



**DEVELOPMENT COMMITTEE
MEETING MINUTES
MAY 2, 2023**

CALL TO ORDER/ROLL CALL

Chairman Brian Lorenz called the May 2, 2023 Development Committee Meeting to order at 7:00 p.m. Committee members present included David Lester, Brian Lorenz, Heather Karr, Shaun Simpson and Daniel Swartwout. City Staff in attendance included Andrew White, City Manager; Jeffrey Tyler, Assistant City Manager/Community Development Director; Claudia Husak, Planning Director; Elise Schellin, Development Planner; Grant Crawford, Public Service Director; Steve Hrytzik, Police Chief; and Amy Deere, City Clerk.

APPROVAL OF MINUTES

Approval of Development Committee Meeting Minutes of April 4, 2023

1. [Development Committee Minutes 04042023.pdf](#)
2. [Jason Savage Speech.pdf](#)

MOTION: David Lester moved to approve the Development Committee Meeting Minutes of April 4, 2023. Shaun Simpson seconded the motion.

VOTE: Y 5 N 0 (None) AB 0 (None)

Development Committee Meeting Minutes of April 4, 2023 approved with a vote of 5-0-0.

TODAY'S BUSINESS

Sign Code Update - Claudia Husak

1. [050223_DC_Sign Code Memo.pdf](#)
2. [Sign Code Update Matrix.pdf](#)
3. [Current Powell Sign Code.pdf](#)
4. [FBT Model Sign Ordinance.pdf](#)
5. [PRACTICE_TEMPORARY_SIGNS.pdf](#)

Claudia Husak gave a presentation on the Sign Code.

Ms. Husak began by advising the Committee that at the January meeting of the Development Committee, Staff presented a list of priorities and a proposed schedule for

the year 2023, and it was determined that certain priorities, which can be accomplished in-house by Staff, ought to move forward. Staff has prepared a matrix to highlight changes and policy decisions to consider, in light of the decisions by the Supreme Court in terms of sign content regulations as well as other necessary updates to the Code.

Ms. Husak further stated Staff discussed the need to update the Sign Code last year to coincide with the U.S. Supreme Court's decision in regard to regulating signs by content. While the City updated the Code in 2015 to address issues with temporary signs, there continues to be a need to evaluate code language due to legal scrutiny in terms of that law. The Court has maintained a need to update local sign ordinances in regard of the proposition that many regulations of signs are considered "content-based," and subject to nearly-always-fatal strict scrutiny, if the regulation "turns on the topic discussed, or the idea or message expressed." The City of Powell Sign Code has such language and Staff is proposing to update the language. In addition, the setback requirements and locations for sign, especially in the Historic District also need updating.

A matrix was provided as part of the packet to discuss certain concerns and update the Committee on proposals moving forward. The packet also includes a Model Sign Ordinance created by the Law Director's office. Staff has engaged with a consultant to update graphics within the new proposed Code as well.

The Committee began discussion on the highlighted section of the matrix. The first area addressed was illumination on temporary signs in residential districts, non-profit, events, 5k, grand opening, etc. signage (not to be regulated based on message): large development signage allowances. Staff's recommendation is to not allow illumination on temporary signs.

Chairman Lorenz advised the definition of a temporary sign is a sign that is not permanent, not fixed, it could be an a-frame sign, a banner, a flag sign that is put into the landscaping.

Ms. Husak advised that currently the air-activated "blow up"-type signs are not allowed.

Mr. Tyler requested clarification on not allowing illumination whether internally or externally.

The Committee agreed that there would be no illumination on temporary signs.

Committee Member Lester spoke of graduation signs and asked how detailed should it be and is it commercial or residential?

Ms. Husak stated this was the issue as it cannot be regulated as residential or commercial if the regulations were strictly followed. The intent is not to prohibit these types of signs but find a more general way to address them.

Ms. Husak also advised the three distinguishing factors are time, place and manner. These are the factors the Courts are upholding.

Chairman Lorenz suggested that it is strongly identified, a permit process with the amount of square footage, for a period of two weeks at the most, for two times a year. Otherwise, it should be enforced and taken down.

Ms. Husak discussed signs within the Historic District, specifically, the hanging signs that are ground mounted, and it states in the code there is a requirement they set back at least 15 feet from the right-of-way. The prevalent issue is located on Olentangy and Liberty Streets.

Chairman Lorenz stated he thought it would be difficult to mandate a change because of the existing infrastructure currently. He also stated if guideposts were set around it, as far as square footage, material, coverage, etc. it could be done well.

Ms. Husak also spoke about a requirement of a 25-foot setback for joint identifications signs. She stated the 25-foot setback seems large and would recommend changing it to 15-foot.

The Committee agreed to a 15-foot setback.

Ms. Husak stated in the Historic District, there is a little bit of an allowance for a Comprehensive Sign Plan, which is also in the Planning & Zoning Code, but it does not expressively state what application type that may be or what the Commissions are reviewing and voting on. She suggested the creation of a Comprehensive Sign Plan Application, which would allow the Planning & Zoning Commission to look at individual developments and requirements and waiver or deviate a bit from the strict adherence to the Code. Criteria could be written to include set-backs, character, environment, visibility, etc.

The Committee agreed to the creation of a Comprehensive Sign Plan Application and to consider some minor administrative allowances as well.

PENDING BUSINESS

None

FUTURE BUSINESS

None

Next Development Committee Meeting - June 6, 2023, at 6:30 p.m.

ADJOURNMENT

MOTION: David Lester moved to adjourn. Shaun Simpson seconded the motion.

VOTE: Y 5 N 0 (None) AB 0 (None)

Motion to adjourn approved with a vote of 5-0-0.

Meeting adjourned at 7:30 p.m.

MINUTES APPROVED: JUNE 6, 2023

Heather L. Karr 6/6/23
Heather Karr, Date
Chair

Amy Deere, Jason Nehvi 6/6/23
City Clerk HR Manager Date