

AN ORDINANCE AMENDING THE PINEHURST DEVELOPMENT ORDINANCE OF THE VILLAGE OF PINEHURST AS IT PERTAINS TO TEXT AMENDMENTS TO SECTION 1.1.12, SECTION 2.1.3, CHAPTER 3, CHAPTER 5, SECTION 5.6.5 AND CHAPTER 11.

THAT WHEREAS, the Village Council of Pinehurst adopted a new Pinehurst Development Ordinance and Map on the 23rd day of October, 1995, for the purpose of regulating planning and development in the Village of Pinehurst and the extraterritorial area over which it has jurisdiction; and

WHEREAS, said Ordinance and Map may be amended from time to time as circumstances and the best interests of the Community have required; and

WHEREAS, A Public Hearing was held at 4:00 P.M. on December 15, 1997, in the Meeting Room of the Pinehurst Village Hall, Pinehurst, North Carolina after due notice in The Pilot, a newspaper in Southern Pines, North Carolina, with general circulation in the Village of Pinehurst, and its extraterritorial jurisdiction, for the purpose of considering proposed zoning ordinance text changes, at which time all interested citizens, residents and property owners in the Village of Pinehurst and its extraterritorial jurisdiction were given an opportunity to be heard as to whether they favored or opposed the proposed text changes; and

WHEREAS, the Planning and Zoning Board has recommended that the Village Council amend the Pinehurst Development Ordinance, Sections 1.1.12; 2.1.3; 3.3; 5.6.5; 5.10; 5.11; 5.12; 5.13; 5.14 and Chapter 11, identified as Exhibit A, and hereby incorporated by reference as a part of this Ordinance; and

WHEREAS, the Village Council, after considering all of the facts and circumstances surrounding the proposed amendments in the text of the Pinehurst Development Ordinance, have determined that it is in the best interest of the Village of Pinehurst and the extraterritorial jurisdiction that the Development Ordinance and Map be further amended, making the amendments as requested;

NOW, THEREFORE, BE IT ORDAINED AND ESTABLISHED, by the Village Council of the Village of Pinehurst, North Carolina in Regular Session assembled on the 26th day of January, 1998, as follows:

SECTION 1. That the Pinehurst Development Ordinance of the Village of Pinehurst and its extraterritorial zoning jurisdiction be and the same hereby is amended by the text amendments attached hereto described in (Exhibit A) and made a part hereof, the same as if included verbatim.

SECTION 2. That this ordinance shall be and remain in full force and effect from and after the date of its adoption.

SECTION 3. Adopted this 26th day of January, 1998.

(Municipal Seal)

VILLAGE OF PINEHURST  
VILLAGE COUNCIL


Attest:

By:

  
Virginia F. Fallon, Mayor

  
Mary H. McGraw, Village Clerk

Approved as to form:

  
John B. Clayton, Village Attorney

**ZT0797: PROPOSED AMENDMENTS TO SECTIONS 1.1.12; 2.1.3; 3.3; 5.6.5; 5.10; 5.11; 5.12; 5.13; 5.14 AND CH. 11 OF THE PINEHURST DEVELOPMENT ORDINANCE  
REPORT TO THE PLANNING AND ZONING BOARD  
MEETING DATE: DECEMBER 4, 1997**

**Prepared by the Pinehurst Planning and Zoning Department**

Request

The request is to amend the above listed sections of the Pinehurst Development Ordinance (PDO). In accordance with Section 7.1 of the PDO, the Village Council has the authority to amend the text. The Planning and Zoning Board makes recommendations to the Village Council on requests for text amendments.

Applicant

The Pinehurst Planning and Zoning Board

Proposed Amendments

Proposed text is outlined throughout the report. Wording proposed for deletion appears with a strike through. Wording proposed to be added is underlined. Staff comments appear in italics.

*Section 1.1.12: Staff recommends that this section be deleted as proposed. The Village has an official zoning map that reflects districts outlined in the text of the PDO. All interpretations regarding what land is currently zoned should be based on the Village's current official zoning map. The implication that existing zoning is derived from past zoning map prove administratively burdensome, especially since the official zoning map may be amended from time to time.*

1.1.12. Transition to New Zoning Districts:

Upon adoption of this Ordinance, land which is presently zoned within an existing zoning classification shall be classified within one of the zoning classifications set forth in Chapters 8, General Use Districts, Chapter 9 Conditional Use Districts or Chapter 10, the Overlay Districts, as follows:

TABLE 1.1.11.

