



# TRINITY

NORTH CAROLINA

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August 17, 2023

Mr. Chad Long  
Long Properties LLC  
401 Belgian Drive  
Archdale NC 27263

Mr. Long:

Per your request I am providing you with a written explanation of the decision not to allow the construction of duplex apartments on your lots in the Darr Rd. Area. The current zoning of your properties is R-40 and does allow duplex apartments but there are further requirements that have been adopted. For duplex construction you are required to have a 50,000 square foot lot. Please refer to table 12-4 in Section 12-4 of the City of Trinity Zoning Ordinance. I think this is important to note as it shows an intent on the part of the City of Trinity to be more restrictive on duplex development in residential neighborhoods and explains why we have felt we were on more solid footing on single family residential development versus duplex.

We have no record the lots in question were ever approved building lots. I think I need to clarify this point. Early in subdivision development, surveyors would lay out 25-foot-wide strips of land when dividing property. These are still seen on the GIS system today as dotted lines. It was then up to the consumer to decide what he wanted and combine them into a building lot be it a 100 foot wide lot, 125 foot wide lot etc. This often created odd lots out of the leftover strips of land. This did not make them legal building lots once zoning was adopted. I can assure you had Trinity never incorporated the position of Randolph County was the same. Provided setbacks could be met, the septic and repair areas could be accommodated, and the intent of the ordinance honored Randolph County would at times "grandfather" lots but they were not allowed by right. If that were the case there would

have been 25 ft wide lots recorded as building lots. The position of the City of Trinity is the same.

Finally it should be noted if any lot is unable to meet state federal watershed regulations it is not a developable lot and we would not issue a zoning permit. There is a process by which you can ask for a variance but for that information you would need to reach out to the North Carolina Department of Environmental Quality (DEQ). The regional office for our district is in Winston Salem and can be reached at 336-776-9800.

I hope this helps clarify matters and I wish you a good day

Sincerely,

Jay Dale, Planner

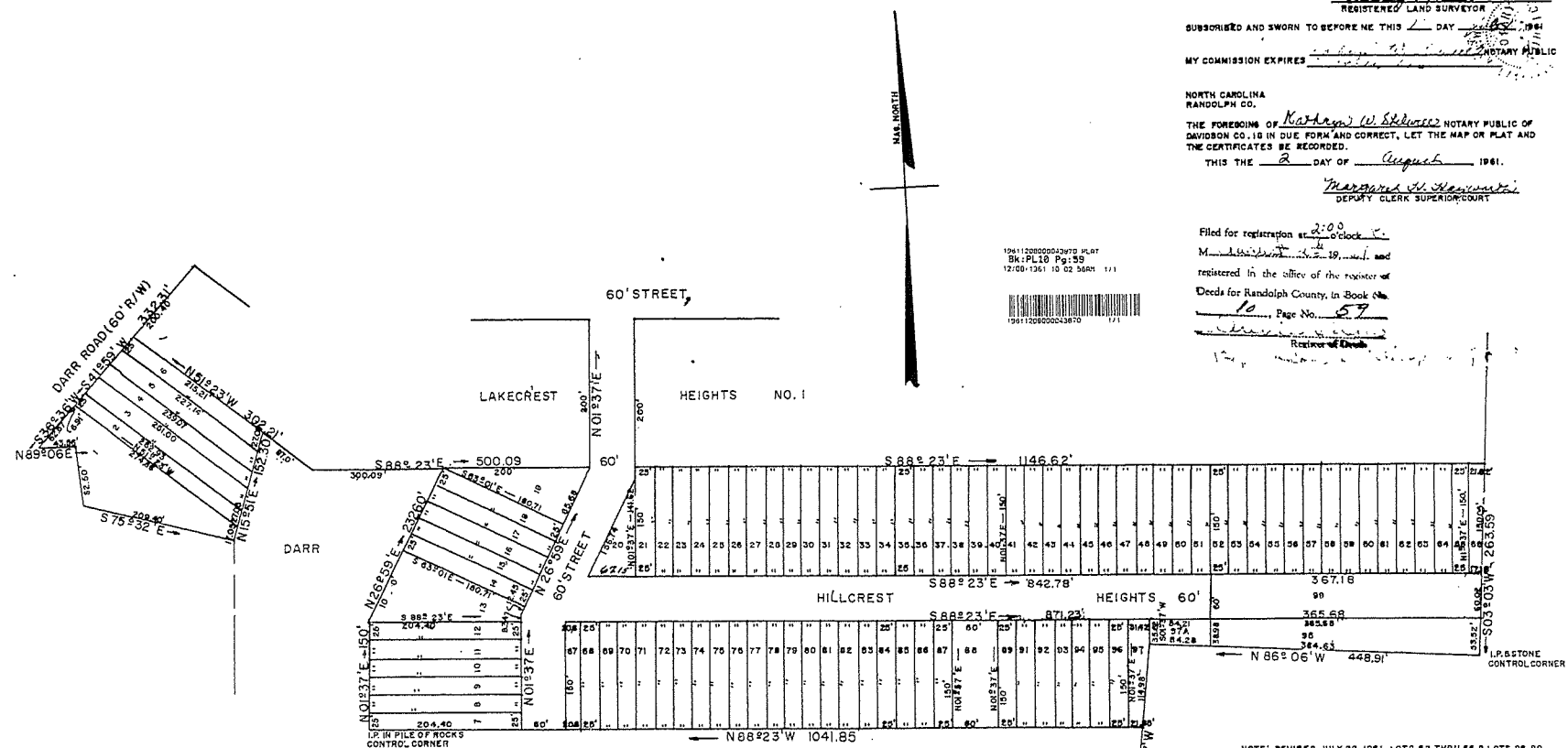
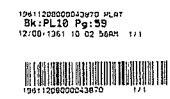
NORTH CAROLINA  
DAVIDSON COUNTY  
EDWARD M. TEER, BEING SWORN, SAYS THAT THE PLAT OR MAP HEREON  
IS IN ALL RESPECTS CORRECT AND WAS PREPARED FROM ACTUAL SURVEY.  
MADE BY HIM JUNE 30, 1961

*Edward M. Teer*  
REGISTERED LAND SURVEYOR

SUBSCRIBED AND SWORN TO BEFORE ME THIS 1 DAY June, 1961  
MY COMMISSION EXPIRES June 30, 1962 NOTARY PUBLIC

NORTH CAROLINA  
RANDOLPH CO.  
THE FOREGOING OF *Kathleen W. Skelton* NOTARY PUBLIC OF  
DAVIDSON CO. IS IN DUE FORM AND CORRECT, LET THE MAP OR PLAT AND  
THE CERTIFICATES BE RECORDED.  
THIS THE 2 DAY OF August, 1961.  
*Marjorie W. Skelton*  
DEPUTY CLERK SUPERIOR COURT

Filed for registration at 2:00 o'clock P.  
M. 1961 and  
registered in the office of the register of  
Deeds for Randolph County, in Book No. 10, Page No. 57  
*Edward M. Teer*  
Register of Deeds



NOTE: REVISED JULY 22, 1961, LOTS 52 THRU 56 & LOTS 98, 99  
TO BE SOLD AS ONE UNIT.  
REVISED JULY 31, 1961  
DEED DESCRIPTION BOOK 378 PAGE 575  
ERROR OF CLOSURE CALCULATED BY LATITUDE AND  
DEPARTURE IS 1'-8711  
NO HORIZONTAL CONTROL WITHIN 2000 FEET.  
THIS MAP WAS PREPARED IN ACCORDANCE SS 47-30  
CONC. MON. OMITTED BY AGREEMENT.

**DIVISION NO. 2**  
**LAKECREST HEIGHTS**

**E.S. DARR, OWNER**  
**TRINITY TWP. RANDOLPH CO.**

SCALE 1" = 100' JUNE, 1961  
E.M. TEER, R.L.S. NO. L969



284 N.C.App. 743  
Court of Appeals of North Carolina.

**VISIBLE PROPERTIES, LLC**, Petitioner,

v.

The **VILLAGE OF CLEMMONS**, Respondent.

No. COA21-398

|

Filed August 2, 2022

**Synopsis**

**Background:** Outdoor advertising sign company petitioned for writ of certiorari after city zoning board of adjustment rejected company's application for zoning permit to construct billboard with digital technology on property bordering city highway. The Superior Court, Forsyth County, [Eric Morgan, J.](#), granted petition and affirmed board's decision. Company appealed.

**Holdings:** The Court of Appeals, [Dietz, J.](#), held that:

[1] city zoning ordinances allowed construction of company's proposed sign;

[2] company's proposed sign, which periodically changed static digital images, was not "moving and flashing sign" prohibited by city zoning ordinances; and

[3] company's proposed sign was not "electronic message board" prohibited by city zoning ordinances.

Reversed and remanded.

West Headnotes (13)

[1] **Zoning and Planning** ↔ **De novo review in general**

In administrative review, challenging the interpretation of zoning ordinances, the trial court sits as an appellate court and reviews this legal question de novo.

[2] **Zoning and Planning** ↔ **De novo review**

On appeal from trial court's review of decision from zoning board of adjustment, Court of Appeals applies a de novo standard of review and examines whether the trial court committed an error of law in interpreting and applying the municipal ordinance.

[3] **Zoning and Planning** ↔ **Intention and purpose of enacting body**

Zoning ordinances are interpreted to ascertain and effectuate the intent of the legislative body.

[4] **Municipal Corporations** ↔ **Applicability of statutory construction rules**

**Zoning and Planning** ↔ **Free or unrestricted use of property**

The rules applicable to the construction of statutes are equally applicable to the construction of municipal ordinances; however, when there is ambiguity in a zoning regulation, there is a special rule of construction requiring the ambiguous language to be construed in favor of the free use of real property.

1 Case that cites this headnote

[5] **Zoning and Planning** ↔ **Ordinance as a whole, and intrinsic aids**

If there is a **conflict** among different provisions of a **zoning** ordinance, courts must apply rule of construction set forth in ordinances that favors the most restrictive provision.

[6] **Statutes** ↔ **Similar or Related Statutes**  
**Zoning and Planning** ↔ **Ordinance as a whole, and intrinsic aids**

When interpreting provisions of a law that are all part of the same regulatory scheme, such as **zoning** ordinances, a court should strive to find a reasonable interpretation so as to harmonize

provisions rather than interpreting them to create irreconcilable **conflict**.

