

**GADSDEN COUNTY PLANNING COMMISSION  
MEETING MINUTES**

**Thursday, August 11, 2016  
6:00 p.m.**

Board of County Commissioners Chambers  
7 East Jefferson Street  
Quincy, Florida 32351

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**Present:** Commissioner Regina Davis, At - Large Member, Chair  
Commissioner Gerald McSwain  
Commissioner Dr. Gail Bridges – Bright  
Commissioner William Chukes  
Commissioner Frank Rowan  
Commissioner Marion Lasley  
Commissioner David Tranchand  
Commissioner Edward J. Dixon  
Commissioner Doug Nunamaker  
Commissioner Lori Bouie  
Commissioner John Youmans  
Allara Gutcher, Planning & Community Development Director  
Jill Jeglie, Principal Planner II  
David Weiss, County Attorney  
Beryl H. Wood, Deputy Clerk

**Absent:** Commissioner Roger Milton, School Board Representative

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**1. PLEDGE OF ALLEGIANCE**

Chair Davis called the meeting to order at 6:00 p.m. with a quorum present. She then led in the pledge of allegiance to the US Flag and asked each person to silence their electronic devices for the duration of the meeting.

**2. ROLL CALL**

Each member present stated his name and district for which he represents.

**3. APPROVAL OF THE AGENDA**

**UPON MOTION BY COMMISSIONER DIXON AND SECOND BY COMMISSIONER DR. BRIDGES –BRIGHT, THE COUNCIL VOTED 8 – 0, BY VOICE VOTE, FOR APPROVAL OF THE AGENDA AS STATED.**

*Commissioner Youmans entered at this juncture.*

**4. APPROVAL OF MINUTES – JUNE 16, 2016 (No quorum July 14, 2016)**

**UPON MOTION BY COMMISSSIONER CHUKES AND SECOND BY COMMISSIONER DR. BRIDGES – BRIGHT, THE COMMISSION VOTED 9-0, BY VOICE VOTE, FOR APPROVAL OF THE JUNE 16, 2016 MINUTES.**

**PUBLIC HEARINGS**

**5. PUBLIC HEARINGS (Legislative) LDR 2016-05 – Consideration of amendments to Section 5700 Signs and Subsection 2102, Definitions, Specifically of the Land Development Code.**

Ms. Jeglie said this item is a continuation of the public hearing held on June 16, 2016 for consideration of amendments to Subsection 2102, definitions, specifically, and Section 5700, Signs of the Gadsden County Land Development Code (LDC).

Additionally on April 19, 2016 the Board of County Commissioners (BOCC) held a workshop to discuss the County sign regulations. The Planning & Community Development Department was directed to bring the sign regulations back to the Planning Commission for consideration of amendments. On May 12, 2016, the Planning Commission was apprised of the BOCC's direction. On June 16, 2016, the Planning began discussion of the sign code.

At the June 16, 2016 meeting, the Planning Commission discussed the proposed amendments to Subsection 2102, Definitions, Specifically, and Chapter 5700 Signs. The Planning Commission tabled the discussion after consideration of Subsection 5704. E, Obsolete Signs.

She discussed the section 5703 and 5704.

*Ms. Bouie entered at this juncture at 6:04 am.*

Commissioner Lasley discussed page 5 of the strike through on E. Obsolete signs. The definition for obsolete signs is included in E and they include signs that can be documented as having no commercial for information content for a period of one (1) year, or that advertise non-existent businesses or entities. She said that seems to be a definition and should be included in the definition.

Ms. Jeglie said it was put their based on prior conversations.

Chair Davis asked for the will of the Board.

**It was the consensus of the Commission that the definition E. Obsolete signs stay as is. She asked for a show of hands which resulted in 8-2 with Commissioner Lasley and Rowan opposing.**

Commissioner Lasley commented throughout document except in a couple of places the Planning Official is the one who would be regulating the Code Enforcement issues on the signs. Her question was why had it been taken away from the Code Enforcement and the Building Official and put in the Planning Department.

Mrs. Gutcher gave a reason as the Planning Official is a person that implements the Land Development Regulations as the Comprehensive Plan. The Planning Official becomes the person who notifies. She said it would be turned over to Code Enforcement when it becomes a code enforcement issue. She said they do work together.

Commissioner Lasley discussed I. where it discussed signs attached or placed on tree, expect for signs against hunting and fishing. She asked was that not the same statement is in B above.

