



101 W. First Street  
Lowell, North Carolina 28098

Phone: 704-824-3518  
www.lowellnc.com

---

Tuesday, March 5, 2024, 6:00 PM  
City Hall  
101 W. First Street  
Lowell, North Carolina 28098

---

## **1: Call to Order**

- 1A. Call to Order
- 1B. Determination of Quorum
- 1C. Pledge of Allegiance
- 1D. Approval of Agenda

---

## **2: Approval of Minutes**

- 2A. February 5, 2024 Planning Board Meeting Minutes - DRAFT

---

## **3: Old Business**

---

## **4: New Business**

- 4A. Proposed Text Amendments to LDO - Article 17- Sign Regulations
- 4B. Monthly Planning Report

---

## **5: Adjournment**

---

*Date Posted: March 5, 2024*

**\*\* The following document is a draft of the minutes and the not the official approved minutes \*\***

## **Minutes for the Planning Board**

101 W. First Street, Lowell, North Carolina 28098

February 6, 2024, 6:01 PM - February 6, 2024, 6:57 PM

**Roll Call:** *(The following members were in attendance)*

- **David Jennings**, Board Member
- **Norris Lamb**, Vice Chairman
- **Troy Roberts**, Board Member
- **Heather Seay**, Board Member
- **Scott Wilson**, Chair

### **1. Call to Order**

---

#### **1A. Call to Order-** 6:01 PM

Called to order by Chairman Scott Wilson.

#### **1B. Determination of Quorum-** 6:01 PM

Attendees included Chairman Wilson, Board members Seay, Jennings, Lamb, and Roberts were in attendance. Board Member Shuford was absent. It was determined a quorum was in place. City staff included Planning Director Joe Gates, Planner Tyler Cobb, and City Clerk Cheryl Ramsey. Participants of the City of Lowell Citizen Academy were also in attendance as this was part of their class. Board members came at 5:30 in order to meet the Citizen Academy participants.

#### **1C. Pledge of Allegiance-** 6:01 PM

Led by Chairman Wilson.

#### **1D. Changes to and Approval of Agenda-** 6:01 PM

There were no changes.

The item was motioned To Approve by Norris Lamb and seconded by Heather Seay with a passing result 5-0-1-0 Abstained by Scott Wilson

### **2. Approval of Minutes**

---

#### **2A. January 2, 2024 Planning Board Meeting Minutes-** 6:01 PM

The item was motioned To Approve by David Jennings and seconded by Troy Roberts with a passing result 5-0-1-0 Abstained by Scott Wilson

### **3. Old Business**

---

### **4. New Business**

---

#### **4A. Discussion of Article 17 - Sign Regulations-** 6:03 PM

Joe Gates discussed the different zoning ordinances regarding signs to the board. He stated in the last City Council meeting [January 9, 2024], Councilmember Robinson expressed a desire for staff and the Planning Board to look at sign regulations particularly the Master Sign Permit process and making it easier for developers to change/update their sign without the long process. It currently reads that Commercial and Industrial zones can have 10% of the wall area [for a sign] and not to exceed 100 sq. ft. Anything above that forces the developer to go into the master sign permit process. Mr. Gates wanted to get some feedback from the board on things to consider and the direction the board should go regarding make things easier for businesses and possibly have the master sign process as more of an exception as opposed to the norm.

Chairman Wilson asked what the biggest problem Mr. Gates sees with them [businesses] coming in? Mr. Gates said what is typically causing this is the signs. When the ordinance was first approved it capped wall signs at 32 sq. ft. and you got one of them. When this board made a recommendation that council adopted a couple months ago, they can still only have one wall sign but for commercial and industrial zones, it took that number from 32 to 100 sq. ft. just for businesses in that zoning district, which is primarily those adjacent to interstate 85 and highways 74 and 7. This only effects the bigger parcels which are tens of thousands of square footage for example. There was discussion about the issues in the past with the Kia dealership and their signs. Mr. Gates then suggested to look at the number of wall signs that are allowed and asked the board if they think we should adjust the overall square footage. Right now if they are 99 sq. ft. and below, it's just an administrative process. Once it hits 100 for the total amount of signs a company has, he is forced to put them through the master sign permit process. He said this doesn't need to be handled all at once but he wanted the board to really look at the process and find ways to make it better for companies here.

