



Certified Recommendation

Raleigh Planning Commission

CR# 11610

Case Information: TC-1(A)-14 / Vehicle Signs

Comprehensive Plan Guidance

<i>Applicable Policy Statements</i>	Not applicable
<i>Action Items</i>	Not applicable

Summary of Text Change

<i>Summary</i>	Amends Section 10-2083 of the Raleigh City Code and Article 7.3 of the Part 10A Raleigh Unified Development Ordinance to regulate vehicle signs.
----------------	--

Summary of Impacts

<i>Impacts Identified</i>	<p><u>Adoption of TC-1(A)-14:</u></p> <ol style="list-style-type: none"> The adoption of the text change would allow the regulation of vehicle signs. The adoption of TC-1(A)-14 could reduce the amount of visual clutter in the urban environment and along thoroughfares. The adoption of TC-1(A)-14 would increase the workload of the zoning enforcement officers. <p><u>No Action:</u></p> <ol style="list-style-type: none"> Vehicle signs would continue to be allowed without regulation.
---------------------------	--

Public Meetings

<i>Submitted</i>	<i>Committee</i>		<i>Planning Commission</i>	
12-3-13 (Extension Granted by Council on 4-1-13)	2-18-14, 3-18-14, 4-15-18, 5-20-14, 6-17-14,	Text Change Committee		
	7-1-14	City Council (referred item to Sign Task Force)	6-24-14	Recommended Approval



Zoning Staff Report – TC-1(A)-14

Vehicle Signs

Request

<i>Section Reference</i>	Part 10 §10-2002 Definitions Part 10 §10-2083 Signage UDO Article 7.3 Signage UDO Article 12.2 Definitions
<i>Basic Information</i>	Amends the Zoning Code and UDO to add regulations to materials posted on vehicles.
<i>PC Recommendation Deadline</i>	February 24, 2015

Comprehensive Plan Guidance

<i>Applicable Policies</i>	Not applicable
<i>Action Items</i>	Not applicable

Contact Information

<i>Staff Coordinator</i>	Eric Hodge: eric.hodge@raleighnc.gov ; 919.996.2639
--------------------------	---

History/Overview

This text change was initiated by Petition of Citizen's to the City Council. Concerns were raised about vehicles that are parked adjacent to the right-of-way that are intended as signage. This activity is unregulated in the zoning codes.

Purpose and Need

This text change would regulate vehicles that are utilized as signage adjacent to the right-of-way. This practice is most prevalent along heavily-travelled thoroughfares. Vehicles are often parked in spots far away from the building entrance on the edge of a shopping center. These vehicles contain some sort of business signage either do not move or are not used for business purposes. Over time, they become a de facto free standing sign. Neither the Part 10 code nor the UDO regulates this behavior. The proposed text change would prohibit parked vehicles to be used as signage.

Alternatives Considered

No alternative other than the No Action approach was considered.

Scoping of Impacts

Potential adverse impacts of the proposed text change have been identified as follows:

The adoption of this text change would initiate the regulation of vehicle signs, and would become a work program item for zoning enforcement staff.

The adverse impacts of taking no action (retaining the existing regulations) have been identified as follows:

The allowance of vehicles as signage could contribute to the amount of visual clutter in urban and suburban environments.

Impacts Summary

Adoption of Proposed Text Change

The adoption of this text change will result in a decrease in visual clutter in the urban and suburban environments.

No action

The status quo will be maintained, and vehicle signage would not be regulated.

**ORDINANCE NO. (2015) 423 TC 364
TC-1(A)-14**

**AN ORDINANCE TO CLARIFY THE
CITY OF RALEIGH VEHICLE SIGN REGULATIONS**

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH THAT:

Section 1. Sec. 10-2002 of the Raleigh City Code, Definitions, is hereby amended by the insertion, in its proper alphabetic order, of the following underlined provisions:

Vehicle sign: Any sign attached to or painted on, or otherwise positioned, (whether exterior or interior), in or on, located upon a vehicle or a tractor trailer.

Section 2. Sec. 10-2083.2 of the Raleigh City Code, Schedule of Permitted Signs in Zoning Districts, is hereby amended by the insertion of a new sign type, vehicle sign, located between unit numbering and wall sign type; the vehicle sign is permitted as a General Use (black circle) in the following districts: Office & Institution-1, Office & Institution-2, Office & Institution-3, Buffer Commercial, Shopping Center, Neighborhood Business, Business Zone, Thoroughfare District, Industrial-1, and Industrial-2.

