



**KURE BEACH
PLANNING & ZONING COMMISSION
TUESDAY, SEPTEMBER 2, 2008**

MINUTES

The Kure Beach Planning and Zoning Commission held its regular meeting on Tuesday, September 2, 2008. Chairman Schutta called the meeting to order at 7:35 pm. There was a quorum present.

MEMBERS IN ATTENDANCE

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

MEMBERS ABSENT

None

STAFF IN ATTENDANCE

Town Administrator Michelle James
Clerk Nancy Avery
Building Inspector John Batson

OTHERS IN ATTENDANCE

Attorney Holt Moore
Liaison Commissioner Nelder

APPROVAL OF MINUTES: August 5, 2008 regular meeting
August 20, 2008 work session

ACTION - Member Bullard MADE THE MOTION to approve the minutes from August 5, 2008 and August 20, 2008 with no changes. Member Foster seconded the motion. THE VOTE OF APPROVAL WAS UNANIMOUS.

PERSONS TO ADDRESS THE BOARD

None

OLD BUSINESS

1. Amendments to sign ordinance

Chair Schutta stated that the work session held August 20, 2008 went well. Some of the concerns expressed were about expense of replacement of non conforming signs in five years, for business owners to replace pole signs, and the height limit for them.

Member Galbraith:

- Stated he heard three things come out of the work session: time of amortization, height of signs and changeable copy issue.
- Handed out some suggested language regarding total sign area computation, area of signs, and signs not included in total area allowance for discussion. He recommended not voting tonight but spending the next month looking at signs in Town and discussing the amendments again in October.

The Commission discussed comments made by business owners at the work session held on August 20, 2008 with no decision. The following are highlights of the discussion:

- What does Kure Beach want to be – what kind of business/resident do we want to attract? We need a vision of what we want the Town to look like. (Galbraith)
- The signage may be ahead of time. Height, changeable signs and the area of the signs are issues. Are we ready to go forward or should we step back? (Schutta)
- Shouldn't we base any changes on future signage rather than what people have now? (Bullard)
- If we are talking about monument signs then we need 8 feet in height. A pole sign needs to be higher. We could use a % that would allow a part of a sign to be changeable. Maybe 30% of the main sign. For amortization, we could say if most or 50% of the sign is destroyed, it has to be completely replaced. What about offering an incentive? (Votta)
- Member Galbraith stated he was not in favor of changeable copy signs. Members Foster and Bullard stated they could see from the business point of view why they would like the opportunity to advertise specials.

CONSENSUS:

- Invite Beautification committee members to participate in the next meeting and provide them a copy of the draft amendment.
- At the next meeting (October), review below changes. In the interim, walk around and look at the current signs and discuss at the next meeting

CONSENSUS - change draft amended sign ordinance as follows:

- Page 3 under prohibited signs # 7, changeable copy signs, delete that out and add a footnote to the chart on page 9 for all 40 square feet to read 'maximum of 30% of sign may be non illuminated changeable copy sign'.
- Page 6, non conforming signs, item 5d - change 5 year amortization to 7 year. Member Galbraith to bring language to next meeting.
- Page 2, add following language to section 19-372- Application of regulations as sections a, b, and c.

Section 19-372(a) to read:

Computation of area of individual signs.

The area of a sign (which is also the sign area of a wall sign or other sign with only one (1) face) shall be computed by means of the smallest square, circle, rectangle, triangle or combination there of that will encompass the extreme limits of the writing, representation, emblem or other display, together with any material or color forming an integral part of the background or display or used to differentiate the sign from the backdrop or structure against which it is placed, but not including any supporting framework, bracing or decorative wall when such wall otherwise meets zoning ordinance regulations and is clearly incidental to the display itself.

19-372(b) to read:

Total Sign Area Allowed For Permanent Non-Residential Signs

Each commercial and business property is allowed a total aggregate surface area not to exceed on (1) and (1/2) square foot for each linear foot of building frontage. Buildings located on corner lots (fronting upon two (2) public commercial street rights-of-way, excluding alleys, walkways, side-streets and residential streets) and multi-story buildings with upper floor non-residential occupants or tenants are allowed a maximum sign surface not to exceed one and one-half (1 1/2) square feet for every linear foot of building frontage. Suspended and projecting signs shall be calculated separately from other wall signs.

19-372(c) to read:

Signs Not Included in Total Area Allowance

All permanent signs permitted and regulated through the ordinance shall count as part of the property's total allowed signage except: building markers, flags and flagpoles, identification, incidental, wall mounted directory of no larger than three (3) square feet, suspended signs of no larger than two (2) square feet in total area. In addition, signs specifically associated with sidewalk cafes, sandwich boards and street furniture shall not be calculated as part of the establishment's total sign area.

2. Amendment to exceptions to 35 foot height limit

The commission discussed proposed amendments to the exceptions to the 35 foot height limit. Highlights of the discussion were:

- The Building Inspector needs a decision making tree to work through whether or not to allow an exception. (Schutta)
- I think Council doesn't want the decision on the Building Inspector's shoulder but on Planning and Zoning's. We should always have the Building Inspector as the initial contact to direct the applicant. Council should be the appeal process. (Votta)
- The Code Enforcement Officer can say it doesn't fit and not allow it to go to Planning and Zoning. Then that would be the Board Of Adjustment decision. You could set it up so that any appeal at all would go to Planning and Zoning and bypass Board Of Adjustment. Those exceptions in section 19-333(b) could be allowed to go through zoning to Planning and Zoning Commission for review, acceptance and or denial with the appeal process to the Council. (Attorney Moore)

CONSENSUS – The Commission authorized members Schutta and Votta to work with the Town Administrator and Code Enforcement Officer to create a process for application and approval for decision making on height limit exceptions and present it to the Town Council for consideration at the September Council meeting.

3. Discussion on verification that mixed use is taken care of with the establishment of the special use permit process and discussion on model mixed use ordinances.

CONSENSUS – discussion on verification that mixed use is taken care of with the establishment of the special use permit process and discussion on model mixed use ordinances is tabled until the October meeting.

4. Discussion on drive through restaurants and limiting size of retail stores.

CONSENSUS - discussion on drive through restaurants and limiting size of retail stores is tabled until the October meeting.

NEW BUSINESS

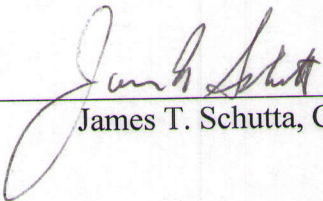
None

MEMBERS ITEMS

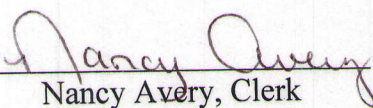
None

ADJOURNMENT

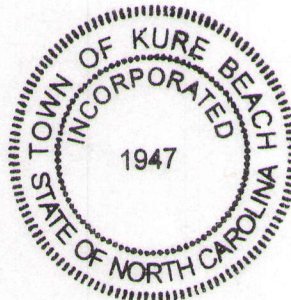
ACTION – Member Bullard MADE THE MOTION to adjourn at 9:10 pm. Member Votta seconded the motion. THE VOTE OF APPROVAL WAS UNANIMOUS.



James T. Schutta, Chairman

ATTEST: 

Nancy Avery, Clerk



NOTE: These are action minutes reflecting items considered and actions taken by the 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 Town Clerk