

AGENDA

Newton Planning Commission

August 23, 2016

7:00 p.m.

**City of Newton
City Hall – Council Chambers
401 N. Main Ave.
Newton, NC**

1. Roll Call
2. Consideration of Minutes
 - July 26, 2016 Meeting Minutes
3. Public Hearing
 - a. **Text Amendment #2016-05** is a proposed amendment to the Zoning Ordinance, which pertains to sign regulations within the B-3 Central Business District (downtown).
4. New Business
5. Old Business
6. Reports
7. Adjournment

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Minutes
Newton Planning Commission
 July 26, 2016

The regular meeting of the Newton Planning Commission was held at 7:00 p.m. on July 26, 2016 in the Council Chambers at City Hall.

Members

Present: Donny Setzer, Vice-Chairman
 Carmen Isenhower
 Melinda Travis
 Jim Smith
 David Weldon

Members

Absent: Ken Simmons, Chairman
 Mark Stalnaker

Staff

Present: Randolph S. Williams, AICP, Planning Director
 Alex Fulbright, Assistant Planning Director

Item 1: Call to Order

Vice-Chairman Setzer called the meeting to order at 7:00 pm.

Item 2: Consideration of Minutes from prior meeting

Vice-Chairman Setzer asked for consideration of the minutes of the **March 22, 2016** meeting. Being that there was no objections, **Vice-Chairman Setzer** ruled that the minutes approved as presented.

Item 3: Public Hearings

- a. **Rezoning Application #2016-03** filed by Accent Industries, Inc. The Applicant is seeking to rezone the properties located 230 Ann Avenue from an EM-1 Exclusive Manufacturing District to a M-1 General Manufacturing District. The property requested to be rezoned is 1.73 acres and are identified as Catawba County Parcel ID# 3741-19-50-5341.

Vice-Chairman Setzer opened the public hearing and recognized **Assistant Planning Director Alex Fulbright**.

Mr. Fulbright reviewed his memo that read:

Melissa Sigmon on behalf of Accent Industries, Inc. is requesting that the property located at 230 Ann Avenue, containing 1.73 acres be rezoned from an existing EM-1 Exclusive Manufacturing District to M-1 General Manufacturing District. The proposed rezoning if approved will permit commercial uses and product assembly. The subject adjacent site is also known as Catawba County Pin # 3741-19-50-5341

and is located in the southwestern quadrant of the intersection of Burris Road and Ann Avenue. Accent Industries is the owner of the site.

The surrounding zoning is as follows:

	ZONING	LANDUSE
Subject	EM-1 Exclusive Manufacturing	Auto repair and wholesale auto sales
North	EM-1 Exclusive Manufacturing	Warehousing and Distribution
South	EM-1 Exclusive Manufacturing	Vacant and Manufacturing
East	R-9 Multifamily Residential	Residential
West	EM-1 Exclusive Manufacturing	Manufacturing

The area under consideration has been zoned EM-1 Exclusive Manufacturing since the adoption of the City's 1966 Zoning Map. At that time the site was in the City's Extraterritorial Jurisdiction. The property was annexed into the City in the late 80's as part of the Eastside annexation. There have not been any zoning map amendments to the subject site or adjoining properties.

The property was historically used for manufacturing use. Currently, the site is being used by Performance Auto Exchange. Performance Auto Exchange is using the 35,000 square foot building for vehicle repair, wholesale vehicle sales, and vehicle storage with major vehicle repair being the primary use of the site. This use is not permitted in the Exclusive Manufacturing district and no certificate of occupancy was applied for or was issued. If the rezoning request is approved the tenant of the building intends to continue operating his business at that location as he has since 2015.

The site has frontage along Ann Avenue, which is classified as a local access streets; and Burris Road which is classified as Collector Street. There are no planned improvements to either street.

City water and sewer are provided to the subject site. The site obtains power through Duke Energy.

The proposed request **is consistent** with the 2005 Eastside Area Plan's Future Land Use. The plan shows the area as industrial but it does not differentiate between M-1 and EM-1.

The Public notice for this rezoning case has been performed as follows:

Newspaper: published on July 15 and July 22, 2016.