#### 1 Case that cites this headnote

#### [7] **Zoning and Planning** ↔ **Ordinance as a whole, and intrinsic aids**

##### **Zoning and Planning** ↔ **Presumptions**

Even in presence of the conflicting provisions criteria in the **zoning** ordinances, which would resolve a **conflict** in favor of the more restrictive provision, a court will first seek a reasonable interpretation of the provisions that has no internal **conflicts** because a court must presume that drafters would not intend to create regulations that are internally inconsistent and conflicting.

#### [8] **Zoning and Planning** ↔ **Free or unrestricted use of property**

When interpreting zoning regulations, which are in derogation of common law rights, and faced with more than one reasonable interpretation of the regulations, courts should choose the reasonable interpretation that favors the free use of property.

#### 2 Cases that cite this headnote

#### [9] **Zoning and Planning** ↔ **Signs and billboards** **Zoning and Planning** ↔ **Signs and billboards**

Provisions for off-premises signs contained in sign regulations portion of city zoning ordinances, which allowed off-premises signs on property near city highway, superseded two other more general ordinances governing property, which did not allow off-premises signs, and thus city zoning ordinances allowed outdoor advertising sign company to construct proposed billboard with digital technology on property; sign-specific rules directly applied to use at issue, and sign-specific rules stated that other zoning restrictions did not apply if proposed use was regulated by specific regulations of that section.

#### [10] **Zoning and Planning** ↔ **Meaning of Language**

Where terms in city zoning ordinance are not given special definitions in the ordinance, Court of Appeals assumes that the drafters intended to give them their ordinary meaning determined according to the context in which those words are ordinarily used.

#### [11] **Zoning and Planning** ↔ **Signs and billboards**

Outdoor advertising sign company's proposed digital billboard, which periodically changed static images, was not "moving and flashing sign" within meaning of city zoning ordinance prohibiting moving and flashing signs near city highway; ordinary usage of ambiguous terms "moving" and "flashing" did not squarely describe digital billboard, which was not capable of movement and had no sudden or transient display of lights, excluding billboards that changed static images did not render superfluous ordinance's exclusion of electronic time, temperature, and message signs, and specific examples of prohibited signs, including pennants, banners, and spotlights, were capable of either physically moving or shining light in sudden or intermittent manner.

#### [12] **Statutes** ↔ **What constitutes ambiguity; how determined**

When there are two or more reasonable interpretations of a law, the law is ambiguous.

#### 1 Case that cites this headnote

#### [13] **Zoning and Planning** ↔ **Signs and billboards**

Outdoor advertising sign company's proposed digital billboard, which periodically changed static images, was not "electronic message board" within meaning of city zoning ordinance prohibiting electronic message boards near city highway; reading ordinances to prohibit any electronic sign displaying any form of message would render "electronic message board" term superfluous, ordinary meaning of ambiguous

term electronic message board referred to narrower category of sign, such as mobile electronic signs seen near road construction, or digital message boards often affixed beneath business's name or logo and listing business hours or product offerings, which would not be described as billboards like company's proposed sign.

**\*\*806** Appeal by petitioner from order entered 23 December 2020 by Judge [Eric Morgan](#) in Forsyth County Superior Court. Heard in the Court of Appeals 23 February 2022. Forsyth County, No. 20 CVS 805

#### Attorneys and Law Firms

Van Winkle, Buck, Wall, Starnes and Davis, P.A., Asheville, by [Craig D. Justus](#), [Jonathan H. Dunlap](#), and [Brian D. Gulden](#), for petitioner-appellant.

Blanco Tackabery & Matamoros, P.A., by [Elliot A. Fus](#), Winston-Salem, and [Chad A. Archer](#), Greensboro, for respondent-appellee.

#### Opinion

[DIETZ](#), Judge.

**\*743** ¶ 1 Visible Properties, LLC wants to erect a digital billboard on property bordering a highway in Clemmons. The zoning board of adjustment **\*744** denied Visible's request on the ground that the zoning ordinances did not permit digital billboards. The trial court, on certiorari review, affirmed.

¶ 2 Our task on appeal is to determine if the zoning board and the trial court properly interpreted the language of the ordinances.

¶ 3 This is not as easy as it sounds. Determining which zoning provisions apply requires so much cross-referencing it is almost dizzying. There is a general provision that permits off-premises signs such as billboards on the property at issue; a separate overlay district regulation that, by omission, does not permit off-premises signs on the property; and a sign-specific ordinance that permits off-premises signs on the property and states that it supersedes other regulations concerning signs. Then, there is a separate provision stating that, in the event

of a conflict among different provisions, the most restrictive provision prevails.

¶ 4 Similarly, the zoning ordinances prohibit “moving and flashing signs” and “electronic message boards.” But, in light of the examples of “moving and flashing signs” in the ordinance, and the descriptions of billboards in other portions of the ordinance as either “signs” or “billboards” (not “message boards”), there are reasonable interpretations of these provisions that both cover the type of digital billboard proposed by Visible, and that do not.

**\*\*807** ¶ 5 In the end, we are guided by two overarching principles governing construction of **zoning** ordinances—first, that we should strive to harmonize provisions and avoid **conflicts** whenever possible; and second, that we should construe ambiguous provisions in favor of the free use of property. Applying those principles here, we hold that the sign-specific regulation controls the permissible locations of signs and permits Visible's proposed billboard on the property. We further hold that the prohibitions on “moving and flashing signs” and “electronic message boards” are open to multiple reasonable interpretations, are therefore ambiguous, and must be construed in favor of Visible's proposed use of the property. We therefore reverse the trial court's order and remand for entry of an order reversing the Board of Adjustment's decision.

#### Facts and Procedural History

¶ 6 Visible Properties, LLC is a North Carolina company that owns and operates outdoor advertising signs and billboards throughout the state.

¶ 7 In June 2019, Visible applied to the Village of Clemmons for a zoning permit to construct a billboard with digital technology at 2558 Lewisville-Clemmons Road. The permit requested construction of a “10' x 30' Outdoor Advertising Structure with Digital changeable copy” **\*745** that would be categorized as a “Ground (off premises freestanding)” sign. The proposed digital billboard would not contain any moving or scrolling text or images, nor any flashing lights or images, but would change the static image displayed on the billboard every six to eight seconds using digital technology.

¶ 8 Officials with the Village of Clemmons denied the permit on the grounds that “the structure is a ‘Sign, Ground (Off-Premises),’ which is not listed as a permitted use in the

South Overlay District in which the Property is located” and that the structure is prohibited by the sign regulations regarding “moving and flashing signs” and “electronic message boards.”

¶ 9 Visible appealed to the Clemmons Zoning Board of Adjustment. The Board met in December 2019 and conducted an evidentiary hearing where it considered the application materials, testimony, and evidence presented. In January 2020, the Board entered a written decision affirming the staff decision to reject Visible's permit application. Visible petitioned for a writ of certiorari, which the trial court granted. In December 2020, the trial court affirmed the Board of Adjustment's decision. Visible timely appealed.

### Analysis

[1] [2] ¶ 10 Visible challenges the trial court's legal determination that the proposed digital billboard was prohibited by various provisions of the zoning ordinances. In this type of administrative review, challenging the interpretation of zoning ordinances, the trial court sits as an appellate court and reviews this legal question *de novo*. *Fort v. Cty. of Cumberland*, 235 N.C. App. 541, 548, 761 S.E.2d 744, 749 (2014). On appeal, this Court also applies a *de novo* standard of review and examines whether the trial court committed an “error of law in interpreting and applying the municipal ordinance.” *Four Seasons Mgmt. Servs., Inc. v. Town of Wrightsville Beach*, 205 N.C. App. 65, 76, 695 S.E.2d 456, 463 (2010).

[3] [4] ¶ 11 Zoning ordinances are interpreted “to ascertain and effectuate the intent of the legislative body.” *Capricorn Equity Corp. v. Town of Chapel Hill*, 334 N.C. 132, 138, 431 S.E.2d 183, 187 (1993). “The rules applicable to the construction of statutes are equally applicable to the construction of municipal ordinances.” *Four Seasons Mgmt. Servs.*, 205 N.C. App. at 76, 695 S.E.2d at 463. But, as discussed in more detail below, when there is ambiguity in a zoning regulation, there is a special rule of construction requiring the ambiguous language to be “construed in favor of the free use of real property.” *Morris Commc'ns Corp. v. City of Bessemer*, 365 N.C. 152, 157, 712 S.E.2d 868, 871 (2011).

#### \*746 I. Permitted uses at the property location

¶ 12 Visible first challenges the trial court's determination that the zoning ordinances prohibited the use of off-premises signs

on the property at issue in this case. Specifically, the trial court determined that a \*\*808 provision creating the “Lewisville Clemmons Road (South Overlay District)”—an overlay district in which this property is located—did not permit off-premises signs. Moreover, the trial court determined that, to the extent other provisions in the ordinances permitted off-premises signs on the property, the “Conflicting Provisions” section of the ordinances required the court to apply “the more restrictive limitation or requirements,” which in this case is the overlay district provision.

¶ 13 To address this argument, we must examine the series of use restrictions, corresponding tables, and numerous cross-references that address the use of off-premises signs on property within the Village of Clemmons.

¶ 14 We begin with the general provision of the ordinances governing permissible uses of property. This general provision is found in Section B.2-4 and is titled “Permitted Uses.” The first section of this general provision is entitled “Table B.2.6” and explains that the corresponding table “displays the principal uses allowed in each zoning district and references use conditions.” Village of Clemmons, N.C., Unified Development Ordinances, § B.2-4.1 (UDO).

¶ 15 Table B.2.6 is included in the ordinances following this section. In a grid format, the table lists particular uses of property and then indicates whether that use is permitted in each zoning district.

¶ 16 Under the heading “Business and Personal Services” in Table B.2.6, there is an entry for “Signs, Off-Premises.” UDO, Table B.2.6. This entry indicates that off-premises signs generally are permissible in the zoning district in which this property is located. This entry in the table also references a separate use condition located in Section B.2-5.67. That subsection, titled “Signs, Off-Premises,” then cross-references another section, discussed below, stating that “All signs must comply with the provisions of Section B.3-2.” UDO, § B.2-5.67.

¶ 17 A later subsection of the ordinances states that these general provisions in Table B.2.6 may be subject to additional restrictions in other subsections, including two that are relevant to our analysis—a section governing overlay districts and the section, referenced above, governing signs:

\*747 2-4.5 OTHER DEVELOPMENT REQUIREMENTS OF THE ZONING ORDINANCE

(A) Additional Development Requirements. In addition to the regulation of uses pursuant to Section B.2-4 and the use conditions of Section B.2-5, the following additional development requirements of this Ordinance may apply to specific properties and situations.

...

(2) Section B.2-1.6 Regulations for Overlay and Special Purpose Districts

...

