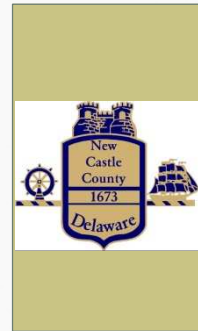


ELECTRONIC VARIABLE MESSAGE SIGNS (EVMS)

SUBSTITUTE NO. 1 TO ORDINANCE NO. 19-072
APP. 2019-0396-T

County Council – Land Use Committee
October 15, 2019

NCC DEPARTMENT OF LAND USE



SUB. NO. 1 TO ORD. NO. 19-072

- Introduced on June 25, 2019
- PLUS Meeting held on July 24, 2019
- Planning Board Public Hearing on September 3, 2019
- Planning Board Business Meeting on September 17, 2019
- Land Use Committee on October 15, 2019
- County Council on October 22, 2019

SUB. NO. 1 TO ORD. NO. 19-072

- Allows for an existing sign to be replaced with another sign or an EVMS through a simplified process.
 - The replacement sign must be equal or lesser sign area than the existing sign (EVMS 50 sq. ft. limit).
 - Does not need to return to the Board of Adjustment, provided the replacement sign is consistent with the written decision.
 - Sign is installed in the same location of the existing sign.
- Includes light intensity standards for all EVMS.
- Reduces EVMS fixed message display from 12 hours to 30 minutes.
- General clean up items for code language consistency.

STANDARDS FOR A TEXT AMENDMENT

- A. *Implementation of a new portion of the Comprehensive Development Plan.*
- B. *Implementation and achievement of the Comprehensive Plan's goals and objectives.*
- C. *Consistency with the provisions of the Chapter and the standards for similar uses.*
- D. *Necessity to respond to State and/or Federal legislation.*
- E. *Flexibility in meeting the objectives of this Chapter.*
- F. *Changes to conditions, interpretations, and/or clarifications to existing language for new uses.*
- G. *Consideration of specific problems found in this Chapter.*

DEPARTMENT OF LAND USE AND PLANNING BOARD RECOMMENDATION

The Department of Land Use and Planning Board had considered the Standards for Text Amendment in Section 40.31.420 of the *New Castle County Code* and comments received from other agencies and the public. Based on this analysis, the Department and Board recommended **CONDITIONAL APPROVAL** of Ordinance No. 19-072 with the conditions the Ordinance be revised as a substitute ordinance as follows:

1. The ordinance should clearly reflect that EVMS billboards are not included in the simplified sign replacement process.
2. The ordinance should maintain that a replacement sign would not need to return to the Board of Adjustment provided the sign is consistent with any prior BOA decision.
3. The ordinance should include language concerning light intensity levels for all EVM signs. The Department recommends an illumination standard of 5,000 nits daytime and 250 nits at night.
4. The ordinance should reflect that a permit must have been issued for the original sign being replaced.
5. The ordinance should address road names errors identified in the DeIDOT PLUS comments.
6. The ordinance should provide signage requirements for the Extractive District (EX).
7. That the replacement sign require a zoning permit.

Questions?