



**CITY OF SOUTHPORT
PLANNING BOARD
REGULAR MEETING AGENDA**

May 16, 2024
6:00 PM

Agenda

Please turn off all cell phones

Meetings are open to the public. Face masks and social distancing may be used at the discretion of each individual. Changes to this policy may occur, as needed to help prevent the spread of the Coronavirus.

The regular monthly meeting of the Planning Board will be held at 6:00 p.m. on the third Thursday of each month. All members are asked to attend.

- A. Call to Order**
- B. Invocation**
- C. Pledge of Allegiance**
- D. Approval of Minutes**
 - 1. April 18, 2024
- E. Approval of Agenda**
- F. Public Comment**
- G. Old Business**
 - 1. Text Amendment Section 3.9 Signs
 - 2. 101 E. Moore St. Update
 - 3. Zoning Map Amendment Update HC to BD North Howe St. at River Rd.
- H. New Business**
 - 1. Section 3.17 D. Landscaping on Public Property Text Amendment Introduction
- I. Other Business**
- J. Announcements**
 - 1. Comprehensive Plan Public Input Meeting
- K. Member's Information**
 - 1. Attendance Record
 - 2. Member's Roster

L. Adjourn



Planning Board Minutes
Community Building 223 E. Bay Street
April 18, 2024
6:00 P.M.

Members Present: Sue Hodgkin, Will Hewett, Fred Fiss, Roy Pender, Scott Jones, Dick Sloan, Kevin Locklin (remote) and Donnie Joyner (remote).

Members Absent: Chris Jones

Staff Present: Mo Meehan, City Planner
Tanya Shannon, Deputy Clerk
ChyAnn Ketchum, Director of Communications/PIO

Board of Aldermen Rebecca Kelley and Frank Lai
Liaisons:

A. Chair Sue Hodgkin called the meeting to order at 6:00 p.m.

B. Mr. Scott Jones gave the Invocation.

C. Chair Hodgkin led the Pledge of Allegiance.

D. Approval of the Minutes

Vice-Chair Hewett motioned to approve the March 27, 2024, Minutes, and seconded by Mr. Sloan. Unanimous Vote; Motion carried.

E. Approval of the Agenda

Vice-Chair Hewett motioned to approve the agenda, which Mr. Sloan seconded. ***Unanimous Vote; Motion Carried.***

F. Public Comment: None

G. Old Business:

1. 101 E. Moore Street Major Site Plan (Bullfrog Corner Residential Units)

Ms. Meehan presented an overview of the proposed plan. The property owner, Andrew Laing, and Full House Properties, LLC, the applicant, requested a Major Site Plan Review in August 2022 to redevelop the property at 105 E Moore Street. The property is located in the Central Business District (CBD) zoning district and currently features retail and office space. The proposed mixed-use development involves adding four (4) dwelling units to the existing nonresidential structure. An updated plan was provided to the Board that provided updated setback requirements for the parking lot.

After presenting the updated plan, Chair Hodgkin recommended reappointing a committee for further review since the Board had no questions or comments. The Committee comprises Mr. Fred Friss, Mr. Chris Jones, and Chair Hodgkin. Chair Hodgkin requested that the Board table the discussion of the submission until the committee returns with its report and recommendation. The Board's consensus was to table for more discussion.

2. Zoning Text Amendment- Section 3.9 Setback Exceptions and Encroachments

Ms. Meehan gave an overview of the amendment. She explained that Cameron Smith requested an amendment to the Unified Development Ordinance Section 3.9.B. and presented it to the Planning Board at the September 21, 2023, meeting.

At the November 16, 2023, meeting, the Planning Board voted to send the Board of Aldermen a recommendation of denial for a Unified Development Ordinance Amendment to Section 3.9.B Setback Exceptions and Encroachments to allow HVAC, generators, and other similar equipment to encroach up to 48" into a required setback. Staff presented another option that the Aldermen considered which allows a 42" encroachment but not more than 24" from the property line. The Board of Aldermen, at their regularly scheduled January 11, 2024, meeting, voted to remand the text amendment back to the Planning Board.

The text amendment review committee assigned included Vice-Chair Will Hewitt, Fred Fiss, Kevin Locklin, applicant Cameron Smith, and Staff.

After discussion, the committee agreed on the proposed language for setback exceptions and encroachment, which is partly based on standards found in the Brunswick County Unified Development Ordinance. The Committee and applicant agree that consistency throughout the county will be beneficial.

The proposed language states:

Section 3.9.B.5

Sills, cornices, buttresses, ornamental features, gutters, and eaves shall not extend more than 18" into a required setback. Mechanical equipment such as air conditioning units, generators, pool equipment, and similar residential-use items may extend into any required side yard no more than 50% of the required setback.

