

**CITY OF ST CLAIR
PLANNING COMMISSION MEETING
WEDNESDAY, SEP 11, 2019 – 7:00 P.M.
ST CLAIR CITY HALL
547 N. CARNEY**

CALL TO ORDER: Chairman Terry Beier

ROLL CALL: Chairman	Terry Beier	Vice-Chair	Dan McCartney
Council Rep	Mike Laporte	Member	Nancy Beaudua
Member	Steve Grates	Member	Paul Wade
Member	Matthew Griffor		

ABSENT: Steve Grates

Dan McCartney made a motion to excuse Steve Grates. Supported by Nancy Beaudua. All in favor, none opposed.

AUDIENCE: None

APPROVAL OF AGENDA: *Nancy Beaudua made a motion to approve the Agenda. Supported by Dan McCartney. All in favor, none opposed.*

APPROVAL OF MINUTES: *Mike Laporte made a motion to approve the Minutes from the July 10, 2019 meeting. Supported by Nancy Beaudua. All in favor, none opposed.*

CORRESPONDENCE: *None*

PUBLIC HEARING: *None*

NEW BUSINESS: *Sign Regulations Ordinance
Section 6.4, Version 4*

OLD BUSINESS:

Terry Beier introduced Jim Bier from the Signing Commission. Jim is here to

review signing changes that are being recommended to the Sign Regulation Ordinance.

Jim Bier – Thank you for having me here. This year a decision was made by council to take a hard look at the sign ordinances and do a review by simplifying if possible. Clear up some of the redundancies and bring the Downtown district and the rest of the City together.

It has taken a lot of work but the process was fruitful. We had representation from the mall as well as having Steve Grates represent the business community. My goal tonight is to walk through the changes and if there are any questions, I will try to answer those questions. The next step after tonight, if you are satisfied with what we have so far. The changes will go to Jim Downy and he will legally vet all of the changes. If the Planning Committee agrees with the ordinance changes it will go onto council for approval of the changes.

It's a bigger change to the ordinance just by the volume of data changes that we had. Please refer to your handouts for the changes thus far and to Jim Downy's comments that he was responding to. He provided some additional language, which has been agreed to.

Dave Scurto has also had a change to review this document and has made his recommendations which were added into the document.

Muni will take it and format it to be the final version that will get published and put on line. After the formatting is complete, I will review it for content.

Jim Bier continued through various changes to the data.

Some of the changes address redundancy, typos, and phrasing. This updated ordinance is also taking into consideration cross referencing. You will now see this in all sections.

We found a need to define the language throughout the document so that people can understand the definitions of specific language. Keep it simple.

Dan McCartney – Going back to the banner sign when you reference back to 6.4.4, I think you mean 6.4.5.

Jim Bier – I will change that right now.

Jim continues going through the changes.

Mike Laporte – How does a common sign for the mall affect each store front sign?

Jim Bier – Not at all.

Dee Boulier – That was the other thing we tried to tell them. We told them that Riverview Plaza needs to come up with their own rules and regulations. Only for the simple fact that they are all 201 N. Riverside. Basically, each store in the mall has two street frontages which allows them two signs. By ordinance, each store is entitled to 36 sq. ft of signage on any road frontage. Even if they don't have a store on the road.

Jim Bier – We don't want this to be more restrictive to the mall and making special rules that apply to only one location. When one of our goals was to get away from that.

Paul Wade – The group impressed on them and that is one thing we have to follow through with. They need to clean up their signs and their regulations. The mall needs to have consistency regarding signage so that we don't end up with all the signs on M-29.

Mike Laporte – At one time they talked about multi-tenant signs at both ends of the mall. Is that something the mall would control? Or is that something we would control?

Dee Boulier – I would think that if they presented that to Planning it would be passed.

Paul Wade – The bigger multi-tenant signs need to be professionally designed and they need to come before Planning for approval.

Mike Laporte – So would you allow a sign at each end of the mall to tell you what is in it?

Paul Wade – Right now we are but they have to come up with an idea and then present it to us as a group.

Terry Beier – So to summarize what they can do. They can do multi-tenant signs at each end of the mall and two 6x6 signs.

Dee Boulier – No, you get one 36 sq. ft sign and then another sign at 50 percent.

Jim Bier – (quoting from the ordinance) Multi-tenant sign maximum one ground permitted with additional signs as determined necessary based on lot size and zoning. They would have to comply with all of the requirements of 6.4.2. and again, as approved in the Master Sign Plan.

Wind sail signage has been an ongoing issue. Should they be allowed or not?

Marion Schwehofer – I thought we had eliminated this even under a temporary sign.

Jim Bier – They are still allowed because they are not under the prohibited signs.

Dee Boulier – The way it is then they could be used as temporary signs?

Jim Bier – Yes, it falls under the control of temporary signs.

Terry Beier – How was that in the original ordinance?