EXISTING DISTRICTS	NEW DISTRICTS
A-5 Agricultural District	R-210 Residential District
R-45 Residential District	Combine with R-30: Residential District
R-30 Residential District	R-30 Residential District
R-20 Residential District	R-20 Residential District
R-15 Residential District	R-15 Residential District
R-10 Residential District	R-10 Residential District
R-8 Residential District	R-8 Residential District
R-5 Residential District	R-5 Residential District
RDD Residential District	PD Planned Development Overlay District
R-SMF-4 Residential, Single and Multi-Family District	R-MF: Residential, Multi-Family District
R-SMF-6 Residential, Single and Multi-Family District	
PCR Public, Conservation and	PC Public Conservation District

<del>Recreation District</del>	<del>RD Recreation Development District</del>
<del>OP Office and Professional District</del>	<del>OP Office and Professional District</del>
<del>VC Village Commercial District</del>	<del>HD Hospital District</del>
<del>NC 1 Neighborhood Commercial One District</del>	<del>VC Village Commercial District</del>
<del>NC 2 Neighborhood Commercial Two District</del>	<del>NC: Neighborhood Commercial District</del>
<del>H Hotel District</del>	<del>H Hotel District</del>
<del>PDD Planned Development District</del>	<del>PD Planned Development Overlay District</del>
<del>RA 1 Residential</del>	<del>Combine with R-30: Residential District</del>
<del>RA 2 Residential</del>	<del>Combine with R-30: Residential District</del>
<del>RA 5 Residential</del>	<del>Combine with R-210: Residential District</del>

~~The boundaries of each zoning district and the conditions of each zoning district will remain the same, unless amended in the future in accordance with the provisions of Chapter 7 of this Ordinance.~~

*Section 2.1.3: Definitions are not regulations. Therefore, this sentence is proposed to be removed from the definitions portion of the text and placed in chapter 11 where it will serve as an enforceable regulation.*

~~ADDITION (TO AN EXISTING BUILDING): An extension or increase in the floor area or height of a building or structure. Additions to existing buildings shall comply with the requirements for new construction, unless the addition, renovation or reconstruction to any building, that was constructed prior to the initial Flood Insurance study for that area, and the addition, renovation or reconstruction does not equal 50% of the present market value of the structure. Where a fire wall is provided between the addition and the existing building, the addition(s) shall be considered a separate building and must comply with the standards for new construction.~~

**Section 11.1.1**

**11.1.1. Number of Principal Buildings Per Lot.**

For uses which require *site plan* approval pursuant to Chapter 5, Part 7 of this Ordinance, the number of principal *buildings* on an individual *lot* shall be controlled by setbacks, buffers, parking and other applicable sections of this Ordinance. Where a fire wall is provided between the addition and the existing building, the addition(s) shall be considered a separate building and must comply with the standards for new construction. However, there shall be no more than one *single-family dwelling* per lot.

**Section 2.1.3**

Breakaway Wall: Proposed to rename as Wall, Breakaway and relocate alphabetically. Text remains the same.

**BUILDING HEIGHT:** The vertical distance measured from the average elevation of the proposed finished grade at the front of the building to the highest point of the  ~~coping of a flat roof, to the deck line of a mansard roof, or to the mean height level between the eaves and ridge of a gable, hip, or gambrel roof.~~ Basements and spires, steeples, chimneys, antennae attached to a building, and/or projections from buildings and radio, T.V., communication, tele-communication and water towers are not to be included in the calculation of building height.

*Section 11.1.5: Definitions are not regulations. Therefore, this sentence is proposed to be removed from the definitions portion of the text and placed in chapter 11 where it will serve as an enforceable regulation. Additionally, it is not necessary to repeat the maximum height information that is already contained in Chapter 8. Repeating information may lead to inconsistencies as amendments are made.*

**11.1.5. Exceptions to the Height Limits.**

Basements and spires, steeples, chimneys, antennae attached to a building, and/or projections from buildings and radio, T.V., communication, tele-communication and water towers are not to be included in the calculation of building height.

