

DeFuniak Springs City Council

Workshop

September 21, 2009

The DeFuniak Springs City Council met in Workshop Session at 5:30 PM with the following members present: Mayor C. Harold Carpenter; City Council Members: Don Harrison, James Coffield, Henry Ennis, Wayne Graham; City Manager Kim Kirby, and Deputy Clerk Vanessa Mitchell. Mayor Pro-Tem James Huffman, City Attorney Clayton Adkinson, Finance Director Sara Bowers, and City Clerk Susie Campbell-Work were absent.

Mayor Carpenter called the meeting to order and announced the topic of discussion would be the sign ordinance.

Mayor Carpenter asked Art Dees who chaired the committee that was formed to review the ordinance with staff to come forward with any concerns. Art Dees discussed how the committee was formed and thanked staff for including them in the process and inviting their input. He gave comments on the overall sign Ordinance and said the committee would rather see the Council adopt guidelines rather than make it law. Mr. Dees encouraged the Council to consider the needs, concerns of the business community.

Greg Scoville thanked Mr. Dees, Mr. Lathinghouse and Mr. Bradshaw for their part on the committee and taking their time to offer their input. Mr. Scoville said what they tried to do is take the laws already in place and improve those regulations and to modernize and strengthen the Ordinance to protect its constitutionality. Mr. Scoville said the City has guidelines; the Comprehensive Plan. Mr. Scoville presented the Ordinance but said there is still room for debate. Mr. Scoville discussed the preamble to the Ordinance and said he only had the one copy tonight but it was available if anyone wanted to view it. Mr. Scoville gave an overview of major changes to the Ordinance. He said they added a definitions section, included an additional sign area in the C-1 district, allowed free speech substitution for commercial speech for on-premise signs, allowed for multiple ground signs, provided for multiple tenants, provided for LED type signs, simplified the banner permit process and clarified that you can have banners, balloons, and other types of temporary signs, simplified the rules and calculations for the C-1, C-2 and I districts, liberalized the non-conforming provisions of the Code relative to signs, provided for exemptions of permits, and provided for an exemption of a permit required to change the copy of a sign. Mr. Scoville said they generally tried to loosen up some sections of the Ordinance. Where the Ordinance tightens up are: on-premise signs in the C-2 commercial general district reducing the maximum of 1,000 sq. ft to a maximum of 500 sq. ft., for the off and on premise signs reducing the current 40 ft. in height to a maximum of 20 ft., and for the off premise sign area a reduction from 200 sq. ft. to 100 sq. ft. except in the I-10 corridor. Mr. Scoville then discussed each section and the changes and clarifications in each.

During Section 17.05 discussion, Mr. Harrison said Mr. Scoville had previously said there are also DOT regulations regarding the I-10 corridor and asked him to expand on that. Mr. Scoville said that DOT requires permits for signs within 660 ft. within the right of way of Interstates and along any federal aid highway. He discussed their process further and said our regulations are more restrictive than theirs. Mr. Harrison also commented on the LED Technology signs saying it is an expensive sign but as the technology and signs get cheaper, and we see more and more of these types of signs, this may need to be revisited. Mr. Harrison also touched on the dwell time of fifteen minutes and being receptive to discussion on that but the main thing is to not distract drivers by flashing lights. Mayor Carpenter said it seemed excessive to him.

During Section 17.07 and 17.08 discussion, Mr. Scoville pointed out some provisions had been omitted unintentionally but will be put back in. Mr. Scoville described the omissions. Mr. Harrison asked Mr. Scoville to discuss directional signs and how those would work, who would be responsible for them; the City or the businesses. Mr. Scoville responded that they provided for those types of signs but the details had not been worked

out. Mr. Ennis asked about Comfort Inn on Coy Burgess, Mr. Scoville addressed his question.

During Section 17.10 discussion, Mr. Scoville said directional signs were provided for in regards to use on public property which allows the City to put up directional signs if they chose to do so. Mr. Harrison discussed the benefits of directional signs, such as there are less curb cuts on highways. He also discussed using directional signs for ingress and egress on roads that are not public roads such as between Wal-Mart and Beef O'Brady's. Mr. Scoville said it is not disallowed. Mr. Harrison said we want to encourage people to use those access points. Mr. Scoville agreed, it was for ensuring safety.

After Mr. Scoville finished discussing each section, Mr. Harrison asked about the schedule of the Ordinance adoption. Ms. Kirby said if the Council wished to do so, she would place it on the next agenda for first reading and setting of the public hearing. She said if changes are able to be included it would be heard, if they were not, it would be removed from the agenda. Mr. Graham commented that it looked like a lot of work went in to it and thanked Mr. Scoville, Art Dees and the committee for their work. Ms. Kirby said the committee meetings were very good and informative and appreciated everyone's input. Mayor Carpenter thanked Mr. Scoville and commented that it looked like he was adding to his work load. Mr. Scoville responded that he felt it they approached it slow it will work, he was unsure of the additional work load at this point.