Posted on-site: posted July 14, 2016

Mailed notices: sent notice to the owner of the site, owners of adjacent property, and the owners of property within 100 feet of the property adjacent to the subject site. 27 letters were sent on July 14, 2016

Mr. Fulbright concluded his presentation.

Mrs. Melissa Sigmon spoke in support of her application and stated that she was available to answer any questions.

Vice-Chairman Setzer closed the public hearing.

After some discussion, a motion was made by **David Weldon** and seconded by **Carmen Isenhower** to recommend that the City Council approve the request. The Planning Commission unanimously approved the motion.

Item 4: New Business

a. Downtown Signage

Vice-Chairman Setzer recognized Mr. Randy Williams.

Mr. Williams introduced the topic of downtown signage. He mentioned that it was a concern of downtown merchants because they were limited to one sign per frontage and that recently the Downtown Newton Development Association sponsored a presentation by a sign designer that illustrated the need to have multiple signs on the same building in order to be visible to pedestrians and passing motorists. Mr. Williams mentioned that the signage that is on H & W Drug Store would not be permitted under the current ordinance. H & W has a projecting sign, a flat sign, and an awning sign. Mr. Williams explained that a simple fix would be amending the existing sign ordinance to exclude language that limited signs to one per street frontage and leaving the maximum allowable sign area the same. Mr. Williams stated that this is the same way signs within both manufacturing districts are addressed. Mr. Williams concluded his presentation and requested that the Planning Commission consider the issue.

The Planning Commission discussed the proposal and the general consensus was that changes to the sign ordinance that would allow multiple signs within the downtown should be considered. A public hearing on the proposal would be held at the August Planning Commission meeting and the downtown merchants would be notified.

Item 5: Old Business

There was no old business to discuss.

Item 6: Monthly Reports

Staff reviewed department activity and recent City Council actions.

Item 7: Adjournment

With no further business, the meeting was adjourned.

Respectfully submitted,

Alex Fulbright
Recording Secretary

Memorandum

TO: Newton Planning Commission
FROM: Alex Fulbright, Assistant Planning Director
DATE: July 22, 2016
SUBJECT: Downtown Signage

At the last meeting, staff presented the topic of allowing multiple signs on buildings in downtown. Currently, one (1) sign attached to a building frontage is permitted in the B-3 Central Business District (downtown). Attached is a potential amendment to the sign code that would permit multiple signs on downtown building frontages. It is intended to be a starting point to begin the conversation as to what if any changes the Planning Commission may want to consider. The deletions are ~~struck through~~ and the additions are in red.

Please give me a call prior to the meeting if you have any questions.

Sec. 102-356. - Schedule.

The schedule of permitted area and number of signs is as follows:

TABLE 7-1. SCHEDULE OF PERMITTED AREA AND NUMBER OF SIGNS

District	Number	Maximum Area (square feet)	Illuminated
R-20 ⁴	1	16	No
R-20A ⁴	1	16	No
R-11 ⁴	1	16	No
R-9 ⁴	1	16	No
R-7 ⁴	1	16	No
R-7A ⁴	1	16	No
P-1	See note 1, 2	2 per linear ft. of bldg. ftg.	Yes
B-1	See note 1, 2	2 per linear ft. of bldg. ftg.	Yes
B-2	See note 1, 2	3 per linear ft. of bldg. ftg.	Yes
B-3	See note 1, 2 3	2 per linear ft. of bldg. ftg.	Yes
B-4	See note 1, 2	3 per linear ft. of bldg. ftg.	Yes
M-1	See note 3	3 per linear ft. of bldg. ftg.	Yes
EM-1	See note 3	3 per linear ft. of bldg. ftg.	Yes

Notes:

1. One sign which is to be attached to a building meeting these requirements is permitted for each side of the building fronting on a public street, except that freestanding signs are limited to one per lot. The maximum area of the free-standing sign shall not exceed the applicable linear footage for the largest amount of building frontage.