Table 11.1.5  
Height Requirements (in feet, by district)

Zoning District	Maximum Building Height
Public Conservation (PC)	35
R-210 Residential District	35
R-30 Residential District	35
R-20 Residential District	35
R-15 Residential District	35
R-10 Residential District	35
R-8 Residential District	35
R-5 Residential District	35
R-MF Residential Multi-Family	35
RD Recreation Development	35
OP Office and Professional Development	35
H Hotel	50

HD Hospital Development	50, provided that the building height may be increased by 10 feet for every additional increase in yard setback of 15 feet
VC Village Commercial	40
NC Neighborhood Commercial	35

Section 2.1.3: *Staff comments are under the definition.*

~~EXISTING MANUFACTURED HOME PARK OR MANUFACTURED HOME SUBDIVISION: Means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before September 17, 1990.~~

~~EXPANSION TO AN EXISTING MANUFACTURED HOME PARK OR SUBDIVISION: Means the preparation of the additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final sites grading or the pouring of concrete slabs).~~

*There is not existing manufactured home park or subdivision in the Village. Therefore, this definition is unnecessary.*

Parapet Wall, Party Wall, and Retaining Wall are each to be respectively renamed Wall, Parapet; Wall, Party; and Wall, Retaining and placed in the proper alphabetical position in this section. No change in text is proposed.

~~WALL: An erection of stone, brick, wood, metal or other material intended to delineate a boundary or serve as a barrier or means of protection, confinement, screening or as an aesthetic component of landscaping, raised to some height, and intended for purposes of privacy, security or inclusion.~~

*The proposed definition is meant to promote clarity*

Section 3.3.2: *The proposed text will allow the Village Council to change the composition of the Board of Adjustment without having a text amendment. The Village can establish a policy regarding the composition of this Board.*

- (a) ~~There shall be a Board of Adjustment appointed by the Village Council and the Board of County Commissioners of Moore County. Zoning Board of Adjustment shall consist of five members. Four members shall be appointed by the Village Council and shall reside within the corporate boundaries of the Village. The other member shall be appointed by the Board of County Commissioners of Moore County and shall reside outside the Village's boundaries but within the Village's extraterritorial planning jurisdiction. All members shall have equal rights, privileges, and duties regardless of whether the matter at issue arises within or outside of the Village's corporate boundaries.~~

Section 5.6.5: *The proposed amendment will require the Manager's signature on exempt subdivisions. This will allow the Village to ensure that resulting lots comply with the standards outlined in the PDO.*

(6) **Certificate of exemption from subdivision ordinance.** I hereby certify that this plat is exempt from the *subdivision* ordinance under the definitions of *subdivision* contained in N.C. Gen. Statue Section 376 and Section 2.1.4. of the Village of Pinehurst *Development Ordinance* for the following reasons:

The combination or recombination of portions of previously subdivided and recorded *lots* where the total number of *lots* is not increased and the resultant *lots* are equal to or exceed the standards set forth in this Ordinance;

The division of land into parcels larger than 10 acres where no street *right-of-way dedication* is involved;

The public purchase of strips of land for the widening or opening of *streets*; and

The division of a tract of land in single ownership whose entire area is no greater than 2 acres into three or fewer *lots*, where no *street right-of-way dedication* is involved and where the resulting *lots* are equal to or exceed the standards set forth in this Ordinance.

/s/ \_\_\_\_\_  
Surveyor \_\_\_\_\_ Village Manager \_\_\_\_\_

*Section 5.10: Overall, proposed amendments to Chapter 5 outlined in this report correct the name of the Planning and Inspections Department, recognize the planning director as the head of that department (not the Chief Building Inspector, a position that no longer exists), recognizes CAC's role in non-residential development review, and eliminates wording regarding Comprehensive Sign Permits since the regulations are identical to the regular sign permit. Also, notice requirements for CAC are changed to 100 feet. This was agreed to 2 years ago by CAC but the text was not amended.*

## **PART 10. BUILDING PERMITS**

### **5.10.1. Building Permit Required.**

No person, firm or corporation shall erect, construct, enlarge, install, alter, repair, move, improve, remove, convert or demolish any building, structure or utility system without first obtaining the applicable permit from the Planning and Inspections and Zoning Department.

