



AGENDA | BURGAW TOWN COUNCIL REGULAR MEETING

September 8, 2026 at 4:30 PM

Burgaw Town Center
108 E Wilmington St

1. Call to Order

2. Invocation

3. Pledge of Allegiance

4. Approval of Agenda

5. Approval of Consent Agenda

*Items under Consent are generally of a routine nature. The Council may take action to approve/disapprove all items in a single vote. Any item may be withheld from a general action, to be discussed and voted upon separately at the discretion of the Council.

A. Approval of the August 11, 2026 Regular Meeting Minutes

B. Ordinance 2026-23 Amending the FY 2026-2027 budget to reflect costs associated with emergency repair and restoration of sewer service

C. Ordinance 2026-24 Amending the FY 2026-2027 budget to reflect expenses necessary to cover the cost of powder coating new traffic signal poles

6. Special Requests/Presentations

A. Employee Recognitions

7. Departmental Items

A. Building Inspections Department

Louis Hesse, Building Code Administrator

B. Finance Department

Tiffany Byrd, Finance Officer

- C. **Fire Department**
Johnathan Prevatte, Fire Chief
- D. **Human Resources Department**
Kimberly Rivenbark, Human Resources Director/Deputy Town Clerk
- E. **Information Technology Department**
Dustin McCullen, IT Director
- F. **Parks, Recreation & Tourism Department**
Cody Suggs, Parks & Recreation Director
- G. **Planning Department**
Ron Meredith, Planning Director
- H. **Police Department**
James Rowell, Police Chief
- I. **Public Services Department**
Chris Medlin, Public Services Director

8. Public Forum

9. Public Hearings

- A. **Consideration of a preliminary plat for a major subdivision (Quasi-Judicial) on an existing R-12, residential district for a 139-lot single-family detached residential development located south of Henry Brown Road (SR 1343) and north of NC HWY 53 (PIN 3219-82-3868-0000)**
 - I. An order approving a preliminary plat for a major subdivision identified as subdivision case #3219-82-3868-0000
- B. **Consideration of a text amendment to amend Unified Development Ordinance Section 9.26 Sign Regulations**
 - I. Resolution 2026-13 Adopting a Statement of Consistency regarding text amendments of the Town of Burgaw Unified Development Ordinance requested by staff of the Town of Burgaw to amend Chapter 9, Sections 9.26 to add language expanding the use of electronic signs and creating additional use standards.
 - II. Ordinance 2026-25 Approving a text change amendment to the Town of Burgaw Unified Development Ordinance requested by staff of the Town of

Burgaw to amend Chapter 9, Sections 9.26 to add language expanding the use of electronic signs and creating additional use standards.

10. Items from Manager

- A. Updates on current projects

11. Items from Attorney

12. Items from Mayor and Council Members

13. Closed Session

- A. Pursuant to NC GS 143-318.11(a)(6) Personnel

14. Adjournment

BURGAW TOWN COUNCIL REGULAR MEETING

DATE: August 11, 2026
TIME: 4:30 PM
PLACE: Burgaw Town Center, 108 E. Wilmington Street
BOARD MEMBERS PRESENT: Mayor Olivia Dawson, Mayor Pro-tem James Malloy, Council Members Bill George, William Rivenbark, Michael Pearsall and Myra McDuffie

Call to Order

Mayor Dawson called the meeting to order at 4:30 PM.

Invocation

The invocation was delivered by Pastor Ben Horrell of Burgaw Baptist Church.

Pledge of Allegiance

The Pledge of Allegiance was said by all.

Approval of Agenda

Mayor Dawson requested the addition of an item under Special Requests, Pastor Ben Horrell of Burgaw Baptist Church.

Mayor Pro-Tem Malloy moved to approve the agenda as amended. Motion carried by unanimous vote.

Approval of Consent Agenda

Council Member Rivenbark moved to approve the consent agenda as presented. Motion carried by unanimous vote.

Special Requests/Presentations

Ben Horrell – Burgaw Baptist Church

Pastor Ben Horrell of Burgaw Baptist Church presented on behalf of six local churches coming together for an event on August 19–21, 2026. He requested waiving of the rental fee for use of the Train Depot's dock and restrooms from 5:30 PM to 8:30 PM each evening. Pastor Horrell noted he is willing to pay the one-time \$50 custodian fee.

Council Member Rivenbark moved to waive the rental fee for the three-night event with the understanding the church would pay the \$50 custodian fee. The motion was seconded by Council Member Pearsall and carried by unanimous vote.

Employee Recognitions

Human Resources Director Kimberly Rivenbark recognized the following employees for completed training and certifications:

Fire Department: Jason Hawkins, Justin Decker, Jack Shortell, and Gunner Getz each completed the Firefighter Task Book. Caden Rhoades and Parker Brown both completed EMT Basic.

Police Department: Sergeant Pageant and Sergeant Kennedy completed Tactical Leadership Training. Sergeant Pageant and Detective Vann completed Fundamentals of CSI Training. Corporal Farren completed Community Policing Training. Officer Byrd completed Basic

Narcotics Investigation Training. Officer Valade completed a Firearm Skills Workshop. Officer Williams completed Warrantless Searches Training. Sergeant Kennedy, SRO Wilhelm, and SRO Murdock completed Intox Recertification.

Council Member Pearsall commended Ms. Rivenbark and the department heads for making effective use of available time to advance training.

Departmental Items

Building Inspections Department

Building Code Administrator Louis Hesse reported that the department remains busy with ongoing inspections at the new dentist office, the new law enforcement center, and several residential properties. He noted that all minimum housing cases are progressing well, including one property owner who is having an expensive roof installed within the coming weeks.

Finance Department

Finance Officer Tiffany Byrd reported that the department is focused on closing out the fiscal year and preparing for the upcoming audit. She noted that a budget snapshot flyer has been prepared for insertion into utility bills for the month, which will also communicate the upcoming rate changes to customers. Council Member McDuffie commended the effort, noting it reflects the council's goal of informing residents ahead of changes.

Fire Department

Fire Chief Johnathan Prevatte provided a comprehensive department update. He reported that approximately 16–20 personnel participated in a live burn training on Harrell Road, with support from Pender County Emergency Management and the NC Forest Service. A second live burn is anticipated in the fall at a private property on White Stocking Road. Technical rescue training remains ongoing as the department prepares to pursue Medium Rescue Agency certification with the state. With two personnel recently completing EMT Basic certification, the department now has at least three certified EMTs on every shift. All remaining full-time personnel are expected to obtain EMT Basic certification by the beginning of the calendar year, which will allow the department to pursue Basic Life Support agency status. Chief Prevatte also reported that approximately six personnel are prepared to attend Certification School through the 580G program, which could result in additional Fire I and II certifications among volunteer, part-time, and full-time personnel. The department recently completed its annual NFPA physicals, including ultrasounds. Chief Prevatte expressed appreciation to the Town Council and Town Manager for including the ultrasound component in the budget, noting that this level of preventative care is not commonly provided by many departments, including those in larger cities.

Mayor Pro-tem Malloy thanked Chief Prevatte for the department's hard work and dedication.

Human Resources Department

Human Resources Director Kimberly Rivenbark reported that interviews had been conducted for the Recreation Coordinator position, a conditional offer had been extended, and the selected candidate was expected to begin September 1. Two additional employees were scheduled to begin the following week, including a patrol officer from the UNCW Police Department with prior military experience and newly hired Fire Marshal Brian Kelly, formerly with the Town of Leland. She also reported that at least one additional position was expected to be posted soon following a recently received resignation.

Information Technology Department

IT Director Dustin McCullen reported 117 completed help desk tickets for the month, representing approximately a 30% increase over the prior month and roughly 50% above average. The elevated volume was attributed to routine factors including user access changes and system update rollouts.

McCullen also reported a setback in the downtown camera expansion: a lightning strike destroyed the antenna installed on the water tower, and the department is currently evaluating alternative solutions that do not involve replacing the antenna on the tower.

Council Member Rivenbark inquired about the town's firewall protection regarding hearing about things happening with our municipalities. Mr. McCullen confirmed that firewall monitoring, web filtering, and layered security measures are in place and that the town is staying on top of it the best it can. Council Member Pearsall commented on the county's UPS system versus the town's. Mr. McCullen advised staff continues to monitor as always and noted he has requested replacement of aging systems within the budget. Town Manager Gantt clarified that the town's UPS infrastructure is significantly smaller in scale than the county's data center setup, and thus does not require the same large-scale investment.

Parks, Recreation & Tourism Department

Parks & Recreation Director Cody Suggs reported that the Recreation Coordinator hiring process was ongoing, with a candidate expected to begin within the coming weeks. Mr. Suggs also noted that the Parks Advisory Board and Parks Foundation are working to develop a financial assistance program to assist residents with limited financial means in participating in public programs, such as summer camps. A formal application and policy will be presented at a future Council meeting for consideration. Regarding the Splash Pad project, Mr. Suggs reported that work was progressing well despite weather-related delays. All features had been installed, cabinets connected, and grading completed, with a concrete pour planned for that Friday, followed by fencing and final project work.

Street Closure Request – Community Halloween Event

Mr. Suggs presented a street closure request for the Community Halloween Trunk-or-Treat event planned for Halloween night on Saturday, October 31, 2026. The request covers Wright Street from Courthouse Avenue to Fremont, and Fremont Street from Walker Street to Wright Street. Burgaw Baptist Church has agreed to participate with request of approximately 25 parking spaces grouped together, and Lion's Crest has verbally committed to participate as well. Mr. Suggs said the event and free registration information would be published soon.

Mayor Dawson noted that if the event grows beyond the requested footprint, there may be a need for addition street closures, but will bring back to the Council if necessary. Council Member McDuffie questioned how the town would handle it if someone walked up the night of the event wanting to participant and pass out candy. Mr. Suggs confirmed accommodation would be made for those individuals to participate. Mr. Suggs noted the registration is simply a way to get an idea of the number of participants for planning purposes.

Mayor Pro-tem Malloy moved to approve the requested street closures for the Community Halloween Event. Motion carried by unanimous vote.

Planning Department

Planning Director Ron Meredith provided an update on active grants and planning efforts. He reported that the RCCP Phase 4 Grant, also referred to as the rain garden grant, had gone out

for bid and was currently under contractor evaluation. The NCDOT-funded Sidewalk Prioritization Grant was nearing completion and was expected to conclude in late summer or early fall. Mr. Meredith also reported that a Pedestrian Safety Grant application had been submitted to NCDOT in coordination with the Police Department. The new county law enforcement center was expected to receive final zoning approval early to mid-fall. Additionally, staff is preparing a text amendment to amend the Town's sign regulations, specifically addressing digital signage, for consideration at the August board meeting.

Police Department

Police Chief James Rowell reported that, in coordination with the Surf City Police Department and Pender County Sheriff's Office, the majority of personnel from all three agencies completed Active Shooter Rapid Deployment training. Corporal Farren also attended a week-long Evidence and Custody Procedures training in New Bern. Chief Rowell reported that Computer-Aided Dispatch (CAD) access had been implemented on all Mobile Data Terminals (MDTs) in patrol vehicles, fulfilling a goal established during the budget cycle. The department had also enrolled in the North Carolina LEO Essentials Program, a two-year pre-accreditation program through the state that provides a grant-funded accreditation manager at no cost to the Town. Successful completion of the program could result in a five-percent discount on risk pool premiums through the North Carolina League of Municipalities. Chief Rowell further reported that Royce Publications would be on-site the following week to begin production of the department's annual calendar. He advised that local businesses may receive calls regarding calendar sponsorships and confirmed that the program is legitimate, with proceeds supporting community programs such as Shop with a Cop.

Public Services Department

Public Services Director Chris Medlin provided an update on departmental activities. He reported that sign maintenance was ongoing throughout town, with crews completing work as time allowed between larger projects. Installation of the water line for the Splash Pad was approximately halfway complete and was also being utilized as a hands-on training opportunity for crew members. Mr. Medlin reported that the recently purchased mower and seven-foot finish mower attachment had significantly improved operational efficiency, reducing the time required to mow the railroad bed from approximately two days to half a day. He also noted that the new street sweeper was expected to be operational within the week, pending receipt of the title and registration from the bank.

Public Forum

Prior to Public Forum, Mayor Dawson called for a recess at 5:21 PM. Meeting resumed at 5:32 PM.

Tim Zizack, 1203 Ocean Boulevard, Topsail Beach, running for a Pender County Commissioner seat for District 1, addressed the council. He stated that he has been attending town meetings across Pender County to better understand community needs and observed that funding is the most consistent challenge shared across municipalities. He commended the town's department heads and expressed that Burgaw appears to be in capable hands.

Kimberly Keech, a horticulture professional employed at Johnson Nursery and a resident at 610 South Smith Street, presented at the request of John Westbrook regarding a potential canopy tree species for downtown Burgaw. She introduced the Lacebark Elm as a candidate tree, describing it as a deciduous species that reaches 40–50 feet in height and 20–30 feet in spread, is tolerant of pollution and difficult growing conditions, and offers an exfoliating bark

with aesthetic appeal. She noted it would require periodic root pruning and nutrient monitoring. Mayor Dawson acknowledged the information and indicated a work session focused on the downtown streetscape project would be the appropriate forum to discuss tree selection further.

John Westbrook, 410 E. Fremont Street, presented a revised downtown streetscape proposal, responding to prior council feedback that his original plan included too many trees. The updated plan reduces the tree count from 30 to 15, spacing them at 44 feet on center. He also revised his concrete replacement recommendation to focus only on damaged sections rather than full repaving, citing the economic and operational impact on downtown businesses. He noted that the proposed full repaving approach would cost over \$120,000 compared to a significantly smaller scope under his revised plan. Mr. Westbrook pressed the Council for a commitment on timing and funding. Mayor Dawson acknowledged the proposal and reiterated that the matter would be addressed in a dedicated work session, noting that funding must first be solidified. Council Member Pearsall requested that the council have an opportunity to review the updated plan before any action is taken.

Public Hearing

Consideration of a proposed rezoning request for ±21.53 acres of land from R-20, Residential District, to RA, Rural Agricultural District, located on the southern side of NC HWY 53 and can be further identified by PIN 3219-70-1651-0000.

Mayor Dawson declared the public hearing open at 5:44 PM.

Planning Director Ron Meredith presented the rezoning request submitted by Anton DeVries to rezone approximately 21.53 acres on the south side of NC Highway 53 from R-20 Residential to RA Rural Agricultural.

Mr. Meredith noted the property is currently undeveloped and is surrounded by R-A, R-20, and I-1 zoning. Access to the property is provided through a private easement/right-of-way established in the 1950s and recorded in Plat Book 5, Page 18. While the town's Comprehensive Land Use Plan designates the property as Industrial, the parcel sits directly on the boundary between Industrial and Rural character designations, and given the plan's age and the limited industrial expansion in the area, staff believes the request warrants consideration. Staff recommended approval, finding the request consistent with the goals and policies of the Burgaw 2030 Comprehensive Land Use Plan, including principles of low-density development, preservation of agricultural and forestry lands, and sustainable growth.

Mr. Meredith flagged a naming conflict: a privately maintained road within the platted right-of-way is labeled "Fremont Street," which conflicts with the existing Fremont Street within town limits. He noted the road is a paper street from the 1954 plat that was never developed, and that Pender County 911 Addressing may require a name change for emergency management compliance. Staff indicated they would work with the county to resolve this.

Considerable discussion was held regarding the streets shown on the older recorded plat and whether those streets had ever been fully developed or utilized as originally depicted. Staff discussed the existing conditions of the property, the streets and access points shown on the plat, and those proposed to be utilized for the current project. Mr. Meredith clarified that the current project was not being proposed as a subdivision.

Anton DeVries, the applicant, addressed the council and introduced his family, explaining that the property is intended to serve as a multigenerational family homestead and working farm for agricultural purposes including livestock, gardening, orchards, and beekeeping. He

respectfully requested approval of the rezoning. Council Member Pearsall commended Mr. DeVries and his family for their commitment to land stewardship and family legacy.

Charles Rooks, resident of 105 N. Bennett Street and neighboring property owner of the rezoning request, stated he does not oppose the rezoning but noted that a drainage ditch running east-west through the area, located within the Fremont Street right-of-way shown on the map, serves as critical drainage for the surrounding area. He expressed concern that any development or changes to the right-of-way could block this outflow.

Council Members and staff discussed the ditch's ownership and maintenance responsibility. Mr. DeVries said he has no plans to change the ditch area/Fremont Street shown on the map, as being discussed. Mr. Meredith noted the private right-of-way has no recorded offer of public dedication, making it unclear who bears responsibility. Council Members questioned if the rezoning decision should be tabled until ownership and maintenance responsibility is confirmed. Town Manager Gantt advised that as a rezoning (not a subdivision), no conditions can be imposed; Attorney Blanchard confirmed this was correct. Any road or drainage standards would be addressed at the time of future subdivision or development. Mayor Dawson directed staff to conduct further investigation into the ditch and the right-of-way ownership.

There being no further discussion, Mayor Dawson declared the public hearing closed at 6:07 PM.

Resolution 2026-10 Adopting a Statement of Consistency regarding an amendment of the official zoning map of the Town of Burgaw requested by Anton Devries to rezone property located on the south side of NC Highway 53, further identified as PIN 3219-70-1651-0000, from R-20 Residential to RA Rural Agricultural

Council Member Pearsall moved to approve the resolution as presented. Motion carried by unanimous vote.

Ordinance 2026-22 Amending the official zoning map of the Town of Burgaw requested by Anton Devries to rezone property located on the south side of NC Highway 53, further identified as PIN 3219-70-1651-0000, from R-20 Residential to RA Rural Agricultural

Council Member Pearsall moved to approve the ordinance as presented. Motion carried by unanimous vote.

Following the public hearing, Mayor Dawson called for a five-minute recess.

Items from Manager

Updates on current projects

Town Manager James Gantt reported that the Water and Sewer Master Plan, being developed in partnership with McKim & Creed, is nearing completion. The engineering firm indicated that a draft document is expected within approximately two weeks. Manager Gantt noted that data collected during the process has already proven valuable in assessing infrastructure needs and evaluating development capacity. The draft will be reviewed by staff and then brought before the Council.

Council Member Pearsall noted the survey stakes are still missing at the corner of Satchwell Street and Dudley Street and requested staff to look into this.

Items from Attorney

There were no items from the attorney.

Items from Mayor and Council Members

Resolution 2026-11 Adopting the Town of Burgaw Comprehensive Stormwater Master Plan

Mayor Dawson asked the Council to consider adopting of the Town of Burgaw Comprehensive Stormwater Master Plan. Town Manager Gantt provided a brief overview of the plan and demonstrated the accompanying GIS-based asset inventory dashboard (Cartograph), which documents the condition of stormwater infrastructure including manholes, inlets, culverts, and storm drains throughout the city limits. Structures are categorized by conditions of poor, failing, unknown, fair, and good, enabling staff and the Council to prioritize improvements.

Discussion was held regarding the scope of Council oversight. Town Manager Gantt clarified that any project requiring engineering or construction services over \$50,000 must go through the RFQ process and be awarded through Council approval. Smaller maintenance items such as manhole cleaning may be addressed administratively. Council Member McDuffie asked how changes to the plan would be communicated to the Council, and Manager Gantt confirmed that any significant projects would come before the Council for approval.

Mayor Dawson noted that adopting the plan is a prerequisite for pursuing several grant funding opportunities, and that the plan itself was 100% grant-funded. The connection between the stormwater master plan and the broader discussion on storm drainage, including the Fremont Street ditch discussed during the public hearing, was acknowledged.

Council Member Pearsall noted the drainage concern for the intersection of Walker Street and Fremont Street. Town Manager Gantt advised this area of drainage is under the scope of NCDOT and communication is currently being had with representatives about the drainage concern.

After Town Manager Gantt showed the online asset inventory software regarding the master plan, the following motion was made.

Council Member McDuffie moved to approve Resolution 2026-11 as presented, to formally adopt the Town of Burgaw Comprehensive Stormwater Master Plan. Motion carried by unanimous vote.

Resolution 2026-12 Requesting Verizon to improve cellular service and signal coverage within the town

Mayor Dawson introduced Resolution 2026-12 and noted that poor cellular service in Burgaw continues to be a significant issue for residents and businesses. It was noted that a new Verizon tower has been engineered for placement at the former sheriff's department building but funding delays have pushed its installation approximately one year out. Council Member Rivenbark reported that despite multiple conversations with Verizon representatives over the past two years, including offers of additional property locations, the company has consistently cited funding as the barrier.

Discussion led to a proposed amendment to broaden the resolution beyond Verizon to include all cellular service providers, as service issues affect customers of multiple carriers. The Council agreed to send the resolution to T-Mobile, AT&T, and Verizon.

Mayor Pro-tem Malloy moved to approve Resolution 2026-12 as amended, requesting all cellular service providers to improve cellular service and signal coverage within the Town of Burgaw. Motion carried by unanimous vote.

The Mayor indicated she would provide staff with a contact list for distribution, and that Town Manager Gantt would send the resolution accordingly.

Other items from Mayor and Council Members

Mayor Dawson noted that the Parks Foundation Golf Tournament is scheduled for October 8, 2026, and requested Council consideration of a sponsorship at the same \$1,000 "Splash Sponsor" level as the prior year, with proceeds supporting parks-related programming and infrastructure.

Mayor Pro-tem Malloy moved to approve the allocation of a \$1,000 sponsorship for the Parks Foundation Golf Tournament. Motion carried by unanimous vote.

Council Member McDuffie commented on the cancellation of the National Night Out event due to weather and requested that another opportunity be scheduled for Council to meet with Police Department personnel. She emphasized the importance of continued communication between Council and the department, referencing recent concerns with the delivery of agenda packets and instances where delivery instructions provided on the packet labels were not followed.

Regarding opportunities for community engagement, Chief Rowell reported that the department was exploring a partnership in connection with a "Faith in Blue" event anticipated for the timeframe of October 10–12. Mayor Dawson and Chief Rowell also discussed the possibility of providing a future opportunity for Police Department personnel and Council Members to gather in an informal setting, potentially through an event similar to a "Chat with the Chief." Additional details and coordination regarding a future event will be discussed outside of the meeting.

Council Member McDuffie followed up on pedestrian and crosswalk safety concerns at West Bridges Street and Penderlea Highway, noting a recent observation that further emphasized the need for increased awareness in the area. Chief Rowell reported that the Police Department and Parks & Recreation Department were working together to produce a public safety video addressing crosswalk safety, with filming rescheduled due to weather. Council Members and staff reiterated the importance of educating and reminding the public of crosswalk laws. Town Manager Gantt added that additional "Pedestrian Crossing Ahead" signage was being installed farther in advance of the crosswalk to provide motorists with earlier warning.

Council Member McDuffie also requested an update regarding holes and uneven surfaces around the courthouse square, referencing previous correspondence with Pender County regarding the conditions. It was noted that a response had been received from the County indicating the matter was being investigated; however, no resolution had been confirmed at that time.

Council Member Pearsall raised a concern regarding driveway access to a property where a sidewalk had been installed within the Town right-of-way without a corresponding driveway apron, following the West Side Trail installation. It was noted that the property owner had historically used the area for vehicle access. Discussion was held regarding whether the Town would be responsible for installing an apron, the potential precedent such an installation could establish, and concerns that continued vehicle traffic could damage the sidewalk, as it was not designed to support vehicle loads. After discussion, Mayor Dawson suggested Council Member Pearsall speak to the property owner again and inform them that it was not officially designated as a driveway prior to the project, therefore it would be treated as normal sidewalk placement with no apron planned to be installed at this time. No formal

action was taken. Council Member Pearsall indicated that he would speak with the property owner and report back to Council.

Council Member Pearsall commented on the stop bar marking needed at the intersection of Fremont Street and Dickerson Street, as previously requested. Mr. Medlin advised staff was waiting for the new pavement to settle and noted the stop bar would be painted prior to next Council meeting.

Council Member Pearsall noted his appreciation for the town staff trimming the limbs of the trees along Bodenheimer Street. He also noted thanks to staff for cleaning out the drainage ditch near the property recently cleaned by court order along Satchwell Street.

Council Member Pearsall discussed public safety camera coverage in the Durham Village area, referencing recent incidents that raised concerns regarding the need for additional monitoring. Town Manager Gantt explained that expanding camera coverage in the area was part of the Town's long-term plan but had been delayed due to damage to the water tower antenna caused by a lightning strike. He noted that cellular-based cameras could be considered; however, unreliable cellular coverage within the Town presents limitations. Installation utilizing Duke Energy infrastructure would also require the company's approval and cooperation. Following discussion, Council directed staff to explore available options for expediting public safety camera coverage in the Durham Village area.

Adjournment

Council Member McDuffie moved to adjourn the meeting at 7:05 PM. Motion carried by unanimous vote.

ORDINANCE 2026-23

Amending Fiscal Year 2026-2027 Annual Budget Increasing Revenues and Expenditures

WHEREAS, the Town of Burgaw Council adopted the Fiscal Year 2026-2027 Annual Budget on June 29, 2026; and

WHEREAS, a sewer line required emergency repair at 415 N. Wright Street; and

WHEREAS, it is necessary to appropriate available Water/Sewer Fund Balance to cover the unbudgeted costs associated with the emergency repair and restoration of sewer service.; and

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BURGAW, NORTH CAROLINA:

The Fiscal Year 2026-2027 Annual Budget is hereby amended to reflect the following changes:

INCREASE BUDGETED REVENUE

<u>Account Number</u>	<u>Account Description</u>	<u>Amount</u>
30-3900-91-900	Water/Sewer Appropriation	\$29,590.00

INCREASE BUDGETED EXPENDITURES

<u>Account Number</u>	<u>Account Description</u>	<u>Amount</u>
30-8200-91-450	Sewer-Contract Services	\$29,590.00

Adopted this 8th day of September, 2026.

Attest: _____
Kristin J. Wells, Town Clerk

Signed: _____
G. Olivia Dawson, Mayor

ORDINANCE 2026-24

Amending Fiscal Year 2026-2027 Annual Budget Increasing Revenues and Expenditures

WHEREAS, the Town of Burgaw Council members passed an ordinance adopting a budget for FY 2026-2027 on June 29, 2026; and

WHEREAS, the North Carolina Department of Transportation (NCDOT) is making improvements to the intersection of NC 53 and US 117 Business (Walker/Wilmington Street), including grading, drainage, traffic signal and paving improvements; and

WHEREAS, the Council has requested that the new traffic signal poles be powder coated black to match the existing signal poles within the downtown area.; and

WHEREAS, an appropriation of the available General Fund balance is necessary to cover the cost of the powder coating; and

NOW, THEREFORE, BE IT ORDAINED BY THE BURGAW TOWN COUNCIL OF THE TOWN OF BURGAW, NORTH CAROLINA:

The FY 2026-2027 budget will be altered to reflect the following changes:

INCREASE BUDGETED REVENUE

<u>Account Number</u>	<u>Account Description</u>	<u>Amount</u>
10-3900-00-900	Fund Balance Appropriation	\$9,744

INCREASE BUDGETED EXPENDITURES

<u>Account Number</u>	<u>Account Description</u>	<u>Amount</u>
10-5700-20-450	Streets- Contract Services	\$9,744

Adopted this 8th day of September, 2026.

Attest: _____
Kristin J. Wells, Town Clerk

Signed: _____
G. Olivia Dawson, Mayor



Town of Burgaw – Planning Department
MAJOR SUBDIVISION APPLICATION
109 N. Walker St. • Burgaw, NC • 28425 • 910.663.3452

DATE: 5/27/26

FEE: \$1700

APPLICANT INFORMATION

NAME: Funston Company

PHONE: 910 604-2100

ADDRESS: 1007 Evangeline Drive Leland, NC 28451

EMAIL: cmcewen@funstonco.com

OWNER INFORMATION (if different from applicant)

NAME: Funston Company

PHONE: 910 604-2100

ADDRESS: 1007 Evangeline Drive Leland, NC 28451

EMAIL: cmcewen@funstonco.com

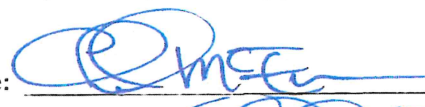
LAND SUBDIVISION REQUEST INFORMATION

LOCATION: Situated between NC 53 and Henry Brown Rd PARCEL ID NUMBER: 3219-82-3868-0000

CURRENT ZONING: R-12 IN CITY LIMITS: Y X N IN ETJ: Y N X ACREAGE: 79.82

NUMBER OF LOTS PROPOSED: 139 VOLUNTARY ANNEXATION REQUESTED: Y N N/A X

I/we Chad McEwen have reviewed the Unified Development Ordinance (UDO) of the Town of Burgaw and certify that all regulations, requirements, and standards of design have been satisfied as they pertain to this proposed subdivision. I/we also agree to submit two (2) 24x36 copies of a preliminary plat and a digital copy along with this application.

Applicant Signature: 

Date: 6/17/26

Owner Signature (if not applicant): 

Date: 6/17/26

FOR OFFICE USE ONLY

Verified and accepted by: 

Date: 8-28-26



Mailing Address: PO Box 100, Winnabow, NC 28479

Physical Address: 1007 Evangline Drive, Leland NC 28451

Intent to Connect to Burgaw
Water and Sewer System

Funston Company
PO Box 100
Winnabow, NC 28479

August 19, 2026

Dear Mr. Meredith,

Please be advised that the owners and developers of the proposed "Blueberry Village" subdivision off NC Highway 53 West near Giles Marshburn Road request the project be connected to public water and sewer as provided by the Town of Burgaw. It is understood that the associated cost of these connections will be incurred costs to the owners.

Sincerely,
Chad McEwen

Authorized Signature: 

Title: Director of Development

NORTH CAROLINA SPECIAL WARRANTY DEED

Excise Tax \$3,700.00

Parcel Identification No: 3219-83-2645-0000, 3219-82-3868-0000, 3219-83-8018-0000

Mail after recording to: Murchison, Taylor & Gibson, PLLC, 16 N. Fifth Ave., Wilmington, NC 28401

This instrument was prepared by: Robbie Parker, Esq. of Kaess Parker Lee, PLLC

Brief Description for the index

Seawell Property

THIS DEED made as of the 15th day of May, 2026, by and between:

GRANTOR

ELIZABETH S. MANLEY and husband,
MARK B. MANLEY,
143 Ritchie Avenue,
Cincinnati, OH 45215
and

MARGARET H. SEAWELL (unmarried),
9726 Big Horn Street,
Ventura, CA 93004

GRANTEE

FUNSTON COMPANY, INC.
P.O. Box 100
Winnabow, NC 28328

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey in fee simple unto Grantee all those certain lots or parcels of land situated in Pender County, North Carolina and more particularly described as follows:

SEE EXHIBIT A ATTACHED HERETO AND INCORPORATED HEREIN BY THIS REFERENCE.

The property herein conveyed does NOT include the primary residence of Grantor.

Submitted electronically by "Murchison, Taylor & Gibson, PLLC"
in compliance with North Carolina statutes governing recordable documents
and the terms of the submitter agreement with the Pender County Register of Deeds.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor has done nothing to impair such title as Grantor received, and Grantor will warrant and defend the title against the lawful claims of all persons claiming by, under or through Grantor, except for the exceptions hereinafter stated.

Title to the property hereinabove described is subject to the following exceptions:

1. Ad valorem taxes for the year 2026 (to be prorated) and subsequent years.
2. All applicable zoning and land use ordinances, statutes, building codes and regulations.
3. Easements and rights-of-way of record and any other matters recorded in the Pender County Register of Deeds as of the date hereof.
4. Any and all matters disclosed by that certain survey entitled "Boundary & Topographic Survey of PINS 3219-82-3868-0000, 3219-83-2645-0000, & 3219-83-8018-0000 for Funston Company, Inc." by Cody Hurst, P.L.S., McKim & Creed, dated May 6, 2026 and finalized May 15, 2026

[SEE ATTACHED SIGNATURE AND NOTARY PAGE]

IN WITNESS WHEREOF, the Grantor has signed this instrument on the day and year first above written.

By: Mark B. Manley (SEAL)
Mark B. Manley

By: Elizabeth S. Manley (SEAL)
Elizabeth S. Manley

STATE OF NORTH CAROLINA

COUNTY OF NEW HANOVER

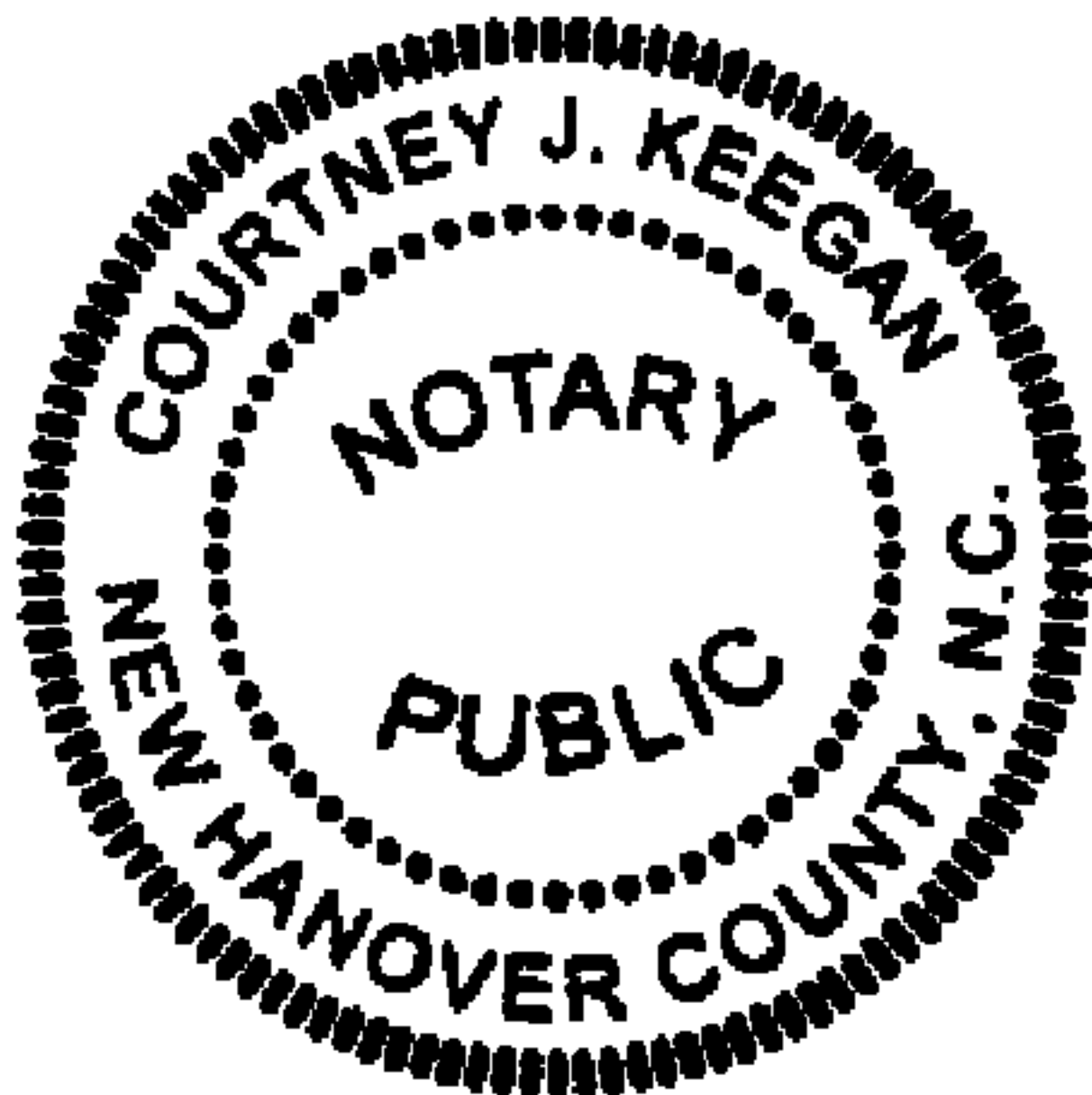
I certify that the following persons personally appeared before me this day, acknowledging to me that they voluntarily signed the foregoing document for the purpose stated therein and, in the capacity, indicated: ELIZABETH S. MANLEY AND MARK B. MANLEY.

Date: 5/14, 2026

Courtney J. Keegan
Official Signature of Notary

Courtney J. Keegan
Notary's printed or typed name, Notary Public

My Commission Expires: 3/23/2027



By: Margaret H. Seawell
Margaret H. Seawell

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of VENTURA

On 05/12/2026 before me, VIOLET GILYNN, Notary Public, personally appeared Margaret H. Seawell, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

SEE ATTACHED CA ACKNOWLEDGMENT
Official Signature of Notary

VIOLET GILYNN
Printed or typed name of Notary

(Seal)

CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

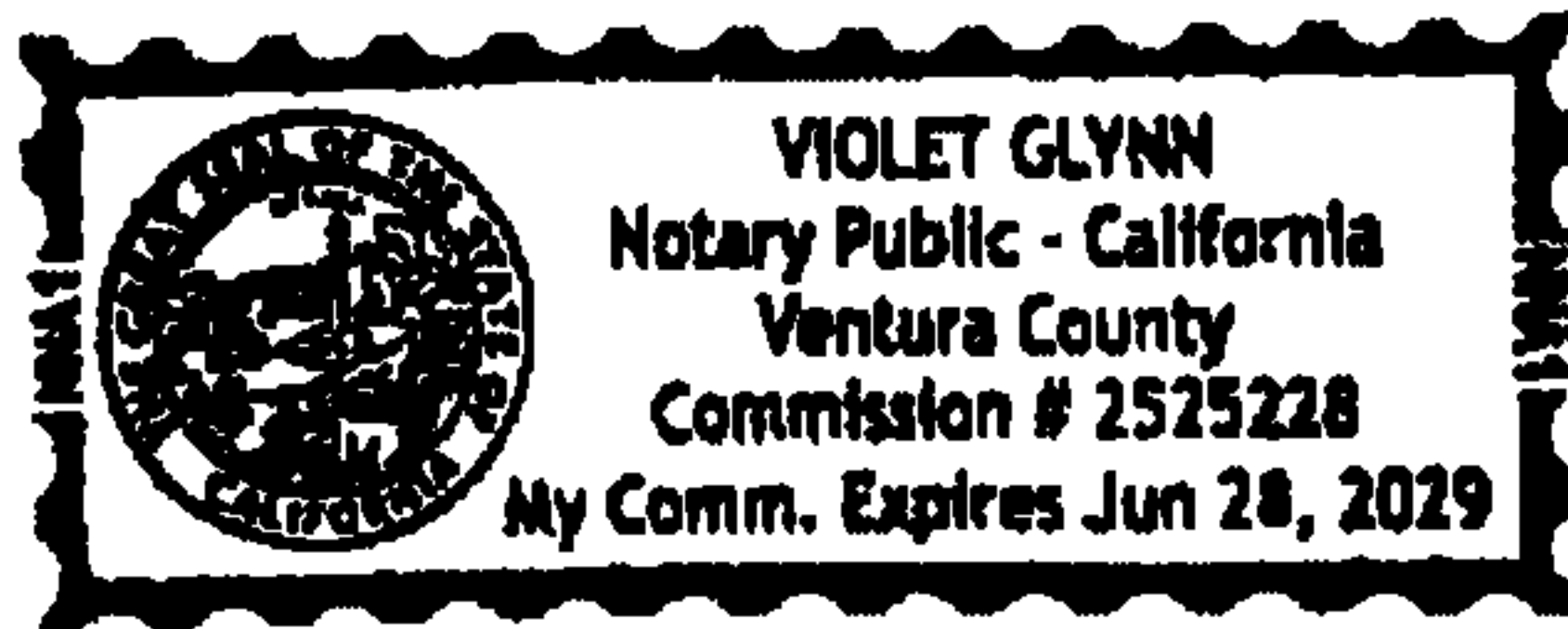
A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California }
County of Ventura }

On 05/12/2026, before me, VIOLET GLYNN, Notary Public,
personally appeared MARGARET H. SEAWELL

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of State of California that the foregoing paragraph is true and correct.



WITNESS my hand and official seal.

SIGNATURE

Violet Glynn

PLACE NOTARY SEAL ABOVE

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of attached document

Title or type of document: NORTH CAROLINA SPECIAL WARRANTY DEED

Document Date: Number of Pages: 5

Signer(s) Other than Named Above:

EXHIBIT A**TRACT I:**

Located in Burgaw Township, Pender County, North Carolina and described as follows:

BEGINNING at a stake in Ward's and Alderman's line on the South side of Burgaw Public Road, leading West-ward from Burgaw toward Atkinson (Being the Road leading from Burgaw to Rhine Cross Roads) 42 feet East of the One Mile Post; thence as Ward's and Alderman's line South 68 degrees West 63 poles to a stake, their corner; thence as their line South 10 degrees East 121 poles and 13 links to a stake, 2 poles and 13 links South of Ward's and Alderman's corner, said stake is in North edge of new road survey; thence with said survey North 74 degrees East 68 poles and 20 links to a stake at the head of the ditch; thence with said ditch North 16 degrees East 110 poles to a stake on the South side of Main Road; thence at the Main Road North 66 ½ degrees West 10 poles and 15 links to a bend in said road; thence at said Road North 72 degrees West 46 poles to a stake at a bend in said road; thence with said road North 86 degrees West 5 poles and 5 links to the first station, containing 72 acres, more or less.

LESS AND EXCEPT: BEING ALL of Lots 1 thru 7, Section II, West Pines Subdivision as shown on map recorded in Map Book 18 at Page 11, Pender County Registry.

TRACT II:

Beginning at a stake on the South side of the Burgaw Public Road, directly in front of the Southeast corner of Winslow Costen's tract of land, purchased by the County, and running thence S. 16° W. 350 yards to a stake in a Branch; thence N. 66°15' W 140 yards to a stake; thence N. 16° W. 350 yards to a stake by the main road, thence on the main road S. 66°15' E. 140 yards to the first station, containing 10 acres, more or less.

Saving and Excepting from this conveyance approximately one half of an acre, heretofore conveyed to William Bell from the southern part of the above described tract in Book 72, Page 483.

TRACTS 1 AND II BEING THE SAME PROPERTY AS FURTHER DESCRIBED BY THE COMBINED SURVEYED DESCRIPTION BELOW:

LEGAL DESCRIPTION FOR MANLEY TRACTS RECOMBINATION FOR FUNSTON
COMPANY, INC.
MAY 14, 2026

THOSE CERTAIN TRACTS OF LAND BEING IN THE TOWN OF BURGAW, PENDER COUNTY, NORTH CAROLINA, SAID TRACTS BEING A PORTION OF THE PROPERTY

DESCRIBED IN DEED BOOK 3015 PAGE 218 (ORIGINAL DEED DESCRIPTIONS IN DEED BOOK 199 PAGE 68 AND DEED BOOK 321 PAGE 275) OF PENDER COUNTY REGISTER OF DEEDS AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT A MAG NAIL SET WITHIN THE WESTERN RIGHT OF WAY OF GILES MARSHBURN ROAD, SAID MAG NAIL HAVING THE NORTH CAROLINA STATE PLANE GRID COORDINATES OF NORTHING: 293,301.12 EASTING: 2,319,087.78, THENCE S 14° 25' 06" W A DISTANCE OF 526.34' TO ANOTHER MAG NAIL SET IN THE WESTERN RIGHT OF WAY OF GILES MARSHBURN ROAD, THENCE N 88° 47' 46" W A DISTANCE OF 17.12' TO A 5/8" REBAR FOUND COMMON TO THE EASTERN LINE OF THE PROPERTY DESCRIBED HEREIN, SAID PROPERTY NOW OR FORMERLY OWNED BY ELIZABETH S. MANLEY & MARGARET H. SEAWELL AS SHOWN IN DEED BOOK 3015 PAGE 218 (ORIGINAL DEED DESCRIPTION IN DEED BOOK 199 PAGE 68) OF THE PENDER COUNTY REGISTER OF DEEDS AND THE WESTERN 50' RIGHT OF WAY OF GILES MARSHBURN ROAD PER DEED BOOK 4856 PAGE 310 OF THE PENDER COUNTY REGISTER OF DEEDS, SAID REBAR FOUND HAVING GROUND COORDINATES OF NORTHING: 292,791.72 EASTING 2,318,939.60, SAID REBAR FOUND BEING THE POINT OF BEGINNING,

THENCE FROM THE POINT OF BEGINNING AND FOLLOWING THE WESTERN RIGHT OF WAY OF GILES MARSHBURN ROAD S 13° 23' 17" W A DISTANCE OF 314.85' TO A 5/8" REBAR FOUND ON THE LINE COMMON TO THE PROPERTY DESCRIBED HEREIN AND THE PROPERTY NOW OR FORMERLY OWNED BY DOROTHY MARSHBURN AS SHOWN IN DEED BOOK 852 PAGE 42 OF THE PENDER COUNTY REGISTER OF DEEDS,

THENCE N 68° 47' 17" W A TOTAL DISTANCE OF 408.11' TO A 5/8" REBAR FOUND, PASSING THROUGH A 1" OPEN ENDED IRON PIPE FOUND AT 20.28', SAID REBAR FOUND BEING COMMON TO THE PROPERTY DESCRIBED HEREIN AND THE DOROTHY MARSHBURN PROPERTY PREVIOUSLY DESCRIBED,

THENCE S 14° 10' 27" W A TOTAL DISTANCE OF 794.77' TO A 5/8" REBAR FOUND, PASSING THROUGH A 1" OPEN ENDED IRON PIPE FOUND AT 105.00', AND ANOTHER 1" OPEN ENDED IRON PIPE FOUND AT ANOTHER 219.43', SAID REBAR FOUND BEING COMMON TO THE PROPERTY DESCRIBED HEREIN AND THE NORTHERN 60' RIGHT OF WAY OF NORTH CAROLINA STATE HIGHWAY 53 PER MAP BOOK 33 PAGE 124 OF THE PENDER COUNTY REGISTER OF DEEDS,

THENCE S 72° 25' 37" W A DISTANCE OF 1,152.05' TO A 1/2" REBAR FOUND COMMON TO THE PROPERTY DESCRIBED HEREIN AND THE PROPERTY NOW OR FORMERLY OWNED BY SARAH E. & MICHAEL P. RUSS AS SHOWN IN DEED BOOK 4632 PAGE 2995 OF THE PENDER COUNTY REGISTER OF DEEDS,

THENCE N 11° 24' 54" W A TOTAL DISTANCE OF 724.85' TO A 1" OPEN ENDED IRON PIPE FOUND, PASSING THROUGH A 1" OPEN ENDED IRON PIPE FOUND AT 104.99', A 1" OPEN ENDED IRON PIPE FOUND AT ANOTHER 94.92', A 1" OPEN ENDED IRON

PIPE FOUND AT ANOTHER 69.64', A 1" PINCHED TOP IRON PIPE FOUND AT ANOTHER 100.65', A 1" OPEN ENDED IRON PIPE FOUND AT ANOTHER 109.78', AND A 1" OPEN ENDED IRON PIPE FOUND AT ANOTHER 114.84', SAID IRON PIPE FOUND BEING COMMON TO THE PROPERTY DESCRIBED HEREIN AND THE PROPERTY NOW OR FORMERLY OWNED BY WILLIAM URENA AS SHOWN IN DEED BOOK 4833 PAGE 1272 OF THE PENDER COUNTY REGISTER OF DEEDS,

THENCE N 11° 25' 21" W A DISTANCE OF 585.11' TO A 3/4" REBAR FOUND, SAID REBAR BEING COMMON TO THE PROPERTY DESCRIBED HEREIN AND THE PROPERTY NOW OR FORMERLY OWNED BY DUNBAR SUBDIVISION, INC. AS SHOWN IN DEED BOOK 4791 PAGE 529 OF THE PENDER COUNTY REGISTER OF DEEDS,

THENCE N 11° 24' 47" W A DISTANCE OF 684.16' TO A 5/8" REBAR FOUND, SAID REBAR BEING COMMON TO THE PROPERTY DESCRIBED HEREIN AND THE DUNBAR SUBDIVISION, INC. PROPERTY PREVIOUSLY DESCRIBED,

THENCE N 66° 44' 16" E A DISTANCE OF 404.28' TO A 5/8" REBAR FOUND, SAID REBAR BEING COMMON TO THE PROPERTY DESCRIBED HEREIN AND THE PROPERTY NOW OR FORMERLY OWNED BY HEATHER CELESTE RUDELL AS SHOWN IN DEED BOOK 4775 PAGE 2846 OF THE PENDER COUNTY REGISTER OF DEEDS,

THENCE N 85° 48' 35" E A DISTANCE OF 495.98' TO A 2" OPEN ENDED IRON PIPE FOUND, SAID IRON PIPE FOUND BEING COMMON TO THE PROPERTY DESCRIBED HEREIN AND THE PROPERTY NOW OR FORMERLY OWNED BY NAUDIA GILES AS SHOWN IN DEED BOOK 4496 PAGE 254 OF THE PENDER COUNTY REGISTER OF DEEDS,

THENCE N 01° 11' 43" W A DISTANCE OF 196.88' TO A 5/8" REBAR FOUND, SAID REBAR BEING COMMON TO THE PROPERTY DESCRIBED HEREIN AND THE SOUTHERN 60' RIGHT OF WAY OF HENRY BROWN ROAD PER MAP BOOK 18 PAGE 11 OF THE PENDER COUNTY REGISTER OF DEEDS,

THENCE FOLLOWING THE SOUTHERN RIGHT OF WAY OF HENRY BROWN ROAD THE FOLLOWING NINE (9) COURSES:

1. N 88° 13' 29" E A DISTANCE OF 45.19' TO A 5/8" REBAR FOUND,
2. A CURVE TO THE RIGHT HAVING A BEARING OF S 83° 11' 05" E AND CHORD DISTANCE OF 224.34', SAID CURVE HAVING A RADIUS OF 750.94', TO A 5/8" REBAR FOUND,
3. S 74° 35' 39" E A DISTANCE OF 116.48' TO A 5/8" REBAR FOUND,
4. S 73° 54' 25" E A DISTANCE OF 127.03' TO A 5/8" REBAR FOUND,
5. S 73° 09' 54" E A DISTANCE OF 151.11' TO A 5/8" REBAR FOUND,

6. A CURVE TO THE RIGHT HAVING A BEARING OF S 72° 12' 43" E AND CHORD DISTANCE OF 66.24', SAID CURVE HAVING A RADIUS OF 1,990.75', TO A 5/8" REBAR FOUND,
7. S 71° 15' 31" E A DISTANCE OF 42.22' TO A 5/8" REBAR FOUND,
8. A CURVE TO THE RIGHT HAVING A BEARING OF S 70° 19' 58" E AND CHORD DISTANCE OF 177.12', SAID CURVE HAVING A RADIUS OF 5,480.21', TO A 5/8" REBAR FOUND,
9. S 69° 24' 24" E A DISTANCE OF 566.69' TO A 5/8" REBAR FOUND, SAID REBAR COMMON TO THE PROPERTY DESCRIBED HEREIN AND THE WESTERN 50' RIGHT OF WAY OF GILES MARSHBURN ROAD PREVIOUSLY DESCRIBED,

THENCE S 14° 40' 16" W A DISTANCE OF 664.15' TO A 5/8" REBAR FOUND, SAID REBAR BEING THE POINT OF BEGINNING FOR THE PROPERTY DESCRIBED HEREIN, TRACT CONTAINING 79.82 ACRES MORE OR LESS.



Town of Burgaw

109 N. Walker Street, Burgaw, NC 28425

Phone: (910) 259-2151, Fax: (910)259-6644, email: mail@burgawnc.gov

Olivia Dawson
Mayor

James Malloy
Mayor Pro Tem

Council Members:
Bill George
Michael Pearsall
William Rivenbark
Myra McDuffie

James H. Gantt
Town Manager

Kristin J. Wells
Town Clerk

Norwood Blanchard, III
Town Attorney

June 18th, 2026

Chad McEwen
Funston Company
1007 Evangeline drive
Leland NC 28451

Subject: Manly Tract (150 lots)

To Whom It May Concern:

On behalf of the Town of Burgaw Public Services Department, this letter serves as a statement of intent to provide sanitary sewer service to the proposed **Manly Tract Subdivision**.

Based on our review, the Town's wastewater system currently has sufficient capacity to serve the proposed development. However, additional infrastructure improvements, including potential lift station modifications or system upgrades, may be required to accommodate the increased demand generated by the project.

This "will serve" letter is contingent upon final engineering review, approval of all construction plans, and compliance with all applicable Town ordinances, standards, policies, and state permitting requirements. The developer shall be responsible for all costs associated with required utility extensions, service connections, and any necessary system improvements.

Should you have any questions or require additional information, please contact our office.

Sincerely,

Chris Medlin

Chris Medlin
Public Services Director
cmedlin@burgawnc.gov
Office: 910-259-5003

August 19, 2026

Mr. Ron Meredith
Planning Director
Town of Burgaw Planning
109 N Walker St.
Burgaw, NC 28425

RE: Manly Tract – Comments / Response

Dear Mr. Meredith:

In response to your 07/12/2026 letter regarding Manly Tract TRC comments for the Project, we offer the following responses:

I. Burgaw Planning, Ron Meredith:

A. Sketch Plan Comments

1. Add lots dimensions and ROW cross sections

Response: Lot dimensions have been added to sheet C1.2 and C3.0. The R.O.W. cross section can be found on sheet C1.2.

2. Please submit a letter to accompany the application request that states you wish to connect/extend to the town wastewater system and that you're proposing a main line extension at developer costs. A motion will need to be captured for this.

Response: Noted. The developer will prepare the letter and it will be sent under separate cover.

3. Be sure to indicate whether phasing of the project is proposed.

Response: The development is proposed to be completed in two (2) phases. The first phase will be approximately 70 lots, with access to/from NC Hwy 53. The second phase will consist of the remaining 69 lots and access connection to/from Henry Brown Road.

4. Make sure to clearly show sign locations, including the general size and proposed placement of all signs (subdivision signs).

Response: The two main subdivision signs are now clearly labeled and shown on sheet C3.2, C3.5, 10.0.

5. Please include a typical cross section for proposed buffers.

Response: The planting area (buffer) cross sections are shown on sheet C10.0.

6. Are there any gates proposed?

Response: There are no gates proposed.

7. Are these town roads or private?

Response: These roads will be public.

8. Lighting plan, inclusive of wattage and illumination.

Response: A lighting plan, inclusive of wattage & illumination will be submitted prior to final plat.

9. Please supply a letter of intent from the water and wastewater a provider, an email will suffice.

Response: Please see attached "will serve" letter from Chris Medlin, Burgaw Public Services Director.

10. Roads:

- a. Please add a roadway cross section compliant with Town of Burgaw development standards.

Response: The road cross section is illustrated on sheet C1.2.

- b. Please be aware that UDO Section 10.21.C requires Board of Commissioner approval for private roadways based on adequate access, ingress, and egress.

Response: Understood.

- c. It is important to note that private roadway disclosures will be required during the final stages of the development. It is important to add that all roads are to be constructed to the NCDOT minimum construction standards for subdivision roads.

Response: Understood.

- d. Please submit road names for review under UDO Section 10.21.G.

Response: Noted. We have submitted a proposed development name and proposed road names for review and approval. Approved street names will be added to the final plat.

- e. Please include site triangles for intersections compliant with UDO Section 10.21.O.4.

Response: Site triangles (10' x 70') have been added to every intersection.

- f. UDO Section 10.21.R discusses grade changes for proposed roadways; please illustrate on the plan what, if any, vertical change exists.

Response: Road plan and profiles will be provided once the site is fully engineered.

- g. If you are proposing private roadways, an easement will be required to be recorded over the ROW allowing for access to a public utility.

Response: We are not proposing private roadways.

- h. What are the speeds of the roadways? Please refer to UDO Section 10.21.5 for guidance.

Response: All roadways are proposed to be 25 mph.

- i. All utilities shall be located within the proposed street rights-of-way.

Response: Understood – all water and sewer utilities are located within the street rights-of-way, apart from two sewer main that will be within a 30' utility easement as shown on C3.0. that is connecting to existing sewer manholes

(K) Right-of-Way Widths. Right-of-way widths shall not be less than the following:

	Minimum Right-of-Way (ft.)
Principal Arterial	
Freeways	350
Other	200
Major Collector	100
Major Thoroughfare other than Freeway and Expressway	90
Minor Thoroughfare	70
Local Street	60
Cul-de-sac turnaround	120' diameter (Hammerhead)
Cul-de-sac turnaround	96' diameter

(L) Pavement Widths. Pavement widths or graded widths shall be as follows:

	Streets with or without Curb and Gutter
Minor Thoroughfare	40 ft.
Local Road	20 ft.
Marginal Access (frontage)	20 ft.
Cul-de-sac turnaround	120' diameter (Hammerhead)
Cul-de-sac	96' diameter

11. Trees:

- a. Tree removal permits are required.

Response: No trees are proposed to be removed with this project.

- b. Please specify how many Specimens tree /Regulated trees are proposed for removal and what the mitigation is.

Response: No trees are proposed to be removed with this project.

12. Please label all easements for proposed underground utilities, UDO Section 10.2.

Response: All easements are labeled.

13. It is important to note that street signs are provided by the applicant and installed at the final plat.

Response: Noted.

14. An illumination plan is required to illustrate UDO Section 10.25.

Response: Noted. A lighting plan, including wattage & illumination will be submitted prior to final plat.

15. Please let staff know immediately if any dedications of land are proposed per Section 10.4 of the UDO.

Response: Understood – staff will be notified if applicable.

16. Please be sure to clearly indicate the wooded areas, marshes, swamps, rocky outcrops, ponds or lakes, streams or streambeds, and any other natural features affecting the site.

Response: Understood – none of these features exist on the site.

17. Please identify the location of floodways or flood zones as depicted on the official Flood Insurance Rate Map (FIRM) which has been modified based on the latest mapping.

Response: Flood zones are shown and labeled on the Existing Condition sheets (C2.0 to C2.3) and shown on sheet C3.0.

18. Please be aware that before recording, an HOA is required per UDO Section 10.13, a copy of any proposed deed restriction, or similar covenants. Such restrictions are mandatory when private recreation areas or open spaces are established.

Response: Understood.

19. If roads are proposed as public, all the items mentioned need to be included in the site data notes.

- a. *Please include the Street Disclosure Statement. Please be aware that all streets shown on the final plat shall be designated in accordance with NC G.S. 136-102.6, and designation as public shall be conclusively presumed to be an offer of dedication to the public. Where streets are dedicated to the public but not accepted into a municipal or state system before lots are sold, a statement explaining the status of the street shall be included with the final plat.*
 - i. *The board must agree to the roads being public,*
 - ii. *Certifications of roadway construction,*
 - iii. *The town will provide a punch list of items to be addressed,*
 - iv. *After a punch list/deficiencies have been addressed and corrected petitioning with the town may take place.*

Response: Understood – all statements will be added to the site data notes at the time of the final plat.

20. It is important to note that the developer shall be required to pay the electric company the cost of street lighting installation. The street lighting system shall become the property of the Carolina Power and Light Company.

Response: Understood.

21. Please be aware that no construction or installation of improvements shall commence in the proposed site plan until the plan has been approved and all plans and specifications have been approved by the appropriate authorities under UDO Section 10.26.

Response: Understood.

22. Please be aware that the following improvements are required:

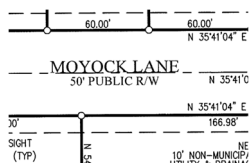
- a. Paved streets
- b. Drainage
- c. Central water and hydrants
- d. Central sewer
- e. Street lighting
- f. Power-line burial.
- g. Please adjust the plans to meet the following planning board conditions:
- h. The use and development of the subject property shall comply with all. Regulations and requirements imposed by the Town of Burgaw Unified Development Ordinance and any other applicable federal, state, or local law, ordinance, or regulation, as well as any condition stated below, In the event of a conflict, a more stringent requirement or higher standard shall apply.
- i. The use and development of the subject property shall be in substantial compliance with the site plan as submitted and accepted by the Board of Commissioners on the date of approval, depending on date of submittal.
- j. All utilities shall be located within the proposed street rights-of-way.

I will include the Road way acceptance check sheet if you decide to do town roads.

Response: It is understood that all the improvements listed are required. They are/will be provided with this project. The project will be in substantial compliance with all regulations and requirements. All utilities (water and sewer) will be proposed to be located within the proposed streets rights-of-way.

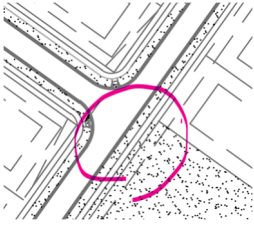
B. Official TRC Comments

1. Please label the roadway designation for each street shown on the plans.



Response: The roadway designations have been added to sheets C3.1-C3.6.

2. Please add the missing crosswalk to match those shown in the other areas of the development.



Response: Per previous conversations with NCDOT, striping is NOT preferred for crosswalks within a subdivision.

3. Please include the required NCDOT sight triangles.

Response: The site triangles (10'x70') have been added to the site plan.

4. Please add a note to the landscape plan stating that landscaping within the sight triangles will be field adjusted as necessary to maintain clear visibility.

Response: The note has been added to sheet C10.0 as note #4.

5. Please label all stormwater easements and stormwater facilities and indicate that maintenance will be the responsibility of the HOA Not the town and please be sure to include this in the HOA documents.

Response: All stormwater easements and facilities are now labelled. The above statement will be included in the HOA documents.

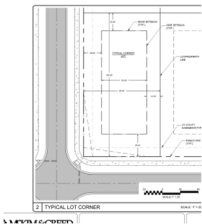
6. Please label all retention ponds on the plans.

Response: There are no longer any retention ponds proposed with this project. There is an amenity pond proposed, it is illustrated and labeled on the site plan.

7. Please show the proposed cluster mailbox locations. While the UDO does not regulate their placement, please locate them where they will not interfere with ingress, egress, or traffic circulation.

Response: Cluster Mailbox units have been added to the site plan & labeled.

8. Please consider the placement of corner lot driveways to ensure compliance with the required sight triangles.



Response: On the proposed corner lots, the driveway location will be located as far away from the intersection as possible. Site triangles have been added to the site plan.

9. Per Section 10.19 – Name of Subdivision: Please verify that the proposed subdivision name does not duplicate or closely resemble the name of an existing subdivision within the Town.

Response: We have submitted a proposed name (Blueberry Village) to Mike Dickson for review/approval.

10. Per Section 10.21 – Streets: Please include the required street designation/disclosure statement on the final plat for any streets proposed for public dedication that have not yet been accepted by NCDOT or the Town.

Response: Understood – the required street designation/disclosure statement will be added to the site data notes at the time of the final plat.

11. Please show crosswalks where needed.

Response: Per previous conversations with NCDOT, striping is NOT preferred for crosswalks within a subdivision.

12. Per Section 10.25 : Please note that street name signs will be installed at all intersections in accordance with Town standards.

Response: Noted.

13. Per Section 10.25: this is for down the road but just as an FYI, please show the required survey monuments on the final plat in accordance with Town standards.

Response: Understood – the required survey monuments will be included on the final plat.

14. Per Section 10.26: Please coordinate all required inspections and approvals with the Town prior to commencing construction and throughout the development process.

Response: Understood, will do.

15. Please indicate the location of the proposed construction entrance on the plans.

Response: Construction entrances will be designated and specified on the Erosion and Sediment Control plans. The Erosion and Sediment Control plans will be provided at a later date. It is anticipated there will be a construction entrance on the north end of the site where the site entrance will be, accessible from Henry Brown Road. It is also anticipated there will be a construction entrance on the south side of the site where the site entrance will be, accessible from West Wilmington Street.

