

A RESOLUTION ADOPTING A STATEMENT EXPLAINING THE BOARD OF ALDERMEN'S REASONS FOR ADOPTING AN AMENDMENT TO THE TEXT OF THE CARRBORO LAND USE ORDINANCE

Draft Resolution No. 187/2011-12

WHEREAS, an amendment to the text of the Carrboro Land Use Ordinance has been proposed, which amendment is described or identified as follows: AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE TO AUTHORIZE THE BOARD OF ALDERMEN TO ALLOW DEVIATIONS FROM THE REQUIREMENTS OF THE SIGN ORDINANCE WHEN APPROVING A MASTER SIGNAGE PLAN FOR MULTI-USE BUSINESS DEVELOPMENTS THAT REQUIRE THE ISSUANCE OF A CONDITIONAL USE PERMIT

NOW, THEREFORE, the Board of Aldermen of the Town of Carrboro Resolves:

Section 1. The Board concludes that the above described amendment is consistent with *Carrboro Vision 2020* regarding efforts to preserve Carrboro's town character, particularly the following sections:

2.11 Infill development should take place in a manner that fulfills the town's goals and enhances neighboring areas. The town should develop policies that mitigate the adverse impact of infill development, with particular consideration given to roads, sidewalks, and aesthetic compatibility.

2.41 The town should support the evolution of a downtown district that embodies Carrboro's character.

3.22 Carrboro should encourage the development and placement of architecturally significant commercial and civic buildings.

Section 2. The Board concludes that its adoption of the above described amendment is reasonable and in the public interest because the Town seeks to remain consistent with its adopted plans or policies.

Section 3. This resolution become effective upon adoption.

This the _____ day of _____, 20__ /

Ayes:

Noes:

Abstentions:

A RESOLUTION ADOPTING A STATEMENT EXPLAINING THE BOARD OF
ALDERMEN'S REASONS FOR REJECTING AN AMENDMENT TO THE TEXT OF THE
CARRBORO LAND USE ORDINANCE

Draft Resolution No.

WHEREAS, an amendment to the text of the Carrboro Land Use Ordinance has been proposed, which amendment is described or identified as follows: AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE TO AUTHORIZE THE BOARD OF ALDERMEN TO ALLOW DEVIATIONS FROM THE REQUIREMENTS OF THE SIGN ORDINANCE WHEN APPROVING A MASTER SIGNAGE PLAN FOR MULTI-USE BUSINESS DEVELOPMENTS THAT REQUIRE THE ISSUANCE OF A CONDITIONAL USE PERMIT

NOW, THEREFORE, the Board of Aldermen of the Town of Carrboro Resolves:

Section 1. The Board concludes that the above described amendment is not consistent with Town plans and policies.

Section 2. The Board concludes that its rejection of the above described amendment is reasonable and in the public interest because existing regulations are appropriate.

Section 3. This resolution becomes effective upon adoption.

This the ____ day of _____, 20__ /

Ayes:

Noes:

Abstentions:

AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE TO
AUTHORIZE THE BOARD OF ALDERMEN TO ALLOW DEVIATIONS FROM THE
REQUIREMENTS OF THE SIGN ORDINANCE WHEN APPROVING A MASTER
SIGNAGE PLAN FOR MULTI-USE BUSINESS DEVELOPMENTS THAT REQUIRE THE
ISSUANCE OF A CONDITIONAL USE PERMIT

THE BOARD OF ALDERMEN ORDAINS:

Section 1. The first sentence of Subsection 15-271(c) of the Carrboro Land Use Ordinance is amended to read:

(c) Signs not approved as provided in subsections (b) or (d), or exempted under the provisions referenced in subsection (a), may be erected, moved, enlarged, or substantially altered only in accordance with a sign permit issued by the administrator.

Section 2. Section 15-271 of the Carrboro Land Use Ordinance is amended by adding a new subsection (d) to read as follows:

(d) In the B-1(C) and B-1(G) zoning districts, with respect to developments that (i) require the issuance of a conditional use permit, (ii) are intended to be occupied by multiple commercial enterprises, and (iii) will contain one or more buildings that are at least three stories in height, the Board of Aldermen may approve a master signage plan that shows in detail the dimensions, locations, and characteristics of all signs within that development other than those signs that are excluded from regulation under Section 15-272 or that do not require permits under Section 15-273.

