

CITY OF LOVELAND
PLANNING COMMISSION MINUTES
May 10, 2010

6 A meeting of the City of Loveland Planning Commission was held in the City Council Chambers of
7 the Civic Center on May 10, 2010 at 6:30 p.m. Members present: Chairman Molloy; Vice Chairman
8 Ray; and Commissioners Crescibene, Fancher, Krenning, Leadbetter, Middleton and Walsh.
9 Commissioners Absent: Commissioner Meyers. City Staff present: Troy Bliss, Current Planning;
10 Robert Paulsen, Current Planning Manager; Sunita Sharma, Assistant City Attorney.

12 These minutes are a general summary of the meeting. For more detailed information, audio and
13 videotapes of the meeting are available for review in the Community Services office or on the City's
14 website at http://www.ci.loveland.co.us/econdev/PlanningCommission/plan_agendas.htm.

APPROVAL OF AGENDA

17
18 *Commissioner Middleton moved to approve the Agenda. Upon a second by Commissioner*
19 *Crescibene, the motion passed unanimously.*

CITIZEN REPORTS

23 There were no citizen reports.

COMMITTEE REPORTS

26 Chairman Molloy stated the Public Works Department is working on developing a bicycle and
27 pedestrian plan and he stated he has volunteered to participate on the steering committee.

STAFF MATTERS

32 **Current Planning Manager Robert Paulsen** stated that he would continue to advise the
33 Commissioners of potential opportunities to serve on various subcommittees.

REGULAR AGENDA

1 Title 18 Amendments – Temporary Signs

38
39 This is a public hearing requiring Planning Commission consideration of proposed amendment to
40 Title 18 (zoning) of the Municipal Code. The amendments are part of an ongoing effort by the
41 Current Planning Division and the City's Title 18 Committee to update and clarify selected portions
42 of the City's land use and zoning regulations. The amendments at hand target the signage provisions

1 of the Code contained in Chapter 18.50, specifically addressing “Exempt signs” and “Temporary
2 signs”. Focus has been placed on the regulation of temporary banners in order to achieve equitable
3 and enforceable standards. This matter is legislative in nature.

4

5 **Troy Bliss, Current Planning**, introduced the proposed temporary sign amendments noting that the
6 amendments involve some minor revisions as well as an addition to Section 18.50.020 (Definitions)
7 concerning the definition of temporary signs and temporary construction fence signs. He stated that
8 one of the major amendments would include the addition to Section 18.50.050 (Signs not subject to
9 permit-Exempt signs) is provided for purposes of allowing temporary signs and temporary
10 construction fence signs without permit subject to specific requirements. He further reported that
11 Section 18.50.070 (Temporary Signs) is being proposed as a complete overhaul with efforts being to
12 make provisions more current and clarify standards to further help implementation.

13

14 **Mr. Bliss** spoke of the outreach that was done, including talking to other municipalities, and of the
15 guidance received by the Planning Commission to arrive at this point. He clarified that currently the
16 only type of temporary signs permitted are balloons and temporary banners and commented that they
17 are only allowed for a total of 60 days. He further commented that the current provisions do not
18 allow for lawn signs in front of businesses and spoke of the difficulty in enforcing them due to the
19 fact that there are not code provisions in place for enforcement. He stated that there are issues when
20 more than one tenant is in a building and they all want temporary signage.

21

22 He discussed various requirements for signs, consistency in the fees and of the numerous meetings
23 with the Title 18 Committee. He stated that the feedback from the business community was very
24 favorable. He stated staff is focusing on the definitions, construction fence signage; and limiting the
25 size of balloons and the height limitations on flags/banners. The intent is to allow these types of
26 signs as a temporary not needing a permit and that there would not be a time limit placed on this type
27 of sign, however, there would be a maintenance issue associated with the signage. He clarified that
28 its staffs intent to allow for a wider range of temporary sign and offer administrative allowances for
29 special circumstances; exempt certain types of temp signs; institute a timeframe for temporary sign
30 permits.

31

32 **Commissioner Krenning** stated that he did not like the definition regarding the size of a balloon and
33 questioned how the diameter of a balloon would be measured. He further stated that Section
34 18.50.050 subsection Q-2d and 2e should be moved from the definitions and believed it was a code
35 enforcement issue.

36

37 **Commissioner Leadbetter** questioned if exempt signs were not subject to enforcement and further
38 stated that by allowing a temporary sign for up to four months for a special event or sale would seem
39 that the sale was really a special at all.

1 **Mr. Paulsen** reported that code enforcement approached the Title 18 Committee (“the Committee”)
2 and asked for input on how to enforce these types of signs. He stated it was the consensus of the
3 Committee was that these temporary (exempt) signs were not problematic for the community.
4

5 **Chairman Molloy** spoke of the difficulty Code Enforcement officials had when continually trying to
6 enforce temporary sign complaints on car dealerships and came to the conclusion that it was not
7 significant enough and let them go.
8

9 There was a lengthy discussion regarding why the temporary sign and the exempt sign issues came
10 about. **Commissioner Krenning** stated he was not in favor of creating regulations because a few
11 people don’t like balloons on cars.
12

13 **Commissioner Fancher** stated she does not like any temporary signs but stated we either allow all
14 of them or none of them.
15

16 **Vice Chair Ray** stated that he believed that the timeframe for construction fences would end when
17 the fencing came down.
18

19 **Mr. Bliss** stated that staff was in support placing a timeframe for on the duration of advertisement on
20 construction fencing.
21

22 There was a lengthy discussion regarding signage on construction fencing and making it an exempt
23 sign. **Vice Chair Ray** reiterated there currently are no provisions for advertising on construction
24 fencing and the intent of this amendment is to allow for advertising.
25

