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BOARD OF COMMISSIONERS MEETING AGENDA

Town of Swansboro

Monday, April 11, 2022

Board Members

John Davis, Mayor | Frank Tursi, Mayor Pro Tem | Pat Turner, Commissioner
Harry PJ Pugliese, Commissioner | Larry Philpott, Commissioner | Jeffrey Conaway, Commissioner

I. Call to Order/Opening Prayer/Pledge

Mayor John Davis

II. Public Comment

Citizens have an opportunity to address the Board for no more than three minutes per speaker regarding items listed on the agenda.

There is a second opportunity at the end of the agenda for the public to address the Board on items not listed on the agenda.

III. Adoption of Agenda and Consent Items

Board of Commissioners

The Town Clerk respectfully submits to the Board, the Regular Agenda and the below consent items (if any), which are considered to be of general agreement and little or no controversy. These items may be voted on as a single group without Board discussion "or" if so desired, the Board may request to remove any item(s) from the consent agenda and placed for consideration separately.

IV. Appointments/Recognitions/Presentations - *none*

V. Public Hearing

a. Temporary Sign Allowance

Jennifer Ansell
Planner

At the February 10, 2020, joint workshop meeting of the Planning Board and Board of Commissioners, further direction on temporary sign allowances was provided. Key takeaways included:

- 1) Feather flags are undesirable;
- 2) The 45-day per year allowance for temporary business signs is preferred;
- 3) It is not desirable to allow temporary signs for businesses in shopping centers on undeveloped outparcels;
- 4) An allowance for temporary real estate signs (open house) is desirable;

- 5) The number of temporary signs allowed should be restricted;
- 6) There should be different allowances in the Historic District and these requirements should be vetted by the SHPC; and
- 7) The ordinance needs to be practical and enforceable.

Staff also discovered that there are some inconsistencies with the naming conventions used throughout the ordinance and in the zoning districts shown in the table of permitted signs, so those issues are proposed to be corrected as well. There are also several references to sign types with no regulations, so those are proposed to be deleted. The requirements for political signs have been moved so as not to require a permit, and the regulations modified to be more consistent with the State law.

Recommended Action:

- 1) Hold a Public Hearing;*
- 2) Motion to approve, deny or table Ordinance 2022-O4 and adopt a statement of consistency.*

b. Political Sign Requirements

Jennifer Ansell
Planner

An amendment is proposed to clarify the allowances for political signs in order to:

- 1)Align the ordinance regulations with NC GS § 136-32, Regulation of signs;
- 2)Remove the requirement for a sign permit making enforcement more manageable;
- 3)Clarify the penalties for placement of signs which do not meet these criteria;
- 4)Clarify the types of signage allowed under this section; and
- 5)Clarify the size limitations for signage under this section.

Recommended Action:

- 1) Hold a Public Hearing;*
- 2) Motion to approve, deny or table Ordinance 2022-O5 and adopt a statement of consistency.*

c. Sign Amortization

Jennifer Ansell
Planner

The Board of Commissioners discussed the freestanding sign amortization process at their July 27, 2020, regular meeting, and instructed staff to present an amendment to the Planning Board for consideration for the removal of the amortization requirement under Section 152.274 of the Unified Development Ordinance (UDO) and to clarify under what conditions nonconforming signs would have to be replaced.

Recommended Action:

1) Hold a Public Hearing;

2) Motion to approve, deny or table Ordinance 2022-O6 and adopt a statement of consistency.

VI. Business Non-Consent

a. Future Agenda Items

Alissa Fender
Town Clerk

Future agenda items are shared for visibility and comment. In addition, an opportunity is provided for the Board to introduce items of interest and subsequent direction for placement on future agendas.

Recommended Action: *Discuss and provide any guidance*

VII. Items Moved from Consent

VIII. Public Comment

Citizens have an opportunity to address the Board for no more than five minutes regarding items not listed on the Agenda.

IX. Manager's Comments

Paula Webb

X. Board Comments

Board of Commissioners

XI. Closed Session - none

Board of Commissioners

XII. Adjournment

Board of Commissioners



Board of Commissioners

Agenda Item Submittal

Item To Be Considered: **Temporary Sign Allowances**

Board Meeting Date: **April 11, 2022**

Prepared By: **Jennifer Ansell, Planner**

Overview: At the February 10, 2020 joint workshop meeting of the Planning Board and Board of Commissioners, further direction on temporary sign allowances was provided.

Key takeaways included:

- 1) Feather flags are undesirable;
- 2) The 45-day per year allowance for temporary business signs is preferred;
- 3) It is not desirable to allow temporary signs for businesses in shopping centers on undeveloped outparcels;
- 4) An allowance for temporary real estate signs (open house) is desirable;
- 5) The number of temporary signs allowed should be restricted;
- 6) There should be different allowances in the Historic District and these requirements should be vetted by the SHPC; and
- 7) The ordinance needs to be practical and enforceable.

Staff also discovered that there are some inconsistencies with the naming conventions used throughout the ordinance and in the zoning districts shown in the table of permitted signs, so those issues are proposed to be corrected as well. There are also several references to sign types with no regulations, so those are proposed to be deleted. The requirements for political signs have been moved so as not to require a permit, and the regulations modified to be more consistent with the State law.

Due to the in-person meeting limitations imposed during the COVID-19 pandemic, the Board of Commissioners postponed further discussion on the topic until those limitations were lifted.

Historic Preservation Commission Recommendation: At their June 4, 2020 special meeting, the Historic Preservation Commission recommended several changes to the Historic District Design Guidelines related to signage. The proposed amendments disallow any temporary signage other than portable sandwich board signs and signs related to approved festivals or events.

Board of Commissioners Action: The Board of Commissioners agreed to re-discuss freestanding sign amortization at their July 27, 2020 regular meeting. Staff chose to delay further action on the temporary sign discussion until a consensus on amortization could be reached because of the complicated nature of both topics.

Planning Board Recommendation: The Planning Board initially reviewed the proposal at their May 4, 2020 regular meeting and voted unanimously to recommended approval of the proposed text amendments, however due to additional changes to the proposed text amendments following review by the Historic Commission and after discussion with the Town Attorney, the Planning Board reviewed the proposal again at their November 16, 2020 special meeting. They voted 4 to 3 to recommend approval to include the allowance for feather flags under Section 152.269.

Action Needed:

- 1) Hold a Public Hearing;
- 2) Motion to approve, deny or table Ordinance 2022-O4 and adopt a statement of consistency.

Per NCGS 160D-605, when adopting or rejecting any zoning text or map amendment, the governing board shall approve a brief statement describing whether its action is consistent or inconsistent with an adopted comprehensive plan.

The requirement for a plan consistency statement may also be met by a clear indication in the minutes of the governing board that at the time of action on the amendment the governing board was aware of and considered the planning board's recommendations and any relevant portions of an adopted comprehensive plan.

Attachments

Proposed Ordinance 2022-O4

Planning Board Statement of Consistency

ORDINANCE 2022-O4
AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT ORDINANCE
TO CLARIFY THE TERMINOLOGY FOR SIGNAGE, REVISE THE
ALLOWANCES FOR TEMPORARY SIGNS AND
AMEND THE TABLE OF PERMITTED SIGNS

WHEREAS North Carolina General Statute 160D-605 requires that zoning regulations shall be made in accordance with a Comprehensive Plan; and

WHEREAS NCGS 160D-605 also states that when adopting or rejecting any zoning text or map amendment, the governing board shall approve a brief statement describing whether its action is consistent or inconsistent with an adopted comprehensive plan; and

WHEREAS the Board of Commissioners finds that the proposed text amendments are consistent with the current Comprehensive Plan, specifically the CAMA Land Use Plan, Land Use Compatibility, Create Zoning Standards that Enhance the Function and Appearance of the Gateway Corridor; and Implementation Recommendations and Strategies, Other Community Priorities, Enhance Appearance and Maintain Small Town Coastal Character, and considers the action taken to be reasonable and in the public interest.

NOW BE IT ORDAINED by the Town of Swansboro Board of Commissioners that the Unified Development Ordinance is amended as follows:

TITLE XV: LAND USAGE

CHAPTER 152: UNIFIED DEVELOPMENT ORDINANCE

GENERAL PROVISIONS

§ 152.016 DEFINITIONS OF BASIC TERMS.

SIGN, BANNER. A temporary sign of light weight fabric or similar material which is rigidly mounted to a pole or a building by a rigid frame at two or more edges. National, state, ~~or~~ municipal flags, ~~or~~ the official flag of any institution or business, ~~or “open”~~ flags shall not be considered banners.

~~**SIGN, BUSINESS IDENTIFICATION.** Any sign which advertises an establishment, service, commodity, or activity conducted upon the premises where such sign is located.~~

~~**SIGN, COMMERCIAL MESSAGE.** Any sign wording, logo, or other representation that directly or indirectly names, advertises, or calls attention to a business, product, service, or other commercial activity. This definition does not include company nameplates or logos on instructional signs.~~

SIGN, IDENTIFICATION. A permanent sign announcing the name of a subdivision, residence, group housing project, church, school, park, or quasi public structure or facility, and uses are permitted in agricultural/residential and residential zoning districts.

