



MINUTES OF  
CITY OF CREEDMOOR  
PLANNING BOARD MEETING  
MARCH 11, 2021  
7 P.M.

**Present in Person at City Hall Boardroom**

Chair Ed Gleason, Vice-Chair Steve Faucette, Mike Allen, Robert Gorham, Dennis Lester, and Jonelle Berky Marable. Also present were Community Development Director Michael Frangos, City Planner Michael Malecek, and City Clerk/PIO Terry Hobgood.

**Present via Zoom Video Conference**

Debbie Rogers, Heather Turner, and City Attorney Brady Herman.

**Absent**

None

**Call to Order**

Chair Ed Gleason called the meeting to order at 7:00 p.m. Roll call by the City Clerk determined that a quorum was present.

**Oath of Office**

Mayor Bobby Wheeler administered the Oath of Office to Jonelle Berky Marable.

**Approval of Agenda**

Vice-Chair Steve Faucette moved to approve the agenda as presented; seconded by Robert Gorham. The motion was approved by roll call vote 8-0.

Chair Ed Gleason: Yes

Vice-Chair Steve Faucette: Yes

Mike Allen: Yes

Robert Gorham: Yes

Dennis Lester: Yes

Jonelle Berky Marable: Yes

Debbie Rogers: Yes

Heather Turner: Yes

**Approval of Minutes**

Debbie Rogers moved to approve the February 11, 2021 meeting minutes as presented; seconded by Vice-Chair Steve Faucette. The motion was approved by roll call vote 8-0.

Chair Ed Gleason: Yes

Vice-Chair Steve Faucette: Yes

Mike Allen: Yes

Robert Gorham: Yes

Dennis Lester: Yes

Jonelle Berky Marable: Yes

Debbie Rogers: Yes

Heather Turner: Yes

### **Comments from the Public**

With no one coming forward to speak, Chair Ed Gleason closed the Public Comment period.

### **Updates to CDO Article 16 (Subdivisions) and Article 17 (Sign Regulations)**

City Planner Michael Malecek presented proposed changes to Creedmoor Development Ordinance Article 16 (Subdivisions) and Article 17 (Sign Regulations). These are being presented for Planning Board feedback and discussion, with final recommendation of approval and statement of consistency set for the May 13, 2021 meeting.

Mr. Malecek highlighted important changes in Article 16, which included a provision for open spaces to be managed by a nonprofit land conservancy, allowing the Board of Commissioners to issue binding decisions regarding phased development, changes to block dimensions that staff determined was too restrictive and did not match the existing developments in Creedmoor, and allowing lengthier cul-de-sacs to permit development in areas adjacent to undevelopable environmentally protected areas. Mr. Malecek explained that Creedmoor ordinances do not include language with technical specifications regarding water and sewer infrastructure. These rules are left to SGWASA as Creedmoor's water and sewer provider.

Mr. Malecek then highlighted important changes in Article 17, which are primarily drafted to comply with the United States Supreme Court decision in the 2015 Reed vs. Town of Gilbert case that clarified the extent of authority held by local governments when regulating signs. Major proposed changes include provisions to ensure that the City of Creedmoor was not moderating the content of signs or regulating signs based on the sign message, which the Supreme Court ruled was a violation of First Amendment protections. The ordinance amendments would also prohibit non-conforming outdoor signs from being replaced with like or improved materials. Any outdoor sign replacement would have to conform to the requirements of the Development Ordinance. Community Development staff also recommends that the examples of signs printed in the Development Ordinance be removed, so the City is not giving the impression that it is dictating sign design or content.

Mr. Malecek requested Planning Board feedback on restrictions for signs during election periods. Recent case law indicates that a short pre-election period for roadside signs could be legally challenged as overly restrictive. Based on North Carolina Department of Transportation (NC DOT) rules, and ordinances in surrounding jurisdictions, Community Development staff is recommending permitting signs 75 days before Election Day. Planning Board consensus was to permit roadside election signs 60 days before Election Day in concurrence with NC DOT rules.

Review of Article 17 changes continued with a discussion of previous Planning Board feedback regarding flag regulations. Flags are exempt and do not require a permit from the City or County, as long as their size does not exceed 50 square feet, and they are displayed on poles less than 50 feet in height, and no more than 3 flags on a property less than 1 acre in size, and no more than 5 flags if the property is 1 acre or larger. Mr. Malecek explained how other municipalities regulate flag size, height, and quantity. Planning Board concurrence was to keep the exemption at 50 square feet and 50 feet in height, and recommended allowing separate rules for commercial vs. residential lots for the number of flags and number of flagpoles.

The Board then discussed digital changeable copy signs, and Mr. Malecek presented a recommendation to eliminate the minimum display time provision from the ordinance but add a provision stating that the digital sign cannot be distracting to a reasonable person. Planning Board consensus was in support of these revisions.

Mr. Malecek then presented a proposal to restrict temporary signs that require a permit, which would impose time limits on each form of temporary permitted sign to tie into the special event or temporary use that the sign is advertising. Planning Board concurred with this recommendation and also suggested reducing the cost of a permit for this form of sign to ease access for non-profits and faith-based organizations that would use these signs to advertise for fundraisers and other community-oriented events. The Planning Board concurrence was a recommended \$10 permit fee.



The discussion then moved to requirements for temporary signs that do not require a permit. The suggested amendment allows 3 temporary signs beginning 5 days before the event and must be removed no more than 2 days after the event. This would apply to real estate signs as well as other private events like yard sales. The Planning Board concurred with these recommendations and suggested also allowing temporary signs that do require a permit to be given the same latitude in terms of display duration.

Finally, Mr. Malecek presented updated provisions regarding snipe sign enforcement, which are typically yard signs with some sort of message, political or otherwise. These are permitted on private property as long as they are not in the public right of way. Failure to adhere to this standard may cause the signs to be removed by the Code Enforcement Officer.

### **Report on Recent Departmental Activity**

Community Development Director Michael Frangos reported that City Manager Gerald Smith began work in Creedmoor on March 8, and his top priority is working on the updated strategic plan, also known as City Plan 2040. This work was put on hold during the transition from Korena Weichel's departure and Smith's arrival. Mr. Frangos reported that the Board of Commissioners approved the Creedmoor Office Park at their March 2 meeting, after originally tabling consideration on February 2. Finally, Mr. Frangos reported that the City of Creedmoor is working with NC DOT on landscape enhancements at the R-5707 project. NC DOT has committed \$30,000 to this project with the option for Creedmoor to contribute extra funding if desired.

### **Reports from the Chairperson and Members**

Chair Ed Gleason thanked the Board of Commissioners for approving the Creedmoor Office Park, as he believes it will be a great addition to the community.

All members welcomed Jonelle Berky Marable for her first term on the Planning Board.

### **Adjourn**

Mike Allen moved to adjourn the meeting at 8:16 p.m.; seconded by Debbie Rogers. The motion was approved by roll call vote 8-0.

Chair Ed Gleason: Yes

Vice-Chair Steve Faucette: Yes

Mike Allen: Yes

Robert Gorham: Yes

Dennis Lester: Yes

Jonelle Berky Marable: Yes

Debbie Rogers: Yes

Heather Turner: Yes



Terry A. Hobgood, Jr., City Clerk