

## **MINUTES OF COMMITTEE MEETING**

January 25, 2010

7:00 p.m.

### **DEVELOPMENT, PLANNING AND ZONING COMMITTEE (DP&Z)**

- RE:    1)     Discussion of Bank Uses in Commercial Districts  
       2)     Discussion – Regulation of Electronic Signs  
              Referred by Aldermen Morley and Rose  
       3)     Other Business

Committee Members present:       Morley, Rose, Leader

Council Members present:         Mulliner, Gutenkauf (part time), Mayor DiCianni (part time)

City Staff present:                Werner, Borchert (part time), Storino (part time)

Others Present:                    Z&P Commission Chair Whistler

Chairman Morley called the meeting to order at 7:04 P.M. and introductions were made.

Chairman Morley began discussion of agenda item #1, Discussion of Bank Uses in Commercial Districts. The Committee agreed to limit the discussion to bank uses and not other non-retail uses located in commercial zoning districts. The Committee began the discussion with the following questions: What is the problem that needs to be fixed? Are banks occupying land/storefronts that would otherwise be producing retail sales tax?

The Committee noted that banks without drive-through are permitted uses in all districts; however, the drive-through function of a bank is a Conditional Use and requires City Council approval. Because most banks require a drive-through, the City Council has an opportunity to review the application and approve or deny the request based on the Standards for Conditional Use outlined in the Zoning Ordinance.

Discussion ensued on the subject of free markets and the appropriate level of governmental regulation of uses in commercial districts.

The Committee discussed the referral that proposes that all bank uses, with or without drive-through, be Conditional Uses subject to City Council approval. Vice Chairman Rose suggested, and the Committee agreed, that this referral should be discussed at a Committee of the Whole meeting to allow thorough vetting of this issue in a transparent manner. Therefore, the DPZ Committee is

requesting City Manager Borchert to schedule a Committee of the Whole meeting to discuss this referral.

The Committee then discussed agenda item #2, Discussion - Regulation of Electronic Signs. The Committee discussed electronic signs relative to their size, the timing interval between messages, and the enforcement of signs that do not comply with Zoning Ordinance regulations. It was noted that different zoning districts have unique characteristics and, therefore, the regulations of these signs should be unique for each district. After discussion, it was the consensus of the Committee to request additional information for discussion at a future meeting.

There was no discussion under other business.

The meeting was adjourned at 8:45 p.m.

Submitted by: Nathaniel J. Werner, Planning and Zoning Administrator