(6) Section B.3-2 Sign Regulations

*Id.* § B.2-4.5.

¶ 18 We begin with the first of these two additional development requirements, concerning overlay and special purpose districts. This provision creates a special district referred to as “Lewisville Clemmons Road (South Overlay District).” *Id.* § B.2-1.6(E). This overlay district includes the property at issue in this case.

¶ 19 In an introductory section titled “Vision,” this overlay district provision explains that it is intended “to promote the redevelopment of the area into a mixed use commercial/office/residential.” *Id.* § B.2-1.6(E)(A). This provision further explains that it is “intended to foster development that improves traffic/safety, intensifies land use and economic value, to promote a mix of uses, to enhance the livability of the area, to enhance pedestrian connections, parking conditions, and to foster high-quality buildings and public spaces that help create and sustain long-term economic vitality.” *Id.*

¶ 20 Another provision in the Lewisville Clemmons Road (South Overlay District) section states that its “standards apply to sites (including principal and accessory buildings) that are within the Lewisville-Clemmons Road Corridor Overlay district unless otherwise specified herein, and apply to all permitted uses allowed within the district.” *Id.* § B.2-1.6(E)(C).

¶ 21 Finally, for purposes of this appeal, the operative provision of the Lewisville \*\*809 Clemmons Road (South Overlay District) section lists the permissible uses of property in the overlay district. *Id.* § B.2-1.6(E)(D). In a section titled “Permitted Uses,” the ordinance states that the “overlay \*748 district provisions apply to any base zoning district set forth in this chapter that exists within the defined overlay area.” *Id.*

¶ 22 The provision then includes a list of use categories corresponding to some (but not all) of the use categories listed in Table B.2.6, discussed above. Within those use categories, this provision again lists some, but not all, of the particular uses listed under those categories in Table B.2.6. Relevant to this case, the “Permitted Uses” provision includes the “Business and Personal Services” category. This is the use category from Table B.2.6 (the general use provision) that addressed the use of off-premises signs. In this more specific overlay provision, the Business and Personal Services category lists *some* uses contained in Table B.2.6 under that category heading, but does not list “Signs, Off-Premises” as a permitted use:

The overlay district provisions apply to any base zoning district set forth in this chapter that exists within the defined overlay area. The following permitted uses are allowed for this proposed geographic area by use category:

...

**3. Business and Personal Services.** Banking and Financial Services, Bed and Breakfast, Building Contractors General, Car Wash, Funeral Home, Health Services Misc., Hotel/Motel, Kennel, Medical Lab, Medical Offices, Motor Vehicle, Leasing/Rental, Repair/Maintenance, Body/Paint Shop, Office Misc., Professional Office, Service Personal, Services, Business A/B, Veterinary Services

*Id.* § B.2-1.6(E)(D)(3).

¶ 23 Finally, we address the last, and most specific, of the relevant provisions—the additional development requirements contained in Section B.3-2 that govern signs. This provision contains lengthy rules specific to various forms of signs and lists their permitted uses and locations:

### 3-2 SIGN REGULATIONS

#### (B) Permitted Signs

...

**(2) Application of Table of Permitted Districts for Signs.** *The following signs shall be permitted \*749 in the zoning districts as indicated in Table B.3.6, and shall comply with all regulations of the applicable district unless otherwise regulated by specific regulations of this section.*

...

#### (C) Off-Premises Ground Signs



(1) **Zoning Districts.** *Ground signs (off-premises) are permitted only in the districts as shown in Table B.3.6 and only along designated roads which are not identified as view corridors listed in Section B.3-2.1(C)(2).*

(2) **View Corridors.** *No off-premises sign shall be permitted in any view corridor as described below [Table B.3.7 titled “View Corridors”] and shown on the View Corridor Map located in the office of the Planning Board. Id. § B.3-2.1(B)(2), (C) (emphasis added).*

¶ 24 Importantly, this sign provision operates differently from other portions of the ordinances governing uses of property. Specifically, as the emphasized language above indicates, this sign provision contains its own, more specific restrictions for where signs may be located and states that these more specific restrictions, where applicable, supersede other portions of the ordinances.

¶ 25 These more specific restrictions take two forms relevant to this case. First, Table B.3.6, which accompanies and is referenced by this “Sign Regulations” ordinance, includes a category for “Off-Premises Signs” and indicates that off-premises signs are permitted only in specific zoning districts. The property at issue in this case is located in a zoning district where off-premises signs are permitted under this table.

¶ 26 Second, Table B.3.7, which also accompanies and is referenced by this “Sign Regulations” ordinance, contains a list of the “view corridors” mentioned in this subsection of the ordinance. These view corridors are specific areas of various streets and highways where off-premises signs are prohibited despite otherwise being permitted in the **\*810** more general table, Table B.3.6. Importantly, there are portions of Lewisville-Clemmons Road, on which this property is located, that are in these view corridors. But this particular property is not in a view corridor and thus off-premises signs are permitted on the property under both Table B.3.6 and Table B.3.7.

**\*750** ¶ 27 After walking through this dizzying sequence of provisions, tables, and internal cross-references, we are left with this: A general provision that permits off-premises signs on this property; a more specific overlay provision that supersedes the general (or “base zoning district”) regulations and, by omission, does not permit off-premises signs on this property; and an even more specific sign provision that permits off-premises signs on this property and further states that, where something is “regulated by specific regulations

of this section” those specific regulations supersede other regulations of the applicable district.

¶ 28 In defending the Board of Adjustment's ruling, the Village of Clemmons contends that the overlay district provision should control because, at best, these three provisions are conflicting. The Village points to a separate section of the zoning ordinances establishing a rule of construction for conflicting provisions. It provides that where “a conflict exists between any limitations or requirements in this Ordinance, the more restrictive limitation or requirements shall prevail.” *Id.* § B.1-7.1. Thus, the Village argues, the **conflict** between these provisions must be resolved by applying the most restrictive **zoning** requirements within the conflicting provisions, which is the overlay district provision that prohibits off-premises signs on the property.

[5] ¶ 29 We agree that our State's case law approves of this sort of rule-of-construction language and that, if we determined there is a conflict among different provisions of the ordinance, we must apply this rule of construction in favor of the most restrictive provision. *See Westminster Homes Inc. v. Town of Cary*, 354 N.C. 298, 305–06, 554 S.E.2d 634, 639 (2001).

[6] [7] ¶ 30 But we cannot reach that step unless we first determine that there is a conflict. And, in examining that question, we are guided by two common law principles governing interpretation of zoning ordinances. First, when interpreting provisions of a law that are all part of the same regulatory scheme, we should strive to find a reasonable interpretation “so as to harmonize them” rather than interpreting them to create an irreconcilable conflict. *McIntyre v. McIntyre*, 341 N.C. 629, 634, 461 S.E.2d 745, 749 (1995). In other words, even in the presence of this conflicting provisions criteria in the ordinances, we will first seek a reasonable interpretation that has no internal conflicts because we must presume that the drafters would not intend to create regulations that are internally inconsistent and conflicting. *See Taylor v. Robinson*, 131 N.C. App. 337, 338–39, 508 S.E.2d 289, 291 (1998).

[8] ¶ 31 Second, when interpreting zoning regulations, which are “in derogation of common law rights,” and faced with more than one reasonable **\*751** interpretation of the regulations, we should choose the reasonable interpretation that favors “the free use of property.” *Cumulus Broad, LLC v. Hoke Cty. Bd. of Comm'rs*, 180 N.C. App. 424, 427, 638 S.E.2d 12, 15 (2006).

[9] ¶ 32 With these common law principles in mind, we hold that there is a reasonable interpretation of these provisions that harmonizes them to avoid conflicts. We adopt that interpretation, consistent with the principle that laws should not be construed to be conflicting when there is a reasonable interpretation that contains no internal conflicts. *McIntyre*, 341 N.C. at 634, 461 S.E.2d at 749. Under that interpretation, the specific, express limitation on off-premises signs contained in the Sign Regulations portion of the ordinance supersedes the other two ordinances and controls the use of off-premises signs on this property. UDO § B.3-2.1. This is so both because these sign-specific rules directly apply to the use at issue and because these sign-specific rules state that other zoning restrictions do not apply if the use is “regulated by specific regulations of this section.” *Id.*

\*\*811 ¶ 33 Under these sign-specific regulations, off-premises signs are permitted at the property on which Visible desires to install its digital billboard. We therefore reject the Village of Clemmons's argument and hold that the trial court erred by affirming the Board of Adjustment's determination that the off-premises sign was precluded by the zoning regulations in the Lewisville Clemmons Road (South Overlay District) provision.

## II. Prohibited signs regulation

¶ 34 We next turn to the alternative ground on which the Board of Adjustment relied, concerning the permissible types of off-premises signs.

¶ 35 Visible applied for approval of a digital billboard described as an “outdoor advertising structure with digital changeable copy.” The digital billboard would display a static image like a traditional billboard, without any moving or scrolling images, video, blinking or flashing lights, or other animation. But, unlike a traditional billboard, the static image displayed on the billboard would change every six to eight seconds to a different image. Thus, the digital billboard would be capable of rotating through a series of different images over time.

¶ 36 The Village of Clemmons contends that this type of digital billboard is prohibited by two provisions of the Sign Regulations section of the ordinance, one addressing “Moving and Flashing Signs” and the other addressing “Electronic message boards.” These two prohibitions are found in Section B.3-2.1(A)(3) of the Village's zoning ordinances:

### \*752 3-2.1 SIGN REGULATIONS

#### (A) General Requirements

...

(3) **Prohibited Signs.** The following signs or use of signs is prohibited.

(a) **Flashing Lights.** Signs displaying intermittent or flashing lights similar to those used in governmental traffic signals or used by police, fire, ambulance, or other emergency vehicles.

(b) **Use of Warning Words or Symbology.** Signs using the words stop, danger, or any other word, phrase, symbol, or character similar to terms used in a public safety warning or traffic signs.

(c) **Temporary, Nonpermanent Signs.** Temporary, nonpermanent signs, including over-head streamers, are not permitted in any zoning district, unless otherwise specified in these regulations.

(d) *Moving and Flashing Signs (excludes electronic time, temperature, and electronic fuel pricing). Moving and flashing signs, excluding electronic time, temperature, and message signs, are not permitted in any zoning district. This includes pennants, streamers, banners, spinners, propellers, discs, any other moving objects; strings of lights outlining sales areas, architectural features, or property lines; beacons, spots, searchlights, or reflectors visible from adjacent property or rights-of-way.*

(e) Exterior exposed neon signs are prohibited.

