



Nice Matters!

Town of Emerald Isle

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Mayor

Eddie Barber

Mayor Pro-Tem

Floyd Messer, Jr.

Board of Commissioners

Candace Dooley
Steve Finch
Jim Normile
Maripat Wright

Town Manager

Frank A. Rush, Jr.

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**ORDINANCE AMENDING CHAPTER 6 – DEVELOPMENT STANDARDS –
AND CHAPTER 8 - NONCONFORMITIES – OF THE UNIFIED
DEVELOPMENT ORDINANCE REGARDING OFF-PREMISES SIGNS**

WHEREAS, the Town's Unified Development Ordinance (UDO) does not allow the erection of new off-premises signs, and

WHEREAS, there are existing off-premises signs that have been considered nonconforming for many years, and

WHEREAS, the UDO does not currently allow replacement of such signs if damaged more than 50% in value, and does not allow for the removal, replacement, and/or improvement of such signs, and

WHEREAS, the intent of the nonconforming sign regulations is the eventual elimination of such signs due to natural causes, and

WHEREAS, most of these nonconforming signs have remained in place for many years, and are not likely to be eliminated due to natural causes, and

WHEREAS, the Town continues its commitment to the aesthetic enhancement of Emerald Isle for its citizens and visitors, and

WHEREAS, several of the existing off-premises signs are not as aesthetically pleasing as desired due to compromised structural supports, and the current regulations do not allow for the removal, replacement, and/or improvement of such signs, and

WHEREAS, there are only nine (9) such sign locations in Emerald Isle that this ordinance amendment would apply to, and

WHEREAS, the Town now desires to amend the UDO to allow for the removal, replacement, and/or improvement of the existing off-premises signs,

NOW, THEREFORE, BE IT RESOLVED by the Emerald Isle Board of Commissioners that

- Chapter 8, "Nonconformities", of the Unified Development Ordinance is hereby amended to add new section 8.2.3 – Special Provisions for Off-Premises Signs, as follows:

8.2.3 – Special Provisions for Off-Premises Signs

Off-premises signs are not permitted as per the Unified Development Ordinance. However, nonconforming sign locations with off-premises signs in place as of January 1, 2006 may be removed and replaced or improved, provided the following:

(1) The number of off-premises signs at the location shall not increase.

(2) Each nonconforming sign shall have a maximum size of fifty (50) square feet or the original square footage of the sign in place as of January 1, 2006. The more stringent of the two shall apply.

(3) Each nonconforming sign shall not exceed fifteen (15) feet in height or the original height of the sign in place as of January 1, 2006. The more stringent of the two shall apply.

(4) The number of sign facings for each nonconforming sign shall not increase.

(5) Each nonconforming sign shall remain or be replaced in the same location as it existed prior to its repair or reconstruction.

2. Section 6.6.6., paragraph (7) of the Unified Development Ordinance, Development Standards, is hereby repealed.
3. The Board of Commissioners has determined that the above amendments are consistent with the Town of Emerald Isle's 2004 CAMA Land Use Plan, as amended.
4. The Board of Commissioners has determined that the above amendments are both reasonable and in the public interest for the following reasons:
 - promotes the continued aesthetic improvement of the Town,
 - provides local sign owners with additional flexibility, and
 - maintains the small-town, family beach atmosphere.
5. The Town Clerk is authorized to amend the sections as set forth above.
6. This ordinance shall become effective immediately upon its adoption. If any section, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

Adopted this the 12th day of July, 2016, by a vote of
Commissioner(s) Dodley, Finch, Messer, Normile, Wright voting for,
Commissioner(s) _____ voting against, and
Commissioner(s) _____ absent.


Eddie Barber, Mayor

ATTEST:


Rhonda Ferebee, Town Clerk