II. North Carolina Department of Transportation, Samuel C. Houghton

A. Sketch Plan Comments

These preliminary comments are based on the plans as submitted for the proposed site and are subject to further review upon receipt of any additional information. Subsequently, additional comments and/or requirements may be necessary for this site.

Provide a locator map for this site.

Response: A project location map is shown on the cover, as is a vicinity map.

- Provide trip generation for the proposed land use(s) for our review to determine if a Traffic Impact Analysis (TIA) is required. We are now using the 11th edition of the Trip Generation Manual. Note that accesses and the potential for roadway improvements will be determined through scoping

and analysis if a TIA is required. If a TIA is not required, then the trip generation will help us determine if any roadway improvements will be required.

Response: See below. This table has been added to Sheet C3.0.

ITE 12th Edition Trip Generation Manual									
Land Use	Land Use Group	ITE Code	24-Hour Volumes	AM Peak Hour Trips		PM Peak Hour Trips		Saturday Peak Hour	
				Enter	Exit	Enter	Exit	Enter	Exit
Single-Family Detached Housing	Residential	210	1311	104		138		128	
				27	77	88	50	69	59

- In order to protect the storage needs of the site and the operational needs of the driveway, a protected stem of sufficient length will be required.
 - For developments with an internal roadway network, a minimum storage of 100 feet measured from the near edge of the right-of-way will be required before any crossing or left-turning conflicts are allowed. When a TIA is required the analysis results will determine the required stem length.

Response: We have included a protected stem off our main entrance along NC Highway 53 (West Wilmington Street). In regard to the access to Henry Brown Road, only one (1) lot (Lot 46) would need to make a left turning movement within 100' of the state road.

- A NCDOT Driveway Permit is required. Submit a plan in accordance with pages 14 and 15, of the Policy on Street and Driveway Access to North Carolina Highways to include access locations within 500' of the proposed access on both sides of the State route. Contact the District Engineers office with regards to submittals, telephone 910-467-0500.

Response: Understood, those plans will be submitted to NCDOT when we apply for the driveway permit.

- A NCDOT Encroachment Agreement is required for any utility connections or installation within NCDOT Right-of-Way.

Response: Understood.

B. Official TRC Comments

These preliminary comments are based on the plans as submitted for the proposed site and are subject to further review upon receipt of any additional information. Subsequently, additional comments and/or requirements may be necessary for this site.

- During the permitting process, the provided trip generation will be used to determine if any roadway improvements are required.

Response: Understood.

- In order to protect the storage needs of the site and the operational needs of the driveway, a protected stem of sufficient length will be required.

- For developments with an internal roadway network, a minimum storage of 100 feet measured from the near edge of the right-of-way will be required before any crossing or left-turning conflicts are allowed. When a TIA is required the analysis results will determine the required stem length.

Response: We have included a protected stem off our main entrance along NC Highway 53 (West Wilmington Street). In regard to the access to Henry Brown Road, only one (1) lot (Lot 46) would need to make a left turning movement within 100' of the state road.

- A NCDOT Driveway Permit is required. Submit a plan in accordance with pages 14 and 15, of the Policy on Street and Driveway Access to North Carolina Highways to include access locations within 500' of the proposed access on both sides of the State route. Contact the District Engineers office with regards to submittals, telephone 910-467-0500.

Response:

- When submitting for the Driveway permit, provide stormwater calculations for the site's drainage to be reviewed by our Hydraulics Unit

Response: Understood.

- A NCDOT Encroachment Agreement is required for any utility connections or installation within NCDOT Right-of-Way.

Response: Understood.

III. Town of Burgaw Fire Department, Marybeth Ketroval

A. Sketch Plan Comments

1. Hydrant placement shall be documented on the final submittal.

Response: Understood – hydrant placement will be included with final submittal.

B. Official TRC Comments

1. Per Appendix D of the 2018 NC Fire Code, D103.1 – Access Road Width: For fire apparatus access roads with a hydrant, the minimum road width shall be 26 feet, exclusive of shoulders. The width is measured only by the travel lanes or roadway surface and does not include paved shoulders or sidewalk areas.

Response: Understood, see response under comment #2 below.

2. No Parking – Fire Lane signs are required on both sides of fire apparatus access roads that are 20 feet to 26 feet in width.

Response: At both entrances there will be signed posted stated no street parking, which will be in accordance with maintained a 22 foot street section from face of curb to face of curb.

IV. NC Department of Environmental Quality, Christine Hall

A. Sketch Plan Comments

Just the usual comments from me. This project will require an Erosion and Sediment Control approval, receive coverage under the NPDES Construction Stormwater general permit (NCG010000), and a post construction stormwater permit.

Response: Understood.

B. Official TRC Comments

No additional comments provided

Response: Noted.

V. Pender County Addressing Coordinator / GIS Analyst, Mike Dickson

A. Sketch Plan Comments

Please have the applicant suggest street names to me so 911 admins can vet the road names to ensure they are not duplicates or near-duplicates to existing names. The following streets need names:

STREETs A, B, C, D, E, F, and G. Furthermore, STREET E should either be given two names or split into directionals (i. e. E STREET E and W STREET E).

Response: We have submitted proposed road names for review and approval. Approved street names will be added to the final plat.

B. Official TRC Comments

Please send road name requests and alternates to me. Pender911, Fire, and Sheriff's require that duplicate road names are not used.

STREETs A, B, C, D, E, F, and G must be named. STREETS B and E are intersected by STREET F, and therefore should be split into East and West directional prefixes (i.e., W Main St) or given two separate names. Will STREET C already be named because it connects to Tealbriar? If so, a new name would not be needed.

Response: The plan has changed, therefore some of the street labels (A through G) are not applicable, the intent of the comment above has been noted. Please see revised plan set. We have submitted proposed road names for review and

approval. Approved street names will be added to the final plat. The street connection to Tealbriar will be named the same as that approved for the Tealbriar development.

VI. Pender County Environmental Health, Vence Dodge

A. Sketch Plan Comments

Assuming this is all on sewer and public water. If no public pool, then EH is not needed for this project

Response: Yes, sewer and public water. No public pool is proposed.

B. Official TRC Comments

No additional comments

Response: Noted.

VII. Pender County Schools, Willy Nelson

Pender County Schools has reviewed the proposed Manly Tract development consisting of 150 single family units.

Based on the Pender County Schools Comprehensive Land Use Study completed by Numerix in 2024, residential developments of this type are projected to generate approximately 0.4 K-12 students per address point. Applying this student generation rate to the proposed 150 single family units results in an estimated impact of 60 additional students .

The schools anticipated to primarily serve this development are:

- C.F. Pope Elementary School – Current Enrollment: 484 | Capacity: 683
- Burgaw Middle School – Current Enrollment: 237 | Capacity: 322
- Pender High School – Current Enrollment: 575 | Capacity: 795

Based on current enrollment and available capacity, Pender County Schools does not anticipate this development will create an immediate capacity concern at the schools serving this attendance area. However, cumulative residential growth throughout the district continues to be monitored as part of the district's long-range facility planning efforts.

Recommendation:

If the development will include private streets or roads where school bus service is anticipated, Pender County Schools recommends that the developer consider constructing appropriately located student waiting shelters or similar structures at designated bus pick-up locations. These improvements provide protection from inclement weather, improve visibility for bus drivers, and enhance the safety and comfort of students while awaiting transportation.

Thank you for the opportunity to review this project.

Response: All roads within the subdivision will be public.

VIII. Director of Inspections, Louis Hesse

Signs at entrances only are not enforceable throughout a subdivision in North Carolina without a Municipal Ordinance for same and is mostly problematic and unheard of.

That being said, we require no parking signage at the beginning and end of each street on both sides for streets up to 26' wide. For streets more than 26' but less than 32', signage would need to be at the beginning and the end of each street on one side. For streets greater than 32', parking is allowed both sides.

Response: Understood – no streets will be wider than 26'.

§ 136-30. Uniform signs and other traffic control devices on highways, streets, and public vehicular areas.

(a) State Highway System. - The Department of Transportation may number and mark highways in the State highway system. All traffic signs and other traffic control devices placed on a highway in the State highway system must conform to the Uniform Manual. The Department of Transportation shall have the power to control all signs within the right-of-way of highways in the State highway system. The Department of Transportation may erect signs directing persons to roads and places of importance.

(b) Municipal Street System. - All traffic signs and other traffic control devices placed on a municipal street system street must conform to the appearance criteria of the Uniform Manual. All traffic control devices placed on a highway that is within the corporate limits of a municipality but is part of the State highway system must be approved by the Department of Transportation.

(c) Public Vehicular Areas. - Except as provided in this subsection, all traffic signs and other traffic control devices placed on a public vehicular area, as defined in G.S. 20-4.01, must conform to the Uniform Manual. The owner of private property that contains a public vehicular area may place on the property a traffic control device, other than a sign designating a parking space for handicapped persons, as defined in G.S. 20-37.5, that differs in material from the uniform device but does not differ in shape, size, color, or any other way from the uniform device. The owner of private property that contains a public vehicular area may place on the property a sign designating a parking space for handicapped persons that differs in material and color from the uniform sign but does not differ in shape, size, or any other way from the uniform device.

The ***Manual on Uniform Traffic Control Devices for Streets and Highways***—the **MUTCD**—defines the standards used by road managers nationwide to install and maintain traffic control devices on all streets, highways, pedestrian and bicycle facilities, and site roadways open to public travel. The MUTCD is published by the Federal Highway Administration (FHWA) under [23 Code of Federal Regulations \(CFR\), Part 655, Subpart F](#).

Response: Understood.

Sincerely,
McKim & Creed, Inc.

G. Hastings Sartin

Hastings Sartin, PE

Project Engineer

cc: Project File 07103-0063



Pender County, NC

Pender County, NC
pendercountync.gov

Date Printed: 8/18/2026

PIN:	3219-82-3868-0000	STATE:	OH	PROPERTY DESCRIPTION:	PB 18/11 NC 53 S/S 1343	SUBDIVISION:		DEED_PAGE:	218
NAME:	MANLEY, ELIZABETH S	ZIP:	45215	SALE PRICE:	125000	ZONE:	INCORP	PLATBOOK:	0011
ADDRESS:	143 RITCHIE AVE	STATE:	OH	PLAT:	00180011	NBRHD:	R1014	PLATPAGE:	0018
CITY:	CINCINNATI	ZIP:	45215	ACCOUNT:	891220	DEED_BOOK:	3015		

Pender County online map access is provided as a public service, as is, as available and without warranties, expressed or implied.



CASE SUMMARY

Major Subdivision (Quasi-Judicial)

Burgaw Town Council

September 08, 2026

Ron Meredith, 910-663-3451, rmeredith@burgawnc.gov

Staff recommendation	Not applicable (Quasi-Judicial)
Burgaw Town Council	September 08, 2026

Request

Proposal	Consideration of a major subdivision preliminary plat (quasi-judicial) on an existing R-12, residential district for a 139-lot single-family detached home subdivision proposed to be located south of Henry Brown Rd (SR 1343) (PIN: 3219-82-3868-0000).	
Applicant	Chad McEwen	910-604-2100
Owner	Funston Company INC	1007 Evangelene Drive Leland, NC 28451

Property Characteristics

Zoning	Existing R-12, residential district
Current Land Use	Undeveloped/ Agricultural

Surrounding Area	North	South	East	West
Zoning	R-12 and O&I	R-12	R-12 and B-2	R-20
Current Land Use	Residentially developed & Heavy Commercial	I-1 light industrial or Heavy Commercial	Residentially developed, Undeveloped, Agricultural, Commercial	Existing Teal Briar Phases 1–3 and the Newly Approved Dunbar Development

1. Case Overview

1. The subject property is located within the municipal limits of the Town of Burgaw.
2. The site is currently undeveloped & Agricultural.
3. The applicants' design generally meets the intent and requirements of the Town of Burgaw's Unified Development Ordinance (UDO) Section 10.13 and 10.14.
4. The applicant's proposal currently consists of one parcel totaling ±79.82 acres.
5. This application does not propose a change to the existing R-12, residential district, but requires this quasi-judicial approval.
6. The main purpose of the R-12 residential district is to establish principal use of land for residential uses.
7. When developing a subdivision, park land or open space should be provided to homeowners and the applicant has provided open space that can be seen on the plan.
8. The applicant's proposal was reviewed through the town's Technical Review Committee (TRC) and is generally in compliance with the UDO.

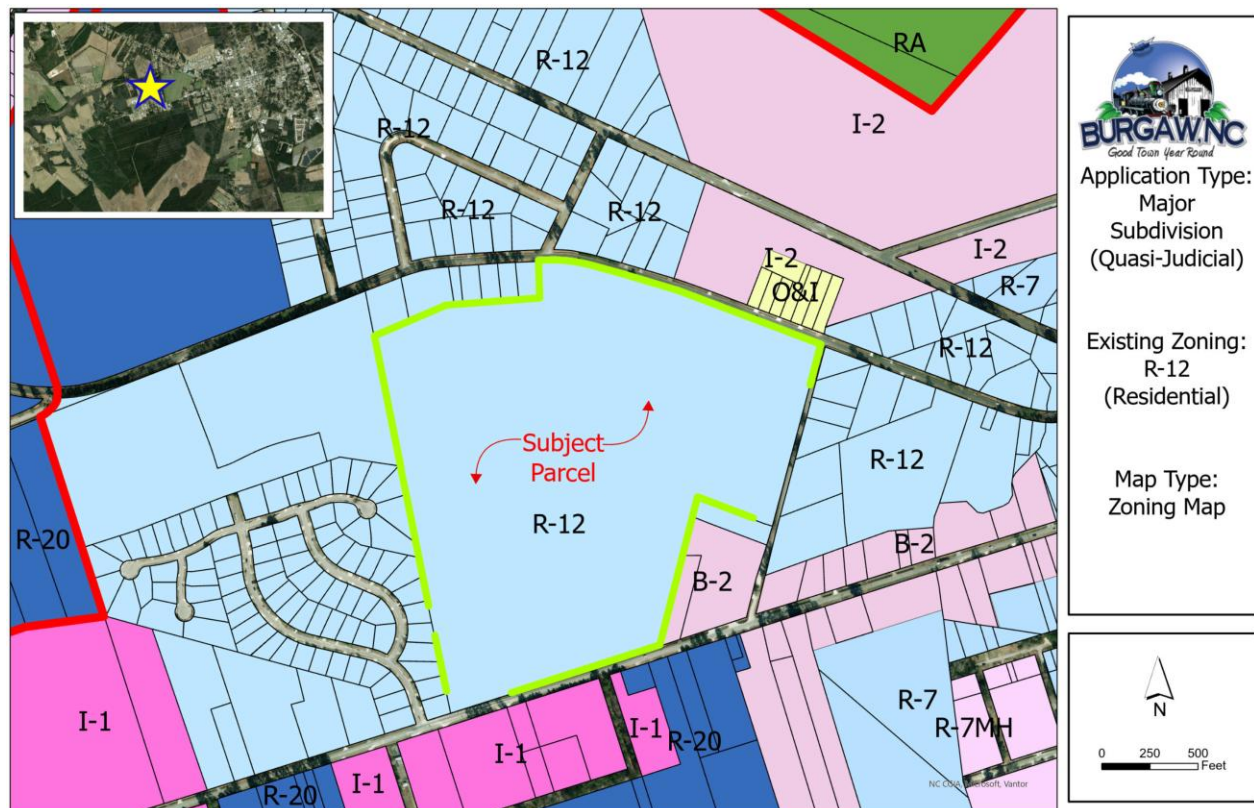


9. The maximum allowable density in the R-12 residential district is 3.6 dwelling units per acre, which corresponds to a minimum lot size of 12,000 square feet per dwelling unit. This district is intended to maintain a low-density residential character through these minimum lot size requirements. Currently, the applicant proposes 1.7 dwelling units per acre and follows the density standards.

DISTRICT	MINIMUM LOT SIZE			MINIMUM YARD REGULATIONS ⁴⁻⁹			Maximum Height of Structure in Feet ¹³
	Area in Square Feet	Square Feet per Dwelling Unit	Frontage in Feet ¹⁰	Front Yard Setback in Feet ¹¹	Side Yard Width in Feet ¹²	Rear Yard depth in Feet	
R-12 Residential	12,000	12,000	75	25	15	20	35
PERMITTED DENSITY			3.6 DU/AC (Based on a 12,000 square foot lot size)				
PROPOSED DENSITY			1.7 DU/AC (139 UNITS / ±79.82 AC)				

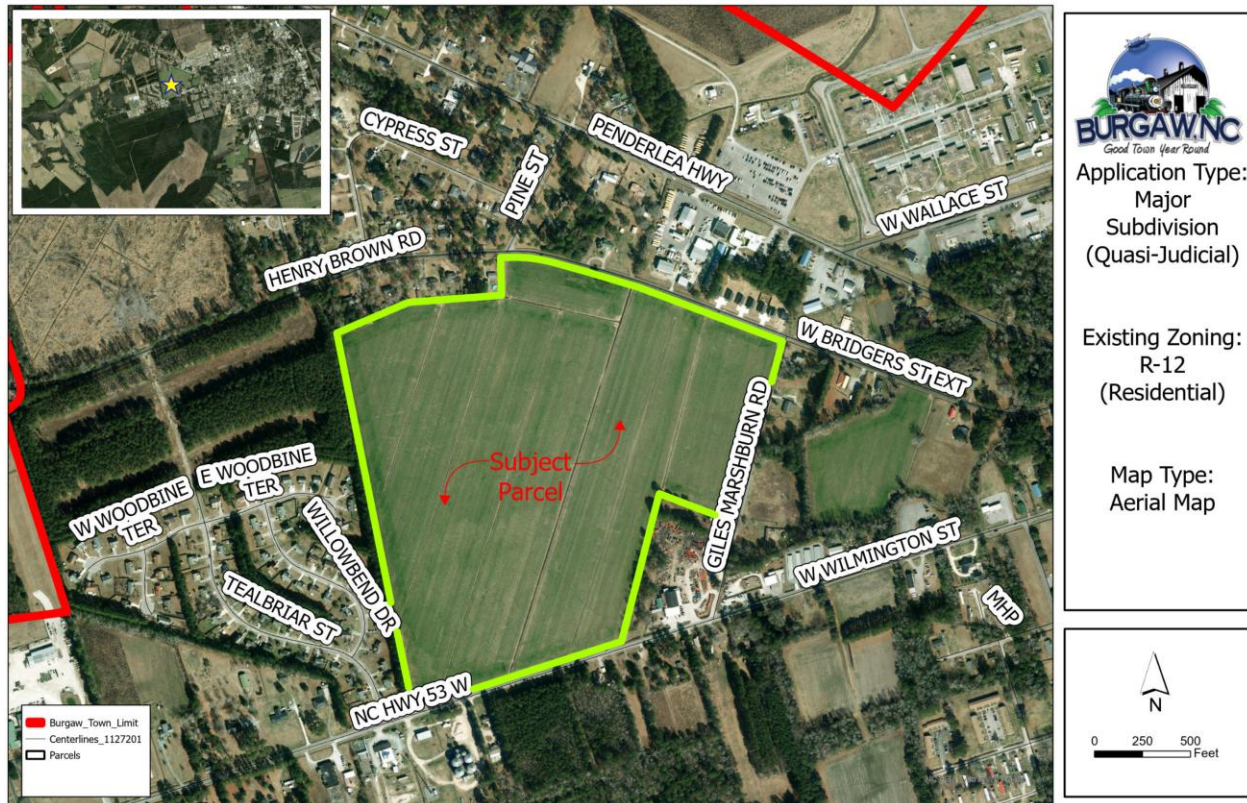
Table1: Dimensional Requirements and Density

Zoning Map





Aerial Map



2. Summary

2.1 Proposal

The applicant is proposing a major subdivision containing single-family detached homes on ± 79.82 acres. The development is planned to contain 139 single-family lots, resulting in a density of 1.7 units per acre and the R-12 residential district, which follows the district standards. The subject parcel is currently undeveloped.

Connections to both water and wastewater are required due to the availability and proximity of those lines to the subject parcels.

The applicant's proposal includes public roads, which the Town of Burgaw requires to be built to NCDOT standards, with stormwater, and open space maintenance managed by a homeowner's association (HOA).

2.2 Open Space

The subject property is located within the R-12 Residential Zoning District and per the Open Space Requirement, all subdivisions of 10 acres or more are required to provide a minimum of 15% dedicated open space.

Required open space must be located onsite and owned entirely by a homeowners' or property owners' association. Additionally, at least 30% of the required open space area must be based on the total buildable acreage within the development.

Open Space Metric	Acreage	Share of Total Site
Total Site Acreage	79.82 acres	100.00%
Minimum Required Open Space (15%)	11.97 acres	15.00%
Open Space Provided	21.62 acres	27.09%
Open Space Above Minimum Required	9.65 acres	12.09%

Table 2

The applicant exceeds the minimum open space requirement by providing approximately 21.62 acres of dedicated open space. No fee-in-lieu is applicable, as the required open space is being fully provided on-site as part of the proposed development.

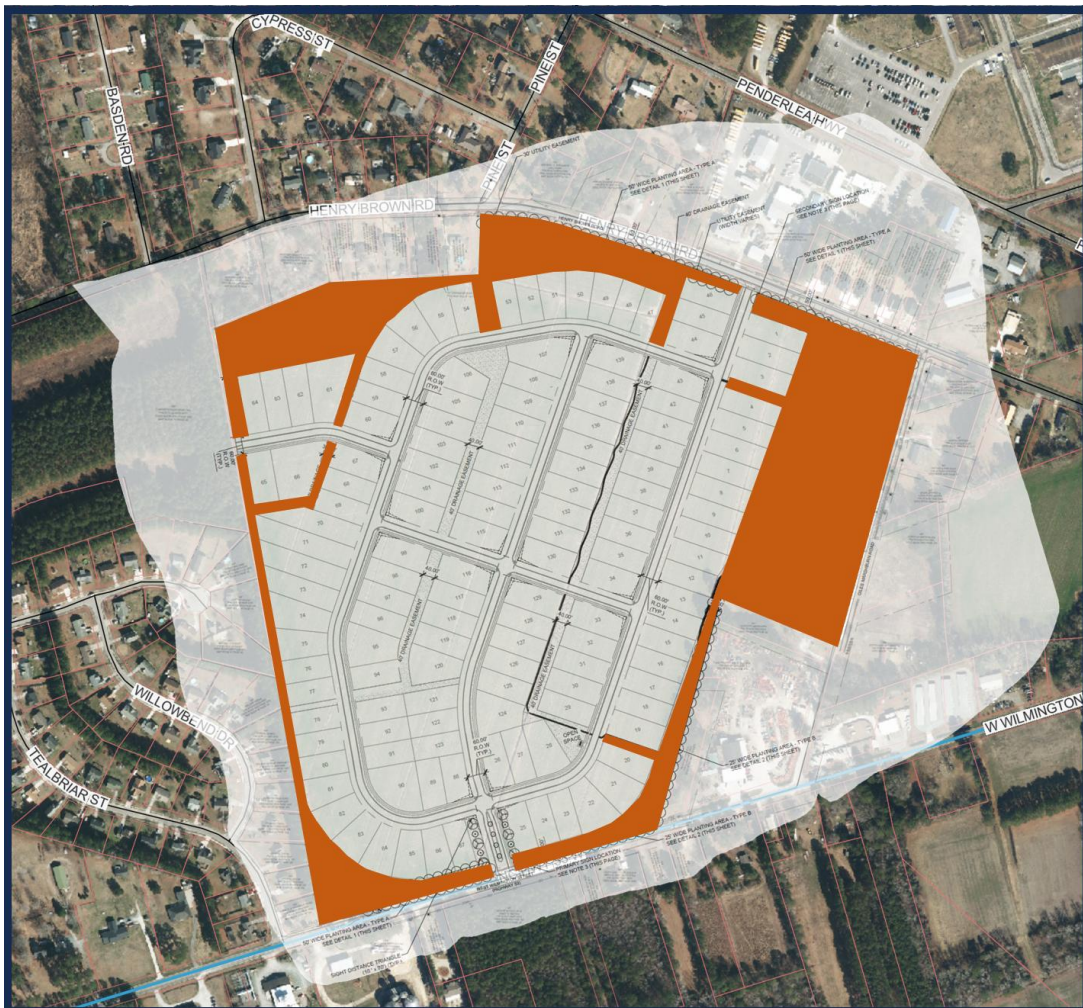


Image 1

2.3 Buffers

The applicant has proposed buffers as part of the development; however, buffers are not required between residential uses under the UDO. While there are some adjacent commercial uses, the ordinance does not specify a buffer requirement in this situation, and a single-family residential subdivision does not activate any mandatory buffer standards. As a result, the buffers shown on the plan are voluntary rather than required by the UDO.

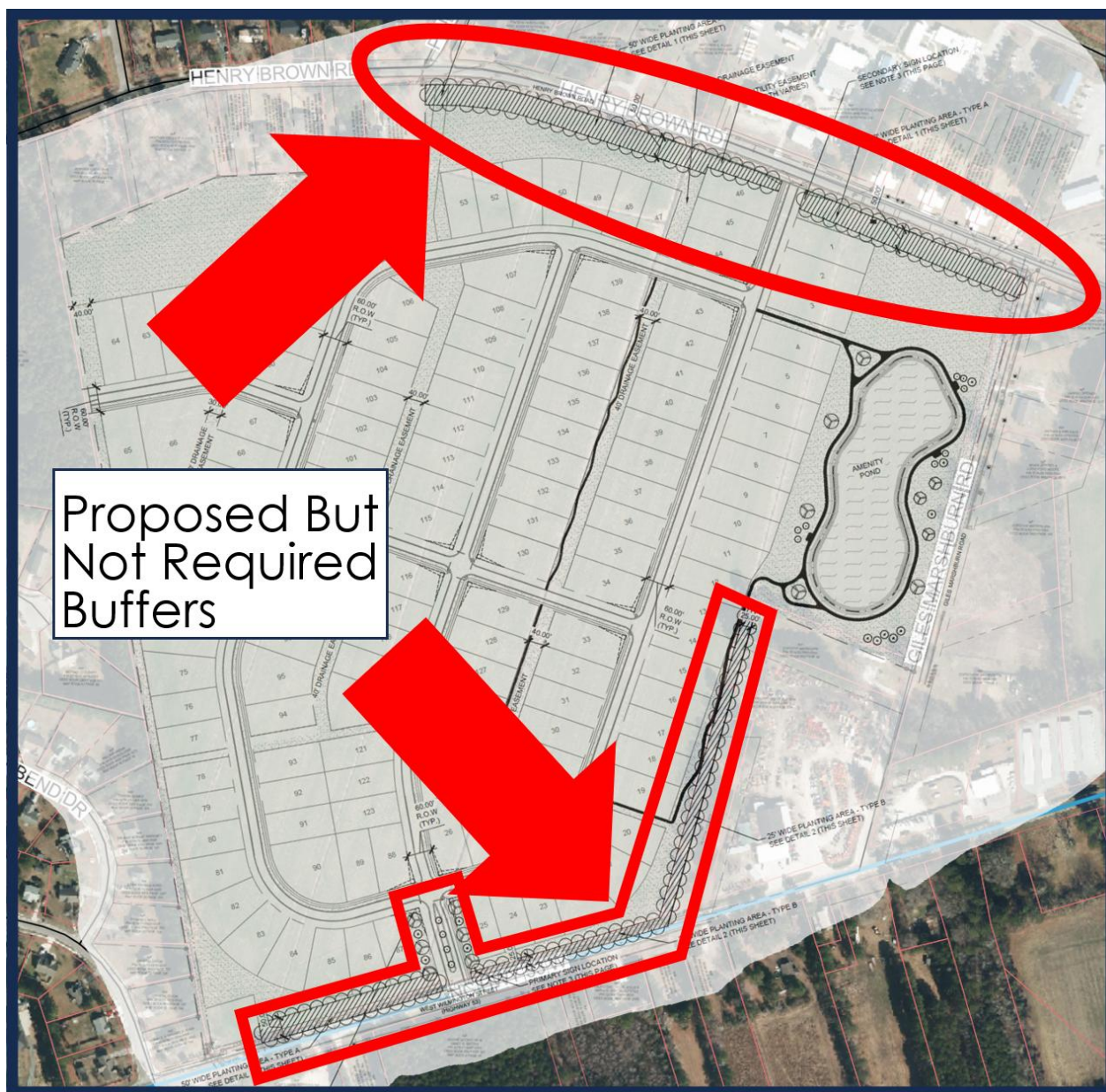


Image 2

2.4 Sidewalks

Sidewalks are not required for this development. Under the UDO, sidewalks may be required by the Council in areas expected to experience heavy pedestrian activity, such as near schools or shopping areas, and when applicable must meet specific width, placement, and construction standards. As this proposal does not fall under those conditions, the UDO does not mandate sidewalks for this development, and any sidewalks shown on the plan would be voluntary. If they are installed the concrete depth must be 6".

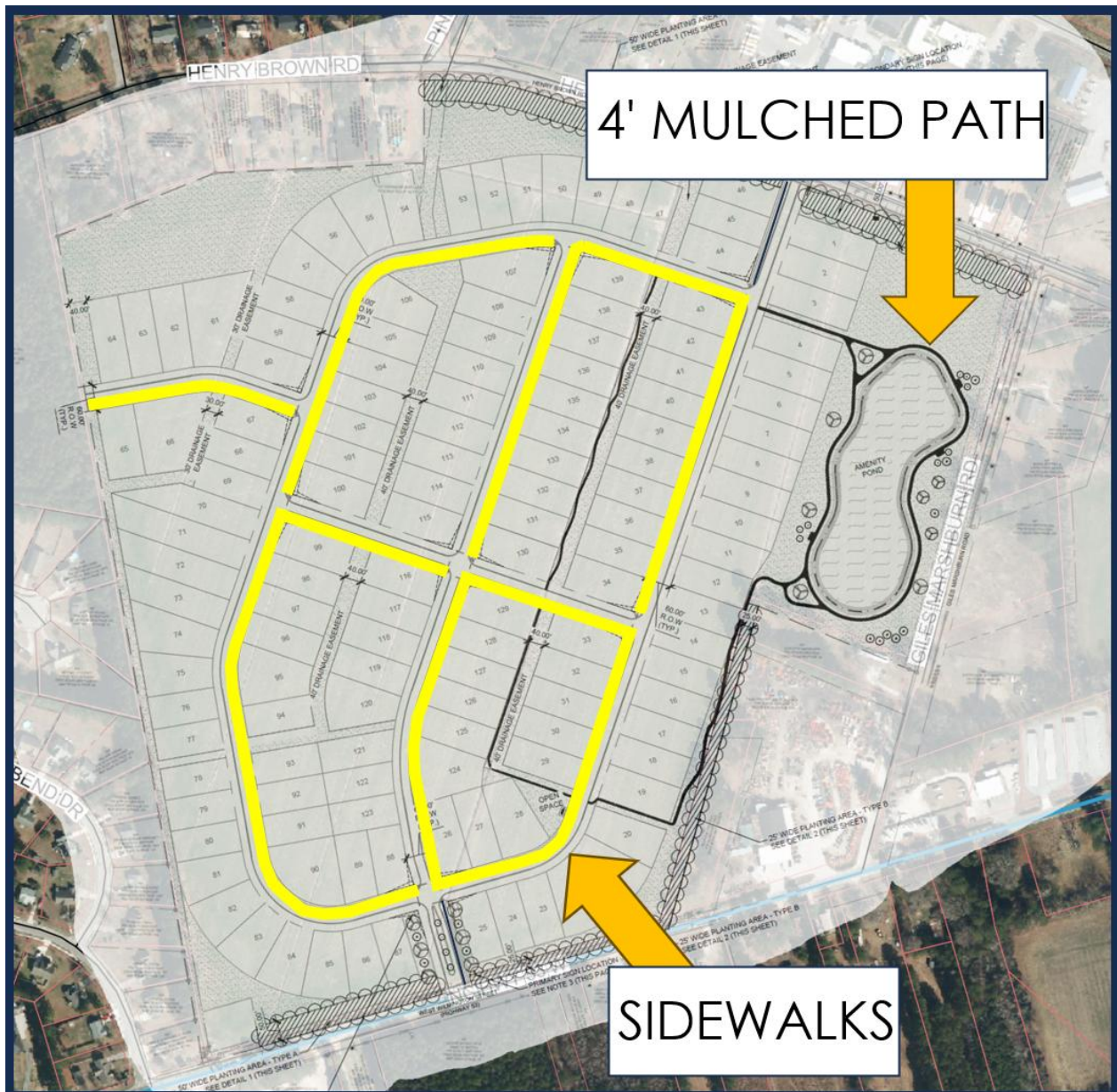


Image 3

The permitting agencies will determine whether their permits are necessary; however, this is a list of typical permits that could potentially be required for a project of this scale.

1. Sediment and Erosion Control Permit (North Carolina Department of Environmental Quality (NCDEQ).
2. State Stormwater Permit (NCDEQ).
3. Section 401 wetland permit (U.S. Army Corps of Engineers).

4. Driveway Permit (NCDOT).
5. Permits are associated with the construction of water and wastewater lines.
 - a. Authorization to Construct Waterlines (NCDEQ).
 - b. Authorization to Construct Wastewater (NCDEQ).

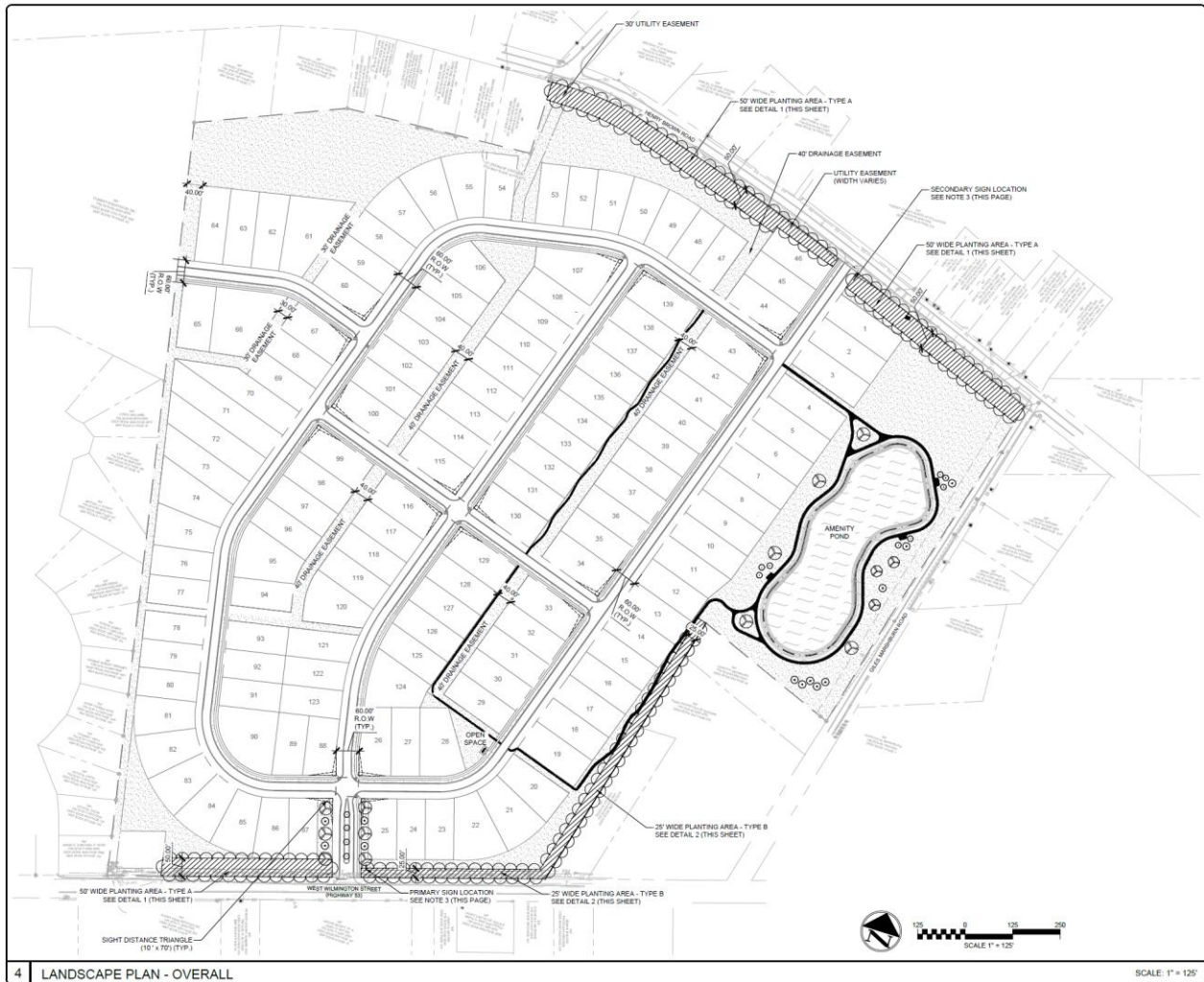


Image 4

2.5 Community Meetings

Within the major subdivision (quasi-judicial) process, the applicant is not required to hold a community meeting.

2.6 Staff Review

- Staff has conducted a review of the proposed preliminary plat for consistency with UDO.
- A preliminary plat review has been conducted by the Technical Review Committee (TRC).
 - i. Comments were provided to the applicants from state regulatory agencies and town departments regarding the 139-lot subdivision.
 - ii. Adjustments were made to the proposed subdivision to bring it into compliance with regulations.



- If the project is approved by the Burgaw Town Council, approval to begin site work is not granted until release is given by the Planning Department. This means that all applicable permits that state and federal agencies require must be submitted to the Burgaw Planning Department before the proposal can move forward.

2.7 Services, Facilities, and Infrastructure

- Traffic and Transportation
 - The applicant has proposed the roadways as public.
 - All roadways are required to meet the NCDOT standards and certifications are required stating that the roads have been constructed to said standards.
 - This development activated a Traffic Impact Analysis (TIA). This proposal, if were to be approved, would move to the scoping process with the NCDOT and the town's traffic consultant reviewing the study created by the applicant's traffic engineer.
- Traffic Impact Analysis
 - This development does require a Traffic Impact Analysis (TIA/TIS) required by the UDO, Section 9.3. As stated in the UDO a TIA is required when any proposal generates 100 AM or PM peak hour trips or more, or 1,000 trips. This study will be based on the most current edition of the Institute of Traffic Engineers (ITE) Trip Generation Manual.
 - The UDO does not state that the applicant is required to have the traffic study completed for the quasi-judicial hearing.

ITE 12th Edition Trip Generation Manual									
Land Use	Land Use Group	ITE Code	24-Hour Volumes	AM Peak Hour Trips		PM Peak Hour Trips		Saturday Peak Hour Trips	
				Enter	Exit	Enter	Exit	Enter	Exit
Single-Family Detached Housing	Residential	210	1,311	27	77	88	50	69	59
TOTAL TRIPS			1,311	104		138		128	
				27	77	88	50	69	59

Table 13

- Annexation
 - The proposal is within the town's municipal limits and no annexation is required.
- Public Utilities
 - Wastewater: wastewater service is available in the direct vicinity of the subject property. This means that the applicant will connect to the nearest pump station. The town does have capacity in the wastewater system. There may be a specific need for updates to the mechanical devices within the pumpstation i.e. pumps. This would be a responsibility of the developer. The options will be narrowed based on the timing of any adjacent projects. All infrastructural improvements and connections must be installed at the developer's expense.
 - Water: water service will be supplied by the town of Burgaw. A water connection is currently available to the town of Burgaw's system, but all infrastructural improvements and connections must be installed at the developer's expense.

- Public Safety
 - i. The Fire Marshal was included within the TRC review and has worked with the applicant to ensure compliance with fire codes applicable to this development. As an effort to create interconnectivity for emergency management purposes, the applicant has included an easement for a future connection in their proposal to the east if that parcel were to develop.

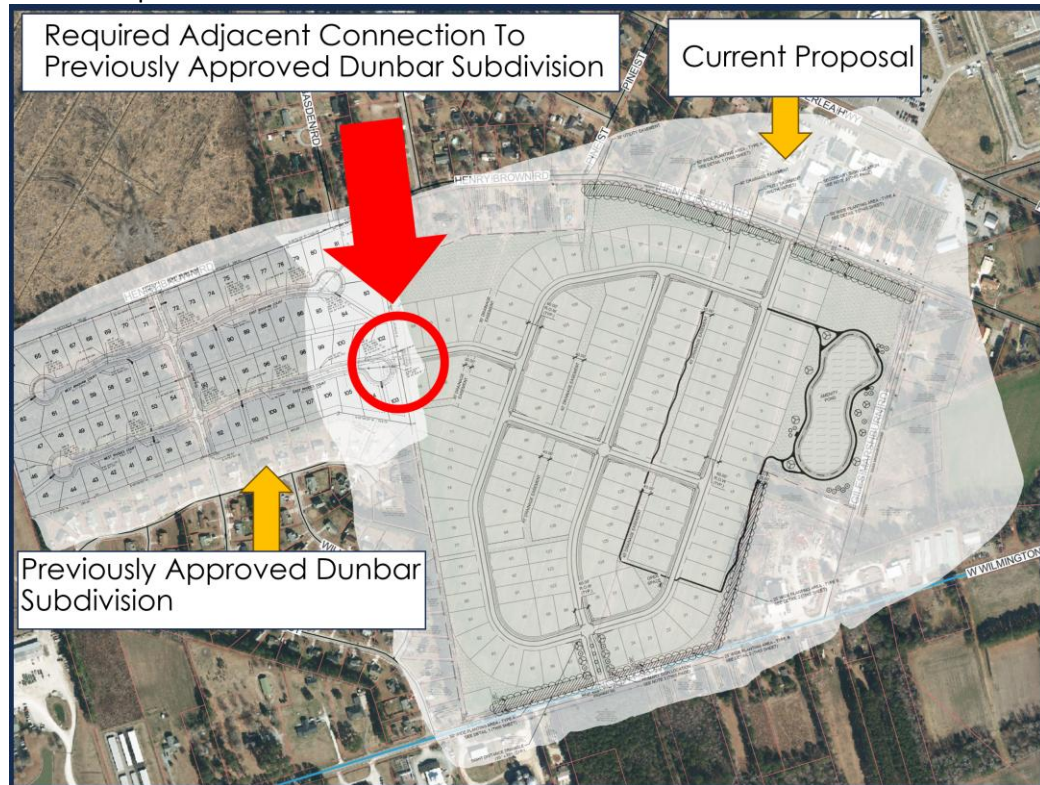


Image 4

- Stormwater
 - i. Stormwater permitting is handled through the state. NCDEQ representatives will review and issue the permits for the development based on the state water quality requirements. State stormwater representatives are included in the TRC.

3. Criteria for Approval, UDO Section 10.13 Major Subdivision

1. Every subdivision within the Town of Burgaw and its extraterritorial jurisdiction (ETJ) that does not qualify for minor subdivision procedures shall be required to submit a preliminary plat for Town Council approval before any construction or installation of improvements may begin.
2. Prior to submitting a preliminary plat, the subdivider shall complete a pre-application conference and sketch plant review with the Planning Department.
3. An application for a major subdivision will be submitted first and a digital copy to be shared with the Technical Review Committee (TRC) and the town's review engineer. After the town's review comments are addressed, copies of the preliminary plat (as well as any additional copies the Town's Planning Department determines are needed shall be submitted to the Planning Department in accordance with the official deadlines for application submittal designated by the Town Planning Department). The applicant is responsible and must submit to all applicable state and federal agencies.



4. *All preliminary plats shall meet the specifications outlined in this chapter, and all mapping shall comply with NC G.S. 47-30. A preliminary plat that is incomplete or does not have the required documents submitted with it shall not be scheduled for Town Council review until all missing information is supplied.*
5. *All preliminary plats shall contain the following certifications as specified in this Article:*
 - (a) *Certificate of Ownership and Dedication (signed)*
 - (b) *Certificate of Survey and Accuracy (signed)*
 - (c) *Surveyor's Certificate (signed)*
 - (d) *Certificate of Preliminary Plat Approval*
6. *When a subdivision is to be developed in stages, a master plan shall be submitted for the entire development, and a preliminary plat and final plat shall be submitted for each individual stage.*
7. *The Council shall review the preliminary plat along with the comments of the town's planning department and any other review agencies at a regularly scheduled public meeting.*
8. *If the Council approves the preliminary plat, such approval shall be noted on a digital copy and two 24x36 paper copies of the plat. One copy of the plat shall be retained by the town, and one copy shall be returned to the subdivider. If the Council approves the preliminary plat with conditions, approval shall be noted on a digital copy and two 24x36 paper copies of the plat along with a reference to the conditions. One paper copy of the plat, along with the conditions, shall be retained by the town, and one copy of the preliminary plat, along with the conditions, shall be returned to the subdivider. If the Council disapproves of the preliminary plat, the reasons for such disapproval shall be specified in writing. One digital copy and one 24x36 paper copy of the plat and reasons for disapproval shall be retained by the town, and one 24x36 paper copy of the plat and reasons for disapproval shall be returned to the subdivider.*
9. *Preliminary plat approval shall be valid for a period of two years.*
10. *Preliminary plat approval constitutes approval of the layout and authorizes the developer to proceed with construction of the subdivision and improvements in accordance with the approved preliminary plat and any conditions attached to the approval.*
11. *Limited changes to an approved preliminary plat may be approved by the Town Planner administratively. Administrative approval of limited modifications shall not have the effect of extending the period of preliminary plat validity. Impervious surface increases or decreases of less than 5% are considered limited changes. The relocation or modification of driveways, stormwater ponds, and any such devices that are necessary for the development of a subdivision, and that are mandated by state or federal agencies shall be considered limited changes.*
12. *Significant changes to an approved preliminary plat must be resubmitted for review and approval as a new application.*

Additional Approval Criteria for Approval, UDO Section 10.14 Major Subdivision

- *Title Block containing:*
 - *Name of subdivision*
 - *Location of municipality, township, county, and state*
 - *Name of owner*
 - *Date or dates survey was conducted, and plat prepared*
 - *Scale denoted numerically (example 1" = 100')*
 - *Name and address of individual or firm preparing plans*
 - *Name, address, registration number, and seal of Registered Land Surveyor*
 - *Sheet number*
- *Sketch vicinity map showing the relationship between the proposed subdivision and the surrounding area (with scale)*
- *Graphic scale*



- North arrow, noted whether true or magnetic
- The boundaries of the tract or portion thereof to be subdivided, distinctly and accurately represented, with all bearings and distances shown
- Existing and proposed lot lines, both on the tract to be subdivided and on adjoining properties. Corporate limits, township boundaries, and county lines shall be depicted if applicable.
- The names of owners of adjoining property
- The names of any adjoining subdivisions of record or proposed and under review
- Zoning classification of tract to be subdivided
- Building line minimums
- Existing buildings or other structures, water courses, railroads, bridges, culverts, storm drains, or other features, both on the land to be subdivided and land immediately adjoining
- Proposed lot numbers and block letters, if applicable, and appropriate dimensions
- Wooded areas, marshes, swamps, rocky outcrops, ponds or lakes, streams or streambeds, and any other natural features affecting the site
- Location of floodway or flood zones as depicted on the official Flood Insurance Rate Map (FIRM)
- The following data concerning streets:
 - Proposed public streets
 - Proposed private streets
 - Existing and platted streets on adjoining properties and in the proposed subdivision
 - Rights-of-way, location, and dimensions in accordance with this ordinance
 - Pavement widths
 - Approximate grades
 - Design engineering data for all corners and curves
 - Typical cross-sections
 - Street names
 - Type of street dedication (all streets must be designated either 'public' or 'private')
- Location and dimensions of proposed rights-of-way, utility and other easements, parks, school sites, recreational areas and trails, natural or required buffers, and open spaces, and designation of future ownership and/or dedication
- Location of 404 wetland areas as determined by the Wilmington District office of the US Army Corps of Engineers
- Location, with sizes and/or other information noted, of natural gas lines, telephone lines, electric lines, and any other utility required for the subdivision
- Location, with sizes and/or other information noted, of natural gas lines, telephone lines, electric lines, and any other utility required for the subdivision
- Location, with sizes and/or other information noted, of proposed water lines, fire hydrants, valves, sewer lines, storm drainage lines, manholes, catch basins, force mains, pumping stations, or any other system intended or proposed to serve the development, showing tie-in locations to existing systems.
- Plans for individual water supply and sewage disposal systems, if any, with profiles based on mean sea level datum for sanitary sewers and storm systems.

Other Required Information

- Site calculations include
 - Acreage in total tract to be subdivided
 - Acreage in parks and recreation and open space areas and other nonresidential areas
- Total number of parcels created
- Acreage in the smallest lot in the subdivision



- *A copy of any proposed deed restriction or similar covenants. Such restrictions are mandatory when private recreation areas or open spaces are established.*
- *Where land disturbing activity is an acre or more in size, a copy of the erosion control plan must be submitted to the appropriate office of the N.C. Department of Environment and Natural Resources, in compliance with NCGS 113A, Article 4 (Sedimentation Pollution Control Act of 1973). Evidence of approval must be provided prior to submittal of a final plat for approval.*
- *Topographic maps with contour intervals of no greater than five feet at a scale of no less than 1" = 400'*
- *If any street is proposed to intersect with a state-maintained road, the subdivider shall apply for driveway approval as required by the N.C. Department of Transportation Division of Highways' Policy on Street and Driveway Access to North Carolina Highways. Evidence of approval must be provided prior to the submittal of the final plat for approval.*

4. NEIGHBORHOOD CONTACT

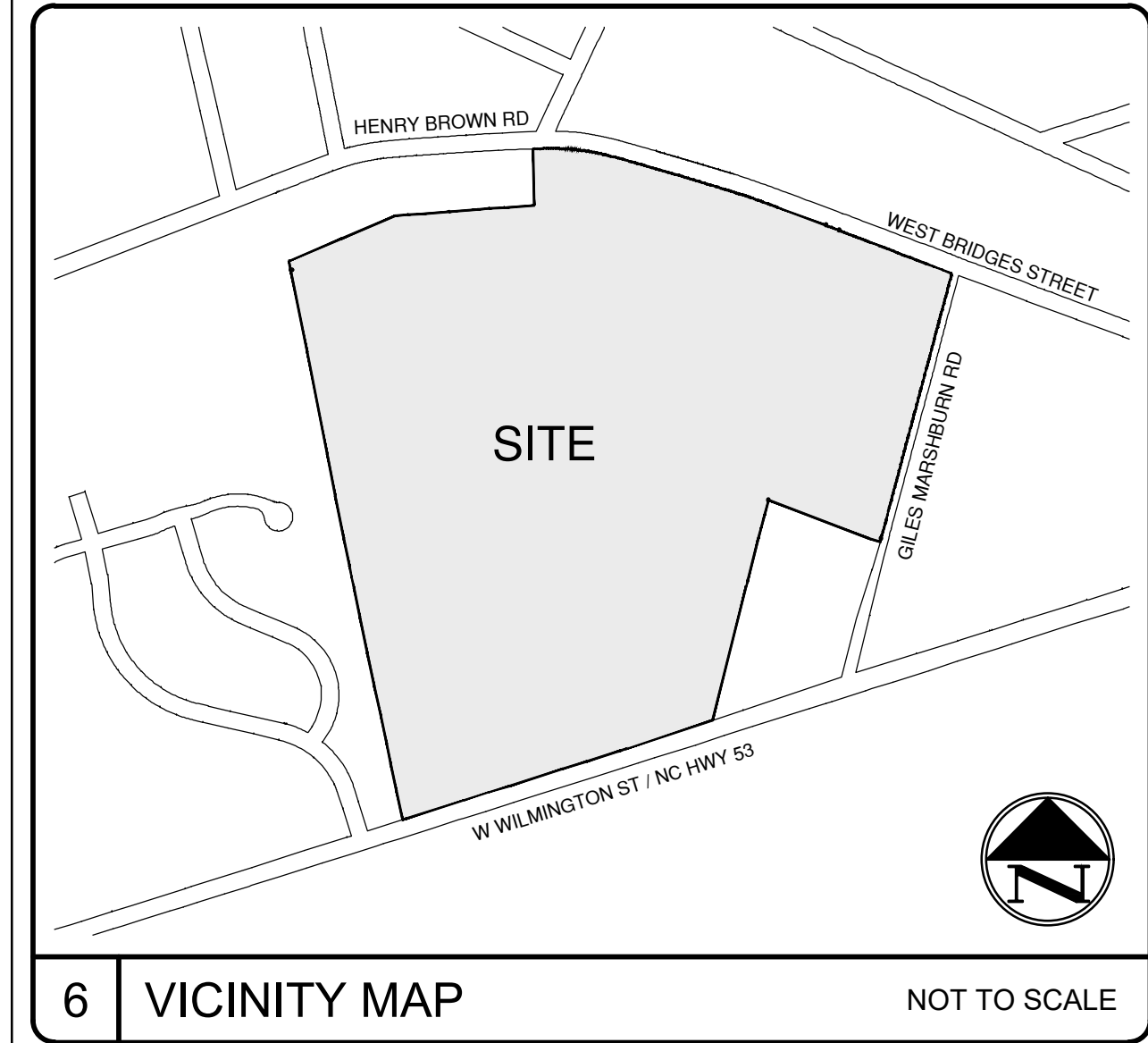
	(Not Required) Community Meetings	Burgaw Town Council
Advertisement Date(s)	NA	Pender Post & Voice 8/27/2026 and 9/3/2026,
Other – Contact(s)		Mailers sent 8/21/26 Signs posted 8/21/26

5. ACTIONS TO DATE

Burgaw Town Council	09/8/26
---------------------	---------

6. ATTACHMENTS

1. Application and applicant Materials
2. Preliminary Plat
3. Maps
 - a Site plan
 - b Aerial
 - c Zoning
 - d Future Land Use Map
4. TRC comments
5. Order
6. Findings of Fact & Conclusions



TOWN OF BURGAW
PLANNING DEPARTMENT:
109 N WALKER STREET
BURGAW, NC 28425
(910) 663-3451
RON MEREDITH, CZO
PLANNING DIRECTOR
RMEREDITH@BURGAWNC.GOV

TOWN OF BURGAW FIRE DEPT:
MARYBETH KETROVAL
FIRE MARSHAL
(910) 945-7661

NCDOT:
SAMUEL C. HOUGHTON, E.I.
ASSISTANT DISTRICT ENGINEER
PHONE: (910) 467-0500
SCHOUGHTON@NCDOT.GOV

TOWN OF BURGAW PUBLIC SERVICES:
109 N WALKER STREET
BURGAW NC 28425
910-259-5003
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DUKE/PROGRESS ENERGY (DISTRIBUTION): JON MARSTON (910) 602-4346

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NAME OF PROJECT:
MANLEY TRACT
BURGAW, NORTH CAROLINA

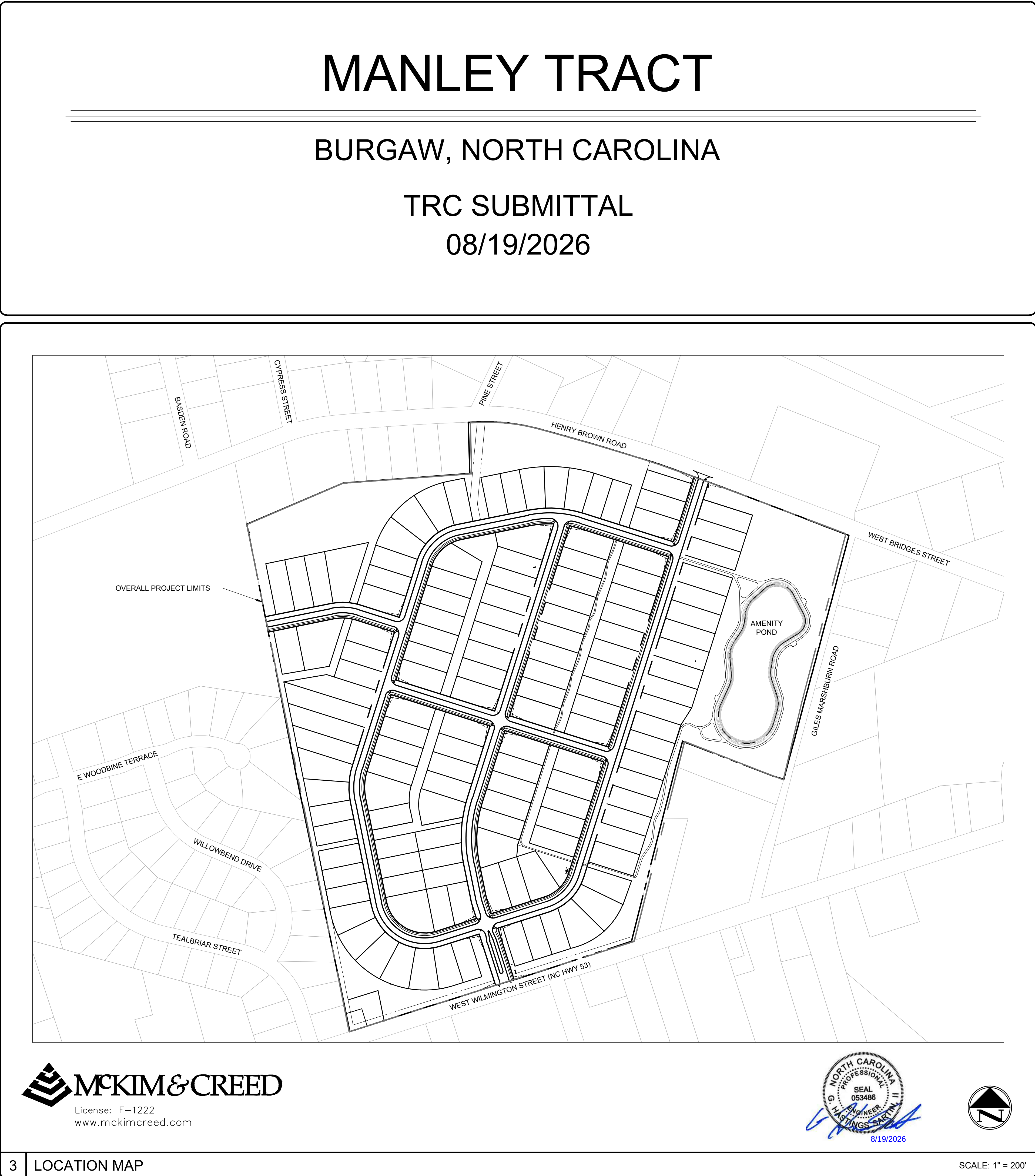
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PROJECT CONTACTS



LOCATION MAP

MANLEY TRACT

BURGAW, NORTH CAROLINA

TRC SUBMITTAL

08/19/2026

PRELIMINARY - DO NOT USE
FOR CONSTRUCTION

BURGAW SIGNATURES

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- CONSTRUCTION AND MATERIALS SHALL BE IN ACCORDANCE WITH THE NCDOT/TOWN OF BURGAW UTILITIES STANDARDS AND SPECIFICATIONS.
2. CONTRACTOR IS FULLY RESPONSIBLE FOR ACQUIRING THE LOCATION OF EXISTING UTILITIES FROM THE APPROPRIATE PARTIES PRIOR TO CONSTRUCTION.
3. CONTRACTOR IS RESPONSIBLE FOR PLACING BARRICADES, USING FLAGMEN, ETC. AS NECESSARY TO INSURE SAFETY TO THE PUBLIC.
4. THESE DRAWINGS SHOW INFORMATION OBTAINED FROM THE AVAILABLE RECORDS REGARDING PIPES, CONDUITS, TELEPHONE LINES, AND OTHER STRUCTURES AND CONDITIONS WHICH EXIST ALONG THE LINES OF WORK AND BELOW THE SURFACE OF THE GROUND. THE OWNER AND ENGINEER DISCLAIM ANY RESPONSIBILITIES FOR THE ACCURACY OR COMPLETENESS OF SAID INFORMATION, AND SUCH INFORMATION IS BEING SHOWN ONLY FOR THE CONVENIENCE OF THE CONTRACTOR WHO MUST VERIFY THE INFORMATION TO HIS OWN SATISFACTION DURING THE BIDDING AND CONSTRUCTION PHASES. IF THE CONTRACTOR RELIES ON SAID INFORMATION, HE DOES SO AT HIS OWN RISK. THE GIVING OF THE INFORMATION ON THE CONTRACT DRAWINGS WILL NOT RELIEVE THE CONTRACTOR OF HIS OBLIGATIONS TO SUPPORT AND PROTECT ALL PIPES, CONDUITS, TELEPHONE LINES, AND OTHER STRUCTURES, WHETHER ABOVE OR BELOW GRADE.
5. SHOULD ANY DAMAGE OCCUR TO EXISTING UTILITIES, IT SHALL BE REPAIRED SOLELY AT THE CONTRACTOR'S EXPENSE.
6. THE CONTRACTOR SHALL VERIFY EXISTING INVERTS PRIOR TO CONSTRUCTION OF UNDERGROUND UTILITIES. TEST PITTING OF EXISTING LINES PRIOR TO CONSTRUCTION, IF NECESSARY, SHALL BE COORDINATED WITH THE OWNER.
7. ALL MATERIALS AND METHODS OF CONSTRUCTION SHALL CONFORM TO THE DRAWINGS, PROJECT SPECIFICATIONS, AND FEDERAL, STATE AND LOCAL BUILDING CODES AS APPLICABLE.
8. ALL DISTURBED AREAS SHALL BE SMOOTHLY GRADED TO PROMOTE POSITIVE DRAINAGE AND STABILIZED WITH TOPSOIL, SEED, AND MULCH. IF SETTLEMENT OCCURS, TOPSOIL, SEEDING, AND MULCH SHALL BE REPEATED UNTIL SETTLEMENT SUBSIDES. (SEE EROSION AND SEDIMENT CONTROL DETAILS AND SPECIFICATIONS.)
9. WATER MAINS WILL BE INSTALLED AT A DEPTH THAT WILL PROVIDE 30" COVER OVER THE PIPES BELOW PROPOSED GRADE UNLESS SHOWN OTHERWISE ON THESE PLANS OR DIRECTED OTHERWISE BY THE ENGINEER.
10. WHEREVER SEWER OR WATER MAINS CROSS ONE ANOTHER, A MINIMUM VERTICAL CLEARANCE OF 18" SHALL BE PROVIDED BETWEEN THE BOTTOM OF THE WATER PIPE AND THE TOP OF THE SEWER PIPE.
11. WHEREVER SEWER OR WATER MAINS RUN PARALLEL TO EACH OTHER, A MINIMUM HORIZONTAL SEPARATION OF 10' SHALL BE PROVIDED, OR 18" VERTICAL SEPARATION.
12. IF NEITHER OF THESE CONDITIONS (#10 OR #11 ABOVE) CAN BE MET, THEN THE SEWER SHALL BE CLASS 50 DIP, MINIMUM OF 20 LF CENTERED OVER THE CROSSING.
13. ALL WATER VALVES, BOXES, AND FIRE HYDRANT ASSEMBLIES SHALL BE SET AND ADJUSTED TO FINISHED GRADE. SEE UTILITY DETAIL SHEET C14.0 & C14.1
14. THE OWNER IS RESPONSIBLE FOR THE ACQUISITION OF ALL EASEMENTS, BOTH TEMPORARY AND PERMANENT.
15. THE CONTRACTOR SHALL VERIFY HORIZONTAL AND VERTICAL SURVEY CONTROL PRIOR TO STAKING OUT CONSTRUCTION. ANY DISCREPANCIES SHALL BE BROUGHT TO THE ATTENTION OF THE ENGINEER PRIOR TO PROCEEDING WITH WORK.
16. ANY PROPERTY LINE MONUMENTATION DISTURBED DURING CONSTRUCTION SHALL BE REPLACED SOLELY AT THE CONTRACTOR'S EXPENSE.
17. THE CONTRACTOR ASSUMES ALL RESPONSIBILITY FOR ANY DEVIATION FROM THESE PLANS.
18. ALL SELECT AND BORROW MATERIAL SHALL MEET CRITERIA SET FORTH BY TOWN OF BURGAW. SEE SECTION FOR PLACEMENT AND COMPACTION INFORMATION.
19. THE ENGINEER AND THE CONTRACTOR SHALL INSPECT ALL EXISTING PIPES USED IN THE FINAL DRAINAGE SYSTEM AND AGREE ON THE CONDITION OF THE PIPES PRIOR TO CONSTRUCTION. IF DAMAGE OCCURS TO THESE PIPES DURING CONSTRUCTION, THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE REPAIR OR REPLACEMENT OF THE PIPE(S).
20. EXISTING PAVING, CONCRETE, AND OTHER UNSUITABLE MATERIALS INCLUDING UNDERCUT EXCAVATION SHALL NOT BE USED AS FILL MATERIAL, (UNLESS APPROVED BY THE GEOTECHNICAL ENGINEER) AND SHALL BE DISPOSED OF OUTSIDE THE PROJECT LIMITS AT THE CONTRACTOR'S EXPENSE. THE CONTRACTOR IS RESPONSIBLE FOR ALL PERMITTING AND FEES FOR DISPOSAL.
21. ALL TREES, STUMPS, ROOT MAT, ETC. SHALL BE ENTIRELY REMOVED REGARDLESS OF DEPTH. BURIAL OF ORGANIC MATERIAL WITHIN THE PROJECT LIMITS IS NOT PERMITTED. OPEN BURNING OF DOWNED TREES AND STUMPS IS NOT PERMITTED. CHIPPED MATERIALS MUST BE REMOVED PRIOR TO THE PLACEMENT OF EMBANKMENT OR TOPSOIL.
22. THE CONTRACTOR IS SOLELY RESPONSIBLE TO OBTAIN OFF-SITE SPOIL AREAS FOR DISPOSAL OF EXCESS AND/OR UNSUITABLE MATERIALS AS NECESSARY. OFF-SITE SPOIL AREAS MUST BE SUBMITTED TO THE ENGINEER AND APPLICABLE REGULATORY AGENCIES PRIOR TO UTILIZATION BY THE CONTRACTOR. NO AREAS DESIGNATED AS WETLANDS WILL BE PERMITTED FOR USE AS A DISPOSAL SITE. THE CONTRACTOR SHALL SUBMIT DOCUMENTATION TO THE ENGINEER THAT NO WETLANDS WILL BE IMPACTED. THE ENGINEER WILL NOT CONSIDER ANY DELAYS OR MONETARY CLAIMS OF ANY NATURE RESULTING FROM THE CONTRACTOR'S FAILURE OR DIFFICULTY IN FINDING NECESSARY DISPOSAL SITES TO MEET THE TIME FRAMES AND CAPACITIES REQUIRED. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL PLANS, PERMITS, EROSION AND SEDIMENT CONTROL MEASURES, ETC. REQUIRED BY THE APPROPRIATE REGULATORY AGENCIES FOR UTILIZING OFF-SITE SPOIL AREAS. THE CONTRACTOR SHALL CERTIFY TO THE ENGINEER THAT ALL REQUIRED PERMITS HAVE BEEN OBTAINED PRIOR TO UTILIZING THE OFF-SITE SPOIL AREAS. ALL COSTS FOR PROCURING AND UTILIZING THE OFF-SITE SPOIL AREAS ARE TO BE INCIDENTAL TO THE BASE BID.
23. ONCE WATER IS AVAILABLE ONSITE, NO DUMPSTER'S, OR DORMANT CONSTRUCTION EQUIPMENT IS ALLOWED IN THE ROADWAY. CONTRACTOR TO MAINTAIN CLEAR ACCESS FOR FIRE AND EMERGENCY VEHICLES.
24. IT IS THE CONTRACTOR'S RESPONSIBILITY TO COORDINATE A PRE-CONSTRUCTION MEETING WITH ANY RELEVANT UTILITY COMPANY THAT WORK WILL BE OCCURRING WITHIN OR PROXIMITY OF THEIR RESPECTIVE EASEMENTS OR RIGHT OF WAY, AND SHALL FOLLOW ANY PROCEDURES AND GUIDELINES THEY SET FORTH AS OPERATING PROCEDURES.

