

LINCOLN TON PLANNING BOARD
AGENDA
May 21, 2019
AT 4:00 P.M. in City Council Chambers

1. Roll Call
2. Call to Order
3. Approval of Minutes from the April 16, 2019 meeting
4. **ZMA-3-2019-** Application from Steve and Jeannie Bailey requesting the rezoning of approximately 0.51 acres from Residential Office R-O to Central Business C-B. The subject properties are located at the intersection of North Academy Street and East Sycamore Street, (PID 00657 and 82410).
5. **ZTA-1-2019** Application from Lincoln TON Planning Department requesting amendment to Section 153.185, Off-Street Parking Requirements, of the Unified Development Ordinance to revise the parking requirements.
6. **ZTA-2-2019** Application from Lincoln TON Planning Department requesting amendment to Section 153.170, Signs in the C-B (Central Business District) and CBT (Central Business Transitional) districts to allow ground signs subject to certain standards and conditions.
7. Adjournment



**CITY OF LINCOLNTON
PLANNING BOARD
PO DRAWER 617, LINCOLNTON, NC 28092
www.ci.lincolnton.nc.us**

BOARD MEMBERS: Änd Lynn, Chair, andmlynn@gmail.com; Worth Roberts, Vice-Chair, worth.roberts@charter.net;
Gene Poinsette, poinsetteg@charter.net; Jamel Farley, afarley2351@gmail.com; Becky Burke, beckyburke940@gmail.com;
Jerry Hoffman, jlskhoffman@charter.net; Rebecca Abernethy, rabernethy21@bellsouth.net; Greg McBryde, Gregory.Mcbryde@gmail.com

Tuesday, April 16, 2019 Meeting

Present: Änd Lynn, Worth Roberts, Gene Poinsette, Becky Burke, Jamel Farley, Jerry Hoffman, Rebecca Abernethy and Greg McBryde

Absent: N/A

Call to Order

Chairman Änd Lynn called the meeting to order and recognized all members were present.

Approval of Minutes

Chairman Änd Lynn asked the Board if there were any additions or corrections to the minutes of the March 19, 2019 meeting.

Motion: Jerry Hoffman made a motion to approve the minutes. Gene Poinsette seconded. Motion carried unanimously.

Chairman Änd Lynn asked the Board if there was any other business to be addressed, to which there was none.

Adjournment

Motion: Jamel Farley made a motion to adjourn. Gene Poinsette seconded. Motion carried unanimously.

