

**PLANNING AND ZONING BOARD MINUTES  
THURSDAY, MAY 16, 2019 - 1:30 PM  
CITY HALL, COUNCIL CHAMBERS, VERO BEACH, FLORIDA**

**PRESENT:** Chairman, John Carroll; Vice Chairman, Steve Lauer; Members: Honey Minuse, Robin Pelensky, Jose Prieto, Alternate Member #1, Richard Cahoy and Alternate Member #2, Ken Daige **Also Present:** Planning and Development Director, Jason Jeffries; Interim City Attorney, Kira Honse and Deputy City Clerk, Sherri Philo

**I. PRELIMINARY MATTERS**

**A) Agenda Additions and/or Deletions**

None

**II. APPROVAL OF MINUTES**

**A) Regular Meeting – April 18, 2019**

Mr. Cahoy referred to page one (1) of the April 18, 2019 Planning and Zoning Board minutes. He said that he is listed as having an unexcused absence and it should be an excused absence. He reported that he notified the Planning and Development Department by email that he would not be able to attend the meeting as he would be out of town.

**Mrs. Minuse made a motion to approve the minutes of the April 18, 2019 Planning and Zoning Board meeting as amended. Mr. Prieto seconded the motion and it passed unanimously.**

**III. PUBLIC COMMENT**

None

**IV. DISCUSSION OF REVISIONS TO THE SIGN CODE**

Mr. Jason Jeffries, Planning and Development Director, reported that this is a discussion item requested by staff. He explained that this might take several months in that staff would like to have time to test the proposed changes internally before they bring it back for final approval. He briefly went over staff's report and the proposed Ordinance with the Board members accompanied by a Power Point presentation (both attached to the original minutes).

\*Please note that questions and discussion took place throughout the presentation.

Mr. Carroll asked when the Ordinance becomes finalized, how will it affect the existing signage throughout the community.

Mr. Jeffries explained that existing signage would be grandfathered in. He said that he will make sure they specify this in the Code.

Mr. Prieto asked if an existing sign had to be repaired would that trigger this.

Mr. Jeffries said they usually use the 50% rule in that if there is damage under 50% they would not have to comply with the new Code, but if there is damage over 50% they would have to comply with

the new Code. He said if it is not specified in the Code he would add it as part of the amendment.

Mr. Lauer referred to page seven (7), line six (6) of the draft Ordinance. He asked why is there no restriction on advertising on public transit vehicles. He said the Go-Line buses look like Mardi Gras vehicles with all the signage on them. He questioned why they weren't being regulated.

Mr. Jeffries said it might be because they are regulated by the County. He said that he would check into it.

Mr. Daige said there is a Section in the draft Ordinance that talked about how much light could be on signs.

Mr. Jeffries thought that was in the existing Code and he was not proposing any changes.

Mr. Daige said the Code states what type of sign is permitted, how big the sign can be, the lighting on the sign, etc., but it doesn't have anything about flashing signs. He questioned what if someone wanted 100 flashing lights on their sign.

Mr. Jeffries said that would be an animated sign and animated signs are prohibited, which is in the current Code.

Mrs. Minutes read in part the definition listed, *“Animated sign: Any sign that has movement or optical illusion of movement including the movement of any illumination or the flashing, blinking, or varying of light intensity.”*

Ms. Kira Honse, Interim City Attorney, said that definition has not changed.

Mr. Daige asked how many signs are allowed on a construction site.

Mr. Jeffries said one (1) temporary sign is permitted per street frontage.

Mr. Jeffries reported that the off-premises special event signs have been changed to off-premises temporary weekend signs and open house signs would fall under this. He referred to page 12, line 39, which states: *“No more than a cumulative total of six off-premises temporary weekend sign permit per applicant may be issued in a calendar year.”* He noted that they would only be allowed six (6) permits per year, which could cause some unintended consequences. He explained that it could affect open houses, which they might be able to do this per address rather than by realtor. There also could be an issue for the Farmer's Market and MainStreet where they have more than six (6) events.

Mrs. Minuse said that she would like it loosened up somehow.

Mr. Carroll suggested that they change it to one (1) per month.

Mr. Daige felt that there would be a big pushback. He said it might behoove the Board to relax it a little.

Mrs. Minuse said they have a lot of special things occurring here, such as the Farmers Market, that should be made aware to the public.

Ms. Honse noted that they cannot allow some signs and not others because they would be making the

decision based on the content, which is exactly how the Town of Gilbert got in trouble because they were picking and choosing what events they wanted to promote more.

