

MINUTES

The Town of Manteo Planning and Zoning Board met in their rescheduled Regular Session on Wednesday, November 12, 2014 at 6:00 p.m. at the Manteo Town Hall, 407 Budleigh Street

The following members were present: Chairman Bill Parker
Member Phil Scarborough
Member Hal Goodman
Member Grizelle Fearing

The following members were absent: Member Bebe Woody

Also present at the meeting: Erin Burke, Planner
Becky Breiholz, Town Clerk

Chairman Parker called the meeting to order at 6:00 pm

SUBJECT: Adoption of Agenda

MOTION: Member Goodman seconded by Member Fearing to adopt the agenda as presented was approved by the following vote: Ayes: Members Parker, Fearing, Scarborough, Goodman Noes: None. Absent: Woody

SUBJECT: Approval of Minutes Regular Meeting October 14, 2014

MOTION: Member Fearing seconded by Member Goodman to approve the minutes as presented was approved by the following vote: Ayes: Members Parker, Scarborough, Fearing and Goodman Noes: None. Absent: Woody

PUBLIC COMMENTS-none

NEW BUSINESS

SUBJECT: Review of House Plans Marshes Light Lot 14; 216 Compton Street According to the Conditional Use Permit for the Marshes Light "Prior to the issuance of any building permit, a complete design for each building, including all elevations, shall be reviewed by the Planning Board for compliance with "The Manteo Way of Building,"

The proposed house at 216 Compton Street was reviewed by the Preservation and Architectural Review Committee. Their recommendations are as follows with the following excerpt from the PARC minutes: "The Committee discussed the number of bungalows being built along this street. Noted that these plans were similar to the

house built on lot one. The committee also discussed the false dormers on the South Elevation but noted that because of the first floor ceiling height they could not be heated space on the second floor. The committee had the following recommendations:"

1) The front door should have a 3 pane transom with single pane window on the door, a single transom and a single pane on the door or a single pane with a door like the one shown on the north elevation.

2) The lights to the left and right of the center window in the dormer on the north elevation should be single pane.

MOTION: Member Goodman seconded by Member Fearing to approve the house plans with PARC committee recommendations listed above was approved by the following vote: Ayes: Members Parker, Scarborough, Fearing and Goodman Noes: None. Absent: None: Woody

OLD BUSINESS

SUBJECT: Political sign ordinance - Noncommercial signs. Temporary noncommercial signs less than 8 square feet in area shall be allowed without permits, provided that these signs shall be limited to 90 days duration and do not encroach on any public or private right-of-way.

Southern Shores:

Noncommercial signs. Noncommercial signs, except noncommercial charity event signs, shall be allowed in all districts, on vacant and developed lots, subject to the following limitations:

- a) No sign shall exceed six square feet in area on each side and shall not be illuminated.
- b) No sign shall exceed ten feet in height above street grade.
- c) The side yard and front yard setback from any property line shall be at least five feet. In the case of a corner lot, to ensure adequate sight clearance for a distance of not less than 40 feet from the point of intersection of the intersecting right-of-way lines, the side yard and front yard setback shall be no less than 15 feet.
- d) Such signs shall be taken down within three calendar days after the event.
- e) Such signs shall be treated as temporary signs.

Kitty Hawk:

"Campaign signs advertising candidates for political office or communicating an opinion concerning any measure on a public ballot shall be considered temporary and shall be allowed without permit provided such signs do not exceed six square feet in area per display surface, do not exceed 42 inches in height, are not erected prior to 90 days before the appropriate election or measure on a public ballot, and are removed within 14 days after the election or public vote on a measure. Signs must be erected a

minimum of eight feet from the edge of pavement or eight feet from the centerline of an unpaved street. Signs erected in any other fashion shall be subject to the provisions of this division."

Kill Devil Hills: Uses the NCGS that regulates political signs (see below). We have not been particularly strict but we also have not had many problems with their removal.

§ 136-32. Regulation of signs.

Commercial Signs. - No unauthorized person shall erect or maintain upon any highway any warning or direction sign, marker, signal or light or imitation of any official sign, marker, signal or light erected under the provisions of G.S. 136-30, except in cases of emergency. No person shall erect or maintain upon any highway any traffic or highway sign or signal bearing thereon any commercial or political advertising, except as provided in subsections (b) through (e) of this section: Provided, nothing in this section shall be construed to prohibit the erection or

- a) Maintenance of signs, markers, or signals bearing thereon the name of an organization authorized to erect the same by the Department of Transportation or by any local authority referred to in G.S. 136-31. Any person who shall violate any of the provisions of this section shall be guilty of a Class 1 misdemeanor. The Department of Transportation may remove any signs erected without authority or allowed to remain beyond the deadline established in subsection (b) of this section.
- b) Compliant Political Signs Permitted. - During the period beginning on the 30th day before the beginning date of "one-stop" early voting under G.S. 163-227.2 and ending on the 10th day after the primary or election day, persons may place political signs in the right-of-way of the State highway system as provided in this section. Signs must be placed in compliance with subsection (d) of this section and must be removed by the end of the period prescribed in this subsection.
- c) Definition. - For purposes of this section, "political sign" means any sign that advocates for political action. The term does not include a commercial sign.
- d) Sign Placement. - The permittee 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:
 - (1) No sign shall be permitted in the right-of-way of a fully controlled access highway.
 - (2) No sign shall be closer than three feet from the edge of the pavement of the road.
 - (3) No sign shall obscure motorist visibility at an intersection.
 - (4) No sign shall be higher than 42 inches above the edge of the pavement of the road.
 - (5) No sign shall be larger than 864 square inches.
 - (6) No sign shall obscure or replace another sign.

