

**CITY OF DELTONA, FLORIDA
CITY COMMISSION WORKSHOP MEETING
MONDAY, JANUARY 13, 2014**

A Workshop Meeting of the Deltona City Commission was held on Monday, January 13, 2014 in the City of Deltona's 2nd Floor Conference Room at 2345 Providence Blvd., Deltona, Florida.

1. CALL TO ORDER:

The meeting was called to order at 5:30 p.m. by Mayor John Masiarczyk.

2. ROLL CALL:

Mayor	John Masiarczyk	Present
Vice Mayor	Heidi Herzberg	Present
Commissioner	Zenaida Denizac	Present
Commissioner	Webster Barnaby	Present
Commissioner	Nancy Schleicher	Present
Commissioner	Fred Lowry	Present
Commissioner	Chris Nabicht	Present
City Manager	William "Dave" Denny	Present
City Attorney	Becky Voce	Present
Deputy City Clerk	Mitch Honaker	Present

Also Present: Planning & Development Services Manager Tom Pauls, Building and Enforcement Services Director/Acting Deputy City Manager Dale Baker, and VCSO Captain Dave Brannon.

3. PLEDGE TO THE FLAG:

The City Commission and staff said the pledge to the flag.

4. BUSINESS:

A. Discussion re: The City's Sign Ordinance..

Mayor Masiarczyk opened the meeting for public comment.

a) John Pike, 1032 Pearl Tree Road, stated he wanted to make sure the Commission was aware that Sterling Park has a sign out in front of their property along Saxon Boulevard advertising for properties to be developed in an area that has not even been zoned for that purpose.

Mayor Masiarczyk closed the meeting for public comment.

Building and Enforcement Services Director Dale Baker gave a presentation on Deltona's sign ordinance from a Code Enforcement perspective, discussing issues with the ordinance, complaints received, vehicle signs used for advertising, prohibited signs, exempt signs, churches not being required to have a permit to have banners, temporary directional special event signs, political signs,

snipe signs, banners, local businesses main concerns with the ordinance, and directional signs being too restrictive.

Commissioner Barnaby informed the Commission that he is a board member of Trinity Church and that its banners are one of those in question.

Commissioner Denizac asked what makes a banner exempt on church property. City Attorney Becky Vose replied that there is no overriding legal reason why a church is exempt from having to obtain a permit for a banner or sign other than the City ordinance, the banners are exempt only if the Commission chooses to make them exempt in the ordinance.

The Commission and staff discussed using vehicles for advertisement, vehicle wraps, advertisement banners, not micromanaging what businesses do with signs, landlord responsibilities, the City being business friendly, banner rules being fair and equitable across the board, not allowing signs to get out of hand in the City and negatively affect economic development, sometimes less being better, and streamlining the sign ordinance.

Mr. Baker discussed temporary directional signs in the right of way, and arrow requirements for temporary directional signs.

The Commission discussed not getting into the business of designing signs, signs having to have arrows on them, and arrows not having to be on directional signs because the sign verbiage provides direction.

The Commission and staff discussed snipe signs at businesses, permits for sales and special events banners, snipe style tax signs not being allowed in the City, clarifying the portion of the ordinance that discusses real estate signs being permitted to being "allowed", signs having to be professionally prepared as compared to being handmade, clearly defining what makes a sign or banner blighted, not allowing snipe signs to be used for advertising having a negative impact on businesses, permitting snipe signs just like political signs, permitting signs in accordance with the Florida building code, developing categories to permit temporary signs, sign content being professionally prepared, garage sale signs being similar to building permit signs, making the sign ordinance easier for staff to enforce, whether or not a property owner has a right to put a homemade sign in their yard, home owner signs being made professionally or handmade, and the costs of making signs.

Commissioner Barnaby discussed the revenue potential of a City sign company that is open to the public.

The Commission and staff discussed prohibited signs, such as changeable copy signs not being within 50 feet of residential property, that approximately 98% of Deltona's churches are on residentially owned property, reasons to have the 50 foot requirement, and eliminating the 50 foot movable copy signs restriction from Section 102-3. Also discussed was electronic changeable copy signs not being allowed at churches that are in a residentially zoned area, and eliminating all verbiage right after "City of Deltona Comprehensive Plan" in Section 102-3 Prohibited Signs, paragraph (3) a.

Planning and Development Services, Planning Manager Tom Pauls discussed the City needing to encourage economic development within reason so businesses can succeed, but that it needs to be a balance between the rights of 85,000 residents and the needs of a business.

Vice Mayor Herzberg departed at 6:13 p.m.

The Commission discussed different colored lights on changeable copy signs between day time and night time, light colors being more compatible for residential areas, and changeable lights being on timers or set time limits to shut off.

The Commission and staff discussed the requirements of posting political signs, enforcing the ordinance as written, ordinances not affecting resident's constitutional rights, residents having the right to place whatever signs they want, signs being placed on vacant lots without the owner's permission, budget to hire more Code Enforcement officers to enforce City ordinances, City signs and banners following the same rules as residents, the City using the City right of way for signs, exempting permit requirements for speed trailers in residential areas, the City following the sign ordinance for special events, and the City only being exempt from following the sign ordinance for emergency operations, storm warnings, life, safety & health information, etc.