Ms. Jeglie agreed with Commissioner Lasley that B was more inclusive.

**UPON MOTION BY COMMISSONER TRANCHAND AND SECOND BY COMMISSIONER CHUKES, THE COMMISSION VOTED 10 – 1, BY VOICE VOTE, FOR APPROVAL TO STRIKE I.**

Commissioner Tranchand discussed signs in H that would permit steam in front of a barbeque restaurant. He said it was a rigorous process and the City backed off of that, because steam was not a hazard commodity and they allowed it to occur. He said he brought it up as an observation, not really for discussion. He said he was ok, how it was.

**UPON MOTION BY COMMISSIONER DR. BRIGHT – BRIDGES AND SECOND BY COMMISSIONER DIXON, THE COMMISSION VOTED 10-0, BY VOICE VOTE, TO LEAVE H AS IS.**

Commissioner Dixon asked about 5604: signs that create safety hazards as determined by whom.

Mrs. Gutcher said it could be a sign that is not in conformance with the clear site triangle or you can't see down the road because it is blocking your vision in a car. She further gave for example it could be depilated and needing repair. She said if it was a site triangle the Planning Commission would determine, if it is a building issue it would be the building permit or the building official as it pertains to the building code.

Chair Davis asked should they expound on the sentence for more detailed clarity.

Commissioner Dixon stated he didn't want the statement to be a catch all that bars everything, simply because we call it a safety hazard, with no determination as to what it is and how far it goes.

Attorney Weiss commented the issue is too big to enforce. The problem with making it more definite is what you would list. Do you have ideas for 15 things, that you could list that constitutes safety hazard or 3 things. He said if you start listing anything that is not on the list is not a safety hazard. He stated there was also the potential of enforcement if someone comes in and comments let's do arbitrary.

Commissioner Dixon commented the language is very specific.

Commissioner Dr. Bridges – Bright motioned to strike LDR 2016 and it was second by Commissioner Dixon. The vote was not held, due to the comments below by the Attorney, citizens and further discussion by the Commission.

Attorney Weiss said he preferred they not make motions. He advised they take public comment now before they go through the entire document.

#### **Public Comment**

**Michael Dorian**, 145 Alligator Rd. commented on the signs. He inquired what happens if signs go empty for 1 year with no information. He stated how some signs lower property value. Other concerns he voiced where: footage for electrical signs of the right of way and where 100 feet is reasonable. He asked how big would the flashing signs be? He discussed Urban Blight – 16sq ft is smaller and that the Billboard Ban should stay in place.

**Garry Freeman**, 5910 Havana Hwy Tallavana commented on the components for electronic signs would be great to get information out. He said they were not in favor of promoting urban blight.

Commissioner Dixon discussed electronic face of the sign and discussed the Greater Tanner sign being a great looking sign for the area in which it is located.

**Idus Spooner**, 404 Merritt Lane, spoke in support of the electronically signs.

**Betty Dotson**, PO Box 1257 Havana, spoke in support of the electronically signs.

**Jeannie Calvert**, 135 Hawk Ridge Dr., spoke in support of the electronically sign.

**Edith Carnley**, 1425 Selman Rd., said it is important to update Code. She spoke in support of signs.

Ms. Jeglie mentioned they had left off the general standards. She said that only change that was made to billboards.

Chair Davis mentioned in (G) signs that create safety hazard. She said there was a motion on the floor was there any other discussion.

Commissioner Lasley commented she was in favor of leaving (G), signs that create safety hazards. She said it makes the applicant have a better sign in a different location. She liked the additional layer of protection.

Mrs. Gutcher said her opinion was it should remain. She said it's not like Planning Official's are going out looking reasons to stop people from having their signage. "I don't like discretionary policies, I like something that is measurable and can qualify. The purpose of what we do is to protect the health, safety and welfare of our residents."

Commissioner Dr. Bridges – Bright stated her concern remains about the vagueness of it and it becoming subjective.

Commissioner Dixon gave for an example if (G) can be construed to say signs that are determined to obstruct, conceal or hide or otherwise some factor such as government or some entity.

Mrs. Gutcher commented signs that create transportation or structural safety hazards.

Chair Davis said they have a motion on the floor to strike (G). The motion was withdrawn by Commissioner Dr. Bridges – Bright and second by Commissioner Dixon.