SIGN, INCIDENTAL. A sign which provides only information for the convenience and necessity of the public. Company logos may be displayed on such signs but must not occupy more than 25% of the sign area. **INCIDENTAL SIGNS** include directories, entrance, exit, and other necessary directional signs.

SIGN, MENU. A permanent on-premises sign located at businesses which provides drive-up or drive-through services such as fast food restaurants, banks, laundries, and the like. **MENU SIGNS** shall be located so as not to create vehicle stacking problems which will interfere with the flow of traffic.

SIGN, ON-PREMISES. A sign which publicizes and directs attention to a profession, commodity, activity, product, service or entertainment conducted, sold or offered upon the premises where such sign is located. **ON-PREMISES SIGNS** include pole and ground mounted signs. Also included are high rise pole mounted signs where permitted.

SIGN, PENNANT. Any lightweight plastic, fabric, or other material, whether or not containing any message of any kind, suspended from a pole, rope, wire, or string. A string of lights shall be deemed to be a pennant.

SIGN, PORTABLE. Any sign not exceeding 80 square feet of sign area and designed to be moved without mechanical means.

SIGN, PROFESSIONAL OR OCCUPATIONAL (NAME PLATE). A sign which publicizes and directs attention to a rural family occupation or to a profession.

SIGN, PUBLIC INFORMATION. Any sign, usually erected and maintained by a public agency, which provides the public with information and in no way relates to a commercial activity, including, but not limited to: speed limit, stop signs, street name signs, and directional signs.

SIGN, UNLAWFUL. Any sign not listed within this definition section and/or is installed, erected, or constructed in violation of the terms of this chapter.

SIGN, VEHICLE. Any sign written or displayed on a parked vehicle if the vehicle is in front of the business or in a position to draw attention towards the business in the form of advertising. If the vehicle is parked within a compound for the storage of company vehicles and equipment, it is exempt from this definition. No vehicle/equipment compound can be located at the front of the business. **VEHICLE SIGNS** cannot be located on one parcel of property longer than eight hours.

SIGN, WIND DEVICE. Any flag, banner, balloon, pennant, streamer, or similar device that moves freely in the wind. All wind devices are considered to be signs and are regulated and classified as attached or detached by the same regulations as other signs if used to advertise special sales, announcements, festivals, or greetings.

SIGNS

§ 152.269 SIGNS REQUIRING PERMIT BUT NO FEE.

(B) Directional al signs, such as those identifying an entrance, exit, or parking location provided that such signs shall be located entirely upon the parcel or tract of land to which the directional signs apply and does not exceed two square feet.

~~(E) Community information banners can be located in designated area — contact Town Hall.~~

~~(FE) Business banners, pennants, and flags which are used to advertise sales, or announcements, or greetings provided they:~~

- ~~(1) Signs a~~Are located on the property of the business or leased unit that the banner relates to and are not displayed in undeveloped outparcels;
- ~~(2) Signs a~~Are not used more than 45 days in any one calendar year period per business;
- ~~(3) Signs~~ shall not be larger than 32 square feet or 25% of allowed useable wall area, whichever is less; and
- ~~(4) Only one banner is permitted per business at any time;~~
- ~~(5) Business banners are prohibited in the Historic District; and~~
- ~~(4)(6) No unsafe condition is created.~~

~~(G) Holiday decorations placed by the Town of Swansboro or its designee during the holiday or festival season. Such decorations must be a minimum of eight feet above any public sidewalks.~~

~~(HF) (4)~~ Temporary event banners, yard signs and post-mounted signs for town-approved festivals and for events sponsored by non-profit organizations such as civic groups, church organizations, schools, and government agencies, provided that they are located in business, office and institutional, or government zoning districts along NC 24 or major thoroughfares and the following conditions are met:

- ~~(a) Devices (signs and banners) →~~ Signs are not installed more than 14 days prior to event and are removed within two days of event's end;
- (b) No more than eight devices are allowed for the same event at one time;
- (c) Devices are not placed in rights-of-ways and are placed only with the permission of the property owners;
- (d) Unsafe conditions are not created, and devices are not placed in unsafe locations;
- (e) Signs and banners are not displayed above a highway without town and NCDOT approval in writing;
- (f) Signs and banners are not placed within Historic District unless along Highway 24, on Town-owned property, or on private property within the B-2 HDO zoning district, provided that the sign or banner advertises a town sponsored/approved festival or event;

- (g) The maximum size for each sign or banner is 32 square feet. The maximum height shall not exceed six feet; and
- (h) **Portable Mobile** signs, including trailer or vehicle-mounted signs, are prohibited, except directional or public information signs placed by the town at the Town Manager's discretion, or by the North Carolina Department of Transportation.

~~(2) Organization representatives may, after appropriate training and orientation by the Town staff regarding the ordinance requirements, be licensed to install the types of temporary signs and banners allowed in this subsection without obtaining individual permits. Such licenses may be withdrawn if signs or banners are installed in violation of the ordinance requirements by the licensee or the organization that they represent. Licensees may be required to include identification and contact information on signs or banners that they install.~~

(IG) Construction signs , may be placed identifying the project, the owner or developer , architect, engineer, contractors, subcontractors, and funding sources or other related information provided the following conditions are met:

- 1) Signs must be entirely on property where construction is taking place;
- 2) Total residential signs area shall not exceed 32 square feet total. If a two-sided sign, each side counts toward total if NOT same copy;
- 3) Total commercial signs area shall not exceed 100 square feet total. If two-sided sign, each side counts toward total if NOT same copy;
- 4) All signs shall be removed prior to the certificate of occupancy or when applicable to the certificate of compliance; and
- 5) Grouping of all signs shall be in the same area (adjacent to each other) without creating a traffic safety problem.

(JH) Home occupation signs are allowed provided:

- 1) There shall be not more than one sign per parcel of land;
- 2) Signs shall be attached flat to the wall of the building and shall be non-illuminated; and
- 3) Signs shall not exceed eighteen inches in any dimension nor a total area of 324 square inches.

(LI) Subdivision signs (temporary) are signs advertising the sale of lots or buildings within new subdivisions in which they are located shall be permitted provided:

- 1) Signs shall be non-illuminated;
- 2) No more than one two-sided not exceeding 32 square feet per side shall be located at each major approach to the subdivision ;
- 3) Signs shall be well maintained and in good structural condition;
- 4) Display of such signs shall be limited to a period until 70% of all lots within the subdivision are sold; and
- 5) Any and all signs must be on subdivision's property.

(MJ) Safety/warning Signs (i.e., "low clearance") shall be permitted provided:

- 1) The sign has no more than two sides;
- 2) The area of the sign is six square feet or less; and
- 3) The sign is not illuminated.

§ 152.270 SIGNS REQUIRING A PERMIT AND FEE.

(K) Portable signs provided:

- (1) No part of a sign shall extend beyond the plane of the property line upon which the sign is located or into any easement;
- (2) No more than one portable sign is allowed per business or occupancy;
- (3) Total allowable sign area per lot shall be calculated as the remaining square footage for total sign area per lot. For example, if the lot already has utilized 138 square feet of the total allowed sign area of 150 square feet, then 12 square feet may only be utilized for the portable sign;
- (4) (3) Display area shall not exceed 16 square feet unless the sign is located in the Historic District and is therefore subject to the Historic Design Guidelines. If copy is different on each side of sign, then both sides count towards total area;
- (5) Sign height shall not exceed three feet measured vertically from ground level to top of sign;
- (6) Combination of allowed tenant signage square footage shall not be exceeded;
- (7) (4) Signs shall be displayed only during times when the business being advertised is open for business;
- (8) (5) Portable signs must be properly secured to prevent the sign from becoming windblown debris;
- (9) (6) Portable signs shall not be connected to or utilize an external power source, including (without limitation) by use of an electrical extension cord or cable;
- (10) (7) Certain Portable Signs are prohibited, due to their poor aesthetic appearance and detractive value (see Figures 152.270.3 and 152.270.4).



Figure 152.270.3



Figure 152.270.4

(11) (8) If a portable sign is desired, the following Portable signs must be post-mounted or sandwich board-style signs are allowed (see Figures 152.270.5 and 152.270.6).



Figure 152.270.5



Figure 152.270.6

§ 152.271 ADDITIONAL SIGNS AS SPECIAL USE.

(C) Banners, special event signs, bazaar signs, and temporary signs shall not require a special use permit. These signs will require a permit issued by the Administrator.

§ 152.273 PROHIBITED SIGNS.

