

# MINUTES



## TOWN OF KURE BEACH TOWN COUNCIL

117 Settlers Lane ▪ Kure Beach, NC 28449

Mac Montgomery, Mayor  
Jim Dugan, Mayor Pro Tem  
Dean Lambeth, Commissioner  
Barry Nelder, Commissioner  
Jim Vatrtr, Commissioner

Michelle James, Town Administrator ▪ Kaysie Pralle, Town Clerk

PUBLIC HEARING  
JUNE 16, 2009 5:00 P.M.

### PURPOSE

The purpose of this meeting is to hear public comment on the amendments to Section 19 of the Code of Ordinances.

### COUNCIL MEMBERS PRESENT:

Mayor Mac Montgomery  
Commissioner Dean Lambeth  
Commissioner Jim Vatrtr

### COUNCIL MEMBERS ABSENT:

Mayor Pro Tem Jim Dugan  
Commissioner Barry Nelder

### STAFF PRESENT:

Town Administrator Michelle James  
Building Inspector John Batson  
Town Clerk Kaysie Pralle

Town Attorney A. A. Canoutas was in attendance. There was a quorum of the Town Council present.

### CALL TO ORDER AND WELCOME

Mayor Montgomery called the meeting to order at 5:03 pm.

Mayor Montgomery announced the sections of the Code of Ordinances that were being decided upon today and opened the floor for public comment.

☞ Recommendation from Planning & Zoning Commission for Political Signs - Chapter 19 ZONING, ARTICLE VI. SIGNS, Sec. 19-373. Exceptions.

☞ Recommendation from Planning & Zoning Commission for Prohibitive Signs - Chapter 19 ZONING, ARTICLE VI. SIGNS, Sec. 19-375. Prohibited Signs.

There was no public comment.

Commissioner Vatrtr MADE THE MOTION to adjourn at 5:06 pm. Commissioner Lambeth seconded the motion. THE VOTE OF APPROVAL WAS UNANIMOUS.

Administrator James explained that there might be a discussion regarding Sec. 19-373. Exceptions, which addresses the issue of political signs. This may have not been clear when announced earlier.

Mayor Pro Tem Dugan and Commissioner Nelder joined the meeting at 5:07 pm.

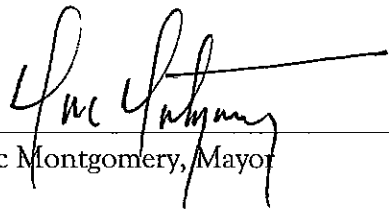
Commissioner Vatr MADE THE MOTION to reopen the meeting at 5:08 pm. Commissioner Dugan seconded the motion. THE VOTE OF APPROVAL WAS UNANIMOUS. (Recording 8)

Commissioner Lambeth would like the wording changed on the Political Signs recommendation to read "Political signs may be erected within 100 yards of the Town Hall or Polling Place twenty-four (24) hours prior..."

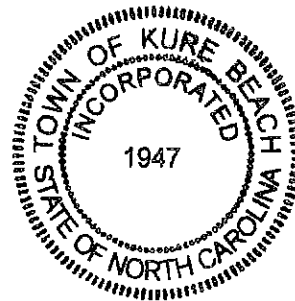
CONSENSUS - Council approved the recommended amendments to the Ordinance with the wording change mentioned above.

ADJOURNMENT

Commissioner Nelder MADE THE MOTION to re-adjourn the meeting. Mayor Pro Tem Dugan seconded the motion. THE VOTE OF APPROVAL WAS UNANIMOUS.

  
\_\_\_\_\_  
Mac Montgomery, Mayor

  
\_\_\_\_\_  
Kaysie Pralle, Town Clerk



NOTE: These are action minutes reflecting items considered and actions taken by Council. These minutes are not a transcript of the meeting. Persons wishing to hear the recording of this meeting may request to do so by contacting the Town Clerk.