Section 3. Sec. 10-2083.2 of the Raleigh City Code, Specific Sign Regulations, is hereby amended by the insertion of the following underlined provisions between tract identification signs and wall signs:

Vehicle Signs shall comply with all of the following standards:

- (1) *Vehicle signs shall not be located within 40 feet of the right-of-way of any street. Vehicle signs on trailer or box truck type vehicles shall not be located within 100 feet of the right-of-way of any street.*
- (2) *Vehicle signs permitted as part of an approved temporary event or vehicles used in direct connection with the business, other than as signage, are not subject to these provisions during the course of their normal business usage.*

Section 4. Sec. 10-2083.3 of the Raleigh City Code, Prohibited Signs, is hereby amended by renumbering subsection (13) subsection (15) and by the insertion of the following underlined provisions:

- (13) *Signs attached to, painted on or otherwise positioned (whether exterior or interior), in or on an inoperable or unlicensed vehicle (motorized or non-motorized) located in view of the right-of-way.*

- (14) Signs attached to, painted on or otherwise positioned in or on a licensed vehicle that is located in view of the street right-of-way when in a location or for a period of time that indicates that the use of the vehicle is for displaying the sign to passing motorists or pedestrians, except that such signs are allowed on a temporary basis in association with a temporary event permit.

Section 5. Sec. 10-2083.4 (a) (2) of the Raleigh City Code is hereby repealed, rewritten and re-enacted to read as follows:

- (2) Any portable ground sign, temporary sign, vehicle sign or windblown sign not authorized by section 10-2083.2 shall be removed.

Section 6. Section 7.3.2 of the Part 10A Raleigh Unified Development Ordinance, Signs Allowed by District, is hereby amended by the insertion of a new sign type, vehicular sign, to follow the off-premises sign; vehicle sign is permitted (capitalized P) in the following districts: Office Park, Office Mixed Use, Neighborhood Mixed Use, Commercial Mixed Use, Downtown Mixed Use, Industrial Mixed Use, Heavy Industrial and Campus.

Section 7. Section 7.3.13 of the Part 10A Raleigh Unified Development Ordinance, Special Sign Types, is hereby amended to re-letter subsection L Windblown Signs letter M and by the insertion of the following underlined provisions:

L. Vehicle Sign

- (1) Vehicle signs shall not be located within 40 feet of the right-of-way of any street. Vehicle signs on trailer or box truck type vehicles shall not be located within 100 feet of the right-of-way of any street.
- (2) Vehicle signs permitted as part of an approved temporary event or vehicles used in direct connection with the business other than as signage, are not subject to these provisions during the course of their normal business usage.

Section 8. Section 7.3.15 of the Part 10A Raleigh Unified Development Ordinance, Prohibited Signs, is hereby amended by re-lettering subsection M letter O and by the insertion of the following underlined provisions:

- (M) Signs attached to, painted on, or otherwise positioned (whether or interior) in or on an inoperable or unlicensed vehicle (motorized or non-motorized) located in view of the right-of-way.
- (N) Signs attached to, painted on, or otherwise positioned in or on a licensed vehicle that is located in view of the street right-of-way when in a location or for a period of time that indicates that the use of the vehicle is for displaying the sign to passing motorists or pedestrians, except that such signs are allowed on a temporary basis in association with a temporary event permit.

Section 9. Section 7.3.17A of the Part 10A Raleigh Unified Development Ordinance, Nonconforming Signs, is hereby amended by inserting the following underlined language to the beginning of the code section:

Within 90 days after the effective date of this provision or within 90 days following an extension of areas in which this section is applicable any portable ground sign, temporary sign, vehicle sign or windblown sign not authorized by section 7.3.13 L shall be removed.

Section 7.3.17A of the Part 10A Raleigh Unified Development Ordinance is further amended by inserting at the beginning of the second sentence the following words “All other”

Section 10. Article 12.2 of the Part 10A Raleigh Unified Development Ordinance, Defined Terms, is hereby amended by the insertion, in its proper alphabetic order, of the following underlined provisions:

Portable ground sign: Any sign which rests upon the ground, a structure, frame, building or other surface. Portable ground signs are not affixed to a supporting structure, building or frame. Such signs include but are not limited to the following: trailer signs sandwich board signs, sidewalk signs, curb signs or A-Frame signs.

Vehicle sign: Any sign attached to or painted on, or otherwise positioned, (whether exterior or interior), in or on, located upon a vehicle or a tractor trailer.

