mayor and Council is requested.

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Please see [ATTACHMENT #7](#) for Memo #19-005, a copy of the report, and Exhibit A.

ITEM 8. ANNEXATION: **Annexation of ± 5.42 Acres of Property Located Along Bradley Drive, Thaxton Court, and Bradley Court, and Owned by Summer Lakes Development, LLC**

A. **Petition, Resolution No. 2019-21 to Accept a Petition for Annexation of 5.42 +/- Acres of Property Located Along Bradley Drive, Thaxton Court, and Bradley Court and Owned by Summer Lakes Development, LLC**

A resolution has been prepared for Council's consideration accepting the petition of Summer Lakes Development, LLC in which the owner requests the annexation of ± 5.42 acres of property located along Bradley Drive, Thaxton Court, and Bradley Court, Aiken County Tax Parcel Number 012-14-06-065, 012-14-06-066, 012-14-06-067, 012-14-06-069, 012-14-06-070, 012-14-06-074, 012-14-06-075, 012-14-06-076, 012-14-06-084, and 012-14-06-085; AND 012-14-08-007, 012-14-08-008, 012-14-08-009, 012-14-08-010, 012-14-08-011, 012-14-06-068, 012-14-06-073, 012-14-06-077, and 012-14-06-082; AND 012-14-06-071.

The property to be annexed is also shown on a map identified as "Exhibit A" titled "Map of Property Sought to be Annexed to the City of North Augusta."

Please see [ATTACHMENT #8A](#) for a copy of the proposed resolution, petition, and map.

B. **Ordinance No. 2019-05 to Change the Corporate Limits of the City of North Augusta by Annexing +/- 5.42 Acres of Property Located Along Bradley Drive, Thaxton Court, and Bradley Court and Owned by Summer Lakes Development, LLC, First Reading**

Pending Council's acceptance of the petition described in Item # 8-A above, an ordinance has been prepared for Council's consideration on first reading to affect the requested annexation.

The parcel is proposed to be zoned R-7, Small Lot Single-Family Residential as shown on the attached "Exhibit B". The requested zoning, R-7, is inconsistent with the future land use classification of the property, Low Density Residential, as specified in the Land Use Element of the 2017 Comprehensive Plan, so it has been reviewed by the Planning Commission for recommendation to the City Council. **The Planning Commission, on a vote of 8-0, voted in favor of a recommendation to City Council to accept the petition for annexation with the requested R-7 zoning.**

Please see [ATTACHMENT #8B](#) for a copy of the proposed ordinance and Exhibit B.

C. **Ordinance, Second Reading**

Pending Council's passage of the ordinance on first reading, it is submitted for Council's consideration on second reading.

ITEM 9. PLANNING & DEVELOPMENT: **Planning Commission Recommendation (Memorandum # 19-012) and Project Staff Report: RWA19-001, Carolina Avenue Alley**

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Abandonment; Receipt of Information by Council - Motion

On June 20, 2019, after a duly advertised and convened public hearing, the Planning Commission considered a request by Paul D. Brewer and Barbara C. Coleman to abandon a ±0.02-acre portion of unnamed right-of-way located at the rear of their property at 812 Carolina Avenue. **The Planning Commission voted unanimously to recommend the alley abandonment for approval by City Council.** Receipt of the report for consideration by motion of Mayor and Council is requested.

Please see [ATTACHMENT #9](#) for Memo #19-012 and a copy of the report.

ITEM 10. PLANNING & DEVELOPMENT: Ordinance No. 2019-09 – Abandoning a Platted, But Unopened, Unimproved Road Right-of-Way Shown on a Plat for Paul D. Brewer and Barbara C. Coleman dated June 22, 2005 in the City of North Augusta

A. Ordinance, First Reading

An ordinance has been prepared for Council's consideration to abandon a platted but unopened, unimproved road right-of-way shown on a plat for Paul D. Brewer and Barbara C. Coleman dated June 22, 2005 in the City of North Augusta.

Please see [ATTACHMENT #10](#) for a copy of the proposed ordinance.

B. Ordinance, Second Reading

Pending Council's passage of the ordinance on first reading, it is submitted for Council's consideration on second reading.

ITEM 11. PLANNING & DEVELOPMENT: Planning Commission Recommendation (Memorandum # 19-013) and Project Staff Report: RZT19-003, Article 13: Signs, Text Amendment; Receipt of Information by Council - Motion

On June 20, 2019, after a duly advertised and convened public hearing, the Planning Commission considered a request by the City of North Augusta to amend Article 13, Signs, of the North Augusta Development Code. **The Planning Commission voted unanimously to recommend the text change for approval by City Council.** Receipt of the report for consideration by motion of Mayor and Council is requested.

Please see [ATTACHMENT #11](#) for Memo #19-013 and a copy of the report.

ITEM 12. ZONING: Planning Commission Recommendation (Memorandum # 19-011) and Project Staff Report: RZT19-002, Neighborhood Preservation Overlay Text Amendment; Receipt of Information by Council - Motion

On June 20, 2019, after a duly advertised and convened public hearing, the Planning Commission considered a motion to recommend that the City Council approve Application

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RZT19-002 to amend Section 3.8.2, Establishment of Corridor Overlay Districts, in Article 3, Zoning Districts, of the North Augusta Development Code. The proposed amendment would modify the boundaries of the current Neighborhood Preservation Overlay District to exclude Briggs Avenue to Maddox Street on the West side of Georgia Avenue. **The Planning Commission, on a vote of 4-1, voted in favor of a recommendation to City Council for the text amendment.** Receipt of the report for consideration by motion of Mayor and Council is requested.

Please see [ATTACHMENT #12](#) for Memo #19-011 and a copy of the report.

ITEM 13. ZONING: Ordinance No. 2019-08 – Amending Article 3, Zoning Districts, Related to Neighborhood Preservation Overlay District Boundaries of the North Augusta Development Code, Chapter 18 of the City of North Augusta, South Carolina Code of Ordinances.

A. Ordinance, First Reading

An ordinance has been prepared for Council’s consideration to amend Article 3, Zoning Districts, related to Neighborhood Preservation Overlay District Boundaries of the North Augusta Development Code, Chapter 18 of the City of North Augusta, South Carolina Code of Ordinances.

Please see [ATTACHMENT #13](#) for a copy of the proposed ordinance.

B. Ordinance, Second Reading

Pending Council’s passage of the ordinance on first reading, it is submitted for Council’s consideration on second reading.

ITEM 14. PLANNING & DEVELOPMENT: Ordinance No. 2019-06 - To Amend Article 3, Zoning Districts, Related to the Public Use (P) Special Zoning District, of the North Augusta Development Code, Chapter 18 of the City of North Augusta, South Carolina Code of Ordinances.

A. Ordinance, First Reading

An ordinance has been prepared for Council’s consideration amending Article 3, Zoning Districts, Related to the Public Use (P) Special Zoning District, of the North Augusta Development Code, Chapter 18 of the City of North Augusta, South Carolina Code of Ordinances.

Please see [ATTACHMENT #14A](#) for a copy of the proposed ordinance.

Please see [ATTACHMENT #14B](#) for a copy of the Department of Planning and Development’s Memorandum #19-006 and Project Staff Report RZT19-001 Public Use Text Amendment received for information by Council on May 6, 2019.

B. Ordinance, Second Reading

Pending Council’s passage of the ordinance on first reading, it is submitted for Council’s consideration on second reading.

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ITEM 15. ZONING: Ordinance No. 2019-07 - To Amend the Zoning Map of the City of North Augusta, South Carolina by Rezoning ±2.41 Acres of Land Owned by the City of North Augusta, and Located at 1220 and 1220 ½ Georgia Avenue, Aiken County Tax Parcels # 007-07-06-003 and 007-07-06-004, From R-14, Large lot Single-Family Residential, to P, Public Use.

A. Ordinance, First Reading

An ordinance has been prepared for Council's consideration to amend the zoning map of the City of North Augusta, South Carolina by rezoning ±2.41 acres of land owned by the City of North Augusta, and located at 1220 and 1220 ½ Georgia Avenue, Aiken County tax parcel # 007-07-06-003 and 007-07-06-004, from R-14, Large Lot Single-Family Residential, to P, Public Use.

Please see [ATTACHMENT #15A](#) for a copy of the proposed ordinance.

Please see [ATTACHMENT #15B](#) for a copy of the Department of Planning and Development's Memorandum #18-011 and Project Staff Report RZM 18-001 Fire Station Rezoning Request received for information by Council on June 4, 2018.

B. Ordinance, Second Reading

Pending Council's passage of the ordinance on first reading, it is submitted for Council's consideration on second reading.

ATTACHMENT #5

RESOLUTION NO. 2019-19
A RESOLUTION AUTHORIZING THE ACCEPTANCE OF THE
LOW BID OF BEAM'S CONTRACTING, INC. FOR THE
WALNUT LANE RECONSTRUCTION PROJECT

WHEREAS, on May 23, 2019, an Advertisement for Bids for the Walnut Lane Reconstruction Project was published on the City's website and in South Carolina Business Opportunities (SCBO); and

WHEREAS, on June 13, 2019, two (2) sealed bids were received, publicly opened and read aloud; and

WHEREAS, the low bid by Beam's Contracting, Inc. is in the amount of \$718,630.26; and

WHEREAS, the Mayor and City Council of the City of North Augusta find that the awarding of such bid is in the best interest of the City.

NOW THEREFORE, BE IT RESOLVED that the Mayor and City Council of the City of North Augusta, South Carolina, in meeting duly assembled and by the authority thereof that Beam's Contracting, Inc. shall be awarded the contract for the Walnut Lane Reconstruction Project at a bid amount of \$718,630.26.

BE IT FURTHER RESOLVED that construction contingency funding shall also be provided in the amount of \$18,869.74.

BE IT FURTHER RESOLVED that the funding sources for this contract shall be as follows:

2019 Budget Acct #30-4220-304	\$ 493,565.00
Transportation Improvement Fund "US #25/Walnut Lane Improvements"	\$ 156,363.00
Transportation Improvement Fund Un-Allocated	\$ 50,000.00
Sales Tax 3 Fund "Street Resurfacing" (Not to Exceed)	\$ 37,572.00
Total	\$ 737,500.00

BE IT FURTHER RESOLVED that the City Administrator is authorized to execute any documents required for the entering into of this contract.

DONE, RATIFIED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH AUGUSTA, SOUTH CAROLINA, ON THIS _____ DAY OF JULY, 2019.

Robert A. Pettit, Mayor

ATTEST:

Sharon Lamar, City Clerk

WALNUT LANE RE-CONSTRUCTION BID TABULATION

Project: Walnut Lane Re-Construction
Date/Time: June 13, 2019 at 11:00 AM
Department: Engineering & Public Works
Project #: 2019-ENG-003

Department: Engineering & Public Works

Bidder	Bid Bond	General Construction	Pavement Markings	Pvmt - Option A	Pvmt - Option B	Total - Opt. A	Total - Opt. B
Beam's Contracting	Yes	\$91,145.00	\$28,703.36	\$680,058.90	\$598,781.90	\$799,907.26	\$718,630.26
Reeves Construction	Yes	\$196,275.00	\$24,628.30	\$677,557.50	\$726,317.50	\$898,460.80	\$947,220.80



Bidder 1 Beam's
Bidder 2 Reeves
Bidder 3

GENERAL CONSTRUCTION		QUANTITY		Beam's		Reeves		Bidder 3	
ITEM	DESCRIPTION			UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
1	Mobilization	1	LS	\$32,466.00	\$32,466.00	\$44,500.00	\$44,500.00		\$0.00
2	Traffic Control	1	LS	\$54,054.00	\$54,054.00	\$141,525.00	\$141,525.00		\$0.00
3	Construction Survey	1	LS	\$3,425.00	\$3,425.00	\$7,000.00	\$7,000.00		\$0.00
4	Remove and Replace Existing Concrete	25	SF	\$48.00	\$1,200.00	\$130.00	\$3,250.00		\$0.00
Subtotal - General Construction:				\$91,145.00		\$196,275.00		\$0.00	
PAVEMENT MARKINGS		QUANTITY		Beam's		Reeves		Bidder 3	
ITEM	DESCRIPTION			UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
1	24" White Solid Lines (STOP)	27	LF	\$10.40	\$280.80	\$8.50	\$229.50		\$0.00
2	4" Double Yellow Centerline (perm.)	4,250	LF	\$1.10	\$4,675.00	\$0.90	\$3,825.00		\$0.00
3	4" Double Yellow Centerline (temp.)	4,250	LF	\$0.38	\$1,615.00	\$0.30	\$1,275.00		\$0.00
4	4" White solid line (perm.)	7,575	LF	\$0.55	\$4,166.25	\$0.45	\$3,408.75		\$0.00
5	4" White solid line (temp.)	7,575	LF	\$0.20	\$1,515.00	\$0.15	\$1,136.25		\$0.00
6	4" Broken white lines (Skip)	95	LF	\$1.22	\$115.90	\$1.00	\$95.00		\$0.00
7	4" Broken white lines (Dash)	385	LF	\$1.22	\$469.70	\$1.00	\$385.00		\$0.00
8	8" White solid lines (crosswalk)	150	LF	\$3.61	\$541.50	\$2.95	\$442.50		\$0.00
9	Permanent Yellow Pavement Markers	57	EA	\$12.23	\$697.11	\$10.00	\$570.00		\$0.00
10	Lane Drop Arrow	8	EA	\$183.46	\$1,467.68	\$150.00	\$1,200.00		\$0.00
11	Right Turn Arrow	10	EA	\$122.30	\$1,223.00	\$100.00	\$1,000.00		\$0.00
12	White word message "ONLY"	7	EA	\$183.46	\$1,284.22	\$150.00	\$1,050.00		\$0.00
13	Textured Thermoplastic Crosswalk	442	SF	\$24.10	\$10,652.20	\$22.65	\$10,011.30		\$0.00
Subtotal - Pavement Markings:				\$28,703.36		\$24,628.30		\$0.00	
PAVEMENT OPTION A		QUANTITY		Beam's		Reeves		Bidder 3	
ITEM	DESCRIPTION			UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
1	HMA Surface Type B	3,500	TON	\$93.07	\$325,745.00	\$88.00	\$308,000.00		\$0.00
2	HMA Base Type A	3,300	TON	\$84.84	\$279,972.00	\$85.00	\$280,500.00		\$0.00
3	Removal of Existing Pavement	12,215	SY	\$3.86	\$47,149.90	\$5.50	\$67,182.50		\$0.00
4	Excavation for Shoulder Paving	1,000	SY	\$8.94	\$8,940.00	\$4.10	\$4,100.00		\$0.00
5	Variable Depth Milling	2,155	SY	\$4.00	\$8,620.00	\$5.00	\$10,775.00		\$0.00
6	Shoulder Fill	1	LS	\$9,632.00	\$9,632.00	\$7,000.00	\$7,000.00		\$0.00
Subtotal - Pavement Option A:				\$680,058.90		\$677,557.50		\$0.00	
PAVEMENT OPTION B		QUANTITY		Beam's		Reeves		Bidder 3	
ITEM	DESCRIPTION			UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
1	HMA Surface Type B	3,500	TON	\$93.07	\$325,745.00	\$88.00	\$308,000.00		\$0.00
2	8" GABC	3,500	CY	\$56.77	\$198,695.00	\$80.00	\$280,000.00		\$0.00
3	Removal of Existing Pavement	12,215	SY	\$3.86	\$47,149.90	\$9.50	\$116,042.50		\$0.00
4	Excavation for Shoulder Paving	1,000	SY	\$8.94	\$8,940.00	\$4.50	\$4,500.00		\$0.00
5	Variable Depth Milling	2,155	SY	\$4.00	\$8,620.00	\$5.00	\$10,775.00		\$0.00
6	Shoulder Fill	1	LS	\$9,632.00	\$9,632.00	\$7,000.00	\$7,000.00		\$0.00
Subtotal - Pavement Option B:				\$596,781.90		\$726,317.50		\$0.00	

ADDITIONAL ITEMS		QUANTITY		Beam's		Reeves		Bidder 3	
ITEM	DESCRIPTION			UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
1	Removal of Unsuitable Subgrade		CY	\$18.00	\$0.00	\$20.00	\$0.00		\$0.00
2	GABC to replace Unsuitable Subgrade		CY	\$56.77	\$0.00	\$90.00	\$0.00		\$0.00

ATTACHMENT #6

RESOLUTION NO. 2019-20
AUTHORIZING THE CITY TO ACCEPT A GRANT OF \$20,000
FROM THE STATE OF SOUTH CAROLINA DEPARTMENT OF HEALTH AND
ENVIRONMENTAL CONTROL TO BE UTILIZED IN PURCHASING PUBLIC PLACE
RECYCLING STATIONS AND PROVIDING PUBLIC EDUCATION.

WHEREAS, the City has previously applied to the State of South Carolina Department of Health and Environmental Control (SCDHEC) for a grant being provided to purchase public place recycling stations and provide public education; and,

Whereas, the City will utilize the \$20,000 grant for costs related to the purchase of the recycling stations and public education; and,

Whereas, the City is agreeable to providing public education as well as servicing the recycling stations to enhance our solid waste program and services.

NOW THEREFORE, BE IT RESOLVED that the Mayor and City Council of the City of North Augusta, South Carolina, have determined the following:

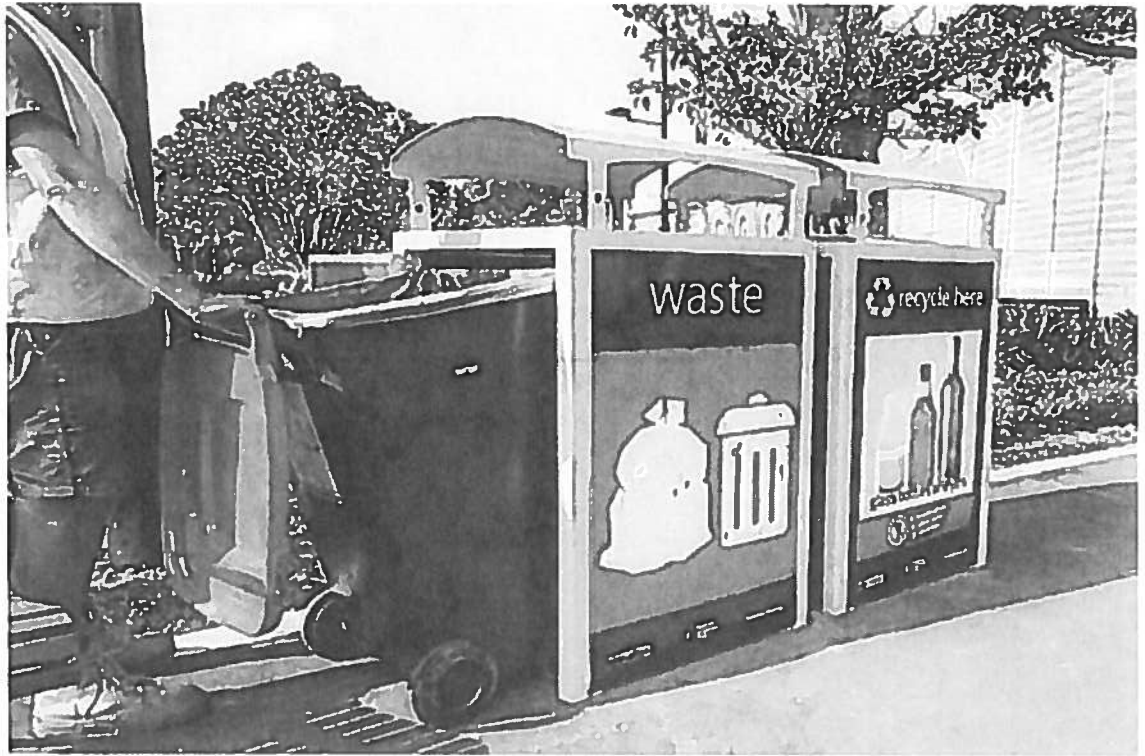
1. That it is in the best interest of the City to accept the \$20,000 grant being offered to the City from SCDHEC to purchase the recycling stations and provide public education.
2. That the requirements of the grant, related to the purchase of the recycling stations and providing public education, are reasonable and the City is capable of complying with such requirements.
3. That this is a reimbursement grant of 100% and funds will initially come from the Sanitation Fund not to exceed \$20,000.
4. That the City Administrator is specifically authorized to execute any and all documents required by SCDHEC for the purpose of accepting such grant.

DONE, RATIFIED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH AUGUSTA, SOUTH CAROLINA, ON THIS _____ DAY OF JULY, 2019.

Robert A. Pettit, Mayor

ATTEST:

Sharon Lamar, City Clerk



Department of Planning and Development

Memorandum # 19-005

To: B. Todd Glover, City Administrator

From: Libby Hodges, AICP, Director of Planning and Development

Subject: ANX 19-001 – Annexation of ±5.42 acres located in Bradley Terrace

Date: February 26, 2019

Summer Lakes Development, LLC, owners of Aiken County Tax Parcel Numbers 012-14-06-065, 012-14-06-066, 012-14-06-067, 012-14-06-069, 012-14-06-070, 012-14-06-074, 012-14-06-075, 012-14-06-076, 012-14-06-084, 012-14-06-085, 012-14-08-007, 012-14-08-008, 012-14-08-009, 012-14-08-010, 012-14-08-011, 012-14-06-068, 012-14-06-073, 012-14-06-077, 012-14-06-082, and 012-14-06-071 have requested that the City annex ±5.42 acres of property located on Bradley Drive, Thaxton Court, and Bradley Court so that the site can be served by the City. The property's contiguity is shown on the attached "Exhibit A". If annexation is approved, the site will be used for residential development.

The parcel is proposed to be zoned R-7, Small Lot Single-Family Residential as shown on the attached "Exhibit B". The requested zoning, R-7, is inconsistent with the future land use classification of the property, Low Density Residential, as specified in the Land Use Element of the 2017 Comprehensive Plan, so it has been reviewed by the Planning Commission for recommendation to the City Council. **The Planning Commission, on a vote of 8-0, voted in favor of a recommendation to City Council to accept the petition for annexation with the requested R-7 zoning.**

The original executed annexation petition, signed by the owner, is attached along with the two exhibits. The exhibits were prepared by City staff and are dated February 6, 2019. Digital copies of the petition and exhibits have been forwarded to the City Clerk. Please schedule the annexation petition and ordinance for City Council consideration at the next available meeting.

