

AN ORDINANCE AMENDING THE CITY OF HIGH POINT DEVELOPMENT ORDINANCE.

WHEREAS, the City Council of 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 January 22, 2019 and before the City Council on February 4, 2019 regarding **Text Amendment 18-06**; and

WHEREAS, notice of the public hearings was published in the High Point Enterprise on January 9, 2019 for the Planning and Zoning Commission public hearing and on January 23, 2019 and January 30, 2019 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 3.8 *Overlay Zoning Districts*, subsection 3.8.7.E. regarding the Gateway Corridor Overlay (GCO), of the City of High Point Development Ordinance shall be amended as follows:

E. General Standards

~~1.~~ GCO district standards for a specific gateway corridor shall follow the policy direction in the gateway corridor plan approved by the City Council. The GCO district shall, at a minimum, address the following elements:

- ~~(a)~~1. The name and boundaries of the overlay district.
- ~~(b)~~2. The development along the corridor to which the overlay district applies (typically all new development and certain expansions and remodels).
- ~~(c)~~3. Any variations from the requirements of the underlying general zoning district(s).
- ~~(d)~~4. The uses allowed in the district, if appropriate.
- ~~(e)~~5. The development and form standards of the overlay district, including some or all of the following:
 - ~~(1)~~(a) Dimensions (height, setbacks, build-to-lines, etc.);
 - ~~(2)~~(b) Streetscape landscaping;
 - ~~(3)~~(c) Sidewalks and pedestrian circulation features;
 - ~~(4)~~(d) Off-street parking;
 - ~~(5)~~(e) Landscaping and tree preservation/reforestation;

- ~~(6)~~(f) Open space set-asides;
 - ~~(7)~~(g) Signage;
 - ~~(8)~~(h) Exterior lighting;
 - ~~(9)~~(i) Building design and form; and
 - ~~(10)~~(j) Road access and traffic circulation.
- ~~(f)~~6. The extent to which a general or district-specific standard may be modified.

2. ~~Outdoor advertising signs are prohibited in the GCO.~~

SECTION 2.

Section 5.7.7 *Exempt Signs*, of the City of High Point Development Ordinance shall be amended as follows:

5.7.7. EXEMPT SIGNS

The following signs are exempt from the requirements of this section except that a lighted sign requires an electrical permit:

- A. A governmental sign.
- ~~B. A work of art with no commercial message.~~
- ~~C.~~B. Lights and decorations with no commercial message that are temporarily displayed on ~~traditionally accepted~~ civic, patriotic or religious holidays.
- ~~D.~~C. A hand carried sign.
- ~~E.~~D. A sign located on the interior of a building, court, lobby, athletic field, stadium, or other structure which is not intended to be seen from the exterior of the building or structure.
- ~~F.~~ A sign located on or affixed to an athletic field scoreboard that is not oriented toward the playing field, unless the sign:
 - ~~1. Is an off site sign or outdoor advertising sign;~~
 - ~~2. Is larger than, or protrudes from the scoreboard;~~
 - ~~3. Is a projecting sign; or~~
 - ~~4. Is illuminated.~~

- G.E.** A sign affixed to a vehicle or trailer used on a regular basis for in the normal transport of goods or persons ~~where the sign is incidental and accessory to the primary use of the vehicle or trailer.~~
- H.F.** A sign affixed to the window of a vehicle ~~displaying information on the terms of sale for the vehicle which does not exceed the size of the window.~~
- I.G.** A sign not legible from a public or private street.
- J.H.** A flag without a commercial message with an area of not more than 60 square feet. Flags of the United States, North Carolina, local governmental jurisdictions, foreign nations having diplomatic relations with the United States, and any other flags adopted or sanctioned by the local governing body, except they are subject to the laws found in the U.S.C, Title 4, Chapter 1, Title 18, Chapter 33 and Title 36, Chapter 10.
- K.I.** A window sign painted on or attached to a window, covering a maximum of 25% of the window area.
- L.J.** A sign painted on an active public water tower.

SECTION 3.

