MEETING RECORD

NAME OF GROUP:	PLANNING COMMISSION
DATE, TIME AND PLACE OF MEETING:	Wednesday, September 13, 2006, 11:30 a.m. - 12:15 p.m., Room 113, First Floor, County-City Building, 555 S. 10th Street, Lincoln, Nebraska
MEMBERS IN ATTENDANCE:	Jon Carlson, Gene Carroll, Michael Cornelius, Dick Esseks, Roger Larson, Mary Strand, Lynn Sunderman and Tommy Taylor (Gerry Krieser absent); Marvin Krout, Mike DeKalb and Teresa McKinstry of the Planning Department; Mike Petersen from Building and Safety; and other interested citizens.
STATED PURPOSE OF MEETING:	**PROPOSED SIGN ORDINANCE AMENDMENT REGARDING LED SIGNS**

Marvin Krout stated that sign issues can be some of the most difficult that planners deal with. We think it is appropriate to look at the ordinance and try to simplify it. We have an issue that was brought to our attention by Lamar Advertising. We could have asked them to submit a proposed text amendment, but staff thought it was more appropriate to look at all changeable copy signs. This is an area that communities such as ours are looking at. LED has allowed more people to be able to purchase these systems for business use and larger screens are appearing. Almost everything in the code is divided between business signs and off premise signs. Electronic changeable message signs are allowed today for business signs. The messages cannot be animated or changeable on billboards. One of the things that is happening nationwide is electronic changeable signs. The federal road system has been asked how they are going to deal with the issue. Right now, there is no allowance for billboards to have electronic changeable messages. Business signs are allowed to have electronic changeable signs up to 80 square feet. The technology today lends itself toward new designs which can be very bright. There have been a number of complaints from citizens the last couple of years about the most recent business signs that have gone up are excessively bright and animated. They can be very annoying and distracting in terms of maintaining your attention on the road. There are almost no billboards out there today that meet the current standards. Most were installed before the standards took effect. Staff is recommending some differences. We have tried to work with the representatives of the sign industry. We don't have perfect agreement, but we have tried to incorporate a number of their thoughts. We have looked at ordinances from other communities. Other community's regulations run the spectrum from a total ban to almost unlimited use of changeable electronic signs. We are certainly going to hear some concerns from people. Staff has shared this information with the business community. It will have public hearing before Planning Commission in two weeks (September 27, 2006).

Mike DeKalb reiterated that staff was approached by Lamar Advertising. They would like to use LED full size billboards with changeable messages. They are satellite linked. They have the capability for amber alerts and other messages. The current code restrictions do not allow this type of signs. They are not allowed in Omaha. There are about 20 of these

signs across the state. Staff is currently doing a separate lighting study. Our current code does not have a face lighting level. A nighttime brightness level is the standard currently being used across America. Staff has put together a package of text amendments. This is a new technology and even the industry itself is just starting to package things. The proposed amendment would allow off premise signs to use LED with a trade out of three sign faces for every LED installed. A 5,000 foot spacing between signs would be required. There would be limits on the changes and duration of messages, along with the brightness. These would not be allowed in B-4, downtown district. It allows static message changes. It would require an automatic adjustment of brightness based on lighting conditions. It would add the same brightness for on premise signs and keep the current size limit of 80 square feet in area with a shorter three second message duration. The message duration for billboards would be ten seconds. It would add definitions to reflect the new technology, including measurement of “nits” = 1,000 candela/square meter.
DeKalb presented a video tape of various signs and their lighting levels.

DeKalb expects people from the sign industry will come to testify before Planning Commission. The first installations would probably only be about 200 square foot. The big signs take their own air conditioning unit to keep the sign and lighting cooled down.

Krout stated that engineers have stated there really is no way to regulate the brightness level. Just because you can have flashy animation on these signs, does not mean the advertising is more effective. Most of the signs out there are changing their messages about every three seconds. He doesn’t think extreme animations are adding to the effectiveness of the advertising.

DeKalb stated that the sign section can be confusing with a lot of technical jargon. Definitions are being changed. It really is simpler than it looks. Staff is available to answer any questions.

Esseks questioned if the Federal Highway Safety Transportation Association has looked at this. DeKalb replied that they have started to look at this. Dept. of Roads allow these signs up to 500 square feet but no brightness level is stated.

Krout stated that the city has regulations for moveable electronic signs. DeKalb noted that he ran across a study that addressed the issue of brightness and hazard. It was from Canada that said the blinking lights aren’t a hazard, but the further from the side of the road it is, the more of a hazard it is. You have to take your eyes off the road to look at it. Krout has seen research that goes back 30 years. Most studies say we need more research.

Strand wondered if there has been any kind of a test on the message time. She was driving and saw one of these billboards, and it was incredibly bright. It was distracting even in the daytime. The most distracting sign is the one that goes across the Interstate that talks about road conditions. She would like to check on the technology. It is constantly changing and she doesn’t want to change the code for something that will change next year.

Carroll questioned if the new ordinance will restrict flashing. Krout replied that no sign can be flashing except in the B-4 district and the temporary flashing signs.

Carroll wondered if there will be an increase in the number of these signs. DeKalb replied that the current code states that one sign must be taken down before another sign can be put up. He doesn't think we will see a whole lot of new ones.

Strand wondered what happens when signs are found not in conformance. DeKalb replied that they have yet to find a billboard out of compliance since 2000 when the current code was passed. They get complaints about on premise signs all the time and a lot of times, the case ends up in court.

Carlson questioned if different lighting standards for different districts were discussed. DeKalb replied that was discussed. The problem is that brightness is a matter of perception if you are in a darkened neighborhood versus a business district with more lighting around.

The meeting concluded at 12:15 p.m.

Respectfully submitted,

Teresa McKinstry
Office Specialist

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MEETING RECORD

NAME OF GROUP:	PLANNING COMMISSION
DATE, TIME AND PLACE OF MEETING:	Wednesday, September 13, 2006, 12:15 p.m. - 12:45 p.m., Room 113, First Floor, County-City Building, 555 S. 10th Street, Lincoln, Nebraska
MEMBERS IN ATTENDANCE:	Jon Carlson, Gene Carroll, Michael Cornelius, Dick Esseks, Gerry Krieser, Roger Larson, Mary Strand, Lynn Sunderman and Tommy Taylor. Marvin Krout, Mike DeKalb, Steve Henrichsen, Brian Will and Teresa McKinstry of the Planning Department; Marian Langan, Jim Culver and Dennis Schroeder of the Lancaster County Ecological Advisory Committee; and other interested citizens.
STATED PURPOSE OF MEETING:	**DISCUSSION WITH THE LANCASTER COUNTY ECOLOGICAL ADVISORY COMMITTEE**

Esseks stated that the County Ecological Advisory Committee advises the County Board. He wonders if they couldn't be helpful in advising the Planning Commission.

Committee members Marian Langan, Jim Culver and Dennis Schroeder introduced themselves.

Larson wondered if the Committee has any legal authority. Dennis Schroeder replied they have no condemnation authority.

Marian Langan stated that other members of the Committee are Jim Douglas, Kay Codus, John Bolts, Marilyn McNabb, Dave Sands, Tim Golden, Jim Caruso, Gary Hergenrader, and Marge Davenport, with a wide variety of skills and resources.

Esseks questioned what the Committee advises the County Board on. Langan replied that they advise the board on acreages and natural resources, visit sites and evaluate them and they also address the issue of transfer of development rights.

Esseks stated that this Commission has not seen the recommendations that go on to County Board. DeKalb stated that when an application comes in, if it looks like it has an impact on environment, they submit a copy to the Ecological Committee for their input. The reports from the Ecological Committee go on to the County Board. The timing doesn't allow the Planning Commission to see the recommendation.

Esseks stated there is a lot of expertise that is being applied to the acreage developments. We all look at the same issues. It is a shame not to benefit. It is a lost opportunity, but he is not sure how to deal with it.

DeKalb noted that he does not believe there has been a recommendation from the

Planning Dept. or Planning Commission that is in conflict with the Committee recommendation.

Carroll questioned if the Committee has seen acreage developments that raise concerns. Jim Culver replied that stream corridors are always something to look at. Some developers are good about trying to keep a lot of the vegetation, others want to get rid of as much as possible. Schroeder stated that resource management is concerned how the watershed management changes. Hydrology changes on a developed area. Sediment into wetlands is a concern.

Strand believes the Planning Commission obtains basic information on wetlands and other issues in their staff report. Do we have enough information and if we want additional information, what would we have to do? Culver replied that wetlands can be pretty tricky. DeKalb stated that staff is using a database that is pretty good, but wetlands can change over time and season. There have been a couple of issues come up. He thinks Planning Commission needs to ask the County Board to forward information from the County Ecological Committee. The problem is that the issue hasn't gone to the full Committee yet, just an initial review.

Culver stated they can explore the idea of sending information to the Planning Commission. Langan noted that email makes a lot more things possible these days.
Strand recommended that any information Mike DeKalb deems pertinent to the Planning Commission be forwarded on to the Planning Commission. The other Commissioners all agreed.

Carlson wondered about the timeline and when an item is presented to the Committee. DeKalb stated that when an application comes in, it gives 10 days for other department review. The County Ecological Committee only meets once a month. These time constraints don't allow for information to reach the Planning Commission before a decision is made.

Langan stated that the Committee members are excited to have the information passed on to the Planning Commission. The Ecological Committee will look at ways to get the information out sooner so Planning Commissioners can review it. A subcommittee reviews the information first. The subcommittee then takes their recommendation to the whole committee who can only make a recommendation to the County Board. Only the County Board can pass this on to the Planning Dept. and Planning Commission.

The meeting concluded at 12:45 p.m.

Respectfully submitted,

Teresa McKinstry
Planning Department

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