

Town of Nashville

BRENDA BROWN, MAYOR
RANDY LANSING, TOWN MANAGER

TOWN COUNCIL
LOUISE W. HINTON
KATE C. BURNS
LYNNE HOBBS
LARRY D. TAYLOR



PLANNING BOARD
ANN COLLIER
BILL LUMPP
JACQUELYN LEWIS
WAYNE SEARS
DENNIS EVANS
ROSS STRICKLAND
EDDIE THOMAS

REGULAR MEETING AGENDA TOWN OF NASHVILLE PLANNING BOARD TUESDAY, MARCH 28, 2023

1. **CALL TO ORDER AND ROLL CALL:** 6:00pm
2. **MINUTES OF THE PRECEDING MEETING:** February 28, 2023
3. **PLANNING BOARD PROCEDURE FOR PUBLIC HEARINGS**
4. **NEW BUSINESS (AGENDA-STAFF REPORT ATTACHED):**
 - A. **PUBLIC HEARING:** Consideration of Ordinance Amendment for Rooming House to be allowed in the Multi-Family Zoning District as a special use.
 - B. **PUBLIC HEARING:** Consideration of Ordinance Amendment for Electronic Signage.
 - C. **PUBLIC HEARING:** Consideration of Ordinance Amendment to Flood Damage Prevention Ordinance.
5. **ANNOUNCEMENT OF NEXT MEETING:** April 25, 2023, at 6pm
6. **ADJOURNMENT**

Town of Nashville

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MINUTES OF THE NASHVILLE PLANNING BOARD TUESDAY, FEBRUARY 28, 2023

Members Present: Ann Collier, Bill Lumpp, Wayne Sears, Dennis Evans, Ross Strickland, Eddie Thomas

Members Absent: Jacquelyn Lewis

Staff Present: Sherry N. Moss, Planning & Development Director and Shawn Lucas, Planner/Code Enforcement Officer

Others Present:

1. CALL TO ORDER AND ROLL CALL: 6:00pm

The Nashville Planning Board held its monthly meeting on Tuesday, February 28, 2023 in the Town Council Chambers at 114 W. Church Street at approximately 6:00PM. Chairman Bill Lumpp recognized a quorum and called the meeting to order.

2. MINUTES OF THE PRECEDING MEETING: January 31, 2023

The minutes of the preceding meeting listed above was motioned to be approved by Board Member Ross Strickland and seconded by Board Member Ann Collier; there was no further discussion; the motion unanimously passed 5-0.

3. NEW BUSINESS (AGENDA-STAFF REPORT ATTACHED):

DISCUSSION: Electronic Signage

Planning Director Sherry Moss presented the contents of the agenda packet to the Planning Board. She stated the Planning Department had some inquiries regarding digital signs. Ms. Moss mentioned digital signs of McDonalds, Cook Out, Bell's Ace Hardware, Nash County Public Schools, and Rock Creek Baptist Church as an example and how those signs were permitted. Ms. Moss stated digital signs came out around 2016 or 2017. She then continued to introduce the proposed regulations within the ordinance draft regarding the size of the sign; maximum square footage shall be the lesser of 50% total allowable side face area or 32 square feet; the signs to be permitted in B1-Highway Business, B2-General Business, A1-Agricultural, and I1-Industrial zoning districts; the minimum separation from a residential zoning district shall be 150' feet; the minimum separation from another electronic message sign shall be 35 feet; message signs within or opposite a residential zoning district shall not be operated or lit between the hours of 12pm midnight and 6am; lighting shall be directed

away from a public right away or residential or residential premises six shall not be allowed to flash animate scroll or otherwise move or otherwise move or transition from one message to another in a moving manner; transition between messages shall be instantaneous; each message shall be continuously displayed for a minimum of blank seconds before changing to another message; and sign to be equipped with control system that automatically adjust the lighting mission level to ambient light conditions so as not to cause glare or excessive brightness. In addition, the board further discussed electronic message signage and sign illumination for non-residential uses within a residential district regarding schools and churches and the display time of the electronic message, stating 5-6 seconds before transitioning to another message.

It was suggested that Planning staff make revisions and bring back to the Planning Board at the March 28th meeting.

4. ANNOUNCEMENT OF NEXT MEETING: March 28, 2023, at 6pm

5. ADJOURNMENT

Board Member Ross Strickland motioned to adjourn. Board Member Ann Collier seconded the motion. The meeting adjourned at approximately 6:47pm.

Secretary

Bill Lumpp, Chairman



**TOWN OF NASHVILLE
PLANNING DEPARTMENT**

499 S. Barnes Street / Nashville, NC 27856 / 252.459.4511 Phone

www.townofnashvillenc.gov

PLANNING BOARD PROCEDURE FOR PUBLIC HEARING:

**An Ordinance Amending Chapter 18: “Land Use Regulations” in the Code of Ordinances
for the Town of Nashville**

Per G.S 160D-601, before adopting, amending, or repealing any ordinance or development regulation, a public hearing is required. Staff will not provide a recommendation on denial or approval of the case until after the public hearing is closed.

PROCEDURE FOR THE PUBLIC HEARING

The procedure for hearing this case is as follows:

- The chairperson of the Planning Board calls the meeting order and introduces each new public hearing matter on the agenda.
- The Planning Board chairperson will explain the purpose of the public hearing.
- The public hearing is open and preliminary matters are addressed.
- The Planning Board requests that comments not be repetitive, and where possible, that a spokesperson is designated to present the view of a large group.
- Each person who speaks must state his or her name and address for the record.
- Planning Staff is called on to present the Ordinance Amendment, followed by others who wish to speak in support and/or opposition of this item.
- Members of the Planning Board may pose questions to Planning Staff and the speakers who spoke in support and/or opposition of the item presented.
- After everyone has had a chance to speak, the chairperson will give Planning Staff an opportunity to respond to the public comments.
- The Planning Board chairperson closes the period for public discussion.
- The Planning Board deliberates. In the course of the deliberation, the members of the Planning Board may ask questions of the Planning Staff, or others who have spoken. Beyond that, additional comments from the floor will be admitted only at the discretion of the Planning Board chairperson.
- The public hearing is closed, and Planning Staff may present its recommendation to the Planning Board at this time.
- A motion and second is made by the Planning Board.
- If necessary, further discussion will take place.
- A vote is conducted to approve or deny the recommendation of the Ordinance Amendment.
- The Planning Board will make a written recommendation to the Town Council before the April 4, 2023 Town Council meeting, where an additional public hearing and final decision will be made.



