

City Council Workshop
January 11, 2017

ATTENDEES:

City Council

Ray Bagshaw, Mayor
John Dowless, Council President
Lee Chotas, Council Member
Susan Fortini, Council Member

Absent

Neil Powell, DDS, Council Member
Pam Henley, Council Member

Staff:

Bea L. Meeks, City Clerk
Chris Francisco, Police Chief
Drew Smith, City Attorney
Ellen Hardgrove, Planner

Council President Dowless called the Edgewood City Council sign code workshop to order at 6:30 p.m. He dispensed with meeting formalities. Council President Dowless explained the format of the meeting; noting that no formal vote is taken in a workshop.

City Clerk Meeks announced that Council Members Powell and Henley contacted her and advised they were unavailable to attend the workshop.

Council President Dowless announced that Council would be doing their review by Code Sections and taking comments as they go through each Section.

1. PREAMBLE – Pages 1 thru 9

No comments

2. DEFINITIONS - Pages 10 -14

Ann Freeland, Universal Property Manager, questioned the definition for abandoned signs and the time allotted for removal after a business closes. She said sometimes there are legal matters occurring that delay the removal of a sign within the Code's prescribed time. Ms. Freeland asked if language could be added to address her concern. City Attorney Smith said language can be added to address this concern.

John Moccio provided Council with a copy of the proposed sign code Ordinance that contained inserts noting his comments/questions. Mr. Moccio confirmed that the notes provided came from various business owners in Edgewood.

Mr. Moccio referenced Line 331 of the Ordinance (copy/paste from Mr. Moccio's marked up Ordinance), and explained the inserted comments.

The purpose of this Chapter is to promote the public health, safety and general welfare through reasonable, consistent and non-discriminatory (Line 331 .Appears to be discriminatory and matter of subjective opinion not shared by the business community for the most part) sign regulations. No part of these regulations shall be construed to favor commercial speech over non-commercial speech, nor restrict speech on the basis of content, viewpoint or message. Also, these sign regulations reduce signage conflicts, promote traffic and pedestrian (Line 334 Monument signs hinder traffic safety depending on placement since they block the view of oncoming traffic until you pull out far enough which by that point you may have hit a bicyclist etc) safety and increase the aesthetic value and economic viability of the City by classifying and regulating the location, size, type and number of signs and related matters in a content-neutral manner.

3. PERMIT APPLICATIONS- Pages 14-20

Discussion was held regarding the conflict with an 8 foot sign and the hedge. Planner Hardgrove said a monument sign can be 8 feet in height, and you are allowed up to 3 feet in height of hedges. She confirmed for Council Member Chotas that the Code does provide for the hedge and currently it is only required if there is space between the monument sign and the ground. It was agreed to further discuss the height requirement.

Julia Testor, Artistic School of Cosmetology, questioned the use of beacon lights. Mayor Bagshaw said the Code does allow for a 30 day permit twice a year for the use of border lighting.

John Moccio suggested that since a lot of businesses have border lighting, the City may want to consider certain times of the year as “light up edgewood”. The Mayor said the concern is that people will not remove the lighting at the close of the event.

Brief discussion was held regarding waiving the review fee. No decision was made.

Referencing Moccio’s Notes at Line 826 – 831 (copy/paste from Mr. Moccio’s marked up Ordinance):

G. Window signs that do not exceed twenty percent of the area of any window. In no case shall the cumulative area of all window signs on any façade exceed thirty-six square feet. (Line 814-816- 20% of window area per tenant with a max of 36 sq ft is unreasonable and hard to enforce without selective enforcement. Should be 40 to 50% of window area per tenant with no restriction or some tenants in large multitenant facilities will not be allowed any window signs due to the 36 sq feet being used up by other tenants and leaves Edgewood up for selective enforcement lawsuits and difficult measuring square footage which will be a code enforcement officer nightmare.)

