

**PLANNING AND ZONING COMMITTEE
MEETING MINUTES
August 22, 2007**

The Planning and Zoning Committee of the DeKalb County Board met on August 22, 2007 at 7:00 p.m. in the Conference Room East located in the DeKalb County Administration Building. In attendance were Committee Members Roger Steimel, Marlene Allen, Eileen Dubin, Anita Turner, Vince Faivre, Michael Haines, Pat Vary, and staff members Paul Miller and Rebecca Von Drasek. Also in attendance was Greg Millburg.

Mr. Steimel, Planning and Zoning Committee Chairman, called the meeting to order, and noted that all members from the Committee were present.

APPROVAL OF MINUTES

Ms. Vary moved to approve the minutes of the July 25, 2007 meeting of the Planning and Zoning Committee, seconded by Ms. Dubin, and the motion carried unanimously.

APPROVAL OF AGENDA

Mr. Haines moved to approve the agenda, which was seconded by Ms. Turner, and the motion carried unanimously.

ZONING TEXT AMENDMENT

Mr. Miller briefed the Planning and Zoning Committee on the proposed Amendments which are intended to address issues related to the legal sustainability of the County sign regulations in light of recent court actions. The Amendments focus on the purpose, intent and scope of sign regulations, noncommercial signs, political signs, prohibited signs, and billboards. The Zoning Text Amendments application was filed by staff under the direction of the Committee.

A public hearing for this Zoning Text Amendment was conducted by Hearing Officer Kevin Buick on July 26, 2007. Mr. Miller explained that the proposed changes to the Sign Regulations included: tightening the purpose and intent portion of the Sign Regulations; overtly allowing noncommercial speech on signs; shifting regulations for political signs to the temporary sign portion of the regulations; adding electronically-changeable sign copy to the list of prohibited signs; modifying the regulations for billboards to reference the prohibition of electronically-changeable sign copy; and improving the Zoning Ordinance's severability clause. The Hearing Officer has filed his report and findings, and recommended approval of the Text Amendments.

Mr. Steimel thanked Mr. Miller for attending the APA conference and suggesting these improvements. He then asked for a definition or an example of "non-commercial speech", to which Mr. Miller defined the term as any language on a sign which does not promote, sell, or identify a commercial entity or its products.

Ms. Vary asked if "non-commercial speech" wording was related to the directional church signs which is an issue the County has dealt with in the past. Mr. Miller pointed out that the church signs were often posted within the right-of-way which is prohibited within the Zoning Ordinance.

Mr. Haines considered aloud the delineation of non-commercial from commercial entities, (i.e. a church that hosts bingo). Mr. Miller emphasized that the Sign Regulations cannot legislate everyone or every instance. He stated that the sign in general, like most other non-agricultural developments, are discouraged within the unincorporated areas of the County. Most of the municipalities in the area have similar signage policies which benefits DeKalb County in enforcement.

Ms. Vary inquired if Section 7.05.J should be a complete sentence or a list. This section is intended to be a list of prohibited signs. Mr. Miller explained it was part of a list.

Mr. Steimel wondered which agency was responsible for the new billboards along Interstate 39 which appear to be within the 660 setback. Staff was unsure how the billboards were permitted.

Mr. Faivre reminded the Committee that although billboards may not always be aesthetically pleasing they often provided important information for travelers.

Ms. Dubin requested a refresher on the political sign regulation. Mr. Miller indicated that either a candidate or a block of candidates may apply for a sign permit, which requires a \$100 deposit and a \$20 fee.

Ms. Vary then made a motion to approve the amendments to the sign ordinance as proposed in the application for zoning action, DC-07-09, seconded by Mr. Haines. The motion passed unanimously.

ADDITIONAL ITEMS:

Mr. Miller indicated that the upcoming Strategic Plan being considered by the County Board created a natural opportunity for consideration of an update to the Unified Comprehensive Plan. The Plan was adopted at the end of 2003. It would be appropriate to consider an updated Plan aimed for 2010. To this end, Mr. Miller requested \$5,000 be placed in the Special Projects Fund of the FY 08 Budget. He encouraged Committee members to review this proposal. Ms. Allen then mentioned that numerous constituents had approached her regarding the 40-acre requirement. Mr. Miller asked if the feedback had been positive or negative and indicated that he also has received comments regarding the requirement and that they were generally positive. The controlled growth approach preventing sprawl, which is the intent of the 40-acre requirement, is also intended to reflect the values of the Comprehensive Plan. Ms. Turner stated that she had been complimented by colleagues familiar with the rule.

Mr. Haines expressed concern with the County's control over developments following an annexation or a pre-annexation. He stated that there were cases where the County discourages a development and then following the property's annexation the County loses a say in the matter and the development is built. Mr. Miller emphasized that the intent of the Regional Planning Commission was to at least have a forum to discuss development and went on to point out that there were both pros and cons to be weighed with this type of regional commission. Mr. Miller then highlighted the improvement made in many of the municipalities who now take a more in-depth look at prospective developments.

ADJOURNMENT -- *Ms. Vary moved to adjourn, seconded by Mr. Faivre, and the motion carried unanimously.*

Respectfully submitted,

Roger Steimel
Planning and Zoning Committee Chairman

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