Jim Bier – It was never addressed in the original ordinance and that is why the definition was added.

Terry Beier – What did the committee conclude? Are they recommending to allow them?

Dee Boulier – Not to allow them as permanent, may allow them as temporary

because it is only so many days. Now the “downtown” and “out of town” will have the same amount of days for display.

Jim Bier – Section 6.4.7d it states the number of days allowed. Which states 45 days per one-year period in increments of time from 3 – 15 consecutive days at a time.

Paul Wade – I think we agreed that it was one permit for the year and that they had to write on it when it was going to be used.

Dee Boulier – Tracking that is pretty easy. We use a zoning permit for the year and we will deduct how many days they have used it as well as how many days they have left.

Jim Bier – Which helps to clear up the use of wind sails.

Dan McCartney – So wind sails are allowed if they get a permit as a temporary sign?

Marion Schwehofer – I thought this is not permitted. I thought this was decided months ago. How do you now say it is a temporary sign?

Jim Bier – It is differentiated in the definition of temporary signs. By the nature of what a wind sail sign is it is a temporary sign.

Jim Bier continued through various changes to the data.

Terry Beier – Is it the intent to have all districts in the same compliance of the sign ordinance?

Paul Wade – We wanted to keep the intent for what we wanted for the Downtown District so we addressed that. That is why we are going through each one of these to make sure we didn't lose that and turn it into the regular ordinance.

Marion Schwehofer – One of the specific things we did on the temporary signs,

especially the wind sails and banners, was to make the number of days allowed consistent through the whole city.

Jim Bier – Regarding window signs, rope lighting, illuminated lights, if you are within 2' of the window it is still considered building signage. Flashing, rotating, moving or other light sources not permitted including motion, sequence, rope lighting, and animated window shades are prohibited unless specifically permitted after review and approval by the Planning Commission. We gave you case by case as opposed to giving this to the Zoning Board of Appeals. This gives you the authority to look at something that a business would bring to you that you would consider as tasteful and acceptable.

Dan McCartney – I am confused by this. Either it is going to be eliminated or it isn't. Now you are giving people an out.

Jim Bier – What we found is that changes in technology is changing so rapidly. And what is common use now will change in the future.

Dan McCartney – Right now certain things are prohibited unless they came in front of Planning and we approved it.

For those of you who have to go out and enforce this, how do you feel about it?

Marion Schwehofer – I don't think it should be up for the Planning Commission to decide. Everybody will think their signage should be approved. How can you decide it's ok for one and not for the other?

Dee Boulier – I think that there may be things coming down the road that will be more tasteful than rope lighting or LED. They would have to present a pretty good case to the Planning Commission to get something passed. The Planning Commission is going to want some kind of demonstration of the type of lighting they want to put in.

Jim Bier – And remember this language has not been changed. This is original to the ordinance.

Dan McCartney – That has been a problem with Dee’s department over the years because it isn’t firm yet. People still have an out. It isn’t a firm “this is prohibited”. It is prohibited except you may be able to get it through planning.

Jim Bier – In the ordinance, the way the paragraph is written the first sentence states that motion sequence, rope lighting and animated window shades is prohibited unless permitted after review. The second sentence states it is flat out prohibited.

We could just strike the “unless permitted after review” if you don’t want it there.

Marion Schwehofer – I would just say it should read prohibited. I think it needs to be consistent for everyone. If you keep in “unless permitted after review” you will have all of these cases and if you say yes to one you will have to say yes to the next one.

You have to constantly fight it. The committee says yes to one and no to another. You have to be consistent for the same thing.

Paul Wade – I agree. Maybe we ought to just strike it and eliminate it all together. I can see a situation arising with the mall. If one business comes in and gets approval then we will have all of the tenants coming in.

Dan McCartney – And as a Planner, how would you say no?

Marion Schwehofer – If something new comes down the pipe hopefully it will fall under some of these regulations. Electronic message boards were only allowed in certain areas but are now allowed.

Dan McCartney – I would like to make a motion to eliminate the verbiage “unless permitted after review and approval of the Planning Commission”.

Terry Beier – I think everyone is in agreement with the omission.

Jim Bier – We left the wind sails in here because the business community likes to use them. When we talked about eliminating signs, we spoke with the business

community. We left the wind sails in there because we put limits on them regarding the number of wind sails as well as spacing of them.

Terry Beier – For instance the Riverview Mall, how many could they have down there? At any given time, they could have several out there and that doesn't look good.

Mike Laporte – If you are a business owner you want the sign right in front of you. You don't want it 60 feet away.

Marion Schwehofer – Some where under wind sail signs it needs to state that it is only a temporary sign. It doesn't really spell that out.

Jim Bier – I can add "a wind sail is considered a temporary sign" under the definition of a temporary sign.

Terry Beier – In the case of the mall, can they line all of the wind sails at one end of the mall? It is only one address.