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AGENDA-STAFF REPORT

Issue Considered:	Public Hearing – Rooming House as a Special Use within the Multi-Family (MF) Zoning District
Report By:	Shawn Lucas, Planner/Code Enforcement Officer
Hearing Date(s): Planning Board – March 28, 2023 / Town Council - April 4, 2023	

SUMMARY OF ISSUE:

The property owner Diane Hultzman requested a Text Amendment to allow running a rooming home/ boarding house in a multi-family zoning district as a Special Use at the property of 223 N. Lumber Street. The subject property is +/- 0.55 acres with ParID# 047941. The Code of Ordinances allow Boardinghouses, Rooming houses, and Bed and Breakfast in the Agricultural (A-1) and Residential (R-10, R-6, and R-4) Zoning Districts as a Special Use and in the Office-Institutional (O-I) and Business (B-1 & B-2) Zoning Districts as a permitted use by right. The owner/applicant wants to utilize their property to rent out rooms for traveling nurses. The subject property is surrounded by another assisted living facility & single-family dwellings.

Currently, our zoning does not allow rooming houses in a MF (Multi-Family) zoning district as a permitted or special use. In order for the owner/applicant to be able to use this structure as they wish and comply with the Town of Nashville Code of Ordinances, an ordinance amendment will have to be recommended by the Planning Board and approved by the Town Council, respectively. If ordinance amendment is approved, the proposed use would be allowed in all MF zoning districts by special use within the Town of Nashville.

Section 18-23. Definitions:

Rooming house: a building or portion of a building which contains guestrooms which are designed or intended to be used, let or hired out for occupancy by or which are occupied by four or more but not exceeding nine individuals for compensation, whether the compensation is paid directly or indirectly.

Section 18-108. Description of Districts:

O-I office and institutional district. The O-I district is defined as certain land areas with structures that provide office space for professional services and for certain institutional functions, and residential accommodations, usually medium- or high-density. The district is normally small and may include older homes undergoing conversion. The district is usually situated between business and residential districts, and the regulations are designed to permit development of the enumerated functions and still protect and be compatible with nearby residential districts.

B-1 general business district. The B-1 district is defined as certain commercial areas which provide a wide selection of convenience and comparison-shopping outlets, furniture showrooms, and for personal services, in an orderly arrangement of retail facilities, parking and other amenities. This district is customarily located at the intersection of one or more highways or along thoroughfares. This district may also provide retailing and personal services for the benefit of residents in nearby areas and nonresidents. Included also are certain functions such as warehousing that are compatible with the primary uses.

B-2 central business district. The B-2 district is defined as certain land structures that provide personal services, retailing, some high-density dwellings, and business services of all kinds for local and regional commerce. The area is located in the central business district of the town where major streets and highways converge.

The regulations are designed to permit a concentrated development of permitted facilities and to protect the district from over intensive development and congestion.

A-1 agricultural district. The A-1 district is defined as one to provide land for future development while permitting continued agricultural use until such time that development is appropriate. It is assumed that approved wells and septic tanks will be utilized until such time as municipal water and sewer is available. This district is situated primarily in the town's extraterritorial jurisdiction.

R-10 medium-density residential district. The R-10 district is defined as medium-density residential areas of mostly single-family dwellings and certain open areas where similar residential development will likely occur. The uses permitted in this district are designed to stabilize and protect all activities of a residential nature except certain home occupations controlled by specific limitations.

R-6 high-density residential district. The R-6 district is defined as medium- to high-density residential areas where single-family and multifamily dwellings are commingled and certain open areas where similar residential development will likely occur. The uses permitted in this district are designed to stabilize and protect the essential characteristics of the area and prohibit all activities of a commercial nature except certain home occupations controlled by specific limitations.

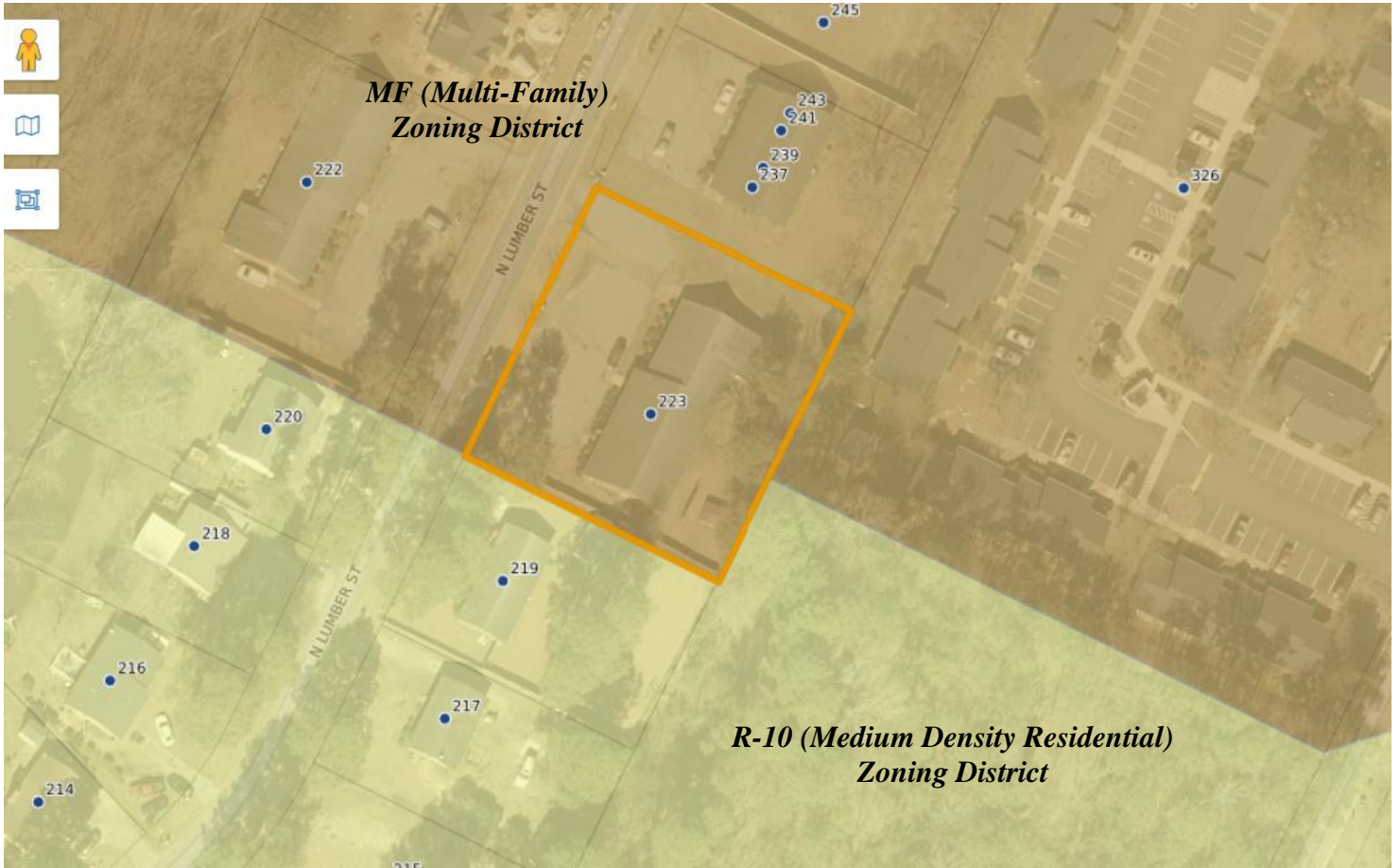
R-4 high-density residential district. The R-4 district is defined as high-density residential areas where single-family and two-family dwellings are commingled. The district is primarily established to accommodate existing residential neighborhoods where lot sizes are too small to be appropriate for any other zoning district. The uses permitted in this district are designed to stabilize and protect the essential characteristics of the area and prohibit all activities of a commercial nature except certain home occupations controlled by specific limitations.