**UPON MOTION BY COMMISSIONER DIXON AND SECOND BY COMMISSIONER DR. BRIGHT – BRIDGES, THE COMMISSION VOTED 8 - 2, BY VOICE VOTE, TO ACCEPT STAFF RECOMMENDATION. (Commissioner's Rowan and Tranchand opposed the motion.)  
Commissioner Tranchand felt (G) should stay as is.**

Mrs. Jeglie continued discussion. The General Standards were changed to make it flow better.

Commissioner Lasley asked would it be appropriate to add that sign would be, Signs that would apply to purpose and intent would be better under a.

Commissioner Nunamaker said number 4 was covered in g. This is what we will permit. B3 add period after pedestrian.

Mrs. Jeglie mentioned the next change was sign illuminated in (b).

Commissioner Lasley asked about houses in residential. How would you protect from lighting of a sign.

Ms. Jeglie replied there are numerous ways. We are taking steps to limit.

Mrs. Gutcher rephrased first sentence: shall be shaded and directed.

Commissioner Lasley said residential add on the existing land use map to be shaded or directed, to not adversely effect.

Mrs. Gutcher said it is hard to regulate what is offensive.

Commissioner Bouie suggested language from Manatee County could be used or tweaked.

Ms. Jeglie said lighting on illuminated signs adjacent to rural residential property on the FLUM shall be shaded and directed at sign base in order to eliminate illumination on the adjacent property.

Chair Davis commented that she heard two things Mantee Language in the current language being modified

Commissioner Lasley said from what you read it will not be rural residential land it will residential properties.

**UPON MOTION BY COMMISISONER DR. BRIGHT – BRIDGES AND SECOND BY COMMISSIONER BOUIE, THE COMMISSION VOTED 10 – 0, BY VOICE VOTE, FOR APPROVAL ON LANGUAGE IN B.DEFINE WHAT EXPECTATIONS SHOULD BE FOR ILLUMANTED SIGNS.**

Ms. Jeglie commented on D Number of Signs, she said this basically clears up a lot of the language: 1 ground sign per parcel is permitted. She said there is a section that takes some of that language and moves it to number 3.

Commissioner Lasley inquired about off premise or on premise signs: will it vary on height guidelines and standards. She asked could it vary on sizes.

Ms. Jeglie discussed F. basically taking (should this be talking instead of taking) of standards; development order: We would still have sign permit. Development Order to be consistent through the Code. The Planning Department would issue development orders, building official issues permits.

Commissioner Nunamaker commented on a grammatical: E Sign Alteration in the addition of service area, it is listed several items. He suggested after the word light source and the word **or**. He also added on Clear Vision F (1) it should be past tense add a establish add **ed**. It was noted it was already changed on the strikethrough copy.

Ms. Jeglie 5707 discussed Detailed Standards removed term Zoning (C) Maximum Number and Placement of Signs - wall sign and wall mural to separate types versus painted.

Commissioner Nunamaker asked was the redundant wall already removed.

Ms. Jeglie said it was not. It was clarified and remained as is.

Ms. Jeglie commented on the E. maximum height for road ways added language. She went through each added language.

Commissioner Dixon asked about ground level being lower than the curb.

Ms. Jeglie said it should be ground level at edge of pavement.

***The Commission adjourned for a 10 minute break at 7:27pm.***

Ms. Jeglie commented on the word or being added between non-residential and non-conforming on e. She then discussed addendums to each: 5707 (1) Maximum heights (H) Marquee or Awning Signs and Canopy Signs highlighted changes. Residential Signs (N) – 6; (P) Electronic Message Center – cross out future land use.

Commissioner Tranchand commented on the great job done with the amendments to subsection 2102 ad 5700 of the Land Development Code. He inquired about restrictions on portable signs, question on 6 months – page 11. There is not a section that says you can place for more than 30 days.

**UPON MOTION BY COMMISSIONER TRANCHAND AND SECOND BY COMMISSIONER ROWAN, THE COMMISSISON VOTED 10 – 0, BY VOICE VOTE, TO APPROVE THE PORTABLE SIGN ALLOWED ON PROPERTY NOT MORE THAN A 6 MONTH RESTRICTION OF USE ON PORTABLE SIGNS ADDED TO THE LANGUAGE IN 5 – H.**

Commissioner Bouie commented on the LDC (that looks like TV screen), what would be consideration when it's just the electronic portion. She said that she felt those signs should be allowed.

