



Town of Southern Shores

5375 N. Virginia Dare Trail, Southern Shores, NC 27949

Phone 252-261-2394 / Fax 252-255-0876

www.southernshores-nc.gov

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9 MEETING MINUTES

10 PLANNING BOARD-SEPTEMBER 20, 2021, 5:00 P.M.

11 LOCATION: PITTS CENTER-5377 N VIRGINIA DARE TRAIL, SOUTHERN SHORES, NC 27949

12
13

14 I. CALL TO ORDER:

15 Chairperson Andy Ward called the meeting to order at 5:00 pm. Planning Board Members Lynda
16 Burek, Ed Lawler, Robert McClendon, Jan Collins, John Finelli (ETJ), Andy Ward (Chairperson),
17 Deputy Town Manager/Planning Director Wes Haskett, and Town Clerk Sheila Kane were
18 present.

19
20 Planning Board Alternate Member Richard Galganski and Town Manager Ogburn were also in
21 attendance.

22
23 **ABSENT:** Vice Chairperson Tony DiBernardo

24

25 II. PLEDGE OF ALLEGIANCE:

26 Chairperson Ward led the Pledge of Allegiance.

27

28 III. APPROVAL OF AGENDA:

29 Planning Board Member Burek **moved** to approve the agenda, Seconded by Planning Board
30 Member Collins. The motion passed unanimously (5-0).

31

32 IV. APROVAL OF MINUTES

33 Planning Board Member Burek **moved** to approve the June 21, 2021 as presented, Seconded by
34 Planning Board Member Collins. The motion passed unanimously (5-0).

35

36 V. PUBLIC COMMENT

37 None

38

39 VI. OLD BUSINESS

40 **NEW BUSINESS**

41 **A. ZTA-21-08, a Zoning Text Amendment application submitted by the Town of**
42 **Southern Shores to amend Town Code 36-57, Definition of Specific Terms and**
43 **Words and Section 36-165, Regulations Governing Signage**

44

45 Chairperson Ward reviewed the CodeWright and Town Attorney analysis of Reed vs. Town of
46 Gilbert Case Comments.

Reed vs. Town of Gilbert Case Comments

CodeWright:

This section is proposed to replace Section 36-165 of the current code. As mentioned in the Code Assessment, federal laws with respect to the regulation of signs have changed dramatically based on the US Supreme Court's ruling in the Reed vs. Town of Gilbert case. Essentially, the holding from this case is that sign standards that require the regulator to read the sign's message to determine which kind of sign standards to apply are not content-neutral. Court precedent has indicated that sign standards must be content neutral (to pass muster under the 1st Amendment to the Constitution), or must withstand the strict scrutiny doctrine. To withstand strict scrutiny, standards must be developed with a compelling governmental interest and must be narrowly tailored to achieve that specific interest. In practice, most sign standards are focused on aesthetics, and thus will NOT pass the test of strict scrutiny.

As a result, local governments across the country are now revising their sign standards in two or three key ways: First, sign standards may not be structured in ways that require the sign to be read to determine which set of standards to apply (in other words, no longer may a community apply differential sign standards based on sign type – you may not have special standards for “for rent” signs versus “directional signs”). Second, sign standards may not distinguish between “commercial” signs versus “noncommercial” signs (since doing so requires reading the sign's message). Third, the Court has ruled that speaker-based standards (sign standards that relate to a particular kind of use, like signs for a restaurant or a signs for a vacation rental) are not content neutral, and must also pass strict scrutiny.

One of the best ways to address this new court precedent is to maintain the time, place, and manner provisions for signs that most communities (including Southern Shores) already have, and revise any specific sign-type standards into a set of generic time, place, and manner sign standards that differ by type of zoning district. Fortunately, the Town's current sign standards are already organized in this fashion, and will only require some moderate adjustment to avoid the strict scrutiny doctrine.

Town Attorney:

Prior to the 2015 Supreme Court case of Reed v. Town of Gilbert, Ariz., 576 U.S. 155, 135 S. Ct. 2218, 192 L. Ed. 2d 236 (2015), there was a substantial body of law, much from the USSCT, which allowed for a distinction between commercial and non-commercial signage and allowed for a lowered standard of review for commercial speech. The Reed case itself did not address this line of cases, but on its face seemed to say that if you have to look at the content to regulate then strict scrutiny applied. Federal appellate courts interpreting the Reed case have come to differing conclusions whether or not a distinction can still be made between commercial signage and other signage. A significant body of conflicting case law has developed since Reed was decided in 2015 (As of September 4, 2020 Westlaw shows that 669 cases have cited Reed since it's publication in 2015), and I am unaware of the USSCT revisiting the issue directly.

