

**TOWN OF EMERALD ISLE
PLANNING BOARD MEETING
MONDAY, NOVEMBER 25, 2013**

Chairman Jim Craig called the meeting to order at 6:00 pm. Members present were: Jim Craig, Eddie Barber, Bill Keadey, Ken Sullivan, Tom Kelly, and Jim Normile. Also present was Kevin Reed, Planning and Inspections Director and Peggy Grammer, Permit Technician.

A motion was made by Jim Craig to excuse Pete Wachter. The motion was seconded by Ken Sullivan and passed unanimously (6 to 0).

A motion was made by Ken Sullivan to approve the minutes of the Planning Board meeting held on October 28, 2013. The motion was seconded by Bill Keadey and passed unanimously (6 to 0).

Mr. Reed advised that for the month of October 2013, The Planning and Inspections Department total estimated value for all permits in excess of \$1,287,336. This brings the fiscal year to over \$4.3 million in construction value and the department has collected approximately \$43,463.20 in permit fees.

Discussion regarding possible changes to Chapter 6, “Development Standards”, Section 6.6, “Signs”, Paragraph 6.6.2(6)(H) of the Town’s Unified Development Ordinance (UDO) in order to amend the regulations for political signs.

Mr. Reed informed the Planning Board that Town staff would like to discuss with the Planning Board a possible amendment to Chapter 6, “Development Standards”, Section 6.6, “Signs”, Paragraph 6.6.2(6)(H) of the Town’s Unified Development Ordinance (UDO) in order to amend the regulations for political signs. Town staff believes the amendment to the UDO is necessary in order to remove differences between how political signs are regulated along Highway 58 (Emerald Drive) and the remaining streets in Town. State law and the Town's Unified Development Ordinance include provisions regulating campaign signs and there are different requirements for: 1) NC 58; and, 2) for all other Town streets. This difference is due to a new 2011 State law that no longer allows cities and towns to regulate campaign signs along State highway right of ways. The following is a brief summary of current regulations for political signs.

State Law - Applies on NC 58

1. Campaign signs may be placed within the NC 58 right of way, but you must have the permission of the adjacent private property owner.
2. Signs must be placed at least 3 feet from the edge of the NC 58 pavement, and can not be more than 42 inches higher than the asphalt roadway surface.
3. Campaign signs may not be displayed earlier than 30 days prior to the start of "one-stop" voting and for more than 10 days after the election

4. Care should be taken to make sure campaign signs in the NC 58 right of way do not obstruct a driver's sight distance at an intersection or create an unsafe condition for motorists, pedestrians, or bicyclists.
5. Signs can not be larger than 6 square feet (864 sq. inches).
6. There is no limit on the number of campaign signs, provided that all other regulations are followed.
7. Signs can not obscure or replace other signs.
8. No campaign signs are permitted on or in front of Town-owned property.

Town Ordinance - Applies Everywhere Else in Emerald Isle (Including Private Property Fronting on NC 58)

1. Campaign signs are allowed on private property only (with the property owner's permission), and are not permitted in the public street right of ways.
2. Campaign signs may not be displayed earlier than 90 days prior to the election and for more than 10 days after the election.
3. Campaign signs may not be larger than 16 square feet per sign (2304 sq. inches).
4. No banners are permitted.
5. There is no limit on the number of campaign signs, provided that all other regulations are followed.
6. No campaign signs are permitted on or in front of Town-owned property.

Mr. Reed informed the Planning Board that having two sets of regulations pertaining to political signs within the Town can be confusing for candidates and the property/business owners and residents who support them. Town staff is proposing that the UDO be amended to include one set of regulations that would pertain to all political signs. Town staff has prepared a potential amendment to the UDO and it is attached to this memorandum. Text being deleted is shown in a strikethrough format and text being added is shown in an underlined format. Town staff is proposing to follow the guidelines established by the State for political signs and make it applicable to all streets within the Town whether they are Town streets or State roadways. It is important to note that the changes would allow for signs to be placed in all street and highway right of ways. The changes would also reduce the size of all political signs along Town streets to six (6) square feet. In addition, instead of allowing signs to be erected 90 days before an election; it would restrict them to 30 days prior to the start of "one-stop" voting.

Ken Sullivan expressed concern about the 16 sq. ft. sign on private property, felt that it should be limited to 6 sq. ft. Kevin informed the Board that he could add another bullet to the amendment to clarify that signs located on private property be limited to 6 sq. ft. Eddie Barber agreed that it would be a good solution. Tom Kelly inquired as to what the enforcement on sign regulations. Kevin Reed informed the Board that there is ability to impound illegal signs and that a \$50.00

fee could be charged. Eddie Barber made a motion to recommend approval to the Board of Commissioners with the change to add additional bullet clarifying the signs be limited to 6 sq. ft. on private property. Tom Kelly seconded the motion and it passed (6 to 0).

Discussion regarding a possible amendment to the 2004 CAMA Land Use Plan, specifically the Future Land Use Map, in order to amend the boundaries of the Village West Area.

Mr. Reed informed the Planning Board at the October meeting, Town staff discussed with the Planning Board, a possible amendment to the 2004 CAMA Land Use Plan (LUP), specifically the Future Land Use Map (FLUM), in order to amend the boundaries of the Village West Area. The amendment to expand the Village West Area was approved by the Board of Commissioners at its November 12, 2013 meeting and will ultimately be sent to the N.C. Coastal Resources Commission for its required certification. Since the meeting of the Board of Commissioners, Town staff has discussed with nearby property owners the potential further expansion of the Village West Area in order to include them in the Future Land Use Map as being part of Village West. The potential expansion involves four properties on the north side of Crew Drive that are currently zoned Business (B). These properties are currently vacant or developed for commercial use. The potential amendment to the Land Use Plan would not rezone these properties at this time. Attached is a map showing the current boundaries of Village West and the properties to be included in the potential expansion. The properties to be added to Village West are currently shown on the Future Land Use Map as being part of the Commercial Corridor or Mixed Residential. Town staff believes that the Mixed Residential designation for the western most lot may be in error since it is currently zoned Business (B).

Tom Kelly asked how the properties on opposite sides of the potential expansion were zoned. Mr. Reed informed the Planning Board they were zoned business.

Ken Sullivan made a motion to recommend approval of the amendment to the Board of Commissions. The motion was seconded by Eddie Barber and passed unanimously (6 to 0).

There being no further business to come before the Board, a motion was made by Eddie Barber to adjourn. The motion was seconded by Tom Kelly and passed unanimously (6 to 0). The meeting was adjourned at 6:27 PM.

Respectfully submitted by:

Peggy Grammer, Secretary
Town of Emerald Isle Planning Board