

PLANNING COMMISSION

MINUTES

February 5, 2013

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| Members Present: | John Bruns Glynn Marsh | Mayor O'Callaghan |
| City Staff Members Present | John P. Applegate Joe Moore | Denise Winemiller Glen Green |

The Planning Commission was called to order on February 5, 2013 by Glynn Marsh. Attendance was taken and Lynne Thomas-Roth was not present.

Kevin Lantz who is assisting the city with new sign regulations was also present.

1. Mr. Marsh asked if there were any corrections or additions for the minutes from the December 4, 2012 meeting. There were no corrections so Mr. Bruns moved that the minutes be approved. Mayor O'Callaghan seconded the motion. All concurred and the minutes from the December 4, 2012 meeting were approved.

2. Fourth discussion of proposed new sign regulations.

The planning commission members had received copies of the sign changes within their packets and a few additional changes were presented at the beginning of the meeting.

Mr. Lantz said he had sat down with Mr. Applegate and Mr. Moore and also Mr. Hunter and discussed additional changes.

There were newly renumbered sections and new sections.

Mr. Lantz said in 1341.01, Purpose, there was a change to deal with vehicular and pedestrian safety separately since it is the top reason that the courts look for in the description of signage.

Page 2, new subsection G, a correction of spelling in the word “message” to “messages”

1341.001, Findings, there was a minor change, a period after the title. Mr. Lantz said Page 2, needs the traffic count and Mr. Applegate said that was 3,700. He had received the information that day. The last paragraph had the date of the February 5 meeting added.

The next section is a new section 1341.02, General Regulations and eliminates a lot of duplication and deals with safety regulations.

Mr. Lantz commented that 1341.03 is a re-numbered section. New copies with an attached email had been provided to the planning commission that evening. Mr. Lantz said there might be some ambiguity in the earlier draft so they changed the height regulations so signs could not be mounted on a roof.

In that same section, they further defined joint identification signs for industrial parks believing that the signage area should be greater.

Mr. Lantz acknowledged that some of the numbering of the subsections had been changed and they had changed the word “lamp” to “lighting” and that there was an exception made for holiday lighting.

Another major change mentioned by Mr. Lantz was in subsection 3, “changeable copy signs”. This was discussed at the last meeting and the Union Planning Commission wanted some additional regulations. The new regulations state that whether it is a manual or electronic change, the area of copy should not be more than fifty percent of the sign face with a minimal display time of twenty seconds, interval for change, less than five seconds, and instantaneous pixilation so there is no distraction or moving copy from side to side, etc. Mr. Lantz said most of these specifications are fairly standard.

Most of these regulations are to avoid distraction. There were also distances determined from residential districts and from other signs. There was also code added that audio speakers cannot project sound beyond the premises.

Mr. Marsh asked about the audible sound beyond the premises and clarified that if the sign is set back ten feet, then the audio would not be able to go beyond ten feet and heard by the traffic. Mr. Lantz and Mr. Applegate said that was correct. Mr. Lantz said right now, he does not know of any signs that do have audio but they were trying to allow for changes in the future.

Another significant change is what they discussed concerning industrial parks and he went back and defined industrial parks. Signs may identify occupants of the industrial parks and structural supports are specified and that it cannot exceed one hundred sixty square feet of sign area or exceed six feet in height. These dimensions are what Mr. Lantz, Mr. Moore, and Mr. Applegate had decided.

Mayor O'Callaghan asked if the six feet height was the sign itself or the actual height of the entire sign structure. Mr. Applegate said that was for the height of the entire structure. He said when driving by the sign, they did not want people stopping and looking upward to a sign taller than six feet.

Mr. Marsh asked about the height of the sign at Quinter Farm and Mr. Applegate thought that was five feet high. The commission members did not think that was an objectionable height. Mr. Applegate said that is partly what they based these new regulations on. With that height, it was easy to see the sign from inside a vehicle.

There were some delays in following the changes on the various drafts of the sign regulations. Mr. Marsh said it would be helpful if there had been dates on the revisions. He said it was difficult to track the changes.

Regarding 1341.04, page 1, Mr. Lantz said it was renumbered because some items were removed. On page 2 of that section, there were some more items deleted and "business" was changed to "residential". On the third page, public issue signs had to be changed because they had come up with the joint

identification signs and they had to change the square footage and add industrial parks.

On page 4 of 1341.04, they had discussed the size for real estate signs in industrial parks so they limited the size to sixteen square feet in residential districts and changed it to thirty-two square feet in commercial and industrial districts.