Project Staff Report

ANX19-001 Bradley Terrace, Aiken County

Prepared by: Libby Hodges

Meeting Date: February 21, 2019

SECTION 1: ANNEXATION REQUEST SUMMARY

Address/Location	Bradley Terrace: Bradley Drive, Thaxton Court, Bradley Court
Parcel Number	012-14-06-065, 012-14-06-066, 012-14-06-067, 012-14-06-069, 012-14-06-070, 012-14-06-074, 012-14-06-075, 012-14-06-076, 012-14-06-084, 012-14-06-085, 012-14-08-007, 012-14-08-008, 012-14-08-009, 012-14-08-010, 012-14-08-011, 012-14-06-068, 012-14-06-073, 012-14-06-077, 012-14-06-082, and 012-14-06-071
Total Development Size	± 5.42 acres
Zoning Requested	R-7, Small Lot, Single Family Residential
Future Land Use	Low Density Residential

SECTION 2: PLANNING COMMISSION CONSIDERATION

The City of North Augusta has received a request to annex several parcels owned by Summer Lakes Development, LLC.

The Planning Commission is being asked to make a recommendation regarding the zoning classification of this property prior to annexation.

NADC § 18.3.7 Additional Reviews

18.3.7.3 Annexation – All proposed annexations, where the requested zoning is inconsistent with the Land Use Element of the Comprehensive Plan or differs from zoning on adjacent property, shall be reviewed by the Planning Commission for conformity and consistency with the Comprehensive Plan and recommendations regarding the zoning to be applied to the property to be annexed shall be forwarded to the City Council in accordance with the Planning Commission recommendation procedures specified in Article 5, Approval Procedures.

SECTION 3: EXISTING SITE CONDITIONS

	<u>Existing Land Use</u>	<u>Future Land Use</u>	<u>Zoning</u>
Subject Parcel	Vacant	Low Density Residential	n/a (Aiken County)
North	P- Public, CR - Critical	Low Density Residential	n/a (Aiken County)
South	Single Family Residential and Utility	Low Density Residential	n/a (Aiken County)
East	Single Family Residential	Low Density Residential	n/a (Aiken County)
West	Single Family Residential	Low Density Residential	n/a (Aiken County)

SECTION 4: STAFF EVALUATION AND ANALYSIS

All of the parcels proposed for annexation are vacant at this time. R-7, Small Lot, Single Family Residential is described as the following:

3.3.2.2 R-7, Small Lot Single-Family Residential District – The purpose of this district is to provide for a variety of single-family housing types on small lots to meet market demands for smaller lot developments. It is also the intent of this district to balance higher densities with common open space.

The following uses are allowed in an R-7 zoning district:

Primary Uses:

- Duplex
- Patio Homes
- Single-family Detached Dwelling
- Townhouse
- Zero Lot-Line Units
- Tourist Homes
- Churches, synagogues, parish houses, Sunday school buildings, convents and similar uses and their customary uses including child care on the premises during worship services (subject to 4.9)
- Open space, park, or active recreational uses operated on non-commercial basis

- Swimming Pool
- Cemeteries
- Telephone exchange and repeater stations
- Utility lines (including electric lines, phone and cable lines, distribution circuits, gas and fuel lines, water lines, steam and air conditioning lines, irrigation channels, and sewer and waste water lines)

Accessory Uses:

- Accessory uses as allowed in Article 4 and this table (Table 3-2, Use Matrix)
- Bus Shelters
- Storage of construction equipment, outdoor, incidental to construction activities.
- Accessory Dwellings (carriage houses, granny flats, echo homes, subject to 4.4)
- Home Occupations
- Community Centers, meetings halls, community halls, reception halls, wedding halls, for assembly and recreation
- 6 Studios for artists, designers, musicians, photographers, sculptors (not as home occupation)
- Parking lots, parking structures or underground parking areas

Conditional Uses:

- Group Homes, Non Exempt (subject to 4.13)
- Child Care
- Private or non-profit clubs, including country clubs, athletic clubs, lodges, fraternal organizations, and swimming clubs on a noncommercial membership basis. Includes social, fraternal, social service, union and civic organizations
- Schools, academic, nursery and preschool, grade schools, elementary, middle, and high school
Private boat docks, boat houses, or marinas
- Agricultural uses including raising crops, horticulture, orchards, forestry, and related uses, excluding livestock, unless otherwise listed in this matrix

Special Exception Uses:

- Cell towers, communication towers, and antennae (subject to §4.8) (Rev. 12-1-08; Ord. 2008-18)
- Gas or electric generation distribution facilities, compressor stations, or substations

Based on these descriptions and nearby similarly zoned properties within the city limits, staff believes allowing R-7, Small Lot, Single Family Residential zoning for the property is appropriate.

SECTION 5: ATTACHMENTS

Aerial
Application materials (4 pages)
Future Land Use
Exhibit A (from petition)

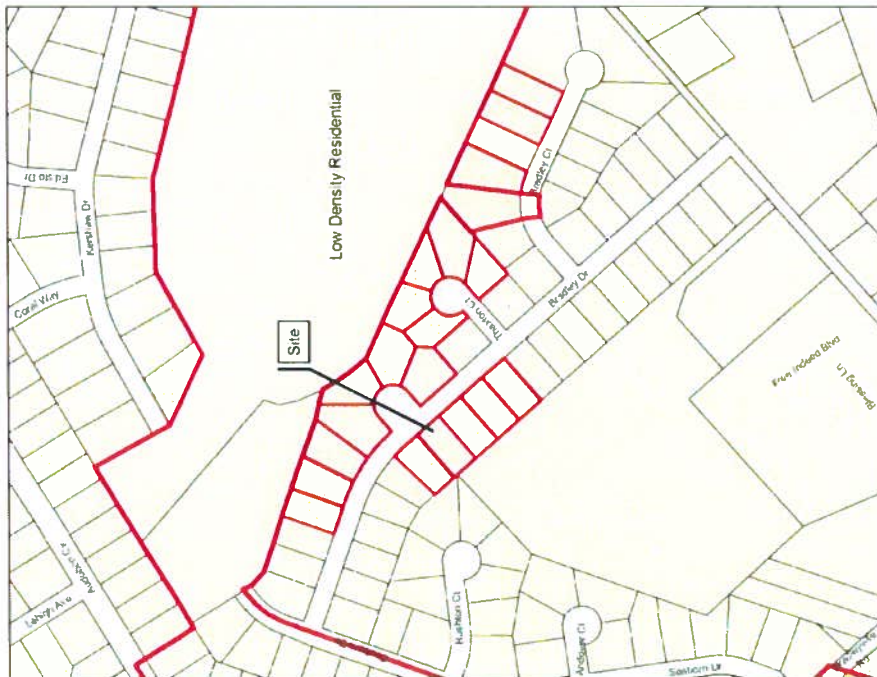
cc. Cliff Russell, 1cliff.carbon@gmail.com



North Augusta
South Carolina's Riverfront

ANX19-001
AERIAL MAP

Date: 2/6/2019

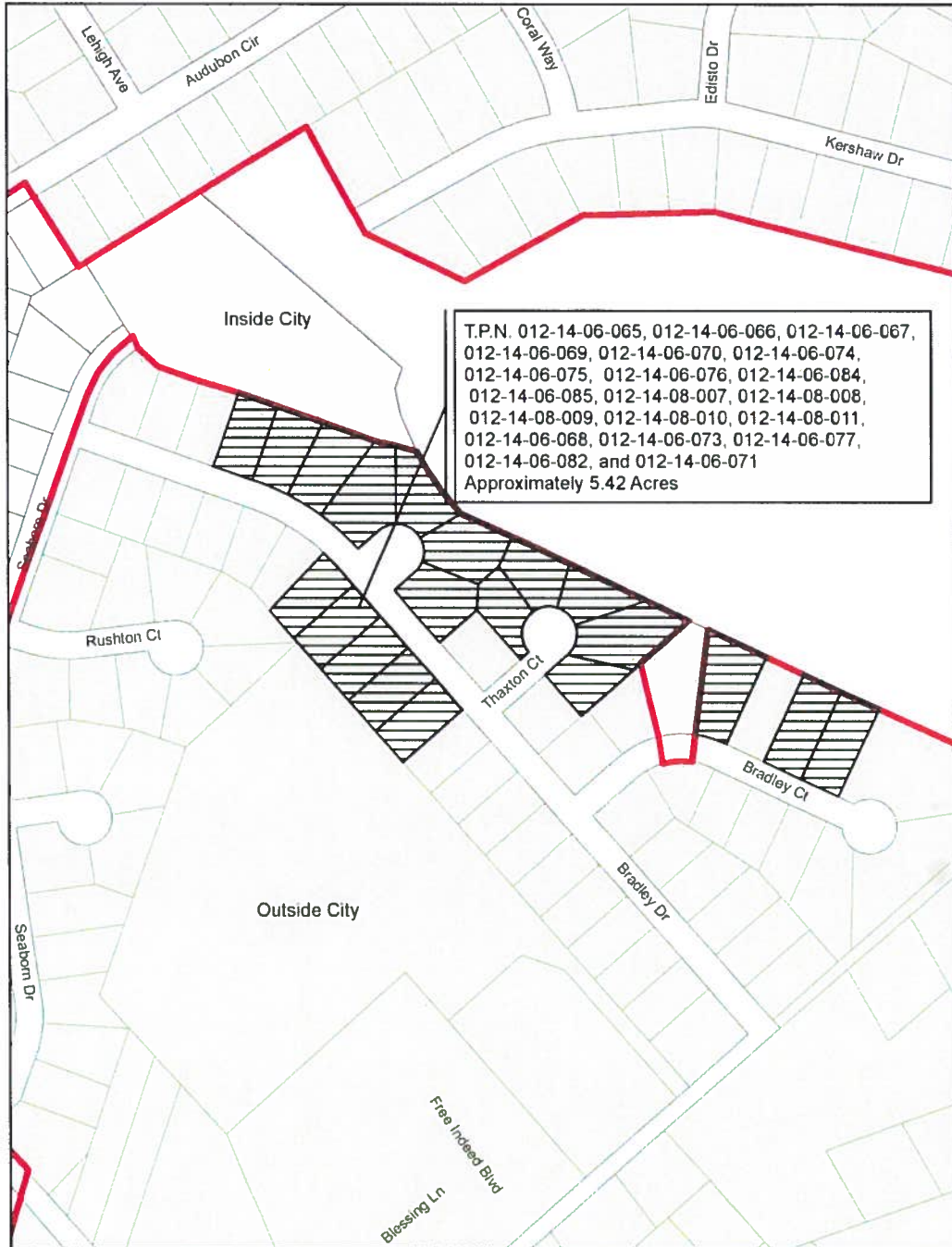


North Augusta
South Carolina's Riverfront

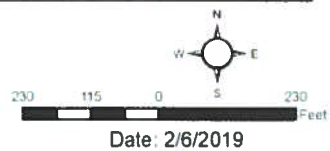
ANX19-001
FUTURE LAND USE MAP

Date: 2/6/2019

EXHIBIT A



ANX19-001
MAP OF PROPERTY
SOUGHT TO BE ANNEXED TO
THE CITY OF NORTH AUGUSTA



ATTACHMENT #8A

RESOLUTION NO. 2019-21
TO ACCEPT A PETITION FOR ANNEXATION
OF ±5.42 ACRES OF PROPERTY LOCATED
ALONG BRADLEY DRIVE, THAXTON COURT AND BRADLEY COURT
AND OWNED BY SUMMER LAKES DEVELOPMENT, LLC

WHEREAS, Section 5-3-150(3) of the Code of Laws of the State of South Carolina provides that: "Notwithstanding the provisions of subsections (1) and (2) of this section, any area or property which is contiguous to a municipality may be annexed to the municipality by filing with the municipal governing body a petition signed by all persons owning real estate in the area requesting annexation. Upon the agreement of the governing body to accept the petition and annex the area, and the enactment of an ordinance declaring the area annexed to the municipality, the annexation is complete"; and

WHEREAS, the governing body of the City of North Augusta determines it to be in the best interest of the City to accept a petition for annexation attached hereto dated February 9, 2019.

The property sought to be annexed is described as follows:

Being all that certain piece, parcels, or tracts of land, with any improvements thereon, situate, lying and being in the County of Aiken, State of South Carolina and being shown and designated as Lots 4, 5, 6, 8, 9, 13, 14, 15, 23 & 24 of Block C, of Bradley Terrace Subdivision as conveyed to Summer Lakes Development, LLC, in the RMC Office of Aiken County, South Carolina, in Deed book 4730, pages 1605-1607.

That being the same as the piece, parcels or tracts of land conveyed from Bradleyville, LLC to 30901 Development Corporation recorded in the RMC Office of Aiken County, South Carolina in Deed Book 2412, page 304 and corrected in Book 4051, page 1101.

Tax Parcel Numbers:

012-14-06-065, 012-14-06-066, 012-14-06-067, 012-14-06-069, 012-14-06-070, 012-14-06-074, 012-14-06-075, 012-14-06-076, 012-14-06-084, and 012-14-06-085

And

Being all that certain piece, parcels, or tracts of land, with any improvements thereon, situate, lying and being in the County of Aiken, State of South Carolina and being shown and designated as lots 28B, 29B, 30B, 31B, 32B, 7C, 12C, 16C, and 21C of Bradley Terrace Subdivision as conveyed to Summer Lakes Development, LLC, in the RMC Office of Aiken County, South Carolina, in Deed book 4728, pages 246-248.

That being the same as the piece, parcels or tracts of land conveyed from Bradleyville, LLC by deed of William H. Presley and Joel T. Presley dates 12/30/2002, recorded in the RMC Office of Aiken County, South Carolina, Deed Book 2269, page 163.

Tax Parcel Numbers:

012-14-08-007, 012-14-08-008, 012-14-08-009, 012-14-08-010, 012-14-08-011, 012-14-06-068, 012-14-06-073, 012-14-06-077, and 012-14-06-082.

And

Being all that certain piece, parcels, or tracts of land, with any improvements thereon, situate, lying and being in the County of Aiken, State of South Carolina and being shown and designated as lot 10C as conveyed to Summer Lakes Development, LLC, in the RMC Office of Aiken County, South Carolina, in Deed book 4740, pages 1511-1513.

That being the same as the piece, parcels or tracts of land conveyed to Joel Presley by deed of Melvin A. Baskett dated May 25, 2010, recorded the RMC Office of Aiken County, South Carolina, in Book 4311, page 441.

Tax Parcel Number: 012-14-06-071

The property to be annexed is also shown on a map identified as "Exhibit A" titled "Map of Property Sought to be Annexed to the City of North Augusta" dated February 6, 2019, and prepared by the City of North Augusta.

NOW, THEREFORE BE IT RESOLVED by the Mayor and City Council of the City of North Augusta in meeting duly assembled and by the authority thereof that the Petition to annex the property described herein is hereby accepted.

DONE, RATIFIED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH AUGUSTA, SOUTH CAROLINA, ON THIS _____ DAY OF JULY, 2019.

Robert A. Pettit, Mayor

ATTEST:

Sharon Lamar, City Clerk

STATE OF SOUTH CAROLINA)	PETITION FOR ANNEXATION OF ±5.42 ACRES
))	OF LAND LOCATED ALONG BRADLEY
))	DRIVE, THAXTON COURT AND
))	BRADLEY COURT
COUNTY OF AIKEN)	AND OWNED BY SUMMER LAKES
	DEVELOPMENT, LLC

We the undersigned, as freeholders and as purchaser under contract of property located along Bradley Drive, Thaxton Court and Bradley Court, do respectfully petition the City Council for the City of North Augusta, South Carolina, for annexation of the hereinafter described property into the municipal corporate limits of the City of North Augusta, South Carolina. This petition is submitted in accordance with Title 5-3-150(3) of the Code of Laws of South Carolina, 1976, as amended.

The properties sought to be annexed are described as follows:

Being all that certain piece, parcels, or tracts of land, with any improvements thereon, situate, lying and being in the County of Aiken, State of South Carolina and being shown and designated as Lots 4, 5, 6, 8, 9, 13, 14, 15, 23 & 24 of Block C, of Bradley Terrace Subdivision as conveyed to Summer Lakes Development, LLC, in the RMC Office of Aiken County, South Carolina, in Deed book 4730, pages 1605-1607.

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Being all that certain piece, parcels, or tracts of land, with any improvements thereon, situate, lying and being in the County of Aiken, State of South Carolina and being shown and designated as lots 28B, 29B, 30B, 31B, 32B, 7C, 12C, 16C, and 21C of Bradley Terrace Subdivision as conveyed to Summer Lakes Development, LLC, in the RMC Office of Aiken County, South Carolina, in Deed book 4728, pages 246-248.

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012-14-06-073, 012-14-06-077, and 012-14-06-082.

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Tax Parcel Number: 012-14-06-071

The property to be annexed is also shown on a map identified as "Exhibit A" titled "Map of Property Sought to be Annexed to the City of North Augusta" dated February 6, 2019, and prepared by the City of North Augusta.

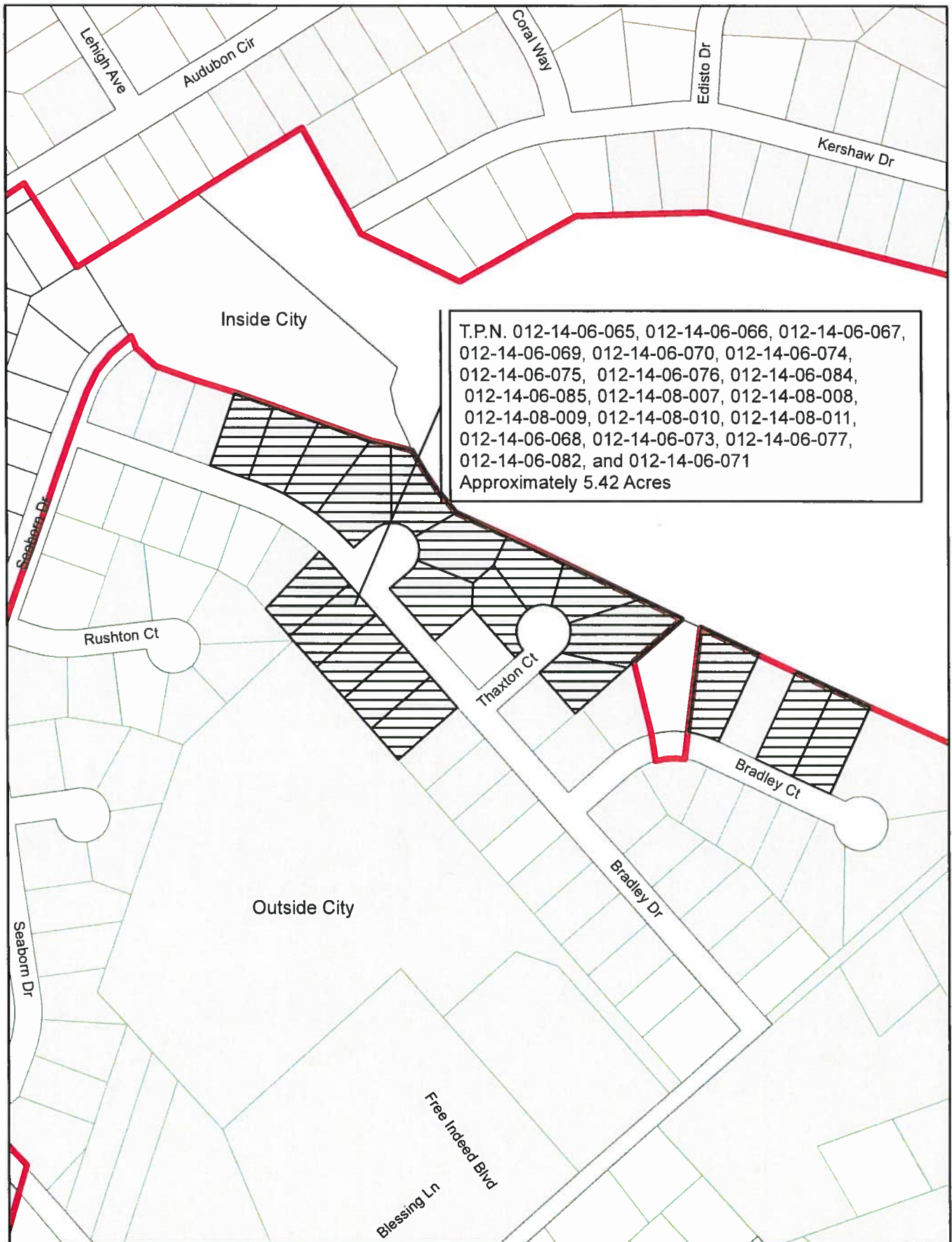
This petition dated the 9 day of February, 2019.

Property Representative Signatures



Owner/Representative

EXHIBIT A



ATTACHMENT #8B

ORDINANCE NO. 2019-05
TO CHANGE THE CORPORATE LIMITS
OF THE CITY OF NORTH AUGUSTA
BY ANNEXING
± 5.42 ACRES OF PROPERTY LOCATED
ALONG BRADLEY DRIVE, THAXTON COURT AND BRADLEY COURT
AND OWNED BY SUMMER LAKES DEVELOPMENT, LLC

WHEREAS, Section 5-3-150(3) of the Code of Laws of the State of South Carolina provides that: "Notwithstanding the provisions of subsections (1) and (2) of this section, any area or property which is contiguous to a municipality may be annexed to the municipality by filing with the municipal governing body a petition signed by all persons owning real estate in the area requesting annexation. Upon the agreement of the governing body to accept the petition and annex the area, and the enactment of an ordinance declaring the area annexed to the municipality, the annexation is complete"; and

WHEREAS, the Mayor and City Council of the City of North Augusta, by adoption of Resolution No. 2019-21 dated July 1, 2019, accepted a Petition for Annexation and wish to annex the below described properties; and

WHEREAS, the zoning classification recommended for the properties proposed for annexation has been reviewed for consistency with the Future Land Use Classification of the properties as specified in the Land Use Element of the North Augusta 2017 Comprehensive Plan;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of North Augusta, South Carolina, in meeting duly assembled and by the authority thereof that:

- I. The following described property shall be annexed into the City of North Augusta:

Being all that certain piece, parcels, or tracts of land, with any improvements thereon, situate, lying and being in the County of Aiken, State of South Carolina and being shown and designated as Lots 4, 5, 6, 8, 9, 13, 14, 15, 23 & 24 of Block C, of Bradley Terrace Subdivision as conveyed to Summer Lakes Development, LLC, in the RMC Office of Aiken County, South Carolina, in Deed book 4730, pages 1605-1607.