(f) *Electronic message boards are prohibited.*  
UDO, § B.3-2.1(A)(3) (emphasis added).

[10] ¶ 37 As noted above, when interpreting these provisions, we apply the same principles of construction used to interpret statutes. *Morris Commc'ns Corp.*, 365 N.C. at 157, 712 S.E.2d at 872. The terms “Moving and Flashing Signs” and “Electronic message boards” are not given special definitions in the ordinance and we therefore assume that the \*753 drafters “intended to give them their ordinary meaning determined according to the context in which those words are ordinarily used.” *Id.*

[11] ¶ 38 We begin with the provision addressing “Moving and Flashing Signs.” The parties present two fully

contradictory interpretations of this provision, both based on what (in that party's view) is the plain and ordinary meaning of the words used in the provision. The Village of Clemmons contends that Visible's digital billboard unquestionably is a "Moving and Flashing Sign" because the static image would change frequently and thus, by its nature, "moves" in the sense that the image displayed on the sign changes to something else.

**\*\*812** ¶ 39 The Village also argues that this is the only logical interpretation of the provision, in light of the exclusion of electronic time, temperature, and message boards contained in the provision, because if "moving and flashing" only referred to "scrolling text, animation or blinking like 'Rudolph's nose'" and not "a sign that electronically changes its content on a periodic basis," then there would be no need to separately exclude electronic time, temperature, and message signs—signs that, like digital billboards, typically do not move or flash, but instead change their image over time to reflect the updated information.

¶ 40 There are a number of problems with the Village's argument. First, in ordinary English usage, moving means "marked by or capable of movement" and flashing means "to give off light suddenly or in transient bursts." *Merriam-Webster's Collegiate Dictionary* (11th ed. 2003). Neither of these adjectives squarely describe Visible's proposed digital billboard, which is not capable of movement and has no sudden or transient display of lights.

¶ 41 Second, the exclusion of "electronic time, temperature, and message signs" does not compel an interpretation that includes digital billboards within the definition of moving and flashing signs. Likewise, a contrary interpretation does not render this exclusion superfluous. After all, there could be categories of electronic time, temperature, and message signs that have images in motion (a ticking clock) or are flashing (an electronic sign flashing the phrase "slow down") that the drafters reasonably intended to exempt from this prohibition.

¶ 42 Indeed, another provision in the sign ordinances permits "electronic digital fuel pricing" signs at convenience stores but states that "electronic prices shall not be allowed to flash, blink or move at any time." UDO, § B.3-2.1(G)(3). Notably, this provision recognizes that the terms "moving" and "changing" are different, because the provision then explains that the "digital technology shall solely be used to display the **\*754** numerical price of fuel and shall only be *changed* when the price of fuel is modified." *Id.* (emphasis

added). This demonstrates that the drafters understood some electronic signs can contain moving or flashing features and that "moving" or "flashing" in this context is not the same as the information on the sign changing over time.

¶ 43 Finally, there are specific examples listed after the general term "Moving and Flashing Signs" and all of these examples—things such as pennants, banners, spinners, beacons, spotlights, and searchlights—are capable of either physically moving or shining light in a sudden or intermittent way. This reinforces the notion that the words "moving" and "flashing" are used in their ordinary meaning. See *Jeffries v. City of Harnett*, 259 N.C. App. 473, 493, 817 S.E.2d 36, 49 (2018).

¶ 44 To be sure, we are not suggesting that it is *unreasonable* to interpret the prohibition on "Moving and Flashing Signs" as applying to a digital billboard like the one proposed by Visible. But that interpretation is not the *only* reasonable one. Visible also asserts an alternative, reasonable interpretation of this provision—one in which a digital billboard capable of changing its static image is not considered a moving or flashing sign and instead, in ordinary English usage, would be described as something else, such as a digital sign or electronic sign, or perhaps, more specifically, a digital or electronic sign capable of changing the information displayed over time.

[12] ¶ 45 When there are two or more reasonable interpretations of a law, the law is ambiguous. *JVC Enters., LLC v. City of Concord*, 376 N.C. 782, 2021-NCSC-14, ¶ 10, 855 S.E.2d 158. And, as discussed above, when that ambiguous law is a zoning regulation, we should adopt the reasonable interpretation that favors "the free use of property." *Cumulus Broad.*, 180 N.C. App. at 427, 638 S.E.2d at 15. Accordingly, we reject the Village of Clemmons's argument and hold that the trial court erred by affirming the Board of Adjustment's determination that the proposed digital billboard was prohibited because it unambiguously fell within the definition of a "Moving and Flashing Sign" under the zoning ordinances.

[13] ¶ 46 We next turn to the provision prohibiting "Electronic message boards." **\*\*813** Again, the phrase "Electronic message board" is not defined in the ordinance. And unlike the prohibition on "Moving and Flashing Signs," this provision contains no explanatory context. The Village of Clemmons correctly contends that Visible's proposed digital billboard is "electronic." The Village also correctly asserts

that the ordinary meaning of a “message board” is a “a board or sign on which messages or notices are displayed.” *Merriam-Webster's Collegiate Dictionary* (11th \*755 ed. 2003). Combining these two definitions, the Village asserts that any electronic sign displaying any form of message—including any form of electronic billboard—unambiguously fits the definition of an “Electronic message board.”

¶ 47 There are several problems with this argument. First, the ordinance contains a definition of the word “sign.” That definition is essentially the same as this broad definition of message board advanced by the Village:

**SIGN.** Any form of publicity which is visible from any public way, directing attention to an individual, business, commodity, service, activity, or product, by means of words, lettering, parts of letters, figures, numerals, phrases, sentences, emblems, devices, designs, trade names or trademarks, or other pictorial matter designed to convey such information ...

UDO, § A.1-3.

¶ 48 Throughout the zoning ordinances, a board on which a message is displayed is consistently referred to as a “sign” or a “billboard.” *See generally*, UDO, § A.1-3 (defining “sign”); UDO, § B.2-5.70 (prohibiting “signs” and “billboards” on transmission towers); UDO, § B.3-2.1 (providing use criteria for “off-premises signs”). Thus, if the intent of this provision was to prohibit all digital signs and billboards, one would expect the drafters to use the term “sign” or “billboard,” not a separate term—“message board”—that is undefined and appears nowhere else in the ordinance.

¶ 49 Moreover, in ordinary English usage, one would not look at a looming roadside billboard and describe it as a “message board.” It is a sign or a billboard. Similarly, in ordinary usage, there is a narrower category of signs that could be described as “electronic message boards”—things such as the mobile electronic signs seen near road construction, or the digital message boards often affixed beneath a business's name or logo and listing business hours or product offerings. Visible included an example of this type of electronic message board in the record. In ordinary English usage, one would not describe these types of electronic message boards as “billboards.”

¶ 50 Simply put, this provision, too, has more than one reasonable interpretation. It is ambiguous. As with the “Moving and Flashing Signs” provision, we must resolve this ambiguity in favor of the reasonable interpretation

that permits the free use of property. *Cumulus Broad.*, 180 N.C. App. at 427, 638 S.E.2d at 15. Accordingly, we again reject the Village \*756 of Clemmons's argument and hold that the trial court erred by affirming the Board of Adjustment's determination that the proposed digital billboard was prohibited because it unambiguously fell within the definition of an “Electronic message board” under the zoning ordinances.

¶ 51 We conclude by noting that our holding today does not impact the authority of municipalities, through zoning ordinances, to restrict or prohibit digital billboards like the one proposed by Visible. But the drafters of zoning ordinances that restrict property rights have a responsibility to provide clear rules on which property owners can rely. This is so because zoning regulations are not intended to be a system of murky, ambiguous rules where the permitted uses of property ultimately depend on the interpretive discretion of government bureaucrats.

¶ 52 Here, for example, the zoning ordinances could include a prohibition on “digital billboards” or “electronic billboards,” terms that are widely used and readily understood, or more specifically prohibit digital or electronic billboards that change the displayed information over time. Similarly, the ordinances could include within the overlay district regulations a statement that those rules supersede any other regulations otherwise applicable within the overlay district, including the sign regulations.

\*\*814 ¶ 53 The convoluted, conflicting, ambiguous provisions at issue in this case did not do so and instead yielded competing reasonable interpretations. When that occurs, we will resolve this interpretive competition in favor of the free use of property.

### Conclusion

¶ 54 We reverse the trial court's order and remand this matter for entry of an order reversing the Board of Adjustment's decision.

REVERSED AND REMANDED.

Judges **DILLON** and **GRIFFIN** concur.

**All Citations**

284 N.C.App. 743, 876 S.E.2d 804, 2022-NCCOA-529

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End of Document

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Government Works.

Randolph Co PIN #	Lot Area	Lot Width	24% Compliance	Requesting To Build	Approved By City	Adjoining Lots	Fees Paid
7717180485	7,494	50'	23.11%	SFH	Yes		\$4,150.00
7717180676	29,977	150.11'	10.16%	Duplex	No		
7717088465 & 7717089445	21,901	146.14'	13.91%	Duplex	No		
7717084835	34,035	103.25'	5.00%	SFH	Yes	7717085855	\$4,150.00
7718007416	25,009	125.10'	12.18%	Duplex	No	7717084835	
7717088835	15,022	75.27'	11.52%	SFH	No		
7717190244	20,801	147.15'	20.97%	SFH	Yes	7717099160	\$6,450.00
7717099160	14,819	73.41'	11.68%	SFH	No	7717190244	
7717194038	20,473	100.28'	14.88%	Duplex	No		
7717197008 & 7717197058	20,472	99.99'	14.88%	Duplex	No		
7717097087	26,350	150.11'	11.56%	Duplex	Yes		\$8,200.00
7717098226	17,955	74.15'	9.65%	SFH	Yes		\$6,450.00
7718005511	19,535	100.77'	15.60%	Duplex	No		
7718006409	20,001	100'	15.23%	Duplex	No		
7717085855	20,037	100'	15.24%	Duplex	No		