The following types of signs are prohibited in all districts unless otherwise noted. Any sign located, placed, or allowed to remain in violation of this section may be impounded by the Administrator or his designee. Any sign impounded under this section shall be returned to the owner (s) thereof upon the following conditions:

- (a) The owner (s) shall provide the Administrator or his designee satisfactory proof of ownership of such sign; and
 - (b) The owner (s) shall pay all applicable penalties assessed on account of such sign.
- Any such sign not claimed within ten (10) days after its impoundment shall be considered abandoned by the owner (s) thereof and the Town of Swansboro may thereafter dispose of any such sign not reclaimed by the owner thereof within ten (10) days after its impoundment.

- A) Signs which are a copy of or deceptively similar to any official highway sign.
- B) Signs with flashing or moving lights if the sign and/or flashing lights are visible from any residence, or any street or thoroughfare open to vehicular traffic.
- C) Signs that obstruct visibility on any street, highway, or thoroughfare or at any intersection thereof.
- D) Signs which are erected or maintained upon trees, or painted or drawn upon rocks or other natural features, or attached to utility poles.

- E) Signs that obstruct access to or from any window, door, fire escape, or any other opening intended to provide light, air, ingress, or egress to or from any room or building as required by law.
- F) ~~(1)~~ Signs located in or over any street, highway, or any other public right-of-way. ~~Any sign located, placed, or allowed to remain in violation of this section may be impounded by the Administrator or his designee. Any sign impounded under this section shall be returned to the owner(s) thereof upon the following conditions:~~
 - ~~(e) The owner(s) shall provide the Administrator or his designee satisfactory proof of ownership of such sign; and~~
 - ~~(d) The owner(s) shall pay all applicable penalties assessed on account of such sign.~~~~(2) Any such sign not claimed within 30 days after its impoundment shall be considered abandoned by the owner(s) thereof and the Town of Swansboro may thereafter dispose of any such sign not reclaimed by the owner thereof within 30 days after its impoundment.~~
- G) Signs which are illegal under state or federal law.
- H) Signs not in good repair.
- I) Signs not securely affixed to a substantial structure, except for mobile signs allowed as a special use in § 152.211.
- J) Signs which are painted on buildings which conduct a use not advertised by said sign.
- K) Signs which are not designed or constructed according to generally accepted engineering practices to withstand wind pressures and load distribution as set forth in the North Carolina Building Code and other applicable codes. Provided, however, that this division shall not apply to prohibit freestanding signs:
 - 1) Which have an area less than or equal to 32 square feet per side; and
 - 2) Which are not more than six feet from the ground to the top of the sign; and
 - 3) Which are supported by at least two support posts equivalent to two 4" x 4" treated wooden posts, buried at least four feet in the ground.
- L) Signs which do not meet the National Electric Code, when wiring or electrical connections are used.
- M) Primary freestanding signs which are not monument signs unless the sign is located in the Historic District and is therefore subject to the Historic District Design Guidelines.
- N) Signs commonly referred to as "yard signs" unless related to a Town approved festival or non-profit event (see Section 152.269 and Figure 152.270.7).
- O) Signs commonly referred to as "feather flags" (see Figure 152.270.8).



Figure 152.270.7



Figure 152.270.8

§ 152.277 PERMITTED SIGNS.

The Table of Permitted and Special Use Signs delineates the types of signs permitted within the various zoning districts in the Town of Swansboro (see §§ [152.170](#) through [152.180](#) for a complete description of the individual zoning districts).

Signs - Permitted/Special Use

<i>Sign Type</i>	<i>RA</i>	<i>All Residential Districts</i>	<i>TNC</i>	<i>PUD</i>	<i>MHP</i>	<i>MHS</i>	<i>MHS- 15SF</i>	<i>MHS- O</i>	<i>B1</i>	<i>B2</i>	<i>B3</i>	<i>B2 HDO</i>	<i>MI</i>	<i>CON</i>	<i>O/I</i>	<i>G/E</i>
<u>Animated</u>									<u>P</u>	<u>P</u>						
<u>Accessory Use (per 152.271)</u>	<u>S</u>	<u>S</u>		<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>
<u>Agricultural</u>	<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
Awning/ <u>Canopy</u>				<u>P</u>					P	P	<u>P</u>	P	P		P	<u>P</u>
<u>Business</u> Banner				<u>P</u>					P	P	<u>P</u>	<u>P</u>	P		P	<u>P</u>
Billboard*									P				P			
<u>Business Identification</u>									<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>		<u>P</u>	
<u>Canopy</u>									<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>		<u>P</u>	
<u>Cemetery</u>	<u>P</u>								<u>P</u>							
<u>Churches, Schools or Public Buildings (per 152.271)</u>	<u>S</u>	<u>S</u>		<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>
<u>Commercial Message</u>									<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>		<u>P</u>	
Construction	P	P	<u>P</u>	P	P	P	<u>P</u>	P	P	P	<u>P</u>	P	P	P	P	<u>P</u>
Directional	<u>P</u>			<u>P</u>	<u>P</u>				P	P	<u>P</u>	P	P		P	<u>P</u>
Directory				<u>P</u>					P	P	<u>P</u>	P	P		P	<u>P</u>
<u>Electronically Controlled Message</u>									<u>P</u>	<u>P</u>			<u>P</u>			
<u>Festival Area</u>	<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Flashing</u>									<u>P</u>	<u>P</u>						
Freestanding									<u>P</u>	<u>P</u>		P	<u>P</u>		<u>P</u>	
Governmental	P	P	<u>P</u>	P	P	P	<u>P</u>	P	P	P	<u>P</u>	P	P	P	P	<u>P</u>
Home Occupation	P	P		P	P	<u>P</u>	<u>P</u>	P	P	P	<u>P</u>	P	<u>P</u>		P	
<u>Identification</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>		<u>P</u>							<u>P</u>	

<i>Sign Type</i>	<i>RA</i>	<i>All Residential Districts</i>	<i>TNC</i>	<i>PUD</i>	<i>MHP</i>	<i>MHS</i>	<i>MHS-15SF</i>	<i>MHS-O</i>	<i>B1</i>	<i>B2</i>	<i>B3</i>	<i>B2 HDO</i>	<i>MI</i>	<i>CON</i>	<i>O/I</i>	<i>G/E</i>
Incidental									P	P		P	P		P	
Marquee									P	P	P	P	P			
Menu									P	P						
Mobile									S				S			
Monument		P		P	P				P	P	P	P	P		P	P
Multiple-Use									P	P	P	P	P		P	P
On-Premises									P	P		P	P		P	
Pennant									P	P		P	P		P	
Political Campaign	P	P		P	P	P	P	P	P	P	P	P	P	P	P	P
Portable				P					P	P	P	P	P		P	P
Principal Use				P					P	P	P	P	P	P	P	P
Professional or Occupational									P	P			P			
Projecting									P	P	P	P	P		P	P
Public Information									P	P	P	P	P			
Real Estate Commercial/Residential	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Roof									S				S	S		
Safety/ Warning	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Subdivision	P	P		P		P	P	P	P	P	P				P	
Temporary Festival and Event (per 152.269)	P	P			P	P	P	P	P	P	P	P	P		P	P
Vehicle									P							
Wall									P	P	P	P	P		P	P
Wind Device									P	P	P					
Window									P	P		P	P		P	P
Notes: P = Indicates permitted. S = Special use permit required. Blank = Indicates not permitted. *NOTE: Within the Swansboro corporate limits, billboard signs are prohibited on all parcels adjoining the NC 24 right-of-way anywhere within the Town or extraterritorial jurisdiction.																

Appendix III

HISTORIC DISTRICT DESIGN STANDARDS

SECTION 18 SIGNAGE.

18.1 Signage – Standards

- 1) Use a traditional palette of materials for new signs such as wood, metal, or stone. Synthetic materials are only appropriate when they resemble one of the materials listed above. Signage on commercial canvas awnings and in storefront display windows is also appropriate. (Note: Internal glass-mounted signs are not subject to SHPC review. However, the SHPC shall review interior neon signs that are located within five feet of a window or glass door on an exterior wall and are so placed as to be seen from the outside). New exterior neon signs installed following the date of adoption of this amendment are prohibited.
- 3) Locate wall signs on commercial buildings with storefronts in the signboard frieze located above the display windows. In this location, the sign serves as a boundary between the lower and upper facade. See Historic Commercial Buildings standards Section 9, Contributing Commercial Buildings, for information on storefront design.
- 4) Use of neon or fluorescent colors on signs is appropriate prohibited. Sign colors must be consistent with the approved color palette.
- 10) Use free-standing signs that are low mounted and do not obscure pedestrian views. No more than one free-standing sign shall be allowed per street frontage. Free-standing sign pole supports should be simple and unobtrusive in design.
- 14) Avoid the placement of banners, pennants, and flags in the Historic District is prohibited unless related to a Town-approved festival or non-profit event in areas that will obscure or damage the architectural features of buildings. The SHPC shall also evaluate the impact of such devices on the character of the streetscape.
- 15) Use of sandwich board signs in the historic district is permitted if:
 - Size is no more than 2' x 3'.
 - Location is not within cannot impede pedestrian traffic along a public walkway.
 - Blocks no exit or exit way.
 - Removed at end of business day.

