



Nice Matters!

**Emerald Isle
Planning and Inspections**
7500 Emerald Drive
Emerald Isle, NC 28594

252-354-8548 voice
252-354-5068 fax

www.emeraldisle-nc.org

Town Planner
Josh Edmondson
jedmondson@emeraldisle-nc.org



DATE: March 10, 2016
TO: Planning Board
CC: Frank A. Rush, Jr, Town Manager
FROM: Josh Edmondson, CZO, Town Planner
SUBJECT: **Text Amendment to Chapter 8: Nonconformities**

The Manager and myself have been discussing the issue of the handful of off-premises signs along NC 58. The Commissioners and staff are committed to continuing the enhancement of the Town streetscape and over all appearance. We have recently installed new street trees, lighting and additional improvements are planned in the Village East area. As you are aware, we have provisions that allow the continuation of nonconforming signs which is as follows:

8.2 - NONCONFORMING SIGNS

8.2.1 - Intent

Signs in existence prior to the adoption of the regulations from which this Development Ordinance is derived and that do not conform to the provisions of this Development Ordinance are declared nonconforming signs. The policy of the Town is that the eventual elimination of nonconforming signs is just as important to the health, safety, welfare, and appearance of the Town as is the prohibition of new signs that would violate this Development Ordinance.

8.2.2 - General Provisions

Nonconforming signs may be continued, provided that they:

- (1) Were erected prior to adoption of the various sign regulations from which this Ordinance derives, and with which they are in violation.
- (2) Are not changed or replaced with another nonconforming sign, nor modified in any way except as noted in [section 6.6.7](#).
- (3) Shall not be expanded or relocated.
- (4) Shall not be re-established after damage or destruction in excess of fifty (50) percent of the sign square footage at the time of the damage or destruction.
- (5) Shall not be modified in any way that increases their degree of nonconformity.
- (6) Shall be removed within ten (10) days of the close of the business that they advertise.

Those existing off-premises nonconforming signs were supposed to age out completely over time. This is the intent of the nonconforming regulations. However, working within these above guidelines the owners of these signs do the bare minimum allowed for their continuation. The sign facings can be replaced but the supporting structure can only be maintained. This has led to unsightly conditions of these signs. We realize the signs are important to the owners and they will do what is needed to keep in place. We want an attractive appearance for our citizens and visitors.

There are currently 9 off-premises sign locations. The amendment establishes January 1, 2006 as the cutoff date for an off-premises sign established on or before that date.

The regulations as proposed would allow an off-premise sign to be replaced or reestablished if already removed. There is only one sign Camp Ocean Forest, two if you count Bogue Inlet Pier that would be reestablished. The sizes and heights are modeled after our sign regulations and we will discuss this in more detail.

I have attached the amendment for your review (yellow highlight/underlined) along with pictures of the off-premises signs and a map depicting each location. Note that each picture is number to correspond with the number on the map. I look forward to discuss this with you at the March 21, 2016 Planning Board meeting.