(1) Such master signage plan may be approved as part of the issuance of the original conditional use permit or as a minor amendment to the original conditional use permit, provided that no such master plan shall be approved through the minor amendment process unless the Board of Aldermen first holds a public hearing on the proposed amendment. Amendments to a master signage plan approved under this section may be approved in accordance with the provisions of Section 15-64 (Amendments to and Modifications of Permits).

(2) In approving a master signage plan as authorized by this subsection, the Board may allow deviations from the requirements of this chapter relating to the number and type of permissible signs as well as other dimensional restrictions applicable to such signs if the Board concludes that such deviations are warranted given the height, shape, dimensions, and orientation of buildings on the development site, the number of individual businesses likely to occupy the development site, the need of the traveling public to be able conveniently and safely to locate and access destination businesses (e.g. hotels and restaurants) and parking areas.

(3) Signs erected in a manner that is consistent with a maste Attachment B-2 approved in accordance with this section do not require the issuance of a sign permit.

Section 3. All provisions of any town ordinance in conflict with this ordinance are repealed.

Section 4. This ordinance shall become effective upon adoption.

A RESOLUTION SETTING A PUBLIC HEARING ON A PROPOSED MODIFICATION TO
THE CONDITIONAL USE PERMIT FOR THE HAMPTON INN & SUITES
AT 300 EAST MAIN STREET
Draft Resolution No.188/2011-12

WHEREAS, the Board of Aldermen seeks to provide ample opportunities for the public to comment on proposed projects; and

WHEREAS, an application has been received for a modification to the conditional use permit for the Hampton Inn & Suites at 300 East Main for a master signage plan,

NOW, THEREFORE BE IT RESOLVED that the Board of Aldermen sets a public hearing on September 25, 2012, to discuss the proposed modification to the conditional use permit.

BE IT FURTHER RESOLVED that the master signage plan is also referred to the following advisory boards and commissions for consideration and recommendation prior to the specified public hearing date:

- | | |
|--|--|
| <input checked="" type="checkbox"/> Appearance Commission | <input type="checkbox"/> Recreation and Parks Commission |
| <input checked="" type="checkbox"/> Transportation Advisory Board | <input type="checkbox"/> Northern Transition Area Advisory Committee |
| <input type="checkbox"/> Environmental Advisory Board | <input type="checkbox"/> _____ |
| <input checked="" type="checkbox"/> Economic Sustainability Commission | <input type="checkbox"/> _____ |

This is the 26th day of June in the year 2012.

Section 15-270 Definitions.

Unless otherwise specifically provided, or unless clearly required by the context, the words and phrases defined in this section shall have the meaning indicated when used in this article.

- (1) **SIGN.** Any device that (i) is sufficiently visible to persons not located on the lot where such device is located to accomplish either of the objectives set forth in subdivision (ii) of this definition, and (ii) is designed to attract the attention of such persons or to communicate information to them. Without limiting the generality of the foregoing, a device that might otherwise be categorized as a sign that is located at least fifteen feet to the interior side of any exterior wall shall not be regarded as a sign so long as it is not internally illuminated, illuminated with spotlights, or otherwise illuminated to draw special attention to it. **(AMENDED 3/11/86)**
- (2) **FREESTANDING SIGN.** A sign that (i) is not directly attached to, erected on, or supported by a building or other structure having a principal function other than the support of such sign, but (ii) is instead attached to, erected on, or supported by some structure (such as a pole, mast, frame, or other structure) that is not itself an integral part of a building or other structure having a principal function other than the support of a sign. A sign that stands without supporting elements, such as “sandwich sign”, is also a freestanding sign.
- (3) **OFF-PREMISES SIGNS.** A sign that draws attention to or communicates information about a business, service, commodity, accommodation, attraction, or other activity that is conducted, sold, or offered at a location other than the premises on which the sign is located.
- (4) **SANDWICH BOARD SIGN.** A freestanding sign consisting of two panels joined together at the top and configured in the shape of an inverted “V” (Λ) so that the bottom of the sign rests upon or near the ground. **(AMENDED 12/08/92)**
- (5) **TEMPORARY SIGN.** A sign that (i) is used in connection with a circumstance, situation, or event that is designed, intended or expected to take place or to be completed within a reasonably short or definite period after the erection of such sign, or (ii) is intended to remain on the location where it is erected or placed for a period of not more than fifteen days. If a sign display area is permanent but the message displayed is subject to periodic changes, that sign shall not be regarded as temporary.