Section 11. All laws and clauses of laws in conflict herewith are repealed to the extent of such conflict.

Section 12. The terms of this ordinance are declared to be severable pursuant to the provisions of Part 14 of the Raleigh City Code and Article 1 of the Part 10A Raleigh Unified Development Ordinance.

Section 13. If this ordinance or application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given separate effect and to this end the provisions of this ordinance are declared to be severable.

Section 14. This text change has been reviewed by the Raleigh City Planning Commission.

Section 15. This ordinance has been adopted following a duly advertised public hearing of the Raleigh City Council.

Section 16. This ordinance has been provided to the North Carolina Capital Commission as required by law.

Section 17. This ordinance shall be enforced as provided in N.C.G.S. 160A-175 or as provided in the Raleigh City Code. All criminal sanctions shall be the maximum allowed by law notwithstanding the fifty dollar limit in N.C.G.S. §14-4(a) or similar limitations.

Section 18. This ordinance is effective 90 days after adoption.

ADOPTED: April 7, 2015

EFFECTIVE: July 7, 2015

DISTRIBUTION: Planning – Bowers, Crane, Hodge
City Attorney – Botvinick, Hargrove-Bailey
Department Heads
Transcription Svcs – Taylor

Prepared by the Planning and Development Department



City of Raleigh
North Carolina

To: Ruffin Hall – City Manager

From: Joint Commission on Signage
Eric Hodge, AICP – Assistant Planning Administrator

Date: November 10, 2014

Re: Recommended Changes to City of Raleigh Sign Ordinance

The City of Raleigh Joint Commission on Signage has endorsed the following recommendations of the Sign Task Force and has proposed the following changes to both the Unified Development Ordinance and the Part 10 Zoning Code:

- Window Signage: Allow up to 50% of the windows per floor per building facade to be used for signage. This is an increase from the 30% maximum currently contained in the UDO. Remove the requirement to maintain a “free and clear” area on a window between four and seven feet.
- Vehicle Signs: Create a definition for Vehicular Signage. Vehicle signs may not be located within 40 feet of the right-of-way, unless screened. Box trucks or tractor trailers with vehicular signage must be located at least 100 feet from the right-of-way. Vehicles used solely as signage are prohibited.

The City of Raleigh Joint Commission on Signage has endorsed the following recommendations of the Sign Task Force and has proposed the following changes to only the Unified Development Ordinance given the pending citywide UDO remapping:

- Common Signage Plan/Multi-establishments: Increase the specified maximum number of colors for sites with more than 1 principal building or establishment from 3 colors plus black and white to seven colors plus black and white.
- Changeable Copy Signs: delete the word “manually” so that electronic and LED signs are included under the 4 changes per 24 hour period limitations.

Requested Action:

The City Council has provided authorization on text changes involving Window and Vehicle Signs for both the Part 10 Zoning Code and the Part 10-A Unified Development Ordinance; however, authorization is required for any text amendments related to String Lights, Common Signage Plan and Changeable Copy Signs. Staff recommends the City Council authorize the submittal of the text amendment to the UDO and not the Part 10

Zoning Code since it will be retired shortly. If the City Council so authorizes, staff will forward an ordinance to be reviewed by the Planning Commission, culminating with a public hearing at City Council. If the City Council wishes to amend the Part 10 Zoning Code as well, a joint public hearing must be held between the City Council and the Planning Commission first.

The Planning Commission has conducted reviews of earlier versions of the Vehicle and Window Sign regulations. The Joint Commission on Signage recommends the Council refer these recommendations to the Planning Commission for further review since there were modifications. If the City Council so authorizes, staff will forward the draft ordinances on to the Planning Commission for further review and recommendation, culminating with a public hearing at City Council.

Background Material

The Joint Commission on Signage discussed five primary topics related to signage in the zoning code as recommended by the Sign Task Force: window signage, vehicular signage, string lighting, Common Signage Plan/Multi-establishments and Changeable Copy Signs. Below is additional detail related to these five discussion points.

Window Signs (TC-1(B)-14):

A window sign is an on-premise sign attached flat but parallel to a window or is within 12 inches of the window. Displays of merchandise are not window signs. A sign permit is not required and window signage is exempt from consideration as signage when calculating the maximum signage allowed. Window signage is not regulated in the Part 10 zoning code as a result of a previous code interpretation that signage only occurs on the outside of the building. The new Unified Development Ordinance does include regulations for window signage.

