



**AGENDA
CITY OF BELTON
PLANNING COMMISSION
MEETING & PUBLIC HEARING
MONDAY, AUGUST 6, 2012 - 7:00 P.M.
CITY HALL ANNEX, 520 MAIN STREET**

I. CALL MEETING TO ORDER

II. ROLL CALL

III. ELECTION OF OFFICERS

IV. APPROVAL OF THE MINUTES OF THE JULY 16, 2012 PLANNING COMMISSION MEETING

V. PUBLIC HEARING

A. Consideration of a Special Use Permit to allow an Electronic Message Center Sign to be located at 101 Cherry Hill.

VI. DISCUSSION

A. Text Amendment to Section 40-4(a) 1-10, of the Unified Development Code regarding "Commercial – Motor Vehicle Sales."

B. Billboard Ordinance to Section 30-9(e), of the Unified Development Code regarding "Off-Premise Signs."

VII. DIRECTOR'S REPORT

VIII. NEXT MEETING DATE: August 20, 2012

IX. ADJOURNMENT

MEETING MINUTES

JULY 16, 2012

**Minutes of Meeting
Belton Planning Commission
City Hall Annex, 520 Main Street
July 16, 2012**

CALL TO ORDER

Chairman Holly Girgin called the meeting to order at 7:00 p.m.

ATTENDANCE

Commission: Chairman Girgin, Mayor Pro Tem Gary Lathrop, Councilman Scott Von Behren, Commissioners Tim McDonough, Chris Christensen, Mike Van Eaton, and Larry Thompson.

Staff: Jay Leipzig, Community Development Director; Robert Cooper, City Planner; Zach Matteo, Assistant City Engineer; and Ann Keeton, Community Development Secretary.

Absent: Commissioners Sally Davila and Jeff Fletcher

INTRODUCTION

Chairman Girgin welcomed Chris Christensen, who was recently appointed to the Planning Commission.

MINUTES

Councilman Von Behren moved to approve the minutes of the June 4, 2012, meeting. Mayor Pro Tem Lathrop seconded the motion. All members present voted in favor, and the motion carried.

ELECTRONIC MESSAGE CENTER SIGN – 1010 E. NORTH AVENUE

Staff Report: Mr. Leipzig introduced the first case which was consideration of a Special Use Permit (SUP) to allow an electronic message center sign at 1010 E. North Avenue for a Jiffy Lube business.

Referring to an aerial photo, Mr. Cooper pointed out the proposed locations of the Jiffy Lube business and the electronic sign. He also identified the locations of existing Town Centre monument signs. Mr. Cooper went over some of the codes regulating electronic message center signs from Section 30-9 of the Unified Development Code (UDC). A brief history of the Belton Town Centre shopping center and the proposed Jiffy Lube lot was presented by Mr. Cooper. He reminded Commissioners an electronic message sign was recently approved for an area grocery store. He also reported that authorization has been received to allow the sign on the Town Centre property from the owners.

Public Hearing: Chairman Girgin opened the public hearing for consideration of the SUP application to allow an electronic message center sign at 1010 E. North Avenue at 7:06 p.m.

Craig Nelson, Heartland Automotive Services/Jiffy Lube franchisee, 190 E. St. Charles, Elmhurst, Illinois, spoke in favor of the SUP. He introduced Don Alexander, the local developer, and Jim Rogers, Divisional Vice President of the company. Heartland Automotive is the owner / operator of 500+ Jiffy Lube facilities according to Mr. Nelson.

He stressed the importance of having a way to get messages out to the public. Mr. Nelson reported the company logo/signs were updated a few years ago which forced the removal of many reader board signs, and has had a significant impact on the business. He commended the efficiency and usefulness of the digital-type sign for the visibility “challenged” lot, which he categorized as an interior out-parcel. It was reported by Mr. Nelson there are currently no digital signs at area Jiffy Lube sites. There was no further public input, and Chairman Girgin closed the hearing at 7:12 p.m.