City Attorney Smith said that he and Planner Hardgrove have talked about window signs, as it relates to “per tenant”. Mayor Bagshaw addressed the 20% window coverage and said that coverage is not only a clutter issue, it’s also a safety issue.

Planner Hardgrove questioned the requirement of having a certified boundary survey. City Attorney Smith said the City removed certified architectural survey. He said Line 595 of the draft Ordinance covers the requirements of a site plan survey.

David Melson, 63 Drennen Road, owner of Sign Express, addressed window signage. City Attorney Smith confirmed that it is a sign if it can be seen from the window.

Resident Chris Rader, Planning & Zoning Board member, said if removing clutter is a goal of the City then it needs to be addressed. He said he is not in favor of increasing signage beyond 20%, and 36 sq.ft. is too large of an area. He said the signage should not exceed 25% of windows accumulatively.

Lance Gagner expressed his concerns about total area of all his windows at his business site. City Attorney Smith explained how Mr. Gagner can allocate how much window area to use. Chris Rader said that what he proposed would provide more flexibility. The City Attorney explained that anything within where there is a gap in a window and the display would not be a sign. Chris Rader objected and explained why. City Attorney Smith said he can draft the alternative language.

4. PROHIBITIVE SIGNS AND STANDARDS – Pages 21 – 22

John Moccio referenced Lines beginning at Line 878 (copy/paste from Mr. Moccio's marked up Ordinance):

5. The light which illuminates a sign shall be shaded, shielded, or directed so that no structure, including sign supports or awnings, are illuminated by such lighting. (Line 863 what about externally lighted signs . floodlight spotlight)

Mr. Moccio said this reads as if you cannot shine a light if it shines on a pole. Council Member Fortini said the intent is that the light is on the sign and not the property. Mayor Bagshaw said he would be concerned if the light was a spillover into the roadway and became a traffic hazard.

Mr. Moccio referenced the difference in some awnings and asked how the 20% is measured. He said the code is not clear about the copy area. City Attorney Smith said that he and Planner Hardgrove discussed this and said the Planner suggested a maximum of 16 sq. ft of signage on the awning. Council Member Fortini said the Code does not address illuminated awnings and it should be addressed. Council President Dowless said the measurement on the awning should be scaleable but still thinks it should be included in the total sign allowance.

Le Coq Au Vin owner Reimund Pitz, questioned the use of his sign, which is a pole sign. Planner Hardgrove said that his sign is non-conforming. City Attorney Smith confirmed that the pole sign is not grandfathered in.

Richard Fawcett, 234 Prescott Drive, thanked Council for their service. Mr. Fawcett said he feels that litigation will occur because of the requirement to remove pole signs. He said it is not right that property owners have to remove the pole signs. Mr. Fawcett expressed his concerns about the lack of landscaping and irrigation in the City.

Richard Brinkman, Brinkman Accounting, suggested changing pole signs to architectural pole signs. It was the consensus of Council that the City Attorney and City Planner find some objective changes to Pole Sign. City Attorney Smith said that bare metal poles seem to be more the problem than the height of the pole.

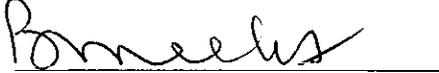
Attorney John Stemberger (Office located in Edgewood), stated his appreciation of Council. He suggested a community re-beautification campaign. Attorney Stemberger said he is willing to serve on that committee.

Donald Dawson, 616 Viscaya Avenue, asked Council if there are any signs on Orange Avenue that are too tall. Planner Hardgrove said the East-West pole sign.

Mayor Bagshaw confirmed for Council that the City Attorney will make changes to the draft Ordinance, per their discussion. It was agreed to “pick up” at the next workshop where this workshop ended. City Clerk Meeks asked to schedule the next workshop in their January 17, 2017 City Council meeting, when calendars are available to everyone.

Having no further business or discussion, the workshop adjourned at 8:41 p.m.


John Dowless
Council President


Bea L. Meeks, MMC, CPM, CBTO
City Clerk

Approved in 2/21/2017 City Council Meeting