Section 15-271 Permit Required for Signs. (AMENDED 1/22/85)

(a) Except as otherwise provided in Sections 15-272 (Signs Excluded From Regulation) and 15-273 (Certain Temporary Signs: Permit Exceptions and Additional Regulations), no sign may be erected, moved, enlarged, or substantially altered except in accordance with the provisions of this section.

(b) If plans submitted for a zoning permit, special use permit, or conditional use permit include sign plans in sufficient detail that the permit-issuing authority can determine whether the proposed sign or signs comply with the provisions of this chapter, then issuance of the requested zoning, special use, or conditional use permit shall constitute approval of the proposed sign or signs.

(c) Signs not approved as provided in subsection (b) or exempted under the provisions referenced in subsection (a) may be erected, moved, enlarged, or substantially altered only in accordance with a sign permit issued by the administrator.

- (1) Sign permit applications and sign permits shall be governed by the same provisions of this chapter applicable to zoning permits.
- (2) In the case of a lot occupied or intended to be occupied by multiple business enterprises (e.g., a shopping center): **(AMENDED 3/4/86)**
 - a. Subject to Subsection 15-271(b), sign permits shall be issued in the name of the lot owner or his agent rather than in the name of the individual business, and it shall be the sole responsibility of such owner or agent to allocate among the tenants the permissible maximum sign surface area.
 - b. Upon application by such owner or agent, the administration may issue a master sign permit that allocates permissible sign surface area to the various buildings or businesses within the development according to an agreed upon formula and thereafter sign permits may be issued to individual tenants only in accordance with the allocation contained in the master sign permit.

Section 15-272 Signs Excluded From Regulation.

The following signs are exempt from regulation under this chapter except for those stated in Subsection 15-282(b) through (e).

- (1) Signs not exceeding four square feet in area that are customarily associated with residential use and that are not of a commercial nature, such as signs giving property identification names or numbers or names of occupants, signs on mailboxes or paper tubes, and signs posted on private property relating to private parking or warning the public against trespassing or danger from animals.
- (2) Signs erected by or on behalf of or pursuant to the authorization of a governmental body, including legal notices, identification and informational signs, and traffic, directional or regulatory signs.
- (3) Official signs of a noncommercial nature erected by public utilities.
- (4) Flags, pennants, or insignia of any governmental or nonprofit organization when not displayed in connection with a commercial promotion; provided that such flags,

pennants, or insignia may be displayed within a public right-of-way only when authorized by a resolution adopted by the Board of Aldermen. **(AMENDED 05/09/89)**

- (5) Integral decorative or architectural features of buildings or works of art, so long as such features or works do not contain letters, trademarks, moving parts, or lights.
- (6) Signs directing and guiding traffic on private property that do not exceed four square feet each and that bear no advertising matter.
- (7) Church bulletin boards, church identification signs, and church directional signs that do not exceed one per abutting street and sixteen square feet in area and that are not internally illuminated.
- (8) Signs painted on or otherwise permanently attached to currently licensed motor vehicles that are not primarily used as signs.
- (9) Signs proclaiming religious, political, or other non-commercial messages [other than those regulated by Subdivision 15-273(a)(5)] that do not exceed one per abutting street and sixteen square feet in area and that are not internally illuminated. **(AMENDED 1/22/85)**
- (10) Signs attached to the interior of a building window or glass door, or visible through such window or door, so long as such signs, individually or collectively, do not cover more than thirty percent (30%) of the surface area of the transparent portion of such window or door. **(AMENDED 3/11/86)**
 - a. For purposes of determining whether a sign not attached to the interior of a window or door but visible by looking through such window or door complies with this subdivision, the area of such sign shall be computed in accordance with Section 15-275 and the sign shall be deemed to "cover" an equivalent amount of the surface area of the window or glass door through which it is visible.
 - b. If a sign located inside a building is visible through glass doors or windows on more than one side of a building, then the relevant windows or doors for purposes of this subdivision are those facing the street toward which the sign has its primary orientation.
 - c. Notwithstanding the foregoing, signs attached to the interior of a building window or glass door or visible through such window or door that are internally illuminated or externally illuminated by spotlighting or other illuminating technique designed to draw particular attention to them shall not be exempt from regulations.