1. THE CONTRACTOR SHALL VISIT THE SITE TO BECOME FAMILIARIZED WITH FIELD DEMOLITION CONDITIONS.
2. THE CONTRACTOR IS RESPONSIBLE FOR THE PROPER DISPOSAL OF ALL DEMOLISHED DEBRIS ASSOCIATED WITH THE PROJECT IN ACCORDANCE WITH THE PROJECT SPECIFICATIONS. PIT BURNING IS PERMISSIBLE IF APPROVED THROUGH THE PENDER COUNTY FIRE MARSHALL.
3. THE CONTRACTOR IS RESPONSIBLE FOR CONTROLLING DUST GENERATED BY THE WORK, INCLUDING BUT NOT LIMITED TO DEMOLITION AND CONSTRUCTION ACTIVITIES, SITE VEHICULAR TRAFFIC AND RELATED OPERATIONS.
4. THE CONTRACTOR IS RESPONSIBLE FOR HAVING ALL EXISTING UTILITIES LOCATED PRIOR TO BEGINNING ANY DEMOLITION. CONTRACTOR SHALL CONTACT NC ONE CALL AT LEAST 72 HOURS PRIOR TO BEGINNING CONSTRUCTION OR EXCAVATION TO HAVE EXISTING UTILITIES LOCATED.
5. EXISTING UTILITIES AND STRUCTURES SHOWN, BOTH UNDERGROUND AND ABOVE GROUND, ARE BASED ON FIELD SURVEY AND THE BEST AVAILABLE RECORD DRAWINGS. THE CONTRACTOR SHALL VERIFY FIELD CONDITIONS PRIOR TO BEGINNING RELATED CONSTRUCTION. ANY DISCREPANCIES SHALL BE REPORTED TO THE OWNER'S REPRESENTATIVE AND ENGINEER IMMEDIATELY.
6. THE CONTRACTOR IS RESPONSIBLE FOR THE COORDINATION OF DISCONNECTING AND ABANDONING ALL EXISTING UTILITIES WITH THE OWNER UNLESS OTHERWISE NOTED. ALL EXISTING UTILITIES AND ASSOCIATED PIPING, ETC. NOT IN USE ON THE SITE SHALL BE PROPERLY ABANDONED AND REMOVED AS REQUIRED. COORDINATE WITH THE OWNER.
7. THE CONTRACTOR IS RESPONSIBLE FOR THE PROTECTION OF ANY EXISTING UTILITIES THAT REMAIN IN SERVICE DURING DEMOLITION.
8. THE CONTRACTOR IS RESPONSIBLE FOR STABILIZATION OF ALL DISTURBED AREAS AND SLOPES ON AND OFF SITE IN ACCORDANCE WITH THE EROSION CONTROL MEASURES SPECIFIED ON THE PLANS AND IN THE SPECIFICATIONS. THE CONTRACTOR SHALL COORDINATE WITH THE OWNER TO DETERMINE WHO IS RESPONSIBLE FOR PROVIDING THE PERMANENT STABILIZATION MEASURES AND THE TYPE OF PERMANENT MEASURES PRIOR TO BEGINNING DEMOLITION AND CONSTRUCTION. THE PERMANENT STABILIZATION MEASURES SHALL BE IN PLACE AND ACCEPTABLE TO THE OWNER'S REPRESENTATIVE AND ENGINEER PRIOR TO PROJECT CLOSEOUT. COORDINATE INSPECTION WITH THE OWNER AND ENGINEER PRIOR TO PROJECT CLOSEOUT.
9. THE CONTRACTOR IS RESPONSIBLE FOR COORDINATING AND CONTACTING THE ENGINEER FOR THE REQUIRED INSPECTIONS ON THE PROJECT.

1. IN ACCORDANCE WITH NC GENERAL STATUTES, NPDES REGULATIONS, AND NCDENR REQUIREMENTS, STORMWATER DISCHARGE OUTFALLS SHALL BE INSPECTED BY THE CONTRACTOR. INSPECTIONS SHALL BE PERFORMED BY THE CONTRACTOR AFTER EACH STORM EVENT OF 1/2 INCH OR GREATER, WITH ONE WEEKLY INSPECTION MINIMUM. NCDENR STANDARD INSPECTION REPORTS SHALL BE PREPARED AND SIGNED WITH COPIES PROVIDED TO THE OWNER, ARCHITECT, AND ENGINEER, BY THE CONTRACTOR.
2. OUTLET PROTECTION SHALL BE INSTALLED AROUND STORM DRAIN OUTFALLS. DEVICES SHALL BE CONSTRUCTED TO FINAL PROPOSED CONDITION UPON STABILIZATION OF CONTRIBUTING GROUND SURFACES AND REMOVAL OF SEDIMENT FROM STORM PIPES.
3. ALL DIMENSIONS AND GRADES SHOWN ON THE PLANS SHALL BE FIELD VERIFIED BY THE CONTRACTOR PRIOR TO CONSTRUCTION. CONTRACTOR SHALL NOTIFY CONSTRUCTION MANAGER IF ANY DISCREPANCIES EXIST PRIOR TO PROCEEDING WITH CONSTRUCTION FOR NECESSARY PLAN OR GRADE CHANGES. NO EXTRA COMPENSATION SHALL BE PAID TO CONTRACTOR FOR ANY WORK DONE DUE TO DIMENSIONS OR GRADES SHOWN INCORRECTLY ON THESE PLANS IF SUCH NOTIFICATION HAS NOT BEEN GIVEN.
4. UNLESS OTHERWISE NOTED, GRADES AND SPOT ELEVATIONS NOTED ON PLANS INDICATE FINISHED GRADE OR PAVEMENT SURFACE. ALL DIMENSIONS ARE MEASURED TO THE FACE OF CURB UNLESS OTHERWISE INDICATED.
5. ALL STORM DRAINAGE PIPES 15" INSIDE DIAMETER OR LARGER SHALL BE:
 - 5.1. RCP CLASS III, OR
 - 5.2. HP STORM
6. STORM DRAIN PIPES LESS THAN 15" INSIDE DIAMETER SHALL BE HDPE, DOUBLE WALL, TYPE S WITH SOIL TIGHT JOINTS, OR APPROVED EQUAL.
7. STORM DRAINAGE PIPE AND STRUCTURE MATERIALS WITHIN NCDOT RIGHT OF WAY SHALL BE IN ACCORDANCE WITH NCDOT STANDARDS AND SPECIFICATIONS, LATEST EDITION.
8. CONTRACTOR SHALL SUBMIT STORM DRAIN AND STRUCTURE MATERIALS SHOP DRAWING DOCUMENTS TO ENGINEER FOR REVIEW AND APPROVAL.

1. ALL CATCH BASINS ARE NCDOT STD 840.02/840.03
2. ALL DROP INLETS ARE NCDOT STD 840.14/840.16
3. ALL STORM DRAINAGE PIPING TO BE CLASS III RCP, OR ENGINEER APPROVED EQUIVALENT UNLESS OTHERWISE NOTED
4. ALL SANITARY SEWER LINES AND WATERLINES SHALL BE C-900 PVC, UNLESS OTHERWISE NOTED AND MEET TOWN OF BURGAW UTILITIES SPECIFICATIONS
5. A 10' UTILITY EASEMENT SHALL BE RESERVED ALONG BOTH SIDES OF ALL STREETS
6. WATER UTILITY IS PUBLIC - TOWN OF BURGAW UTILITIES
7. SANITARY SEWER MAIN IS PUBLIC - TOWN OF BURGAW UTILITIES

THE ANGLE FOR GRADED SLOPES AND FILLS SHALL BE NO GREATER THAN THE ANGLE THAT CAN BE RETAINED BY VEGETATIVE COVER OR OTHER ADEQUATE EROSION CONTROL DEVICES OR STRUCTURES. IN ANY EVENT, SLOPES LEFT EXPOSED WILL, WITHIN 21 CALENDAR DAYS OF COMPLETION OF ANY GRADING, BE PLANTED OR OTHERWISE PROVIDED WITH TEMPORARY OR PERMANENT GROUND COVER, DEVICES, OR STRUCTURES SUFFICIENT TO RESTRAIN EROSION.

1. SCHEDULE A PRECONSTRUCTION MEETING WITH TOWN OF BURGAU UTILITIES 48 HOURS PRIOR TO CONSTRUCTION OF WATER AND SEWER LINES.
2. WATER AND SANITARY SEWER INFRASTRUCTURE ARE PRIVATE BEYOND THE PUBLIC STREET RIGHT-OF-WAY.
3. BACKFLOW PREVENTION AND METERS SHALL BE PROVIDED FOR DOMESTIC WATER SERVICE (RP2). DOMESTIC SERVICE BACKFLOW PREVENTER WILL BE LOCATED AS SHOWN ON THE UTILITY PLANS. INSTALLER OF BACKFLOW PREVENTERS MUST CONTACT TOWN OF BURGAU UTILITIES PRIOR TO INSTALLING UNITS TO GIVE TOWN OF BURGAU UTILITIES THE OPTION TO VERIFY INSTALLATION PROCEDURES.
- 3.1. **REDUCED PRESSURE PRINCIPLE ASSEMBLY** FOR DOMESTIC WATER SERVICE
4. IF THE CONTRACTOR DESIRES TOWN OF BURGAU UTILITY WATER FOR CONSTRUCTION HE SHALL APPLY IN ADVANCE FOR THIS SERVICE AND MUST PROVIDE A REDUCED PRESSURE ZONE (RP2) BACKFLOW PREVENTION DEVICE ON THE DEVELOPER'S SIDE OF THE WATER METER BOX.
5. WATER: ALL WATER PIPING AND APPURTENANCES THAT WILL COME INTO CONTACT WITH PORTABLE WATER SHALL BE NSF 61 COMPLIANT PER RULE 1537 OF THE RULES GOVERNING PUBLIC WATER SYSTEMS AND IN COMPLIANCE OF ASSA 651 FOR DISINFECTION.
6. WATER: 1.5 & 2" PIP MAINS SHALL BE CONSTRUCTED USING ASTM D2241, IPS, GASKETED PIPE, SDR 21, 4" 12" CLASS 200 MAINS AND SERVICES SHALL BE CONSTRUCTED USING ASTM D1704, ASTM D2241 FOR SDR-21, CLASS 200 PIPE MEETING.
7. SANITARY SEWER: FOR PIPE SIZES 4" & 8" PIPE SHALL BE SCH 40 CONFORMING TO THE REQUIREMENTS OF ASTM D1785 WITH SOLVENT WELD JOINTS CONFORMING TO ASTM D2872.
8. WATER AND SEWER SERVICES CANNOT BE ACTIVATED ON NEW MAINS UNTIL ENGINEER'S CERTIFICATION AND AS-BUILTS ARE RECEIVED AND "FINAL APPROVAL" ISSUED BY PUBLIC WATER SUPPLY SECTION OF NCDEM AND "FINAL ENGINEERING CERTIFICATION" ISSUED BY DIVISION OF WATER QUALITY OF NCDEM.
9. PIP WATER MAINS AND POLYETHYLENE SERVICES ARE TO BE MARKED WITH 10 SINGLE STRAND INSULATED COPPER WIRE INSTALLED THE ENTIRE LENGTH AND STRAPPED TO THE PIPES WITH DUCT TAPE. THE INSULATED WIRE IS TO BE STRIPPED TO BARE WIRE AND SECURED TO ALL VALVES. THIS WIRE IS TO BE ACCESSIBLE AT ALL FIRE HYDRANTS AND WATER METER BOXES TO AID IN FUTURE LOCATION OF FACILITIES.
10. MAXIMUM BENDING RADIUS FOR 8" C-900 PIP WATER MAIN BENDS IS 380' (ONE-HALF MANUFACTURER'S RECOMMENDED ALLOWABLE LONGITUDINAL BENDING).
11. UNDERGROUND UTILITIES: ALL NEW UTILITIES SHALL BE INSTALLED UNDERGROUND, EXCEPT WHERE SUCH PLACEMENT IS PROHIBITED OR DEEMED IMPRACTICAL BY THE UTILITY PROVIDER. UNDERGROUND TERMINAL FACILITIES FOR STREET LIGHTING ALONG THE PUBLIC STREETS ABUTTING THE SUBJECT SITE SHALL BE INSTALLED BY THE DEVELOPER.
12. MINIMUM OF 42" COVERAGE ABOVE ALL 12" WATERMAINS AND 36" ABOVE ALL 8" WATERMAINS AND WATER SERVICES.
13. MINIMUM OF 36" VERTICAL SEPARATION BETWEEN WATERLINES AND STORMDRAIN CURB INLETS
14. A VARIANCE IS NOT ANTICIPATED FROM ANY NORTH CAROLINA DIVISION OF WATER QUALITY (DWQ) REQUIREMENT.
15. PLANS ARE IN COMPLIANCE WITH TOWN OF BURGAU UTILITIES TECHNICAL STANDARDS AND SPECIFICATIONS.

1. LATERAL SEPARATION OF SANITARY SEWERS AND WATER MAINS: WATER MAINS SHALL BE LAID AT LEAST 10 FEET Laterally FROM EXISTING OR PROPOSED SEWERS UNLESS LOCAL CONDITIONS OR BARRIERS PREVENT A 10 FOOT LATERAL SEPARATION, IN WHICH CASE:

1. THE WATER MAIN IS LAID IN A SEPARATE TRENCH, WITH THE ELEVATION OF THE BOTTOM OF THE WATER MAIN AT LEAST 18 INCHES ABOVE THE TOP OF THE SEWER, OR
2. THE WATER MAIN SHALL BE UNDER THE SEWER, AND THE SEWER SHALL BE LOCATED AT ONE SIDE ON A BENCH OF UNDISTURBED EARTH, AND ABOVE THE TOP OF THE SEWER.
3. CROSSING A WATER MAIN OVER A SEWER MAIN: WHENEVER IT IS NECESSARY FOR A WATER MAIN TO CROSS OVER A SEWER THE WATER MAIN SHALL BE LAID AT SUCH AN ELEVATION THAT THE BOTTOM OF THE WATER MAIN IS AT LEAST 18 INCHES ABOVE THE TOP OF THE SEWER MAIN. WHEN THE CROSSING IS MADE BY A BARGE OR BARRIER, THE WATER MAIN SHALL BE LAID IN WHICH CASE BOTH THE WATER MAIN AND THE SEWER MAIN SHALL BE CONSTRUCTED OF FERROUS MATERIALS AND WITH JOINTS THAT ARE EQUIVALENT TO WATER MAIN STANDARDS FOR A DISTANCE OF 10 FEET ON EACH SIDE OF THE POINT OF CROSSING.
4. CROSSING A WATER MAIN UNDER A SEWER MAIN: WHENEVER IT IS NECESSARY FOR A WATER MAIN TO CROSS UNDER THE SEWER MAIN SHALL BE CONSTRUCTED OF FERROUS MATERIALS AND WITH JOINTS EQUIVALENT TO WATER MAIN STANDARDS FOR A DISTANCE OF 10 FEET ON EACH SIDE OF THE POINT OF CROSSING. THE WATER MAIN SHALL BE C-300 PCP ENCASED WITHIN A STEEL SLEEVE. REFERENCE TOWN OF BURGWAY UTILITY STANDARD SPECS AND DETAILS.
5. CROSSING A SEWER MAIN/WATER MAIN OVER OR UNDER A STORM DRAIN: WHENEVER IT IS NECESSARY FOR A SEWER MAIN/WATER MAIN TO CROSS A STORM DRAIN PIPE, THE SEWER MAIN/WATER MAIN SHALL BE LAID AT SUCH AN ELEVATION THAT THE OUTSIDE OF THE SEWER MAIN SHALL BE NEAREST TO THE OUTSIDE OF THE STORM DRAIN PIPE. SHALL MAINTAIN A 2- INCH CLEAR SEPARATION DISTANCE HORIZONTAL, OR THE SEWER MAIN SHALL EITHER BE CONSTRUCTED OF DUCTILE IRON PIPE OR ENCASED IN EITHER CONCRETE OR DUCTILE IRON PIPE. SHALL BE LAID ON EITHER SIDE OF THE CROSSING. SEE NOTE 3 DIRECTLY ABOVE FOR WATER MAIN MATERIALS.

1. ANY UNDERCUTTING IN GOOD SOIL SHALL BE REPLACED AND THE REPLACEMENT MATERIAL SHALL BE COMPACTED TO NINETY-FIVE (95) PERCENT OF MAXIMUM DENSITY OBTAINED AT OPTIMUM MOISTURE CONTENT, AS DETERMINED BY THE ASTM D 698 STANDARD PROCTOR TEST METHOD. IN THE EVENT THAT MATERIAL ENCOUNTERED AT PIPE GRADE, SUBGRADE OF PARKING OR ROADWAYS AND SUBGRADE OF BUILDING FOUNDATIONS IS FOUND TO BE SOFT, SPONGY, OR IN ANY OTHER WAY UNSUITABLE, THE CONTRACTOR SHALL NOTIFY THE GEOTECHNICAL ENGINEER IMMEDIATELY. SUCH UNSUITABLE MATERIAL SHALL BE REMOVED TO A DEPTH AS SPECIFIED BY THE GEOTECHNICAL ENGINEER AND REPLACED WITH A MINIMUM OF SIX (6) INCHES OF STONE, OR AS DIRECTED BY THE GEOTECHNICAL ENGINEER.
2. BEFORE BACKFILLING IS COMMENCED OVER PIPES AND OTHER INSTALLATIONS, EARTH FILL SHALL BE TAMPED SOLID AROUND AND ABOVE THE PIPE TO A DEPTH OF ONE (1) FOOT ABOVE THE TOP OF THE PIPE. CARE SHALL BE TAKEN TO PREVENT ANY DISTURBANCE TO THE PIPE. DAMAGE TO NEWLY MADE JOINTS, THE FINISH OF THE TRENCH SHALL BE CARRIED OUT SIMULTANEOUSLY ON BOTH SIDES OF THE PIPES IN SUCH A MANNER THAT INJURIOUS SIDE PRESSURES DO NOT OCCUR.
3. THE MATERIAL FOR BACKFILLING SHALL BE FREE FROM ALL PERISHABLE

1. ANY GRADING BEYOND THE DENUDED LIMITS SHOWN ON THE PLAN IS A VIOLATION OF THE COUNTY EROSION CONTROL ORDINANCE AND IS SUBJECT TO A FINE.
2. GRADING MORE THAN ONE ACRE WITHOUT AN APPROVED EROSION CONTROL PLAN IS A VIOLATION OF STATE LAW AND IS SUBJECT TO A FINE. ANY BUILDER WHO HAS VIOLATED THE DISTURBED AREA OF MORE THAN ONE ACRE WILL BE REQUIRED TO GET AN EROSION CONTROL PERMIT FROM NCDENR - DLQ.
3. GROUND COVER MUST BE PROVIDED ON EXPOSED SLOPES WITHIN 21 CALENDAR DAYS FOLLOWING COMPLETION OF ANY PHASE OF GRADING; AND, A PERMANENT GROUND COVER FOR ALL DISTURBED AREAS WITHIN 15 WORKING DAYS OR 90 CALENDAR DAYS (WHICHEVER IS SHORTER) FOLLOWING COMPLETION OF CONSTRUCTION OR DEVELOPMENT.
4. ADDITIONAL MEASURES TO CONTROL EROSION AND SEDIMENT MAY BE REQUIRED BY A REPRESENTATIVE OF NCDENR - DLQ.
5. SLOPES SHALL BE GRADED NO STEEPER THAN 3:1.
6. ADDITIONAL DEVICES MAY BE REQUIRED AS AGREED UPON BY THE FIELD INSPECTOR, ENGINEER, AND OWNER.
7. IF ACTIVE CONSTRUCTION CEASES IN ANY AREA FOR MORE THAN 15 WORKING DAYS OR 90 CALENDAR DAYS (WHICHEVER IS SHORTER), ALL DISTURBED AREAS MUST BE SEEDED, MULCHED, AND TACKED.
8. WITHIN 24 HOURS FOLLOWING ANY RAIN EVENT, THE CONTRACTOR SHALL INSPECT AND REPAIR, AS NECESSARY, ALL DAMAGED EROSION CONTROL MEASURES.
9. ALL ACTIVITY AND INSTALLATION OF EROSION CONTROL MATTING SHALL BE COMPLETE PRIOR TO ANY RAIN EVENT.

1. ALL SEDIMENT AND EROSION CONTROL DEVICES SHALL BE INSPECTED AND REPAIRED, AS NECESSARY, EVERY SEVEN (7) DAYS AND WITHIN 24 HOURS OF EVERY ONE-HALF (0.5) INCH OR GREATER RAINFALL.
2. ALL EROSION CONTROL DEVICES SHALL BE PERMANENTLY MAINTAINED DURING ALL PHASES OF CONSTRUCTION UNTIL THE COMPLETION OF ALL CONSTRUCTION ACTIVITIES AND ALL DISTURBED AREAS HAVE BEEN STABILIZED. ADDITIONAL CONTROL DEVICES MAY BE REQUIRED DURING CONSTRUCTION IN ORDER TO CONTROL EROSION AND/OR OFFSITE SEDIMENTATION. ALL TEMPORARY CONTROL DEVICES SHALL BE REMOVED ONCE CONSTRUCTION IS COMPLETE AND THE SITE IS STABILIZED.
3. SEDIMENT SHALL BE REMOVED FROM BEHIND THE SILT FENCE WHEN IT BECOMES ABOUT 0.5 FEET DEEP. THE SEDIMENT FENCE SHALL BE REPAIRED OR REPLACED AS NECESSARY TO MAINTAIN A BARRIER.
4. ALL AREAS SHALL BE FERTILIZED, RESEEDING AS NECESSARY, AND MULCHED ACCORDING TO SPECIFICATIONS IN THE VEGETATIVE PLAN TO MAINTAIN A VIGOROUS, DENSE VEGETATIVE COVER.
5. STONE CONSTRUCTION ENTRANCE TO BE CLEANED WHEN SEDIMENT ACCUMULATIONS ARE VISIBLE OR SEDIMENT IS TRACKED ON TO THE PAVEMENT. STONE WILL BE PERIODICALLY TOP DRESSED WITH 2 INCHES OF #4 STONE TO MAINTAIN 6 INCH DEPTH. THE CONTRACTOR SHALL DAILY REMOVE MUD/SOIL FROM PAVEMENT, AS REQUIRED.

6. INSPECT TEMPORARY DIVERSIONS AND CHECK DAMS ONCE A WEEK AND AFTER EVERY RAINFALL. IMMEDIATELY REMOVE SEDIMENT FROM THE FLOW AREA AND REPAIR THE DIVERSION RIDGE AND CHECK DAM. CAREFULLY CHECK OUTLETS AND MAKE TIMELY REPAIRS AS NEEDED. WHEN THE AREA PROTECTED IS PERMANENTLY STABILIZED, REMOVE THE RIDGE AND THE CHANNEL TO BLEND WITH THE NATURAL GROUND LEVEL AND APPROPRIATELY STABILIZE IT.
7. INSPECT TEMPORARY SEDIMENT BASINS AT LEAST WEEKLY AND AFTER EACH SIGNIFICANT (1/2" OR GREATER) RAINFALL EVENT AND REPAIR IMMEDIATELY. REMOVE SEDIMENT AND RESTORE THE BASIN TO ITS ORIGINAL DIMENSIONS. WHEN IT ACCUMULATES TO ITS ORIGINAL DEPTH, PLACE REMOVED SEDIMENT IN AN AREA WITH SEDIMENT CONTROLS.
8. CHECK THE SEDIMENT BASIN EMBANKMENT, SPILLWAYS, AND OUTLET FOR EROSION DAMAGE, AND INSPECT THE EMBANKMENT FOR PIPING AND SETTLEMENT. MAKE ALL NECESSARY REPAIRS IMMEDIATELY. REMOVE ALL TRASH AND OTHER DEBRIS FROM THE RISER AND POOL AREA.
9. INSPECT INLETS AT LEAST WEEKLY AND AFTER EACH SIGNIFICANT (0.5" OR GREATER) RAINFALL EVENT. CLEAR THE MESH WIRE OF ANY DEBRIS OR OTHER OBJECTS TO PROVIDE ADEQUATE FLOW FOR SUBSEQUENT RAINS. TAKE CARE NOT TO DAMAGE OR UNDERCUT THE WIRE MESH DURING SEDIMENT REMOVAL. REPLACE STONE AS NEEDED. INLET PROTECTION SHOULD BE CLEANED OUT WHEN IT IS HALF FULL.

10. INSPECT BAFFLES AT LEAST ONCE A WEEK AND AFTER EACH RAINFALL. MAKE ANY REQUIRED REPAIRS IMMEDIATELY. BE SURE TO MAINTAIN ACCESS TO THE BAFFLES. SHOULD THE FABRIC OF A BAFFLE COLLAPSE, TEAR, DECOMPOSE, OR BECOME INEFFECTIVE, REPLACE IT PROMPTLY. REMOVE SEDIMENT DEPOSITS WHICH HAVE ACCUMULATED FULL TO PROVIDE ADEQUATE STORAGE VOLUME FOR THE NEXT RAIN AND TO REDUCE PRESSURE ON THE BAFFLES. TAKE CARE TO AVOID DAMAGING THE BAFFLES DURING CLEAN OUT. SEDIMENT DEPTH SHOULD NEVER EXCEED HALF THE DESIGNED STORAGE DEPTH. AFTER THE CONTRIBUTING DRAINAGE AREAS HAS BEEN PROPERLY STABILIZED, REMOVE ALL BAFFLE MATERIALS AND UNSTABLE SEDIMENT DEPOSITS, BRING THE AREA TO GRADE, AND STABILIZE IT.
11. INSPECT THE SKIMMER FOR CLOGGING. PULL THE SKIMMER TO THE SIDE OF THE BASIN AND REMOVE ANY DEBRIS. ALSO CHECK THE ORIFICE INSIDE THE SKIMMER AND THE ARM OR BARREL PIPE FOR CLOGGING; IF CLOGGED, REMOVE THE DEBRIS.

1. THERE SHALL BE NO ENCUMBRANCES WITHIN THE NCDOT RIGHT-OF-WAY.
2. ONLY NCDOT APPROVED MATERIALS ARE TO BE USED WITHIN THE NCDOT RIGHT-OF-WAY.

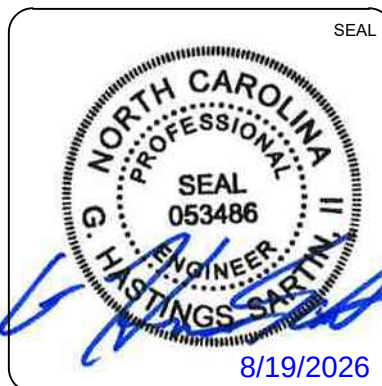
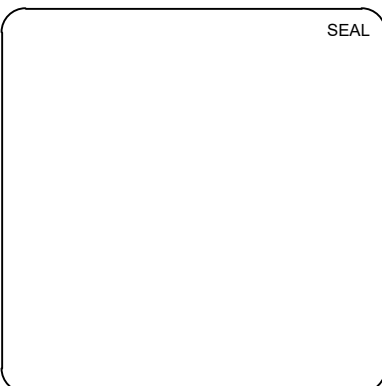
1. CONTACT THE NORTH CAROLINA ONE CALL CENTER PRIOR TO DOING ANY DIGGING AT 1-800-632-4949.
2. PRIOR TO ANY CLEARING, GRADING OR CONSTRUCTION ACTIVITY, TREE PROTECTION FENCING SHALL BE INSTALLED AROUND PROTECTED TREES OR GROVES OF TREES AND NO CONSTRUCTION WORKERS, TOOLS, MATERIALS, OR VEHICLES ARE PERMITTED WITHIN THE TREE PROTECTION FENCING.
3. TRAFFIC CONTROL DEVICES (INCLUDING SIGNS AND PAVEMENT MARKINGS) IN AREAS OPEN TO PUBLIC TRAFFIC ARE TO MEET MUTCD (MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES) STANDARDS.
4. ALL TRAFFIC CONTROL SIGNS AND MARKING OFF THE RIGHT-OF-WAY ARE TO BE MAINTAINED BY THE PROPERTY OWNER IN ACCORDANCE WITH MUTCD STANDARDS.
5. ANY BROKEN OR MISSING SIDEWALK PANELS AND CURBING SHALL BE REPLACED BY THE CONTRACTOR.
6. TACTILE WARNING MATS ARE TO BE INSTALLED ON ALL WHEELCHAIR RAMPS.
7. NO LAND DISTURBANCE INCLUDING TREE REMOVAL IS TO OCCUR OUTSIDE THE LIMITS OF DISTURBANCE SHOWN ON THE PLANS.
8. IF UNITS ARE SOLD AT ANY POINT, THE BUYER MUST RECEIVE A SUBDIVISION STREET DISCLOSURE STATEMENT.

1. HYDRANT MUST BE WITHIN 100' OF THE FDC.
2. THE FDC MUST BE WITHIN 40' OF FIRE APPARATUS PLACEMENT.
3. TEMPORARY STREET SIGNS SHALL BE INSTALLED AT EACH STREET INTERSECTION WHEN CONSTRUCTION OF NEW ROADWAYS ALLOWS PASSAGE BY VEHICLES.
4. ALL HYDRANTS MUST BE WITHIN 600 FEET OF HOMES.
5. LANDSCAPING OR PARKING CANNOT BLOCK OR IMPEDE THE FDC OR FIRE HYDRANTS. A 3-FOOT CLEAR SPACE SHALL BE MAINTAINED AROUND THE CIRCUMFERENCE OF THE HYDRANT AND FDC.
6. COMBUSTIBLE MATERIALS MAY NOT BE STORED OR ERECTED ONSITE WITHOUT CITY FIRE MARSHAL APPROVAL.
7. NEW HYDRANTS MUST BE AVAILABLE FOR USE PRIOR TO CONSTRUCTION.
8. A MINIMUM OF 5' SHALL SEPARATE UNDERGROUND FIRE LINES OR PRIVATE WATER MAINS FROM UNDERGROUND UTILITIES
9. CONTRACTOR SHALL MAINTAIN AN ALL-WEATHER ACCESS TO ALL PORTIONS OF THE JOBSITE WHERE COMBUSTIBLES ARE PRESENT AT ALL TIMES DURING CONSTRUCTION.
10. FIRE DEPARTMENT ACCESS WIDTHS SHALL BE A MINIMUM OF 20-FEET UNLESS LESSER WIDTHS ARE APPROVED BY THE FIRE CODE OFFICIAL.
11. TOWN OF BURGAU EMERGENCY PERSONNEL HAS ACCESS TO ALL PUBLIC STREETS.

1. THIS WILL BE A TWO (2) PHASED DEVELOPMENT, EACH PHASE WILL CONTAIN 75 LOTS.
2. NO CONSTRUCTION OR INSTALLATION OF IMPROVEMENTS SHALL COMMENCE IN THE PROPOSED SITE PLAN UNTIL THE PLAN HAS BEEN APPROVED AND ALL PLANS AND SPECIFICATIONS HAVE BEEN APPROVED BY THE APPROPRIATE AUTHORITIES UNDER UDO SECTION 10.26.
3. DEVELOPER REQUESTS TO CONNECT/EXTEND TO THE TOWN WASTEWATER SYSTEM, PROPOSING A MAIN LINE EXTENSION AT DEVELOPER'S COST.
4. ALL ROADS SHALL BE PUBLIC TOWN OF BURGAW AND BUILT TO TOWN OF BURGAW UDO STANDARDS. NO GATES ARE PROPOSED.
5. A LIGHTING PLAN (INCLUSIVE OF WATTAGE AND ILLUMINATION) WILL BE PROVIDED PER UDO 10.25. THE DEVELOPER SHALL BE REQUIRED TO PAY THE ELECTRIC COMPANY THE COST OF STREET LIGHTING INSTALLATION. THE STREET LIGHTING SYSTEM SHALL BECOME THE PROPERTY OF THE CAROLINA POWER AND LIGHT COMPANY.
6. SIGNAGE WILL BE PROVIDED IN ACCORDANCE WITH TOWN REQUIREMENTS. STREET SIGNS WILL BE PROVIDED BY THE DEVELOPER AND INSTALLED AT THE FINAL PLAT.
7. DEVELOPER WILL SUBMIT A LIST OF ROAD NAMES FOR REVIEW PER UDO SECTION 10.21.G.
8. PRIOR TO RECDORATION, AN HOA IS REQUIRED PER UDO SECTION 10.13.
9. STREET DISCLOSURE STATEMENT. PLEASE BE AWARE THAT ALL STREETS SHOWN ON THE FINAL PLAT SHALL BE DESIGNATED IN ACCORDANCE WITH NC G.S. 136-102.6, AND DESIGNATION AS PUBLIC SHALL BE CONCLUSIVELY PRESUMED TO BE AN OFFER OF DEDICATION TO THE PUBLIC. WHERE STREETS ARE DEDICATED TO THE PUBLIC BUT NOT ACCEPTED INTO A MUNICIPAL OR STATE SYSTEM BEFORE LOTS ARE SOLD, A STATEMENT EXPLAINING THE STATUS OF THE STREET SHALL BE INCLUDED WITH THE FINAL PLAT.
 - I. THE BOARD MUST AGREE TO THE ROADS BEING PUBLIC,
 - II. CERTIFICATIONS OF ROADWAY CONSTRUCTION,
 - III. THE TOWN WILL PROVIDE A PUNCH LIST OF ITEMS TO BE ADDRESSED,
 - IV. AFTER A PUNCH LIST/DEFICIENCIES HAVE BEEN ADDRESSED AND CORRECTED PETITIONING WITH THE TOWN MAY TAKE PLACE.

PER THE TOWN OF BURGAW UNIFIED DEVELOPMENT ORDINANCE (UDO) AN ADDRESS WILL BE ASSIGNED DURING THE BUILDING PERMIT APPROVAL PHASE OF THE DEVELOPMENT.

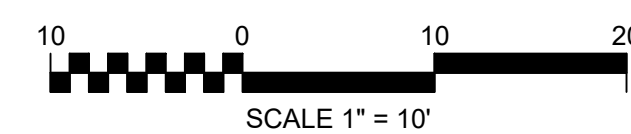
1	GENERAL NOTES	NTS
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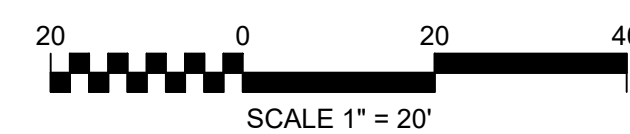
NOTES

DATE:	03/19/2026	SCALE	C.1.1
MCE PROJ. #	07103-0063	HORIZONTAL:	DRAWING NUMBER ----- REVISION
DRAWN	GHS/TKD/RCH	N/A	
DESIGNED	GHS/TKD/RCH	VERTICAL:	
CHECKED	GHS	N/A	
PROJ. MGR.	TSM		

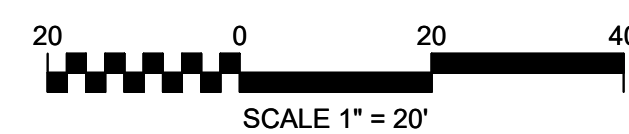
STATUS: TRC SUBMITTAL



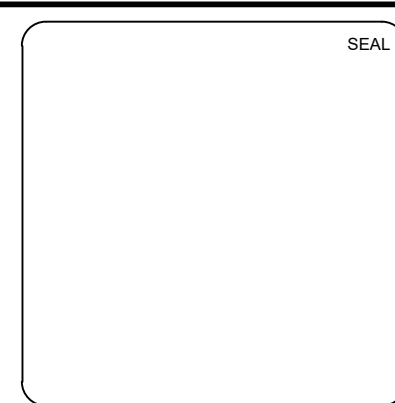
SCALE: 1" = 10'



SCALE: 1" = 20'



SCALE: 1" = 20'

[illegible]

McKIM & CREED

243 North Front Street
Wilmington, North Carolina 28401
Phone: (910)343-1048, Fax: (910)251-8282
License: F-1222

www.mckimcreed.com

TYPICAL LOT LAYOUTS & STREET CROSS-SECTION

DATE:	08/19/2026	SCALE	C1:2
MCE PROJ. #	07103-0063		
DRAWN	GHS/TKD/RCH	HORIZONTAL: VALUE	DRAWING NUMBER
DESIGNED	GHS/TKD/RCH		
CHECKED	GHS	VERTICAL: VALUE	----- REVISION
PROJ. MGR.	TSM		

I, CODY A. HURST, PLS L-5557, CERTIFY THAT THIS PLAT WAS PREPARED UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN DEED BOOK 3016, PAGE 218, ORIGINAL DEED DESCRIPTIONS RECORDED IN DEED BOOK 321 PAGE 275 & DEED BOOK 199 PAGE 88) THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN PENDER COUNTY GIS, THAT THE RATIO OF PRECISION AS CALCULATED IS GREATER THAN 1:58,323, THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED, THAT THIS PLAT MEETS THE REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA (21 NCAC 58 .1600);

THAT THE GPS SURVEY MADE WAS UNDER MY SUPERVISION AND THE FOLLOWING INFORMATION WAS USED TO PERFORM THIS SURVEY.

CLASS OF SURVEY: A
POSITIONAL ACCURACY: 0.04 @ 95%
TYPE OF GPS FIELD PROCEDURE: VRS
DATES OF SURVEY: MARCH 12, 2026 - APRIL 7, 2026
DATUM/EPOCH: NAD 83(2011)
PUBLISHED/FIXED CONTROL USED: NC CORS
GEOID MODEL: GEOID 18
COMBINED GRID FACTOR: 0.9999501466
UNITS: U.S. SURVEY FEET

THIS SURVEY IS OF ANOTHER CATEGORY, SUCH AS THE RECOMBINATION OF EXISTING PARCELS, A COURT-ORDERED SURVEY, OR OTHER EXCEPTION TO THE DEFINITION OF SUBDIVISION.
GS 47-30 (f) (11) d.

WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER, AND SEAL THIS
THE _____ DAY OF _____ A.D., _____

STATE OF NORTH CAROLINA
COUNTY OF PENDER

I, _____ REVIEW OFFICER OF PENDER COUNTY,
CERTIFY TO THE BEST OF MY KNOWLEDGE AND BELIEF THE MAP/PLAT
TO WHICH THIS CERTIFICATION IS AFFIXED MEETS THE STATUTORY
REQUIREMENTS FOR RECORDING.

REVIEW OFFICER _____ DATE _____

FILED FOR REGISTRATION AT _____ M O'CLOCK THIS _____ OF _____

AD _____ IN PLAT CABINET _____ SLIDE _____

REGISTER OF DEEDS

CODY A. HURST, PLS L-5557
PROFESSIONAL LAND SURVEYOR

N/F
JEFFREY G. ROBERTS
PIN 3219-63-8663-0000
DEED BOOK 1941 PAGE 230
MAP BOOK 16 PAGE 11

N/F
HEATHER CELESTE RUDELL
PIN 3219-73-0750-0000
DEED BOOK 4775 PAGE 2846
MAP BOOK 18 PAGE 11

N/F
KAYLA FRENCH CLIFFE &
JOSHUA ALAN FRENCH
PIN 3219-73-2704-0000
DEED BOOK 4791 PAGE 601
MAP BOOK 18 PAGE 11

N/F
MARSHALL D. & ANGELA C. CROSS
PIN 3219-73-0750-0000
DEED BOOK 4686 PAGE 11
MAP BOOK 18 PAGE 11

N/F
NATHAN L. & ANN EADS
PIN 3219-73-0750-0000
DEED BOOK 4686 PAGE 11
MAP BOOK 18 PAGE 11

N/F
ELIZABETH S. MANLEY &
MARGARET H. SEAWELL
PIN 3219-83-2645-0000
DEED BOOK 3015 PAGE 218
ORIGINAL DEED DESCRIPTION IN
DEED BOOK 321 PAGE 275
1464 NC HWY 53 WEST

N/F
SAMUEL EUGENE JORDAN
PIN 3219-83-0955-0000
DEED BOOK 759 PAGE 903

N/F
MATTHEW A. & PATRICIA T. PUSEY
PIN 3219-83-2307-0000
DEED BOOK 1577 PAGE 49

N/F
MATTHEW A. PUSEY
PIN 3219-83-3921-0000
DEED BOOK 1A PAGE 18591

N/F
PENDER COUNTY BOARD OF EDUCATION
PIN 3219-83-6940-0000
DEED BOOK 3015 PAGE 218

N/F
SAWYER PROPERTIES, LLC
PIN 3219-83-8599-0000
DEED BOOK 4686 PAGE 11
MAP BOOK 18 PAGE 11

N/F
EDWIN J. & MARLENE S. HOWLETT
PIN 3219-83-8599-0000
DEED BOOK 4686 PAGE 11
MAP BOOK 18 PAGE 11

N/F
HARVEY L. & CATHY S. HENRY
PIN 3219-83-8599-0000
DEED BOOK 4686 PAGE 11
MAP BOOK 18 PAGE 11

N/F
BLAIR FREEMAN
PIN 3219-83-8599-0000
DEED BOOK 4686 PAGE 11
MAP BOOK 18 PAGE 11

N/F
CASEY M. TATLOZOR
PIN 3219-83-8599-0000
DEED BOOK 4686 PAGE 11
MAP BOOK 18 PAGE 11

CURVE TABLE						
CURVE	RADIUS	LENGTH	TANGENT	BEARING	CHORD	DELTA Δ
C1	750.94'	225.18'	113.44'	S83°11'05"E	224.34'	17°10'52"
C2	1990.75'	66.24'	33.12'	S72°12'43"E	66.24'	1°54'23"
C3	5480.21'	177.12'	88.57'	S70°19'58"E	177.12'	1°51'07"

SURVEY NOTES:

- THE PURPOSE OF THIS SURVEY IS TO RECOMBINE PARCELS IN THE TOWN OF BURGAW, PENDER COUNTY, NORTH CAROLINA. PARCEL PINS 3219-82-3868-0000, 3219-83-8018-0000, & 3219-83-2645-0000.
- THE DEPICTED SURVEY WAS DERIVED FROM AN ACTUAL FIELD SURVEY MADE BY THIS OFFICE AND PERFORMED MARCH 12, 2026 - APRIL 7, 2026.
- OWNER INFORMATION PER DEEDS AND PLATS OF THE PENDER COUNTY REGISTER OF DEEDS.
- RTK GPS OBSERVATIONS (6 OBSERVATIONS AT 30-SECONDS EACH) WERE MADE ON TWO (2) MAIN CONTROL POINTS TO ESTABLISH GEODETIC AND NC STATE GRID COORDINATES (NAD83 NRS 2011) CALCULATED BY THE LEAST SQUARES ADJUSTMENT FROM THE MULTIPLE OBSERVATIONS. THE VERTICAL DATUM USED WAS THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 88) BASED ON GEOID 18.
- ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES IN US SURVEY FEET. BEARINGS ARE BASED ON NAD83(2011).
- ALL AREAS SHOWN WERE COMPUTED BY THE COORDINATE CALCULATION METHOD.
- THE LOCALIZED COORDINATE SYSTEM USED FOR THIS PROJECT IS BASED ON CONTROL POINT "501" HAVING THE FOLLOWING LOCALIZED NAD 83-2011 COORDINATES AND NAVD 88 ELEVATION:
COORDINATES N 293,301.12, E: 2,319,087.78; ELEV: 49.10'
- NO NGS MONUMENTS FOUND WITHIN 2,000' OF SURVEYED PROPERTY.
- PROJECT COMBINED GRID FACTOR USED IS 0.9999501466 (GROUND TO GRID)
- THE LOCATION OF ALL UNDERGROUND UTILITIES AS SHOWN HEREON ARE APPROXIMATE AND ARE BASED ON VISIBLE ABOVE GROUND STRUCTURES. NO EXCAVATIONS WERE MADE DURING THE PROGRESS OF THIS SURVEY TO LOCATE BURIED UTILITIES/STRUCTURES. ADDITIONAL BURIED UTILITIES/STRUCTURES MAY BE ENCOUNTERED. THE CONTRACTOR OR OWNER SHALL HAVE ALL UNDERGROUND UTILITIES FIELD VERIFIED BY THE PROPER UTILITY COMPANIES BEFORE ANY CONSTRUCTION BEGINS. NORTH CAROLINA LAW REQUIRES CONTACTING NC 811 BEFORE ANY EXCAVATION CAN BE PERFORMED ON SITE.
- PORTIONS OF THIS PROPERTY ARE LOCATED IN FLOOD ZONE AREA, "ZONE X, OTHER AREAS, AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN", "ZONE X AREAS DETERMINED TO BE WITHIN THE 0.2% ANNUAL CHANCE FLOODPLAIN", & "ZONE AE, SPECIAL FLOOD HAZARD AREA INUNDATED BY THE 100-YEAR FLOOD. BASE FLOOD ELEVATION OF 49.81", AS SHOWN ON FEMA MAP NUMBER 3720321900K WITH AN EFFECTIVE DATE OF 01/17/2025.
- UNLESS OTHERWISE NOTED ALL NEW IRON RODS FOUND (IRF) WERE SET USING 5/8" REBAR SET FLUSH WITH THE GROUND. ALL OTHER IRON RODS FOUND ARE AS LISTED.
- THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND IS SUBJECT TO ALL EASEMENTS, RIGHTS OF WAYS, AND OR ENCUMBRANCES THAT MAY AFFECT THIS PROPERTY.
- SUBJECT PROPERTIES ARE ZONED R-12.

CERTIFICATE OF OWNERSHIP, DEDICATION, AND JURISDICTION

I (WE) HEREBY CERTIFY THAT I (AM WE ARE) THE OWNER(S) OF THE PROPERTY SHOWN AND DESCRIBED HERE ON AND THAT I (WE) HEREBY ADOPT THIS PLAN OF SUBDIVISION WITH MY (OUR) OWN FREE CONSENT AND DEDICATE ALL STREETS, ALLEYS, WALKS, PARKS, AND OTHER AREAS TO PUBLIC OR PRIVATE USE AS NOTED. FURTHER, I (WE) CERTIFY THAT THE LAND AS SHOWN HERE ON IS LOCATED WITHIN THE SUBDIVISION JURISDICTION OF PENDER COUNTY.

OWNER: _____ DATE: _____

OWNER: _____ DATE: _____

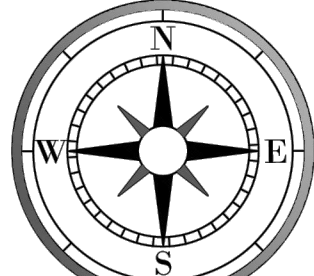
N/F
ELIZABETH S. MANLEY &
MARGARET H. SEAWELL
PIN 3219-82-3868-0000
DEED BOOK 3015 PAGE 218
ORIGINAL DEED DESCRIPTION IN
DEED BOOK 321 PAGE 275
1464 NC HWY 53 WEST

AREA TABLE
PIN 3219-82-2645-0000 = 8.25 ACRES (359,326 SF)
PIN 3219-82-3868-0000 = 62.52 ACRES (2,723,357 SF)
PIN 3219-83-8018-0000 = 9.05 ACRES (394,035 SF)
TOTAL AREA = 79.82 ACRES (3,476,718 SF)

LEGEND

- A.G. ABOVE GROUND
- B.G. BELOW GROUND
- CP CALCULATED POINT
- C.S.F. COMBINED SCALE FACTOR
- E. EASTING
- EL. ELEVATION
- > GUY WIRE
- IPF IRON PIPE FOUND (AS DESCRIBED)
- IRF IRON ROD FOUND (AS DESCRIBED)
- IRF IRON ROD SET
- MNS MAG NAIL SET (CONTROL POINT)
- NOW OR FORMERLY
- N. NORTHING
- NAD NORTH AMERICAN DATUM
- NAVD NORTH AMERICAN VERTICAL DATUM
- O.E. OPEN END
- P.T. PINCHED TOP
- PIN PARCEL IDENTIFICATION NUMBER
- POWER POLE
- RC REBAR WITH CAP (CONTROL POINT)

80' 0 80' 160'
SCALE: 1"=80' (Horiz.)

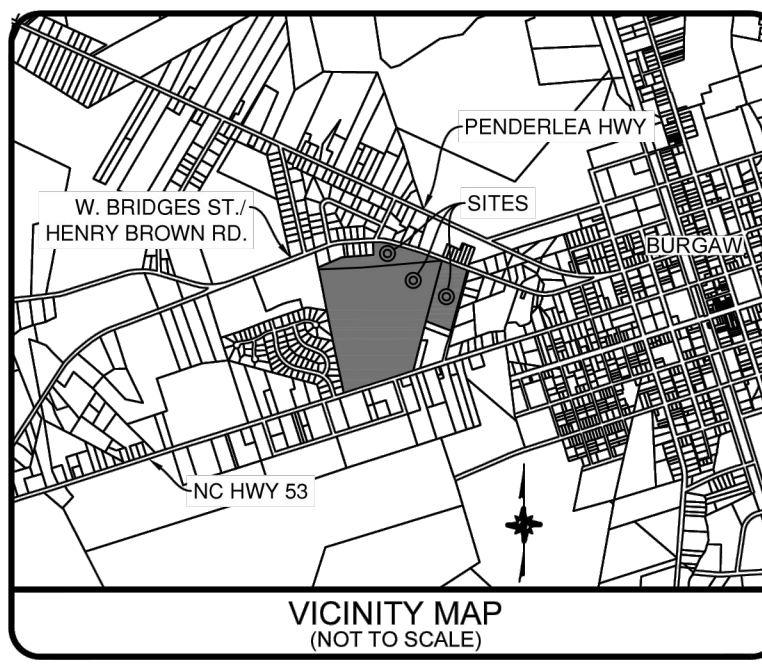


NC GRID NAD 83/2011

RECOMBINATION SURVEY
OF
PINS 3219-82-3868-0000, 3219-83-2645-0000,
& 3219-83-8018-0000
FOR FUNSTON COMPANY, INC.
TOWN OF BURGAW, PENDER COUNTY, NORTH CAROLINA
JULY 16, 2026

JOB NUMBER: 07103-0063
SCALE: 1"=80'
CAD NUMBER: VB-07103-0063-MANLEY RECOMBINATION
PLS: CAH
PARTY CHIEF: KM
CAD TECH: ATC
FIELD BOOK/PAGE: W2446/68
DRAWING NUMBER: 2026-056
SHEET NUMBER: 1 OF 2

MCKIM & CREED
929 North Front Street, Suite 800
Wilmington, North Carolina 28401
Phone: (910) 343-1048, Fax: (910) 251-8282
NC License# F-1222
Internet Site: <http://www.mckimcreed.com>

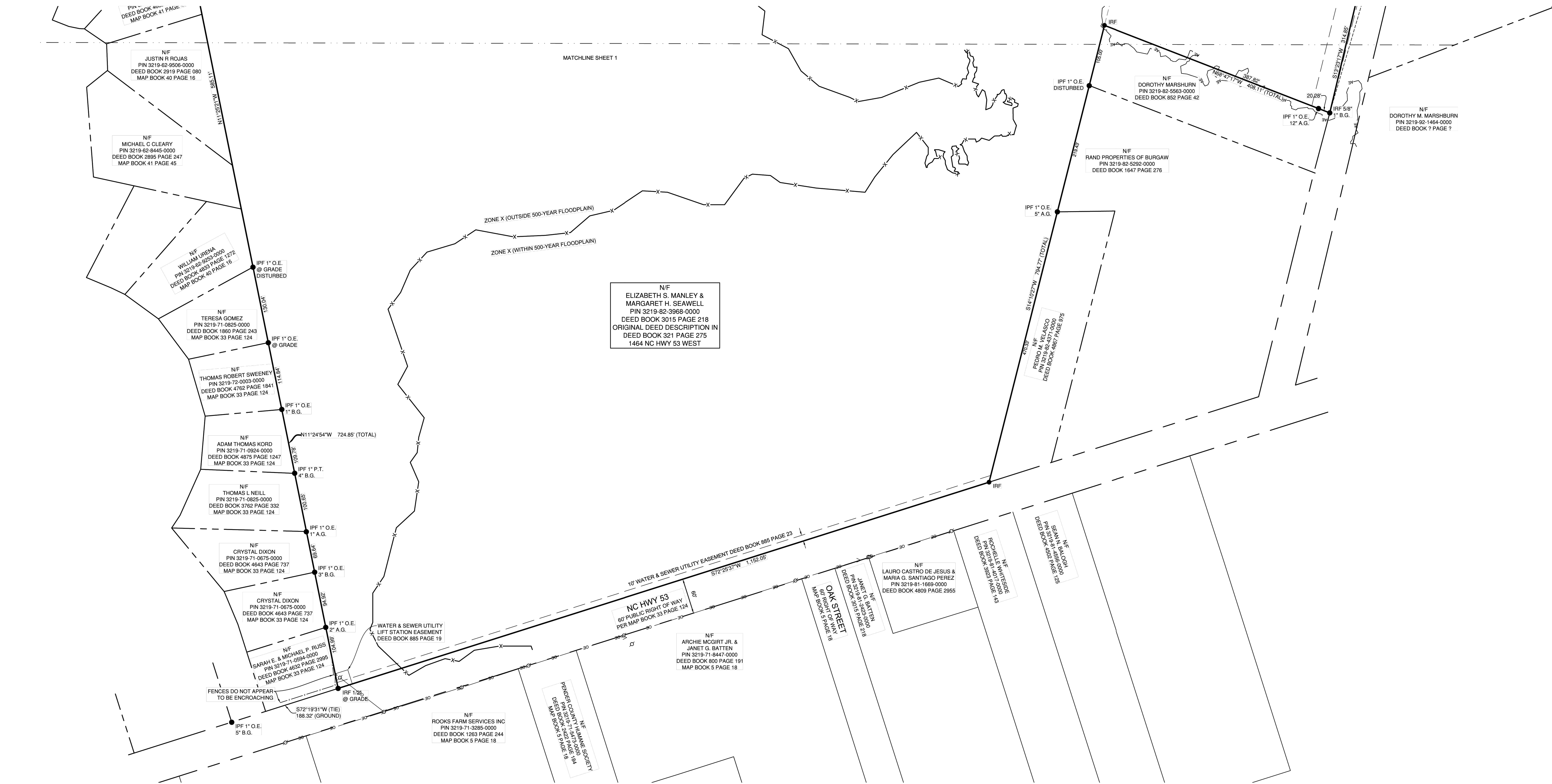


THIS IS PART OF A
MULTI-SHEET DOCUMENT
AND IS NOT VALID WITHOUT
ALL TWO (2) SHEETS

I, _____ REVIEW OFFICER FOR THE TOWN OF BURGAW, CERTIFY
THAT THE MAP TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY
REQUIREMENTS FOR RECORDING.

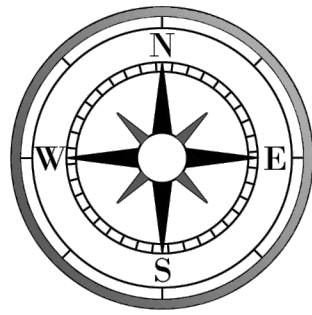
MAP REVIEW OFFICER _____ DATE _____

LINETYPE LEGEND	
—	BOUNDARY LINE (SURVEYED)
- - -	RIGHT OF WAY
- - -	ADJACENT PROPERTY LINE
- - -	100-YEAR FLOODPLAIN LINE
- - -	500-YEAR FLOODPLAIN LINE
- - -	SHEET MATCHLINE



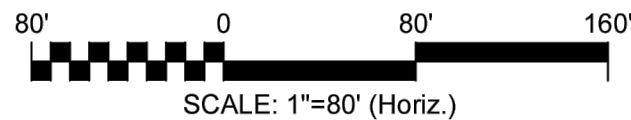
LINETYPE LEGEND	
	BOUNDARY LINE (SURVEYED)
	RIGHT OF WAY
	ADJACENT PROPERTY LINE
	100-YEAR FLOODPLAIN LINE
	500-YEAR FLOODPLAIN LINE
	SHEET MATCHLINE

LEGEND	
A.G.	ABOVE GROUND
B.G.	BELOW GROUND
CP	CALCULATED POINT
C.S.F.	COMBINED SCALE FACTOR
E	EASTING
EL.	ELEVATION
G	GUY WIRE
IPF	IRON PIPE FOUND (AS DESCRIBED)
IRF	IRON ROD FOUND (AS DESCRIBED)
IRS	IRON ROD SET
MNS	MAG NAIL SET (CONTROL POINT)
N/F	NOW OR FORMERLY
N	NORTHING
NAD	NORTH AMERICAN DATUM
NAVD	NORTH AMERICAN VERTICAL DATUM
O.E.	OPEN END
P.T.	PINCHED TOP
PIN	PARCEL IDENTIFICATION NUMBER
P	POWER POLE
RC	REBAR WITH CAP (CONTROL POINT)



NC GRID NAD 83/2011

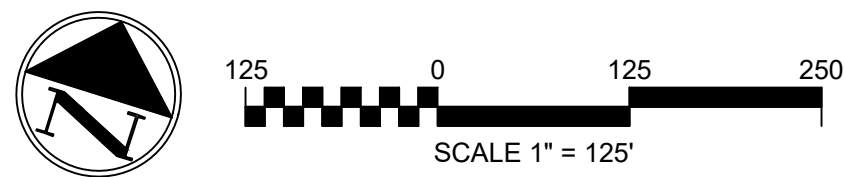
THIS IS PART OF A
MULTI-SHEET DOCUMENT
AND IS NOT VALID WITHOUT
ALL TWO (2) SHEETS



RECOMBINATION SURVEY
OF
PINS 3219-82-3868-0000, 3219-83-2645-0000,
& 3219-83-8018-0000
FOR FUNSTON COMPANY, INC.
TOWN OF BURGAW, PENDER COUNTY, NORTH CAROLINA
JULY 16, 2026

JOB NUMBER: 07103-0063
SCALE: 1"=80'
CAD NUMBER: VB-07103-0063-RECOMBINATION
PLS: CAH
PARTY CHIEF: KM
CAD TECH: ATC
FIELD BOOK/PAGE: NA
DRAWING NUMBER: 2026-056
SHEET NUMBER: 2 OF 2

929 North Front Street, Suite 800
Wilmington, North Carolina 28401
Phone: (910) 343-1048, Fax: (910) 251-8282
NC License# F-1222
Internet Site: <http://www.mckimcreed.com>



PHASING:
PROJECT TO BE DEVELOPED IN TWO (2) PHASES.

PHASE 1: 70 LOTS FROM ACCESS ALONG NC HWY 53,
CONSTRUCTION ACCESS THROUGH PROPERTY TO
HENRY BROWN RD.

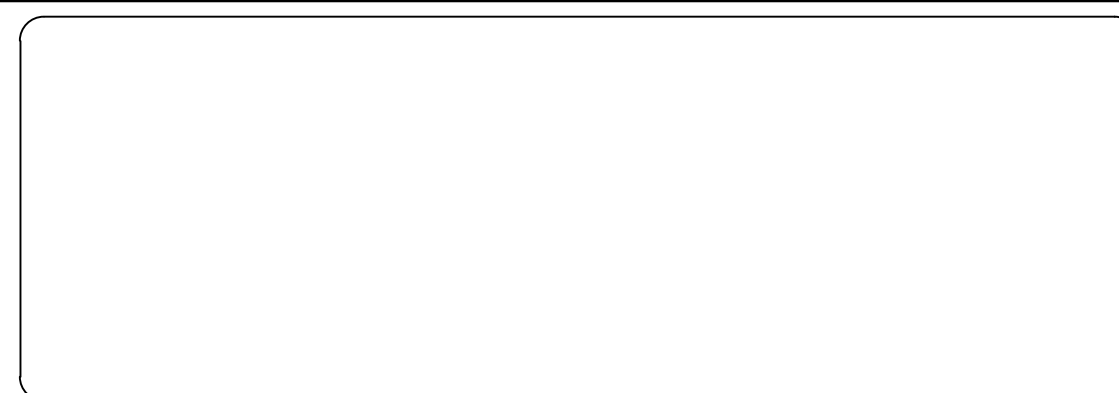
PHASE 2: REMAINING 69 LOTS.

