

TC-6-23
STREETSCAPE PLAN AND CUSTOM SIGNAGE PLAN PROCESSES
ORDINANCE NO. (XXX-20XX)

AN ORDINANCE TO AMEND THE PART 10
RALEIGH UNIFIED DEVELOPMENT ORDINANCE REGARDING
STREETSCAPE PLANS AND CUSTOM SIGNAGE PLANS

WHEREAS, the City allows for Streetscape Plans that provide prescriptive treatment for the roadway and streetscape within a defined geographic area; and

WHEREAS, the process for the application, review, and adoption of Streetscape Plans should be updated to create consistency and accountability for applicants and staff; and

WHEREAS, certain legacy Streetscape Plans also allowed for custom signage; and

WHEREAS, these elements should be decoupled and a new Custom Signage Plan process should be established.

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

Section 1. Section 4.6.2. of the Part 10 Raleigh Unified Development Ordinance, Campus Areas – Modification of District Standards, is hereby amended by adding the language shown in underline and deleting the language shown in strikethrough:

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C. Use and Development Standards

A CMP Master Plan may modify the following requirements of Chapters 6 and 7.
General Use and Development Standards:

1. Section 6.1.4., Allowed Principal Use Table, and any Limited or Special Use standard listed in Articles 6.2. through 6.8.
2. Article 7.1. Parking ~~.The entire campus may be treated as a single development for the purposes of calculating and sharing required parking.~~
3. Article 7.2. Landscaping and Screening.
4. ~~Article 7.3. Signs.~~
5. 4. Article 7.4. Site Lighting.
6. 5. Article 7.5. Outdoor Display and Storage.

D. Allowed Sign Modifications

Within a CMP District, the requirements of Article 7.3. Signs may be modified in accordance with Sec. 10.2.21. Custom Signage Plan. A request for the establishment of a CMP District may be filed concurrently with a Custom Signage Plan.

~~D.-E.~~ Street and Blocks

A CMP Master Plan may modify the following requirements of Chapter 8. Subdivision & Site Plan Standards:

1. Article 8.3. Blocks, Lots, Access.
2. Article 8.4. New Streets.
3. Article 8.5. Existing Streets.

Section 2. Section 4.7.3. of the Part 10 Raleigh Unified Development Ordinance, Planned Development - Allowed Sign Modifications, is hereby amended by adding the language shown in underline and deleting the language shown in strikethrough:

Sec. 4.7.3. Allowed Sign Modifications

Within a PD District, the requirements of Article 7.3. Signs may be modified in accordance with Sec. 10.2.21. Custom Signage Plan. A request for the establishment of a PD District may be filed concurrently with a Custom Signage Plan. ~~according to an approved common signage plan developed as part of the Master Plan. No modification shall be allowed until all of the following are met.~~

- ~~A. A common signage plan under Sec. 7.3.16.H. is provided.~~
- ~~B. In lieu of the maximum signage area for ground signs as set forth in Article 7.3. Signs, the Master Plan may allow up to 75 square feet of ground signage per 200 feet of street frontage adjoining any nonresidential or mixed use area identified on the Master Plan.~~
- ~~C. There is no minimum setback requirement for buildings and structures to have a ground sign.~~
- ~~D. No ground sign shall exceed 15 feet in height.~~
- ~~E. No ground sign shall exceed 100 square feet in sign area.~~
- ~~F. All ground signs shall comply with of Sec. 7.3.16. and limitations on lines of copy and miscellaneous provisions of Sec. 7.3.11.~~

~~G. No premise shall exceed the maximum signage allowed for each premise by Sec. 7.3.16.B.~~

~~H. For awning, marquee and canopy signs; directory signs; product and information signs; projecting signs; tract identification signs; wall signs; and windblown signs, the height, sign size and the total sign area may be modified provided that:~~

- ~~1. The modification is specified in the sign criteria;~~
- ~~2. No maximum sign area, size or height may be increased over 100% from the maximums established in Article 7.3. Signs for that sign type; and~~
- ~~3. The amount of allowable signage shall be transferred from allowable ground signage as set forth in Sec. 4.7.3.B., and this transfer shall be the exclusive amount of allowable signage.~~

~~I. Signage located within 100 feet of the perimeter of the PD District shall comply with all the provisions of Article 7.3. Signs:~~

~~J. For PD Districts 5 acres or more in size, a Low or Medium Profile Ground Sign not exceeding 10 feet may be specified in the approved Master Plan.~~

~~K. Permits for signs shall only be issued to 1 entity who is responsible for allocating signage to each premise. This entity shall keep an inventory of all existing signage and submit it to the City with each permit.~~

