

CENTERVILLE PLANNING COMMISSION  
Work Session  
Tuesday, November 25, 2008

Mr. Clark the meeting to order at 7:30 P.M.

Attendance: Mr. Paul Clark, Chair; Mr. Jim Brunner; Mr. Jim Durham; Mr. John Palcher; Mr. Jim Briggs, Mr. Jeff Gammell. Absent: Mr. Mark Leonard. Also present: Mr. Steve Feverston, City Planner; Mr. Ryan Lee, Planner; Mr. Scott Liberman, City Attorney.

Mr. Feverston stated a draft amendment to recent court rulings in regard to the number of political signs on properties. The current ordinance allows 1 sign posted 30 days prior to election day and removal 3 days after. Those standards are now considered unconstitutional. We are now trying to make our standards comply with the rules as well as follow the desire of Council. The courts have ruled you cannot discriminate against temporary, noncommercial signs which include political signs.

Mr. Durham asked if we are experiencing a problem with noncommercial signs.

Mr. Liberman stated the problem is primarily with political signs.

Mr. Durham stated you can restrict the size and time of display, however, if it is challenged the City would lose. He stated he was not comfortable in adopting something that will not be enforceable. He asked what Council would like to see in the way of restrictions.

Mr. Feverston stated we can no longer regulate time. Cities may regulate sign size, height and setback standards.

Mr. Liberman stated another concern of Council is human signage. Council definitely does not want human signage along the streets or in the public right-of-way within the City.

Mr. Durham stated even though the difference between commercial and noncommercial uses exists, the problem is how to define them to make enforcement constitutional.

Mr. Feverston stated the other issue Council is considering is to allow lead-in real estate signs during Sunday open house hours. He stated realtors have addressed Council to relax the standards based on the current low sales in the real estate market.

Mr. Durham agreed the standards should be maintained to prohibit signs in the public right-of-way. He stated the scope of the consequences should be discussed in broad conceptual terms.

Mr. Gammell suggested defining anything that is not temporary in terms of standards of permanent signs.

Mr. Feverston stated Council desires to regulate temporary signs in the manner that they are currently regulated.

Mr. Liberman recommend we review the Painesville, Ohio case and see how we can incorporate it into our standards.

The members suggested Mr. Liberman and Mr. Feverston review what could be adopted and would be enforceable citing the Painesville case.

Mr. Clark asked what would be the easiest ordinance to enforce.

Mr. Liberman and Mr. Feverston stated using the Painesville decision would be the easiest, however, we would lose a lot of regulations in terms of human signs among others if we use it.

There being no further discussion, the meeting was adjourned.

*Paul Clark*