

CITY OF SAN DIMAS PLANNING COMMISSION MINUTES

Regularly Scheduled Meeting
Wednesday, May 16, 2012 at 7:00 p.m.
245 East Bonita Avenue, Council Chambers

Present

Chairman Jim Schoonover
Commissioner David Bratt
Commissioner John Davis
Commissioner Stephen Ensberg
Commissioner M. Yunus Rahi
Assistant City Manager Community Development Larry Stevens
Director of Development Services Dan Coleman
Associate Planner Marco Espinoza
Planning Commission Secretary Jan Sutton

CALL TO ORDER AND FLAG SALUTE

Chairman Schoonover called the regular meeting of the Planning Commission to order at 7:01 p.m. and Commissioner Bratt led the flag salute.

PUBLIC HEARINGS

1. **CONSIDERATION OF MUNICIPAL CODE TEXT AMENDMENT 11-03** – A request to amend San Dimas Zoning Code Chapter 18.152 Signs.

Staff report presented by *Assistant City Manager Larry Stevens* who stated the staff report was a summary of the proposed amendments and the detail was contained in the attachments. Based on past meetings several topics were identified which he has addressed in Attachment 2 by showing the existing regulation, discussion comments from the forums, and Staff's recommendation. Of the issues raised at the previous meetings, Staff is recommending no change to five topics. He presented an overview and Staff's proposed recommendations for Window Signs, A-Frame or Portable Signs, Digital Electronic Message Boards, For Lease or For Sale Signs in Commercial/Industrial Zones, Multi-Family Rental Signs, Temporary Banners, Monument Sign Identification Standards, Façade Upgrade Limitation in Frontier Village, Purpose and Intent – Content Neutrality, Historic Signs, Cost to Remove Signs in Public Right-of-Way, Lighting and other Attention Getting Devices, Minor or Accessory Signs, and Calculation of Sign Area and Height.

He recommended the Commission hold the public hearing and see which topics are of interest to those present, and receive input from the Commissioners. There will also be some minor changes based on comments from other Staff members. Once he has received all this

information, he will draft the final ordinance language for the Commission to review and approve before taking their recommendation to the City Council for consideration.

There are also three areas they have had some discussion on at the last joint meeting with the City Council that were not clearly addressed. An example is Starberry Farms, which does not have windows, so they may have to craft some type of language to allow similar coverage for signage as if they had window area. Another issue was how to allow flexibility for permitting something not covered in the code without having to go through a code amendment. Possibly they could go through the DPRB process, but you have to avoid any First Amendment problems depending on the level of discretion created. Some cities allow for minor variances by meeting certain findings for things similar to existing standards. Another category left open for discussion would be open house/garage sale signs, and whether they would like to regulate that or not. If they did, he would research it further and bring back draft language.

Commissioner Ensberg asked about the hospital's request for an electronic sign.

Assistant City Manager Stevens stated after review it seemed that this type of sign has limited value and benefit and can be difficult to regulate, and to determine under what circumstances should they be allowed. Would the hospital be the only business to have one, or can they be used in other locations. Where you usually see them is large signs for freeway oriented businesses, which we don't have. There was some discussion at the joint meeting that possibly retail users would want to use them. He has seen a few retail users that have used them, such as Walgreens, and in most circumstances they seemed inappropriate. If the Commission felt it was appropriate for the hospital, he could work on code language, but they should keep in mind that just because someone requests something, it may not be appropriate.

Commissioner Davis felt from a procedural perspective the Commission should go through each topic in depth, let the public make comments on each topic as we go along, and make a recommendation.

Chairman Schoonover opened the public hearing. Addressing the Commission were:

Gregory Brentano, CEO, San Dimas Community Hospital (SACH), stated one reason the hospital requested a digital electronic sign was as a public safety measure to identify where the hospital was located since the building is set so far back from the street. They also provide a number of community oriented services such as flu shots and Lamaze classes which they could advise the community about. They also envisioned using the sign to let people know how long the wait time in the emergency room was so they would know when it was best to come in. He asked the Commission to reconsider Staff's position.

Chairman Schoonover asked in regards to things like flu shots or Lamaze classes, how frequently are these held that they needed to have this type of sign.

Gregory Brentano, SACH, stated they Lamaze classes run once per month and flu shots are offered during flu season. They also hold Senior Wellness classes and monthly blood drives, as well as critical public safety programs once or twice a week. Using a banner for these things would not be practical.

Commissioner Ensberg stated this sign would not be used then to advertise the gift shop or cafeteria.

Gregory Brentano, SACH, stated that is correct. They could also use the sign to advertise City events as well.

Commissioner Rahi stated he was trying to understand why they needed a special sign like this.

Gregory Brentano, CEO, stated this would be used for health and wellness programs, or to advertise Emergency Room wait times. Since they are so specialized, he would not be opposed if the City wanted to limit the type of message displayed.

Chairman Schoonover stated there are a number of hospitals in the area and he has not seen any of them use this type of sign, and asked why he felt it was important to have one.

Gregory Brentano, CEO, stated he has seen them at hospitals in Riverside County, and even some that use a billboard on the freeway to advertise the ER wait time, and he felt that was a critical piece of information to the industry. He stated people will come to the ER for minor issues, and this would allow them to come when it wasn't so busy with more important emergencies. He could not comment as to why other hospitals in the area are not using this type of sign.

Commissioner Davis asked Staff if this was an emerging area that should be addressed.

Assistant City Manager Stevens stated it could be considered emerging, but since it is relatively expensive, it is not overly utilized, and he didn't see it as a pressing issue that needed to be currently addressed. This is the only request the City has received for this type of sign.

Commissioner Ensberg felt if they were going to write standards, it might be beneficial to do so for a high-end user like the hospital to set the bar for subsequent users.

Assistant City Manager Stevens stated if they were to write standards they would have to address areas such as level of illumination, frequency of change, how to dim going from day to night, what type of message can be displayed, as well as deciding if they want to handle these on a case-by-case basis or create standards. A larger issue to consider would be if there are other users besides the hospital and would they want to allow them in retail areas, which could create more things to consider. The original discussion was how to renovate the existing monument sign for the hospital. If we are going to allow them to change to a digital electronic sign, then the current monument sign is too large to comply with current standards and may need to be reduced in size.

Commissioner Bratt stated maybe digital signs should be separate from the monument sign standards to make them useable.

Assistant City Manager Stevens asked if he would like that to be in lieu of or in addition to a monument sign.

Commissioner Bratt felt a different standard should be created to allow a digital electronic sign that is different than a monument sign. He also felt they should be allowed for a single-tenant business with a certain amount of street frontage, and that appropriate restrictions could be created to keep the whole City from going digital.

Assistant City Manager Stevens asked if the Commission wished to open this up to other non-public service uses such as retail or office uses. If they were to place a narrow standard similar to the hospital, you may limit it to uses such as churches or the Tzu Chi.

Commissioner Davis felt the cost will come down in the near future and he could see businesses wanting to use these as window signs, and that the City should try to get in front of the trend.

Assistant City Manager Stevens if this type of sign is allowed in a retail environment, then you get into the realm of advertising and asked if that was the type of message they wanted to allow.

Chairman Schoonover felt if they were going to permit digital electronic signs, they should not be used for retail advertising and should be limited to public service messages only.

Commissioner Rahi felt there could be a problem if they allowed too many of them in the City.

Commissioner Davis stated he is not suggesting every retailer be allowed to use them in every window, but he could see a business wanting one in the window instead of painting them with advertising.

Assistant City Manager Stevens stated currently he would view this type of sign as not permitted as a window sign. In getting back to the hospital, he asked should a digital electronic sign be in lieu of or in addition to a monument sign.

Chairman Schoonover and **Commissioner Bratt** stated they felt it should be in lieu of a monument sign.

Commissioner Ensberg felt they should be allowed to have both types of signs.

Commissioner Davis clarified that the signs were for displaying public service messages but not commercial content.

Chairman Schoonover stated he was opposed to having this type of sign at all, but if it is allowed, he would want it to be restricted to public content only. He asked if the size of the lettering will dictate the size of the sign.

Assistant City Manager Stevens stated it will probably need to be larger than the permissible monument sign, so will look at what could be an acceptable size.

Dilip Patel, General Manager, Holiday Inn Express, 485 W. Arrow Highway, felt that hotels should be allowed to have internally illuminated signage, and monument and building signs at the frontage.