ITE 12th Edition Trip Generation Manual									
Land Use	Land Use Group	ITE Code	24-Hour Volumes	AM Peak Hour Trips		PM Peak Hour Trips		Saturday Peak Hour	
				Enter	Exit	Enter	Exit	Enter	Exit
Single-Family Detached Housing	Residential	210	1311	104		138		128	
				27	77	88	50	69	59

KEY MAP
SCALE: NTS

SCALE: 1" = 125'

SEAL	SEAL 
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SITE PLAN - OVERALL

DATE:	08/19/2026	SCALE	C3.0
MCE PROJ. #	07103-0063		
DRAWN	GHS/TKD/RCH	HORIZONTAL:	
DESIGNED	GHS/TKD/RCH	VALUE	
CHECKED	GHS	VERTICAL:	
PROJ. MGR.	TSM	VALUE	
STATUS:		DRAWING NUMBER	
TRC SUBMITTAL		----	
		REVISION	



2	SITE PLAN - ENLARGED
---	----------------------

SCALE: 1" = 40'

[illegible]

McKIM & CREED

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 License: F-1222

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MANLEY TRACT SUBDIVISION

SITE PLAN - ENLARGED

DATE: 08/19/2026		SCALE		C3.3 DRAWING NUMBER ----- REVISION
MCE PROJ. # 07103-0063		HORIZONTAL: 1"=40'		
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DESIGNED GHS/TKD/RCH				
CHECKED GHS				
PROJ. MGR. TSM				



2 | SITE PLAN - ENLARGED

[illegible]

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243 North Front Street
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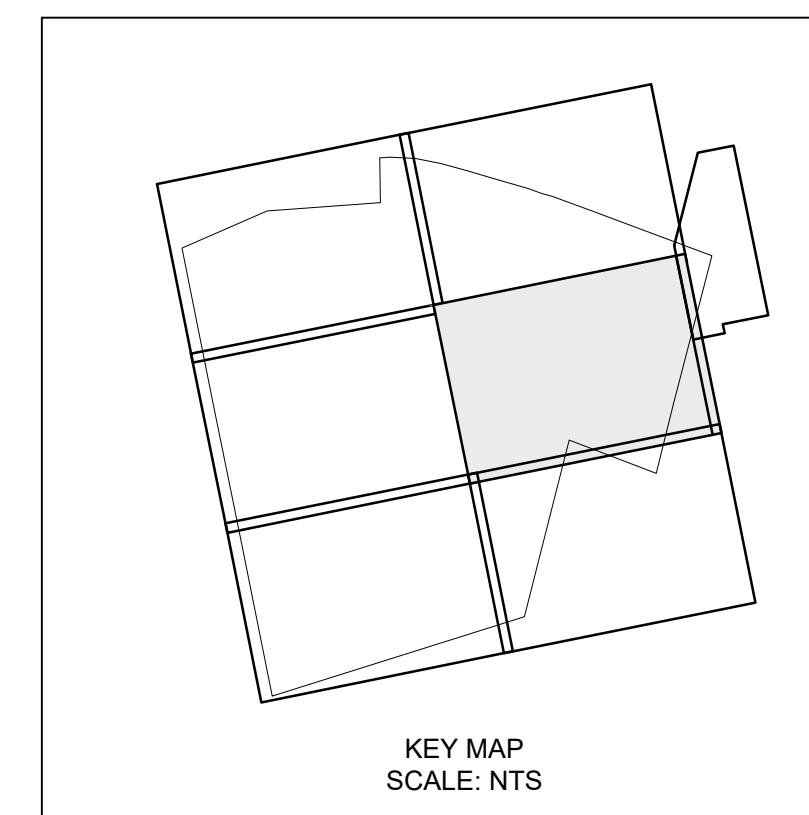
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MANLEY TRACT SUBDIVISION

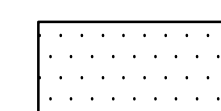
SITE PLAN - ENLARGED

1 LEGEND AND NOTES

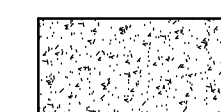
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HATCHING LEGEND:



OPEN SPACE



SIDEWALK



ASPHALT



AMENITY POND

NOTES:

1. LIGHTING TO BE DESIGNED TO MEET THE TOWN OF BURGAW REQUIREMENTS.
2. A LIGHTING PLAN, INCLUSIVE OF WATTAGE AND ILLUMINATION, WILL BE SUBMITTED DURING FINAL PLAN REVIEW.
3. SEE LANDSCAPE PLANS FOR LANDSCAPE AREA INFORMATION.
4. ALL ROADWAY DIMENSIONS SHOWN ARE FROM EDGE OF PAVEMENT TO EDGE OF PAVEMENT.
5. SCM = STORMWATER MANAGEMENT (POND).
6. RW = RIGHT-OF-WAY
7. SEE SHEET C12.2 FOR TYPICAL STREET CROSS-SECTIONS.
8. STREET SIGNS ARE PROVIDED BY THE APPLICANT AND WILL BE INSTALLED AT THE FINAL PLAT.

KEY MAP
SCALE: NTS

DATE:	08/19/2026
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DESIGNED	GHS/TKD/RCH
CHECKED	GHS
PROJ. MGR.	TSM

STATUS

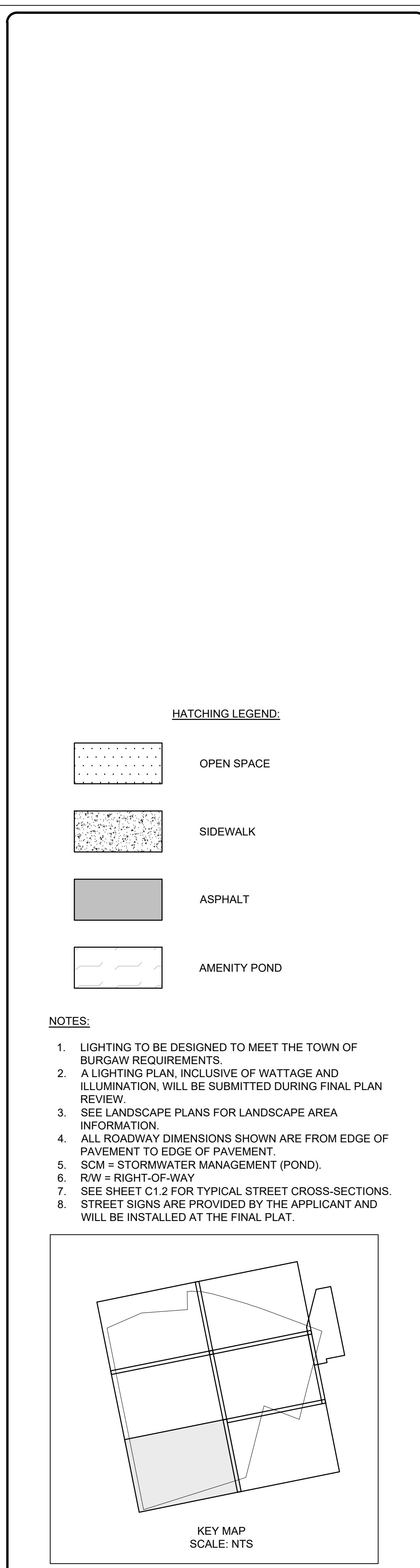
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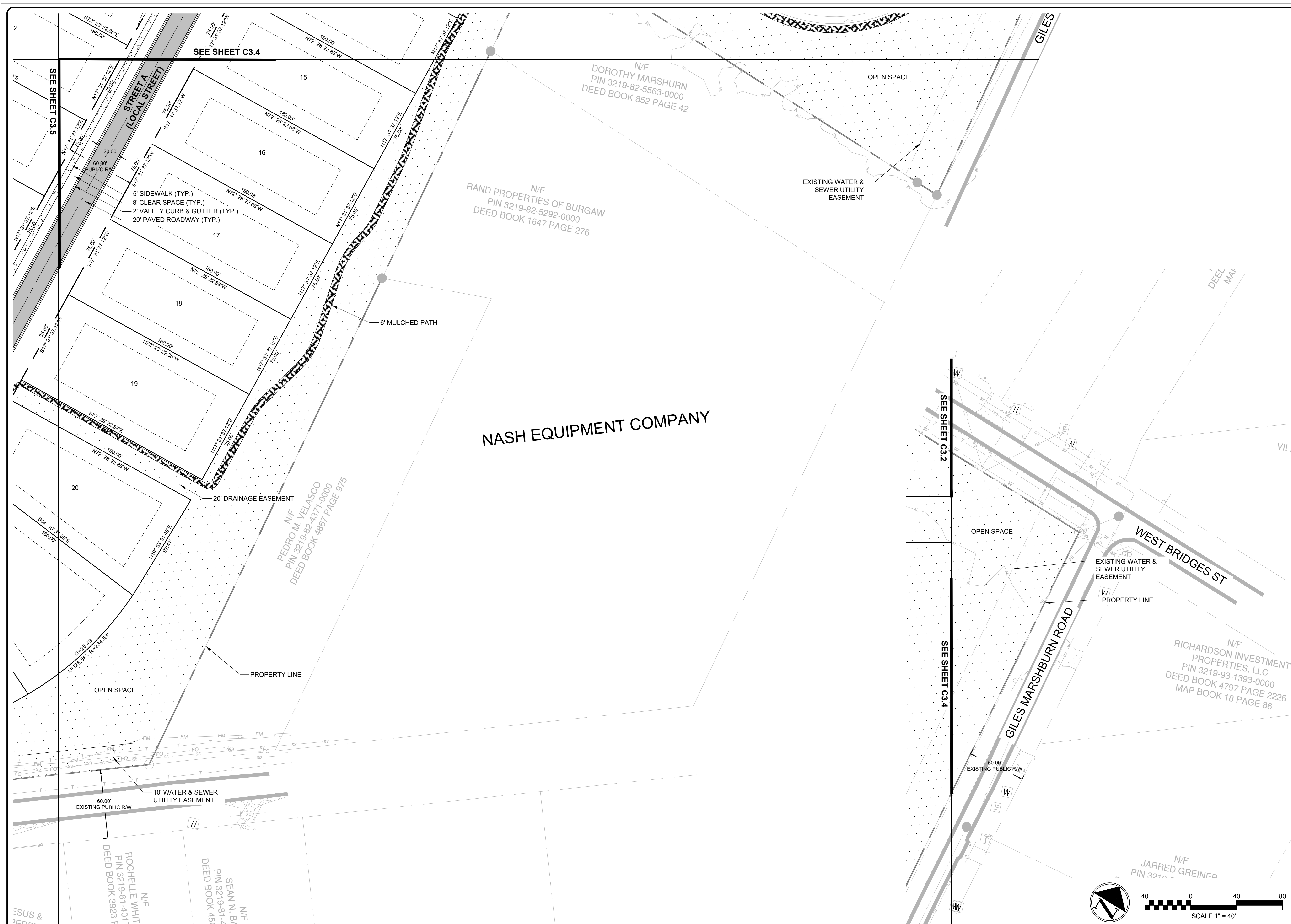
SCALE
HORIZONTAL 1"=40'
VERTICAL N/A

C3.4

DRAWING NUMBER

— — — — —





2 | SITE PLAN - ENLARGED

[illegible]

SE



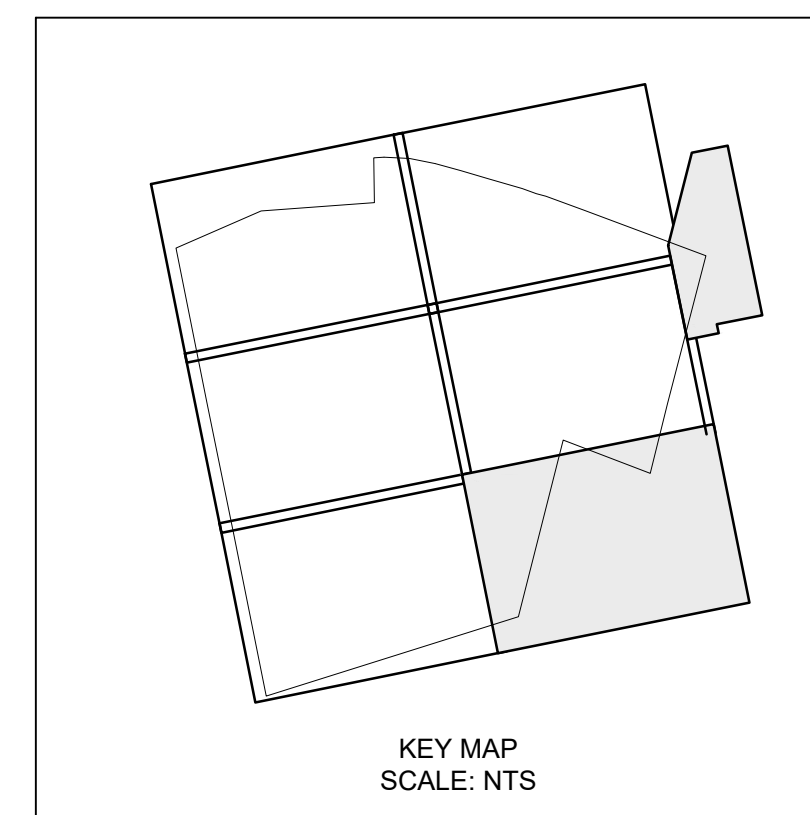
MANLEY TRACT SUBDIVISION

SITE PLAN - ENLARGED

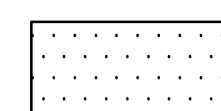
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1 | LEGEND AND NOTES

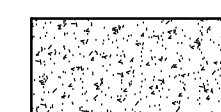
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HATCHING LEGEND:



OPEN SPACE



SIDEWALK



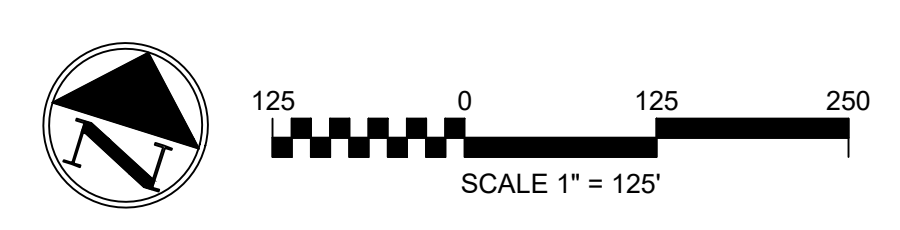
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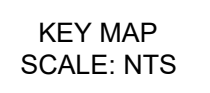
AMENITY POND

NOTES:

1. LIGHTING TO BE DESIGNED TO MEET THE TOWN OF BURGAW REQUIREMENTS.
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5. SCM = STORMWATER MANAGEMENT (POND).
6. R/W = RIGHT-OF-WAY
7. SEE SHEET C1.2 FOR TYPICAL STREET CROSS-SECTIONS.
8. STREET SIGNS ARE PROVIDED BY THE APPLICANT AND WILL BE INSTALLED AT THE FINAL PLAT.



1. INITIATE EROSION CONTROL SEQUENCE BEFORE BEGINNING CLEARING AND GRADING OPERATIONS.
2. CLEAR AREA WITHIN THE LOD AND ESSENTIAL SITE IMPROVEMENTS OF THE PROJECT PRIOR TO DISTURBANCE BEYOND GRADING LIMITS.
3. STRIP TOPSOIL TO FULL DEPTH DESCRIBED IN THE EROSION CONTROL PLANS IN AREAS TO BE GRADED AND STOCKPILE.
4. COMPACT ALL STRUCTURAL FILL AREAS AND SLOPES TO 95% OF MAXIMUM DENSITY FOR ALL AREAS TO BE GRADED TO FULL DEPTH. NON-STRUCTURAL AREAS MAY BE COMPACTED TO 90% OF MAXIMUM DENSITY.
5. ALL BANKS AND SWALE SIDE SLOPES SHALL BE GRADED WITH NO CUTS DEEPER THAN 3:1 SLOPES.
6. ALL DISTURBED AREAS SHALL BE SMOOTHLY GRADED TO PROMOTE POSITIVE DRAINAGE AND STABILIZED WITH TOPSOIL, SEED, AND MULCH. IF SETTLEMENT OCCURS, TOPSOIL, SEEDING, AND MULCH SHALL BE REAPPLIED UNTIL THE AREA IS FULLY COVERED (SEE EROSION CONTROL DETAIL AND SPECIFICATIONS).
7. ALL AREAS ARE TO BE GRADED SO THAT NO AREAS OF STANDING WATER FORM.
8. OPERATOR SHALL FIELD VERIFY EXISTING TOPOGRAPHY IN RELATION TO THE PROPOSED GRADES TO ENSURE DRAINAGE IN THE DIRECTIONS INDICATED ON THE PLAN.
9. ALL EXISTING AND REMOVED MATERIAL SHALL MEET CRITERIA SET FORTH IN SECTIONS 1016 AND 1018 OF THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION'S STANDARDS AND SPECIFICATIONS FOR ROADS AND STRUCTURES.
10. THE ENGINEER AND THE CONTRACTOR SHALL INSPECT ALL EXISTING PIPES USED IN THE FINAL DRAINAGE SYSTEM AND AGREE ON THE CONDITION OF THE PIPES PRIOR TO CONSTRUCTION. IF DAMAGE OCCURS TO THESE PIPES DURING CONSTRUCTION, THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE REPAIRS AND THE CONTRACTOR SHALL MAINTAIN EXISTING PAVING, CONCRETE, AND OTHER UNSUITABLE MATERIALS INCLUDING UNDERCUT EXCAVATION SHALL NOT BE USED AS FILL MATERIAL AND SHALL BE DISPOSED OF OUTSIDE THE PROJECT LIMITS AT THE CONTRACTOR'S EXPENSE. THE CONTRACTOR IS RESPONSIBLE FOR ALL PERMITTING AND FEES FOR DISPOSAL.
11. ALL PIPE BEDDING SHALL BE CLASS "C" UNLESS OTHERWISE DIRECTED BY THE ENGINEER.
12. ALL EXISTING STUMPS, ROOT MAT, ETC. SHALL BE ENTIRELY REMOVED REGARDLESS OF DEPTH. BURIAL OF ORGANIC MATERIAL WITHIN THE PROJECT LIMITS IS NOT PERMITTED. OPEN BURNING OF DOWNED TREES AND STUMPS MAY BE PERMITTED AT A LOCATION APPROVED BY OWNER AND THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE REMOVAL OF MATERIALS MUST BE REMOVED PRIOR TO THE PLACEMENT OF EMBANKMENT OR TOPSOIL.
13. ALL STORM DRAINAGE PIPES SHALL BE RCP CLASS III UNLESS OTHERWISE NOTED ON THE PLANS. HP PIPE MAY BE USED IN LIEU OF CONCRETE PIPE OR ENGINEER APPROVED CLASS III STORMWATER OUTFALL PIPES MUST BE RING GASKET RCP.
14. THE CONTRACTOR IS SOLELY RESPONSIBLE TO OBTAIN OFF-SITE DISPOSAL PERMITS AND TO PROVIDE FOR THE REMOVAL OF UNSUITABLE MATERIALS AS NECESSARY. OFF-SITE SPOIL AREAS MUST BE SUBMITTED TO THE ENGINEER AND APPLICABLE REGULATORY AGENCIES PRIOR TO UTILIZATION BY THE CONTRACTOR. NO AREAS DESIGNATED AS WETLANDS WILL BE PERMITTED FOR USE FOR DISPOSAL OF SPOIL. THE CONTRACTOR SHALL SUBMIT DOCUMENTATION TO THE ENGINEER THAT NO WETLANDS WILL BE IMPACTED. THE ENGINEER WILL NOT CONSIDER ANY DELAYS OR MONETARY CLAIMS OF ANY NATURE RESULTING FROM THE CONTRACTOR'S FAILURE TO PROVIDE FOR THE REMOVAL OF SPOIL TO DISPOSAL SITES TO MEET THE TIME FRAMES AND CAPACITIES REQUIRED. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL PLANS, PERMITS, EROSION AND SEDIMENT CONTROL MEASURES AS REQUIRED BY THE APPROPRIATE REGULATORY AGENCIES FOR UTILIZING SPOIL AT SPOIL AREAS. THE CONTRACTOR SHALL CERTIFY TO THE ENGINEER THAT THE REQUIRED PERMITS HAVE BEEN OBTAINED PRIOR TO UTILIZING THE OFF-SITE SPOIL AREAS. ALL COSTS FOR INCULCATING AND UTILIZING THE OFF-SITE SPOIL AREAS TO BE INCURRED TO THE BENEFIT OF THE PROJECT.
15. APPROVED COVERS TO PREVENT MATERIAL FROM LEAVING THE TRUCKS MUST BE INSTALLED OVER ALL LOADED TRUCKS HAULING BORROW. EXCAVATED MATERIAL SHALL NOT BE PLACED ON OR NEAR ANY OF THE PROJECT SITES OVER STATE MAINTAINED ROADS. ANY MATERIALS DELIVERED, TRANSPORTED, OR REMOVED IN UNCOVERED TRUCKS WILL BE INCORPORATED INTO THE PROJECT OR REMOVED FROM THE SITE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE TRUCKS FOR FURNISHING, REMOVING, OR PLACING THE MATERIALS INVOLVED.
16. DETWATERING: THE CONTRACTOR SHALL AT ALL TIMES PROVIDE AND MAINTAIN AMPLE MEANS AND EQUIPMENT WITH WHICH TO REMOVE AND CONTROL ANY DISPERSED WATER FROM ENTERING THE EXCAVATION OR OTHER PARTS OF THE WORK AND KEEP ALL EXCAVATIONS DRY UNTIL SUCH TIME AS PIPE LAYING AND GRADING IS COMPLETED. NO WATER SHALL BE ALLOWED TO RISE AROUND THE PIPE IN UNACCOMPLISHED EXCAVATIONS OR FOR SUCH TIME AS THE EXCAVATION IS OPEN TO MASONRY WALL. THE CONCRETE OR MORTAR HAS SET (MINIMUM 24 HOURS), ALL WATER PUMPED OR DRAINED FROM THE WORK SHALL BE DISPOSED OF IN SUCH A MANNER AS TO PREVENT SILTATION AND EROSION TO ADJACENT AREAS OR TO OTHER PARTS OF THE PROJECT.
17. DO NOT PLANT TREES WITHIN UTILITY AND DRAINAGE EASEMENTS. CONTRACTOR TO CAREFULLY ROOT PRUNE TREES, CREATING CLEAN CUTS. NO ROUGH BREAKS OF ROOTS (TYPICALLY AS THE RESULT OF MECHANICAL EQUIPMENT) WILL BE ACCEPTABLE.



SCALE: 1" = 125'



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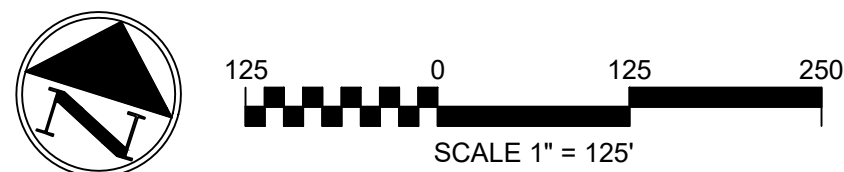
www.mckimcreed.com

1	LEGEND AND NOTES
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DATE:	08/19/2026	SCALE	C7.0
MCE PROJ. #	07103-0063	HORIZONTAL:	DRAWING NUMBER ----- REVISION
DRAWN	GHS/TKD/RCH	1"=125'	
DESIGNED	GHS/TKD/RCH	VERTICAL:	
CHECKED	GHS	N/A	
PROJ. MGR.	TSM		

STATUS:

TRC SUBMITTAL



SCALE: 1" = 125'



UTILITY PLAN - OVERALL

DATE: 08/19/2026	SCALE	C8.0
MCE PROJ. # 07103-0063	HORIZONTAL: 1"=125'	DRAWING NUMBER
DRAWN: GHS/TKD/RCH	VERTICAL: N/A	----
DESIGNED: GHS/TKD/RCH		REVISION
CHECKED: GHS		
PROJ. MGR. TSM		

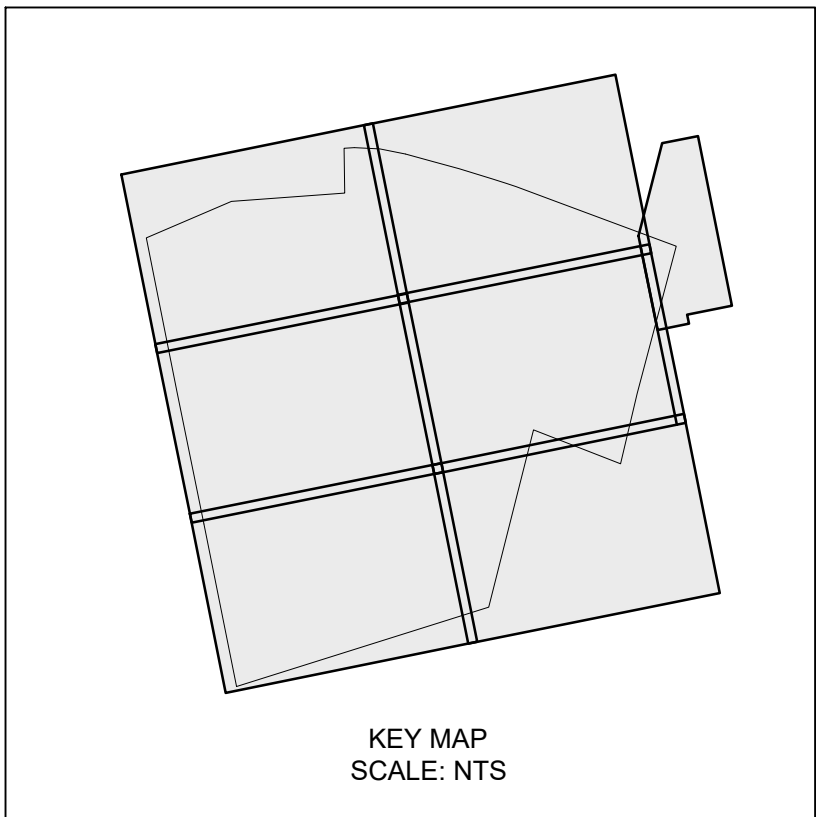
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SANITARY SEWER NOTES

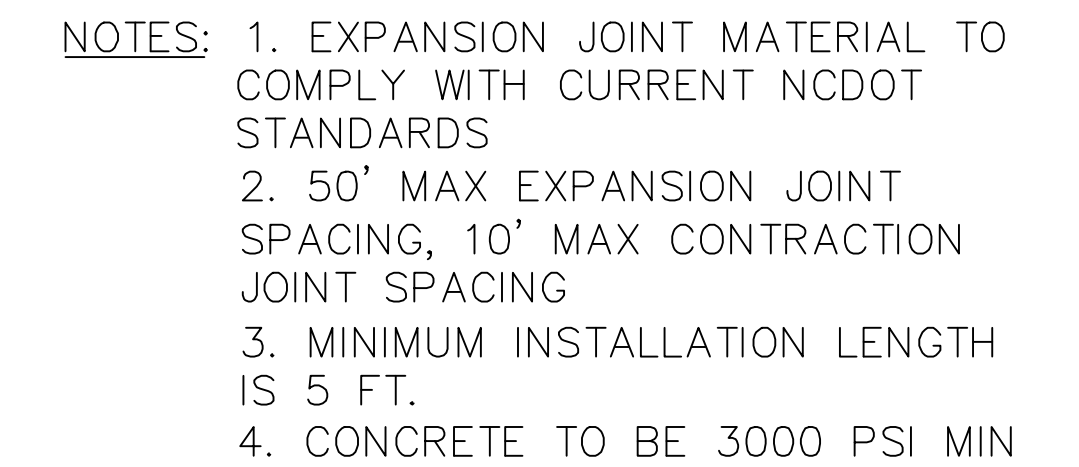
- 1. MANHOLE DIAMETERS:**
 - 1. MINIMUM DIAMETER FOUR (4) FEET.**
 - 2. INSIDE DROP MANHOLES: MINIMUM DIAMETER FIVE (5) FEET PER NCDCE/DWQ RULES.**
- 2. MAXIMUM MANHOLE SPACING: (400) FEET STANDARD – OTHER SPACING AS REQUESTED AND APPROVED BY TOWN OF BURGAW UTILITIES.**
- 3. ENGINEERING IN ACCORDANCE WITH NCDCE/DWQ REGULATIONS.**
- 4. MINIMAL ANGLE BETWEEN SEWER MAINS INTERSECTING AT MANHOLE: (90) DEGREES OR GREATER TO THE DOWNSTREAM**
- 5. SIDE – VARIANCES ALLOWED BY APPROVAL OF COUNTY ENGINEERING.**
- 6. MANHOLE TOP ELEVATIONS:**
 - 1. SHALL BE AT OR ABOVE FINISHED GRADE ELEVATION.**
 - 2. SET TO MATCH FINISHED PAVEMENT GRADE IF LOCATED IN PAVED AREAS.**
- 7. EXPOSED MANHOLE CONES ON ALL MANHOLES WITH 24 INCH CLEAR OPENING ON THE RING AND COVER.**
- 8. USE WATER TIGHT RING AND COVERS IN FLOOD PLAN AREAS OR AREAS SUBJECT TO FLOODING.**
- 9. USE SHALLOW PRECAST MANHOLES WITH FLAT TOPS WHERE NECESSARY AND APPROVED BY TOWN OF BURGAW UTILITIES.**
- 10. CONCRETE MANHOLES SHALL BE COATED WITH COAL TAR EPOXY COATING MINIMUM 20 MILS THICK.**
- 11. USE VENTED MANHOLES AS REQUIRED PER NCDCE/DWQ REQUIREMENTS.**
- 12. SANITARY SEWER MAINS ARE 8" C900 PVC.**
- 13. ALL SANITARY SEWER MANHOLES WITH INVERT DIFFERENCES GREATER THAN 2.5' SHALL BE DROP MANHOLES. GRAVITY SEWER SHALL BE INSTALLED PER TOWN OF BURGAW UTILITIES STANDARD SPECIFICATIONS AND DETAILS.**

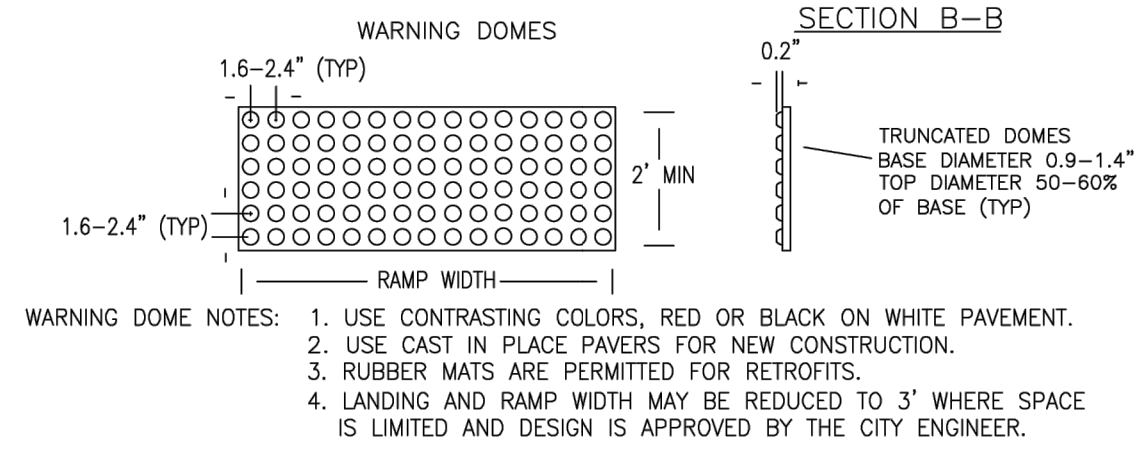
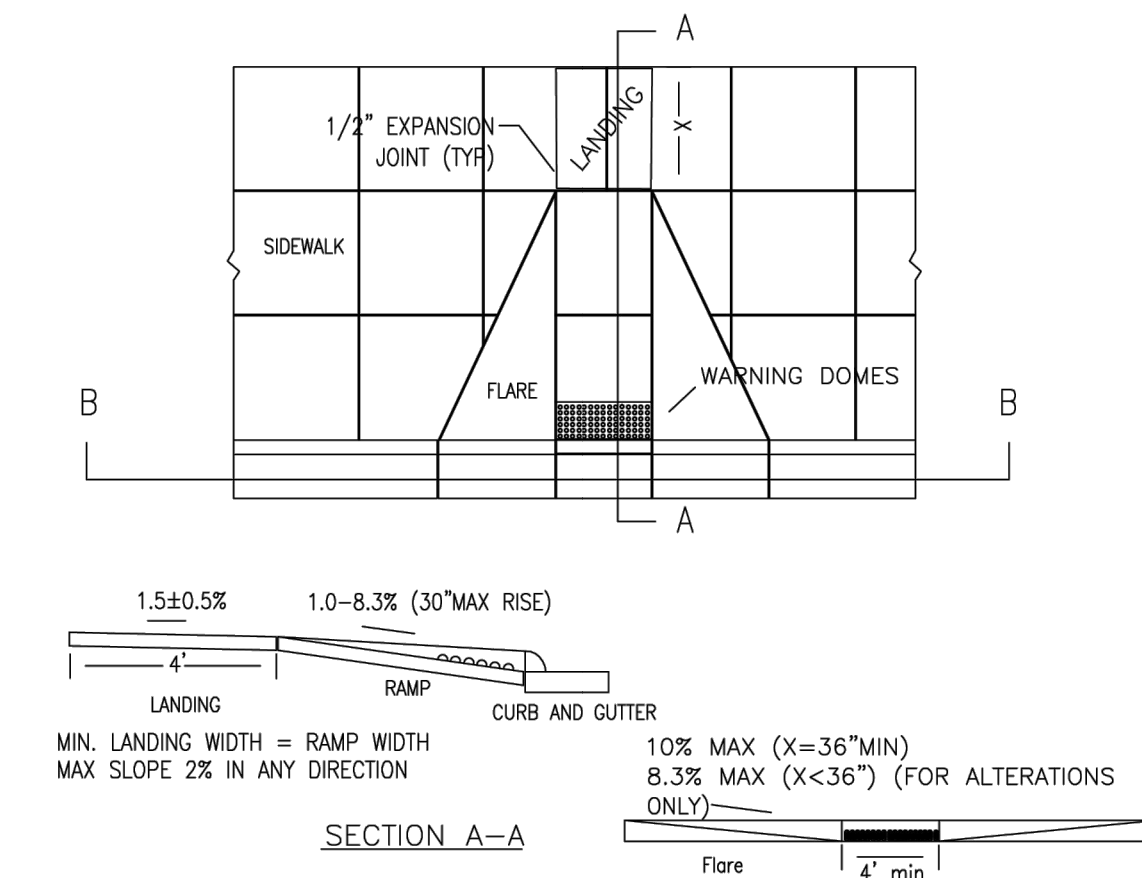
WATER SYSTEM NOTES

1. WATER LINES SHALL BE C-900 WITH A MINIMUM DR-18 RATING.
2. VALVE LOCATIONS TO BE FIELD ADJUSTED TO AVOID PLACEMENT WITH HANDICAP RAMPS.
3. DOMESTIC AND FIRE WATER SUPPLY APPURTENANCES ARE TO BE LOCATED OUTSIDE OF FENCED IN YARD SPACES AND 1' CLEAR OF FENCE LINES.
4. ALL WATER MAINS AND SEWER MAINS SHALL HAVE A MIN. OF 3'-0" COVER AS MEASURED FROM FINISHED GRADE AT THE LOCATION WHERE INSTALLED, UNLESS FERROUS PIPE MATERIAL IS SPECIFIED. IF FERROUS MATERIAL IS SPECIFIED, PROPER BEDDING SHALL BE PROVIDED WHERE SEWER MAINS ARE SUBJECT TO TRAFFIC BEARING LOADS.
5. WATER MAINS SHALL BE INSTALLED WITH A MINIMUM OF 10' HORIZONTAL SEPARATION FROM, AND 18" VERTICAL SEPARATION OVER SEWER MAINS IN A SEPARATE TRENCH. WATER MAINS MAY BE INSTALLED IN THE SAME TRENCH AS SEWER MAINS PROVIDED THAT THE WATER MAIN IS LOCATED ON ONE SIDE ON A BENCH OF UNDISTURBED EARTH AND THE ELEVATION OF THE BOTTOM OF THE WATER MAIN IS AT LEAST 18" ABOVE THE TOP OF THE SEWER MAIN. WATER MAINS SHALL BE INSTALLED PER TOWN OF BURGAW UTILITIES MANUAL OF STANDARDS, SPECIFICATIONS AND DETAILS.
6. IRRIGATION SYSTEMS SHALL BE DESIGNED IN ACCORDANCE WITH IRRIGATION CONSULTANT. IRRIGATION METERS TO BE PROVIDED OFF THE PRIVATE DOMESTIC WATER SERVICE LINE. IRRIGATION CONSULTANT TO PROPOSE METER LOCATIONS AND SUBMIT TO OWNER AND PROJECT ENGINEER FOR APPROVAL.

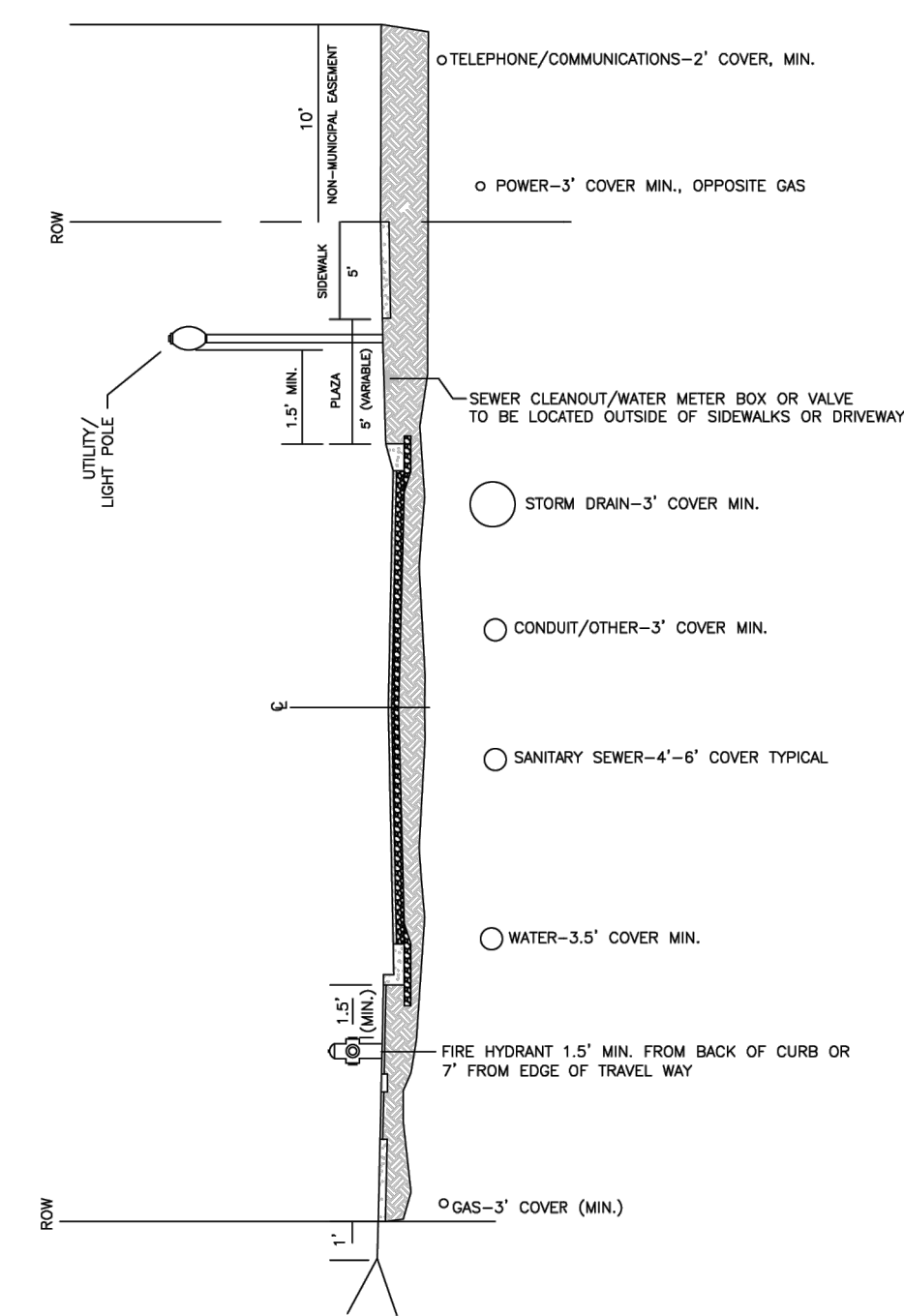


1 | LEGEND AND NOTES SCALE: N.T.S.

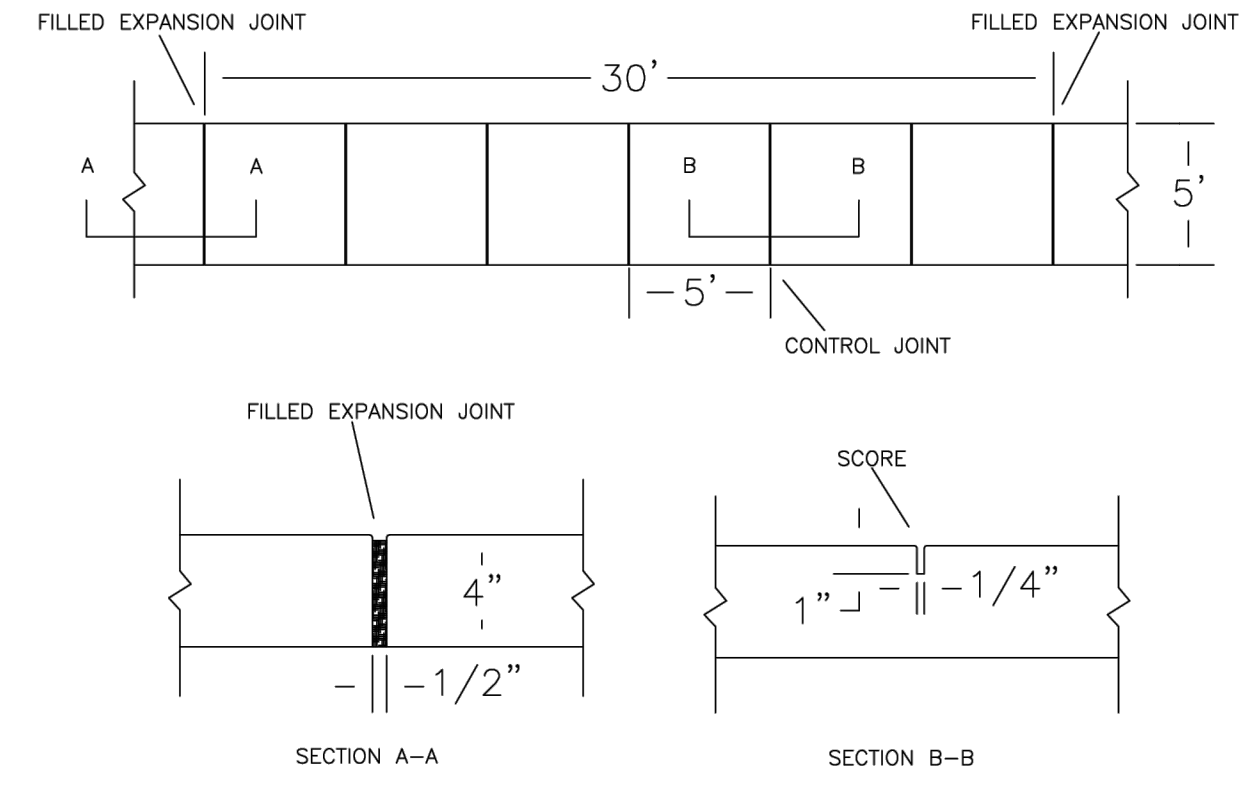




PERPENDICULAR CURB RAMP ADJACENT TO WALKING SURFACE DETAIL
NOT TO SCALE

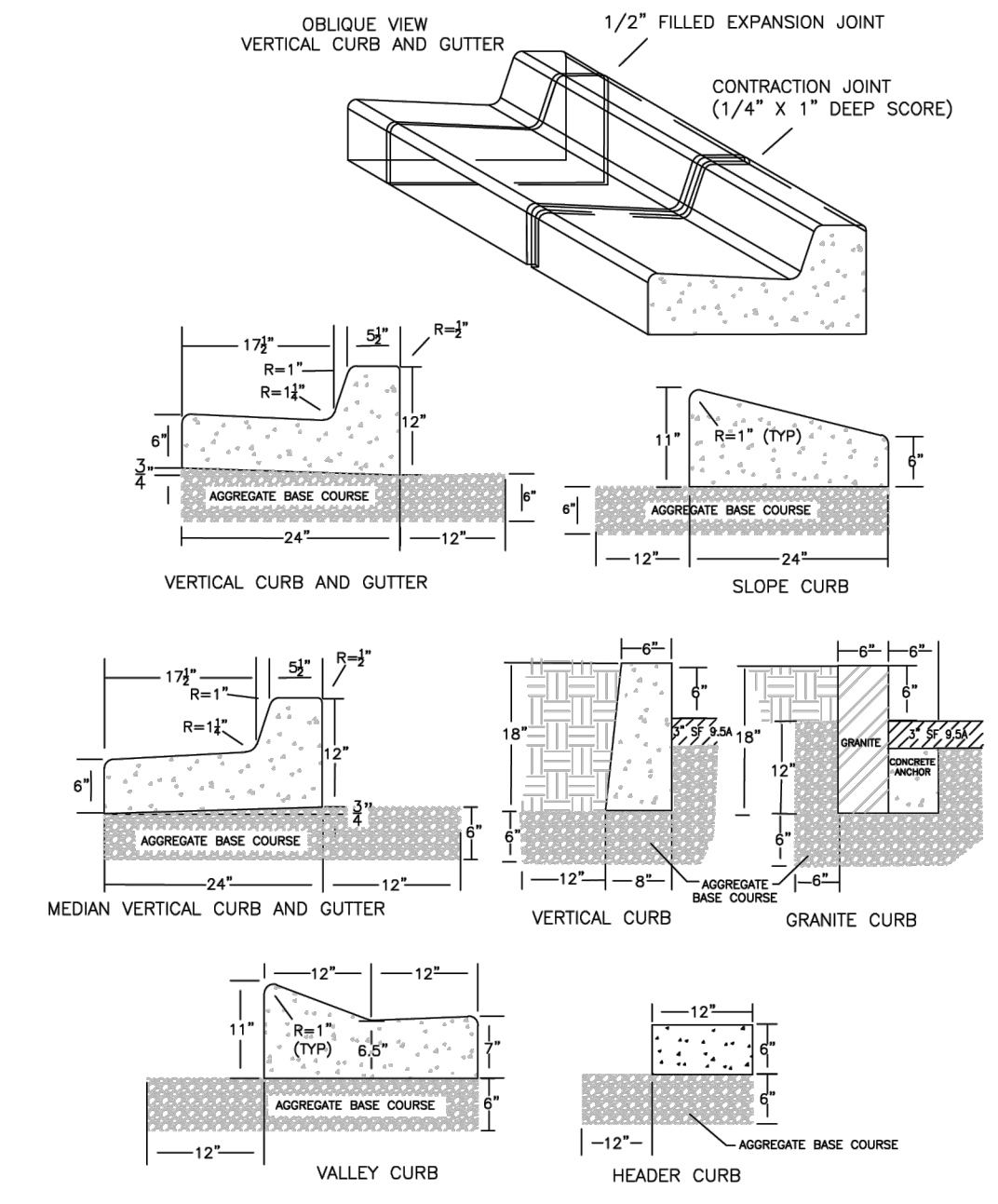


TYPICAL UTILITY LOCATION IN R.O.W.
NOT TO SCALE



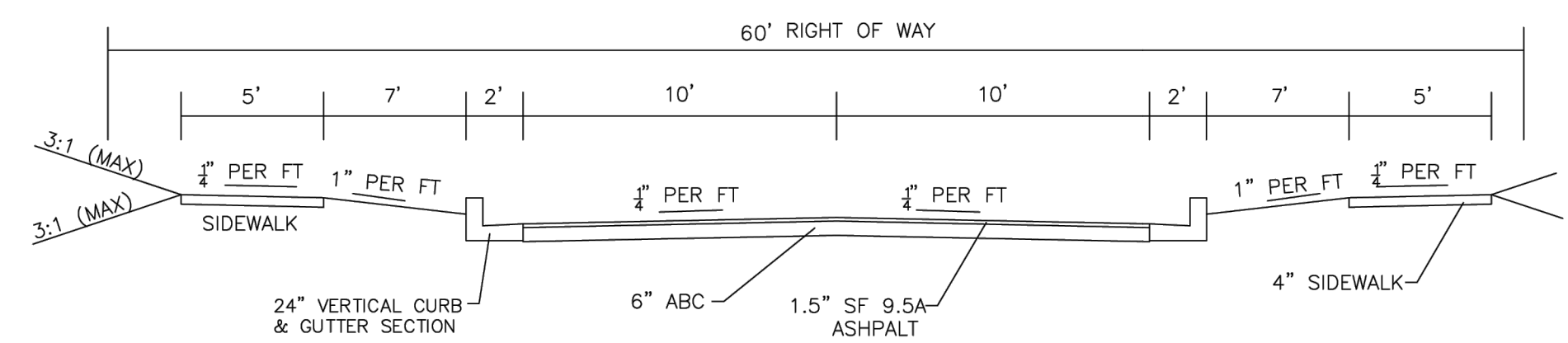
- NOTES:
1. JOINT MATERIAL TO COMPLY WITH CURRENT NCDOT STANDARDS.
 2. SANITARY SEWER CLEAN-OUTS, WATER METERS, MANHOLES, AND VALVE LIDS TO BE LOCATED OUTSIDE SIDEWALK WHERE FEASIBLE.
 3. MINIMUM SIDEWALK WIDTH TO BE 6' MINIMUM IF PLACED AT BACK OF CURB.
 4. CONCRETE FOR ALL SIDEWALKS (EXCEPT ANY PORTION CONTAIN WITHIN A DRIVEWAY APRON) SHALL BE CLASS "A" - 3,000 PSI.
 5. MINIMUM REPLACEMENT FOR REPAIRS IS A 5' X 5' PANEL.
 6. 4" STONE BASE MAY BE REQUIRED FOR POOR SOIL CONDITIONS.
 7. MINIMUM DEPTH FOR TUNNELING BELOW SIDEWALK IS 12"
 8. MAX ADJACENT GROUND SLOPE WITHOUT RAILING IS 2:1
 9. MIN GRADE FOR PROPER DRAINAGE IS 1% IN AT LEAST 1 DIRECTION. MAX CROSS SLOPE IS 2%. MAX LONGITUDINAL SLOPE IS 8.3%, 10% F LIMITED BY EXISTING CONDITIONS, OR NO GREATER THAN THE SLOPE OF THE EXISTING ADJACENT ROAD.
 10. SIDEWALKS SHALL CONSIST OF A MINIMUM OF SIX (6) INCHES OF CONCRETE AT DRIVEWAY CROSSINGS.

SIDEWALK DETAIL
NOT TO SCALE

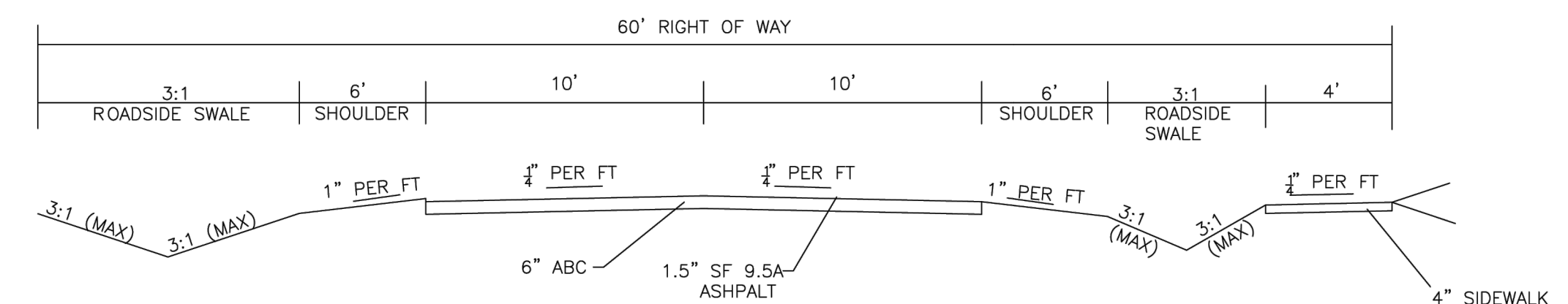


- NOTES:
1. EXPANSION JOINT MATERIAL TO COMPLY WITH CURRENT NCDOT STANDARDS
 2. 50' MAX EXPANSION JOINT SPACING, 10' MAX CONTRACTION JOINT SPACING
 3. MINIMUM INSTALLATION LENGTH IS 5 FT.
 4. CONCRETE TO BE 3000 PSI MIN
 5. VERTICAL CURB AND GUTTER SHALL BE SLOPED 3/4" OR USE A FLAT BASE
 6. 24" VERTICAL CURB & GUTTER SHALL BE PROVIDED. ALTERNATE CURB SECTIONS SHOWN SHALL REQUIRE APPROVAL OF THE TOWN

CURBING DETAIL
NOT TO SCALE

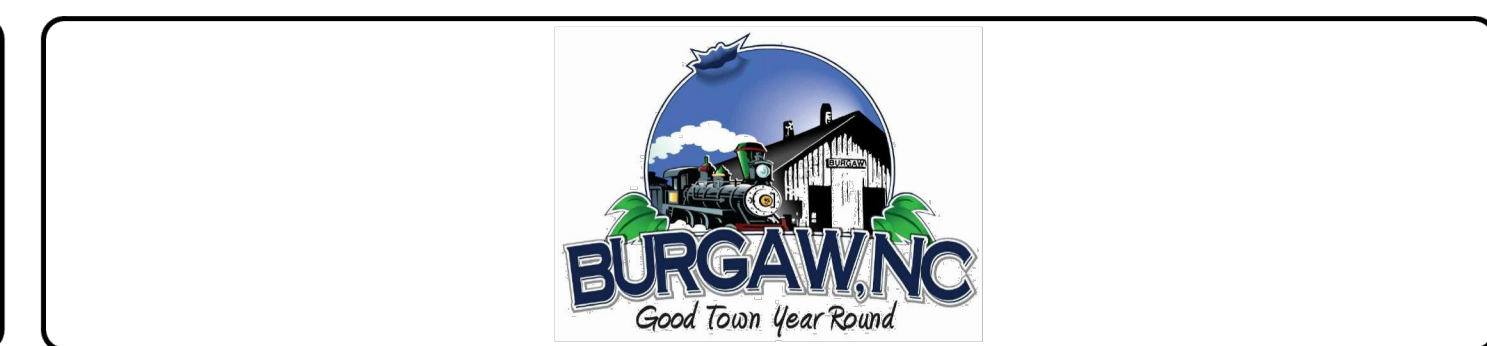


LOCAL STREET SECTION WITH CURB AND GUTTER
NTS



LOCAL STREET SECTION WITHOUT CURB AND GUTTER
NTS

REV. NO	DESCRIPTION	DATE



TOWN OF BURGAW

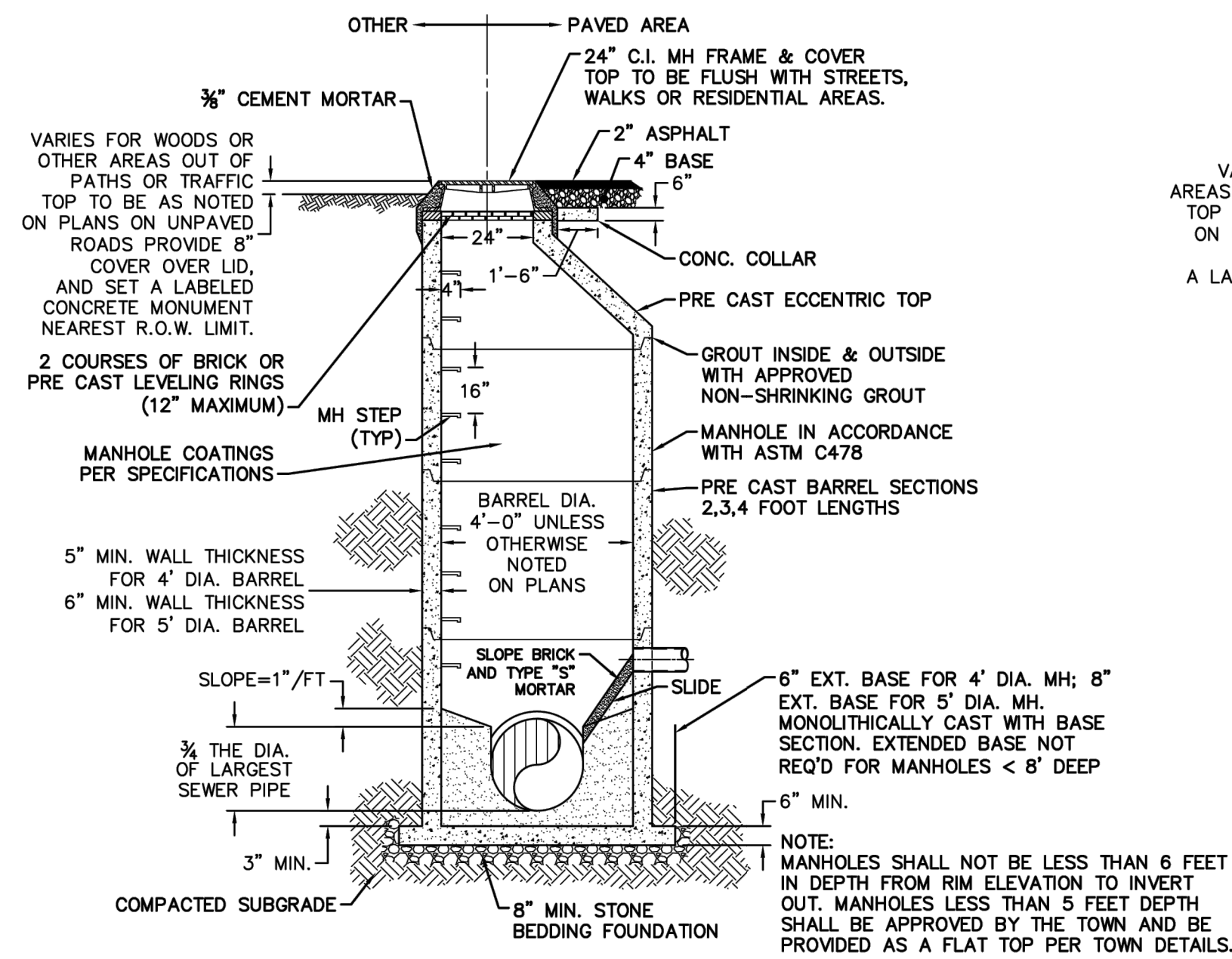
STANDARD STREET DETAILS

ISSUE DATE:
10/12/2021

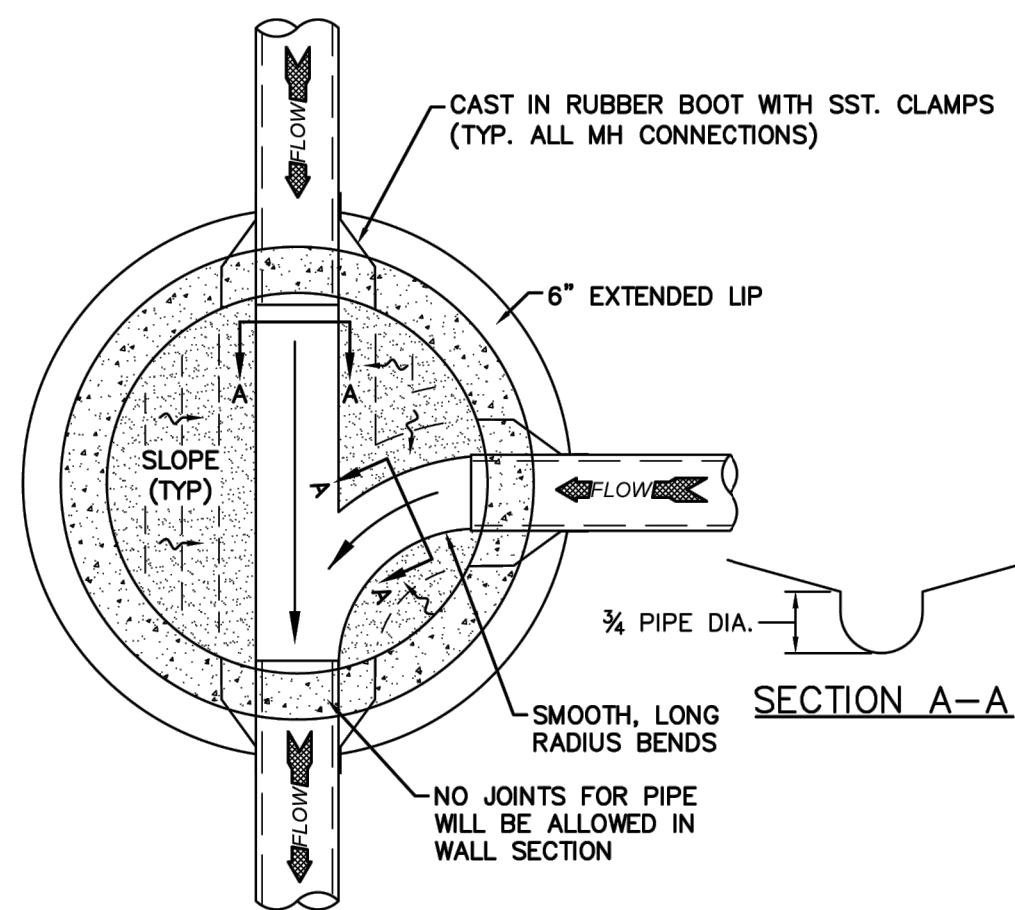
HORIZONTAL SCALE:
NOT TO SCALE

VERTICAL SCALE:
NOT TO SCALE

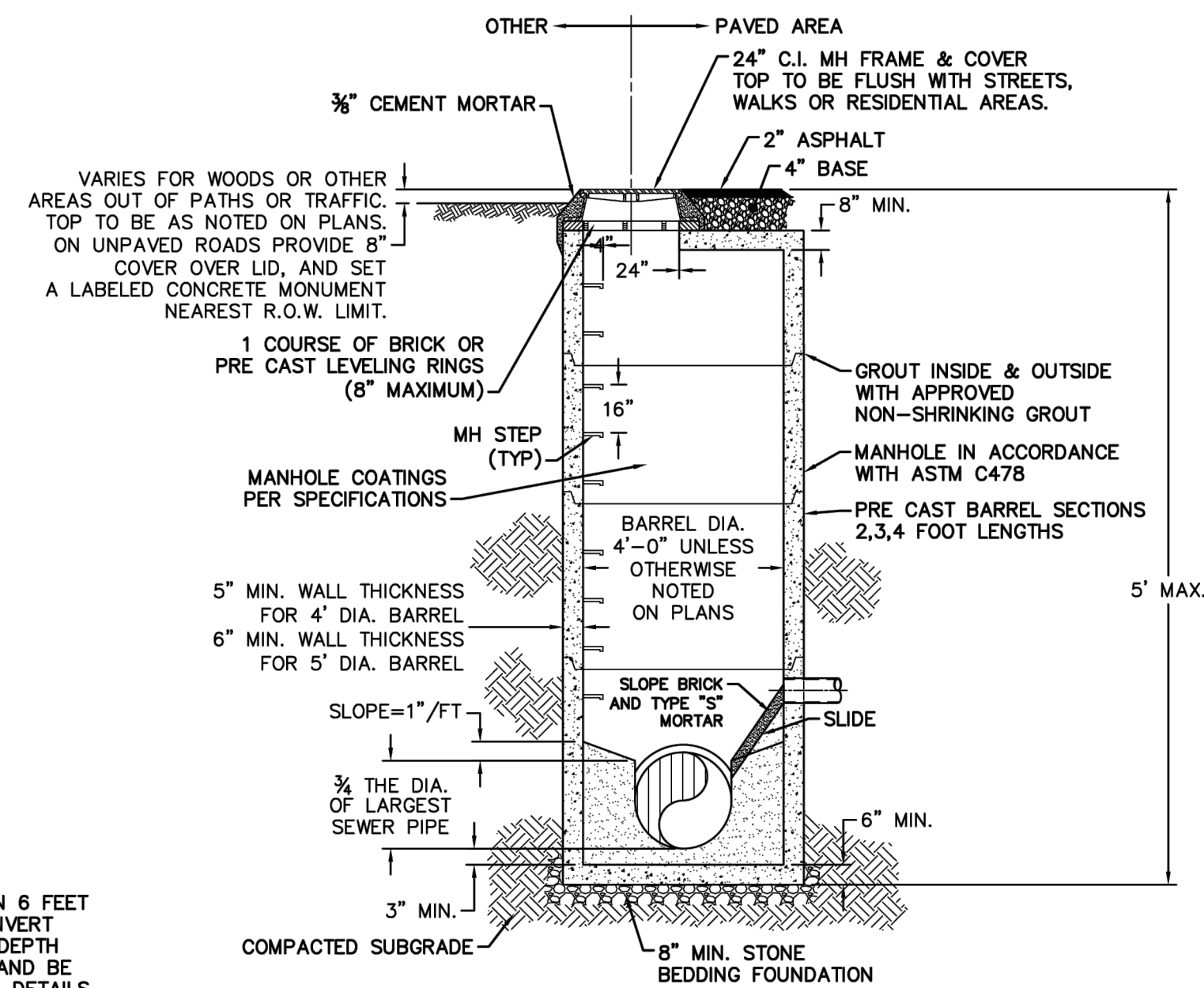
DRAWING NUMBER
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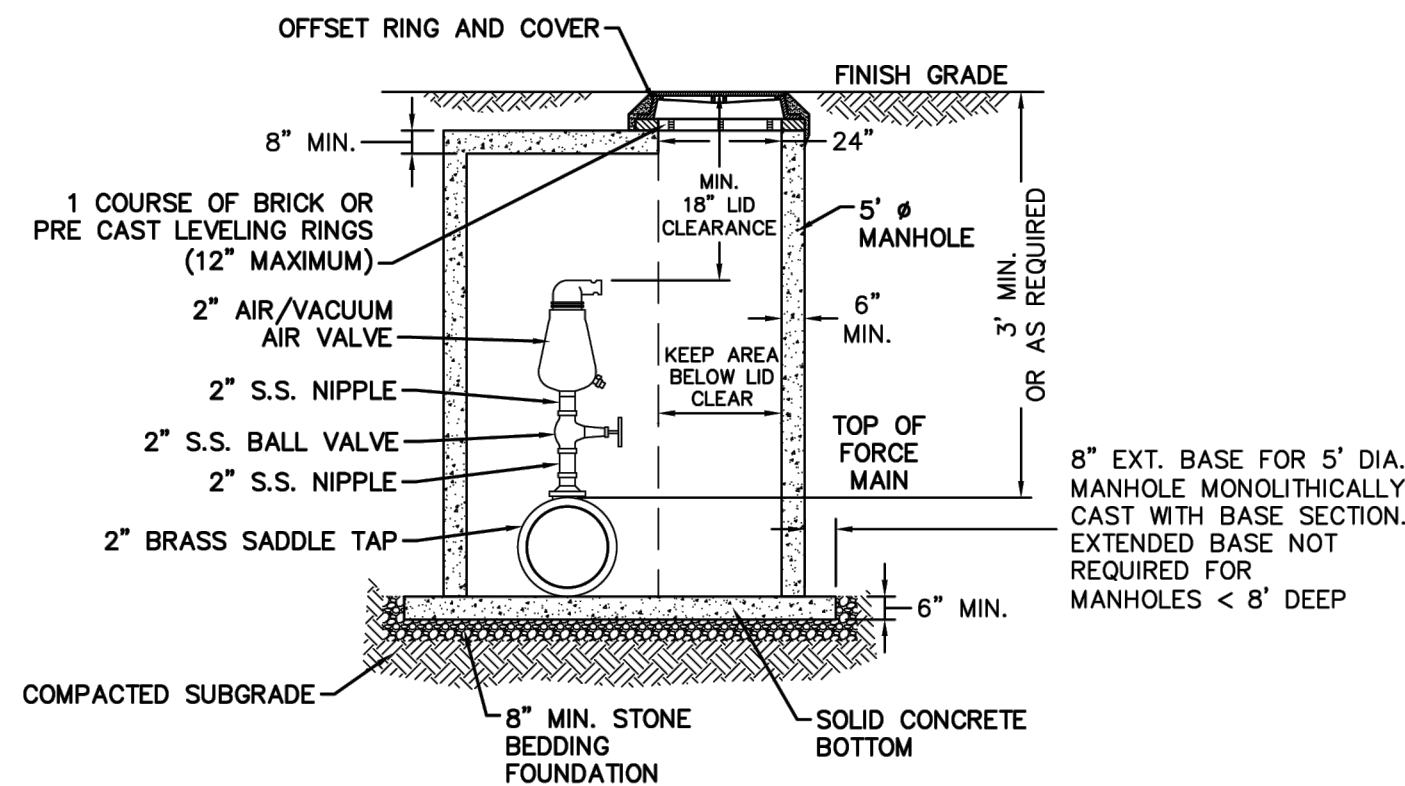
PRECAST CONCRETE OFFSET MANHOLE
TYPICAL
(LESS THAN 30" DROP)
NOT TO SCALE