**Figure 5.10.1.**

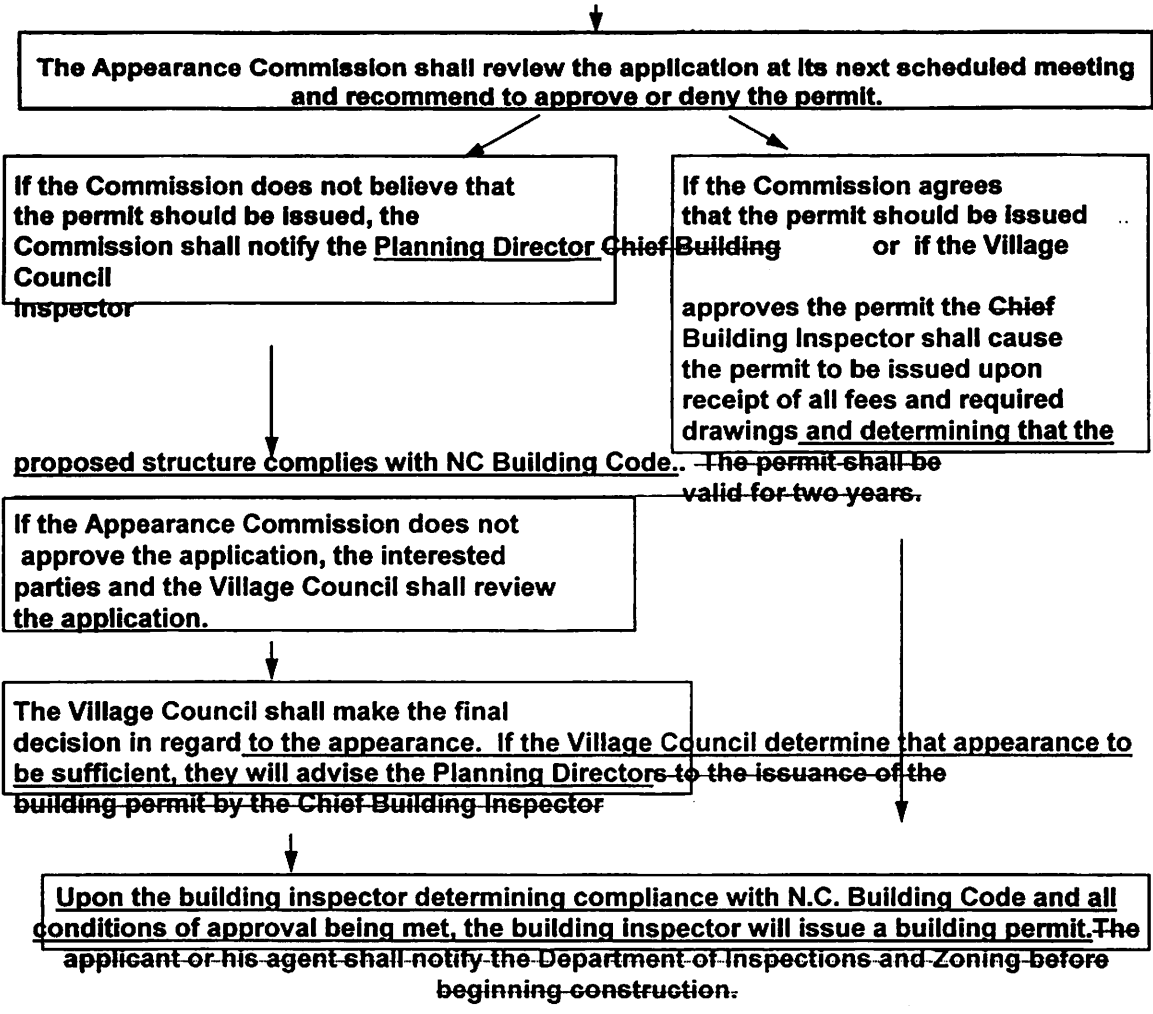
#### **Flow Chart for an Application for a Building Permit**

Application is made to the Planning and Inspections and Zoning Department

The staff of the Department determines that the application is complete and complies with the requirements of this Ordinance.

All property owners within 100 200 feet of the property line shall be notified that an application has been submitted. (For new construction and exterior improvements only.)

The Department forwards all applications for exterior improvements for single-family residential development (excluding interior improvements) to the Community Appearance Commission. Staff shall issue a building permit for which a site plan has been approved, provided that the proposal meets all of the applicable building codes and regulations.



### 5.10.2. Application Requirements.

(a) All applications for a *building permits* shall comply with the requirements of Chapter 5, Part 1.

(b) The Planning and Inspections & Zoning Department and any other applicable departments shall review the application and any required plans in order to determine whether the proposed work complies with the applicable provisions of this Ordinance and all other applicable ordinances and Construction Codes of the Village.