Ms. Meehan stated that the amendment would allow the following setbacks for residential encroachments: 4' side yards, 2' encroachment; 6' side yards, 3' encroachment; 8' side yards, 4' encroachment; and 12' side yard, 6' encroachment. Fire Chief Charles Drew reviewed the proposed text amendment and agreed that it would be a good compromise for the ability to access the property and allow encroachments when necessary.

Vice-Chair Hewett made a Motion to recommend approval of the drafted Text Amendment for Section 3.9.B.5 and send it back for the Board of Aldermen's reconsideration. Seconded by Mr. Fiss. ***Unanimous Vote; Motion Carried.***

Vice-Chair Hewett read the Statement of Consistency, recommending approval for the Board of Aldermen.

3. Zoning Text Amendment- Section 3.19 Signs

Ms. Meehan explained that after an applicant-initiated text amendment to the sign ordinance, the Planning Board requested a committee to work with Staff to update the UDO Section 3.19 Signs. The Committee comprised Chair Sue Hodgin, Fred Fiss, and Kevin Locklin.

The Committee met in December and early February to discuss existing signage throughout the city and changes to consider. In addition to in-person meetings, there have been email exchanges with draft text and ordinance examples from other jurisdictions. With the committee's recommendation, Staff reviewed the Warrenton, VA, Mt. Pleasant, SC, Beaufort, NC, and Key West, FL sign ordinances. At the March 27, 2024, meeting,

corrections and additions were requested to be included. Ms. Meehan presented the changes to the Board.

Mr. Locklin has reviewed the ordinances, standards, and guidelines on murals from several towns. He believes there should be a baseline for murals, even though some subjectivity will always be involved. As time passes, revisions can be made if necessary. Mr. Locklin thinks this is an excellent starting point and, as with all legislation, amendments can be made over time.

Chair Hodgkin questioned whether the first line of the section Political Signs should be changed to "One sign per candidate shall be permitted per lot" as multiple candidates could be running for an election simultaneously. Citizens' rights to support candidates for multiple offices should not be limited, but one sign per candidate should be sufficient.

B. Applicability 18. Political Signs. On private property, one (1) sign shall be permitted per lot, not exceeding eight (8) square feet in area per display face and two (2) faces per sign.

According to Mr. Fiss, it is mathematically possible to have up to four political signs simultaneously, and he does not favor being too restrictive. Mr. Hewett believes that having signs for multiple candidates is acceptable as long as it doesn't obstruct the view, impede the Right of Way, or interfere with the candidates' right to free expression.

There was more discussion, and the consensus was to revise the language to state, "One sign per candidate shall be permitted per lot."

The topic of LED lighting that simulates neon was discussed during the meeting. Chair Hodgkin raised the question of whether this should also include other gas tube lighting or lighting with a neon appearance. She wanted to focus on LEDs that look like Neon lighting. Mr. Fiss shared that he researched some information and found that you can buy LED "Open" signs or other signs that resemble neon lighting. He visited several businesses and found that the signs were typically neon. He believes there will be much opposition if neon signs are not allowed. He stated that around 40-50% of retail shops have neon "Open" signs. He recommended that the Historic District have different standards. Still, in the Business District, it would be more appropriate to allow stores to operate at various hours and rely on these types of signs to bring in businesses to use neon "Open" signs. He suggested that eliminating neon signs would suit the city's visuals but have an exception for the neon "Open" signs. Then, let the Historic Preservation Commission provide standards and guidelines for that district. Mr. Hewett also suggested eliminating flashing signs, which can be distractive and aesthetically unpleasing.

Mr. Locklin is in favor of maintaining uniformity in the city's appearance but without the use of neon lighting. He believes that in today's world, most people rely on their phones to check for business hours. Therefore, he thinks that relying on neon signs to indicate open hours would limit the public's ability to be creative in figuring out when businesses are open or closed. He also doesn't think neon signs would effectively engage customers. Instead, he believes we should consider what the city tries to achieve through its appearance, simplicity, and charm. Mr. Locklin is concerned that neon signs would detract from the look and feel of what the City represents.

Mr. Jones agreed with Mr. Fiss and said that neon electric signs have existed for many years when they were the only way to advertise a business. He feels that they should be allowed but with guidelines.

The consensus of the Board was to send the recommended changes back to the Committee for review.

Vice-Chair Hewett made a Motion to send the Zoning Text Amendment for Signs back to the Review Committee for further review. Seconded by Mr. Sloan. **Unanimous Vote; Motion Carried.**

Before moving into New Business Chair, Hodgkin commented:

I want to mention that the individual Aldermen have been submitting their suggested UDO revisions to the Interim City Manager. The Board of Aldermen discussed this at its April 8th Special Board Workshop if you weren't in attendance or want to go back and review that tape. We appreciate their involvement and comments regarding areas they'd like to see reviewed.