Ms. Jeglie said it could be only allowed to be 50% of sign, 50 to 100 or up to 100.

Attorney Weiss said they could always add a restriction about no strolling.

Ms. Jeglie said P – 2 would read only one Electronic Message Center sign is permitted per parcel. The changeable copy area shall not exceed fifty (50) percent of the allowable area of the ground sign. The second sentence would be stricken.

**UPON MOTION BY COMMISSIONER BOUIE AND SECOND BY COMMISSISONER TRANCHAND, THE COMMISISON VOTED 7 – 3, BY VOICE VOTE, TO EXCLUDE THE SECOND SENTENCE IN P2. (Commissioner’s Dixon, Lasley and Chukes opposed the motion.)**

**UPON MOTION BY COMMISSIONER BOUIE AND SECOND BY COMMISSIONER DR. BRIGHT – BRIDGES, THE COMMISISON VOTED 10-1, BY VOICE VOTE, FOR THE REMOVAL OF P-11, THAT IT BE STRICKEN. (Commissioner Nunamaker opposed the motion.)**

Commissioner Lasley asked what other ground signs are allowed. She said it should allow for owner to be able to have option.

Commissioner Lasley commented on E. page 10 – 2: Where it reads the minimum setbacks shall be five (5) feet from any property line or easement, whichever provides the greater setback. She stated her concern was what happens to property that is adjacent to rural residential or agricultural residential property. On page 16 of 17 – D (25%) should be in parenthesis, the percentage was not included in the parenthesis.

Commissioner Nunamaker stated that in certain recorded subdivisions where there is a road that everyone uses to come in and out, the people may own actually to the center line and that is actually the easement. He said in that case the right away is actually an easement. He said it is not in every case.

Attorney Weiss said that was true and gave an example of different scenarios, where for various reasons the property has been dedicated over time, where there may be a right of way and an easement.

Commissioner Lasley discussed the maximum setback Page 10 - Section E 2 – no setbacks for ground signs – minimum setbacks 2 on page 10 of 17.

Commissioner Nunamaker discussed the people may own to the center line, where people come in and out.

Mrs. Gutcher commented the ground sign is allowed in future land use category except rural residential or agricultural - 5707 A.



Ms. Jeglie said it should read these signs shall be allowed in Future Land Use Categories expect for Rural Residential and Agricultural categories and allowed in categories. It was held for her to come back to it.

Commissioner Lasley commented on Page 11 – portable signs 5707 #5. She felt it should go from 30 to 10days.

Attorney Weiss said either is fine.

Chair Davis asked for a second to Commissioner Lasley’s motion it failed for lack of second.

Commissioner Lasley commented on page 15 EMC section 5707 – P -3 – would 15 seconds be better. Would not like to make message a traffic hazard. There was a consensus to keep 8 seconds #7 under p allowing these signs in Rural Residential or Agricultural.

Commissioner Bouie voiced the shorter amount of time would be safer. The longer it stays you may be forced to look and therefore take your eyes off the road.

Commissioner Lasley commented on page 16 # P – 10 – disagrees with signs from the water. She stated that with people paying so much for their water front properties and the last thing they would want to see is a sign going all night long. She then made it a motion. The motion is for the electronic message centers to be prohibited within 100ft of the shore line or prohibited from being seen from the water.

Mrs. Gutcher gave a recommendation that they change shoreline to jurisdictional wetland line.

The motion was second by Commissioner Nunamaker.

Discussion followed among the Commission.

**UPON MOTION BY COMMISSIONER LASLEY AND SECOND BY COMMISSISONER NUNAMAKER, THE COMMISSION VOTED 8– 2, BY VOICE VOTE, FOR THE MOTION TO READ THE ELECTRONIC MESSAGE CENTERS TO BE PROHIBITED WITHIN 100FT OF THE SHORE LINE (JURISDICTIONAL WETLAND) OR PROHIBITED FROM BEING SEEN FROM THE WATER. (THE MOTION FAILED, COMMISSIONERS LASLEY AND NUNAMAKER VOTED FOR THE MOTION.)**

**UPON MOTION BY COMMISSIONER LASLEY AND SECOND BY COMMISSIONER NUNAMAKER, THE COMMISSION VOTED 10 – 0, BY VOICE VOTE, TO MODIFY THE JURISDICTIONAL WETLAND/ SHORE LINE IN P-10.**

Commissioner Lasley discussed subsection 5708-E: Non – Conforming Signs. It reads a Non-conforming sign shall be removed and made conforming within 10 years of becoming non-conforming. The question is if it is an existing non-conforming sign currently, when does the 10 years start?