Jean Derby

MEMO TO: Lincolnnton Planning Board

FROM: Planning Staff

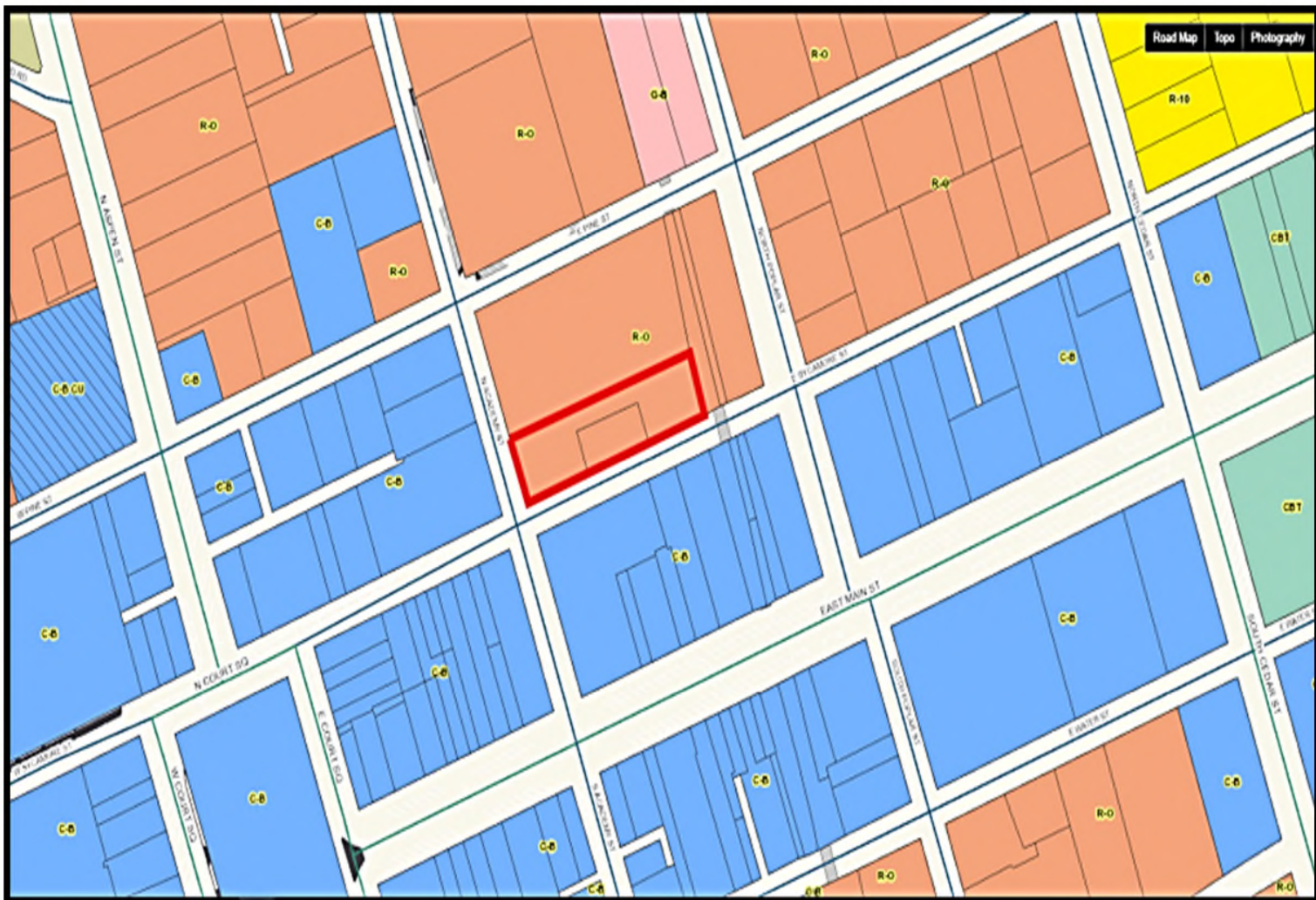
DATE: May 21, 2019

SUBJECT: ZMA-3-2019 – Application from Steve and Jeannie Bailey requesting the rezoning of .51 acres from Residential Office (R-O) to Central Business (C-B).

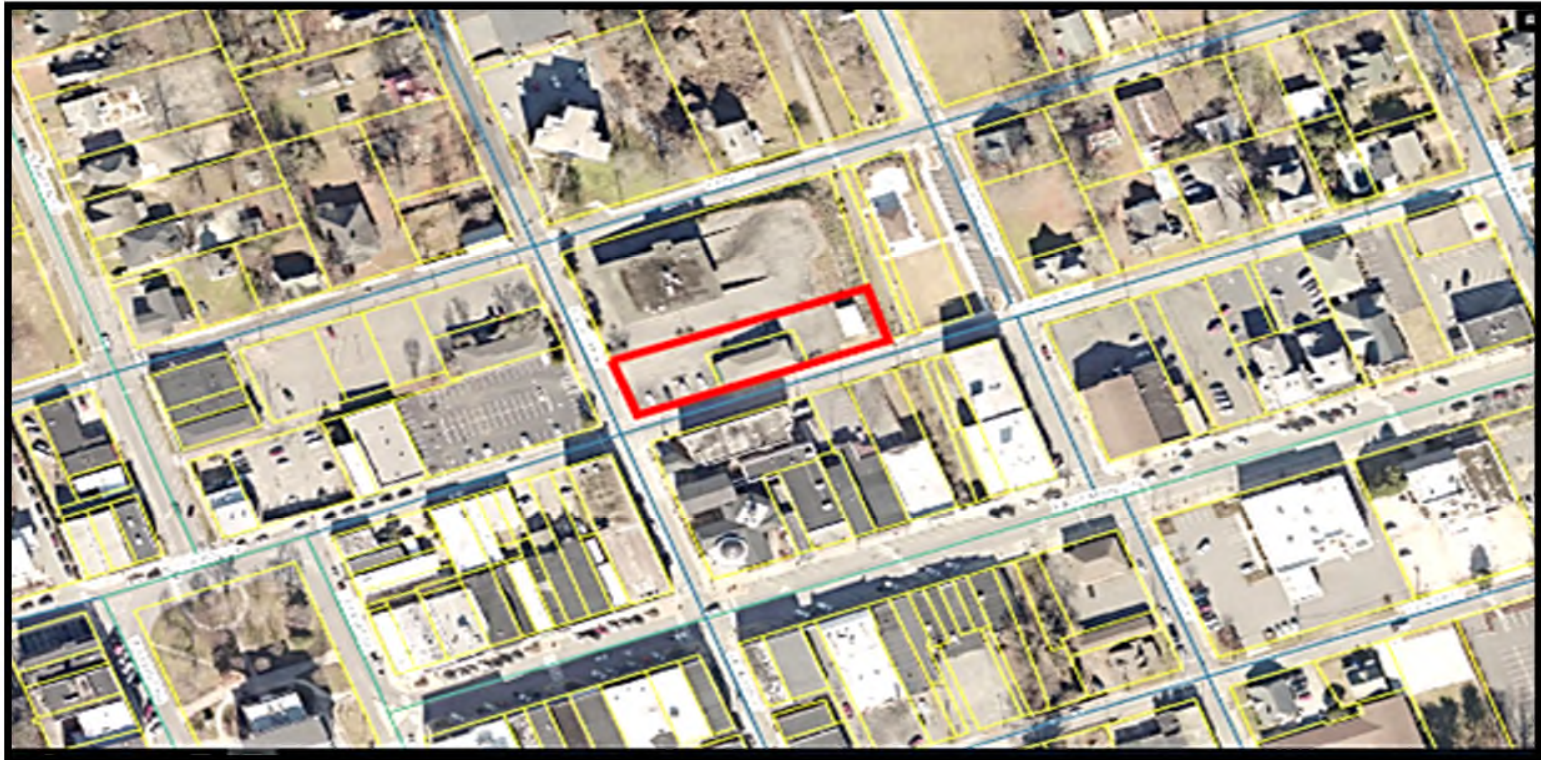
SITE AND AREA DESCRIPTION

The applicant is requesting the rezoning of two parcels totaling approximately 0.51 acres from the Residential-Office (R-O) district to the Central Business (C-B) district. The subject property is located at the intersection of North Academy Street and East Sycamore Street.

The subject property and surrounding properties to the north and east are zoned R-O. Properties located to the south of East Sycamore Street and to the west of North Academy Street are zoned C-B.



The site is developed with Drum's Florist. Surrounding properties are devoted to commercial uses.



LAND USE PLAN

The Lincolnton Land Use Plan shows the property in the Mixed Use Residential/Commercial Planning Area which is described as “older portions of the City where true urban villages consisting of high density residential uses (both single and multi family) and associated small-scale and pedestrian oriented office and retail uses may be located.” The Land Use Plan also promotes the adaptive reuse of vacant and under-utilized commercial buildings.

COMPLIANCE WITH LAND USE PLAN

The request is not strictly in compliance with the Land Use Plan’s mixed use designation. However, staff views the request as consistent with the spirit and intent of the Land Use Plan in that the site immediately adjoins C-B zoning on two sides and rezoning to the C-B district will better support the Land Use Plan’s goal of adaptive reuse of under-utilized commercial buildings than the current zoning district.

STAFF RECOMMENDATION

Staff recommends the following two actions:

1. Recommend approval of rezoning of the property from R-0 to C-B.
2. If request is recommended for approval, also recommend amendment of the Land Use Plan to extend the Central Business Planning Area to include the subject property.

**Zoning Amendment
Staff's Proposed Statement of Consistency and Reasonableness
for **APPROVAL** of Application**

Case No. ZMA-3-2019

Applicant: Steven and Jeannie Bailey

Parcel ID#: 82410 and 00657

Location: 204 N. Academy Street

Request: Rezone from R-O to C-B

Proposed Consistency and Reasonableness Statement:

The Lincolnnton Land Use Plan designates this property as part of the Mixed Use Residential/Commercial Planning Area. Therefore, the proposed rezoning request **is not strictly consistent** with the Land Use Plan. However, the site immediately adjoins C-B zoning on two sides and rezoning to C-B better supports the Land Use Plan's goal of adaptive reuse of under-utilized commercial buildings than the current zoning. Therefore, **approval of the proposed amendment is reasonable and in the public interest.**

**Zoning Amendment
Staff's Proposed Statement of Consistency and Reasonableness
for **DENIAL** of Application**

Case No. ZMA-3-2019

Applicant: Steven and Jeannie Bailey

Parcel ID#: 82410 and 00657

Location: 204 N. Academy Street

Request: Rezone from R-O to C-B

Proposed Consistency and Reasonableness Statement:

The Lincolnton Land Use Plan designates this property as part of the Mixed Use Residential/Commercial Planning Area. Therefore, the proposed rezoning request **is not entirely consistent** with the Lincolnton Land Use Plan and **denial of the proposed amendment is reasonable and in the public interest.**

MEMO TO: Lincoln Planning Board

FROM: Planning Staff

SUBJECT: ZTA-1-2019 Application from Lincoln Planning Department requesting amendment to Section 153.185, Off-Street Parking Requirements, of the Unified Development Ordinance to revise the parking requirements

DATE: May 21, 2019

Background

The City's zoning regulations outline off-street parking requirements for new or expanding developments. One of the provisions in the parking requirements states that the number of off-street parking spaces required by the zoning regulations is in ***addition to*** those required under the North Carolina Building Code for use by the physically handicapped.

Typically, zoning regulations allow parking spaces for the handicapped to be counted as part of, rather than in addition to, the total number of required parking spaces. A requirement to provide handicapped parking spaces in addition to the number of parking spaces prescribed by the zoning regulations does not appear to be necessary or beneficial to the public.

Proposed Amendment

Planning staff is proposing an amendment to the UDO to eliminate the current requirement for the handicapped parking spaces required under the State Building Code to be provided in addition to the parking spaces required by the zoning regulations. The new language would simply recognize that off-street parking spaces designed for use by the physically handicapped are to be provided as required by the State Building Code.

Staff Recommendation

Staff recommends approval of the amendment.

Zoning Amendment
Staff's Proposed Statement of Consistency and Reasonableness
for **APPROVAL** of Application

Case No. ZTA-1-2019

Applicant: City of Lincolnton Planning Department

Request: Amend Section 153.185 (Off-Street Parking Requirements) of the Unified Development Ordinance to revise the parking requirements

Proposed Consistency and Reasonableness Statement:

The proposed amendment **is consistent** with the adopted Lincolnton Land Use Plan in that it is not contrary to the goals and objectives outlined by the Plan and **approval of the amendment is reasonable and in the public interest** in that it will remove an unnecessary barrier to economic development while ensuring the protection of nearby areas.

Zoning Amendment
Staff's Proposed Statement of Consistency and Reasonableness
for **DENIAL** of Application

Case No. ZTA-1-2019

Applicant: City of Lincolnton Planning Department

Request: Amend Section 153.185 (Off-Street Parking Requirements) of the Unified Development Ordinance to revise the parking requirements

Proposed Consistency and Reasonableness Statement:

The proposed amendment **is not consistent** with the adopted Lincolnton Land Use Plan in that it is contrary to the goals and objectives outlined by the Plan and **denial of the proposed amendment is reasonable and in the public interest** in that it will maintain development requirements intended to protect nearby properties.