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Tax Parcel Number: 012-14-06-071

The property to be annexed is also shown on a map identified as "Exhibit A" titled "Map of Property Sought to be Annexed to the City of North Augusta" dated February 6, 2019, and prepared by the City of North Augusta.

- II. The zoning classification recommended for the properties to be annexed has been reviewed by the Planning Commission for consistency with the Future Land Use Classification of the properties as specified in the North Augusta 2017 Comprehensive Plan; therefore, the properties shall be zoned R-7, Small Lot Single-Family Residential as shown on a map identified as "Exhibit B" titled "General Commercial Zoning of Property Sought to be Annexed to the City of North Augusta" dated October 31, 2018 and prepared by the City of North Augusta.
- III. All ordinances or parts of Ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.
- IV. This Ordinance shall become effective immediately upon its adoption on third and final reading.

DONE, RATIFIED AND ADOPTED BY THE MAYOR AND CITY
COUNCIL OF THE CITY OF NORTH AUGUSTA, SOUTH CAROLINA, ON
THIS _____ DAY OF JULY, 2019.

First Reading: _____

Second Reading: _____

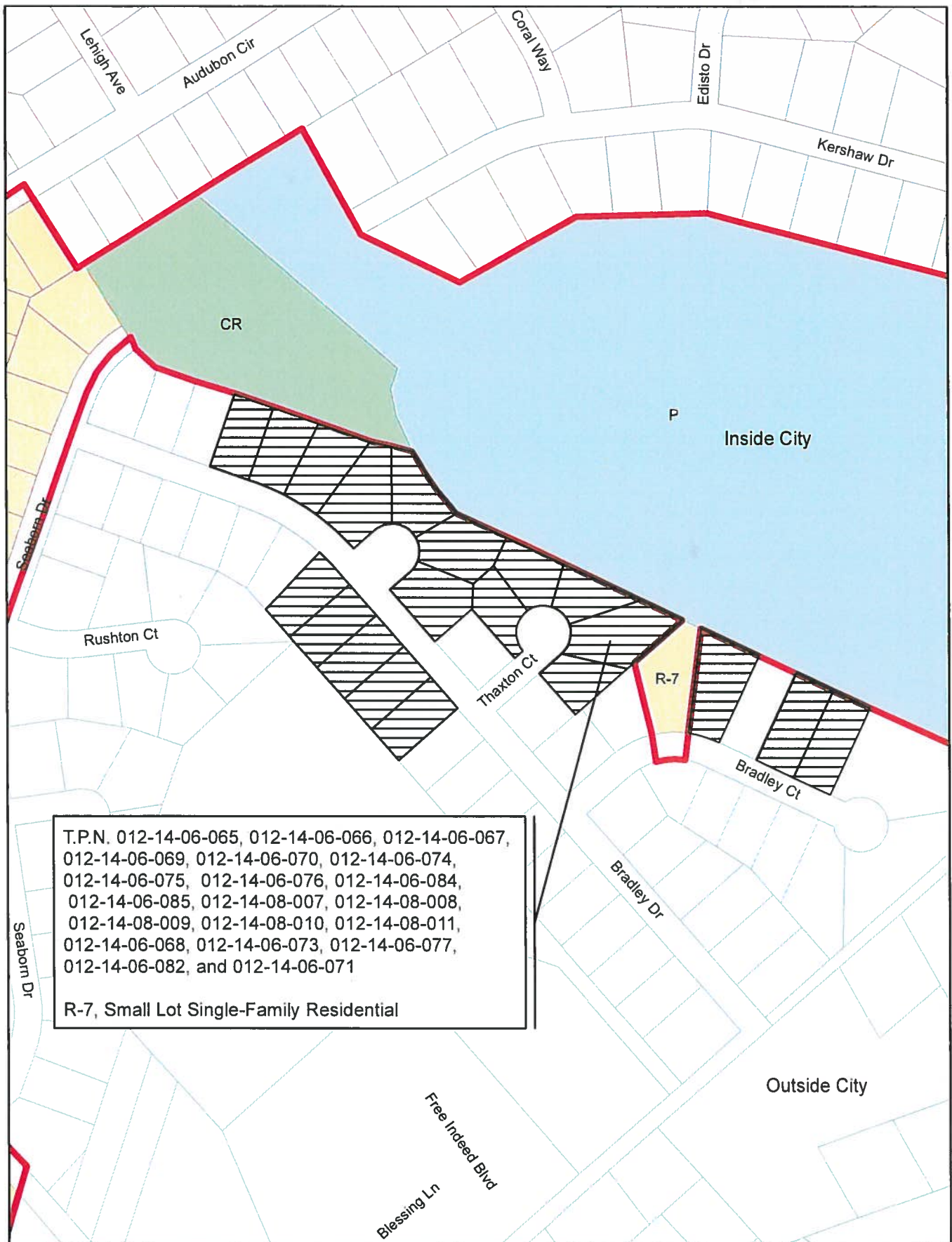
Third Reading: _____

Robert A. Pettit, Mayor

ATTEST:

Sharon Lamar, City Clerk

EXHIBIT B



Department of Planning and Development



Memorandum # 19-012

City of North Augusta

To: B. Todd Glover, City Administrator
From: Libby Hodges, AICP, Director of Planning and Development
Subject: Carolina Avenue Right-of-Way Abandonment
Date: June 26, 2019

A handwritten signature in blue ink, appearing to be 'LH', is written over the 'From:' line of the memorandum.

On June 20, 2019, after a duly advertised and convened public hearing, the Planning Commission considered Application RWA19-001, a request by Paul D. Brewer and Barbara C. Coleman to abandon a ± 0.02 acre portion of unnamed right-of-way located at the rear of their property at 812 Carolina Avenue. **The Planning Commission voted unanimously to recommend the alley abandonment for approval by City Council.**

A draft ordinance approving the right-of-way abandonment is attached and an electronic copy has been forwarded to the City Clerk. Please schedule the ordinance for consideration by City Council at the next available meeting.

Project Staff Report

RWA19-001 Carolina Ave Alley Abandonment

Prepared by: Kuleigh Baker

Meeting Date: June 20, 2019

SECTION 1: PROJECT SUMMARY

Project Name	Carolina Ave Alley Abandonment
Applicant	Paul Brewer and Barbara Coleman
General Location	Portion of Alley behind 812 Carolina Ave
Parcel Number	Behind 007-10-04-003

SECTION 2: GENERAL DESCRIPTION

On March 27, 2019, the Planning and Development Department received an application from Paul Brewer and Barbara Coleman requesting the abandonment of a ±0.02 acre portion of unnamed right-of-way located at the rear of their property at 812 Carolina Avenue.

The section of alley sought to be abandoned is indicated as Parcel "A" on a plat prepared for Paul D. Brewer and Barbara C. Coleman by George L. Godman & Associates dated June 22, 2005.

SECTION 3: PLANNING COMMISSION CONSIDERATION

The Planning Commission is being asked to review the request for a right-of-way abandonment based on the following provisions of the North Augusta Development Code:

18.3.7.2 Street Abandonment – All applications for the abandonment of a street or other public right of way shall be considered by the Planning Commission for conformity and consistency with the Comprehensive Plan and recommendations regarding the requested abandonment shall be forwarded to the City Council in accordance with the procedures specified in Article 5, Approval Procedures.

SECTION 4: PUBLIC NOTICE

Per NADC Table 5-1, a notice of the right-of-way abandonment request and scheduled date of the Planning Commission public hearing was mailed to the owners of property within 200 feet of the subject property on April 29, 2019. A public notice of the right-of-way abandonment request and scheduled date of the Planning Commission public hearing was published in *The North Augusta Star* and on the City's website www.northaugusta.net on May 1, 2019.

Due to a publication error, a notice of the cancellation of the May 16, 2019 public hearing was mailed to neighboring property owners on May 8, 2019. A public notice of the right-of-way abandonment request and rescheduled date of the Planning Commission public hearing was published in the *North Augusta Star* and on the City's website www.northaugusta.net on May 29, 2019.

SECTION 5: HISTORY

The alley is not currently in use or maintained by the City. The alley ends at the southern-most extent of parcel number 007-10-04-003 and the applicant has proposed a quitclaim deed with the owner of 811 West Avenue for full ownership after this portion is abandoned.

SECTION 6: STAFF RECOMMENDATION

The current Comprehensive Plan does not provide any specific recommendations for the abandonment or continued use of the City's existing alleyways. Planning Staff are not aware of any plans containing references to this portion of the alley system in North Augusta.

The requested right of way abandonment will facilitate appropriate residential development of the block between Carolina Ave and West Ave and encourage accessory uses near Downtown as outlined in Chapter 6, Stable, Diverse & Walkable Neighborhoods of the 2017 Comprehensive Plan while still being consistent with the Future Land Use classification, Low Density Residential. Staff finds the request to be generally in conformity with the goals of the plans.

SECTION 7: ATTACHMENTS

1. Public Notice
2. Application Documents

May 8, 2019

RE: **Rescheduled** Public Hearing for Proposed abandonment of unnamed alley right-of-way behind 812 Carolina Ave.

Please note: Your property is not included in the alley abandonment request. You are receiving this notice only because you own property within 200 feet of the proposed project area.

Dear North Augusta Property Owner:

A request has been received from Paul Brewer and Barbara Coleman for the abandonment of a ± 0.02 acre section of unnamed alley located between Carolina Ave. and West Ave. at the rear of 812 Carolina Avenue.

Due to a publication error, the public hearing originally scheduled for Thursday, May 16, 2019 has been cancelled and rescheduled to Thursday, June 20, 2019. The North Augusta Planning Commission will hold a public hearing at its regular monthly meeting beginning at 7:00 PM in the Council Chambers, North Augusta Municipal Center, 100 Georgia Avenue, North Augusta, South Carolina. You are welcome and encouraged to attend and participate in this public hearing. Following the public hearing, the Planning Commission will vote on the request and make a recommendation to City Council about the abandonment.

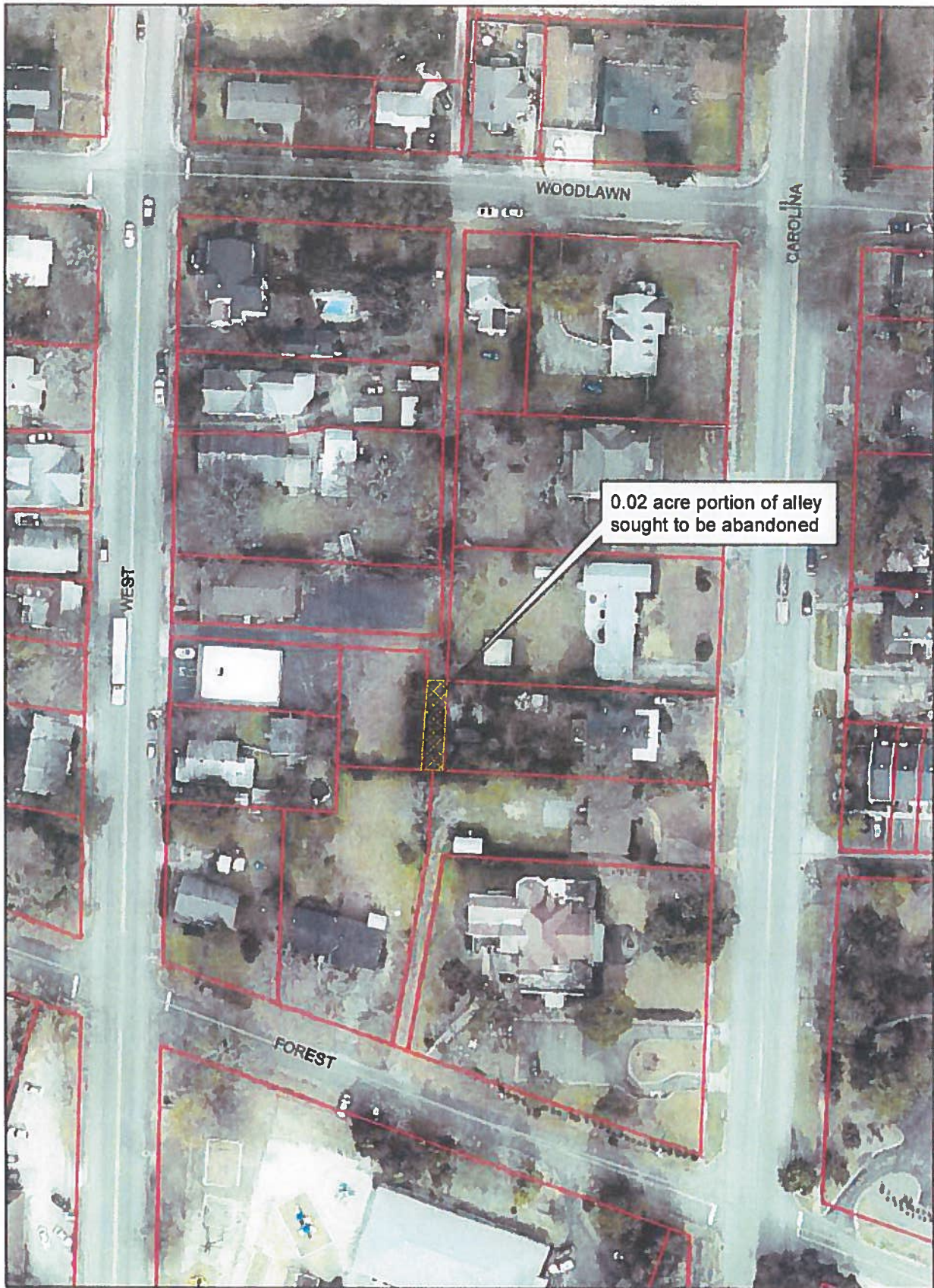
Copies of the application and related documentation will be available for public inspection on or after June 14, 2019 in the Department of Planning and Development on the second floor of the North Augusta Municipal Center, 100 Georgia Avenue, North Augusta, South Carolina.

A map of the project area is enclosed, along with a copy of the public hearing notice that will be published in *The Star* on May 29, 2019. If you have any questions about this application or need additional information, please contact the Department of Planning and Development at 803-441-4221.

Sincerely,



Libby Hodges, AICP
Director
Department of Planning and Development



City of
North Augusta, South Carolina
Planning Commission

PUBLIC HEARING NOTICE

The North Augusta Planning Commission will hold public hearings at its regular monthly meeting beginning at 7:00 PM on Thursday, June 20, 2019, in the Council Chambers, North Augusta Municipal Center, 100 Georgia Avenue, North Augusta, South Carolina, to receive public input on the following applications:

RZT 19-002 – A request by Mountaineer Pest Services to amend Article 3, Section 3.8.2, Establishment of Corridor Overlay Districts, of the North Augusta Development Code to amend the NP, Neighborhood Preservation Overlay District to remove properties from overlay requirements.

RZT 19-003 – A request by the City of North Augusta to amend Article 13, Signs, of the North Augusta Development Code.

RWA 19-001 – A request by Paul Brewer and Barbara Coleman to abandon a section of an unnamed alley at the rear of 812 Carolina Avenue, ±0.02 acres.

Documents related to the applications will be available for public inspection on or after Friday, June 14, 2019 in the Department of Planning and Development on the second floor of the North Augusta Municipal Center, 100 Georgia Avenue, North Augusta, South Carolina, 803-441-4221. All citizens and property owners interested in expressing a view on any matter that is the subject of a public hearing are encouraged to attend.

CITIZEN ASSISTANCE:

Individuals needing special assistance or a sign interpreter to participate in the meeting are asked to please notify the Department of Planning and Development at 803-441-4221 at least 48 hours prior to the meeting.

Application for Development Approval

Please type or print all information



Staff Use

Application Number RWA 19-001

Date Received 3/26/19

Review Fee \$100

Date Paid 3/27/19 CK# 1295

- Project Name Alley Abandonment
Project Address/Location 812 Carolina Ave
Total Project Acreage .02 Current Zoning R-7
Tax Parcel Number(s) 007 10 04 003
- Applicant/Owner Name Paul Brewer Applicant Phone 706 836 5290
Mailing Address 812 Carolina Ave
City N. Augusta ST SC Zip 29841 Email paul.brewer@ecomerj.net
- Is there a Designated Agent for this project? Yes No
If Yes, attach a notarized Designation of Agent form. (required if Applicant is not property owner)
- Engineer/Architect/Surveyor George Godman License No. C00237
Firm Name George H. Godman & Assoc Firm Phone 706 738 0749
Firm Mailing Address 1280 Merry St
City Augusta ST GA Zip 30904 Email _____
Signature _____ Date 6/22/2005
- Is there any recorded restricted covenant or other private agreement that is contrary to, conflicts with or prohibits the use or activity on the property that is the subject of the application?
(Check one.) yes no
- In accordance with Section 5.1.2.3 of the North Augusta Development Code, I hereby request the City of North Augusta review the attached project plans. The documents required by the City of North Augusta, as outlined in Appendix B of the North Augusta Development Code, are attached for the City's review for completeness. The applicant acknowledges that all required documents must be correct and complete to initiate the compliance review process.
- Paul Brewer 3/26/2019
Applicant or Designated Agent Signature Date
Paul Brewer
Print Applicant or Agent Name

To: Kelly Zier/Libby Hodges
Fr: Paul Brewer/Barbara Coleman
Re: Alley abandonment 812 Carolina Avenue

My wife and I moved to North Augusta from Richmond County about fourteen years ago because this is where we wanted to have our permanent home. We bought a wonderful old house at 812 Carolina Avenue that was desperately in need of much TLC. We have since restored, refurbished, or rebuilt pretty much every inch of the house and yard into the home we love.

We have an unresolved issue with parking in that our driveway will not easily accommodate our vehicles. The result of this is that we park one vehicle on the street. Carolina Avenue has a history of speeders and some reckless drivers. This recently resulted in my legally parked Porsche being rear-ended and declared a total loss.

There is an unused alley on the rear of our property that hasn't been active for decades and isn't maintained by the city. The alley ends at our southern-most property line so can never be reconnected to a street. It is therefore useless to the city. There was even a structure built on the alley that was many decades old that I recently removed.

I would like the city to abandon the alley so that I can build a structure for parking my car off Carolina Avenue. I know the usual procedure when a street or alley is abandoned is to grant property to each of the adjacent land owners. I approached the owner of the property immediately behind 812 Carolina Avenue, Ben Watson of CSRA Computer at 811 West Avenue, and he agreed to a quitclaim for the alley property as he had no use for the extra property. We have executed and recorded the quitclaim deed with Aiken County.

Gaining use of this unused and abandoned alley will allow me to park in the rear of our property and avoid having another car parked, and possibly struck, on Carolina Avenue.

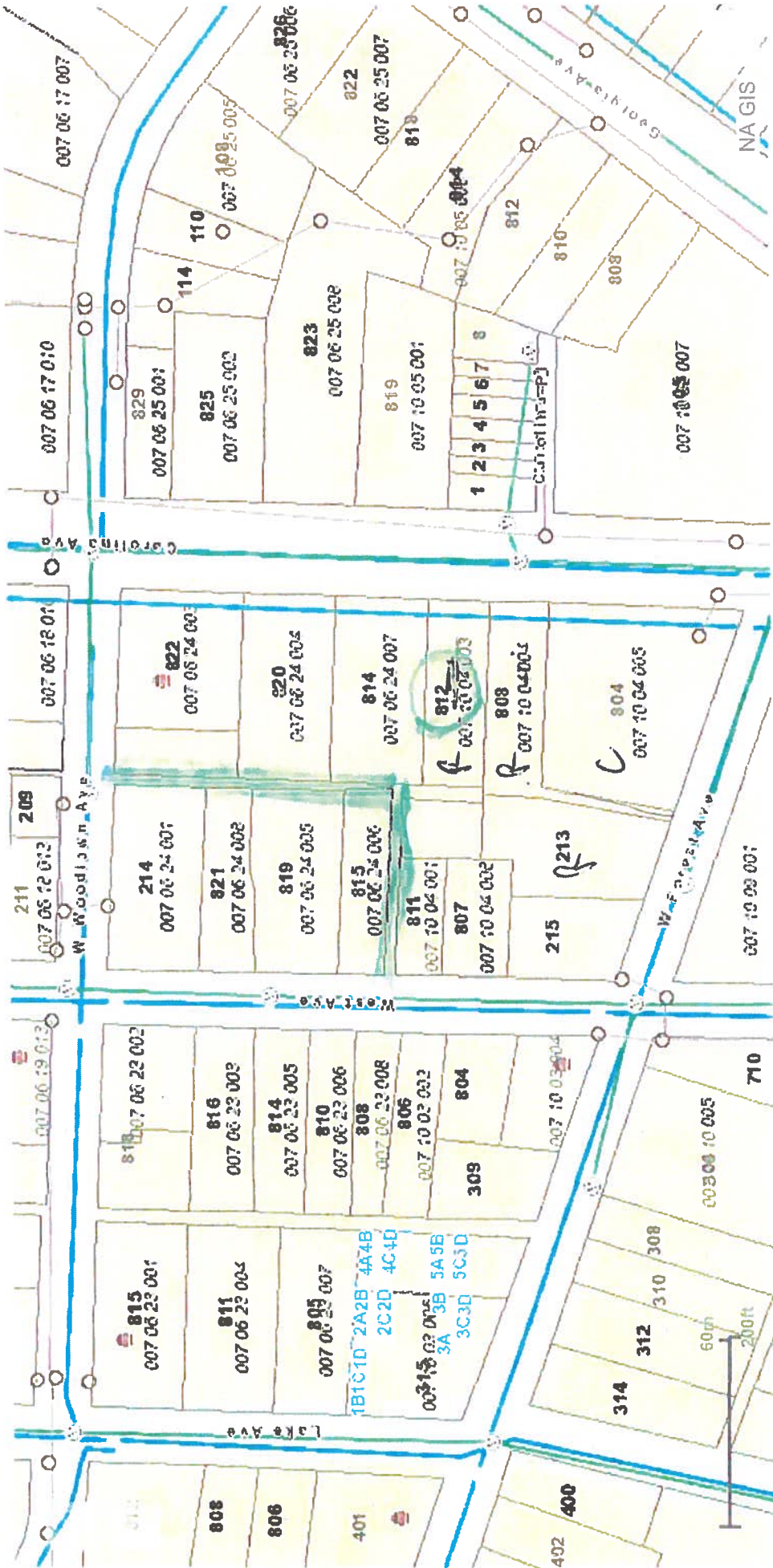
Thanks, Paul Brewer/Barbara Coleman
812 Carolina Avenue
North Augusta, SC 29841
Paul.brewer11@comcast.net
706.836.5290