Board Member Jennings asked if anyone complained in the downtown district about the size of their signs being too small or not enough signage space for their business? Mr. Gates said not for anyone downtown only the ones that they [current Planning Board] have seen and have been approved by the board and council. There was further discussion about signage. It was decided for Mr. Gates to look at the total footage to be streamlined. He said currently, under the maximum number allowed it says 'one per street or parking frontage per occupancy'. So if a business has a sign on the front but the parking lot is in the back, they can have a sign on the front and in the back. The recommendation was to maybe getting rid of that and just allow people not to exceed the total sq. ft. allowed and they can divide that up however they like.

Chairman Wilson mentioned that the bike shop here in Lowell wants a bigger sign but there is an ordinance that will not allow it because of the size of their lot. Mr. Gates said that is 17.10-2 [ordinance] of the application where you have to have a 3 or more acre lot to apply for the larger sign, making them ineligible. Chairman Wilson said they are at 2.9. Mr. Gates said yes, they are within a 1/2 acre to qualify. Chairman Lamb asked if they can apply for some type of variance being that close to the qualifications to apply? Mr. Gates doesn't think a variance would be the proper tool because a variance is for a hardship you did not create. This request would be more of a text amendment. He said there could be some tools for the board that would allow them to make changes and who they want to give permissions to make those types of decisions to.

Mr. Gates reviewed what he was recommended to review: master sign qualifications, non-conformity language in the ordinance, potential changes that allow for administrative discretion to make exceptions for questionable parcels, overall wall sign areas and ways to streamline the overall process. There was further discussion on wall sign area qualifications. Board Member Lamb asked if anyone has come back wanting more than the 100 sq. ft. that was approved recently. Mr. Gates said no, not since they raised it which is why it was changed to 100 because of the last request. Board Member Lamb stated that we have already moved on this area by moving it to 100 sq. ft [formerly 32 sq. ft.] and we need to see where that goes before we start trying to adjust it and we don't know if going to be sufficient or a problem. Board Member Roberts agreed and doesn't think we will see any industrial in downtown. He asked why it was brought up in council. Mr. Bates said they had to set the public hearing for the Master Sign and asked the Planning Board to review the process to prevent further delay to businesses. There was further discussion regarding sizes of lots and signage. Mr. Gates will look at the directions from the board and come up with some options for changes.

#### **4B. Planning Report- 6:50 PM**

Mr. Gates went over his Planning Report. Please see Agenda Packet for report.

#### **5. Adjournment**

---

Board Member Seay made a motion to adjourn, seconded by Board Member Roberts. The vote was unanimously in favor. Meeting adjourned at 6:57 pm.



# City of Lowell Planning Board Memorandum

Prepared By: Joe Gates

## Proposed Text Amendments to LDO - Article 17- Sign Regulations

Meeting	Agenda Group	
Tuesday, March 5, 2024, 6:00 PM	New Business	Item: 4A
Reference File	Presented By	

**To: Lowell Planning and Zoning Board**

**From: Joe Gates, Planning Director**

**Date: Wednesday, February 28th, 2024**

**Re: FILE ZTA24-01: Amendment presentation involves amending multiple sections of Article 17 - Sign Regulations, of the Lowell Development Ordinance to allow for more sign area on wall signs, increased eligibility for Master Sign Plan and**

## PROPOSED TEXT AMENDMENTS TO LOWELL DEVELOPMENT ORDINANCE - SECTION 17.7-1 REQUIREMENTS FOR PERMANENT SIGNS REQUIRING APPROVAL OF A ZONING PERMIT, TABLE 17.1 - PERMANENT SIGNS, SECTION 17.10-12 MASTER SIGN PLAN-APPLICATION AND SECTION 17.13 NONCONFORMING SIGNS

On February 6th, 2024, staff expressed a directive from the City Council to revise the Sign Regulations in the Lowell Development Ordinance, Article 17. After some discussion, the Planning Board made the following recommendations for staff to implement in their material in the next meeting (March 5th, 2024). The following areas were selected as topics that could be amended to address the desired outcome of the City Council. The attached amendments achieve the goals stated by council and accomplish the following:

- Allow for more wall sign area for larger properties and buildings located in our commercial & industrial districts.
- Modify language for nonconforming signs to allow them to be replaced without meeting new/current standards.
- Increases the amount of properties that are eligible to use the "Master Sign Plan" process.

### CONCLUSION

If approved, these revisions would be sent to City Council for final approval. Staff recommends approval of the amendments as presented.

**Board Action(s):** Per Section 5.3-2, Review by the Lowell Planning Board, the following are actions that can be taken after hearing the material being presented.

