

Town of Beech Mountain
Planning Board Meeting Minutes

September 1, 2009

Call to Order:

Chairman Paul O'Connell called the meeting to order at approximately 9:05 A.M. Other board members present in attendance were Bill Watson, John Hoffman and Brian Barnes. Vice Chairman Andy Porter arrived a few minutes late. Town Council members Pete Chamberlin and Alan Holcombe were also present for portions of the meeting.

Adoption of Agenda:

A motion was made that the agenda be adopted, with the understanding that the focus of this meeting would be on the sign ordinance, and that other agenda items may be addressed at a later meeting based on time constraints. The motion was seconded by Paul O'Connell and carried with no opposition.

Approval of Minutes:

Brian Barnes made a motion that the minutes of the August 4th meeting be approved. The motion was seconded by Paul O'Connell and carried with no opposition.

Discussion of Sign Ordinance Issues:

At their meeting on August 11th, the Town Council made several recommendations regarding the proposed amendments to the Sign Ordinance. First among these was the recognition of the necessity for ensuring that many of the Town's prominent, longstanding signs would not have to be removed or replaced as a result of the modifications to the ordinance. To achieve these purposes, and to mitigate the impact of the ordinance on local businesses, the Town Planner opened the discussion with a recommendation that all existing signs be "grandfathered" and allowed to remain under the new ordinance, with the provision that any alteration or modification of the signs would require them to come up to the new standards. Councilmember Alan Holcombe recommended that the "grandfathering" provision only apply to the Town's historic signs of older than 25 years.

Following this recommendation the discussion progressed by examining the changes to the ordinance item by item.

- The first item for discussion was the added definition of "Normal Maintenance" in Section 1902. The board was agreeable to this change.
- Next was the striking of Section 1903(c) applying to city directory and welcome signs as recommended by the Town Council. The board had no opposition to this change.
- The board then considered the addition of the wording "non-illuminated" to the exemption of soft drink dispensers in 1903(d). This would in effect prohibit soft

drink dispensers from being “back-lit” signs as prohibited by the ordinance. The board was agreeable to this change as well.

- Next it was considered that we change the commercial sign size limitation in section 1905(a)(4)(a) to 35 feet in order to be consistent with the rest of the attached commercial signs size limitations. This change was agreed to by the board.
- The board then considered the addition of subsection 1905(b)(2)(c), which was added to specify where sign height to be measured from. Proposed new wording expressed that “for signs on lots that lie above street level, height shall be measured from the highest adjacent natural grade. For lots that lie below street level, height shall be measured from street level.” Bill Watson expressed concern that “natural grade” is often altered to flatten a lot, and thus unwanted results could occur. He therefore recommended that the wording be changed to “existing grade.” However, it was noted that problems could occur as well from artificially modifying the existing grade in order to have an extremely tall sign. Paul O’Connell recommended that the wording be changed to “existing grade” and that a definition be added that describes how existing grade is determined. The board supported this recommendation.
- Next the board considered and approved the change of 1906(d) from requiring the posting of lot numbers to posting of street addresses as required by the North Carolina Building Code.
- The next item involved Section 1907- Real Estate Signs. It was proposed that the entire section be relocated from Section 1915 to improve the flow and format of the Article. This change was approved by the board. The board then discussed the provision that required signs to face only the public right of way, and it was decided to keep the provision intact.
- Next the board considered the addition of a color chart to Section 1910(a) that would objectively define the colors acceptable for sign use in the Town. It was agreed that the color chart proposed was acceptable. However, it was decided that it was necessary to incorporate wording into this section that stated that this color chart is to be used as a “guideline” in a similar fashion to the Banner Elk Sign Ordinance. Moreover, John Hoffman recommended that wording be incorporated that specifies that “gold leaf” was acceptable as a color.
- Next the board considered Section 1910(d) which limited signs to five colors maximum. Andy Porter questioned what our goal was in limiting the number of colors to five, and recommended that the provision be struck. The board agreed that they would like to strike the limitation to five colors per sign in Section 1910(d).
- The board then considered Sections 1910(c) (prohibiting signs from having light reflective backgrounds) in light of the consideration of very attractive hammered copper signs that it was not their intent to disallow. It was decided to leave in provision 1910(c) as the board did not consider hammered copper or gold leaf

lettering to be “light reflective.” It was also decided to incorporate hammered copper into the list of acceptable sign materials provided in Section 1910(i) (which requires that all signs be constructed of wood, stone, or high density urethane).