MANHOLE FLOOR PLAN
NOT TO SCALE

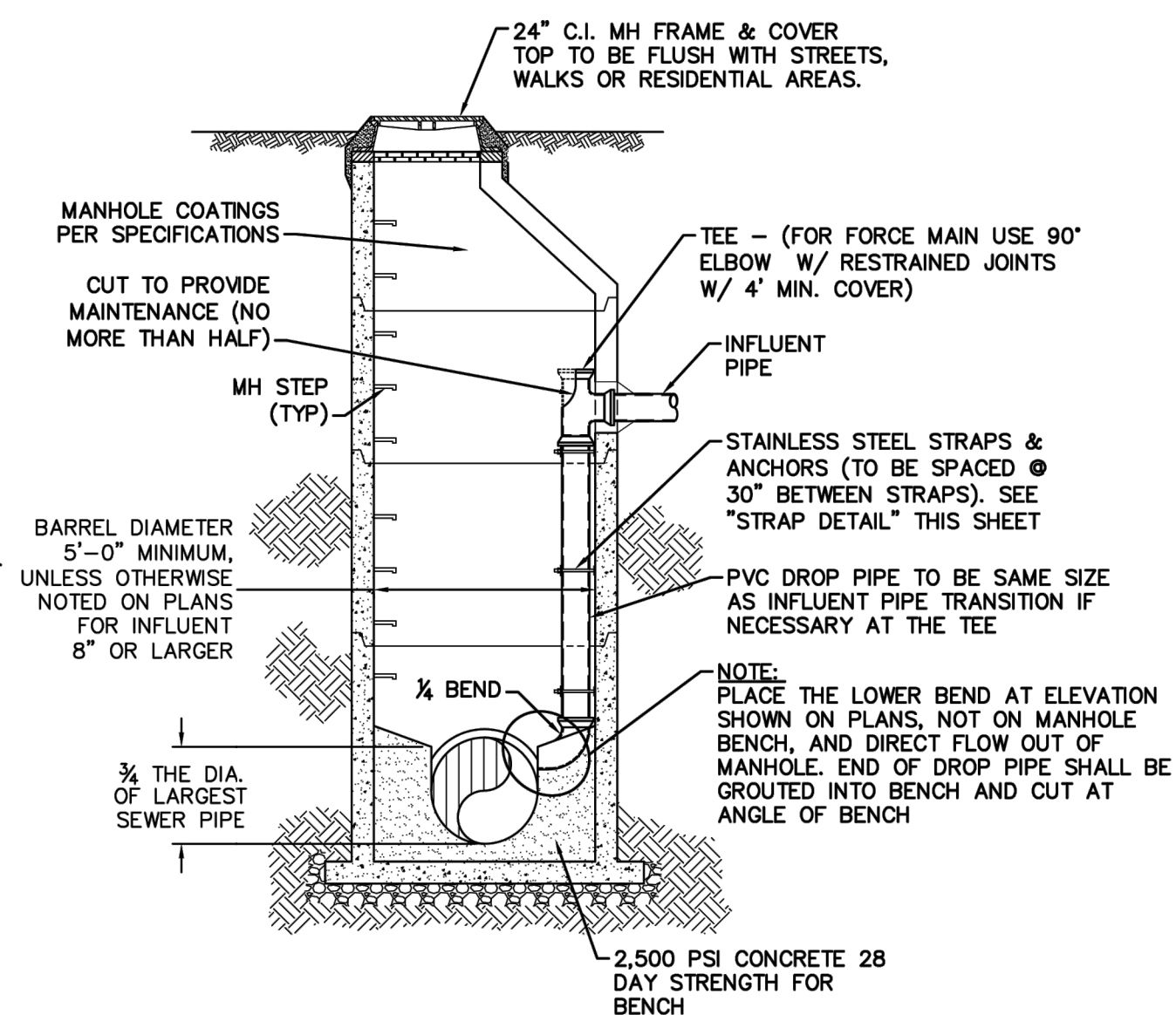


PRECAST CONCRETE FLAT TOP MANHOLE
TYPICAL
(LESS THAN 30" DROP)
NOT TO SCALE

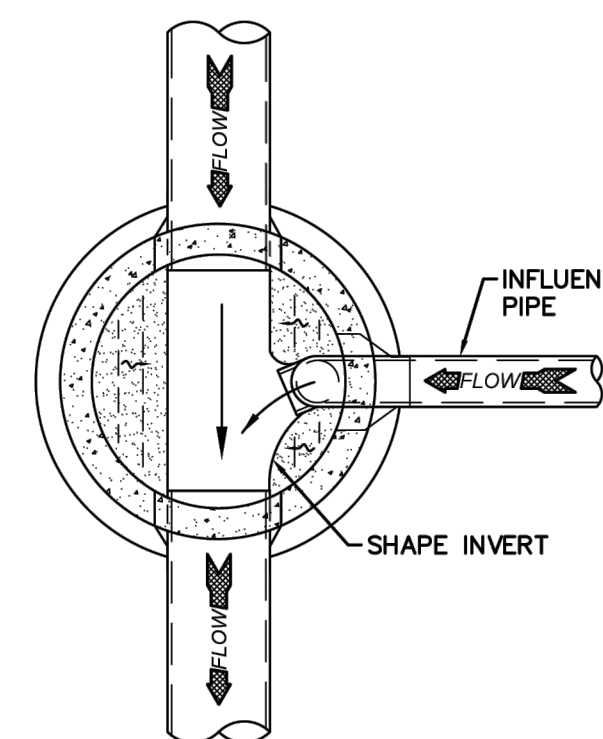


- NOTES:
1. CONTRACTOR TO INSTALL VALVE & MANHOLE AT SUFFICIENT DEPTH TO ALLOW FOR ACCESS.
2. FORCE MAIN TO BE OFFSET IN MANHOLE TO KEEP AREA BELOW LID CLEAR.
3. REFER TO SPECIFICATIONS FOR ADDITIONAL DETAILS.
4. USE CAST IN RUBBER BOOT WITH SST. CLAMPS FOR ALL MH CONNECTIONS, INCLUDING FORCE MAIN.

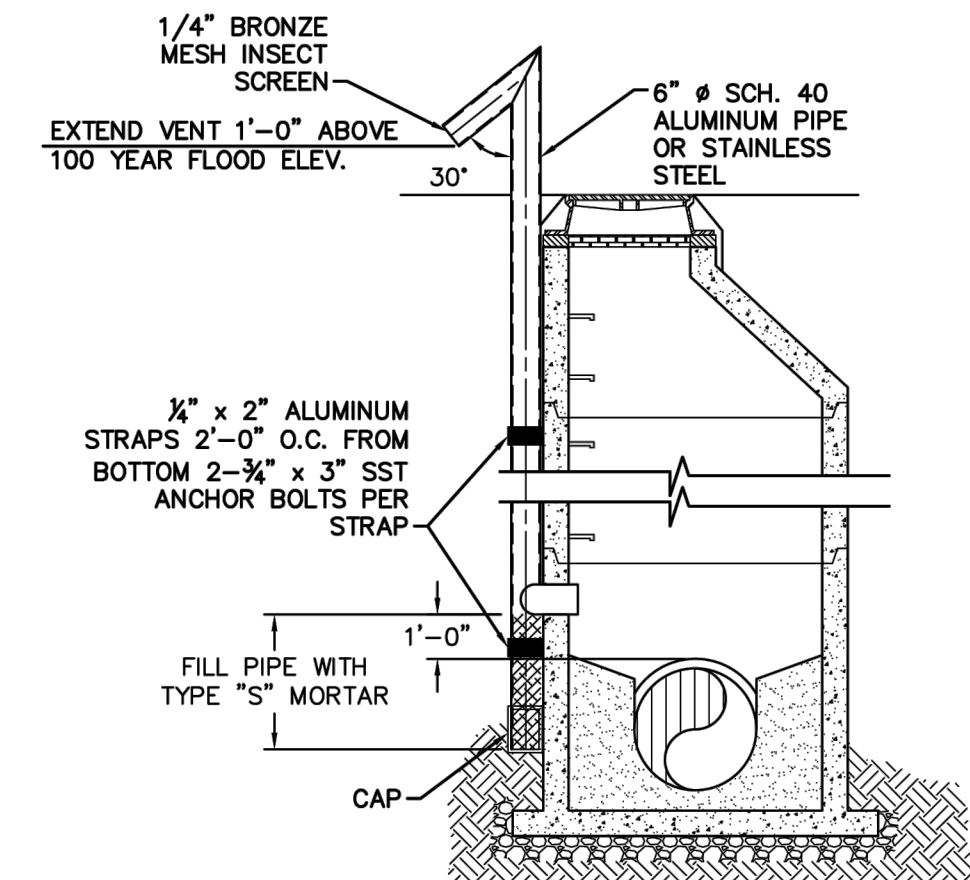
**AIR/ VACUUM AND AIR
RELEASE COMBINATION VALVE**
NOT TO SCALE



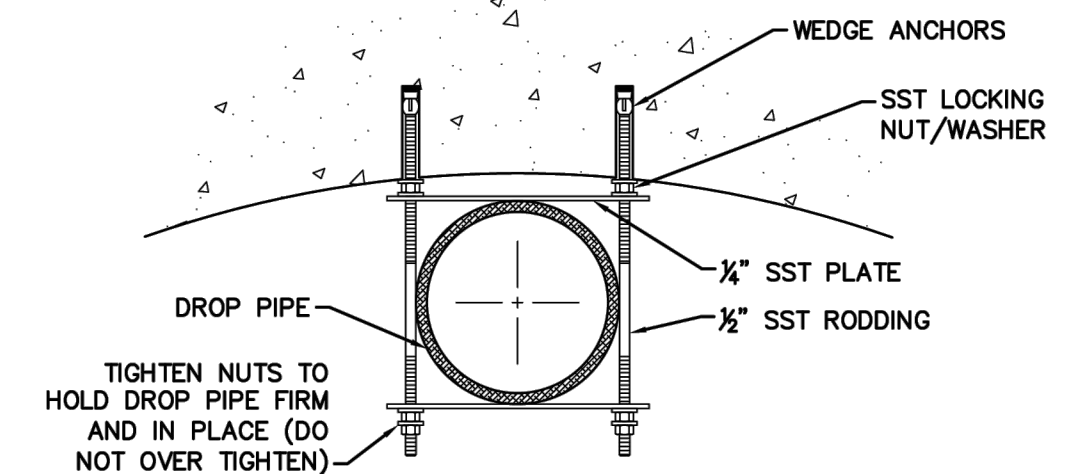
DROP MANHOLE
(MORE THAN 30" DROP)
NOT TO SCALE



DROP MANHOLE FLOOR PLAN
NOT TO SCALE



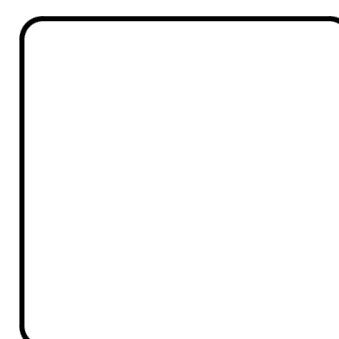
STANDARD VENT MANHOLE
NOT TO SCALE



NOTE: ALL PARTS TO BE STAINLESS STEEL (SST)

STRAP DETAIL
NOT TO SCALE

REV. NO	DESCRIPTION	DATE



TOWN OF BURGAW
STANDARD SANITARY SEWER DETAILS

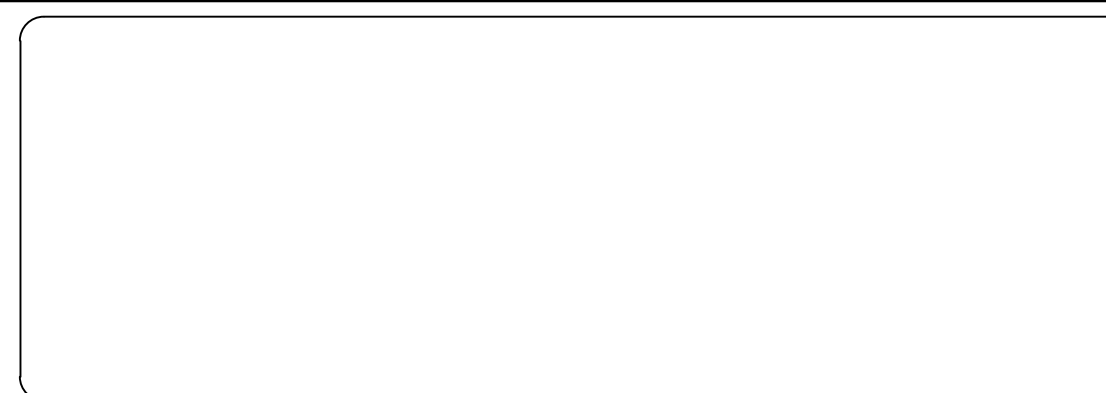
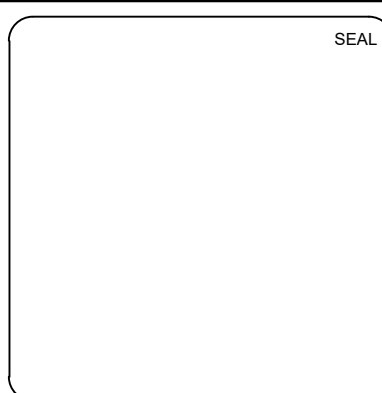
ISSUE DATE:
10/12/2021
HORIZONTAL SCALE:
NOT TO SCALE
VERTICAL SCALE:
NOT TO SCALE

DRAWING NUMBER
SS-1

1 UTILITY DETAILS

SCALE: N.T.S.

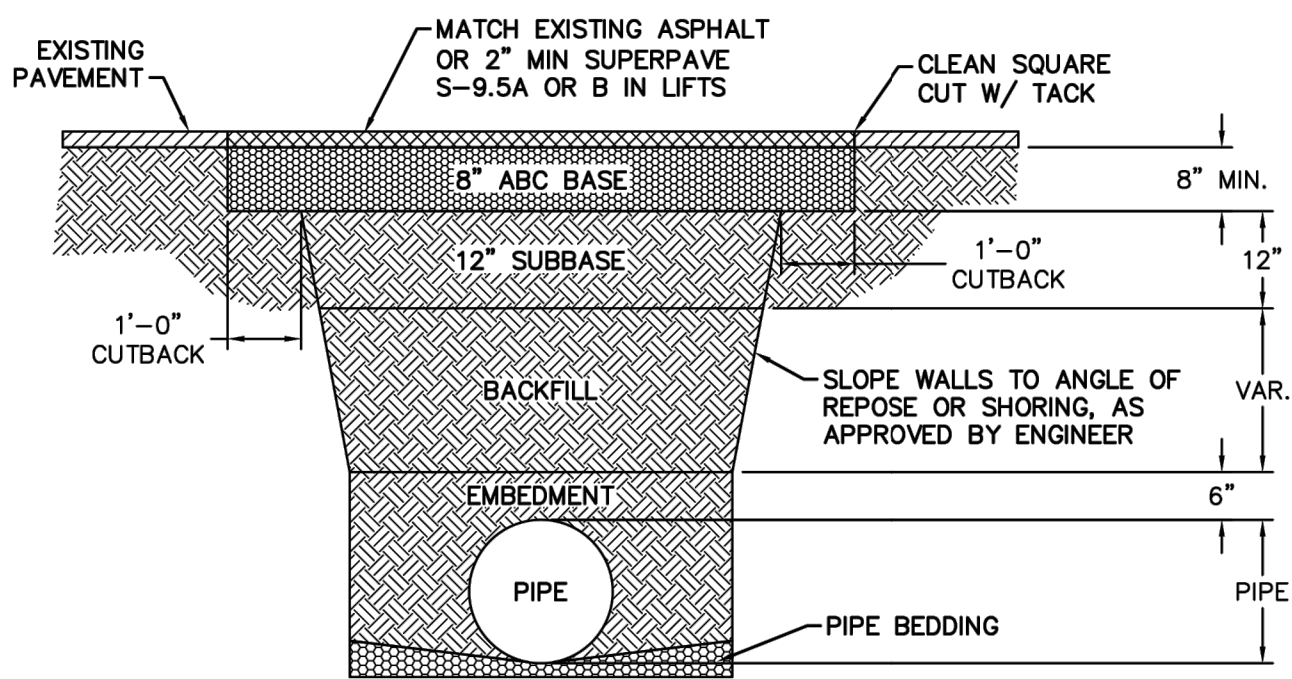
REV. NO.	DESCRIPTION/REVISIONS	DATE



MANLEY TRACT SUBDIVISION
UTILITY DETAILS

DATE: 08/19/2026
MCE PROJ. #: 07103-0063
DRAWN: GHS/TKD/RCH
DESIGNED: GHS/TKD/RCH
CHECKED: GHS
PROJ. MGR: TSM

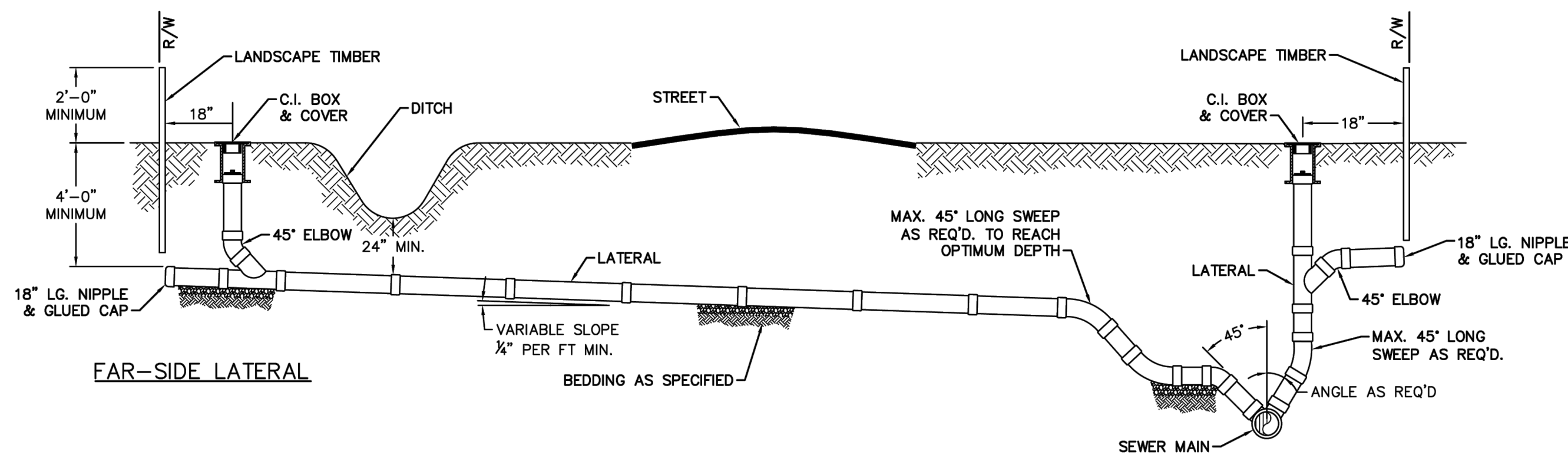
SCALE
HORIZONTAL: N/A
VERTICAL: N/A
C14.0
STATUS: TRC SUBMITTAL



- NOTES:
- BACKFILL SHALL BE SUITABLE MATERIAL THAT IS FREE FROM HEAVY CLAY, GUMBOS, DEBRIS, ORGANICS AND LITTLE TO NO EXCESSIVE MOISTURE.
 - SELECT BACKFILL MAY BE SUBSTITUTED OR REQUIRED BY TOWN TO ACHIEVE COMPACTION, (I.E. #57, ABC, CRUSHED LIMESTONE, CLEAN SAND, FLOWABLE FILL, ETC).
 - 8-INCH OF ABC BASE MATERIAL SHALL BE USED ON TOWN STREETS.
 - BACKFILL AND BASE MATERIALS SHALL BE COMPACTED 12" MINIMUM LIFTS
 - SOIL SHALL BE COMPACTED BY A MECHANIZED TAMPER (I.E. JUMPING JACK), HOWEVER, VIBRATORY ROLLERS > 18" WIDTH MAY BE USED FOR LARGER EXCAVATIONS. THE PLATE TAMP METHOD SHALL NOT BE USED.
 - ALL APPROVED CASTINGS SHALL BE SET FLUSH TO GRADE AND SUPPORTED IF APPLICABLE.
 - ABC BASE AND SUBBASE COMPACTION TO 98% AND BACKFILL AND EMBEDMENT COMPACTION TO 90% AS DETERMINED BY THE MODIFIED PROCTOR AASHTO METHOD T-99.
 - 1-FOOT CUTBACKS OF ASPHALT SHALL BE PREPARED ON UNDISTURBED SOIL. MINIMUM ASPHALT DENSITY IS 90%.

PAVEMENT REPAIR WHERE PIPE INSTALLED

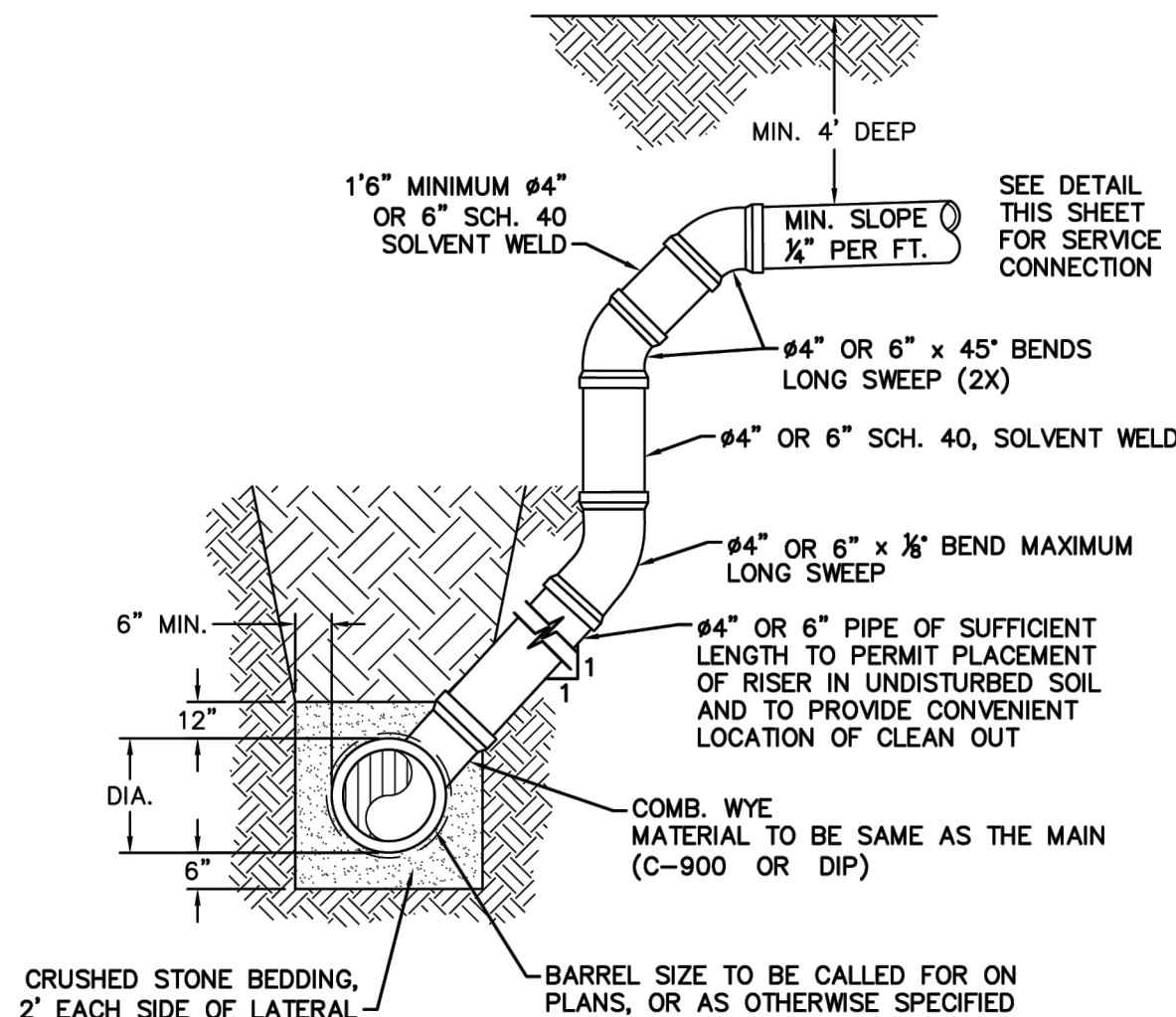
(FOR PRIVATE ROADS AND PAVED AREAS;
CONTRACTOR TO MEET MIN. REQUIREMENTS AS DEFINED BY
RIGHT-OF-WAY OWNER FOR PUBLIC ROAD REPAIRS)
NOT TO SCALE



NOTE: FOR PRIVATE 8" SERVICES, MANHOLES ARE REQUIRED FOR TIE-IN TO MAIN

STANDARD SERVICE CONNECTION TO SANITARY SEWER

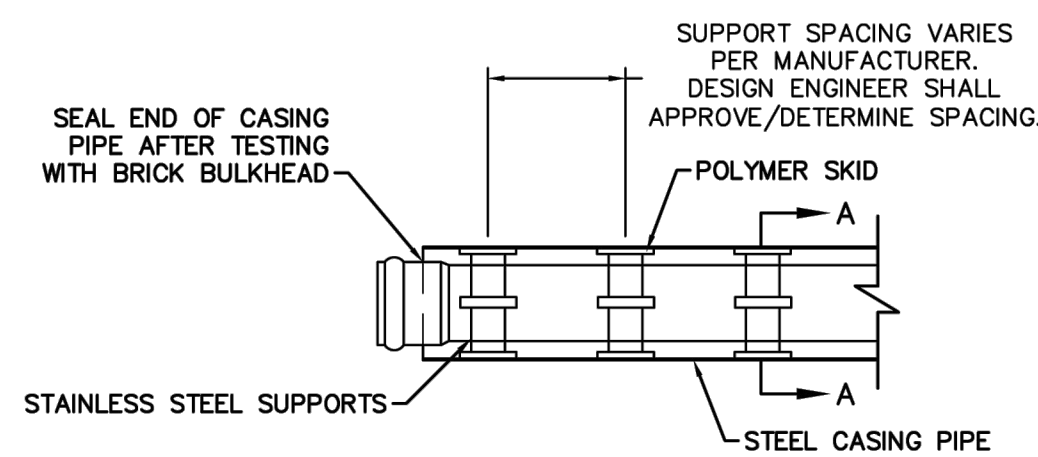
NOT TO SCALE



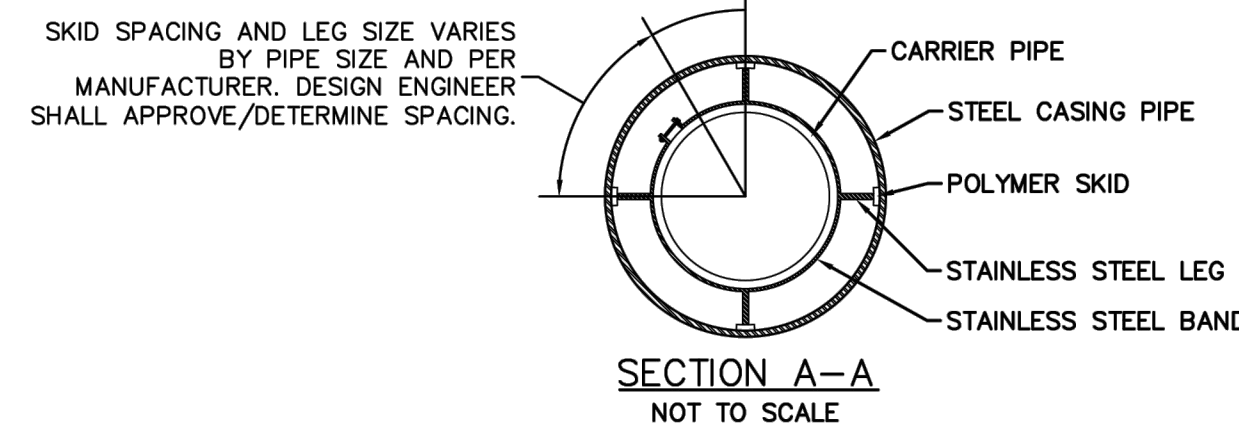
- NOTES:
- SPECIAL CARE SHALL BE TAKEN DURING BACKFILL OPERATIONS. THE RISER SHALL BE PLUMB AND TRUE AT ALL TIMES, AND REST ON FIRM, STABLE FOUNDATION.
 - FOR PRIVATE 8" SERVICES, MANHOLES ARE REQUIRED FOR TIE-IN TO MAIN.

DEEP SERVICE LATERAL

(MAIN DEPTH GREATER THAN 8FT)
NOT TO SCALE

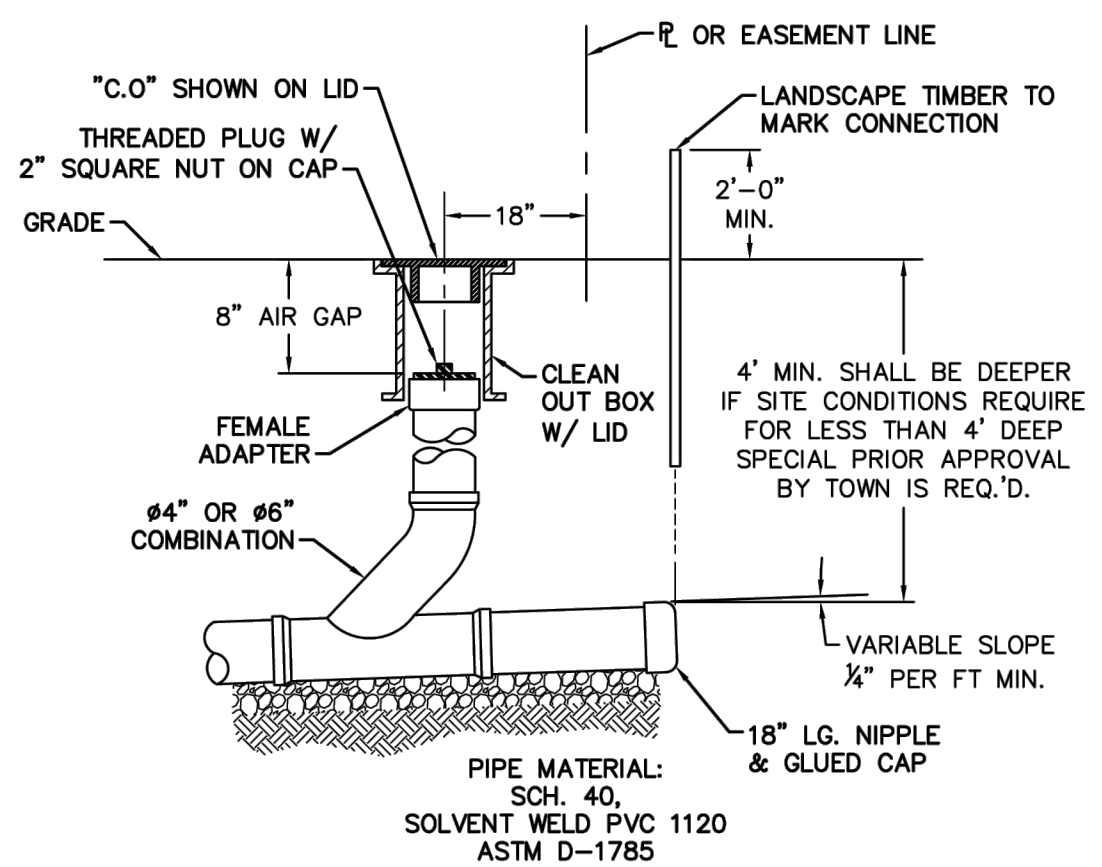


NOTE: PIPE SUPPORT TO BE PLACED TO PROVIDE PROPER SUPPORT, ALIGNMENT, AND GRADE AS SPECIFIED. CONTINUOUS SUPPORTS MAY BE USED AS ALTERNATIVE. OIL, GREASE, OR PETROLEUM PRODUCT MAY NOT BE USED AS LUBRICANT.



PIPE CASING SUPPORT DETAIL

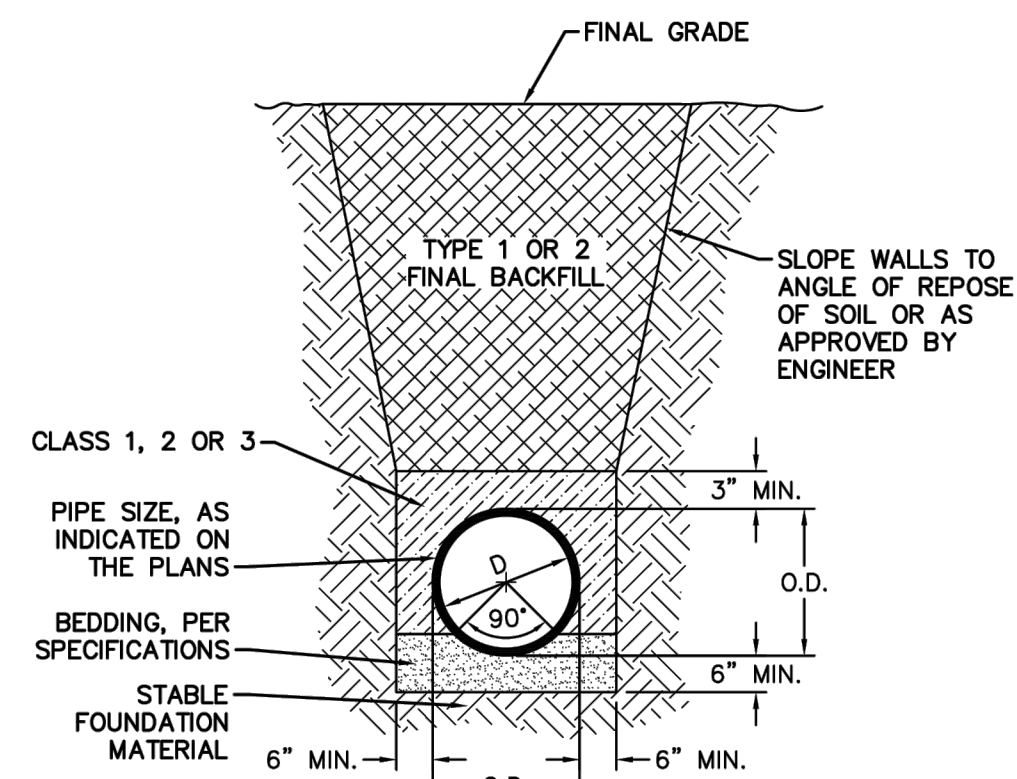
NOT TO SCALE



NOTE: FOR PRIVATE 8" SERVICES, MANHOLES ARE REQUIRED FOR TIE-IN TO MAIN

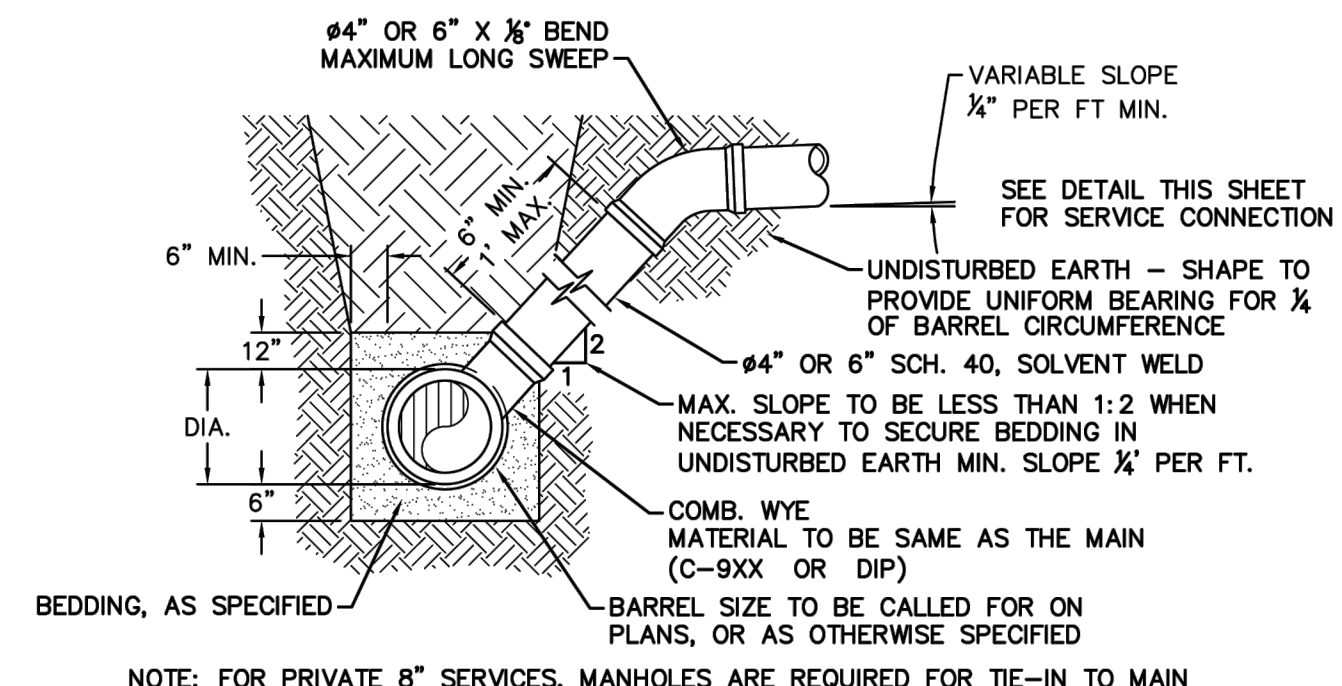
SERVICE CONNECTION & CLEAN-OUT

NOT TO SCALE



CL 50 DUCTILE IRON AND DR 18 PVC PIPE TRENCH DETAIL

NOT TO SCALE

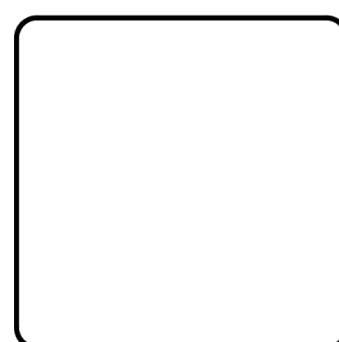


NOTE: FOR PRIVATE 8" SERVICES, MANHOLES ARE REQUIRED FOR TIE-IN TO MAIN

STANDARD SERVICE LATERAL

(MAIN DEPTH LESS THAN 8FT)
NOT TO SCALE

REV. NO	DESCRIPTION	DATE



TOWN OF BURGAW

STANDARD SANITARY SEWER DETAILS

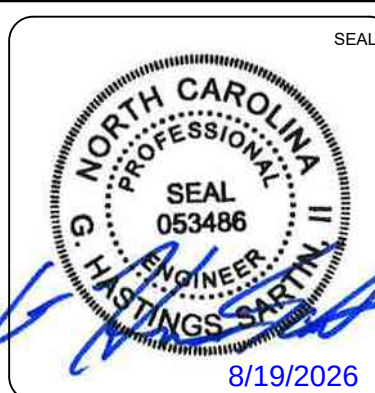
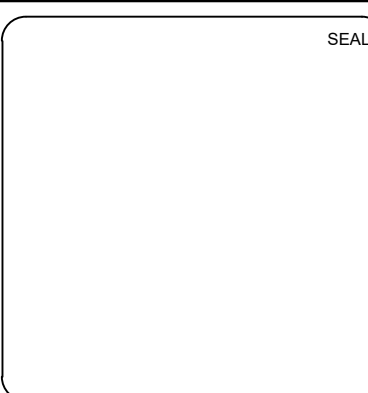
ISSUE DATE:
10/12/2021
HORIZONTAL SCALE:
NOT TO SCALE
VERTICAL SCALE:
NOT TO SCALE

DRAWING NUMBER
SS-2

1 UTILITY DETAILS

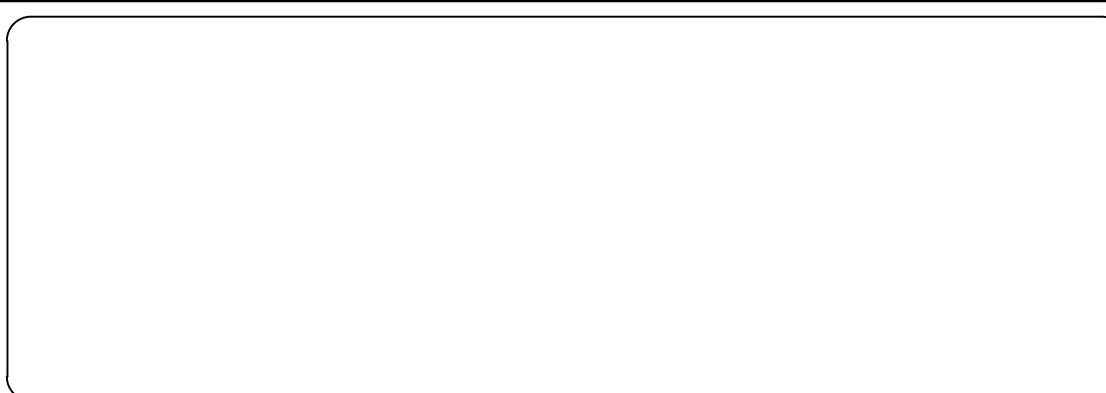
SCALE: N.T.S.

REV. NO	DESCRIPTION	DATE



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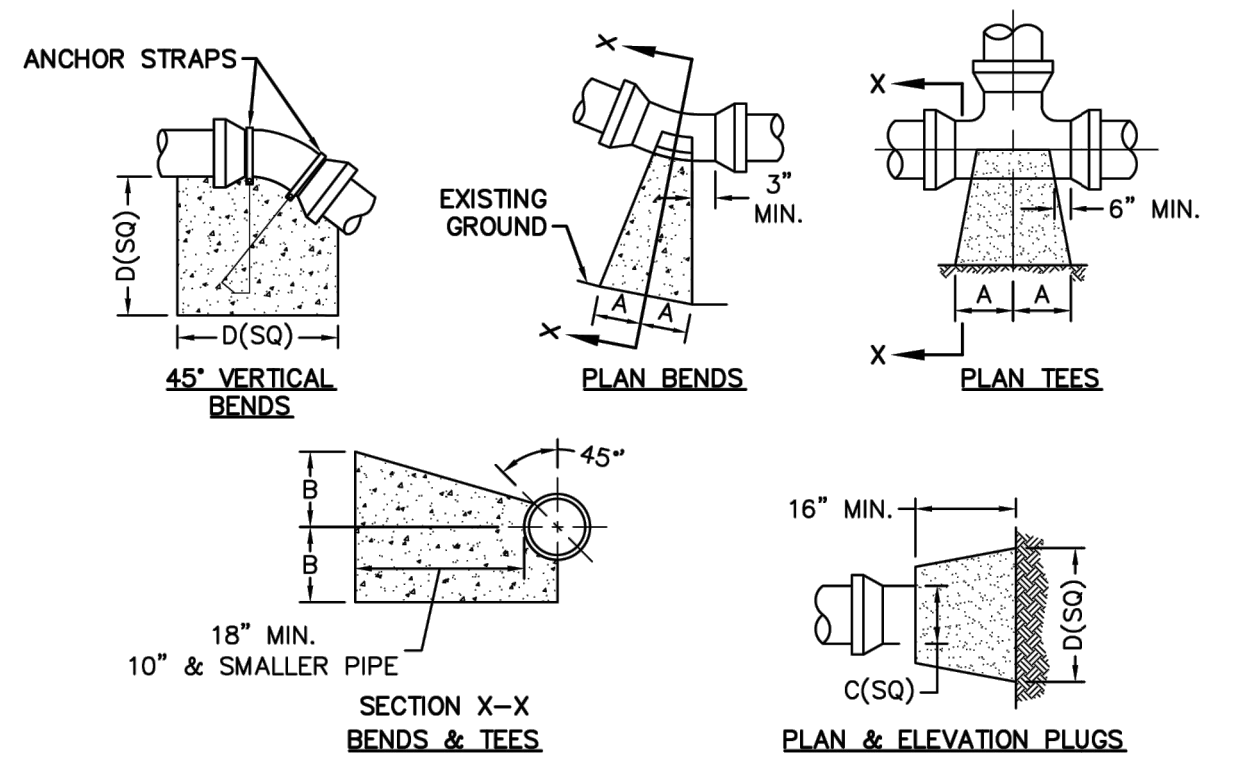
MANLEY TRACT SUBDIVISION

UTILITY DETAILS

DATE: 08/19/2026
MCE PROJ. # 07103-0063
DRAWN: GHS/TKD/RCH
DESIGNED: GHS/TKD/RCH
CHECKED: GHS
PROJ. MGR: TSM

SCALE
HORIZONTAL: N/A
VERTICAL: N/A
C14.1
DRAWING NUMBER
REVISION

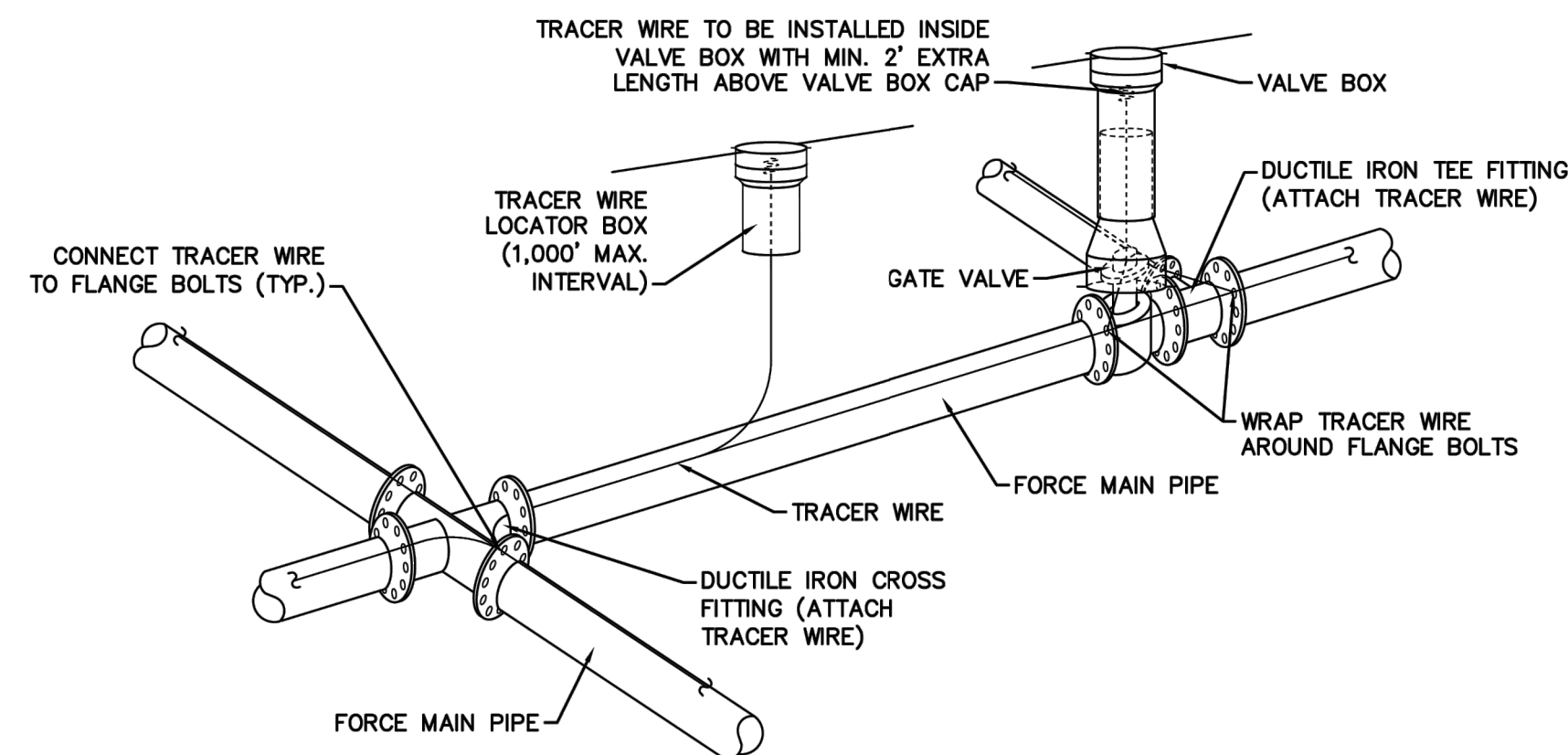
STATUS: TRC SUBMITTAL



SIZE	90° BENDS		45° BENDS		22 1/2° BENDS		TEES/PLUGS		45° VERT. BENDS
	A	B	A	B	A	B	A	B	
3"	8"	6"	5"	6"	3"	7"	6"	8"	27"
4"	8"	9"	5"	8"	3"	11"	6"	9"	28"
6"	14"	11"	9"	9"	8"	8"	12"	9"	36"
8"	16"	16"	12"	12"	10"	13"	14"	13"	42"
10"	18"	22"	15"	14"	14"	16"	18"	15"	50"
12"	20"	28"	18"	17"	16"	16"	22"	18"	62"
14"	26"	29"	21"	19"	18"	18"	26"	20"	72"
16"	33"	29"	25"	21"	20"	21"	32"	21"	85"
18"	40"	30"	28"	24"	22"	23"	36"	24"	98"

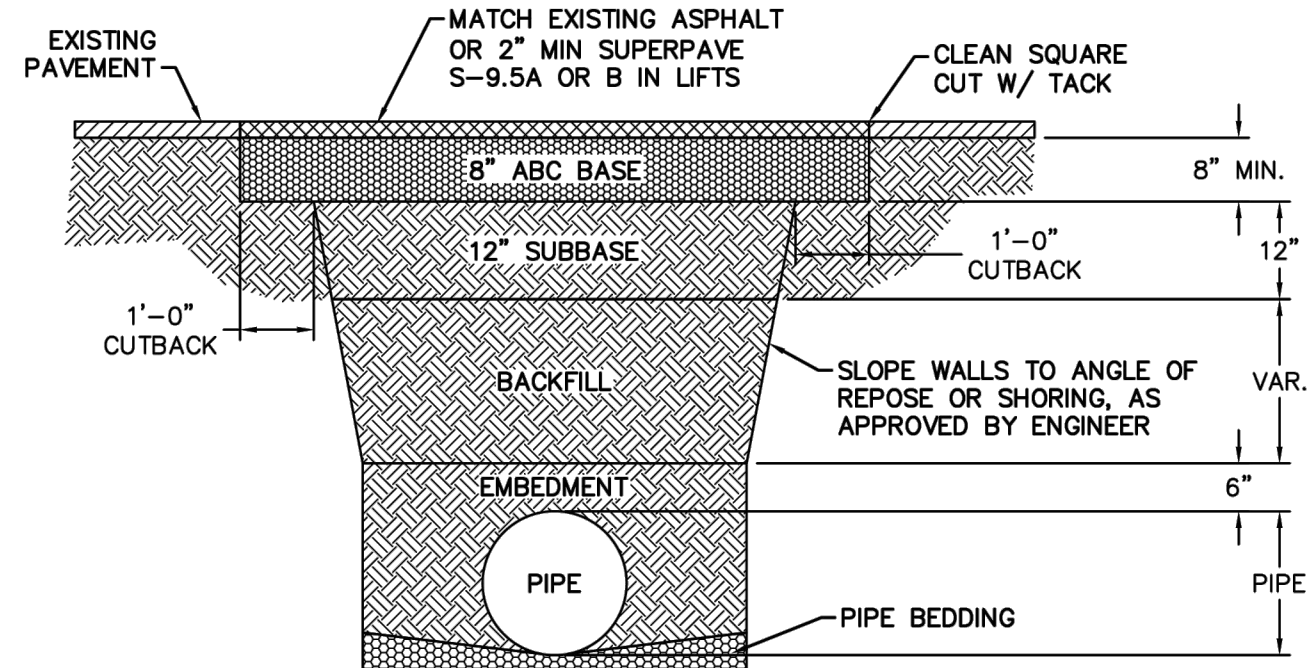
- NOTES:
- BASED ON 160 PSI TEST PRESSURE AND 2000 PSF SOIL BEARING CAPACITY.
 - ALL BEARING SURFACES TO BE CARRIED TO UNDISTURBED GROUND.
 - USE MEG-A-LUG (PREFERRED) IN LIEU OF BLOCKING AND RODDING.

THRUST BLOCK DETAIL
NOT TO SCALE



- NOTES:
- TRACER WIRE SHALL BE #10 COPPER SOLID CORE COPPER WIRE WITH GAS AND OIL RESISTANT INSULATION.
 - WIRE SHALL BE STRAPPED TO ALL PVC FORCE MAIN PIPING WITH DUCT TAPE AT 12'-FT. INTERVALS.
 - SECURE WIRE TO ALL TEE AND CROSS FITTINGS.
 - ALL WIRE SPLICES SHALL HAVE WATER PROOF WIRE CONNECTIONS.

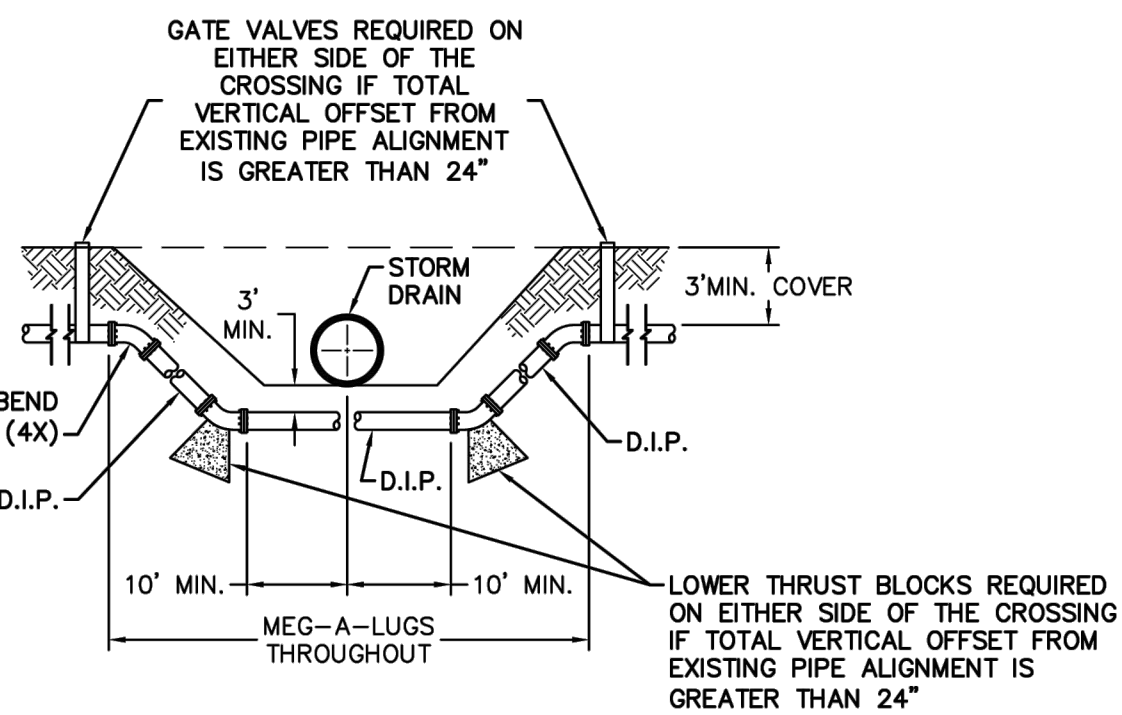
TRACER WIRE DETAIL
NOT TO SCALE



- NOTES:
- BACKFILL SHALL BE SUITABLE MATERIAL THAT IS FREE FROM HEAVY CLAY, GUMBOS, DEBRIS, ORGANICS AND LITTLE TO NO EXCESSIVE MOISTURE.
 - SELECT BACKFILL MAY BE SUBSTITUTED OR REQUIRED BY CITY TO ACHIEVE COMPACTION, (I.E. #57, ABC, CRUSHED LIMESTONE, CLEAN SAND, FLOWABLE FILL, ETC).
 - 8-INCH OF ABC BASE MATERIAL SHALL BE USED ON CITY STREETS.
 - BACKFILL AND BASE MATERIALS SHALL BE COMPACTED 12" MINIMUM LIFTS.
 - SOIL SHALL BE COMPACTED BY A MECHANIZED TAMPER (I.E. JUMPING JACK), HOWEVER, VIBRATORY ROLLERS > 18" WIDTH MAY BE USED FOR LARGER EXCAVATIONS. THE PLATE TAMP METHOD SHALL NOT BE USED.
 - ALL APPROVED CASTINGS SHALL BE SET FLUSH TO GRADE AND SUPPORTED IF APPLICABLE.
 - ABC BASE AND SUBBASE COMPACTED TO 98% AND BACKFILL AND EMBEDMENT COMPACTED TO 90% AS DETERMINED BY THE MODIFIED PROCTOR AASHTO METHOD T-99.
 - 1-FOOT CUTBACKS OF ASPHALT SHALL BE PREPARED ON UNDISTURBED SOIL. MINIMUM ASPHALT DENSITY IS 90%.

