



To: Board of County Commissioners
Planning Board

From: Andrew C. Bryant, Director

Date: May 13, 2024

Re: UDO Proposed Amendment #2024-2
LKN Media Partners, LLC, applicant

The following information is for use by the Lincoln County Board of Commissioners and Planning Board at their joint meeting/public hearing on June 3rd.

Proposal

LKN Media Partners, LLC is proposing the following amendment to the Lincoln County Unified Development Ordinance: A request to amend Section 3.9.5.B.1. to permit billboards meeting the prescribed criteria along the US 321 and NC16 corridors.

Background Information

The request is to amend the Unified Development Ordinance to allow for the construction of Billboards along the US321 and NC16 corridors. New billboard construction has not been allowed in Lincoln County since the mid-1990's. Modernization of existing billboard (outdoor advertising devices) has been allowed since 2013 after the adoption of G.S. 136-131.2.

The purpose of the proposed amendment is to allow the construction of Billboards along the US321 and NC16 corridors. The revised language would only allow two billboard structures to be located along each of the two corridors. Additional standards are included in the full text.

The full text of the proposed amendment is included with the text amendment application.



Unified Development Ordinance **Text Amendment Application**

Lincoln County Planning and Inspections Department
115 W. Main St., Lincolnton, NC 28092
Phone: (704) 736-8440

Part I

Applicant Name LKN Media Partners, LLC (Brendan Haines)

Applicant Address 631-300 Brawley School Rd. Suite 147 Mooresville NC 28117

Applicant Phone Number 980 689-0020

Part II

Briefly describe the proposed text amendment.

The purpose of this proposed text amendment is to build upon the purpose and applicability of the Lincoln County Unified Development Ordinance by establishing regulations for a Digital Messaging Signs in a very specific geographical corridor on HWY 16 and HWY 321, which shall be in compliance with State and Federal Guidelines established by the Highway Beautification Act. Digital Messaging Systems will promote local economic prosperity, encouraging a dynamic means of communication in the Town, civic pride, quality of life, and allow for emergency management messaging for local and state authorities.

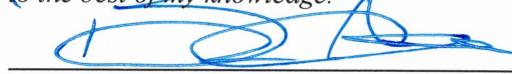
Part III

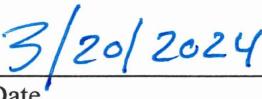
Provide the full text of the proposed amendment (on a separate sheet if necessary) with proposed deleted text shown as struck through and proposed added text underlined.

Please see attached

\$400 APPLICATION FEE MUST BE RECEIVED BEFORE PROCESSING.

I hereby certify that all of the information provided for this application and attachments is true and correct to the best of my knowledge.


Applicant


Date

Lincoln County NC - Sign Code Text Amendment

Memorandum

The purpose of this proposed text amendment is to build upon the purpose and applicability of the Lincoln County Unified Development Ordinance by establishing regulations for Digital Messaging Signs in a very specific geographical corridor on HWY 16 and HWY 321, which shall be in compliance with State and Federal Guidelines established by the Highway Beautification Act. Digital Messaging Systems will promote local economic prosperity, encouraging a dynamic means of communication in the Town, civic pride, quality of life, and allow for emergency management messaging for local and state authorities.

Electronic Changeable Face Outdoor Advertising Sign – Permit Required

A self-supporting, permanent electronic/digital sign face or panel, principally devoted to and designated for changeable text and graphics, which contain both off-premise and on-premise advertising, and commercial messages, that is resting on, or supported by means of pole(s), columns, or any other type of base on the ground engineered to support the structure. Bases may be wrapped or otherwise covered with a decorative façade.

Allowable Districts Along Highway 16 and 321: Lincoln County Jurisdiction in Commercial, Business, and Industrial Zoning Districts located along NC HWY 16 between Optimist Club Road intersection on the North and the Gaston County Line to the South. As well as, along HWY 321 from the Catawba County line on the North and the Gaston County line to the South. No Sign support allowed further than 200' off the Highway right of way. See attached Diagrams A and B for the Allowable Districts.

Illumination: The electronic outdoor advertising sign shall have an automatic dimmer factory set to the following illumination intensities; The sign shall not exceed a maximum illumination of 7,500 nits (candelas per square meter) during daylight hours and a maximum illumination of 500 nits between dusk to dawn as measured from the sign's face at maximum brightness. The

electronic sign shall have a photocell sensor to adjust the illumination intensity or brilliance of the sign so that it shall not cause glare. The preceding illumination standards have been adopted across the Country by a coordinated initiative between Governmental agencies and the private sector such as the International Sign Association (ISA), the Outdoor Advertising Association of America (OAAA), and the North Carolina Outdoor Advertising Association (NCOAA). As well as programmed into the Digital Billboards of all the leading manufacturers.

Location: Cannot locate within the required setbacks for Zoning districts;(5' from property lines and 20' from buildings) Minimum of 5,000 feet between electronic changeable face outdoor advertising signs along the same side of the roadway in the Allowable Districts. No sign to be located within 200' of a residential structure in a R zoning District.

Maximum Number: Maximum of Two (2) sign structures total within the Allowable District on Highway 16, and Two (2) sign structures within the allowable District on Highway 321. Each sign structure shall be allowed a maximum of two (2) sign faces back-to-back or V configuration.

Size/Dimension: Maximum height of sign structure shall be 50' to the top of sign face measured from the centerline of Highway grade, excluding cutouts or embellishments; maximum sign size of 380 square feet per sign face.

Limitations:

- Other than copy changes, no moving, rotating, fluttering, blinking, or flashing elements are permitted. No animation, video, audio, pyrotechnic, or bluecasting components are permitted.
- Advertising messages or information shall remain in a fixed, static position for a minimum of 7 seconds.
- All electronic changeable face signs shall be designed and equipped to freeze the device in one (1) position or immediately discontinue the display if a malfunction occurs.
- Copy may be used for both on-premise and off-premise advertising, provided that in the event of an emergency, all copy changes may be dedicated to government use to notify and inform the public of such emergency,
- In order to provide citizens with public service, up to date news, alerts, emergencies, happenings, and other messages, any Electronic Outdoor Advertising Sign structure constructed shall provide to local government one digital rotation on one panel per sign structure to display PSA messaging. Additionally, in the event of State and National

Emergencies the entire digital display will be provided to a designated Emergency Governmental agency.

- The location of an electronic changeable face sign on a lot shall not prohibit the right of a property owner to erect an on-premise sign that is otherwise allowable under this Ordinance.
- Operator of Digital Messaging Sign shall have the right to prune or remove any vegetation between the sign structure/face and the NCDOT right of way in order to maintain an open viewshed.
- Electronic Sign operator must own property on which advertising sign is to be installed or have an executed Lease agreement with property owner, which shall be required prior to issuance of any permits.
- Any portion in this section of the Sign Code shall override any other provision in Chapter 3.9 Signs of the General Development Standards.

3.9 Signs

3.9.5. Specific Sign Regulations

B. Off-Premise Signs

1. Billboards

Billboards are prohibited.

(a) Location

- a. Billboards are allowed within 100' of the right of way of US 321 and NC16 (bypass). Their location shall be within a non-residential zoning district.

(b) Size

- a. The maximum surface area of a single side of a Billboard sign shall not exceed 380 square feet with a total of two (2) sign faces per structure.

(c) Quantity and Separation

- a. Maximum of Two (2) sign structures shall be allowed along each of the allowed highways. Each sign structure shall be allowed a maximum of two (2) sign faces back-to-back or V configuration. A minimum of 5,000' shall exist between sign structures.

(d) Setback

- a. No portion of any Billboard may extend over any public right-of-way (unless permitted to do so by the controlling entity) or be located within 15 feet of any interior lot line. No Billboard sign to be located within 100' of a residential zoning district.

(e) Height

- a. Maximum height of sign structure shall be 50' to the top of sign face measured at the centerline of road grade, along the road toward which the sign is oriented.

(f) Projection/Clearance

- a. All Billboards shall maintain a clear height of eight feet above the ground.

(g) Construction

- a. All Billboards shall be fastened to the ground and engineered so that there is no danger that the sign may be moved by wind or other forces of nature and cause injury to persons or property.

(h) Illumination

- The digital/electronic outdoor advertising sign shall have an automatic dimmer factory set to the following illumination intensities; The sign shall not exceed a maximum illumination of 7,500 nits (candelas per square meter) during daylight hours and a maximum illumination of 500 nits between dusk to dawn as measured from the sign's face at maximum brightness. The electronic sign shall have a photocell sensor to adjust the illumination intensity or brilliance of the sign so that it shall not cause glare.



PLANNING & INSPECTIONS DEPARTMENT
Joshua L. Grant, Manager

Zoning Amendment

Proposed Statement of Consistency and Reasonableness

Case UDO #2024-2

Applicant LKN Media Partners, LLC

Parcel ID# N/A

Location N/A

Proposed amendment

Amend Section 3.9.5.B.1. to permit billboards along the US321 and NC16 corridors.

This proposed amendment **is not consistent** with the Lincoln County Land Use Plan and other adopted plans in that:

Objective 4.3: PRESERVING SCENIC VIEWSHEDS states that the the County will protect viewsheds along the County's road network, especially in those portions of the County that are most likely to retain a rural character.