- Finally, the Board considered the recommendation for “grandfathering” existing signs in Section 1914. Several board members felt that a blanket grandfathering that applied to all existing signs would be too broad, and counter to the purpose of improving the aesthetic character of the Town’s signs. Brian Barnes proposed that this provision be drawn up such that it only applies to “historic” signs, and then the board could compare the two.

Following discussion of the changes made to the proposed sign ordinance, the Town Planner presented a slideshow of photographs of existing signs in the local area with the intent of raising any possible unforeseen issues with the sign ordinance and examining how the ordinance would affect real world scenarios.

The first issue raised here was the size of condominium or subdivision signs, which is currently restricted to a maximum of 20 square feet. John Hoffman recommended that the size limitation to be the same as commercial signs – 35 square feet. Pete Chamberlin questioned whether the condominium signs could be considered “commercial.” The town planner recommended that the size be proportional to the acreage, square footage, or number of units.

Next the Board considered “off premise signs.” The slideshow depicted signs whose appearance and nature were acceptable to the board, yet they were not located on the property which they advertised. The current ordinance defines all off premise signs as “billboards” and renders them prohibited. It was discussed that we reconsider our definition of billboards and then create a new section that pertained to off premise signs. It was also noted that these same signs would violate current size restrictions for detached commercial signs.

The next issue was what regulations would govern a situation where commercial and residential signs shared the same sign support structure. It was proposed that these situations could be governed by the commercial provisions with a provision that defined mixed commercial/ residential signs as falling under the requirements for commercial signs.

The next slide showed removable/ movable letters for advertising the times for church services. The board felt that although this particular sign used movable letters in an aesthetic manner, most movable letter signs were not of high quality. Therefore, it was decided that it was best to leave the provision in the ordinance.

The next issue was franchise or commercial signs that are often mandated to use a certain color scheme. It was noted that it is unlikely for the Town of Beech Mountain to get any big national franchises in the foreseeable future. It was also noted that some commercial franchises do use muted colors when required by local ordinance such as Dollar General in Banner Elk.

Further discussion questioned whether it was necessary to add a provision for temporary signs that could serve until a regular conforming sign could be made. This was in response to the information that it often took 6 months or more to create a sign.

Recession of the Meeting:

Chairman Paul O'Connell then asked the Board members whether they felt that it was possible to proceed with submitting the ordinance to the Town Council for consideration at the next meeting. After some discussion, the consensus was that it would be best to recess the current meeting until September 22 at which time the Board could discuss all the revisions made to the ordinance. Then at the regular meeting for October, the board could do a final review prior to the ordinance going to the Town Council at the October meeting.

Therefore, it was moved that the meeting be recessed until September 22. Said motion was seconded and carried with no opposition.

September 22, 2009

Call to Order:

Chairman Paul O'Connell called the resumption of the meeting to order at approximately 9:07 A.M. Other board members present in attendance were Vice Chairman Andy Porter, Bill Watson, John Hoffman and Brian Barnes. Town Councilman Pete Chamberlin was also present for portions of the meeting.

Adoption of Agenda:

John Hoffman made a motion that the agenda be adopted. The motion was seconded by Paul O'Connell and carried with no opposition.

