

**TOWN OF EMERALD ISLE
PLANNING BOARD MEETING
MONDAY, APRIL 25, 2016**

Chairman Ken Sullivan called the meeting to order at 6:00 pm. Members present were, Jim Osika, Steve Leroy, Tom Minnick, Mark Taylor, Paul Schwartz and Ryan Ayre. Also present was Josh Edmondson, Town Planner, and Mr. and Mrs. John Wooten.

A motion was made by Ryan Ayre to approve the minutes. The motion was seconded by Paul Schwartz and carried unanimously 6-0.

Paul Schwartz requested to add an item to the agenda regarding email communication. A motion was made by Steve Leroy to add this item. Mark Taylor seconded the motion and it carried unanimously 6-0. The Board discussed appropriate topics that should be shared via email. The Board agreed that policy decisions or items should be done in a transparent setting such as the regularly scheduled Planning Board meetings.

SUBJECT: Discussion of Text Amendment to Chapter 8: Nonconformities

The Planning Board and Staff discussed the request tabled from the March Planning Board meeting. Mr. Edmondson went over the reason for the amendment being to allow the owners of the off-premises signs at each of the described locations to replace the signs to enhance the appearance of each. He stated one of the Town's main goals is the continued enhancement of the appearance of Emerald Isle. The amendment staff felt was a way to progress this goal. Mr. Edmondson stated the amendment would only apply to those 9 off-premises sign locations as shown on the map provided to the Planning Board. Mr. Edmondson said these are the only off-premises sign locations in the Town of Emerald Isle. Mr. Edmondson provided a copy of the current code concerning nonconforming signs and the amendment as shown below:

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.

8.2.3 – Special Provisions for Off-premises Signs (amendment)

Off-premises signs and billboards are not permitted as per the adopted Ordinance. Nonconforming sign locations which had off-premises signs established on or prior to January 1, 2006 may be replaced or reestablished provided the following:

- (1) Shall not increase the number of off-premises signs at location
- (2) Shall have a maximum size of Fifty (50) square feet or the original square footage of the sign as established on or prior to January 1, 2006. The more stringent of the two (2) shall apply.
- (4) Shall not exceed fifteen (15) feet in height or the original height of the sign as established on or prior to January 1, 2006. The more stringent of the two (2) shall apply.
- (3) Shall not increase the number of sign facings

The Board had considerable discussion on the amendment as proposed. Members discussed several options which included a sunset clause, allow replacing with a sunset clause, allow freshening up or simply leaving the current regulation as is. Mr. Edmondson stated the proposed amendment would allow an off-premise sign to be replaced or reestablished if already removed. The sizes and heights that were presented to the Board were modeled after current Town sign regulation. The Board consensus was to not proceed with the sunset clause or replacing with a sunset clause. The Board then began the discussion that would have allowed the owners to freshen up the signs. Mr. Edmondson stated that staff felt this could lead to an enforcement issue and trying to define the term freshen up could be tricky. Mr. Edmondson stated staff would prefer to keep the current regulation verses the freshen up language. Steve Leroy made a motion to keep the current code regulation in place. The motion was seconded by Tom Minnick and passed 5-1.

SUBJECT: Discussion of Amendment to Chapter 6: Development Standards

Mark Taylor made the motion to take no action on this item. The motion was seconded by Ryan Ayre and carried 6-0.

Subject: Report from Town Planner

Town Planner, Josh Edmondson gave his report informing about the Commissioners approval the Golf Cart Sales and Rental amendment. A brief overview of the monthly Inspection figures was provided for March 2016. Mr. Edmondson gave a brief review of the Landuse Plan update and the board training scheduled for June.

Subject: Comments from Planning Board

No comments

There being no other business a motion was made by Paul Schwartz and seconded by Jim Osika to dismiss the meeting which carried 6-0.

Respectfully submitted by:

Josh Edmondson, Secretary
Town of Emerald Isle Planning Board