There has also been a conversation in the past and recently as well about delaying certain changes until the revision of the Comprehensive Plan is complete. Realistically we know that the Plan update most likely could easily take a year-plus. We also know from our own work that the UDO is a living, static document that needs continual work and revisions as recognition of issues and needs arise. For me, I'm optimistic that when we have our new Director of Development Services – and Mo is no longer a Planning-staff-of-one – we'll be prioritizing and working on currently-identified revisions and those the Aldermen have identified.

H. New Business: None

I. Other Business: Ms. Meehan reminded everyone that a Visioning Workshop will be held on April 30th at the Community Building from 6-8 pm. It will be a drop-in workshop for the public to provide ideas and feedback for the Comprehensive Plan.

Chair Hodgkin reminded everyone about the Green Growth Toolbox Workshop, which will be held on April 25th at 9:30 a.m. at the Pender County Library.

J. Announcements: None

There was no further business or comments; Chair Hodgkin requested a Motion to Adjourn.

A Motion was made by Vice-Chair Hewett and Seconded by Mr. Sloan. **Unanimous Vote; Motion Carried.**

Adjourn—6:51

Chair, Sue Hodgkin

Deputy Clerk, Tanya Shannon



MEMORANDUM

To: Sue Hodgins, Chair and Members of the Planning Board

From: Maureen Meehan, City Planner

Re: Section 3.19 Signs – Text Amendment Draft

Date: May 16, 2024

At your regular meeting on April 18, staff presented an updated draft of text amendments for Section 3.19 Signs. After review and discussion, further updates were requested. One specific question that had no consensus is the use of neon or neon like open signs for businesses. There was a unanimous vote to send the text back to the review committee.

Per direction from the Planning Board the review committee reconvened on May 9 and the following additions have been made to the draft update to Section 3.19 Signs:

1. Political signs – allow one sign per candidate per lot
2. Color temperature included for window lighting as well as outdoor sign lighting
3. Neon – include LED lighting with the appearance of neon to list of prohibited signs
4. Updated mural standards per recommendations of Mr. Locklin.

The committee was split on the addition of neon or neon type open signs and asked that the full Planning Board vote on the matter. The following are the two options for consideration:

1. Follow the ordinance and prohibit all neon signs including open signs.
2. Allow neon open signs with a size limit in the Business District (BD) and Highway Commercial (HC) zoning districts. Some sizes mentioned at the meeting 7” x 18”, 13” x 32”. Staff will bring examples of sizing to the meeting for reference.

Draft changes are attached to this memo.

3.19 SIGNS

A. GENERAL

1. It is the intent of this section to protect public interest, safety and welfare and, to that end, the purpose of this section is specifically declared to be as follows:

- a) To promote economic development and preserve the historic character while ~~and~~ minimizing the negative impacts that signs may have on the visual appearance of the City of Southport;
- b) To provide orientation and guidance to our tourists and visitors and identification of public areas, natural resources, historical and cultural landmarks and places of interest and in so doing reduce confusion and traffic congestion;
- c) To inform and educate visitors and residents of opportunities and events both commercial and noncommercial occurring in the City of Southport; and
- d) To permit and regulate signs in such a way as to support and compliment land use objectives.

2. Encroachment Into Right-of-Way. No part of any sign shall be located on or extended into a public right-of-way without all applicable permits except as allowed by this section.

3. Visibility. No sign or structure shall be erected or maintained to impede safe and adequate visibility from vehicles or for pedestrians.

4. Illumination. Where permitted, illuminated signs shall be subject to the following conditions:

- a) Any light used for illumination shall be shielded so that the beams or rays of light will not shine into surrounding areas or on the public roadway.
- b) Neither direct nor reflected light from any light source shall create a traffic hazard or distraction to operators of motor vehicles on public thoroughfares.
- c) Sign illumination shall be only at the minimum level required for nighttime readability.

5. Signs for Nonconforming Uses. Signs for nonconforming uses, where such uses may be continued, shall be allowed, but shall comply with all regulations for signs in the zoning district where such signs are located.

B. APPLICABILITY

1. Except as otherwise provided in subsection C, it shall be unlawful to erect or maintain any sign without first obtaining a sign permit. Any sign proposed in the local historic district shall obtain a Certificate of Appropriateness prior to issuance of a sign permit. No permit shall be required, however, for maintenance of a sign restored back to its original condition. Failure to secure a permit shall constitute a violation of this section.

