



Agenda Abstract

Department: Planning

Submitting Official: Jason Sullivan

Meeting Date: **06-21-10**

Authorizing Signature: _____

Subject:	Continuation of discussion of text amendments to Chatham County Zoning Ordinance regarding signs.
Action Requested:	See Recommendation
Attachments (List Individually):	None

Introduction & Background

The Board of Commissioners directed staff to review the sign regulations in the Zoning Ordinance and propose amendments to address (1) special event signage and (2) non-conforming signs. These amendments were approved at the April 19, 2010 Board of Commissioners meeting.

Planning Staff had also proposed amendments to the Zoning Ordinance to provide additional definitions of signs in the Definitions section and revise portions of Section 15 dealing with signs.

A public hearing was held on these proposed ordinance text amendments on January 19, 2010. At the public hearing, four citizens spoke in favor of the proposed text amendments.

The Planning Board discussed the changes at their February 19, 2010 meeting. The recommendations of the Planning Board are shown in each section.

At the Board of Commissioners meeting on April 19, 2010, the Board approved the amendments to the Zoning and Off-Premise Sign Ordinances regarding non-conforming signs and temporary signs. After discussion, the Board asked staff to come back with the other amendments to Sections 7 and 15 of the Zoning Ordinance that staff had proposed.

Discussion & Analysis

Section 7 - Definitions

The proposed amendments to Section 7 of the Zoning Ordinance all are related to signs. They are listed below:

Accessory Use Sign - ~~Any signs~~ which ~~are~~ located on the same premises with a principal permitted use and, which are clearly incidental, secondary and/or supportive of the principal use.

~~**Animated Sign**—Any sign which uses movement or a change of lighting to depict action or to create a special effect or scene.~~

~~**Awning:** A structure made of cloth, metal, or other material affixed to a building in such a manner that it shades windows or doors below, but is not a constructed canopy.~~

Banner Sign - A sign of lightweight fabric or similar material which is attached to a pole or a building, ~~structure and/or vehicle by any means at one or more edges~~. National ~~flags~~, state or municipal flags, ~~or the official flag of any institution or business~~ shall not be considered banner signs.

~~**Canopy** – A permanent structure, not enclosed and not retractable, attached or unattached to a building, for the purpose of providing shelter to patrons or automobiles, or as a decorative feature on a building wall.~~

~~**Freestanding Sign** - Any sign which is supported by structures or supports which are placed on, or anchored in, the ground, and which structures or supports are independent from any building or other structure. A non-movable sign which is entirely supported by one or more uprights, poles, braces, or base in or upon the ground.~~

~~**Identification Sign**—Any sign which contains no commercial message except advertising goods or services legally offered on the premises where the sign is located and directional/information messages within group developments or buildings with multiple tenants.~~

~~**Informational Sign** – Any sign which contains no commercial or advertising message that is located on-site providing information as required by regulatory authorities and/or other entity. These include, but are not limited to, “No Parking,” “Loading/Unloading Zone,” “Keep off Grass” and “No Smoking.”~~

~~**Off-Premise Sign** – Any sign that indicates direction to, advertises or otherwise identifies any property, structure or use not located on the same parcel as such property, structure or use.~~

~~**On-Site Directional Sign** - A sign which has use incidental to the use of the zone lot on which it~~

is located, ~~such as "no parking", "entrance", "loading only", "telephone", and other similar directives, and may include certain signs with commercial messages that are not legible from a location off the lot that provides necessary information to guide traffic, whether vehicular or otherwise, within the site.~~ -Any one directional sign shall be no larger than five (5) square feet.

Pennant Sign - Any sign made of lightweight plastic, fabric or other material, whether or not containing a message ~~of any kind~~, suspended from a rope, wire or string, usually in series, designed to move in the wind.

Portable Sign - Any sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported. ~~Any sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported, including but not limited to signs: designed to be transported by means of wheels; converted to A or T frames; gas or hot air filled balloons; umbrellas used for advertising; signs attached to or painted on vehicles parked and visible from the public right of way, unless said vehicle is used in the normal day to day operation of the business.~~

Sign - Any object, device, display or structure, or part thereof, which is used to advertise, identify, display, direct or attract attention to any object, person, institution, organization, business, product, service, event or location by any means, including but not limited to words, letters, pennants, banners, emblems, trademarks, trade names, insignias, numerals, figures, designs, symbols, fixtures, colors, illumination or projected images or any other attention directing device.