This amendment is effective upon adoption of this Ordinance.

Adopted this 11th day of April 2022.

Town of Swansboro Board of Commissioners

John Davis, Mayor

ATTEST:

Alissa Fender, Town Clerk

PLANNING BOARD STATEMENT OF CONSISTENCY

Temporary Sign Allowances

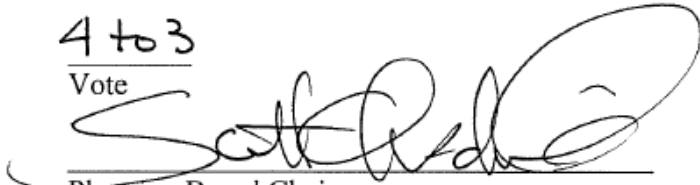
During its November 16, 2020 ~~regular~~ ^{special} meeting, the Town of Swansboro Planning Board reviewed proposed amendments to the Unified Development Ordinance addressing temporary sign allowances.

The proposed changes are **consistent** with the current Comprehensive Plan, specifically the CAMA Land Use Plan, Land Use Compatibility, Create Zoning Standards that Enhance the Function and Appearance of the Gateway Corridor; and Implementation Recommendations and Strategies, Other Community Priorities, Enhance Appearance and Maintain Small Town Coastal Character, and have been recommended for **approval** by the Planning Board.

This statement reflects the recommendation of the Town of Swansboro Planning Board this the 16th day of November 2020.

4 to 3

Vote


Planning Board Chairperson



Board of Commissioners Meeting Agenda Item Submittal

Item To Be Considered: **Political Sign Requirements**

Board Meeting Date: **April 11, 2022**

Prepared By: **Jennifer Ansell, Planner**

Overview: An amendment is proposed to clarify the allowances for political signs in order to:

- 1) Align the ordinance regulations with NC GS § 136-32, Regulation of signs;
- 2) Remove the requirement for a sign permit making enforcement more manageable;
- 3) Clarify the penalties for placement of signs which do not meet these criteria;
- 4) Clarify the types of signage allowed under this section; and
- 5) Clarify the size limitations for signage under this section.

Planning Board Recommendation: During its January 11, 2022 regular meeting, the Town of Swansboro Planning Board unanimously recommended approval of the proposed amendments to the Unified Development Ordinance pertaining to political signage.

Attachments:

1. Ordinance 2022-O5
2. Planning Board Statement of Consistency
3. NC GS 136-32
4. Parson Email
5. Conaway Research

Action Needed:

- 1) Hold a Public Hearing;
- 2) Motion to approve, deny or table Ordinance 2022-O5 and adopt a statement of consistency.

Pursuant to NCGS 160D-605, when adopting or rejecting any zoning text or map amendment, the governing board shall approve a brief statement describing whether its action is consistent or inconsistent with an adopted comprehensive plan.

The requirement for a plan consistency statement may also be met by a clear indication in the minutes of the governing board that at the time of action on the amendment the governing board was aware of and considered the planning board's recommendations and any relevant portions of an adopted comprehensive plan.

Action: _____

ORDINANCE 2022-O5

AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT ORDINANCE TO CLARIFY THE ALLOWANCES FOR POLITICAL SIGNS

WHEREAS North Carolina General Statute 160D-605 requires that zoning regulations shall be made in accordance with a Comprehensive Plan; and

WHEREAS NCGS 160D-605 also states that when adopting or rejecting any zoning text or map amendment, the governing board shall approve a brief statement describing whether its action is consistent or inconsistent with an adopted comprehensive plan; and

WHEREAS the Board of Commissioners finds that the proposed text amendment is consistent with the current Comprehensive Plan, specifically the CAMA Land Use Plan, Land Use Compatibility, Create Zoning Standards that Enhance the Function and Appearance of the Gateway Corridor; and Implementation Recommendations and Strategies, Other Community Priorities, Enhance Appearance and Maintain Small Town Coastal Character, and considers the action taken to be reasonable and in the public interest.

NOW BE IT ORDAINED by the Town of Swansboro Board of Commissioners that the Unified Development Ordinance is amended as follows:

TITLE XV: LAND USAGE

CHAPTER 152: UNIFIED DEVELOPMENT ORDINANCE

SIGNS

§ 152.268 SIGNS REQUIRING NEITHER PERMIT NOR FEE.

(C) Political campaign signs, provided the following are met:

- 1) Candidates or their representatives must obtain a copy of the ordinance requirements from Town Hall and sign that they received a copy prior to installation of any signs;
- 2) Signs shall be confined to private property and not located within any street-right-of way unless otherwise permitted by State law;
- 3) No more than one (1) sign per candidate shall be placed on any parcel;
- 4) Permission must be obtained from the property owner where the sign(s) are to be placed or the adjacent property owner if placed in the State-maintained right-of-way;
- 5) The owner of any property upon which the sign(s) are placed shall ensure the sign(s) are placed no sooner than thirty (30) days prior to the first date of "one-stop" early voting and are removed within ten (10) days of the election or referendum;
- 6) Signs shall not create any unsafe conditions;
- 7) The placement of leaflets, signs, posters, or bulletins on vehicle windshields, utility poles, trees, or other signposts is prohibited;
- 8) The supporting structure is not included in the calculation of square footage. Signs shall not exceed six (6) square feet in size or forty-two (42) inches in height measured from the ground. Signs outside of these parameters are prohibited.
- 9) Signs may not be composed of multiple modules or segments, or be illuminated, and must be reasonably secured to prevent windblown debris or other damage to adjacent property;
- 10) Signs affixed to or placed in parked utility trailers or in parked truck beds are prohibited;
- 11) Mobile signs require a special use permit pursuant to Section 152.270 (F); and
- 12) Signs placed unlawfully in accordance with this section may be removed pursuant to Section 152.273 and NC GS 136-32 (f).

§ 152.269 SIGNS REQUIRING PERMIT BUT NO FEE.

(K) Political campaign signs are allowed, provided the following are met:

- 1) Signs shall be confined to private property;
- 2) Signs shall not be erected sooner than 45 days before the election or referendum;
- 3) The owner of any property upon which the sign is placed shall make sure the sign has been removed within seven days after the election or referendum;
- 4) Sign shall not exceed 15 square feet and the height to the top of sign shall not exceed five feet from the ground. Should you elect to erect a sign larger than 15 square feet, an application must be submitted with an engineer sealed drawing of footing design with turn over moment calculations. The sign must be located in a commercial zone on non-public lands, out of rights of way, and have a permit from the Zoning Official prior to placement of the sign;
- 5) Signs shall not create any unsafe conditions;
- 6) Ordinance prohibits the placement of leaflets, signs, posters, bulletins on vehicle windshields, utility poles, trees, or sign post; and
- 7) Portable signs are prohibited. Signs affixed to or placed on trailers, in truck beds, etc., are considered portable signs and are prohibited.

These amendments are effective upon adoption of this Ordinance.

Adopted this 11th day of April 2022.

Town of Swansboro Board of Commissioners

John Davis, Mayor

ATTEST:

Alissa Fender, Town Clerk

PLANNING BOARD STATEMENT OF CONSISTENCY

Political Signs

During its January 11, 2022 regular meeting, the Town of Swansboro Planning Board recommended proposed amendments to the Unified Development Ordinance related to Section 152.268, Signs Requiring Neither a Permit Nor Fee, and 152.269, Signs Requiring a Permit But No Fee.

This proposed amendment serves to clarify the allowance for political signs, and is **consistent** with the current Comprehensive Plan, specifically the CAMA Land Use Plan, Land Use Compatibility, Create Zoning Standards that Enhance the Function and Appearance of the Gateway Corridor; and Implementation Recommendations and Strategies, Other Community Priorities, Enhance Appearance and Maintain Small Town Coastal Character, and has been recommended for **approval** by the Planning Board.

This statement reflects the recommendation of the Town of Swansboro Planning Board this the 11th day of January 2022.

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Vote

A handwritten signature in blue ink, appearing to read "Scott Chadwick", written over a horizontal line.

Scott Chadwick, Planning Board Chairperson



Board of Commissioners Meeting Agenda Item Submittal

Item To Be Considered: **Sign Amortization and Freestanding Sign Allowances**

Board Meeting Date: **April 11, 2022**

Prepared By: **Jennifer Ansell, Planner**

Overview

The Board of Commissioners discussed the freestanding sign amortization process at their July 27, 2020 regular meeting, and instructed staff to present an amendment to the Planning Board for consideration for the removal of the amortization requirement under Section 152.274 of the Unified Development Ordinance (UDO) and to clarify under what conditions nonconforming signs would have to be replaced.

Due to the in-person meeting limitations imposed during the COVID-19 pandemic, the Board of Commissioners postponed further discussion on the topic until those limitations were lifted.

Planning Board Recommendation

The Planning Board reviewed the proposed amendment at their November 16, 2020 special meeting and voted unanimously to recommend approval of the proposal with the exception of the proposed changes to Section 152.274, which contains the amortization requirements.