2. A scaled drawing displaying the location of the sign on the associated property, the sign dimensions, construction, height, setbacks from all property lines, lighting, electrical and all other elements associated thereto shall accompany all sign permit applications.

3. If actual work for the permitted sign on the site is not commenced within 60 days from the date of such sign permit or if substantial work for the permitted sign is suspended for a period of 60 consecutive days after issuance of the sign permit, the permit shall automatically become null and void. Provided, however, for new construction, the sign permit shall not become null and void until 60 days after the Certificate of Occupancy has been issued.

4. When any permit has been revoked under the terms of this section, the permit fees shall not be refunded. If a sign permit is denied, however, the permit fee will be refunded.

5. All permanent signs shall be designed and constructed to meet the requirements of the NC Building Code. Depending on the type of sign construction, the building inspector may require engineer certified plans.

7. Any sign proposed to be constructed beyond the mean high-water line requires the issuance of a Conditional Use Permit Special Use Permit in accordance with the requirements set forth in Article 2. Any such sign shall not be located off-premise and must comply with applicable sign type provisions provided in this section.

C. SIGNS EXEMPT FROM PERMIT REQUIREMENTS

Unless otherwise prohibited hereinafter the following signs are exempt from permit requirements but subject to the provisions provided herein:

1. Signs which are not designed to be visible beyond the boundaries of the lot upon which they are located and/or from any public thoroughfare or right-of-way, except as such signs may be regulated hereinafter.

2. Official governmental notices and notices posted by governmental officers in the performance of their duties; governmental signs or signs installed under governmental authority.

3. Noncommercial Flags, pennants, or insignia of any nation, organization of nations, state, county or city, any religious, civic or fraternal organization, or any educational or cultural facility.

4. Temporary decorations or displays.

5. Temporary or permanent signs to warn of danger or hazardous conditions, including signs indicating the presence of underground cables, gas lines, and similar devices or signs providing directions around such conditions.

6. Merchandise, pictures, or models or products or services which are incorporated as an integral part of a window display.

7. Signs displayed on trucks, buses, trailers or other vehicles which are being operated in the normal course of a business which are affixed or painted onto moving vans, delivery trucks, contractors' vehicles, and equipment and the like provided that, when not being so operated, such vehicles are parked or stored in areas appropriate to their use as vehicles.

8. Trademarks or product names which are displayed as part of vending machines, dispensing machines, automatic teller machines, and gasoline pumps.

9. Signs required for or specifically authorized for a public purpose by any law, statute, or ordinance. These signs may be of any type, number, area, height above grade, location or illumination authorized by law, statute, or ordinance under which such signs are required or authorized.
10. Signs that display information pertinent to the safety or legal responsibilities of the general public with regard to a particular piece of property shall be located on the premises to which the information pertains.
11. Signs attached to buildings (integral sign) which identify buildings and which are permanently integrated by etching, embossing, and/or engraving or which are otherwise permanently made a part of building facades.
12. Special event signs are limited to up to four (4) signs per event. These signs may remain in place for up to 30 days within a calendar year. Signs shall be removed immediately following the event.
13. Signs affixed to windows of vehicles displaying information regarding the sale of said vehicles.
14. Real Estate Signs. Temporary signs advertising the sale, rental, or lease of the property on which said signs are located are allowed, provided such signs are not illuminated.
- a) Residential zoned property. One (1) double faced sign per street frontage is allowed. Each sign face square footage shall not exceed six (6) square feet (excluding sign support structure).
 - b) All other zoned property. One (1) double faced sign per street frontage is allowed. Signs may not exceed 32 square feet per face or eight (8) feet in height.
 - c) Removal. All such signs shall be removed within seven (7) days after the closing of the sale, rental, or lease of the property.
15. Directional Signs. Directional signs shall be located on the premises to which directions are indicated. Directional signs shall not exceed four (4) square feet per face, two (2) faces per sign, and shall not exceed three (3) feet in height if freestanding or six (6) feet in height if attached to the principal or an accessory structure. The maximum number of signs allowed per lot shall be four (4). These signs may be internally or externally illuminated.
16. Incidental Signs. Incidental signs shall be located on the premises to which the information pertains. These signs shall be single-faced only and wholly attached to a building (including the windows or doors).
17. Copy Changes and Maintenance. No permit shall be required for copy changes made to a changeable copy sign, menu board, marquee sign, or off-premise sign; provided any such changes do not change the classification of the sign under this section. No permit shall be required for maintenance where no structural changes are made.
18. Political Signs. On private property, one (1) sign shall be permitted per lot, not exceeding eight (8) square feet in area per display face, and two (2) faces per sign. Within NCDOT right-of way, sign placement and duration shall be in accordance with NCGS 136-32 during the period beginning on the 30th day before the beginning date of "one-stop" early voting under NCGS 163-227.2 and ending on the 10th day after the primary or election day, subject to the following provisions. A person must obtain the permission of any property owner of a residence, business, or religious institution fronting the right-of-way where a sign would be erected. Signs must be placed in accordance with the following:

- a) No sign shall be permitted in the right-of-way of a fully controlled access highway.
- b) No sign shall be closer than three (3) feet from the edge of the pavement of the road.
- c) No sign shall obscure motorist visibility at an intersection.
- d) No sign shall be higher than 42 inches above the edge of the pavement of the road.
- e) No sign shall be larger than 864 square inches.
- f) No sign shall obscure or replace another sign.
- g) No sign shall be located in the city's right-of-way.

19. Construction Signs. Construction signs shall be allowed provided such signs do not exceed one (1) sign per street frontage with a maximum of two (2) signs per construction site. Such signs shall not exceed 32 square feet in area display face and no more than 10 feet in height. Construction signs shall not be erected prior to the issuance of a building permit and shall be removed within seven (7) days of the issuance of a certificate of occupancy. – should there be a distinction and size difference between residential and commercial construction signs?

20. Fence-wrap signs affixed to fences surrounding a construction site may be allowed in accordance with NCGS 160D-908.

21. Temporary Signs. Each lot in a residential zoning district or each establishment within a nonresidential zoning district shall be allowed one (1) temporary sign not exceeding six (6) square feet or four (4) feet in height. Such sign shall not be constructed utilizing wood, cement, steel, or other similar structures of a permanent nature. Such sign shall be easily removed and placement thereof shall not be of a permanent fashion.

22. A-frame Sign. Any premises, including those containing multiple businesses, may place only one (1) A-frame sign per street frontage, per business.

a) Placement: The sign must be placed directly in front of the business it promotes. Placement of the sign must be in accord with the Americans with Disabilities Act, which requires four (4) feet of sidewalk clearance in addition to the amount of space occupied by the sign. The sign shall be placed in a manner so as not to impede the line of sight for vehicular and/or pedestrian traffic. Along streets with diagonal or perpendicular parking, the sign may be placed within one (1) foot of the curb but must not obstruct a pedestrian's pathway from a parked car to the sidewalk.

Along streets with parallel parking, the sign must be at least two (2) feet from the curb. No sign may be placed where the unobstructed space for the passageway of pedestrians is reduced to less than four (4) feet. No signs are allowed in driveways or on improved city streets.

b) The sign must not exceed 48 inches in height, 24 inches in width and eight (8) square feet per side in area (which includes legs/stand/bracing).

The sign must be constructed of materials that present a finished appearance and have locking arms on the sides that enable the sign to withstand high winds.

c) The sign must be removed and stored inside the business after business hours or at dusk (whichever comes first) and may not be outside on days when the business is closed. A-frame signs shall not be artificially illuminated.

d) Any person erecting an A-frame sign or a portable off-premise sign shall indemnify and hold harmless the city and its officers, agents and employees from any claim arising out of the presence of the sign on city property or rights-of-way. Any person erecting an A-frame sign must sign an indemnification agreement approved by the city attorney prior to the issuance of a permit. The indemnification agreement must be accompanied by proof of insurance covering the liability assumed in this subsection and the agreement.

D. SIGNS PROHIBITED IN ALL ZONING DISTRICTS

The following signs and/or sign features shall not be erected or maintained in any zoning district within the planning jurisdiction of the City of Southport.

1. Signs on roadside appurtenances or snipe signs. On- or off-premise signs on city owned roadside appurtenances, including, but not limited to roadside benches, planters, utility poles, trees, and refuse containers.
2. Vehicle/Trailer signs. Signs placed on vehicles or trailers which are parked or located for the primary purpose of displaying said sign.
3. Signs of illusion. Signs with optical illusion of movement by means of a design which presents a pattern capable of reversible perspective, giving the illusion of motion.
4. Signs resembling traffic signals. Signs displaying intermittent light resembling the flashing light customarily used in traffic signals, or used by police, fire, ambulance, or other emergency vehicles, nor shall any sign use the word "stop," "danger," or any other words, phrase, symbol, or character in a manner that might be construed as a public safety warning or traffic sign.
5. Animated signs and flashing signs.
6. Signs obstructing access. Signs which obstruct free ingress to or egress from a driveway or a required door, window, fire escape, or other required exit way.
7. Billboard Signs.
8. Any sign or outdoor advertising display which contains statements, words or pictures of an obscene character as defined in NCGS 14-190.1 such as will offend public morals or decency.
9. Feather flags.
10. Any temporary or permanent off-premise sign unless explicitly permitted by this ordinance.