93 However, a handful of opinions have mentioned these distinctions without giving
94 definitive analysis. See *Barr v. Am. Ass'n of Political Consultants, Inc*, 140 S. Ct. 2335,
95 2347 (2020) (Noting without a clear majority that the “decision is not intended to
96 expand existing First Amendment doctrine or to otherwise affect traditional or ordinary
97 economic regulation of commercial activity...” but also limiting that to “traditional or
98 ordinary economic regulation of commercial activity that imposes incidental burdens on
99 speech.”); *Nat'l Inst. of Family & Life Advocates v. Becerra*, 138 S. Ct. 2361, 2374, 201 L.
100 Ed. 2d 835 (2018) (finding no exception to content neutral analysis for professional
101 services, while also referencing noncommercial speech). Where the courts have allowed
102 the distinction, a lower standard of review has been applied to commercial speech.
103 Generally, it is probably best practice to avoid the issue all together by having content
104 neutral sign regulations.

105
106 Also, while it is possible that the author is correct that determining the signage
107 regulation based on use is considered to be content based, I am not aware of any courts
108 holding that and would have to research the issue more thoroughly to determine the
109 answer. See *Barr v. Am. Ass'n of Political Consultants, Inc*, 140 S. Ct. 2335, 2347 (2020)
110 (confirming that “laws favoring some speakers over others demand strict scrutiny when
111 the legislature's speaker preference reflects a content preference”) (citing *Reed*).
112 However, again, it's easy enough to avoid the issue entirely by having regulations which
113 do not address the use of the property and instead rely on the zoning district designation
114 of the property as the new ordinance provisions seem to do.

115
116
117 Chairperson Ward reviewed a Coates' Canons Blog: Temporary Signs in the Right-of-Way by
118 Adam Lovelady (NC School of Government). He read the following highlights:

119
120 *Along with the signs come the questions about the laws and limits for regulating*
121 *campaign signs. This can be a confusing topic because of the ruling from the U.S.*
122 *Supreme Court in Reed v. Town of Gilbert and because of the overlapping authority*
123 *between local governments and the North Carolina Department of Transportation*
124 *(NCDOT).*

125
126 *Legal issues affecting the regulation of campaign signs include:*

- 127 • *Free speech protections limiting the regulation of sign content;*
- 128 • *Differences between regulations on private property and regulations on public*
129 *property; and*
- 130 • *Differences between regulations on state maintained rights-of-way and municipally*
131 *maintained rights-of-way.*

132
133
134 **Free Speech Issues**

135 *The U.S. Supreme court has ruled that regulations of signs that are based on what the*
136 *signs say (content-based regulations) are subject to strict scrutiny—a standard that*
137 *requires compelling government justification and will likely be struck down. In contrast,*
138 *content-neutral regulations of the time, place, and manner of speech are subject to*

139 *intermediate scrutiny and are more likely to survive judicial review. Regulation of*
140 *commercial speech also is subject to intermediate judicial scrutiny.*

141
142
143 **Temporary Signs on Private Property**

144 *An ordinance or regulation may set reasonable content-neutral limits on noncommercial*
145 *speech (including political signs) on private property. Such restrictions might include*
146 *limits on the size, number, and location of temporary noncommercial signs.*

147
148 *Importantly, regulations of temporary noncommercial signs on private property must*
149 *not be overly restrictive. The U.S. Supreme Court has noted the import of the residential*
150 *signs because residential signs are inexpensive and convenient, they convey a message*
151 *with a close connection to the speaker, and there are not adequate substitutes of*
152 *expression if residents are completely prohibited from posting residential signs. In*
153 *City of Ladue v. Gilleo, 512 U.S. 43 (1994), the city ordinance prohibited homeowners from*
154 *displaying signs on their property, with limited exceptions. A resident challenged the*
155 *ordinance when she was prevented from posting a sign protesting the Gulf War. The*
156 *Court struck down the city's ban of almost all residential signs, but allowed that the city*
157 *can still address residential signs with reasonable regulations. Similarly in*
158 *Arlington County Republican Committee v. Arlington County, 983 F.2d 587 (4th Cir. 1993), the*
159 *Fourth Circuit Court of Appeals ruled that limiting property owners to only two campaign*
160 *signs was overly restrictive.*