MF multifamily residential district. The MF district is designed to provide high-density areas in which multifamily dwellings are distributed with particular regard to stabilizing and protecting the essential characteristics of the area.

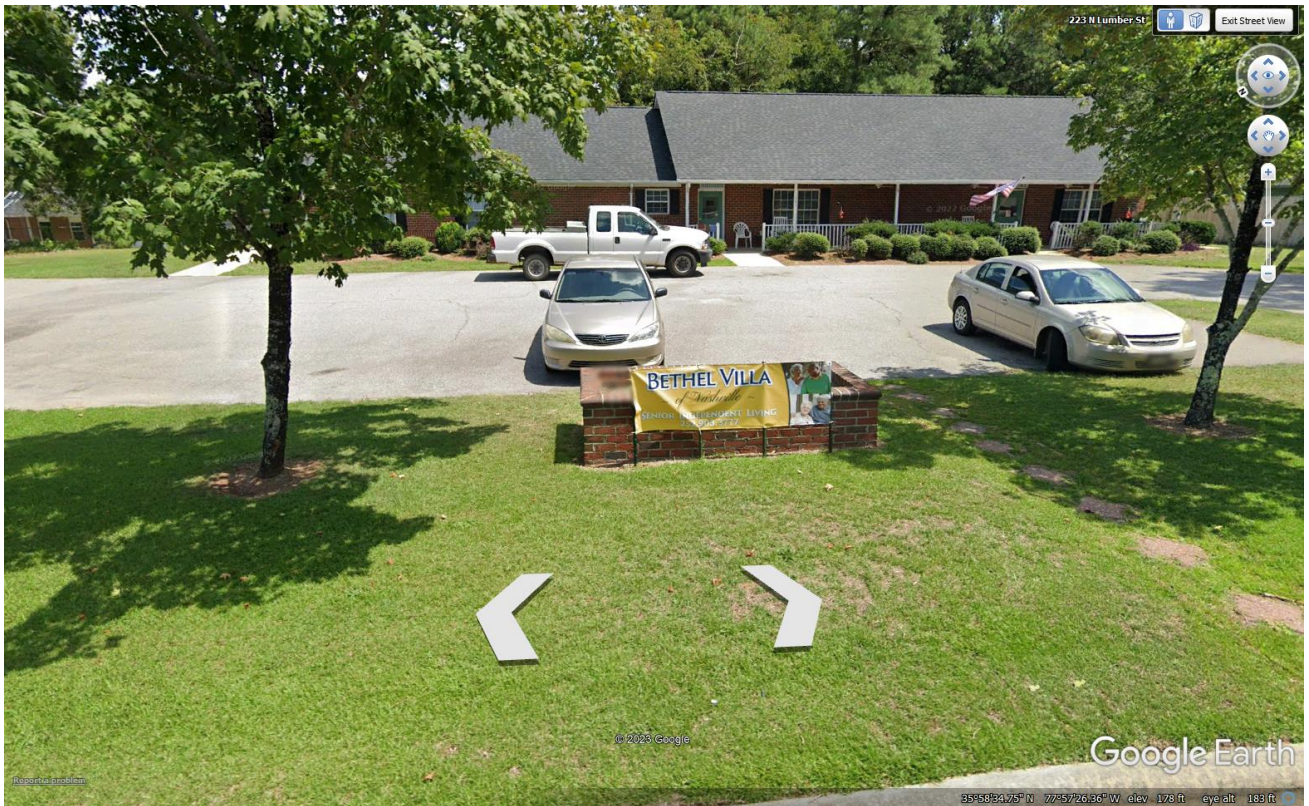
Section 18-109. Table of Permitted Uses:

	A-1	R-30	R-15	R-10	R-6M	R-6	R-4	MF	O-I	B-1	B-2	I-1
Boardinghouse, rooming house, and bed and breakfast	S			S		S	S		X	X	X	

Zoning Map



Google Earth Pro



Section 18-111. Regulations for Special Uses:

(5) *Boardinghouses and bed and breakfast establishments.*

- a. *Approved by.* This use is approved by the town council.
- b. *Special use districts.* The special use districts are A-1, R-10, R-6, and R-4.
- c. *Parking and loading.* There shall be a minimum of one additional space for each room available for boarding.
- d. *Other requirements.* Consideration shall be given as to whether the proposed use shall threaten the integrity of the area in question.