Duplex Surface Area = 3,048 Sq Feet  
SFH = 1,792 Sq Feet

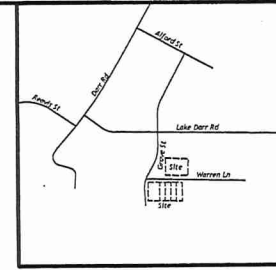
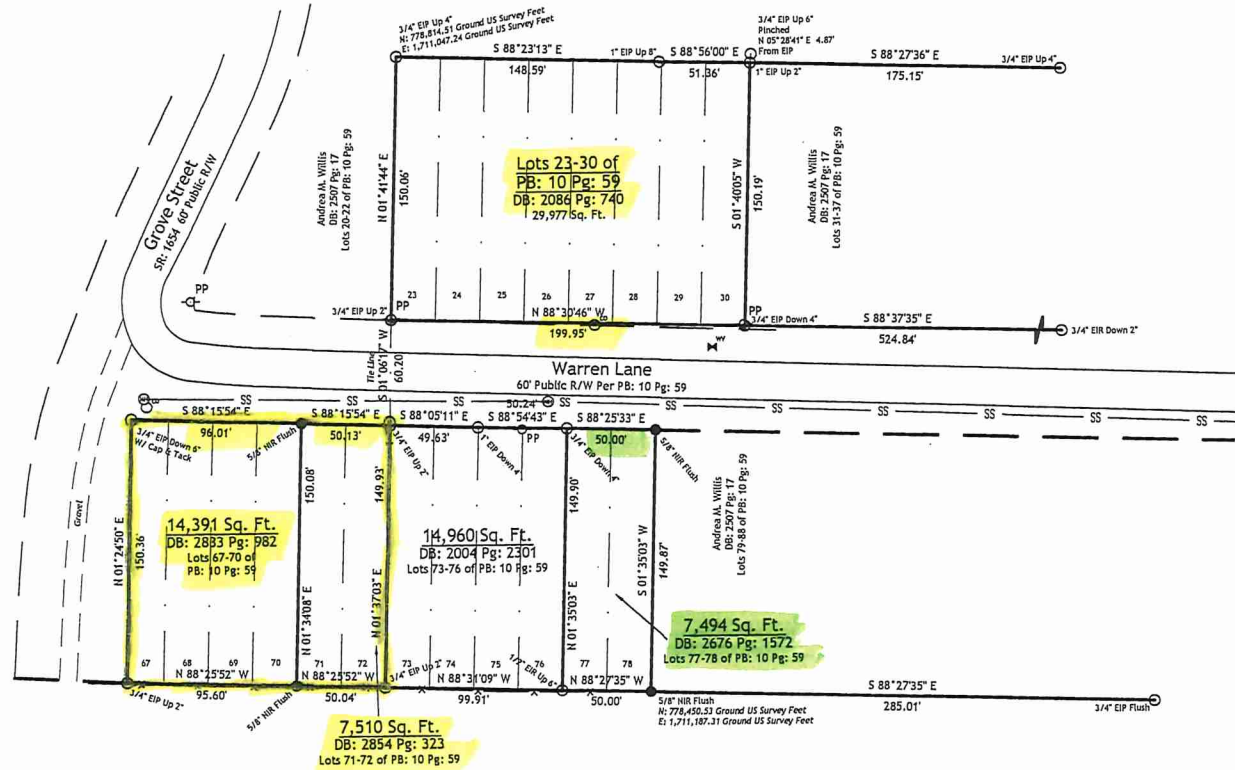
- Approved Duplex
- Approved SFH
- Duplex Variance
- Lot Width Variance

- Notes:**
- This project is not located within a special flood hazard area per NCFRIS. Map #: 3710771700J Effective Date: 1/2/2008
  - Area calculated by coordinate geometry.
  - All lines surveyed by Survey Carolina, PLLC are indicated by bold lines. All lines not surveyed by Survey Carolina, PLLC are indicated by dashed lines.
  - No attempt was made by this survey to locate all underground utilities nor any other easements that would be revealed by a title search.
  - Tax PIN: 7717088465, 7717088445, 7717180562, 7717181512, 7717180485

STATE OF NORTH CAROLINA

I, \_\_\_\_\_ Review Officer of Randolph County, certify that the map or plat to which this certification is affixed meets all statutory requirements for recording.

Date \_\_\_\_\_ Review Officer \_\_\_\_\_



- |  |  |
|--|--|
| <ul style="list-style-type: none"> <li>Hardwood Tree</li> <li>Evergreen Tree</li> <li>Stone</li> <li>R/W - Right of Way Monument</li> <li>R/S - Railroad Spike</li> <li>NIR - New Iron Road</li> <li>NIP - New Iron Pipe</li> <li>NGCS Monument</li> <li>EH - Existing Manhole</li> <li>ER - Existing Iron Road</li> <li>EIP - Existing Iron Pipe</li> <li>Existing Concrete Monument</li> <li>Bench Mark</li> <li>Computed Point / Point Not Set</li> <li>Well</li> </ul> | <ul style="list-style-type: none"> <li>Catch Basin</li> <li>Yard Inlet</li> <li>Storm Sewer Manhole</li> <li>Junction Box</li> <li>Drop Inlet</li> <li>Irrigation Control Valve</li> <li>Back Flow Preventer</li> <li>Water Valve</li> <li>Water Manhole</li> <li>Water Meter</li> <li>Fire Dept. Connection</li> <li>Fire Hydrant</li> <li>Utility Pole</li> <li>Telephone Pedestal</li> <li>Telephone Pole</li> <li>Transformer</li> <li>Communications Manhole</li> <li>Sanitary Sewer</li> <li>SS Manhole</li> <li>SS Cleanout</li> <li>Tie Lines</li> <li>Setback Lines</li> <li>Gas Line</li> <li>Sanitary Sewer Line</li> <li>Storm Sewer Line</li> <li>Water Line</li> <li>Fence</li> <li>Overhead Utility Line</li> <li>Overhead Power Line</li> <li>Underground Electric Line</li> <li>Underground Comm. Line</li> <li>100-Year Flood Hazard Line</li> <li>Floodway</li> <li>C/L Railroad</li> </ul> |
|--|--|

**Owners:**  
Long Properties, LLC  
401 Belgian Drive  
Archdale, NC 27263

GMPC RP, LLC  
2285-103 Trindale Road  
Archdale, NC 27263

Jimmy Lee Traynham  
Berta T. Brannon  
4106 Abbots Creek  
Church Road  
Kernersville, NC 27284

Survey For:  
**Chad Long**

City of Trinity  
Trinity Township  
North Carolina  
Randolph County  
July 5, 2023

Deed Book:2086 Pg:740  
Deed Book:2833 Pg:982  
Deed Book:2854 Pg:323  
Deed Book:2004 Pg:2301  
Plat Book:10 Pg:59  
Scale: 1" = 60 US Survey Feet  
Bar Scale:



**SURVEY CAROLINA, PLLC**  
154 S. Fayetteville St, Suite B, Asheboro, NC 27203  
Phone Number: 336 625-8000  
Email: mail@surveycarolina.com

Firm #: P-1110  
Dan W Tanner II L-4787  
© 2023 Survey Carolina, PLLC

Job #: 15022\_1

I, Dan W Tanner II, Professional Land Surveyor, certify:

In accordance with NC General Statute 47-30(f)11c.1. That the survey is of an existing parcel or parcels of land or one or more existing easements and does not create a new street or change an existing street. For the purpose of this subsection, an "existing parcel" or "existing easement" is an area of land described in a single, legal description or legally recorded subdivision that has been or may be legally conveyed to a new owner by deed in its existing configuration.

I, Dan W Tanner II, certify that this plat was drawn under my supervision from an actual survey made under my supervision (deed description recorded in:

Book 2086 , page 740 ; Book 2833 , page 982 ;  
Book 2854 , page 323 ; Book 2004 , page 2301 ;

that the boundaries not surveyed are clearly indicated as drawn from information found in Book See , page Notes ; that the ratio of precision or positional accuracy as calculated is 1:10000+; that this plat was prepared in accordance with G.S. 47-30 as amended. Witness my original signature, license number and seal this the 5th day of July, A.D., 2023.

PRELIMINARY PLAT - NOT FOR RECORDATION, CONVEYANCES, OR SALES

Professional Land Surveyor L-4787



Charles C. Williams, Jr.  
Sandra W. Williams  
DB: 2219 Pg: 712

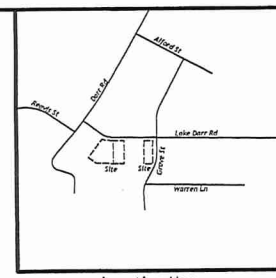
- I, Dan W Tanner II, certify that this map was drawn under my supervision from an actual GPS/ GNSS survey made under my supervision and the following information was used to perform the survey:
- Class of survey: Class A
  - Positional accuracy: <math>\pm 0.10'</math>
  - Type of GNSS field procedures: Real-Time Kinematic Networks
  - Dates of survey: June 14, 2023
  - Datum/Epoch: NAD83(2011) / 2010.00
  - Published/Fixed-control use: North Carolina Real Time Network
  - Geoid model: Geoid 12A
  - Combined grid factor(s): 0.99989942
  - GPS/GNSS Scale Point: N:778,643.91 E:1,711,200.95 Z:829.12
  - Units: US Survey Feet

**Notes:**  
 1. This project is not located within a special flood hazard area per NCFRIS.  
 Map #: 27107717003 Effective Date: 1/2/2008  
 2. Area calculated by coordinate geometry.  
 3. All lines surveyed by Survey Carolina, PLLC are indicated by bold lines. All lines not surveyed by Survey Carolina, PLLC are indicated by dashed lines.  
 4. No attempt was made by this survey to locate all underground utilities nor any other easements that would be revealed by a title search.  
 5. Tax PIN: 7717088835

STATE OF NORTH CAROLINA  
 I, \_\_\_\_\_ Review Officer of Randolph County, certify that the map or plat to which this certification is affixed meets all statutory requirements for recording.

