



TOWN COUNCIL AGENDA

PUBLIC HEARING

October 22, 2018 @ 5:00 p.m.

** To address council, please sign up at the podium*

CALL TO ORDER – Mayor Bloszinsky

OPENING AND PURPOSE OF HEARING – Mayor Bloszinsky

The purpose of this public hearing is to receive public comments on the proposed amendment to Chapter 19 (Zoning), Article VI (Signs), Section 373 (Exceptions)

Official notice of this public hearing was posted on the Town's website and bulletin board on September 28, 2018 and was advertised in the Island Gazette on October 3rd and 10th, 2018, thus meeting notification requirements.

Proposed amendment will add a new subsection, (9), to read as follows:

“Freestanding or monument signs for existing homeowner associations of more than 4 lots noting only entrances, and/or common areas designated for owners use i.e. pool, parking lot, tennis court, clubhouse, etc. Signs shall be limited to 32 square feet and up to 8' tall, shall be illuminated from the exterior only, and shall be constructed of the same material to have a similar look of the homes located within the HOA. No sign shall contain any changeable copy system. When using this exception, no more than 2 signs per entrance and/or common areas are allowed. Permitting process of Section 19-374 applies”.

PUBLIC COMMENTS

Opening of public comments – Mayor Bloszinsky

Closing of public comments – Mayor Bloszinsky

MOTION TO ADJOURN

Proposed New Ordinance

Sec. 19-373. – Exceptions

(9)

Freestanding or monument signs for existing homeowner associations of more than 4 lots noting only entrances, and/or common areas designated for owners use i.e. pool, parking lot, tennis court, clubhouse, etc. Signs shall be limited to 32 square feet and up to 8' tall, shall be illuminated from the exterior only, and shall be constructed of the same material to have a similar look of the homes located within the HOA. No sign shall contain any changeable copy system. When using this exception, no more than 2 signs per entrance and/or common areas are allowed.

Permitting process of Sec. 19-374 applies.

END



CURRENT ORDINANCE

Section 19-373 of Chapter 19, *Exceptions*, Article VI, *Signs*

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 six (6) 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 off street right-of-way in all zones except commercial. All signs in this category in the commercial 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) Current residential monument signs erected prior to 2008 are allowed. Monument signs must be approved and are subject to the subdivision approval process.
- (7) During the period beginning on the thirtieth (30th) day before the beginning date of "one-stop" early voting and ending on the tenth (10th) day after the primary, run-off, general or election day, political signs may be erected on any privately owned premises. Political signs may not exceed six (6) square feet in size. Political signs will not be allowed within the right-of-way in the town limits or any publicly owned property. Political signs in the extraterritorial jurisdiction shall be placed near the tree line from the edge of the road. Political signs may not be erected within fifty (50) feet 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.
- (8) 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.

(Ord. of 8-19-03; Ord. of 6-16-09; Ord. of 10-20-09; Ord. of 3-15-11, # 3; Ord. of 4-21-16)



KURE BEACH
TOWN COUNCIL

Council Meeting Date: OCTOBER 22,
2018

Council agenda Item# 4 Old Business

Date(s) Public Hearing(s) held:
October 22, 2018

CONSISTENCY STATEMENT 18-03

ZONING CONSISTENCY STATEMENT
N.C.G.S. 160A-383

- X Consideration of proposed text amendment to the Town of Kure beach Code:
1. Chapter 19 Zoning, Article VI, Section 373 Exceptions
- X The proposed text amendment is CONSISTENT WITH the objectives/policies of the Town of Kure Beach Land Use Plan ("LUP")

The Kure Beach Town Council, after conducting a public hearing on the matter, finds that proposed amendment to Chapter 19 (Zoning) of the Town Code of Ordinances, Article VI (Signs), Section 373 (Exceptions) additional subsection 9 (Freestanding or Monument Signs) provides that freestanding or monument signs, under specified conditions and for certain existing homeowner associations ("HOAs"), shall be excluded from Chapter 19's sign regulations. The proposed amendment will help deter unauthorized use of HOA common areas and addresses the repair and replacement of current non-conforming HOA signage. The Town Council also finds that adopting the proposed amendment is consistent with the goal on land use compatibility as set forth in Part 3, Section 2.B. of the LUP which provides, in pertinent part, as follows:

Kure Beach desires to snure (consistency) with the historic small town nature of the communityand will work to ...ensure that any uses of the land and water minimize negative envrionematl impacts and avoid risks to public health, safety and welfare....

