

**JACKSONVILLE PLANNING ADVISORY BOARD
REGULAR MEETING AGENDA
March 14, 2016 6:00 P.M.**

**COUNCIL CHAMBERS
JACKSONVILLE CITY HALL**

- I. CALL TO ORDER**
- II. PLEDGE OF ALLEGIANCE**
- III. INVOCATION**
- IV. APPROVAL OF THE AGENDA**
- V. REVIEW & APPROVAL OF THE MINUTES**
Regular Meeting – February 8, 2016
- VI. CITY COUNCIL UPDATE – Councilman Robert Warden**
- VII. OLD BUSINESS - None**
- VIII. NEW BUSINESS**
 - A. UDO Text Amendment - Article 5: Development Standards, Section 5.12
Signage, M: Billboards
- IX. REPORTS**
 - A. Planning & Permitting Administrator
 - B. Development Services Director
- X. ADJOURNMENT**

**JACKSONVILLE PLANNING BOARD
REGULAR MEETING AGENDA
February 8, 2016, 6:00 p.m.**

**COUNCIL CHAMBERS
JACKSONVILLE CITY HALL**

Present: Homer Spring, Doug Lesan, Theresa VanderVere, Jim Dorn, Suzanne Nelson, and Grover Lewis.

Absent: Al Keyes, Thomasine Moore, and Albert Burgess.

Others Present: Bob Warden, Reginald Goodson, Ryan King, Jeremy Smith, and Pam Ramsey.

I. [CALL TO ORDER](#)

The regularly scheduled Jacksonville Planning Advisory Board meeting was called to order by Chairman Homer Spring at 6:00 pm on Monday, February 8, 2016 in Council Chambers at Jacksonville City Hall.

II. [PLEDGE OF ALLEGIANCE](#)

Grover Lewis led the Board in reciting the Pledge of Allegiance.

III. [INVOCATION](#)

Doug Lesan gave the invocation.

IV. [APPROVAL OF THE AGENDA](#)

Theresa VanderVere moved to approve the agenda as presented. Grover Lewis seconded the motion.

The motion to approve the agenda as presented was unanimously approved by the Board Members present.

V. [REVIEW & APPROVAL OF THE MINUTES Regular Meeting - January 11, 2016](#)

Doug Lesan moved to approve the minutes as presented. Jim Dorn seconded the motion.

The motion to approve the minutes as presented was unanimously approved by the Board Members present.

VI. [CITY COUNCIL UPDATE – Councilman Robert Warden](#)

Councilman Warden gave a report.

VII. [OLD BUSINESS - None](#)

There was no old business.

VIII. NEW BUSINESS

A. [Map Amendment - Rezoning from Industrial \(IND\) to Corridor Commercial \(CC\) - Western Boulevard and Lejeune Boulevard](#)

City Staff has initiated a rezoning request for 31 parcels of land along Western Boulevard and Lejeune Boulevard totaling 21 acres (approximate). The request would change 31 parcels currently zoned Industrial (IND) to Corridor Commercial (CC). The 17 parcels along Western Boulevard would be consistent with the City's future land use plans. The other 14 parcels along Lejeune Boulevard will be consistent if staff is directed to update the CAMA Land Use Plan along with this request and would be done along with our annual updates.

Since July 2014, staff has been analyzing zoning changes that may need to occur due to land use patterns of areas, uses identified in the Use Table within the Unified Development Ordinance (UDO), and subsequent development requirements found within the UDO (adopted April 2014). This specific area, the first of several rezoning's that staff intends to potentially bring forward for consideration would eliminate non-conformities (Liberty Inn Hotel, 2 shopping centers including Brynn Marr Plaza), eliminate Industrial zoning adjacent to two major corridors, and place the properties in the zoning classification that suits the current uses and the future uses we would expect to see along these corridors.

Article 5.6 Transportation Impact Analysis (TIA) of the Jacksonville Unified Development Ordinance (UDO) identifies the type of applications that necessitate an assessment, which includes a zoning map amendments (rezoning). In typical fashion, staff did not recommend that a TIA be prepared and would defer any possible TIA to an actual development proposal if/when one is submitted.