E. ON-PREMISE SIGNS: RESIDENTIAL DISTRICTS R-10, R-20, MF, MH, AND PUD

The following signs may be allowed within residential zoning districts subject to the issuance of a sign permit. Within a PUD, the following signs may only be permitted in the residential portion of the development.

1. Subdivision and multi-family development signs must either be freestanding ground signs or attached wall signs. If the signs are freestanding ground signs, the height shall be limited to six (6) feet from grade and the minimum setback shall be 10 feet. Each entrance may have two (2) signs no more than 32 square feet per face.

2. Nonresidential uses located in residential zoning districts are allowed one (1) freestanding ground sign or attached wall sign, either of which may be only a changeable copy sign, with the total area of the changeable copy sign no greater than 12 square feet per face, with two (2) sign faces per sign and a maximum of six (6) feet in height, with a minimum setback of 10 feet.

2. Nonresidential Uses in Residential Zoning Districts:

a) One permanent ground mounted sign may be permitted on a lot containing a nonresidential use in a residential zoning district provided the sign meets the following requirements:

1. The sign shall be set back a minimum of 10 feet from the street right-of way and any adjacent lot lines.

2. The maximum sign area shall be 32 square feet.

3. The sign may include a changeable copy sign, to be included as part of the maximum sign area.

4. No such sign or any portion of the structure shall exceed six (6) feet in height.

5. The sign may only be illuminated through an external light source.

b) Attached single faced wall signs shall be permitted for all nonresidential uses in a residential district in the same manner as permitted for nonresidential uses in the BD zoning district.

F. ON-PREMISE SIGNS: NON-RESIDENTIAL DISTRICTS CBD, BD, HC, O/I, LI, HI AND PUD

The following signs may be allowed within nonresidential zoning districts subject to the issuance of a sign permit. Within a PUD, the following signs may only be permitted in the nonresidential portion of the development.

1. Attached Single Face Wall Sign. Shall be allowed on all sides of a business. The total allowable tenant face signage shall not exceed 25% of the building face of 32 square feet, whichever is greater.

a) Single tenant building. Wall area shall be total area of the applicable exterior wall.

b) Multi-tenant building. Wall area shall be defined by that area of the exterior wall enclosed by the intersection of the interior floor, ceiling and wall(s) of the tenant's space.

2. Roof Signs. Signs on the surfaces of a mansard roof and on parapets shall be allowed provided the signs do not extend above the roof or parapet to which they are attached. The size of the sign shall be subject to the 25% allowable area for an attached single face wall sign.

3. Projecting Double Face Signs. One (1) projecting sign per street front shall be allowed.

1. Signs shall not project more than ~~three (3)~~ four (4) feet from the facade of the building.

2. Clearance over sidewalks shall be at a minimum of nine (9) feet and clearance over streets, alleys or driveways shall be a minimum of 14 feet.
3. Signs shall not project above third story of the building or above the building soffit, eave line, or building parapet.
4. The maximum sign area for a projecting sign shall be nine (9) square feet. (any projecteing sign over 6 SF will require a building permit – per code)
5. Projecting signs shall not be internally illuminated.

4. Freestanding Ground Sign. One (1) freestanding ground sign shall be allowed per street front per lot. Freestanding ground signs are not allowed in the CBD zoning district.

1. Such signs may contain signage for each establishment within a multi-tenant building subject to the height and size requirements provided in Table 3.10. See Table 3.10 for height and area requirements based on zoning district in which it is located.
 - a. Each sign for multi-tenant signs shall be uniform in color and make. Individual logos using the same color pallet can be incorporated.

2.

Table 3.10 Freestanding Ground Sign Size

Zoning District Maximum Height Maximum Square Footage per Face

CBD 6 ft. 25 sq. ft.

HC 25 ft. 125 sq. ft.

BD/OI/PUD 10 ft. 8 ft 60 sq. ft.

LI/HI 25 ft. 187.5 sq. ft.

5. Window Signs. Window signs in all nonresidential districts do not require a sign permit provided they comply with the standards in Section 3.19 and not occupy more than 50% of the window.

5. Electronic Message Center (EMC) Signs. EMC signs which do not exceed ten (10) square feet per sign face are allowed and shall be included in the allowable sign area, provided, however, if an existing freestanding sign is located on the lot, then the EMC sign must be incorporated into the existing freestanding sign.

- a) The EMC portion of the sign may not exceed 30% of the permitted sign face. No variations in light intensity are permitted.
- b) EMC signs shall only be permitted in the HI, LI, and HC zoning districts.

