

Greenfield Advisory Plan Commission
May 10, 2010

The Greenfield Advisory Plan Commission was called to order by President Steve Cooper at 7:00 p.m.

Present:

Steve Cooper	Jill Carr	Nick Kile	Mike Fruth
Becky Riley	Digby Terry-Absent	Greg Carwein	Carl Graham
Paulette Richardson - Absent			

Also present:

Gregg Morelock, Attorney
Joan Fitzwater, Zoning Administrator
Terri Sharrer, Secretary

First on the agenda was approval of the minutes from the April 12, 2010 regular meeting. Motion was made for approval by Ms. Riley and seconded by Mr. Carwein. Motion carried.

Mr. Cooper announced that Terri Sharrer was resigning her position with the City and thanked her for her service.

Mr. Cooper stated the Other Business listed on the amended agenda regarding the Elanco sign would be discussed first. Ms. Fitzwater presented Elanco's request for an additional sign they want to put on building B for their grand opening on May 27th. They realized that their business sign cannot be seen from State Road 9. Ms. Fitzwater stated they fall under two requirements for an amendment. They have a sign package for a business park which requires them to appear before the plan commission for any changes. Also they have a lot with four buildings on it and they exceed the specified requirements of the sign ordinance of 300 sq. ft. minimum and a minimum of three signs. They will be asking for an amendment to their sign package to allow an additional sign of 129.5 sq. ft on the angled southeast elevation of the middle building that looks just like their other sign and will allow them to be seen from State Road 9. They are asking for a waiver to allow the sign permit to be issued under the condition that if the petition or modification is not approved on June 14th, they will remove the sign. Mr. Morelock stated that this will be a conditional permit. Mr. Morelock stated the motion should be to grant the waiver upon the hearing of the application on June 14th subject to the condition if not approved, it will be removed. Mr. Cooper made the motion and Mr. Carwein seconded. Upon a vote, it was unanimously approved.

New Business:

The next item on the agenda was the Consideration of Revisions to Chapter 155.065 of the Greenfield Code of Ordinances, Signs. Ms. Fitzwater presented the proposed agenda for the next four sign workshop meetings. She thanked all of the people on the sign committee who participated in the writing of the proposed revisions. Ms. Fitzwater stated that when she started in her position, Mayor DeReamer asked her to re-write the sign ordinance to level the playing field and make it fairer for business owners. She stated one of the biggest changes to the proposed sign ordinance to meet that goal was to add regulations on legal non-conforming signs and to make them more definitive. The committee also changed the number and size of signs allowed to be based on the size of the building first floor elevation and on the street frontage rather than using a one size fits all maximum of 3 signs and 300 sq feet per site. The first thing that happened in the process was the mayor had meetings with business owners to understand what their issues were with the city and how the city could be helpful to them. Next was a community survey regarding various sign topics that put on the web site and also distributed through the chamber of commerce to get feedback from citizens. Ms. Fitzwater then gave a Power Point presentation with graphs showing the results of the survey. Comments were read from the various survey respondents. She then read section C, General Limitations, Section J, Prohibited Signs, and Section K, Legal Non-Conforming from the proposed sign ordinance and discussed the proposed changes. She stated the principal changes included undoing the changes made in 2008 – they did this by deleting some definitions that were in place to gain attrition of pole signs. The word alter was removed. The definition for a damaged sign was amended. Definitions for “sign” and “sign structure” were added. Ms. Fitzwater stated that perhaps partially obsolete signs still needed to be addressed in the proposed ordinance. The definition for obsolete signs was deleted and replaced with a definition of unused and abandoned signs. A definition of legal non-conforming signs was added as well as an entire section on these type signs. Ms. Fitzwater then discussed the items that were added or changed in this section. She stated there is a new section on how to

calculate signs and that graphics will be added to help clarify that process. She thanked Greg Carwein for reminding her that the committee borrowed from many different ordinances of towns and cities to help re-write the sign ordinance. Ms. Fitzwater stated that they wanted to make sure the ordinance is very specific as to the type of prohibited signs they don't want to see in the city. A section was added to allow electronic variable message signs including making sure there is no illusion of movement, or interference with traffic safety. Some issues were just strengthened to be clearer and more defined. A line was added about immoral or indecent signs being prohibited. Ms. Fitzwater asked for comments from the board. Ms. Riley asked what defines obscene or immoral. Mr. Morelock said that just making that statement would be a deterrent. Each sign would be dealt with on a case by case basis. Ms. Fitzwater said that the committee felt the issue had to be addressed in the ordinance but felt they could not really list all it would include. Mayor DeReamer came before the board. He stated that the Veterans Memorial Park was now dedicated, and was able to be built because businesses were allowed to put their name on the monuments in there. After reading the ordinance, the whole park is illegal, because of the prohibition on bench signs and the sponsorship signs on the various structures. Mr. Morelock stated that it is on private property, but it was pointed out that the City owns the property the Park is located on. Mayor DeReamer stated he does not want two years of excellent work to be lost or have someone sue the city. Mr. Carwein asked Mr. Morelock since the benches, walls, etc with the contributors names on them are inside the facility, how is that classified? Mr. Morelock stated that it is a matter of defining what is private property and then it becomes a matter of is it advertising or is it recognizing or acknowledging a donation? Mayor DeReamer stated that each monument does have the name of the business but it does not tell a location. He stated that he would like the attorneys to agree that the proposed sign ordinance would not apply to Veteran's Park. Mr. Carwein stated that he believes it not to be advertising but recognizing sponsorship or donations. Mr. Fruth asked if the definition of a sign includes being able to see it from a public street. Ms. Fitzwater then read the definition of a sign as defined in the ordinance. Mr. Carwein asked if a business has a sign on the back door for deliveries, etc., is that considered a sign if no one sees it? He stated that a lot of old towns have signs on the back of buildings in alleys so that people can identify where the business is mainly for delivery purposes. Mr. Kile stated that if it is visible from an alley, it is visible from a public way thus it is considered a sign. A discussion then occurred about the difference between a directional sign helping people locate a business and an advertising sign. The ball fields at the school were then brought up as a place where advertising signs are put up but are not always visible from the street. It was stated these signs could also be considered sponsorship signs. Ms. Fitzwater stated that there appears to be a need to address signs for sponsorship of community activities which would include Veteran's Park and ball fields at the schools. Mr. Fruth stated that there comes a point where a sign cannot be regulated. It was agreed if it is not visible from a public way, it should not be regulated because you can't see it. Ms. Fitzwater asked what about the incidental directional signs, for example, ones pointing the way to the McDonald's drive up that cannot be seen from the road. Mr. Kile stated that he thinks Mr. Fruth has a good point. A sign code is created to deal with signs that are visible from a public right of way and if it is not visible from a public right of way, why should the plan commission care? Mr. Morelock stated that the sign committee will look at these issues. There were no other questions or comments at this time.

Ms. Fitzwater gave the administrative report.

There being no other business to discuss, a motion to adjourn was made by Mr. Kile and seconded by Mr. Fruth.

Respectfully submitted,
Terri Sharrer
Secretary