### 5.10.3. Approval Procedure; Duration of Approval.

(a) *Developments* and properties which have obtained *site plan* approval shall be exempt from further review by the Community Appearance Commission under this Part. *Development* proposals which have received *site plan* approval have already been

reviewed by the Village staff, Community Appearance Commission, Planning & Zoning Board and *Village Council*. The Village staff is authorized to issue *building permits* when the *development* plans comply with an approved, valid *site plan* and all of the applicable codes and ordinances. They are also authorized to issue building permits for interior improvements without review by the Community Appearance Commission.

(b) When proper application for a ~~*single-family residential building permit*~~ and the payment of all required fees and charges has been made, the Planning and Inspections and Zoning Department shall determine compliance with the requirements of this Ordinance and shall will forward the application to the Community Appearance Commission. A sub-committee of the Commission shall review plans for new, remodeled or additions to ~~*single family residential*~~ properties as submitted to assess the aesthetics of construction relative to adjacent and neighborhood properties as defined in §2-12.4 of The Code of the Village of Pinehurst.

(c) If for any reason agreement on the *building permit* application is not reached in a reasonable time between the Commission and the contractor and/or *property owner* it shall be the responsibility of the Commission to immediately advise the Planning Director Chief-Building Inspector. At such times the following review procedure shall be implemented:

(1) The entire Commission shall review the plans with the owner and/or contractor at the next regularly scheduled Community Appearance Commission meeting. The Commission sub-committee shall advise the Planning Director Chief-Building Inspector, *property owner* and contractor in writing of the Commission's decision and the reasons for that decision.

(2) If the Commission and the owner and/or contractor are not able to reach agreement, and the plans are not approved by a simple majority vote of the Commission, the Chairperson will advise the Planning Director Chief-Building Inspector, *property owner* and contractor in writing of the Commission's decision and the reasons for that decision.

(3) The *Village Manager* and the Planning Director Chief-Building Inspector, along with representatives of the Commission will in turn meet with the *Village Council* and the *property owner* and/or contractor to further review the matter. Any further action with respect to the application will be taken by the *Village Council* at a regularly scheduled Council meeting after the Community Appearance Commission's regularly scheduled monthly meeting.

(4) The Village Council may direct the Planning Director Chief-Building Inspector to allow the building permit to be issued subject to the building inspector determining compliance with North Carolina Building Code approve or deny the application for a building permit. The Village Council may also refer the application back to the committee mentioned in sub-section (3) above for further consideration. If the Village Chief-Building Inspector denies the application for a *building permit*, the *property owner* may appeal to a court of competent jurisdiction.

(d) When the Community Appearance Commission or the *Village Council* has recommended approval of ed the application, the Planning and Inspections & Zoning Department shall issue the *building permit* upon finding that the application and the proposed work comply with the provisions of this Ordinance, and all other applicable ordinances, the Building Codes of N.C., and the residential assurance fund and other bonding requirements of Chapter 9 of The Municipal Code.



(e) Where any local ordinances, the Building Codes of NC or any provision of the N.C. General Statutes require that work be done by a licensed specialty contractor of any kind, no *building permit* for such work shall be issued unless it is to be performed by such licensed specialty contractor. It shall further be the contractor's responsibility to conform to all local ordinances and state building codes for all installations, or repairs of a *building* or utility system.

It shall be the responsibility of every *person* who shall contract for the installation or repair of a *building* or service system to comply with state or local rules or regulations concerning licensing.

(f) Approval and distribution of drawings and specifications required shall be coordinated by the Planning Director ~~Chief Building Inspector~~ and shall conform to the current edition of the N.C. State Building Code

When the Planning and Inspections and Zoning Department issues a permit, it shall endorse by writing or stamp, all sets of drawings showing approval. One set of approved drawings shall be retained by the Planning and Inspections and Zoning Department and one set returned to the applicant to be retained at the work site. Drawings kept at the work site shall be made available for inspection by the Planning and Inspections and Zoning Department at all times.

(g) The *building permit* issued by the Planning and Inspections Department shall be conspicuously posted by the applicant on the *property* for which it was obtained in the manner prescribed by the Department. The *building permit* shall remain posted until the applicant has obtained a permanent *certificate of compliance* ~~from the Chief Building Inspector~~ pursuant to Part 11 of this Chapter.

