

**Planning Commission
Public Hearing
July 30, 2014**

The meeting was called to order by Zoning Chairman Nixon Adams and the secretary called the roll.

Present: Nixon Adams, Michael Blache, Ren Clark, Simmie Fairley, Rebecca Bush, and Scott Quillin

Absent: Dennis Thomas

Also present: Louise K Kidd, Planning Director; Michael Lauer, Planning Works; and John Endres, Planner of Special Projects; Council Member David Ellis

Mr. Adams announced the work session meeting was a discussion of the proposed CLURO Amendments, Phase 2. Mr. Lauer said the discussion would focus on signs and the Town Center including density and use standards. He would meet with Ms. Kidd in the next week to discuss the re-organization of the signage language. The board would meet on August 18th for a community work session and on August 19th as part of the regular meeting.

Signage

- Content and Viewpoint Neutrality
- Clarity/Organization
- Temporary and “For Lease” Signs
- Sign Area and Allocation
- Multi-Tenant Display Signs
- EMC Locations

Approach to Content Neutrality

- Identify content-based
- Regulations
- Exemptions
- Definitions
- Eliminate content reference or establish clear public purpose for distinctions
- Add clear statement of City’s finding that the regulations are content neutral

Potential Permit Exceptions

- Election signs (in place of political signs)
- Real estate signs
- Construction/project signs
- Banner signs
- Window signs
- Streamers and pennants
- Flags (what content? how many? how big? how tall?)

The content neutrality was flexible with a good public purpose. While being able to limit election signs, targeting one party over another was prohibited. There were numerous standards not included in the ordinance. Mr. Blache asked if there would be a discussion on interior window signs that faced outward. Mr. Lauer said any sign within “xx” distance of a window was considered a window sign. There were temporary and permanent window signs to be discussed. His recommended approach would be a neutral point of view and deal with the area of the sign. Political signs would be renamed election signs because it could be a statement on any issue. Real estate signs were usually one sign and political signs were located in a large area. That was the basis for the political deposit to assure they were removed at the end of the election. Ms. Kidd said people were more conscientious about picking up the signs to get their deposit back. Mr. Blache said the side of a house on private property could be painted and be protected.

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The consensus was requiring a permit, but not collecting a deposit. A list of rules needed to be given to all candidates.

Real estate signs applied to a given site. Where it was located would determine some rules. There were separate construction and project signs. Project signs identified Phases in certain instances. They were temporary signs that often become permanent. There was no public purpose. Mr. Endres said some developments posted a project sign, a construction with all the subs listed and a real estate sign. Mr. Blache said on some electronic signs, the owner was advertising products being sold. He was concerned about the business selling coke and could not have an umbrella that advertised coke. Mr. Lauer suggested identifying incidental signs. The City had amplifying signs like Coca Cola and the limitations were fuzzy. Ms. Kidd said signs below five square feet were allowed without a permit. Many businesses had directional signs with logos located on several places on the sites. Amplifying signs required the size to be taken out of the total size, but the small signs were not permitted. Mr. Blache said the seminar the board attended suggested limiting signs to sales of the product. There were so many ways to be sued and the board wanted to prevent that. Mr. Lauer said at some time there could be a lawsuit and the City's attorney would determine how strong the City's position was. Ms. Kidd said there was a case with a wall going through the building and coming out through the roof. Mr. Adams thought it appeared to be a parapet sign. Ms. Kidd said parapet signs were allowed. The Design Review Committee liked the appearance. Mr. Quillin asked on a square footage sign, would it be allowed? Ms. Kidd said the logo and verbiage for Wendy's would be used to determine the size. She was trying to define it and how to calculate the sign size. Mr. Lauer asked how tall could the parapet be. Mr. Adams said if it was allowed by the square footage, he thought it would be legal. Mr. Lauer suggested reviewing parapet signs in this review. Mr. Adams said the original intent was to keep people off flat roofs.

Temporary window signs – should they require a permit. This type of sign was for a limited period of time. Mr. Adams said one of the dry cleaners had painted the windows. Mr. Quillin said whether painted signs or other medium they got old and dingy. Mr. Clark asked about paper signage identifying weekly sales. Mr. Endres said it was identified as sales. There were problems with the signage that never changed. There should be more classification. Mr. Adams said there must be a reason and if they were a safety hazard or aesthetically displeasing in appearance or if you cannot read them from the street how do you regulate them. Mr. Blache said the seminar identified aesthetics. Mr. Quillin said a car part store had red colors and should be included in the total square footage as opposed to chicken wings on sale this week. Mr. Endres said it was allowable if rotated out. The City must include these signs in the total square footage and it was becoming an increasing problem. Mr. Adams said there was a problem with identification on cars and vans and where on the site they were parking. Mr. Lauer asked if the window signs should be counted as the area or keep the existing language allowing signs up to 50% of the windows. Mr. Blache would prefer to limit the size. Mr. Endres said the problem was the neon and identification that never changed and was not a sale item. The mechanism was not well defined for enforcement. He thought exit signs with logos should also be included in the total square footage. Permanent window signs should be part of the total sign package. Temporary window signs was a battle everywhere. Mr. Blache suggested limiting window signs to a percentage. Mr. Lauer said limiting the area would work and it did not want to specify content. Ms. Kidd said changing the signage weekly was still a permanent window sign. Mr. Clark said there was not a difference in grocery sales and the Ace Hardware sign identifying their product. Mr. Quillin said there was a square footage on a digital message sign. Mr. Adams said if Rouse's had attached signs that were amplifying uses, what the difference. Mr. Quillin said enforcement would just make businesses unhappy. Ms. Kidd asked

were the window signs causing blight. Mr. Lauer said when the entire window was covered was usually the problem. Mr. Endres suggested 50% of a particular window and a maximum of 25% of all windows. It should be boxed to determine the size. People were making the windows their signs. Mr. Blache asked for pictures of the problems. Mr. Adams said with the winding of the roadway at Highway 190 and East Causeway Approach the landscaping at the center was lost and the signage should not be the terminal view at the stoplight.

Flags were allowed without limitation as long as they were governmental flags. Ms. Kidd asked if a car dealership hung an American flag periodically and surrounded the perimeter of the land would that be considered promotional. Mr. Clark said it should be one and not 50. Mr. Adams suggested if flying a flag, it should conform to proper flag etiquette. Mr. Clark said one of each type of government flag should be allowed, but not used as decoration. Mr. Lauer asked if the board was comfortable with flying flags of nationalities and anything else was considered a banner, and there was consensus. Mr. Lauer asked about flag size, and the board did not have a size problem but it should be limited to 35' in height. The board agreed that one from each governmental unit was allowed.

Should amplifying signs be

- Be exempt from permitting?
- Be exempt from area regulations? (note that area limitations are ambiguous)
- Be limited in size and/or number?
- Sign for lease or hire, or
- Sign advertising a good or service not provided on location
- Let height and area limitations control signs that fall outside this definition

Mr. Lauer suggested removing the name "amplifying". Mr. Quillin said a determination was made by the A framed signs. Mr. Lauer said they were taken in every night and only applied in the B-3 district. Ms. Kidd asked as an example if trash cans were installed and painted bright red which was the business logo color. The board agreed if nothing was written on it, it would not be a sign. Mr. Adams said a sign was anything designed to attract attention to a site. Mr. Clark asked what was the purpose of the sign ordinance. Mr. Lauer said zoning was to protect property values and public safety. From the public safety side, the proliferation of signs became distracting. If there were too many signs, it would be too hard to read and you could not find anything. From the public welfare side, there was a proliferation of signage becoming litter. Mr. Adams said it was also about keeping fairness among competitors. Mr. Quillin felt if the signage could be read from the road, then it was part of the sign package. Mr. Adams said it should be legible from the speed that people were travelling down the road. Mr. Lauer recommended not requiring a permit, but that made enforcement difficult. Mr. Endres said the business should have a maximum square footage and include all signage.

At this time, one freestanding sign was allowed, and amplifying signs were considered freestanding signs.

Billboards

- Sign for lease or hire, or
- Sign advertising a good or service not provided on location
- Let height and area limitations control signs that fall outside this definition

Mr. Adams said at the seminar regarding changeable message signs, there was advertisement not relevant to the premises. There was a location that included advertisement for an additional location in Madisonville. There were also public

services on the sign. Mr. Lauer said this was about enforcement with a good or service not provided at that location. Public Service notices were exempt.

Billboards were signs that advertised a good or service not provided at the location. The definition picked up all small signs. Mr. Endres said the Mandeville Ace would not be able to advertise the Madisonville Ace unless he met all criteria for a billboard. To be content neutral, non-commercial language must be allowed. Mr. Lauer said the present definitions listed many things that were not content neutral.

Define

- Incidental sign – not readable from right-of-way
- Election sign – distinct from political sign
- Construction project sign (what's the public purpose of distinguishing a construction sign from a project sign?)
- Pavement sign

A pavement sign was written on the pavement telling you where to go. If it was not visible off site, there would not be any harm.

Evaluating Signs Not Requiring Permits

- Fuel pump signs
- Oil rack signs
- Tire rack signs
- Pricing signs – what's the public purpose of only allowing this for gasoline sales but not rutabagas or flu shots?
- Menu boards most are electronic, have speakers and are relatively large (up to 48 sq.ft.)

Most fuel pump signs were incidental because they were too small to see. No one had seen any tire rack signs in Mandeville. Mr. Blache said there was a gas station in Madisonville covered in signs that were nostalgic. Mr. Quillin said it because it was

Art versus advertising. Menu boards with speakers or electronics should require a permit.

Non Advertising/Non Commercial Signs That Requirement No Permits

- 24 sq.ft. wall sign and 24 sq.ft. freestanding sign for institutional uses
- Amplifying signs

This made sense in residential areas. Mr. Lauer recommended changing language to read "for any uses allowed in that district". The board was in agreement. Mr. Endres asked about Institutional signage, specifically Our Lady of the Lake being located in the B-3 District. It was a large campus with signage viewable from the street. Mr. Lauer said if treated differently, a public purpose must be established. Ms. Kidd said if there were multiple buildings on the campus, use the frontage.

Temporary Real Estate Signs

- Residential District Options
- Part of total sign area?
- Permitting?
- Duration?
- Non-Residential District Options
- Part of total sign area
- Part of allowable signs or temporary free-standing
- Permitting

- Duration

Residential District Signs

- Address (3 sq.ft)
- Construction project (16 sq.ft)
- Election (32 sq.ft.)
- Flags
- Garage sale (6 sq ft.)
- Home occupation (2 sq.ft)
- Non-advertising (8 sq.ft.)
- Real estate (6 sq.ft.)
- Resident identification (3 sq ft)
- Seasonal
- Vehicle

Non-Residential District Signs

- Address (3 sq.ft)
- Construction project (16 sq.ft)
- Election (32 sq.ft.)
- Flags
- Garage sale (6 sq ft.)
- Home occupation (2 sq.ft)
- Non-advertising (8 sq.ft.)
- Real estate (6 sq.ft.)
- Resident identification (3 sq ft)
- Seasonal
- Vehicle
- Pricing signs (fuel)
- Private direction signs
- Public directional
- Real estate
- Sandwich board
- Seasonal signs, banners and pennants
- Tire rack signs
- Window signs – permanent / temporary
- Vehicle – permanent/temporary

Sign Area

B-3, PM-2, PM-2

- Freestanding
- 32 sq.ft per sign face
- Attached
- 1 sq.ft. per linear ft. of store frontage
- 32 sq.ft. for wall or projecting sign
- 12 sq.ft for awning sign
- Total 64 sq.ft.

I, O, B-1, B-2, B-4, O/R, M-1, M-2

- Freestanding
- 120 sq.ft. per sign face
- 40 sq.ft. per sign face minimum allowance
- Attached
- 1.25 sq.ft. per ft. of bldg frontage
- Not less than 32 sq.ft. total for multi-tenant
- Only 24 sq.ft. for single tenant
- Total 0.5 sq.ft. per ft. of street frontage

Multi-Occupant Centers

- Existing intent is to advertise center on freestanding sign and allow more area for wall signs
- Existing practice is to allow owner flexibility in determining the content of the signs
- Result is less visibility for all
- Limit free-standing signs to original intent – project name, address and statement of purpose
- Limit free-standing signs to above, but allow anchor tenant listing
- Allow free-standing sign to be used however the owner chooses
- Establish minimum standards for legibility

Mr. Lauer recommended exempting signage in residential districts. Non-commercial speech could be limited to one sign per premise. He asked if it should be counted toward total sign area per residential area. If all types of signs were added up there was a large amount of square feet. Mr. Adams said during the last election there were some houses that posted 4' x 8' signs which were an imposition to the neighbors. Mr. Blache suggested no sign shall exceed "xx" square feet in a residential district. Ms. Kidd said if there were numerous candidates, how do you restrict posting to only one sign. Mr. Clark said if there was a definition of visual clutter it would be helpful. Mr. Lauer suggested election signs were different and should be treated independently. Mr. Endres suggested the height be restricted in residential areas. Mr. Quillin would prefer smaller signs in true residential areas. It was clarified that this was referring to election signs. Mr. Lauer asked if there was a problem with allowing off premise garage sale signs, but not other off premise signs. Codes were about stating principles but not always enforced.

There was support for including real estate signs in a total square footage allowed for a residential district. Home occupation should be identified as part of the residence. This was usually a small sign by the front door. The real estate sign public purpose was to facilitate the movement or sale of private property for an exemption.

Non-residential real estate signs:

Mr. Adams stated the For Lease sign should be placed in the empty space on the monument sign and not an extra sign. Mr. Quillin was in favor of some signage differentiating space availability, but should be part of the sign package. It should not remain for years and become blight. Mr. Adams felt it was an off premise billboard for the real estate company and did not want to allow a larger sign than what was allowed for the tenants. Mr. Endres suggested restricting the sign to a small sign. Mr. Adams said with this approval there were many 4' x 8' signs that would be eliminated. Council Member Ellis was concerned about the owner's rights being taken away by prohibiting the real estate sign. Mr. Adams said it would be a wall sign if there was not a monument sign. Mr. Endres said most monument sign slots were 1' x 2' so it was very small to be read. Mr. Adams said the seminar suggested using the digital message sign advertising the space. Mr. Quillin agreed that it was an off premise sign advertisement for real estate companies.

Monument sign sizes were discussed that large signs were appropriate for large developments, but shifting some of the monument signage to wall signage for smaller business was appropriate. Ms. Kidd said in the last amendments, the bonus of the monument sign was removed. She suggested reviewing the total allowance for signage and how to allow it to be divided between the monument and attached signs. Mr. Endres said frontage needed to be defined. Mr. Adams said the occupants

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were not entitled to road visibility as their principle means of advertisement and identified at a center. The signage evolved through major tenant requirements on 50% of the sign to the present with smaller signs for each tenant. This was an application where a digital message sign would be appropriate. Mr. Lauer asked to review the sign area with suggestions and the board was in agreement.

There was a discussion about allowing the tenant names on the monument signs. Mr. Quillin said he did not want a larger sign, but wanted the tenant names to be readable. It could be that the smaller tenants were not represented on the signage. Mr. Blache said the board would get push back from the landlords. Mr. Endres said the tenant area could no larger than 50% of the allowable square footage. Mr. Lauer interpreted the language three different ways and it should be clarified. Mr. Adams said the basic philosophy was to identify the center. The tenants would have identification on the building. Ms. Kidd said the owners were coming to the City requesting variances to allow more tenant space on the monument sign. Ms. Kidd's concern about going back to identification with the existing signs incorporating tenants would be a long amortization period. Mr. Adams said on Highway 22 if the owners were offered an opportunity of an electronic message sign, the owners would move forward. Mr. Lauer said the owners already had that ability. Mr. Quillin was not concerned about the 50%, but wanted it to be readable. He knew the anchor stores but not the shopping center names. Ms. Kidd said a minimum font size could be the answer. Mr. Adams suggested using sign standards for highways. Mr. Blache asked if a wall sign would be sufficient and just identify the name of the center. Mr. Lauer heard support for advertising with minimum legibility. Mr. Adams said the justification was if it was not legible at normal speeds, it did not matter. For way finding purposes, there should be a center name but may not need to be 50%.

EMC

- Consider requiring sign frames for EMC
- Allowed Throughout B-1, B-2 and B-4 districts
- Include frontage roads
- Consider limiting to:
 - U.S. 190
 - LA 22
 - North Causeway
 - East Causeway
 - West Causeway

A consideration was a further limitation of location. Council Member Ellis had brought this up at a previous meeting and Mr. Adams thought it should be discussed in a public hearing. He thought West Causeway should not be allowed and Highways 190 and 22 were ideal for the signs. Mr. Quillin said south of Mandeville High School there were businesses, offices, and a shopping center so it could be compatible. Ms. Kidd said the seminar discussed the reduction of the size of those signs in certain corridors and would be inset into a frame. It would have the same appearance of a monument sign. It would limit the amount of the message and the total signage. Mr. Quillin said this came back to aesthetic choices for people outside of the size requirement. Mr. Ellis said the aesthetic decision was made in the B-3 district. There was a regulation of structures of signs. Mr. Ellis was concerned about any district close to a residential area. He could see a more defined sign on Highway 22, but he did not want it placed on West Causeway Approach. Mr. Adams said they were prohibited in the B-3 district because it was a special area. If it was determined that West Causeway Approach had a special character or nature, then prohibit there as well. Mr. Lauer summarized that he should look at the zoning in the corridors and any rationale for the area. Mr. Quillin said West Causeway

Approach was already approved for large monument signs with centers and businesses. Mr. Blache said the problem would become that the tenant with a sign was told it would be removed, and then the tenant would move. Mr. Blache said on Highway 22 there were entrances to residential areas.

Town Center Uses

- Intent is to create an active mixed-use center
- Current regulations don't address orientation of uses
- Residential and office uses dampen street vitality
- Market may not be adequate to support commercial frontages
- B-3 district approach is to allow flexible use of spaces to respond to market

Town Center Use Options

- No change
- Limit frontage to retail/service businesses
- Limit percentage of frontage that may be used for other uses
- Require non-residential spaces, but allow flexible use of those spaces

Town Center Density

- Currently require 3,000 sq.ft of lot area per dwelling unit (du)
- Townhomes tend to start at 14 du/a gross density or 16.8 du/a net which is 2,600 sq.ft. per du.
- Consider dropping minimum square footage to 2,000 sq.ft per of lot area per du

Residential only property discouraged pedestrian traffic. If the City wanted a vital mixed use district, stay away from residential uses on the ground floor level fronting on the square. The intent was to create a mixed use district. The current regulations did not address the orientation of the building, and should be addressed. The dilemma was that the market was not there to support commercial space. The B-3 district did establish a template to move forward because there was flexibility in the use of the buildings. The options were a use neutral which was a mistake. The City could limit uses to retail and service industries, but that might be a sustainability problem. The two other approaches would be to allow a certain percentage of frontages to be occupied by other uses. Mr. Quillin asked how to preclude certain uses. The other approach, which had a history to some extent, was not to allow non-residential on the first floor but it could be professional services. Mr. Blache said there was a risk of townhome living. Ms. Kidd said this would be handled through design. Mr. Adams said the previous study had an economic study that was valuable. Ms. Kidd said on the Acadian Millwork site there was a proposal for townhomes which was currently allowed. Mr. Clark asked how to encourage a particular mix. Mr. Lauer said the intent was not to make it less residential. Ms. Kidd said there were incentives to allow more adjacent parking and the owner could buy the parking costs. There was also reduced setbacks. The incentives worked and it was shown by having the commercial buildings. Mr. Adams suggested relaxing the parking even more since there was usually parking available. Mr. Clark said there was competition for parking in the active hours. Ms. Kidd said there would be a requirement for residential parking spaces.

Mr. Lauer said a current standard was 3,000 square feet per dwelling unit lot size. The Town Center density was low for a mixed use center. Mr. Clark said there was a large discussion with Mr. Waller over this issue. Ms. Kidd said it was about density. Mr. Blache asked what was the density in Covington. Ms. Kidd had spoken with other communities that required 1,200 to 1,800 square feet. St. Tammany Parish's requirement was half of what the City required. Mr. Adams said pictures would be required for the public hearings. Ms. Rohrbough had just left the meeting and told Ms. Kidd that she was agreeable to 1,500 square feet, and the flex spaces on the ground floor commercial.

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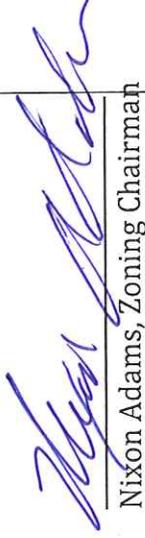
Next Steps

- Town Center Alleys and Setbacks
- Zoning Permit Review Criteria
- Sight Triangle Standards
- Marina District Regulations
- Events Center Definitions and Standards
- Automotive Dealerships in Gateways

The community workshop would be Monday, August 18th and the board would meet on August 19th on other issues. The Critical and Sensitive Committee will meet on the afternoon of August 19th.

Mr. Quillin moved to adjourn the meeting, seconded by Mr. Blache and was unanimously approved.


Lori Spraxley, Secretary


Nixon Adams, Zoning Chairman

