

CITY OF HIGH POINT

AGENDA ITEM



Title: Text Amendment 20-01
(David W. Holmes)

From: Lee Burnette, Planning & Development
Director

Meeting Date: March 16, 2020

Public Hearing: Yes

Advertising Date: March 4, 2020, and
March 11, 2020

Attachments: A. Staff Report
B. Zoning Ordinance

Advertised By: Planning & Development

PURPOSE:

A request by David W. Holmes to amend Section 5.7.9.B “Specific Standards for Freestanding Signs Requiring a Permit” of the Development Ordinance to modify Subsection 2(c) pertaining to signs in the MS and MX Districts.

BACKGROUND:

The Planning and Zoning Commission reviewed this request at their February 25, 2020 public hearing. All members of the Commission were present except for Ms. Angela McGill. Mr. Chris Andrews, Development Administrator, presented the case and recommended approval as outlined in the staff report.

Speaking on the request:

The applicant, Mr. David Holmes, 130 W. Lexington Avenue, High Point, spoke in favor of the request and made himself available for questions.

BUDGET IMPACT:

There is no budget impact.

RECOMMENDATION / ACTION REQUESTED:

A. Staff Recommendation

Staff recommended ***approval*** of this request as outlined in the attached staff report.

B. Planning and Zoning Commission Action

1. The Planning and Zoning Commission recommended ***approval*** of this request, as recommended by staff, by a vote of 8-0.

2. Consistency and Reasonableness Statements

The Planning and Zoning Commission voted 8-0 to approve the following statement:

That Text Amendment 20-01 is neither consistent nor inconsistent with adopted policy guidance. Furthermore, the proposed amendment provides increased flexibility of allowable freestanding sign types within the MS and MX districts.

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

**STAFF REPORT
TEXT AMENDMENT CASE TA-20-01
February 25, 2020**

Request	
Applicant: David Holmes	Affected Ordinance Sections: Section 5.7.9.B.2., <i>Specific Standards by District</i>
Proposal: To amend the City of High Point Development Ordinance, Section 5, Development Standards, to remove the requirement that freestanding signs in the MS and MX districts must be monument type signs only.	

Background

The applicant is preparing to operate a restaurant located at 130 W. Lexington Ave. The property is within the Main Street B (MS-B) zoning district. Currently, the Development Ordinance requires that freestanding signs within the Main Street (MS) and Mixed-Use (MX) districts must be monument type signs only. The applicant desires to be able to apply for a sign permit to allow a sign that does not meet the current monument sign definition.

Details of Proposal

The proposed text amendment affects Section 5.7.9.B.2, *Specific Standards By District*, related to specific district standards for freestanding signs.

The applicant has requested to remove the requirement that freestanding signs in the MS and MX districts must be monument type signs only. A *monument sign* is defined within the Development Ordinance as “a monolithic sign in which the bottom of the sign is flush with the ground.” The applicant submitted a sign permit application and was informed that the proposed sign did not meet Development Ordinance requirements. The applicant was presented multiple options for consideration and indicated that a text amendment would alleviate their constraint.

Analysis

The MS and MX Districts were established to encourage compact, walkable, pedestrian-oriented, mixed-use development and redevelopment along Main Street and within the Core City, and near the central business district. The districts are intended to enhance the range of goods and services

available to shoppers in the Core City area while also providing a wider range of urban housing, shopping, working and recreational options near one another. District standards in both districts address a variety of design elements including building location, off-street parking, access, land use, visual quality and signage.

Staff is currently in the process of working with consultants to rewrite the City's signage standards. To date, research indicates that monument signs as an absolute standard will not be recommended to continue in the MS and MX districts. The proposed change for signage within the MS and MX districts will offer increased flexibility in permitted freestanding sign types within the MS and MX districts and address some concerns with monument signs that have arisen as part of the rewrite process.

As the City is currently preparing wholesale amendments to signage standards, individual text amendments are not generally supported. However, as previously stated, the proposed amendment is not in conflict with current research or the anticipated freestanding sign standards within the MS and MX districts.

Consistency with Adopted Plans:

The proposed text amendments are appropriate and are consistent with the purposes, goals, objectives and policies of relevant comprehensive land use or area plans

This text amendment is neither consistent nor inconsistent with adopted policy guidance.

Reasonableness/Public Interest:

An approval of the proposed text amendments is considered reasonable and in the public interest.

The proposed amendment provides increased flexibility of allowable freestanding sign types within the MS and MX districts.

Recommendation

Staff recommends approval.

Required Action

Planning and Zoning Commission:

The NC General Statutes require that the Planning and Zoning Commission place in the official record a statement of consistency with the City's adopted plans when making its recommendation. This may be accomplished by adopting the statements in the Staff Analysis section of this report or by adopting its own statement.

City Council:

The NC General Statutes require that the City Council place in the official record a statement of consistency with the City's adopted plans, and also explain why the action taken is considered to be reasonable and in the public interest when rendering its decision in this case. This may be accomplished by adopting the statements in the Staff Analysis section of this report or by adopting its own statement.

Report Preparation

This report was prepared by Planning and Development Department staff member(s) Christopher Andrews, AICP, and reviewed by G. Lee Burnette, AICP, Director.

TEXT AMENDMENT 20-01

Ordinance # XXXX / XX-XX

Applicant: David Holmes

AN ORDINANCE AMENDING THE CITY OF HIGH POINT DEVELOPMENT ORDINANCE REGARDING THE ESTABLISHMENT OF MAJOR AND MINOR BAR OR NIGHTCLUB USE TYPES.

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 February 25, 2020 and before the City Council on March 16, 2020 regarding Text Amendment 20-01; and

WHEREAS, notice of the public hearings was published in the High Point Enterprise on February 16, 2020, for the Planning and Zoning Commission public hearing, and on March 4, 2020 and March 11, 2020, 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:

CHAPTER 5: - DEVELOPMENT STANDARDS

Section 1.

That Section 5.7.9.B *Specific Standards for Freestanding Signs Requiring a Permit*, regarding signage standards within the MS and MX districts is hereby amended as follows:

2. Specific Standards by District

(a) *(unchanged)*

(b) *(unchanged)*

~~(c) MS and MX Districts Freestanding signs must be monument type signs only.~~

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.

TEXT AMENDMENT 20-01

Ordinance # XXXX / XX-XX

Applicant: David Holmes

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 16th day of March, 2020
Lisa B. Vierling, City Clerk

By: _____
Jay W. Wagner, Mayor

ATTEST:

Lisa B. Vierling, City Clerk