An Ordinance to Amend the City of Lincolnton Unified Development Ordinance to Revise the Standards for Off Street Parking

Section 1. Amend Section 153.185, Off-Street Parking Requirements, to amend the requirements as follows.

NOTE: Newly adopted language is underlined and **highlighted in yellow** and language to be deleted is ~~struck through~~ and ~~red~~.

§ 153.185 OFF-STREET PARKING REQUIREMENTS

(I) The requirements for off-street parking spaces shall be computed as follows:

~~(3) The number of required off-street parking spaces designed for use by handicapped persons as prescribed by the North Carolina State Building Code shall be computed separately from the off-street parking requirements as otherwise contained in division (J) below.~~ **Off - street parking spaces designed for use by the physically handicapped shall be provided as required by the North Carolina Building Code.**

(J) The following listing indicates the minimum number of off-street parking spaces required for any use developed or expanded. ~~The requirements are in addition to those outlined in division (I)(3) above of this section regarding handicapped parking.~~

(K) The following listing indicates the minimum number of off-street parking spaces required for any use developed or expanded. ~~The requirements are in addition to those outlined in division (I)(3) above of this section regarding handicapped parking.~~ Parking space calculations for proposed off-street parking lots in the CBT District shall be reduced by 33% of the total amount calculated using the formulas required in this section. (The use classification is shown in bold face print and is followed by each minimum number of parking spaces required.)

Section 2. That this ordinance shall become effective upon its adoption.

MEMO TO: Lincoln Planning Board

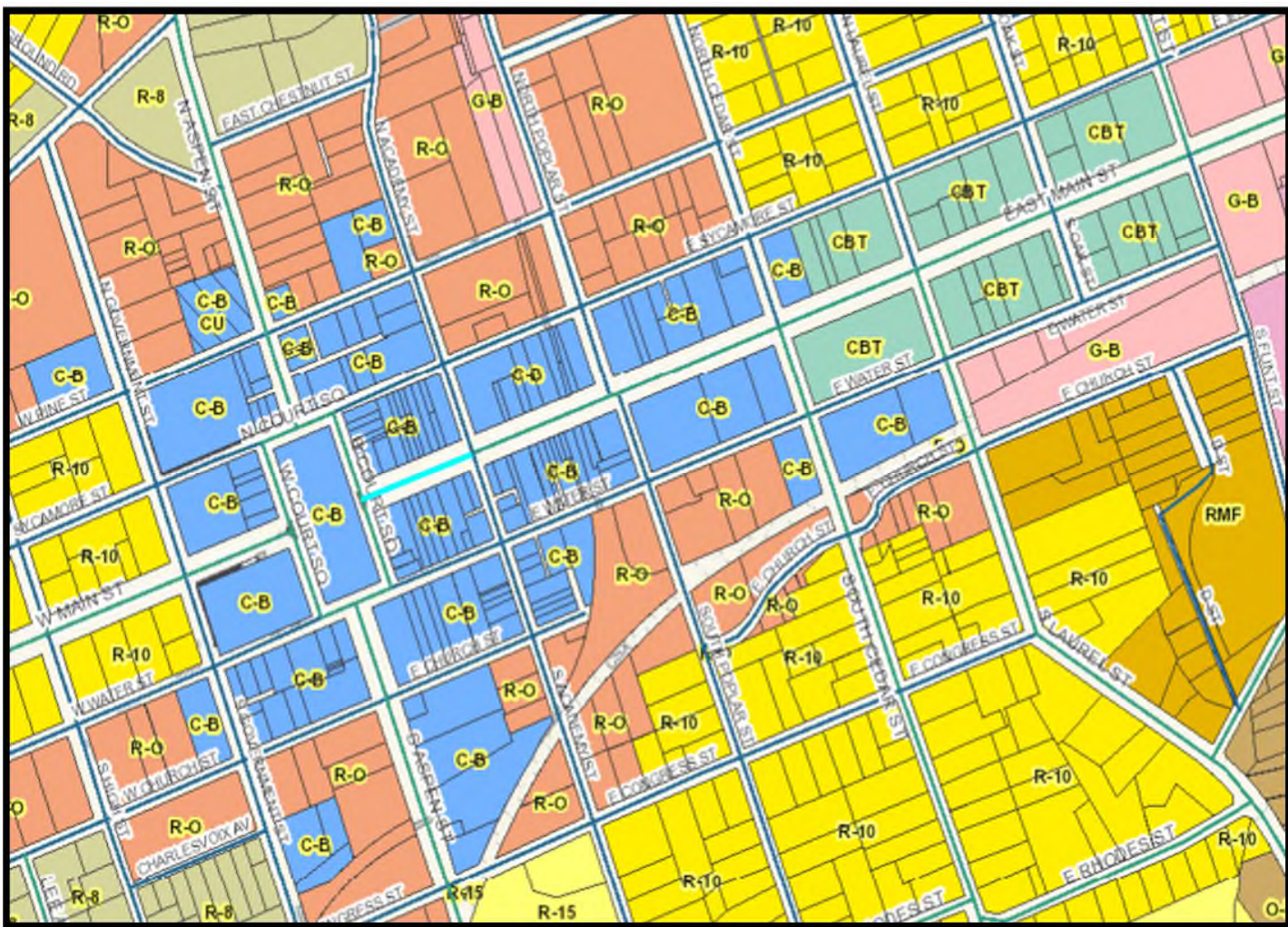
FROM: Planning Staff

SUBJECT: ZTA-2-2019 Application from Lincoln Planning Department requesting amendment to Section 153.170, Signs in the C-B (Central Business) and CBT (Central Business Transitional) districts to allow ground signs subject to certain standards and conditions

DATE: May 21, 2019

Background

Lincoln's downtown area is zoned a combination of the Central Business (C-B) and the Central Business Transitional (CBT) districts as shown on the below map.



