

CENTERVILLE PLANNING COMMISSION  
WORK SESSION  
Tuesday, May 4, 1982

Mr. Tate called the work session to order at 7:30 p.m.

Attendance: Mr. Elmer C. Tate, Jr., Mr. Dallas Horvath, Col. Stanley Morrow, Mr. Bernard Samples, Mr. Robert Chappell, Mrs. Marian Simmons.  
Absent: Mr. Brian Bergsten. Also present: Mr. Alan C. Schwab, City Planner.

Mr. Tate stated that he had been invited to be on the committee to find a use for the two schools to be closed, Hithergreen and Village South. He stated that he would appreciate any ideas that the Planning Commission might have for the use of these two buildings.

Sign Ordinance Draft Review

Mr. Tate stated that the purpose of a sign is to find a particular business. He stated that he doesn't believe in a little sign that is stuck back some place where you cannot see it.

Mr. Horvath stated that is why he thinks the formula that has been used is very equal and proportionately correct. He stated you can adjust the distance of setback by using the variance method.

Mr. Schwab stated that a formula that he incorporated into the section regarding the Architectural Preservation District provides for the circumstances in which the sign will be seen. He stated that you need a sign that will index the property as you approach it as well as a sign on the building itself so you can identify the sign with the building. There has to be a certain threshold by which a sign has to be sizewise in order to be seen. Then there is a point where making it larger is nothing other than a competitive thing between properties. He stated he does not necessarily agree with limiting the height of signs to a maximum of 6 feet, although that is Council's desire. He stated that if this is incorporated into the Sign Ordinance, we will be creating virtually all legal-nonconforming signs throughout Centerville.

Mr. Tate suggested that perhaps since there is a maximum sign area permitted, there should possibly be a minimum size requirement.

The Planning Commission reviewed the draft of the Sign Ordinance page by page.

Page 1. A. Purpose; 1. Primary Objectives: b.

Mr. Samples stated that he did not agree with the entire paragraph. He stated that it would be more acceptable to limit it to read:

b. To establish sign limitations which allow a reasonable capability for advertisement, but which prevents the escalation of sign competition.

Mr. Horvath asked if there is a provision regarding billboards.

Mr. Schwab stated that the Supreme Court has recently many cases against billboards. It is the opinion of the Court that it is an encroachment on the freedom of speech to regulate the messages placed on a sign. He stated if an off-premise sign is limited in size, it will be restrictive. This seems to be the best way to handle the situation.

It was the determination of Planning Commission that the 6 feet maximum height of a ground sign is unreasonable specifically with a 25 foot setback requirement.

Mr. Horvath stated that the current procedure to apply for a variance seems to work quite well, since the checklist makes it clearcut.

Mr. Schwab pointed out that the proposed setback is 25 feet from the right-of-way or one half the distance from the building to the right-of-way whichever is less.

Page 5. 4. Wall Signs; e.

The members of Planning Commission agreed that the formula that has been used in the past to measure sign area allowed has been effective. Using the K-Mart facility as an example, they stated if the wall sign is limited to a maximum of 120 sq. ft., it will encourage businesses to construct freestanding signs also. Using the formula, it gives the applicant the flexibility to use the permitted sign area in any fashion they wish utilizing up to 50 sq. ft. total for a ground sign.

Page 6. Identification Signs For: b. Non-Residential Uses.

Needs clarification.

Page 7. Temporary Signs. Needs clarification.

Page 7. Political Signs.

Mrs. Simmons stated that she feels that the requirements are too steep. She stated in the event of a countywide issue, if all jurisdictions would pass an ordinance of this type, it would require coming up with more extensive funds in order to campaign.

Mr. Horvath stated that the money is refundable.

Mrs. Simmons stated that the same people who take signs down could put them back up again and you would lose your money.

Mr. Tate asked if Mrs. Simmons had an alternative proposal.

Mrs. Simmons stated that it is hard enough to run now for office and if we want only the rich to run, we will succeed by using these requirements.

Mr. Schwab pointed out that legally if you allow political signs in the right-of-way without restriction, someone could question why you do not allow billboards to advertise in the public right-of-way. This was considered discrimination in some court cases.

Mr. Tate asked if Council had requested some provisions for political signs.

Mr. Schwab stated that was correct. Originally, a \$25 deposit was considered; however, it was Council's feeling that \$100 would be more of a financial incentive for taking the signs down.

Mrs. Simmons stated that they could be billed after a reasonable length of time if the signs are not removed; however, it is very likely that a sign could be missed and they they are charged \$100. She stated that this is just absurd.

Mr. Schwab stated that it comes back to how can you tell candidates that they can advertise in the right-of-way but a business cannot.

After further discussion, the Planning Commission decided that political signs should not require a sign permit and should not require a deposit. The proposed time period of placement 60 days prior and removal 10 days after the election is reasonable, as well as being permitted in the right-of-way. Also signs not removed after 10 days shall be removed by the City and a bill should be sent to reimburse the expenses thereby incurred.

Page 10. Garage Sale Signs.

Mr. Horvath stated that it is too restrictive to have the signs removed at the end of the day. He suggested that it be removed at the end of the last day of the sale.

Mr. Tate stated that it might be better to place garage sale signs under the General Provisions and then exempt them from the requirement of getting a permit.

Mr. Schwab suggested that a time period should be incorporated under Exempted Signs - 12. Temporary Signs.

Mr. Tate stated that they would review this draft ordinance at the regular meeting on May 25, 1982, and sent their comments to Council for their review.

There being no further business, the meeting was adjourned.

5/25/82  
*Elmer Tate*