161
162 *Can a local government set a time limit on temporary noncommercial signs on private*
163 *property? Durational limits that are not overly restrictive likely may be used, but local*
164 *governments should be wary of the potential legal pitfalls. Even before Reed courts*
165 *around the country struck down durational limits that were too short (routinely striking*
166 *down sign codes that limited campaign signs to less than sixty days). This is a reminder*
167 *that anytime the government is regulating noncommercial speech it must not be overly*
168 *restrictive—especially as related to residential property and possible political speech.*

169
170 **Temporary Signs in Public Rights-of-Way**

171 *As noted above, courts distinguish between regulations of signs on private property and*
172 *regulations of signs on public property. This section explores statutory authority and Free*
173 *Speech considerations for regulations of temporary signs in the public right-of-way in*
174 *North Carolina.*

175
176 **Local Rules for Municipal Rights-of-Way**

177 *Under General Statute 160A-296, North Carolina municipalities have broad authority*
178 *over their public streets, including the power to regulate the use of the streets and the*
179 *duty to keep the streets free from unnecessary obstructions. This authority includes*
180 *the power to regulate signs in the right-of-way.*

181
182 *Moreover, the statute about NCDOT authority, 136-32(f), confirms that cities may use*
183 *their police powers to adopt regulations of signs in the rights-of-way within their*
184 *jurisdiction and maintained by the city.*

186 A municipality may prohibit temporary signs in the municipal right-of-way, or permit
187 them subject to certain even-handed, content-neutral restrictions. As with other
188 restrictions, this may include limits on size, location, time-frame, and other content-
189 neutral aspects. A municipality may permit noncommercial temporary signs in the
190 right-of-way, but still restrict commercial temporary signs.

191

192

193 Chairperson Ward stated the Southern Shores ordinance for addressing campaign signs is
194 minimal. The ninety-day time limit is in there, but one would have to prove it has exceeded
195 the timeframe for removal.

196

197 Chairperson Ward proceeded with a review of ZTA 21-08 amending Town Code 36-57,
198 Definition of Specific Terms and Words and Section 36-165, Regulations Governing Signage.

199

200 Planning Director Wes Haskett reviewed notes from the previous meeting in reference to
201 ZTA-21-08.

202

- Move for sale sign and for lease signs from Table B to Temporary Signs.
- Change two items in Table B “Properties where the lawful construction, alteration, remodeling, or demolition of any building or use is taking place” the number of signs per lot from three to five; a maximum surface of three rather than six.

203

204

205

206

207

208 Chairperson Ward read the definition of temporary signs and would like to see some
209 language inserted for a definition of a permanent sign.

210

211 Planning Board Member Collins asked if a permanent sign would require a permit? Planning
212 Director Wes Haskett stated the board can recommend what they would like but a
213 permanent sign should require a permit, certainly in a commercial district.

214

215 Planning Board Member Finelli (ETJ) stated you could simply define permanent sign as any
216 sign that is not temporary.

217

218 Planning Board Member McClendon said the definition of temporary says it is intended to
219 display a message of temporary nature. It is not about the structure, it is the message, which
220 is of temporary nature. It is the message and the intent, opposed to the structure. A
221 permanent sign would be one that the message is not a temporary message.

222

223 Chairperson Ward asked if that needed to be incorporated into the definition of permanent,
224 possibly with some parameters?

225

226 Planning Director Haskett stated from staff perspective, he has never had an issue
227 distinguishing permanent sign from a temporary sign.

228

229 Planning Board Member McClendon stated the board could decide to give a definition of
230 permanent when it reaches a point that it becomes important.

231
232 Chairperson Ward moved on to the last definition of sign, vehicle signs. He stated the
233 definition is straight forward and does not need any clarification.

234
235 Chairperson Ward addressed the changes to Part II, Section Sec. 36-165 stating egulations
236 governing signs is a catch all for what the intent of what we are trying to do here. The
237 regulation goes on to say, the town adopts these standards and regulations to ensure that
238 permitted signs reflect the aesthetics desired by its residents; promote traffic safety; and
239 provide minimum interference with individual property rights.

240
241 Chairperson Ward reviewed changes to each section under regulations governing signs;
242 everything has been stricken in the exclusion list, except the following:

243 (1) Exclusions

- 244 • Integral decorative or architectural features of buildings, except moving parts, or
245 moving lights;
- 246 • Temporary signs of less than one day duration;
- 247 • (added wording) Fence-wrap signs affixed to fences surrounding a construction site,
248 and used to indicate the construction firms actively working on a development site in
249 accordance with N.C.G.S. 160D-908.