26 After further discussion it was the consensus of the Commission that the following be stricken:
27 **18.50.050 Signs not subject to permit – Exempt signs.** ~~2 d. Temporary Construction Fence Signs
28 may be installed prior to construction activity before issuance of a building permit and prior to
29 grading activities - and e. Temporary Construction Fence Signs shall be removed within thirty (3)
30 days of receiving the related Certificate of Occupancy.~~
31

32 **Mr. Bliss** spoke of the proposed revisions to the Temporary Sign Code. He spoke of the maximum
33 time allowance for temporary signs and the maximum allowable permits per year is four and would
34 not exceed one hundred twenty (120) days. He spoke of the \$25 application fee that is being
35 proposed and of the addition of the Administrative Allowance, which would permit the Current
36 Planning Manager to make administrative decisions in the event of a potential hardships on the part
37 of the applicant.
38

39 There was discussion regarding allowing four temporary signs per year and charging a fee for the
40 temporary signs.
41

1 **Mr. Bliss** clarified the Planning Commission directed staff, at an October meeting, to implement a
2 fee for temporary signs.
3

4 After further discussion **Mr. Paulsen** stated that staff would review all the comments and concerns
5 raised by the Commission and bring them back for further discussion before proceeding to City
6 Council.
7

8 **Public Input**
9

10 **Peter Barnes, 3109 Sedgwick Circle**, expressed concern that more citizens were not interested in
11 the issue. He thanked Mr. Bliss for keeping him informed regarding the proposed changes. He
12 stated that there are two reasons behind the sign code, one is safety and the other is aesthetics. He
13 read the following purpose statements from the sign code:
14

15 H. There is a reasonable balance between the right of individuals to identify
16 their own businesses and the right of the public to be protected from the
17 unrestricted proliferation of signs; and
18 I. Signs are compatible with adjacent land uses and the total visual
19 environment of the community.
20

21 He stated that he was opposed to allowing businesses to have temporary signs up for 120 days and
22 allowing exempt signage commenting that he believed it was in direct conflict with the **Purpose**
23 **Statement** in the Sign Code. He commented that he was not surprised by the statement made by Mr.
24 Bliss that the business owners were thrilled because it benefits them. He stated although a good way
25 to enforce the rules haven't been created it's not an excuse to be lax and not move forward with
26 finding a way to enforce them. He spoke of the need to strengthen the regulations and urged staff to
27 continue to work on regulating temporary signs.
28

29 **Commission Discussion**
30

31 **Commissioner Middleton** stated that he believed the document was not ready to go to City Council
32 until some of the issues raised have been reviewed again by the Title 18 Committee. He urged staff
33 to revisit the description, i.e., the Purpose Statement. He stated after further consideration he would
34 not support implementing a fee for a temporary signs, although he voted for it previously.
35

36 **Commissioner Krenning** thanked Mr. Barnes for taking the time to come speak and he did agree
37 with his argument that this does not agree with the Purpose Statement. He stated that he did not
38 believe there was an issue with signage in Loveland questioned the need for the amendments and
39 would not support creating further regulations. He suggested that the Title 18 Committee should
40 work on it some more and then bring it back for the Commission's review before sending it to City
41 Council.
42

1 **Commissioner Walsh** thanked staff for their work stating it is a multi-faceted issue and regulating it
2 is extremely difficult. He stated he was not in support of the temporary signs.
3

4 **Commissioner Fancher** expressed her frustration that there is no clear direction from Council about
5 what is acceptable and until Council's policy is known she believes that time is being wasted trying
6 to guess at what City Council might want. She stated this was not ready for their consideration.
7

8 **Commissioner Crescibene** thanked the Title 18 Committee for all their hard work. He concurred
9 with Commissioner Krenning and did not think the document was ready for Council consideration.
10 He further stated the Committee could work for a year and still not satisfy everyone. He supported
11 sending the proposed amendments to Council and let them make their decision.
12

13 **Commissioner Leadbetter** expressed concerns regarding the exempt portion of the proposed
14 amendments and did not favor allowing exemptions.
15

16 **Vice Chairman Ray** stated that it was very difficult to be politically sensitive to all sides. He stated
17 that City Council was elected by the people to make these types of decisions and until the committee
18 and staff has clear and concise direction it is impossible to finalize the amendments. He stated that
19 although he has been working on the Committee, he stated he would be willing to leave it as is.
20

21 **Chairman Molloy** commented when he began attending the Title 18 Committee meetings he was
22 very concerned about the signage in Loveland, but has since changed his mind and did not feel there
23 was an issue in Loveland. He did not believe the amendments were ready for City Council's
24 consideration.
25

26 **Commissioner Krenning** questioned if the issue of temporary signage is a problem. He stated that
27 the real estate and open house signs are a greater problem.
28

29 **Mr. Bliss** stated that the idea behind these amendments was to make it easier for staff to allow for
30 temporary signs and improve regulations.
31

32 After further discussion regarding enforcement, temporary sign duration and the lack of direction
33 given to staff by City Council it was the decision of the Commission to table discussion. **Mr.**
34 **Paulsen** asked that staff be allowed time to meet with the administration to see if they should seek
35 further direction from City Council.
36

37 **Commissioner Middleton** thanked staff and the Title 18 Committee for all their efforts and hard
38 work.
39

40 **Commissioner Middleton made a motion to table amendments to Title 18 regarding temporary**
41 **signs as described in the May 10, 2010 Planning Commission staff report, as amended on the**
42 **record. Upon a second by Commissioner Crescibene and further discussion the motion died.**

1 **ADJOURNMENT**

2

3 *Commissioner Middleton made a motion to adjourn. Upon a second by Commissioner*

4 *Crescibene the motion was unanimously adopted.*

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7 Rob Molloy, Chair

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11 Vicki Mesa, Secretary

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