



CITY OF DELAWARE CITY
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**MINUTES
REGULAR MEETING OF THE PLANNING COMMISSION
CITY OF DELAWARE CITY
APRIL 4, 2016**

CALL TO ORDER

Commissioner Dilliplane called to order the regular meeting of the Planning Commission (PC) at 7:00 p.m. Those present included Commissioners Snow, Hendry, Dilliplane, Renoll, and Williams. City Manager Cathcart was also in attendance.

ACTION ON THE PREVIOUS MINUTES

Commissioner Williams made a motion to accept the minutes of the March 7, 2016 Planning Commission meeting as written. Commissioner Snow seconded the motion. There was no discussion. A vote was taken, all ayes, motion carried.

NEW SIGN ORDINANCE – PUBLIC INPUT

Commissioner Dilliplane explained that last month the Planning Commission was asked to pass motions on the sign ordinance, in order to have the Delaware City Code comply with the U. S. Supreme Court ruling on signs. He said that the Planning Commission was asked to look at other possible amendments. Therefore, there will be a public hearing at this meeting and at next month's meeting, as well. After getting input from the public and discussing it, the Planning Commission may make recommendations to the Mayor and Council for further amendments.

Kerry Rhoades, 124 Clinton Street, asked if he understood the ordinance correctly when it stated that all signs attached to buildings must be flat against the building and not sticking out from the building. City Manager Cathcart said that was the way the current code read. Mr. Rhoades said he would like to see that changed. He also asked what constituted a sign. Commissioner Dilliplane explained the process the Planning Commission followed in the past when reviewing the sign ordinance.

City Manager Cathcart explained that if the Council passes the sign ordinance as drafted and recommended by the Planning Commission, the City of Delaware City would be in compliance with the Supreme Court ruling. He explained that at the last Mayor and Council meeting, the sign ordinance was Introduced and read in for the First Reading. Adoption or rejection will take place at the next Mayor and Council meeting.

City Manager Cathcart explained about the controversy that occurred regarding a sign, on residential property located on Fifth Street, directing people to Kathy's Crab House. As a result of this, it appeared that there were a number of people who wanted to revisit the sign ordinance. He said there seems to be a misunderstanding about what a directional sign is. He said he thinks, at the least, the Planning Commission should clarify the definition of a directional sign. Discussion followed.

Kerry Rhoades, 124 Clinton Street, asked if there were issues about signs at this time. City Manager Cathcart said there are numerous issues: complaints about the banner ordinance, digital signs that were grandfathered in, and the vague definitions. Discussion followed regarding the nature of the complaints and the appeal process.

City Manager Cathcart recommended that the Planning Commission make amendments to the ordinance to include a section of definitions. Commissioner Dilliplane requested a copy of the revised City Code after the ordinance has been adopted, in order to see the actual wording. He also asked to have the notice of the May Planning Commission meeting and Public Hearing posted in the City News. The City Manager said that could be done if there is another City News sent prior to the next meeting. Discussion followed regarding enforcement and the possibility of a town wide business sign. City Manager Cathcart said it would be preferable to have sign violations addressed by the Code Enforcement Officer, following a specific time line.

Kerry Rhoades, 124 Clinton Street, asked if the City's message board at the ball field was legal. City Manager Cathcart said it was. Mr. Rhoades then asked about flags attached to the front of businesses. Discussion occurred regarding flags and portable signs. Discussion also occurred regarding homemade signs versus professionally made signs. Mr. Rhoades asked if the crab he made for Crabby Dick's deck was considered a sign or a work of art. Discussion followed.

Bob Malinowski, 304 Bayard Street, said he thinks this amendment, as written, would allow for proliferation of signs in all the residential districts. He said in the preamble, it states, on line three, that the amendment is supposed to enhance the aesthetic appeal of the City. He asked how the proliferation of temporary and portable signs would enhance the aesthetic appeal of the City. He said he has a problem with definitions and with opening the residential districts to portable/temporary signs. Discussion followed.

Kerry Rhoades, 124 Clinton Street, said he doesn't think there has been a problem with signs in town. He said he would like to keep it as general as possible and not too specific. He said he doesn't think there are really any issues.

Bob Malinowski, 304 Bayard Street, said there were Council Members trying to resolve the issue of Kathy's Crab House sign, and it probably could have been resolved without all this, until the Supreme Court ruling came down. He said that changed everything.

Discussion occurred among the Planning Commissioners. City Manager Cathcart said he plans to have City Solicitor Walton present at the June Planning Commission meeting. He would help guide the Commissioners in order to insure there are no violations of the Supreme Court ruling. Commissioner Dilliplane said this may not be concluded in June as additional work may need to be done at the July meeting. City Manager Cathcart said the City Solicitor could be present at that meeting, if needed.

ADJOURNMENT

Commissioner Snow made a motion to adjourn the meeting. Commissioner Hendry seconded the motion. A vote was taken, all ayes. Meeting adjourned at 7:41 pm.

Respectfully submitted,

Dawn K. Gwynn

City Secretary