#### **(A.) Review – General.**

The Planning Board shall make recommendations to the Lowell City Council regarding whether to approve or deny each proposed amendment. When considering an amendment, the Planning Board shall consider both the consistency and reasonableness of the amendment with the “City of Lowell Comprehensive Land Use Plan”, adopted April 13, 2021 including subsequent amendments adopted by the City Council of the City of Lowell and other applicable adopted plans for the area affected by the proposed amendment.

#### **(B.) Recommendation by the Lowell Planning Board.**

Following a recommendation by the Lowell Planning Board on the proposed amendment(s), the action shall be reported to the Lowell City Council for a legislative hearing and final action according to the process set forth in Section 5.3-3 of this Ordinance. The legislative hearing will be scheduled as provided by the rules of procedure of the City Council for calling legislative hearings.

**(C.) Continuance by the Lowell Planning Board.**

In those cases where, upon hearing the request, the Planning Board feels that more information is needed, questions have arisen, or other circumstances occur in which additional time is needed to enable the Board to make a decision, the Planning Board may continue their meeting for up to eight (8) days.

The Board shall direct the appropriate person(s) to obtain the needed information, provide answers to questions, and/or conduct other investigations during this time to enable the Board to decide at the reconvening of the continued meeting. The Planning Board shall act upon either an affirmative or negative recommendation on continued items at the continued meeting.

**(D.) Content of recommendation and statement of consistency.**

Any recommendation made by the Lowell Planning Board to the Lowell City Council pursuant to this section shall be in writing.

In addition, the Lowell Planning Board shall approve a statement in accordance with G.S. 160D-605(a) describing whether or not the proposed amendment is consistent with the "City of Lowell Comprehensive Land Use Plan", adopted April 13, 2021 including subsequent amendments adopted by the City Council of the City of Lowell and other applicable adopted plans.

---

**Statement of Reasonableness and Consistency (motion to approve):**

*This ordinance is consistent with the City of Lowell Comprehensive Land Use Plan, and is reasonable and in the public interest.*

---




**Attachments**

March 24 Planning Board Meeting Material.pdf

**17.7 Requirements for Permanent *Signs* Requiring an Approval of a Zoning Permit**

17.7-1 Permanent *sign* requirements. The following tables and text provide the design and dimensional requirements for permanent *signs* that require a permit. Requirements include copy area, number, type of illumination, and letter height for both attached and freestanding *signs*. Setback and height requirements are established for freestanding *signs* and detailed design requirements are provided for monument and pole *signs*.

(A.) ~~Only one general attached *sign* (blade, V-type, or flat) is allowed per street or parking frontage.~~ RESERVED

Sign Type	Sign Copy		Sign Illumination	Minimum Letter Size	Maximum Number	Other Requirements
	Area Allowance (sq. ft.)	Area				
<b>Permanent Attached Signs – General</b>						
Blade* (or Projecting)		32**	Ambient External Internal		One per street or parking frontage per occupancy	Only one sign (blade, V-type or flat sign) allowed per occupancy per street or parking frontage
V-type*						
Flat* (or Wall)				6"		

\*May encroach into adjoining street right-of-way in the Main Street (MS) and Mixed Use (MU) Districts pursuant to an encroachment agreement subject to the provisions of Sections 17.5(G) and 17.7-1(I) of this Article.

\*\*For buildings located in the **Mixed-Use District (MU-2)**, Interstate Highway 85 Commercial District (C-85), US Highway 74 Commercial District (C-74) or the Industrial District (IND), allowed sign area shall be calculated at 10% of the eligible wall area, ~~not to exceed 100 square feet.~~



### 17.10 Master *Sign Plan*

17.10-2 Application. Master *sign* plans may be submitted for the following types of developments:

- (A.) Traditional Neighborhood Development (TNDO) projects, in accordance with the provisions of Article 8 of this Ordinance.
- (B.) Commercial, institutional, industrial, or mixed-use developments containing ~~three~~ two (2) or more acres in area.

### 17.13 Nonconforming *Signs*

(C.) A permanent *sign* which does not comply with one or more of the requirements of this Article shall be grandfathered (deemed a vested right) ~~until such *sign* is removed, physically altered beyond maintenance (as defined), relocated, damaged or destroyed, after which it shall be brought into compliance with all requirements of this Article.~~ Such signs may be replaced or modified if such installation or modification does not increase the existing nonconformity, as determined by the *Planning, Zoning & Subdivision Administrator*. Nonconforming temporary *signs* shall not be grandfathered and shall be brought into compliance with all requirements of this Article within ten (10) days from the date of notification by the *Planning, Zoning & Subdivision Administrator* or duly authorized code enforcement agent of the City.