The City's zoning regulations limit business identification signage in the C-B and CBT districts to walls signs, canopy signs and awning signs and do not allow new freestanding signs. It is atypical for zoning regulations to not allow any freestanding signage in downtown areas. Staff compared the City's ordinance with 11 other cities throughout the state and of those cities, only Lincolnton prohibits new freestanding signs in the downtown area.

Most of the buildings downtown that are set back from the street or sidewalk have a freestanding sign that either predates the zoning regulations or was allowed through a variance. Those signs remain as legal, non-conforming uses. The net effect is that some downtown businesses have the advantage of being able to be identified by signage in front of their building while others do not.

Proposed Amendment

Planning staff is proposing an amendment to allow freestanding ground signs (not pole or pylon signs) in the Central Business and Central Business Transitional zoning districts subject to location criteria, size and height limits and a design review process.

Location requirements

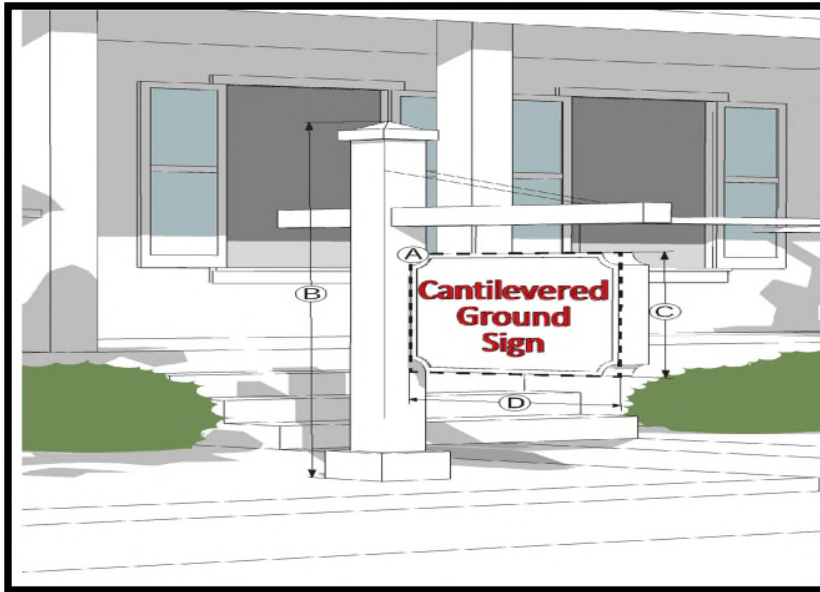
The proposed amendment would allow a ground sign if the following location requirements are met:

- The associated business is located in a building that is set back at least ten (10) feet from the abutting sidewalk.
- If sidewalk does not exist along the street frontage, the building is located at least ten (10) feet from the back of the edge of pavement or curb,
- The sign is to be located a minimum of five (5) feet behind the abutting sidewalk.
- If sidewalk does not exist along the street frontage, the sign is to be located at least ten (10) feet from the back of the edge of pavement or curb,
- The sign is to be located a minimum of five (5) feet from any side lot line, and
- The sign is to be located outside of any sight triangle at a street or driveway.

Size and Height Limits

The proposed amendment would allow a cantilevered ground sign, a post and panel sign or a monument ground sign subject to the below size and height limits:

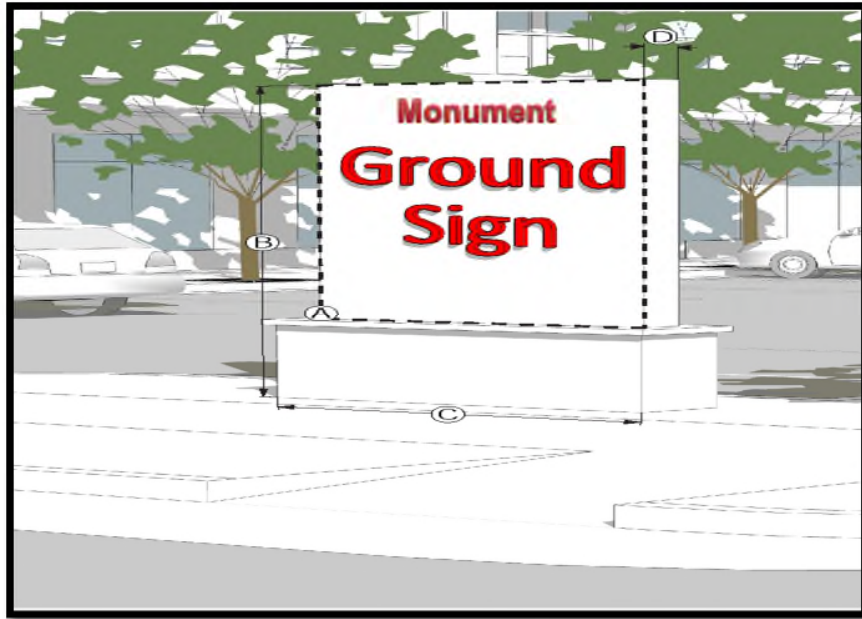
Cantilevered Ground Sign/ Post and Panel Sign



Dimensions		
Ⓐ	Display surface (max)*	9 SF
Ⓑ	Support height (max)	10'
Ⓒ	Sign height (max)	6'
Ⓓ	Display surface height, width (max)	3'

*Area associated with the text of a building name or address is exempt from maximum display surface calculation.

Monument Ground Sign



Dimensions		
Ⓐ	Display surface (max)*	8 SF
Ⓑ	Sign height (max)	8'
Ⓒ	Sign width (max)	10'
Ⓓ	Sign Thickness	12"

*Area associated with the text of a building name or address is exempt from maximum display surface calculation.

Design Review Process

The proposed amendment would require applications for freestanding signs to be consistent with the attached design guidelines and to be reviewed by a Design Review Committee appointed by the City Manager.

Staff Recommendation

Staff recommends approval of the amendment.

Zoning Amendment
Staff's Proposed Statement of Consistency and Reasonableness
for **APPROVAL** of Application

Case No. ZTA-2-2019

Applicant: City of Lincolnton Planning Department

Request: Amend Section 153.170, Signs Permitted in the C-B (Central Business) District and CBT (Central Business Transitional) District of the Unified Development Ordinance to revise the sign regulations

Proposed Consistency and Reasonableness Statement:

The proposed amendment **is consistent** with the adopted Lincolnton Land Use Plan in that it is not contrary to the goals and objectives outlined by the Plan and **approval of the amendment is reasonable and in the public interest** in that it will remove an unnecessary barrier to economic development while ensuring the protection of nearby areas.

Zoning Amendment
Staff's Proposed Statement of Consistency and Reasonableness
for **DENIAL** of Application

Case No. ZTA-2-2019

Applicant: City of Lincolnton Planning Department

Request: Amend Section 153.170, Signs Permitted in the C-B (Central Business) District and CBT (Central Business Transitional) District of the Unified Development Ordinance to revise the sign regulations

Proposed Consistency and Reasonableness Statement:

The proposed amendment **is not consistent** with the adopted Lincolnton Land Use Plan in that it is contrary to the goals and objectives outlined by the Plan and **denial of the proposed amendment is reasonable and in the public interest** in that it will maintain development requirements intended to protect nearby properties.



DRAFT

DOWNTOWN LINCOLNTON

DESIGN GUIDELINES

FOR FREESTANDING SIGNAGE



New signs in Historic Downtown Lincolnton can present special design challenges. Signs using modern materials and construction methods can be well - designed or poorly designed, as can signs constructed with traditional materials.

For this reason, proposals for freestanding business identification signs within the downtown area are subject to design standards and review by the Design Review Committee as provided for under Section 153.170 of the Unified Development Ordinance.

Freestanding business identification signs in Downtown Lincolnton are limited to ground signs. Ground signs could be a post sign that consists of a two sided sign hanging from the extended arm / bracket of a single post anchored into the ground, a sign mounted between two posts anchored into the ground or a monument ground sign.



APPLICATION PROCESS

Proposals for freestanding signs in the C-B (Central Business) and CBT (Central Business Transitional) districts shall be evaluated and approved upon a finding by the Design Review Committee that:

1. The overall design and materials used in the construction of the sign are sympathetic to the historic character of the downtown; and/or
2. The proposal represents an innovative way to achieve a sympathetic, quality design with materials and/or techniques that were not generally available in the past.

Applicants must submit, at a minimum, a detailed scale drawing of the sign indicating its dimensions, placement on the site or building, lettering sizes and fonts, and all materials that are to be used in its construction. In addition, Design Review Committee members may require the submission of samples of materials proposed if deemed necessary for proper review and consideration of the application.

LOCATION

Freestanding signs can be appropriate in locations where the following criteria are met:

1. The associated business is located in a building that is set back at least 10 feet from the abutting sidewalk. If sidewalk does not exist along the street frontage, the building is located at least 10 feet from the back of the edge of pavement or curb.
2. The sign is to be located a minimum of five (5) feet behind the abutting sidewalk. If sidewalk does not exist along the street frontage, the sign is to be located at least 10 feet from the back of the edge of pavement or curb.
3. The sign is to be located a minimum of five (5) feet from any side lot line.
4. The sign is to be located outside of any sight triangle at a street or driveway.

**MAXIMUM SIGN SIZE - CANTILEVERED GROUND SIGN/POST AND
PANEL SIGN**



Dimensions		
Ⓐ	Display surface (max)*	9 SF
Ⓑ	Support height (max)	10'
Ⓒ	Sign height (max)	6'
Ⓓ	Display surface height, width (max)	3'

*Area associated with the text of a building name or address is exempt from maximum display surface calculation.

MAXIMUM SIGN SIZE - MONUMENT GROUND SIGN



Dimensions		
Ⓐ	Display surface (max)*	8 SF
Ⓑ	Sign height (max)	8'
Ⓒ	Sign width (max)	10'
Ⓓ	Sign Thickness	12"

*Area associated with the text of a building name or address is exempt from maximum display surface calculation.