Jim Bier – We have stipulated 60 feet on center elsewhere in the ordinance.

Paul Wade – This is why we need to follow-up with the mall association to make sure they get their part of the act together. All of the sudden you have wind sail signs everywhere. The mall has to regulate this, our job is to prod them along and then review what they have.

Dan McCartney – I suppose the car dealerships are using these and wanting these.

Dee Boulier – The car dealerships have 180 days on the signage. They can use the banner signs because of what the Manufacturers tell the dealerships they have to display and abide by so they need a little more flexibility.

Dan McCartney – So the car dealerships are treated different?

Dee Boulier – The car dealerships have a variance on certain types of signage.

Paul Wade – Part of the deal with the car dealerships is that we have two in town and one just outside of town and they all compete. We didn't want to restrict the competition.

Jim Bier continued through various changes to the data.

Terry Beier – Do you think the mall will come up with a Master Sign Plan?

Jim Bier – They are very encouraged by all of the changes going on in town. They recognize that they need to represent themselves in a clear and consistent way. They recognize that there are real problems if they don't self-control what kind of signage is going to get put out on M-29. They know it has to be done by a professional. Does that mean they are going to come back with a plan? I would love to see it but I don't know.

Terry Beier – So those businesses can continue on as they have been doing?

Paul Wade – The mall has said it could be a few years before they have the money to build the large professional signs. That kind of money is not in their budget right now. The other thing that got them talking was when the gates go in, they will not have access to M-29 any longer so the two big signs would help.

Jim Bier continued through various changes to the data.

Jim Bier – Political sign changes. The week we took a look at this was the week of the mileage vote and a couple of committee members were unhappy with seeing 15, 20 or more signs in a person's yard. We wanted to restrict the number of signs so that is where we came up with (1) one per candidate or issue.

Matthew Griffor – I have a question on construction signs. If I have construction going on at my house and all of my contractors want to put signs out. Can they all put their own separate signs out?

Dee Boulier – I would say yes, provided they have permits. Once the job is done and finalized out the signs have to come down. Also make sure the signs are not in the right of way.

Jim Bier – Construction signs, section 6.5.5. In residential districts, 6 sq. ft, 15' from the curb. In non-residential 18 sq. ft, 15' back from the curb. In no case located in the right of way. Display period only during the period of actual construction. In no case shall it be permitted for more than 180 days without the approval of the Building Official.

Marion Schwehofer – We have a drywaller who puts up signs everywhere even when he isn't doing any work. He puts them in his friends' yards. So, we let him go for a while then we send out a friendly letter saying if your job is complete can you please take that sign down? Eventually, if they are not taken down, I just take them down myself.

Dan McCartney – On the real estate signs with a signal post or even the horizontal posts on occasion we see them hanging over the sidewalks. I don't see anything in here on those.

Dee Boulier – If they are hanging over the sidewalk they are in the right of way and are not permitted.

Jim Bier – It does say the setback is 15' from the nearest curb in residential districts. In non-residential it states 15' back from the curb or the future curb. This is original to the ordinance and has not been changed.

Dee Boulier – On real estate signs. When an agent has an open house, they place signs on corners at each end of the street advertising the open house. It probably isn't allowed.

Mike Laporte – I have had people stop in and ask if they can put a sign up in front of my business and I tell them no because it is a public right of way and it isn't allowed.

Jim Bier – The ordinance states they are supposed to get permission from the property owner and they are not supposed to be in the right of way.

Terry we are running into the same problem we found in our committee meetings. That's the amount of time we spend going through all of this stuff and

then it becomes meaningless after a certain amount of time. If you want to continue going through this in this amount of detail do you want to plow through or do you want to pick this up at a different time?

Dan McCartney – I want to say your committee has done a great job. Planning went three (3) years doing this stuff and it is time consuming. I commend you people for getting this done.

Terry Beier – Is there anything in section 6 that we need to go over? Let's wrap that section up tonight.

Jim Bier – Banner signs. Regarding cross street banners, Annette is asking for 8 weeks total, not to be erected more than 28 days. This is specific to cross street banners.

Sign committee looked at the previous language of 30 days, changed it to 21 days to be more consistent with some of the other things we were doing.

Dee Boulier – There was talk of erecting poles specific for the cross-street banners. We talked about the poles having a pulley system so we wouldn't need a boom truck. All signs would have to be the same size.

Terry Beier – Jim can you find out what Annette's thinking is on this?

Dee Boulier/Mike Laporte – Agree that this should be in here. If it is possible that they could come back just leave it in the ordinance.

Jim Bier – I will follow-up with Annette to get more clarity.

It was agreed to table discussion until the October or November Planning Commission meeting.

Dan McCartney made a motion to adjourn. Seconded by Mike Laporte. All in favor, none opposed.

Meeting adjourned at 9:20 p.m.