Based on these findings, the Town Council concludes that adopting the amendment is reasonable and in the public interest.

Attest:

Nancy Avery, Town Clerk

Craig Bloszinsky, Mayor



**KURE BEACH
PLANNING & ZONING COMMISSION**

PZC Meeting Date: 09/05/2018

PZC Agenda Item No.: 5.b.

**ZONING CONSISTENCY STATEMENT
N.C.G.S. 160A-383**

X Consideration of proposed text amendment to The Town of Kure Beach Code:

1. Chapter 19 Zoning, Art. VI, Sec. 373, *Exceptions*.

X The proposed text amendment is CONSISTENT WITH the objectives/policies of the Town of Kure Beach Land Use Plan ("LUP").

X The proposed text amendment is CONSISTENT WITH Part 3, Section 2.B. of the LUP.

_____ The proposed text amendment is NOT CONSISTENT WITH Part _____, Section _____ of the LUP.

The Planning and Zoning Commission ("Commission") requests Town Council's consideration and adoption of Staff's proposed text amendment to Sec. 19-373 attached hereto and incorporated herein by reference. The proposed amendment provides that freestanding or monument signs, under specified conditions and for certain existing homeowner associations ("HOA"), shall be excluded from Chapter 19's sign regulations. The Commission finds that the proposed amendment will help deter unauthorized use of HOA common areas and addresses the repair and replacement of current non-conforming HOA signage. The Commission also finds that adopting the proposed amendment is consistent with the goal on land use compatibility as set forth in Part 3, Section 2.B. of the LUP which provides, in pertinent part, as follows:

Kure Beach desires to ensure [consistency] with the historic small town nature of the community...and will work to...ensure that any uses of the land and water minimize negative environmental impacts and avoid risks to public health, safety and welfare....

Based on these findings, the Commission concludes that adopting the amendment is reasonable and in the public interest.

**TOWN OF KURE BEACH
PLANNING AND ZONING COMMISSION:**


Chairman

Nancy Avery

From: Nancy Avery
Sent: Friday, September 28, 2018 3:27 PM
To: 'Amanda Lamb'; 'Bites & Sips'; 'CFCVB'; 'Densay Sengsoulavong'; 'Ea Ruth'; 'Greg @ Chamber'; 'Hometown Wilmington'; 'Jamie Kritzer'; 'Jasmine'; 'Jessica Loeper'; 'Jill Teter'; 'Lindsey Hallock'; 'Pender Post'; 'Phillip Tarte'; 'Ruth Ravitz Smith'; 'Shawn Braden'; 'Sheila Nicholson'; 'Si Cantwell'; 'Star News Online'; 'Tim Owens'; 'Topsail Voice'; 'Tyler Newman'; 'WECT'; 'Whats On Wilmington'; 'Willard Killough'; 'Wilmington Star-News'; 'WRAL TV'; 'WWAY'
Cc: Mandy Sanders
Subject: Official notice of rescheduled Kure Beach Town Council meeting and notice of public hearing on proposed amendment to sign ordinance

This is official notice that the Town Council October meeting, scheduled for Tuesday, the 16th has been rescheduled to Monday, October 22 at 6 pm, not the regular 6:30 pm.

This is official notice that the Kure Beach Town Council will hold a public hearing as follows:

Date: Monday, October 22 2018

Time: 5 pm, or soon thereafter

Place: Temporary Town Hall at the Fort Fisher Air Force Recreation Area

Purpose: Consider proposed amendments to Chapter 19 (Zoning), Article VI (Signs), Section 373 (Exceptions)

Amendment will add a new subsection, (9), to read as follows:

“Freestanding or monument signs for existing homeowner associations of more than 4 lots noting only entrances, and/or common areas designated for owners use i.e. pool, parking lot, tennis court, clubhouse, etc. Signs shall be limited to 32 square feet and up to 8’ tall, shall be illuminated from the exterior only, and shall be constructed of the same material to have a similar look of the homes located within the HOA. No sign shall contain any changeable copy system. When using this exception, no more than 2 signs per entrance and/or common areas are allowed. Permitting process of Section 19-374 applies”.

Proposed amendment may be viewed at Town Hall or on the Town’s website under Town News, notice of public hearing.

Nancy Avery
Town Clerk
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