Gateway Initiative

The Town began the “Gateway to Swansboro” initiative in 2009 which identified the NC Highway 24 corridor as the most significant initial image of the community for visitors and potential business investors. The Town has worked to implement the ideas and recommendations of the Gateway to Swansboro Report to shape development in a way that will enhance the appearance of our community and attract high quality investments to build our commercial economy.

Signage was identified through the Gateway process as a high priority area of concern, specifically with regard to non-conforming signs. In order to provide corrective action, the Town requested the removal or replacement of those signs which had been found to be non-conforming.

Timeline of Notifications/History of Actions

- The UDO was officially adopted by the Board of Commissioners on March 15, 2005. Article 16, Signs, required that nonconforming freestanding signs in any zoning district be removed within ten (10) years after the adoption of the ordinance, therefore nonconforming signs were to be removed by March 15, 2015.
- The Town began taking inventory of existing nonconforming freestanding signs in January 2011.

Action: _____

- Section 16-10 of the UDO at that time stated that if the sign area was not greater than 125% of the area allowed or if the height not greater than 5 feet of the height allowed, the sign was exempt from amortization.
- Initial notifications to property owners were sent in March and April of 2011 of the amortization requirement and the March 15, 2015 compliance deadline. All notices were sent via regular mail to the address on file through the Onslow County Tax Office, accessible from the Onslow County GIS portal.
- In May of 2013, as a result of the adoption of the Gateway to Swansboro Report, the UDO was modified to allow monument-style signs, but still allowed pole and pylon-style freestanding signs.
- Notices were sent out to the property owners again in February of 2014, September of 2014 and December of 2014 in advance of the March 15, 2015 amortization deadline.
- In 2014, based on a recommendation of the 2009 Gateway to Swansboro Report, the welcome sign located at the Eye Care Center was removed, and the Town installed two new signs at each entrance along NC Highway 24. Civic organizations were contacted to solicit their participation in displaying their signs on the new structures. In order to ensure consistency, the Town ordered the signs and there was a fee collected from the organizations to cover the cost.
- An amendment to the UDO was approved by the Board on January 10, 2017 to prohibit all freestanding signs which were not monument style-signs. Monument Signs are defined by the ordinance as “a freestanding sign having a support structure that is a solid-appearing base constructed of a permanent material, such as concrete block or brick”. This amendment effectively rendered all existing freestanding signs, which were not by definition monument signs, non-conforming. Some of the signs identified as non-conforming in 2011 had been brought into compliance or replaced at this time. In consultation with the Town Attorney, the amortization provision is enduring, therefore, any remaining or newly created nonconforming freestanding signs would be required to be brought into compliance by January 10, 2027.
- On January 13, 2020, Staff requested direction from the Board to either proceed with sign amortization or to amend the Unified Development Ordinance to refine the provisions for nonconforming signs. At that time, the Board directed Staff to send letters to non-conforming sign owners that compliance was required by 2027, however those with violations resulting from the 2005 UDO adoption should be sent notices to remove the non-conforming signs immediately.
- On March 11, 2020, Staff sent a Notice of Violation and Order for Removal for the non-conforming freestanding sign(s) which remained in violation to be removed by June 15, 2020. A second Notice of Sign Amortization was sent to all other sign owners that their signs were to be brought into compliance or removed by January 10, 2027.

2017 Amendment Omissions

Since the March notifications, Staff discovered several references to freestanding signs which were not removed from the UDO as a part of the 2017 ordinance amendment and that are now inconsistent with the prohibition.

It also appears that the only sign previously addressed in the Historic District was the freestanding sign at First Citizen's Bank, however, it was found to be exempt at that time per Section 16-10 of the UDO.

The prohibited signs language of the UDO contains the qualifier that "the following types of signs are prohibited *in all districts*", which further complicates the 2017 amendment because signs are subject to Staff Review in the Historic District, and freestanding signs are allowed under the Historic District Design Guidelines. Staff feels it is unreasonable to enforce the requirement for monument-style signs in the Historic District due to the higher density and smaller lot sizes that cannot accommodate monument-style signs, so as a part of this amendment, freestanding signs would remain permitted in the Historic District.

Staff has also pulled permit records for all sign permits issued since the January 10, 2017 amendment. Per the Town Attorney, any new signs which were permitted, but did not meet the sign ordinance requirements, are not required to be brought into compliance through the amortization process because a Town development approval (permit) was issued, therefore vested rights exist.

Attachments

Proposed Ordinance 2022-O6
Planning Board Statement of Consistency
Sign Inventory-Updated 10/12/20
NC Plan Responses

Action Needed:

- 1) Hold a Public Hearing;
- 2) Motion to approve, deny or table Ordinance 2022-O6 and adopt a statement of consistency.

Pursuant to NCGS 160D-605, when adopting or rejecting any zoning text or map amendment, the governing board shall approve a brief statement describing whether its action is consistent or inconsistent with an adopted comprehensive plan.

The requirement for a plan consistency statement may also be met by a clear indication in the minutes of the governing board that at the time of action on the amendment the governing board was aware of and considered the planning board's recommendations and any relevant portions of an adopted comprehensive plan.

ORDINANCE 2022-06
AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT ORDINANCE
TO REMOVE THE SIGN AMORTIZATION REQUIREMENTS AND CLARIFY THE
ALLOWANCES FOR FREESTANDING SIGNS

WHEREAS North Carolina General Statute 160D-605 requires that zoning regulations shall be made in accordance with a Comprehensive Plan; and

WHEREAS NCGS 160D-605 also states that when adopting or rejecting any zoning text or map amendment, the governing board shall approve a brief statement describing whether its action is consistent or inconsistent with an adopted comprehensive plan; and

WHEREAS the Board of Commissioners finds that the proposed text amendments are consistent with the current Comprehensive Plan, specifically the CAMA Land Use Plan, Land Use Compatibility, Create Zoning Standards that Enhance the Function and Appearance of the Gateway Corridor; and Implementation Recommendations and Strategies, Other Community Priorities, Enhance Appearance and Maintain Small Town Coastal Character, and considers the action taken to be reasonable and in the public interest.

NOW BE IT ORDAINED by the Town of Swansboro Board of Commissioners that the Unified Development Ordinance is amended as follows:

TITLE XV: LAND USAGE

CHAPTER 152: UNIFIED DEVELOPMENT ORDINANCE

GENERAL PROVISIONS

§ 152.016 DEFINITIONS OF BASIC TERMS.

SIGN, FREESTANDING. A sign that is attached to, erected on, or supported by ~~some~~ a structure (such as a pole, mast, ~~or~~ frame, ~~or other structure~~) ~~and~~ that is not itself an integral part of or attached to a building or other structure having a principal function other than the support of a sign. ~~A sign that stands without supporting elements, such as a “sandwich sign,” is also a FREESTANDING SIGN.~~

SIGN, MONUMENT. A ~~type of~~ freestanding sign that is detached from a building and having a support structure that is a solid-appearing base constructed of a permanent material, such as concrete block or brick. ~~All other freestanding sign types not meeting the definition of a MONUMENT SIGN shall either a pole sign or a pylon sign.~~

§ 152.270 SIGNS REQUIRING A PERMIT AND FEE.

H) Multiple use signs (non-residential) provided:

- 2) The allowed signage will be proportionally reduced for any properties less than three acres, ~~but never less than 64 square feet of display area or if~~ the property is greater than three acres, ~~the sign may not exceed never larger than~~ 160 square feet ~~of display area~~;

- I) Principal use signs. Principal use signs shall be permitted on the premises of the business to which they apply in districts in which the principle use is permitted or in districts, in which the principle use is allowed as a special use, provided the special use has been allowed pursuant to applicable law. This provision is subject to the following conditions and limitations:-

- 1) Freestanding signs. Each tract of land shall be permitted one monument sign, unless the property is within the Historic District and is therefore subject to the Historic District Design Guidelines. See division (G) of this section.

§ 152.273 PROHIBITED SIGNS.

The following types of signs are prohibited in all districts unless otherwise noted.

- M) Primary freestanding signs which are not monument signs unless the sign is located in the Historic District and is therefore subject to the Historic District Design Guidelines.

§ 152.274 NONCONFORMING/~~NONPERMITTED~~ SIGNS; ~~AMORTIZATION~~.

