

XENIA TOWNSHIP ZONING COMMISSION
CONTINUED PUBLIC HEARING

August 11, 2015

THESE MINUTES ARE A SUMMARY OF THE EVENTS OF THE MEETING AND ARE NOT A WORD FOR WORD ACCOUNT OF THE DISCUSSIONS WHICH TOOK PLACE.

The Xenia Township Zoning Commission held a continued public hearing on August 11, 2015 at 5:30 p.m. at the Xenia Township Trustees Office, 8 Brush Row Road, Xenia, OH 45385.

Chairman Jeffrey Zweber called the continuation of the Public Hearing for proposed sign text amendments to order at 5:40 p.m.

Roll Call: Virgil Ferguson, Kent Harbison, Alan King, Willie Washington, Jeffrey Zweber, Donna Randall, Harold Snyder and Alan Stock. Guests: Ken LeBlanc, Greene County Regional Planning, and Marshall Foiles.

Mr. Zweber asked Mr. Stock to review the procedures. Mr. Stock said on January 17, 2013 the Trustees by Resolution 2013-022 requested the Zoning Commission to look at updating sign language. In researching electronic signs the Zoning Commission also noted existing political sign language could infringe upon first amendment rights. The Trustees passed Resolution 2013-192 asking the Zoning Commission to clean up the political sign section. The Zoning Commission has met twenty times about signs and this is the fourth public hearing for signs. Notices have been published on the website and in the newspaper, and announcements to invite the public have been made at numerous Trustees' meetings. Mr. Stock informed the audience of the requirement that voting members of the Commission must be present at all public hearing sessions if there are continuations. He said they are down to four members of the Zoning Commission who will be allowed to vote—Kent Harbison, Willie Washington, Donna Randall and Jeffrey Zweber.

Mr. Zweber said he would like to approve all the public hearing minutes at one time after the hearing is closed.

Mr. Zweber said the change to Section 517.1.3 in the July 28, 2015 minutes was not made to the July 28, 2015 Working Copy. Mr. Stock apologized and said the change will be made.

Mr. Zweber asked Ken LeBlanc for his comments. Mr. LeBlanc commended the group for taking on sign text. Mr. LeBlanc said what stood out to him were the number of signs that would be allowed on each lot and the size of the signs. He warned them once a sign is put up you can't get rid of it. He noticed they had made some changes. Mr. Zweber said their regulatory scheme was to get away from content-based regulations. He said it was then the hard work of what the numbers should be. He said they have asked for input and not received much at all. Mr. LeBlanc said he started with a table to give a better representation. Mr. Zweber agreed it did help. Mr. LeBlanc said the Residential District is where there would probably be the most complaints. He questioned if the group realized what it would be like having a sign on every lot and showed sizes to give them a better image. He thinks there would be a lot of calls if that

started happening. He said he liked the Zoning Commission's system but thought they should limit it more in the Residential District. He said he could see a business having one ground sign and several signs on the building. Mr. Foiles said at election time there are signs for Township Trustee, County Commissioner, President and asked how many signs they want. Mr. LeBlanc asked if the original idea of multiple signs on a lot came from political signs. Mr. Zweber answered the original idea was to eliminate the limit on number of signs. He said one of the things they discussed at length was the Speedway at Brush Row Road and U.S. 42 with window cling, wall sign, logo on awning, signs on pumps and a corner sign. Mr. LeBlanc said with some zoning regulations some things are not considered signs. Mr. Zweber said the Township's definition of signs is very all encompassing. He said text they started with was very broad--about the only thing not included as a sign was a mural or quilt square on a barn. The Commission wanted to limit the quantity and size. Mr. King asked what Mr. LeBlanc would propose. Mr. LeBlanc said he would be very restrictive in the Residential District, especially the number of signs allowed on a lot. Mr. LeBlanc asked if they had asked Stephanie Hayden if there could be more signs at certain times of the year—i.e. political signs. Mr. Zweber said when they started sign text there were no signs allowed in the residential area until political signs were put up, then you had to take down political signs within a certain time and no signs were allowed again. Mr. LeBlanc said some areas allow construction signs. Mr. Stock said the Zoning Commission made a commitment to content neutrality and did not feel they could allow signs for only part of a year. He said the number of signs per property was not looked at until they came up with consistent variable by district with the size of signs. There was discussion. If the goal is to solve a problem if there is one, Mr. King asked what should be done. Ken LeBlanc suggested a large sign face 2 x 3 or 6 sq. ft. Mr. Foiles said he thinks it would be a problem to consider road frontage as a guide for number of signs. The table shows signage by feet of road frontage and shows spacing between large sign faces. There was discussion about the table.

Mr. Washington made a motion to change numbers in the table in the R-1 and E Districts from ½ to ¼ square foot total signage per foot of road frontage, change 16 sq. ft. to 8 sq. ft. for largest allowable sign face and change the definition of large sign face to greater than 3 sq. ft. Mr. Harbison seconded the motion. Mr. Zweber asked for any discussion. Mr. Ferguson asked about Section 517.3.3 Subdivision Signs, where it states the sign shall not be in excess of forty square feet. This is regarding a special exception to sign regulations such as signs used at an entrance to a subdivision. The Commission looked at the Allowable Signage Examples to see how the changes in the Allowable Signage by District would affect them. They suggested the same number of signs at half the size. Roll Call vote: Kent Harbison-Aye, Donna Randall-Nay, Willie Washington-Aye and Jeffrey Zweber-Aye. Motion PASSED by roll call vote of 3-1.

Mr. King questioned whether there is a need for changes in signage to the R-MH (Mobile Home District). Mr. Zweber said the sign would pertain to the whole mobile home park parcel, not each individual lot on it. He said apartment buildings, mobile home parks and agricultural lots

are allowed one double-sided 64 sq. ft. sign and as many 32 sq. ft. signs as their square footage allows.

Mr. Zweber addressed the topic of electronic signs. Mr. King said if they don't want full animation all the time on the signs, the simplest way to eliminate that would be to maximize how long animation could be on the screen. Mr. Foiles liked that idea but still thinks they should differentiate between commercial billboards vs. church signs and small businesses that put up a sign. Mr. King said federal studies showed people looked at the sign for one to one and a half seconds then back to the road. The studies showed the number of accidents did not significantly change whether an illuminated sign was there or not. He said when they first started on signs there were a lot of recommendations for townships and zoning to use a standard without explaining why. He said the research said it didn't make any difference so why specify. Mr. Zweber said the working copy that is on the table now allows full motion video. Mr. King said if they want to eliminate full motion and want to allow animation within reason he thinks restricting length of animation could take care of that. Mr. King asked Mr. Foiles about the animation on their signs. Mr. Foiles said their animated signs are usually under fifteen seconds. The static signs are usually for six seconds. The default is three seconds but that does not seem long enough to him so he went to six. Their sign is 5 x 5. The sign in Beavercreek is eight seconds. There was discussion of time for animation. Mr. Foiles said Xenia City allows animated signs and they do have restrictions about strobes and limitations that animation cannot be shorter than x amount of time. He said animation and full motion video are two different things. He said the City also has setbacks on the signs so they cannot be placed downtown. Mr. Zweber gave a definition of animated signs or animated portions of signs whose illumination is characterized by the simulated movement through alternate or sequential patterned illusionary movement characterized by the simulated movement through alternate or sequential activation of various illuminated elements for the purpose of producing repetitive light patterns designed to appear in some form of constant motion.

Mr. LeBlanc said they have done a lot of good things with the text and he was glad they tightened up the Residential District. He thinks they should look again at the height of signs in all districts.

The Commission decided to continue the public hearing. Willie Washington made a motion to continue the Public Hearing to August 25, 2015 at 6:00 p.m., seconded by Kent Harbison. All voted aye.

The Public Hearing recessed at 7:35 p.m.

ATTEST:

Alan D. Stock, Zoning Clerk