250 (2) Number and area remain the same, no strike outs and no additional language.

251 (3) Sign permit required changed to the following:

- 252 • (3) Sign permit required. No sign shall hereafter be erected or attached to,
253 suspended from, or supported on a building or structure, nor shall any existing
254 sign or outdoor advertising structure be structurally altered, remodeled, or
255 relocated, until a sign permit for same has been issued by the zoning
256 administrator. No permit is required for signs in residential districts, temporary
257 signs, or any sign not exceeding three square feet in area.

258 (7) Prohibited signs

- 259 • Addition of signs installed "by the Town" under (7)a.
- 260 • Strike (7)f. Any off site signs
- 261 • Strike 7(l) Tourist oriented directional signs.

262 (8) Signs permitted

- 263 • Strike, in residential area
- 264 • Add, the following requirements apply:
- 265 • Strike all of 8.A-H
- 266 • Addition of Tables A, B C, D and E

267 (9 through 13)

- 268 • Strike in entirety

269

270 **Chairperson Ward called for discussion of Table A.**

271

272 Planning Director Haskett stated examples of Table A. Permanent Signage in a Residential
273 District for Nonresidential Uses are the country club, fire department, school and church. It is
274 best to distinguish the nonresidential uses versus the residential uses so that the signage, the
275 square footage that has always been allotted to those nonresidential uses can continue and
276 at the same time not allowing the residential uses to have a 64 square foot sign in their yard.
277

278 Planning Board Member Lawler asked about signs in common areas, such as the parks in
279 Chicahauk and the Southern Shores Civic Association properties.
280

281 Planning Director Wes Haskett stated the subdivision signs fall under a different table, but
282 common areas and parks may need to be added.
283

284 Chairperson Ward stated those areas need to be included so they are in compliance. He
285 further stated the maximum height of 9 feet allowed is a bit extreme and would like to see
286 that reduced.
287

288 Chairperson Ward allowed comment from citizen John Carter. He stated the maximum
289 number of signs allowed could be problematic. Certain properties, such as the SSCA Marina,
290 could currently have more.
291

292 Chairperson Ward stated the number of signs in Table A could be bumped up and an
293 exclusion for directional type signs created.
294

295 Planning Director Wes Haskett stated you cannot regulate directional and informational signs
296 per the ruling. Directional signs would be considered content and would not be content
297 neutral. As far as the height, any existing signs will be grandfathered.
298

299 Chairperson Ward stated 5 feet was a good number for maximum height. All board members
300 agreed.
301

302 **Chairperson Ward called for discussion of Table B Permanent Signage in a Residential**
303 **District for Residential Uses**
304

305 Planning Director Wes Haskett stated all but one of the categories should be moved to
306 temporary signs. The only category that should remain under this table is, major entrances to
307 subdivisions. An alternate is to remove the word “permanent” from the table titles and leave
308 the ordinance as it currently reads with just a temporary definition.
309

310 Chairperson Ward stated the title would then be, Signage in a Residential District for
311 Residential Uses.
312

313 Chairperson Ward addressed his thoughts on the height of sale signs. To not create a line-of-
314 sight issue he would like to see the maximum allowed height of 42 inches above ground. He
315 also requested reducing maximum surface to 3.5 feet.

316
317 Planning Board Member McClendon stated the current 5 feet above ground does not seem
318 to be an issue.
319
320 Planning Board Member Collins stated with the vegetation and grasses we have, 42 inches
321 will be too low to the ground. She recommends keeping it at five.
322
323 Planning Board Member Lawler agreed, stating we reduced the size of signs, keep the height.
324
325 Planning Board Member Finelli stated he preferred small signs and thinks they serve the
326 same purpose, but the realtors are going to want the five feet. They are three-foot signs but
327 then you put the rider on the top which is another foot and a rider on the bottom which is an
328 additional foot.
329
330 Chairperson Ward agreed with the other members to leave the height at 5 feet.
331
332 Chairperson Ward addressed signs at the entrances to subdivisions, suggesting the 12-foot
333 height limit be reduced to 6. Under additional requirements, remove shall be placed on the
334 principal building it advertises. Add a requirement that it must be placed on property within
335 the subdivision. All board members agreed
336
337 Upon further discussion, all Planning Board Members agreed that there are currently
338 subdivision signs in the Town right of way and an exception to allow existing subdivision
339 signs in the Town rights of way needed to be created.
340
341 **Chairperson Ward called for a brief recess at 6:36 p.m.**
342 **Planning Board Reconvened at 6:41 p.m.**
343
344 Planning Director Wes Haskett stated the board may need to consider adding something that
345 addresses the house names under Table B. In most cases the name is on the house but there
346 are several that are out by the driveway.
347
348 Town Manager Ogburn asked if both would be allowed.
349
350 Chairperson Ward asked where it would be placed on the table. Planning Director Wes
351 Haskett stated under a new block on Table B, single family dwelling or vacation cottage. Then
352 the board would need to come up with number allowed, height, size, etc.
353
354 Chairperson Ward said the issue would be the house name signs that are freestanding out at
355 the end of the driveway. How do you differentiate that between a protest sign and a sign
356 with a name on it, as far as temporary or permanent?
357
358 Planning Director Wes Haskett stated he would have to give that some thought. The question
359 is going to be how you make it content neutral.

