

**KURE BEACH
PLANNING & ZONING COMMISSION
WORKSESSION
WEDNESDAY, AUGUST 20, 2008**

MINUTES

The Kure Beach Planning and Zoning Commission held a special meeting for the purpose of holding a work session with members of the business community and the public regarding proposed amendments to the sign ordinance. A quorum was present

MEMBERS IN ATTENDANCE

Chair – James Schutta
Vice Chair – Janet Foster
Members: Alan Votta, Craig Galbraith

MEMBERS ABSENT

Tim Bullard

STAFF IN ATTENDANCE

Town Administrator Michelle James
Clerk Nancy Avery
Building Inspector John Batson

OTHERS IN ATTENDANCE

Business owners in attendance were:

Barbara Gargan – Freddie’s Restaurant
Tom Humphries – Jack Mackerel’s Island Grill
Jerry Bigley – Islander Kwik Mart
Jimmy Lippard – Pleasure Island Photography
Anne Brodsky – Palm Air Cottages

Call to order

Chairman Schutta called the meeting to order at 6:31 pm.

Discussion of draft sign ordinance amendments

Member Galbraith stated:

The proposed amendments to the sign ordinance were looked at with the following underlying purposes in mind:

- Elimination of unsafe signs that are designed to distract drivers, such as LED , moving, and electronic signs.
- Update the ordinance to be consistent with the zoning map.
- Be consistent with the Land Use Plan adopted in 2006.
- Consideration of the B1 study by Hayes Planning and Sawyer Architects recommendation to improve the cleanliness and overall attractiveness of the business district.
- Many studies show stricter sign regulations increase business.
- Studies show the more attractive an area is the less criminal activity.
- A good sign code is pro business.

- There are possibly two issues with the draft amendment – it doesn't define how to measure the size of a sign and needs to have a total area of sign allowed.

Audience comments:

1. Anne Brodsky of Palm Air Cottages stated:

- My first reaction was that this is another thing trying to kill the business district.
- What's the purpose of this?
- Are we trying to do sign ordinances because there is a problem with other people's signs, which penalizes the rest of us.
- Financially, how am I going to afford another \$10,000 sign? Or a fee. Parts of my sign are already in violation.
- With these new recommendations, I won't have my letter sign anymore and how do I get reimbursed for the price of this sign?
- Are you really supporting the business district?
- The 12.75% taxes that are paying for these changes are coming from my sweat equity.
- There are some signs in Town that are objectionable.
- What about the new sign at the Community Center that came out of my taxes – it's a changeable sign. Will that sign need to come down too?
- I like the idea of getting a base line study of all signs here already. I would volunteer to help as a business owner.
- I don't want someone to overshadow my sign. I can see where a certain uniformity would help us.

2. Tom Humphries of Jack Mackerel's Island Grill stated:

- The past Council asked Planning and Zoning to look at the uniformity of signs in the business district and it got spun into this.
- I think this is ridiculous.
- There isn't a sign in Town that I think is in compliance with this.
- I think we've lost track of why we are here.
- I thought we were trying to have uniformity in beach access signage.
- Recycling is already costing businesses a lot of money.
- Does anyone on Planning and Zoning have a problem with my Jack Mackerel sign?
- Every beach town and community you have talked about has miles of businesses, not four blocks.
- All these communities you talk about have had new business. I think Eisenhower was in office the last time we had a new business come in to the area.
- The State's talking about by-passing our business district with an extension of Dow Road.
- What about 'open' signs in neon? Are they a problem?
- Under this draft my sign won't be allowed.
- A monument sign can be more dangerous than a pole sign because of sight line issues for vehicles.

- It would help business owners to see pictures of signs you don't like.
- I think you put a lot of work in this.

3. Jimmy Lippard of Pleasure Island Photography stated:

- Some of the signs here are historical and I would hate to see them go.
- I would like to see us stay unique.
- I'm a residential person that lives in the B1 and am trying to sell my property and can't.
- The Moran Motel just put up a new sign two years ago that cost in the five digits. To tell him to take that sign down in 5 years, is unfair.
- With the trouble the Business district is having making ends meet, they need to be left alone.
- You're going to leave residential signs alone, but put a cost on the business district.
- I understand a sign ordinance for future development, but to tell current business owners that in five years they have to tear down their signs to be in compliance with the Town's ordinance – I don't understand that.

4. Jerry Bigley of Islander Kwik Mart stated:

- Section 19-373 # 6 of the ordinance that reads "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" is to be deleted– why?
- I have four franchises. You are trying to penalize me and this is wrong. The Lottery, Citgo, Tastee Freeze, and Hot Stuff Pizza all require me to have these signs.
- I did something to beautify this Town.
- I think this is a bunch of malarkey.
- I don't care what other towns are doing.
- The main thing is can you pay your bills and taxes.
- I will fight this to the end.
- Carolina Beach lets you have what you've got if they change anything.
- I have to have signs so people know what I sell.
- What about the toilets at the park that look like crap. People say what's wrong with the Town that they can't afford to build restrooms. They look a lot worse than any sign in town.
- The law requires me to have cigarette signs.
- What would the Town do if businesses closed down?
- Does anyone on Planning and Zoning see anything wrong with any of my signs?
- We have only 5 or 6 stores – we are not Nags Head or Wrightsville Beach.
- What about a pole with a moving flag – is that allowed?

