



Planning and Inspections Department

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MEMO

To: Honorable Mayor and City Council
Thru: Brad Corcoran, City Manager
From: Kelly K. Stultz, AICP, Director
Subject: Zoning Case Z-12-05
Date: August 29, 2012

The City Council initiated a zoning text amendment to delete Section 11.31(f)(9) which allows for temporary banners to be placed in the right-of-way. Staff recommended that the text amendment be approved.

The Planning Board considered this request at their regular meeting on August 28, 2012 and recommended that the amendment be approved.

**PLANNING AND INSPECTIONS DEPARTMENT
ZONING CASE REPORT
August 16, 2012**

CASE NUMBER: Z-12-05

REQUESTED ACTION: To delete Section 11.31(f)(9) which allows for temporary banners to be placed in the public right-of-way.

APPLICANT: City Council

EXISTING TEXT

Section 11.31(f) SIGNS EXEMPT

- (9) Decorative lights, banners, and flags with no commercial message displayed within a public right-of-way; provided that such lights, banners and flags may be displayed in a public right-of-way only when authorized by a resolution adopted by the City Council.
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PROPOSED TEXT

Section 11.31(f) SIGNS EXEMPT

- (9) (Delete this section)
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GENERAL INFORMATION

This request was submitted by the City Council.

STAFF ANALYSIS

Since the sign ordinance was adopted, provisions have been made for civic groups and other non-commercial organizations to be allowed to place temporary banners in the public right-of-way for special events. The primary location for these banners has been at the intersection of Van Buren Road (Highway 14) and East Arbor Lane. Requests must be made in writing to and approved by the City Council. No time limit is currently specified in the Sign Ordinance, however banners have typically been allowed for a maximum of 30 days.

Over time, the banner situation has become more of a problem. Since most applicants want to place banners at the Highway 14/Arbor Lane intersection, requests have been approved on a first come first serve basis. There is often more than one banner displayed at any one time and space is very limited at this location. There have been increasing

problems with applicants not getting their banners approved because (a) other banners were already in place; (b) they did not submit a written application; (c) they thought they could just call and make a request; or (d) they presumed because they had made a prior year request, they could just put up a banner for the same event this year without making a new application. In addition, sign clutter has become a real problem, creating not only appearance issues, but sight visibility issues as well.

Staff is in the process of revising the entire sign ordinance, including the temporary banner provision. Therefore, staff recommends that this section be deleted from the sign ordinance and NO temporary banners be allowed, other than ones already approved by City Council, until such time as a new procedure can be established and the revisions to the ordinance adopted.

Based upon the foregoing information, staff recommends in favor of the text amendment.

STAFF RECOMMENDATION: Approval of the amended text amendment.

AN ORDINANCE AMENDING THE ZONING
ORDINANCE OF THE CITY OF EDEN

BE IT ORDAINED BY THE CITY COUNCIL of the City of Eden, North Carolina, that, after having fully complied with all legal requirements, including publication of notice of a public hearing and the holding of a public hearing relative thereto, Section 11.31 SIGNS of the Zoning Ordinance of the City of Eden is hereby amended as follows:

(f) **SIGNS EXEMPT**

Subparagraph (9) is hereby deleted.

APPROVED, ADOPTED AND EFFECTIVE, this 18th day of September, 2012.

CITY OF EDEN

BY: _____
John E. Grogan, Mayor

ATTEST:

Sheralene Thompson, CMC
City Clerk