~~L. If any amendment is made to the common signage plan, all existing signs that do not comply with the new sign criteria shall be removed within 30 days of approval of such amendment.~~

~~M. Public street signs are allowed to have non-standard supports if a written agreement is submitted to and approved by the City. The agreement shall state that:~~

- ~~a. Damaged signs shall be replaced by the property owners association within 5 days of being damaged or the City will replace them with standard signs and supports;~~
- ~~b. The cost of replacement shall be borne by the property owners association; and~~
- ~~c. The property owners association shall assume sole responsibility for any loss, injury or death or damage resulting from such use of non-standard supports and shall maintain insurance and agreement to indemnify the City, its officers, council members and employees.~~

Section 3. Section 6.1.5.G. of the Part 10 Raleigh Unified Development Ordinance, Prohibited Uses, is hereby amended by adding the language shown in underline:

G. A sign not explicitly allowed in the zoning district by the table of Signs Allowed

by Districts, Sec. 7.3.2., or an adopted Streetscape Plan or Custom Signage Plan, or signs erected in violation of Article 7.3. Signs; and

Section 4. Section 7.3.1. of the Part 10 Raleigh Unified Development Ordinance, Applicability, is hereby amended by adding the language shown in underline:

Sec. 7.3.1. Applicability

No sign may be altered, replaced, converted, changed or otherwise modified except in accordance with the requirements of this UDO or an adopted Streetscape Plan or Custom Signage Plan. In the event there is an adopted Streetscape Plan or Custom Signage Plan that applies to the subject property and that regulates signage, conformance to the adopted plan is required. The standards of the Streetscape Plan or Custom Signage Plan shall apply in lieu of the standards of Article 7.3 as applicable.

Section 5. Section 7.3.13. of the Part 10 Raleigh Unified Development Ordinance, Special Sign Types, is hereby amended by adding the language shown in underline:

O. Freestanding Channel Letter Ground Signs

A freestanding channel letter ground sign that identifies the name of the development or an establishment within the development. The sign may be erected on a supporting structure, but not on a post, mast or pole, and neither the base or channel letters shall be attached, supported or suspended to or from any building. A sign permit is required for a freestanding channel letter ground sign. For purposes of this section, a channel letter sign shall mean a sign comprised of individual letters, numbers, logos, or other graphics that are independently mounted to a surface. Lighting for such signage may include neon tubes, fiberoptics, LED's, and front and back lit letters.

1. Freestanding channel letter ground signs are only allowed pursuant to an adopted Custom Signage Plan.
2. The supporting structure, if one is utilized, shall not exceed 5 feet in height.
3. Individual channel letters affixed to the supporting structure or to the ground shall not exceed 5 feet in height.
4. The sign shall not exceed more than 10 feet in height.
5. The sign shall not exceed more than 100 feet in length.
6. There shall be no more than 1 line of copy per sign, and the sign shall not exceed 500 square feet in sign area.
7. All ground sign braces shall be self-supporting structures permanently attached to concrete foundations in or upon the ground.
8. There shall be no more than 2 freestanding channel letter signs allowed within the designated Custom Signage Plan area.

9. If a freestanding channel letter ground sign faces a public street, the sign shall be set back a minimum of 50 feet from the street, and shall be separated from the street by parking spaces, public or private open space or recreation space, or a 10 foot pedestrian walkway.
10. Changeable copy is prohibited.

P. Attached Channel Letter Signs

An attached channel letter sign that identifies the name of the development or an establishment within the development, where such sign is mounted atop or hanging from an awning, canopy, porte cochere, or building architectural element, including but not limited to, decorative support beams. A sign permit is required for a freestanding channel letter building sign. For purposes of this section, a channel letter sign shall mean a sign comprised of individual letters, numbers, logos, or other graphics that are independently mounted to a surface. Lighting for such signage may include neon tubes, fiberoptics, LED's, and front and back lit letters.

1. Attached channel letter signs are only permitted pursuant to an adopted Custom Signage Plan.
2. No portion of the sign may extend above the building's main roof line without a parapet wall, or no portion of the sign may extend 2 feet above the building's main roof line with a parapet wall, provided no portion of the sign extends above the parapet.
3. The sign shall not exceed 150 square feet in sign area for any building up to five stories in height, and 300 square feet in sign area for any building 6 stories and above.
4. Individual channel letters shall not exceed 10 feet in height.
5. There shall be no more than 2 lines of copy per sign.
6. The sign shall not exceed 20 feet in height.
7. There shall be no more than 2 attached channel letter signs allowed within the designated Custom Signage Plan area.
8. Only 1 channel letter building sign shall be located on any 1 side of a building.
9. Changeable copy is prohibited.