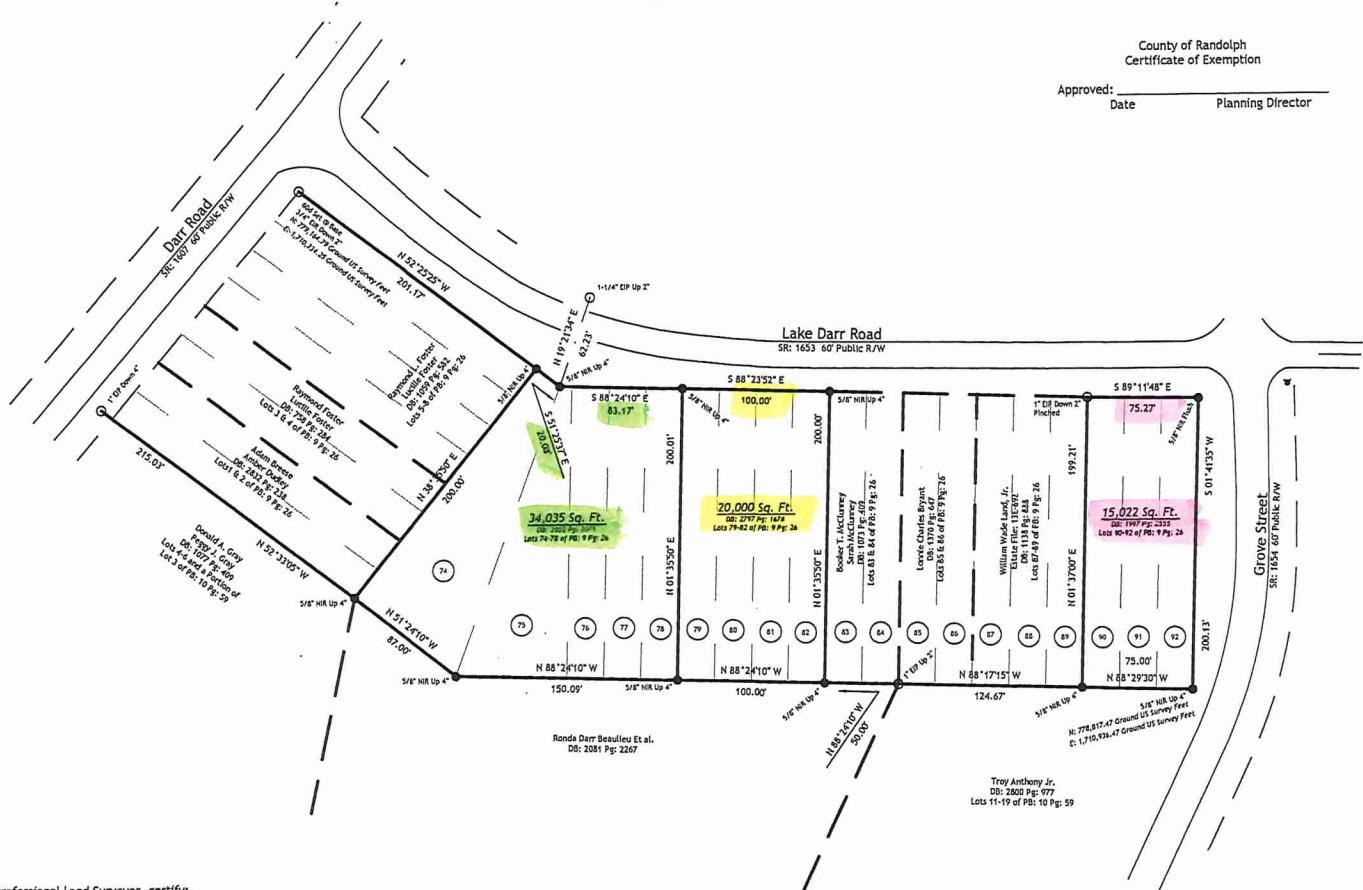
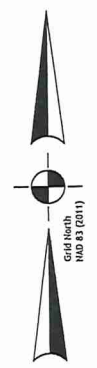
Date \_\_\_\_\_ Review Officer \_\_\_\_\_

County of Randolph  
 Certificate of Exemption  
 Approved: \_\_\_\_\_  
 Date \_\_\_\_\_ Planning Director \_\_\_\_\_



Location Map  
 (Not to Scale)

<ul style="list-style-type: none"> <li>Hardwood Tree</li> <li>Evergreen Tree</li> <li>Stone</li> <li>R/W - Right of Way Monument</li> <li>RIS - Railroad Spike</li> <li>NIR - New Iron Rod</li> <li>NIP - New Iron Pipe</li> <li>CI - Existing Nail</li> <li>EIR - Existing Iron Rod</li> <li>EIP - Existing Iron Pipe</li> <li>Existing Concrete Monument</li> <li>Bench Mark</li> <li>Computed Point / Point Not Set</li> <li>Well</li> </ul>	<ul style="list-style-type: none"> <li>Catch Basin</li> <li>Yard Inlet</li> <li>Storm Sewer Manhole</li> <li>Junction Box</li> <li>Drop Inlet</li> <li>Irrigation Control Valve</li> <li>Back Flow Preventer</li> <li>Water Valve</li> <li>Water Manhole</li> <li>Water Meter</li> <li>Fire Dept. Connection</li> <li>Fire Hydrant</li> <li>Utility Pole</li> <li>Telephone Pedestal</li> <li>Telephone Pole</li> <li>Transformer</li> <li>Communications Manhole</li> <li>SS - Sanitary Sewer</li> <li>SS Manhole</li> <li>SS Cleanout</li> <li>U/G Power Box</li> <li>PP</li> <li>Power Pole</li> <li>Light Pole</li> <li>Gas Pole</li> <li>Gas Valve</li> <li>Gas Meter</li> <li>Electric Meter</li> <li>Electric Manhole</li> <li>2x.00 Spot Elevation</li> </ul>
<ul style="list-style-type: none"> <li>Property Line</li> <li>Computed Property Line</li> <li>Right of Way Line</li> <li>Easement Line</li> <li>The Lines</li> <li>Setback Lines</li> <li>Sanitary Sewer Line</li> <li>Storm Sewer Line</li> <li>Water Line</li> <li>Fence</li> <li>Overhead Utility Line</li> <li>Overhead Power Line</li> <li>Underground Electric Line</li> <li>Underground Comm. Line</li> <li>100-Year Flood Hazard Line</li> <li>Floodway</li> <li>C/R Railroad</li> </ul>	



I, Dan W Tanner II, Professional Land Surveyor, certify:  
 In accordance with NC General Statute 47-30(f)11c.1. That the survey is of an existing parcel or parcels of land or one or more existing easements and does not create a new street or change an existing street. For the purpose of this subsection, an "existing parcel" or "existing easement" is an area of land described in a single, legal description or legally recorded subdivision that has been or may be legally conveyed to a new owner by deed in its existing configuration.

I, Dan W Tanner II, certify that this plat was drawn under my supervision from an actual survey made under my supervision (deed description recorded in:

Book 2002 , page 2075 ; Book 2797 , page 1678 ;  
 Book 1997 , page 2555 ;

that the boundaries not surveyed are clearly indicated as drawn from information found in Book See , page Notes ; that the ratio of precision or positional accuracy as calculated is 1:10000+; that this plat was prepared in accordance with G.S. 47-30 as amended. Witness my original signature, license number and seal this the 3rd day of July, A.D., 2023.

PRELIMINARY PLAT - NOT FOR RECORDATION, CONVEYANCES, OR SALES

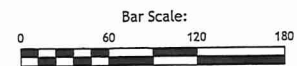
Professional Land Surveyor L-4787



I, Dan W Tanner II, certify that this map was drawn under my supervision from an actual GPS/ GNSS survey made under my supervision and the following information was used to perform the survey:  
 (1) Class of survey: Class A  
 (2) Positional accuracy: <math>\pm 0.10'</math>  
 (3) Type of GNSS field procedure: Real-Time Kinematic Networks  
 (4) Dates of survey: June 14, 2023  
 (5) Datum/Epoch: NAD83(2011) / 2010.00  
 (6) Published/Fixed-control use: North Carolina Real Time Network  
 (7) Geoid model: Geoid 12A  
 (8) Combined grid factor(s): 0.99989942  
 (9) GPS/GNSS Scale Point:  
 N:778,643.91 E:1,711,200.95 Z:829.12  
 (10) Units: US Survey Feet

Owners:  
 Long Properties, LLC  
 401 Belgian Drive  
 Archdale, NC 27263

Survey For:  
**Chad Long**  
 City of Trinity  
 Trinity Township  
 North Carolina  
 Deed Book:2002 Pg:2075  
 Deed Book:2797 Pg:1678  
 Deed Book:1997 Pg:2555  
 Plat Book:9 Pg:26  
 Scale: 1" = 60 US Survey Feet



**SURVEY CAROLINA, PLLC**  
 154 S. Fayetteville St, Suite B, Asheboro, NC 27203  
 Phone Number: 336 625-8000  
 Email: mail@surveycarolina.com  
 Firm #: P-1110  
 Dan W Tanner II L-4787  
 © 2023 Survey Carolina, PLLC  
 Job #: 15022

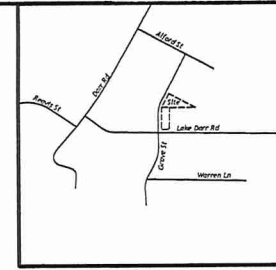


- Notes:**
- This project is not located within a special flood hazard area per NCFRS. Map #: 37107717001 Effective Date: 1/2/2008
  - Area calculated by coordinate geometry.
  - All lines surveyed by Survey Carolina, PLLC are indicated by bold lines. All lines not surveyed by Survey Carolina, PLLC are indicated by dashed lines.
  - No attempt was made by this survey to locate all underground utilities nor any other easements that would be revealed by a title search.
  - Tax PIN: 7717190244, 7717099160, 7717194038, 7717197008, 7717197058

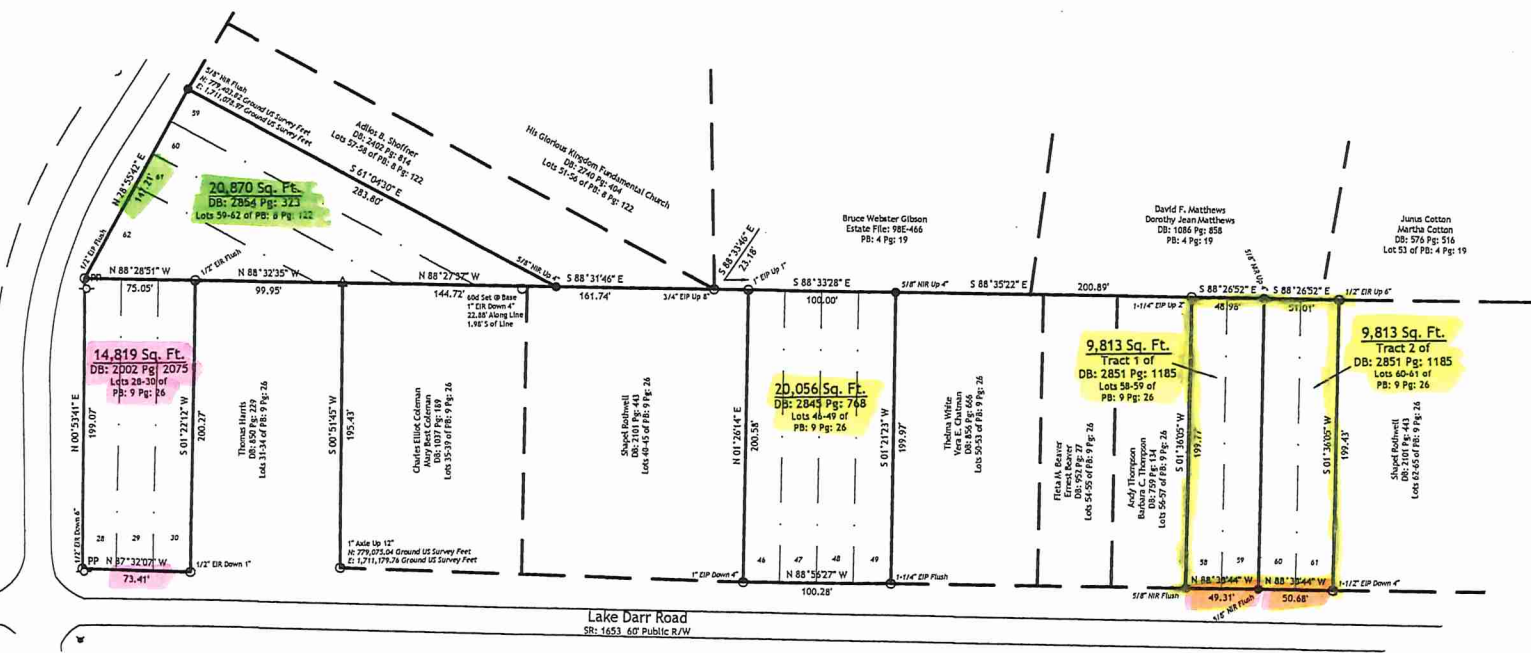
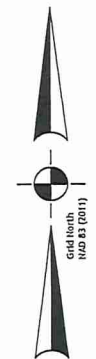
STATE OF NORTH CAROLINA