2. Where two or more establishments are located on the same zoning lot and free-standing signs are to be used, the individual signs identifying the premises and its occupants shall be combined in one sign of unified design. The maximum area of the free-standing sign shall not exceed the applicable linear frontage or the largest amount of building frontage.
3. There is no limit to the total number of signs permitted, regardless of their placement upon the building, subject to the maximum total area limits. Free-standing signs are limited to no more than one per abutting street. The maximum area of the free-standing sign shall be per notes 1 and 2.
4. Signs incidental to churches and civic organizations located in residential districts shall be permitted subject to the following limitations: Maximum area: 0.2 square feet per linear footage of lot frontage on public streets, not to exceed 100 square feet. For church and civic organizations which occupy lots with less than 80 feet of street frontage, a sign of not more than 16 square feet in area is permitted. Maximum number: One free standing sign per abutting public street. Maximum height: Six feet above adjacent grade. Illumination: Internal only.

(Code 1972, ch. 26, fig. 8-1; Ord. No. 91.53, 10-16-1991; Ord. No. 92.1, § 1, 1-22-1992; Ord. No. 2000.1, § 2, 1-4-2000)

CITY OF NEWTON
ZONING PERMIT SUMMARY REPORT

June, 2016

Type of permit	SINGLE FAMILY RESIDENTIAL		MULTI-FAMILY RESIDENTIAL		COMMERCIAL		INDUSTRIAL		NON-PROFIT & GOVERNMENT		TOTAL	
	#	value	#	value	#	value	#	value	#	value	#	value
New Construction	0	\$0	0	\$0	0	\$0	0	\$0	0	\$0	0	\$0
Addition	3	\$61,500	0	\$0	0	\$0	0	\$0	0	\$0	3	\$61,500
Sign	0	\$0	0	\$0	2	\$1,600	0	\$0	0	\$0	2	\$1,600
Mobile Home	0	\$0	0	\$0	0	\$0	0	\$0	0	\$0	0	\$0
Structure Moving	0	\$0	0	\$0	0	\$0	0	\$0	0	\$0	0	\$0
Remodel/Alteration	0	\$0	0	\$0	2	\$130,000	0	\$0	0	\$0	2	\$130,000
Demolition	0	\$0	0	\$0	0	\$0	0	\$0	0	\$0	0	\$0
Accessory	1	\$850	0	\$0	0	\$0	0	\$0	0	\$0	1	\$850
Occupany/use change	0	\$0	0	\$0	4	\$0	1	\$0	1	\$0	6	\$0
TOTAL	4	\$62,350	0	\$0	8	\$131,600	1	\$0	1	\$0	14	\$193,950

CITY OF NEWTON
ZONING PERMIT SUMMARY REPORT

July, 2016

Type of permit	SINGLE FAMILY RESIDENTIAL		MULTI-FAMILY RESIDENTIAL		COMMERCIAL		INDUSTRIAL		NON-PROFIT & GOVERNMENT		TOTAL	
	#	value	#	value	#	value	#	value	#	value	#	value
New Construction	1	\$90,000	0	\$0	0	\$0	0	\$0	0	\$0	1	\$90,000
Addition	0	\$0	0	\$0	0	\$0	1	\$4,200,000	0	\$0	1	\$4,200,000
Sign	0	\$0	0	\$0	1	\$70,000	0	\$0	0	\$0	1	\$70,000
Mobile Home	0	\$0	0	\$0	0	\$0	0	\$0	0	\$0	0	\$0
Structure Moving	0	\$0	0	\$0	0	\$0	0	\$0	0	\$0	0	\$0
Remodel/Alteration	2	\$8,500	1	\$20,759	2	\$125,000	0	\$0	0	\$0	5	\$154,259
Demolition	0	\$0	0	\$0	0	\$0	0	\$0	0	\$0	0	\$0
Accessory	1	\$30,000	0	\$0	1	\$5,000	0	\$0	0	\$0	2	\$35,000
Occupany/use change	0	\$0	0	\$0	1	\$300	0	\$0	1	\$0	2	\$300
TOTAL	4	\$128,500	1	\$20,759	5	\$200,300	1	\$4,200,000	1	\$0	12	\$4,549,559