DESIGN

The design and materials used in the construction of the sign should be consistent with the historic character of downtown and meet the following criteria:

1. Materials and colors should be architecturally compatible with the building and the surrounding area.
2. Building facade materials found in downtown historically have included wood, brick and stone. Freestanding signs should use materials that are compatible in quality, texture and finish to those common in the downtown area.
3. Colors should be consistent with the suggested color palette.
4. Plastic or vinyl sign faces or lettering should be avoided.
5. Any hanging bracket, post and /or sign base should be an integral part of the design.

This



Not This



This



Not This



This



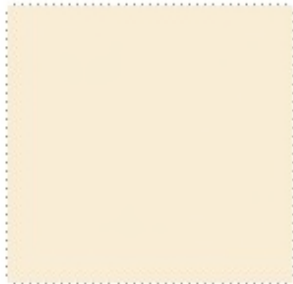
The small-scale signs above complement the historic character of the buildings they serve.

Not This



Vinyl and plastic signs and pylon signs are generally not consistent with the character of Downtown Lincolnton.

Suggested Color Palette



Roycroft Vellum
SW 2833



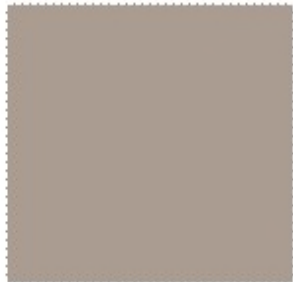
Birdseye Maple
SW 2834



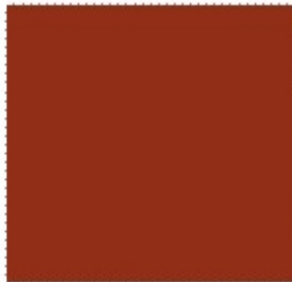
Craftsman Brown
SW 2835 P1



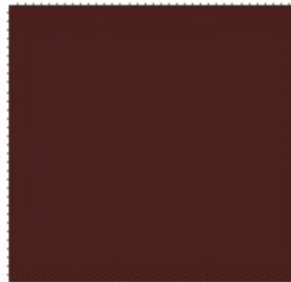
Quartersawn Oak
SW 2836



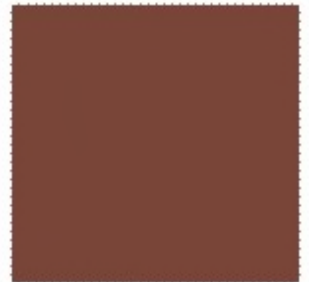
Hammered Silver
SW 2840



Roycroft Copper Red
SW 2839



Polished Mahogany
SW 2838



Aurora Brown
SW 2837



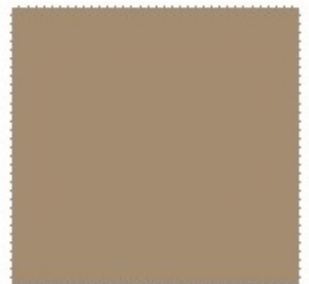
Roycroft Mist Gray
SW 2844



Roycroft Brass
SW 2843



Roycroft Suede
SW 2842



Weathered Shingle
SW 2841



Bunglehouse Gray
SW 2845



Roycroft Bronze Green
SW 2846



Roycroft Bottle Green
SW 2847



Roycroft Pewter
SW 2848

**An Ordinance to Amend the
City of Lincolnton
Unified Development Ordinance
to Modify the Sign Requirements
in the Central Business (CB) and
Central Business Transitional (CBT) Districts**

Section 1. Amend Section 153.170, Signs Permitted in the C-B Central Business District and the CBT Central Business Transitional District, to allow ground signs subject to certain standards and conditions as follows. Newly adopted language is underlined and highlighted in yellow.

§ 153.170 SIGNS PERMITTED IN THE C-B CENTRAL BUSINESS DISTRICT AND THE CBT CENTRAL BUSINESS TRANSITIONAL DISTRICT.

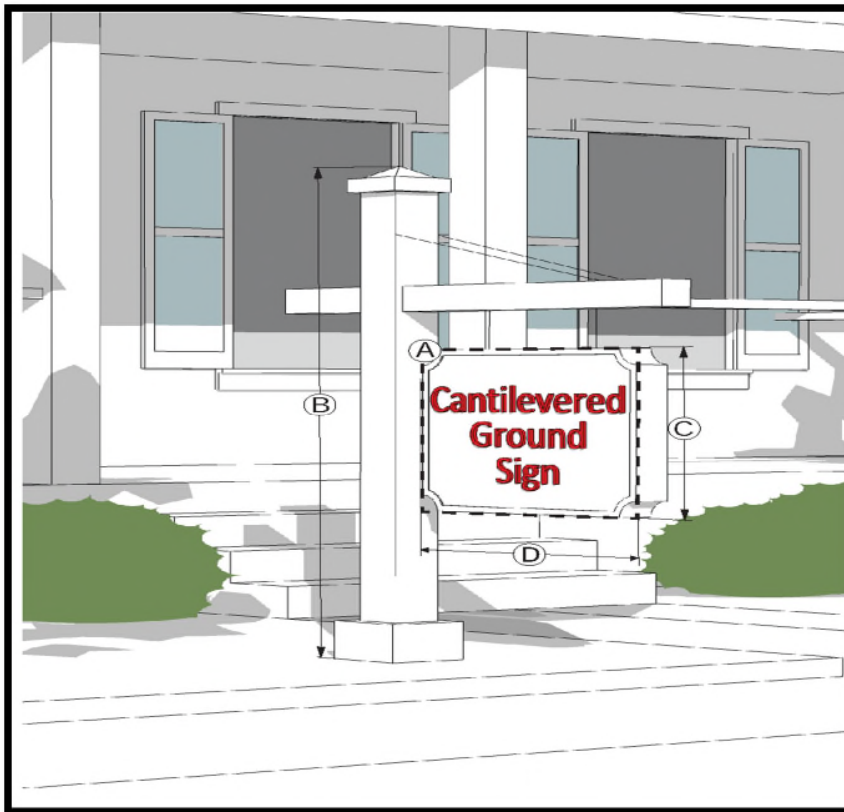
(A) *Generally.* Except as otherwise permitted by this chapter, signs in the C-B and CBT Districts shall be limited to wall signs and canopy or awning signs. Freestanding signs are limited to ground signs and allowed only in accordance with the conditions and provisions outlined in Section 153.170 (F).