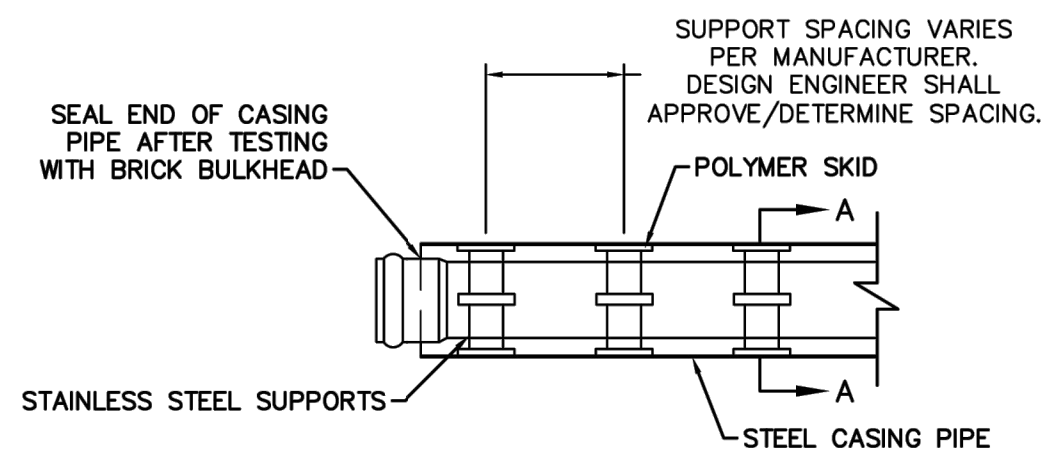
PAVEMENT REPAIR WHERE PIPE
INSTALLED

(FOR PRIVATE ROADS AND PAVED AREAS;
CONTRACTOR TO MEET MIN. REQUIREMENTS AS DEFINED BY
RIGHT-OF-WAY OWNER FOR PUBLIC ROAD REPAIRS)
NOT TO SCALE

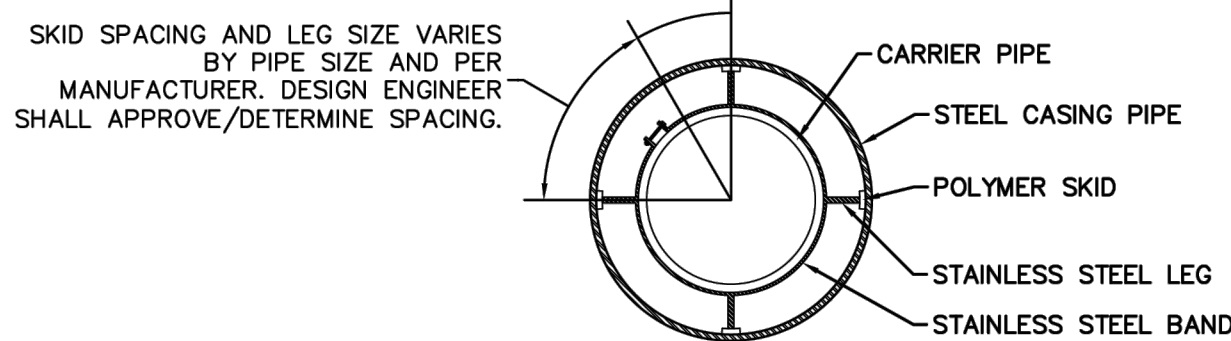


NOTE: USE D.I.P. (CL50 OR BETTER)

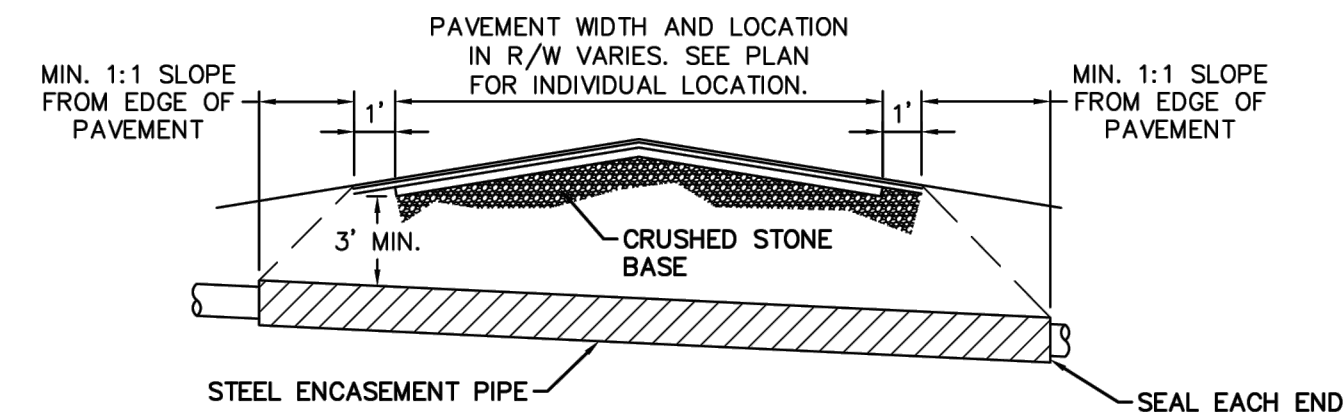
WATER MAIN DITCH
AND STORM DRAIN CROSSING
NOT TO SCALE



NOTE: PIPE SUPPORT TO BE PLACED TO PROVIDE PROPER SUPPORT, ALIGNMENT, AND GRADE AS SPECIFIED. CONTINUOUS SUPPORTS MAY BE USED AS ALTERNATIVE. OIL, GREASE, OR PETROLEUM PRODUCT MAY NOT BE USED AS LUBRICANT.

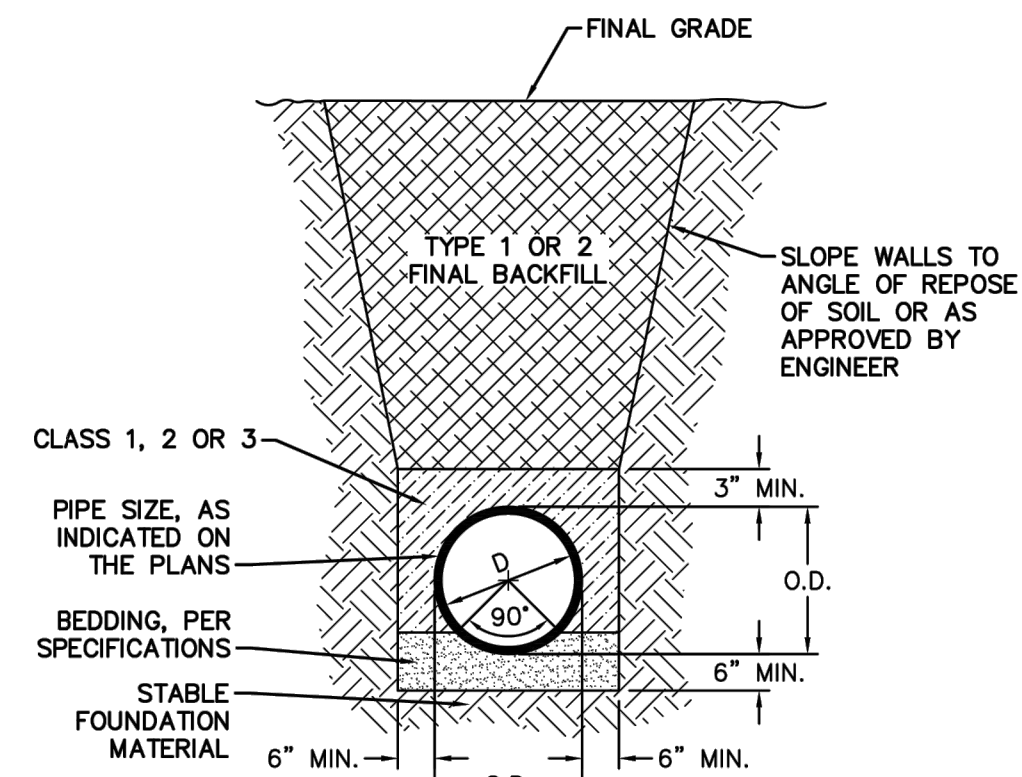


PIPE CASING SUPPORT DETAIL
NOT TO SCALE

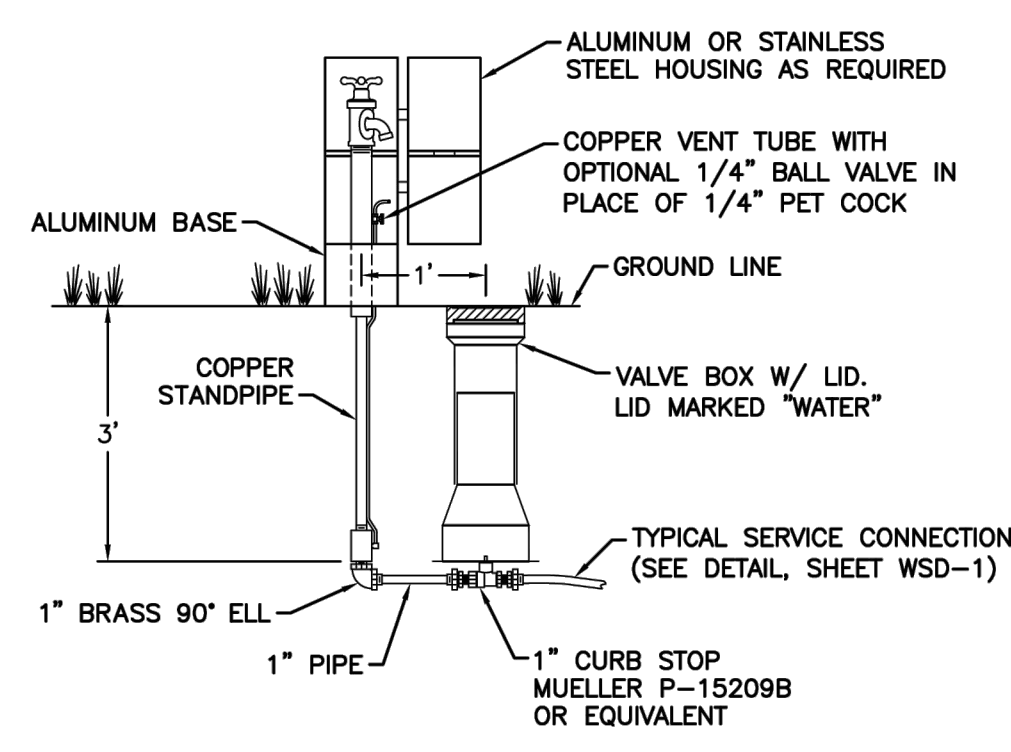


- NOTES:
- CASING WILL BE INSTALLED AT LINE AND GRADE SHOWN ON INDIVIDUAL PROFILE FOR EACH CROSSING. BORING/JACKING TO LINE AND GRADE IS REQUIRED.
 - TRACER WIRE SHALL BE CONTINUED THROUGH CASING.

TYPICAL BORING/JACKING DETAIL
NOT TO SCALE

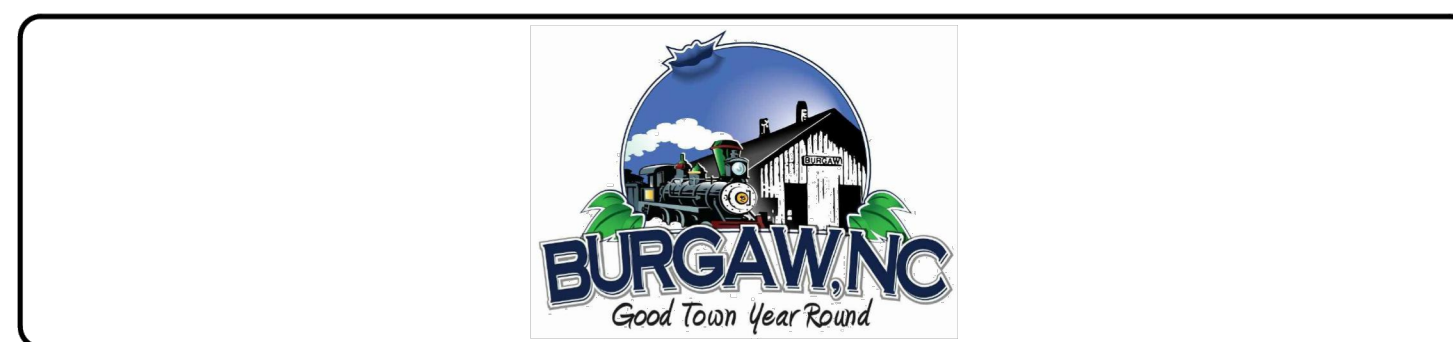
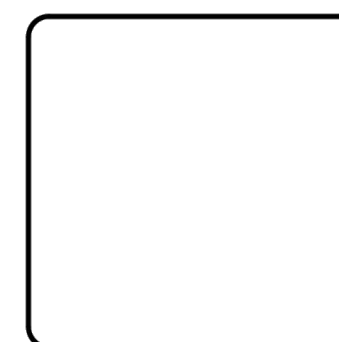


CL 50 DUCTILE IRON
DR 18 PVC PIPE TRENCH DETAIL
NOT TO SCALE



SAMPLING STATION
NOT TO SCALE

REV. NO	DESCRIPTION	DATE



TOWN OF BURGAW
STANDARD WATER DISTRIBUTION DETAILS

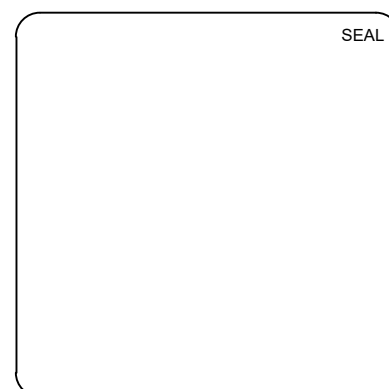
ISSUE DATE:
10/12/2021
HORIZONTAL SCALE:
NOT TO SCALE
VERTICAL SCALE:
NOT TO SCALE

DRAWING NUMBER
WA-2

1 UTILITY DETAILS

SCALE: N.T.S.

REV. NO	DESCRIPTION	DATE



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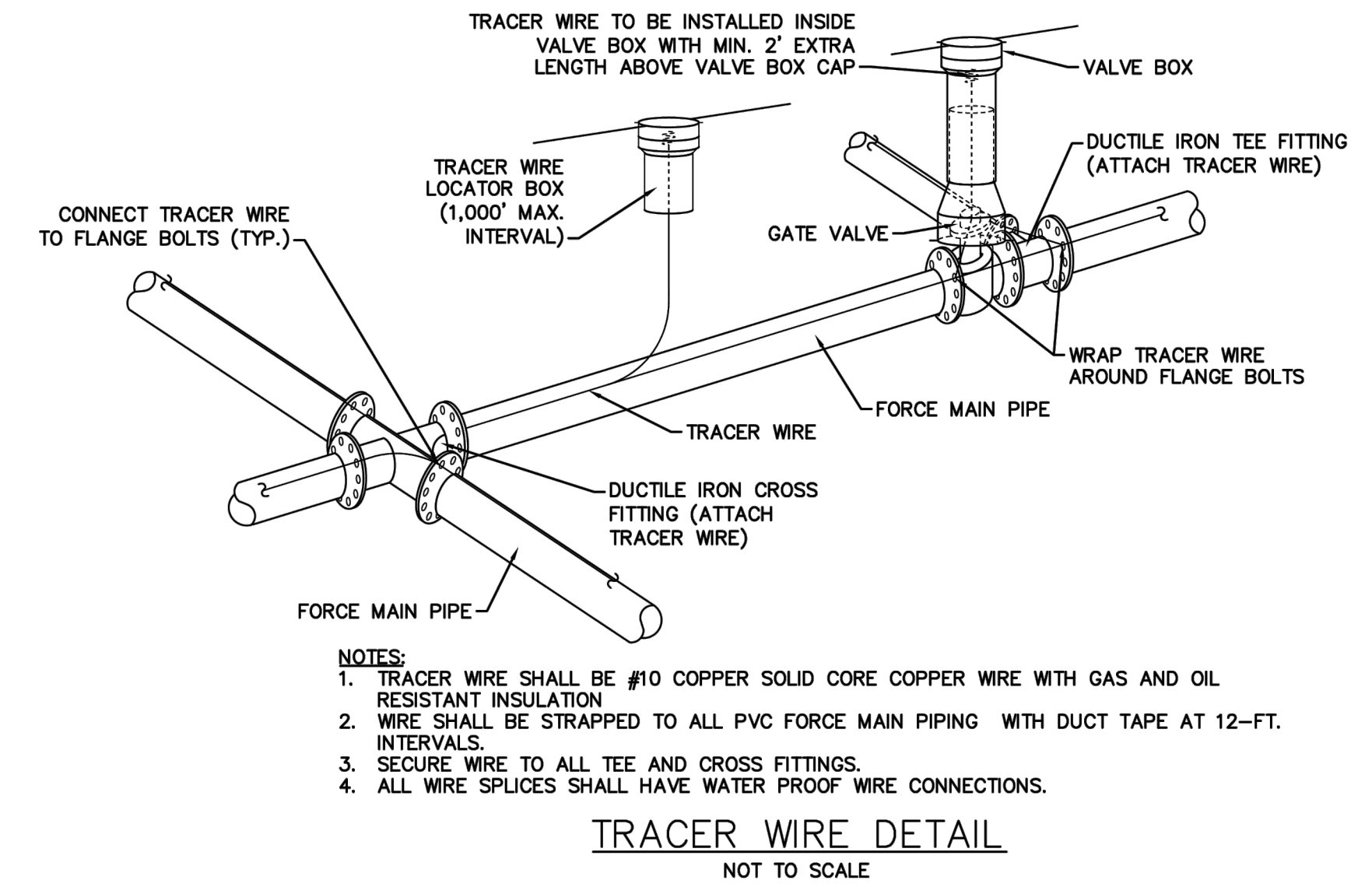
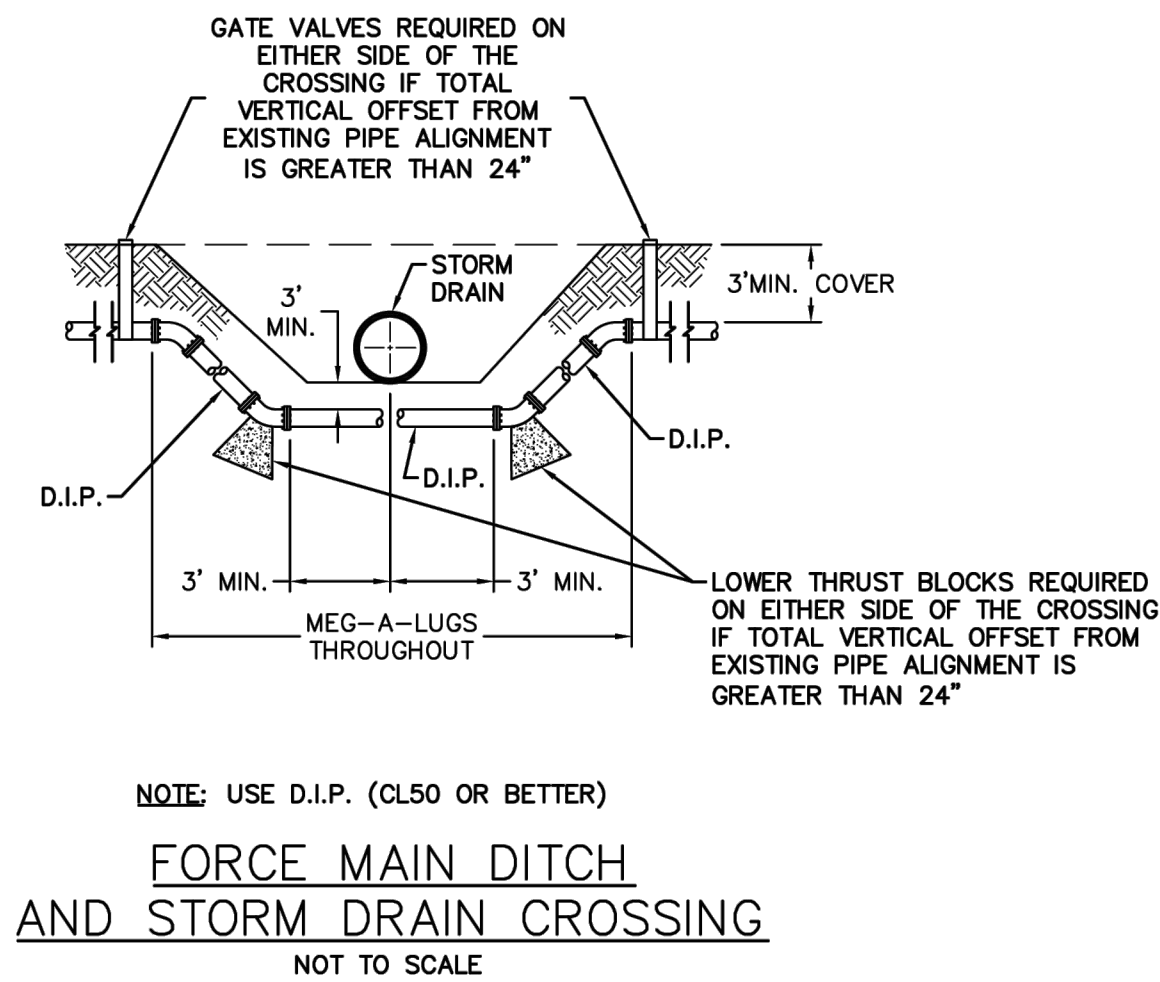
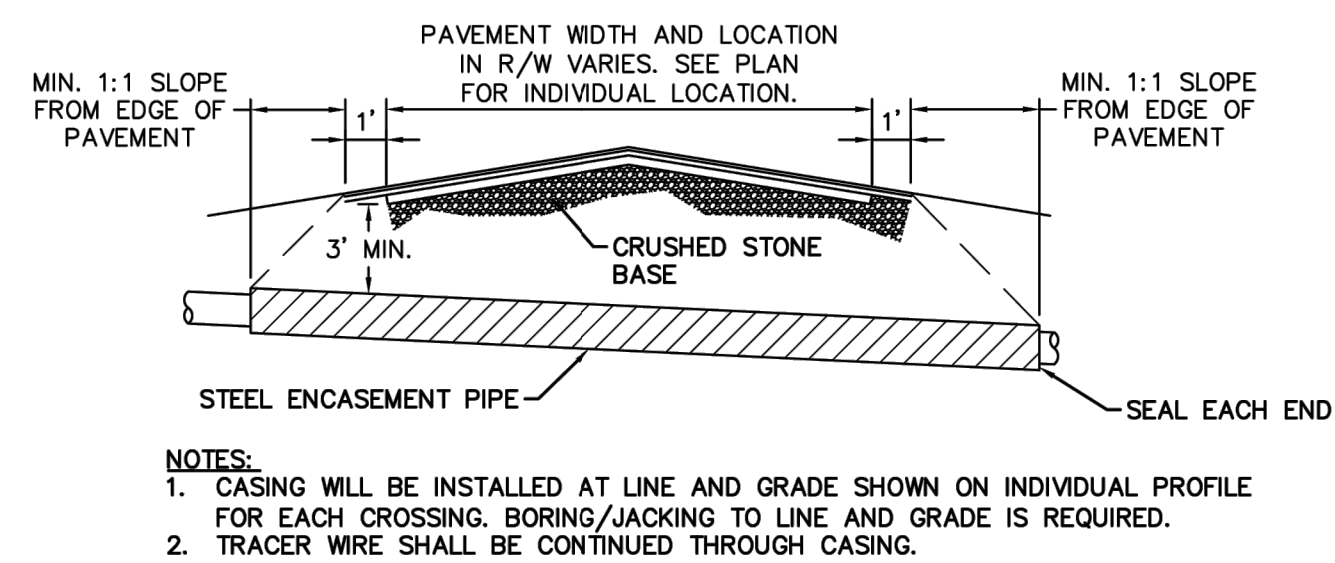
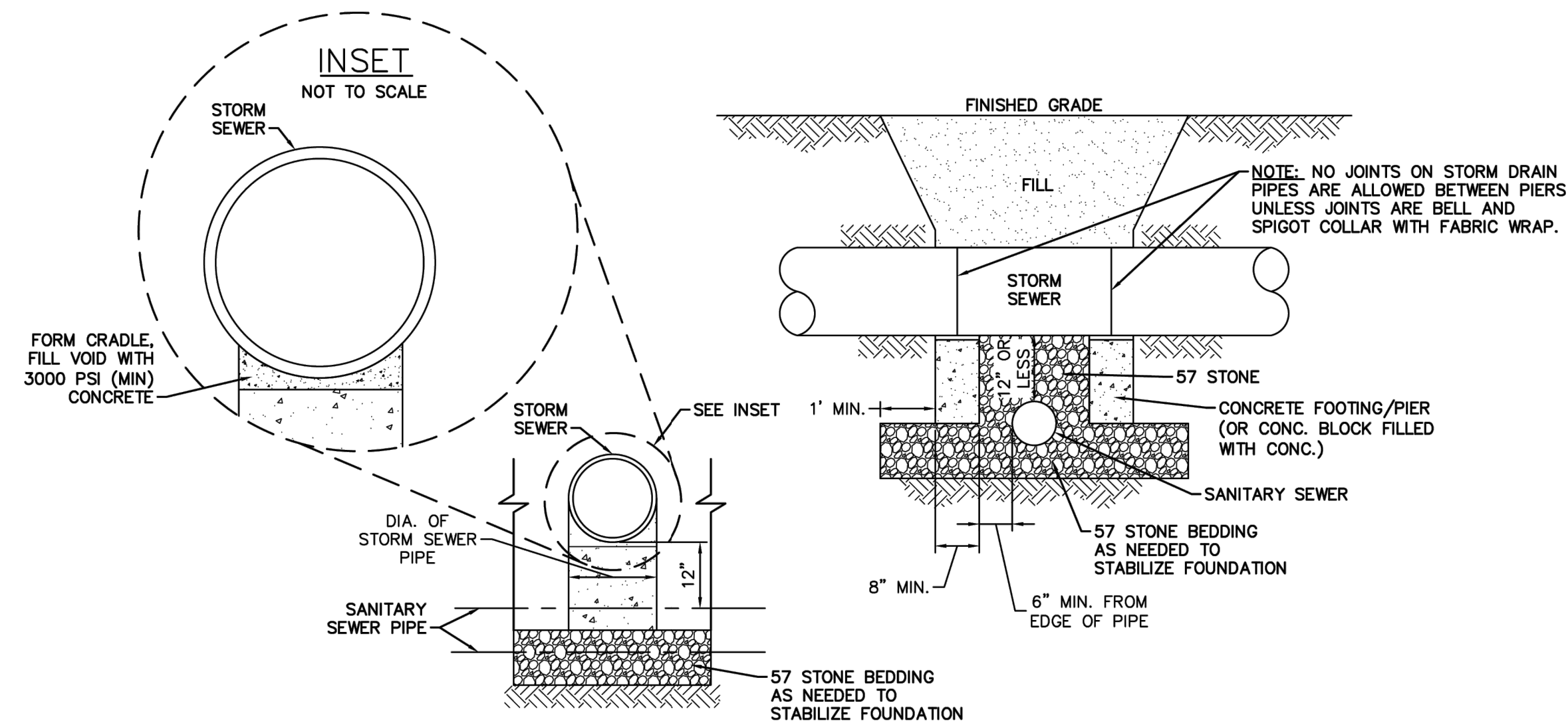


MANLEY TRACT SUBDIVISION
UTILITY DETAILS

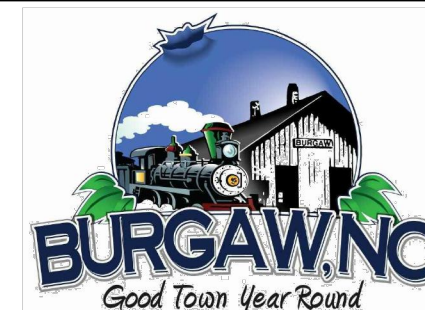
DATE: 08/19/2026
MCE PROJ. #: 07103-0063
DRAWN: GHS/TKD/RCH
DESIGNED: GHS/TKD/RCH
CHECKED: GHS
PROJ. MGR: TSM

SCALE
HORIZONTAL: N/A
VERTICAL: N/A
C14.2
DRAWING NUMBER
REVISION

STATUS: TRC SUBMITTAL



- GENERAL NOTES:**
1. NO EXCAVATED MATERIAL SHALL BE PLACED IN ANY STREAM, DITCH OR DRAINAGE-WAY.
 2. THE CONTRACTOR IS RESPONSIBLE FOR LOCATING ALL UNDERGROUND UTILITIES BEFORE ANY CONSTRUCTION BEGINS.
 3. THE CONTRACTOR IS RESPONSIBLE FOR TEMPORARY SEDIMENT AND EROSION CONTROL MEASURES WHILE CONSTRUCTION IS IN PROGRESS.
 4. THE CONTRACTOR IS RESPONSIBLE FOR STABILIZATION OF ALL DISTURBED AREAS.
 5. THE CONTRACTOR IS RESPONSIBLE FOR LAY DOWN AND STOCKPILE AREAS (TO ARRANGE AND ENSURE COMPLIANCE WITH ALL LOCAL AND STATE REGULATIONS).

[illegible]

TOWN OF BURGAW

STANDARD SANITARY SEWER DETAILS

ISSUE DATE:
10/12/2021

HORIZONTAL SCALE:
NOT TO SCALE

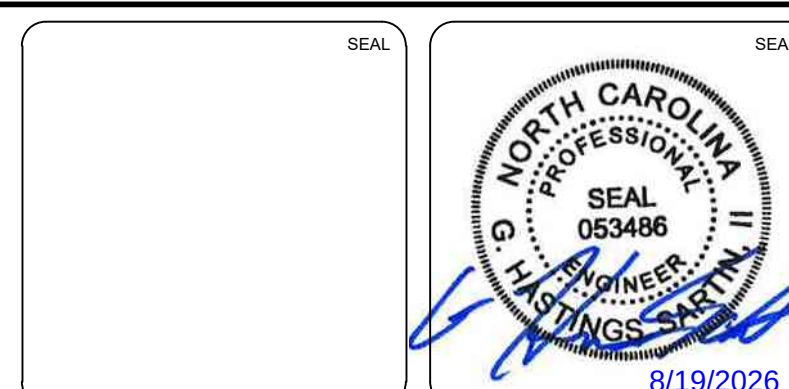
VERTICAL SCALE:
NOT TO SCALE

DRAWING NUMBER

SS-3

1	UTILITY DETAILS
---	-----------------

SCALE: N.T.S.

[illegible]

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MANLEY TRACT SUBDIVISION

UTILITY DETAILS

DATE:	08/19/2026
MCE PROJ. #	07103-0063
DRAWN	GHS/TKD/RCH
DESIGNED	GHS/TKD/RCH
CHECKED	GHS
PROJ. MGR.	TSM

STATUS: **TRC SUBMITTAL**

SCALE HORIZONTAL: N/A VERTICAL: N/A	C14.4 DRAWING NUMBER ----
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QTY	BOTANICAL / COMMON NAME	CONTAINER	SIZE	HEIGHT	SPACING	REMARKS
<u>TREES</u>						
3	CARYA ILLINOINENSIS PECAN	B&B	2" CAL. MIN.	10' HT. MIN.	AS SHOWN	SINGLE DOMINANT LEADER. UNIFORM CANOPY.
12	ILEX X 'NELLIE R STEVENS' NELLIE STEVENS HOLLY	B & B	2" CAL. MIN.	8' HT. MIN.	AS SHOWN	MATCHED UNIFORM CANOPY, FULL TO GROUND & MATCHED
11	QUERCUS VIRGINIANA SOUTHERN LIVE OAK	B & B	2" CAL. MIN.	10' HT. MIN.	AS SHOWN	SINGLE DOMINANT LEADER, UNIFORM CANOPY & MATCHED
<u>UNDERSTORY TREES</u>						
12	CHIONANTHUS VIRGINICUS WHITE FRINGETREE	B & B	1.5" CAL	8' HT. MIN.	AS SHOWN	SINGLE DOMINANT LEADER UNIFORM CANOPY & MATCHED
QTY	BOTANICAL / COMMON NAME	SIZE	SPACING		SPACING	REMARKS
<u>GROUND COVERS</u>						
734,055 SF	CYNODON DACTYLON BERMUDA GRASS	SEED	3 LBS / 1000 SF			MATCHED

NTS

QTY	BOTANICAL NAME	COMMON NAME	CONTAINER	SIZE	HEIGHT
TREES					
4	ILEX X 'NELLIE R STEVENS' UNIFORM CANOPY, FULL TO GROUND & MATCHED	NELLIE STEVENS HOLLY	B & B	2" CAL.	8-10' HT. MIN.
2	PINUS TAEDA	LOBLOLLY PINE	15 GAL.		6'-8'

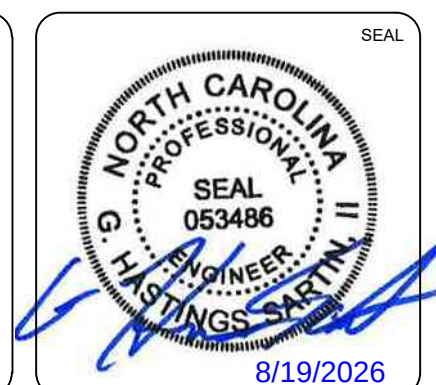
NTS

QTY	BOTANICAL NAME	COMMON NAME	CONTAINER	SIZE	HEIGHT	SPACING
TREES						
3	CARYA ILLINOINENSIS	PECAN	15 GAL.		4-5' HT.	
4	ILEX X 'NELLIE R STEVENS' UNIFORM CANOPY, FULL TO GROUND & MATCHED	NELLIE STEVENS HOLLY	B & B	2" CAL.	6'-8'	
SHRUBS						
10	MUHLENBERGIA CAPILLARIS UNIFORM HEAD & MATCHED	PINK MUHLY GRASS	3 GAL.		18"-24" HT.	
10	MYRICA CERIFERA UNIFORM HEAD & MATCHED	WAX MYRTLE	7 GAL.		24" MIN. HT.	
4	SABAL MINOR UNIFORM HEAD AND MATCHED	DWARF PALMETTO	7 GAL.		18"-24" HT.	18"-24" SPD. 7' O.C.

NTS

[illegible]

SEAL



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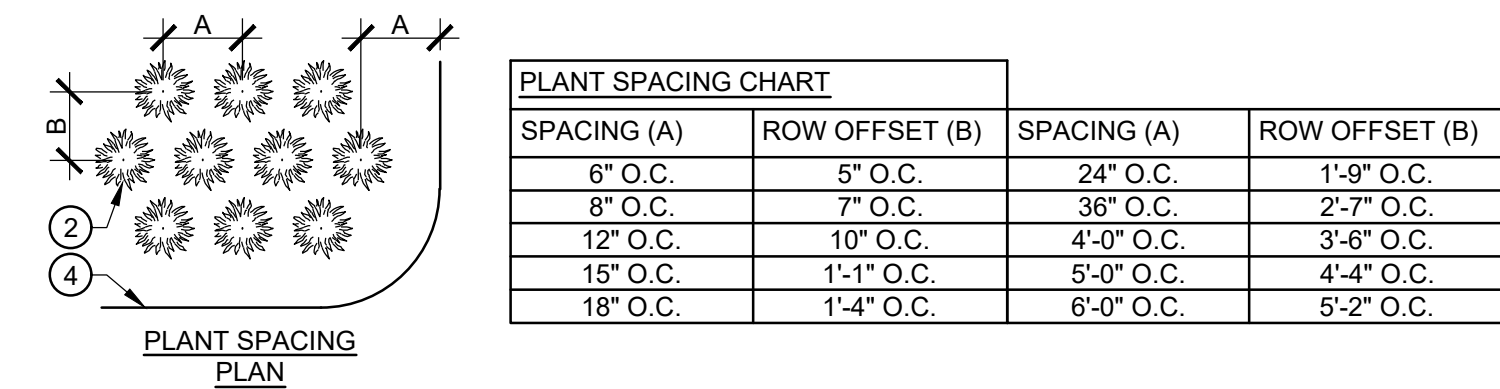
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www.mckimcreed.com

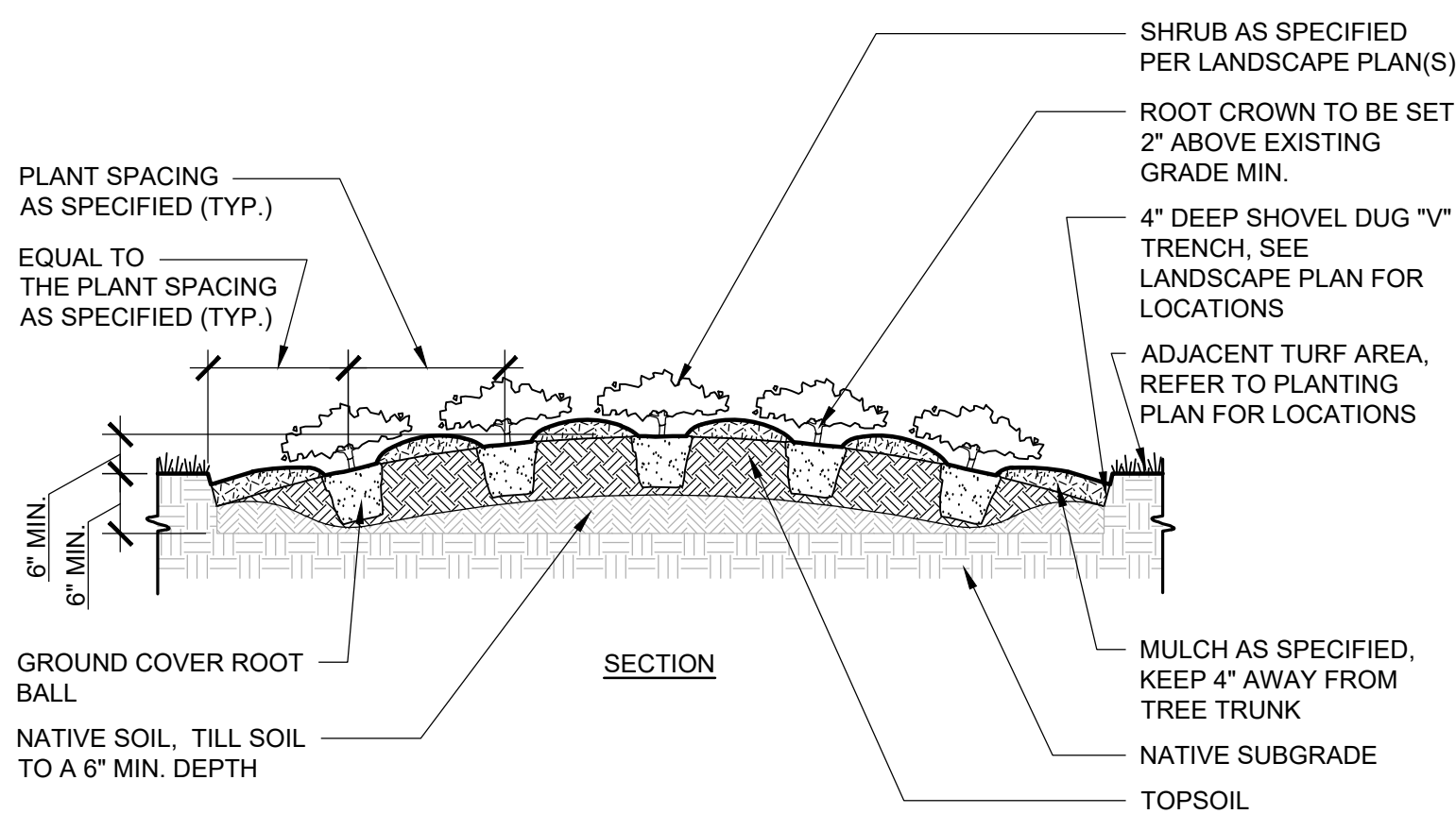
- REMOVING ALL TREE GUYING STRAPPING AND STAKES AFTER THE FIRST FULL GROWING SEASON OR ONE YEAR, WHICH EVER COMES FIRST. CONTRACTOR SHALL VERIFY LOCATIONS OF UNPLANTED TREES PRIOR TO PLANTING. ANY EXPOSED OR UNCOVERED LINES SHALL BE SHOWN TO GENERAL CONTRACTOR PRIOR TO BACKFILLING. ALL PLANT BEDS AND RAISED SAUCER RINGS SHALL BE GRADED TO PROVIDE ADEQUATE DRAINAGE AND SHALL BE MULCHED AS SPECIFIED. ALL MATERIALS, PLANTING AND LANDSCAPE WORK SHALL CONFORM TO THE CURRENT MUNICIPAL AUTHORITIES STANDARD SPECIFICATIONS AND DETAILS. ALL LANDSCAPE AREAS THAT ARE NOT PLANTED, GRADED OR PAVED SHALL BE SEEDED OR SODDED. FIRST YEAR PRUNING OF TREE CROWN SHALL BE LIMITED TO REMOVAL OF DEAD & DAMAGED WOOD. TREE PROTECTION FENCE SHALL BE INSTALLED, INSPECTED AND APPROVED PRIOR TO CLEARING, GRADING AND CONSTRUCTION ACTIVITY OR ISSUANCE OF ANY RELATED PERMITS. NO CONSTRUCTION WORKERS, TOOLS, MATERIALS OR VEHICLES ARE PERMITTED WITHIN THE TREE PROTECTION FENCING. MULCH SHALL CONSIST OF SMOOTH CONTINUOUS CURVES. ALL TREES NOT WITHIN A PLANT BED SHALL BE TREATED WITH A 6" DIAMETER MULCH RING TYPICAL, UNLESS OTHERWISE INDICATED ON THE PLANTING PLAN. TREE SHALL BE LOCATED A MINIMUM OF 5 FEET FROM SEWER/WATER CONNECTIONS OR AS OTHERWISE DICTATED BY LOCAL REGULATIONS. CONTRACTOR SHALL BE LIABLE FOR DAMAGE TO ANY AND ALL PUBLIC OR PRIVATE UTILITIES. SUBSTITUTION OF PLANT MATERIALS SPECIFIED CAN ONLY OCCUR WITH PRIOR APPROVAL BY LANDSCAPE ARCHITECT. ESTABLISH PLANT BED CONFIGURATION. LANDSCAPE ARCHITECT TO APPROVE BED LAYOUT IN FIELD. TREES DAMAGED BY ACTIVITIES OF CONTRACTOR SHALL BE RE-ESTABLISHED TO PRE-DISTURBANCE CONDITION AT NO ADDITIONAL COST TO THE OWNER. USE HERBICIDES, PESTICIDES, AND FERTILIZER IN A MANNER CONSISTENT WITH THE FEDERAL ENVIRONMENTAL PROTECTION ACT AND IN ACCORDANCE WITH LABEL RESTRICTIONS. CONTRACTOR SHALL INSURE THAT ALL PLANT MATERIAL IS FREE OF FIRE ANTS PRIOR TO INSTALLATION. LANDSCAPE ARCHITECT OR OWNER SHALL APPROVE PLACEMENT OF TREES PRIOR TO PLANTING.

NTS

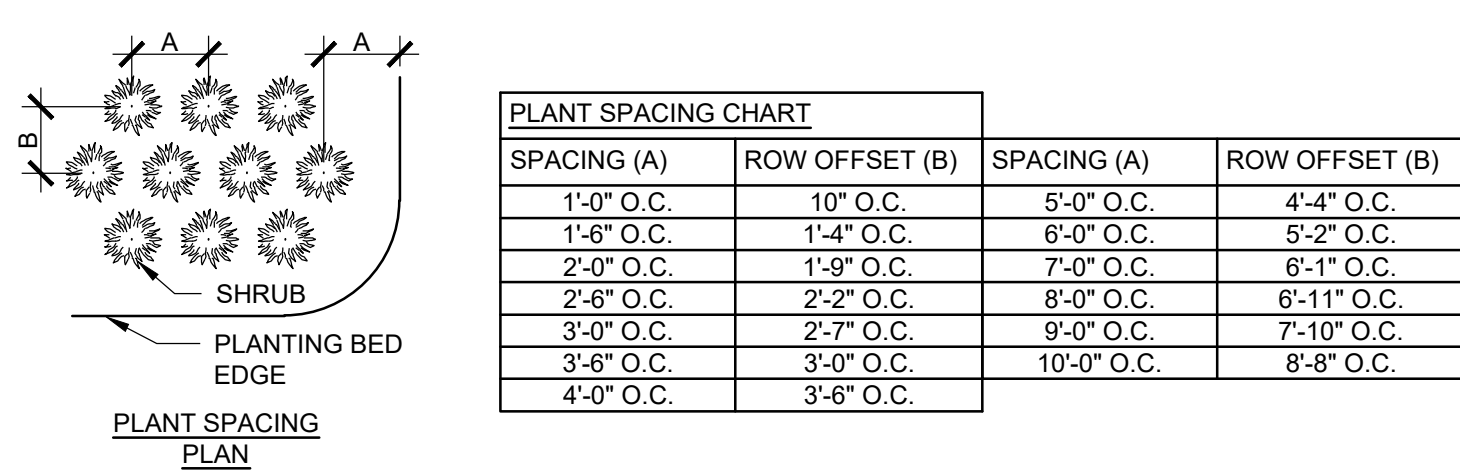


GENERAL NOTES:

- A. SCARIFY BOTTOM AND SIDES OF PLANTING PIT.
- B. THE BOTTOM OF GROUND COVER ROOT BALLS SHALL NOT PROJECT INTO THE NATIVE SUBGRADE. LARGER PLANTS WILL REQUIRE ADDITIONAL TOPSOIL DEPTH.
- C. BACKFILL PLANTING PITS WITH TOPSOIL MIXTURE AS SPECIFIED, INSTALL IN 6" LAYERS, HAND TAMP TO REMOVE VOIDS AND WATER EACH LAYER.
- D. ALL ROOT BALLS SHALL BE FREED OF CONTAMINANTS. SHALL BE SCARIFIED BY HAND PRIOR TO PLACEMENT AND BACKFILLING WITH PREPARED SOILS. HAND TOOLS SHALL NOT BE USED TO SCARIFY ROOT BALLS.
- E. REFER TO GRADING PLANS FOR MOUND HEIGHTS.

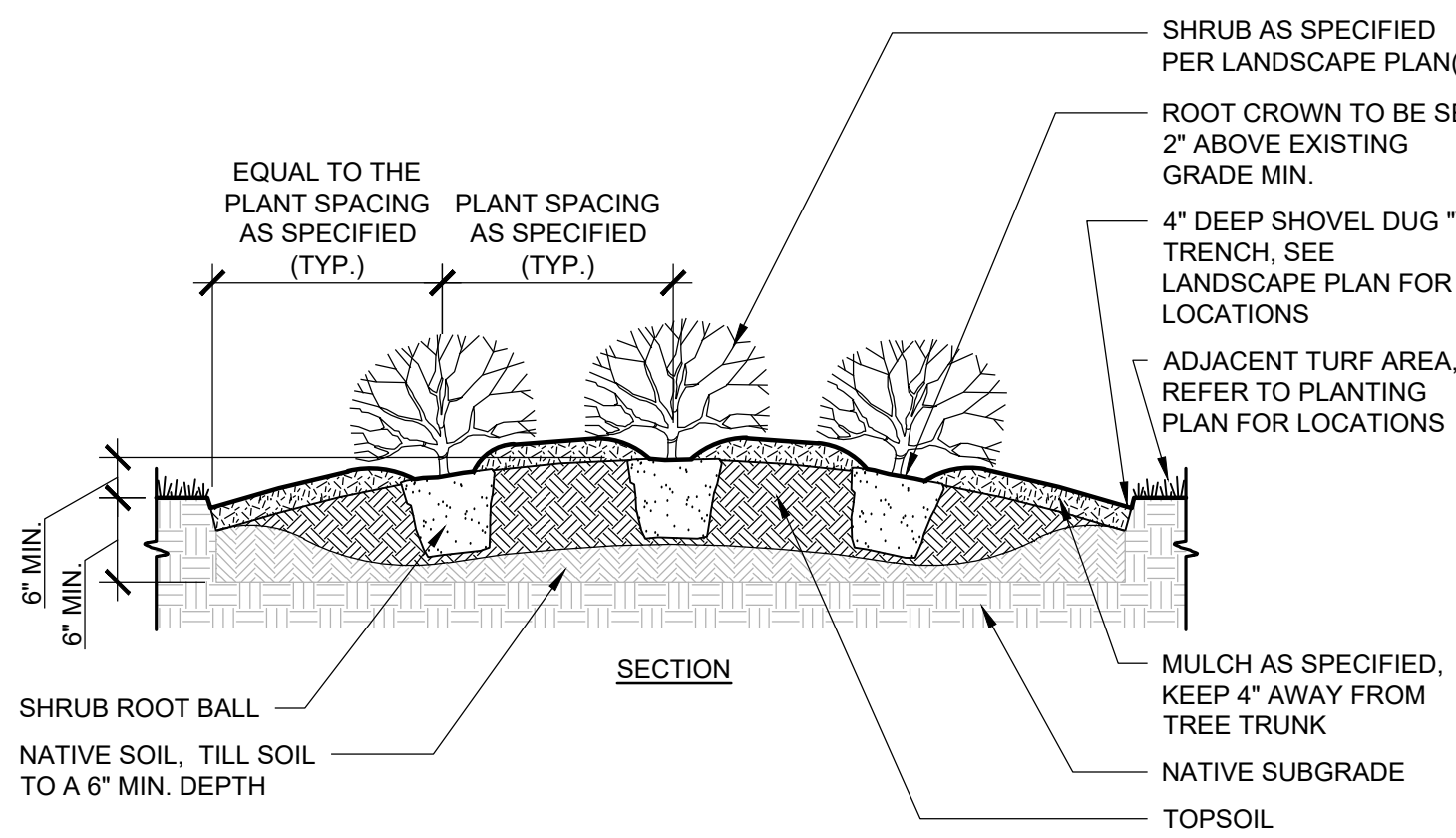


NTS

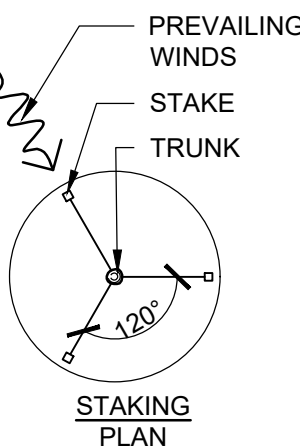


GENERAL NOTES:

- A. SCARIFY BOTTOM AND SIDES OF PLANTING PIT.
- B. THE BOTTOM OF SHRUB ROOT BALLS SHALL NOT PROJECT INTO THE NATIVE SUBGRADE .
LARGER PLANTS WILL REQUIRE ADDITIONAL TOPSOIL DEPTH.
- C. BACKFILL PLANTING PITS WITH TOPSOIL MIXTURE AS SPECIFIED, INSTALL IN 6" LAYERS, HAND TAMP TO REMOVE VOIDS AND WATER EACH LAYER.
- D. ALL ROOT BALLS CONTAINING AIR SHALL BE SCARIFIED BY HAND PRIOR TO PLACEMENT AND BACKFILLING WITH PREPARED SOILS. HAND TOOLS SHALL NOT BE USED TO SCARIFY ROOT BALLS.
- E. REFER TO GRADING PLANS FOR MOUND HEIGHTS.

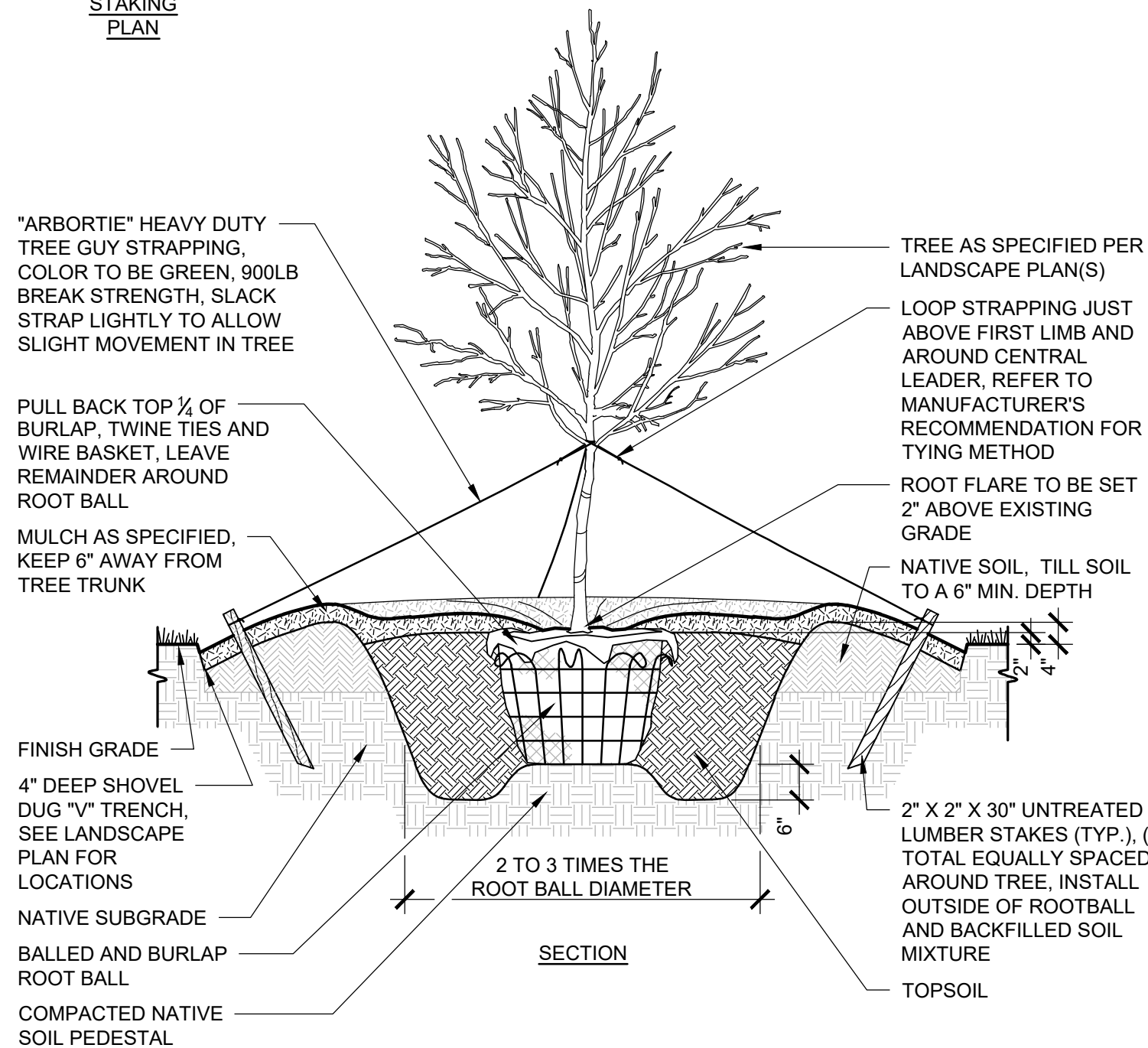


NTS



GENERAL NOTES:

- A. TREE TO BE STRAIGHTENED PRIOR TO BACKFILL AND GUYING
- B. SCARIFY BOTTOM AND SIDES OF PLANT PIT.
- C. STAKE AND GUY TREES 3" CALIPER OR GREATER, OR TREES IN WINDING LOCATIONS AS DIRECTED BY LANDSCAPE ARCHITECT.
- D. DO NOT WRAP TREE TRUNK.
- E. MARK NORTH SIDE OF TREE AT NURSERY AND PLANT WITH MARKING FACING NORTH.
- F. BACKFILL PLANTING PITS WITH TOPSOIL MIXTURE AS SPECIFIED, PACK SOIL AROUND BASE OF ROOTBALL TO STABILIZE, INSTALL REMAINDER IN 9" LAYERS, HAND TAMP TO REMOVE VOIDS AND WATER EACH LAYER



NTS

DATE:	08/19/2021
MCE PROJ. #	07103-006
DRAWN	GHS/TKD/RCH
DESIGNED	GHS/TKD/RCH
CHECKED	GHS
PROJ. MGR	TSM

STATUS

TRC SUBMITTAL

SCALE

HORIZONTAL
AS SHOWN

VERTICAL:
AS SHOWN

C17.0

DRAWING NUMBER
0
REVISION



FINDINGS OF FACT, CONCLUSIONS OF LAW, AND APPROVAL OF A PRELIMINARY PLAT

IN THE MATTER OF A PRELIMINARY PLAT FOR A MAJOR SUBDIVISION IDENTIFIED AS SUBDIVISION CASE #3219-82-3868-0000 TO ALLOW CONSTRUCTION OF THE MAJOR SUBDIVISION ON A PARCEL ZONED R-12 ON A 79.82-ACRE TRACT CONTAINING 139 LOTS LOCATED SOUTH OF HENRY BROWN ROAD (SR 1343) AND NORTH OF NC HWY 53 (PARCEL ID: 3219-82-3868-0000).

On September 8, 2026, the Town of Burgaw Town Council held a public hearing at the Burgaw Town Center, Located At 108 East Wilmington Street, Burgaw, NC. To Approve the Preliminary Plat for the major subdivision on the parcel zoned R-12 on a 79.82-acre tract containing 139 lots located south of Henry Brown Road (SR 1343) and North of NC HWY 53 (parcel ids: 3219-82-3868-0000) By Property Owner, Funston Company .INC and Property Applicant, Chad McEwen.

The following witnesses submitted testimony to the Burgaw Town Council during the course of the hearing:

- Ron Meredith, Town of Burgaw Planning Director
- Funston Company .INC Development Team

In making the findings of fact and reaching the conclusions of law below, the board has considered, in addition to arguments offered at the hearing, the following documents, exhibits, and reports:

And thereby finds the following facts:

Zoning Map (Figure 1)
Future Land Use Map (Figure 2)
Application (Exhibit 1)
Preliminary Plat (Exhibit 2)

Findings of Fact

In General

The applicant is requesting approval of the submitted preliminary plat.

The preliminary plat meets all standards and requirements:

- The property is zoned R-12 and developed under single family R-12 dimensional requirement.
- In order for a preliminary plat for a major subdivision to be approved, the Unified Development Ordinance requires that
 - The preliminary plat generally meets all the requirements of the Section 10.13 and 10.14 of the Unified Development Ordinance and the Town Code of Ordinances.
 - The preliminary plat meets all the specifications of the other approving agencies as outlined Exhibit;
 - The location and character of the use, if developed according to the preliminary plat as submitted and approved including the conditions, will be in harmony with the area in which it is to be located and in general conformity with the Town of Burgaw Unified Development Ordinance, Burgaw 2030 Comprehensive Land Use Plan.

Conclusions of Law

Based on the above Findings of Fact, The Burgaw Town Council makes the following Conclusions of Law and Decision:

Based on the attached exhibits and the testimony at the public hearing held on September 8, 2026, the request to approve the preliminary plat request for the **major subdivision for property located south of Henry Brown Road (SR 1343) and north of NC HWY 53 (PARCEL ID: 3219-82-3868-0000).**

Adopted this 8th day of May 2026.

