

Sign Regulation Committee – Summary of Meeting

Monday, April 6, 2009

Conference Room 1, Urban Government Center

Present:

Paul Whitty, Debbie Brent, Bob Rueff, Steven Ward, Paul Ackermann, Jo Bishop, and Donnie Blake.

Staff:

Christopher French, Debra Richards, Theresa Senninger and Chris Cestaro (notes)

Summary of the Meeting:

Items for discussion were handed out by staff prior to the beginning of the meeting.

Christopher French introduced the subjects of today's meeting, which are a review of the latest draft of the "sign" definition amendment; a continuation of the discussion of a proposed Sign Review Board; and a discussion of an historic/significant signage provision.

Latest Draft of the Proposed Sign Definition amendment

Mr. French briefly reviewed item #1 on the 4-page handout, which was proposed wording for the definition of a "sign".

He said that Charles Cash [not present at today's meeting] had given him a comment on this proposed definition, and which was as follows:

At the last meeting the Committee talked about striking out the words "provide direction, draw attention to, or advertise" and change that language to, "any display to public view of letters, devices, structures, fixtures, displays, emblems, pictures, placards or any parts or combinations thereof designed to identify, direct, announce or inform about any establishment, product, goods, place, activity, business or service." Mr. Cash suggested putting a period after the word "inform" and to not include the remainder of the sentence. Paul Whitty said this would address concerns about any "content" issue/s. Mr. French said he felt this was a good idea. There was no dissent or additional discussion from the Committee members.

Sign Review Board research – Continued Discussion

Mr. French said he had met with Theresa Senninger to discuss guidelines for a Sign Review Board. After further review, and after both had researched issues both in and outside of the Land Development Code, it was decided that this Board should be inside the Code.

Ms. Senninger elaborated on this decision. She said KRS 100 enables planning and zoning, and it lists permissible subjects to be regulated by these entities. One of them is that a local government that has zoning authority may regulate the size, location, and the placement of structures, fences, and signs. She said that, if sign regulation is taken outside of zoning regulations, it risks being stricken as impermissible according to KRS 100. She cited a fence ordinance enacted by a 6th-class city.

Mr. French said a Sign Review Board could be kept within the Land Development Code if it is structured as a joint subcommittee of BOZA and the Planning Commission. Makeup of the Board should include either a BOZA member or a Planning Commission member; a Planning staff member or a member of IPL; two sign-industry professionals; two community representatives not affiliated with the sign industry; and one non-sign-related design professional (an architect, landscape architect, engineer, etc.)

He explained why this Board should be a joint subcommittee of BOZA and the Planning Commission. The authority of the board would provide recommendations to BOZA or the Planning Commission, depending what the request is. The request would then be voted on by one of those two entities during their Business Session/s.

“Exceptional Signage” Guidelines

Mr. French reviewed the “Exceptional Signage” guidelines (referred to in the handout) including the examples of some sign guidelines.

Mr. Whitty asked some wording could be changed to say that the Board/Planning Commission would make “findings” to accompany the recommendations. He said this could clarify any procedural issues. Mr. French said the design guidelines would clarify for the Board/Planning Commission more of what kinds of standards should be met.

Ms. Senninger discussed some additional procedural issues.

Mr. Whitty said that “extra” procedures should be avoided. He said he felt that a unanimous decision from this Board would not be common, due to the amount of subjective criteria. Mr. French said that, if everyone on this Committee felt comfortable with the basic structure/setup of a Sign Review Board, the sign guidelines can be adjusted.

Mr. Whitty asked, if an applicant exceeded a limit or “cap” on certain criteria, would that trigger a need for a waiver. Mr. French said these are guidelines, not set regulations. Ms. Senninger explained more about how this would work and that the guidelines are flexible, depending on the circumstances.

Mr. Whitty asked about proposed guidelines F and H (pg. 3 of the handout.) Mr. French said those were chosen as examples that were used by other cities. He cited regulations from the Code that supported his reasons for including them.

In response to a question from a Committee member, Mr. French and Ms. Senninger discussed how Cornerstone 2020 is used during discretionary reviews of variances and waivers, and also how the Land Development Code is used. These guidelines give details about how to make the signage fit in more with the form district, the surrounding area, etc. and may also help a designer incorporate features into their design. He said he will categorize the present list and review it at the next Sign Regulation Committee meeting (April 20, 2009.)

Bob Rueff asked about what time of day this Sign Review Board would meet. Mr. French said that hasn't been determined yet.

Significant/Historical Signage

Mr. French briefly reviewed this item (see handout, pgs. 3 and 4.) He said this was something that had been brought to his attention by the Landmarks and overlay district committees. How to promote their re-use and/or preservation. Many of these signs are non-conforming. Unique design, character, and age were discussed as criteria for preservation.

Mr. Whitty suggested removing the language in paragraph “B” about “exudes a specific charm”. Mr. French suggested “the sign in question provides a historical interest in a specific period of time or a specific entity of the community.” He said also that the “uniquely designed” aspect should remain. (these were just suggestions; he said he would work on that and present an alternative at the next meeting.)

He discussed how Chapter 8 regulations would and would not apply to attached and free-standing historic signs.

In response to a question from a Committee member, Ms. Senninger discussed the possible makeup of the proposed Sign Review Board (who would be on the Board.) She described what variance and/or waiver requests would go before the Board.

Mr. Whitty said he was concerned about “F” and “H” in the guidelines. His concerns involved granting easements for viewsheds, and also a possible proliferation of signage.

Mr. French said he would have a draft of the proposed Chapter 8 amendment for the next meeting.

The next Sign Review Committee meeting is scheduled for **April 20, 2009**.

The meeting adjourned at approximately 1:55 p.m.