- d. Signs that do not exceed four square feet and that advertise an event or activity sponsored by a nonprofit enterprise shall not be included in determining compliance with the thirty percent (30%) surface area coverage limitation set forth above, so long as such signs are removed after the event or activity has occurred.
- (11) Displays of merchandise offered for sale or rent on the premises where displayed. Only merchandise of the type that is actually for sale or rent, and not pictorial or other representations of such merchandise, falls within this exemption.

Section 15-273 Certain Temporary Signs: Permit Exemptions and Additional Regulations

(a) The following temporary signs are permitted without a zoning, special use, conditional use, or sign permit. However, such signs shall conform to the requirements set forth below as well as all other applicable requirements of this chapter except those contained in Section 15-276 (Total Sign Surface Area) and 15-278 (Number of Freestanding Signs).

- (1) Signs containing the message that the real estate on which the sign is located (including buildings) is for sale, lease, or rent, together with information identifying the owner or agent. Such signs may not exceed four square feet in area and shall be removed immediately after sale, lease, or rental. For lots of less than five acres, a single sign on each street frontage may be erected. For lots of five acres or more in area and having a street frontage in excess of four hundred feet, a second sign not exceeding four square feet in area may be erected.
- (2) Construction site identification signs. Such signs may identify the project, the owner or developer, architect, engineer, contractor and subcontractors, funding sources, and may contain related information. Not more than one such sign may be erected per site, and it may not exceed thirty-two square feet in area. Such signs shall be erected prior to the issuance of a building permit and shall be removed within ten days after the issuance of the final occupancy permit.
- (3) Signs indicating that, on the lot where the sign is located, a new business is opening, a previously existing business is going out of business, a one-time auction is planned, or some other non-recurring activity of a similar nature is scheduled. Signs referring to sales or other events designed to promote a pre-existing, ongoing business or commercial venture or any specific product or service offered by such business or commercial venture are not authorized under this subsection. Signs authorized under this subsection may be erected or displayed not sooner than two weeks before the activity that is advertised and must be removed not later than three weeks after they are first erected or displayed. **(REPEALED 3/11/86; AMENDED 12/03/91)**

- (4) Displays, including lighting, erected in connection with the observance of holidays. Such signs shall be removed within ten days following the holidays.
 - (5) Signs erected in connection with elections or political campaigns. Such signs shall be removed within three days following the election or conclusion of the campaign. No such sign may exceed sixteen square feet in area. Such signs may not be attached to any natural or man-made permanent structure located within a public right-of-way, including without limitation trees, utility poles, or traffic control signs. **(AMENDED 08/25/83); 08/25/92)**
 - (6) Signs indicating that a special event such as a fair, carnival, circus, festival or similar happening is to take place on the lot where the sign is located. Such signs may be erected not sooner than two weeks before the event and must be removed not later than three days after the event.
 - (7) Temporary signs not covered in the foregoing categories, so long as such signs meet the following restrictions:
 - a. Not more than one such sign may be located on any lot.
 - b. No such sign may exceed four square feet in surface area.
 - c. Such sign may not be displayed for longer than three consecutive days nor more than ten days out of any 365-day period.
- (b) Other temporary signs not listed in subsection (a) shall be regarded and treated in all respects as permanent signs, except that (as provided in Section 15-276) temporary signs shall not be included in calculating the total amount of permitted sign area.

Section 15-274 Determining the Number of Signs.

(a) For the purpose of determining the number of signs, a sign shall be considered to be a single display surface or display device containing elements organized, related, and composed to form a unit. Where matter is displayed in a random manner without organized relationship of elements, each element shall be considered a single sign.

(b) Without limiting the generality of subsection (a), a multi-sided sign shall be regarded as one sign.

Section 15-275 Computation of Sign Area.

(a) The surface area of a sign shall be computed by including the entire area within a single, continuous, rectilinear perimeter of not more than eight straight lines, or a circle or an ellipse, enclosing the extreme limits of the writing, representation, emblem or other display, together with any material or color forming an integral part of the background of the display used to differentiate the sign from the backdrop or structure against which it is placed, but not including any supporting framework or bracing that is clearly incidental to the display itself.

(b) If the sign consists of more than one section or module, all of the area, including that between sections or modules, shall be included in the computation of the sign area.

(c) Except as provided in subsection (d), the sign surface area of two-sided, multi-sided, or three dimensional signs shall be computed by including the total of all sides designed either to attract attention or communicate information. This means that, with respect to the typical two-sided sign, where the message is printed on both sides of a flat surface and the sign is erected perpendicular to the street, the sign surface area will equal twice the area of a single side of the sign (i.e., twice the area determined by multiplying the dimensions--length times width--of the sign panel). **(AMENDED 3/12/85)**

(d) With respect to signs covered under Sections 15-272, 15-273, and 15-276(b), the sign surface area of two-sided, multi-sided, and three dimensional signs shall be computed by including the total of all sides designed to attract attention or communicate information that can be seen at one time by a person from any vantage point. Thus, for example, signs directing traffic on private property are exempt from regulation so long as such signs do not exceed four square feet [Subsection 15-262(6)]. A back-to-back sign having dimensions of two feet by two feet would qualify for this exemption. **(AMENDED 3/12/85)**

(e) The sign surface area of any sign located on the wall of a structure where the closest element of the sign is at least 60 feet from the street centerline shall be computed by multiplying the true sign surface area [Section 15-275(a)] by 0.5. **(AMENDED 3/12/85)**

Section 15-276 Total Sign Surface Area.

(a) Unless otherwise provided in this article, the total surface area devoted to all signs on any lot shall not exceed the limitations set forth in this section, and all signs except temporary signs shall be included in this calculation.

(b) Unless otherwise provided in this article or in Article XI (Supplementary Use Regulations), the maximum sign surface area permitted on any lot in an R-2, R-3, R-7.5, R-10, R-15, R-20, R-R, or R-S.I.R. district is four square feet. **(AMENDED 2/4/86)**

(c) Subject to the other provisions of this section, the maximum sign surface area permitted on any lot in a commercial or manufacturing district as set out in Section 15-136 or 15-137 shall be determined as follows: **(AMENDED 2/4/86)**

- (1) There may be not more than 0.5 square feet of sign surface area per linear foot of street frontage up to 200 feet of frontage.
- (2) There may be up to 0.75 square feet of additional sign surface area per linear foot of lot frontage in excess of 200 feet.

(d) If a lot has frontage on more than one street, then the total sign surface area permitted on that lot shall be the sum of the sign surface area allotments related to each street [as determined in accordance with subsection (c)] on which the lot has frontage. However, the total sign surface area that is oriented toward a particular street may not exceed the portion of the lot's total sign surface area allocation that is derived from frontage on that street. **(AMENDED 4/ /82)**

(e) Whenever a lot is situated such that it has no street frontage on any lot boundary and an applicant desires to install on such a lot a sign that is oriented toward a street, then the total sign surface area permitted on that lot shall be the sign surface area that would be allowed [as determined in accordance with subsection (c) and Section 15-275 subsection (d)], if the lot boundary closest to the street toward which such sign is to be oriented fronted on such street. The applicant shall be restricted to using only one street and the closest lot boundary to this street for determining the total permitted sign surface area. However, the applicant shall be given the opportunity to determine the one street used in the calculations and toward which this sign will also be oriented.

(f) The sign surface area of any sign located on a wall of a structure may not exceed 50% of the total surface area of the wall on which the sign is located.

(g) Whenever a tract located within a B-4 zoning district is subdivided, then, subject to the following requirements, the subdivider may allocate among the lots so created the total sign surface area that would be allowed under this section on the tract prior to subdivision. **(AMENDED 3/4/86)**

- (1) Information concerning the exact nature of the sign surface area allocation must either be indicated on the face of a recorded plat of the subdivided tract or included in a separately recorded document, which document must be

referenced on the recorded plat in a manner that indicates the general nature of such document and specifies the book and page number where such recorded document can be located in the Orange County Registry.

- (2) Sign surface area allocation may be shifted only from a lot bordering a street to another lot bordering the same street.
- (3) No sign allocation may be made affecting (by adding sign surface area to or subtracting sign area from) any lot after such lot has been conveyed by the subdivider.
- (4) Once a sign allocation has been made in accordance with this section, the allocation so made shall control the amount of total sign surface area permissible on any lot affected, regardless of the street frontage of such lot.
- (5) An allocation under this section shall not affect the provisions of Section 15-277, which will continue to govern the determination of the maximum area of a freestanding sign on any subdivided lot.