Table 5.7.8.B: *Requirements For A Sign Not Requiring A Sign Permit*, of the City of High Point Development Ordinance shall be amended as follows:

TABLE 5.7.8.B: REQUIREMENTS FOR A SIGN NOT REQUIRING A SIGN PERMIT					
SIGN TYPE	NUMBER PERMITTED	AREA (SQ. FT.)	SETBACK (FEET)	MAXIMUM HEIGHT (FEET)	ILLUMINATION
Flags, emblems, insignia of corporate, political, professional, fraternal, civic, or educational organization in all districts	1/frontage	60	R/W	<u>640</u>	Indirect

The remainder of the table is unchanged.

SECTION 4.

Section 5.7.8 *Signs Not Requiring A Sign Permit*, shall be amended as follows:

PART A.

Section 5.7.8.A. *General Standards for Signs Not Requiring a Permit*, shall be amended as follows:

- ~~1. Except where otherwise specified, all signs shall be restricted to an on-site location.~~
2. Signs that include lighting or are illuminated shall be subject to an approved building permit for electrical service.

PART B.

Section 5.7.8.B.2. *Additional Specific Standards*, shall be amended as follows:

- (e) Temporary religious, philosophical, educational, real estate, yard sale, construction, ~~a~~ and political ~~off-site~~ signs shall comply with the following standards:
 - (1) Be located outside the street right-of-way, or at least 6 feet from the back of curb or edge of pavement where no curb exists;
 - (2) Not be placed in public street medians or traffic islands;
 - (3) Not interfere with or obstruct pedestrian or vehicular traffic, or obstruct safe sight distances at intersections;
 - (4) Not be placed on private land without the consent of the landowner or occupant; ~~and,~~
 - ~~(5) Be posted only within the hours from noon on a Friday to noon on the following Monday.~~

SECTION 5.

Section 5.7.9 *Freestanding Signs Requiring A Sign Permit*, of the City of High Point Development Ordinance shall be amended as follows:

PART A.

Section 5.7.9 *Freestanding Signs Requiring A Sign Permit*, subsection A.1, *Location Standards* shall be amended as follows:

1. Location Standards

- (a) It shall be allowed only on a lot with ~~as an accessory to~~ an existing principal use.
- ~~(b) Except where otherwise specified, all signs shall be restricted to an on-site location.~~
- ~~(c)~~(b) If greater than 6 feet in height, it shall not be located within 100 feet of a residential district.
- ~~(d)~~(c) Where 2 or more establishments at the same location receive approval of directional signs, the signs shall share the same support structure.

PART B.

Table 5.7.9.B: *Requirements For A Freestanding Sign Requiring A Sign Permit*, shall be amended as follows:

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							
RC District	development identification sign	1/street frontage	300 200	200 n/a	10	30 [3]	n/a

Off-premise directional signs in the GB, LI, HI districts	1 total	8	n/a	n/a	6	n/a
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The remainder of the table is unchanged.

PART C.

Section 5.7.9, *Freestanding Signs Requiring A Sign Permit*, subsection B.3. *Specific Standards By Sign Type* shall be amended by deleting paragraphs **(d) Instructional Sign (All Districts)** and **(e) Off-Site Directional Sign in the GB, LI and HI Districts** in their entirety, and re-lettering paragraphs (f) *Special Promotion Sign (All Districts)*, (g) *Electronic Changeable Copy Sign Requiring A Permit* and (h) *Video Signs – Freestanding* as **(d)**, **(e)** and **(f)** respectively.

PART D.

Section 5.7.9 *Freestanding Signs Requiring A Sign Permit*, subsection B.3. *Specific Standards By Sign Type* shall be amended as follows:

~~(g)~~(e) Electronic Changeable Copy Sign Requiring a Permit

(1) General Standards

(iii) Location and Type

Electronic changeable copy signs shall be located ~~on-site~~, as a portion of, and on the same support structure with a legal conforming accessory freestanding sign. Such signs shall not be added to a sign that is nonconforming, nor shall any part of an existing nonconforming sign be converted to an electronic changeable copy sign.