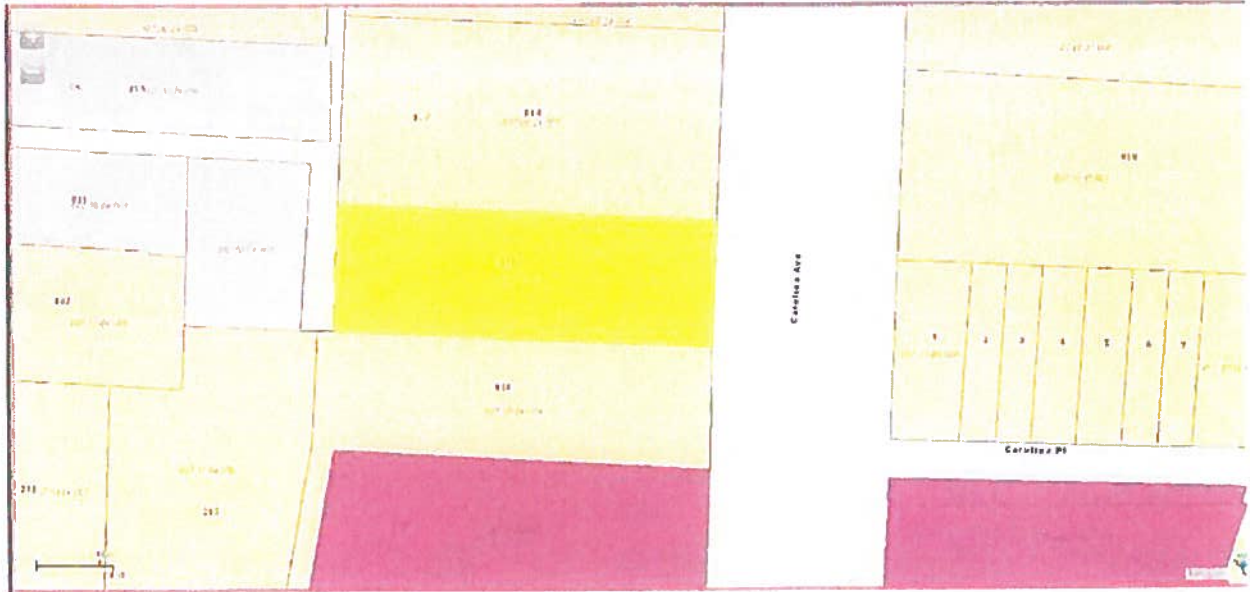
Zoning and Use

Topo

Imagery

Advanced

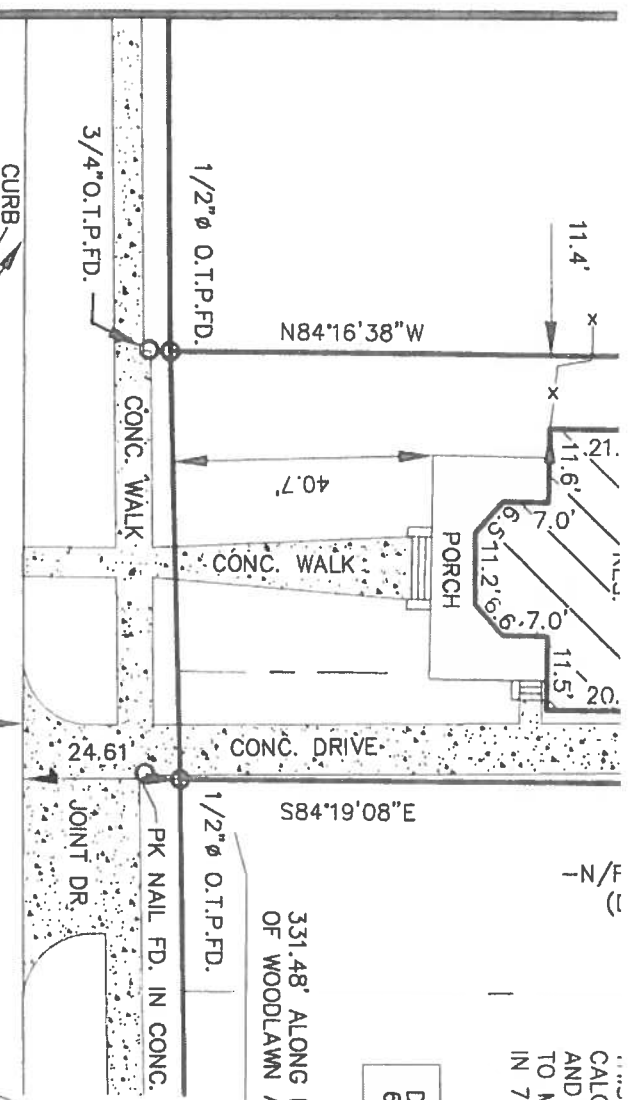




- R-7
- Neigh. Pres. Overlay
- Kelly Zier;
 - kzier @ northaugusta.net
 - lhodges @ northaugusta.net

CALCULATED FOR CLOSURE
AND FOUND TO BE ACCURATE
TO MORE THAN ONE FOOT
IN 75,000 FEET.

DATE OF FIELD SURVEY:
6-22-2005



NOTE:
THIS LOT IS SUBJECT TO
ALL EASEMENTS AND
SETBACKS OF RECORD
WHETHER SHOWN HEREON
OR NOT.

NOTE:
CURRENT F.I.A. MAPS DO NOT PLACE THIS LOT
IN THE 100 YR. FLOOD PLAIN.

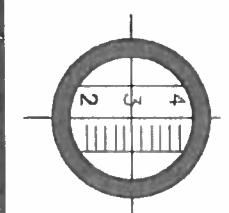
PLAT
FOR: **PAUL D. BREWER & BARBARA C. COLEMAN**



FILE: P5223-14-STA.-2
DATA: 3970, F.B. 2005-02, PG. 13
SEE: 808 CAROLINA AVE. (ST.)

Description: PROPERTY LOCATED AT 812 CAROLINA AVENUE, BEING LOT 3 AND
A PORTION OF LOT 4, BLOCK 16, CITY OF NORTH AUGUSTA S/D.

COUNTY OF: AIKEN STATE OF: SOUTH CAROLINA



GEORGE L. GODMAN & ASSOCIATES
GEORGIA REGISTERED LAND SURVEYOR
SOUTH CAROLINA REGISTERED LAND SURVEYOR
1280 MERRY STREET
AUGUSTA, GEORGIA
PHONE: (706) 738-0749
1977
6268
30904

EQUIPMENT USED: TOPCON GPT-3003
ANGULAR CLOSURE: 00-00-03"/STA.
TRAVERSE CLOSURE: RADIAL TRAVERSE
ADJUSTMENT: NONE

ATTACHMENT #10

ORDINANCE NO. 2019-09

ABANDONING A PLATTED, BUT UNOPENED, UNIMPROVED ROAD RIGHT-OF-WAY
SHOWN ON A PLAT FOR PAUL D. BREWER AND BARBARA C. COLEMAN DATED
JUNE 22, 2005 IN THE CITY OF NORTH AUGUSTA

WHEREAS, at its regularly scheduled meeting of June 20, 2019, the North Augusta Planning Commission considered the request of property owners, Paul D. Brewer and Barbara C. Coleman, for the City to abandon a section of a platted but unopened and unimproved road right-of-way adjoining their properties; and

WHEREAS, the portion of road right-of-way requested to be abandoned is shown as Parcel "A" on a plat prepared for Paul D. Brewer and Barbara C. Coleman by George L. Godman and Associates dated June 22, 2005.

WHEREAS, THE Planning Commission, after reviewing the request, determined that the subject right-of-way has never been opened, never named, and never used as regular access to adjoining properties; that the City has never maintained the subject right-of-way; that the right-of-way did not have a tax parcel number nor was anyone paying taxes thereon; and that the road abandonment would not conflict with the City's Comprehensive Plan. Therefore, abandonment of the road right-of-way would be appropriate; and

WHEREAS, upon completion of their review, the Planning Commission unanimously recommended to the City Council that the subject right-of-way be abandoned; and

WHEREAS, the Planning Commission held a duly advertised public hearing on the requested abandonment on June 20, 2019 for the purpose of receiving input from the public on the requested abandonment; and

WHEREAS, following consideration of the recommendation from the Planning Commission and any input received at the public hearing, Mayor and Council have determined that it is appropriate that the City abandon any interest in the identified road right- of- way.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and City Council in meeting duly assembled and by the authority thereof, that the section of platted but unopened and unnamed road right-of-way described herein is hereby abandoned.

DONE, RATIFIED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH AUGUSTA, SOUTH CAROLINA, ON THIS ____ DAY OF _____, 2019.

FIRST READING: _____

SECOND READING: _____ ROBERT A. PETTIT, MAYOR

THIRD READING: _____ ATTEST:

SHARON LAMAR, CITY CLERK


Department of Planning and Development



Memorandum # 19-013

City of North Augusta

To: B. Todd Glover, City Administrator

From: Libby Hodges, AICP, Director of Planning and Development 

Subject: **Application RZT19-003, a request by the City of North Augusta to amend Article 13, Signs, of the North Augusta Development Code.**

Date: June 26, 2019

On June 20, 2019, after a duly advertised and convened public hearing, the Planning Commission considered Application RZT19-003, a request by the City of North Augusta to amend Article 13, Signs, of the North Augusta Development Code. **The Planning Commission voted unanimously to recommend the text change for approval by City Council.**

Following this memo is a Public Announcement released on April 26, 2019. Within this announcement is an itemized list of the revisions within the draft. The released was revised on May 2, 2019, to acknowledge a publication error and rescheduled public hearing.

An electronic copy of the ordinance, revised text and staff report has been forwarded to the City Clerk. Please schedule the ordinance for consideration by City Council at the next available meeting.

PUBLIC ANNOUNCEMENT



RE: Proposed Revisions to the North Augusta
Development Code: Article 13, Signs

Date: May 2, 2019

Status: For Public Release and Review

Issued By: Libby Hodges, Planning and Development Director

Background

In response to issues with interpretation, court rulings, unclear text, and discussions with the Planning Commission, the Planning and Development Department has completed a review of the sign regulations in North Augusta.

Several revisions to the code have been made to simplify, clarify, allow for new types of signage, and allow for more diverse signage types in Downtown. Generally, the square footage for signage has remained the same or similar for most commercial and residential signage. These changes are outlined in the "Itemized Changes" below. A full draft is attached for review. In the attached draft, items in blue are relocated. Items in red are new. Purple text is relocated from the overlay district standards.

Public Comments: Comments are welcome and encouraged.

A "Sign Revision Preview" meeting will be held Tuesday, May 7 from 5:30 to 6:30pm in the Palmetto Room, on 4th floor of the Municipal Building at 100 Georgia Avenue, North Augusta.

Due to a publication error, the Planning Commission public hearing originally scheduled for May 16, 2019 has been rescheduled for the June 20, 2019 Regular Meeting. The meeting will begin at 7pm in the Council Chambers, 3rd floor of the Municipal Building at 100 Georgia Avenue, North Augusta.

Comments may be submitted in writing at the Planning and Development office in the Municipal Center, via email at planning@northaugusta.net, or in person at any public hearing. Public hearings will be held with the Planning Commission and City Council prior to the adoption of any text changes.

Itemized Changes

Please note: Items are grouped under headings as final formatting and numbering is not complete.

Applicability

- added section clarifying what sign types require permits
- added section requiring repair and replacement of dilapidated signs
- clarified non-conforming signage
- added severability clause

Variations and Appeals

- Added provision to allow staff to authorize 10% variance under specific circumstances
- Clarified the BZA can allow variances
- Clarified appeals to administrative decisions

Definitions

- Added several definitions based on new sign types and requirements
- Relocated definitions from the text of the Article to the definitions section

General Requirements

- Reformatted to clarify measurements and other requirements for all signs
- Added requirement for “Master Signage Plans” on large developments. The Committee felt that large developments may compete for space or try to put too many construction signs at the main entrance of a subdivision or large development. Additionally, if there are multiple ground signs or wall signs at a location, developers and owners would need to coordinate the amount of signage to clarify and ease permitting and maintain a consistent plan throughout a development.
- Signs on Public Property and Public Right-of-Way
- Added provisions to clarify these signs include those held by people

Signage Allowed

- Reformatted to separate residential, non-residential, and downtown signage requirements
- Reformatted charts to include new signage types
- Added “Construction Signage” for all districts
- Added restrictions on menu boards
- Revised electronic readerboard language to remove color restrictions on text
- Downtown allowances for temporary signs, iconic signs, murals and public art
- Incorporated Georgia Avenue Overlay standards into Downtown sign standards
- Revised to change percent of window signage allowed

Prohibited Signage

- Moved definitions into definition section, prohibitions have generally remained the same

Comprehensive Plan Goals/Priorities:

- Core Principle: 7, A Vibrant Downtown & Riverfront
- Key Initiatives: 1, Develop and Implement a Downtown Master Plan
- Goals and Strategies: 8.1.1 Introduce Public Art into neighborhoods, public open space, parks, the Greenway and downtown.

Areas Impacted by Proposed Changes: All property within the City of North Augusta.

Financial Impact to City: None anticipated.

Resources for Additional Information: Planning and Development Department, www.northaugusta.net, planning@northaugusta.net or (803) 441-4221.

Project Staff Report

RZT19-003 Article 13: Signs, Text Amendment

Prepared by: Libby Hodges

Meeting Date: June 20, 2019

SECTION 1: PROJECT SUMMARY

Project Name	Article 13, Signs
Applicant	City of North Augusta
Proposed Text Amendment	A request by the City of North Augusta to review proposed changes to Article 13: Signs in the City of North Augusta Development Code.

SECTION 2: GENERAL DESCRIPTION

Under the Direction of the Planning Commission, the Planning and Development Department has issued a revision of Article 13: Signs, in the North Augusta Development Code.

SECTION 3: PLANNING COMMISSION CONSIDERATION

The Planning Commission is being asked to review the request for a text amendment based on the following provisions of the North Augusta Development Code:

5.1.4.6 Legislative and Advisory Hearings – The purpose of a legislative public hearing is to provide the public an opportunity to be heard consistent with the adoption procedures provided by statute. Unlike quasi-judicial hearings, a legislative proceeding does not require due process protections such as the right of the parties to offer evidence, cross-examination, sworn testimony; or written findings of fact. Like quasi-judicial hearings, legislative hearings are public hearings preceded by notice to interested parties. Public hearings are required for legislative review hearings such as amendments to a comprehensive plan, amendments to this Chapter including the zoning provisions of this Chapter and the Official Zoning Map, and applications for a Planned Development. The order of the proceedings for a legislative hearing shall be as set forth in §5.1.4.5.b. Testimony may be presented by any member of the public, but need not be submitted under oath or affirmation. The Planning Commission and Board of Zoning Appeals may establish a time limit for testimony.

5.3.2 Applicability

This section applies to any application for an amendment to the text of this Chapter or for an amendment to the Official Zoning Map. An amendment to the Official Zoning Map which reclassifies property from one zoning district to another is known as a “rezoning.” A change to the text of this Chapter is referred to as a “text amendment”.

5.3.3 Initiation

This Chapter, including the Official Zoning Map and any supporting map(s), may be amended from time to time by the City Council, but no amendment shall become effective unless it shall have been proposed by or shall have first been submitted to the Planning Commission for review and recommendation. Any communication purporting to be an application for a change shall be regarded as mere notice to seek relief until it is made in the form required. Upon receipt of any communication, the interested parties shall be supplied with the proper application form(s) by the Director.

(5.3.3.1 Rezoning, does not apply, removed for brevity)

5.3.3.2 Text Amendment – Any person, property owner, board, commission, department or the City Council may apply for a change in zoning ordinance text. A proceeding for approval of a text amendment may be initiated by filing an application with the Department. The application shall be signed by the applicant and shall include the language of the proposed amendment to the text of this Chapter and the justification for the proposed change. Before any application is accepted by the Department, it is recommended that the applicant meet with a representative of the Department. The purpose of the pre-application meeting is to discuss the procedures and requirements for a text amendment request. During the conference, the Department will identify the submittal requirements.

5.3.5 Decision

5.3.5.1 The Director shall transmit the application to the Planning Commission for consideration at the next regularly scheduled monthly meeting following receipt of a complete application, provided that the complete application is submitted at least thirty (30) calendar days prior to said meeting. Notice of the public hearing shall be provided as set forth in §5.1.3. The Planning Commission shall approve or deny the zoning amendment in accordance with the procedures for a legislative hearing as set forth in §5.1.4.6.

5.3.5.2 At least ten (10) days' notice and opportunity to comment must be given to the public if the applicant is allowed to present oral or written comments pursuant to S.C. Code §6-29-760.

5.3.5.3 The Planning Commission shall submit its recommendation to the City Council within thirty (30) calendar days, or other period required by law, after the initial hearing date (see S.C. Code §6-29-760(A)). A majority vote is required for the Planning Commission to approve, approve with conditions, if applicable, or deny a rezoning or text amendment application. A recommendation of approval with conditions of a rezoning may be submitted only if a conditional use permit is requested pursuant to §5.5.

5.3.5.4 The City Council shall consider the recommendation of the Planning Commission on each proposed rezoning and text amendment within thirty (30) days of receipt of the Planning Commission report. The City Council is not bound by the recommendation in making a final decision and may call for additional information and/or public hearing(s).

5.3.5.5 No challenge to the adequacy of notice or challenge to the validity of a rezoning or text amendment, whether enacted before or after the effective date of this section, may be made sixty (60) days after the decision of the City Council if there has been substantial compliance with the notice requirements of this section, with established procedures of the City Council and the Planning Commission and with S.C. Code §6-29.

5.3.6 Approval Criteria

Whenever the public necessity, safety or general welfare justifies such action, the Planning Commission may recommend amendments to the text of this Chapter or changes to zoning district boundaries. The Planning Commission shall consider all of the factors specified in this section, at a minimum, in reviewing an application for a rezoning. **The Planning Commission shall consider the factors specified in §5.3.3.2 in reviewing an application for a text amendment.**

The Planning Commission is being asked to review the proposed text changes and provide a recommendation of approval or denial, which will be forwarded to the City Council. Section 5.3.3.2 does not require additional standards for analysis to address in this staff report.

Staff notes that the requested text changes respond to the following **Comprehensive Plan Goals/Priorities**:

- Core Principle: 7, A Vibrant Downtown & Riverfront
- Key Initiatives: 1, Develop and Implement a Downtown Master Plan
- Goals and Strategies: 8.1.1 Introduce Public Art into neighborhoods, public open space, parks, the Greenway and downtown.

SECTION 4: PUBLIC NOTICE

Due to a publication error, a notice of the cancellation of the May 16, 2019 public hearing was placed on the City's website on May 8, 2019. A public notice of the text amendment request and rescheduled date of the Planning Commission public hearing was published in the *North Augusta Star* and on the City's website www.northaugusta.net on May 29, 2019.

SECTION 5: HISTORY

The North Augusta Development Code was adopted by City Council on December 17, 2007, effective January 1, 2008. In response to issues with interpretation, court rulings, unclear text, and discussions with the Planning Commission, the Planning and Development Department has completed a review of the sign regulations in North Augusta.

Several revisions to the code have been made to simplify, clarify, allow for new types of signage, and allow for more diverse signage types in Downtown. Generally, the square footage for signage has remained the same or similar for most commercial and residential signage. These changes are outlined in the "Itemized Changes" below. A full draft is attached for review.

These revisions have been reviewed by a subcommittee consisting of volunteers from the Planning Commission with a special interest in the topic. A "Sign Revision Preview" meeting was held on May 7, 2019, to review the changes and discuss these changes with the public.

SECTION 6: SUMMARY OF CHANGES AND PROPOSED AMENDMENTS

In the attached draft, items in **blue** are relocated. Items in **red** are new. **Purple** text is relocated from the overlay district standards. Since the last public release on May 2, 2019, additional minor revision in the order of the text, corrections of scrivener's errors, and minor rephrasing have been edited or added as noted in the complete text.

Itemized Changes

Please note: Items are grouped under headings as final formatting and numbering is not complete.

Applicability

- added section clarifying what sign types require permits
- added section requiring repair and replacement of dilapidated signs

- clarified non-conforming signage
- added severability clause

Variances and Appeals

- Added provision to allow staff to authorize 10% variance under specific circumstances
- Clarified the BZA can allow variances
- Clarified appeals to administrative decisions

Definitions

- Added several definitions based on new sign types and requirements
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- Reformatted to clarify measurements and other requirements for all signs
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- Signs on Public Property and Public Right-of-Way
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Prohibited Signage

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SECTION 7: ATTACHMENTS

1. Public Notice
2. Revised Text of Article 13: Signs

EXHIBIT A: RZT 19-003 DRAFT NADC Article 13 Revisions

13.1 PURPOSE AND SCOPE

The purpose of sign regulations are to encourage the effective use of signs as a means of communication in the City of North Augusta; to maintain and enhance the aesthetic environment; to minimize the possible adverse effects of signs on nearby public and private property; and to enable the fair and consistent enforcement of these sign regulations.

These regulations:

- a. Establish a permit system that allows a variety of types of signs in commercial and industrial zones, and a limited variety of signs in residential zones;
- b. Allow certain signs that are small and incidental to the principal use of the properties on which they are located without a requirement for permits; and
- c. Provide for temporary signs in limited circumstances on private property and in the public right of way.

13.2 APPLICABILITY

1. Definition

- a. This Article applies to any sign. A “sign” is any structure or device designed or intended to convey information to the public in written or pictorial form.

2. Prohibition

- a. A sign may be erected, placed, established, painted, created or maintained in the City of North Augusta only in conformance with the standards, procedures and requirements of these regulations. All signs not expressly allowed or permitted by this Article are prohibited.

3. Permit Required

- a. No sign shall be placed, installed, erected or constructed on any property within the City of North Augusta until all the applicable permits, approvals and certificates required for the particular sign have been issued and approved.

