

Planning and Zoning Commission Minutes
City Council Chambers Northside of City Hall
360 Rio Communities Blvd.
December 3, 2020

This meeting was streamed on Facebook Live
<https://www.facebook.com/riocommunities>

Call to Order

- Vice-Chairman John Thompson called to order the Planning and Zoning Commission meeting at 6:41 p.m.

Pledge of Allegiance

- Lawrence Gordon led the Pledge of Allegiance.

Roll Call

- Present- Chairman Tom Scroggins, Vice-Chairman John Thompson, Secretary L. E. Rubin, Scott Adair, and Lawrence Gordon
- Present- Deputy Clerk Amy Lopez

Approval of Agenda

- Tom Scroggins made the motion to approve the agenda for December 3, 2020. The motion was second by Lawrence. Vote: Chairman Tom Scroggins - yes; Vice-Chairman John Thompson - yes; Secretary L. E. Rubin - yes; Scott Adair - yes; Lawrence Gordon - yes. With a 5-0 vote the agenda for the Planning and Zoning meeting on December 3, 2020 was approved.

Approval of Meeting Minutes from November 19, 2020

- L. E. Rubin made the motion to approve the Meeting Minutes for November 19, 2020. The motion was seconded by Lawrence Gordon. Meeting Minutes for the joint meeting with City Council on for November 19, 2020 were signed. Vote: Chairman Tom Scroggins - yes; Vice-Chairman John Thompson - yes; Secretary L. E. Rubin - yes; Scott Adair - yes; Lawrence Gordon - yes. With a -0 vote the agenda for the Planning and Zoning meeting was approved.

Public Comment

- No comments were made.

Zoning Ordinance Chapter 4-8 and 4-13 – Discussion and Consideration Action

- John Thompson said Article 4-13 would be discussed first and asked what everyone's thoughts were about taking out paragraph C and began a discussion.
- L. E. Rubin said we wouldn't be deleting it, we would be moved to another place.
- Scott Adair said we could add it to 4-13-9.
- John Thompson read section 4-13-2.
- Tom Scroggins asked if that included political signs and said no one who had political signs came before Planning and Zoning to get a permit and began a discussion.
- L. E. Rubin said political signs are a little different with their own set of rules and began a discussion.

- John Thompson asked how many ways this ordinance may be misinterpreted and if we want to refer instead to Chapter 4 Article 13 of the City Ordinances.
- Lawrence Gordon said we want everyone to be able to find it easily or they might not look it up; we want them to know what it says.
- Scott Adair said C is almost identical to B and asked why C is needed and began a discussion.
- Scott Adair said he will need to clarify that with the Code Enforcer and asked if it should read “may receive a citation” and began a discussion.
- It was agreed to add “may receive a citation.”
- John Thompson read the Sign Safety section and began a discussion
- Tom Scroggins asked if a double-sided billboard is considered one sign or two and continued a discussion.
- John Thompson began a discussion regarding distance between signs.
- Tom Scroggins began a discussion on political signs.
- Scott Adair said he could add “all signs to include political signs, to be 6’ apart.
- Tom Scroggins is worried about people nit picking political signs just to do it and began a discussion.
- Lawrence Gordon says he agrees with 6’ and it was agreed to add 6’ for political sign spacing.
- John Thompson read animation and illumination and explained his concern was preventing signs with lighting from begin a distraction to drivers.
- Lawrence Gordon said the driver should know better to look at the road, not at lights and continued the discussion.
- John Thompson said he understood the illumination source should not be a direct light.
- Scott Adair said it would be out of line of sight, no direct illumination, move the sign if you need to. He then said the last sentence of paragraph B was redundant and should be removed and it was agreed upon to remove it.
- John Thompson read limitations on electric signs.
- Tom Scroggins asked if a sign has the time, date, and temperature going across it, if that is considered movement and began a discussion.
- Scott Adair said it can be a complete thought, then change in 10 seconds
- John Thompson read section F and began a discussion.
- Deputy Clerk Lopez said the lawyer mentioned putting anything about foot candles because it is going to cause issues and began a discussion.
- Lawrence Gordon said to leave it in there and present it City Council to see how they would want to handle paragraphs F and G, measuring foot candles.
- Lawrence Gordon said we have to define bright light in some way.
- John Thompson asked if F and G should be left in there and let Council decide.
- Lawrence Gordon said we need further input, leave it to the Council, and let them talk it over with the attorney and the discussion continued.
- Tom Scroggins said if we get a message board for the City, the designer would plan to have illumination that conforms to the ordinance
- Scott Adair said regarding F it just has to be less than the ambient light.
- John Thompson said it should go to the attorney and continued the discussion.
- John Thompson said the consent is to leave F and G and present it to Council on Tuesday.
- John Thompson said what will 14-13-8 read and began a discussion.
- L. E. Rubin said if it is a safety issue it should be taken care of immediately.

