

IREDELL COUNTY PLANNING & DEVELOPMENT

PLANNING STAFF REPORT

Proposed Text Amendment – Billboards



EXPLANATION OF THE REQUEST

Currently the Iredell County Land Development Code regulates billboards based on static or digital copy area. Concern has been shared regarding the county's billboard requirements mostly associated with location requirements.

Existing text that is ~~bold and with strike through~~ is text to be removed. Text in red and underlined is new text to be added.

STAFF COMMENTS

The intent of the proposed text amendment is to amend the County's regulations for billboards. Currently we regulate billboards based on if copy area is static or digital. We are proposing to combine these sections in order to apply a consistent standard.

TEXT AMENDMENTS

Section 6.8 Billboards

There are two types of billboards (outdoor advertising signs) addressed by this ordinance, static and digital. Static billboards are considered the traditional billboard with a manual change in copy that is generally leased/rented on a long-term basis. Digital billboards are, as their name suggests, electronic in nature and typically have a group of messages that rotate or change frequently.

Section ~~6.8.1~~ Static Billboards

~~The following permanent off-premises advertising (billboard) signs are permitted in H-B, G-B, M-1, and M-2 Zoning Districts upon issuance of a zoning permit regarding the proposed sign(s), provided that the stated specific requirements, conditions and stipulations are met:~~

A. Size

- ~~1. The maximum copy area of static billboards shall be 300 square feet, or 600 square feet if located within 660 feet of the right-of-way of an Interstate Highway, or 400 square feet if located within 660 feet of a US or NC Primary Highway.
 - ~~a. The maximum permitted copy area shall be determined from the road which the sign predominantly faces.~~~~

~~b. If a sign equally faces two (2) different roads, the larger of the two (2) permitted copy areas may be erected.~~

~~2. One (1) sign face shall be permitted per sign, except that if back-to-back or v-shaped there may be two (2) sign faces; so long as the two (2) sign display boards are located within fifteen (15) feet of each other at their farthest point.~~

~~B. Setbacks~~

~~1. Billboards shall not be located closer than 100 feet to a residentially zoned property or a residential use.~~

~~2. The minimum horizontal separation on any one road between two billboards shall be 1000 linear feet.~~

~~3. Billboards shall not be located less than 500 feet from any Interstate Highway access/exit ramp or safety rest area measured along the Interstate roadway from the beginning or ending of pavement widening at the exit from or entrance to the main traveled way. (Refer to Figure 6.5.)~~

~~4. All advertising signs within 660 feet of the edge of an Interstate Highway right-of-way, located on opposite sides of the same roadway shall be spaced at least 1,000 feet apart from each other. The distance between signs shall be measured along the center line of the road by the closest distance between the points of perpendicular intersection of each sign.~~

~~a. This provision shall not apply when one side of the roadway and all advertising signs on that portion of the roadway are not visible to the motorist on the opposite side of the roadway.~~

~~b. In no instance, however, shall two advertising signs on the same side of the roadway be located less than 1,000 feet apart. (Refer to Figure 6.6.)~~

~~5. All advertising signs within 660 feet of the edge of all non-Interstate road rights-of-way, located on opposite sides of the same roadway shall be spaced 750 feet apart from each other. The distance between signs shall be measured along the center line of the road by the closest distance between the points of perpendicular intersection of each sign.~~

~~a. This provision shall not apply when one side of the roadway and all advertising signs on the roadway are not visible to the motorist on the opposite side of the roadway.~~

~~b. In no instance, however, shall two advertising signs on the same side of the roadway be located less than 750 feet apart. (Refer to Figure 6.6.)~~

~~6. All advertising signs shall be located at least 1,000 feet from any portion of the lot containing the principal use being advertised.~~

~~C. Height~~

~~Maximum height: thirty-five (35) feet (50 feet if located within 660 feet of the right-of-way of an Interstate Highway; 40 feet if located within 660 feet of a US or NC Primary Highway)~~

~~D. Illumination~~

~~Signs may be either internally or externally illuminated~~

~~E. NCDOT Approval~~

~~Must have written verification of NC DOT approval prior to the issuance of a zoning permit.~~

Section 6.8.1 Digital Billboards

The following permanent off-premises advertising (billboard) signs are permitted in H-B, G-B, M-1, and M-2 Zoning Districts upon issuance of a zoning permit regarding the proposed sign(s), provided that the stated specific requirements, conditions and stipulations are met:

A. Size

1. Maximum sign face area shall be: ~~380 400 square feet for NC and US Routes, 600 for Interstates.~~

<u>Road designation</u>	<u>Maximum Copy Area</u>
<u>Interstate (77 and 40)</u>	<u>600</u>
<u>NC and US Routes (NC 21, 90, 115, 901 and US 21, 70)</u>	<u>400</u>

2. One (1) sign face shall be permitted per sign, except that if back-to-back or v-shaped there may be two (2) sign faces; so long as the two (2) sign display boards are located within fifteen (15) feet of each other at their farthest point.
3. For digital There can only be one (1) message at a time on the outdoor advertising sign.
4. For digital aAdvertising messages or information shall remain in a fixed, static position for a minimum of ten (10) seconds. The change sequence must be accomplished within an interval of two (2) seconds or less.
5. ~~The maximum permitted copy area shall be determined from the road which the sign predominantly faces. If a sign equally faces two different roads, the larger of the two permitted copy areas may be erected.~~ The copy area of an advertising sign shall be measured by the smallest square, rectangle, triangle, circle or combination thereof which will encompass the entire sign. The copy area shall

include any border or trim but shall exclude the base or apron supports and other structural devices. If an advertising message appears on the base or apron, it will not be excluded from the copy area.

B. Setbacks

1. There shall be a minimum spacing of 400 feet between the ~~electronic changeable face~~ outdoor advertising sign and residential zoning properties ~~and residential uses~~ **and shall be a minimum of 15 feet from all property lines**. The distance shall be calculated as the shortest measurable distance between the nearest point of the sign to the edge of a residentially zoned property, ~~or to the property line of the institutional use.~~
- ~~2. There shall be a minimum spacing of 2,000 feet between any electronic changeable face outdoor advertising sign and other electronic changeable face outdoor advertising sign on the same side or opposite side of the street.~~
- ~~3. There shall be a minimum spacing of 1,000 feet between any electronic changeable face outdoor advertising sign and static billboard sign on the same side or opposite side of the street. (Refer to Figure 6.7.)~~
4. Off-premises advertising (billboard) signs shall not be located less than 500 feet from any Interstate Highway access/exit ramp or safety rest area measured along the Interstate roadway from the beginning or ending of pavement widening at the exit from or entrance to the main traveled way. (Refer to Figure 6.5.)
5. All ~~electronic changeable face~~ outdoor advertising signs **shall be** within 660 feet of the edge of a right-of-way, ~~located on opposite sides of the same roadway and~~ shall be spaced at least 2000 feet apart from each other, **including those located on opposite sides of the same roadway** (Refer to Figure 6.76 (a) and (b).) The distance between signs shall be measured along the center line of the road by the closest distance between the points of perpendicular intersection of each sign. All advertising signs shall be located at least 1,000 feet from any portion of the lot containing the principal use being advertised.

C. Height

The maximum height shall be fifty (50) feet if located within 660 feet of the right-of-way of an Interstate Highway and forty (40) feet if located within 660 feet of a US Primary Highway.

D. Illumination

1. Permitted illumination: The outdoor advertising sign shall have an automatic dimmer (factory set to the illumination intensities set below) and a photo cell sensor to adjust the illumination intensity or brilliance of the sign so that it shall not cause glare or impair the vision of motorists, and shall not interfere with any driver's operation of a motor vehicle.

- a. The sign shall not exceed a maximum illumination of 7,500 nits (candelas per square meter) during daylight hours and a maximum illumination of 500 nits between dusk and dawn as measured from the sign's face at maximum brightness.
 - b. Before receiving a certificate of occupancy **a written report shall be provided certifying the above standards.**, ~~the Zoning Administrator shall be present at a test (by the applicant) to ensure that the sign meets this standard. Furthermore, a written report of the test shall be given to the Zoning Administrator in order for the original test to be duplicated at any given time.~~
2. Any external illumination devices shall be effectively shielded so as to prevent beams or rays of light from being directed at any portion of a street or highway, or any residential use.
 3. Electronic changeable face outdoor advertising signs shall contain a default design that will freeze the sign in one position with no more than a maximum illumination of 500 nits if a malfunction occurs.

E. NCDOT Approval

It is the applicant's responsibility to obtain all required NCDOT permits. Must have written verification of NC DOT approval prior to the issuance of a zoning permit.