I, \_\_\_\_\_ Review Officer of Randolph County, certify that the map or plat to which this certification is affixed meets all statutory requirements for recording.

Date \_\_\_\_\_ Review Officer \_\_\_\_\_



Location Map  
(Not to Scale)



Owners:  
Long Properties, LLC  
3501 Longview Drive  
Archdale, NC 27263

GMPC RP, LLC  
2285-103 Trindale Road  
Archdale, NC 27263

Survey For:  
**Chad Long**

City of Trinity  
Trinity Township  
North Carolina  
Deed Book:2002 Pg:2075  
Deed Book:2854 Pg:323  
Deed Book:2851 Pg:1185  
Deed Book:2845 Pg:768  
Plat Book:8 Pg:122  
Plat Book:9 Pg:26  
Scale: 1" = 60 US Survey Feet

Randolph County  
July 5, 2023

Bar Scale:  
0 60 120 180

**SURVEY CAROLINA, PLLC**  
154 S. Fayetteville St, Suite B, Asheboro, NC 27203  
Phone Number: 336 625-8000  
Email: mail@surveycarolina.com

Firm #: P-1110  
Dan W Tanner II L-4787  
© 2023 Survey Carolina, PLLC

I, Dan W Tanner II, Professional Land Surveyor, certify:  
  
In accordance with NC General Statute 47-30(f)11c.1. That the survey is of an existing parcel or parcels of land or one or more existing easements and does not create a new street or change an existing street. For the purpose of this subsection, an "existing parcel" or "existing easement" is an area of land described in a single, legal description or legally recorded subdivision that has been or may be legally conveyed to a new owner by deed in its existing configuration.

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Book 2002 , page 2075 ; Book 2854 , page 323 ;

that the boundaries not surveyed are clearly indicated as drawn from information found in Book See page Notes ; that the ratio of precision or positional accuracy as calculated is: 1:10000 ; that this plat was prepared in accordance with G.S. 47-30 as amended. Witness my original signature, license number and seal this the 5th day of July, A.D., 2023.

PRELIMINARY PLAT - NOT FOR RECORDATION, CONVEYANCES, OR SALES



- I, Dan W Tanner II, certify that this map was drawn under my supervision from an actual GPS/ GNSS survey made under my supervision and the following information was used to perform the survey:
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  - (4) Dates of survey: June 14, 2023
  - (5) Datum/Epoch: NAD83(2011) / 2010.00
  - (6) Published/Fixed-control use: North Carolina Real Time Network
  - (7) Geoid model: Geoid 12A
  - (8) Combined grid factor(s): 0.99989942
  - (9) GPS/GNSS Scale Point(s):  
N:778,643.91 E:1,711,200.95 Z:829.12
  - (10) Units: US Survey Feet

- Hardwood Tree
- Evergreen Tree
- Stone
- R/W - Right of Way Monument
- RRS - Railroad Spike
- NIR - New Iron Rod
- NIP - New Iron Pipe
- NCSG Monument
- EN - Existing Nail
- ER - Existing Iron Rod
- EP - Existing Iron Pipe
- Existing Concrete Monument
- Bench Mark
- Computed Point / Point Not Set
- Well
- Property Line
- Computed Property Line
- Right of Way Line
- Easement Line
- Tie Lines
- Setback Lines
- Gas Line
- Sanitary Sewer Line
- Storm Sewer Line
- Water Line
- Fence
- Overhead Utility Line
- Overhead Power Line
- Underground Electric Line
- Underground Comm. Line
- 100-Year Flood Hazard Line
- Roadway
- C/L Railroad
- Catch Basin
- Yard Inlet
- Storm Sewer Manhole
- Junction Box
- Drop Inlet
- Irrigation Control Valve
- Back Flow Preventer
- Water Valve
- Water Manhole
- Water Meter
- Fire Dept. Connection
- Fire Hydrant
- Utility Pole
- Telephone Pedestal
- Telephone Pole
- Transformer
- Communications Manhole
- SS - Sanitary Sewer
- SS Manhole
- SS Cleanout
- UG Power Box
- PP
- Power Pole
- Light Pole
- Guy Pole
- Gas Valve
- Guy Wire
- Gas Manhole
- Gas Meter
- Electric Meter
- Electric Manhole
- 2.00 Spot Elevation

STATE OF NORTH CAROLINA

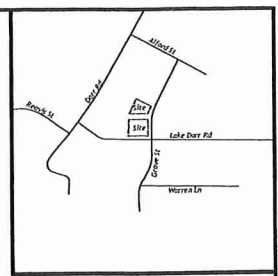
I, \_\_\_\_\_ Review Officer of Randolph County, certify that the map or plat to which this certification is affixed meets all statutory requirements for recording.

Date \_\_\_\_\_ Review Officer

County of Randolph  
Certificate of Exemption

Approved: \_\_\_\_\_ Planning Director  
Date \_\_\_\_\_

- Notes:
1. This project is not located within a special flood hazard area per NCFRFS. Map #: 37107717001 Effective Date: 1/2/2008
  2. Area calculated by coordinate geometry.
  3. All lines surveyed by Survey Carolina, PLLC are indicated by bold lines. All lines not surveyed by Survey Carolina, PLLC are indicated by dashed lines.
  4. No attempt was made by this survey to locate all underground utilities nor any other easements that would be revealed by a title search.
  5. Tax P#: 7717098226 (L47-50); 7717097087 (L70-25)



- Location Map (Not to Scale)
- Hardwood Tree
  - Evergreen Tree
  - Stone
  - R/W - Right of Way Monument
  - R/S - Railroad Spike
  - NIR - New Iron Rod
  - HR - New Iron Pipe
  - ICGS Monument
  - EI - Existing Iron Pipe
  - EIP - Existing Iron Pipe
  - Existing Concrete Monument
  - Benchmark
  - Computed Point / Point Not Set
  - Well
  - Property Line
  - Comp'd Property Line
  - Right of Way Line
  - Easement Line
  - Tie Lines
  - Setback Lines
  - Gas Line
  - Sanitary Sewer Line
  - Storm Sewer Line
  - Water Line
  - Fence
  - Overhead Utility Line
  - Overhead Power Line
  - Underground Electric Line
  - Underground Comm. Line
  - 100-Year Flood Hazard Line
  - Flooding
  - CAI Railroad
  - Catch Basin
  - Storm Sewer Manhole
  - Junction Box
  - Drop Inlet
  - Irrigation Control Valve
  - Back Flow Preventer
  - Water Valve
  - Water Manhole
  - Water Meter
  - Fire Dept. Connection
  - Ene Hydrant
  - Utility Pole
  - Telephone Pedestal
  - Telephone Pole
  - Transformer
  - Communications Manhole
  - SS - Sanitary Sewer
  - SS Manhole
  - SS Cleanout
  - UG Power Box
  - Power Pole
  - Light Pole
  - Gas Valve
  - Guy Wire
  - Gas Manhole
  - Gas Meter
  - Electric Meter
  - Electric Manhole
  - 2.00 Spot Elevation

**17,955 Sq. Ft.**  
DB 2002 Pg. 2075  
L47-50 of PB 8 Pg. 11Z

**26,350 Sq. Ft.**  
DB 2002 Pg. 2075  
L70-25 of PB 9 Pg. 26

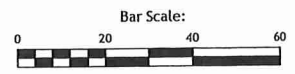
Robert A. Broadie  
DB 1750 Pg. 1659  
L26-6-27 of PB 9 Pg. 26

Harold Peck, seller  
DB 927 Pg. 571

Grove Street  
is USA  
of Public R/W

Owners:  
Long Properties, LLC  
401 Belgian Dr.  
Archdale, NC 27263

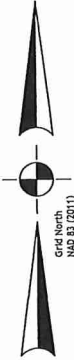
Survey For:  
**Long Properties, LLC**  
City of Trinity  
Trinity Township  
North Carolina  
Deed Book:2004 Pg:448  
Plat Book:8 Pg:116  
Scale: 1" = 20 US Survey Feet



**SURVEY CAROLINA, PLLC**  
154 S. Fayetteville St, Suite B, Asheboro, NC 27203  
Phone Number: 336 625-8000  
Email: mail@surveycarolina.com

Firm #: P-1110  
Dan W Tanner II L-4787  
© 2023 Survey Carolina, PLLC

Job #: 15022



I, Dan W Tanner II, Professional Land Surveyor, certify:  
In accordance with NC General Statute 47-30(f)11c.1. That the survey is of an existing parcel or parcels of land or one or more existing easements and does not create a new street or change an existing street. For the purpose of this subsection, an "existing parcel" or "existing easement" is an area of land described in a single, legal description or legally recorded subdivision that has been or may be legally conveyed to a new owner by deed in its existing configuration.  
I, Dan W Tanner II, certify that this plat was drawn under my supervision from an actual survey made under my supervision (deed description recorded in:

Book 2004 , page 448 ;

that the boundaries not surveyed are clearly indicated as drawn from information found in Book See , page Notes ; that the ratio of precision or positional accuracy as calculated is 1:10000+; that this plat was prepared in accordance with G.S. 47-30 as amended. Witness my original signature, license number and seal this the 26th day of June, A.D., 2023.