Attest: _____
Kristin Wells, Town Clerk

Signed: _____
Olivia Dawson, Mayor

Figure 1

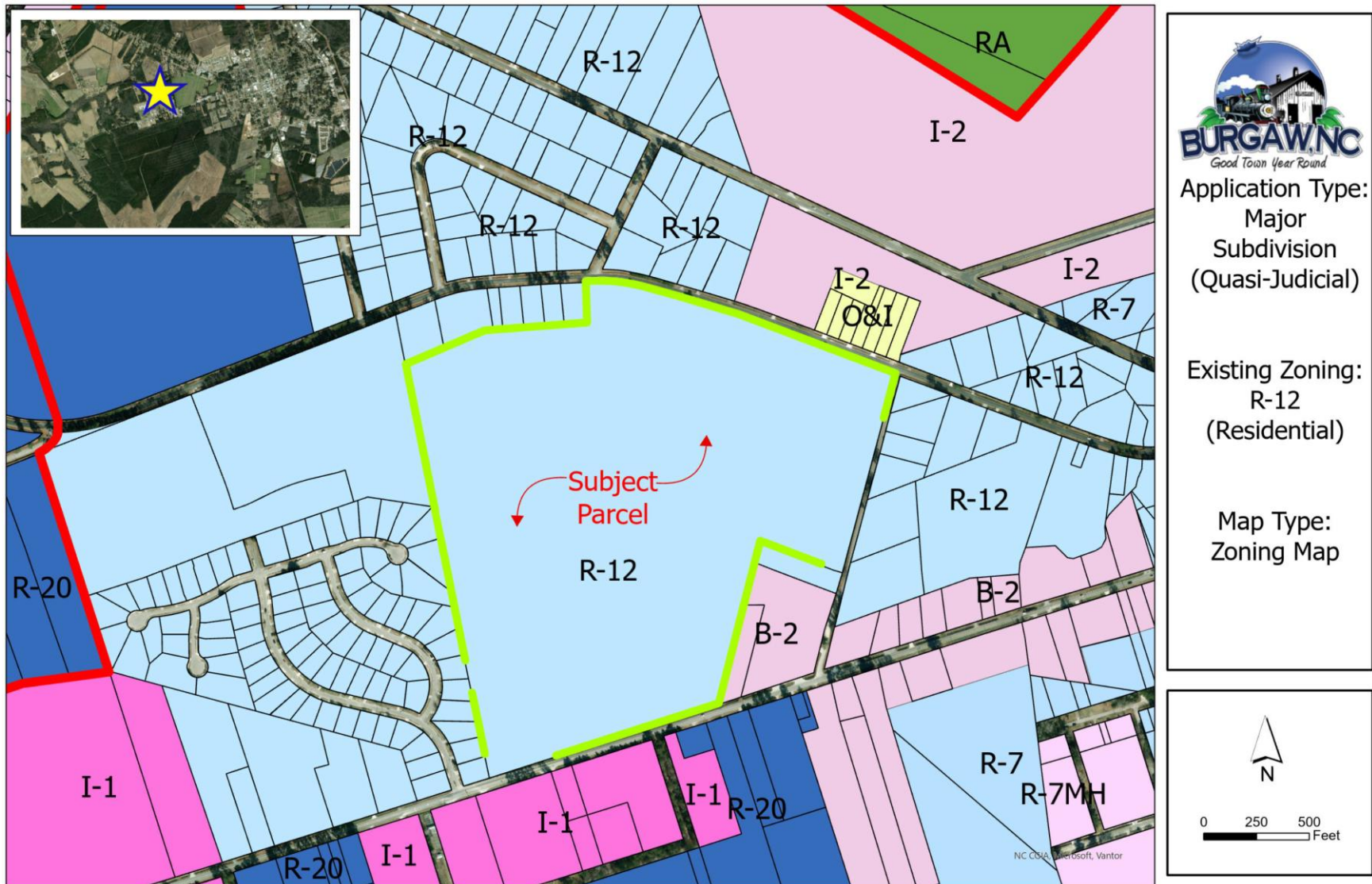


Figure 2

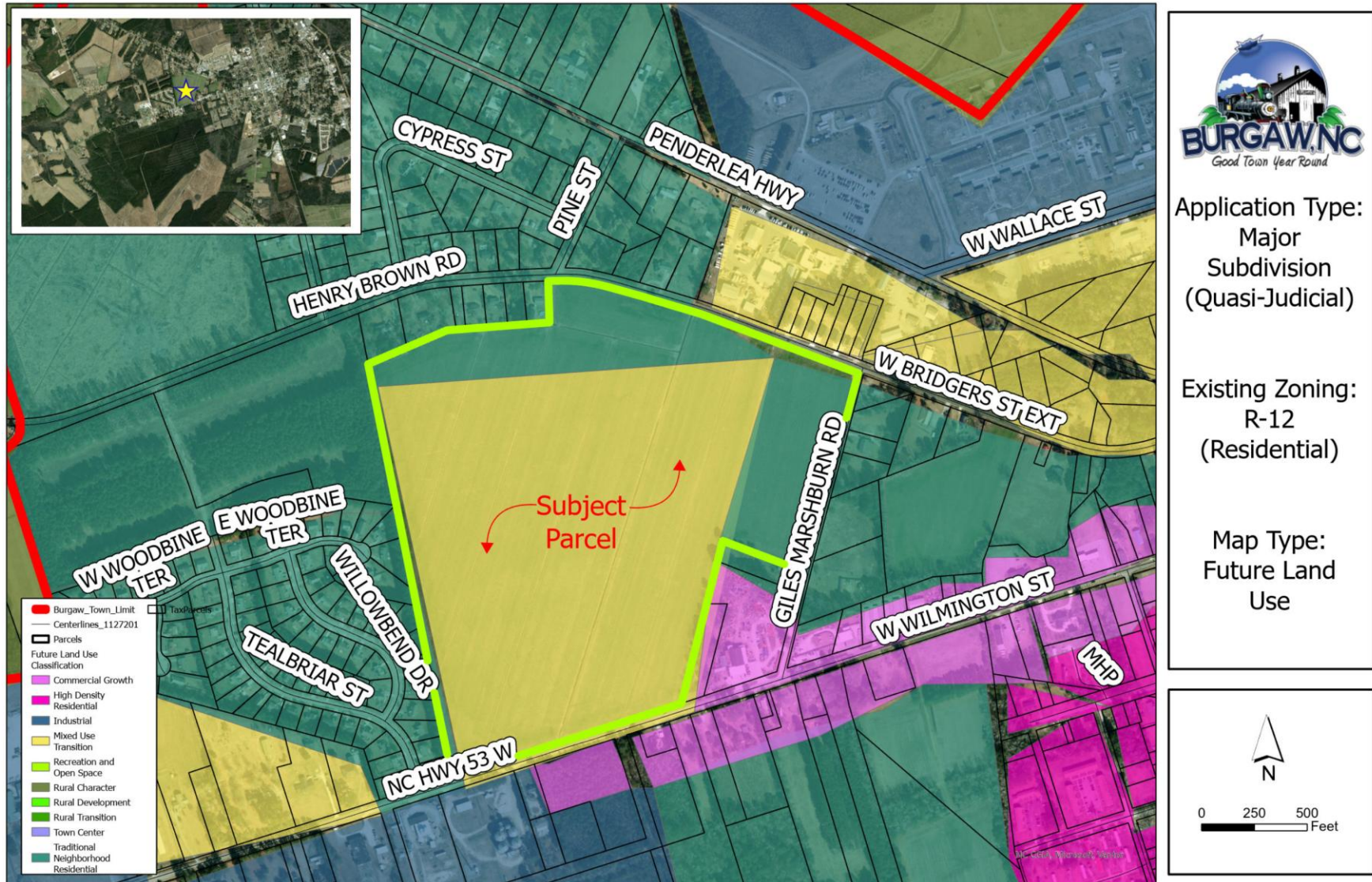


Exhibit 1



Town of Burgaw – Planning Department
MAJOR SUBDIVISION APPLICATION
109 N. Walker St. • Burgaw, NC • 28425 • 910.663.3452

DATE: 5/27/26

FEE: \$1700

APPLICANT INFORMATION

NAME: Funston Company

PHONE: 910 604-2100

ADDRESS: 1007 Evangelene Drive Leland, NC 28451

EMAIL: cmcewen@funstonco.com

OWNER INFORMATION (if different from applicant)

NAME: Funston Company

PHONE: 910 604-2100

ADDRESS: 1007 Evangelene Drive Leland, NC 28451

EMAIL: cmcewen@funstonco.com

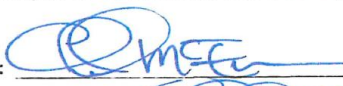
LAND SUBDIVISION REQUEST INFORMATION

LOCATION: Situated between NC 53 and Henry Brown Rd PARCEL ID NUMBER: 3219-82-3868-0000

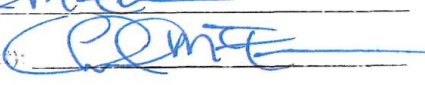
CURRENT ZONING: R-12 IN CITY LIMITS: Y X N IN ETJ: Y N X ACREAGE: 79.82

NUMBER OF LOTS PROPOSED: 139 VOLUNTARY ANNEXATION REQUESTED: Y N N/A X

I/we Chad McEwen have reviewed the Unified Development Ordinance (UDO) of the Town of Burgaw and certify that all regulations, requirements, and standards of design have been satisfied as they pertain to this proposed subdivision. I/we also agree to submit two (2) 24x36 copies of a preliminary plat and a digital copy along with this application.

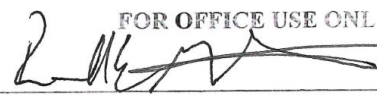
Applicant Signature: 

Date: 6/17/26

Owner Signature (if not applicant): 

Date: 6/17/26

FOR OFFICE USE ONLY

Verified and accepted by: 

Date: 8-28-26

AN ORDER APPROVING A PRELIMINARY PLAT FOR A MAJOR SUBDIVISION IDENTIFIED AS SUBDIVISION CASE #3219-82-3868-0000 TO ALLOW CONSTRUCTION OF THE MAJOR SUBDIVISION ON A PARCEL ZONED R-12 ON A 79.82-ACRE TRACT CONTAINING 139 LOTS LOCATED SOUTH OF HENRY BROWN ROAD (SR 1343) AND NORTH OF NC HWY 53 (PARCEL ID: 3219-82-3868-0000).

NUMBER 3219-82-3868-0000.

WHEREAS, Funston Company .INC requested a preliminary plat Section 10.13 and 10.14 of the Town of Burgaw Unified Development Ordinance to allow for a major subdivision to be located on a +/- 79.82-ACRE tract of property zoned R-12 (Residential District) further identified as tax reference number 3219-82-3868-0000; and

WHEREAS, the major subdivision is allowed pursuant to the Town of Burgaw Unified Development Ordinance; and

WHEREAS, the Town of Burgaw Town Council made, based on information presented by the applicant and others in a duly advertised public hearing on September 8, 2026, the following findings of fact:

The preliminary plat meets all standards and requirements:

- The property is zoned R-12 and developed under single family R-12-dimensional requirement.
- In order for a preliminary plat for a major subdivision to be approved, the Unified Development Ordinance requires that
 - The preliminary plat generally meet all the requirements of the Section 10.13 and 10.14 of the Unified Development Ordinance and the Town Code of Ordinances.
 - The preliminary plat meets all the specifications of the other approving agencies as outlined Exhibit;
 - The location and character of the use, if developed according to the preliminary plat as submitted and approved including the conditions, will be in harmony with the area in which it is to be located and in general conformity with the Town of Burgaw Unified Development Ordinance, Burgaw 2030 Comprehensive Land Use Plan.

Please refer to:

Appendix 1 – Minutes from September 8, 2026, Public Hearing before Town of Burgaw Board of Commissioners

Appendix 2 -Site Plan

NOW THEREFORE, IT IS ORDERED by the Burgaw Town Council that preliminary plat approval is issued to Funston Company, INC to allow the development of a Major subdivision Development to be located on a +/- 79.82-acre tract of property zoned R-12 (Residential District) identified as tax reference number 3219-82-3868-0000

Adopted by the Town of Burgaw Town Council in regular session on July 12, 2022.

Attest:

Kristen J. Wells, Town Clerk

G. Olivia Dawson, Mayor

I, _____, owner(s), applicant(s), or representative(s) of the above identified property do hereby acknowledge receipt of this Major Special Use Permit. The undersigned owners, applicants or representatives do further acknowledge that no work may be done pursuant to this permit except in accordance with all its conditions and requirements and that this restriction shall be binding on them and their successors in interest.

Owner/Applicant/Representative

NORTH CAROLINA – PENDER COUNTY

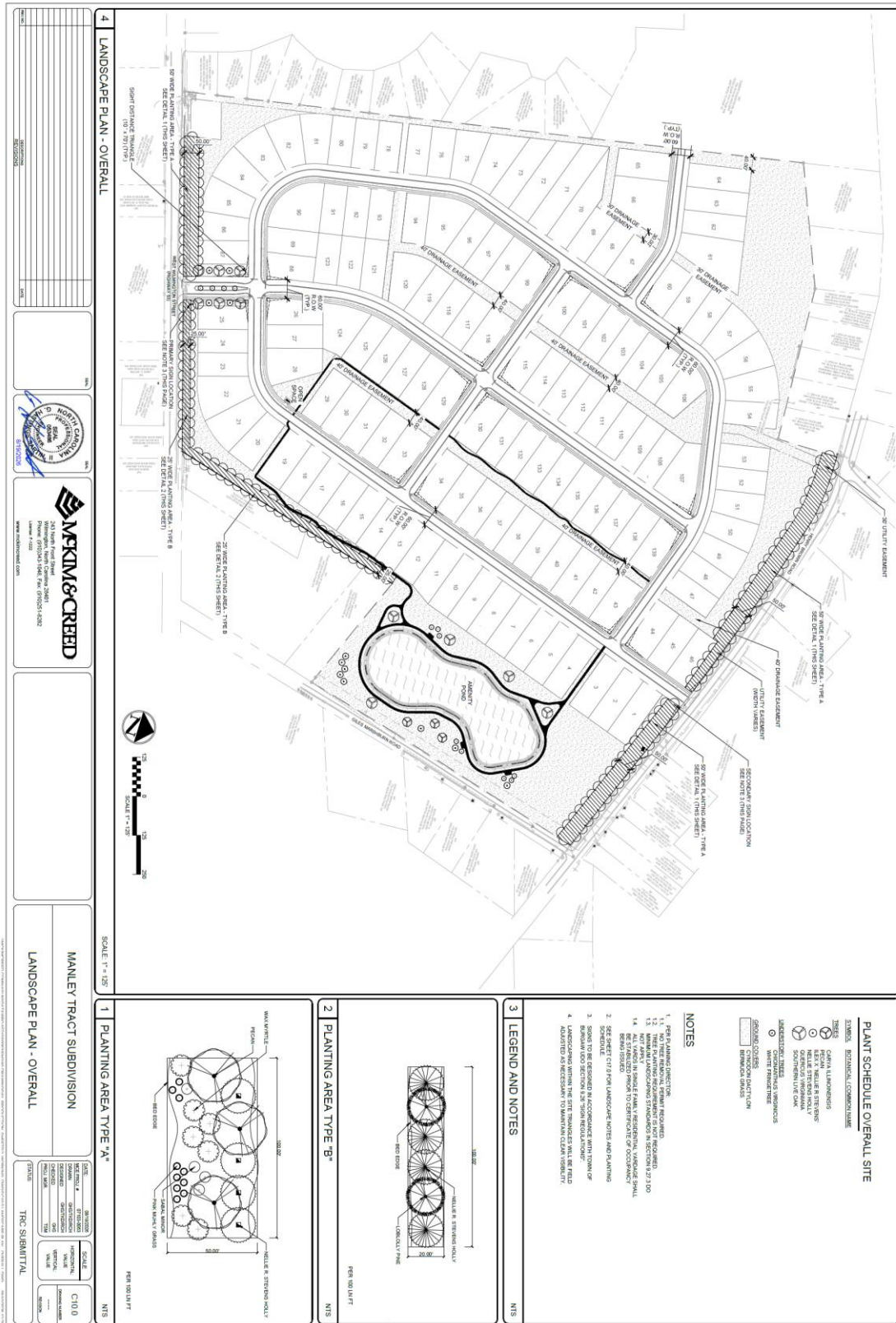
I, _____, a Notary Public in and for said State and County, do hereby certify that _____ personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and notarial seal, this _____ day of _____, 2026.

Notary Public

My commission expires: _____

Page 84 of 146





Burgaw_Town_Limit

Centerlines_1127201

Parcels



Application Type:
Major
Subdivision
(Quasi-Judicial)

Existing Zoning:
R-12
(Residential)

Map Type:
Aerial Map





Application Type:
Major
Subdivision
(Quasi-Judicial)

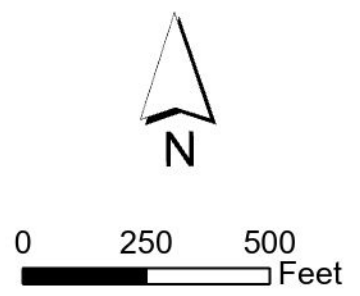
Existing Zoning:
R-12
(Residential)

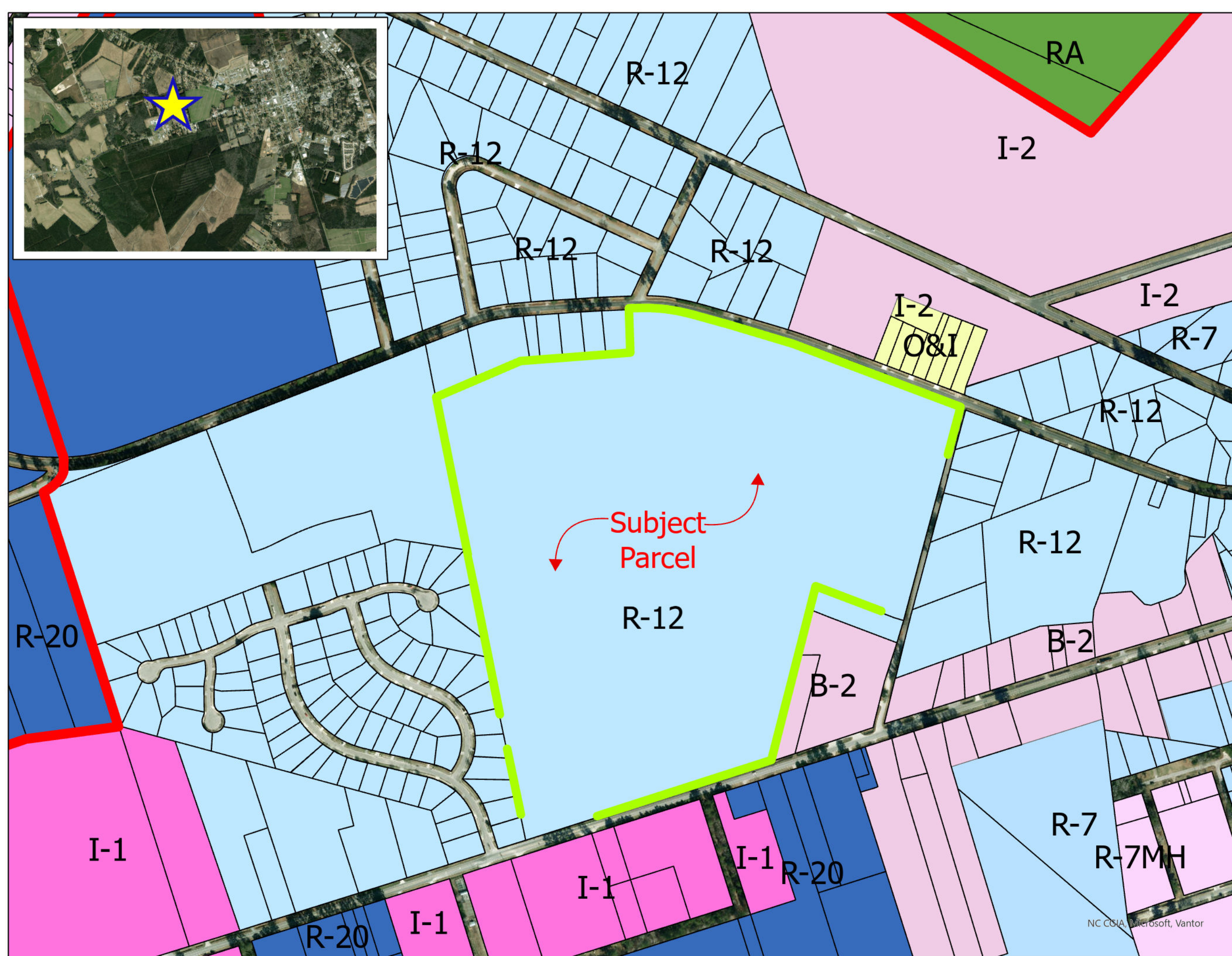
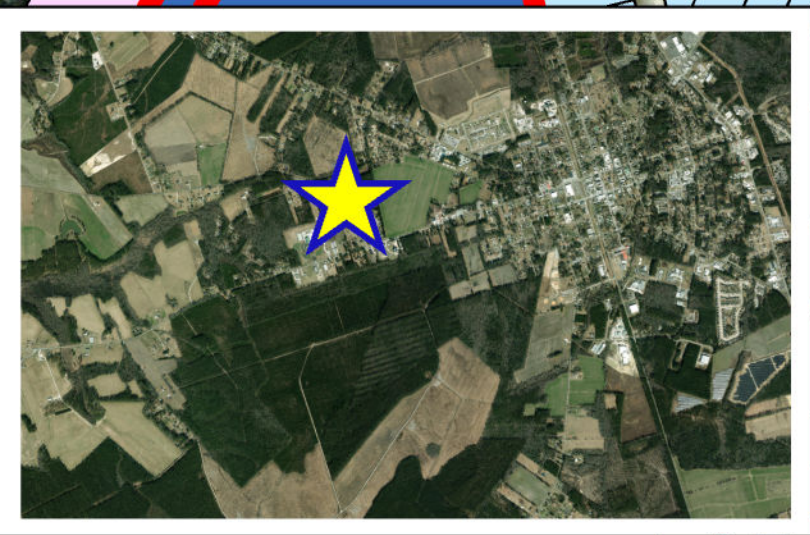
Map Type:
Future Land
Use

- Burgaw_Town_Limit
- Centerlines_1127201
- Parcels
- TaxParcels
- Future Land Use Classification
 - Commercial Growth
 - High Density Residential
 - Industrial
 - Mixed Use Transition
 - Recreation and Open Space
 - Rural Character
 - Rural Development
 - Rural Transition
 - Town Center
 - Traditional Neighborhood Residential

CYPRESS ST
PINE ST
PENDERLEA HWY
HENRY BROWN RD
W WALLACE ST
W BRIDGERS ST EXT
W WILMINGTON ST
GILES MARSHBURN RD
NC HWY 53 W
W WOODBINE TER
E WOODBINE TER
WILLOWBEND DR
TEALBRIAR ST
MHP

Subject Parcel

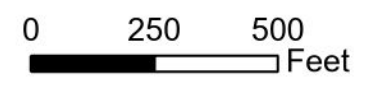




Application Type:
Major
Subdivision
(Quasi-Judicial)

Existing Zoning:
R-12
(Residential)

Map Type:
Zoning Map



NC CGIA, Microsoft, Vantor



Application Type:
Major
Subdivision
(Quasi-Judicial)

Existing Zoning:
R-12
(Residential)

Map Type:
Flood



0 250 500
Feet



Town of Burgaw

109 N. Walker Street, Burgaw, NC 28425

Phone: (910) 259-2151, Fax: (910) 259-6644, email: mail@burgawnc.gov

Olivia Dawson
Mayor

James Malloy
Mayor Pro Tem

Council Members:
Bill George
Michael Pearsall
William Rivenbark
Myra McDuffie

James H. Gantt
Town Manager

Kristin J. Wells
Town Clerk

Norwood Blanchard, III
Town Attorney

August 20, 2026

Dear Property Owner,

You are receiving this letter as an adjacent property owner to a proposed major subdivision (quasi-judicial) to be located on one parcel totaling ± 79.82 acres zoned R-12 (Residential) located south of Henry Brown Road (SR 1343) and north of NC HWY 53 for a 139-lot, single-family detached residential subdivision. The property can be further identified by parcel identification number: 3219-82-3868-0000.

The applicant, Funston Company is requesting the proposed major.

On September 8, 2026, at or about 5:30 PM, the Burgaw, Town Council will hold a public comment period for this and any other scheduled agenda item at the Burgaw Town Center, located at 108 East Wilmington Street, Burgaw, NC.

If you have any questions regarding the request, please call (910) 663-3450.

Sincerely,

Ron Meredith
Planning Director

AFFIDAVIT OF POSTING & MAILING FOR REZONING

I am over the age of 18 (eighteen) years, and, on August 20, 2026, I mailed the required property owners within a 500ft buffer of parcel # 3219-70-1651-0000 letters and the required enclosures for the public comment period at the Town Council meeting to be held on September 8, 2026, by depositing a copy enclosed in a postpaid wrapper, in an official depository under the exclusive care and custody of the United States Postal Service in Burgaw, Pender County, North Carolina. A copy of the document is on file with the Planning Department along with the addresses.

On August 21, 2026

I also posted a zoning notice sign on the property with Town of Burgaw Planning Staff contact information.

Damion B. Tuleford

Signature

08.21.2026

Date



TOWN OF BURGAW ORDER FOR PRELIMINARY PLAT

AN ORDER APPROVING A PRELIMINARY PLAT FOR A MAJOR SUBDIVISION IDENTIFIED AS SUBDIVISION CASE #3219-82-3868-0000 TO ALLOW CONSTRUCTION OF THE MAJOR SUBDIVISION ON A PARCEL ZONED R-12 ON A 79.82-ACRE TRACT CONTAINING 139 LOTS LOCATED SOUTH OF HENRY BROWN ROAD (SR 1343) AND NORTH OF NC HWY 53 (PARCEL ID: 3219-82-3868-0000).

WHEREAS, Funston Company .INC requested a preliminary plat Section 10.13 and 10.14 of the Town of Burgaw Unified Development Ordinance to allow for a major subdivision to be located on a +/- 79.82-ACRE tract of property zoned R-12 (Residential District) further identified as tax reference number 3219-82-3868-0000; and

WHEREAS, the major subdivision is allowed pursuant to the Town of Burgaw Unified Development Ordinance; and

WHEREAS, the Town of Burgaw Town Council made, based on information presented by the applicant and others in a duly advertised public hearing on September 8, 2026, the following findings of fact:

The preliminary plat meets all standards and requirements:

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- In order for a preliminary plat for a major subdivision to be approved, the Unified Development Ordinance requires that
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 - The location and character of the use, if developed according to the preliminary plat as submitted and approved including the conditions, will be in harmony with the area in which it is to be located and in general conformity with the Town of Burgaw Unified Development Ordinance, Burgaw 2030 Comprehensive Land Use Plan.

Please refer to:

Appendix 1 – Minutes from September 8, 2026, Public Hearing before Town of Burgaw Board of Commissioners

Appendix 2 -Site Plan

NOW THEREFORE, IT IS ORDERED by the Burgaw Town Council that preliminary plat approval is issued to Funston Company, INC to allow the development of a Major subdivision Development to be located on a +/- 79.82-acre tract of property zoned R-12 (Residential District) identified as tax reference number 3219-82-3868-0000

Adopted by the Town of Burgaw Town Council in regular session on July 12, 2022.

Attest:

Kristin J. Wells, Town Clerk

G. Olivia Dawson, Mayor

I, _____, owner(s), applicant(s), or representative(s) of the above identified property do hereby acknowledge receipt of this Major Special Use Permit. The undersigned owners, applicants or representatives do further acknowledge that no work may be done pursuant to this permit except in accordance with all its conditions and requirements and that this restriction shall be binding on them and their successors in interest.

Owner/Applicant/Representative

NORTH CAROLINA – PENDER COUNTY

I, _____, a Notary Public in and for said State and County, do hereby certify that _____ personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and notarial seal, this _____ day of _____, 2026.

Notary Public

My commission expires: _____

Appendix 2



FINDINGS OF FACT, CONCLUSIONS OF LAW, AND APPROVAL OF A PRELIMINARY PLAT

IN THE MATTER OF A PRELIMINARY PLAT FOR A MAJOR SUBDIVISION IDENTIFIED AS SUBDIVISION CASE #3219-82-3868-0000 TO ALLOW CONSTRUCTION OF THE MAJOR SUBDIVISION ON A PARCEL ZONED R-12 ON A 79.82-ACRE TRACT CONTAINING 139 LOTS LOCATED SOUTH OF HENRY BROWN ROAD (SR 1343) AND NORTH OF NC HWY 53 (PARCEL ID: 3219-82-3868-0000).

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The following witnesses submitted testimony to the Burgaw Town Council during the course of the hearing:

- Ron Meredith, Town of Burgaw Planning Director
- Funston Company .INC Development Team

In making the findings of fact and reaching the conclusions of law below, the board has considered, in addition to arguments offered at the hearing, the following documents, exhibits, and reports:

And thereby finds the following facts:

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Future Land Use Map (Figure 2)
Application (Exhibit 1)
Preliminary Plat (Exhibit 2)

Findings of Fact

In General

The applicant is requesting approval of the submitted preliminary plat.

The preliminary plat meets all standards and requirements:

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Conclusions of Law

Based on the above Findings of Fact, The Burgaw Town Council makes the following Conclusions of Law and Decision:

Based on the attached exhibits and the testimony at the public hearing held on September 8, 2026, the request to approve the preliminary plat request for the **major subdivision for property located south of Henry Brown Road (SR 1343) and north of NC HWY 53 (PARCEL ID: 3219-82-3868-0000).**

Adopted this 8th day of May 2026.

Attest: _____
Kristin Wells, Town Clerk

Signed: _____
Olivia Dawson, Mayor

Figure 1

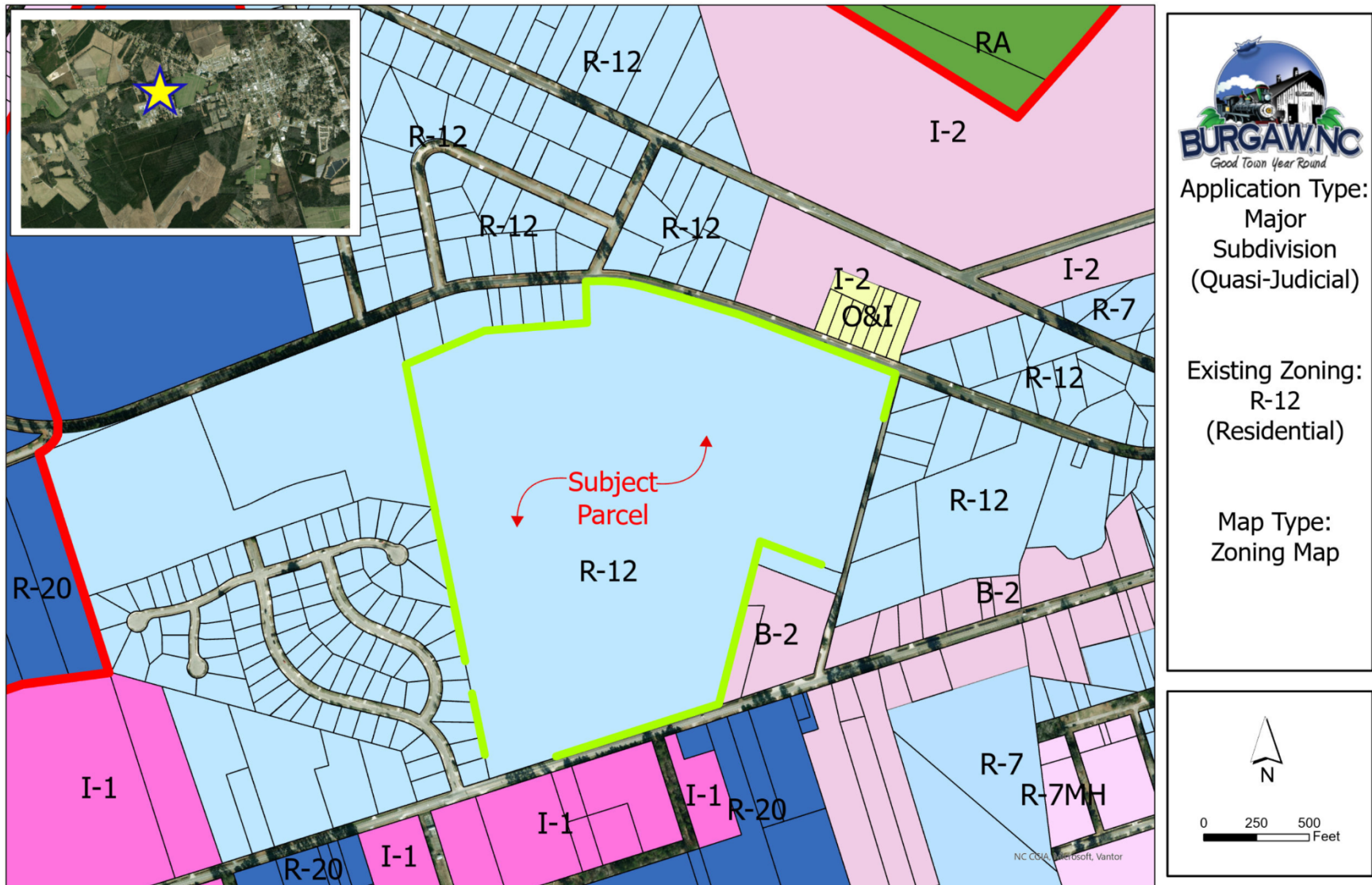


Figure 2

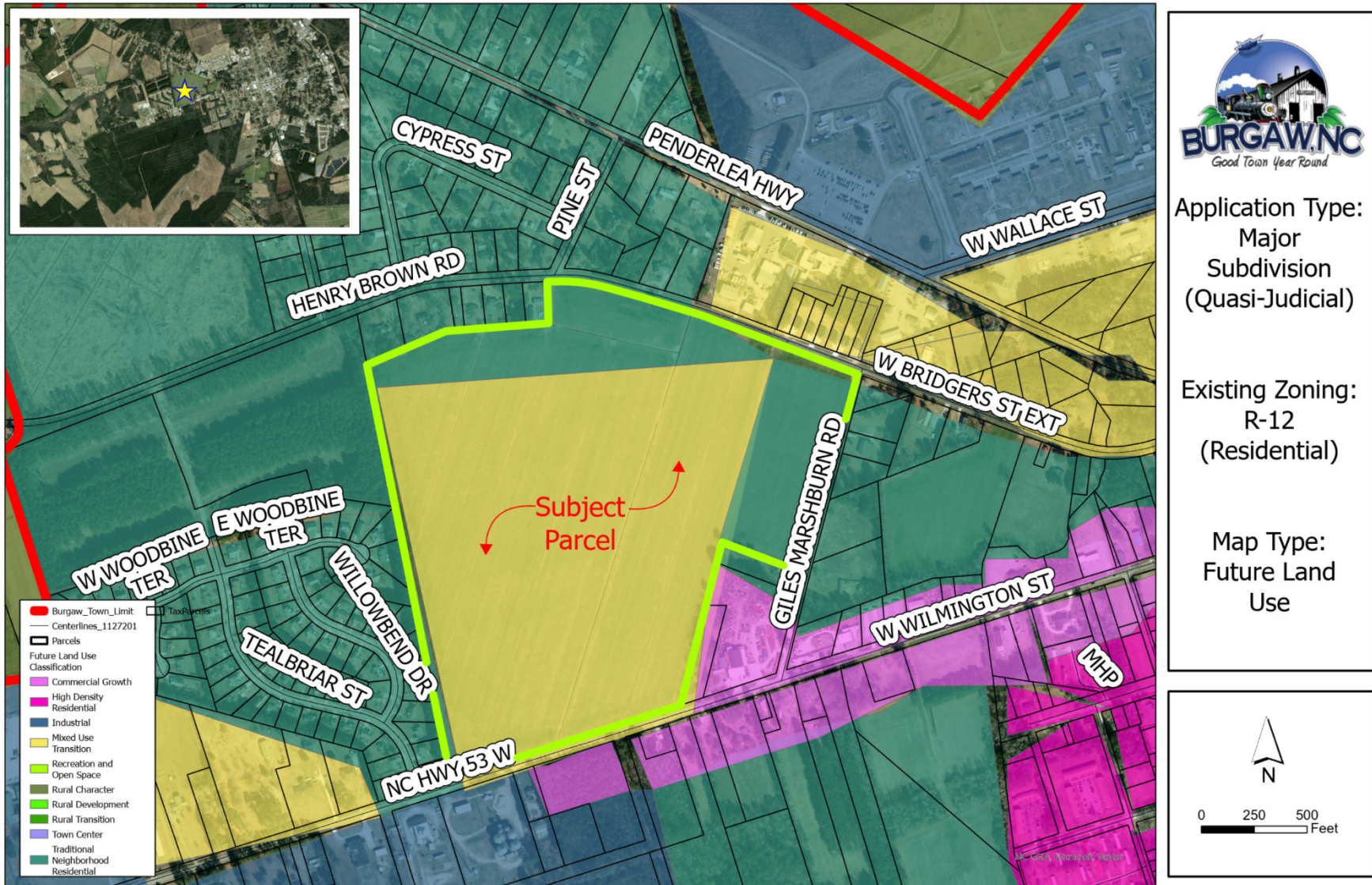


Exhibit 1



Town of Burgaw – Planning Department
MAJOR SUBDIVISION APPLICATION
109 N. Walker St. • Burgaw, NC • 28425 • 910.663.3452

DATE: 5/27/26

FEE: \$1700

APPLICANT INFORMATION

NAME: Funston Company

PHONE: 910 604-2100

ADDRESS: 1007 Evangelene Drive Leland, NC 28451

EMAIL: cmcewen@funstonco.com

OWNER INFORMATION (if different from applicant)

NAME: Funston Company

PHONE: 910 604-2100

ADDRESS: 1007 Evangelene Drive Leland, NC 28451

EMAIL: cmcewen@funstonco.com

LAND SUBDIVISION REQUEST INFORMATION

LOCATION: Situated between NC 53 and Henry Brown Rd PARCEL ID NUMBER: 3219-82-3868-0000

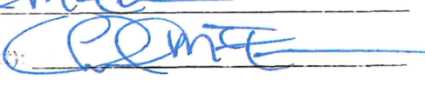
CURRENT ZONING: R-12 IN CITY LIMITS: Y X N IN ETJ: Y N X ACREAGE: 79.82

NUMBER OF LOTS PROPOSED: 139 VOLUNTARY ANNEXATION REQUESTED: Y N N/A X

I/we Chad McEwen have reviewed the Unified Development Ordinance (UDO) of the Town of Burgaw and certify that all regulations, requirements, and standards of design have been satisfied as they pertain to this proposed subdivision. I/we also agree to submit two (2) 24x36 copies of a preliminary plat and a digital copy along with this application.

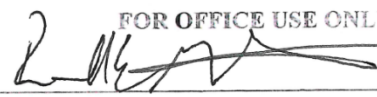
Applicant Signature: 

Date: 6/17/26

Owner Signature (if not applicant): 

Date: 6/17/26

FOR OFFICE USE ONLY

Verified and accepted by: 

Date: 8-28-26



CASE SUMMARY Town Council

UDO Text Amendment September 8, 2026

Ron Meredith, 910-663-3451, rmeredith@burgawnc.gov

Staff Recommendation	Approval
Planning Board	08/20/2026; Scheduled
Council	0908/2026

Request

<i>Code Section(s)</i>	Unified Development Ordinance (UDO) Sections 9.26 SIGN REGULATIONS	
<i>Request</i>	To modify the sign regulations to allow for the use of electronic changeable copy signs in more use cases.	
<i>Applicant</i>	Staff	rmeredith@burgawnc.gov 910.663.3455

REQUEST

The proposed UDO amendment would expand the use of electronic changeable copy signs and provide additional use standards,

1. History/Background

Current regulations

Chapter 9, Section 9.26 if the UDO covers sign regulations and standards for all signs. It sets forth the standards for type, placements, and physical dimensions of signs within the different zoning districts. These regulations ensure that all signs are maintained to standards that protect the public health and to promote the efficient transfer of information.

2. Proposed Amendment

The following is the proposed amendment to the UDO. Additions and strikethroughs are below. This amendment creates a new addition as Section 9.26.6.G.

Section 9.26.3 Definitions

Advertising Sign: A sign directing attention to or advertising a business, commodity, service, product, or property not located, sold, or conducted on the same property or site as that on which the sign is located.

Attached Sign: Any sign attached to, applied on, or supported by any part of a building

Awning Sign (includes canopy signs): Any sign on a cloth, metal, plastic, or other cover designed to shade a window or entrance and attached to any structure.

Banner: Any sign made of a flexible, fabric-like material except an awning sign.



Billboard: A large outdoor board for displaying advertisements

Changeable Copy Sign, Manual: Any permanently framed sign that is principally devoted to and designed for changeable text and graphics, specifically excluding time/date/temperature signs, menu board, and sandwich board signs, where the display is manually changed with physical letters, numbers, or symbols.

Changeable Copy Sign, Electronic : A sign where the display may be electronically changed by LED, LCD or another digital means

Section 9.26.6 Sign Standards

(C) Illumination. Unless otherwise provided, all signs may be either externally or internally illuminated subject to the following conditions:

- (1) Neither direct nor reflected light from any light source shall create a traffic hazard or distraction to operators of motor vehicles on public thoroughfares.
- (2) External lighting directed toward a sign shall be shielded so that it illuminates only the face of the sign and does not shine directly into or cause glare onto a public right-of-way or any adjacent properties. In addition, such lighting shall be shielded to prevent the direct view of the light source from any residence, residential district, or public right-of-way.
- (3) Internal lighting shall be limited to lighting from behind to silhouette letters and figures or lighted internally with glass or plastic faces bearing the advertising message. Provided, however, that exposed neon tubing not exceeding 15 watts shall be permitted. ~~Electronic signage utilizing light emitting diodes (LED) or liquid crystal display (LCD) technology shall not be allowed unless expressly permitted by another provision in this ordinance or unless used to display time, temperature, and/or fuel pricing. Utilizing light emitting diodes (LED) or liquid crystal display (LCD) technology shall be allowed for internal illumination or back lighting inside a sign meeting the standards of this ordinance.~~ **Electronic signage utilizing light emitting diodes (LED) or liquid crystal display (LCD) technology shall be permitted if the proposed sign meets all applicable requirements of Section 9.26.6.G and Section 9.26.7.** Such signs shall not be illuminated by flashing or intermittent lights or lights of changing degrees of intensity.
- (4) No sign may contain or be illuminated by flashing or intermittent light or lights that change in degree of intensity, except those that provide public information such as time, temperature, and date.
- (5) In the B-1 and B-2 zoning districts, ~~incidental window signs (e.g. "open" signs)~~ utilizing LED or LCD technology are allowed **as long as they are located inside the window and meet all other applicable requirements of Section 9.26.6.G and Section 9.26.7.** ~~Such signs shall not be illuminated by flashing or intermittent lights or lights of changing degrees of intensity and may not include scrolling text or pictures.~~

(G) Electronic Changeable Copy Sign Standards.

- (1) **Electronic changeable copy signs are prohibited in all residential zoning districts and the B-1 district, except for government, religious and school uses, excluding the Conservation/Preservation overlay district. When abutting residentially zoned or occupied uses, illumination shall not produce any light trespass, glare or other objectionable effects.**
- (2) **The maximum luminance shall not exceed 5000 nits during daylight hours and 150 nits during non-daylight hours. All electronic changeable copy signs must be equipped with automatic dimming technology or sensors to ensure compliance with this ordinance.**



- (3) Graphics or a combination of images and text may be displayed so long as there are no animated, flashing, or moving components. Display of videos is prohibited.
- (4) Displays shall not change more than once every 60 seconds and shall be timed to fade in and out slowly. The transition between displays shall not be animated, flashing, or simulating movement in any way. Scrolling of text is prohibited and must be displayed as one static image.
- (5) In the event of malfunction, signs shall be designed to display a static image or power down.
- (6) No sign shall be illuminated between the hours of 10:00 pm to 6:00 am, except to display the date, time, or temperature at a minimal brightness.
- (7) No sign shall produce any auditory noise except when required by the Americans with Disabilities Act (ADA)
- (8) Prior to the issuance of a Zoning Permit, a letter from the manufacturer or other appropriate evidence that any proposed sign meets the requirements of this ordinance.
- (9) All electronic changeable copy signs shall meet any applicable zoning district specific use standards as outlined in Section 9.26.7.

2.1 Benchmark Summary

The towns of Saint James, Shallotte, Surf City, Wallace, and Whiteville; in addition to New Hanover and Pender counties were used as reference points for this amendment. The Town of Saint James has the most restrictive standards regarding electronic changeable copy signs, as they are prohibited with the only exception being for governmental or school institution uses.

Shallotte, Surf City, Wallace, Whiteville, New Hanover and Pender all allow electronic changeable copy signs to varying degrees of regulation on zoning districts, size, brightness, message change intervals, and distance between signs.

CONSISTENCY WITH APPROVED PLANS

Town of Burgaw Comprehensive Land Use Plan

The proposed amendment is **consistent** with the policy intent of the Town of Burgaw Comprehensive Land Use Plan. Policies that are most pertinent to the proposed amendment are below. Not all policies carry equal weight and may depend on the specifics of the proposal. The following symbology is employed:

				
Strong Support		Modest Support	Modest Non-support	Strong Non-support
Governance				
Goal 1: To improve and streamline the delivery of services to all customers				
Invest in creating a culture of customer service at all staff levels				
ECONOMIC DEVELOPMENT				
Goal 1: To support the profitability and sustainability of existing businesses and industries				
Consider the impacts of the town's policies on Burgaw's economic vitality when making decisions regarding taxes, fees, utility rates, development ordinances, etc., while recognizing the balance between economic development, the maintenance of high-quality services, and the financial health of town government				



Goal 2: To attract businesses and industries that will enhance the economic health and livability of the town

Ensure the town's zoning and development codes can accommodate appropriate businesses and industries and a variety of development forms



Planning Board Action

At the August Planning Board meeting, the Board reviewed the proposed text amendment and recommended two modifications. First, the Board requested that the display time for electronic signage be increased from the originally proposed 10 seconds to a minimum of 60 seconds. Second, the Board recommended that electronic signs not be permitted within the B-1 zoning district. After discussion on these items, the Planning Board voted unanimously to approve the text amendment with the recommended changes.

CONCLUSIONS AND RECOMMENDATION

The proposed modifications to the UDO would allow for the use of electronic changeable copy signs in more use cases and create standards for such signs. Approval of this amendment would grant businesses more flexibility in advertising, increase efficiency of communication for passersby, and create standards to protect residents and commuters from light pollution.

The Town of Burgaw Comprehensive Land Use Plan (LUP) supports this proposal by encouraging economic growth by expanding advertising options for local businesses, protects public health and safety by encouraging efficient communication to the commuting public and minimizing the negative impacts of excessively bright lights to drivers and residences, and ensuring the town's zoning and development codes allow for more modern technologies.

Given the support identified by the LUP, planning staff recommends approval of the text amendment as proposed.

As a result, Staff recommends approval of the request and suggests the following motion:

I move to **RECOMMEND APPROVAL** of the proposed amendment to the Town of Burgaw Unified Development Ordinance to revise Section 9.26 Sign Regulations by expanding the use of and creating additional standards for electronic changeable copy signs. I find it to be **CONSISTENT** with the purpose and intent of the Comprehensive Land Use Plan because it encourages economic growth by expanding advertising opportunities for businesses, protects public health and safety through standards that promote efficient communication while minimizing visual impacts on drivers and residences. I also find **RECOMMENDING APPROVAL** of the proposed amendment reasonable and in the public interest because it modernizes Section 9.26 Unified Development Ordinance to allow for new technologies and aligns with the overall goals and standards of the Comprehensive Land Use Plan.

ACTIONS TO DATE

<i>Planning Board</i>	8/20/2026
<i>Council</i>	

Attachments

1. Application
2. Consistency statement
3. Resolution
4. Ordinance

Section 5.6. Signs

5.6.1. APPLICABILITY

[10-06-2025]

A. General

Except as provided in subsection B below, the standards in this section apply to all signs constructed, erected, altered, or maintained within unincorporated New Hanover County. Additional regulations apply to signs in certain zoning districts (see, e.g., Section 3.3.5. Riverfront Mixed Use (RFMU) Planned Development District) or uses (see Section 5.6.4.C. Use-Specific Sign Standards).

B. Exemptions

The standards in this section do not apply to the following:

1. Gravestones marking an authorized or historical burial or memorial site;
2. Traffic control signs and devices and similar signs erected by a government agency for public safety purposes;
3. Signs required by federal, state, or other agencies;
4. Political signs placed in state road rights-of-way in accordance with NCGS 136-32(b).
5. Lighting or displays of a seasonal, religious, or traditional nature (e.g., Christmas or Chanukah lights or decorations, Thanksgiving decorations, Halloween lights or decorations, etc.);
6. Portable signage that is non-illuminated and less than 12 square feet in sign area placed on a private residential property;
7. Signs facing the inside of athletic fields; and
8. Any sign that is not visible from any point outside the property on which it is located, including wayfinding signs.

C. Severability

If any subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this section or any adopting ordinance is declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality shall not affect any other subsections, paragraph, subparagraph, sentence, phrase, clause, term, or word of this section.

D. Substitution of Non-Commercial Message

Notwithstanding anything contained in this section to the contrary, any sign erected in accordance with the provisions of this section may, at the option of the owner, contain a non-commercial sign message in-lieu of a commercial sign message. The non-commercial copy may be substituted at any time in place of the commercial copy provided that the sign complies with all other standards in this section.

5.6.2. GENERAL PROVISIONS
[10-06-2025]

A. Permission of Owner Required

No sign shall be posted on private property except by the owner of the property or someone acting on behalf of or with permission of the owner.

B. Permit Requirements

1. General

Except as provided in Subsection 2 below or elsewhere in this Ordinance, a sign permit shall be obtained before commencing the construction, alteration, erection, addition to, or movement of any sign or off-premises advertising sign or part of a sign.

2. Exemptions

A sign permit is not required before the posting or installation of one of the following signs. However, all signs shall comply with all other requirements of this section.

- a. One sign along each street frontage of a construction project, not to exceed 20 square feet in sign area in residential zoning districts or 35 square feet in sign area in all other zoning districts. Such signs may be erected no more than ten days prior to the beginning of site work or construction and shall be removed within 30 days following issuance of a certificate of occupancy.
- b. On each lot, up to four freestanding signs, each with a maximum of three square feet in sign area and 30 inches in height.
- c. For each roadway frontage on a parcel of land that is actively marketed for sale or rent one non-illuminated sign is allowed. The sign shall not exceed 20 feet in sign area and must be removed within 30 days following the rental or sale of the parcel.
- d. Incidental signs not to exceed six square feet in aggregate sign area per occupancy.
- e. Signs affixed to residential structures not exceeding four square feet in area.
- f. Flags, subject to the standards of Section 5.6.4.D.
- g. Any other temporary portable sign(s) placed on private property with a maximum sign area of 12 square feet and maximum height of 3 feet that is displayed for fewer than two calendar weeks.

C. Rules of Measurement

1. Sign Height

The vertical distance between the highest part of the sign or its supporting structure, whichever is higher, and the average undisturbed grade adjacent to the sign. Where the elevation of a sign location is more than five feet below the surface of a roadway, the maximum sign height shall be measured from the elevation of the roadway closest to the sign.

2. Sign Area

- a. a. The surface area of a sign, which is computed as including the entire area within a regular geometric form or combinations of regular geometric forms comprising all of the display area of the sign and including all of the elements of the matter displayed. In computing the sign area in square feet, standard mathematical formulas for known or common shapes shall be used. In the case of irregular shapes, straight lines drawn closest to the extremities of the shape shall be used. See Figure 5.6.2.C.2: Measurement of Sign Area .

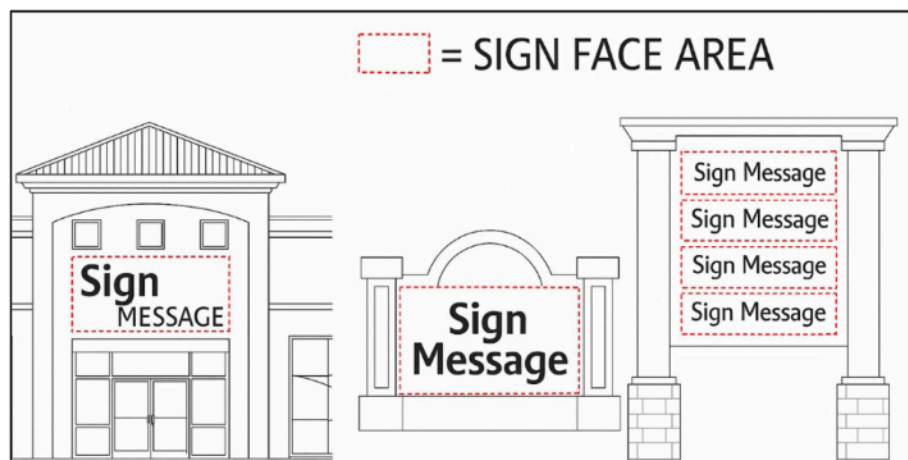


Figure: 5.6.2.C.2: Measurement of Sign Area

- b. Frames and structural members not bearing communicative matter shall not be included in computation of surface area.
- c. If a sign has two or more faces, the area of all faces shall be included in determining the area of the sign, except if two faces are placed back-to-back and are at no point more than two feet from one another, the total sign area shall be calculated as the larger of the two faces or the area of one face, if both faces have the same sign area.

D. Compliance with Building and Electrical Codes

All signs shall be constructed in accordance with the requirements of the North Carolina State Building Code and the National Electrical Code.

E. Minimum Clearance

All freestanding, awning, marquee, and under-canopy signs shall have a minimum clearance of nine feet over any pedestrian use areas. [10-06-2025]

F. Illumination

Unless otherwise specified in this section, all signs may be illuminated but may not included:

1. An exposed incandescent lamp or other light source with an external reflector that does not have a sunscreen or comparable diffusion element.
2. An exposed incandescent lamp or other light source unless a screen is attached; or
3. A revolving beacon light.

G. Changeable Copy

[10-06-2025]

1. Manual Changeable Copy

Manual changeable copy is permitted on any freestanding sign.

2. Electronic Changeable Copy (Digital)

Where permitted, electronic changeable copy signs shall meet the following standards:

- a. Changeable copy displays shall remain static for a minimum of eight seconds prior to each change.
- b. Each change of display shall be accomplished within two seconds.
- c. Transitions between displays shall be instantaneous and shall not incorporate animation, flashing, scrolling, simulated movement, or special effects.
- d. The luminance of any changeable copy sign shall not exceed 750 nits during daylight hours and 150 nits during non-daylight hours. Signs using LED, CCD, plasma, or functionally equivalent technologies shall include automatic dimming technology certified by the manufacturer or a qualified professional, and luminance settings shall be factory preset and protected from end-user manipulation through password protection or another method approved by the Director.
- e. All changeable copy signs shall be designed to maintain a static display or discontinue display entirely in the event of malfunction.
- f. The display shall not be configured to resemble or simulate any warning, danger signal, or official traffic control sign or device.
- g. The content of each display shall be complete in itself and not continued on subsequent displays or other signs.
- h. Off-Premises Advertising Signs using electronic changeable copy shall be located a minimum of 1,000 feet from any other changeable copy sign utilizing digital display technology, as measured along the same side of the roadway or across the street frontage.

H. Audio Components

[10-06-2025]

Audio components of signs shall be limited to those necessary for compliance with the Americans with Disabilities Act or other state or federal requirements.

I. Removal of Unsafe or Abandoned Signs

[10-06-2025]

1. Maintenance and Removal

Should any sign become in danger of falling or is deemed otherwise unsafe as determined by the New Hanover County Building Safety Director, the Building Safety Director shall provide notice to the owner of the sign or person or firm maintaining it requiring the removal or securing of the sign. Removal or securing of the sign shall be done within 10 days and in the case of immediate danger, may be required to be remedied immediately. The method of securing the sign shall be determined by the Building Safety Director in conformity with the provisions of the state building code. If the sign is not removed, the Building Safety Director or his designated agent may initiate legal procedures to obtain the necessary court orders to remove such sign at the expense of the owner or lessee.

2. Abandoned Signs

Any on-premises sign relating to any business or other use shall be removed by the owner of the property on which the sign is located or the owner of the sign within 60 days after the business or activity is vacated or terminated. If the sign is not removed by the removal time, after properly written notification is given, the Planning Director may initiate legal procedures to remove the sign in compliance with the provisions of NCGS 160D-912.1.

J. Prohibited Signs

Except as specifically provided in this Ordinance, the erection, construction, location or use of the following signs is prohibited. Such Prohibited signs, if deemed to create a public safety hazard by the Building Safety Director, may be removed immediately as outlined in the Maintenance and Removal provisions in Section 5.6.3.H.

1. Signs within or that protrude into a public right-of-way, street, or passageway without permission of the appropriate government agency.
2. Signs attached to, hung, or painted on any curb stone, hydrant, lamppost, street tree, barricade, temporary walk, telephone pole or other utility pole, electric light pole, public fence, or on a fixture of a fire alarm or police call system within any public right-of-way, except for signs installed by or with the approval of the appropriate government agency.
3. Freestanding signs located within 10 feet in any direction from any power or transmission line, not including the support structure (e.g., a power pole).
4. Signs whose location, nature or type constitutes or tends to constitute a hazard to the safe and efficient operation of vehicles upon any public right-of-way, street, or passageway including signs that would obstruct

the line of sight of motorists or pedestrians at intersections, driveways, or along any public right-of-way, street, or passageway.

5. Signs prohibited by NCGS 136-32.2., including signs that would obstruct or resemble traffic signs or signals, or would tend to be confused with a flashing light of an emergency vehicle.
6. Signs placed on or above the roof of a structure. This does not include "Roof Signs" as defined in this ordinance.
7. Animated or flashing signs, using moving images, changing colors, or revolving or rotating beams of light. This does not include electronic changeable copy signs permitted under this section.
8. Signs which revolve 360 degrees.
9. Signs which prevent free ingress and egress from any door, window, or fire escape.
10. Signs that contain statements, words, or pictures that are obscene, as defined by NCGS 14-190-1.
11. Signs placed on a vehicle or trailer which is parked or located for the primary purpose of displaying the sign, provided that authorized portable signs (see Section 5.6.4.D: Portable Signs) and signs, or lettering on buses, taxis, or vehicles operating during the normal course of business are permitted.
12. Signs painted on or attached to any boat or structure which floats or is designed to float, whether such boat or structure is self-propelled or not, which are parked or located for the primary purpose of displaying the sign. Markings such as name and registration information that may be required by federal or state law or signs or lettering on boats operating during the normal course of business are permitted.
13. Pennant signs except as navigational aids exempt from the provisions of this ordinance.
14. Wind device signs, as defined by this ordinance.

5.6.3. PERMANENT SIGNS

[10-06-2025]

A. Attached Signs

1. General

Table 5.6.3.A: Permitted Permanent Attached Signs, by Zoning District, identifies attached signs that are permitted in each zoning district, subject to the standards that apply to specific types of signs identified in the right-most column of the table. For attached sign standards in the Riverfront Mixed Use District, see Section 3.3.5: Riverfront Mixed Use (RFMU) Planned Development District.

Table 5.6.3.A: Permitted Permanent Attached Signs, by Zoning District P = Permitted Blank Cell = Prohibited							
Sign Type	Zoning Districts						Specific Sign-Type Standards
	All Residential Districts	O&I	B-1, CB, UMXZ, PD	B-2 and SC	CS, I-1 and AC	I-2	
Awning		P	P	P			5.6.4.A.2
Integral	P	P	P	P	P	P	5.6.4.A.3
Marquee	P						5.6.4.A.4
Under Canopy		P	P	P	P	P	5.6.4.A.5
Wall	P	P	P	P	P	P	5.6.4.A.6
Window		P	P	P	P	P	5.6.4.A.7

2. Awning Signs

Each tenant in a building is permitted a maximum of three awning signs, provided that no sign shall cover more than 20 percent of the surface area of an awning.

3. Integral Signs

Each building is permitted a maximum of two integral signs, each no more than 10 square feet in sign area.

4. Marquee Signs

Each building housing a nonresidential use in a Residential zoning district is permitted one marquee sign not to exceed 25 feet in sign area. Electronic changeable copy is not permitted.

5. Under-Canopy Signs

Each occupancy is permitted one under-canopy sign with a maximum sign area of four square feet.

6. Wall Signs

- In all residential districts, wall signs shall be limited to no more than one non-illuminated sign a maximum of 2.25 square feet in area mounted flush against the wall of the principal building
- In all other districts outlined in Table 5.6.3.A, each building is permitted wall signs that do not cover more than 20 percent of the facade area along each side of a building. Wall signs may not project more than 18 inches from the wall. Electronic changeable copy is not permitted.

7. Window Signs

On-premises window signs are permitted on a principal building in accordance with the following:

- a. The area of all window signs shall not exceed an aggregate area equal to 10 percent of the total ground floor glassed window area of the building.
- b. Window signs may be neon or electronic changeable copy if located inside the window.
- c. Window signs are prohibited above the second floor of a building.

B. Freestanding Signs

1. Freestanding Signs in Certain Mixed Use, Commercial, and Industrial Zoning Districts
 - a. Except as provided in subsections b, c, and d below, properties in the B-1, PD, CB, UMXZ, B-2, CS, I-1, I-2, AC, and SC zoning districts are allowed one principal freestanding sign per parcel street frontage, regardless if for a single tenant or multiple tenants, in accordance with Table 5.6.4.B.1: Freestanding Sign Standards.
 - b. For properties along Carolina Beach Road, the primary freestanding sign shall have a maximum sign area of 150 square feet and a maximum height of six feet.
 - c. For properties in the Special Highway Overlay District (SHOD), see Section 3.5.3: Special Highway Overlay (SHOD) District.
 - d. Except along Carolina Beach Rd., parcels are allowed one additional auxiliary sign if it has at least 100 and less than 200 linear feet of road frontage. A parcel is allowed two auxiliary freestanding signs if has 200 or more linear feet of road frontage.

Table 5.6.4.B: Freestanding Sign Standards

Zoning District	Number of Lanes	Street Frontage (Feet) [1]	Front Setback (Min./Max.) (Feet) [2][3]	Maximum Primary Sign Height (Feet)	Maximum Aux. Sign Height (Feet)	Maximum Primary Sign Area (Square Feet)	Maximum Auxiliary Sign Area (Square Feet)
O&I [10-03-2022 [10-06-2025]]	2	N/A	10/20	20	10	12	25
	4	< 100	10/20	20	N/A	75	37.5
		≥ 100	10/20	20	10	75	N/A
B-1, PD, CB, UMXZ [09-08-2020] [10-06-2025]	2	N/A	10 / 20	20	10	50	25
	4	< 100	10 / 20	20	N/A	50	N/A
		≥ 100	10 / 20	20	12	65	32
B-2, CS, I-1, I-2, AC, SC [09-08-2020]	2	< 100	10 / 20	20	N/A	65	N/A
		≥ 100	10 / 25	20	18	100	50
	4	< 100	10 / 25	20	N/A	100	N/A
		≥ 100	10 / 30	25	20	150	75
		≥ 300	10 / 30	30	20	175	90

Table 5.6.4.B: Freestanding Sign Standards

Zoning District	Number of Lanes	Street Frontage (Feet) [1]	Front Setback (Min./Max.) (Feet) [2][3]	Maximum Primary Sign Height (Feet)	Maximum Aux. Sign Height (Feet)	Maximum Primary Sign Area (Square Feet)	Maximum Auxiliary Sign Area (Square Feet)
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NOTES:

- [1] Number of lanes refers to the ultimate number of lanes based upon existing roadway conditions or upon construction plans approved as part of the current NC DOT Transportation Improvement Program.
- [2] Notwithstanding the minimum and maximum front setback requirements indicated above, primary freestanding signs which do not exceed six feet in height and are less than 75 percent of the maximum sign area established above, may be located within five feet of the front property line and shall have no maximum front setback.
- [3] Front Setback refers to the setback from the front or corner side property lines.

2. Freestanding Signs in Residential Districts

- a. Residential developments are allowed two freestanding signs per entrance. The signs shall each be limited to a maximum of 35 square feet in sign area and may be located on fences or freestanding walls. The height of any sign located on a wall or fences shall not exceed six feet in height, or the height of the fence or wall, whichever is greater. Only external illumination shall be allowed.
- b. Each lot with a permitted nonresidential use, excluding those located in a residence, is permitted one freestanding sign per frontage with a maximum of 35 square feet in sign area. Each permitted freestanding sign shall have a maximum height limit of six feet and be set back at least five feet from any property line. If the sign is illuminated, the light source shall be external to the sign itself.
 1. For properties along local or collector roads, any changeable copy sign must be manual changeable copy.
 2. For properties along minor or major arterials, electronic changeable copy signs are permitted.

C. Additional Sign Regulations**1. Off-Premises Outdoor Advertising Signs****a. General**

1. Except as provided in subsection 2 below, off-premises outdoor advertising signs and structures are permitted on land in the I-1, I-2, and AC zoning districts.
2. Off-premises outdoor advertising signs and structures are prohibited within 400 feet of any Residential zoning district, Residential use, religious assembly, public park, and school. These signs are also prohibited on land in the Special Highway Overlay District (SHOD) or in any area in, upon, or over any navigable public waterway, marsh, or within 400 feet landward of the mean high water line.

b. Location Setbacks, and Spacing

1. Each off-premises outdoor advertising sign shall comply with the applicable setback requirements of the district in which it is located or be setback at least 10 feet from any right-of-way or property line, whichever is greater.
2. No part of an off-premises outdoor advertising sign shall be located within a triangular area formed by the street right-of-way lines and a line connecting them at points 50 feet from the right-of-way intersection.
3. Any off-premises outdoor advertising sign shall be located a minimum of 1,000 feet from any part of another off-premises outdoor advertising sign.

c. Single Off-Premises Outdoor Advertising Sign Structure

1. Any off-premises outdoor advertising sign shall be considered as one sign structure when it is designed to be viewed from:
 - i. One direction and consists of a single face sign placed in such a manner to be viewed by one directional flow of traffic; or
 - ii. Two directions and consists of two sign faces arranged either back-to-back or in a V-shape.
2. There shall be a maximum of one sign face for each direction of traffic.

d. Area and Height Requirements

1. The maximum sign area of an off-premises outdoor advertising sign shall be 75 square feet when facing streets with fewer than four travel lanes and 150 square feet when facing streets with four or more travel lanes.
2. For purposes of this subsection d only, the allowable sign area of an off-premises outdoor advertising sign with equal size and shape for both double-faced (back-to-back) and V-type off-premises outdoor advertising signs is measured by computing the area of only one side of the outdoor advertising sign.
3. Both side of a double-faced or V-type off-premises outdoor advertising sign shall be of equal size. No point on either side shall be more than 15 feet from the nearest point of the other side.
4. No off-premises outdoor advertising sign or part thereof, including base, apron, supports, supporting structures, and trim, may exceed 30 feet in height total.
5. Rooftop off-premises outdoor advertising signs are prohibited.

e. Other Standards

1. No outdoor advertising sign, except official traffic signs, shall be installed closer than 10 feet horizontally or vertically from any conductor or public utility guy wire.