Section 6. Section 7.3.14.B. of the Part 10 Raleigh Unified Development Ordinance, Off-Premise Signs – General Regulations, is hereby amended by adding the language shown in underline:

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3. This Section does not apply to Intra-Development Signs as set forth in 10.2.21. Custom Signage Plan.

Section 7. Section 7.3.16. of the Part 10 Raleigh Unified Development Ordinance, General Sign Regulations, is hereby amended by deleting the language shown in strikethrough and adding the language shown in underline:

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C. Adopted Streetscape and Custom Signage Plans

~~Within areas where an adopted Streetscape applies, conformance to the adopted Streetscape is required. In the event of a conflict with the general sign requirements of this Article and an adopted Streetscape the Streetscape standards shall apply. In the event there is an adopted Streetscape Plan or Custom Signage Plan that applies to the subject property and that regulates signage, conformance to the adopted plan is required. The standards of the Streetscape Plan or Custom Signage Plan shall apply in lieu of the standards of Article 7.3 as applicable.~~

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H. Common Signage Plan

1. To achieve congruity, unity of development and to avoid conflicts within any site with more than 1 principal building, no sign permit shall be issued to any development containing more than 1 establishment until a common signage plan has been approved in accordance with *Sec. 10.2.12.*, unless the development is subject to a Custom Signage Plan.
2. No permit will be issued in violation of the common signage plan. Such criteria shall be as follows:
 - a. Specified allowed type scripts that shall be observed.
 - b. Maximum and minimum letter height that shall be observed.
 - c. Specified allowed sign types, all other signs shall be prohibited.
 - d. Sign placement by specifying sign panel location or elevations.
 - e. Specified maximum of 7 colors to be applied to the sign and its background that shall be observed. Colors shall be in addition to black and white.
 - f. In addition to the 7 color limit, the colors of black and white or a color that matches the building material color of the wall on which it is attached or the dominant exterior building material such as, but not limited to, brick or marble shall be allowed.
 - g. Federal and State registered trademarks or service marks may employ additional colors; provided, they do not exceed the following:
 - i. 12¼ square feet for all establishments less than 10,000 square feet;
 - ii. 18 square feet for establishments greater than 10,000 to 30,000 square feet;
 - iii. 25 square feet for establishments greater than 30,000 to 100,000 square feet; and
 - iv. 36 square feet for establishments greater than 100,000 square feet.
 - h. The sign includes its casings, supports and backings. Only those signs which are erected or altered after the common sign plan is established shall be affected by the common sign plan.

Section 8. Section 7.3.17. of the Part 10 Raleigh Unified Development Ordinance, Nonconforming Signs, is hereby amended by deleting the language shown in strikethrough and adding the language shown in underline:

Sec. 7.3.17. Nonconforming Signs

- A. 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 *Sec. 7.3.13.L.* shall be removed. Except for signs approved as part of an adopted Streetscape Plan or Custom Signage Plan, ~~A~~ all other signs which are made nonconforming by an amendment to this UDO or an amendment to the Official Zoning Map or extension of areas in which this UDO is applicable shall be discontinued and removed or made conforming within 5½ years after the date of the amendment or extension, unless explicitly prohibited by state statute.
- B. Nothing in this UDO shall prohibit the ordinary maintenance repair of a nonconforming sign or replacement of a broken part of a nonconforming sign. Whenever any nonconforming sign or part of a nonconforming sign is altered, replaced, converted or changed, the entire sign must immediately comply with the provisions of this UDO and/or an adopted Streetscape Plan or Custom Signage Plan.
- C. Nonconforming signs that are destroyed or damaged by 50% or more of their value shall not be rebuilt or repaired except in conformance with this UDO and/or an adopted Streetscape Plan or Custom Signage Plan.
- D. Nothing in this UDO shall prevent a City Council-designated landmark sign from indefinitely remaining on-premise so long as the landmark sign complies with all the standards of *Sec. 7.3.15.*
- E. 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:
 - 1. Any paper, poster board or similar sign or display shall be removed or otherwise made conforming.

Section 9. Section 8.4.1.B.1. of the Part 10 Raleigh Unified Development Ordinance, New and Existing Streets – Applicability, is hereby amended by adding the language the shown in underline:

- 1. Any new development activity and any addition or repair subject to the requirements of Sec. 10.2.5.and Sec. 10.2.8. must meet street type and streetscape standards of this Article 8.4 and 8.5, or adopted Streetscape Plan, as applicable, for streets abutting the subject property. When a development plan proposes the construction of anew street or expansion of an existing street the requirements of this Article apply. In the event there is an adopted Streetscape Plan that applies to the subject property, the standards of the Streetscape Plan shall apply in lieu of the standards of Articles 8.4 and 8.5.

