



Town of
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PLANNING AND NEIGHBORHOOD SERVICE DEPARTMENT

Zoning Staff Report

Case: ZT 2011-005 Off-Premise Signage	
Reference Name	Chapter 990 – Freestanding & Ground Mounted Signs
Applicant	Wesley S. Hinson, Esq. on behalf of Sun Valley Commons, LLC
Submittal Date	3/30/2011
Location	Hwy 74 Corridor
Tax Map Number	n/a
Plan Consistency	Comprehensive Plan
Recommendations & Comments	Planning Staff Recommend approval to Town Council.

Project Summary

A request to amend Chapter 990 – Freestanding & Ground Mounted Signs – of the Unified Development Ordinance (UDO) authorizing the placement of off-site signs located adjacent to Hwy 74/Independence Blvd for use of advertising various types of entertainment and sports venues, meeting or gathering halls accommodating a minimum of 2000 people.

Analysis

The applicant is requesting the ability to place off-site signage on parcels located adjacent to Hwy 74/Independence Blvd for businesses or facilities located elsewhere in the Town. Such off-site signage would provide the opportunity to advertise and provide direction to such facilities for the purpose of promoting economic development for large entertainment venues, sporting venues, and meeting halls or conference centers within our Town (Attachment 1).

The proposed amendment is as follows:

Proposed Text Amendment:

Section 990.130: Off-site signs located adjacent to Hwy 74/Independence Blvd shall be allowed under the Ordinance for use in advertising an entertainment venue, sports venue, motion picture theater, theatrical playhouse or meeting and gathering hall accommodating a minimum of 2000 people. In such instances, it shall be permissible to have two freestanding signs on a single parcel located adjacent to Highway 74/Independence Blvd; one being designated for the on-site use related to that parcel pursuant to 990.010 and the second being designated for the off-site use as described herein. Off-site freestanding signs being used for the purposes described herein shall have a maximum height of 25 feet, a maximum allowable sign area of 120 square feet and shall be located on private property at least 10 feet from the edge of Highway 74/Independence Blvd Right of Way.

Staff has reviewed the proposed amendment and offers the following comments and possible additions:

1. The proposed amendment would require the amendment of Chapter 790 Off-Premises Signs (RBD) District in addition to Chapter 990 for cross referencing purposes.
 - a. Chapter 790 of the UDO provides the ability for non-residential uses to locate an off-premises sign if it meets the following:
 - i. Within 1000 foot radius of principal building used for said business within the RBD;
 - ii. Not located within 500 foot radius of a residential use;
 - iii. Not located within 1000 foot radius of an existing off-premise sign.
 - b. Amending this section will aid the town in some minor housekeeping of the Chapter such as including Town identification and wayfinding signs.
2. The proposed amendment provides the following criteria:
 - a. Establishes a minimum of 2000 people occupancy of the facility. The Board may want to consider other criteria such as:
 - i. **Or** the facility has documented annual attendance of 150,000 people through hosting regional and local complete sporting events. This amendment would provide opportunity for businesses such as Carolina Courts to qualify for off-premise signage.
 - b. Allow for two freestanding per parcel in the case when an off-premise sign is proposed. Staff supports this request with the addition of applying existing Section 790.040:
 - i. No off-premise sign may be located within a 1,000 foot radius of any other pre-existing off-premise sign. Staff is of the opinion this will aid in preventing sign clutter or concentration within any one area.

- c. Establishes a maximum height of 25-feet from grade. Maximum height regulations within the Hwy 74 corridor area ranges from 20 feet to 25 feet in height depending upon the acre size of the lot. Staff suggests the following:
 - i. Maximum height shall be consistent within this Chapter. This would follow the existing tables making the height associated with the parcel size as found within Section 990.060 and 990.070. This would result in the same maximum height of freestanding signs on any one parcel.
- d. Establishes a maximum off-premise sign area of 120 square feet. The UDO currently regulations sign area proportional to the size of the lot. The purpose of this proposed amendment is to promote economic development of large entertainment, sports, playhouse, or meeting hall venues within an existing highway corridor providing direction to such venue. In recognition of the purpose of said amendment, staff is supportive of such request. However, there may be times where the sign associated with the business located on the off-premise site location will be smaller than the off-premise sign itself. Staff believes this issue is best left to the property owner/business owner of the subject property and the business owner requesting the off-premise sign. In other words, the placing of an off-premise sign is at the discretion of the property owner. Written authorization from the property owner and recording of a sign easement will be required for permit issuance.
- e. Establishes a minimum of a 10-foot setback from property line (right-of-way). This is consistent with existing regulations within the Chapter. Staff also suggests:
 - i. All said signs shall be located out of the sight-triangle; and
 - ii. Off-premise signs shall be located a minimum of 50-feet from second freestanding sign on the same parcel.

Town Monument and Wayfinding Signs

Staff is adding to this amendment the request to amend Chapter 930 Exempt Signs – to allow for off-premise signs for the Town in the form of Town Identification Signs and wayfinding Signs. Wayfinding signs are those signs that direct people to historical sites, parks, government buildings, libraries or similar uses.



The proposed amendment is as follows:

930.070 Permanent off-premise Town identification signs and wayfinding signs as authorized by the Indian Trail Town Council.

Summary

In summary, this amendment proposes the following amendments:

1. Chapter 990 – authorizing off-premise signs for large entertainment, sports, meeting halls or conference center venues as described in section 990.130.
2. Chapter 790 – Off-Premises Signs – as a cross reference for 990.130 and general housekeeping modifications.
3. Chapter 930 – Exempt Signs – adding off-premise Town identification and wayfinding signs to the list of exempt signs.

Required Consistency Findings

The Planning Board is required to make two findings, one for consistency with Town adopted plans and another regarding the benefit of the public. Staff is of the opinion the following findings can be made:

1. The proposed UDO amendment is consistent with the following goals:
 - 1.3.2 of the Comprehensive Plan – Land Use; the proposed UDO ordinance amendments will help to promote a quality mix of different land uses and promoting a more balance tax base through the use of signage.
2. This UDO ordinance amendment request is reasonable and in the best interest of the public because it promotes economic development and a more balanced tax base.

Staff Recommendation

Staff recommends that the Planning Board make the required consistency findings and recommend adoption of the UDO ordinance amendment to the Town Council.

Staff Contact

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Attachment 1- Application

Attachment 2- Draft Amendment