Staff Recommendations:

The Planning Staff recommends allowing the text amendment as requested to be a Special Use to allow Boardinghouse, Rooming house, and Bed and Breakfast in a MF (Multi Family) Zoning District, due to the fact this uses will not disturb the harmony of the neighborhood and will not make a detrimental impact on the existing neighborhood or any other within the Town of Nashville.

Finding of Facts:

1. Text Amendment request was submitted to the Planner Code Enforcement Officer for the Town of Nashville on February 27, 2023.
2. The Planning Board meeting was scheduled for March 28, 2023, at 6:00 PM
3. A Public Hearing notice ran for two consecutive weeks the weeks of March 16, & March 23.
4. Public Agenda notices were posted on the Town Hall Front Door, Library Door, Town Council Chambers, and at the Nashville Parks and Recreation Center.
5. The subject property is approximately +/- 0.55 acres, with an address of 223 N. Lumber Street.
6. The property is not located within a floodplain.
7. The property is located within the Upper Stoney Creek Sub-Watershed, Stoney Creek Watershed, Upper Tar River Sub Basin, Tar-Pamlico River Basin, & the South Atlantic Gulf Region / Neuse Pamlico Region/Sub-Region.
8. The Planning Board's recommendation will go before the Town Council on April 4, 2023 for final decision.

Attachments:

1. Ordinance Amendment Application
2. Ordinance Amendment Draft – Rooming House



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PLANNING DEPARTMENT**

499 S. Barnes Street, Nashville, NC 27856
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ORDINANCE AMENDMENT APPLICATION

FOR ADMINISTRATIVE USE ONLY

Case #	Date Submitted	Fee Paid	Planning Board Date	PB Notice Dates	Town Council Date	TC Notice Dates
10472023-01	2/27/2023	\$200	3/28/2023	3/16 & 3/23	3/28/2023	3/23 & 3/30

APPLICANT INFORMATION

Applicant: Biane Hultzman
Mailing Address: 100 Loyd Park Dr.
City: Nashville State: NC Zip Code: 27856
Phone: 252-903-3777 Email: dbhultzman@yahoo.com

ORDINANCE AMENDMENT INFORMATION

Amended Chapter: 818 Amended Section #'s: Sec 18-109 Table Allowed Uses
Reason for Amendment: to allow rooming house for traveling nurses in nudity family zoning district
Description of Ordinance Change: _____

PLANNING BOARD ACTION

Planning Board Recommendation & Comments: _____
Motioned by: _____ Seconded by: _____ Vote: _____

TOWN COUNCIL ACTION

Town Council Decision: _____ Approved _____ Denied
Motioned by: _____ Seconded by: _____ Vote: _____
Town Council Comments: _____



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ORDINANCE AMENDMENT APPLICATION

PLANNING STAFF COMMENTS

Planning Staff Comments: _____

_____ Signed Ordinance Document Attached

Town Official Signature

Date

APPLICATION AFFIDAVIT

I certify that all information furnished in this application is accurate to the best of my knowledge.

APPLICANT (Print Name): _____

Signature of Applicant: _____ Date _____

ORDINANCE AMENDMENT 2023-XX

ORDINANCE AMENDING CHAPTER 18 LAND USE REGULATIONS BY INCLUDING BOARDING HOUSE, ROOMING HOUSE, AND BED AND BREAKFAST IN THE MULTI-FAMILY ZONING DISTRICT

WHEREAS, a Public Hearing of the Nashville Planning Board and Nashville Town Council was scheduled, advertised, and conducted on March 28, 2023, and April 4, 2023 respectively; and

WHEREAS, the Nashville Planning Board made a favorable recommendation to approve the proposed Ordinance Amendment at its March 28, 2023 meeting,

NOW, THEREFORE, BE IT ORDAINED, by the Town Council of the Town of Nashville that the recommendation is favorably acted upon and provides that the following amendment be included in: Chapter 18, Land Use Regulations, Article II. Zoning, of the Town of Nashville Code of Ordinances be made:

SECTION 1. Amended Section. That Section 18-109. “Table of Permitted Uses” of Chapter 18 of the Code of Ordinances of the Town of Nashville are hereby amended as follows:

Sec. 18-109. Table of Permitted Uses.

	A1	R30	R15	R10	R6M	R6	R4	MF	OI	B1	B2	I1
Boardinghouse, rooming house, and bed and breakfast	S			S		S	S	S	X	X	X	

SECTION 2. Amended Section. That Section 18-111. “Regulations for Special Uses” of Chapter 18 of the Code of Ordinances of the Town of Nashville are hereby amended as follows:

Sec. 18-111. Regulations for Special Uses.

- (5) Boardinghouses, **Rooming Houses**, and Bed and Breakfast Establishments.
 - a. *Approved by.* This use is approved by the town council.
 - b. *Special use districts.* The special use districts are A-1, R-10, R-6, **R-4**, and **MF**.
 - c. *Parking and loading.* There shall be a minimum of one additional space for each room available for boarding.
 - d. *Other requirements.* Consideration shall be given as to whether the proposed use shall threaten the integrity of the area in question.

SECTION 3. Effective Date. This Ordinance shall be in effect after its final passage, approval and publication as provided by law.

PASSED and APPROVED this 4th day of April 2023.

Brenda Brown, Mayor

ATTEST:

Louise Bennett, Town Clerk

DRAFT



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AGENDA-STAFF REPORT

Issue Considered:	Public Hearing – Electronic Signage
Report By:	Sherry N. Moss, Planning Director
Hearing Date(s): Planning Board – March 28, 2023 / Town Council - April 4, 2023	

SUMMARY OF ISSUE:

Town staff has received inquiries of electronic signage in forms of digital displays or electronic messages. Also, there were concerns if these types of signs were allowed. Below, are LED signs within the Town of Nashville that has had sign permits issued for digital signage. This item is for discussion purposes in which will allow the Planning Board to review the comparison of what the Town of Nashville and other towns have in place. This will also give the board and Planning Staff the opportunity to provide any feedback they may have or regulations they may want implemented for the Town of Nashville regarding electronic signage. Currently, signage with LED/digital displays are being permitted as illuminated signs.