TOWN OF CARRBORO



301 West Main Street, Carrboro, North Carolina 27510

R E C O M M E N D A T I O N

JUNE 13, 2012

Land Use Ordinance Text Amendment to Authorize the Board of Adjustment to Allow Deviations from the Requirements of the Sign Ordinance when Approving a Master Signage Plan for Multi-Use Business Developments that Require the Issuance of a Conditional Use Permit

Motion was made by Bob Saunders seconded by Brian Russell that the ESC recommends that the Board of Aldermen approve the draft ordinance.

VOTE:

AYES: 7

ABSENT/EXCUSED: 2

NOES: (0); ABSTENTIONS: (0)

Associated Findings

By a show of hands, the ESC membership also indicated that no ESC member has a financial interest that would pose a conflict of interest to the Board's action on this application.

Furthermore, the ESC of the Town of Carrboro finds that the proposed text amendment is consistent with the findings from *Carrboro Vision 2020* regarding efforts to preserve Carrboro's town character, particularly the following sections:

- 2.11 Infill development should take place in a manner that fulfills the town's goals and enhances neighboring areas. The town should develop policies that mitigate the adverse impact of infill development, with particular consideration given to roads, sidewalks, and aesthetic compatibility.
- 2.41 The Town should support the evolution of a downtown district that embodies Carrboro's character.
- 3.22 Carrboro should encourage the development and placement of architecturally significant commercial and civic buildings.

The ESC also recommends that the overall signage ordinance be reviewed.

VOTE

AYES: (7)

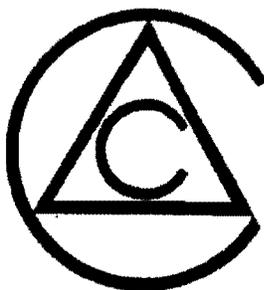
ABSENT/EXCUSED: (2)

NOES: (0)

ABSTENTIONS (0)

Jerri Jarner 6-13-2012
(Chair) (Date)

Town of Carrboro / Carrboro Appearance Commission / Carrboro, North Carolina 27510

THURSDAY, June 7th, 2012

Review of Text Amendment to Article XVII "Signs" of the Town of Carrboro Land Use Ordinance

The Appearance Commission Advisory Board reviewed proposed text amendment to Article XVII "Signs" of the Land Use Ordinance and had the following recommendation:

- 1.) the Appearance Commission was not in favor of the proposed text amendment as written and suggested the it be revised and the Appearance Commission be allowed to review any new revisions.

The Appearance Commission made the following suggestions:

- why not have a similar process like the Downtown Architectural Standards where the applicant can request relief from these standards and go before the Appearance Commission to present their case and in turn, the Appearance Commission makes a request to the permit issuing authority to grant relief or not from these standards.
- several members of the Appearance Commission questioned why the Board of Aldermen would become involved in the process of signage allotment, signage location etc. when the Appearance Commission has been dealing with this process for years.

VOTING:

AYES: 7 (Tom Wiltberger, Loren Brandford, Sarah Andrews, David Markeiwicz, Sheryl Forbes, Eric Feld, Raymond Conrad)

NOES: 0

ABSENT: (Emily Scarborough)

James Thomas (for chair)
Appearance Commission Chair

6-12-12
Date

TOWN OF CARRBORO



Planning Board

301 West Main Street, Carrboro, North Carolina 27510

R E C O M M E N D A T I O N

THURSDAY, JUNE 21, 2012

Land Use Ordinance Text Amendment to Authorize the Board of Aldermen to Allow Deviations from the Requirements of the Sign Ordinance when Approving a Master Signage Plan for Multi-Use Business Developments that Require the Issuance of a Conditional Use Permit

Motion was made by **Seils** and seconded by **Chaney** that the **Planning Board** recommends that the Board of Aldermen **does not approve** the draft ordinance without consideration of the attached additional comments below.

