



A regular meeting of the City of Delta Planning Commission was held on Monday, October 5, 2015 at 6:30 p.m. in the City Council Chambers of City Hall at 360 Main Street, Delta, Colorado. Said meeting was posted in accordance with the Sunshine Law.

PRESENT: Gerald Roberts, Chairman; Tish Oelke, Vice-Chairman; Carl Jahn, Commissioner; Ginni Selby, Commissioner; Glen Black, Director of Community Development; David McConaughy, City Attorney; Sharleen Walker, Planning Technician.

ABSENT: Richard Simmons, Commissioner; Lynn Williams, Commissioner.

GUESTS: Stan Park, Katie Sickles, Bob Michaels, Ray Penick,

**CHANGES TO THE AGENDA**

There were no changes to the agenda.

**MINUTES**

A motion was made by Tish Oellke, seconded by Carl Jahn to approve the minutes of the Planning Commission held on Monday, June 1, 2015 as written. All voted yes. Motion passed.

**CITIZEN COMMENTS**

None

**PUBLIC HEARING DELTA MUNICIPAL CODE SIGN CODE PROPOSED REVISIONS 17.68**

Chairman Roberts opened the public hearing on the Delta Municipal Code 17.68 Sign Code Proposed Revisions.

David McConaughy, City Attorney, asked Sharleen to verify that the public notice was published in the newspaper and the affidavit of publication had been received. Ms. Walker stated that the public notice was published in the newspaper and the affidavit of publication has been received.

Mr. McConaughy reviewed the recent Supreme Court decision Reed vs. Gilbert. Mr. McConaughy informed the Planning Commission that the decision comes down to the fact that sign content cannot be reviewed, that a municipality cannot have a different set of rules for signs based upon content.

Additionally, Mr. McConaughy stated that the direction to staff from the City Council was to tweak the sign code and not reinvent the wheel. There are other sign codes around the State that can be used as examples, such as Centennial's sign code which is based on sign type and sign construction, not content.

Mr. McConaughy reviewed the procedure for the public hearing. The procedure will be to review staff suggestions, receive public comment or to start from scratch on a proposed sign code. The role of the Planning Commission is to make a recommendation to the City Council and the reason the Planning Commission is holding the public hearing is because the sign code is located in the land use code in the Delta Municipal Code.



The attorney reviewed the proposed changes to the sign code with the Planning Commission.

Stan Park, President of First Colorado Bank, stated that he has some concerns with some of the current sign code sections, specifically, the size of the temporary banners allowed. Mr. Park showed some examples of banner sizes. Mr. Park stated that the bank is in the process of enlarging their current electronic message sign. Mr. Park informed the Planning Commission that he is in favor of controls, however enforcement needs to be consistent and that he will happy to help in any way in drafting sign code revisions. The Planning Commission thanked Mr. Park for his comments.

Bob Michaels, Planning Commission Chairman for the Town of Cedaredge, stated that sign codes are very complex issues and that signs will become more and more of an issue. He stated that the goal of Cedaredge is to make everything as fair as possible and promote/support businesses.

Councilman Ray Penick, stated that the standard size of the American Flag that the Veteran's use, could be used as a reference. The Planning Commission asked Mr. Penick what his thoughts were about tabling the proposed sign code revisions and reviewing the Centennial code further. Mr. Penick stated that he liked the idea of the charts in the Centennial code and that the code appears to be more readable that what the City currently has.

Chairman Roberts closed public hearing.

The Planning Commission discussed what they liked about the Centennial sign code and what changes that they would like to see in the sizes of signs. The Planning Commission liked the matrix of Centennial's sign code; it is simple and straight forward and adding material/construction aspect to signs and reconsider the square footage of signs, possibly making the sandwich signs larger and the banners larger.

A motion was made by Ginni Selby, seconded by Carl Jahn to make a recommendation to the City Council to reject the proposed sign code revisions and start over based upon the City of Centennial's sign code. All voted yes. Motion passed.

Mr. McConaughy informed the Planning Commission that the City Council will consider the recommendation under staff reports at the City Council meeting to be held tomorrow night, October 6, 2015.

**COMMISSIONER COMMENTS**

None.

**STAFF COMMENTS**

None.

**ADJOURNMENT**

A motion was made by Carl Jahn , seconded by Ginni Selby to adjourn the regular Planning Commission meeting. All voted yes. Motion passed. The meeting was adjourned at 7:44 p.m. with no further action taken.

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Sharleen R. Walker, Planning Technician