

Cold Spring Planning & Zoning July 13, 2011

The regular meeting of the Cold Spring Planning and Zoning Commission was called to order by Chairwoman Donna Schmidt. Pledge to the flag was led by the city clerk. Roll call showed the following present – Alan McCullough, Tony Ponting, Tom Ross, Donna Schmidt, Vince Sticklen - excused were Tami Trunick, and Christopher Vaught. Also present were City Clerk Rita Seger and Andy Videkovich, NKAPC.

Chairwoman Schmidt pointed out the exits from the building, per Fire Department regulations.

The May 11, 2011 regular meeting minutes were reviewed by all. Vince Sticklen made a motion to approve these minutes and Alan McCullough seconded motion. All were in favor. Motion carried.

Donna Schmidt stated that, based on Staff recommendation, she signed an ID plat on the subdivision of a parcel and remainder property in the name of River Hills Land Co, and also a final plat on Granite Spring Building 24. Vince Sticklen made a motion to approve these signings, and Tom Ross seconded the motion. All were in favor. Motion carried.

There were no public hearings scheduled.

The next item of business on the agenda was continuing discussions on sign regulations and reader boards. Andy Videkovich had provided an updated draft of the proposed sign regulations to the Planning & Zoning Commission, in which he made most of the changes that this Board had discussed previously. He questioned if there was anything that stood out or that might have been missed and should have been reflected in this draft. The Board was satisfied with the information provided. Mr. Videkovich stated that at the last meeting, the city clerk was requested to check with the City of Highland Heights to see if they were looking at their sign regulations.

Rita Seger stated that she phoned the City of Highland Heights and was told that they are looking at and discussing reader boards and the LED signage, but their City Clerk was not able to provide wording yet.

Andy Videkovich stated that there were just a few items on the proposed sign regulations that need further discussion to come to a final conclusion on. Page 13 refers to the number of permitted detached temporary signs within residential zones. The proposed regulations are written to allow four temporary signs and one permanent detached sign. The NKAPC consultant felt that four was a number that was reasonable and restricting fewer signs than that would be infringing on a person's free speech. You want to limit the number of signs on the property but it should be something that this Board and Council would be comfortable with. Most of the Kenton County regulations stayed with the recommended four and there haven't been any issues. When it comes to political season, many cities have unofficially suspended enforcement because there were just too many political signs and during a busy political season it becomes a very difficult enforcement issue.

Vince Sticklen stated that by the time you go through the various violation processes, the sign is down anyway. He stated that four is a good number. We don't have any big issues with signs in the city at this time. Alan McCullough questioned if there is a certain time period for these type signs to be up or down. Mr. Videkovich stated that, from what he understands, on political signs there is no time frame for putting them up prior to an election, but there is a time frame for taking them down after an election. Tony Ponting stated that someone always has the right to appeal the four signs under special circumstances. The Board agreed that this text should remain at four detached signs allowed in the residential zone.

Andy Videkovich stated that page 14 refers to changeable copy signs for institutional uses in residential zones, and the question arose as to why not allow automatic changeable copy versus manual changeable copy signs. Past discussions were that there were not issues with churches along Alexandria Pike having automatic changeable copy signs, but what about nursery schools and the like in a neighborhood subdivision. In Staff comments, Mr. Videkovich stated that institutional uses are considered conditional uses, so everything that goes along with that use, including signage, would have to go along with that conditional use process, whether it be a church or a nursery school within a residential area. The Board of Adjustment would consider the impact of that conditional use, including the sign, on the adjacent property. It would be well within the power of the Board of Adjustment to prohibit an automatic changeable copy sign if they deem that it would not go well with the neighborhood.

Vince Sticklen questioned why we could not limit these changeable copy signs to only the US 27, the AA Highway, and maybe the Industrial Road areas. Andy Videkovich stated that within each zoning district you have to treat everyone exactly the same, and you can't make geographic distinction based on specific zoning regulations. It just becomes difficult. It would be better to leave that decision up to the Board of Adjustment, since they do have that latitude to set conditions and make provisions. The options of this Board are: 1.) you don't have to allow any changeable copy 2.) you allow only the manual changeable copy, or 3.) you allow both manual and automatic changeable copy.

Vince Sticklen stated that in Florence there were three changeable LED signs, all within a half a block of each other, and it was very distracting. He questioned if we can put in provisions that only allow so many changeable copy signs within so many feet of another one. It should be addressed it may become an issue down the road. Andy Videkovich stated that there are spacing restrictions. Within the residential zones, the spacing is 500 feet, but he will have to check into the spacing issues especially in zones along US 27 or AA Highway. Right now the only district that allows for automatic changeable copy signs is the SDA zone, and he doesn't recall any specific spacing restrictions in that zone. Mr. Videkovich stated that the problem with spacing restrictions is that you might actually prohibit a property owner from having a sign, because their neighbor got a sign first.

Andy Videkovich stated that the way the ordinance is currently written, it only allows for manual changeable copy signs. If this Board feels that further study is needed on automatic changeable copy signs, he will do so. Alan McCullough stated that he feels there are just too many "what ifs" if we allow the automatic changeable copy signs. He motioned that we just allow manual changeable copy signs and not add automatic to the institutional signs at this time. The Planning & Zoning Commission members agreed to keep the signs manual changeable copy.

Mr. Videkovich referred to page 15, item 2, and stated that this Board has already made the decision earlier to have the allowable temporary detached signs remain at four per property. The only other discussions left is the billboard policy, on page 37, which is the exact same policy that we have had, but it has been re-worded and updated to be current legal jargon.

In terms of how we move forward on this, Mr. Videkovich stated that he and his supervisor met with city administrative officer Steve Taylor who is aware that this Board has had these discussions on the sign regulations, but he is not certain on the specifics. The Council and Mayor are aware of these discussions but not in on the specifics. Mr. Taylor wants a chance to sit down with this draft, look it over and forward it to the mayor to look over, so they can be on the same page as this Board. He has asked for some time to do this before we discuss ways to proceed on this. Council should be aware of what is going on, and why this was talked about. We may want to have a public input meeting, but the consensus when this was tried in Kenton County was that only two people showed up. Most people don't consider this issue important until they are affected by it. It might be a good idea to get some input from the business community because they probably are most affected by our sign regulations.

Vince Sticklen agreed that it is best to take the time to have it looked at, receive input, and do it once, the right way, instead of having to come back with it. The Board concurred. Andy Videkovich stated that we have had several months of discussion. It is possible that Council won't see the value of changing all sign regulations, and may only want to look at the LED signs, which is how it was brought up originally. He hopes to hear back from Steve Taylor in a couple of weeks and see what their comfort level is with this. Mr. Videkovich stated that he is always available if something comes up or further clarification is needed.

There were no comments or requests from the commission.

Alan McCullough made a motion to adjourn the July 13, 2011 meeting and Tony Ponting seconded the motion. All were in favor. Motion carried.

Respectfully submitted,

Rita Seger, City Clerk