Town of Nashville – Code of Ordinances: Section 18-137. General Provisions

- (i) Sign illumination. Where illuminated signs are permitted, they shall conform to the following criteria:
 - (1) Illuminated signs may have either an interior or exterior source of illumination or a combination of both.
 - (2) Exterior illumination, where the source of illumination is provided by such devices as spotlights or floodlights, shall be placed so that it is not directly visible from any residential district, or from adjacent properties. Internal illumination refers to a source of illumination within the sign itself.
 - (3) No illuminated sign shall be permitted to have flashing lights other than signs which contain only time and temperature information.
 - (4) No sign within 150 feet of a residential zone may be illuminated between the hours of 12:00 midnight and 6:00 a.m. unless the impact of such lighting beyond the boundaries of the lot where it is located is entirely inconsequential.
 - (5) Lighting directed toward a sign shall be shielded so that it illuminates only the face of the sign and does not shine directly into a public right-of-way or residential premises.

Photos of Existing Electronic Signage in Nashville:

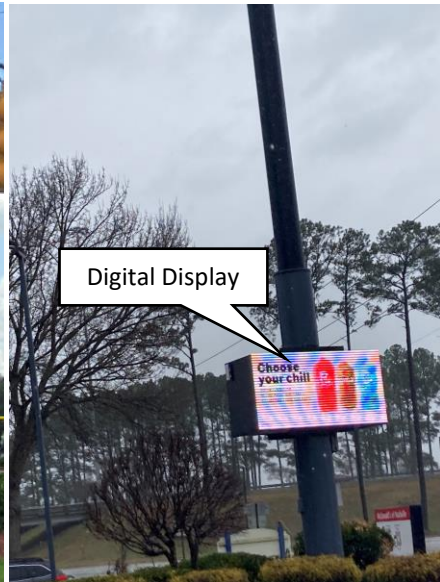
Bells Ace Hardware - 700 E. Washington Street, Nashville, NC



Nash County Public Schools – 930 Eastern Avenue, Nashville, NC



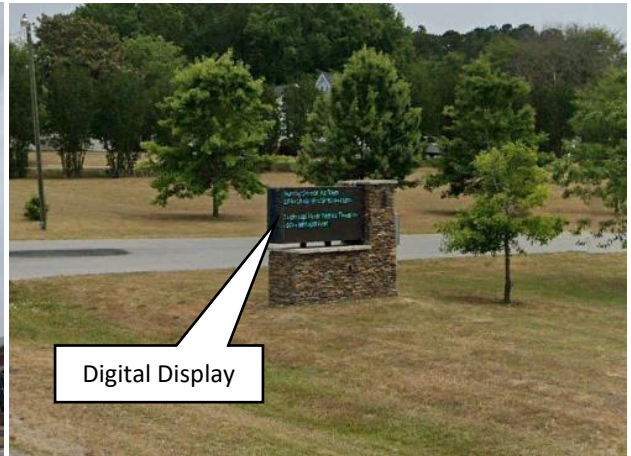
McDonald's – 501 W. Washington Street, Nashville, NC



Cookout – 102 East Evans Drive, Nashville, NC



Rock Creek Baptist Church – 1238 Rock Creek Dr.



Nash County, NC

Electronically Controlled Message Sign. A sign on which the copy changes automatically on a lampbank, such that the message or display does not run continuously in the travel mode, and any message or display remains stationary for a minimum of one second on roads where the speed limit is fifty-five miles per hour or greater, or two seconds on roads where the speed limit is less than fifty-five miles per hour. Any sign on which the message or display runs continuously in the travel mode and/or on which any message or display does not remain stationary for a minimum of one second on roads where the speed limit is fifty-five miles per hour or greater, or two seconds on roads where the speed limit is less than fifty-five miles per hour, shall be considered a flashing sign.

Photos of Existing Electronic Signage in Nash County:

Nash Central High School – 4279 Nash Central High Rd, Rocky Mount, NC



Franklinton, NC

ELECTRONIC CHANGEABLE MESSAGE SIGN (ECMS). Any sign with a message, text, or photo made wholly or partially of lights, including but not limited to, light emitting diodes (LED), incandescent lights, or exposed light bulbs.

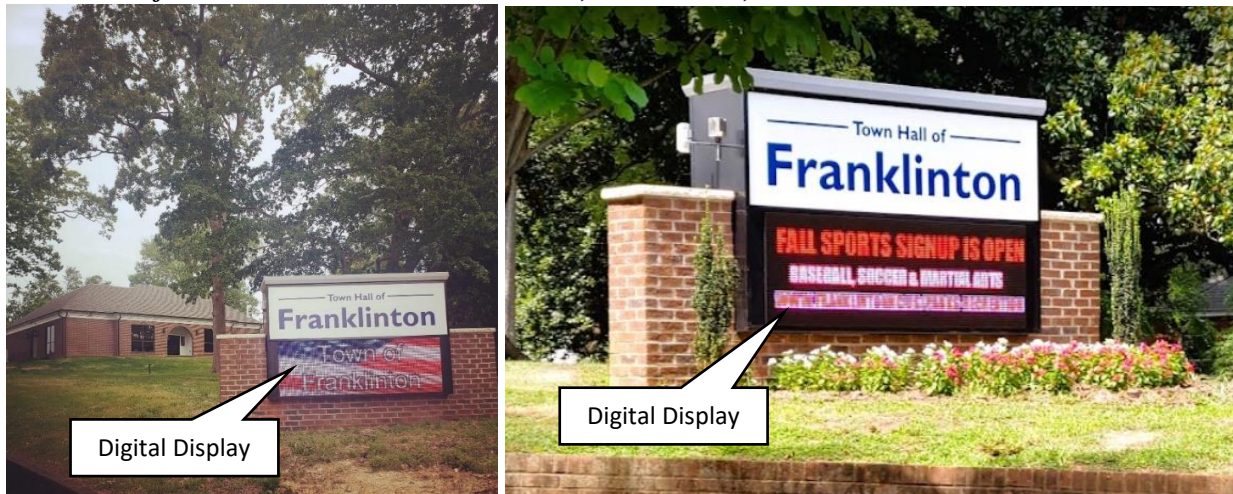
Electronic changeable message signs.