Member Galbraith replied:

- We are trying to improve the beauty of the community and this draft amendment to the sign ordinance is one way to make it more attractive.

- Section 19-373 # 6 is shown to be deleted because a new section on nonconforming has been created.
- We wrote in a 5 year amortization schedule for signs that will be nonconforming.
- We want to leave some flexibility, but how do you do that without writing a 100 page ordinance?

Member Votta stated:

- None of us want to put a hardship on anyone.
- If we want the Town to develop, we need to have uniform signage.
- A business next to you can tower over your signs the way the ordinance is written today. A new business can put up a sign 80 feet in height according to our old ordinance.
- We want to get development in our downtown.
- We are here to be ready for future growth, so there won't be multiple signs competing with other businesses.

Member Foster stated:

- We don't want people putting signs up with flashing lights, so we need to have a sign ordinance.

Chairman Schutta stated:

- Cigarette signs are exempted because the law requires them.
- We need this business district and want to see it grow.
- We are trying to make it so we can attract businesses here.
- Yes there are a lot of restrictions now.
- I don't want us to become a Carolina Beach bedroom community.
- We need to do whatever we can do to work together to make it a better place, to improve the attractiveness and to encourage investors.
- We're not trying to put another screw in the coffin.

Willard Killough, editor of the Island Gazette, stated:

- Where in the draft does it state that certain signs are prohibited - is there a list?
- Changeable copy sign - is that the sign with letters - like an LED sign?
- Using attractiveness as an issue - isn't that subjective and rocky?
- The Town will end in a situation at the end of the 5 year period where a sign has not been touched in 5 years. A business owner may circumvent you at night. That could be a double edge sword.
- What do you think is more attractive for the whole business community?
- Palm Air's sign isn't unattractive and people enjoy riding by and reading it.
- I can understand a window with 45 signs - that's extreme, but you don't have those cases now.
- For a neon sign tubing to be 'exposed attractive and artistic' - who is the determining board that decides what's attractive and artistic?
- There has to be some type of review process. More often than not, though, they'll keep returning to you. Things will get changed by individual requests.

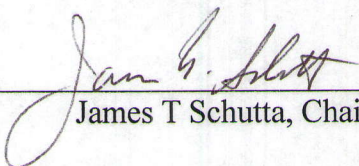
- Is there an inventory of the signs in the Town that are objectionable?
- Have you looked to see how attractive, or to identify the bad apples, and work around that rather than applying a model and ending up with a 500 page ordinance that doesn't do anyone any good?
- Some point is needed to set criteria.
- A map of the existing sign atmosphere might sell people on ideas for carved wooden signs with external lighting.
- If a Wings store opened up and wanted to put up a sign with a shark's mouth and teeth, then the character of the community could preclude that kind of thing. You have to establish that character first.
- Look at sticking with non conforming, get rid of the 5 year of amortization, put in a rule for repairs and that would promote clean, new signs.
- Up the road if you don't have an inventory of signs, you will find it next to impossible to tell which owners need to replace their signs. In Carolina Beach, they ran into owners saying it would be less expense to hire a lawyer than replace signs. The Town could say if it costs more than 50% of the cost to replace it, it has to be taken down and a new sign installed.

Chairman Schutta thanked everyone for coming, reviewed what he had heard so far and captured the following highlights for consideration by the Planning and Zoning Commission:

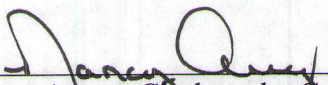
- Too many regulations kill the business district.
- Historical signs should be considered.
- Grandfathering signs is wanted.
- Franchises might have requirements for signage.
- Attractiveness issue is subjective – need to work around.
- Changeable signs are liked– forcing to change could be a big issue.
- Height of signs needs to be looked at.
- Possibly offer variance for safety reasons.
- Need to look at replacement of signs destroyed by acts of nature.

3. Adjournment

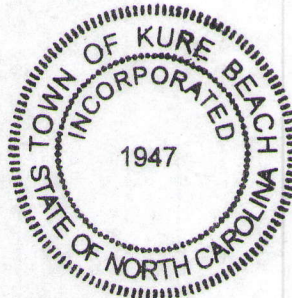
Chair Schutta adjourned the meeting at 7:13 pm.



 James T Schutta, Chairman

ATTEST: 

 Nancy Avery, Clerk to the Commission



NOTE: These are action minutes reflecting items considered and actions taken by Commission. 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 Clerk.