6. Inflatable Sign. One (1) inflatable sign shall be allowed once per calendar year per business.

- a) Further, inflatable signs shall not be internally illuminated; shall not be higher than 25 feet above grade; and shall not be erected or maintained on a building parapet or roof. The time allowed for these signs shall not exceed 10 days. These signs shall be located on either an attached, tethered, or freestanding structure. The sign and its structure shall not block or inhibit the visibility of vehicular traffic or in any way pose a danger to pedestrians or vehicular traffic or property.

G. MAINTENANCE

1. All signs erected must be properly permitted and inspected for compliance with the applicable codes of the State of North Carolina and the City of Southport and with other parts of this ordinance.
2. Sign in disrepair. Signs that are unsafe, or which no longer can be easily recognized for their intended purpose due to disrepair or fading.
3. The following maintenance requirements must be observed for all signs visible from any public street or highway within the jurisdiction of this article.
 - a) No sign shall have more than 20% of its surface area covered with disfigured, cracked, ripped, or peeling paint or poster paper for a period of more than 30 successive days.
 - b) No sign shall be allowed to stand with bent or broken sign facing, broken supports, loose appendages or struts or be allowed to stand more than 15 degrees away from the perpendicular for a period of more than 30 successive days.
 - c) No sign shall be allowed to have weeds, vines, landscaping, or other vegetation growing upon it and obscuring its view from the street or highway from which it is to be viewed for a period of more than 30 successive days.
 - d) No neon or internally illuminated sign may be allowed to stand with only partial illumination for a period of more than 30 successive days.
 - e) If a sign or sign structure is damaged such that more than 50% of the value is lost, with such determination made by the UDO Administrator, any repair or replacement must be done in conformance with this Section.

H. ILLUMINATION

1. Where illuminated signs are permitted, they shall conform to the following requirements:
 - a) All signs illuminated under the provisions of this section shall be constructed to meet the requirements of the National Electrical Code.
 - b) Signs which contain, include, or are lighted by any flashing, intermittent, or moving lights are prohibited, except Electronic Message Center signs.
 - c) Illuminated signs shall be limited to those lighted internally with glass or plastic faces bearing the advertisements and diffusing the direct rays of the light source to prevent any direct line of sight with said light source.
 - d) Backlit and halo lighting that otherwise meet the provisions of Section 3.19 of this ordinance are allowed.
 - e) No sign shall be brighter than is necessary for clear and adequate visibility and shall not exceed a maximum of during the day and during nighttime hours. (I'm still trying to find some good language that is understandable and enforceable)

f) No sign may display light of such intensity or brilliance to cause glare or otherwise impair the vision of the driver or result in a nuisance to a driver.

g) No sign may be of such intensity or brilliance that it interferes with the effectiveness of an official traffic sign, device, or signal.

h) The light source color temperature for outdoor lighting shall not exceed 3,000 degrees Kelvin.

i) Neon, argon, or other gas tube lighting or signage shall be prohibited on the external walls of all structures. Neon, argon, or other gas tube logo signs placed inside the building and not exceeding 25% of the window area or 32 square feet whichever is less shall be permitted.

j) Flood and display lighting shall be shielded so as to prevent direct rays of light from being cast into a residential area or district and/or on a public right-of-way from any direction. Such lighting shall also be shielded so as to prevent view of the light source from a residence or residential district and/or vehicles approaching on a public right-of-way from any direction. In addition, no sign shall permit light to emit upwards towards the sky.

k) Flame as a source of lighting is prohibited.

I. MURALS

Decorative works of art, defined as drawings or murals that do not direct attention to an organization, a business operated for profit, a product, commodity or service for sale or lease shall be required to obtain a sign permit and meet the following guidelines:

1. Murals shall not be located on the side of a structure that is adjacent to or directly across a right-of-way across from a residential structure unless written approval from the adjacent property owners is obtained by the applicant.
2. Murals located on a primary frontage of a structure shall be subject to the wall sign area allowances for the district which they are located.
3. Murals located on rear and secondary facades of a structure shall not be subject to square footage limitations, provided such murals do not contain commercial copy, to include any tradename, trademark, or the name or logo of the establishment associated with the mural.
4. Murals may not extend beyond the eaves, parapet, or sides of a building, nor project from the surface.
5. Murals shall be maintained at all times in a state of good repair.

J. NONCONFORMING SIGNS

All nonconforming, previously unprohibited signs existing on the date of the adoption of this Ordinance shall be allowed to remain unless structurally altered or damaged greater than 50% of the value of the sign. This does not preclude changing the face of the sign with the applicable permit.