Attorney Weiss stated the strikethrough language in Subsection A: It actually has the years. You would apply it from the time the regulation implemented.

Commissioner Lasley discussed page 16 subsection 5708 – Non- conforming Signs: If it is an existing non-conforming sign currently, when does the 10 year start.

Mrs. Gutcher replied when it is adopted.

Commissioner Nunamaker commented grammatical error on f on page 10 of 17 take away extra parenthesis.

Mrs. Gutcher commented on Section 5707 – Detailed Standards Part A: ***(No sign shall be permitted in rural residential or agricultural category, unless it is for the purpose of lawful non-residential use, signs that or otherwise permitted in all land use categories except the rural residential and agricultural categories.) – Revised language.***

**UPON MOTION BY COMMISSIONER YOUAMAN AND SECOND BY COMMISSISON DIXON, THE COMMISSION VOTED 10 – 0, BY VOICE VOTE, FOR APPROVAL OF THE NEW REVISED LANGUAGE AS STATED ABOVE BY MRS. GUTCHER.**

Commissioner Lasley commented on the definition 3 of 5. She discussed the off premise and off site definition. (This sign includes a sign erected by an outdoor advertising business, an animated billboard sign. She said she would like to strike animated and just say a billboard sign.

Commissioner Dr. Bridges – Bright asked would they never have animated signs in the County.

Commissioner Lasley replied it didn't need to be in the definitions. She then made a motion to delete animated and multi-vision sign. She inquired about the last sentence in that same definition. She wanted that stricken as well.

Attorney Weiss said his interpretation of that would be to encompass, if you have a sign structure on your property that doesn't have any content on it at all, we won't construe as an off-site sign necessarily, because you may want to use as an on – site sign at some point and time. We want assume that it's off – site because there is nothing on it. It is not being used currently.

Commissioner Lasley suggested they re-word it: A sign structure without surface content.

Attorney Weiss suggested without content.

Commissioner Lasley asked why a banner would not be considered, in the last sentence of the same definition.

Mrs. Gutcher said they are trying to capture the banners used for festivals and events.

Commissioner Lasley's motion was restated to remove animated, remove a multi-vision sign, remove displace surface and the word without content.

Chair Davis asked for a second to Commissioner Lasley's motion. It failed for a lack of a second.

**UPON MOTION BY COMMISSIONER DR. BRIDGES – BRIGHT AND SECOND BY COMMISSIONER YOUMAN, THE COMMISSION VOTED 10 – 0, BY VOICE VOTE, FOR APPROVAL OF THE ORIGINAL DOCUMENT WITH THE NECESSARY CHANGES.**

**UPON MOTION BY COMMISSIONER DR. BRIDGES – BRIGHT AND SECOND BY COMMISSIONER TRANCHAND, THE COMMISSION VOTED 10-0, TO ADJOURN DUE TO THE LATENESS OF THE HOUR.**

**6. PUBLIC HEARING (Legislative) LDR 2016-06 – Consideration of amendments to Chapter 6, Subdivision of Land of the Land Development Code.**

Due to the lateness of the hour, this agenda was not heard. It will be placed on the agenda for the September meeting.

**7. PUBLIC HEARING (Legislative) LDR 2016-07- Consideration of amendments to Chapter 5, Development Standards, Section 5000 General Standard, Section 5100 Compatibility, and Subsection 5204, Supplemental Standards for the Location of Neighborhood Commercial Uses, of the Land Development Code.**

Due to the lateness of the hour, this agenda was not heard. It will be placed on the agenda for the September meeting.

**8. PUBLIC COMMENTS – N/A**

**9. DIRECTOR’S COMMENTS**

Mrs. Gutcher announced today was her last day on the job. Best wishes came from the Commission on her new endeavor.

**ADJOURNMENT OF MEETING**

**THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE COMMISSION, THE CHAIR DECLARED THE MEETING ADJOURNED AT 8:44 P.M.**

**GADSDEN COUNTY, FLORIDA**

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**REGINA DAVIS, PC CHAIR**

**ATTEST:**

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**BERYL H. WOOD, DEPUTY CLERK**  
**For NICHOLAS THOMAS, CLERK**  
**Gadsden County, Florida**