4. Signs Allowed Without a Permit

- a. Flags and Flagpoles
 - i. Applicability: a “Flag” means any flag, including a flag of the United States, the state of South Carolina, and any other flag sanctioned by these regulations. Any flag not meeting these conditions shall be considered a banner sign and shall be subject to regulations as such. **National flags, state and municipal flags, and official flags of businesses, institutions or other organizations shall not be considered banners if displayed on a flag pole.**

EXHIBIT A: RZT 19-003 DRAFT NADC Article 13 Revisions

- ii. One (1) flag and flagpole is allowed on a parcel without consideration of total signage allowed. Flags and flagpoles in excess of one (1) shall be included in the maximum square footage of allowable signage.
- iii. All flagpoles shall comply with the setback requirements for freestanding signs.
- iv. Any flag shall not exceed twenty-four (24) square feet in area.
- v. Flagpoles may not be flown from a pole more than the maximum height permitted in the district or forty-five (45) feet, whichever is less (see §3.5.10.3 and Table 3-4).
- vi. Flags must be flown in accordance with the protocol established by the Congress of the United States for the Stars and Stripes or the state of South Carolina for the state flag.

- b. The following types of signs to not require a permit prior to installation but must comply with any size limits or other restrictions as contained herein. These signs do not count towards the Maximum Total Signage allowed.

- i. Construction Signs
- ii. Temporary Signs
- iii. Signs on Vacant Property
- iv. Identification Signs
- v. Accessory Signs
- vi. Window Signs: Window signs do not require a permit to install, however, window signage will count towards the Maximum Total Signage allowed.

5. Repair and Replacement

- a. All signs are to be kept in good repair.
- b. Any dilapidated or neglected sign shall be repaired or removed. If the Building Official deems any sign structurally un-sound, it shall be repaired or removed.

6. Non-Conforming Signs

- a. With a valid sign permit, a legal, non-conforming sign may be:
 - i. Re-faced
 - ii. Repaired
 - iii. Repainted, or
 - iv. Removed for repair and remounted.
- b. Nothing in this section grants the right to technological upgrades such as the addition of electronic readerboards to an existing sign. Technological upgrades are the same as erecting a new sign. Changing a light source, such as changing from fluorescent to LED, with no change in appearance of the sign, is not considered a technological upgrade.
- c. Abandoned Non-conforming Signs shall be removed.

EXHIBIT A: RZT 19-003 DRAFT NADC Article 13 Revisions

7. Enforcement may be carried out by the Director of Planning and Development or their designee as allowed in Article 5 and the Municipal Code.
8. Subdivision and New Street Signs
 - a. As new subdivisions **and developments** are completed, the city will install street name and traffic control signage based on a uniform sign design adopted by the city. The applicant shall remit payment for the signs at the time of final plat application. The cost for such signs shall be determined by the City of North Augusta.
9. No Content Restrictions
 - a. Notwithstanding any other provision of this Chapter, no sign shall be subject to any limitation based on the content of the message contained on such sign. Any sign authorized in this Article may contain non-commercial copy in lieu of any other copy.
10. Severability
 - a. If any word, sentence, section, chapter or any other provision or portion of this section is invalidated by any court of competent jurisdiction, the remaining words, sentences, sections, chapters, provisions or portions thereof will not be affected and will continue in full force and effect.

13.3. VARIANCES & APPEALS

1. The Director is authorized to vary the dimensional requirements for permitted signs by no more than 10% if:
 - a. The Director determines that the proposed waiver does not conflict with the goals and policies of the Comprehensive Plan or the purposes underlying the standard; and
 - b. The applicant demonstrates, through documentation and/or studies, based on generally accepted engineering principles, that adherence to the standard provided by this Chapter would pose a threat to health and safety or would undermine a policy set forth in the Comprehensive Plan or the purposes underlying the standard; and
 - c. The applicant consents to an alternative standard and the Director finds that such standard is consistent with the Comprehensive Plan, will protect the public health, safety and general welfare, and is consistent with the purposes underlying the standard; and
 - d. The economic burden imposed on the applicant to comply with the generally applicable standard outweighs the public purpose for such standard; and
 - e. Compliance with the generally applicable standard is impracticable due to unique topographical or other site conditions.

EXHIBIT A: RZT 19-003 DRAFT NADC Article 13 Revisions

- f. The Director may, at their discretion, refer requests to the Board of Zoning Appeals.
 - g. The Director may not issue variances for accessory, temporary, construction, vacant lot signs, or any other prohibited signs.
2. Pursuant to the provisions of §5.9.2, †The Director may authorize minor waivers in the amount of white space or the light source utilized, or both, to provide flexibility to the applicant or to accommodate an established, registered or trademarked logo or graphic. In approving waivers the Director shall also consider the objectives of this Section related to traffic safety, reduction of glare and ambient light, and improved readability.
 3. Variances to this chapter may be issued by the Board of Zoning Appeals as specified in Article 18 of this Code.
 4. Administrative decisions or interpretations of the sign ordinance may be appealed as specified in Article 18 of this Code.

13.4 DEFINITIONS

Abandoned Non-Conforming Signs: signs that do not conform to the requirements of this code and that are currently displayed on the premises of abandoned businesses as defined in Article 19 of this code. This does not include non-conforming signage as a result of annexation or signs that were legally permitted under prior ordinances.



Accessory Sign: signs that provide information, direction, control or other functions incidental and necessary to a use. Accessory signs can include parking lot directional and regulatory signs (in, out, one-way, etc.) and pavement markings consistent with the Manual of Uniform Traffic Control Devices (MUTCD), most recent edition. Accessory signs may also include instructions, hours and days of operation information, "closed" and "open" signs, address numbers, identification signs for deliveries, loading and unloading, fire exit and others.



Figure 1: Accessory Signs

EXHIBIT A: RZT 19-003 DRAFT NADC Article 13 Revisions



Figure 2: Awning & Awning Sign

Awning: a sheet of canvas or other material stretched on a frame and used to keep the sun or rain off a storefront, window, doorway, or deck.

Balloon Sign: any lighter than air or gas filled inflatable object attached by a tether to a fixed place.

Banner: any sign of lightweight fabric, plastic or similar material mounted at one (1) or more edges to a pole or other structure. National flags, state and municipal flags, and official flags of businesses, institutions or other organizations shall not be considered banners if displayed on a proper flag pole as required by this code.

Canopy: a permanent roofed structure which may be freestanding or attached to a building, but which is not a completely enclosed structure or awning. This includes coverings over gas pumps.



Figure 3: Canopy and Canopy Sign

Canopy Sign: any sign attached to or painted on a canopy.

Changeable Copy Sign: also known as a “readerboard,” is any sign designated so that letters or numbers attached to the sign can be periodically changed to a different message.



Figure 4: Construction Sign

Construction Signage: signage of a temporary nature installed at the entrance or along the street frontage of a project under construction.

Dilapidated or neglected sign: a sign (including sign structure) that does not present a neat and orderly appearance, which may be manifested by the following: rust or holes on or in the sign or sign structure, or broken, missing, loose or bent parts, faded or flaking paint, non-operative or partially non-operative illuminating or mechanical devices or missing letters in sign copy.

Electronic Readerboard: a sign which displays messages in alternating light cycles using electronic messaging or LED lights. They are generally computerized programmable electronic visual communication devices, manufactured for the outside environment.

Flag: any flag, including a flag of the United States, the state of South Carolina, and any other flag sanctioned by these regulations.

Flashing Sign: a sign that contains an intermittent or sequential flashing light source that flashes or changes light patterns more than once every thirty (30) seconds.

EXHIBIT A: RZT 19-003 DRAFT NADC Article 13 Revisions

FREESTANDING SIGNS

usually perpendicular to viewer's line-of-sight. May be double or multi faced and contain thematic embellishment and integral covers or cladding to conceal structural supports.

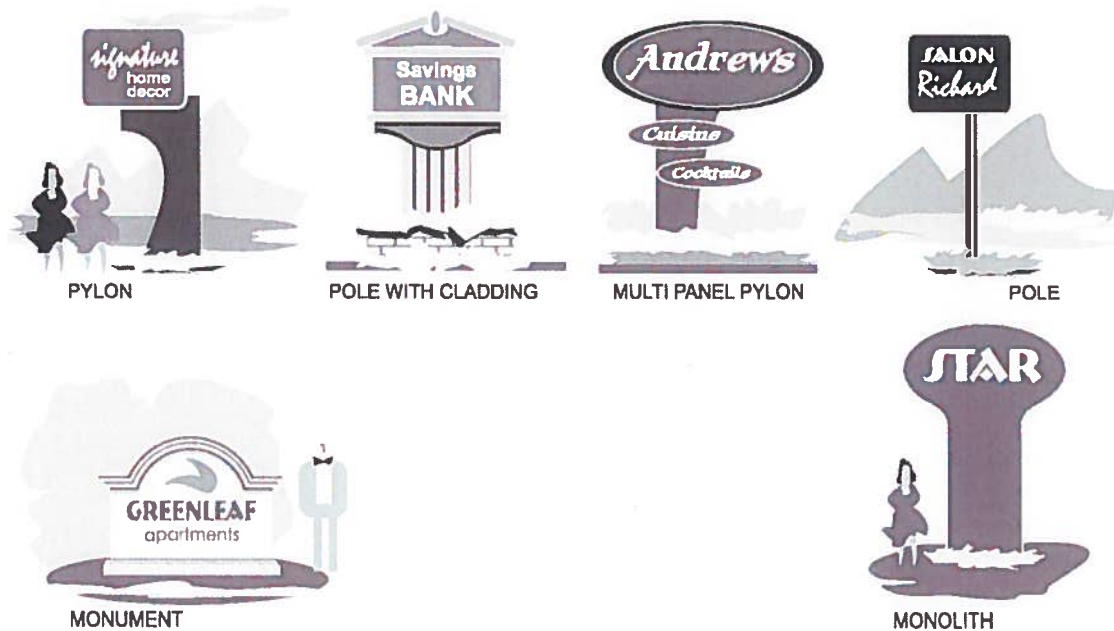


Figure 5: Freestanding Sign Types

Freestanding Sign (Ground Sign): any sign supported by integral pole(s), post(s) or other structure or frame, the primary purpose of which is to connect it permanently to the ground. Examples include monument signs and pole signs. A freestanding sign does not include a portable or temporary sign.

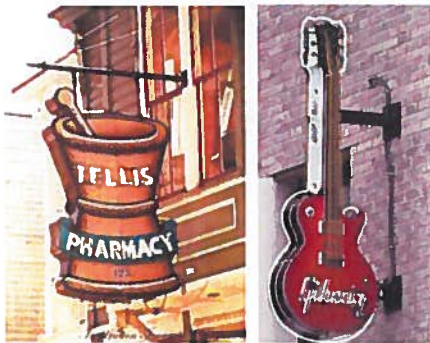


Figure 6: Iconic Signs

Home Occupation sign: see Identification Sign.

Iconic Sign: a sign that has a particularly distinctive or artistic value and may visually depict the nature of the business, goods or services that the business provides through unique shape and any combination of color, lighting, or historic reference.

Identification Sign: any wall sign which is limited to the name, address and street number of a building, institution or person and to the activity carried on in the building or institution. Identification signs include nameplates and building name signs.

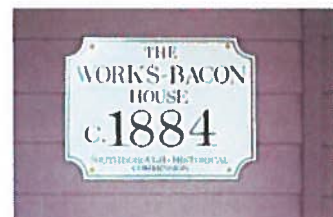


Figure 7: Identification Signs

Illuminated Sign: any sign illuminated by an internal or external source of light primarily designed to illuminate the sign. The illumination is "External" when the light source is

EXHIBIT A: RZT 19-003 DRAFT NADC Article 13 Revisions



separate from the sign surface or not contained within the sign, and is directed to shine upon the sign. The illumination is "Internal" when the light source is contained or created within the sign.

Marquee Sign: a sign painted on, attached to or hung from a marquee.



Figure 8: Marquee Signage

Marquee: means a hood or awning of permanent construction without pillars or posts which is supported from a building wall and extends beyond the building or building line; marquees sometimes extend over a property line.

Maximum Total Sign Area: the maximum total sign area is the sum for all signs contained on

a building or on the entire lot or project, regardless of the number of buildings, businesses or tenants, not including exempt or non-permitted signage except as required or exempted herein.

Master Signage Plan: a plan that is required when more than one use or business is located on a lot or within a development whether or not the development is on one lot or more than one lot. A Master Signage Plan should provide for consistency among signs on the premises with regard to location of a freestanding sign(s), location of each sign on the buildings, size, and lighting and coordinate total allowed square footages among the uses or businesses in the development.



Figure 9: Multi-Faced Sign

Menu Board: a sign placed at a drive-thru service usually containing a food menu and used for taking orders.

Multi-Faced Sign: any sign that has two or more faces that are separated by more than 10 degrees or with any two (2) faces visible from any one (1) point.



Figure 10: Mural

Mural: a painting or other work of art executed directly on a wall. Signage painted on walls does not automatically qualify as a mural.

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Percentage of Wall Area: the percentage of wall area is calculated for the wall of which the sign is a part or to which the sign or signs is most nearly parallel.

Pole Sign: see freestanding sign.

Portable Sign: a “Portable Sign” means any sign not permanently affixed to the ground or to a building, including any sign attached to or displayed on a vehicle that is used for the express purpose of advertising a business establishment, product, service or entertainment, when that vehicle is so parked as to attract the attention of the motoring or pedestrian public.

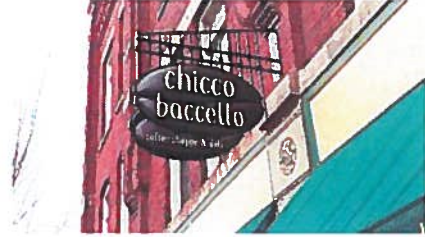


Figure 11: Projecting Sign

Projecting Sign: a “Projecting Sign” means any sign affixed to, projecting from, and supported by a building.

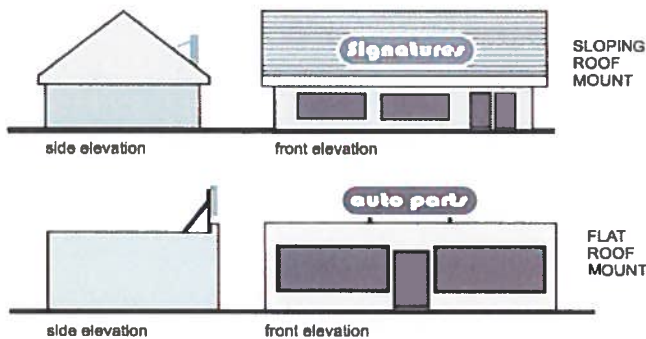


Figure 12: Roof Signs

Roof Sign: a “Roof Sign” means any sign erected upon, against or directly above a roof or roof eaves, or on top or above the parapet, or on a functional architectural appendage above the roof. For the purposes of this Article, a roof shall be considered to be any building surface where the slope of the surface is less than one and one half to one (1.5:1)

relative to horizontal (the rise is one and one half times the run). **This does not include signs legally allowed on a marquee or canopy.**

Setbacks: setbacks should be measured from a property line or the right-of-way line unless otherwise specified.

Sign Area: the area of the sign measured within the most logical geometric figure applying to lines drawn between the outermost points of a sign, but may exclude essential sign structure, foundations, or supports. The copy of signs composed of individual letters, numerals or other devices are the sum of the area of the smallest rectangle or other geometric figure encompassing each of said letters or devices.

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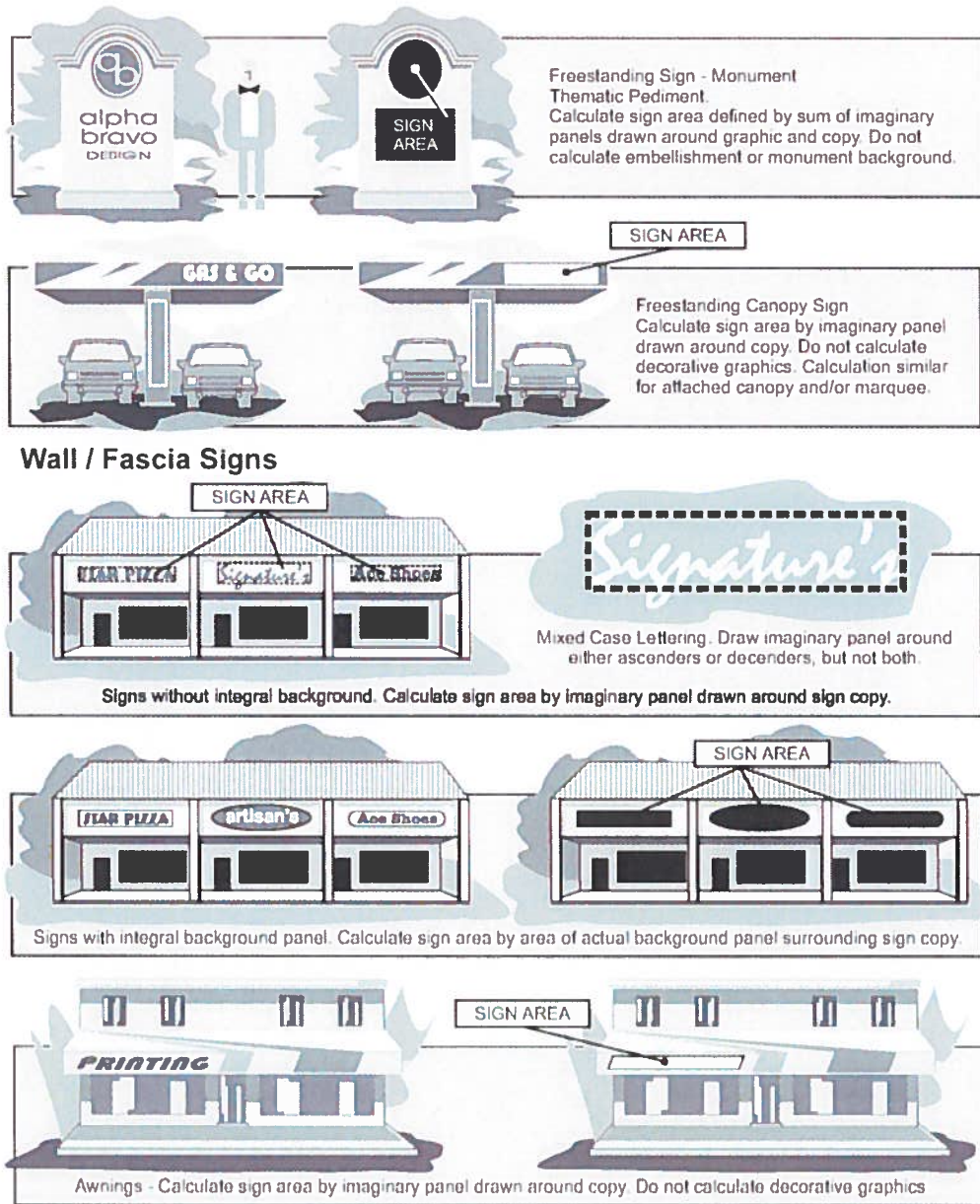


Figure 13: Sign Area Computation

Sign Height: the height of a sign is measured from the top of the curb or edge of the roadway where no curb exists, where the curb is closest to any portion of the sign to the top of the highest attached component of the sign.

Street Frontage: the measurement of the property frontage on the street where the sign will be located at the right-of-way or property line and to which the sign will be oriented.

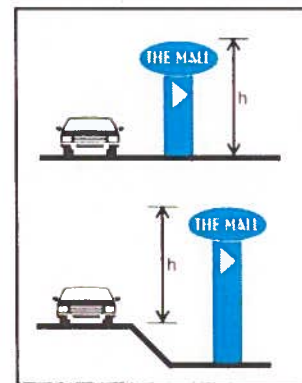


Figure 14: Sign Height

EXHIBIT A: RZT 19-003 DRAFT NADC Article 13 Revisions



Figure 145: Temporary Signs

Subdivision/**Project** Identification sign: means a **freestanding sign** that identifies a subdivision, **multi-occupancy project**, or neighborhood developed under one common plan of development, and is located internal to and visible from the initial point of entry to a subdivision or **project** from surrounding streets.

Temporary Sign: signs for a “temporary cause or event” that occurs only on a scheduled date or time period and for a specific purpose,

regardless of whether the event is for commercial or non-commercial purposes. Examples include grand openings of new businesses, church revivals, property for sale, special events, and political campaigns. **This includes sidewalk signs or A-frame signs that are moveable.**

Wall Area: the total area of the wall, or connected wall sections that are generally parallel to each other, on the side of a building, or lease space within a building, that faces a street, parking area or courtyard or other similar open space. Areas of more than one wall may not be combined to calculate a larger permissible sign area for one wall.



Wall Area is measured as length x width of the façade on which the sign is placed. The “Percentage of Wall Area” is the portion of the façade allowed to have signage expressed as a percentage of the total façade wall area. Total signage on the façade may not exceed the maximum total sign area.

Wall Sign: a “Wall Sign” means any sign painted on the outside of a building, or attached to, and erected parallel to the face of a building and supported throughout its length by such building.

Window Sign: a “Window Sign” means any sign installed inside or outside a building within six (6) inches of a window or on the inside surface of a window that is visible from outside the building. This term does not include merchandise located in a window.



Wall Area may be calculated by the leased suite area or as outlined in a Master Signage Plan, but may not exceed the maximum total square footage allowed for the façade.

Figure 156: Wall Area Computation

EXHIBIT A: RZT 19-003 DRAFT NADC Article 13 Revisions

13.5 GENERAL PROVISIONS

1. **Sign Area: is the measured area of a sign as defined herein.-The area allowed for each zoning district or use may not exceed the amounts allowed in this chapter.**
 - a. Maximum Total Sign Area shall not exceed these regulations as contained herein.
2. **Wall Signs**
 - a. The maximum total square footage of sign area for all wall signs is the sum of all wall signs on any elevation.
 - b. Lots fronting on two (2) or more streets are allowed the permitted wall sign area for each street frontage. However, the total sign area that is oriented to a particular street may not exceed the maximum sign area allowed on that particular street or the maximum total permitted sign area.
3. **Freestanding or Ground Signs**
 - a. One (1) freestanding sign per site, lot or parcel may be permitted.
 - b. Where more than one (1) business or use occupies a parcel, individual signs for individual businesses or uses may be consolidated on one (1) freestanding sign that meets the maximum total sign area limitations for a freestanding sign as provided herein.
 - c. A developed through lot which fronts on two arterials, offers site access from both arterials and is not less than three hundred (300) feet deep (the distance between the two arterials) may have two (2) freestanding signs, one located on each of the two arterials. In such cases the second freestanding sign is limited in size to not more than two-thirds (2/3) the area permitted for the first freestanding sign.
 - d. When two (2) identical sign faces are placed back to back, the sign area shall be computed by the measurement of one (1) of the faces where:
 - i. Both faces cannot be viewed from any point at the same time, and;
 - ii. Such sign faces are part of the same structure; and
 - iii. The sign faces are not more than twenty-four (24) inches apart.
4. **Pedestrian and Vehicular Clearance**
 - a. All signs constructed over a public or private pedestrian walkway or area where pedestrians may walk or congregate shall be constructed to provide a clearance of not less than seven (7) feet from the grade level below the sign to the lowest element of the sign structure.
 - b. Signs and sign structures projecting over vehicular access and parking areas shall be constructed to provide a clearance of not less than eight (8) feet from the grade level below the sign to the lowest element of the sign structure.

