

Agenda Item: Text Amendment 2019-704 Sign Illumination in CrC District

TO: Mayor and Board of Commissioners

FROM: Mary Jo Gollnitz, Senior Planner

DATE: December 4, 2019

Background/Issue:

- On November 26, Planning Board unanimously recommended approval of the proposed text amendment.
- Request is to allow internally illuminated signs with electronic messages within the CrC District.
- Since the Public Hearing, additional text has been suggested by staff with the applicant's approval. The revised text limits internally illuminated signs only to those freestanding/monument signs 24 sq. ft. or greater in size.
- Maximum nits and area of Electronic Message Center has remained the same as first submitted.
- Current sign ordinance only allows for sign copy change once every 4 hours and would apply to this amendment.
- Any new monument sign would have to meet the standards defined in § 155.103.C of the Matthews Unified Development Ordinance.
- Matthews UDO § 155.608.5.D.1 regarding sign illumination states:
"Illuminated signs permitted in single-family residential districts or within one hundred feet (100') of a single-family residential district shall not be illuminated between the hours of 11:00 PM and 8:00 AM, unless the use to which the sign pertains is open."
This regulation would apply to Mt Moriah Missionary Baptist Church.
- Any new signage will need to go through permitting approval process.
- A text change as proposed would not only apply to the specific site which is the reason for the request, but for any other locations that could take advantage of it. This means other locations could use this text revision to install electronic message boards within the CrC District.

Proposal/Solution

Applicant has worked with staff in order to provide text that will be suitable for the applicant and the Town.

Financial Impact

None

Related Town Goal

Quality of Life

Recommended Action

Approve Text Amendment 2019-704 as most recently amended.

The proposed revisions here are either revising current wording or adding new language to current sections. New text is indicated by blue font and current text to be deleted is indicated in red font with strike through. Changes since Public Hearing are in green font.

155.608.7 Signs in all Residential Districts, Including Single-Family, Multi-Family, and Mixes of All or Predominately-All Residential Uses.

- A. ILLUMINATION LIMITATION. Only externally lighted signs are permitted in the R-20, R-15, R-12, R-9, R-MH, R-15MF, R-12MF, and R-VS, ~~and CrC~~ Districts. Internally or externally lighted signs are permitted in the CrC, SRN and C-MF Districts. See § 155.608.5.D for categories of internal and external illumination.
- B. LOCATION PERMITTED. All signs for uses allowed within the various residential districts must be located behind the street right-of-way and out of any sight triangles.
- C. SIGN HEIGHT. No freestanding sign may be over ten feet (10') in height, except where a lesser maximum height is given in other portions of this Title. See § 155.608.5.E. (Ord. 1127, passed 7-10-00)
- D. TABLE OF SIGN REGULATIONS FOR USES IN THE RESIDENTIAL DISTRICTS.

USE	TYPE PERMITTED	NUMBER PERMITTED ⁽¹⁾	MAXIMUM SIGN AREA (SQUARE FEET)
Arboretum	Identification	1 per major entrance	6
Bed and breakfast guest home	Identification	1	3
Church or place of worship, elementary or secondary schools, and similar uses; convents, monasteries, dormitories, colleges and universities, and similar uses	Identification	1 per street front, freestanding OR 1 per building, attached	40 for first sign;(4) 25 for others 6
	Bulletin board	1	18
Day care home	Identification	1	3
Day care center	Identification	1	6
Electric and gas substations, repeater huts, sewage treatment plants, control houses, pressure regulator stations, buildings house pumps and lift stations, and similar structures	Identification	1	6
Fire or police station	Identification	1 per street front freestanding and 1 per building attached	40 monument(4) 40 attached
Farm, urban farm	Identification	1	1½
Golf courses, country clubs, swimming clubs, tennis clubs, community recreation centers, and similar outdoor recreation facilities	Identification	1	6
Group homes	Identification	1	1½
Home based business	Identification	1, attached	1½
Manufactured home park	Identification	1 per major entrance	6
Miscellaneous nonresidential uses, not otherwise defined In this table and allowed within the specific zoning district	Identification	1 freestanding and 1 attached	24(4) 24
Mobile radio towers, radio relay towers, microwave towers, elevated water storage tanks, antennas, and similar structures	Identification	1	6
Multi-family dwellings (development up to 10 du/ac)	Identification	1 per street corner per major entrance	9
Multi-family dwellings (development greater than 10 du/ac)	Identification	1 per street corner per major entrance	24(4)
Parks and playgrounds	Identification	1 per major entrance	40(4)

Room renting	Identification	1	1-1/2
Single and two-family dwellings, incl manufactured homes	Identification	1	1-1/2
Subdivision/development sales office (temporary)	Identification	1	3
Subdivision entrance	Identification	1 per street corner per major entrance	9
Campaigns/civic or special events ⁽²⁾ as regulated at §155.608.6.G & H	Temporary	1 per lot OR 1 per business, as applicable	12 12
Business use ⁽²⁾ on private property as regulated at § 155.608.8.A	Temporary	1 per lot OR 1 per business, as applicable	16 16
Government/Wayfinding and intermittent uses occurring on a regular scheduled weekly basis	na	See § 155.608.6 L and K	
Residential Subdivision Development or Complex	Residential Development Message Board as regulated at 155.608.6.V	N.A.	12 sq ft

⁽¹⁾ Two (2) freestanding identification signs may be permitted in accordance with the provisions of § 155.608.7.C.

⁽²⁾ Behind street right-of-way and no illumination. ('72 Code, § 24-2110) (Ord. 477, passed 2-8-88; Am. Ord. 789, passed 10-25-93; Am. Ord. 2059, passed 12-8-14) **[formerly § 153.150]**

⁽³⁾ Internally illuminated signs are only allowed in freestanding identification signs 24 sq ft or greater.

⁽⁴⁾ Electronic Message Centers (EMC) shall have a day maximum of 5000 NITS and night maximum of 2000 NITS. ~~Electronic Message Center~~ and shall be limited to fifty percent (50%) of the principle freestanding sign.

DRAFT—FOR APPROVAL

**STATEMENT OF CONSISTENCY WITH LOCAL ADOPTED GROWTH POLICIES
Final Decisions on Zoning-Related Issues**

ZONING APPLICATION # 2019-704

ZONING MOTION # _____

ADMINISTRATIVE AMENDMENT _____

Matthews Board of Commissioners adopts the checked statement below:

A) X The requested zoning action, as most currently amended, is **approved**, and has been found to be **CONSISTENT** with the Matthews Land Use Plan (or other document(s)), and to be **REASONABLE**, as follows:

CONSISTENT: with Matthews Land Use Plan as it supports the modernization of signs within the CrC District.

REASONABLE: The text amendment is reasonable because there are limits placed on hours of operation and light pollution to neighboring residential properties.

OR

DRAFT—FOR DENIAL

B) _____ The requested zoning action, as most currently amended, is **not approved**, and has been found to be **INCONSISTENT** with the Matthews Land Use Plan (or other document(s)), and **NOT REASONABLE**, as follows:

INCONSISTENT: The text amendment encourages intrusion of light and adversely affects the neighboring residential properties.

NOT REASONABLE: The text amendment is not reasonable as signage is already allowed with external lighting.

(In each case, the Statement must explain why the Board deems the action reasonable and in the public interest (more than one sentence). Reasons given for a zoning request being “consistent” or “not consistent” are not subject to judicial review.)

Date *December 9, 2019*