The Planning Board (by a vote of 9-0), at their meeting on February 2, 2010 recommended to approve the proposed amendments to Section 7 of the Zoning Ordinance.

In an email dated February 3, 2010, the County Attorney recommended the following changes to the proposed Amendments to Section 7 of the Zoning Ordinance:

- Informational Sign definition should read "Any sign which contains no commercial or advertising message that is located on-site providing information as required by regulatory authorities and/or other public entity.
- Off-Premise Sign definition should read "Any sign that indicates direction to, advertises or otherwise identifies any property, structure or use not located on the same parcel as sign."

Section 15 – Regulations Governing Signs

The proposed amendments to Section 15 were discussed by the Planning Board at their February meeting, and were discussed by the Board of Commissioners at the March 1st meeting. The proposed amendments are as follows:

Introductory paragraph: The regulations governing the use of signs ~~within the jurisdiction and within the various districts~~ are set forth in this section. All signs shall be erected, altered, and maintained in accordance with the following provisions and only those signs as specified and as regulated shall be erected within the jurisdiction. ~~Signs under this Ordinance are treated three ways: some types of Signs are specifically prohibited everywhere; certain signs are permitted~~

~~in any zoning district; and a third group of signs are considered to be accessory uses and may be installed in the various zoning districts subject to the provisions of this section for the various zoning districts.~~ Signs shall adhere to the Chatham County Design Guidelines as stated in Section 12 for items not directly addressed in this ordinance unless such adherence is unsafe due to site conditions or other extenuating circumstance. Any sign or type of sign not expressly mentioned in this section shall be prohibited.

15.1. Definitions

See Definitions, Section 7; ~~Also refer to Chatham County Design Guidelines.~~

~~15.2. Material and Design~~

~~All signs shall be designed and constructed according to generally accepted engineering practices to withstand wind pressures and load distribution as specified in the North Carolina Building Code for the jurisdiction.~~

~~15.3. Illuminated Signs, Electrical Parts~~

~~All signs in which electrical wiring and connections are to be used shall be constructed in accordance with the North Carolina Building Code for the jurisdiction.~~

15.2. Nonconforming Signs

See Section 9 for provisions for non-conforming signs.

15.3. Lighting of Signs

~~4.~~ For lighting of signs, refer to Section 13 of the Chatham County Zoning Ordinance.

15.4. Prohibited Signs

7. Signs affixed to trees, telephone poles, light poles, State-owned sign posts or public road right-of-way control fencing, except when used to post property or other such public purposes.
10. Signs, banners, streamers, or pennants, ~~and/or lights tied or~~ consecutively strung together, but not including temporary holiday decorations.

15.5. Signs Permitted in Any Zoning District

The following signs are permitted in any zoning district:

5. Signs directing and guiding traffic and parking on private property, but bearing no advertising matter.
- ~~6. Announcement signs of professions or businesses, not exceeding two square feet in area, fixed flat against the building where such profession or business is carried on.~~

~~There shall be a limit of one such sign per establishment.~~

~~7. "For Sale" or "For Rent" sOn-premise signs pertaining to realty, such as for sale, rent or lease, on the premises offered for sale or rent, not exceeding four square feet in area and not illuminated. Signs up to 32 square feet are permitted for properties ten (10) acres in size or larger. There shall be a limit of one such sign for each street abutting the lot.~~

~~8-6. _____ Church, community or public building bulletin boards and identification sign, lighted or unlighted shall not exceed 32 square feet in area. There shall be a limit of one such sign for each street abutting the lot.~~

~~9-7. _____ Signs advertising agricultural products, produced on the premises, not exceeding 32 square feet in area. There shall be a limit of one such sign for each street abutting the lot.~~

~~10-8. _____ Signs identifying, by name only, residential sub-division, planned housing development, recreational facility, permitted campgrounds or mobile home parks and not exceeding 32 square feet in area. There shall be a limit of one double-faced sign or two single-faced signs for each road or driveway entrance to the development named on the sign.~~