- (1) Electronic changeable message signs (ECMS) shall be permitted on freestanding on premises business identification signs subject to the following limitations and requirements:
 - (a) The ECMS shall be part of the single-tenant freestanding business identification sign or be allowed in lieu thereof, but in no case shall the square footage of the ECMS exceed 50% of the total allowed sign face area for any such freestanding sign. In the case of multi-tenant signs the ECMS shall not exceed 50% of the total allowed sign face area for multi-tenant signs or 36 square feet, whichever is less;
 - (b) ECMS on freestanding signs shall be allowed in certain zoning districts subject to certain location and land use restrictions as follows: (All street designations are as defined in the Unified Development Chapter (UDO) in § 152.098(A) - Street Classification.)
 1. In all commercial (C) districts, except C-1, but not allowed along frontages of streets smaller than Collector rated, opposite residential (R) districts.
 2. In all industrial (I) districts, but not allowed along frontages of streets smaller than collector rated, opposite residential (R) districts.
 3. In residential (R) districts for schools, museums, and churches/houses of worship, provided that the ECMS is located along the frontage of a arterial street having three or more lanes at the time of permitting.
 - (c) ECMS shall not be permitted on sites where existing freestanding signs are nonconforming unless such signs are made conforming to this chapter. ECMS is not permitted on off-premises advertising signs.

- (2) In the downtown commercial (C-1) district, an ECMS is permitted for theaters, and other public event facilities (spectator sports facilities, civic and conference facilities), whether publicly or privately owned; and the ECMS may be attached to the building or may be freestanding if at a location permitting a freestanding sign.
- (3) In any commercial (C) district, industrial (I) district, or neighborhood mixed use (NMU) district, an ECMS, not exceeding six square feet may be permitted behind a street fronting window of any business where an ECMS is not used on a freestanding sign. In any commercial (C) district or industrial (I) district an ECMS may be used on the motor fuel pump canopy for up to 50% of the allowable signage for such structure, provided no ECMS is used on any freestanding sign and all other signage on the site conforms to this chapter.
- (4) No ECMS message (copy and/or image) shall be allowed to flash, animate, scroll, or otherwise move, or transition from one message to another in a moving manner. Transition between messages shall be instantaneous. Each message shall be continuously displayed for a minimum of ten seconds before changing to another message.
- (5) Each ECMS or other sign employing the use of light emitting diodes (LEDs) for display shall be equipped with a control system that automatically adjusts the light emission level to ambient light conditions so as to not cause glare or excessive brightness. In no case shall the light level of any such sign exceed 500 NITS (candelas per square meter) between the time of sunset and sunrise, and 5,000 NITS at other times (daytime). If ambient light levels, day or night, in the area of the sign are significantly lower and the sign still produces glare or is excessively bright at the levels listed above, the sign light levels will be further reduced to eliminate the glare or excessive brightness. Focused or directed light shall be aimed away from passing traffic and residential occupancies.
- (6) Any EMCS within or opposite a residential (R) district as described above shall be operated or lit only between the hours of 7:00 a.m. and 10:00 p.m.

Photos of Existing Electronic Signage in Franklinton, NC:

Town Hall of Franklinton – 101 N. Main Street, Franklinton, NC



Wilson, NC

Electrically-Activated Changeable Signs (On-Premises) Any permitted sign in the General Commercial (GC), Highway Commercial (HC), Light Industrial (LI), and Heavy Industrial (HI) districts, or on any property with 500 feet or more of frontage on a street with at least 2 travel lanes in each direction, may be, or include as part thereof, an electrically-activated changeable sign not to exceed 50 square feet in area, provided that the size of the sign may not exceed the area originally allotted.

1. Permitted signs in the Neighborhood Commercial (NC), Residential Mixed Use (RMX), Neighborhood Mixed Use (NMX), Center City Mixed Use (CCMX) and Institutional Campus Development (ICD) Districts may be electrically activated changeable signs.
2. In multi-tenant commercial developments of 40 or more acres, up to 200 square feet or 50%, whichever is less, of any allotted freestanding sign may be an electrically activated changeable sign.

Photos of Existing Electronic Signage in Wilson, NC:

Bojangles - 5033 Raleigh Road Parkway W., Wilson, NC



McDonald's - 4816 Ward Blvd., Wilson, NC


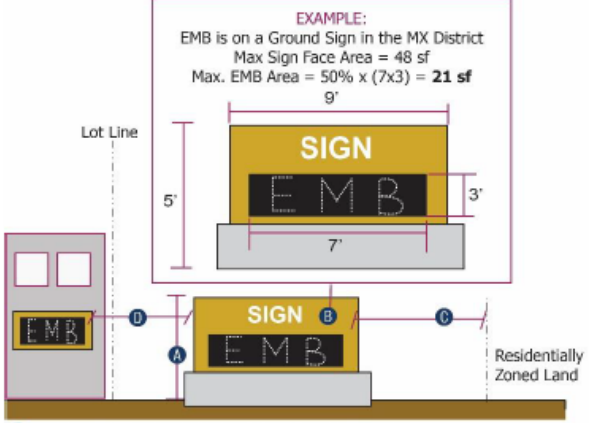



ARTICLE 5: DEVELOPMENT STANDARDS

5.11. Signage

5.11.9. Sign Standards by Sign Type

TABLE 5.11.9: SIGN STANDARDS BY SIGN TYPE

C. ELECTRONIC MESSAGE BOARD							
		<p>EXAMPLE: EMB is on a Ground Sign in the MX District Max Sign Face Area = 48 sf Max. EMB Area = 50% x (7x3) = 21 sf 9'</p> 					
		<p>Residentially Zoned Land</p> <p> A Max Height = According to Sign Type (Ground, Wall) B Maximum Sign Face Area = According to Sign Type (Ground, Wall); Maximum EMB Area = Lesser of 50% Total Allowable Sign Face Area or 32 sf C Minimum Separation from Residentially-Zoned Land = 150' D Minimum Separation from Another EMB = 35' </p>					
1. DEFINITION		A wall or ground sign, or portion thereof that displays electronic, non-pictorial, or text information that may or may not change. Sign content is displayed by light emitting diodes (LED's), fiber optics, light bulbs, or other illumination devices arranged in a matrix within the display area. Electronic message boards ("EMBs") do not display animation or imagery that appears to move.					
2. WHERE PERMITTED		Residential	OI	NC	GC & HC	DTC & DTP	LI, CI, HI
		No	No	No	Yes	Yes	No
3. DIMENSIONAL STANDARDS							
Maximum Number of EMBs per Lot		One per lot or development					
Minimum Separation of EMB from Residentially-Zoned Land		150 linear feet					
Minimum Separation from Another EMB		35 linear feet					
Maximum Height		In accordance with wall or ground sign standards, as appropriate [1]					
Maximum EMB Face Area		In accordance with wall or ground sign standards, as appropriate [2]					
Maximum Percentage of Total Sign Face Area Devoted to an EMB		Lesser of: 32 square feet or 50% of the total allowable sign face area for the type of sign proposed (i.e., wall, ground)					
Minimum Static Hold Time Between Message Changes		1 minute [3]					
Maximum Brightness		465 lumens per square foot during daytime hours; 70 lumen per square foot during dawn, dusk, and nighttime hours					
NOTES:							
[1] In no instance shall an EMB extend higher than 30 feet above grade.							
[2] The face area shall include all mounting hardware, framework, and sign supports.							
[3] Transition between images shall take place within one second or less.							
4. ADDITIONAL STANDARDS							
a. EMBs may only be configured as a wall or ground sign, or portion thereof.							
b. EMBs may only be allowed as part of a permanent sign, not a temporary sign.							
c. Use of the terms "stop", "caution", or "danger" is prohibited on an EMB for reasons of public safety.							
d. Appearance of animation or message movement is prohibited.							
e. Signage may be subject to additional standards identified in <u>Section 3.8.3, Gateway Corridor Overlay (GCO) District</u> .							
f. The owner or operator of an EMB shall attest to the installation of a power supply system that will power the EMB off after a power outage or other condition that causes the sign to blink, flash, or have the appearance of movement.							

Finding of Facts:

1. The text amendment request was submitted to Nashville Planning Staff on February 27, 2023.
2. A meeting was scheduled for March 28, 2023, at 6:00 PM to hold a public hearing on the ordinance amendment.
3. Legal notice was properly advertised in the Nashville Graphic on March 16th and March 23rd for the March 28, 2023 Planning Board Meeting.
4. The Planning Board's recommendation will go before the Town Council on April 4, 2023 for final decision.

Attachments:

1. Sign Permit – Bell's Ace Hardware: 700 E. Washington Street
2. Sign Permit – Nash-Rocky Mount Board of Education: 930 Eastern Avenue
3. Sign Permit – McDonald's: 501 W. Washington Street
4. Sign Permit – Cook Out: 102 E. Evans Drive
5. Sign Permit – Rock Creek Baptist Church: 1238 Rock Creek Drive
6. Ordinance Amendment Application
7. Draft Ordinance – Electronic Signage



TOWN OF NASHVILLE
PLANNING DEPARTMENT
 499 S. Barnes Street, Nashville, NC 27856
 252.459.4511 Phone / 252.459.8926 Fax
www.townofnashville.com

ORDINANCE AMENDMENT APPLICATION

FOR ADMINISTRATIVE USE ONLY

Case #	Date Submitted	Fee Paid	Planning Board Date	PB Notice Dates	Town Council Date	TC Notice Dates
OA23-2	3/1/2023	N/A	3/28/2023	3/16 & 3/23	4/4/2023	3/23 & 3/30

APPLICANT INFORMATION

Applicant: Town of Nashville
 Mailing Address: 499 South Barnes Street
 City: Nashville State: NC Zip Code: 27856
 Phone: (252) 459-4511 Email: sherry.moss@townofnashvillenc.gov

ORDINANCE AMENDMENT INFORMATION

Amended Chapter: Chapter 18 Amended Section #'s: Section 18-137
 Reason for Amendment: To add regulations for electronic / LED message display signs on freestanding signs.

Description of Ordinance Change: Electronic / LED message display signs has been permitted under the regulations of sign illumination (Sec.18-137.i.). However, staff feels that regulations regarding size, zoning district, separation, light conditions, etc. need to be implemented within Chapter 18; Sec. 18-137 of the Code of Ordinances.

APPLICATION AFFIDAVIT

I certify that all information furnished in this application is accurate to the best of my knowledge.

APPLICANT (Print Name): Town of Nashville

Signature of Applicant: Sherry N. Moss Date 3/1/2023

RECEIVED BY (Town Official): Sherry N. Moss Date 3/1/2023

ORDINANCE AMENDMENT 2023-XX

ORDINANCE AMENDING CHAPTER 18 “LAND USE REGULATIONS” BY ADDING A SECTION FOR ELECTRONIC MESSAGE SIGNS

WHEREAS, a Public Hearing of the Nashville Planning Board and Nashville Town Council was scheduled, advertised, and conducted on March 28, 2023 and April 4, 2023 respectively; and

WHEREAS, the Nashville Planning Board made a favorable recommendation to approve the proposed Ordinance Amendment at its March 28, 2023 meeting,

NOW, THEREFORE, BE IT ORDAINED, by the Town Council of the Town of Nashville that the recommendation is favorably acted upon and provides that the following amendment be included in: Chapter 18, Land Use Regulations, Article II. Zoning, of the Town of Nashville Code of Ordinances be made:

SECTION 1. Amended Section. That Section 18-137. “General Provisions” of Chapter 18 of the Code of Ordinances of the Town of Nashville are hereby amended as follows:

Sec. 18-137. General Provisions.

(q) *Electronic Message Sign.* Any sign with a message, text, or photo that changes automatically. Such sign shall be permitted as part of a freestanding business identification sign subject to the following requirements:

- 1) Maximum square footage shall be the lesser of 50% total allowable sign face area or 32 sf.
- 2) May be permitted in the B-1 (Highway Business), B-2 (General Business), A-1 (Agricultural), I-1 (Industrial), and O-I (Office-Institutional) Zoning Districts.
- 3) May be permitted for nonresidential uses within residential zoning districts but shall not be located less than 100’ feet from a residence.
- 4) The minimum separation from another electronic message sign shall be 35’ feet.
- 5) Electronic message signs within or opposite a residential zoning district shall not be operated or lit between the hours of 12:00 midnight and 6:00 am. Lighting shall be directed away from a public right-of-way or residential premises.
- 6) Shall not be allowed to flash and/or animate. Transition between messages shall be instantaneous. Each message shall be continuously displayed for a minimum of 10 seconds before changing to another message.
- 7) Shall be equipped with a control system that automatically adjusts the light emission level to ambient light conditions so as to not cause glare or excessive brightness.
- 8) Shall not be permitted on sites where existing freestanding signs are nonconforming unless such signs are made conforming to this chapter.
- 9) Electronic message signs are not permitted on off-premises advertising signs.