F. Maintenance

The area immediately surrounding advertising (billboard) structures shall be appropriately maintained.

G. Construction

- ~~1. Sign support shall be freestanding with uni-pole construction only.~~
2. No moving, rotating, fluttering, blinking, or flashing elements are permitted. No animation, video, audio, pyrotechnic, or blue-casting components are permitted.

H. Location

1. **Electronic changeable face outdoor advertising signs shall not be located in any Municipal Growth Overlay.**
2. ~~Electronic changeable face~~ **Outdoor advertising signs are permitted only along limited access Interstate Highways and limited access US Primary Highways as defined in the Iredell County Comprehensive Transportation Plan. the following roads:**
 - a. **Interstate 77**
 - b. **Interstate 40**
 - c. **US Routes 70 East (east of Bethesda Rd), 21**

d. **NC** Routes 90, 115, 150 and 901

Figure 6.5 Billboard Setbacks From Interstate Highway Access/Exit Ramps

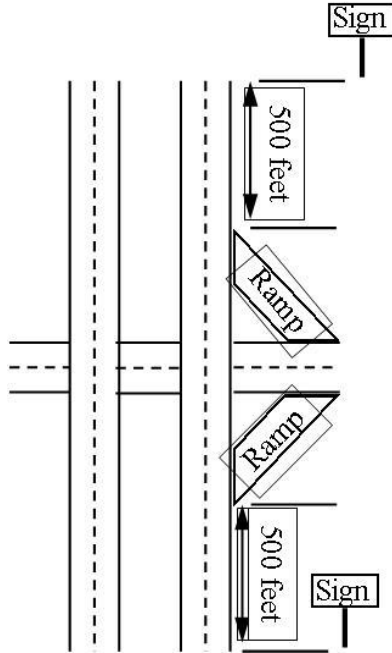


Figure 6.6 Distance Between Static Billboards on Non-Interstate Roads

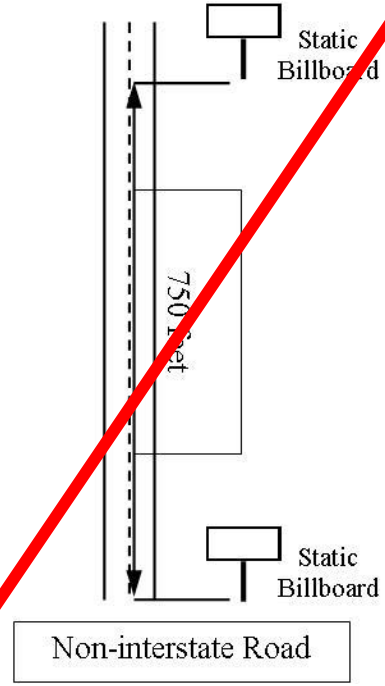


Figure 6.7 Distance Between Digital Billboards

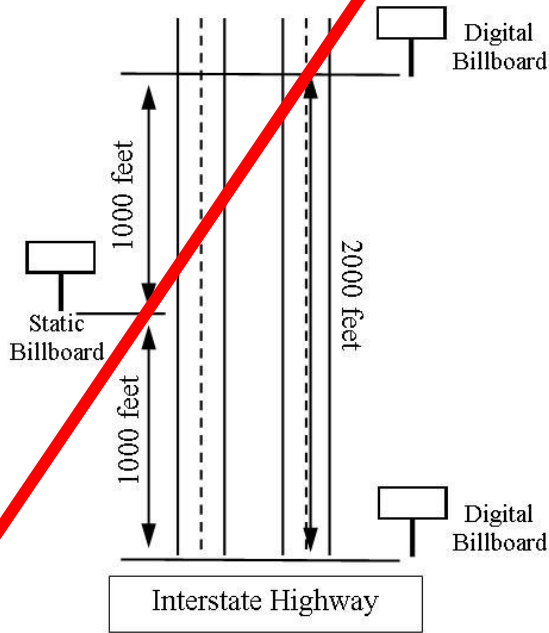


Figure 6.8 Distance Between Static Billboards on Interstate Highways

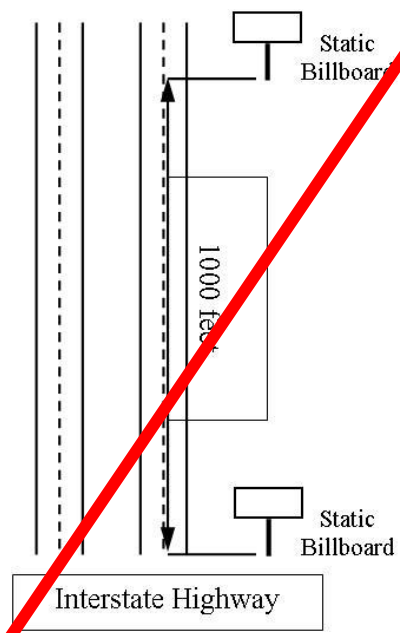


Figure 6.5 Billboard Setbacks From
Figure 6.6 (a) Distance Between Billboards
 (same side of road)

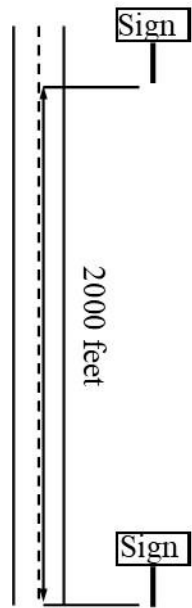


Figure 6.6 Distance Between Static
Figure 6.6 (a) Distance Between Billboards
 (opposite side of road)