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Section 10. Section 8.4.1.E. of the Part 10 Raleigh Unified Development Ordinance, Streetscape Plans, is hereby deleted in its entirety and Article 8.4 is re-lettered accordingly.

Section 11. Section 10.1.2.B., Planning Commission – Specific Review Authority, of the Part 10 Raleigh Unified Development Ordinance is hereby amended by deleting the language shown in strikethrough and adding the language shown in underline:

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B. Specific Review Authority

The Planning Commission is responsible for ~~final action~~review and recommendation regarding:

~~A. Design Alternates; and~~

A. Rezoning

B. Comprehensive Plan Amendments

C. Text Changes

D. Zoning Condition Text Changes (TCZ)

~~B-E. Major modifications to development plans approved using previously applicable quasi-judicial subjective standards, or by some other procedure with standards no longer available in this UDO;~~

F. Streetscape Plans; and

G. Custom Signage Plans

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Section 12. Section 10.1.5., Appearance Commission, of the Part 10 Raleigh Unified Development Ordinance is hereby amended by deleting the language shown in strikethrough and adding the language shown in underline:

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C. Specific Review Authority

The Design Review Commission when performing the review duties of the Planning Commission (as designated by City Council) is responsible for review and recommendation regarding:

1. Streetscape Plans; and
2. Custom Signage Plans

C. D. Specific Approval Authority

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Section 13. Section 10.1.8 of the Part 10 Raleigh Unified Development Ordinance, Summary of Review Authority, is hereby amended:

After the row titled “Miscellaneous Zoning Permit”, insert a row titled “Streetscape Plan” and in the column titled “City Official” insert “RR”, in the column titled “Design Review Commission” insert “RR”, in the column titled “City Council” insert “D-PH”, in the columns titled “Neighborhood Meeting”, “Site Posted”, “Web” and “Mailed” insert a “Y”, and in the column titled “Published” insert a “Y⁽³⁾”.

After the row titled “Streetscape Plan”, insert a row titled “Custom Signage Plan” and in the column titled “City Official” insert “RR”, in the column titled “Design Review Commission” insert “RR”, in the column titled “City Council” insert “D-PH”, in the columns titled “Neighborhood Meeting”, “Site Posted”, “Web” and “Mailed” insert a “Y”, and in the column titled “Published” insert a “Y⁽³⁾”.

Section 14. Section 10.2.19. of the Part 10 Raleigh Unified Development Ordinance is hereby deleted in its entirety and replaced with the following:

10.2.19. Streetscape Plan

A. Definition

1. A Streetscape Plan sets forth specific roadway and streetscape requirements within a defined geographic area.

B. Applicability

1. Requests for a Streetscape Plan may be made by the City Council or a property owner within the intended area of application.
2. The entirety of the right-of-way width up to the centerline along the property's frontage shall be included as part of the Streetscape Plan request.
3. Any new development activity and any addition or repair subject to the requirements of Sec. 10.2.5. and Sec. 10.2.8. must meet street type and streetscape standards of any adopted Streetscape Plan for streets abutting the subject property within the adopted Streetscape Plan. When a development plan proposes the construction of a new street or expansion of an existing street the requirements of the adopted Streetscape Plan apply.

C. Modification of Standards

1. An adopted Streetscape Plan allows for the modification of any standard set forth in Articles 8.4 and 8.5, however no Streetscape Plan can be used to modify regulations related to Private Streets.
2. The requirements of Articles 8.4 and 8.5 are intended to serve as minimum standards. Where a Streetscape Plan adopted before September 1, 2013 sets a lesser width standard for any streetscape component, the standard in Articles 8.4 and 8.5 shall prevail.

D. Pre-Application Conference

Before a member of the public may submit an application for a Streetscape Plan, the applicant shall schedule a pre-application conference with the Planning Director to discuss the procedures, standards and regulations required for approval. This requirement may be waived at the discretion of the Planning Director.