The Commission discussed staff bringing back sign ordinance recommendations to the Commission, allowing vehicle banner signs on properly licensed tagged and operable vehicles, not allowing trailers to be used as advertisement, banners being on the inside and the outside of fences, signs being in disrepair needing to be removed, rewording the non-profit and church banner exemption to specify non-profit organization property and not the activity, rewording the directional sign verbiage, allowing attention getting devices on property as long as it is not in the right of way, business and special event professionally made advertising snipe signs (Easter, CVS, gas stations, etc.), limiting the number of snipe signs allowed per property and not in the right of way, allowing real estate signs, clearly defining signs being blighted and in disrepair.

The Commission and staff also discussed suggestions for sizes of signs for commercial and residential property, allowing sign wraps, landlords policing their own property as far vehicle signs, being aware not to override State or Federal laws that address political signs, deleting the political signs portion of the sign ordinance other than signs not being in the right of way, and number of political campaign signs placed on lots, parcels, and vacant property.

- a) Charlie Vann, 2270 Asbury Road, stated that the ordinance should allow temporary directional signs be placed out for a minimum of 30 days prior to an event.
- b) Jody Storozuk, 1811 Pennington Avenue, discussed signs like the Toys for Tots needing to be allowed in the rewrite of the new ordinance, cases against an ordinance due to constitutionality due to making restrictions to someone's private property, honesty in advertising, and the need for the sign ordinance to be business friendly.
- c) Larry DeMatteo, 2501 Barry Drive, stated that the City should provide additional copies of agenda packet items that are going to be controversial in nature for residents who attend meetings, not rushing to make changes but taking time to do it right the first time, complaints about the

vehicle sign at the church located at Providence Boulevard and Tivoli Drive, the Ponce de Leon Plaza at Providence Boulevard and Elkcam Boulevard looking like a slum district, the public works warning signs for advertising, and not being exempt from the ordinance when using the warning signs, too many political signs being placed at the library, signs being business friendly, putting banner signs on fencing so they face the inside of the parks and fields fencing, homemade signs being the same size as political signs, and that vehicle wraps and signs should be allowed.

Commissioner Denizac asked if the City is responsible for the content of signs, and Mrs. Vose replied "no".

Mayor Masiarczyk stated that the City has no control over what content is placed on signs, realtor signs do not require a permit, the signs at the corner of Tivoli Drive and Providence Boulevard are not banners, wooden signs on church property, and asked the Code Enforcement Director if those type of signs were allowed, and Mr. Baker replied that non-conforming signs are allowed to be there until they have deteriorated to a blighted state.

The Commission and staff discussed for profit activities being allowed that are in support of church organizations and their secondary uses, when to consider non-conforming signs as blighted, providing a good clean definition of when a sign is blighted, the City using the public works warning signs for advertising events, providing private property owners the same snipe sign rules as a businesses, staff developing snipe sign requirements, the landlord having the right to not allow signs, and who to write a violation on, the tenant or the property/plaza owner.

Commissioner Nabicht suggested staff organizing a focus group made up of various Deltona businesses, and Team Volusia to discuss the sign ordinance, and the need for Deltona to be business friendly.

Commissioner Barnaby suggested offering the opportunity to be a part of the focus group to some of the concerned residents who have shown an interest in the issue.

Commissioner Denizac suggested establishing focus groups to look at any City ordinances that have the possibility of having controversy, or any issue that citizens feel passionate about, the need to listen to residents, obtaining residents input and getting citizen buy-in to ideas.

After discussion, the Commission concurred to have staff organize a Sign Ordinance focus group.

Mayor Masiarczyk stated that there was an "If I Were Elected Mayor" essay contest sponsored by the Florida League of Cities and the League of Mayors that he wanted the City to participate in, and he asked if there was a problem with the City moving forward with the Mayor's fitness challenge event which will be open to the public. He stated that Ed Noseworthy from Florida Hospital would support the program, and provided some details of the event.

Commissioner Schleicher asked to attend the "Courage To Remember", a world-acclaimed educational exhibit on the Holocaust, being held in Cocoa Beach, Florida on Monday, February 10, 2014 in lieu of the Commission Workshop.

After discussion, the Commission concurred that Commissioner Schleicher would attend the educational exhibit on the holocaust being held in Cocoa Beach, Florida as the City's elected official representative.

Larry DeMatteo, 2501 Barry Drive, stated that if the City operated an open to the public sign shop that it would go against the City's current policy of trying to attract businesses to Deltona.

Jodylee Storozuk, 1811 Pennington Avenue, stated that there are Department of Transportation (DOT) requirements that have to be followed when using the flashing public works type of display signs, something should be put in the ordinance about truth in advertising, and he suggested the City develop procedures for policing Code Enforcement officer's performance of their duties.

5. CITY MANAGER COMMENTS:

Mr. Denny stated that on January 24, 2014 the East Central Regional Rail Trail system is having two (2) meetings, one (1) in Edgewater and one (1) in Osteen to discuss the preconstruction of the Sea Loop portion of the trail over SR 415. He also stated that the meeting in Osteen starts at 11:00 a.m. across from the Community Center, and that City staff members would be attending.

6. ADJOURNMENT:

There being no further business the meeting adjourned at 7:23 p.m.


Mitch Honaker, Deputy City Clerk