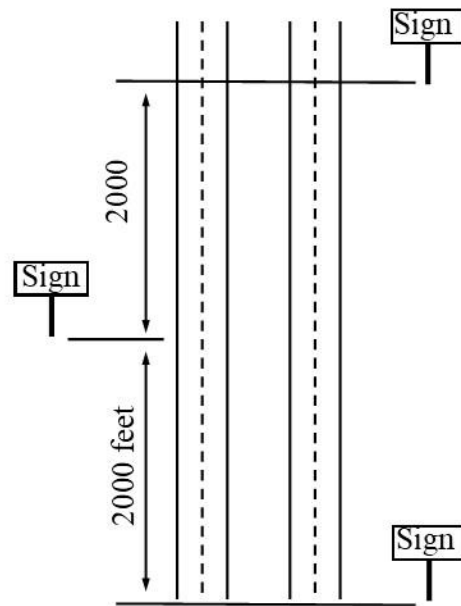


Figure 6.5 Billboard Setbacks From
Interstate Highway Access/
Exit Ramps

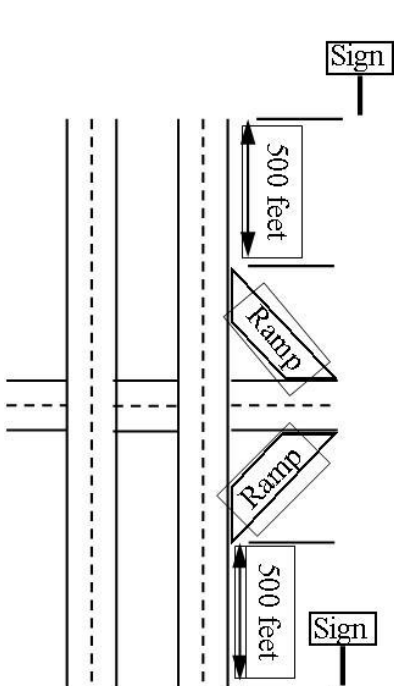


Figure 6.6 Distance Between Static
Billboards on Non-
Interstate Roads

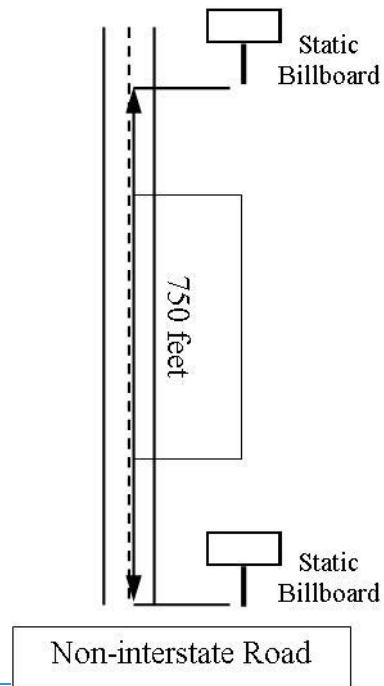
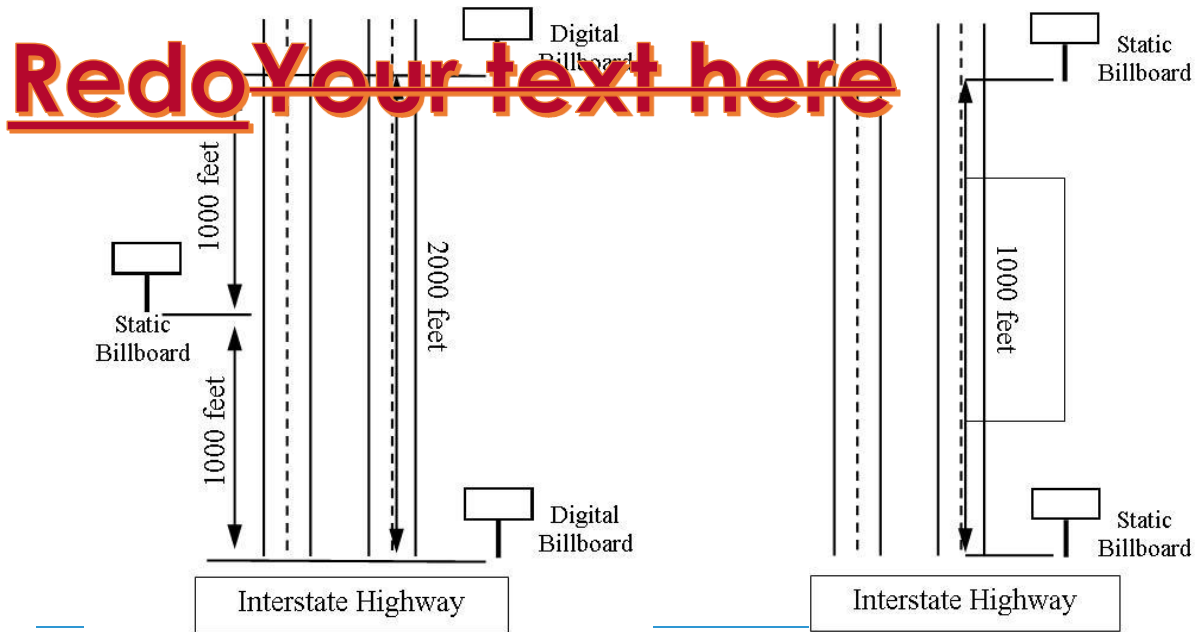


Figure 6.7 ~~6~~ Distance Between Digital Billboards

Figure 6.8 Distance Between Static Billboards on Interstate Highways



D. Non-Conforming Signs

1. Any sign legally in use prior to the effective date of this Ordinance or any amendments hereto which does NOT satisfy the requirements of Chapter 6 is declared to be nonconforming and may be continued subject to regulations of Subsection 2 below.
2. A nonconforming sign may be continued but it shall NOT be:
 - a. Changed or replaced with another nonconforming sign. Only copy may be changed.
 - b. Moved, expanded, altered or modified **(including changing copy from static to digital)** in any way, except to bring the sign into complete conformity with Chapter 6.
 - c. Re-established once the sign structure has been removed.
 - d. Re-established after damage or deterioration as defined in Subsection 3 or 4 below.
3. Damaged or Deteriorated Non-Conforming Signs
If a non-conforming sign suffers more than sixty percent (60%) of its value by damage or deterioration it must be brought into conformance with this ordinance or be removed. The value shall be determined as the replacement cost at the time of damage or destruction. The applicant is required to provide two (2) estimates from different companies to the Zoning Administrator, which will be averaged to

determine the replacement cost. If the Zoning Administrator approves the replacement, it must be completed (i.e. final building approval) within six months of the determination. If the Zoning Administrator denies the replacement, the sign must be completely removed within thirty (30) days of the determination.

4. Maintenance of Non-Conforming Signs

Non-conforming signs shall be subject to all requirements of Chapter 6 regarding safety, maintenance and repair. Non-conforming signs shall be maintained in good condition including necessary non-structural repairs, incidental alterations or copy alterations, such as repainting and electrical repairs which do NOT extend or intensify the non-conforming features of the sign.

ACTION NEEDED:

TO APPROVE: Motion to approve the zoning text amendments and to make a finding that the approval is consistent with the adopted 2030 Horizon Plan.

TO DENY: Motion to deny the zoning text amendments and to make a finding that the denial is inconsistent with the adopted 2030 Horizon Plan.