The parcels proposed for rezoning are located on Western and Lejeune Boulevards and are currently used for a variety of lands uses which include, but are not limited to retail, automotive service and repair, hotel, and restaurants. The parcels are bordered to the North across Brynn Marr Road by property zoned Corridor Commercial (CC) and used for various service and retail related uses; property to the South across Lejeune Boulevard are located on Camp Lejeune; parcels to the west are zoned Industrial (IND) and used for various construction and service related uses; and parcels to the east across Western Boulevard are zoned Corridor Commercial (CC) and used for various service and retail related uses. None of the parcels identified within the rezoning request are found within the Flight Path Overlay District (FPOD).

Anytime a rezoning occurs, new uses will be allowed and some old uses will no longer be allowed. Staff has identified the following uses that are currently permitted within the Industrial (IND) zoning district, and will become special uses if the rezoning to Corridor Commercial is approved: Halfway house, homeless shelters, telecommunication tower (freestanding), adult arcade, self-service storage, automotive painting/body shop, automotive wrecker service, truck and trailer rental/sales, contractor (building, heating, plumbing and electrical), heavy equipment (sales, rental, storage, servicing, repair), machine shop, light manufacturing, cold storage plant, outdoor storage (principal use), truck or freight terminal, warehouse (distribution), and recycling and salvage center. The following uses are currently permitted within the Industrial (IND) zoning district and will no longer be allowed if the rezoning to Corridor Commercial is approved; Boat repair and servicing, concrete/asphalt plant, fuel oil/bottled gas distribution, and heavy manufacturing.

In addition to the aforementioned changes, 16 new uses will be allowed. These uses included but are not limited to: shopping center, hotel/motel, indoor theatre, and nursing home. In accordance with the North Carolina General Statutes, all property owners within 100 feet of the subject parcels have been notified of the proposed rezoning.

In addition, Public Hearing Notifications were posted on the property and in the Jacksonville Daily News advertising the public hearing.

Staff recommends the Planning Advisory Board recommend approval the rezoning request based on Findings of Facts B thru J being found in the affirmative and direct staff to update the CAMA Plan for those parcels along Lejeune Boulevard in order to make the rezoning consistent with Finding of Fact A being found in the affirmative and

find that the rezoning advances the public interest by allowing for more orderly and logical development.

Theresa VanderVere moved to approve the rezoning request based on Findings of Facts B thru J being found in the affirmative and direct staff to update the CAMA Plan for those parcels along Lejeune Boulevard in order to make the rezoning consistent with Finding of Fact A being found in the affirmative and find that the rezoning advances the public interest by allowing for more orderly and logical development. Doug Lesan seconded the motion.

The motion to approve the rezoning request based on Findings of Facts B thru J being found in the affirmative and direct staff to update the CAMA Plan for those parcels along Lejeune Boulevard in order to make the rezoning consistent with Finding of Fact A being found in the affirmative and find that the rezoning advances the public interest by allowing for more orderly and logical development was unanimously approved by the Board Members present.

IX. REPORTS

A. [Planning & Permitting Administrator](#)

Ryan King gave a report.

B. [Development Services Director](#)

Reginald Goodson gave no report.

X. [ADJOURNMENT](#)

Grover Lewis moved to adjourn at 6:15 pm. Jim Dorn seconded the motion.

The motion to adjourn at 6:15 pm was unanimously approved by the Board Members present.

Adopted this 14th day of March, 2016 for the 8th day of February, 2016.

Homer Spring, Chairman

ATTEST:

Pamela Ramsey
Permitting Specialist Supervisor



Request for Planning Advisory Board Recommendation

Agenda	A
Item:	
Date: 3/14/2016	

Subject: Unified Development Ordinance Text Amendment – Article 5:
Development Standards, Section 5.12 Signage, M: Billboards
Department: Development Services
Presented by: Ryan King, Planning & Permitting Administrator

Issue Statement

Staff has initiated a Unified Development Ordinance (UDO) text amendment that would clearly identify that changeable messages (electronic) on billboards are prohibited. The proposed language would be added to Section 5.12 Signage and is needed to add clarity to the City's ordinance.

Financial Impact

None

Action Needed

Consideration of the Zoning Text Amendment

Recommendation

Staff advise the Planning Board move to recommend approval of the zoning text amendment found in Attachment A.

Attachments:

- A Proposed Zoning Text Amendment Ordinance



Staff Assessment

Agenda Item:	A
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Unified Development Ordinance Text Amendment – Article 5: Development Standards, Section 5.12 Signage, M: Billboards

Introduction

Staff has initiated a Unified Development Ordinance (UDO) text amendment that would clearly identify that changeable messages (electronic) on billboards are prohibited. The proposed language would be added to Section 5.12 Signage and is needed to add clarity to the City's ordinance. This will codify the stance the City has taken on this issue for years and is needed in light of recent case law.