(F) *Ground signs.* Freestanding identification signs are limited to ground signs subject to the following conditions and standards:

1. The associated business is located in a building that is set back at least 10 feet from the abutting sidewalk. If sidewalk does not exist along the street frontage, the building is located at least 10 feet from the back of the edge of pavement or curb.
2. The sign is to be located a minimum of five (5) feet behind the abutting sidewalk. If sidewalk does not exist along the street frontage, the sign is to be located at least 10 feet from the back of the edge of pavement or curb.
3. The sign is to be located a minimum of five (5) feet from any side lot line.
4. The sign is to be located outside of any sight triangle at a street or driveway.

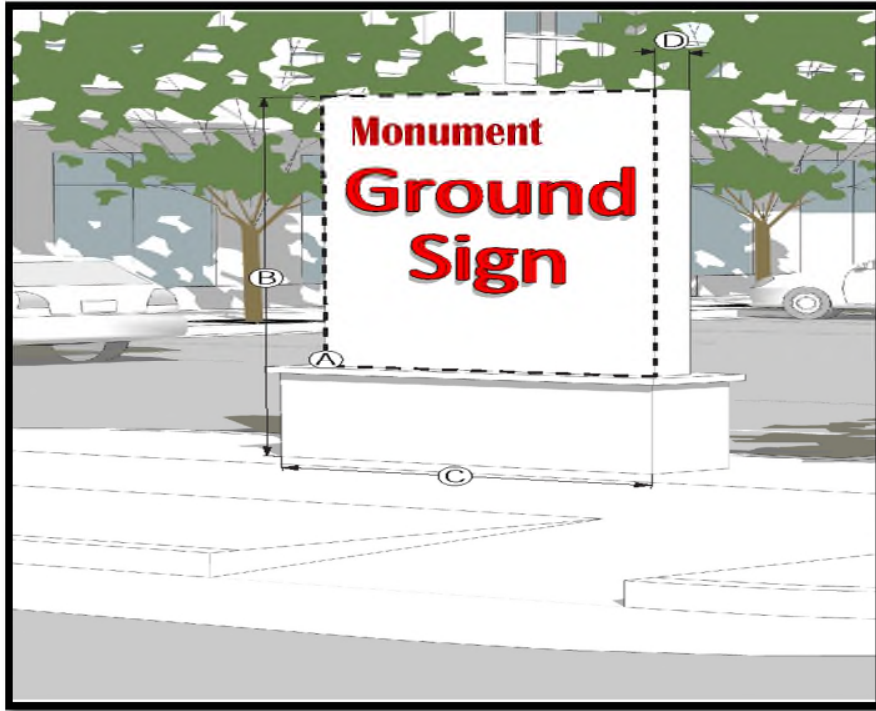
5. The dimensions of the sign shall conform to the below:

a. Cantilevered ground sign/ Post and panel sign



Dimensions		
Ⓐ	Display surface (max)	9 SF
Ⓑ	Support height (max)	10'
Ⓒ	Sign height (max)	6'
Ⓓ	Display surface height, width (max)	3'

b. Monument ground sign



Dimensions		
Ⓐ	Display surface (max)	8 SF
Ⓑ	Sign height (max)	8'
Ⓒ	Sign width (max)	10'
Ⓓ	Sign Thickness	12"

6. Area associated with the text of a building name or address is exempt from above maximum display surface calculations.
7. The design and materials used in the construction of the sign shall be consistent with the Downtown Lincolnton Design Guidelines for Freestanding Signage.
8. No freestanding sign within the CBD or CBT district shall be erected until an application for design review has been submitted to and approved by the Design Review Committee (DRC) charged with review and approval of such applications. The DRC shall be a committee comprised of City staff and appointed by the City Manager.
 - a. Application approval is required prior to the issuance of a sign permit. The sign permit may be issued subject to reasonable conditions necessary to carry out the purposes of this section.
 - b. An approved application for design review shall be required whether or not other permits may be required, but said approval does not obviate the necessity of procuring other permits as may be required by law; provided, however, any permit issued other than in conformity with this Chapter shall be invalid.

Section 2. That this ordinance shall become effective upon its adoption.