In discussion, Commissioner McDonough recommended the Commission look into placing limitations on electronic message signs. He suggested separation requirements and minimum duration of message changes as possible regulations to study, and he referred to the Department of Transportation’s suggested guidelines for high traffic areas. Mr. Leipzig mentioned a previously approved electronic church sign that had conditions attached to approval of the sign. Mr. Rogers told Commissioners the Jiffy Lube electronic sign messages will be stationary for an entire day, and will not have scrolling messages. Mayor Pro Tem Lathrop moved to approve the SUP application to allow a digital reader board on the Jiffy Lube monument sign at Belton Town Centre, 1010 E. North Avenue with the following condition: The applicant shall comply with all the requirements as outlined in Section 30-9 of the Unified Development Code. The motion was seconded by Councilman Von Behren. When a vote was taken, the following was recorded, Ayes: 7 – Chairman Girgin, Mayor Pro Tem Lathrop, Councilman Von Behren, Commissioners McDonough, Christensen, Van Eaton, and Thompson. Noes: none. Absent: 2 – Commissioners Davila and Fletcher. The motion carried.

TEXT AMENDMENT TO CHAPTER 36 OF THE UDC

Mr. Leipzig introduced Mr. Matteo, Assistant City Engineer, who was present to give an overview of proposed changes to Chapter 36 of the UDC. Proposed revisions to Chapter 36, Section 70 concerning maintenance responsibilities relating to the stormwater runoff plan were reported by Mr. Matteo. He pointed out that the language of the four proposed revisions was borrowed from UDC Chapter 32, which will make the chapters dealing with stormwater consistent.

Mr. Matteo reviewed the proposed changes to Chapter 36, Section 72 concerning approved manufacturers of storm and sanitary sewer manhole rings and covers. Staff is proposing language be added which would give the City Engineer the ability to evaluate alternative manufacturers of storm and sanitary castings, rather than be forced to accept sole sourced products. He told what criteria the engineer will use to make those evaluations. There was discussion regarding the appropriate wording of one of the proposed changes relating to the stormwater runoff plan.

Chairman Girgin opened the public hearing at 7:22 p.m. The hearing was being held to receive public input regarding proposed amendments to Chapter 36, Sections 70 and 72 of the UDC. There was no public input and Chairman Girgin closed the public hearing at 7:22 p.m.

Commissioner Thompson moved to approve the proposed amendments to the UDC Chapter 36, Section 70 regarding maintenance responsibilities for stormwater runoff facilities, and Section 72 regarding storm sewer and sanitary sewer rings and covers. The motion was seconded by Commissioner McDonough. When a vote was taken, the following was recorded, Ayes: 7 – Chairman Girgin, Mayor Pro Tem Lathrop, Councilman Von Behren,

Commissioners McDonough, Christensen, Van Eaton, and Thompson. Noes: none. Absent: 2 – Commissioners Davila and Fletcher. The motion carried.

DIRECTOR'S REPORT

Mr. Leipzig presented the Director's Report which included the following information:

- Construction is underway for 11 retail shops to be located beside Price Chopper
- Staff has not received the Menards construction documents
- The Commission will discuss vehicle sales at the August 6, 2012, meeting
- There will be an SUP application for an electronic sign at 101 Cherry Hill Dr. at the August 6, 2012, meeting
- Discussion of billboard advertising regulations at a future meeting
- The Commission will have an election of officers in August

DISCUSSION TOPICS

Councilman Von Behren initiated a discussion about the changes to the existing sign code regarding political signs. It was suggested to him, that the winner of the primary be allowed to leave their political signs in place until after the general election, which is not currently allowed by the Belton sign code.

In further discussion about the digital reader board signs, Mr. Cooper reported the electronic sign application to be considered during the August 6, 2012, meeting is a request for digital numbers only for displaying gasoline prices. There was clarification by staff on the potential language to be considered regarding regulations for electronic message signs in Section 30.9 of the UDC. It was reported there may be a request in the near future by the school district for an electronic message sign in the same area as the Cherry Hill Service Station.