Any sign existing as of the date of passage of this amendment which is not in conformity with the provisions of this amendment and other applicable ordinances, shall be deemed a nonconforming sign. Except as otherwise specifically addressed by this chapter, nonconforming signs existing on the date of passage of this amendment shall be allowed to remain in existence subject to the following provisions:

- A) At such time as any nonconforming sign receives structural damage from any source whatsoever, whether accidental, an act of God, or otherwise, and such damage amounts to at least 50% of the sign's supporting structure, the sign must be replaced with a conforming sign the non-affected supporting structure may be allowed to have signage put back into place. For the purposes of this subsection, damage to the face of the sign which does not otherwise damage the supporting structure of the sign shall NOT require the sign to be replaced affect the original sign area; however, the sign area shall not increase beyond what was originally in place. No additional lighting shall be added to any such sign.
- B) If the principal use of the property changes, any nonconforming signage must be replaced by conforming signage or removed from the premises prior to the issuance of a Certificate of Occupancy.
- C) If an existing building is vacant for more than 180 days without the intent to reestablish the previous use, any nonconforming signage must be replaced by conforming signage or removed from the premises prior to the issuance of a Certificate of Occupancy.
- ~~B) Notwithstanding the proscriptions of the immediately preceding subsection, if a single nonconforming sign support structure contains or supports more than one nonconforming sign, and if the face of a nonconforming sign is damaged, but its structure is not damaged, then the nonconforming sign area may be replaced on the same supporting structure, but replacement sign area shall be so located thereon as not to create an unsafe condition with traffic or pedestrian movement. The sign area shall not increase beyond what was originally in place.~~

- ~~C) Nonconforming signs with flashing lights or moving lights or external moving parts located in any zoning district shall be removed within 30 days after the adoption of this chapter.~~
- ~~D) Nonconforming signs made of paper, cloth, vinyl, or other nondurable material located in any zoning district shall be removed within 90 days after the adoption of this chapter.~~
- ~~E) Nonconforming freestanding signs in any zoning district (except for billboards, which are controlled by § 152.270(B) of this chapter) shall be removed within ten years after the adoption of this chapter. Within two years after the adoption of this chapter, the Administrator of the Town of Swansboro shall notify the owner (s) of any sign deemed by the Administrator to be in violation of this subsection; provided that notification of the person (s) indicated as owner (s) of the property upon which such sign is located from the records of the Onslow County Tax Office shall be deemed to comply with the notification required by this subsection. Notwithstanding the provisions of this subsection, at such time as any nonconforming sign (regardless of the extent of nonconformity) receives structural damage from any source whatsoever, whether accidental, act of God, or otherwise, and such damage amounts to at least 50% of the sign's supporting structure, then such sign shall be removed and shall not be replaced except by a conforming sign. For purposes of this division, damage to the face of the sign which does not otherwise damage the supporting structure of the sign shall or may be enlarged in any manner, nor may any additional lighting be added to any such sign.~~
- ~~F) Nonconforming portable or other temporary signs located in any zoning district shall be removed within 120 days after the adoption of this chapter.~~
- ~~G) Any person who owns or maintains or who has erected a sign for which no permit has been issued and which has been erected within the two year period next preceding the adoption of this chapter shall within ninety days after the adoption of this chapter apply for a permit for such sign or signs and if any such sign is nonconforming, shall bring the sign into conformity with this chapter or shall remove said sign.~~

§ 152.277 PERMITTED SIGNS.

The Table of Permitted and Special Use Signs delineates the types of signs permitted within the various zoning districts in the Town of Swansboro (see §§ [152.170](#) through [152.180](#) for a complete description of the individual zoning districts).

Signs - Permitted/Special Use

Sign Type	RA	All Residential Districts	TNC	PUD	MHP	MHS	MHS-15SF	MHS-O	B1	B2	B3	B2 HDO	MI	CON	O/I	G/E
Freestanding									P	P		P	P		P	
Monument		P		P	P				P	P	P	P	P		P	P

This amendment is effective upon adoption of this Ordinance.

Adopted this 11th day of April 2022.

Town of Swansboro Board of Commissioners

John Davis, Mayor

ATTEST:

Alissa Fender, Town Clerk

PLANNING BOARD STATEMENT OF CONSISTENCY

Sign Amortization/Freestanding Sign Clarification

During its November 16, 2020 special meeting, the Town of Swansboro Planning Board reviewed proposed amendments to the Unified Development Ordinance addressing sign amortization and clarifying the requirements for freestanding signs.

The proposed changes are **consistent** with the current Comprehensive Plan, specifically the CAMA Land Use Plan, Land Use Compatibility, Create Zoning Standards that Enhance the Function and Appearance of the Gateway Corridor; and Implementation Recommendations and Strategies, Other Community Priorities, Enhance Appearance and Maintain Small Town Coastal Character, and have been recommended for **approval** by the Planning Board.

This statement reflects the recommendation of the Town of Swansboro Planning Board this the 16th day of November 2020.