(h) Any *building permit* issued by the Planning and Inspections Department shall become null and void unless the work approved by the permit is commenced within 6 months after the date of issuance, as shown on the *building permit*. No work shall be considered to have commenced for the purposes of this paragraph until an inspection has been made and recorded. If after commencement the work is discontinued for a period of one year, the permit therefor shall immediately expire. No work authorized by any permit that has expired shall thereafter be performed until a new permit has been secured.

(i) A permit shall be construed as permission to proceed with the work and not as authority to violate, cancel, alter, or set aside any local ordinance, statute or building code. Issuance of a permit shall not prevent the Planning and Inspections Department from thereafter requiring correction of errors in plans, construction or violations of local ordinances.

#### **5.10.4. Notification and Approval before Construction Begins.**

(a) Before any work begins pursuant to the *building permit*, the applicant shall furnish the Planning and Inspections Department ~~Chief Building Inspector~~ with the name of the general contractors or the owner acting as the general contractor who will be performing the work.

(b) The applicant, or the applicant's authorized agent shall provide adequate advance notice to the Planning and Inspections and Zoning Department at such time as the work is ready for inspection under the Building Code. Upon receiving such notification, the Inspector shall inspect the work.

#### 5.10.5. Changes to Approved Permits.

(a) After a *building permit* has been issued, no changes or deviations from the terms of the permit or the application and accompanying plans shall be made without the specific written approval of such changes or deviations by the Planning and Inspections and Zoning Department. Any exterior changes may require the Community Appearance Commission approval

(b) An amendment to a *building permit* which requires payment of an additional fee, either because of an increase in the size of the buildings, a change in the scope of work, or an increase in the estimated cost of the proposed work, shall not be approved until the applicant has paid the additional fees and the amendment has been properly reviewed by the Community Appearance Commission as applicable and reviewed and approved by the Planning and Inspections and Zoning Department.

#### 5.10.6. Revocation of Building Permit.

The Planning and Inspections Department Chief Building Inspector may revoke and require the return of any *building permit* by notifying the permit holder in writing, stating the reason for such revocation. The Department shall revoke *building permits* for any of the following reasons:

- (a) Any departure from the approved application, plans, or specifications;
- (b) Refusal or failure to comply with the requirements of this Ordinance or any other applicable State statutes or local ordinances;
- (c) False statements or misrepresentations made in securing such permit;
- (d) Work on any building being performed in a dangerous or unsafe manner; or
- (e) Upon determination that a permit was issued in violation of or with any local or state laws and not in conformity with the technical Building Codes.

### PART 11. CERTIFICATES OF OCCUPANCY COMPLIANCE

#### 5.11.1. Certificate of Occupancy Compliance Required.

- (a) No *building* or *structure* shall be occupied prior to the completion of all required inspections
- (b) A new *building* shall not be occupied or a change made in the use, or nature of a building or part of a *building* until the Planning and Inspections and Zoning Department has issued a *certificate of compliance* and a certificate of occupancy.
- (c) A *certificate of compliance* and certificate of occupancy shall be required for the purpose of changing or extending a nonconforming use.

#### 5.11.2. Temporary Certificate of Occupancy Compliance.

The Chief Building Inspector may issue a temporary *certificate of occupancy compliance*, which shall be valid only for the period of time stated in the certificate, for a specified portion or portions of a building which may safely be occupied prior to final completion of the entire *building*

and/or site. Conditions that are attached to the temporary *certificate of occupancy compliance* must be completed prior to the expiration of the certificate. When such conditions have not been completed prior to the expiration date of the conditional certificate, the *certificate of occupancy compliance* shall immediately expire. Upon receipt of a written application to the Chief Building Inspector stating satisfactory reasons for the failure to complete work within the given time period, the Inspector may renew the certificate for a specified period of time, not to exceed ninety days.

### 5.11.3. Approval Procedure

At the conclusion of all work done under a permit, the appropriate inspectors shall make the final inspections, and if an inspector finds that the completed work complies with all applicable laws and with the terms of the permit, the Inspector shall cause a *certificate of occupancy compliance* to be issued.

### 5.11.4. Conflict with Pinehurst Municipal Code

Where any provision of this Part is found to be in conflict with any provision of the adopted building code or Chapter 9, Building and Housing, of the Village of Pinehurst Municipal Code, the adopted building code and Municipal Code shall control.

