

PLANNING AND COMMUNITY DEVELOPMENT

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MINUTES

**Pender County Planning Board Meeting
November 5, 2008
7:00 p.m.**

**Pender County Public Meeting Room
805 S. Walker Street
Burgaw, North Carolina**

Call to Order: Chairman Reynolds

Roll Call: Chairman Reynolds

Pender County Planning Board Members:

Reynolds ___ Gonzales ___ Garrett ___ Marshburn ___ Millette ___ Smith ___ Williams ___ Newman ___

1. Approval of Minutes: October 7, 2008

Motion: Burt Millette; **Seconded:** Karen Gonzales: **Vote** 5-0

Public Hearing

Chairman Kevin Reynolds stated that Brett Steiner, Milestone, applicant, on behalf of Ernestine Redd, owner withdrew the request for rezoning.

2. Zoning Map Amendment:

Brett Steiner, Milestone, applicant, on behalf of Ernestine Redd, owner, is requesting to rezone 1.98 acres from RT, Rural Transitional District, to B-1, Business District (Neighborhood). The property is located approximately 200 feet north of Union Bethel Road, along the west side of US Hwy 17, Topsail Township. The property can be identified as parcel #4215-00-8481-0000.

The next case on behalf of Pender County was presented to the Planning Board by Director Patrick Davenport.

3. Zoning Text Amendment

Pender County, applicant, is requesting to amend the Pender County Zoning Ordinance, §16.12-13, Outdoor Advertising Signs. The purpose of this amendment is to revise the current regulations concerning the placement and dimensions of outdoor advertising signs.

He stated that there have been two rounds of discussions on this matter. He reminded the board that it was their desire not to make changes to §16.12 of the zoning ordinance and to see §16.13 completely deleted. This was duly advertised and opened tonight before the board for a Public Hearing.

Rick Garrett asked for further clarification on the changes. Would this mean not having billboards anywhere in the county; rather than not being allowed anywhere versus moving to I-40? This was basically handled by the removing of §16.13.

Director Davenport stated that keeping §16.12 unchanged would mean if new applicants could meet their criteria new billboards would be permitted. Deleting §16.13 would not allow anymore billboards (off-premise

advertising signs) anywhere in the county except the I-40 corridor. The billboards that are up now will be allowed to remain. If by some act of nature a sign is destroyed, it has to be repaired within six months.

Hiram Williams asked if the information that was printed in the document as “*Intent*”, would be published as part of the ordinance.

Director Davenport stated that it is only for informational purposes, if someone was looking at the agenda and needed additional information.

Hiram Williams stated that the document does not say you cannot put them anywhere other than I 40; or does it?

Director Davenport replied that once this regulation is stricken from the ordinance that would be the only place they (off-premise advertising signs) are allowed.

Attorney Thurman suggested that the Table of Permitted Uses be amended to reflect the wording for §16.12. It will be taken out of the certain zones. Putting an “*” (asterisk) to indicate that it is permitted only along the I-40 corridor.

Hiram Williams asked if the document they received in the Planning Board packet was the exact wording of the ordinance. A good idea to take it out of the Permitted Use Table He asked if they can't be closer than 1500 feet, is there a maximum distance? What if a client said I own a piece of property 4000 ft, from here?

Attorney Thurman stated they would then have an issue with the state. The state doesn't allow them to be more than 500 ft.

Hiram Williams remarked, we have affectively zoned them out. If they say 500 ft. and we say 1500 ft. then there is no way you can put one up in Pender County. Is that correct?

Attorney Thurman answered unless the state changes its regulation. That's correct.

Director Davenport stated in the unincorporated portions and the municipalities that have jurisdictions next to the interstate have their own.

Hiram Williams replied, this is Pender County's ordinance, so the point is you are precluding them from happening according to the current regulations as presented by the state.

Director Davenport answered, essentially.

Hiram Williams said he just wanted everyone to understand that.

Burt Millette motioned that the revised ordinance be approved as written by the Staff with the addition of the notation in the Table of Permitted Uses; seconded by Karen Gonzales. The vote was 4-1. Burt Millette, Karen Gonzales, Kevin Reynolds, and Rick Garrett voted in favor. Hiram Williams voted against.

Director Davenport stated that this would go before the Board of Commissioners on December 1, 2008.

Director Patrick Davenport presented the Zoning Text Amendment request to the board.

4. Zoning Text Amendment

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