

MEMORANDUM

TO: Mike Geisel, City Administrator

FROM: Mike Knight, Assistant City Planner *Joseph Knight*

SUBJECT: Planning & Public Works Committee Meeting Summary
Thursday, June 24, 2021



A meeting of the Planning and Public Works Committee of the Chesterfield City Council was held on Thursday, June 24, 2021 in Conference Room 101.

In attendance were: **Vice-Chair Hurt** (Ward III), **Councilmember Mary Ann Mastorakos** (Ward II), and **Councilmember Tom DeCampi** (Ward IV).

Also in attendance were: Planning Commission Chair Merrell Hansen; Mike Knight, Assistant City Planner; and Kathy Juergens, Recording Secretary.

The meeting was called to order at 5:30 p.m.

I. APPROVAL OF MEETING SUMMARY

A. Approval of the June 10, 2021 Committee Meeting Summary

Councilmember DeCampi made a motion to approve the Meeting Summary of June 10, 2021. The motion was seconded by **Councilmember Hurt** and **passed by a voice vote of 3-0**.

II. UNFINISHED BUSINESS – None.

III. NEW BUSINESS

A. P.Z. 01-2021 City of Chesterfield (Unified Development Code—Article 4 and Article 10): An ordinance amending Article 4 and Article 10 of the Unified Development Code to revise regulations pertaining to window signs.

STAFF PRESENTATION

Mike Knight, Assistant City Planner, stated that this petition is the result of a request received by the Planning and Public Works Committee at their February 18, 2021 meeting. The Committee identified potential concerns and directed Staff to research the current regulations, as well as bring forward potential updates to the window sign requirements within the City's Unified Development Code (UDC). **Mr. Knight** then discussed the two main concerns of City Council expressed through the Committee and Staff's recommendations.

Concern #1 – Window signs are currently permitted on multiple floors of buildings.

The UDC states that window signs may be placed on any window in addition to other permitted signs. The outline area of said signs, whether temporary or permanent, shall occupy no more

than (40%) of the outline area of any window on the ground or first floor level of the building and no more (20%) of any window on any other level of the building.

Staff Recommendation - Staff proposes to remove the language referencing other levels and only permitting window signs on the first and second floors of a building. Currently there are not many, if any, businesses that have window signs above the first floor and none known above the second. Although this may have minimal impact on the current conditions, it will prevent a full glass office building from having numerous signs on numerous tenant floors above the first and second level. This would alleviate one of the primary concerns of the Planning and Public Works Committee.

Mr. Knight also pointed out that when considering regulating window signs, items such as hours of operation, open/closed, and other messages that cannot be understood from a position off-site are considered “incidental” and are exempt signs in the City’s UDC. Also, items propped up inside the window area, but not on the window, are not considered window signs and are not regulated by the City.

Concern #2 - There is no maximum on the total number of window signs.

Staff Recommendation - Alternatives to abate this concern were proposed by Staff within the March and April 2021 Planning Commission meetings. Ultimately the Planning Commission expressed the desire to move forward with calculating Window Signage by a defined window area versus a finite number of signs within individual windows. This form of sign allocation guarantees each ground floor or second floor tenant an opportunity to have a window sign, assuming they have a window. Therefore, Staff recommends that window signs not occupy more than 20% of any single window area.

In summary, Mr. Knight stated that Staff conducted research by contacting other municipalities, planners, police and sign companies. It was determined that there is no best practice for window signs and each municipality often has different regulations. A Public Hearing was also held on March 22, 2021 as an opportunity for the public to provide input and after four meetings with the Planning Commission, they voted 7-1 to approve Staff’s recommendations. This petition is now being presented before the Planning and Public Works Committee for a recommendation to the City Council.

DISCUSSION

In response to Vice-Chair Hurt’s question, Mr. Knight confirmed that the dissenting vote was by Commissioner Tilman. While not specifically stating the reason for his vote, during the previous meetings, he indicated that he did not necessarily oppose the proposed language, but rather he felt this was a solution to a problem that did not exist.

Planning Commission Chair Merrell Hansen stated that the Planning Commission thoroughly discussed the topic and expanded the conversation to experiences in other marketplaces. They ultimately decided that a simple percentage would suffice as otherwise it would be too much to manage and regulate, and they felt that the City did not have the right to restrict a business’s opportunity to promote itself.

To further clarify, Mr. Knight explained that the current language permits window signs in 40% of an individual window pane, however, the recommendation is for 20% coverage of the whole window area and not individual panes. This new calculation does not necessarily automatically take signage away but it is a different way to calculate the total.

There was further discussion regarding the number of window signs currently allowed in comparison to what the proposed language would allow in different scenarios. Vice-Chair Hurt felt that the proposed language would allow for too many window signs. He concurred with 20% coverage, however, he preferred Staff's original recommendation to the Planning Commission of only allowing one sign on any two windows of a building and if a business was the sole occupant of a building located on a corner lot, said business could have one window sign in any window on three sides of the building.

Councilmember Hurt made a motion to approve P.Z. 01-2021 City of Chesterfield (Unified Development Code-Article 4 and Article 10) with the condition that the percent calculation remain at 20% but that the total number of allowed signs remain as in Staff's original recommendation to the Planning Commission.

Discussion after the motion

There was considerable discussion on Staff's original recommendation to the Planning Commission. Councilmember Mastorakos felt that two window signs were too restrictive but agreed to restricting the number of signs allowed on a corner building. Ms. Hansen stated that the Planning Commission did not feel they should regulate the number of signs as most window signs are informative message signs.

Councilmember DeCampi stated that he concurred with Commissioner Tilman in that we are trying to regulate something that is not an issue.

The above motion died due to the lack of a second.

There was further discussion on how to proceed but due to the lack of a consensus, the Committee suggested postponing the petition until the next Committee meeting in July when Chair Monachella would be present. Staff was also directed to provide further recommendations.

Councilmember Mastorakos made a motion to postpone P.Z. 01-2021 City of Chesterfield (Unified Development Code-Article 4 and Article 10) to the July 22, 2021 Planning & Public Works Committee meeting. The motion was seconded by Councilmember Hurt and **passed by a voice vote of 3-0.**

IV. OTHER

V. ADJOURNMENT

The meeting adjourned at 6:15 p.m.