Discussion of Sign Ordinance Issues:

- Discussion continued on the Sign Ordinance, focusing on the changes made since the September 1st meeting had been recessed: The first item of discussion was the definition of existing grade, which was added to specify that sign height was not to be measured from a previously altered "natural grade" and also to ensure that flower beds or other means of artificially altering the existing grade were not used to extend sign height. The board agreed with this definition.
- The next item was the definition of historic signs, which was inserted as a means of defining certain historic signs that would be exempt from the ordinance. The draft ordinance listed those signs that were older than 20 years and had accompanying pictures. Brian Barnes commented that while the businesses listed were older than 20 years, some of their signs were not. The board agreed that only the "Four Seasons at Beech" and "Fred's General Mercantile" signs were currently

older than 20 years. Andy Porter noted that the “Beech Alpen Inn” and “Top of the Beech” signs would comply anyway, so grandfathering them in was not important. Bill Watson questioned the appropriateness of listing specific signs within an ordinance, and recommended that the provision simply read “Historic Signs: Signs greater than 20 years of age as of September 10, 2009.” The board agreed that this was the best way to define historic signs, and that this would leave the burden on sign owners claiming exemption to prove the age of their sign. Finally, the board agreed that they preferred the provision for exempting only “historic signs” rather than all existing signs as previously proposed.

- Next the board considered the re-working of the definition of “billboards.” The current provision defines all off premise signs as billboards, which are prohibited by the ordinance. However, the board felt it is necessary to allow some off premise directional signs that do not advertise a business, service, etc. Examples include the off premise signs the board felt positively about are the signs for “Woodland Meadows” and the “Pinnacle” which direct people to residential developments. Therefore, the definition of “billboards” was altered to specify that off premise signs that do not advertise a business, service, product or entertainment are allowed. The board agreed to this change.
- The next item was the insertion of provisions defining and regulating “Transitional Signs.” This provision was inserted as a response to the owner of the local sign making company’s recommendation that an allowance be made for commercial signs that are erected temporarily while a permanent sign is being created. The sign maker, Bill Dix, had previously stated that he was backed up at least 6 months for the creation of new signs. This provision would allow commercial businesses to erect one non-routed, carved, sandblasted, recessed or raised sign for a 6 month period while a permanent sign was being created. The transitional sign would have to abide by all other portions of the ordinance. Bill Watson declared the wording should specify that the provision allowed one transitional sign per permitted period. The board agreed to this addition.
- Next the board considered the sign height provision for detached signs, and the inclusion of an illustration explaining this provision. The board discussed the unique situation of the sign at Archer’s Inn that would not clearly fall into a category as a “lot below street level” or a “lot above street level.” The board decided that the provision was best left as it stands.
- The next item was the provision for Mixed Use Signs. This provision would govern situations where detached commercial signs share a support structure with any other type of sign, and specified that such signs that shall fall under the regulations for commercial signs. The board agreed with this change.
- The next item was the modification of the provisions that govern the size for condominium and subdivision signs. It had previously been noted that the current provision that allowed condominium complexes and subdivisions to have a maximum size of 20 feet was disallowing many good signs. To achieve a more desirable standard, the board supported the use of a table that provided for a

graduated scale of permitted sign size based on the number of units/ number of lots.

- Finally, the board considered changes to the material and style requirements of the Sign Ordinance Amendments. The board approved of the new wording that reflected the use of a color chart as a “guideline” for determining allowable colors. John Hoffman questioned whether silver lettering would be allowed. The board came to the consensus that the color chart, being merely a “guideline,” does not specifically prohibit the use of silver lettering. Also the board agreed to the inclusion of “recessed” lettering along with the striking of the restriction to 5 colors.

Having discussed the foregoing items, John Hoffman made a formal motion to approve the document in its entirety. Said motion was seconded by Andy Porter and carried with no opposition.

Other Business

The board discussed the plans for the regular meeting on October 6th. John Hoffman and Paul O’Connell noted that they would not be available on that day. The Planner noted that having no pressing business, it might be prudent to wait until after the upcoming Town Council meeting (and the conclusion of our work with the sign ordinance) before moving forward with new subjects. The board agreed, and public notice will be provided that the October 6th meeting is cancelled.

Adjournment

Having no further business, Andy Porter moved that the meeting be adjourned. Said motion was seconded by Brian Barnes and carried with no opposition.

Respectfully Submitted,

**James Scott
Secretary to the Board**