

KURE BEACH PLANNING & ZONING COMMISSION
REGULAR MEETING ♦ NOVEMBER 12, 2008

A regular meeting of the Kure Beach Planning and Zoning Commission was held on Wednesday, November 12, 2008 at 7:30 p.m. A quorum was present.

MEMBERS IN ATTENDANCE

Chair – James Schutta

Members – Alan Votta, Craig Galbraith, and Janet Foster

MEMBERS ABSENT

Tim Bullard

STAFF IN ATTENDANCE

Building Inspector John Batson

Town Administrator Michelle James

Secretary Aimee Zimmerman

Town Attorney Holt Moore

Liaison Commissioner Barry Nelder

CALL TO ORDER:

Chairman Schutta called the meeting to order at 7:31 p.m.

APPROVAL OF MINUTES

October 7, 2008 regular meeting.

ACTION: Member Foster made the motion to approve the minutes from the October 7, 2008 regular meeting. Member Votta seconded the motion. The vote of approval was unanimous.

PERSONS ADDRESSING THE BOARD

Candace Clark, Beautification Committee

- At the last Planning and Zoning Committee meeting, the committee had not reviewed issues pertaining to re-design of the codes for business and residential signs.

- Beautification Committee is intent on working on Town signs and would like to see a sign review committee or architectural committee formed.
- The review committee should ensure that inappropriate signs are not allowed; especially would like to see uniform real estate signs.
- Met with Ruth Arnold of Ruth Arnold Graphics and Signs.
- Ms. Arnold has a product for uniform real estate signs with a slot where each real estate company's information can be slid in.
- This alternative would be less expensive for the real estate companies and agents.
- Beach access signs should be uniform and consolidated by a structure with two (2) sides with slots for informational purposes. These signs can also incorporate the Town logo.
- Ms. Arnold also recommends that all unnecessary signs should be eliminated.
- The committee would be in favor of P&Z addressing this issue in the business district.
- Any theme chosen should match with the Ocean Front Park theme.
- Signs can be constructed using 4x4 posts that are not metal nor are they painted. They would be stained/sealed which lasts longer and requires less maintenance.
- Street signs (naming the street) could be added to a stop sign; consolidating the two signs.
- There is a Marine polymer product available that requires no painting and it does not fade but resists damage and will last approximately 40 years.
- Speed bumps can be painted yellow thereby eliminating the need for those signs.
- Bicycle signs can be placed on the bike rack which would make them lower thereby making them more esthetically pleasing.

Member Galbraith stated that P&Z previously addressed real estate signs. Also, without an architectural review, P&Z can only recommend height and size parameters. Currently, signs cannot be larger than 2x2.

The Beautification Committee will be reporting to Town Council on these findings this coming Tuesday.

OLD BUSINESS:

1) Amendment to sign ordinance

- Member Galbraith has reviewed different sign ordinances and P&Z is right on target.
- Need to control digital signs.
- Previous ways of calculation were pretty incomprehensible.
- Committee did not have latest revision in their agenda packet. Discussion was held regarding changes made at last meeting.
- Member Galbraith passed out memo demonstrating various examples of sign area calculations.
- Example #1 is the cleanest and easiest to understand.
- Question is if a free standing sign is on a wall, is the structure also part of the sign. If it is on a door or wall, only the message itself would be subject to area calculation.
- If a sign is back to back, both sides are not counted, unless separated and the sign is actually two signs in one. Suggestion was made that if they are three feet apart, it is too far apart and should be counted as two separate signs.

- Suggestion was made that is the committee recommends utilizing Example #1 then remove the second line stating "...except that if two (2) faces are placed back-to-back and are at no point more than three (3) feet from one another". The signs must be back-to-back.
- Member Galbraith states that the zoning map doesn't jive as most businesses on Fort Fisher Boulevard are actually in an RA-3 zone. Those are separated on the chart in this ordinance.
- Member Galbraith suggests replacing 19-372(a) with the wording from Example 1 minus the phrase "and are at no point more than three (3) feet from one another".
- Member Votta questions if all signs should be square or rectangle. Member Galbraith states that if a sign supports copy, the whole frame would be counted. If only copy then a rectangle would be drawn to calculate area.

ACTION: Member Galbraith made a motion to replace 19-372(a) with Example 1 (as attached). Member Foster seconded the motion. The vote of approval was unanimous.

- Regarding historical signs, most sign ordinances do not address these.
- An additional handout talks about signs of historical significance or artistic significance.
- Example 1 is too short and does not define "historical".
- Example 2 is problematic as the Town does not have an historic preservation commission.
- Example 3 is the best if the term "city" is replaced with "Town".
- Commissioner Nelder suggested contacting the historical society on the Island to see if they have any concerns of historic value.
- Example 2 is good as it is more defined. Any sign, i.e. Jack Mackerel's, that reaches 25 years of age, would have to be brought back before council in order to be considered an historical sign.
- Member Schutta believes there should be an historical society that would make any determination. Perhaps the Federal Point Historic Preservation Society would be willing to handle this task as well as nominating signs as "historic".