Mayor Carpenter said they would hear any comments from the audience at this point. Mr. Chuck Lawson, State Farm, asked for clarification on LED signs fifteen minute change interval and on putting one up means taking two signs down, he said he did not agree with that. Mr. Scoville said for on-premise signs it could be fifteen seconds if they provided a public service message such as time and temperature. Mr. Scoville also said the second part of his question was for off-premise sign regulations, and Mr. Lawson's property would require an on-premise sign. Mr. Lawson asked for clarification on marquees, was that included in total square footage. Mr. Scoville discussed Mr. Lawson's estimated square footage and if Mr. Lawson rented out the other side of his building, they would look at the multiple tenant provisions. Mr. Lawson then asked about a temporary banner that he may use after a storm comes through, could he put that up. Mr. Scoville said the code has provisions for banners and for temporary signs; they would have to discuss more. Mr. Harrison asked Mr. Lawson what he felt was reasonable for the LED interval. Ms. Joan King, Bill Salter Advertising, said in her industry the average off-premise sign intervals are 6-8 seconds and for on-premise signs it is probably 8-10 seconds. Discussion continued.

Evelyn Barowski, Comfort Inn and Suites asked about the off-premise/directional sign and if there would be a logo with an arrow. Mr. Scoville addressed her question and said there were still different ideas on how to set that up. She asked if there were multiple businesses, would be there a limited tie they would have to be included on the sign. Mr. Scoville reiterated the details had not been worked out yet. Ms. Kirby said in discussions the directional signs were intended to be generic such as for the historic district, it would say 'shopping', 'dining', etc. Discussion followed. Ms. Barowski explained that she needs a sign because everyone gets lost on the way to her business; she also asked if it would be illuminated. More discussion followed. Art Dees commented that there were two concerns discussed in the committee meetings, one being an arrow and a sign that read 'restaurant', 'motel', etc. but wouldn't designate a business, but what she seemed to be looking for was an off-premise sign on private property. Discussion followed. Don Harrison commented that it also seemed to be a safety hazard for people who miss their turn off and have to turn around on the highway.

Greg Lathinghouse, Triangle Chevrolet, asked for clarification on off-premise signs and non-conforming status. He asked for clarification that after one year of non-conforming, they would have to remove the sign. It was clarified he would have to get a permit. Mr. Scoville continued clarification. Mr. Lathinghouse asked about off-premise signs not exceeding 8 ft. Mr. Scoville said that dealt with new off-premise signs. Mr. Lathinghouse then asked about flags for on-premise signs. Discussion followed. Mr. Scoville said some things are not specifically prohibited because staff felt they needed more flexibility. Mr. Harrison commented that the way it's written opens it up more for advertising. Mr. Lathinghouse said he didn't want to feel like he was breaking the law. Mr. Scoville said

he would take a closer look at incorporating some wording. Mr. Lathinghouse asked what would happen if they added a franchise. Discussion followed. Mr. Lathinghouse asked about signs inside windows, Mr. Scoville said that has not been regulated in the past and not included now.

Gerald Burns asked about the flag provisions, could you only put up one flag pole no matter how big the property and only three flag poles for an apartment building with twelve apartments Mr. Scoville addressed his concerns and said he didn't see anyone having a problem with him putting up the American Flag, it was a free expression sign that was allowable. Mr. Burns also asked why there was a height limit. Mr. Scoville said to keep them in line with the buildings.

Chuck Lawson asked if tethered balloons were included. Mr. Scoville said it is called a 'cold air inflatable' and is not allowed. Mr. Lawson asked about search lights. Mr. Scoville said it couldn't be used a sign. Ms. Kirby suggested that would probably be considered a beacon. Mr. Scoville said that may be addressed in the Eglin Joint Land use agreement.

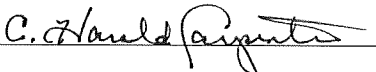
JW Adkinson, Thriftway, asked about temporary banners and advertising for benefit dinners in their parking lot. Mr. Scoville said that is a community activity that has been ongoing for years and the City was not trying to change that. Art Dees said it seemed to be like Chelco's sign (advertising City events), if it was for a public service, then it was excluded.

Art Dees commented that the committee concurred with Mr. Scoville's opening statement. Mr. Harrison proposed that staff revise the Ordinance, to change the dwell time on the LED lights from fifteen minutes to one minute, and include the other changes discussed tonight and present as an agenda item at the September 28 regular meeting.

Consensus of the Council was in agreement.


There being no further business, Mayor C. Harold Carpenter adjourned the meeting.

ADOPTED this 28th day of September, 2009



C. Harold Carpenter, Mayor

ATTEST:



Vanessa Mitchell, Deputy Clerk