7/0
Vote


Planning Board Chairperson

Business Name/Property Owner	Sign Location/Business Address	Sign Area	Sign Height	Type	Notes
NANCY LEE FISHING CENTER/OC FISH CO./NANCY AND LEE MANNING	128 E. CORBETT AVE.	40	17.75	MU	NON-MONUMENT/MULTIPLE FREESTANDING SIGNS
SWANSBORO FOOD AND BEVERAGE/SAK VENTURES LLC	106 S. FRONT STREET	71.55	16.68	HD	NON-MONUMENT; PREVIOUSLY EXEMPTED BY SECTION 16-10
WILLY NILLY/JOHN CHARLES & DEBRA SUE HARNATKIEWICZ	147 FRONT ST			HD	NON-MONUMENT/TWO POST SIGNS
CAMEO/MONICA DOOLEY	104 S. WATER STREET			HD	NON-MONUMENT
MARY RUSSELL WITHAM	202 WATER ST			HD	NON-MONUMENT/POST EXISTS
EG SMITHSON	114 MAIN ST			HD	NON-MONUMENT/POST EXISTS
THE WEDDING CHAPEL/DAVID LAWRENCE RUSSELL	MAIN ST			HD	NON-MONUMENT
BEAN LAW/HAROLD LEE JR & KAREN L SHIPP	115 MAIN ST			HD	NON-MONUMENT/POST EXISTS
OLDE POST OFFICE SQUARE/HAROLD LEE SHIPP JR	208 MAIN ST			HD	NON-MONUMENT
FIRST CITIZENS BANK	302 MAIN STREET	66.62	18.08	HD	NON-MONUMENT; PREVIOUSLY EXEMPTED BY SECTION 16-10
BORO/MOORECOASTAL INVESTMENTS LLC	101 MOORE ST			HD	NON-MONUMENT
CHURCH STREET INN/M & H SWANSBORO LLC	105 CHURCH ST			HD	NON-MONUMENT
OLD TOWN SQUARE/NANCY MORTON/JESSMARC PROPERTIES LLC	108 W. CORBETT AVE.		15.3	MU	NON-MONUMENT
WHITE OAK BISTRO/GENE HEATH	206 W. CORBETT AVE.	64	13.75	P	NON-MONUMENT
RIVERSIDE STEAKS AND SEAFOOD/HKV LLC.	506 W. CORBETT AVE.			P	NON-MONUMENT; REPLACED AFTER FLORENCE, NO PERMIT ON FILE
MUTTIGANS/MEL BECK HOLDING CO.	624 W. CORBETT AVE.	56.65	15.3	P	NON-MONUMENT/SIGN LOCATED OFF-SITE
LANIER SURVEYING/BRENT LANIER	624 W. CORBETT AVE.	101.2	14.8	P	NON-MONUMENT; REMOVED FROM LIST 12/16/14, FRAME ONLY
FASTAX SHOPPING CENTER/SARA HENDERSON	620 SABISTON DRIVE	70	13	MU	NON-MONUMENT; PREVIOUSLY EXEMPTED BY SECTION 16-10; SIGN DAMAGED/REMOVED
BANK OF AMERICA	620 W. CORBETT AVE			P	NON-MONUMENT
		18	16		
		45.9	4.46		
		32	8.5		
HURST REALTY/BASIL HURST	622 SABISTON DRIVE			P	NON-MONUMENT/MULTIPLE FREESTANDING SIGNS
ONSLow COUNTY FARM BUREAU INC	623 SABISTON DRIVE			P	NON-MONUMENT
STUMPPY'S/JP CAROLINA INVESTMENTS INC	628 W. CORBETT AVE.			MU	NON-MONUMENT
PAT'S ALTERATIONS/RHONDA HOKUM NORRIS	630 W. CORBETT AVE.			P	NON-MONUMENT
MARINE FEDERAL CREDIT UNION	613 W. CORBETT AVE.	61.6	12.5	P	EXCEEDS HEIGHT ALLOWED
DAVE & WANDA WELLS	632 W. CORBETT AVE.	95	14.5	P	NON-MONUMENT
WESTERN AUTO/MICHAEL TEACHEY	636 W. CORBETT AVE.			P	NON-MONUMENT
ALLSTATE/BROWN & BAREFOOT LLC	638 W. CORBETT AVE.			P	NON-MONUMENT; REMOVED FROM LIST 12/16/14; SIGN REPLACED IN 2015, NO COPY OF PERMIT IN FILE
AMERICAN LEGION 78	650 W CORBETT AVE			P	NON-MONUMENT
TACO BELL/NATIONAL RETAIL PROPERTIES LP	652 W. CORBETT AVE.			P	NON-MONUMENT
CORNERSTONE SQUARE LLC	652 W. CORBETT AVE.	146.66	18	MU	NON-MONUMENT
OREILLY AUTOMOTIVE STORES INC	680 CORBETT AVE			P	NON-MONUMENT
CARRIE M FRESHWATER PROPERTIES LLC	684 W. CORBETT AVE.	72.125	18	P	NON-MONUMENT; PREVIOUSLY EXEMPTED BY SECTION 16-10
HIGH SPEED GEAR/HSG RE LLC	87 OLD HAMMOCK RD			P	NON-MONUMENT
WILFRED AND MARGIE TYNDALL	675 W. CORBETT AVE.	120	18.75	MU	NON-MONUMENT; REMOVED FROM LIST 12/16/14, PREVIOUSLY EXEMPTED BY SECTION 16-10
BP/SUBWAY/EIP REAL ESTATE ONE LLC.	701 W. CORBETT AVE.	118.56	18.85	MU	NON-MONUMENT; REMOVED FROM LIST 12/16/14, PREVIOUSLY EXEMPTED BY SECTION 16-10
DAIRY QUEENS/JOHN AND JENNIFER DAVIS	709 W. CORBETT AVE.	167	24	P	NON-MONUMENT; PREVIOUSLY EXEMPTED BY SECTION 16-10
SWANSBORO HEALTH AND FITNESS SHOPPING CENTER/GARLAND AND CYLESTA SEWELL	706 W. CORBETT AVE.	50	20	MU	NON-MONUMENT/MULTIPLE FREESTANDING SIGNS
PIGGLY WIGGLY/MARK PERRY JR	715 W. CORBETT AVE.			P	EXCEEDS HEIGHT ALLOWED; PERMIT ISSUED AFTER 2017 AMENDMENT
SWANSBORO PLAZA SHOPPING CENTER/JR AND LINDA FREEMAN	714 W. CORBETT AVE.	156	18.5	MU	NON-MONUMENT; PREVIOUSLY EXEMPTED BY SECTION 16-10
FAMILY DOLLAR STORES OF HAVELOCK	716 W. CORBETT AVE.	80	24	P	NON-MONUMENT/PREVIOUSLY EXEMPTED BY SECTION 16-10; SIGN DAMAGED/REMOVED
SWANSBORO MEDICAL SHOPPING CENTER/SHARON MATTESON	718 W. CORBETT AVE.	100	15.5	MU	NON-MONUMENT; PREVIOUSLY EXEMPTED BY SECTION 16-10
AVEDA SALON/DEANNA DAUBE & OTHERS	748 W CORBETT AVE			MU	NON-MONUMENT
TIDELAND NEWS/SALTY SHEEP YARN/THREE IN ONE LLC	774 W CORBETT AVE			MU	NON-MONUMENT
EYEDEAL PROPERTIES LLC	775 W CORBETT AVE	48	6	MU	NON-MONUMENT
ACE HARDWARE/C WATERS PROPERTIES LLC	778 W. CORBETT AVE.	40	19	P	NON-MONUMENT
ADVANCE AUTO/RICH, RICH & PHILLIPS	782 W. PHORBETT AVE.	60	20	P	NON-MONUMENT/EXCEEDS HEIGHT ALLOWED
COUNTRY AIRE RENTAL/STEWART LEWIS	779 W. CORBETT AVE.	50	17	P	NON-MONUMENT/EXCEEDS HEIGHT ALLOWED
COASTAL FINANCE/JIM & EM PROPERTIES LLC.	777 W. CORBETT AVE.	32	5.83	P	NON-MONUMENT
SEWELL PROPERTIES LLC	785 W. CORBETT AVE.	64	15	MU	NON-MONUMENT/EXCEEDS HEIGHT ALLOWED
WILCO HESS/WENDY'S/WILLIAMS PROPERTIES II LLC.	809 W. CORBETT AVE.	263	25	MU	NON-MONUMENT/EXCEEDS AREA AND HEIGHT ALLOWED
MILLS AND THOMAS/PETER AND CATHERINE TIMMINS	805 W. CORBETT AVE.		16	MU	NON-MONUMENT; REPLACED IN 2014
MCDONALDS/REMO LUDERGNANI & NORMA E CO TRUSTEES	905 W CORBETT			P	EXCEEDS HEIGHT ALLOWED
SWANN PLAZA/BIB INVESTMENTS LLC	923 W. CORBETT AVE.	53	11.5	MU	NON-MONUMENT; REPLACED IN 2016, NO COPY OF PERMIT IN FILE
LAS FINCAS/PANOS INVESTMENTS LLC.	921 W. CORBETT AVE.	35	8.6	P	NON-MONUMENT
TOM & JOES/BOBBY WILLIAMS	915 W. CORBETT AVE.	48	8.5	P	NON-MONUMENT
SANDERS FORD/BRUCE DOWNEY	1006 W. CORBETT AVE.	74.6	27	P	NON-MONUMENT; PREVIOUSLY EXEMPTED BY SECTION 16-10
SANDERSON AUTO SALVAGE/UHAUL/ETHEL SANDERSON	1026 W. CORBETT AVE.	66	12.4	P	NON-MONUMENT/MULTIPLE FREESTANDING SIGNS; WAS ALLOWED EXEMPTION UNDER SECTION 16-10, 4 PARCELS UNDER SAME OWNERSHIP, ALL BUSINESS ACTIVITIES HANDLED FROM OFFICE ON THIS SITE
COMMUNITY LUMBER/EAST HARDWOOD COMPANY INC	1003 W. CORBETT AVE.	128.7	13.16	P	NON-MONUMENT/REMOVED FROM LIST 12/16/14, NOTE THAT EXISTING FACE COMPLIES
NORTHSTATE STORAGE	1044 W. CORBETT AVE.	64	19	P	NON-MONUMENT/MULTIPLE SIGNS/EXCEEDS HEIGHT ALLOWED
MURRAY ROOFING/ECS/RUFUS MURRAY	1048 W. CORBETT AVE.	56	21	P	NON-MONUMENT/EXCEEDS HEIGHT ALLOWED
SWANSBORO HEATING & COOLING/ELLSWORTH	1034 W CORBETT AVE			MU	NON-MONUMENT
BLUEWATER ASSOCIATES OF EMERALD ISLE INC				P	NON-MONUMENT
	1035 W. CORBETT AVE.	32	8	P	NON-MONUMENT
STEPHEN A PHILLIPS/MARY RAWLS	1068 W CORBETT AVE			B	LOCATED ON HWY 24
ONSLow COUNTY ABC BOARD	1073 W. CORBETT AVE.	48	21	P	NON-MONUMENT; PREVIOUSLY EXEMPTED BY SECTION 16-10
NANCE PROPERTIES INC	1071 W CORBETT AVE			B	LOCATED ON HWY 24
VALVOLINE EXPRESS CARE/NANCE PROPERTIES INC.	1071 W. CORBETT AVE.	72	20	P	NON-MONUMENT; PREVIOUSLY EXEMPTED BY SECTION 16-10
MOORE'S BBQ/BARFIELD PROPERTIES LLC	1103 W CORBETT AVE			P	NON-MONUMENT; PERMIT ISSUED AFTER 2017 AMENDMENT
SWANSBORO ROTARY FOUNDATION	1104 MAIN ST EXT			P	NON-MONUMENT
CHARLES & MARY RAWLS	1117 HAMMOCK BEACH RD			P	NON-MONUMENT
JCMC/CVS/TEQUILA PROPERTIES LLC.	1106 W. CORBETT AVE.	48	8.2	MU	NON-MONUMENT
BATTLEFIELD AUTOMOTIVE/DANNY & SUSAN CARROLL	1214 W. CORBETT AVE.	48	13.83	P	NON-MONUMENT/EXCEEDS HEIGHT ALLOWED
COASTAL AUTO/MITCHELL ROWLAND & RC KING	1227 W CORBETT AVE			P	NON-MONUMENT
DAVIS AUTO/ALTON DAVIS	102 NORRIS RD.	42	26	P	NON-MONUMENT/EXCEEDS HEIGHT ALLOWED
BATTLEFIELD TIRE/BATTLE ANTHONY DOUGLAS	103 NORRIS RD			P	NON-MONUMENT
DEES FLOWERS/DORA MANNING	101 LESLIE LN.			P	NON-MONUMENT
FAMILY DENTISTRY/TERESA CONLEY & BENSON YBANEZ	1306 W. CORBETT AVE.	21.5	6	P	NON-MONUMENT
1401 W CORBET AVENUE LLC	1401 W CORBETT AVE			B	LOCATED ON HWY 24
BURGER KING/1401 W CORBET AVENUE LLC	1401 W. CORBETT AVE.			P	NON-MONUMENT/REPLACED IN 2016
GO GAS/QUALITY OIL COMPANY LLC	1403 W. CORBETT AVE.			P	NON-MONUMENT/REPLACED IN 2014
FOOD LION SHOPPING CENTER/THE ROSEMYR CORPORATION	1409 W. CORBETT AVE.			MU	NON-MONUMENT/REPLACED IN 2014
QUEENS CREEK PLAZA/ATLANTIC COAST PROPERTIES II	112 QUEENS CREEK ROAD		12+	MU	NON-MONUMENT/EXCEEDS HEIGHT ALLOWED
EXCEL QUEENS CREEK PROPERTIES LLC	168 QUEENS CREEK RD			P	NON-MONUMENT
WAYNE'S SERVICE CENTER/DALTON & DOROTHY WOOD	1434 W. CORBETT AVE.		12+	P	NON-MONUMENT/EXCEEDS HEIGHT ALLOWED
TEAM CHEVROLET/SUSAN STEVENSON	1435 W. CORBETT AVE.		12 +	P	NON-MONUMENT/EXCEEDS HEIGHT ALLOWED
PIZZA HUT SHOPPING CENTER/ROSE FAMILY PROPERTIES, LLC	1450 W. CORBETT AVE.		12 +	MU	NON-MONUMENT/EXCEEDS HEIGHT ALLOWED
JOHN F HOWELL JR	1476 W CORBETT AVE			B	LOCATED ON HWY 24
24 HOUR FITNESS/BARRINGER INC	130 SETH THOMAS LN			P	NON-MONUMENT
COSTON EQUIPMENT/WILLIAM COSTON	122 SETH THOMAS LN			P	NON-MONUMENT
TA LOVING CO INC	126 SETH THOMAS LN			P	NON-MONUMENT