ADJOURNMENT

Councilman Von Behren moved to adjourn the meeting. Mayor Pro Tem Lathrop seconded the motion. All members present voted in favor, and the meeting adjourned at 7:32 p.m.

Ann Keeton
Community Development Secretary

ELECTRONIC SIGN

101 Cherry Hill Drive



**PLANNING COMMISSION REGULAR MEETING
CITY HALL ANNEX, CITY COUNCIL ROOM
520 MAIN STREET
MONDAY, AUGUST 6, 2012 – 7:00 P.M.**

STAFF: Robert G. Cooper, City Planner

CASE #SUP12-19

Request: KC Sign Express, Inc., on behalf of Phillips 66 - QuikBreak convenience store/gas station, has requested a Special Use Permit, to allow a digital price board-sign, an upgrade addition to an existing double-pole sign structure.

Location: Located at the northwest corner of 58-Highway and Cherry Hill Drive. The street address is 101 Cherry Hill Drive.

Legal Description: Cherry Hill Commercial Park, 3rd Plat, Lot 1

Owner / Applicant: Major Petroleum Co. / QuikBreak

Size of Site: 0.82-acres

Existing Zoning / Land Use: C-2 / Commercial/Retail

Proposed Use: Commercial/Retail

Surrounding Zoning / Land Use:

North: C-2 / General Commercial
East: C-2 / General Commercial
South: Ag / Belton School District
West: R-1 / Undeveloped Land

Comprehensive Plan: Commercial / Retail Stores

Nature of Current Request

Phillips 66 – QuikBreak store has retained the services of KC Sign Express, Inc., in their effort to modify and improve an existing pole sign with a digital price board-sign built into the pole sign structure. The 22” x 6’-0” / 11-sq. ft. digital price display board will be a red-face, internally illuminated, with channel lettering and will be installed into the existing pole sign structure.

There are currently three (3) products of gas displaying –the applicant is removing that sign and going to one (1) product only –which will be “Regular”.



Aerial view of surrounding area

CODE CITATION

Pursuant to Section 30-9 of the Unified Development Code, ‘Electronic Message Center signs are permitted subject to review by special use permit.

1. Electronic message center signs are not allowed as part of a temporary sign;
2. Any portion of the message or image must have a minimum duration on screen of eight (8) seconds. An exception to this requirement is made for a sign that displays time and temperature;
3. The change from one message to the next shall not take more than one (1) second and shall not involve flashing or movement of text or image;
4. In case of malfunction, the sign shall be defaulted to a blank screen;
5. Prior to the issuance of a sign permit, the applicant shall provide written certification from the sign manufacturer that the light intensity has been factory pre-set not to exceed 7,000 NITS during daylight hours and 2,500 NITS between dusk and dawn and that the intensity level is protected from end-user manipulation.; and
6. The sign shall not display light of such intensity or brilliance to cause glare or otherwise impair the vision of the driver, or result in a nuisance to the driver.

HISTORY

Phillips 66 – QuikBreak convenience store/gas station (Lot 1) was originally constructed in 2006. The site layout was originally designed to serve as an anchor commercial site for the Cherry Hill commercial subdivision. The Cherry Hill Commercial Park 3rd Plat consists of four (4) platted lots, all approximately 0.80-acre in size. Presently, only Lot(s) 1 and 4 are built out with Lot 4 having a four-unit tenant pad site, with all units currently unoccupied.

STAFF REPORT

Welfare and Convenience of the Public

Allowing a digital price board-sign could have a positive affect on the welfare and convenience of the general public if utilized within the limitations of the code.

Injury to Surrounding Property

The site is located at the entrance to the Cherry Hill residential subdivision. The existing pole sign is 15-foot tall and is placed in an area where the grade is slightly higher than the surrounding area. The area is zoned C-2 (General Commercial) and is part of a planned neighborhood commercial subdivision. The digital nature of the sign face and its use only as a price board-sign and low intensity lighting will mitigate any potential glare or nuisance.

