

**MINUTES  
VILLAGE OF LAKE PARK  
PUBLIC HEARING  
TEXT AMENDMENTS TO THE UDO  
3801 LAKE PARK ROAD, LAKE PARK, NC  
7 PM**

**March 8, 2016**

**ATTENDING:** Mayor David Cleveland  
Council Members: Sandy Coughlin, John Barnes, Pam Jack, Fabian Szarko and Ashley Dance.  
Village Administrator Cheri Clark  
Finance Officer Cheryl Bennett  
Attorney Ken Swain

**CALL TO ORDER:** Mayor David Cleveland called the March 8, 2016 Public Hearing on the text amendments to the Unified Development Ordinance (UDO) to order. The first two text amendment changes on Protest Petitions and Architectural Standards bring the UDO into compliance with the NC General Statutes. The third text amendment change is designed to bring the UDO into compliance with the recent U. S. Supreme Court ruling that effectively prohibits any functional classification of signs based on content. The current UDO has been in effect since July 1, 2013 and sets limits of one temporary sign per yard plus one real estate sign per yard. The Planning Board has recommended allowing one temporary sign per yard. The Master HOA CC&Rs do not allow any signs on residential property other than one real estate sign per yard. Council is considering the following changes to the sign ordinance: Allow yard signs smaller than one square foot in area and increase the maximum number of other yard signs allowed to two per yard (other restrictions on size and placement still apply) and 5 per yard during the political season.

**INVOCATION:** Pam Jack gave the invocation.

**PLEDGE OF ALLEGIANCE:** Mayor David Cleveland led the Pledge of Allegiance.

**PUBLIC COMMENT:** Mark and Wendy Richards – 6129 Creft Circle – stated that the restriction needs to allow for more than one sign per yard and questioned the size and height of a sign. The question was also asked about how the Architectural Standards are changing. Mayor David Cleveland shared that local governments by NC General Statutes can no longer govern residential architectural standards and the text amendment will strike the residential standards from Article 10.1 of the UDO.

Kristen Bowman-Rintoul – 5913 Hoover – asked why the Village would be regulating signage instead of the HOA. Mayor David Cleveland shared that it is a very common practice for municipalities to regulate signage.

Diane Balcerek email read into the minutes: I just now saw the information about the meeting tonight. I never got an e-mail regarding it so I was unaware. I just wanted to let my opinion be known. I'm not sure that I understand all the issues being raised, but I don't feel that the government should have anything to do with signs. I know the HOA has their own rules regarding signs in the neighborhood and I feel that's sufficient, we don't need the government involved in this as well. Thanks!

Alicia Parente – 3714 Society Court – thought the question was not the number of signs but whether or not the government should be able to regulate signage on private property.

Kim Ladd – 3909 Etheredge Street – asked if the Village is just moving the Architectural Standards from Section 10 to Section 9. Mayor David Cleveland shared that Article 10 currently has both Residential and Commercial Architectural Standards. The General Statutes have eliminated the ability for municipalities to regulate residential architectural standards. The text amendment also proposes moving the nonresidential architectural standards from Article 10 to Article 9 and that Article 10 be renamed to “Reserved” for future codification purposes.

Blair Cooper – 3907 Balsam Street – asked for verification of how many political signs can be placed on private property during any election. Mayor David Cleveland shared that 30 days prior to the beginning of early voting for any scheduled primary or election, as established by the North Carolina Board of Elections, and ending the 10<sup>th</sup> day following the primary or election, the number of Yard Signs that may be displayed on a parcel shall be increased to five signs.

**COUNCIL COMMENTS:** Ashley Dance asked about where in the UDO the section on small signs under 1 square foot was located. Mayor David Cleveland shared that small signs under 1 square foot will be discussed in the regular Council meeting. Ashley Dance asked for clarification between yard art flags and sign flags. Vagn Hansen responded that a sign is defined as any object, display or structure, or part thereof, situated outdoors, which is used to advertise, identify, display, direct, or attract attention to an object, person, institution, organization, business, product, service, event or location by any means, including words, letters, figures, design, symbols, fixtures, colors, illumination, or projected images. The term sign does not include works of art which in no way identify a product or business; scoreboards located on athletic fields; or religious symbols. A flag is a piece of durable fabric of distinctive design attached to a permanent pole that is used as a symbol or decorative feature. You can have up to four flags on one flagpole.

Sandy Coughlin shared that she had one telephone call from a resident that expressed the view that there should be no limit on the number of signs on private property.

**ADJOURN:** Sandy Coughlin made the motion to adjourn. Pam Jack seconded the motion.  
Vote – Unanimous.

Respectfully submitted,

  
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Mayor David Cleveland

  
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Village Administrator, Cheri Clark