## PART 12. SIGN PERMITS

### 5.12.1. Purpose and Scope.

The purpose of this Part is to set out the procedures for obtaining a *sign* permit from the Village. A *sign*, for which Chapter 13, Part 2 of this Ordinance requires a *sign* permit, may be erected within the corporate limits of the Village or its extraterritorial jurisdiction only after a *sign* permit has been issued by the Village Planner in accordance with the procedures and requirements of this Part and Chapter 13, Part 2 of this Ordinance. A *building permit* for a *sign*, if required by the State Building Code, shall not be issued by the Planning and Inspections Department of Inspections and Zoning until and unless a *sign* permit, if required, has been issued by the *Village Planner*.

### 5.12.2. Types of Procedures

There are 24 types of *sign* procedures, depending on the size and number of *signs* requested. Each procedure is discussed in a separate section below. The *sign* procedures are:

- (a) Sign Permit applications are to be reviewed by the Community Appearance Commission, and approved by the Village Planner;
- ~~(b) Comprehensive Sign Plan applications for developments, approved by the Planning & Zoning Board;~~
- (~~b~~e) Temporary signs, approved by the Planning Director Chief Building Inspector
- ~~(d) Political Signs, approved by the Village Planner.~~

### 5.12.3. Application Requirements for Sign Permits.

All applications for a *sign* permit shall meet the requirements of Chapter 5, Parts 1 and 12 and Chapter 13, Part 2.

(a) Each application for a *sign* permit shall contain the information required on the application form, and such other information regarding the proposed *sign* as the Village may deem necessary in order to determine whether the proposed *sign* complies with the applicable requirements of this Ordinance and other applicable ordinances of the Village.

(b) Steps in the Review Process. The application shall be reviewed on a schedule drawn up by the Village. Upon determining that the application is complete and in compliance with the requirements of the PDO, the Village Planner shall forward the application to the Community Appearance Commission for their review and comment. The Appearance Commission shall forward the application, together with their comments to the Planning and Zoning Board. The Planning and Zoning Board shall either approve, approve conditionally, deny or return the application to the Appearance Commission for additional review.

(c) The Planning and Inspections and Zoning Department shall inspect the sign as required by the applicable codes and ordinances and for compliance with the sign ordinance.

#### **5.12.4. Application Requirements for Comprehensive Sign Plan Permits.**

~~(a) Each application for a Comprehensive Sign Plan permit shall contain the information required on the application form, and such other information regarding the proposed *sign* as the Village may deem necessary in order to determine whether the proposed *sign* complies with the applicable requirements of this Ordinance and other applicable ordinances of the Village.~~

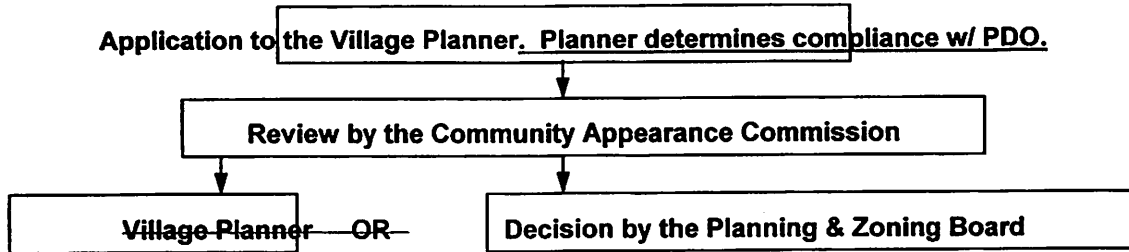
~~(b) Steps in the Review Process. The application shall be reviewed on a schedule drawn up by the Village. Upon determining that the application is complete, the Village Planner shall forward the application to the Community Appearance Commission for their review and comment. The Appearance Commission shall forward the application, together with their comments to the Planning and Zoning Board. The Planning and Zoning Board shall either approve, approve conditionally, deny or return the application to the Appearance Commission for additional review.~~

~~(c) When Comprehensive Sign Plan Required. A comprehensive sign plan is required for all residential subdivisions, multi-family and townhouse developments, resort, hospitals, commercial or non-residential developments having more than 1 tenant (Cross reference section 13.2.8.), and planned unit developments before any signs for such development may be erected. All owners, tenants, subtenants, and purchasers of individual units within the development shall comply with the approved comprehensive sign plan.~~