The Joint Commission on Signage recommends increasing the amount of window signage from the 30% limitation currently found in the Unified Development Ordinance to 50% (maximum combination of all windows covered by window signs) per façade per floor and not less than 32 square feet per façade per floor.

The Joint Commission also recommends the deletion of the following limitation on window signage currently found within the Unified Development Ordinance: "Window signs may only cover 5% of window area between 4 and 7 feet above the adjacent sidewalk."

A public hearing has already occurred for the Part 10 zoning code changes. A public hearing has not occurred for the UDO changes. If the City Council concurs with this recommendation, Staff will forward these suggestions to the Planning Commission for review and recommendation.

Vehicle Signs (TC-1(A)-14):

Vehicle signage is not currently regulated in either the Part 10 code or the UDO. A definition for vehicle signage would be added to each code, as would standards for vehicle signs. The Joint Commission recommends the inclusion of the following language to the Unified Development Ordinance:

Vehicle sign: Any sign attached to or painted on, or otherwise positioned, (whether exterior or interior), in or on, located upon a vehicle, trailer or a tractor trailer.

Vehicle Signs shall comply with all of the *following* standards:

Vehicle signs shall not be located within 40 feet (100 feet for a trailer or box truck) of the right-of-way of any street unless parking concealed from the right-of-way or further from the right-of-way does not exist.

Vehicle signs permitted as part of an approved temporary event or vehicles used in direct connection with the business, other than as signage, are not subject to these provisions during the course of their normal business usage.

Prohibited:

Signs attached to, painted on or otherwise positioned (whether exterior or interior), in or on an inoperable or unlicensed vehicle (motorized or non-motorized) located in view of the right-of-way.

Signs attached to, painted on or otherwise positioned in or on a licensed vehicle that is located in view of the right-of-way when in a location or for a period of time that indicates that the use of the vehicle is for displaying the sign to passing motorists or pedestrians, except that such signs are allowed on a temporary basis in association with a temporary event permit.

A public hearing has been conducted for the Part 10 code changes. A public hearing has not occurred for the UDO changes. The Planning Commission reviewed the initial text change and recommended approval. The Sign Task Force suggested modification to the regulations somewhat and those recommendations have also been endorsed by the Joint Commission. If the City Council concurs with this recommendation, staff suggests that the vehicle sign text change be forwarded to the Planning Commission for additional review and recommendation.

Changeable Copy Signs (Part of TC-1(C)-14):

In order to limit the frequency with which electronic or LED signs can change their imagery, both the Joint Commission on Signage and the Sign Task Force recommend deleting the word “manually” from the regulations governing changeable copy signs so that all types of changeable copy signs are regulated equally and are limited to changing only 4 times within a 24 hour period.

If City Council agrees with this recommendation and authorizes a text change on this topic, staff will forward the draft text change to the Planning Commission for their review and recommendation. Staff suggests that a text change be processed for only the UDO, as the Part 10 zoning code will be retired shortly.

Common Signage Plan/Multi-establishments (Part of TC-1(C)-14):

To achieve congruity within sites with more than one principal building or development containing more than one establishment, a common signage plan must be approved by staff. Both the Part 10 Zoning Code and the Unified Development Ordinance limit the specific number of colors for common signage plans to three colors plus black and white. Both the Joint Commission on Signage and the Sign Task Force recommend increasing the number of allowed colors to seven plus black and white.

Planning and Development Staff, as well as the City’s Economic Development Staff, recommend removing all limitations on the number of colors allowed for these types of developments if the Council is so inclined to move in this direction. Staff feels that if all of the primary colors in the color spectrum could be allowed under the proposed text change (seven colors plus black and white), then what is the harm in allowing additional tones into the allowed signage color palette. It would allow for more sign creativity within a development, even more than the Joint Commission on Signage is proposing.

If City Council agrees with this recommendation of the Joint Commission on Signage or that of Staff and authorizes a text change on this topic, staff will forward the draft text change to the Planning Commission for their review and recommendation. Staff suggests that a text change be processed for only the UDO, as the Part 10 zoning code will be retired shortly.

No Recommended Action: String Lights

String lighting is not currently regulated in either the Part 10 zoning code or the UDO. The Sign Task Force recommended the inclusion of String Light regulations but the Joint Commission on Signage did not endorse the Task Force's recommendation and does not endorse the regulation of string lighting.

Additional Signage Concerns:

The Joint Commission on Signage would like additional direction from the City Council as to what the other issues are relative to the sign ordinance that need the Joint Commission's future consideration.