AGENDA

Meeting Type:	SPECIAL
Date:	06/02/1987

City of Charlotte, City Clerk's Office

CHARLOTTE

Mayor Harvey B Gantt Mayor Pro Tem Al Rousso

Charlie S Dannelly Cyndee Patterson
Gloria Fenning Pamella G Patterson
Ann Hammond Minette Conrad Trosch
Ron Leeper Richard Vinroot
Roy Matthews Velva W Woollen

Council Agenda

SPECIAL MEETING

Tuesday, June 2, 1987

4:00 p.m. - Council Chamber, City Hall

ITEM NO.

1. Call meeting to order.

2. Hearing on Petition No. 87-57 by the City Council for a text amendment to the Zoning Appendix of the City Code to prohibit the construction of outdoor advertising signs in all districts and to permit the use of amortization for the removal of all non-conforming signs.

   Attachment No. A

3. A. Recommend approval of option to purchase 306 acres of land adjacent to Ranson Junior High School at $10,000 per acre for a total purchase price of $3,060,000.

   B. Recommend adoption of a budget ordinance advancing $660,000 from the Memorial Stadium Improvements and $900,000 from the Improvements to Existing Parks accounts to the Park Land Acquisition account for the purchase of the land.

   The City has secured an option to purchase 306 acres of land near Ranson Junior High School. The land available for purchase is bordered by Statesville and Nevins Roads and, at $10,000 per acre, has been appraised by our Real Estate staff to be a fair market rate.

   The City has pursued this acquisition consistent with City Council's policy "to identify and acquire open space before land becomes too expensive", the 2005 Plan and the FY88-92 Capital Needs Assessment, and redirection of growth initiatives.

The recommended financing strategy proposes using available funds in capital project accounts. The sources of funds for the total purchase price are the following capital accounts:

Park Land Acquisition	$1,500,000
Improvements to Existing Parks	900,000
Memorial Stadium Improvements	660,000
Total	$3,060,000

Utilization of Improvements to Existing Parks and Memorial Stadium Improvements accounts funds will not impact current projects. The intent of the financing strategy is to reimburse the Improvements to Existing Parks account once the bond referendum is approved in November. A defeat of the bond referendum in November means that the capital accounts will not be reimbursed.

It is recommended that City Council:

(1) Approve the option to purchase 306 acres at $10,000 per acre, for a total purchase price of $3,060,000; and

(2) Adopt a budget ordinance advancing $1,560,000 from the Improvements to Existing Parks and Memorial Stadium Improvements capital accounts to the park land acquisition capital account.

The Parks Advisory Committee and the Derita/Statesville Road Community Organizations support the acquisition of this property.

Parks and Recreation, Engineering-Real Estate, City Attorney, Finance, and Budget and Evaluation have reviewed this proposal.

Attached is a map and a copy of the May 20 Council-Manager Memorandum on this subject.

Attachment No. B

4. Decision on Petition No. 87-57 if recommendation of Planning Committee has been made.

5. Adjournment.

a

ZONING ORDINANCE TEXT AMENDMENT APPLICATION

CITY OF CHARLOTTE

Petition No 87-57

Date Filed

Received By

OFFICE USE ONLY

Section No 2100 SIGNS

(Title)

Purpose of Change To prohibit the construction of outdoor advertising signs in all districts and to permit the use of amortization for the revoval of all non-conforming signs.

Name of Agent

Agent's Address

Telephone Number

City Council

Name of Petitioner(s)

Address of Petitioner(s)

Telephone Number

Signature

ORDINANCE NO._____ ORDINANCE AMENDING APPENDIX A-ZONING

AN ORDINANCE AMENDING THE ZONING ORDINANCE, APPENDIX A-ZONING, OF THE CODE OF THE CITY OF CHARLOTTE.

Section 1. Appendix A-Zoning, of the City Code, shall be amended by adding a new section 2106 to read as follows:

"§ 2106. Prohibition of all Advertising Signs and Certain Business and Identification Signs, and Certain Bulletin Boards.

.1 Purpose: The purpose for the current review for new sign regulations and the purpose of this section 2106 are all intended to accomplish the following objectives:

(1) To minimize the distractions and the obstructing-of-view that contribute to traffic hazards and endanger public safety.

(2) To enhance the aesthetic appearance and attractiveness of the community and, further, create an aesthetic environment that contributes to the ability of the community to attract sources of economic development and growth.

(3) To prevent advertising and certain business and identification signs and certain bulletin boards from conflicting or obscuring signs related to public safety and public information.

(4) To minimize any detrimental effects of advertising signs and certain business and identification signs and certain bulletin boards upon both abutting properties and properties in the general vicinity of the advertising signs.

.2 Definitions:

(1) Advertising signs: A sign which directs attention to a business, commodity, service or entertainment conducted, sold or offered on a commerical basis:

.1 Only elsewhere than upon the premises where the sign is displayed; or

.2 As a minor and incidental activity upon the premises where the sign is displayed; or

.3 A sign, for which the sign permit issued for the sign, states on its face that it is an advertising sign and shows by its dimensions that it is an advertising signs.

(2) Commercial sign: A sign that displays or publishes commercial speech as defined by the Supreme Court of the United States.

(3) Noncommercial signs: A sign that publishes noncommercial speech, which is any speech that is not classified as commercial speech.

