



## Ordinance 2023-01

### Amend the Unified Development Ordinance for the Town of St. James, North Carolina

*Amend the text in Section 5.5.4 Loss of Nonconforming Sign Status and Removal, Section 11.5.1 Government Signs, and Section 11.6.7 On Premises and Off Premises Signs*

**WHEREAS**, the Town has enacted a set of development regulations that control land development and construction within the Town's planning and development regulation jurisdiction; and

**WHEREAS**, in order to promote the public health, safety and general welfare and to promote the best interests of the Town and community, it is necessary from time to time for the Planning Board and Town Council to consider appropriate revisions, modifications and updates to the Town's Development Regulations; and

**WHEREAS**, staff have drafted language to better align regulations regarding outdoor advertising structures and government signs with state statute, in addition to creating more distinction between rules for on- and off-premise signs in the town's Unified Development Ordinance (UDO); and

**WHEREAS**, at their December 16, 2022 meeting the Town Planning Board recommended adoption of the proposed update of the Town's UDO to the Town Council and found that (i) it is consistent with the Town's 2007 Land Use Plan (Brunswick County Multi-jurisdictional CAMA Land Use Plan), which states "land Development Ordinances should be revised from time to time to be consistent, as reasonably possible, with the recommendations of this plan and the evolving nature of the County's growth and development policy," and, (ii) although the Town of St. James Comprehensive Plan VI does not directly address the topics proposed for amendment, it generally supports process improvement efforts; and, (iii) it is in the public interest because it will advance the public health, safety, and/or welfare of the Town of St. James through balancing a customer-friendly review process with appropriate controls within the Town's planning jurisdiction in addition to providing additional clarity and compliance with state statute to the ordinance; and

**WHEREAS**, pursuant to N. C. General Statutes and Town ordinances, a public hearing, properly noticed, was held on January 4, 2023 where public comment was heard and considered by the Town Council regarding this issue; and

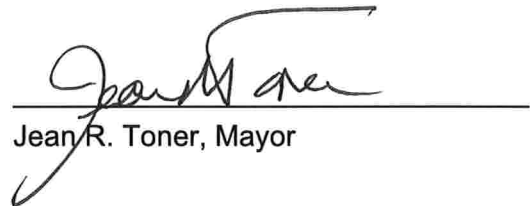
**WHEREAS**, the Town Council hereby finds that the proposed update of the Town's UDO is (i) it is consistent with the Town's 2007 Land Use Plan (Brunswick County Multi-jurisdictional CAMA Land Use Plan), which states "land Development Ordinances should be revised from time to time to be consistent, as reasonably possible, with the recommendations of this plan and the evolving nature of the County's growth and development policy," and, (ii) although the Town of St. James Comprehensive Plan VI does not directly address the topics proposed for amendment, it

generally supports process improvement efforts; and, (iii) it is in the public interest because it will advance the public health, safety, and/or welfare of the Town of St. James through balancing a customer-friendly review process with appropriate controls within the Town's planning jurisdiction in addition to providing additional clarity and compliance with state statute to the ordinance.

**NOW, THEREFORE, BE IT ORDAINED** by the Town Council of St. James that the proposed update is hereby adopted and shall become effective immediately.

Adopted this 4<sup>th</sup> day of January, 2023.

ATTEST:

  
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Jean R. Toner, Mayor

  
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Laura Williams, Town Clerk

## Sign Regulation UDO Amendments

### 5.5.4 Loss of Nonconforming Sign Status and Removal

- C. Outdoor Advertising Structures whose use is discontinued or abandoned for a continuous period of 180 days, then the use shall not be re-established or resumed and any subsequent use of the land or structure shall conform to the requirements of this Ordinance except as preempted by N.C.G.S. 160D-912 or N.C.G.S. Chapter 136 Article 11.

### 11.5.1 Government Signs

- A. Description  
Any temporary or permanent sign erected and maintained by a federal, state, or local government, or governmental entity that does not display a commercial message.

~~B. Standards~~

~~Government signs must meet the standards of signs requiring permits.~~

### 11.6.7 On Premises ~~and Off Premises~~ Signs

- A. General On-premises signs ~~and off premises signs~~ are permitted subject to the following standards, see chart below: