

MEETING AGENDA

Wednesday, April 18, 2007

6:30 P.M.

WSU Community Learning Center, Port Hadlock

6:30 **Call to Order (Roll Call, Quorum, Approve Minutes of February 21, March 7 and March 21)**
Bud Schindler, Chair

Staff Updates
Committee Reports
General Public Comments

A. Public Hearing – 2007 Comp Plan Amendments Preliminary Docket (Suggested)

Open Public Hearing
Staff Report
Public Testimony
Close Public Hearing

Planning Commission Discussion and Recommendation to BOCC for Final Docket

B. Proposed Planning Commission By-Law Amendment

C. Review Process for CAO Committee Reports to Planning Commission

D. Introduction to Sign Ordinance Revisions

General Public Comments

Summary of tonight's meeting and forward look at agenda issues for the next meeting

9:30 **Adjournment**

NOTE: The Planning Commission may add and take action on other items not listed on this agenda.

Guidelines for Public Comment: 1) **Be concise.** Summarize your questions/concerns. If you have substantial background information to support your comments, please submit in writing. 2) **Be civil.** Focus on issues not individuals. Personal attacks, derogatory language and threatening remarks will not be tolerated. 3) **Speak clearly.** Speak loudly & slowly enough so you are heard. Explain any jargon and acronyms you use.

Excerpt from Planning Commission Minutes for April 18, 2007

Karen Barrows provided an introduction to the sign ordinance revisions. She referred to the BOCC minutes for the week of February 20, 2007, on the issue of JCC 18.30.150 regarding signs. The BOCC thought it was in the public interest to amend the JCC regarding political sign regulations. Al Scalf explained that the BOCC had utilized a provision of the Planning Enabling Act called "A Board Initiated Control". Earlier, staff had done a review of how other jurisdictions regulate political (campaign) signs. As a result, staff provided a recommendation to the BOCC that political messages be allowed as an outright exemption. Staff took this Board initiated control to the BOCC on February 20. The BOCC expressed some concerns, some related to airplane banners or building code issues or real estate signs. He suggested that it may be appropriate for the Building Official to come and meet with the Planning Commission. He suggested that the Planning Commission schedule the issue at a later meeting for deliberations and to make a recommendation to the BOCC. Mr. Scalf referred to a pertinent court case – Collier vs. the City of Tacoma – a suggested the Planning Commission may want to consider it.

The commissioners agreed to allow input from a real estate professional who was present.

Karen Best said that real estate signs are treated differently than political signs. She urged the Planning Commission to keep realtors involved in the process regarding the sign revisions. This particular proposal does not affect real estate signs.

Henry asked if there are issues with real estate signs or if it is only political signs that are at issue. If it is just political signs, he suggested the Planning Commission deal with that and move on. Al Scalf responded that the staff draft proposal only addressed political signs. However, the commission may want to also consider the concerns expressed by the BOCC as reflected in their February 20 minutes. The commission could prepare its own code draft and hold a public hearing. He reported that the BOCC had suggested the Planning Commission examine the code as written for consistency, whether it was fair across the board. He also recommended that the commissioners also read Collier vs. City of Tacoma to see the legal issues surrounding signs, including the Constitutional right of free speech.

The commissioners invited Mike Belenski to address the sign issue.

Mike Belinski explained that he had contested the recommendation that political signs be reduced to a limit of eight square feet while real estate signs could be larger. He had even gone to court for an injunction. His opinion was that they wanted to limit political signs to 16 square feet and he did not think they could not do that. He thought the First Amendment free speech rights were unlimited. In order to restrict that, you had to show a compelling government interest. He spoke about the amount of money some political candidates may spend on advertising in the media while some other candidate may only be able to afford signs. He said that whatever the county adopted, it should be internally

consistent across the board. He also referred to the Collier vs. City of Tacoma case as something the county needed to comply with. He did not think there was any harm with a person putting a political sign in his yard and he did not think someone should have to pay for a permit for the privilege.

Motion by Edel Sokol, seconded by Mike Whittaker, to accept staff's recommendation to exempt political signs and to remove the size limitation. The motion carried unanimously (8-0-0).

Al Scalf stated that he would review the sizes of 16 square feet versus 32 square feet with the Building Official. He explained that JCC 18.30.150 was the Zoning section of the code. The Building Code was JCC Title 15 and addressed structural issues.