.3 Prohibition and removal of advertising signs:

(1) All existing advertising signs, as defined above, must be removed entirely, which means the entire structure of the advertising sign, within five and one-half years of the adoption of this section 2106.

(2) Any holders of permits for advertising signs or applicants for permits that are on file at this time that shall be approved shall be entitled to erect the advertising sign in compliance with the zoning regulations in effect at the time of the approval of the permits. Such advertising signs must be lawfully erected in accordance with the regulations in effect at the time of the approval of the permit and any terms of the permit in order to remain for the five and one-half year duration from the time of erection.

.4 Prohibition and removal of certain business and identification signs and certain bulletin boards:

(1) All existing business and identification signs and bulletin boards greater than 100 square feet in area or more than 30 feet in height as measured from the curb of the facing street to the top of the sign must be brought into compliance with these standards or removed entirely, which means the entire structure of such sign, within five and one-half years of the adoption of a section 2106.

(2) Any holders of permits for signs which (1) above requires be removed or applicants for permits for such signs that are on file at this time that shall be approved shall be entitled to erect such sign in compliance with the zoning regulations in effect at the time of the approval of the permits. Such signs must be lawfully erected in accordance with the regulations

in effect at the time of the approval of the permit and any terms of the permit in order to remain for the five and one-half year duration from the time of erection.

.5 Noncommercial signs: If a commercial sign is permitted by any provision of this ordinance, then a noncommercial sign shall likewise be permitted subject to the applicable standards herein. In addition, any commercial sign permitted by this ordinance may display or publish noncommercial speech.

.6 Exceptions:

(1) Federal and State exemptions: Section 2106 shall not apply to any outdoor advertising adjacent to a highway on the National System of Interstate and Defense Highways or a highway under a Federal-aid Primary Highway System, as provided for in N.C. Gen. Stat. § 136-131.1.

(2) Signs permitted without limitation: Code section 2105(.1-.9) has special categories serving the public interest and are exempted from section 2106.

.7 Provisions in conflict with this section: If there are any other provisions of this Zoning Ordinance in conflict with section 2106, then section 2106 shall control.

.8 Severability: If any provision, clause, sentence or paragraph of this ordinance or application thereof to any person or circumstance shall be held to be invalid, such invalidity shall not affect the sections which can be given effect, independent from the invalidity; and to this end, any invalidity is hereby declared to be severable."

Sec. 2. Section 2110.3 of the City Zoning Ordinance is deleted in its entirety.

Sec. 3. This ordinance shall become effective upon adoption.

Approved as to form:

Henry W. Underhill Jr.
City Attorney

CHARLOTTE

Mayor and Council Communication

From O. Wendell White
City Manager

Subject Memo No. 39

May 20, 1987

INFORMATION REPORTS

Statesville Road/Ranson Junior High Park Land Acquisition

At the June 2 budget hearing, we plan to discuss the acquisition of 306 acres near Ranson Junior High School for park land. On June 8, I will be recommending to Council approval of the acquisition. The ability to secure such a large tract of land in a growing area is a good opportunity for the City.

The following information describes the financing arrangement and highlights of the acquisition.

The land available for purchase consists of 306 acres bordered by Statesville and Nevins Roads. The price of the land is $10,000 per acre and has been appraised by our Real Estate staff to be a fair market rate. On June 8, the City's option on the purchase of the land at $10,000 per acre expires.

The recommended financing strategy utilizes available park funds to pay the total purchase price on June 8. The sources of funds for the total purchase price are the following capital accounts:

Source	Amount
Park Land Acquisition	$1,500,000
Improvements to Existing Parks	835,000
Memorial Stadium Improvements	725,000
Total	$3,060,000

The funds from the Improvements to Existing Parks and Memorial Stadium Improvements accounts are intended to be borrowed until the November bond referendum. Upon approval of the referendum, the Improvements to Existing Parks capital account will be reimbursed $1,560,000 from bond proceeds

The following are highlights of the acquisition

1. Council Goals/Policies: The acquisition of this land meets Council's policy "to identify and acquire open space for future park development before land becomes too expensive." The Northeast also has been targeted for redirection of growth efforts which may impact future efforts to acquire large tracts of open space

   City staff continues to pursue park land in South and Southeast Charlotte, but at this time does not have an option on available land

2. City/County Acquisitions: While the City pursues the acquisition of the 300 acres near the Statesville Road/Ranson Junior High land, the County is attempting to acquire 300 acres for a community park in the Mallard Creek area. The 2005 Plan supports development of two community parks in the Northeast strategy area. Thus far, the County has been able to "package", (that is, put together) 180 of the desired 300 acres. No "packaging" is required for the Ranson Junior High site as the 306 acres are intact.

3. Financing Strategy: The recommended financing strategy proposes using available funds in capital project accounts. Approximately $1.5 million of the total is from the Memorial Stadium Improvements and Improvements to Existing Parks accounts. Utilization of these funds will not impact current projects. The intent of the financing strategy is to reimburse the Improvements to Existing Parks account once the bond referendum is approved in November. However, a defeat of the bond referendum in November means that the capital accounts will not be reimbursed. This may impact the number of improvements in City parks during FY88.

The project will be discussed in greater detail at the June 2 budget workshop. We hope to address any questions you may have before the June 8 Council meeting. This is especially important because the City's option to purchase the land expires on June 8.