The remainder of this subsection is unchanged.

PART E.

Section 5.7.9 *Freestanding Signs Requiring A Sign Permit*, subsection B.3. *Specific Standards By Sign Type* shall be amended as follows:

~~(A)~~(f) Video Signs – Freestanding

(1) General Standards

(iii) Location

Video signs shall be allowed only on a lot with an existing principal use ~~shall be located on-site~~. No part of a freestanding video sign shall be closer than 25 feet from intersecting street rights-of-way. No encroachment by any part of the sign face, its base or support structure into the street right-of-way is permitted. Such signs shall not be incorporated with, or added to, any other freestanding sign, nor shall any other freestanding sign be converted to a video sign.

~~(3) Only On-Site Advertising Permitted~~

~~Video signs shall only be used to advertise goods or services available on-site, or to provide information related to on-site businesses, promotions or events.~~

The remainder of this subsection is unchanged.

SECTION 6.

Section 5.7.11 *Outdoor Advertising Sign Requiring A Sign Permit*, of the City of High Point Development Ordinance shall be deleted in its entirety. Sections 5.7.12 *Sign For Historic Structures or Properties*, 5.7.13 *Common Signage Plan*, and 5.7.14 *Encroachment Agreement For Entrance Sign* shall be re-numbered as Sections 5.7.11., 5.7.12., and 5.7.13. respectively.

SECTION 7.

A new Section 5.7.14. entitled *Savings Clause* shall be added to the City of High Point Development Ordinance, which shall read as follows:

5.7.14. SAVINGS CLAUSE

Subject to the property owner's consent, a noncommercial message of any type may be substituted in whole or in part for the message displayed on any sign for which the sign structure or mounting device is legal, without consideration of message content. Any change to the structure or mounting device, or the refacing of a sign shall be subject to the requirements of Section 5.7. Signage, a common signage plan, and permitting, as may be applicable. The purpose of this provision is to prevent any inadvertent favoring of commercial speech over noncommercial speech, and to prevent favoring of any particular noncommercial message over any other noncommercial message.

SECTION 8.

Section 10.4 *Definitions*, of the City of High Point Development Ordinance shall be amended as follows:

SIGN, GOVERNMENTAL	A sign erected by or on behalf of a governmental body to post a legal notice, identify public property, convey public information <u>of significant importance</u> , and direct or regulate pedestrian or vehicular traffic.
SIGN, OFF-SITE	A sign which directs attention to a business, commodity, service, entertainment, or attraction sold, offered, or existing elsewhere than upon the lot where the sign is displayed.
SIGN, OFF-SITE DIRECTIONAL	A sign that indicates only the name and/or logo and direction to businesses, churches, hospitals, colleges, or similar campus uses.
SIGN, ON-SITE	A sign which directs attention to a business, commodity, service, entertainment, or attraction sold, offered, or existing on the same lot

	where the sign is displayed; provided, an on-site sign may also display a noncommercial message.
SIGN, OUTDOOR ADVERTISING (BILLBOARD)	A sign which directs attention to a business, commodity, service, entertainment, or attraction sold, offered, or existing elsewhere than the lot where the sign is displayed.
SIGN, TEMPORARY OFF-SITE	A sign that is displayed in a location different than the principal use it is advertising, is not permanently mounted, and in place for only a limited period of time.
SIGN, WARNING	An on-site sign with no commercial message that displays information pertinent to the safety or legal responsibilities of the public such as signs warning of high voltage, "no trespassing," and similar directives.

The remainder of this section is unchanged.

SECTION 9.

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

SECTION 10.

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

SECTION 11.

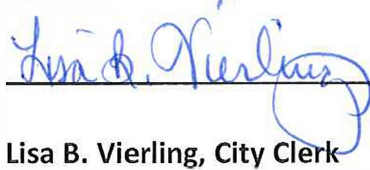
This ordinance shall become effective upon adoption.

Adopted by the City Council
City of High Point, North Carolina
The 4th day of February 2019

By: 

Jay W. Wagner, Mayor

ATTEST:


Lisa B. Vierling, City Clerk