2. All off-premises outdoor advertising sign illumination devices shall be in conformance with all state and local codes regarding illuminations. If the sign is illuminated, the light source shall be external to the sign itself. Electronic changeable copy shall be prohibited.
3. The backs of all outdoor advertising signs shall be painted in a neutral color to blend in with the surrounding area.
4. Vegetation on public property or rights-of-way shall not be trimmed for any reason, including to make any outdoor advertising sign more visible, except as permitted by NCGS 136-133.1 et seq.

f. Removal of Obsolete Off-Premises Outdoor Advertising Signs

Outdoor advertising sign messages which advertise a discontinued activity or use of a parcel or premises shall be removed within 60 days from the date the activity or use was terminated. Outdoor advertising signs advertising events such as shows, displays, festivals, circuses, fairs, athletic contests, conventions, or other time-limited events shall be removed within 30 days after the final date of such events.

5.6.4. TEMPORARY SIGNS

[10-06-2025]

A. General

Table 5.6.4.A: Permitted Temporary Signs, by Zoning District, identifies temporary signs that are permitted in each zoning district, subject to the standards that apply to specific types of signs identified in the right-most column of the table.

Regardless of the sign type, any sign located on a property for more than 60 consecutive days or 90 days in a calendar year shall be considered a permanent sign and must meet the requirements of Section 5.6.3. Permanent Signs.

Table 5.6.4.A: Permitted Temporary Signs, by Zoning District							Specific Sign-Type Standards
P = Permitted Blank Cell = Prohibited							
Sign Type	Zoning Districts						
	All Residential Districts	O&I	B-1, CB, UMXZ, PD	B-2 and SC	CS, I-1 and AC	I-2	
A-Frame							N/A
Balloons/Blimps		P	P	P	P	P	5.6.4.B
Banner		P	P	P	P	P	5.6.4.C
Flag	P	P	P	P	P	P	5.6.4.D
Incidental		P	P	P	P	P	N/A.
Portable			P	P	P	P	5.6.4.E

B. Balloons / Blimps

1. A balloon or blimp is allowed to be displayed for special events, subject to the following:
 - a. The balloon or blimp shall be permitted at a specific site for no more than seven consecutive days and for no more than five times in a calendar year, regardless of the number of days each time.
 - b. The balloon or blimp may not be more than 1,000 cubic feet in size, nor shall the total of the longitudinal and latitudinal dimensions of the device, measured along its axes, exceed 37 linear feet;
 - c. The balloon or blimp shall be securely anchored at a point within the applicable setback for buildings in the zoning district where the balloon or blimp is flown
 - d. The balloon or blimp shall not be flown higher than 50 feet in the air when less than 100 feet from any active public roadway. Its height may be by one foot for each additional foot of distance beyond 100 feet from the public roadway to a maximum of 100 feet. (Example: if the balloon or blimp is anchored 125 feet from a road, it may be flown at a height of 75 feet.)
 - e. No balloon or blimp shall be flown in windy conditions (sustained winds of 25 m.p.h. or more) or inclement or stormy weather;
 - f. A balloon or blimp shall comply with all applicable and state and federal regulations;
 - g. No balloons or blimps shall be flown within one mile radius of another balloon or blimp;
 - h. No device authorized by this section may consist of more than one balloon or blimp, or have attached to it any streamers, banners, or other paraphernalia.
 - i. If, in the opinion of the Building Safety Director, any balloon or blimp is creating or contributing to a hazardous situation, the Director may direct that it be removed or that the manner of its display be altered to remove the hazard.
2. For purposes of this subsection 5.6.5.B only, special events include grand openings, special sales and other promotional activities

C. Banners

1. General

Except as provided in subsection 2 below, each tenant is allowed no more than two banners in accordance with the following:

- a. A banner shall be permitted at a specific site for no more than 30 consecutive days and for no more than two times in a calendar year, regardless of the number of days each time. A minimum of 30 days shall separate each use of the banner.
- b. For banners proposed to be used in a public park, each group or activity shall be considered to be a separate tenant.

2. Exception

Museum and cultural arts center uses are permitted to continuously display one banner with no time limitation. One additional banner may be displayed in accordance with the requirements of subsection 1 above.

D. Flags

Flags are allowed in accordance with Table 5.6.4.D Flag Standards by Zoning District, based on the zoning district and size of the parcel. Ground-mounted flagpoles shall not exceed the height limits established in Table 5.6.4.D Roof-mounted flagpoles shall not exceed the maximum height permitted in each zoning district for roof-mounted antennae. No more than two flags are permitted on each flagpole. The cumulative areas of all flags shall not exceed the maximum area established in Table 5.6.4.D.

Table 5.6.4.D: Flag Standards by Zoning District				
Zoning District	Parcel Size	Maximum Number of Flagpoles	Maximum Area	Maximum Height
Commercial and Industrial	Less than one acre	Three	80 square feet	35 feet
	One to three acres	Five	200 square feet	50 feet
	Three to ten acres	Ten	200 square feet	50 feet
	More than ten acres	Ten	800 square feet	80 feet
All Other	N/A	One	80 square feet	35 feet

E. Portable Signs

One portable signs is permitted on a parcel for no more than 30 consecutive days, for no more than two times in a calendar year, regardless of the number of days each time. A minimum of 30 days shall separate each use of the portable signs. Portable signs cannot exceed 35 square feet in sign area and six feet in height, or be located within five feet of any property line. At the expiration of the permit period, the sign, which includes the lettering as well as the signage cabinet, shall be removed.

- 6) **SIGN, COTTAGE OCCUPATION:** A sign advertising an approved cottage occupation.
- 7) **SIGN, DIRECTIONAL:** A sign that is designed or erected for the purpose of providing direction and/or orientation for pedestrian or vehicular traffic.
- 8) **SIGN, ELECTRONIC MESSAGE:** A sign with a fixed or changing message and/or display composed of a series of lights that may be changed through electronic means. LED (light emitted diodes) is a type of electronic message sign. Such electronic sign messages shall be displayed for a minimum of two minutes, and shall not be animated by scrolling, flashing or other similar non-static displays. In no case shall an electronic message sign occupy more than 50% of the area of a permitted sign size.
- 9) **SIGN, FLASHING:** Any sign directly or indirectly illuminated that exhibits changing natural or artificial light or color effects by any means whatsoever.
- 10) **SIGN, ILLUMINATED:** A sign lighted by or exposed to artificial lighting either by lights on or in the sign or directed toward the sign.
- 11) **SIGN, INFLATABLE:** Any display capable of being expanded or powered by air or other gas and used to advertise a business, service, product or event.
- 12) **SIGN, INFORMATIONAL:** A sign commonly associated with, and not limited to, information necessary for the convenience of visitors coming on the property, including signs marking entrances and exits, parking areas, circulation direction, rest rooms, and pick-up and delivery areas.
- 13) **SIGN, MONUMENT:** A freestanding sign placed directly on the ground by means other than a support pole or brace in which the message portion is either on top of, or affixed to, the support structure. The width of the support structure for the monument sign must be a minimum of 50% of the width of the sign face area.

ARTICLE 9 SIGNS

9.1 INTENT

The intent of this Article is to regulate the erection, number, area, height, location, type and maintenance of signs to promote the health, safety and general welfare of the public and the orderly development of the County by protecting property values, and providing adequate signage for businesses and motorists; protecting and enhancing the image, appearance and economic vitality of the County. Any type of sign not currently listed in this Article shall be prohibited.

9.2 ADMINISTRATION, FILING PROCEDURE AND APPROVALS

9.2.1 Approval Procedure Applications for approval to construct or install all signs shall be submitted on forms obtained from the Administrator showing the following:

- A. Surface area of the sign;
- B. Size, character, general layout and designs proposed for painted display;

Commentary: Each applicant for sign approval must apply for a building permit, if applicable.

- C. The method and type of illumination, if any;
- D. The location proposed for such signs in relation to property lines, zoning district boundaries, if applicable, right-of-way lines, and existing signs; and
- E. If conditions warrant it, the Administrator may require such additional information that will enable them to determine if such sign is to be erected in conformance with the requirements of this Ordinance.

9.3 GENERAL PROVISIONS

9.3.1 Traffic Safety. No sign shall be erected or constructed that:

- A. Obstructs the sight distance at intersections or along a public right-of-way;
- B. Would, by its location, color, or nature, tend to be confused with or obstruct the view of traffic signs or signals, or would be confused with a flashing light of an emergency vehicle; or which might be confused with traffic directional signals and signs such as "stop", "go", "slow", "danger", etc.

9.3.2 Certain Signs Prohibited

No sign shall be attached to or painted on any telephone pole, light pole, telegraph pole, or other man-made objects not intended to support a sign or any tree, rock, or other natural objects.

9.3.3 Special Use Permits

A Zoning Approval for uses which require a Special Use Permit shall not be issued until a Special Use Permit is approved by the Board of County Commissioners.

9.4 EXEMPTIONS

9.4.1 The following types of signs are exempt from the application of the regulations herein:

- A. Signs unlighted, not exceeding two (2) square feet in area and bearing only property numbers, mail box numbers, post office numbers, and the name of the owner or occupant of the premises. Such signs shall not exceed two (2) square feet in area per occupant. If more than one (1) sign or nameplate is required, the total allowable sign area shall not exceed eight (8) square feet.
- B. Flags and insignia of any government.
- C. Holiday decorations in season.
- D. Integral decorative or architectural features of buildings, including signs which denote only the building name, date of erection or street number.
- E. Signs directing and guiding traffic and parking on private property.
- F. Signs which cannot be seen from public road or right-of-way.
- G. The act of changing advertising copy of messages on any sign designated for the use of replaceable copy such as a ready board or product price sign or on sign having its own changing copy capacity such as a time-and-temperature sign.
- H. Interior Window Signs located on the interior of the windows and with a total area not exceeding 1/2 square foot per lineal foot of the building front wall space.
- I. State required signs, i.e., inspections at service stations etc.
- J. Off-Site real estate signs not exceeding six (6) square feet

9.5 SIGNS NOT REQUIRING ZONING APPROVAL

9.5.1 The following signs may be erected, hung, or placed without zoning approval from the Administrator, but shall not be illuminated unless otherwise specified.

- A. Temporary Real Estate Sign
 - 1) One (1) on-premise temporary real estate sign not exceeding ten (10) square feet in area shall be allowed per residential lot. One (1) on-premise temporary real estate sign not exceeding thirty-two (32) square feet in area shall be allowed, for commercial or industrial property, and/or for tracts of land five (5) acres or more in area. Where the property on which said sign is to be placed faces more than one (1) road, one (1) such sign shall be allowed on each road frontage.
- B. Temporary Construction Sign
 - 1) One (1) construction sign may be erected on a site during the period of construction or reconstruction of a building or other similar project.
- C. Directional signs advertising a public event and located off premises may be displayed on private property not more than one (1) week in advance of the event and not more than two (2) days after the completion of the event. No such sign shall exceed six (6) square feet in area.
- D. Political campaign signs may be posted on private property only after the official campaign period has begun and must be removed within 30 days after primary election for the loser, and 30 days after the general election for everyone. Such signs shall not exceed thirty-two (32) square feet in area.

9.5.2 Direction, Information or Public Service Signs

- A. Direction or information signs of public or quasi-public nature will not need zoning approval if the sign does not exceed thirty-two (32) square feet in area. Such signs shall only be used for the purpose of stating or calling attention to:
- 1) The name or location of the county, hospital, community center, public or private school, church, synagogue, or other place of worship, may be illuminated;
 - 2) The name and place of meeting of an official body, may be illuminated;
 - 3) Zoning and subdivision jurisdiction; and
 - 4) An event of public interest such as public hearing, election, rezoning announcement, church and public meeting, local or county fair, and other similar community activities and campaigns.

9.5.3 Setback Requirements

Signs which do not require zoning approval shall be set back at least five (5) feet from any public right-of-way or property line whichever is greater.

9.5.4 Religious and Civic Events

A sign advertising a non-commercial occasional activity of a religious or civic activity or event sponsored by a public body or a private charitable or other non-profit entity. All such signs shall be removed within thirty (30) days after the event.

9.6 SIGNS APPROVED IN RESIDENTIAL DISTRICTS AND RURAL AGRICULTURAL DISTRICTS

9.6.1 Subdivisions

Permanent signs for subdivisions and residential developments shall not exceed thirty (30) square feet in area. One (1) sign may be erected at each major entrance to the subdivision, but shall be located on private property no closer than ten (10) feet to any property line. No sign shall exceed six (6) feet in height above ground level, and illumination shall be restricted to indirect white lighting. Two one sided signs no larger than 20 sq. ft. may be approved on either side of the entrance consistent with the above conditions.

9.6.2 Mobile Home Parks

Permanent signs for mobile home parks, campgrounds, and residential developments shall not exceed twenty (20) square feet in area. One (1) sign may be erected at each major entrance to the Mobile Home Park or campground but shall be located on private property no closer than ten (10) feet to any property line. No sign shall exceed six (6) feet in height above ground level. Illumination shall be limited to indirect white lighting.

9.6.3 Multi-Family

One (1) permanent sign for multi-family residential developments may be erected at each major entrance to the property. Such signs shall not exceed twenty (20) square feet in area and may be flat mounted against the wall of an apartment building or freestanding. If freestanding, such signs shall be set back a minimum of ten (10) feet from any public right-of-way or property line whichever is greater and shall not exceed six (6) feet in height above ground level. Illumination shall be limited to indirect white lighting.

9.6.4 Home Occupation

One (1) sign for each home occupation is allowed, but shall not be closer than ten (10) feet to any property line, or road right-of-way, whichever is greater. Such signs shall not project higher than four (4) feet above ground level, and shall not exceed two (2) square feet in area. If more than one home occupation exists on the premises, total signage shall be combined into one sign location, the total sign area not to exceed ten (10) square feet in area.

9.7 SIGNS APPROVED IN THE COMMERCIAL AND MIXED USE DISTRICTS AND NON-RESIDENTIAL USES IN THE RESIDENTIAL DISTRICTS

9.7.1 Within the Commercial Districts, Mixed Use Districts and Non-Residential uses in the Residential Districts, the following types of signs are approved. Any residential uses within the Commercial and Mixed Use Districts shall comply with the standards set forth in Section 10.6 of this Article.

A. Freestanding Signs

- 1) 100' To 300' Road Frontage:
 - a) One (1) permanent freestanding sign of (32) thirty-two square feet of signage is allowed for the first one hundred (100) feet or less of road frontage. Thereafter the area of the sign may be increased three and two-tenths (3.2) square feet for each ten (10) feet of additional road frontage, up to a maximum sign area of ninety-six (96) square feet for three hundred (300) feet of road frontage.
- 2) 300' to 1,000 Feet Road Frontage:
 - a) Beginning at three hundred (300) feet of road frontage, the area of the sign may be increased 1.5 square feet for each ten (10) feet of additional road frontage, up to a maximum sign area of two hundred (200) square feet for one thousand (1,000) feet of road frontage.
- 3) Corner Lots
 - a) Corner lots may utilize two freestanding signs one for each road frontage, so long as they are not placed closer than fifty (50) feet from the corner intersection and do not exceed the total freestanding sign area allowed.

B. Sign Height

- 1) The maximum height of signs described in this Section shall be twenty-five (25') feet.

C. Wall Signs

- 1) A permanent wall sign shall be allowed for each separate business establishment provided the total allowable sign area for the wall signs shall not exceed one (1) square foot for each lineal foot of building wall facing a public street.

D. Canopy/Marquee Sign

- 1) One (1) sign per business establishment may be suspended from or attached to the underside of a canopy or marquee, provided such sign does not exceed six (6) square feet in area and maintains a clear distance of at least seven and one-half (7-1/2) feet between the sidewalk and the bottom of the sign.

E. Setbacks

- 1) No freestanding sign shall be closer than ten (10') feet from any property line.

9.7.2 Temporary Signs

- 1) One sign, including portable signs and banners, for promotional purposes by a business may be displayed on the premises for a period not to exceed ten (10) consecutive days during each month, with a maximum total size of sixty (60) square feet.
- 2) Each sign must receive zoning approval prior to placement of any temporary sign. Approval shall be valid for a ten (10) day period.
 - a) Shopping Centers and multi-tenant developments may utilize one banner, for promotional purposes which may be displayed. Such banner shall be affixed to the development's existing, permanent, free-standing sign and shall be displayed for no more than ten (10) consecutive days during each month. The maximum allowable square footage shall be sixty (60) square feet.
 - i) Shopping centers or multi-tenant with more than 5 units or 400' or more of road frontage may utilize two (2) banners for ten (10) days per month.
- 3) Pennants, ribbons, posters, streamers, strings of light bulbs, or other similar devices may be displayed for a period of not more than forty-five (45) days on the occasion of the opening of a new business.
- 4) Dimensional Standards
 - a) Setbacks: Temporary Signs shall be setback a minimum of five (5') feet off of any property line or road right-of-way.
 - b) Height: Temporary signs shall not project any higher than fifteen (15') above ground level.

9.8 SIGNS APPROVED IN THE INDUSTRIAL DISTRICTS

9.8.1 Within the IT and GI Districts as shown on the Zoning Map, only the following signs shall be allowed:

- A. Freestanding Signs
 - 1) One (1) freestanding sign is allowed for each principal use. The area of the sign shall not exceed eighty (80) square feet in area, and shall not project more than twenty-five (25') feet above ground level. Business fronting on more than one (1) public road shall be allowed one (1) free-standing sign for each frontage; provided, however, the combined area of all such signs shall not exceed the allowable sign area of eighty (80) square feet.
- B. Wall Signs
 - 1) Permanent wall signs are allowed for each business provided they do not project higher than the building eave or thirty (30) feet, whichever is lower. The location of wall signs is at the option of the owner or tenant. The total allowable sign area for wall signs shall not be more than one (1) square feet per lineal foot of building wall facing a public road.
- C. Canopy/Marquee Signs
 - 1) Signs may be suspended from or attached to the underside of a canopy marquee, provided that the total sign area of such signs does not exceed six (6) square feet in area and a clear distance of at least seven and one-half (7-1/2) feet between the sidewalk and the bottom of such signs is maintained.
- D. Off-Premises Advertising Signs
 - 1) One off-premises advertising sign may be allowed. In which case the sign shall be setback from any road right-of-way or property line by at least fifty (50) feet, shall not

be closer than one hundred (100) feet to any residential property line, shall not project higher than twenty-five (25) feet above ground level, shall not exceed two hundred (200) square feet in area and not closer than 1,000 feet to another off premises advertising sign.

9.9 SHOPPING CENTER SIGNS, MALLS, STRIP MALLS AND OFFICE, BUSINESS & INDUSTRIAL PARKS/BUILDINGS

9.9.1 Pylon/free Standing Sign

For multi-unit commercial, office & industrial developments under single ownership or under unified control, one (1) pylon or free standing sign shall be allowed for each street frontage not to exceed two signs per development and the total sign area does not exceed 200 sq. ft. When a single frontage development has 400 or more of road frontage, a second sign will be allowed as long as both signs do not exceed 200 sq. ft.

A. Such signs shall be subject to the following:

- 1) Content: Such sign shall advertise only the name and location of such center and/or name and type of business of each occupant of the center, or other activities on the site.
- 2) Area: The gross area in square feet allowed for the pylon/free standing signs shall be one (1) square foot per lineal foot of development frontage; however such signs shall not exceed a total of two hundred (200) square feet.
- 3) Location: The sign shall not be closer than twenty (20) feet to any property line or road right-of-way and shall not project higher than twenty five (25') feet above ground level.

B. When a single frontage development has 400 or more feet of road frontage, the following standards shall apply for increased square footage.

- 1) For each additional foot of road frontage exceeding 400', the square footage of the Pylon/free standing sign may be increased by 0.25.
- 2) The total allowable square footage based on road frontage shall not exceed 350 sq. ft. or 1000' of lineal road frontage and may be divided between two signs following Section 9.9.1.A.3.

9.9.2 Wall Signs

In addition to the pylon/free standing sign such developments may have one wall sign, for each tenant. Such wall sign shall be in accord with Section 9.7.1.C of this Section.

9.9.3 Free Standing Signs

If a Shopping Center, Mall, Strip Mall, Office, Business & Industrial Park does not utilize a multi-unit free standing sign, each principal structure in the development will be allowed to have one free standing sign, advertising tenants or activities in that structure only. Such sign shall not exceed 32 sq. ft. in area, 10 ft. in height and not be closer than 20' to any street right-of-way or 10' to any parking or access way or structure. The sign and structure for which the sign is erected shall be on a separate lot in the development or the sign shall be within 30' of the front entrance of the structure.

9.10 OFF PREMISE DIRECTIONAL REAL ESTATE SIGNS

Residential subdivisions and planned developments containing more than fifteen (15) lots or units shall be permitted to erect one (1) temporary directional off-premise real estate sign directing the public to the subdivision or planned development where property is for sale, rent or lease. The applicant must apply for zoning approval and building permits for each sign. Once issued, the approval is good for a period not to exceed two (2) years. Upon expiration, the approval may be renewed for a period not to exceed two (2) years, provided the applicant reapplies within ten (10) days after expiration. If the applicant/owner fails to remove the sign or reapply within ten (10) days of expiration, the county shall take appropriate violation measures to establish compliance.

A. Each sign must meet the following criteria:

- 1) Maximum sign area is thirty-two (32) square feet;
- 2) Maximum sign height is ten (10') feet;
- 3) The maximum number of sign faces is one (1) per side of the sign, not to exceed two (2) sign faces. If the sign is located on a property where two public roads intersect, the sign may be constructed so that one sign face faces each road frontage;
- 4) No temporary directional off-premise real estate sign shall be placed within three hundred (300') feet of an existing temporary off-premise real estate sign measured from the same side of the right of way;
- 5) The sign shall not be located within a sight triangle or impede the vision of motorist in any manner;
- 6) The sign shall not be internally or externally illuminated;
- 7) The sign and supporting posts shall be constructed of treated lumber or vinyl, or other materials not prone to rot or decay. The supporting post shall have a maximum dimension of 4" x 4" and be trimmed out at the top and capped with a decorative post cap.
- 8) The sign shall not be located on any property that is currently zoned within a Special Purpose District (Environmental Conservation)
- 9) The sign shall be maintained in substantially similar condition as to when it was originally erected. Maintenance shall include periodic painting, replacement of defective or missing parts, cleaning, and replacement of any sign face that exhibits damage or deterioration. Refer to Section 9.14.

9.11 OUTDOOR ADVERTISING SIGNS ALLOWED ONLY ALONG INTERSTATE 40

No outdoor advertising sign shall be located any closer than fifteen hundred (1,500) feet off the state right-of-way on Interstate-40. The maximum height of sign on I-40 shall be thirty (30) feet. The maximum size of any one sign shall be two hundred (200) square feet with a maximum length of forty (40) feet. No two (2) outdoor advertising sign structures shall be spaced less than fifteen hundred (1500) feet apart.

9.12 PROHIBITED SIGNS

9.12.1 Unless otherwise allowed, the following signs are prohibited:

- A. Banners, posters, pennants, ribbons, streamers, inflatable signs, strings of light bulbs, spinners, or other similar devices except as allowed in Section 9.5.1.C.2.
- B. Signs which contain, include, or are lighted by any flashing, intermittent or moving lights are prohibited, except those giving public information such as time, temperature, and date.
- C. Signs advertising an activity, business, product, or service no longer conducted on the premises upon which the sign is located.
- D. Roof signs.
- E. Projecting signs and freestanding signs located within a public right-of-way except erected by a governmental agency.
- F. Rotating or revolving signs.
- G. Portable signs as a permanent use.
- H. Obscene signs are prohibited. No sign shall be erected or maintained which bears or contains statements, words, or pictures of an obscene, offensive character or offensive nature.
- I. Signs on parked inoperable vehicles or trailers visible from the public right-of-way where the primary purpose of the vehicle parked at that location is to advertise a product or service or to direct people to a business or activity on the same or nearby property. For the purposes of these regulations, vehicular signs include business logos, identification or advertising on vehicles.

9.13 ILLUMINATION

9.13.1 Where illuminated signs are allowed, they shall conform to the following requirements:

- A. All signs illuminated under the provisions of this Subsection shall be constructed to meet the requirements of the National Electric Code.
- B. Illuminated signs shall be limited to those lighted internally with glass or plastic faces bearing the advertisements, provided however, that exposed neon tubing and exposed incandescent or other bulbs not exceeding fifteen (15) watts each shall be allowed.
- C. Flood and display lighting shall be shielded so as to prevent direct rays of light from being cast into a residential area or district and/or vehicles approaching on a public right-of-way from any direction. Such lighting shall also be shielded so as to prevent view of the light source from a residence or residential district and/or vehicles approaching on a public right-of-way from any direction.
- D. Flame as a source of light is prohibited

9.14 MAINTENANCE AND REMOVAL OF UNSAFE SIGNS

9.14.1 All signs of any nature shall be maintained in a state of good repair. No sign shall be allowed to remain which becomes structurally unsafe, hazardous or endangers the safety of the public or property. Upon determining that a sign is structurally unsafe, hazardous or endangers the safety of the public or property, the Administrator or their designated agent shall order the sign to be made safe or removed subject to the following provisions:

- A. The owner of the sign, the occupant of the premises on which the sign or structure is located, or the persons or firm maintaining the same shall, upon written notice by

certified mail, return receipt requested from the Administrator, or their designated agent, forthwith in the case of immediate danger and in any case within ten (10) days, secure or repair the sign or structure in a manner approved by the Administrator or their designated agent or remove it.

- B. If such order is not complied with within ten (10) days the Administrator or their designated agent shall remove the sign at the expense of the owner or lessee thereof.
- C. Whenever a sign has been abandoned, advertises an activity, business, product, or service no longer conducted on the premises or is erected in violation of the provisions of this Article, the Administrator shall initiate action to cause such sign structure or face of sign to be removed or brought into compliance in accordance with the method prescribed for nonconforming signs in Section 10.6.

- E. No sign structure shall obstruct sight lines to vehicular traffic.

11.3.2 Location of Freestanding Signs

On premises, freestanding signs shall be located at least five feet behind the adjacent street or right-of-way

11.3.3 Sign Height

The vertical distance measured from the highest point of a sign, including any molding, trim, border, lantern, logo or frame above finished grade upon which the sign is to be constructed.

11.3.4 Sign Area

The space within a single continuous perimeter enclosing the extreme limits of characters, lettering, logos, illustrations, or ornamentations, together with any material or color forming an integral part of the display or to differentiate the sign from the background to which it is placed, defines the sign area. Structural supports bearing no sign copy or logos are not included in the sign area. If a sign is attached to an entry structure only that portion of that structure onto which the sign is placed is included in the sign area.

- A. Signs may be placed back-to-back, side-by-side, or in V-type construction. Side-by-side signs must be structurally tied together and considered as one sign. V-type and back-to-back signs must be considered as two signs if the angle between the faces is 45 degrees or more.

11.4 Prohibited Signs

The following signs are prohibited in all Zoning Districts:

11.4.1 Signs Located within the Sight Triangle

Signs may not be located within a required clear sight triangle

11.4.2 Signs Obstructing View

Signs may not obstruct the view of pedestrians, bicyclists and or motorists using any street or right-of-way or approaching any street intersection. Signs interfering with the effectiveness of or obscuring any traffic sign, device, or signal shall be prohibited. Any sign located in such a way as to deny a visual access to an existing sign

11.4.3 Signs Obstructing Pedestrian Traffic

Any sign located outdoors which interferes with free passage from or obstructs any fire escape, downspout, window, door, stairway, ladder, or opening intended

as a means of ingress or egress, or providing light or air.

11.4.4 Signs Located On a Street or Right-of-Way

Any sign (other than a government sign) placed on any curb, sidewalk, post, pole, hydrant, bridge, tree, or other surface and located in, over, or across any street or right-of-way

11.4.5 Animated, Moving or Motion Signs

Flashing signs, signs with flashing or reflective disks, flashing lights or lights of changing degree of intensity or color, or signs with electrically scrolled messages and oscillating signs. Government and public educational facility signs and portions of a sign that display time and/or temperature shall be exempt from this prohibition provided such signs are in conformance with all other applicable requirements. Includes Pop-up and/or blow-up objects

11.4.6 Windblown or Inflated Signs

Fluttering, spinning, windblown or inflated devices including pennants, propeller discs, flags or banners which do not conform to the requirements of this Ordinance. Excluded from this definition are temporary Feather Flags at commercial properties during business hours of operation.

11.4.7 Temporary, Nonpermanent Signs

Temporary, nonpermanent signs, including over-head streamers, are not permitted in any zoning district, unless otherwise specified in these regulations.

11.4.8 Portable or Moveable Signs Considered Temporary Signs

A sign that is not permanently attached to the ground, a structure, or a building that can easily be moved from one location or another (For example, a sign on wheels).

11.4.9 Scenic Corridor Off-Premise Signs

Off-premise signs designed to be visible from a road designated as a Scenic Byway by the North Carolina Department of Transportation.

11.4.10 Roof Signs

Sign erected or maintained in whole or in part upon or over the roof or parapet of a building

11.4.11 Illegal Activity

Signs that display or advertise an illegal activity in North Carolina

11.4.12 Signs restricting access to Fire Fighting assets.

- (5) No sign shall obstruct motorist visibility at an intersection.
 - (6) No sign shall be higher than 42 inches (three (3) and a half feet) above the edge of the pavement.
 - (7) No sign shall be larger than 864 square inches (six (6) square feet).
 - (8) No sign shall obscure or replace another sign.
 - (9) It shall be a Class 3 misdemeanor for any person to steal, deface, vandalize, or unlawfully remove a political sign that is lawfully placed with regard to this section. Furthermore, language discussed in NCGS 136-32 shall be applied to this section. (Ord. 10-09, 6/1/10; Ord-14-05, 7/1/14; Ord. 21-16, 8/03/21)
- (K) Yard or garage sale signs announcing yard or garage sales shall be considered temporary and allowed without permit provided such signs do not exceed one (1) sign per site of such sale, six (6) square feet in area per display surface and are removed within seven (7) days of erection. No yard sale sign shall be located in a public right-of-way or attached to any item as regulated in Section 21-2(D) of this Article.
- (L) Menu board signs shall be permitted only in conjunction with a non-residential use within a non-residential zoning district subject to the following:
- (1) One (1) menu board sign is permitted per drive thru use on a lot. The maximum area of a menu board sign shall be sixty (60) square feet. The maximum height of menu board sign shall be six (6) feet.
 - (2) One (1) drive-thru pre-order sign is permitted at the entrance of the drive-thru lane on a lot. The maximum area of a drive-thru pre-order sign is twenty-four (24) square feet in area. The maximum height of a drive-thru pre-order sign is six (6) feet.
 - (3) All such menu board signs shall be setback a minimum of twenty (20) feet from any property line.
 - (4) A menu board sign which engages a speaker or other form of audible communication between the vehicle and store shall conform to the Town's Noise Ordinance.

(Ord. 20-05, 7/7/20)

Section 21-6: Signs Permitted in Residential Districts

The following signs are permitted in all residential zoning districts.

- (A) Permanent freestanding identification signs for residential developments, including single-family subdivisions, multi-family projects, manufactured home parks, PRDs, PUDs, or individual phases of any such development, shall be ground mounted signs and are permitted as follows:

Minimum Housing Units	200	60	20
Maximum Area (Square Feet)	64	40	20
Maximum Height (Feet)	6	6	6

- (B) One (1) permanent identification sign may be located at up to two (2) major entrances per development or phase. Signs to be placed on an island or median within the right-of-way or shall be approved by the Board of Aldermen, preferably with the site plan or preliminary plat review for the entire project or phase of the project. Illumination shall be restricted to indirect white lighting.
- (C) One identification wall sign for each home occupation that has been approved by the Town is permitted and shall not exceed six (6) square feet in area. The sign shall be mounted to the wall of the home or outbuilding used for conducting the home occupation.
- (D) Non-residential uses located in a residential zoning district shall be permitted one freestanding sign not to exceed forty-eight (48) square feet. The maximum height of the sign shall be no greater than eight (8) feet. An LED or electronic display shall be permitted as part of the freestanding sign not to exceed sixteen (16) square feet in area. The LED or electronic display shall meet any and all requirements discussed in Section 21-6 regarding LED or electronic signs. In addition to the free-standing sign, a church may have up to ten percent (10%) of the façade dedicated to wall signage (G). Up to three (3) temporary banners sized in accordance with the dimensional table herein are permitted within a residential subdivision or multi-family project not to exceed eight (8) square feet each and shall be located near the entrance to and within the project or unit they are advertising.

(Ord. 17-01, 2/7/17; Ord. 20-05, 7/7/20)

Section 21-7: Signs Permitted in Non-residential Districts

(A) Freestanding Signs

- (1) One permanent, freestanding sign is permitted for each parcel pursuant to Section 21-7.
- (2) Freestanding signs located in the HB, LI, and HI Zoning District may contain a LED or electronic display area not to exceed fifty (50) square feet of the freestanding sign display area and are subject to the following requirements:
 - (a) An LED or electronic display sign can only be located on those properties that are zoned Highway Business (HB), Light Industrial (LI), Heavy Industrial (HI). (Ord. 21-04, 3/2/21)
 - (b) Only one LED or electronic display sign per business. In the case of a shopping center, office or business park, or multiple occupancy building only one such sign will be allowed.
 - (c) LED or digital display shall not be allowed on any off-premise sign.
 - (d) The LED or electronic display area shall be computed as part of the total allowable freestanding sign display area for the zoning district in which it is located, except that freestanding signs advertising the price of gasoline or diesel fuel for sale on site may display said prices on an LED or electronic display no greater than eight (8) square feet in total area in excess of the maximum permitted freestanding sign area.

- (e) LED or electronic display signs shall not have any flashing or animated messages. The message is, however, permitted to scroll across the LED display area. The actual sign message shall not be changed in intervals of less than one hundred twenty (120) seconds. Public Emergency Messages/Public Emergency Announcements may change display as frequently as once every five (5) seconds only if the entirety of the sign face is comprised of the Public Emergency/Public Announcement Message and no commercial message is displayed. (Ord. 21-04, 3/2/21)
- (f) All Electronic Changeable Copy signs shall be installed with light sensitive automatic dimming controls.
- (g) All digital changeable copy signs shall be designed and equipped to freeze the sign in one position with no more than the maximum allowable illumination if a malfunction occurs.
- (h) Signs may not exceed a maximum illumination level of 0.3 foot candles above ambient light, regardless of the method of illumination. The 0.3 foot candles above ambient light shall be measured at a distance from the subject sign equal to the following equation:

$$\sqrt{(\text{Sign Area in sq. ft.} \times 100)}$$

EXAMPLE: A 96 square foot On-Premise Electronic Changeable Copy sign's maximum illumination level shall be measured at a distance of:

$$\sqrt{(96\text{ft}^2 \times 100)} = 97.9 \text{ feet}$$

Therefore the sign could not exceed an illumination level of 0.3 foot candles above ambient light at a distance of 97.9 feet from the sign.

- (i) Prior to permitting, the applicant shall submit a signed letter from the sign manufacturer stating that the sign is equipped with the ability to comply with these regulations. The applicant shall also submit a signed letter from the sign owner or operator stating that they have read the regulations and will not tamper with the manufacturer-preset illumination settings.
 - (j) All electronic changeable copy signs shall be located at least 250 feet from any residential zoning district.
(Ord. 14-03, 04/01/14; Ord. 17-01, 2/7/17)
- (3) In the CB District, a projecting sign, mounted to the front façade of the building and projecting from that face in a perpendicular direction may be permitted, to a maximum area of twenty-four square feet per side, projecting no more than thirty (30) inches from the wall and not to exceed the roofline. Said projecting sign shall maintain a clear distance of at least ten (10) feet between the sidewalk grade immediately below the sign and the bottom of the sign itself. Only one projecting sign will be allowed per unit/business maintaining a distance of fifteen (15) feet from any other projecting sign. The projecting sign shall count towards the maximum allowable wall signage for the site. (Ord. 13-14, 11/6/13)

8.10 Regulations for specific sign types.

A. Electronic Changeable Copy Signs.

1. Electronic changeable copy signs shall be a monument sign only and limited to one sign per development or business if the business is not part of an overall development.
2. These signs are allowed in the G-1 (Governmental) district.
3. The changeable copy portion of a monument sign utilizing changeable copy technology may not exceed eight (8) feet in height and must be five (5) feet from all property lines.
4. The electronic changeable portion of the sign may not exceed fifty percent (50%) of the permitted sign face or thirty-two (32) square feet, whichever is greater.
5. Sign copy changes shall not change displays more frequently than once every thirty (30) seconds. Public Emergency Messages/Public Service Announcements may change displays as frequently as once every five (5) seconds only if the entirety of the sign face is comprised of the Public Emergency Message/Public Service Announcement and no commercial message is displayed.
6. Blinking, flashing, flickering, oscillating, rotating, animation, or scrolling of the changeable area shall not be permitted.
7. The sign shall not emit any sound or noise of any type.
8. Signs may not exceed a maximum illumination level of 0.3 foot candles above ambient light, regardless of the method of illumination. The 0.3 foot candles above ambient light shall be measured at a distance from the subject sign as noted in the below table:

Signs may not exceed a maximum illumination level of 0.3 foot candles above ambient light, regardless of the method of illumination. The 0.3 foot candles above ambient light shall be measured at a distance from the subject sign as noted in the below table:

Area of Sign Sq. Ft.	Measurement Ft.
10	32
15	39
20	45
25	50
30	55
35	59

9. Light trespass shall not exceed 0.3-foot candles at any property line.
10. All electronic changeable copy signs shall be designed to freeze the sign in one position with no more than the maximum allowable illumination if a malfunction occurs.
11. All electronic changeable copy signs shall be installed with light sensitive automatic dimming controls.
12. The changeable copy sign shall be limited to LED or similar low-intensity lighting. The stationary portion of the sign may be externally illuminated with down lighting so as not to affect the view of motorist.
13. All electronic changeable copy signs shall be static between 10:00 p.m. and dawn.
14. No variations in light intensity during the static period of display are permitted.
15. Prior to permitting, the applicant shall submit a signed letter from the sign manufacturer stating that the sign is equipped with the ability to comply with these regulations and provide FCC and UL certificates. The applicant shall also submit a signed letter from the sign owner or operator stating that they have read the regulations and will not tamper with the manufacturer preset illumination settings.
16. Traditional signs, in compliance at the time of this section, changing over to LED bulbs to illuminate a sign are not included in this section of the chapter and must still comply with all elements of the lighting ordinance for the town.

B. Estuarine and oceanside shoreline, pier and dock signs to be seen from water.

1. The following signs are permitted:
 - a. Residential "for sale" signs on the oceanfront not to exceed six (6) square feet and/or sound front not to exceed ten (10) square feet provided that the sign is affixed to a permanent structure (i.e. house, pier, crossover, etc).
 - b. Residential: Signs not to exceed six (6) square feet denoting private property or private piers, shall not require a permit.

c. Commercial signs: Not to exceed sixteen (16) square feet for charter boats, gangway pier, or adjacent land; limit one (1) sign per boat.

d. Commercial signs: Not to exceed sixteen (16) square feet on gangway or pier identifying same; limit one (1) sign per dock.

e. Commercial signs: Not to exceed sixteen (16) square feet designating water sports, boats for hire, etc.; limit one (1) sign per lot.

2. When an estuarine and oceanside shoreline, pier, or dock sign is not specified in subsection 1. above, a determination shall be made by the administrator as to the appropriate size, height, and location in addition to the approval process for said sign.

(Ord. No. 2024-15, 11-5-24)

8.6 Permitted signs - permissions by zoning district.

	Residential									Non-Residential / Mixed-Use								Definition/ Standards
	CON	RA	R-15	R-10	R-5	SF	MHS	MFC	R-5M	PD- CZ	NB	O&I	MU	C-1	C-3	G-1	I	
Freestanding Signs																		
Monument Sign	-	P	P	P	P	P	P	P	P	P	P	P	-	-	P	P	P	6.7 B
Electronic Changeable Copy	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	6.10
Pole Sign	-	SS	-	SS	-	-	SS*	SS	-	-	P	P	PNR	P	P	P	P	6.7 B / 6.8
Multi-Tenant Sign	-	-	-	-	-	-	-	-	-	-	P	-	PNR	-	P	P	P	6.7 B
Sidewalk Signs	-	-	-	-	-	-	-	-	-	PNR	P	P	PNR	P	P	P	-	6.7 B
Other Signs																		
Bulletin Boards		E/P	E/P	E/P	E/P	-	E/P	-	E/P	E/P	E/P	E/P	E/P	E/P	E/P	E/P	E/P	6.5
P=Permitted (Permit Required); PNR=Permitted, Non-Residential Uses Only (Permit Required); E=Exempt; SS=Permitted, Specific Standards for Use - see sign type for detail or note in Section 8.8																		
*Manufactured Home Parks are not permitted Pole Signs in the MHS District.																		

Surf City Unified Development Ordinance Sign Use Table

emissions as described in *Section 6.11, LIGHTING*. Notwithstanding the foregoing, internally illuminated signs are prohibited in the Historic District.

1. Directional lighting fixtures used for sign lighting shall be top mounted so lighting is aimed down. Ground mounted signs with a height of eight (8) feet or less may be ground lit, provided that the lights are shielded so as to illuminate the sign only, and the light shall not exceed ten (10) foot candles at the sign surface.
2. No illuminated signs are allowed in any residential zoning district, except signs at the entrance to a residential subdivision, neighborhood or multi-family development allowed by *Section 6.19(L), TRACT IDENTIFICATION SIGNS* above may be illuminated.
3. Freestanding signs and window signs may not be illuminated when the business is closed. Those signs advertising multiple businesses may not be illuminated when all the businesses advertised are closed.
4. Lighting directed toward a sign shall be shielded so that it illuminates on the face of the sign and does not shine directly into a public right-of-way or residential premises.
5. Subject to *Section 6.19(T)(7)* illuminated tubing or strings of lights that outline property lines, sales areas, roof lines, doors, windows, or similar areas are prohibited.
6. Subject to *Section 6.19(T)(7)* no sign may contain or be illuminated by flashing or intermittent lights or lights of changing degrees of intensity, except signs indicating the time, date, or weather conditions.
7. *Sections 6.19(T)(5) and 6.19(T)(6)* do not apply to temporary signs erected in connection with observance of holidays.
8. Within the Historic District, neon signs shall not be permitted. For purposes of this subsection, the term "neon sign" includes all signs in which illuminated tubing constitutes or forms all or part of the message of the sign, as well as signs in which the message area of the sign is outlined, underlined, or otherwise highlighted by illuminated tubing.

U. ELECTRONIC SIGNS & ELECTRONIC MESSAGE BOARDS

1. **Electronic Time, Date, Temperature Sign**
An electronic time, date and temperature sign may be applied to a freestanding or attached sign of any permitted nonresidential use. An electronic time, date, and temperature sign shall not be included in the calculation of sign area permitted.
2. **Electronic Message Board Sign**
Electronic Message Board Signs shall be allowed in all nonresidential zoning districts. A development may have either attached or freestanding Electronic Message Board signage, but not both, unless otherwise provided for in this ordinance. The following conditions shall apply to Electronic Message Board Signs:
 - (a) **Calculation of Area.** An Electronic Message Board Sign which is included within a larger sign shall be included in the calculation of the total permitted sign area.
 - (b) **Changes Per Day.**
 - i. Signs shall have a maximum change rate of every five (5) seconds;
 - ii. Signs may use various form of transitions between messages, however, signs may not scroll or flash.
 - (c) All Electronic Message Board Signs in place prior to the adoption of this ordinance must comply with *Subsection (b), Changes per Day*.

- (d) Attached Signs. Attached Electronic Message Board Signs shall have a maximum area of thirty-six (36) square feet, unless otherwise provided for in this ordinance.
- (e) Area Bonus. Signs six (6) feet in height and lower containing electronic messages shall be allowed a ten (10) percent increase in maximum sign area.

V. BILLBOARDS/OFF-PREMISE SIGNS

No Billboards or off-premise signs are allowed except as provided under the standards set forth in *Section 4.6(B), BILLBOARD OVERLAY DISTRICT (BDO)* and standards set forth in *Section 5.2(C), BILLBOARDS*.

W. NONCONFORMING SIGNS

1. Nonconforming signs, because of their location, design, height and other features, detract from the quality of life and sense of place Wallace seeks to achieve and maintain. Therefore, it is the intent of this Ordinance that all nonconforming signs will eventually be brought into conformity with its provisions, and that nonconforming signs will ultimately be phased out of existence.
2. No person may engage in any activity that causes an increase in the extent of nonconformity of a nonconforming sign. Without limiting the generality of the foregoing, no nonconforming sign may be enlarged or altered, nor may any illumination be added to any nonconforming sign.
3. A nonconforming sign structure may not be moved, replaced, or otherwise changed except to bring the sign into complete conformity with this Ordinance. The message contained on the sign may be changed provided that no change is made to the sign structure, and the sign area and dimensions are not changed.
4. If a nonconforming sign is damaged to an extent equal to or greater than 50% of the sign replacement cost (new) or destroyed, it may not thereafter be repaired, reconstructed, or replaced except in conformity with all the provisions of this Ordinance, and the remnants of the former sign structure shall be cleared from the land.
5. If the owner or occupant of premises with of a nonconforming sign discontinues operations for a period of 90 consecutive days, then the owner shall remove the nonconforming sign and the sign structure shall be cleared from the land.

X. REMOVAL OF NONCONFORMING SIGNS

1. Any non-exempt temporary sign on private property must be removed within thirty (30) days of the receipt by the property owner of the written notice from the Planning Director detailing the nonconformity.
2. Any temporary sign, either exempt or nonconforming, located within the public right-of-way may be removed by town staff if such sign is determined to be in violation of this Ordinance. Persons or businesses who repeat violations of this provision twice within any thirty (30) day period may be subject to escalating fines as described in Section 8, Enforcement.

Y. SIGNAGE FOR MULTI-TENANT DEVELOPMENTS

1. Upon application for a multi-tenant development, the owner shall submit a sign allocation plan that indicates how square footage will be shared among tenants. Different tenants may be advertised on a single sign attached to the same main sign structure. No tenant listing can be in print smaller than 6 inches tall. The total allocation of sign area shall be divided (but not necessarily equally) between tenants and shall not exceed 150 square feet of total sign area and shall not exceed a height of thirty (30) feet. All other regulations for a high profile sign (*Section 6.19(K): HIGH PROFILE SIGNS*) are to be followed.

§ 155.140 ELECTRONIC BUSINESS/RELIGIOUS INSTITUTION IDENTIFICATION SIGN.

(A) Electronic business identification signs are permitted in the B-3 Zoning District as a use by right and in the B-1, O&I, B-2, I-1, and I-2 Zoning Districts as a special use. Electronic religious institution signs are permitted in the RA-20 Zoning District with standards and must meet any and all regulations discussed in § 155.140. The RA-20 Zoning District must also be located in the Extra Territorial Jurisdiction (ETJ).

(B) Only one electronic business/religious institution identification sign shall be permitted per property/premises unless permitted as a special use per § 155.066.

(C) Each electronic business/religious institution identification sign shall require a permit.

(D) Electronic business/religious institution identification signs shall be set back at least ten feet from any right-of-way line or property line and shall not obstruct the vision of a street intersection for a distance of 50 feet from the right-of-way of the intersection.

(E) No business/religious institution identification sign shall be permitted that exceeds 30 square feet of sign area unless permitted as a special use per § 155.066.

(F) No business/religious institution identification sign shall exceed 40 feet in height measured from the finished grade of the lot to the top of the sign structure.

(G) Message/display regulations in the B-3 and RA-20 Zoning Districts.

(1) Text messages may only contain text, letters, numbers and/or characters.

(2) Text messages must be displayed on a solid background, with the background being a darker color than the text.

(3) No neon or high intensity colors may be used as a background.

(4) Graphics displays may be used if they are a static image/picture and are not animated in any way.

(5) Messages/displays that change are regulated as follows:

(a) Messages/displays may not change more frequently than once every ten seconds.

(b) Messages/displays must change instantaneously.

(c) Any message/display that change shall not flash, blink, pulsate, fluctuate, or animate across the screen.

(H) Illumination in the B-3 and RA-20 Zoning Districts.

(1) The electronic business/religious institution identification sign shall not exceed 5000 nits from sunrise to sunset and it shall not exceed 500 nits from sunset to sunrise.

(2) The electronic business/religious institution identification sign shall be equipped with a sensor or other device that automatically determines ambient illumination and programmed to automatically dim according to the requirements of division (H)(1) above.

(3) Before a sign permit is issued, the sign company shall certify the illumination specifications for the proposed sign.

(I) Other conditions.

(1) Electronic business/religious institution identification signs shall have a mechanism to turn it off if a malfunction occurs.

(2) The displaying of videos is prohibited.

(3) No audio speakers or any form of pyrotechnics shall be permitted.

(4) See also § 155.066 regarding conditions in B-1, O&I, B-2, I-1 and I-2 Zoning Districts.

(Ord. 2013-7-23-23, passed 7-23-2013; Ord. 2014-4-8-28, passed 4-8-2014; Ord. 2018-O-58, passed 1-9-2018; Ord. 2018-Z-3, passed 3-13-2018; Ord. 2021-Z-19, passed 6-22-2021; Ord. 2024-O-95, passed 7-9-2024)

NC > Whiteville > Whiteville, NC Code... > § 155.066 SUPPLEMENTAL STANDARDS.

1. The permit issued for the food truck/mobile vendor business may be revoked if the vendor violates any of the provisions contained in this chapter.

2. The Planning Director or his/her designee may revoke a permit if he or she determines that the mobile vendor's operations are causing parking, traffic congestion, or litter problems either on or off the property where the use is located or that such use is otherwise creating a danger to the public health or safety.

(J) Signs.

(1) Signs, electronic business identification.

(a) District: B-1, O & I, B-2, I-1 and I-2.

(b) Size and location:

1. Plans and/or illustrations must be submitted showing the size and location.

2. One sign with no more than two display areas shall be allowed per business.

3. The total square footage of any and all sign display area shall not exceed 40 square feet.

4. Signs shall not be located within 500 feet from another electronic business identification sign.

5. Unless wall- or building-mounted, freestanding signs must be set back at least ten feet from any right-of-way line or property line and shall not obstruct the vision of a street intersection for a distance of 50 feet from the right-of-way of the intersection.

(c) Display requirements:

1. Messages may not change more frequently than once every six seconds.

2. Full color and graphics are allowed as long as they do not violate other requirements.

3. Messages such as business advertisements, public service announcements and the like are allowed.

4. Video animation is not allowed.

(d) Illumination:

1. Sign(s) must not exceed 5,000 nits from sunrise to sunset and it shall not exceed 500 nits from sunset to sunrise.

2. Certification of illumination and any and all sign capabilities must be provided.

Whiteville Unified Development Ordinance Supplemental Use Standards

Page 138 of 146



Request: To modify Section 9.26 Sign Regulations to expand the use of electronic changeable copy signs and create additional usage standards

Hearing Date: 09/08/2026

Council Consistency Statement

(To be read into the record as a motion, seconded and voted upon)

____ Approval – this request is consistent with the goals and policies of the following plan(s) adopted by the Town of Burgaw:

- () Burgaw 2030: Town of Burgaw Comprehensive Land Use Plan
() Other: _____

The Planning Board considers its approval to be reasonable and in the public interest because:
(Please provide reasons which can be found in the staff report)

I move to **RECOMMEND APPROVAL** of the proposed amendment to the Town of Burgaw Unified Development Ordinance to revise Section 9.26 Sign Regulations by expanding the use of and creating additional standards for electronic changeable copy signs. I find it to be **CONSISTENT** with the purpose and intent of the Comprehensive Land Use Plan because it encourages economic growth by expanding advertising opportunities for businesses, protects public health and safety through standards that promote efficient communication while minimizing visual impacts on drivers and residences. I also find **RECOMMENDING APPROVAL** of the proposed amendment reasonable and in the public interest because it modernizes Section 9.26 Unified Development Ordinance to allow for new technologies and aligns with the overall goals and standards of the Comprehensive Land Use Plan.

Therefore, The Council recommends approval of this request.

____ Rejected – this request is not consistent with the goals and policies of the following plan(s) adopted by the Town of Burgaw:

- () Burgaw 2030: Town of Burgaw Comprehensive Land Use Plan
() Other: _____ The Town Council considers its rejection to be reasonable and in the public interest because:

I move to recommend **DENIAL** of the proposed amendment. While I find it to be generally **CONSISTENT** with the purpose and intent of the Comprehensive Land Use Plan because it encourages economic growth by expanding advertising opportunities for businesses, protects public health and safety through standards that promote efficient communication while minimizing visual impacts on drivers and residences, I find recommending **DENIAL** of the amendment request is reasonable and in the public interest because the existing regulations preserve the Town's character and provide appropriate protections to residents, motorists, and surrounding properties.

Therefore, The Planning Board recommends rejection of this request.

Comments:

1. This report reflects the recommendation of the Town of Burgaw Planning Board, this the 20th day of August, 2026; and
2. This report reflects the approval by the Town Council, this the 8th day of September, 2026.

Attest:

Adopted this 8th day of September 2026.

Attest: _____
Kristin Wells, Town Clerk

Signed: _____
G. Olivia Dawson, Mayor

RESOLUTION 2026-13

ADOPTING A STATEMENT OF CONSISTENCY REGARDING TEXT AMENDMENTS OF THE TOWN OF BURGAW UNIFIED DEVELOPMENT ORDINANCE REQUESTED BY STAFF OF THE TOWN OF BURGAW TO AMEND CHAPTER 9, SECTIONS 9.26. TO ADD LANGUAGE EXPANDING THE USE OF ELECTRONIC SIGNS AND CREATING ADDITIONAL USE STANDARDS.

WHEREAS, the applicant, staff of the Town of Burgaw, has requested the town amend the Town of Burgaw's Unified Development Ordinance, Chapter 9, Sections 9.26, to add language expanding the use of electronic changeable copy signs and creating additional use standards; and

WHEREAS, Planning Staff has reviewed the proposed text change amendments for consistency with the Town of Burgaw 2030 Comprehensive Land Use Plan and has presented those findings to the Town of Burgaw Planning Board and the Town of Burgaw Board of Commissioners; and

WHEREAS, the Town of Burgaw Planning Board, at their August 20, 2026, meeting, recommended the adoption of the Draft Comprehensive Plan Consistency Statement to the Board of Commissioners; and

WHEREAS, the Town of Burgaw Board of Commissioners reviewed the Staff Report and Draft Comprehensive Plan Consistency Statement at their September 8, 2028, meeting and found the proposed text change amendments to be consistent with the Town of Burgaw's 2030 Comprehensive Land Use Plan, being reasonable, and in the public interest; and

NOW, THEREFORE BE IT ORDAINED BY THE TOWN OF BURGAW BOARD OF COMMISSIONERS THAT the proposed Unified Development Ordinance text amendment is consistent with the Town of Burgaw 2030 Comprehensive Plan by ensuring the town's zoning and development code can accommodate appropriate businesses and industries and a variety of development forms.

Adopted this 8th day of September 2026.

Attest: _____
Kristin J. Wells, Town Clerk

Signed: _____
G. Olivia Dawson, Mayor



Request: To modify Section 9.26 Sign Regulations to expand the use of electronic changeable copy signs and create additional usage standards

Hearing Date:09/08/2026

Council Consistency Statement

(To be read into the record as a motion, seconded and voted upon)

____ Approval – this request is consistent with the goals and policies of the following plan(s) adopted by the Town of Burgaw:

- () Burgaw 2030: Town of Burgaw Comprehensive Land Use Plan
() Other: _____

The Planning Board considers its approval to be reasonable and in the public interest because:
(Please provide reasons which can be found in the staff report)

I move to **RECOMMEND APPROVAL** of the proposed amendment to the Town of Burgaw Unified Development Ordinance to revise Section 9.26 Sign Regulations by expanding the use of and creating additional standards for electronic changeable copy signs. I find it to be **CONSISTENT** with the purpose and intent of the Comprehensive Land Use Plan because it encourages economic growth by expanding advertising opportunities for businesses, protects public health and safety through standards that promote efficient communication while minimizing visual impacts on drivers and residences. I also find **RECOMMENDING APPROVAL** of the proposed amendment reasonable and in the public interest because it modernizes Section 9.26 Unified Development Ordinance to allow for new technologies and aligns with the overall goals and standards of the Comprehensive Land Use Plan.

Therefore, The Council recommends approval of this request.

____ Rejected – this request is not consistent with the goals and policies of the following plan(s) adopted by the Town of Burgaw:

- () Burgaw 2030: Town of Burgaw Comprehensive Land Use Plan
() Other: _____ The Town Council considers its rejection to be reasonable and in the public interest because:

I move to recommend **DENIAL** of the proposed amendment. While I find it to be generally **CONSISTENT** with the purpose and intent of the Comprehensive Land Use Plan because it encourages economic growth by expanding advertising opportunities for businesses, protects public health and safety through standards that promote efficient communication while minimizing visual impacts on drivers and residences, I find recommending **DENIAL** of the amendment request is reasonable and in the public interest because the existing regulations preserve the Town's character and provide appropriate protections to residents, motorists, and surrounding properties.

Therefore, The Planning Board recommends rejection of this request.

Comments:

1. This report reflects the recommendation of the Town of Burgaw Planning Board, this the 20th day of August, 2026; and
2. This report reflects the approval by the Town Council, this the 8th day of September, 2026.

Attest:

Adopted this 8th day of September 2026.

Attest: _____
Kristin Wells, Town Clerk

Signed: _____
G. Olivia Dawson, Mayor

ORDINANCE 2026-25

APPROVING A TEXT CHANGE AMENDMENT TO THE TOWN OF BURGAW UNIFIED DEVELOPMENT ORDINANCE REQUESTED BY STAFF OF THE TOWN OF BURGAW TO AMEND CHAPTER 9, SECTIONS 9.26. TO ADD LANGUAGE EXPANDING THE USE OF ELECTRONIC SIGNS AND CREATING ADDITIONAL USE STANDARDS.

WHEREAS, the applicant, staff of the Town of Burgaw, has requested the town amend the Town of Burgaw's Unified Development Ordinance, Chapter 9, Sections 9.26, to add language expanding the use of electronic signs and creating additional use standards, and

WHEREAS, Planning Staff has reviewed the proposed text change amendments for consistency with the Town of Burgaw 2030 Comprehensive Land Use Plan and has presented those findings to the Town of Burgaw Planning Board and the Town of Burgaw Board of Commissioners; and

WHEREAS, the Town of Burgaw Planning Board, at their August 20, 2026, meeting, recommended the adoption of the Draft Comprehensive Plan Consistency Statement to the Board of Commissioners; and

WHEREAS, the Town of Burgaw Board of Commissioners reviewed the Staff Report and Draft Comprehensive Plan Consistency Statement at their September 8, 2026, meeting and found the proposed text change amendments to be consistent with the Town of Burgaw's 2030 Comprehensive Land Use Plan, being reasonable, and in the public interest; and

NOW, THEREFORE BE IT ORDAINED BY THE TOWN OF BURGAW BOARD OF COMMISSIONERS THAT the proposed Unified Development Ordinance text amendment is consistent with the Town of Burgaw 2030 Comprehensive Plan by ensuring the town's zoning and development code can accommodate appropriate businesses and industries and a variety of development forms.

SECTION 1. The Town of Burgaw Unified Development Ordinance is amended as follows:

CHAPTER 9, SECTIONS 9.26.

Section 9.26.3 Definitions

Advertising Sign: A sign directing attention to or advertising a business, commodity, service, product, or property not located, sold, or conducted on the same property or site as that on which the sign is located.

Attached Sign: Any sign attached to, applied on, or supported by any part of a building

Awning Sign (includes canopy signs): Any sign on a cloth, metal, plastic, or other cover designed to shade a window or entrance and attached to any structure.

Banner: Any sign made of a flexible, fabric-like material except an awning sign.

Billboard: A large outdoor board for displaying advertisements

Changeable Copy Sign, Manual: Any permanently framed sign that is principally devoted to and designed for changeable text and graphics, specifically excluding time/date/temperature signs, menu board, and sandwich board signs, where the display is manually changed with physical letters, numbers, or symbols.

Changeable Copy Sign, Electronic : A sign where the display may be electronically changed by LED, LCD or another digital means

Section 9.26.6 Sign Standards

(C) Illumination. Unless otherwise provided, all signs may be either externally or internally illuminated subject to the following conditions:

- (1) Neither direct nor reflected light from any light source shall create a traffic hazard or distraction to operators of motor vehicles on public thoroughfares.
- (2) External lighting directed toward a sign shall be shielded so that it illuminates only the face of the sign and does not shine directly into or cause glare onto a public right-of-way or any adjacent properties. In addition, such lighting shall be shielded to prevent the direct view of the light source from any residence, residential district, or public right-of-way.
- (3) Internal lighting shall be limited to lighting from behind to silhouette letters and figures or lighted internally with glass or plastic faces bearing the advertising message. Provided, however, that exposed neon tubing not exceeding 15 watts shall be permitted. ~~Electronic signage utilizing light emitting diodes (LED) or liquid crystal display (LCD) technology shall not be allowed unless expressly permitted by another provision in this ordinance or unless used to display time, temperature, and/or fuel pricing. Utilizing light emitting diodes (LED) or liquid crystal display (LCD) technology shall be allowed for internal illumination or back lighting inside a sign meeting the standards of this ordinance.~~ **Electronic signage utilizing light emitting diodes (LED) or liquid crystal display (LCD) technology shall be permitted if the proposed sign meets all applicable requirements of Section 9.26.6.G and Section 9.26.7.** Such signs shall not be illuminated by flashing or intermittent lights or lights of changing degrees of intensity.
- (4) No sign may contain or be illuminated by flashing or intermittent light or lights that change in degree of intensity, except those that provide public information such as time, temperature, and date.
- (5) In the B-1 and B-2 zoning districts, ~~incidental~~ window signs (e.g. "open" signs) utilizing LED or LCD technology are allowed **as long as they are located inside the window and meet all other applicable requirements of Section 9.26.6.G and Section 9.26.7.** ~~Such signs shall not be illuminated by flashing or intermittent lights or lights of changing degrees of intensity and may not include scrolling text or pictures.~~

(G) Electronic Changeable Copy Sign Standards.

- (1) **Electronic changeable copy signs are prohibited in all residential zoning districts, except for government, religious and school uses, excluding the Conservation/Preservation zoning district. When abutting residentially zoned or occupied uses, illumination shall not produce any light trespass, glare or other objectionable effects.**
- (2) **The maximum luminance shall not exceed 5000 nits during daylight hours and 150 nits during non-daylight hours. All electronic changeable copy signs must be equipped with automatic dimming technology or sensors to ensure compliance with this ordinance.**
- (3) **Graphics or a combination of images and text may be displayed so long as there are no animated, flashing, or moving components. Display of videos is prohibited.**
- (4) **Displays shall not change more than once every 10 seconds and shall be timed to fade in and out slowly. The transition between displays shall not be animated, flashing, or simulating movement in any way. Scrolling of text is prohibited and must be displayed as one static image.**
- (5) **In the event of malfunction, signs shall be designed to display a static image or power down.**
- (6) **No sign shall be illuminated between the hours of 10:00 pm to 6:00 am, except to display the date, time, or temperature at a minimal brightness.**
- (7) **No sign shall produce any auditory noise except when required by the Americans with Disabilities Act (ADA)**

(8) Prior to the issuance of a Zoning Permit, a letter from the manufacturer or other appropriate evidence that any proposed sign meets the requirements of this ordinance.

(9) All electronic changeable copy signs shall meet any applicable zoning district specific use standards as outlined in Section 9.26.7.

SECTION 2. These amendments become effective immediately upon adoption of this ordinance on this, 8th day of September 2026.

Attest: _____
Kristin J. Wells, Town Clerk

Signed: _____
G. Olivia Dawson, Mayor

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