E. Pre-Submittal Neighborhood Meeting

1. A pre-submittal neighborhood meeting is required for all applications for a Streetscape Plan except where the City is the applicant. The applicant shall provide an opportunity to meet with nearby property owners and residents. The location of the neighborhood meeting must be at, or in reasonable proximity to, the proposed Streetscape Plan area.
2. The required neighborhood meeting must be conducted prior to submittal of the Streetscape Plan. The meeting may not occur more than 6 months prior to the submittal of the application.
3. Notice of the neighborhood meeting must be provided in accordance with Sec. 10.2.1.C.1., however the applicable radius shall be measured 100 feet from the right-of-way boundary along both sides of the street for the entire length of the proposed Streetscape Plan area.
4. A report of the meeting, made by the applicant, shall be included with the Streetscape Plan application given to Planning. The report shall include at a minimum, a list of those persons and organizations contacted about the neighborhood meeting, the date, time and

location of the meeting, a roster of the persons in attendance at the meeting and a summary of issues discussed at the meeting.

F. Application Requirements

1. An application for a Streetscape Plan shall be submitted in accordance with the general application requirements of Sec. 10.2.1.B.
2. At a minimum the application shall include:
 - a. Map showing the geographic extent of the Streetscape Plan, including:
 - i. Street names;
 - ii. Address and/or tax parcel identification numbers (PINs) for all abutting properties;
 - iii. Zoning designations for all included properties; and
 - iv. Location and description of existing conditions that may be impacted by the streetscape plan improvements such as infrastructure, buildings, structures, utilities, and easements.
 - b. Written description of proposed Streetscape Plan including purpose and intent;
 - c. Comprehensive street cross-section(s) detailing components and minimum widths of sidewalks, travel lanes, bike lanes, multi-use paths, etc.;
 - d. Plan detailing the application of specific street cross-sections and other relevant elements;
 - e. Maintenance plan for the care of non-standard streetscape elements (if applicable); and
 - f. Other information or documentation as requested by staff.
3. In addition to any modification set forth in 10.2.19.C., the application may include and/or specify:
 - a. Sidewalk and/or pavement materials;
 - b. Construction details;
 - c. Street furniture types, including sidewalk light fixtures, benches, garbage receptacles, tree guards and grates, and other furnishings if applicable; and
 - d. Planting species, planting detail, and location of plantings.
4. Except for Streetscape Plans initiated by the City, signature of all property owners of the linear property frontage abutting all rights-of-way included in the designated Streetscape Plan area.

G. Approval Process

1. Planning Director Action

- a. The Planning Director shall review the Streetscape Plan application in accordance with subsections b. and c. below and provide a report and recommendation to the Design Review Commission.

- b. The Planning Director shall consult with the heads of the departments of Public Utilities, Transportation, Engineering Services, Parks, Recreation, and Cultural Resources, and Fire to check the proposed Streetscape Plan against the requirements of the UDO and other applicable technical requirements of the City.
- c. The following is a non-exhaustive list of considerations the Planning Director may consider when reviewing a Streetscape Plan application:
 - i. Consistency with the Comprehensive Plan;
 - ii. Consistency with the stated purpose and intent of the UDO and Raleigh Street Design Manual;
 - iii. Consistency with other right-of-way programs and adopted plans;
 - iv. Impact on property in the vicinity of the Streetscape Plan area;
 - v. Impact on the maintenance responsibilities of the City;
 - vi. Impact on congestion;
 - vii. Impact on functionality of transportation network for all users;
 - viii. Impact on stormwater collection and conveyance;
 - ix. Safety of roadway and streetscape users;
 - x. Compatibility with adjacent or nearby roadway and streetscape projects;
 - xi. Compatibility with existing infrastructure and development patterns;
 - xii. Appropriate transitions between adjacent street and roadway elements;
 - xiii. Contribution to the unique character or identity of an area through use of public art, landscaping, and/or other treatments;
 - xiv. Inclusion and consideration of environmentally responsible development practices; and
 - xv. The application is reasonable and in the public interest.

2. Planning Commission Action

- a. Upon acceptance of the Streetscape Plan application, the Planning Commission, or Design Review Commission performing the review duties of the Planning Commission (as designated by City Council) shall hold a legislative hearing on the request. Public notice of the legislative hearing shall be provided in accordance with Sec. 10.1.8. For mailed notice, the applicable radius shall be measured 100 feet from the right-of-way boundary along both sides of the street for the entire length of the proposed Streetscape Plan area.
- b. When conducting a review of a Streetscape Plan application, the Planning Commission, or Design Review Commission performing the review duties of the Planning Commission (as designated by City Council) shall advise and comment on whether the proposed action is consistent with any comprehensive plan that has been adopted, and any other applicable adopted plan.
- c. Within 60 days after receipt of the proposed application, the Planning Commission, or Design Review Commission performing the review duties of the

Planning Commission (as designated by City Council) shall provide a written report to the City Council. If no recommendation is made within this time period and if no extension is granted, the City Council may nonetheless take action on the application without further involvement of the Design Review Commission.