Notable Dates

- March 1, 2016 Staff initiated this text amendment.
- March 14, 2016 the Planning Board will provide a recommendation on the proposed zoning text amendment.
- March 22, 2016 City Council will conduct a public hearing and consider this request.

Public Hearing Notification Assessment

"Before adopting, amending, or repealing any ordinance authorized by this Article, the City Council shall hold a public hearing on it. A notice of the public hearing will be given once a week for two successive calendar weeks in a newspaper having general circulation in the area. The notice shall be published the first time not less than 10 days nor more than 25 days before the date fixed for the hearing." Notifications in accordance with North Carolina General Statutes will be followed.

Options:

1) Recommend approval of the zoning text amendment found in Attachment A. **(Staff Recommended)**

- Pros: Would add clarity as it relates to the fact that changeable messages on billboards within the City of Jacksonville's jurisdiction are prohibited.
- Cons: None

2) Defer action on the zoning text amendment.

- Pros: None
- Cons: The City's UDO would not contain clarity necessary pertaining to this issue.

3) Deny the zoning text amendment

- Pros: None
- Cons: The City's UDO would not clearly identify that changeable messages on billboards is prohibited.

ORDINANCE (# 2016-)

AN ORDINANCE AMENDING THE CITY OF JACKSONVILLE UNIFIED DEVELOPMENT ORDINANCE

BE IT ORDAINED by the Jacksonville City Council that Unified Development Ordinance Text Amendment – Article 5: Development Standards, Section 5.12 Signage, M: Billboards be amended. Underlining indicates a proposed addition to the text. ~~Strikethrough~~ indicates the deletion of existing text.

M. Billboards

1. Billboards shall be permitted only in the Billboard Overlay Zone as shown on the Official Zoning Map for the City of Jacksonville and its extraterritorial jurisdiction. For the purposes of this Chapter, Billboards constitute a separate and distinct land use due to their size and prominence upon the landscape, and are therefore subject to the following separate regulatory provisions. It is recognized that billboards provide the opportunity to advertise products, services, and ideas; however, because of their sheer size, location in proximity to buildings, and potential for storm damage these signs can be aesthetically undesirable, create traffic hazards, and present dangers to adjoining properties. Therefore, it is the purpose of this ordinance to allow for the establishment of billboards under specific, limited circumstances.
2. No two billboards shall be spaced less than 2000 feet apart on the same side of the roadway on all streets and rights-of-way where they are allowed. In addition, no two billboard structures shall be placed within 1000 feet in either direction of the nearest point on the opposite side of the same right-of-way from an existing billboard. When determining the distance between signs the measurement shall be from the nearest points of the respective signs (including braces, overhang, etc.).
3. No billboards shall be allowed within 750 feet of the center point of an intersection where both roads allow billboards nor within 750 feet of the interior apex of an angle intersection, where both roads allow billboards.
4. All billboard structures, including overhangs and all other components, shall be set back at least 20 feet from the nearest road right-of-way.
5. The maximum allowable height for a billboard shall be 40 feet.
6. No one copy area of any billboard structure shall exceed four hundred square feet, and there shall be no more than one copy area facing any one side of the traveled roadway on any sign structure.
7. Changeable message signs are prohibited. This includes but is not limited to digital displays (electronic/LED), mechanical rotating panels or other similar methods of changing the message shown on the sign.

Attachment

A

8. All billboards shall be plainly marked with the name of the person, firm, or corporation erecting and maintaining such sign and shall have affixed the firm number issued for said sign by the building inspector.
9. All owners of billboards are required to obtain and maintain an annual billboard permit in order for the billboard to be considered a conforming use. Billboard permits shall only be issued for billboards that are in complete conformance with the requirements of this ordinance. If a billboard permit expires, the billboard shall be deemed non-conforming until a new permit is obtained. For the purposes of this subsection, a billboard shall be considered "destroyed" if damaged to an extent that the cost of repairing the billboard to its former stature or replacing it with an equivalent billboard equals or exceeds 50 percent of the tax value, as listed in the Onslow County Tax Office, of the billboard so damaged.

Adopted by the Jacksonville City Council in regular session on this 22nd day of March, 2016.

Sammy Phillips, Mayor

ATTEST:

Carmen K. Miracle, City Clerk

