

**DARE COUNTY BOARD OF COMMISSIONERS
PUBLIC HEARING
January 30, 2003
Buxton, North Carolina**

On January 30, 2003, The Dare County Board of Commissioners held a public hearing to receive comments on proposed amendments to Section 22-2, Definitions and Section 22-59, Signs and Outdoor Advertising of the Dare County Zoning Ordinance. The public hearing was held at 7:00 p.m. at the Fessenden Center in Buxton.

Chairman Judge called the meeting to order at 7:10 p.m. Attending the meeting was Chairman Warren Judge, Vice-Chairman John Robert Hooper, Commissioner Renee Cahoon, Commissioner Virginia Tillett, and Commissioner Cheryl Byrd. Also attending the meeting was Planning Director Ray Sturza. Commissioner Richard Johnson and Commissioner Stan White were unable to attend.

The Board held a moment of silent meditation and recited the pledge of allegiance.

Planning Director Ray Sturza presented the advertisement for the public hearing that appeared in a local paper. He explained that the proposed amendments contain revised standards for business and non-business signs in unincorporated areas of Dare County. Definitions and standards for on-premise and off-premise directional signs, exempt signs, size and type of permitted signs, and other regulations that apply to business and non-profit business signage are contained in the proposed amendments. See attachment A.

Planning Director Ray Sturza invited the public to speak.

Howard Rooney thanked Commissioners for coming to Hatteras Island to hold this meeting. He encouraged them to hold meetings on Hatteras Island more often. He feels an ordinance is needed for political signs.

Dewey Parr thanked Ray Sturza and the Planning Staff for the hard work they have done over the past year. They have shown concern and a willingness to stick with the matter even when the heat is on. He feels the off-premise section of the proposed ordinance makes sense, giving businesses off of Highway 12 a chance to do business. He feels that Hatteras Island needs to be looked at closely because rules and regulations are getting to the place that small business owners cannot fulfill dreams. Off-road businesses add a special flavor to the area. Ocracoke Island has done an excellent job utilizing the areas off of the main road. He feels this matter needs to be put to rest since it has been in motion for over a year. See attached letter.

The public hearing was closed at 7:20 p.m.

Chairman Judge explained that this matter may be on the Commissioners agenda as early as February 17 for a final vote. It depends on any changes that are suggested tonight and how it will effect the document overall.

Discussion was held.

Vice- Chairman Hooper – Feels that the old ordinance needed changes and he is glad to see involvement. He supports the small villages with off-road shopping for tourists. He thinks wood and concrete foundations should be allowed. Also believes the timetable for compliance is too generous and needs to be tightened up. Suggested allowing 60 days for signs to come into compliance once the new ordinance is in place. Would like political signs addressed as quickly as possible. Everyone needs to know what will be done and needs time to get ready for changes.

Commissioner Cahoon – Questioned whether Commissioner Hooper was referring to conforming or nonconforming signs. She pointed out that even conforming signs must be permitted. The county attorney will need to address the matter with the planning staff. Fairness needs to be applied and all signs will have to be brought into compliance and permitted. There is no chance for grandfathering if a sign was never permitted. She feels the ordinance needs to define the number of sandwich board signs allowed and also address situations where there are different businesses in one complex.

Commissioner Byrd – Suggests addressing political signs separately in a different ordinance. She thinks that staff should put people on notice by the end of February that they have time to come into compliance and be permitted. There has not been enforcement for some time and a process needs to be put in place so it is clearly defined as to which signs are within the guidelines. There were submissions made by the public at the last meeting and these changes need to be made. She does not think the changes will substantially change the ordinance.

Commissioner Tillett- Encouraged everyone to open up and let the Board members know if there are any additional changes that need to be made. She does not want this ordinance to be a hardship for anyone.

Mr. Parr spoke about the billboards on Hatteras Island and the costs involved in having these signs removed. These signs are in violation and the county cannot force them to remove their signs. A suggestion was made to deal with landowners rather than sign companies. He feels this problem needs to be addressed because it is not fair to use tax dollars to remove signs when local business owners are responsible for bringing their signs into compliance.

Mary Helen Goodloe Murphy asked about flagpoles and how the new standard was determined. She feels that it needs to be reduced. Mr. Sturza stated that if staff regulates flags, the issue will become banners, and that leads may lead to an issue with pinwheels. He stated that it is difficult to address every type of commercial advertising that businesses may decide to use. Ms. Goodloe-Murphy suggested two flagpoles for every

100'. Mention was made that American flags are exempt from the ordinance as it is currently written.

Commissioner Cahoon stated that political signs can be prohibited in the right of way and only allowed on private property. Discussion was held about how to address this matter. Mr. Rooney suggested the County set aside areas where political signs are allowed.

Commissioner Tillett asked about enforcement of the ordinance and how it is handled and how it will be handled in the future. Mr. Sturza stated that the County could charge up to \$50.00 per day for signs that are not in compliance.

Commissioner Tillett asked for a better explanation about the billboards mentioned by Mr. Parr. Mr. Sturza explained that there are laws passed by the General Assembly that regulate the removal of certain billboards. Buyouts are sometimes arranged. DOT's beautification program sometimes has funds to purchase billboards so that they can be removed. The state issues permits for billboards.

Chairman Judge stated that most recent draft still needs changes that have been brought forward since the Board's last meeting. The County Attorney will have to decide if another public hearing is needed (if changes are substantial). The County Attorney will advise the Board on February 3.

The Board agreed to reduce timeframes in amortization schedule as follows: for on-premise free standing signs, from 7 years to 5 years; for prohibited signs, from 1 year to 60 days.

It was decided that the maximum number of flagpoles allowed would be reduced to 2 poles (4 flags) for properties with up to 100'; plus 2 more poles (4 more flags) for each additional 100' of property with a maximum of 5 flagpoles (10 flags).

Several other matters were mentioned that the Planning staff is addressing.

The Chairman stated that the Towns and County are working on standards for political signs so that all jurisdictions are consistent. This will address uniformity and issues of duration, size and removal. The Board suggested removing the political signs from the ordinance and addressing the matter separately.

Mr. Sturza suggested that an independent agency monitor political signs.

Chairman Judge explained that revisions will be made to the ordinance and the County Attorney will review the document to advise as to whether changes are "substantial" and require another public hearing. Process will continue to move forward and it is expected that the Board will adopt the new standards no later than early March.

The meeting adjourned at 8:30 p.m.

APPROVED

Warren Judge

Warren Judge, Chairman



Respectfully submitted,

By: *Frances W. Harris*

Frances W. Harris
Clerk to the Board