- d. The Commission's written report to the City Council shall contain its recommendation, which addresses the proposed plan's consistency and other matters it deems appropriate.

3. City Council Legislative Hearing and Action

- a. Following the recommendation of the Planning Commission, or Design Review Commission performing the review duties of the Planning Commission (as designated by City Council) or expiration of the applicable Design Review Commission review period without a recommendation, the City Council shall schedule a legislative hearing.
- b. A public hearing date shall be set within 60 days of receiving the Commission's written report.
- c. Notice of the hearing shall be given in accordance with Sec. 10.1.8. For mailed notice, the applicable radius shall be measured 100 feet from the right-of-way boundary along both sides of the street for the entire length of the proposed Streetscape Plan area.
- d. At the hearing, the Planning Director shall present the request, including the recommendation and comments of the Commission, if any. If the request was submitted by a member of the public, those in favor of the Streetscape Plan will be allowed a total of 8 minutes to explain their support and those opposed shall be allowed a total of 8 minutes to explain their opposition. The Council, in its discretion, may grant an equal amount of additional time to each side.
- e. The City Council shall approve, approve as revised, deny or send the proposed Streetscape Plan back to the Planning Commission, or Design Review Commission performing the review duties of the Planning Commission (as designated by City Council) or Planning Director for additional consideration.
- f. When adopting or rejecting any Streetscape Plan, the City Council shall approve a brief statement describing whether its action is consistent or inconsistent with the Comprehensive Plan.

4. Modifications to a Submitted Streetscape Plan Application

The applicant may modify the regulations and/or specifications contained in the Streetscape Plan application at any time, however, an expansion of the geographic extent of the Streetscape Plan area shall be considered a new application requiring full compliance with this section.

H. Modifications to an Adopted Streetscape Plan

1. Except as listed in subsection 2. below, modifications to an adopted Streetscape Plan shall be considered a new application requiring full compliance with this section.
2. Modifications to the signage elements of an adopted Streetscape Plan may be allowed as a minor amendment and shall follow the process set forth in Section 10.2.21. Custom Signage Plan, excluding the applicability criteria set forth in 10.2.21.B.2. and 3. Upon approval of the minor amendment, the signage elements of the adopted Streetscape Plan shall be replaced by the adopted Custom Signage Plan.

I. Design Alternates to an Approved Streetscape Plan

Pursuant to Sections 10.2.17.E., Design Alternates are permitted to the standards of any Streetscape Plan adopted before [adoption date of this ordinance].

Section 15. Article 10.2 of the Part 10 Raleigh Unified Development Ordinance, Review Procedures, is hereby amended by creating Section 10.2.21. titled “Custom Signage Plan”:

10.2.21. Custom Signage Plan

A. Definition

1. A Custom Signage Plan sets for specific signage regulations within a defined geographic area. The Custom Signage Plan can identify sign types, dimensions, locations, quantities, materials, technologies, and other elements/characteristics.

B. Applicability

1. A request for a Custom Signage Plan can only be initiated by a property owner within the intended area of application.
2. The property or properties subject to the Custom Signage Plan must be zoned Planned Development District or Campus District or satisfy a. through c. below:
 - a. Minimum of 8 acres in size; and
 - b. A development constructed to accommodate at least:
 - i. 3 non-residential establishments; and
 - ii. 100 dwelling units as part of a Household Living use or 100 rooms as part of an Overnight Lodging use.
 - c. Meet at least one of the following criteria:
 - i. Zoned with an Urban Frontage; or
 - ii. Front on an approved Streetscape Plan; or
 - iii. Located within a City Growth Center or Frequent Transit Area as designated in the Comprehensive Plan.

3. A Custom Signage Plan may be submitted prior to satisfying all of the applicability criteria in subsection 2, however, in no instance shall a sign permit be issued pursuant to the Custom Signage Plan until all criteria are satisfied.
4. Within the defined geographic area, new signage and signage that is no longer legally nonconforming under Sec. 7.3.17 must comply with the Custom Signage Plan.

