

"A Historic Past"



"A Bright Future"

CITY OF DELAWARE CITY

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**CITY OF DELAWARE CITY
PLANNING COMMISSION
December 3, 2012**

CALL TO ORDER

Commissioner Schofield called to order the regular meeting of the Planning Commission at 7:00 p.m. The following Commission Members were present: Costango, Schofield, Dilliplane and Lewis. City Manager Cathcart was also in attendance.

ACTION ON THE PREVIOUS MINUTES

Commissioner Dilliplane made a motion to accept the minutes of the October 1, 2012 Planning Commission meeting as written. Commissioner Costango seconded the motion. A vote was taken, all ayes, motion carried.

ELECT CHAIRPERSON

Commissioner Dilliplane made a motion to elect Commissioner Schofield as chairperson. Commissioner Costango seconded the motion. A vote was taken, all ayes, motion carried.

REVIEW OF THE SIGN & OUTDOOR ADVERTISING REGULATIONS

City Manager Cathcart gave a brief overview of what had taken place with the sign ordinance to this point. He said the City Solicitor had made a few recommendations to the draft that was submitted to him after the last meeting.

- The first recommended change was in Section 46-90 Banners. As it is worded currently, the banner size is dictated by Section 46-81 through 46-88. City Solicitor Walton said the Planning Commission might want to set a maximum banner size, rather than referring to other sections of the

ordinance. Discussion followed. The Planning Commission decided to leave the wording as it stands.

- In Section 46-92 – Compliance and Penalties - it states there is no grandfather provision for existing signs. The City Solicitor said the Planning Commission might want to rethink this. City Manager Cathcart said that leaving the wording as it is, would be an opportunity to get the signage throughout town standardized, yet allowing anyone, who is not in compliance, sufficient time to comply with the new ordinance. City Manager Cathcart read the amendment to Section 46-92b and the new section 46-92c, as follows:

b.) A fine in the amount of twenty-five (25) dollars per day may be imposed for non-compliance and shall commence on the ninety-first (91) day after the ninety (90) day notice referenced herein. In addition, the City Manager may direct the City Solicitor or special counsel to seek injunctive relief to abate any violation and/or seek removal of any sign not complying with this Code ninety-one (91) days after a violation notice is sent or at an earlier time if such sign is a danger to the public health, safety, or welfare.

c.) Any person aggrieved by a decision of the City Manager pursuant to this Article X may appeal the decision to the Board of Adjustment, pursuant to Sections 46-118 and 46-121(a) of this Code, within thirty (30) days after a notice of violation is sent. Any appeal, at the option of the appellant, may also include a request for a variance.

Discussion followed. It was determined that these revisions are satisfactory provided there were no costs for appealing the decision to the Board of Adjustment. *Council Member Dilliplane made a motion to accept the revisions as presented on December 3, 2012 and also to send the sign ordinance, to the Mayor and Council for review at their next meeting. Council Member Costango seconded the motion. A vote was taken, all ayes, motion carried.* City Manager Cathcart said he would forward this to the City Solicitor for final review. At that time an ordinance number would be assigned and it would be placed on the agenda for the December Mayor and Council meeting. Discussion followed.

COMMISSIONER'S COMMENTS

There were no comments.

ADJOURNMENT

Commissioner Lewis made a motion to adjourn the meeting. Commissioner Dilliplane seconded the motion. A vote was taken, all ayes, meeting adjourned at 7:20 pm.

Respectfully submitted,

Dawn K. Gwynn

City Secretary