~~(d) When a Comprehensive Sign Plan Must be Approved. For residential subdivisions, the comprehensive sign plan must be submitted, reviewed, and approved prior to approval of the final subdivision plat. For multi-family and townhouse developments, the comprehensive sign plan must be submitted, reviewed, and approved prior to the issuance of any building permit for the development. For planned developments, the comprehensive sign plan must be submitted, reviewed, and approved prior to the approval of the first site plan, or final subdivision plat for the development.~~

~~For existing resort and hospital sites the comprehensive sign plan must be submitted, reviewed and approved prior to the installation of or minor renovation to existing signs. Resort and hospital comprehensive sign plan may be allowed to place signs off premise when such signs provide direction or other public safety information. For non-residential developments, the sign plan must be approved before the Certificate of Compliance is issued.~~

**Fig. 5.12.1.a.**  
**Approval Procedure for Sign Permits and Comprehensive Sign Plan Permits**



**5.12.5. Lapse of Approval for Sign Permits and Comprehensive Sign Plan Permits.**

The Sign Permit or Comprehensive Sign Plan Permit shall become null and void if the sign is not erected within 6 months after the date the certificate is issued.

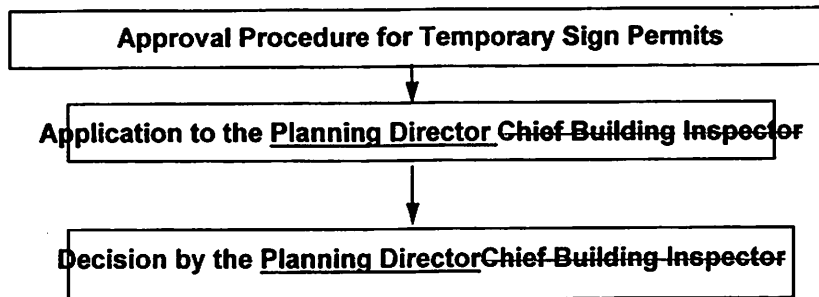
**5.12.6. Approval Procedure for Temporary Signs; Lapse of Approval**

(a) A permit allowing *temporary signs* denoting *special events* including signs of candidates running for elective office may be issued by the ~~Planning Director Building Inspector~~, who shall approve the form, number, content, and location of said *signs*. The ~~Planning Director Building and Zoning Inspector~~ shall require that all *temporary signs* be erected only for a reasonable time in advance of, during the actual time period of said event, and be promptly removed by the permittee at the close of said event.

(b) Each application for a *sign* permit shall contain the information required on the application form, and such other information regarding the proposed *sign* as the Village may deem necessary in order to determine whether the proposed *sign* complies with the applicable requirements of this Ordinance and other applicable ordinances of the Village. Such application shall include but is not limited to the following the following information

- (1) The name, address, telephone number and fax number (if any) of either the applicant;
- (2) The applicant, or the applicant's agent, shall identify a person who the Village may ask to remove the signs after the temporary event or the election;
- (3) Such signs shall be removed no later than fifteen days after the temporary event or the election date.

Fig. 5.12.1.b.  
Approval Procedure for Temporary Sign Permits



## PART 13. VESTED RIGHTS CERTIFICATE

### 5.13.3. Procedure.

(a) An application for a *vested rights certificate* for a site specific *development* plan shall be filed with the *Village Planner*, accompanied by the appropriate a fee, required by Section 5.1.5 of this Ordinance.

(f) Action by the *Village Council*:

(1) Notice and Public Hearing. No vested rights certificate shall be approved by the *Village Council* until after public notice and hearing in accordance with the provisions of Part 145 of this Chapter.

(2) After holding a public hearing, the *Village Council* may take action on the application by:

- (i) Approving the application;
- (ii) Denying the application; or
- (iii) Approving the application with additional conditions which the Council may attach.

## PART 14. NOTICES AND PUBLIC HEARINGS

### 5.14.2. Public Hearing Procedures.

(a) The procedures and requirements set forth in this Section shall apply to all public hearings regarding the rezoning of *property* to a parallel conditional use district, the approval of a *planned development*, the approval of a *special use* or variance, the approval of a vested rights certificate or an administrative appeal pursuant to Chapter 6, Part 2 of this Ordinance.

(b) When the *Village Planner* has determined that an application is complete and that a public hearing is required by this Ordinance, the Planner shall schedule a date, time, and place for the required hearing, and shall ensure that all notices are provided pursuant to Section 5.143.1 above.