Planning Commission Minutes

June 7, 2018 City Hall Council Chambers

CALL TO ORDER
The regular meeting of the Planning Commission was called to order at 6:32 p.m. by Chair Dimmett.

MEMBERS PRESENT
Chele Dimmett, Jennifer Gilbert-Smith, Jennifer Harjehausen, David Caudle, and Murray Williams

MEMBERS ABSENT- Jonathan Ingram

STAFF PRESENT
Richard Hart, Community Development Director
Brian Bykonen, Associate Planner and Code Enforcement Officer
Salina Lyons, Principal Planner

APPROVAL OF MINUTES AND AGENDA
  ➢ C1. Commissioner Williams moved and Commissioner Harjehausen seconded to approve the May 3, 2018 minutes and meeting agenda for June 7, 2018. Motion carried 6-0.

CITIZEN COMMENTS – None

UNFINISHED BUSINESS –
  1. Review status of Proposed Sign Code Amendments

Community Development Director, Richard Hart provided an overview of the interim ordinance and status of the interim sign code. He reported that not many cities have completed their sign code to be compliant with the Reed v. Gilbert decision. The Planning Commission is tasked with providing staff feedback regarding the time, placement, and manner for temporary signs in the public right-of-way (ROW).

Associate Planner and Code Enforcement Officer, Brian Bykonen explained that Option 1 is currently outlined in the interim sign code ordinance. He described the chart in Agenda Item 1 and how each category of time, place, and manner needs to be evaluated. He also reviewed an alternative as it pertains to real estate signs. If real estate signs are specifically excluded, the city runs the risk of
a legal challenge based on the Reed v. Gilbert decision. Staff recommends Option 2 which would treat all commercial signs the same.

Commissioner Gilbert-Smith asked staff to explain why other cities are carving out real estate signs. Mr. Hart indicated that he is not able to explain why a legislative body in one community would treat real estate signs differently than a legislative body in another community. Commissioner Gilbert-Smith stated that real estate signs serve a different purpose than a restaurant or a grocery store and that those businesses don’t need five signs directing traffic to their business. Mr. Hart responded that staff is suggesting not treating real estate signs differently than any other commercial sign. The intent is to meet the needs of real estate signs and treat other temporary commercial signs the same. The intent is not to discriminate against real estate signs. Commissioner Gilbert-Smith thinks there is a difference between commercial business signs and commercial real estate signs. Mr. Hart responded that if you look strictly at Reed v. Gilbert, those two types of signs are not considered different.

Mr. Hart said the Planning Commission is being asked to decide whether they want or don’t want temporary commercial signs in the ROW. If the Planning Commission decides to allow them, then you need to decide if you treat them all the same or if certain types of commercial signs are treated differently. Once that is decided, the time, place, manner and number of signs allowed will need to be decided.

Commissioner Caudle asked about the options and alternatives and how it relates to enforcement and outreach. Mr. Bykonen responded to his questions. Commissioner Caudle asked about the placement of current temporary signs and whether they are illegal. Mr. Hart responded that the placement of signs is not legal in the ROW, but at the direction of the City Attorney we have not pursued code enforcement unless it relates to life safety.

Commissioner Porter asked if other businesses have called to complain about the interim regulations. Mr. Bykonen and Mr. Hart responded that staff has not heard any such complaints from the business community.

Commissioner Dimmett asked how the duration of temporary signs will be defined. Mr. Bykonen suggested that the Planning Commission could define the duration as sunrise to sunset.

Commissioner Caudle asked who would submit a temporary sign permit. Mr. Bykonen answered that the permit is required for private property and can be submitted by the property owner or their agent.
Commission Harjehausen asked how to delineate signs for real estate for properties within the ROW. Mr. Hart responded that it's difficult.

Chair Dimmett polled the Planning Commission to reach a consensus on temporary commercial signs in public ROW. The following responses are based on the majority consensus of the Planning Commission.

Number of Signs: Commission decided on 4 signs.

Type of signs: Commission decided a lawn and a-frame sign.

Duration of Days: Commission decided on 4 days

Duration Time: Commission decided on sunrise and sunset

Size limitations: Commission decided on 12 sq. ft. (2’ x 3’)

Permits: Commission decided on requirements of a permit.

PUBLIC HEARING - none

NEW BUSINESS - None

ATTENDANCE VOTE
➢ Commissioner Caudle moved and Commissioner Williams seconded to excuse the absence of Commissioner Ingram. Motion carried 6-0.

PUBLIC COMMENTS
Sam Pace, representing Seattle/King County Realtors and the Northwest Multiple Listing Service, provided public comment requesting the Planning Commission consider a provision to allow real estate signs in the public ROW. He provided testimony about how the real estate signs could be regulated.

COMMENTS AND COMMUNICATIONS FROM STAFF AND COMMISSIONERS
Mr. Hart shared that the June 21, 2018 and July 5, 2018 Planning Commission meetings are cancelled. We will have a second meeting in July to discuss the sign code and he anticipates a public hearing will be held in August. He also requested that the Planning Commission read the existing interim sign code and provide staff with any comments.

Commissioner Harjehausen will be out on July 19, 2018.
ADJOURN

The June 7, 2019 Planning Commission Meeting adjourned at 8:15 p.m.

Respectfully submitted,

[Signature]

Kelly Thompson, Planning Commission Secretary