TYPE KEY	UDO REFERENCE
B-BILLBOARD	152.270
P-PRINCIPAL USE SIGN	152.270
MU-MULTIPLE USE SIGN	152.270
HD-HISTORIC DISTRICT	152.479 & APPENDIX III
REMOVAL BY MARCH 15, 2015	152.274
REMOVAL BY JUNE 15, 2020	152.274/BOC 01/13/20
PREVIOUSLY IDENTIFIED AS LESS THAN 64 SQ. FT. OR UNDER HEIGHT ALLOWED	Old 16-10 (E) (125% or 5' in height); 152.270

Jennifer Ansell

From: Ryan King <rking@jacksonvillenc.gov>
Sent: Tuesday, September 15, 2020 2:15 PM
To: Jennifer Ansell
Subject: RE: Sign Amortization

We did between 1998-2003

From: Jennifer Ansell [mailto:jansell@ci.swansboro.nc.us]
Sent: Tuesday, September 15, 2020 2:06 PM
To: Ryan King <rking@jacksonvillenc.gov>
Subject: RE: Sign Amortization

WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Did you guys enforce it or make people remove signs?

Thanks,

Jennifer H. Ansell, CFM, CZO
Planner
Town of Swansboro
601 W. Corbett Avenue
Swansboro, NC 28584
(910) 326-4428
(910) 326-3101 Fax

From: Ryan King <rking@jacksonvillenc.gov>
Sent: Tuesday, September 15, 2020 2:06 PM
To: Jennifer Ansell <jansell@ci.swansboro.nc.us>
Subject: RE: Sign Amortization

Last one was in 1998, had 5 years to comply.

From: Jennifer Ansell [mailto:jansell@ci.swansboro.nc.us]
Sent: Tuesday, September 15, 2020 11:30 AM
To: Ryan King <rking@jacksonvillenc.gov>
Subject: Sign Amortization

WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Ryan,

I'm assuming the city has or had sign amortization requirements because at one time we had almost mirror ordinances, but have you ever enforced them?

Thank you!

Jennifer Ansell

From: Matthew Kirkland <mkirkland@townofleland.com>
Sent: Tuesday, September 15, 2020 11:33 AM
To: Jennifer Ansell
Subject: RE: [ncplan] Sign Amortization

Good morning Jennifer,

We had a five-year sign amortization that was just wrapping up after I got here in late 2018. All the signs were brought into compliance save one, and we are working to enforce on that sign to my knowledge.

Our ordinance is at

https://library.municode.com/nc/leland/codes/code_of_ordinances?nodeId=PTIICOOR_CH66ZO_ARTXISI_S66-363AMNNFSI

Regards,

Matthew Kirkland
Senior Planner

Town of Leland
102 Town Hall Drive
Leland, NC 28451
Direct: (910) 332-4816
Cell: (910) 442-0238
Main: (910) 371-3390
Fax: (910) 971-1158
www.townofleland.com

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From: jansell@ci.swansboro.nc.us <ncplan@listserv.unc.edu>
Sent: Tuesday, September 15, 2020 11:28 AM
To: NCPlan mailing list <ncplan@listserv.unc.edu>
Subject: [ncplan] Sign Amortization
Importance: High

WARNING: This email originated from outside of the Town of Leland network.

All:

Do you have sign amortization requirements for freestanding signs in your ordinance, and if so have you enforced them?

Thank you!

Jennifer Ansell

From: Richard Flowe <rflowe@nfocusplanning.org>
Sent: Tuesday, September 15, 2020 11:34 AM
To: Jennifer Ansell
Subject: Re: [ncplan] Sign Amortization

Jennifer, I put them in an ordinance in a few towns and enforced them in the '80's-'90's, so its been a while.

*F. Richard "Rick" Flowe, AICP, CFM
N-Focus, Inc.
315 South Main Street, Suite 200
Kannapolis, NC 28081
704-933-0772 (office)*

704-793-7205 (cell)

www.nfocusplanning.org

On 09/15/2020 11:27 AM jansell@ci.swansboro.nc.us <ncplan@listserv.unc.edu> wrote:

All:

Do you have sign amortization requirements for freestanding signs in your ordinance, and if so have you enforced them?

Thank you!

Jennifer H. Ansell, CFM, CZO

Planner

Town of Swansboro

601 W. Corbett Avenue

Swansboro, NC 28584

(910) 326-4428

(910) 326-3101 Fax

Jennifer Ansell

From: Joshua.Freeman@buncombecounty.org <ncplan@listserv.unc.edu>
Sent: Tuesday, September 15, 2020 11:44 AM
To: NCPlan mailing list
Subject: RE: [ncplan] Sign Amortization

Jansell,

My \$00.10; sign amortization is an unenforceable nightmare unless one has a very willing elected body, dedicated legal counsel who can support staff during the process, and the amortization enforcement action does not linger beyond the stated timeframe for compliance. I've worked in three jurisdictions whose amortization timeframe came and went with lackluster enforcement due to flagging will power on the part of the elected officials. It creates all kinds of animosity among if some people comply, others don't, and code enforcement isn't taken against the non-compliant ones. If I had it to do over again in those jurisdictions, I would have not bothered with amortization, and simply dealt with them using well-crafted nonconformities language in the zoning ordinance.

Again, just my thoughts, others will disagree.

Respectfully,



Joshua S. Freeman, AICP, CFM

Buncombe County
Planning and Development
Development Services Manager

p. (828) 250-4830
46 Valley St - Asheville, NC 28801

Respect. Honesty. Integrity. Collaboration. Equity.

<https://www.buncombecounty.org/governing/depts/planning/default.aspx>

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From: jansell@ci.swansboro.nc.us <ncplan@listserv.unc.edu>
Sent: Tuesday, September 15, 2020 11:28 AM
To: NCPlan mailing list <ncplan@listserv.unc.edu>
Subject: [ncplan] Sign Amortization
Importance: High

All:



Board of Commissioners Meeting Agenda Item Submittal

Item To Be Considered: **Future Agenda Topics**

Board Meeting Date: **April 11, 2022**

Prepared By: **Alissa Fender - Town Clerk/Admin Services Director**

The purpose of this memo is to provide the Board with matters that staff anticipates/proposes for upcoming meetings. It should be noted that these items are tentatively scheduled for the specified monthly agenda but are subject to change due to preparation of materials, public notice requirements, etc.

In providing this memo each month, we hope it will also provide opportunity for the Board to introduce items of interest and subsequent direction for placement on future agendas, which will allow staff the opportunity to plan accordingly.

April 14, 2022 – Joint Meeting with EOC Committee, 5:30 pm

April 21, 2022 – Budget Workshop #2, 4 pm

Proposed for April 25, 2022

- * Special Use Permit - Bake Bottle and Brew Dock
- * Board Appointments
- * Economic Development Committee Presentation
- * Finance Report

Future Agenda Items

- * American Rescue Plan Funding Recommendations (updates)
- * Further LUP Review/Amendments
- * Comprehensive Transportation Plan Revisions
- * Gateway Plan Discussion/Town Limits Beautification
- * Text Amendments – Occupancy Tax
- * Text Amendments – R/A Zoning Uses – *referred back to Planning Board*
- * Sub-committee designations for Strategic Plan Implementation
(*Eco Dev Committee est. Oct 2020*)
- * Shipwrights Point Phase II Street Acceptance (*Tentative*)
- * Historic Preservation Commission Recommendations (Joint Meeting Items)
- * Visitor's Center Improvements
- * Building Standards
- * Zoning Map & Table of Uses Amendments (possible)
- * EOC Discussion (ongoing)
- * Gateway Discussion

May Meetings:

Regular – 9th

Regular – 23rd