J. SIGN ENFORCEMENT

1. Notice of Violation. The UDO Administrator shall have the authority to issue a notice of violation for all violations of this section in accordance with Section 2.15 Enforcement of this ordinance. Where the

owner of the sign is indicated on the sign or is otherwise apparent or known to the UDO Administrator, a copy of the notice of violation shall be delivered to the sign owner by hand delivery, or mail, or by attaching a highly visible sticker reading "VIOLATION" to the face of the sign. The letter, and/or sticker shall include the date that it was attached to the sign with instructions of the violation, and to contact the Administrator immediately.

2. Time to Remedy Violation. All sign violations shall be remedied within 15 days.

3. Extension of Time for Compliance. The UDO Administrator shall have the authority to grant a single 15-day extension of time within which to remedy the violation of any sign.

4. Remedies for Failure to Comply.

a) In addition to or in lieu of the other remedies set forth in this ordinance, the UDO Administrator shall have the authority to issue a remove order for any sign not repaired or in violation by the foregoing provisions. Remove orders shall be issued to and served upon the person(s) described in subsection (1) by the means set forth therein. The sign shall be removed 15 days after the service of the remove order at the expense of the offender. The remove order shall describe with particularity the location of the sign to be removed and all of the reasons for issuance of the remove order, including specific reference to the provisions of this section which have been violated. In the event it is not claimed within 15 days, the administrator shall have authority to dispose of the sign.

b) The UDO Administrator shall have the authority to remove, without notice, and impound any sign that is hazardous; or attached to trees, utility poles or natural features; or abandoned signs; and/or signs erected without a permit.

5. Removal and Recovery of Expense. In the event of failure to comply with the requirements of a remove order, the UDO Administrator may cause such sign to be removed. The sign owner and property owner may be jointly and severally liable for the expense of removal. Notice of the cost of removal shall be served upon the person(s) described in subsection (1) by the means set forth therein. If said sum is not paid within 30 days thereafter, said sum shall be collected by the city in a civil action in the nature of debt, which shall not subject the offender to the penalty provisions of NCGS 14-4.

2024 PLANNING BOARD ATTENDANCE

<u>NAME</u>	Jan.	Feb.	March	April	May	June	July	August	Sept.	Oct.	Nov.	Dec.			Total Absences
Sue Hodgins Chair	P	P	P	P											
Will Hewett Vice-Chair	P	P	P	P											
Fred Fiss	P	P	P	P											
Christopher Jones	A	P	P	A											2
Scott Jones	P	P	P	P											
Donnie Joyner	P	P	P	P											
Dick Sloan	P	P	P	P											
Roy Pender	P	P	P	P											
Kevin Locklin	P	P	P	P											

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PLANNING BOARD MEMBER LIST SPRING 2023

MEMBER	ADDRESS	PHONE NUMBERS	APPOINTED	EXPIRATION	
Sue Hodgins, Chair sue.hodgins@southportnc.org	608 Cottage Point Way	(910) 477-1808	February 10, 2022	June 2025	IN
Will Hewett, Vice-Chair will.hewett@southportnc.org	129 Cape Fear Dr	(910) 520-3291	August 11, 2022	June 2025	IN
Fred Fiss fred.fiss@southportnc.org	216 N. Atlantic Ave	(910) 269-6901	February 10, 2022	June 2024 (completing the term)	IN
Christopher W. Jones chris.jones@southportnc.org	1008 Dutchman Cove SE	(910) 549-1407	April 13, 2023	June 2026	ETJ ALT
Scott Jones scott.jones@southportnc.org	1001 Pete's Camp Rd	(910) 471-0802	August 14, 2020	June 2024	ETJ
Donnie Joyner donnie.joyner@southportnc.org	635 Jabbertown Rd	(910) 368-7501	August 14, 2020	June 2024	ETJ
Richard Sloan dick.sloan@southportnc.org	509 E. Moore St	(910) 946-1771	February 10, 2022	June 2025	IN
Roy Pender roy.pender@southportnc.org	102 S. Fodale	(910) 477-6057	April 13, 2023	June 2026	IN
Kevin Locklin kevin.locklin@southportnc.org	209 N. Lord St.	(540) 272-0808	April 13, 2023	June 2025 (Completing the term)	IN ALT
Mo Meehan mmeehan@cityofsouthport.com	1029 N. Howe St	(910) 457-7900 X 1043	Staff Planner		
Tanya Shannon tshannon@cityofsouthport.com	1029 N. Howe St	(910) 457-7929	Staff Deputy Clerk		
Rebecca Kelley rkelly@cityofsouthport.com		(910) 269-9940	Board of Aldermen Liaison		
Frank Lai flai@cityofsouthport.com		(910) 269-9971	Board of Aldermen Liaison		