Mr. Jeffries reported that he would be making some additional revisions to this because the Florida Department of Transportation (FDOT) has been doing stricter enforcement on their right-of-ways so they have to make sure the City's Code is consistent.

Mr. Daige asked if a company wanted to advertise their business, could they have their signs in an RM 10-12 neighborhood.

Ms. Honse felt that because they would be limited to 20 signs they would put the signs where the most people would see them.

Mr. Jeffries felt it was unlikely they would put the signs in a residential zoning district.

Mr. Daige said the Code doesn't prohibit it.

Mr. Jeffries said that is correct. He said they could restrict it more to be only in non-residential.

Mr. Daige agreed with the idea of restricting it to non-residential.

Mr. Jeffries said that he would look into that.

Mr. Lauer said that he has a problem with this whole thing. He said 120 signs per year per business in Vero Beach is going to be a nightmare. He said that he has a problem with the political signs as well. He felt they were opening Pandora's Box by allowing so many signs. He said with this Ordinance they could be inundated with signs. He said 120 per business doesn't make any sense.

Ms. Honse said that is what they have to decide because they can't pick and choose what types of things are allowed on signs. This meeting is to discuss what is the Pandora's Box and maybe getting it to where the public is aware of this so that they will provide their input.

Mr. Daige said another concern is the service clubs and realtors are pretty good about taking their event signs down. He said there are a lot of businesses coming here and they are not going to go and pick up their signs if there is an event, such as a hurricane.

Mr. Lauer felt they should go with Ms. Honse's suggestion and have public input on this. He said personally, he is against any signs. He said if they have no signs or 120 signs per business, he would say no signs. He feels this is something where they need more public input.

Mr. Jeffries said this might take a couple months in that he wants staff to test the Code to make sure there are no unintended consequences. He said that he would look into how they can make sure the information is getting out to the public so they can get the public's input.

Ms. Honse said this could be one of those items where they make a recommendation to the City Council allowing for the fact that it will come back before the Board. She explained that normally when something gets to the City Council that is when the public starts to pay attention.

Mr. Daige said that he is concerned with safety and having temporary signs during hurricane season. He said they could put as a reason why they are limiting the number of temporary signs in the Code; that it is for safety during a storm event.

Mr. Jeffries noted that they do need to get more input on this.

Mr. Daige asked in the POI District where residential backs up to them, can the signs on the sides of the buildings be lit.

Mr. Jeffries answered yes.

Mr. Daige asked what protects the neighborhoods from over-brightness of these signs.

Mr. Jeffries said at the end of each chart there are instructions and they could add something about the brightness of these signs.

Mr. Daige questioned what if someone wanted to have blinking colored lights on their signs.

Mr. Jeffries said that would be animation.

Ms. Honse noted that animated signs are prohibited in the Code.

Mr. Daige said that he doesn't want to pick on a particular building or area, but he has seen a lot of movement and blinking lights. He said so what they are saying is those signs are prohibited.

Mr. Jeffries said that is correct. He explained if signs are flashing then they are animated signs. This does not apply to changeable copy signs, such as the CVS Pharmacy signs, for example.

Ms. Honse said if there are blinking/flashing signs then they should be referred to Code Enforcement.

Mr. Jeffries noted that there is a difference between animated signs and changeable copy signs.

Ms. Pelensky said they do not have that defined.

Mr. Jeffries read in part the definition of animated signs: *“Any sign that has movement or optical illusion of movement including the movement of any illumination or the flashing, blinking or varying of light intensity, the automatic changing of all or any part of the sign copy more frequently than once per 30 seconds.”*

Mr. Cahoy questioned the changeable monument sign on 6<sup>th</sup> Avenue that is owned by the Church and is across the street from a residential area.

Mrs. Pelensky said if it meets the 30-second rule then it should be okay.

Mr. Jeffries felt it was reasonable to look at stricter rules when they are located adjacent to residential.

The Board members agreed.

Mr. Jeffries said that he would add the definition of changeable copy signs.

Ms. Honse and Mrs. Pelensky excused themselves from today's meeting at 2:58 p.m.

**V. PLANNING DEPARTMENT MATTERS**

Mr. Jeffries briefly went over the Planning Department's portion of the Power Point presentation with the Board members.

Mr. Jeffries reported that their meeting of June 6, 2019 has been cancelled.

Mrs. Minuse asked Mr. Jeffries for a list of items that would be coming before the Board that are quasi-judicial.

Mr. Jeffries said that he would work on a standard memorandum listing items that would be quasi-judicial.

**VI. BOARD MEMBERS' MATTERS**

None

**VII. ADJOURNMENT**

Today's meeting adjourned at 3:12 p.m.

/sp