PRELIMINARY PLAT - NOT FOR RECORDATION, CONVEYANCES, OR SALES



- I, Dan W Tanner II, certify that this map was drawn under my supervision from an actual GPS/ GNSS survey made under my supervision and the following information was used to perform the survey:
- (1) Class of survey: Class A
  - (2) Positional accuracy: <math>-0.10'</math>
  - (3) Type of GNSS field procedure: Real-Time Kinematic Networks
  - (4) Dates of survey: July 14, 2023
  - (5) Datum/EPOCH: NAD83(2011) / 2010.00
  - (6) Published/field control use: North Carolina Real Time Network
  - (7) Geoid model: Geoid 12A
  - (8) Combined grid factor(s): 0.99987799
  - (9) GPS/GNSS Scale Point: N489,739.17 E1,729,331.05 Z:803.45
  - (10) Units: US Survey Feet

- Notes:**
- This project is not located within a special flood hazard area per NCFRIS.  
Map #: 3710771800J Effective Date: 1/2/2008
  - Area calculated by coordinate geometry.
  - All lines surveyed by Survey Carolina, PLLC are indicated by bold lines. All lines not surveyed by Survey Carolina, PLLC are indicated by dashed lines.
  - No attempt was made by this survey to locate all underground utilities nor any other easements that would be revealed by a title search.
  - Tax PIN: 7718007416, 7718006409, 7718005511

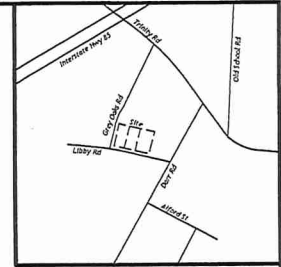
STATE OF NORTH CAROLINA

I, \_\_\_\_\_ Review Officer of Randolph County, certify that the map or plat to which this certification is affixed meets all statutory requirements for recording.

Date \_\_\_\_\_ Review Officer \_\_\_\_\_

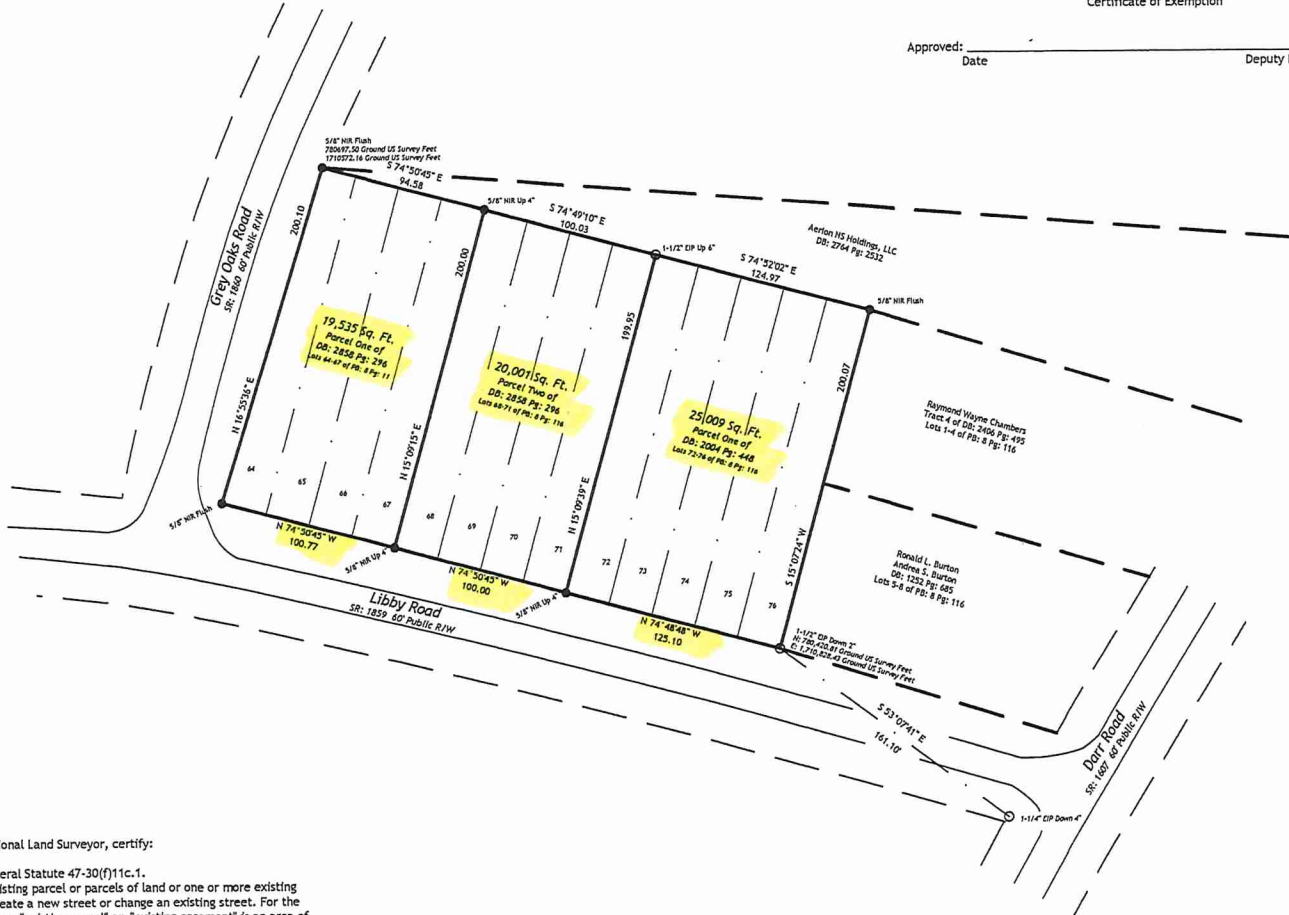
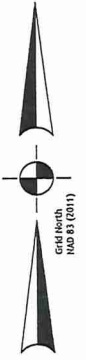
County of Randolph  
Certificate of Exemption

Approved: \_\_\_\_\_ Date \_\_\_\_\_ Deputy Planning Director \_\_\_\_\_



Location Map  
(Not to Scale)

- |  |                                |  |                          |
|--|--------------------------------|--|--------------------------|
|  | Hardwood Tree                  |  | Catch Basin              |
|  | Evergreen Tree                 |  | Yard Inlet               |
|  | Stone                          |  | Storm Sewer Manhole      |
|  | R/W - Right of Way Monument    |  | Junction Box             |
|  | R/S - Railroad Spike           |  | Drop Inlet               |
|  | NIR - New Iron Road            |  | Irrigation Control Valve |
|  | NIP - New Iron Pipe            |  | Back Flow Preventer      |
|  | NCGS Monument                  |  | Water Valve              |
|  | DI - Existing Nail             |  | Water Manhole            |
|  | EIP - Existing Iron Pipe       |  | Water Meter              |
|  | Existing Concrete Monument     |  | Fire Dept. Connection    |
|  | Bench Mark                     |  | Fire Hydrant             |
|  | Computed Point / Point Not Set |  | Utility Pole             |
|  | Well                           |  | Telephone Pedestal       |
|  | Property Line                  |  | Telephone Pole           |
|  | Computed Property Line         |  | Transformer              |
|  | Right of Way Line              |  | SS - Sanitary Sewer      |
|  | Easement Line                  |  | SS Manhole               |
|  | Setback Lines                  |  | SS Cleanout              |
|  | Gas Line                       |  | U/G Power Box            |
|  | Sanitary Sewer Line            |  | PP - Power Pole          |
|  | Storm Sewer Line               |  | Light Pole               |
|  | Water Line                     |  | Guy Pole                 |
|  | Fence                          |  | Gas Valve                |
|  | Overhead Utility Line          |  | Guy Wire                 |
|  | Overhead Power Line            |  | Gas Manhole              |
|  | Underground Electric Line      |  | Electric Meter           |
|  | Underground Comm. Line         |  | Electric Manhole         |
|  | 100-Year Flood Hazard Line     |  | Spot Elevation           |
|  | C/L Railroad                   |  |                          |



I, Dan W Tanner II, Professional Land Surveyor, certify:

In accordance with NC General Statute 47-30(f)11c.1. That the survey is of an existing parcel or parcels of land or one or more existing easements and does not create a new street or change an existing street. For the purpose of this subsection, an "existing parcel" or "existing easement" is an area of land described in a single, legal description or legally recorded subdivision that has been or may be legally conveyed to a new owner by deed in its existing configuration.

I, Dan W Tanner II, certify that this plat was drawn under my supervision from an actual survey made under my supervision (deed description recorded in:

Book 2858, page 296; Book 2004, page 448;

that the boundaries not surveyed are clearly indicated as drawn from information found in Book See, page Notes; that the ratio of precision or positional accuracy as calculated is 1:10000+, that this plat was prepared in accordance with G.S. 47-30 as amended. Witness my original signature, license number and seal this the 5th day of July, A.D., 2023.



I, Dan W Tanner II, certify that this map was drawn under my supervision from an actual GPS/GNSS survey made under my supervision and the following information was used to perform the survey:

- (1) Class of survey: Class A
- (2) Positional accuracy: <math>\pm 0.10'</math>
- (3) Type of GNSS field procedure: Real-Time Kinematic Networks
- (4) Dates of survey: June 14, 2023
- (5) Datum/Epoch: NAD83(2011) / 2010.00
- (6) Published/Free-control use: North Carolina Real Time Network
- (7) Geoid model: Geoid 12A
- (8) Combined grid factor(s): 0.99989942
- (9) GPS/GNSS Scale Point:  
N: 778,643.91 E: 1,711,200.95 Z: 829.12
- (10) Units: US Survey Feet

PRELIMINARY PLAT - NOT FOR RECORDATION, CONVEYANCES, OR SALES

Professional Land Surveyor

L-4787

Owners:  
Long Properties, LLC  
3501 Longview Drive  
Archdale, NC 27263

Survey For:  
**Chad Long**

City of Trinity  
Trinity Township  
North Carolina

Randolph County  
July 5, 2023

Deed Book: 2858 Pg: 296  
Deed Book: 2004 Pg: 448  
Plat Book: 8 Pg: 116

Scale: 1" = 50 US Survey Feet

Bar Scale:



**SURVEY CAROLINA, PLLC**

154 S. Fayetteville St, Suite B, Asheboro, NC 27203  
Phone Number: 336 625-8000  
Email: mail@surveycarolina.com

Firm #: P-1110  
Dan W Tanner II L-4787  
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Job #: 15022\_3