360
361 Chairperson Ward stated you may have to create an entire new table for one application.
362
363 Chairperson Ward moved public comment up on the agenda to allow comment from a
364 citizen waiting to speak. The following citizen spoke:
365
366 Public Comment-Paula Sherlock-66 Ocean Blvd-The Town right of ways vary incredibly
367 different throughout town and most homeowners have no idea where the boundaries are
368 set. Some properties have right of ways that are forty feet wide. Please be mindful that the
369 sign ordinance will impact homeowners disproportionately. You are really impacting the
370 ability of certain homeowners to freely express their opinions and it is going to be disparate
371 in the community simply because some people have very narrow right of ways, and some
372 people have large right of ways.
373
374 Planning Board Member Lawler stated utilities boxes/ water meters are a good reference
375 point to the right of way.
376
377 Planning Director Wes Haskett stated it is not always accurate but is a good reference point.
378
379 Chairperson Ward stated unless a property owner recently had their property surveyed, they
380 generally have no idea of the width of the right of way.
381
382 Town Manager Ogburn stated using the water meter to gage the right of way is 99%
383 accurate. Even though it is campaign time, a sign is a sign in the right of way and they all will
384 be removed. Moving forward, if there is a better way for citizens to understand a defined
385 amount of feet off the side of the road, because we can measure that.
386
387 Chairperson Ward suggested making a commonsense table that gets put out in the
388 newsletter and website letting candidates at election time know this is what is required. It
389 needs to be simple and concise on how to comply.
390
391 Planning Board Member McClendon said NCDOT allows for political signs in the right of way
392 if the property owner adjacent permits that.
393
394 Chairperson Ward stated NCDOT is on shaky grounds for only allowing political signs in the
395 right of way.
396
397 Planning Board Member Collins stated the right of way is all over the place, but you could
398 have a specific measurement from the road which would be a standard measurement where
399 signs are allowed with owner's permission, far enough though for vehicle safety. Perhaps 20
400 feet would be a good number.
401
402 Chairperson Ward stated even 15 feet would be reasonable. Planning Board Member Collins
403 replied, whatever is safe.

404
405 Chairperson Ward asked Town Manager Ogburn if he had an issue with a blanket footage
406 from the road pavement. He stated NCDOT says 3 feet but that is absurd.
407
408 Town Manager Ogburn stated you can regulate the time, manner, and place. The place
409 would be 10 feet off the edge of the pavement.
410
411 Chairperson Ward stated he measured several utility boxes and the average distance from
412 the edge of the pavement was 13 feet. That wouldn't be too bad, signs wouldn't be right out
413 there at the road edge but back 14-15 feet.
414
415 Planning Director Haskett stated it was important to have property owners' permission so
416 there are not signs randomly 10-15 feet from the pavement.
417
418 Chairperson Ward stated the board would need to agree on a distance from the pavement.
419 The **consensus** of all board members was 15 feet from the edge of the pavement with
420 property owners' permission. This is for all temporary signs, not just campaign signs.
421
422 Chairperson Ward stated since the Planning Board was not going to finish with ZTA 21-08 this
423 evening, would the Town be willing to let the five candidates running for office know that the
424 Planning Board agreed on a 15 feet requirement from the edge of pavement and that it
425 won't be enforced.
426
427 Town Manager Ogburn stated it is essentially what staff is doing now, absent of a water
428 meter/utility box showing the right of way.
429
430 Planning Director Haskett stated he felt obligated to say that the Town Council should weigh
431 in on that matter.
432
433 Chairperson Ward stated the Planning Board is just an advisory board and they are not there
434 to set law. He inquired of the next Council meeting. Planning Director Wes Haskett informed
435 him that it was October 5th.
436
437 Planning Director Haskett stated the Planning Board could make a recommendation to
438 Council.
439
440 **By Consensus of all Planning Board Members**, The Planning Board asked Town Manager
441 Ogburn to request Council consider at their October 5, 2021, meeting allowing campaign
442 signs/all temporary signs in the right of way 15 feet from the pavement for a 90-day period.
443
444
445 The following changes were made to ZTA-21-08 by **consensus**:
446 Table A
447