- e) Penalties for Unlawful Removal of Signs. - It is a Class 3 misdemeanor for a person to steal, deface, vandalize, or unlawfully remove a political sign that is lawfully placed under this section.
- f) Application within Municipalities. - Pursuant to Article 8 of Chapter 160A of the General Statutes, a city may by ordinance prohibit or regulate the placement of political signs on rights-of-way of streets located within the corporate limits of a municipality and maintained by the municipality. In the absence of an ordinance prohibiting or regulating the placement of political signs on the rights-of-way of streets located within a municipality and maintained by the municipality, the provisions of subsections (b) through (e) of this section shall apply. (1921, c. 2, s. 9(b); C.S., s. 3846(r); 1927, c. 148, ss. 56, 58; 1933, c. 172, s. 17; 1957, c. 65, s. 11; 1973, c. 507, s. 5; 1977, c. 464, s. 7.1; 1991 (Reg. Sess., 1992), c. 1030, s. 39; 1993, c. 539, s. 981; 1994,

Nags Head No response

Dare County No Ordinance

Roanoke Voyages Corridor Any political sign, provided that it is no larger than six (6) square feet and mounted so that its top edge is no higher than four (4) feet above grade, to be located outside the rights of way of the highways, and to be erected no more than fourteen (14) Days prior to the date of a primary or general election for any municipal, county, state, or national office, and to be removed by the candidate or his agents on the day following that election.

Member Scarborough favors the simplicity of the Roanoke Voyages Corridor political sign rules and would like to see that one enacted. Mrs. Burke commented that is only for Hwy. 64 but we can adapt that one for use throughout the Town. Complaints received were that there were too many, went up too early; and that the roundabout on Sir Walter Raleigh was packed with signs in the right of way. Chairman Parker would like the Commissioners input before they start drafting a text amendment and Mrs. Burke will present this to them at their December regular meeting for their input and bring back to the Planning Board in January.

SUBJECT: Update of Hazard Mitigation Plan Update of the Hazard Mitigation Plan and the Community Rating System for flood insurance. The flood insurance and hazard mitigation plan was discussed and Mrs. Burke stated that she is working with the County to help establish the program that the Town will be included in. FEMA and the Community Rating System will be changing how they handle issuing of flood elevation certificates. Mrs. Burke commented that changes have been made to the Hazard Identification list (which will be made a part of these minutes). The first fourteen (14) hazards are ones that already existed on the list and the last six (6) have been added. Mrs. Burke wanted the Members opinions on identifying the intensity ratings on those. They would like to change the Terrorism event to it being a possibility; Pandemic to possible. Mrs. Burke will give those changes to the County who in turn will give to the

person who is drafting the plan; then the draft plan goes to FEMA for their input and if any changes needed to be made.

SUBJECT: Review to Do List-

The Members discussed the plantings at the bulb outs on Sir Walter Raleigh; Mrs. Burke commented that oaks were what they wanted planted but NCDOT said no because the root system would tear up the sidewalk so holly trees were planted which look more like bushes than trees. As they grow they will work on cutting the bottom limbs off so that the trees will form a canopy.

Review Violation Ordinance List-

The Planning Board members went over the Ordinance violation list; on the ABC store buffer violation Town Manager Kermit Skinner was to handle that but nothing has been done and Chairman Parker would like staff to remind him that they would like a report; 405 Fernando violation is a maintenance issue. Mrs. Burke added to the violation list PNC Bank and Yadkin bank as the landscape crews are not removing the lawn debris but putting it down the storm drains. Also PNC Bank has changed out a light in the parking lot which does not meet our lighting ordinance. Mrs. Burke will contact the owner of the property where the Dolce Vita has their catering trailer parked and using it as illegal advertising. She will also add First Assembly of God regarding their plantings to the list.

Chairman Parker updated the Members on an email he received from Shallowbag Bay Condo Association regarding the complaint by a homeowner about the dumpsters. They wanted to let the Board know of some of the solutions that have been offered to homeowner to resolve the issue.

Member Goodman gave the Members an update on the Dollar General.

MOTION: Member Fearing seconded by Member Goodman to adjourn at 7:00 pm was approved by the following vote: Ayes: Members Parker, Fearing, Goodman and Scarborough Noes: None. Absent: Woody

This the 12th day of November 2014

Bill Parker, Chairman

ATTEST:

Becky Breiholz, Town Clerk