VOTE

AYES: Barton, Chaney, Clinton, Ferrer, Hunt, Killeen, Poulton, Schaefer, Seils

ABSENT/EXCUSED: Jaimeyfield, Foushee

NOES:

ABSTENTIONS:

PLANNING BOARD**Comments Regarding Text Amendments for Signage**

June 21, 2012

The Planning Board has reviewed the proposed Land Use Ordinance Text Amendment pertaining to the Sign Ordinance and Multi-Use Business Developments and feel that, currently, the LUO may not provide for adequate signage for these types of developments, but have some concerns:

- 1) This amendment should apply to any large multi-use development, not simply those in B-1(C) and B-1(G) zones.
- 2) The proposed amendment provides the opportunity for a developer to avoid normal signage regulations with the approval of a master signage plan by the Board of Aldermen, but the amendment provides no guidance to the Board regarding appropriate standards to be used when evaluating a proposed master signage plan.

The Planning Board believes the ordinance should provide guidance to the Board of Aldermen while they consider allowing a deviation from current signage requirements. The Carrboro Downtown Business

District Guidelines for Design

(<http://townofcarrboro.org/PZI/PDFs/DowntownDesignGuidelines.pdf>), adopted by the Board of Aldermen in 1993 and referenced in the Downtown Carrboro: New Vision report

(<http://townofcarrboro.org/PZI/dv.htm>), offer the following guidance:

In the East Main Street Area, the Historic/Commercial Area, and the Old Industrial/Commercial Area of the downtown district, the Board should encourage the use of creative signs attached to building facades, canopies, or arcades; signs within the first-story limit; identification signs visible to both pedestrians and drivers; and visible street numbers on each business sign or building. The Board may consider in special cases the use of a uniform format for signs in the retail district, and signs on second stories. The Board should discourage the use of signs so large that they hide other buildings or signs, signs above the second story, and buildings with no numbers.

In the West Main/Weaver Streets Area of the downtown district, the Board should encourage the use of small signs, freestanding signs, signs with external concealed or no illumination, signs near the street but not high enough to interfere with sight lines (ie, five feet or lower), and wood signs. The Board may consider in special cases the use of signs attached to building facades, fabric signs, glass signs, and metal signs. The Board should discourage the use of large signs, internally illuminated signs, plastic signs, and exposed neon lights.



June 21, 2012

(Chair)

(Date)

From: Tom Wiltberger [<mailto:tom@terranovaglobal.com>]
Sent: Wednesday, June 20, 2012 11:20 AM
To: James Thomas; Martin Roupe
Subject: FW: Appearance Commission - signage ordinance amendment comments

James, Marty –

I just wanted to clarify that the A.C. comments below were primarily in response to the LUO ordinance amendment that we reviewed and not a reaction to an official submittal by the developer of 300 Main St. We have not seen a signage proposal from them yet, and are happy to sit down with them to discuss their needs and desires for the project's signage. In fact, our proposed revision of the ordinance would allow for a process for doing that and the potential for granting relief if warranted.

Essentially, we just didn't want the ordinance re-written to allow for automatic liberal signage exceptions for large projects without due process.

Tom

From: Tom Wiltberger [<mailto:tom@terranovaglobal.com>]
Sent: Monday, June 11, 2012 2:54 PM
To: 'James Thomas'; 'David Markeiwicz (david.markiewicz@heart.org)'; 'efeld@townofchapelhill.org'; 'Emily Scarborough' (eescarborough@gmail.com); 'Loren Brandford (lorenbb@gmail.com)'; 'Lydia Lavelle'; 'Raymond Conrad (raymondconrad@earthlink.net)'; 'sarahbandrews@gmail.com'; 'sheryl forbis (sforbis@nc.rr.com)'
Subject: Appearance Commission - signage ordinance amendment comments

James, A.C. members –

I have been reflecting on our signage discussion we had last week, and thought it was worth elaborating our thoughts in writing so that James could more easily communicate it to the Planning and Aldermen boards. Please email reply-all with your additional thoughts or agreement to my points below.

Our concerns were with 2 separate, but related, issues on our agenda. The first is the proposed amended Sign Ordinance presented by staff. Our comments on that issue are outlined in #1-3 below. The second issue we discussed was the 300 E. Main St. property development and the signage they have requested – which gave rise to the draft amendment – and specifically the Hampton Inn building under construction.