C. Modification of Standards

1. A Custom Signage Plan allows for the modification of any of the following sign regulations:
 - a. Section 7.3.2., Signs Allowed by District (excluding Off-Premise signs)
 - b. Section 7.3.4., Wall Signs
 - c. Section 7.3.5., Projecting Signs
 - d. Section 7.3.6. Awning, Gallery, Marquee Signs
 - e. Section 7.3.7., Window Signs
 - f. Section 7.3.8., Low Profile Ground Signs
 - g. Section 7.3.9., Medium Profile Ground Signs
 - h. Section 7.3.10., High Profile Ground Signs
 - i. Section 7.3.11., Tract Signs
 - j. Section 7.3.12., A-Frame Signs
 - k. Section 7.3.13., Special Sign Types, excluding subsections F., H., J., L., and N.
 - l. Section 7.3.16.B., Maximum Signage
2. A Common Signage Plan is not required in conjunction with a Custom Signage Plan.
3. All other standards of this UDO shall control unless otherwise included in the Custom Signage Plan.

D. Pre-Application Conference

Before a member of the public may submit an application for a Custom Signage Plan, the applicant shall schedule a pre-application conference with the Planning Director to discuss the procedures, standards and regulations required for approval. This requirement may be waived at the discretion of the Planning Director.

E. Pre-Submittal Neighborhood Meeting

1. A pre-submittal neighborhood meeting is required for all applications for a custom signage plan except where the City is the applicant. The applicant shall provide an opportunity to meet with nearby property owners and residents. The location of the neighborhood meeting must be at, or in reasonable proximity to, the proposed Custom Signage Plan area.

2. The required neighborhood meeting must be conducted prior to submittal of the Custom Signage Plan. The meeting may not occur more than 6 months prior to the submittal of the application.
3. Notice of the neighborhood meeting must be provided in accordance with Sec. 10.2.1.C.1., however the applicable radius shall be measured 100 feet from the proposed Custom Signage Plan area.
4. A report of the meeting, made by the applicant, shall be included with the Custom Signage Plan application given to Planning and Development. The report shall include at a minimum, a list of those persons and organizations contacted about the neighborhood meeting, the date, time and location of the meeting, a roster of the persons in attendance at the meeting and a summary of issues discussed at the meeting.

F. Application Requirements

1. An application for a Custom Signage Plan shall be submitted in accordance with the general application requirements of Sec. 10.2.1.B.
2. At a minimum the application shall include:
 - a. Map showing the geographic extent of the Custom Signage Plan, including:
 - i. Street names;
 - ii. Address and/or tax parcel identification numbers (PINs) for all included properties;
 - iii. Zoning designations for all included properties; and
 - iv. Location and description of existing conditions.
 - b. Written description of proposed Custom Signage Plan including purpose and intent;
 - c. Inventory of existing signage;
 - d. Permitted Sign Types including the following elements as applicable:
 - i. Dimensions;
 - ii. Quantities;
 - iii. Locational criteria;
 - iv. Materials;
 - v. Technology; and
 - vi. Other elements/characteristics
 - e. Maximum Signage;
 - f. Prohibited Sign Types;
 - g. Comparison of Custom Signage Plan to the base allowances of the UDO; and
 - h. Treatment of existing and/or nonconforming signage.
3. Signature of all property owners within the designated Custom Signage Plan area.

G. Additional Limitations

1. No low, medium or high profile ground sign, or tract identification sign shall exceed 15 feet in height, or have more than 5 lines of copy per sign.
2. No low, medium or high profile ground sign, or tract identification sign shall exceed 100 square feet in sign area.
3. For wall signs; projecting signs; awning, gallery and marquee; crown signs; no maximum sign area, size or height may be increased more than 100% from the maximums established in *Article 7.3. Signs* for that sign type.
4. Public street signs are allowed to have non-standard supports if a written agreement is submitted to and approved by the City.

H. Intra-Development Signs

1. An adopted Custom Signage Plan may provide for a sign to a business, commodity, attraction, profession, service or entertainment conducted, sold, offered, manufactured, existing or provided at a location other than the premises where the sign is located or to which it is affixed, so long as:
 - a. The sign and the business, commodity, attraction, profession, service or entertainment so advertised are both located within the same development;
 - b. The sign is within 1/8 mile or 660 feet from the business, commodity, attraction, profession, service or entertainment (determined by a straight line from the sign to the establishment); and
 - c. The sign is maintained by a property owners association for which the owners of both the advertising lot and the lot upon which the sign or structure is located or affixed are members. Such signage or structures shall be designated as common property under the governing documents of the property owners association, and are designated on-premise signs for purposes of this UDO.