ITEMS  
INCORPORATED BY REFERENCE  
AND MADE A PART OF THESE  
MINUTES

OR

SIGNED AND SEALED  
ORDINANCE  
RESOLUTION  
PROCLAMATION  
CONTRACT

Sec. 19-373. Exceptions.

The signs listed below are excluded from these regulations:

- (1) Signs not exceeding four (4) square feet in area and bearing only property numbers, post office box numbers, names of occupants of premises, or other identification of premises not having commercial connotations and are on owner's property.
- (2) Flags, signs, and insignias of any governmental agency, except where displayed in connection with commercial promotion; items in this category are not to exceed thirty-two (32) square feet.
- (3) Signs directing and guiding traffic, parking and safety signs on private property, but bearing no advertising matter. Items in this category are not to exceed thirty-two (32) square feet.
- (4) Yard sale and for sale signs which are temporary. Items in this category are not to exceed six (6) square feet. All signs in this category must be set back five (5) feet off street right-of-way in all zones except B-1. All signs in this category in the B-1 district must be set back three (3) feet from the right-of-way. If three (3) feet is not available the sign must be behind the sidewalk or attached to the structure.
- (5) Signs located on church property not exceeding thirty-two (32) square feet. A maximum of two (2) church signs directing persons to churches located within the town not exceeding four (4) square feet each.
- (6) All existing signs which existed at the time of adoption of the ordinance from which this section was derived shall be allowed to continue to exist and to be repaired or replaced provided the square footage of the sign areas remain the same.
- (7) Political signs may be erected on ~~any principal building or on any privately owned~~ premises. One may erect non-illuminated political signs for a period of ~~sixty (60)~~ seventeen (17) days prior to any primary or general election. Political signs shall be removed within ~~thirty (30)~~ five (5) days after the general or run-off election to which the sign pertains or after the termination of a candidacy, whichever occurs first. Portable political signs are not permitted. Political signs may not exceed four (4) square feet in size. Political signs will not be allowed within the right-of-way in the town limits or its extraterritorial jurisdiction nor on any publicly owned property. Political signs may be erected with 100 yards of the Town Hall or Polling Place twenty-four (24) hours prior to the scheduled election subject to limits imposed by the New Hanover County Board of Elections.

(Ord. of 8-19-03)

# MEMORANDUM

To: Kure Beach Town Council  
From: Kure Beach Planning & Zoning Commission  
Date: May13, 2009  
Re: Recommendations to Council from May 5, 2009 Planning & Zoning Regular Meeting

---

In accordance with the directive of Town Council, following their April 21, 2009 Regular Meeting, the Planning & Zoning Commission, from their May 5, 2009 meeting, recommends, by consensus or by vote, the following:

1. Amending Chapter 19 ZONING, ARTICLE VI. SIGNS., Sec. 19-375. Prohibited Signs.
  - A. Amend Line 8 to read as follows:  
Flags, kites, pennants, balloons, spinners, streamers, or other such advertising devices or displays - except seasonal holiday decorations and other temporary, non-commercial celebratory activities, such as birthday parties.
  - B. Amend Line 13 will read as follows:  
Window signs, except as expressly permitted by this division, or as required by law, shall not exceed more than 25% of the window area.
  - C. Delete Line 14 from this section.  
~~Price signs, except as required by law and approved by the Code Enforcement Officer of community development.~~
  - D. Amend Line 23 by adding the first sentence of Sec. 19-376 to the beginning of the Line. Line 23 will read as follows:  
Any permitted or nonconforming sign or sign structure which has been damaged may not be repaired and used as before, provided all repairs are initiated within 30 days and completed within 90 days of such damage. Internally illuminated can signs with translucent copy and field, Low luminance internally illuminated channel letter and halo signs (reverse channel letter signs are permitted). It is encouraged that all signs, major business signs, be externally illuminated. Externally illuminated devices such as, but not limited to, flood or spot lights shall be so placed and so shielded as to prevent the rays of illumination from being cast upon neighboring buildings and/or vehicles approaching from either direction. No blinking illuminations shall be permitted.
  - E. Delete Line 25 from this section.  
~~No pole signs are allowed.~~