Assistant City Manager Stevens stated his hotel is in the Creative Growth (CG) zone, so is subject to the criteria shown on page 19, Sub-Item C, which permits window signs, canopy signs, icon signs, one primary and two secondary wall signs with a square footage limitation. It is also possible to have a monument sign in lieu of one of the wall signs. There is a maximum height of four feet, not including architectural projections, and if internally illuminated, it must be opaque and not white plex. This is the existing code and he can apply for a monument sign now. The current code allows for an illuminated monument sign using opaque material so the letters are lit at night but the background is not. This is the same standard for Extended Stay America and Comfort Suites, both of which have monument signs. He only has one wall sign so he wouldn't even need to change his current signage in order to apply for a monument sign, so unless his problem is the size limit or the white plex, there is nothing preventing him from having a monument sign.

Dilip Patel, Holiday Inn Express, stated there is going to be a change in corporate signage, so he is waiting to see what that will be.

Assistant City Manager Stevens stated he may not be able to use a standardized Holiday Inn Express sign; that it may have to be customized in order to meet the City's requirements.

Commissioner Ensberg stated they want his business to be successful and he can have a monument code, so all he needs to do is give the criteria to whoever is going to make the sign and submit it to the City.

Dilip Patel, Holiday Inn Express, stated corporate wants a specific sign and their standard sign is illuminated on both sides.

Assistant City Manager Stevens stated then his sign will have to be customized. The Commission needs to keep in mind that if they change the criteria, it will impact all businesses in that zone. Mr. Patel can submit the Holiday Inn sign package and Staff can review it against the code requirements.

Commissioner Davis stated he would like to discuss content neutrality listed on Page 28 in Attachment #2, or page 1 of Attachment #1.

Assistant City Manager Stevens stated he added Section C which lays forth the basic objectives of the sign regulations, which is to better illustrate the intent. He has also added Subsection D to clarify that if you put up a sign for commercial purposes we are not technically regulating every word of text, as long as it meets the context of permissible time, place and regulations. This is typically referred to as a substitution clause.

Commissioner Davis the current wording left the impression that we do not want signs because they have a negative impact on the character and quality of the community. He felt we should emphasize that we want to attract commercial tenants and have a sign program that balances the needs of the community with the needs of the commercial tenants to advertise.

Assistant City Manager Stevens stated it is a choice as to which is more important, and felt that if you have a focus on business as the driver, that businesses will do almost anything to attract attention to themselves. A recent example is the relaxation of the sign code in the City of Upland. While the regulations are not bad, the Council made a decision to not enforce them temporarily and it created a very negative effect on the environment and appearance of the City in the commercial corridors, especially with an excessive amount of temporary banners, to the point that you almost can't distinguish one from the other. In a controlled environment, people know what is expected and you don't have this intense competition to try to catch the buyer's eye, and everyone is treated fairly. He felt that business actually suffers if you don't have clear regulations.

Commissioner Davis concurred that you want to have balance but he felt there should be some emphasis on enhancing the visibility of businesses and would like to see the tone of the paragraph reflect that we wish to attract and retain businesses through business identification.

Assistant City Manager Stevens stated he will adjust the language to reflect the direction expressed by the Commission.

In regards to Window Signs, he stated three categories, permanent, temporary, and accessory, were created for the interim ordinance adopted last year. He also included language that will allow advertising alcohol with a finding that overrides any existing conditional use permit

restrictions, and created language for window graphic signs, like the ones used at Active Ride Shop and proposed by Sherwin Williams. This type of sign does not necessarily advertise a product or name and is more artistic in nature. It would need DPRB approval in order to cover the whole window.

Commissioner Davis asked why there was a distinction between coverage for permanent and temporary signs; why not just allow 35% coverage of any type of signage, as long as any one individual window did not exceed 50% coverage.

Assistant City Manager Stevens stated the interim ordinance was created in response to complaints and was appropriate at the time it was adopted. He felt that covering a window with 35% temporary signs was too much, but he could eliminate the distinction if the Commission desired.

Commissioner Davis felt the signs should be changed but that there should be some flexibility for the percentages.

Assistant City Manager Stevens stated if they would like to eliminate the distinction between permanent and temporary signage, that it would be best to lower the amount to 25-30% coverage. That way you could lessen the obscuring effect.

Commissioner Bratt stated he has heard people say that they want to be able to see inside a business.

Assistant City Manager Stevens stated the purpose of windows is to be able to see in and out, and the more coverage that is allowed, the more you take away that purpose. CVS was designed without windows because they did not work with their display racks. The hardware store has really nice windows but they have blocked them all with display racks right in front of them.