SECTION 2. Effective Date. This Ordinance shall be in effect after its final passage, approval and publication as provided by law.

PASSED and APPROVED this 4th day of April 2023.

Brenda Brown, Mayor

ATTEST:

Louise Bennett, Town Clerk

DRAFT



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AGENDA-STAFF REPORT

Issue Considered:	Public Hearing – Flood Damage Prevention Ordinance
Report By:	Sherry N. Moss, Planning Director
Hearing Date(s): Planning Board – March 28, 2023 / Town Council - April 4, 2023	

SUMMARY OF ISSUE:

Town staff met with Mr. Mike Bratcher (ISO Specialist) for the five-year National Flood Insurance Program Community Rating System (CRS) reevaluation for the Town of Nashville. During the meeting, Mr. Bratcher informed the Planning Director that the current language within Section 18-136. a.4 has no elevation requirement for machinery/equipment. He requested that language be implemented. In addition to this change, once all documents have been submitted to Mr. Bratcher, the Town will receive a score. The score will determine what class the Town of Nashville will be in. Currently, on a scale from 1-10, with 1 being the best, the Town of Nashville is in a class 8. It’s possible that the Town can score high enough to drop down to a class 7, which will result in a decrease in flood insurance rates. Therefore, adding the proposed language listed below, could result in extra points toward a higher score.

Existing Language: Town of Nashville – Code of Ordinances: Section 18-136. a.4 – Provisions for Flood Hazard Reduction.

(4) Electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding. These include but are not limited to HVAC equipment, water softener units, bath/kitchen fixtures, ductwork, electric meter panels/boxes, utility/cable boxes, appliances (i.e., washers, dryers, refrigerator, etc.), hot water heaters, and electric outlets/switches.

Proposed Language:

All new electrical, heating, ventilation, plumbing, air conditioning equipment, duct systems, and other service facilities shall be designed and/or located at or above the Regulatory Flood Protection Elevation so as to prevent water from entering or accumulating within the components during conditions of flooding to the Regulatory Flood Protection Elevation. These include but are not limited to HVAC equipment, water softener units, bath/kitchen fixtures, ductwork, electric meter panels/boxes, utility/cable boxes, appliances (i.e., washers, dryers, refrigerator, etc.), hot water heaters, and electric outlets/switches.

Finding of Facts:

1. The text amendment request was submitted to Nashville Planning Staff on March 9, 2023.
2. A meeting was scheduled for March 28, 2023, at 6:00 PM to hold a public hearing on the ordinance amendment.
3. Legal notice was properly advertised in the Nashville Graphic on March 16th and March 23rd for the March 28, 2023 Planning Board Meeting.
4. The Planning Board’s recommendation will go before the Town Council on April 4, 2023 for final decision.

Attachments:

1. Draft Ordinance – Flood Damage Prevention Ordinance



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ORDINANCE AMENDMENT APPLICATION
FOR ADMINISTRATIVE USE ONLY

Case #	Date Submitted	Fee Paid	Planning Board Date	PB Notice Dates	Town Council Date	TC Notice Dates
OA-23-3	3/9/23	N/A	3/28/2023	3/16 & 3/23	4/4/2023	3/23 & 3/30

APPLICANT INFORMATION

Applicant: Town of Nashville
 Mailing Address: 499 South Barnes Street
 City: Nashville State: NC Zip Code: 27856
 Phone: (252) 459-4511 Email: sherry.moss@townofnashvillenc.gov

ORDINANCE AMENDMENT INFORMATION

Amended Chapter: Chapter 18 Amended Section #'s: Section 18-306.a.4
 Reason for Amendment: To allow elevation language regarding machinery/equipment for flood hazard reduction. Currently, the ordinance only states "as to prevent water from entering or accumulating within the components during conditions of flooding."

Description of Ordinance Change: The proposed ordinance change will add the specific elevation language of "at or above the Regulatory Flood Protection Elevation" within the existing paragraph.

APPLICATION AFFIDAVIT

I certify that all information furnished in this application is accurate to the best of my knowledge.

APPLICANT (Print Name): Town of Nashville

Signature of Applicant: Sherry M. Moss Date 3/9/2023

RECEIVED BY (Town Official): Sherry M. Moss Date 3/9/2023

ORDINANCE AMENDMENT 2023-XX

ORDINANCE AMENDING CHAPTER 18: LAND USE REGULATIONS; SECTION 18-306: PROVISIONS FOR FLOOD HAZARD REDUCTION

WHEREAS, a Public Hearing of the Nashville Planning Board and Nashville Town Council was scheduled, advertised, and conducted on March 28, 2023, and April 4, 2023, respectively; and

WHEREAS, the Nashville Planning Board made a favorable recommendation to approve the proposed Ordinance Amendment at its March 28, 2023 meeting,

NOW, THEREFORE, BE IT ORDAINED, by the Town Council of the Town of Nashville that the recommendation is favorably acted upon and provides that the following amendment be included in: Chapter 18, Land Use Regulations, Article II. Zoning, of the Town of Nashville Code of Ordinances be made:

SECTION 1. Amended Section. That Section 18-306. a.4. “Provisions for Flood Hazard Reduction” of Chapter 18 of the Code of Ordinances of the Town of Nashville are hereby amended as follows:

Section 18-306. Provisions for Flood Hazard Reduction.

(a) General standards. In all special flood hazard areas, the following provisions are required:

- (4) **All new** electrical, heating, ventilation, plumbing, air conditioning equipment, **duct systems**, and other service facilities shall be designed and/or located **at or above the Regulatory Flood Protection Elevation** so as to prevent water from entering or accumulating within the components during conditions of flooding **to the Regulatory Flood Protection Elevation**. These include but are not limited to HVAC equipment, water softener units, bath/kitchen fixtures, ductwork, electric meter panels/boxes, utility/cable boxes, appliances (i.e., washers, dryers, refrigerator, etc.), hot water heaters, and electric outlets/switches.

SECTION 2. Effective Date. This Ordinance shall be in effect after its final passage, approval and publication as provided by law.

PASSED and APPROVED this 4th day of April 2023.

Brenda Brown, Mayor

ATTEST:

Louise Bennett, Town Clerk