~~11-9. _____ Signs of any political party or announcing the candidacy of any individual for any nomination or office; provided that in any residential district, no such sign shall exceed 32 square feet in area and in any district other than a residential district no sign shall exceed in area the maximum area of sign display permitted on any lot in that district; provided further, that all such signs, shall be removed not later than 10 working days after the date of the election to which they pertain.~~

~~12. Signs advertising only the name, time and place of any bona fide fair, carnival, festival, bazaar, horse show or similar event, when conducted by a public agency or for the benefit of any civic, fraternal, religious or charitable cause; provided that no such sign shall be displayed in any residential district, except on the immediate site of the event to which it pertains; and provided further, that all such signs shall be removed within 10 days after the last day of the event to which they pertain. Such signs shall not exceed 32 square feet.~~

~~13-10. _____ Signs not exceeding 32 square feet in area, warning the public against hunting, fishing, or trespassing on the land on which the same are displayed.~~

~~14. Directional signs not exceeding 32 square feet in area referring only to organizations which are non-profit in character or to construction projects in process.~~

~~15. Un-illuminated philosophical, religious or educational signs, limited to one sign per plot,~~

~~not to exceed six square feet in area and located on private property; provided, that in residential and institutional zones there shall be no commercial advertising displayed thereon.~~

~~16.11. Temporary signs may be allowed provided said signs are not erected more than 21 calendar days per year and not larger than 32 square feet. Said signs shall not be closer to each other on the same property than 400 feet. Temporary signs giving information pertaining to construction taking place on the property for which a permit has been issued may remain throughout construction but shall be removed upon issuance of a certificate of occupancy, pursuant to the Temporary Signs Section (Section 15.10).~~

15.6. Signs Permitted in the O&I, Office and Institutional Districts

A. Sign Area

Within the O&I District, each lot or parcel may have a maximum of 1 1/2 square feet of sign area for each linear foot of frontage on a ~~private- or publicly-~~ maintained street. Double frontage or corner lots or parcels shall be permitted an additional sign area computed at 1/2 the rate as above for the additional street frontage. Such additional sign area need not be proportionally directed toward such streets.

B. Freestanding Signs

Not more than 1/2 the total sign area for any one lot may be in the form of freestanding signs. No part of any freestanding signs shall exceed a height of ~~30-10~~ feet above the ground at its base.

D. Sign Size

No one sign shall exceed a size of ~~100-50~~ square feet.

15.7. Signs Permitted in the B-1, NB, CB, and RB Districts

A. Sign Area

Within the B-1, ~~NCNB~~, CB, and RB Districts, each lot or parcel may have a maximum of two square feet of sign area for each lineal foot of frontage on a ~~private- or publicly-~~ maintained street or highway. Double frontage or corner lots or parcels shall be permitted an additional sign area computed at 1/2 the rate as above for the additional street frontage. Such additional sign area need not be proportionally directed toward such streets.

15.8. Signs Permitted in the IL, Light Industrial District

A. Sign Area

Within the Light Industrial ~~L~~ District, each lot or parcel may have a maximum of two square feet of sign area for each lineal foot of frontage on a ~~private- or publicly-~~ maintained street or highway. Double frontage or corner lots or parcels shall be permitted an additional sign area

computed at 1/2 the rate as above for the additional street frontage. Such additional sign area need not be proportionally directed toward such streets.

15.9. Signs Permitted in the IH, Heavy Industrial District

A. Sign Area

Within the Heavy Industrial ~~H~~District, each lot or parcel may have a maximum of two square feet of sign area for each lineal foot of frontage on a private- or -publicly maintained street or highway. Double frontage or corner lots or parcels shall be permitted an additional sign area computed at 1/2 the rate as above for the additional street frontage. Such additional sign area need not be proportionally directed toward such streets.

The Planning Board (by a vote of 9-0), at their meeting on February 2, 2010 recommended to approve the proposed amendments to Section 15 of the Zoning Ordinance, with one recommended change:

- *Section 15.5(9) – Change “10 working days” to “14 working days” for removal of political signs*

Recommendation

Planning staff recommends adoption of an Ordinance Amending the Zoning Ordinance to include the proposed text amendments to Sections 7 and 15 of the Zoning Ordinance with the changes to Section 7 of Zoning Ordinance as recommended by the County Attorney. Planning Staff will research what other jurisdictions require for Political Signs and Internally-Illuminated Signs, and bring proposed language back to the Board of Commissioners at a later date.