5. **Sight Distance Requirements**

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- a. No sign should be placed within the sight distance triangle as required in Article 14 of this code.
6. Master Signage Plan Required
- a. A “Master Signage Plan” is required as noted in this chapter.
 - b. This plan shall, at a minimum:
 - i. Show or outline each suite, building, and its associated façade square footages and allowed square footages.
 - ii. The total square footages and placement allowed for each suite and/or individual building within the development for freestanding signage
 - iii. The total square footages and placement allowed for each suite and/or individual building within the development for wall signage
 - iv. Materials
 - v. Illumination
 - vi. Must meet the requirements of this ordinance.
 - vii. A Master Signage Plan may be submitted and approved with any site plan or plat, or individually, and must be approved prior to the issuance of any sign permit.
 - viii. A Master Signage Plan may be revised at any time, however, any revised plan must meet the requirements of the code in force at the time of the revision.
7. Illumination
- a. Any sign that is internally illuminated with a translucent face or sign panel may utilize “daylight” bulbs as the light source provided that no more than thirty percent (30%) of the sign face is white or light in color. Sign faces where the amount of white or light colored space exceeds thirty percent (30%) shall utilize “cool white” bulbs (or equivalent) as the light source.
 - b. Blank sign faces and panels shall be a dark color regardless of the type of bulb utilized.

13.6 EXEMPT SIGNAGE

- 1) Public Notice Signs
 - a) Any public notice or warning issued by the city, county, state or federal government is exempt from these regulations.
- 2) Signs Interior to a Project or on the Interior of Buildings and Not Visible from a Right-of-Way
 - a) Signs not visible from a right-of-way or visible from the exterior of the building are exempt from these regulations. Any sign inside a building and visible from

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the exterior of the building that is not a window sign shall be considered a wall sign.

3) Government Signs

- a) Permanent or temporary signs erected by or on behalf of the city, county, state or federal government identifying streets or public property, conveying public information, and directing or regulating pedestrian or vehicular traffic are exempt from these regulations.

4) Public Utility Information Signs

- a) Informational signs of a public utility regarding its poles, lines, pipes or facilities are exempt from these regulations.

5) Address Signs

- a) The city finds and determines that address lettering that is unreadable creates unsafe traffic situations and inhibits the provision of public services.
- b) Address numbering is required on all structures in accordance with this section to be readable from the street. Street numbers shall have the following minimum heights:
 - i) Three (3) inches on the front door or front wall surface of a residential dwelling unit;
 - ii) Eight (8) inches on the front door or wall surface of a commercial structure;
 - iii) One and three-fourths (1.75) inches on any mailbox located adjacent to the sidewalk, curb or edge of pavement.

13.7 SIGNS ON PUBLIC PROPERTY AND PUBLIC RIGHTS OF WAY

1) Non-Profit Street Banners

- a) Banners advertising events of public interest sponsored by non-profit, non-commercial agencies and which are placed at street locations specifically authorized for display by the City Council may be approved.

2) Private Signs on Public Property or Right of Way

- a) Private signs shall not be placed on any public property or right of way without an approved encroachment permit authorizing such sign or express allowance in this code. The Director may remove signs found to be in violation of this section without prior notification to the property owner. This includes signs held by humans or other devices within the right-of-way.

13.8 ALLOWED SIGNAGE

- 1) Applicability: Signage shall not exceed the limits as defined herein. If a sign type is not listed in that district/use, that type of signage is not allowed in that district/use.

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Zoning district applies to the district as established in Article 3, Zoning Districts. Use is more precise than the zoning district. If there is a conflict between district and use, use shall prevail.

2) Signage Allowed in Residential Uses and Districts

a) Subdivision/Project Identification Signs

- i) The size, location and design of subdivision entrance signs shall be included on the approved preliminary plat. If a subdivision sign is requested after the plat has been approved it may be approved in accordance with this section.
- ii) If a Subdivision/Project Identification Sign is preferred within an existing subdivision or as part of a phased development, a "Master Signage Plan" shall be required.
- iii) Subdivision Identification Signs must meet the following:
 - (1) Not more than one (1) subdivision entrance sign shall be located at the entry to any subdivision as identified on the preliminary plat.
 - (2) If two (2) identical monument signs are used, they may not exceed sixteen (16) square feet in size or four (4) feet in height and must be placed symmetrically on each side of an entry road.
 - (3) Subdivision entrance signs may be located in the right of way within a required median but must be outside of the paved section of the roadway
- iv) Shall not be internally illuminated.

b) Construction Signs

- i) General Requirements
 - (1) Signs must be located on private property.
 - (2) Signs must abut a public road frontage at the main entrance to the project.
 - (3) Signs must be removed prior to the issuance of the final Certificate of Occupancy, Maintenance, or Performance Guarantee as applicable.
 - (4) One sign is allowed per project.
 - (5) If additional Construction Signage is preferred within an existing, established subdivision or project, or as part of a phased development where multiple construction signs may be desired:
 - (a) A "Master Signage Plan" shall be required.
 - (b) Each secondary sign may not exceed the square footage allowed for each Construction sign.
 - (c) Signs may be placed only at the main entry points to the phase or sub-phase.
 - (6) Shall not be illuminated
- ii) Allowed Square Footage
 - (1) Projects containing 10 or more lots or units:
 - (a) Maximum Square Footage: 32 sq ft.
 - (b) Maximum Height: 8 ft.
 - (2) Projects containing less than 10 units:

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- (a) Maximum Square Footage: 16 sq ft.
- (b) Maximum Height: 8 ft.

- c) Temporary Signage
 - i) Shall not exceed six (6) square feet on any sign.
 - ii) Shall not be illuminated.

- d) Signage on Vacant Lots in Residential Districts
 - i) Parcels 5 acres or more: 32 sq ft.
 - ii) Parcels with less than 5 acres, but over 1 acre: 16 sq ft.
 - iii) Parcels 1 acre or less: 6 sq ft.
 - iv) Shall not be illuminated.

- e) Identification Signage
 - i) Must be attached to the building
 - ii) Shall be mounted flush to or not project more than 4 inches from the building
 - iii) Area shall not exceed 2 square feet.
 - iv) Shall not be illuminated.

- f) Single-family Dwelling Units, Townhouses, Rowhouses or Individual Mobile Homes
 - i) Applicability: this category applies to single lots in any zoning district that are currently used for single-family, townhomes on individual lots, or duplex uses. This does not include “condo” developments where units do not have individual lots extending away from the footprint of the unit.
 - ii) No sign in a single-family district or use shall be internally illuminated.
 - iii) Allowed Signage:
 - (1) Total Maximum Signage for all signs on a property: 8 sq ft.
 - (2) Wall Signs Maximum Square footage: 4 sq ft.
 - (3) Freestanding or Ground Signs
 - (a) Maximum Square Footage: 4 sq ft.
 - (b) Maximum Height: 4 ft.
 - (c) Minimum Setbacks: 5 ft. from all property lines.
 - (4) Accessory Signs
 - (a) Maximum Square Footage: 4 sq ft.
 - (b) Maximum Height: 2 ft.
 - (c) Minimum Setbacks: 0 ft. from all property lines, except as needed to avoid the sight triangle.

- g) Multi-family Districts and Uses
 - i) Applicability: this category applies to multi-family developments in any zoning district with three or more residential units on a single lot and that do not fall under single-family or duplex uses.
 - ii) Allowed Signage:
 - (1) Total Maximum Signage for all signs on a property: 150 sq ft.

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- (2) Wall Signs Maximum Square footage:
 - (a) Maximum Area: 100 sq ft. or 5% of Wall Area, whichever is greater
- (3) Freestanding or Ground Signs
 - (a) Maximum Square Footage: 50 sq ft.
 - (b) Maximum Height: 5 ft.
 - (c) Minimum Setbacks: 5 ft. front, 10 ft. side
- (4) Accessory Signs
 - (a) Maximum Square Footage: 4 sq ft.
 - (b) Maximum Height: 2 ft.
 - (c) Minimum Setbacks: 0 ft. from all property lines, except as needed to avoid the sight triangle.

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TABLE 13-1 RESIDENTIAL USES SIGN AREA CHART

Type of Sign or use	All Signs	Wall Signs		Freestanding Signs			
	Maximum Area (SF) of all signs may not exceed the maximum area allowed	Maximum Area may not exceed square footage or percentage of wall area, whichever is less					
Type of Sign or Use		Maximum Area (sf)	% of Wall Area	Maximum Area (sf)	Maximum Height (ft)	Front Setback (ft)	Side Setback (ft)
1. Single Dwelling Units *	8	4	--	4	4	5	5
2. Multi-Family Structure *	150	100	5	50	5	5	10
3. Construction Signage, 10+ lots or units	--	--	--	32	8	--	--
4. Construction Signage, less than 10 lots or units	--	--	--	16	8	--	--
5. Signage on Vacant Lots over 5 acres	--	--	--	32	8	--	--
6. Signage on Vacant Lots less than 5 acres	--	--	--	16	8	--	--
7. Signage on Vacant Lots 1 acre or less	--	--	--	6	4	--	--
8. Subdivision/Project Identification Signs *	64*	--	--	32*	5	--	--
9. Accessory Signs	--	--	--	4	2'	--	--
10. Temporary Signs	--	--	--	6	4'	--	--
11. Identification Sign	--	--	--	2	--	--	--

Notes to Table 13-1

- "--" means that the restriction does not apply.
- Please see the definitions to clarify how to measure these requirements.
- "SF" means square feet.
- * See text for further restrictions on size and layout.

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3) Non-Residential Uses

- a) Applicability: restrictions in this category apply to developments in any zoning district that are currently used for non-residential purposes. If a non-residential use is legally occupying a residentially zoned lot, the Director shall determine the closest applicable district and sign requirements.
- b) Special Provisions for Shopping Centers:
 - (1) A Master Signage Plan is required for any new shopping centers permitted after January 1, 2020. A Master Signage Plan is recommended for existing Shopping Centers.
 - (2) Maximum Square Footage: 1000 sq ft. or 10% of wall area, whichever is less.

4) Signage Allowed in Non-Residential Districts and Uses

- a) Maximum Total Square Footage of All Signage
 - i) NC Zoning:
 - (1) Maximum Square Footage: 200 sq ft. or 4% of ground floor area, or 3 sq ft per linear foot of street frontage, whichever is least.
 - ii) OC Zoning:
 - (1) Maximum Square Footage: 300 sq ft. or 6% of ground floor area, or 3 sq ft per linear foot of street frontage, whichever is least.
 - iii) GC & TC Zoning:
 - (1) Maximum Square Footage: 300 sq ft. or 10% of ground floor area, or 3 sq ft per linear foot of street frontage, whichever is least.
 - iv) Neighborhood Preservation Overlay
 - (1) Maximum Square Footage: 200 sq ft. or 6% of ground floor area, or 3 sq ft per linear foot of street frontage, whichever is least.
 - v) Highway Corridor Overlay
 - (1) Maximum Square Footage: 300 sq ft. or 10% or 6 sq ft per linear ft of frontage, whichever is least.
 - vi) Georgia Avenue Overlay
 - (1) Maximum Square Footage: 100 sq ft. or 10% or 6 sq ft per linear ft of frontage, whichever is least.
 - vii) Shopping Centers
 - (1) Maximum Square Footage: 1000 sq ft. or 5% of ground floor area, 1 sq ft per linear foot of street frontage, whichever is least.
- b) Subdivision/Project Identification Sign
 - (1) The size, location and design of subdivision entrance signs may be included on the approved site plan. If a sign is requested after the plat or plan has been approved it may be approved in accordance with this section.

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- (2) If a Subdivision/Project Identification Sign is preferred within an existing subdivision or as part of a phased development, a “Master Signage Plan” shall be required.
- (3) Not more than one (1) subdivision entrance sign or signs shall be located each entrance to any project.
- (4) If two (2) identical monument signs are used, they may not exceed sixteen (16) square feet in size or four (4) feet in height and must be placed symmetrically on each side of an entry road.
- (5) Subdivision/Project entrance signs may be located in the right of way within a required median but must be outside of the paved section of the roadway.

c) Constructions Signs:

i) General Requirements

- (1) Signs must be located on private property.
- (2) Signs must abut a public road frontage at the main entrance to the project.
- (3) Signs must be removed prior to the issuance of the final Certificate of Occupancy, Maintenance, or Performance Guarantee as applicable.
- (4) One sign is allowed per project.
 - (a) If additional Construction Signage is preferred within an existing, established subdivision or project, or as part of a phased development where multiple construction signs may be desired:
 - (i) A “Master Signage Plan” shall be required.
 - (ii) Each secondary sign may not exceed the square footage allowed for each Construction sign.
 - (iii) Signs may be placed only at the main entry points to the phase or sub-phase.

(5) Shall not be illuminated

ii) Allowed Square Footage:

- (1) Projects containing more than 40000 square feet or processed as a major site plan:
 - (a) Maximum Square Footage: 32 sq ft.
 - (b) Maximum height: 8 ft.
- (2) Projects developed under a minor site plan:
 - (a) Maximum Square Footage: 16 sq. ft.
 - (b) Maximum Height: 8 ft.

d) Temporary Signs

i) In the NC District:

- (1) Maximum Square Footage: 6 sq ft.
- (2) Maximum Height: 4 ft.

ii) In all other districts:

- (1) Maximum Square Footage: 16 sq. ft.
- (2) Maximum Height: 8 ft.

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(3) Shall not be illuminated.

e) Signage on Vacant Lots

- i) Parcels 5 acres or more:
 - (1) Maximum Square Footage: 32 sq ft.
- ii) Maximum height, 8 ft.
- iii) Parcels with less than 5 acres, and over 1 acre:
 - (1) Maximum Square Footage: 16 sq ft.
 - (2) Maximum height: 8 ft.
- iv) Parcels one acre or less:
 - (1) Maximum Square Footage: 6 sq ft.
 - (2) Maximum Height: 4 ft.
- v) Shall not be illuminated.

f) Identification Signage

- i) Must be attached to the building
- ii) Shall be mounted flush to or not project more than 4 inches from the building
- iii) Area shall not exceed 2 square feet.
- iv) Shall not be illuminated.

g) Accessory Signs

- i) Maximum Square Footage: 4 sq ft.
- ii) Maximum Height: 2'
- iii) Minimum Setbacks: 0' from all property lines, except as needed to avoid the sight triangle.
- iv) Shall not be illuminated.
- v) Accessory Signs are not allowed in the Neighborhood Preservation Overlay District.

h) Window Signs

- i) No window sign shall obscure more than fifty (50) percent of the total window area on any single facade.
- ii) Window signs should not completely obscure the view into the business or office except as allowed herein.
- iii) Window signs shall count towards the total allowed square footage of signage allowed on any parcel or building.
- iv) Window tinting or frosting with no design, words, or any other graphic that could be considered a sign would not qualify as a window sign.
- v) Window signs are not allowed in the Neighborhood Preservation Overlay District.

i) Wall Signs

- i) NC Zoning:
 - (1) Maximum Square Footage: 160 sq ft., or 10% of wall area, whichever is less.

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- ii) OC, GC and TC Zoning:
 - (1) Maximum Square Footage: 300 sq ft., or 10% of wall area, whichever is less.
 - iii) Neighborhood Preservation Overlay
 - (1) Maximum Square Footage: 160 sq ft.
 - (2) Signs shall not be internally illuminated.
 - (3) Externally illuminated signs and signs in which the letters or graphics are constructed of neon tubing are permitted.
 - iv) Highway Corridor Overlay
 - (1) Maximum Square Footage: 300 sq ft. or 10% of wall area, whichever is less.
 - v) Georgia Avenue Overlay
 - (1) Maximum Square Footage: 100 sq ft. or 7% of wall area, whichever is less.
 - vi) Shopping Centers
 - (1) Maximum Square Footage: 1000 sq ft. or 10% of wall area, whichever is less.
- j) Freestanding Signs
- i) NC Zoning:
 - (1) Maximum Square Footage: 60 sq ft. or 0.25 sq ft per linear foot of street frontage, whichever is less.
 - (2) Maximum Height: 10'
 - (3) Minimum Setbacks: 5' front, 10' side
 - ii) OC Zoning:
 - (1) Maximum Square Footage: 100 sq ft. or 0.5 sq ft per linear foot of street frontage, whichever is less.
 - (2) Maximum Height: 12'
 - (3) Minimum Setbacks: 5' front, 10' side
 - iii) GC Zoning:
 - (1) Maximum Square Footage: 100 sq ft. or 0.5 sq ft per linear foot of street frontage, whichever is less.
 - (2) Maximum Height: 20'
 - (3) Minimum Setbacks: 5' front, 10' side
 - iv) TC Zoning:
 - (1) Maximum Square Footage: 100 sq ft. or 1 sq ft per linear foot of street frontage, whichever is less.
 - (2) Maximum Height: 25'
 - (3) Minimum Setbacks: 5' front, 10' side
 - v) Overlay District Standards
 - (1) Highway Corridor Overlay
 - (a) Maximum Square Footage: 100 sq ft. or 0.5 sq ft per linear foot of street frontage, whichever is less.
 - (b) Maximum Height: 25'
 - (c) Minimum Setbacks: 5' front, 10' side
 - (2) Neighborhood Preservation Overlay

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- (a) Maximum Square Footage: 60 sq ft. or 0.5 sq ft per linear foot of street frontage, whichever is less.
 - (b) Maximum Height: 10 ft.
 - (c) Minimum Setbacks: 5 ft front, 5 ft side
 - (d) Signs shall not be internally illuminated.
 - (e) Externally illuminated signs and signs in which the letters or graphics are constructed of neon tubing are permitted.
- (3) Georgia Avenue Overlay
 - (a) Maximum Square Footage: 20 sq ft. or 0.25 sq ft. per linear foot of street frontage, whichever is less.
 - (b) Maximum Height: 8 ft.
 - (c) Minimum Setbacks: 0 ft.
 - (d) Signs shall not be internally illuminated.
- vi) Shopping Centers
 - (1) Maximum Square Footage: 150 sq ft. or 0.5 sq ft per linear foot of street frontage, whichever is less.
 - (2) Maximum Height: 25 ft.
 - (3) Minimum Setbacks: 5 ft. front, 10 ft. side
- k) Menu Boards
 - i) Maximum Square Footage: 32 sq ft.
 - ii) Maximum Height: 8 ft.
 - iii) Must be located to the side or the rear of the building.
 - iv) May be internally illuminated, however, no light from the menu board should be easily visible from any surrounding residential use.
 - v) Lighting must be turned off when the business is closed.
 - vi) May be exempt if not visible from any public right-of-way, whether internal or external to the project.
- l) Electronic Readerboards
 - i) Shall be used only in the OC, GC, TC, and IND districts
 - ii) Shall not exceed 50% of the sign area of which it is a part
 - iii) Must have a dark or black background.
 - iv) Shall not display any animation, scrolling, flashing, or the appearance of animation or other prohibited sequence of lighting.
 - v) Electronic Readerboards are prohibited in the Neighborhood Preservation Overlay.
- m) Changeable Copy
 - i) Shall be used only in the OC, GC and TC districts
 - ii) Must be part of a larger wall or freestanding sign
 - iii) Shall not exceed 30% of the sign area of which it is a part.
 - iv) Changeable Copy signs are prohibited in the Georgia Avenue and Neighborhood Preservation Overlay.

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TABLE 13-2 NON-RESIDENTIAL SIGN AREA BY USE OR ZONE

A	All Signs			Wall Signs		Freestanding Signs				Maximum SF, if not otherwise specified
	Maximum TOTAL SF of all signs is the lesser of B, or C, or D			Maximum SF is the lesser of E or F		Maximum SF is the lesser of G or H				
	B	C	D	E	F	G	H	I	J	K
Use or Zoning District	Maximum Area (sf)	% of Ground Floor Area	Total sign area Per Linear Foot of Frontage	Maximum Area (sf)	% of Wall Area	Maximum Area (sf)	Freestanding Sign Area per foot of Linear Frontage (sf)	Maximum Height (ft)	Front/Side Setbacks (ft)	Maximum Area (SF)
1. Neighborhood Commercial (NC)	200	4	3	160	10	60	0.25	10	5/10	6
2. Office Commercial (OC)	300	6	3	300	10	100	0.50	12	5/10	16
3. General Commercial (GC)	300	10	3	300	10	100	0.50	20	5/10	16
4. Thoroughfare Commercial (TC)	300	10	3	300	10	100	1	25	5/10	16
6. Highway Corridor Overlay (HC)	300	10	6	300	10	100	0.50	25	5/10	16
7. Neighborhood Preservation Overlay (NP)	200	6	3	160	--	60	0.50	10	5/5	6
8. Traditional Neighborhood Development (TND)	50	5	2	50	5	25	0.25	6	0/0	6
9. Industrial (IND)	300	2	3	--	--	150	0.50	20	5/10	16
12. Shopping Centers	1,000	5	1	1,000	10	150	0.50	25	5/10	16
13. Canopy Signs	--	--	--	--	--	--	--	--	--	50% of canopy
14. Electronic Readerboards*	--	--	--	--	--	--	--	--	--	50% of sign area
15. Changeable Message Signs*	--	--	--	--	--	--	--	--	--	30% of sign area
Construction Signage, Major Site Plan	32	--	--	--	--	--	--	8	--	32
16. Construction Signage, Minor Site Plan	16	--	--	--	--	--	--	8	--	16
17. Signage on Vacant Lots over 5 acres	32	--	--	--	--	--	--	8	--	32
18. Signage on Vacant Lots less than 5 acres	16	--	--	--	--	--	--	4	--	16
19. Subdivision/Project Identification Signs	64	--	--	--	--	32	--	5	--	--
20. Accessory Signs	--	--	--	--	--	--	--	2'	--	4
21. Temporary Signs	--	--	--	--	--	--	--	8'	--	16
22. Temporary Signs, NC District	--	--	--	--	--	--	--	4'	--	6

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A	All Signs			Wall Signs		Freestanding Signs				K Maximum SF, if not otherwise specified
	Maximum TOTAL SF of all signs is the lesser of B, or C, or D			Maximum SF is the lesser of E or F		Maximum SF is the lesser of G or H				
	B Maximum Area (sf)	C % of Ground Floor Area	D Total sign area Per Linear Foot of Frontage	E Maximum Area (sf)	F % of Wall Area	G Maximum Area (sf)	H Freestanding Sign Area per foot of Linear Frontage (sf)	I Maximum Height (ft)	J Front/Side Setbacks (ft)	
Use or Zoning District	Maximum Area (sf)	% of Ground Floor Area	Total sign area Per Linear Foot of Frontage	Maximum Area (sf)	% of Wall Area	Maximum Area (sf)	Freestanding Sign Area per foot of Linear Frontage (sf)	Maximum Height (ft)	Front/Side Setbacks (ft)	Maximum Area (SF)
23. Window Signs	--	--	--	--	--	--	--	--	--	50% of window area
24. Identification	--	--	--	--	--	--	--	--	--	2
25. Menu Boards	--	--	--	--	--	--	--	8	--	32

Notes to Table 13-2

- "--" means that the restriction does not apply.
- Please see the definitions to clarify how to measure these requirements.
- "sf" means square feet.
- * See text for further restrictions on size and layout.