Domination of the Neighborhood

It appears, the proposed use will not add to the predominance of that particular use within the neighborhood. The other commercial users in the area all have wall and free-standing signs that are more visible than the proposed digital sign.

Proposed Use will not detract or encroach upon welfare or convenience of the public

It appears the proposed use will not detract or encroach upon the welfare or convenience of the public. One mitigating factor is the size of the digital price- board, which at 11-square feet, the sign will not be out of scale with the surrounding structures or signs in the vicinity.

STAFF RECOMMENDATION

Should the Planning Commission wish to approve Special Use Permit12-19, to allow a digital price-board sign on the existing Phillips 66 - QuikBreak pole sign, at the Cherry Hill Commercial Park, located at 101 Cherry Hill Drive, the following condition(s) shall apply:

1. The applicant shall comply with all the requirements as outlined in Section 30-9 of the Unified Development Code.

PLANNING COMMISSION ALTERNATIVES

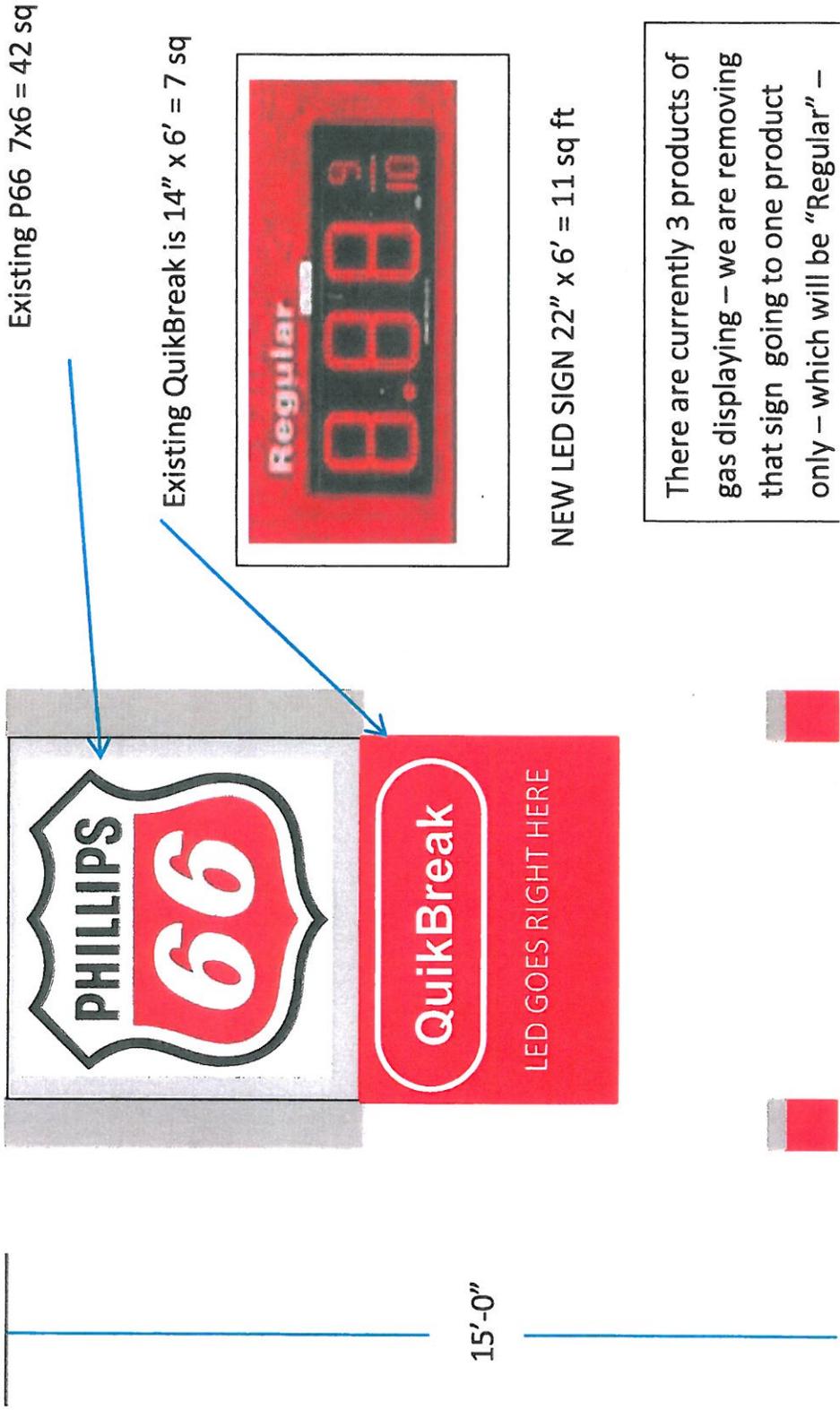
The Planning Commission has the following options available in the consideration of this application:

1. Approve the application as submitted upon finding that the requirements of Chapter 40, Special Use Permits, of the Unified Development Code have been satisfied.

2. Approve the application subject to specified conditions.
3. Table the application if additional information is needed, such as time of use or other related factors.
4. Deny the application if the required findings cannot be made or if the proposed use is found to be incompatible with the neighborhood.

Attachments:

- 1) Sign Elevation
- 2) Plat



There are currently 3 products of gas displaying – we are removing that sign going to one product only – which will be “Regular” –

VEHICLE SALES



**PLANNING COMMISSION REGULAR MEETING
CITY HALL ANNEX, CITY COUNCIL ROOM
520 MAIN STREET
MONDAY, AUGUST 6, 2012 – 7:00 P.M.**

Robert G. Cooper, City Planner

CASE #TA12-14 / CONTINUED FROM THE MAY 21ST MEETING

DISCUSSION: Consideration of a Text Amendment to Section 40-4(a) 1-10, of the Unified Development Code (Commercial –Motor Vehicle Sales).

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The purpose of amending the Unified Development Code (UDC), allowing new and used car lots within a C-2 (General Commercial) zoning district with a Special Use Permit is to address the numerous used car lots being located primarily along the North Scott / E. North Avenue corridor. Many of the existing car lots are situated side-by-side. The close proximity of these car lots has created nuisance issues and hazardous traffic concerns.

The Planning Commission has previously met with staff and discussed such issues as the compatibility and placement of car lots; visual characteristics of this type of use, screening, minimum lot size requirements and whether the ordinance needed to be amended.

The need for a clear and concise ordinance which would regulate all of the bulk requirements was discussed. Currently, Section 40-4 of the Unified Development Code, regulates some standards and norms for used car sales lots. The Commission felt that by amending the existing ordinance, will effectively enhance the review and approval process as well as enhance good aesthetics and to preserve property values by preventing unsightly and chaotic development that has a blighting influence upon the community.

The purpose of this report is to complete the discussion of the requirements for used vehicle sales. During the meeting, staff will recommend components of the proposed Ordinance for discussion. The city attorney has met with staff concerning the proposed eighteen conditions and has requested clarification on condition number 5, 7, and 14. These conditions are highlighted in yellow in the staff report and will be the topic of discussion for this meeting.

NOTE: On May 22, 2012, The City Council accepted Resolution #R2012-37, directing staff to delay the acceptance and processing of new applications for used vehicles sales establishments with the City of Belton between May 22 and November 30, 2012.