1. The town's sign ordinance was intentionally written years ago to be restrictive in order to maintain the charm and character of Carrboro. We don't allow big-box stores, and we don't have large illuminated signs both for this reason.
2. Rewriting the sign ordinance to allow a master signage program to be approved as part of a C.U.P. application will be problematic. With all of the many issues that are discussed as part of the C.U.P. approvals process, the Appearance Commission fears that the signage component may not get the attention it deserves/needs by the B of A. Signage permit reviews have long been part of the Appearance Commission's purview and to date, we believe the process has worked well.
3. The A.C. does acknowledge that large scale developments downtown are relatively new in Carrboro, and that the signage ordinance was not written at a time that considered the

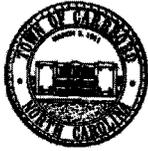
complexity of such projects. However, instead of re-writing the ordinance based on little background and data (essentially only the desires of one development), that the signage issues of large developments be handled through a "relief granting" process. This process would be similar to the one used for projects requesting relief from the Carrboro architectural standards, where the applicant presents their case to the A.C. based on their projects design, requirements, etc. Large development signage can be handled the same way, and therefore looked at on a case-by-case basis. The A.C. has a track record of reasonableness on these issues, sometimes advising that relief be granted because the intent of an ordinance was met, even though the letter of the ordinance may not have been followed (or have been feasible to follow).

With regard to the signage desired by the new Hampton Inn development, the Appearance Commission was in unanimous agreement that the 144 square foot illuminated "Hampton Inn" sign on the top of the building was not acceptable. (The applicant proposed the change to the signage ordinance in order to keep this sign from using up its entire sign allowance, thus leaving no signage for its first floor retail tenants.) We present the following points:

- A 22'x6' red illuminated sign mounted 5 stories above Main St. is not in keeping with the character of Carrboro.
- This hotel is in an urban location. The developer's desired Hampton Inn sign seems appropriate for a hotel located along an interstate, or in another suburban location where cars are travelling quickly and competing hotels have similar signage.
- In the current days of ubiquitous internet, GPS-equipped vehicles, and smart phones which locate everything for you, the need for such a large sign is greatly diminished. People driving down Franklin St. or Main St. are likely not looking up for hotel signs, but rather down at their I-phones, which are providing them directions to the meter.
- The signs of numerous hotels in Chapel Hill (Sienna, Franklin, Carolina, even Holiday Inn Express), are all examples of hotels in urban environments have done their signage and are successful with tasteful, more modest signage than a 144 sq.ft. red beacon. Please see the attached pdf for photo examples.
- With a sign 5 stories up, the primary viewers of it will likely be those living in downtown Chapel Hill high-rise condos or possibly some car drivers several blocks East on Franklin St. This audience is not driving quickly and most are not cruising for a hotel room.
- Hampton Inn has shown elsewhere, that when town ordinances require, it can steer from its "standard" signage formula for something more charming and fitting of its environment. As an example, see attached pdf file with photos of Hampton Inn signs in Savannah and other places.

Thank you for your consideration of the Appearance Commission's comments.

Tom Wiltberger
Chair, Carrboro Appearance Commission



301 West Main Street, Carrboro, North Carolina 27510

RECOMMENDATION

JUNE 13, 2012

Land Use Ordinance Text Amendment to Authorize the Board of Adjustment to Allow Deviations from the Requirements of the Sign Ordinance when Approving a Master Signage Plan for Multi-Use Business Developments that Require the Issuance of a Conditional Use Permit

Motion was made by Bob Saunders seconded by Brian Russell that the ESC recommends that the Board of Aldermen approve the draft ordinance.

VOTE:

AYES: 7

ABSENT/EXCUSED: 2

NOES: (0); ABSTENTIONS: (0)

Associated Findings

By a show of hands, the ESC membership also indicated that no ESC member has a financial interest that would pose a conflict of interest to the Board's action on this application.

Furthermore, the ESC of the Town of Carrboro finds that the proposed text amendment is consistent with the findings from *Carrboro Vision 2020* regarding efforts to preserve Carrboro's town character, particularly the following sections:

- 2.11 Infill development should take place in a manner that fulfills the town's goals and enhances neighboring areas. The town should develop policies that mitigate the adverse impact of infill development, with particular consideration given to roads, sidewalks, and aesthetic compatibility.
- 2.41 The Town should support the evolution of a downtown district that embodies Carrboro's character.
- 3.22 Carrboro should encourage the development and placement of architecturally significant commercial and civic buildings.

The ESC also recommends that the overall signage ordinance be reviewed.

VOTE

AYES: (7)

ABSENT/EXCUSED: (2)

NOES: (0)

ABSTENTIONS (0)

Jerri Turner 6-13-2012
(Chair) (Date)