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5) Downtown

- a) Applicability: any property zoned "D, Downtown," regardless of the use of the property.
- b) Maximum Total Square Footage of Signage
 - i) Maximum Square Footage: 200 sq ft. or 4% of ground floor area, or 3 sq ft per linear foot of street frontage, whichever is less.
- c) Illumination:
 - i) Signs shall not be internally illuminated.
 - ii) Externally illuminated signs and signs in which the letters or graphics are constructed of neon tubing are permitted.
 - iii) Illuminated signs shall not be oriented such that the direction and intensity of lighting creates glare or a hazardous condition for drivers or pedestrians.
 - iv) Plastic box signs and signs constructed primarily of plastic are not permitted. Plastic and vinyl lettering are permitted.
- d) Window Signs
 - i) No window sign shall obscure more than fifty (50) percent of the total window area on any single facade.
 - ii) Window signs should not completely obscure the view into the business or office except as allowed herein.
 - iii) Window signs count towards the total allowed square footage of signage allowed on any parcel or building.
 - iv) Window tinting or frosting with no design, words, or any other graphic that could be considered a sign would not qualify as a window sign.
 - v) Window signs may be painted on the inside of the window. Rigid plastic sheets with paint or vinyl lettering are permitted as window signs.
 - vi) Window signs shall not be internally illuminated.
 - vii) Window signs in which the letters or graphics are constructed of neon tubing are permitted.
 - viii) Window signs are not allowed in the Neighborhood Preservation Overlay District.
- e) Accessory Signs
 - i) Maximum Square Footage: 4 sq ft.
 - ii) Maximum Height: 2 ft.
 - iii) Minimum Setbacks: 0 ft. from all property lines, except as needed to avoid the sight triangle.
 - iv) Shall not be illuminated.
- f) Construction Signs:
 - i) General Requirements
 - (1) Signs must be located on private property.

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- (2) Signs must abut a public road frontage at the main entrance to the project.
- (3) Signs must be removed prior to the issuance of the final Certificate of Occupancy, Maintenance, or Performance Guarantee as applicable.
- (4) One sign is allowed per project.
 - (a) If additional Construction Signage is preferred within an existing, established subdivision or project, or as part of a phased development where multiple construction signs may be desired:
 - (i) A "Master Signage Plan" shall be required.
 - (ii) Each secondary sign may not exceed the square footage allowed for each Construction sign.
 - (iii) Signs may be placed only at the main entry points to the phase or sub-phase.
- (5) Shall not be illuminated
- ii) Allowed Square Footage:
 - (1) Projects containing more than 40,000 square feet or processed as a major site plan:
 - (a) Maximum Square Footage: 32 sq ft.
 - (b) Maximum height: 8 ft.
 - (2) Projects developed under a minor site plan:
 - (a) Maximum Square Footage: 16 sq. ft.
 - (b) Maximum Height: 8 ft.
- g) Temporary Signs
 - i) Maximum Square Footage: six (6) square feet
 - ii) Temporary signs within the public right-of-way or advertising special sales or activities during business hours must be removed at closing.
 - iii) Shall not be illuminated.
 - iv) Temporary signs may be placed in the public right-of-way if:
 - (1) Must be placed on the sidewalk.
 - (2) Shall not be more than 20' from the public entrance of a business
 - (3) Shall not restrict free movement of the public road or sidewalk and maintain a free a walkway of not less than five (5) feet at all times.
 - (4) Shall be removed from the sidewalk when the business is closed.
- h) Signage on Vacant Lots
 - i) Vacant non-residential zoned parcels may have the following temporary signage:
 - (1) Parcels 5 acres or more: 32 sq ft.
 - (2) Parcels with less than 5 acres: 16 sq ft..
 - (3) Shall not be illuminated.
- i) Wall Signs
 - (a) Wall signs shall be placed in existing architectural sign panels integral to the building facade when such a sign panel exists.

EXHIBIT A: RZT 19-003 DRAFT NADC Article 13 Revisions

(b) Maximum Square Footage: 100 sq ft., or 10% of wall area, whichever is less.

j) Projecting Signs

- (1) Projecting signs shall be extended no more than six (6) feet from the building to which it is affixed.
- (2) Only one (1) projecting sign is permitted per building frontage, provided, however, that multi-tenant buildings in non-residential districts may include one (1) projecting sign per tenant in addition to wall signs, and provided that such signs are spaced not closer than twenty (20) feet horizontally from another projecting sign.
- (3) A projecting sign shall not exceed 12 square feet
- (4) Signs that project into the right-of-way must have an encroachment permit as required by the City of North Augusta or SCDOT, as applicable.

k) Canopy or Awning Signs

- i) A canopy or awning may be used as a sign surface only if:
 - (1) No wall sign is included on the same facade.
 - (2) The message does not extend in any direction above, below or beyond the canopy edge.
 - (3) The message is an integral part of the canopy or awning covering.
 - (4) Signage on the canopy or awning sign does not exceed one-half ($\frac{1}{2}$) of the area bounded by the edges of the canopy or awning visible from the public right of way. (If the only signage for the building is on the fringe drip-flap portion of the canopy, the entire portion of said area may be utilized for signage.)

l) Marquee Signs

- i) A building is permitted one marquee sign in addition to a wall sign.
- ii) A marquee sign shall not be permitted if the building employs a freestanding, monument, canopy or awning sign.
- iii) The maximum sign surface shall not exceed five percent (5%) of the building facade or wall area to which the sign is attached, up to a maximum of twenty (20) square feet. The maximum area shall be measured as a percentage of the wall or façade to which the sign is attached, whichever results in a smaller area.
- iv) Alternate designs for marquee signage may be considered as Iconic Signs and may follow the process for approval of iconic signs.

m) Freestanding or Ground Signs

- i) One (1) sign per building may be located in lieu of a canopy sign if a wall or canopy sign does not provide adequate visibility.
- ii) The sign may be located on the sidewalk in the right of way if an encroachment permit or agreement required by the city and SCDOT has been approved and issued.

EXHIBIT A: RZT 19-003 DRAFT NADC Article 13 Revisions

- (1) The sign shall not exceed eight (8) feet in height.
 - (2) The pole and base of such signs shall be constructed of decorative black, or other approved dark color, metal. No portion of the shaft shall have a diameter exceeding ten (10) inches.
 - (3) The sign panel or message area shall not exceed twenty (20) square feet in area.
 - (4) The sign shall not obstruct or interfere with pedestrian traffic, parking or lines of sight required for traffic safety (sight triangle).
- iii) Monument Signs – Ground mounted or monument signs are permitted under the following conditions:
- (1) Such signs shall not exceed five (5) feet in height and twenty (20) square feet in area.
 - (2) Such signs shall not be located within the public right of way.
 - (3) Such signs shall be set back from the right of way no less than one (1) foot. (Rev. 5-21-12; Ord. 2012-08)
 - (4) Such signs shall not obstruct or interfere with pedestrian traffic, parking or lines of sight required for traffic safety (sight triangle).
- n) Electronic Readerboards
- i) Shall not exceed 50% of the sign area of which it is a part
 - ii) Must have a dark or black background.
 - iii) Shall not display any animation, scrolling, flashing, or the appearance of animation or other prohibited sequence of lighting.
 - iv) Electronic Readerboards are prohibited in the Neighborhood Preservation Overlay.
- o) Changeable Copy
- i) Must be part of a larger wall or freestanding sign
 - ii) Shall not exceed 30% of the sign area of which it is a part.
 - iii) Changeable Copy signs are prohibited in the Georgia Avenue and Neighborhood Preservation Overlay.
- p) Iconic Signs
- i) Iconic Signage may be installed in lieu of any allowed signage on any building in the Downtown District after review and approval by the North Augusta City Council until such time as a Design or Architectural Review Board are in place. After approval, all signs must be properly permitted through Planning and Development and the Building Standards Department, as applicable.
 - ii) Iconic Signage may encroach on public right-of-way if an encroachment agreement is issued by the City Engineer.
 - iii) These signs may be illuminated externally, internally, or with neon. Signs utilizing illumination that radiates a glare or light greater than one half foot-candle at the property line on which the sign is located are prohibited.

EXHIBIT A: RZT 19-003 DRAFT NADC Article 13 Revisions

q) Public Art

- i) Public Art may be installed in the Downtown District after review and approval by the North Augusta City Council until such time as a Design or Architectural Review Board are in place. After approval, all art must be properly permitted through Planning and Development and the Building Standards Department, as applicable.
- ii) Public Art may encroach on public right-of-way if an encroachment agreement is issued by the City Engineer.

r) Murals

- i) Murals may be painted on any wall in the Downtown District after review and approval by the North Augusta City Council until such time as a Design or Architectural Review Board are in place. After approval, all art must be properly permitted through Planning and Development and the Building Standards Department, as applicable.

EXHIBIT A: RZT 19-003 DRAFT NADC Article 13 Revisions

TABLE 13-3 DOWNTOWN SIGN AREA BY TYPE

A	All Signs			Wall Signs		Freestanding Signs				Maximum SF
	Maximum TOTAL SF of all signs is the lesser of B, or C, or D			Maximum SF is the lesser of E or F		Maximum SF is the lesser of G or H				
	B	C	D	E	F	G	H	I	J	K
	Maximum Area (sf)	% of Ground Floor Area	Total sign area Per Linear Foot of Frontage	Maximum Area (sf)	% of Wall Area	Maximum Area (sf)	Freestanding Sign Area per foot of Linear Frontage (sf)	Maximum Height (ft)	Front/Side Setbacks (ft)	Maximum Area (sf)
1. Wall	--	--	--	100	10	--	--	--	--	--
2. Free Standing/Ground	100	10	6	100	7	20	.5	8	0/0	--
3. Canopy or Awning	--	--	--	--	--	--	--	--	--	50% of canopy
4. Marquee	--	--	--	--	--	--	--	--	--	20 sf or 5% of marquee façade
4. Window	--	--	--	--	--	--	--	--	--	50% of window area
6. Projecting	--	--	--	--	--	--	--	--	--	12 sf
7. Electronic Readerboard	--	--	--	--	--	--	--	--	--	50% of sign
8. Changeable Copy	--	--	--	--	--	--	--	--	--	30% of sign
9. Temporary	--	--	--	--	--	--	--	--	--	6
10. Iconic	--	--	--	--	--	--	--	--	--	*
11. Identification	--	--	--	--	--	--	--	--	--	2
12. Accessory	--	--	--	--	--	--	--	--	--	4
13. Vacant Lots 5 acres or more	32	--	--	--	--	--	--	--	--	32
14. Vacant lots under 5 acres	16	--	--	--	--	--	--	--	--	16
15. Menu Boards	--	--	--	--	--	--	--	--	--	32
16. Construction Signage, 40,000 sf or Major Site Plan	32	--	--	--	--	--	--	--	--	32
17. Construction Signage, Minor Site Plan	16	--	--	--	--	--	--	--	--	16

Notes to Table 13-3

- "--" means that the restriction does not apply.
- Please see the definitions to clarify how to measure these requirements.
- "SF" means square feet.
- * See text for further restrictions on size and layout.

EXHIBIT A: RZT 19-003 DRAFT NADC Article 13 Revisions

6) Special Zoned Districts

- a) For TND, PD and mixed use developments, the signage allowed should correspond to the use of the lot or portion the building for that use. If there is not a primary use of a building, such as in a mixed use development, the total allowed square footage may be coordinated between uses with a Master Signage plan. The total square footage allowed shall not exceed the total square footage allowed for any use.
- b) Conservation Subdivisions: should be calculated the same as all other residential uses.
- c) Public Districts: as approved by the City Council.
- d) Critical Resource Areas: based on the use of the property and the most closely related zoning district as determined by the Director of Planning and Development.

13.9 PROHIBITED SIGNS

- 1) Flashing Signs: Any sign which displays intermittent or flashing illumination which changes more than once in any thirty (30) second period is prohibited.
- 2) Portable Signs: Any portable sign, except when used as a temporary sign as permitted in these regulations, is prohibited.
- 3) Signs Attached to Fences, Poles, Trees: Any sign or advertising device attached to or painted on a fence, power or telephone pole, tree, stone or any other natural object is prohibited.
- 4) Roof Signs
- 5) Fluttering Signs: Any fluttering ribbon and any banner or similar device is prohibited.
- 6) Illuminated Tubing: Any illuminated tubing outlining property lines, open sales areas or parking areas is prohibited. Illuminated tubing that is attached and integral to an original architectural detail of a building is permitted.
- 7) Inflatable Signs or Decoration: Any inflatable sign or sign affixed to a tethered balloon, where such sign is visible from the property line, is prohibited.
- 8) Reflective Paint and Lighting: Any sign with "day-glow" or highly reflecting coloring, paint or lighting or any sign that conflicts or may conflict with traffic flow or the visibility of vehicle drivers or pedestrians is prohibited.
- 9) Spot and Strobe Lights: Any spot light or light that shines into the sky or the clouds, moveable or non-moveable, for the purpose of attracting attention to a location is not permitted.
- 10) Billboards
- 11) Multi-faced Signs
- 12) Any sign within the right-of-way except as expressly allowed herein.

EXHIBIT A: RZT 19-003 DRAFT NADC Article 13 Revisions

Department of Planning and Development

ATTACHMENT #12



Memorandum # 19-011

City of North Augusta

To: B. Todd Glover, City Administrator

From: Libby Hodges, AICP, Director of Planning and Development

A handwritten signature in blue ink, appearing to be 'LH', located to the right of the 'From:' field.

Subject: Application RZT19-002– North Augusta Development Code Text Amendment – A request by Mountaineer Pest Services, represented by Michael W. Pace, Director, to amend Section 3.8.2 entitled “Establishment of Corridor Overlay Districts” in regard to NP, Neighborhood Preservation Overlay in Article 3, Zoning Districts, of the North Augusta Development Code.

Date: June 26, 2019

Planning Commission Recommendation

On June 20, 2019, after a duly advertised and convened public hearing, the Planning Commission considered a motion to recommend that the City Council approve Application RZT19-002 to amend Section 3.8.2, Establishment of Corridor Overlay Districts, in Article 3, Zoning Districts, of the North Augusta Development Code. The proposed amendment would modify the boundaries of the current Neighborhood Preservation Overlay District to exclude Briggs Avenue to Maddox Street on the West side of Georgia Avenue. **The Planning Commission, on a vote of 4-1, voted in favor of a recommendation to City Council for the text amendment.**

Attached is the staff report associated with the request along with a draft ordinance approving the text amendment. A digital copy has been forwarded to the City Clerk. Please schedule the ordinance for consideration by City Council at the next available meeting.

Project Staff Report

RZT19-002 Neighborhood Preservation Overlay Text Amendment

Prepared by: Kuleigh Baker

Meeting Date: June 20, 2019

SECTION 1: PROJECT SUMMARY

Project Name	Neighborhood Preservation Overlay Text Amendment
Applicant	Mountaineer Pest Services
Proposed Text Amendment	A request by Mountaineer Pest Services to amend Article 3, Section 3.8.2, Establishment of Corridor Overlay Districts, of the North Augusta Development Code to amend the NP, Neighborhood Preservation Overlay District to remove properties between Briggs Street and Maddox Street from overlay requirements.

SECTION 2: GENERAL DESCRIPTION

On April 3, 2019, the Planning and Development Department received an application from Mountaineer Pest Services requesting text amendments of the North Augusta Development Code related to Article 3, Section 3.8.2, Establishment of Corridor Overlay Districts, of the North Augusta Development Code. The request is to amend the boundaries of the NP, Neighborhood Preservation Overlay District to remove properties between Briggs Street and Maddox Street from overlay requirements.

SECTION 3: PLANNING COMMISSION CONSIDERATION

The Planning Commission is being asked to review the request for a text amendment based on the following provisions of the North Augusta Development Code:

5.1.4.6 Legislative and Advisory Hearings – The purpose of a legislative public hearing is to provide the public an opportunity to be heard consistent with the adoption procedures provided by statute. Unlike quasi-judicial hearings, a legislative proceeding does not require due process protections such as the right of the parties to offer evidence, cross-examination, sworn testimony; or written findings of fact. Like quasi-judicial hearings, legislative hearings are public hearings preceded by notice to interested parties. Public hearings are required for legislative

review hearings such as amendments to a comprehensive plan, amendments to this Chapter including the zoning provisions of this Chapter and the Official Zoning Map, and applications for a Planned Development. The order of the proceedings for a legislative hearing shall be as set forth in §5.1.4.5.b. Testimony may be presented by any member of the public, but need not be submitted under oath or affirmation. The Planning Commission and Board of Zoning Appeals may establish a time limit for testimony.

5.3.2 Applicability

This section applies to any application for an amendment to the text of this Chapter or for an amendment to the Official Zoning Map. An amendment to the Official Zoning Map which reclassifies property from one zoning district to another is known as a “rezoning.” A change to the text of this Chapter is referred to as a “text amendment”.

5.3.3 Initiation

This Chapter, including the Official Zoning Map and any supporting map(s), may be amended from time to time by the City Council, but no amendment shall become effective unless it shall have been proposed by or shall have first been submitted to the Planning Commission for review and recommendation. Any communication purporting to be an application for a change shall be regarded as mere notice to seek relief until it is made in the form required. Upon receipt of any communication, the interested parties shall be supplied with the proper application form(s) by the Director.

(5.3.3.1 Rezoning, does not apply, removed for brevity)

5.3.3.2 Text Amendment – Any person, property owner, board, commission, department or the City Council may apply for a change in zoning ordinance text. A proceeding for approval of a text amendment may be initiated by filing an application with the Department. The application shall be signed by the applicant and shall include the language of the proposed amendment to the text of this Chapter and the justification for the proposed change. Before any application is accepted by the Department, it is recommended that the applicant meet with a representative of the Department. The purpose of the pre-application meeting is to discuss the procedures and requirements for a text amendment request. During the conference, the Department will identify the submittal requirements.

5.3.5 Decision

5.3.5.1 The Director shall transmit the application to the Planning Commission for consideration at the next regularly scheduled monthly meeting following receipt of a

complete application, provided that the complete application is submitted at least thirty (30) calendar days prior to said meeting. Notice of the public hearing shall be provided as set forth in §5.1.3. The Planning Commission shall approve or deny the zoning amendment in accordance with the procedures for a legislative hearing as set forth in §5.1.4.6.

5.3.5.2 At least ten (10) days' notice and opportunity to comment must be given to the public if the applicant is allowed to present oral or written comments pursuant to S.C. Code §6-29-760.

5.3.5.3 The Planning Commission shall submit its recommendation to the City Council within thirty (30) calendar days, or other period required by law, after the initial hearing date (see S.C. Code §6-29-760(A)). A majority vote is required for the Planning Commission to approve, approve with conditions, if applicable, or deny a rezoning or text amendment application. A recommendation of approval with conditions of a rezoning may be submitted only if a conditional use permit is requested pursuant to §5.5.

5.3.5.4 The City Council shall consider the recommendation of the Planning Commission on each proposed rezoning and text amendment within thirty (30) days of receipt of the Planning Commission report. The City Council is not bound by the recommendation in making a final decision and may call for additional information and/or public hearing(s).

5.3.5.5 No challenge to the adequacy of notice or challenge to the validity of a rezoning or text amendment, whether enacted before or after the effective date of this section, may be made sixty (60) days after the decision of the City Council if there has been substantial compliance with the notice requirements of this section, with established procedures of the City Council and the Planning Commission and with S.C. Code §6-29.

5.3.6 Approval Criteria

Whenever the public necessity, safety or general welfare justifies such action, the Planning Commission may recommend amendments to the text of this Chapter or changes to zoning district boundaries. The Planning Commission shall consider all of the factors specified in this section, at a minimum, in reviewing an application for a rezoning. **The Planning Commission shall consider the factors specified in §5.3.3.2 in reviewing an application for a text amendment.**

The Planning Commission is being asked to review the proposed text changes and provide a recommendation of approval or denial, which will be forwarded to the City Council. Section 5.3.3.2 does not require additional standards for analysis to address in this staff report.

The applicant has provided a letter outlining the justification for the requested changes. In this letter, the applicant mentions a key initiative from the 2017 Comprehensive Plan related to “Develop and Implement a Downtown Master Plan (Initiative 1).” Staff notes that the property described in the letter is not located in an area typically considered “Downtown.” Staff notes that Initiative 2, “Identify Priority Investment Areas and Develop Policies and Zoning Regulations to Encourage Mixed Use and Progressive Development,” is more applicable. The Planning Commission and the Planning Department have not adopted any policy or map identifying this area as a priority investment area, however, it should be noted that the mention of these areas within the Overlay district indicates it was a particular area of concern at the adoption of the Development Code.

Staff also would like to note that some of the property affected by this request is not owned by the applicant, however, the Development Code allows any person to apply for a text change (NADC § 5.3.3.2, full text provided above).

SECTION 4: PUBLIC NOTICE

Due to a publication error, a notice of the cancellation of the May 16, 2019 public hearing was placed on the City’s website on May 8, 2019. A public notice of the text amendment request and rescheduled date of the Planning Commission public hearing was published in the *North Augusta Star* and on the City’s website www.northaugusta.net on May 29, 2019.