EXISTING CODE CITATION

(4) Commercial – Motor vehicle sales. Motor vehicle sales businesses must have a special use permit, granted for an initial term of one year and renewable for additional five-year terms, and must meet the following requirements:

- (a) Motor vehicle sales dealer's license; site and space requirements: the following standards and norms shall govern the operation of existing multi-vehicle used vehicle lots and shall apply to any multi-vehicle lots proposed or established in the future:
- (1) There shall be at least one entrance-exit on the main thoroughfare serving the lot of at least 24-feet in width;
 - (2) The lot must be paved with a surface material such as asphalt or concrete;
 - (3) The lot must be sufficiently flood-lighted to discourage vandalism or theft;
 - (4) The lot must have barriers or other forms of visible demarcation clearly delineating the specific area to be occupied by used vehicles, which shall be approved by the city inspector;
 - (5) Buildings and their intended uses must be stipulated on the application and receive approval prior to the issuance of an occupational license;
 - (6) All vehicles on the lot must be capable of passing the state vehicle inspection, as required by Missouri Statutes;
 - (7) All vehicles on the lot will be complete and no vehicle will be used for the scavenging or other junk purposes by any operator issued a license under the provisions of this section;
 - (8) Multi-vehicle used vehicle lots may be operated in conjunction with the garage located thereon for the purposes of performing necessary maintenance on those vehicles offered for sale on said used vehicle lot; otherwise, a multi-vehicle used lot shall be used solely for the purpose of selling used vehicles and shall not be operated in conjunction with any other type of business without the approval of the city council of the city upon proper application and hearing thereon who shall consider in dealing with said issue, the compatibility of the proposed uses from a zoning, businesses, commercial and aesthetic viewpoint.
 - (9) Major maintenance work must be performed within the confines of the garage and must be completed before the vehicle is returned to the lot for sale;
 - (10) All multi-vehicle used vehicle lots shall be identified by an internally lighted sign, installed and maintained in accordance with the city's zoning Ordinance.

Research of other cities ordinances within the Kansas City Metro Area that regulate used vehicle sales lots, has provided staff with options and additional language that may be helpful to the Planning Commission in drafting the new ordinance.

Grandview, MO

- Used vehicle sales lots are allowed with a conditional use permit;
- Are permitted if located within commercial zoning only;
- Must be separated no less than 1,500-feet from another used car lot, tattoo parlor, title loan or check cashing establishment.

Independence, MO

- Used vehicle / equipment sales are allowed in commercial zoning only;
- Minimum lot size must be no less than 1.5-acres;
- Shall not be located within 100-feet of a residential zoning district boundary line;
- All vehicles on display must be operable;

- All outdoor display areas shall not be located within any required setbacks and only in specifically designated areas;
- Site shall be landscaped and screened;
- Vehicle repair and service shall be conducted only within an enclosed building on site.

Blue Springs, MO

- Used vehicle and equipment sales are allowed in commercial and industrial zoning districts only;
- Allowed with a conditional use permit;
- Vehicle parking / storage areas – must be a hard surface with the following:
 - a) 5” concrete, or
 - b) 6” asphalt, or
 - c) 3” combined with 8” aggregate base and sub-grade base, or
 - d) Any other pavement or surface material must be reviewed and approved by the City Engineer, but all must be dust-free.
- The paved area setback must be no less than 25-feet from the street right-of-way;
- All parking areas must meet the City’s design requirements. A submitted site plan, showing parking spaces for employees, customers, storage, display and vehicles being serviced, and adequate off-street unloading areas;
- Driveways shall be no less than 20% the total summation of the width of all driveway approaches of the length that fronts abutting street right-of-way;
- The use of loud speakers or other exterior amplification devices shall be prohibited; and
- The used vehicle sales lot shall be screened. Use of landscape berms shall be incorporated wherever possible.

DRAFT --SUGGESTED ORDINANCE LANGUAGE

- (4) Commercial – Motor vehicle sales. Motor vehicle sales businesses shall have a special use permit, granted for an initial term of one year and renewable for an additional five-year term and must meet the following requirements:
 - (a) Motor vehicle sales dealer’s license; site and space requirements: the following standards and norms shall govern the operation of existing multi-vehicle used vehicle lots and shall apply to any multi-vehicle lots proposed or established in the future:
 - (1) There shall be at least one entrance-exit on the main thoroughfare serving the lot at least 24-feet in width;
 - (2) The lot must be paved with a surface material of concrete or asphalt;
 - (3) Each site must sufficiently provide its own independent exterior security lighting; i.e. wall or pole mounted;

- (4) The lot must have barriers or other forms of visible demarcation clearly delineating the specific area to be occupied by used vehicles, which shall be approved by the city inspector;
- (5) Buildings and their intended uses must be stipulated on the application and receive approval prior to the issuance of an occupational license;
- (6) Used vehicle business owner shall have a current State Motor Vehicle Dealer license and a City Occupational license.
- (7) All vehicles on the lot must be capable of passing the state vehicle inspections, as required by Missouri Statutes;
- (8) Only one (1) used vehicle dealer allowed with each special use permit and only one special use permit allowed per site;
- (10) All vehicles on the lot must be complete and no vehicle will be used for the scavenging or junk purposes by any operator issued a license under the provisions of this section;
- (11) Any maintenance work must be performed within the confines of the garage and must be completed before the vehicle is returned to the lot for sale;
- (12) Used vehicle sales lots may be operated in conjunction with the garage located thereon for the purposes of performing necessary maintenance on those vehicles offered for sale on said used vehicle lot; otherwise, a multi-vehicle used sales lot shall not be operated in conjunction with any other type of business without the approval of the city council upon proper application and hearing thereon who shall consider in dealing with said issue, the compatibility of the proposed uses from a zoning, businesses, commercial and aesthetics viewpoint.
- (13) All used vehicle sales lots shall be identified by an internally illuminated wall sign. Cardboard, plywood or hand-painted signs are prohibited;
- (14) No used vehicle sales lot shall be established or expanded within 1,000-feet of any other motor vehicle sales business, tattoo parlor, title loan or check cashing establishment;
- (15) No used vehicle sales lot shall be established on a lot less than one-acre in size;
- (16) No used vehicle sales lot shall be established or expanded within 100-feet of the district boundary-line of any residential zoning district;
- (17) All used vehicle sales lots shall meet the minimum landscaping and screening requirements;
- (18) All parking areas shall meet the City's design requirements. Each special

use permit shall include a site plan showing parking spaces for employees, customers, display vehicles and adequate off-street unloading areas.

STAFF COMMENT

It is the purpose and intent through the amendment of this ordinance, to establish firm guidelines as to the compatibility and placement of car lots; the visual characteristics of this type of use, and use the ordinance as a mechanism to protect residential neighborhoods and non-residential areas from becoming blighted.

The regulations are designed to enhance good aesthetics as well as to preserve property values by preventing unsightly and chaotic development that has a blighting influence upon the community.

STAFF RECOMMENDATION

Upon approval of the Planning Commission, schedule a Public Hearing to receive comment on the proposed ordinance.

BILLBOARD ORDINANCE



**PLANNING COMMISSION REGULAR MEETING
CITY HALL ANNEX, CITY COUNCIL ROOM
520 MAIN STREET
MONDAY, AUGUST 6, 2012 – 7:00 P.M.**

Robert G. Cooper, City Planner

CASE #TA12-21

DISCUSSION: Consideration of a Text Amendment to Section 30-9(e), of the Unified Development Code (Off-Premise Signs).

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The purpose of amending the Unified Development Code (UDC), allowing billboard signs within city limits, is to apply appropriate limitations on these types of sign structures. The purpose of the ordinance is to encourage effective use of signs as a means of communication for businesses, organizations and individuals in the city.

In addition, the ordinance is designed to prevent signs from becoming a public nuisance; e.g. prohibit signs of excessive size and number that they obscure one another to the detriment of the economic and social well-being of the community; to protect the safety and welfare of the public by minimizing hazards to pedestrians and vehicular traffic; to preserve property values by preventing unsightly and chaotic development that has a blighting influence upon the community; and to minimize the possible adverse effects of signs on near-by public and private property, and to implement the goals and objectives of the growth management plan.