- Reduce the maximum allowed height to 5 feet

- 448 • Increase number of signs per lot to 3
- 449 • Create exclusion under of number of signs allowed

450 Table B

- 451 • Delete the word “permanent” in Table B Title
- 452 • For sale sign surface area reduce to 3.5 ft
- 453 • Existing subdivision sign are permitted in ROW
- 454 • Maximum height of 6 feet for subdivision signs

455 Table D

- 456 • First category- “use type” needs to be changed to “sign type”.

457 Table E Temporary Signs

- 459 ▪ Change surface area to 3.5 square feet per side
- 460 ▪ Maximum number to three
- 461 ▪ Keep the five-foot maximum height
- 462 ▪ maximum duration per calendar year or number of days is 90
- 463 ▪ strike wording, temporary signs should be placed outside the ROW and
- 464 at least five feet from lot line. Add wording allowing temporary signs
- 465 fifteen feet from pavement.
- 466 • add wording under requirements, just paint or light reflective material
- 467 • Blend Table E with Table B

468 **New Business**

469 Chairperson Ward **moved** to table agenda items, discussion of potential requirements for
470 produce stands in the commercial zoning district and discussion of potential amendments to
471 Town Code Chapter 26, Solid Waste, Seconded by Planning Board Member Burek. The motion
472 passed unanimously (5-0).

473 **Planning Board Member Comments**

474 Chairperson Ward read a letter received from the Southern Shores Civic Association President
475 Jeff Johnson. The letter stated it is the policy of the Southern Shores Civic Association not to
476 allow campaign signs or any temporary signs, unless it is the associations own temporary sign on
477 their property. He requested that this policy be respected to help protect the appearance of the
478 community.

479 **Announcements**

480 Planning Director Haskett stated there are no pending applications other than the Town initiated
481 items on the agenda tonight. The next meeting is Monday, October 18th at 5:00 p.m.

482 **Adjourn**

483 Hearing no further business, **motion** made by Planning Board Member Burek to adjourn,
484 Seconded by Planning Board Member Collins. Motion passed unanimously. The time was 7:24
485 P.M.

493 ATTEST:

Respectfully submitted,

494 _____

495 Andy Ward, Chairperson

Sheila Kane, Town Clerk

- Delete the word “permanent” in Table B Title
- For sale sign surface area reduce to 3.5 ft
- Existing subdivision sign are permitted in ROW
- Maximum height of 6 feet for subdivision signs

Table D

- First category- “use type” needs to be changed to “sign type”.

Table E Temporary Signs

- Change surface area to 3.5 square feet per side
- Maximum number to three
- Keep the five-foot maximum height
- maximum duration per calendar year or number of days is 90
- strike wording, temporary signs should be placed outside the ROW and at least five feet from lot line. Add wording allowing temporary signs fifteen feet from pavement.
- add wording under requirements, just paint or light reflective material
- Blend Table E with Table B

New Business

Chairperson Ward **moved** to table agenda items, discussion of potential requirements for produce stands in the commercial zoning district and discussion of potential amendments to Town Code Chapter 26, Solid Waste, Seconded by Planning Board Member Burek. The motion passed unanimously (5-0).

Planning Board Member Comments

Chairperson Ward read a letter received from the Southern Shores Civic Association President Jeff Johnson. The letter stated it is the policy of the Southern Shores Civic Association not to allow campaign signs or any temporary signs, unless it is the associations own temporary sign on their property. He requested that this policy be respected to help protect the appearance of the community.


Announcements

Planning Director Haskett stated there are no pending applications other than the Town initiated items on the agenda tonight. The next meeting is Monday, October 18th at 5:00 p.m.

Adjourn

Hearing no further business, **motion** made by Planning Board Member Burek to adjourn, Seconded by Planning Board Member Collins. Motion passed unanimously. The time was 7:24 P.M.

ATTEST:


 Andy Ward, Chairperson



Respectfully submitted,


 Sheila Kane, Town Clerk