

# CITY OF HIGH POINT

## AGENDA ITEM



**Title:** Text Amendment 17-03  
(Ilderton Dodge-Chrysler-Jeep-Ram)

**From:** Lee Burnette, Planning & Development  
Director

**Meeting Date:** May 15, 2017

**Public Hearing:** Yes

**Advertising Date:** May 4, 2017 and May 10, 2017

**Advertised By:** Planning & Development

**Attachments:** A. Planning and Zoning Commission Recommendation  
B. Staff Report  
C. Zoning Ordinance

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### PURPOSE:

A request by Ilderton Dodge-Chrysler-Jeep-Ram to amend the City of High Point Development Ordinance, Section 5.7. *Signage*, pertaining to freestanding signs in Sub-District C of the Main Street (MS) District.

### BACKGROUND:

Staff report and the Planning & Zoning Commission's recommendation is enclosed.

### BUDGET IMPACT:

There is no budget impact.

### RECOMMENDATION / ACTION REQUESTED:

- A. Staff recommended ***approval*** of this request, as outlined in the attached staff report.
- B. On April 25, 2017, a public hearing was held before the Planning and Zoning Commission regarding Text Amendment 17-03. The Planning & Zoning Commission recommended ***approval*** of this request, by a vote of 5-0, as outlined in the staff report and recommended by staff.

## PLANNING AND ZONING COMMISSION RECOMMENDATION

### **Ilderton Dodge-Chrysler-Jeep-Ram**

### **Text Amendment 17-03**

At its April 25, 2017, public hearing, the Planning and Zoning Commission reviewed a request to amend Section 5.7. *Signage*, of the Development Ordinance pertaining to freestanding signs in Sub-District C of the Main Street (MS) District. All members of the Commission were present except for members Jim Armstrong, Keith McInnis, John McKenzie and Ray Wheatley. Mr. Robert Robbins, Development Services Administrator, presented the case and recommended approval of the request as outlined in the staff report.

#### **Speaking in favor of the request:**

Speaking in favor of the request was the applicant, Mr. Tim Ilderton, president of Ilderton Dodge-Chrysler-Jeep-Ram, 701 S. Main Street, High Point, N.C. Mr. Ilderton asked the Commission to find favor with the request and made himself available to answer questions.

#### **Speaking in opposition of the request:**

No one spoke in opposition to this request.

### **Planning & Zoning Commission Action**

The Planning & Zoning Commission recommended **approval** of this request, as recommended by staff, by a vote of 5-0.

Upon making its recommendation, the Planning & Zoning Commission stated that its approval of Text Amendment 17-03 would be consistent with the City's adopted plans. Additionally, the Commission concurred with the staff report and found its approval recommendation reasonable and in the public interest because:

- 1) The changes would assist businesses; and
- 2) The changes are not unreasonable and match the height and area requirements of Sub-districts A and D of the MS District.

**CITY OF HIGH POINT  
PLANNING AND DEVELOPMENT DEPARTMENT**

**STAFF REPORT  
TEXT AMENDMENT CASE 17-03  
April 25, 2017**

Request	
<b>Applicant:</b> Ilderton Dodge-Chrysler-Jeep-Ram	<b>Affected Ordinance Sections:</b> Section 5.7.9., Table 5.7.9.B. <i>Requirements For A Freestanding Sign Requiring A Sign Permit</i>
<b>Proposal:</b> To amend the City of High Point Development Ordinance, Section 5.7. <i>Signage</i> , pertaining to freestanding signs in Sub-district C of the Main Street (MS) District	

**Background**

The applicant owns and operates a new/used automobile dealership located at 701 S. Main Street. The property is within the Main Street zoning district, Sub-district C. Currently, the Development Ordinance permits freestanding signage at a rate of 1 sign per lot frontage, at a maximum height of 8 feet and a maximum area of 75 square feet. In addition, all freestanding signs must be monument type signs. The applicant desires additional height and size for freestanding signage in order to be more visible over display vehicles.

**Details of Proposal**

The proposed text amendment affects Table 5.7.9.B., which sets forth the dimensional requirements for freestanding signs by zoning districts. The applicant has requested changes to both the maximum height and the maximum area of freestanding signs in the MS-C district. These changes would increase the maximum height from 8 feet to 15 feet, and the maximum area from 75 square feet to 150 square feet per sign. The new maximums for Sub-district C would then be the same as for Sub-districts A and D in the Main Street district. Existing requirements for freestanding signs in Sub-district B would not be changed.

**Analysis**

Sub-district C of the Main Street zoning district is located along both sides of S. Main St. south of the Central Business (CB) district, beginning at Grimes Av. and continuing south to Market Center Dr. With the exception of the GTCC campus, this area contains a mixture of retail and service type uses which continue to be primarily auto oriented. There are also many nonconforming freestanding signs in this Sub-district that have been continually in use and that are in various states of repair. The 8-foot height maximum is not ideal for businesses such as car dealers because parked and displayed vehicles can obscure most of the sign from view.

The changes being proposed will result in sign height and area maximums for Sub-district C that are the same as for Sub-districts A and D, and therefore would not be unreasonable. The proposed 15-foot height would still be lower than freestanding signs in the GB, LI, HI, and RC districts, and the proposed maximum area would be less than most signs in those same districts. Finally, the requested changes are not in themselves contrary to the purposes of the Main Street district, the City's Land Use Plan or other adopted policy guidance.

### **Recommendation**

#### **Staff recommends approval.**

The proposed text amendment may assist other businesses in the MS-C district as well as the applicant, and it is not unreasonable to adjust the height and area limits to equal those in the MS-A and MS-D Sub-districts.

### **Required Action**

#### **Planning and Zoning Commission:**

Upon making its recommendation, the Planning and Zoning Commission must place in the official record a statement of consistency with the City's Land Use Plan, and any other officially adopted plan that may be applicable. This may be done by adopting the staff's findings as written in this report, by adopting the staff's findings with additions or changes as agreed upon by the Commission, or, if the Commission is in disagreement with staff's findings, by adoption of its own statement.

#### **City Council:**

Upon rendering its decision in this case, the High Point City Council also must place in the official record a statement of consistency with the City's Land Use Plan. This may be done by adopting the staff's findings as written in this report, by adopting the staff's findings with additions or changes as agreed upon by the Council, or, if the Council is in disagreement with staff's findings, by adoption of its own statement.

In addition, the City Council must, prior to adopting or rejecting any zoning amendment, explain why it considers the action taken to be reasonable and in the public interest. In this case, staff suggests that the approval of the applicant's request is reasonable and in the public interest because: 1) The changes would assist businesses; 2) The changes are not unreasonable and match the height and area requirements of Sub-districts A and D. The City Council may adopt this statement, it may add to or change this statement, or, if the Council is in disagreement with the above statement it will need to formulate its own reasonableness / public interest statement.

### **Report Preparation**

This report was prepared by Planning and Development Department staff member Robert L. Robbins, AICP, and reviewed by G. Lee Burnette, AICP, Director.

**TEXT AMENDMENT 17-03**

Ordinance #XXXX/17-XX

Applicant: Ilderton Dodge-Chrysler-Jeep-Ram

AN ORDINANCE AMENDING THE CITY OF HIGH POINT DEVELOPMENT ORDINANCE, SECTION 5.7. *SIGNAGE*, PERTAINING TO FREESTANDING SIGNS IN SUB-DISTRICT "C" OF THE MAIN STREET (MS) DISTRICT.

**WHEREAS**, the City of High Point adopted the "City of High Point Development Ordinance" on May 16, 2016, with an effective date of January 1, 2017, and subsequently amended; and

**WHEREAS**, public hearings were held before the Planning and Zoning Commission on April 25, 2017 and before the City Council on May 15, 2017 regarding Text Amendment 17-03; and

**WHEREAS**, notice of the public hearings was published in the High Point Enterprise on April 16, 2017 for the Planning and Zoning Commission public hearing, and on May 3, 2017 and May 10, 2017 for the City Council public hearing pursuant to Chapter 160A-364 of the General Statutes of North Carolina.

**NOW THEREFORE**, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HIGH POINT, NORTH CAROLINA:

**Section 1.**

Section 5.7.9. *Freestanding Signs Requiring A Sign Permit*, Table 5.7.9.B. Requirements For A Freestanding Sign Requiring A Sign Permit, is hereby amended as shown in the row titled MS District in the section of the table reproduced below.

**TEXT AMENDMENT 17-03**

Ordinance #XXXX/17-XX

Applicant: Ilderton Dodge-Chrysler-Jeep-Ram

**TABLE 5.7.9.B: REQUIREMENTS FOR A FREESTANDING SIGN  
REQUIRING A SIGN PERMIT**

ZONING DISTRICT OR SIGN TYPE		MAXIMUM NUMBER PER LOT FRONTAGE	AREA (SQ FT)		SETBACK FROM ROW (FEET)	MAX HEIGHT (FEET)	AREA COMPUTATION (SQUARE FEET PER EACH LINEAR FOOT OF LOT FRONTAGE)
			MAX	MIN [1]			
SIGN STANDARDS BY ZONING DISTRICT							
MS District	<del>A, &amp; C &amp; D</del> sub-districts	1	150	50	n/a	15	1.0
	<del>B &amp; C</del> sub-districts	1	75	50	n/a	6 in B <del>8 in C</del>	1.0

**Section 2.**

Should any section or provision of this ordinance be declared invalid, such decision shall not affect the validity of the remaining portions of this ordinance.

**Section 3.**

All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

**Section 4.**

This ordinance shall become effective upon adoption.

Adopted by the City Council  
City of High Point, North Carolina  
The 15<sup>th</sup> day of May, 2017  
Lisa B. Vierling, City Clerk