



## Chatham County Planning Board Agenda Notes

**Date: February 5, 2013**

**Agenda Item:**

**Attachment #:**

**Subdivision**

**Conditional Use Permit**

**Rezoning Request**

**Other: Zoning Text Amendment**

<b>Subject:</b>	Public hearing request by the Chatham County Board of Commissioners to amend Sections 7.2, 10.5, 10.6, 10.7, 10.8, 15.4, and 15.11 of the Zoning Ordinance to (1) establish standards for off-premise directional signs in the zoned areas of the county for businesses, churches, parks, historic properties, schools, and other places of public assembly and (2) provide a reduction in building setbacks in business zoning districts with permission of the adjoining property owner and when the adjoining property has the same zoning classification.
<b>Action Requested:</b>	
<b>Attachments:</b>	1. Revised proposed amendment to the Zoning Ordinance and description.

### **Introduction & Background**

A public hearing was held on the proposed amendments to the Zoning Ordinance during the January 22, 2013 Board of Commissioners meeting. The amendments were previously discussed by the Commissioners during their September 17. Staff presented draft language to the Commissioners during their December 17 meeting to amend the off-premise sign standards, as well as amendments to business zoning districts to allow reductions to side and rear yard setbacks. Based on their discussion, the Commissioners scheduled a public hearing on the amendments.

### **Discussion & Analysis**

The Off-Premise Sign Ordinance regulates signs in the zoned and unzoned areas of the county; however if there are more restrictive standards in the zoned areas of the county those standards will govern. The Off-Premise Sign Ordinance allows for off-premise directional signs and the proposed Zoning Ordinance amendments use the same dimensional standards and total number of signs allowed. Staff has included additional standards to clarify that the off-premise directional sign square footage does not count against other allowed signs on a parcel, that written permission from the property owner is required, and that NCDOT must verify the sign does not violate state

regulations.

Staff also included additional amendments to setbacks in the four business zoning districts (General Business, B-1, Neighborhood Business, NB, Community Business, CB, and Regional Business, RB). Presently, in the industrial zoning districts, setbacks can be reduced below the minimum established in the ordinance if the adjoining property is zoned the same as the parcel in question. The proposed amendments have been revised, based on comments from the county attorney, to allow a reduction by right when the adjoining property has a non-residential zoning classification.

Two people spoke during the public hearing with one speaker supporting the sign and setback amendments and the other in support of the sign provisions. Staff also advised the Commissioners, based on comments from the County Attorney, that the setback provisions should be revised to remove the affidavit from the adjoining property owner to an allowance by right. The attached amendments reflect this change and now allow reductions in the side and rear setbacks when the adjoining property has an office & institutional, business, or industrial zoning classification or its corresponding conditional zoning classification. The off-premise sign amendments have not been modified from the public hearing draft. During the hearing the Board discussed the maximum size sign allowed and information displayed for off-premise directionals.

Staff has also forwarded the proposed sign amendments to the NC Department of Transportation for any comments regarding conflicts with the Outdoor Advertising Control Act. NCDOT has regulations governing off-premise signs within 660 feet of roads in the Federal aid highway system or National Highway System (primarily interstate and NC and/or US number roads). At the time of the drafting of these notes, staff has not received a response from NCDOT. However, there is a provision that verification as to whether a permit is required from NCDOT must be submitted with the permit application to the county.

**Recommendation**

The Board of Commissioners proposed the changes to allow off-premise directional signs and staff is not making a recommendation on these amendments. Staff is recommending approval of the setback reductions.