Mrs. Winemiller asked if the city needs to have proof that the property owner has approved the public issue sign on page 3, F. Mr. Lantz said the city does not need to see proof but the person erecting the sign should be able to present the consent if asked.

Mr. Lantz moved to 1341.041 Computations. This is a new section on how sign area and height would be computed. Unless they have questions, the only thing Mr. Lantz said he wanted to point out was that on page 2, subsection c, if there was a dispute in the computations of a sign, an appeal would be permitted to be presented to the Board of Zoning Appeals.

Mr. Lantz said there were no significant changes in 1341.05.

In 1341.051, page 1 there was some renumbering and a substantive change on page 2 where they would allow off-premise signs or bill boards. Mr. Bruns could not find a copy of that section so Mr. Lantz said he would email a copy to Mr. Applegate.

Mr. Applegate asked if Mr. Lantz could send a complete copy of all sections with all of the revisions. Mr. Applegate said he hoped that tonight would be the final discussion and this could go forward to the council for a first reading in March.

Mr. Marsh said he would like to see the final draft. Mr. Bruns said they were just working on the details and they were satisfied with the majority of the new regulations.

Mr. Applegate asked that Mr. Lantz provide them with an actual printed copy of the final draft of the regulations and then they would provide everything to the

planning commission. Mr. Lantz said he would do that and drop off the finished draft.

On 1341.051, Permanent Signs, Mr. Lantz said there was a slight change in the numbering on the first page and on page 2, since there could be several businesses advertised on the same sign and that would then be considered as an off premise sign. Mr. Lantz read the exact wording of that section.

For 1341.052 Mr. Lantz said it is the old 1341.042, Signs Exempt From Regulations and the only change was renumbering.

For 1341.06, Administration and Enforcement, that was renumbered.

Mr. Lantz said on 1341.07, page 2 he had added rights-of-way and sidewalks so they would know where to place the signs.

For 1341.08, Definitions, there was renumbering and a definition for “business”, and reference was made to the City of Union Planning and Zoning ordinance. On page 2, they added the City Manager as the one who would appoint the enforcement officer and Mr. Lantz also modified the definition of a hand-held sign replacing “person” with human being or animal.

On page 3, Mr. Lantz added the definition of Industrial park to make it clear that there would be more than one parcel and modified the definition of “lot”.

Mr. Applegate said if everyone was in agreement with the changes, they would get a final draft and get it out to everyone. Mr. Applegate said if there were no objections on this, he would like to present this to the council at the March meeting.

Mr. Bruns asked if Mr. Applegate wanted a motion to that effect and he said he would. Mr. Bruns then moved to forward the revised sign regulations to the city council for their first meeting in March. Mayor O’Callaghan seconded the motion. All concurred and the motion was passed.

3. Open Agenda

Mr. Marsh said he drove by the Union Terminal Apartment buildings and they had a series of signs out that were similar to what they had discussed earlier concerning signs in front of the Meadows of Martindale. Mr. Marsh said some of these signs were swinging and he asked if that would be treated like a flag. He added that the signs were on an "L" bracket. Mr. Applegate asked if it was in the ground and Mr. Marsh said it was and it was probably swinging due to the wind. He asked if it would be classified as a banner, flag, or still considered as a sign. Mr. Applegate said he would check it out but he thought when signs were mounted like that, they would not be as easily blown over by the wind.

Mr. Lantz said the kind of sign described by Mr. Marsh was not a flag and would be a temporary sign and once the code goes into effect, they could only put the signs out for a limited time.

Mr. Marsh asked if these regulations would have to be read in three readings and Mr. Applegate said they would. Mr. Bruns commented that it would take four months before these new regulations would be passed. They would have readings in March, April, and May and then it would be in effect in thirty days later so June would be the earliest that it could be passed. Mr. Applegate said that was good and anyone who wanted to come in and look at the new sign regulations would be able to.

Mr. Marsh asked Mr. Lantz if there was anything in the regulation changes that would be considered radically different from any other community's regulations. Mr. Lantz said these regulations are different only in a good sense for instance, like in older regulations, public issue signs are only tied to elections. Mr. Marsh wanted to make sure they were not being too strict. Mr. Applegate said they were more truly in compliance with current law. Their sign regulations were done ten years ago and many communities have sign regulations that have not been changed for twenty-five years. Mr. Applegate said they were updated as well as they could be with current law.

There was nothing else for the open agenda.

4. Adjourn

Mr. O'Callaghan moved that the planning commission meeting be adjourned. Mr. Bruns seconded the motion. All concurred and the meeting was adjourned.