SECTION 5: HISTORY

The North Augusta Development Code was adopted by City Council on December 17, 2007, effective January 1, 2008. The Neighborhood Preservation Overlay District was introduced as part of the new ordinance. The design elements and development standards within the overlay district were put in as regulations to provide direction for community design in areas of transition between residential and commercial uses and to guide the conversion of single-family residential structures to commercial and office establishments.

This text change request is similar to a case submitted February 14, 2018. There is no required time delay after submittal of any other text amendment.

Section 3.8.6.1. of the North Augusta Development Code describes the purpose of the NP, Neighborhood Preservation Overlay District as follows:

3.8.6.1. Purpose - The Neighborhood Preservation Corridor Overlay District applies to areas of the city that are located on collector and arterial streets and are in transition between traditional residential and commercial uses. Structures in the corridor are

predominantly if not exclusively residential in character. Parcel size is relatively small. The underlying zoning in the corridor includes a variety of both commercial and residential districts. The continued residential use of some parcels may not be economically feasible. It is anticipated that conversion of single-family residences to commercial and office establishments will continue. Demolition of existing residential structures is inconsistent with policies expressed in the Comprehensive Plan and contemporary commercial development for new retail uses and office buildings is inappropriate. New high-density residential development is also inappropriate. Alternative uses of existing residential buildings provides a more orderly and reasonable transition for the surrounding neighborhood. With appropriate restrictions, the conversion of houses to office and small personal service uses is suitable and provides for economically feasible uses of parcels in the corridor. This overlay is, therefore, created with an emphasis on preserving the residential character of the corridors, protecting the unique design features and local architecture vernacular, and protecting the property values and health, safety and general welfare of surrounding neighborhoods. The Neighborhood Preservation Corridor Overlay District is established to preserve and protect residential neighborhoods while accommodating some transitional commercial uses at an appropriate scale in locations zoned for commercial uses. It is the intent of the Neighborhood Preservation Overlay Corridor District to maintain the residential appearance of existing structures and the residential setting of any building converted to a nonresidential use so that the converted dwelling will be compatible with neighboring residential property. To maintain residential character, lots shall not be developed or redeveloped solely for the purpose of providing parking.

Table 3-8, Corridor Districts Established (Rev. 12-19-11; Ord. 2011-16) (Rev. 6-20-16; Ord. 2016-14) reads as follows:

1. West Avenue between Jackson Avenue and Martintown Road
2. Carolina Avenue between Jackson Avenue and Martintown Road
3. The south side of Martintown Road between Bama Avenue and West Avenue
4. The north side of Martintown Road between Bama Avenue and Hampton Avenue
5. The residentially zoned and utilized property on the north side of Martintown Road between Hampton Avenue and River Bluff Drive
6. Martintown Road between River Bluff Drive and Hammond Pond Road
7. The east side of Georgia Avenue between Jackson Avenue and Observatory Avenue
8. The east side of Georgia Avenue between Sidereal Avenue and Argyle Avenue
9. The west side of Georgia Avenue between Jackson Avenue and Hugh Street
10. Buena Vista Avenue from the alley located between Georgia Avenue and East Avenue to Brookside Drive

SECTION 6: SUMMARY OF CHANGES AND PROPOSED AMENDMENTS

The requested revisions to the Development Code have been modified to show changes as follows:

Underlined Text: text that has been modified or added to the Code.

~~Strike Through Text~~: text proposed to be removed.

3.8 CORRIDOR OVERLAY DISTRICTS

3.8.1 Applicability

3.8.1.1 This section applies to any lot or parcel within the following Corridor Overlay Districts that are designated on the Official Zoning Map.

3.8.1.2 In the event that the definite boundaries of the district cannot be ascertained, Corridor Overlay Districts shall be deemed to encompass the depth of the lots fronting on both sides of the corridor street up to three hundred (300) feet and all property within three hundred (300) feet of the edge of the right of way which utilizes the corridor street for direct access, unless otherwise specified, along specific sections of the corridor streets designated in §3.8.2, Establishment of Corridor Overlay Districts.

3.8.1.3 The streets designated in §3.8.2, Table 3-8, Column B, are referred to as Corridor Streets (see Figure 3-1).

3.8.1.4 A street that intersects a designated Corridor Street is referred to as an Intersecting Street (see Figure 3-1).

(Figure 3-1 Omitted)

3.8.2 Establishment of Corridor Overlay Districts

The following overlay districts are hereby established:

TABLE 3-8 CORRIDOR DISTRICTS ESTABLISHED

(Rev. 12-19-11; Ord. 2011-16)

	A	B
	Overlay District	Corridor Streets Generally
1.	G, Georgia Avenue Overlay	1. Georgia Avenue between Clifton Avenue and Spring Grove Avenue
2.	HC, Highway Corridor Overlay	1. Martintown Road between US 1 and Bama Avenue 2. The commercially zoned and utilized property on the north side of Martintown Road between Hampton Avenue and River Bluff Drive 3. The south side of Martintown Road between West Avenue and River Bluff Drive 4. Martintown Road between Knobcone Avenue and the city limits 5. Knox Avenue/Edgefield Road (US 25) between Martintown Road and the city limits north of Walnut Lane 6. Jefferson Davis Highway (US 1) between Martintown Road and Atomic Road 7. Belvedere-Clearwater Road between Edgefield Road (US 25) and Old Sudlow Lake Road 8. The east side of Georgia Avenue between Marion Avenue and Knox Avenue/Edgefield Road (US 25) 9. The west side of Georgia Avenue between Hugh Street and Knox Avenue/Edgefield Road (US 25) 10. Five Notch Road Between Georgia Avenue and Walnut Lane
3.	NP, Neighborhood Preservation Overlay	1. West Avenue between Jackson Avenue and Martintown Road 2. Carolina Avenue between Jackson Avenue and Martintown Road 3. The south side of Martintown Road between Bama Avenue and West Avenue 4. The north side of Martintown Road between Bama Avenue and Hampton Avenue 5. The residentially zoned and utilized property on the north side of Martintown Road between Hampton Avenue and River Bluff Drive 6. Martintown Road between River Bluff Drive and Hammond Pond Road 7. The east side of Georgia Avenue between Jackson Avenue and Observatory Avenue 8. The east side of Georgia Avenue between Sidereal Avenue and Argyle Avenue 9. The west side of Georgia Avenue between Jackson Avenue and Hugh Street 10. <u>The west side of Georgia Avenue between Jackson Avenue and Briggs Avenue</u> 11. <u>The west side of Georgia Avenue between Maddox Street and Hugh Street</u> 12. Buena Vista Avenue from the alley located between Georgia Avenue and East Avenue to Brookside Drive
4.	LMK, Landmark Overlay	1. Reserved. Not applicable until the city adopts historic preservation standards for any portion of the city.

SECTION 7: ATTACHMENTS

1. Public Notice
2. Application Documents
3. Map of Proposed Overlay Removal

City of
North Augusta, South Carolina
Planning Commission

PUBLIC HEARING NOTICE

The North Augusta Planning Commission will hold public hearings at its regular monthly meeting beginning at 7:00 PM on Thursday, June 20, 2019, in the Council Chambers, North Augusta Municipal Center, 100 Georgia Avenue, North Augusta, South Carolina, to receive public input on the following applications:

RZT 19-002 – A request by Mountaineer Pest Services to amend Article 3, Section 3.8.2, Establishment of Corridor Overlay Districts, of the North Augusta Development Code to amend the NP, Neighborhood Preservation Overlay District to remove properties from overlay requirements.

RZT 19-003 – A request by the City of North Augusta to amend Article 13, Signs, of the North Augusta Development Code.

RWA 19-001 – A request by Paul Brewer and Barbara Coleman to abandon a section of an unnamed alley at the rear of 812 Carolina Avenue, ±0.02 acres.

Documents related to the applications will be available for public inspection on or after Friday, June 14, 2019 in the Department of Planning and Development on the second floor of the North Augusta Municipal Center, 100 Georgia Avenue, North Augusta, South Carolina, 803-441-4221. All citizens and property owners interested in expressing a view on any matter that is the subject of a public hearing are encouraged to attend.

CITIZEN ASSISTANCE:

Individuals needing special assistance or a sign interpreter to participate in the meeting are asked to please notify the Department of Planning and Development at 803-441-4221 at least 48 hours prior to the meeting.

Application for Development Approval

Please type or print all information



Staff Use

Application Number RZT 19-002

Date Received 4/3/19

Review Fee \$250

Date Paid \$250 ^{4/3/19} CK# 11078

1. Project Name Mountaineer Pest Services
Project Address/Location 1576 Georgia Ave. N. Augusta, SC 29041
Total Project Acreage 0.30 Current Zoning GC
Tax Parcel Number(s) 006-19-06-009
2. Applicant/Owner Name Michael W. Pace Applicant Phone 803-634-4360
Mailing Address P.O. Box 9100
City N. Augusta ST SC Zip 29061 Email michael@stopmybugs.com
3. Is there a Designated Agent for this project? Yes No
If Yes, attach a notarized Designation of Agent form. (required if Applicant is not property owner)
4. Engineer/Architect/Surveyor _____ License No. _____
Firm Name _____ Firm Phone _____
Firm Mailing Address _____
City _____ ST _____ Zip _____ Email _____
Signature _____ Date _____
5. Is there any recorded restricted covenant or other private agreement that is contrary to, conflicts with or prohibits the use or activity on the property that is the subject of the application?
(Check one.) yes no
6. In accordance with Section 5.1.2.3 of the North Augusta Development Code, I hereby request the City of North Augusta review the attached project plans. The documents required by the City of North Augusta, as outlined in Appendix B of the North Augusta Development Code, are attached for the City's review for completeness. The applicant acknowledges that all required documents must be correct and complete to initiate the compliance review process.
7. Michael W. Pace 04.03.19
Applicant or Designated Agent Signature Date
Michael W. Pace
Print Applicant or Agent Name



April 3, 2019

City of North Augusta Board of Zoning Appeals
100 Georgia Avenue
North Augusta, South Carolina 29841

RE: Application Submittal and Review Section 5.3
1514 Georgia Avenue Parcel No.: 006-19-06-010
1516 Georgia Avenue Parcel No.: 006-19-06-009
1518 Georgia Avenue Parcel No.: 006-19-06-008

Honorable Members of the Zoning Board of Appeal:

The above-referenced properties are zoned General Commercial, however, a Neighborhood Preservation Corridor Overlay District has been placed on top of the General Commercial zoning. It is my request that a text amendment be applied to North Augusta Development Code Article 3, Section 3.8.2. The text amendment requested below is relatively minor and does not violate or circumvent any other parameters set forth in Article 3, Section 3.8.2.

I. Identification of the Specific Sectionp of the North Augusta Development Code Proposed to be Amended

Article 3 – Zoning Districts, Section 3.8.2 | Establishment of Corridor Overlay Districts
states “NP, Neighborhood Preservation Overlay: The west side of Georgia Avenue between Jackson Avenue and Hugh Street.”

Text Amendment Request:

- 1. “NP, Neighborhood Preservation Overlay: The west side of Georgia Avenue between Jackson Avenue and Briggs Avenue.”
- 2. “NP, Neighborhood Preservation Overlay: The west side of Georgia Avenue between Maddox Street and Hugh Street.”

The above-referenced properties are zoned General Commercial and the Neighborhood Preservation Overlay also applies. I am requesting this text amendment so that these properties would be exempt from the overlay which would allow me to build and revitalize the properties in accordance with North Augusta Development Code, Article 3, Section 3.5.7.6 | General Commercial.

Mountaineer Pest Services

The granting of such an amendment will not be materially detrimental to the public welfare and it will do no harm to either public or private interests, and is injurious to any property or interest. In fact, granting the amendment will serve only to create a more pleasing visual harmony by way of careful, authentic and architectural design created to flow with the newly revitalized area of Georgia Avenue.

The North Augusta 2017 Comprehensive Plan developed by the Mayor and Council references a Downtown Master Plan wherein it states the long-term vision and strategy for Georgia Avenue to function as North Augusta's vibrant, pedestrian-oriented main street as well as adopting policies and zoning regulations to encourage mixed use of commercial, retail and residential development. I would like to see the City of North Augusta's vision for Georgia Avenue to come to life, however, the text amendment needs to be granted in order for business, like myself, to assist in making this happen.

I plea with urgency that my request for this text amendment be heard at the Planning Commission Meeting on April 18, 2019 at 7:00 p.m. along with the City of North Augusta's request to amend Section 3.6.4.5.2, Development Standards within the P, Public Use Zoning District and Section 3.8.1.1, Applicability of the Corridor Overlay Districts to the P, Public Use Zoning District. In addition, please revise the Public Hearing Notice to reflect same.

Thank you for your kind consideration.

Sincerely,



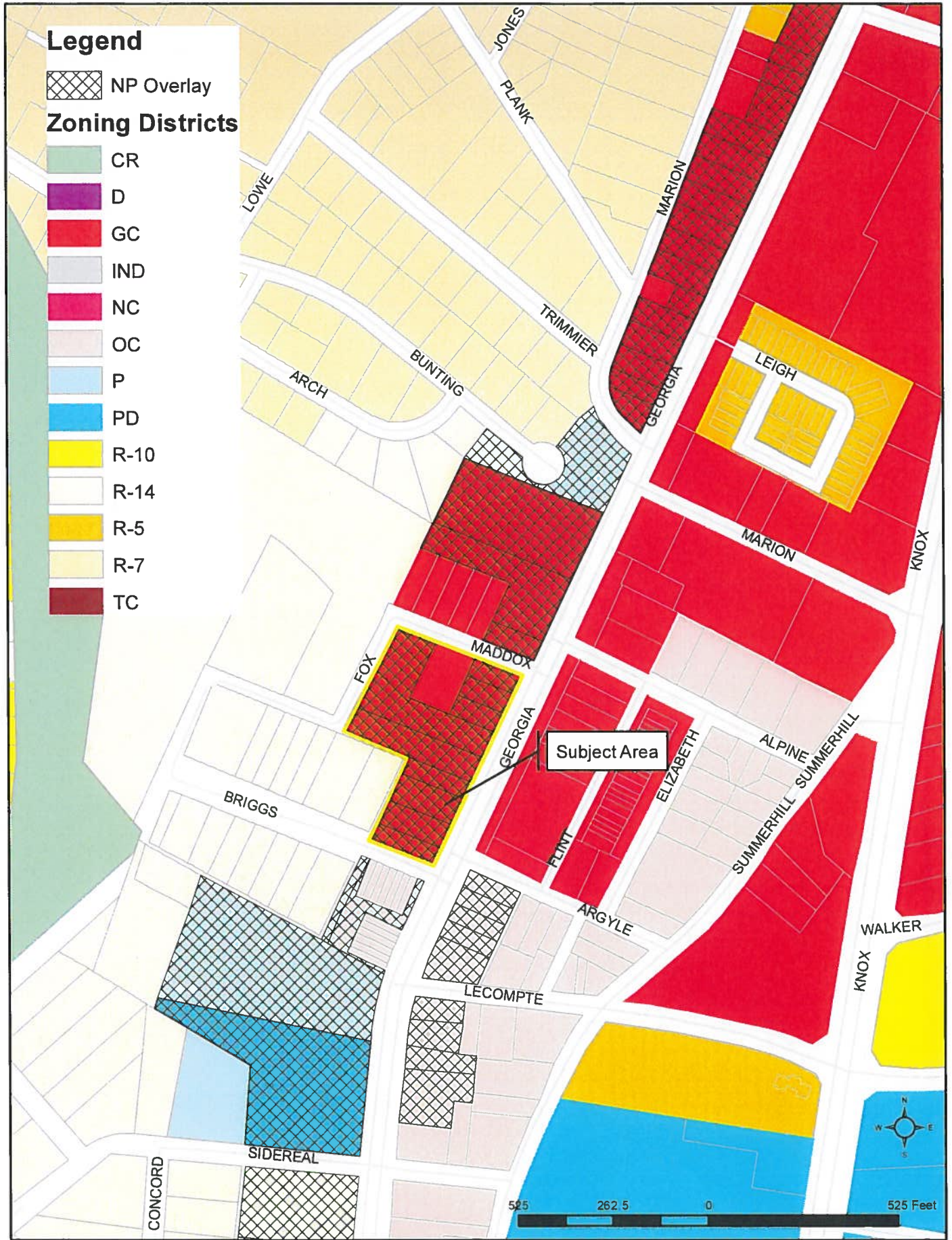
Michael W. Pace, President
Mountaineer Pest Services

Main Office 803-278-1131

Aiken 803-648-9533 Augusta 706-733-2445 Evans 706-650-1989

Lexington 803-796-4699





ATTACHMENT #13

ORDINANCE NO. 2019-08
AMENDING ARTICLE 3, ZONING DISTRICTS, RELATED TO NEIGHBORHOOD
PRESERVATION OVERLAY DISTRICT BOUNDARIES OF THE NORTH AUGUSTA
DEVELOPMENT CODE, CHAPTER 18 OF THE CITY OF NORTH AUGUSTA,
SOUTH CAROLINA CODE OF ORDINANCES

WHEREAS, on December 17, 2007, by Ordinance 2007-22, the North Augusta City Council adopted the North Augusta Development Code which is consistent with the City's 2017 Comprehensive Plan and which incorporates all City zoning and land development regulations; and

WHEREAS, a request was made on April 3, 2019, by Michael Pace to amend the text of the North Augusta Development Code; and

WHEREAS, the North Augusta Planning Commission, following a June 20, 2019 public hearing, reviewed and considered amendments to Table 3-8, Corridor Districts Established, and Section 3.8.2, NP, Neighborhood Preservation Overlay District, to change the boundaries of the Neighborhood Preservation Overlay District. The Planning Commission report has been provided to City Council for consideration.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH AUGUSTA, SOUTH CAROLINA, IN MEETING DULY ASSEMBLED AND BY THE AUTHORITY THEREOF, THAT:

- I. The North Augusta Development Code, Chapter 18 of The City of North Augusta, South Carolina Code of Ordinances, Providing for New Zoning and Land Development Regulations for the City of North Augusta, South Carolina, is hereby amended and shall read as described in the following sections. The section of the Code affected by each proposed amendment is identified by the section number.

Line 3 of Table 3-8, Corridor Districts Established, is amended to read:

A	B
Overlay District	Corridor Streets Generally

NP, Neighborhood Preservation Overlay	<ol style="list-style-type: none">1. West Avenue between Jackson Avenue and Martintown Road2. Carolina Avenue between Jackson Avenue and Martintown Road3. The south side of Martintown Road between Bama Avenue and West Avenue4. The north side of Martintown Road between Bama Avenue and Hampton Avenue5. The residentially zoned and utilized property on the north side of Martintown Road between Hampton Avenue and River Bluff Drive6. Martintown Road between River Bluff Drive and Hammond Pond Road7. The east side of Georgia Avenue between Jackson Avenue and Observatory Avenue8. The east side of Georgia Avenue between Sidereal Avenue and Argyle Avenue9. The west side of Georgia Avenue between Jackson Avenue and Hugh Street9. <u>The west side of Georgia Avenue between Jackson Avenue and Briggs Avenue</u>10. <u>The west side of Georgia Avenue between Maddox Street and Hugh Street</u>11. Buena Vista Avenue from the alley located between Georgia Avenue and East Avenue to Brookside Drive
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II. All other Ordinances or parts of Ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

III. This Ordinance shall become effective immediately upon its adoption on third reading.

DONE, RATIFIED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH AUGUSTA, SOUTH CAROLINA, ON THIS _____ DAY OF _____, 2019.

First Reading _____

Second Reading _____

Third Reading _____

Robert A. Pettit, Mayor

ATTEST:

Sharon Lamar, City Clerk

ATTACHMENT #14A

ORDINANCE NO. 2019-06
AMENDING ARTICLE 3, ZONING DISTRICTS, RELATED TO THE PUBLIC USE (P)
SPECIAL ZONING DISTRICT, OF THE NORTH AUGUSTA DEVELOPMENT CODE,
CHAPTER 18 OF THE CITY OF NORTH AUGUSTA, SOUTH CAROLINA CODE OF
ORDINANCES

WHEREAS, on December 17, 2007, by Ordinance 2007-22, the North Augusta City Council adopted the North Augusta Development Code which is consistent with the City's Comprehensive Plan and which incorporates all City zoning and land development regulations; and

WHEREAS, pursuant to Section 5.3.3.2 Text Amendments in Article 5, Approval Procedures, of the North Augusta Development Code, any person, property owner, board, commission, department or the City Council may apply for a change in zoning ordinance text; and

WHEREAS, the North Augusta City Council resolved to instruct the City Administrator to apply for a text change to Article 3, Zoning Districts, of the North Augusta Development Code; and

WHEREAS, the North Augusta Planning Commission, following a April 18, 2019 public hearing, reviewed and considered a request by the City of North Augusta to amend Section 3.6.4.5.2 entitled "Development Standards" and 3.8.1.1 of the North Augusta Development Code to revise requirements for P, Public Use District related to corridor overlay standards in Article 3, Zoning Districts, of the North Augusta Development Code. The Planning Commission report has been provided to City Council for consideration.

The Mayor and City Council have reviewed the request as well as the report from the Planning Commission and has determined that the change to the text of the Development Code is appropriate.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH AUGUSTA, SOUTH CAROLINA, IN MEETING DULY ASSEMBLED AND BY THE AUTHORITY THEREOF, THAT:

- I. The North Augusta Development Code, Chapter 18 of The City of North Augusta, South Carolina Code of Ordinances, Providing for New Zoning and Land Development Regulations for the City of North Augusta, South Carolina, is hereby amended and shall read as described in the following section. The section of the Code affected by the proposed amendment is identified by the section number.
 - A. Section 3.6.4.5.2 entitled "Development Standards", is amended to read:
§ 3.6.4.5.2 Development Standards – Uses within the P, Public Use District, are not subject to the dimensional standards of §3.5. However, such uses are

subject to the landscaping standards of Article 10, and the parking standards of Article 12.

B. Section 3.8.1.1 entitled “Applicability”, is amended to read:

§ 3.8.1.1 This section applies to any lot or parcel within the following Corridor Overlay Districts that are designated on the Official Zoning Map, with the exception of those lots or parcels zoned P.

- II. All other Ordinances or parts of Ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.
- III. This Ordinance shall become effective immediately upon its adoption on third reading.

DONE, RATIFIED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH AUGUSTA, SOUTH CAROLINA, ON THIS _____ DAY OF _____, 2019.

First Reading _____

Second Reading _____

Third Reading _____

Robert A. Pettit, Mayor

ATTEST:

Donna B. Young, City Clerk