ACTION: Member Galbraith moved to add, under 19-373(9), under "exceptions", Example 2 (as attached). Member Votta seconded the motion. The vote of approval was unanimous.

- Under Sec. 19-375(12), the terms "attractive and artistic" should be removed from the language.
- Member Votta recommends that that language needs to be moved to the last sentence so as to read "An attractive and artistic neon sign and/or a traditional small exposed neon "open" sign is allowed". First sentence would read as written with removal of terms "attractive and artistic".
- Political signs are addressed in the ordinance. Does the ordinance need to specifically address placement of signs on governmental properties?
- Commissioner Dugan will bring this topic up at the next Town Council meeting.

ACTION: Member Galbraith moved to pass on political signs until Council has discussed. He will research other North Carolina Ordinances to see if they address this issue. Our ordinance limits placement to 15 days prior to Election Day which shows an attempt to control this problem. All agree that this is contentious issue. Member Galbraith withdraws his motion.

- Member Votta questions the 7 year time frame on non-conforming signs. He additionally questions signs being damaged at 51% or more and how that would be determined.
- Member Votta believes a percentage needs to be addressed along with age of the sign.
- Member Galbraith will research other beach community ordinances.
- Chairman Schutta states that this portion of the ordinance will address any future concerns and we are trying to plan ahead.
- Member Galbraith suggests a moratorium on signs until this matter is decided. It will prevent people from putting up a sign that might potentially become illegal.
- Since the odds of that are slim, a moratorium is unnecessary.
- Member Galbraith suggests having a pictorial guide for the public as to the sign ordinance and recommends that one be prepared once council approves the new ordinance amendments.

ACTION: Member Galbraith moved to table this issue and directed the Town Administrator to revise the ordinance as stated and to consult with him as to correctness. Member Schutta seconds the motion and directs town staff to make the appropriate changes. The vote of approval was unanimous.

2) 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.

- This item is still tabled.
- Town Administrator James advised that Dexter Hayes would be willing to come in around January to talk to P&Z about form base.
- This could be a workshop rather than being addressed at a regular meeting.
- Committee will advise their schedules at December meeting and secretary will arrange for Mr. Hayes to address the committee.

3) Discussion on drive through restaurants and limiting the size of retail stores.

- Some communities strictly do not allow drive throughs. San Luis Obispo is one.
- If there is a concern in this community, they should just be disallowed.
- Concern is really with the look of the establishment rather than the drive through factor.
- This is where form based planning helps out since Kure Beach does not have an architectural committee.
- Town Administrator James will ask Mr. Hayes to include this issue in his discussion.
- Commissioner Nelder questions the format for creating an architectural committee.

- That committee would be formed by members of other committees along with an architect. Even P&Z could be used as that committee.
- However, this issue mainly concerns the commercial district.

NEW BUSINESS

- Member Galbraith questions if grant money is available to bury power lines. That would beautify the area thereby making it more district and attractive for the tourists. This is also an issue of safety.
- Commissioner Nelder stated that Brunswick County's barrier islands do this.
- Town Administrator James stated that this issue is already being researched as part of the Atlantic Avenue project.
- There are also transportation enhancement grants that come down each year and that burying the lines would fall under this type of grant.
- There is also a FEMA mitigation grant however, those are touchy as the area in question would have to be in a flood zone.
- Beautification grants can be researched for streetscapes.

MEMBER ITEMS

None

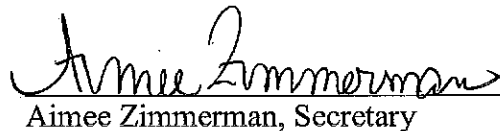
ADJOURNMENT:

Member Votta moved to adjourn the meeting. Motion Foster seconded the motion. The vote of approval is unanimous.

Meeting was adjourned at 9:06 p.m.



Jim Schutta, Chairman



Aimee Zimmerman, Secretary

Example 1

Sec. 19-372(a)

Computation of area of individual signs.

The area or "surface area" of a sign is defined by the smallest perimeter (formed by a rectangle) fully enclosing the total surface devoted to the sign's message, together with any ornamentation, embellishment, and associated background, excluding any necessary supports or uprights on which the message is placed and excluding any architectural ornamentation. As an aid to interpreting this formulation, the following is to be employed:

If the message is on a surface, structure or frame specifically employed for holding signage, the entire surface area within the frame's border is counted;

If the message is on a door, wall or other structural part of a building, only that portion of the door, wall or structure actually devoted to the message and associated symbols and back ground, if any, is counted.

If a sign has two (2) or more faces, the area of all faces shall be included in determining the area of the sign and the area of the sign shall be taken as the area of one face if the two faces are of equal area, or the area of the larger face if the two faces are of unequal area.

Example 2

Sec. 19-373

(9) *Historically significant signs.* The Federal Point Historic Preservation Society, the committee charged with protecting historical districts, may nominate signs located in such districts as historically significant signs. The Town Council shall hold a public hearing and make final determination as to the historical significance of such nominated sign, and if such sign is found to be historically significant, then the prohibition herein shall not regulate such sign. However, such sign may only be maintained and shall not be enlarged, diminished or significantly changed, and in the event of such notification of change, it shall lose the protection as an historically significant sign.