- Scott Adair said we could add a statement saying that if it is a danger, the Code Enforcer is able to have it shut down and the owner will be given a certain amount of days to bring it to compliance.
- Tom Scroggins said it might be difficult for someone to find a company to fix it in the short amount of time.
- L. E. Rubin asked how they got a nonconforming sign put up to begin with and began a discussion.
- John Thompson asked Scott Adair to read what will be added.
- Scott Adair read the revision.
- John Thompson read section 4-13-9 and explained the exemptions.
- L. E. Rubin asked if temporary signs are in the definitions.
- John Thompson asked what the difference is between temporary and residential signs.
- Scott Adair said a residential is a sign exclusive to the residence, like a sign with the household name.
- Tom Scroggins asked if the sign is the size of the lettering or the wall the lettering is on and began a discussion.
- L. E. Rubin said the lettering is the sign and not the size of the wall and began a discussion.
- John Thompson said we can provide exceptions when we need to.
- Tom Scroggins said a residential sign would be lettering for an address or the name of the family hanging on the door.
- John Thompson read more exceptions.
- John Thompson read 4-13-11 and began a discussion.
- John Thompson asked if there were any changes to 4-13-11 and asked for definitions for temporary and residential signs that need to be added to section, beginning a discussion.
- Scott Adair read a definition of a temporary sign
- A discussion began regarding the definition of residential signs.
- John Thompson asked if everyone one is comfortable to vote on the changes made to the ordinance and send it to Council.
- L. E. Rubin motioned to move draft number 4, with the changes that will be made by Scott Adair, to Council for their consideration. Lawrence Gordon seconded the motion. Vote: Chairman Tom Scroggins - yes; Vice-Chairman John Thompson - yes; Secretary L. E. Rubin - yes; Scott Adair - yes; Lawrence Gordon - yes. With a 5-0 vote the motion was approved to send draft 4 as amended to Council for their consideration.
- L. E. Rubin asked what 4-8 is.
- John Thompson said it is the appeal process and read the section, mentioned zoning officer should be changed to Code Enforcer and zoning commission to planning and zoning commission and began a discussion.
- L. E. Rubin made a motion to adopt the changes made to 4-8-5 and present it to the Council. Lawrence Gordon seconded the motion. Vote: Chairman Tom Scroggins - yes; Vice-Chairman John Thompson - yes; Secretary L. E. Rubin - yes; Scott Adair - yes; Lawrence Gordon - yes. The motion to adopt changes made to Section 4-8-5 and send changes to the Council to be reviewed was approved with a 5-0 vote.

General Discussion

- Deputy Clerk Lopez mentioned that Planning and Zoning elections need to be added to the next agenda.

Adjourn

- L. E. Rubin motioned to adjourn and carry the neighborhood plan to the next agenda. Lawrence Gordon second the motion and the meeting adjourned at 8:04 p.m. with a 3-0 vote.

Respectfully submitted,

Amy L. Lopez, Deputy Clerk

Date: _____

Approved:

Thomas Scroggins, Chairman

John Thompson, Vice-Chairman

L. E. Rubin, Secretary

Scott Adair

Lawrence Gordon