Commissioner Bratt stated he liked how it was written and would not want to see 35% of the windows covered with permanent signage. He felt having a differentiation between permanent and temporary signage was appropriate.

Commissioner Ensberg stated he would not be opposed to doing away with having different standards.

Assistant City Manager Stevens clarified that they commission approved the definitions, but did not want to have a discreet limit.

Commissioner Davis and **Chairman Schoonover** concurred that they were okay with having 35% total coverage, with no one window exceeding 50% coverage, and were in support of the language for window graphic signs.

In regards to industrial and office zones, the Commission felt there did not need to be any enhancement to the current code for office uses, but that some industrial uses had a quasi-retail component so would like to see that aspect researched further for possibly allowing additional signage.

Commissioner Davis stated he did not want to see A-Frame signs eliminated, but also felt that having them away from the building front along the highway was inappropriate.

The Commission concurred that they would like A-Frame signs allowed in retail zones, should be within six feet of the front door of the business, each business in a shopping center could utilize them, supported the suggested size limitations, no attachments to them, would allow chalkboards and white boards, they should be professional quality, and ADA compliant.

Commissioner Davis stated in regards to For Sale/For Lease signs in commercial and industrial zones, he felt the free-standing signs should be eliminated and they could use banners and window signs on the vacant spaces. He also thought it would be all right to use a space on a multi-tenant sign to advertise leasing information. He felt that by having all these wooden signs posted, it was creating the impression that the whole City was vacant.

Assistant City Manager Stevens stated in response to Commission comments that he felt most centers were not filled by drive-by clients, that the signs were to advertise the brokers more than to advertise vacancies. He could amend the language to reflect the Commission's direction to prohibit them.

Commissioner Ensberg stated he was more comfortable with Staff's recommendation than to delete them completely. The problem seems to be that they appear to be permanently installed.

Commissioner Bratt felt the vacant tenant spaces can have signage, but that there shouldn't be signs out at the street.

Chairman Schoonover asked what is the projected revenue from the cost recovery program because he was concerned that if it was a minimal amount, the negative reaction from the community may not be worth it.

Assistant City Manager Stevens stated the major concern is the amount of time and money it costs to repair City property after removal of signs.

Commissioners Davis and **Bratt** felt for yard sale signs there needed to be flexibility to allow people to advertise, but possibly they should be like a freestanding open house sign so that people wouldn't use tape on City property and cause damage.

Assistant City Manager Stevens stated they should consider what is appropriate and how it is constructed, should there be a numeric limit, and to have name and contact information on the sign itself. One of the main issues is where can they be placed, as you would want to avoid the public right-of-way.

Assistant City Manager Stevens, in response to Commissioner Davis, stated in regards to temporary banners, it would be impractical and difficult to enforce to allow an increase in the number of banners while not going over the 60 days permitted each calendar year. He stated an issue with lighting is that people tend to use lights around windows or buildings to try and draw attention to their location, so they are attempting to use them as a form of sign. If the Commission wanted to allow lighting around windows or outdoor eating areas, then they will need to create standards. He can create a definition for permitted architectural lighting, such as low voltage and designed to be used outside.

Commissioner Bratt stated he was not in favor of blinking lights in windows, but could support lights for outdoor eating areas, and the Commission felt they should be limited to white lights only.

MOTION: Moved by Bratt, seconded by Davis to continue the public hearing to the regular Commission meeting of June 7, 2012. Motion carried unanimously, 5-0.

ORAL COMMUNICATION

2. Director of Development Services

No communications were made.

3. Members of the Audience

No communications were made.

4. Planning Commission

In response to *Commissioner Bratt*, Director Coleman stated the Olive Garden was proposing a different location than originally approved for the monument sign and installed the mock-up so the DPRB could review the height, width and any line-of-sight issues.

Commissioner Rahi stated he was pleased with the re-striping and the stop signs at the center.

ADJOURNMENT

MOTION: Moved by Ensberg, seconded by Bratt to adjourn. Motion carried unanimously, 5-0. The meeting adjourned at 9:51 p.m. to the regular Planning Commission meeting scheduled for June 7, 2012, at 7:00 p.m.

David Bratt, Vice-Chairman
San Dimas Planning Commission

ATTEST:

Jan Sutton
Planning Commission Secretary

Approved: August 2, 2012