I. Approval Process

1. Planning Director Action

- a. The Planning Director shall review the Custom Signage Plan application in accordance with subsection b. below and provide a report and recommendation to the Design Review Commission.
- b. The following is a non-exhaustive list of considerations the Planning Director may consider when reviewing a Custom Signage Plan application:
 - i. Consistency with the Comprehensive Plan;
 - ii. Consistency with the stated purpose and intent of the UDO;
 - iii. Impact on property in the vicinity of the Custom Signage Plan area;
 - iv. Safety of roadway and streetscape users;
 - v. Compatibility with existing development and signage in the Custom Signage Plan area;
 - vi. Sign types permitted or prohibited as compared to the underlying zoning district(s);

- vii. Maximum signage increase or decrease as compared to the underlying zoning district(s);
- viii. Use of color, materials, and technologies;
- ix. Unique character or quality of the Custom Signage Plan area justifying the request;
- x. Contribution to the unique character, history, or identity of an area through cohesive design; and
- xi. The application is reasonable and in the public interest.

2. Planning Commission Action

- a. Upon acceptance of the Custom Signage Plan application, the Planning Commission, or Design Review Commission performing the review duties of the Planning Commission (as designated by City Council) shall hold a legislative hearing on the request. Public notice of the legislative hearing shall be provided in accordance with Sec. 10.1.8. For mailed notice, the applicable radius shall be measured 100 feet from the centerline of the street for the entire length of the proposed Custom Signage Plan area.
- b. When conducting a review of a Custom Signage Plan application, the Planning Commission, or Design Review Commission performing the review duties of the Planning Commission (as designated by City Council) shall advise and comment on whether the proposed action is consistent with any comprehensive plan that has been adopted, and any other applicable adopted plan.
- c. Within 60 days after receipt of the proposed application, the Planning Commission, or Design Review Commission performing the review duties of the Planning Commission (as designated by City Council) shall provide a written report to the City Council. If no recommendation is made within this time period and if no extension is granted, the City Council may nonetheless take action on the application without further involvement of the Planning Commission, or Design Review Commission performing the review duties of the Planning Commission (as designated by City Council).
- d. The Commission's written report to the City Council shall contain its recommendation, which addresses the proposed plan's consistency and other matters it deems appropriate.

3. City Council Legislative Hearing and Action

- a. Following the recommendation of the Planning Commission, or Design Review Commission performing the review duties of the Planning Commission (as designated by City Council) or expiration of the applicable Commission review period without a recommendation, the City Council shall schedule a legislative hearing.

- b. A public hearing date shall be set within 60 days of receiving the Commission's written report.
- c. Notice of the hearing shall be given in accordance with Sec. 10.1.8. For mailed notice, the applicable radius shall be measured 100 feet from the centerline of the street for the entire length of the proposed Custom Signage Plan area.
- d. At the hearing, the Planning Director shall present the request, including the recommendation and comments of the Commission, if any. If the request was submitted by a member of the public, those in favor of the Custom Signage Plan will be allowed a total of 8 minutes to explain their support and those opposed shall be allowed a total of 8 minutes to explain their opposition. The Council, in its discretion, may grant an equal amount of additional time to each side.
- e. The City Council shall approve, approve as revised, deny or send the proposed Custom Signage Plan back to the Planning Commission, or Design Review Commission performing the review duties of the Planning Commission (as designated by City Council) or Planning Director for additional consideration.
- f. When adopting or rejecting any Custom Signage Plan, the City Council shall approve a brief statement describing whether its action is consistent or inconsistent with the Comprehensive Plan.

4. Modifications to a Submitted Custom Signage Plan Application

The applicant may modify the regulations and/or specifications contained in the Custom Signage Plan application at any time during the review process. However, an expansion of the geographic extent of the Custom Signage Plan area shall be considered a new application requiring full compliance with this section.

J. Modifications to an Adopted Custom Signage Plan

Modifications to an adopted Custom Signage Plan shall be considered a new application requiring full compliance with this section.

Section 16. Section 10.4.1. of the Part 10 Raleigh Unified Development Ordinance, Violations and Violators, is hereby amended by adding the language shown in underline and deleting the language shown in strikethrough:

B. The term “lawful plan” as used here shall mean a site plan, Master Plan, Neighborhood Plan ~~or Streetscape Plan,~~ or Custom Signage Plan.

Section 17. 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 18. This text change has been reviewed by the Raleigh Planning Commission.

Section 19. This ordinance has been adopted following a duly advertised legislative hearing of the Raleigh City Council.

Section 20. This ordinance has been provided to the North Carolina Capital Planning Commission as required by law.

Section 21. This ordinance shall be enforced as provided in N.C.G.S. 160A-175 or as provided in the Raleigh City Code.

Section 22. This ordinance is effective 60-days after adoption.

ADOPTED:

EFFECTIVE:i

DISTRIBUTION: