

CITY OF PORTAGE ZONING BOARD OF APPEALS

Minutes of Special Meeting – October 15, 2012

The City of Portage Zoning Board of Appeals special meeting was called to order by Chair Linenger at 7:00 p.m. in Conference Room #1.

MEMBERS PRESENT: Jeffrey Bright, Timothy Bunch, Rob Linenger, Doug Rhodus, Michael Robbe Betty Schimmel, Lowell Seyburn, Mariana Singer, and Glenn Smith.

IN ATTENDANCE: Vicki Georgeau, Director of Community Development, Jeff Mais, Zoning & Codes Administrator and Charles Bear, Assistant City Attorney

APPROVAL OF THE MINUTES: None

NEW BUSINESS:

Business Signs. Georgeau provided an introduction regarding the topic of business signs. Georgeau summarized the topics of review by the Council Sign Committee involving business signs and the desire of the Committee to obtain input from the Planning Commission and Zoning Board of Appeals members. After receiving input from the Planning Commission and Zoning Board of Appeals members, the Sign Committee will report back to City Council and further discuss the topic of business signs at the upcoming City Council retreat. Georgeau explained the intent of the sign ordinance and summarized the historical development of the ordinance and amendments that have been made over the years as well as administrative trends relating to the number of permits issued annually, Zoning Board of Appeals (ZBA) variance requests and typical sign violations. Georgeau requested input from the ZBA regarding signs (freestanding, wall and temporary signs) in general, and if there were concerns or opportunities to consider.

Bright indicated he believes the sign code is too restrictive, especially with regard to wall signs for big box retailers and freestanding signs with multi-tenant panels that are too hard to read due to small sign sizes. Bunch noted that signs with multiple panels are hard to read and some signs with electronic message displays (EMDs) may be more legible if permitted to change more frequently. Georgeau indicated a four second restriction on change in message is common and the MDOT limits sign message changes to not more than once every six seconds. Singer indicated a longer delay in sign message change seems safer. Linenger referenced the Michael's wall sign example in the draft survey and indicated the sign has too much wording to convey a useful message. Schimmel noted that many businesses have a corporate logo that is readily recognizable by most travelers and additional wording on signs is not needed. Seyburn presented a number of concerns/ideas, which included: wall sign regulations are too restrictive for big box retailers; EMD signs are the wave of the future and the city should not be too restrictive with such signs; with regard to non-conforming signs, the 5-year agreement to change a sign without a variance should be lengthened to 8-10 years so more sign owners will take advantage of this option; window signs and truck/vehicle signs seem to circumvent the intent of the sign code; and multi-tenant signs are too hard to read due to size. With regard to multi-tenant signs, Schimmel noted a better alternative may be to have the name of the shopping center instead of all the tenants, and for window signs, they are more effective when oriented to pedestrians. Seyburn indicated that if window signs are legible from the street, they are intended to attract vehicular attention as opposed to traditional window displays. Singer stated she believes the primary purpose of signs should be to identify a business location and secondly for advertising purposes. This is especially important since most signs do not include a business address. Singer also indicated she thought implementing the draft survey was a good idea to get broad input from the community. Bright indicated the city may want to permit larger EMD sign area and referenced the Horizon Bank variance request as an example. Singer noted that the 1st National Bank in the vicinity seems to do well with an identification and EMD sign panel that meets code requirements. Linenger and Bright indicated the difference may be poor visibility at the Horizon Bank. Schimmel noted many businesses ask for signs that exceed local requirements to meet corporate design specifications that do not account for local community characteristics. Smith referenced the multi-tenant "Cara" photo in the sign Summary Guide To Business Signs and asked if there were local examples. Georgeau indicated that this example provides sign panels for large anchor tenants, but not every

tenant in a shopping center and that the Southland Mall signs and Shoppes of Romence sign are comparable local examples. Smith also inquired if the city regulates people near the street holding/waving signs. Georgeau indicated no. Robbe noted it seem onerous to require sign owners to receive a variance to change a sign panel on an existing non-conforming sign. Georgeau and Bear indicated the intent was to gradually reduce the degree of nonconformity or eliminate nonconforming signs, and that a 5-year nonconforming sign agreement is an alternative to a variance. Linenger added that the Board has included a condition that permits sign panels of many nonconforming signs to be changed without additional variances from the Board, provided no structural changes to the sign are made and a sign permit is obtained from the city. Seyburn suggested the code be revised to permit such changes as a special exception versus a variance, which does not have to demonstrate a practical difficulty. Schimmel asked if sandwich board temporary signs near a building entrance are prohibited by city code, similar to other temporary signs near the road or in the road right-of-way. Georgeau indicated yes, but if such signs are only oriented and visible by pedestrians located within a development, enforcement of such sign violations has not been generally prioritized. Bright noted there should be some provision to permit "spectacular" signs, such as unique signs like the soccer complex sign photo in the Summary Guide to Business Signs or other creative, eye catching designs. Georgeau indicated that such signs are permitted to some degree because the surface area, not cubic area, is regulated by the sign code.

There being no further discussion, Georgeau thanked the ZBA members for their input regarding business signs and indicated their comments would be forwarded to City Council.

OLD BUSINESS: None

STATEMENT OF CITIZENS: None.

ADJOURNMENT:

There being no further business to come before the Commission, the meeting was adjourned at 8:45 p.m.

Respectfully submitted,

Jeff Mais,
Zoning and Codes Administrator