



Nice Matters!

**Town of Emerald Isle**  
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**Board of Commissioners**  
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**Town Manager**  
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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

1. 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) Shall not increase the number of off-premises signs at the location.

(2) 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) 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) Shall not increase the number of sign facings.

(5) Shall be placed in the same location.

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 \_\_\_\_\_ day of \_\_\_\_\_, 2016, by a vote of

Commissioner(s) \_\_\_\_\_ voting for,

Commissioner(s) \_\_\_\_\_ voting against, and

Commissioner(s) \_\_\_\_\_ absent.

\_\_\_\_\_  
Eddie Barber, Mayor

ATTEST:

\_\_\_\_\_  
Rhonda Ferebee, Town Clerk