The need for a clear and concise ordinance would regulate all of the bulk requirements necessary. Currently, Section 30-9(e) of the Unified Development Code, provides minimal guidance. Staff believes additional language to the existing ordinance is necessary in order to effectively regulate billboard signs.

EXISTING CODE CITATION

Section 1-5 / Definition – Off-Premise Sign

“a sign, including billboards and poster panels, that directs attention to a business, commodity, service, or product sold, or conducted, not offered on the premises”.

Section 30-9(e) / Sign Code - Off-Premise Sign

- (1) Off-Premise signs are permitted only along state and federal highways;
- (2) No off-premise sign may be located within 1,000-feet of an existing off-premise sign;
- (3) A letter of authorization by the property owner is required for applications of any off-premise sign;
- (4) Site plans and sign permits are required.

DRAFT – SUGGESTED ORDINANCE LANGUAGE

(e) Off-premise signs

(1) Special Use Permit required

In addition to complying with the terms of this Article, a special use permit must be obtained in accordance with the procedures set forth in Section 40-2 of the UDC prior to the erection of a billboard.

(2) Placement of off-premise signs

- (a) Off-premise signs shall be located on private property;
- (b) Off-premise signs shall be permitted only along interstate highways and U.S. 71-Highway, within 600-feet of the nearest edge of the right-of-way;
- (c) An off-premise sign shall not be located closer than 500-feet of a free-standing sign or closer than 2,000-feet apart, per roadway side, and all off-premise signs must comply with the Missouri Department of Transportation (MoDOT) setback regulations;
- (d) Off-premise signs shall not be located adjacent to or within 1,500-feet of any interchange, intersection at grade, or safety rest area that is existing or approved for construction;
- (e) To preserve adjoining property values and avoid adverse aesthetic impacts, billboards shall not be located within 1,500-feet of land zoned for residential purposes;
- (f) Billboards shall be permitted only in areas zoned C-2, M-1, and M-2.

(3) Lighting

- (a) Billboards shall not include any revolving or rotating beams or beacons of light;
- (b) Billboards shall not include any flashing, intermittent or moving light or lights, except electronic message boards designating public service information such as time, date, temperature or similar information;
- (c) Billboards may be lighted by external lighting such as floodlights, thin line and gooseneck reflectors, provided the light source is directed upon the face of the billboard and is effectively shielded so as to prevent beams or rays of light from being directed into any portion of the main traveled way of the interstate or highway or into any portion of adjacent properties and the lights are not an intensity so as to cause glare, impair the vision of the driver of a motor-vehicle, or otherwise interfere with a driver's operation of a motor vehicle.
- (d) Billboards shall not be illuminated so that it interferes with the effectiveness of, or obscures an official traffic sign, device or signal;

- (e) Billboards shall not have a maximum average lighting intensity level that exceeds twenty (20) foot-candles.

(4) Size

Billboards shall not exceed a maximum area for any one sign of 1,200-square feet with a maximum height of 30-feet and a maximum length of 60-feet, inclusive of border and trim but excluding the base or apron, supports and other structural members. The maximum size limitations shall apply to each side of a sign structure, and signs may be placed back to back, double-faced, or in a v-type construction with not more than two-displays to each facing, but the sign structure shall be considered as one sign.

(5) Setback and height of billboards

- (a) To provide a safety zone to prevent injury or property damage from collapse caused by acts of nature or other causes, billboards shall meet the following minimum setback requirements from all points of the sign:
 - (i) at least ninety (90) feet from its nearest edge to the rights-of-way of any interstate or primary highway;
 - (ii) at least ninety (90) feet from all property lines and all roofed structures; and;
 - (iii) at least ninety (90) feet from any other structure that would require a building permit for its construction.

STAFF COMMENT

These regulations are designed to enhance good aesthetics, as well as to preserve property values by preventing unsightly, chaotic development and ill-placed billboard signs that may create a blighting influence upon the community.

STAFF RECOMMENDATION

Upon approval and acceptance of the Planning Commission, schedule a public hearing to receive comment on the proposed ordinance change.