

**EMERYVILLE PLANNING COMMISSION  
ACTION RECAP  
SPECIAL MEETING  
MARCH 9, 2017**

**I. CONVENE AND ROLL CALL**

The special meeting of the Planning Commission was called to order at 6:30 p.m. by Chair Steven Keller. Commissioners present: Philip Banta, Linda Barrera, Gail Donaldson, Lawrence Cardoza, and Steven Keller. Commissioner Sam Kang had an excused absence.

**II. PUBLIC COMMENT – NONE**

**III. ADMINISTRATIVE ITEM**

- A. Survey of Commission Members** – Discussion of potential changes or additions to current Commission policies, procedures and practices to improve Commission efficiency.

Sheri Hartz, City Clerk presented and responded to the Commissioner's questions.

Consensus was that communication with the City Council is good. There was a suggestion of an annual meeting with the Council followed by a tour of the City to view past projects before the Commission makes decisions on future projects. Additionally, an annual retreat was suggested to ensure that the Commission is working in the same direction as the Council.

The Commission expressed general satisfaction with the time, location, and frequency of meetings. Appreciation was expressed for the work done by staff, and anything that can be done to make their job easier is encouraged. The Commission saw no need to change the composition and to ensure that members represent all areas of the City, as this is already stipulated in the Municipal Code. A preference was expressed for residents and business owners but not for special interest groups to be represented on the Commission. Consistent attendance by Commissioners was noted to be important.

Commissioners expressed that the most important job of the Commission is to adhere to the General Plan and to allow applicants to explain the scope of their proposals, and also to maintain a level playing field to enhance the health, welfare and visual appeal of the City.

**IV. STUDY SESSION**

- A. Study Session on Sign Regulations** – Study session to discuss possible modifications to the Sign Regulations in Article 16 of Chapter 5 of the Planning Regulations in Title 9 of the Emeryville Municipal Code

Director Bryant presented to the Commission and responded to questions.

A Commissioner asked whether digital billboards and electronic signs with changing text were allowed. Director Bryant stated that there is a distinction between a sign that is at the site of the business, which is allowed, and an offsite billboard advertising a good or service that is not available where the sign is located, which is not allowed.

In response to a question regarding digital/LED signs and reader boards or signs with changeable copy or crawling text, Director Bryant cited text from code Section 9-5.1604, Prohibited Signs, "Electronic signs with changeable copy and/or animation; also known as 'reader boards'" are prohibited. This does not apply to small signs oriented to public transportation.

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In response to a question as to whether a sign on a building could be prohibited if it identified a tenant of the building that was not generally open to the public, Assistant City Attorney Andrea Visveshwara said that the City may not regulate the speaker or the content of signs as it would contravene the first amendment.

Director Bryant explained that the rules on high-rise identification signs are two signs per building, one on each of two sides. The sign must identify the name of the building, its owner, a tenant of the building, or any entity associated with the building.

Assistant Planner Navarre Oaks addressed questions regarding dimmability of signs.

The public comment period was opened; there was no one wishing to speak; the public comment period was closed.

A Commissioner requested that sign applications include a drawing of sight lines showing residences from which the proposed sign could be seen.

Director Bryant and Assistant City Attorney Visveshwara responded to questions from the Commission about enforcement, banners, and signs in the public right-of way.

The Commissioners unanimously agreed with the following questions posed by staff:

1. Does the Commission agree that references to the recommendations of the International Sign Association for night-time sign brightness should be eliminated and that a provision should be added along the lines of: "A dimmer switch shall be installed as part of all illuminated sign installations, and the signs shall be dimmed to the satisfaction of the Director of Community Development if the Director determines the illumination to be too bright"?
2. Does the Commission agree that high-rise identification signs should not be allowed to be included in future Master Sign Programs, and that all high-rise identification signs should require separate approval from the Planning Commission?
3. Does the Commission agree that the Sign Regulations should differentiate between "Master Sign Programs for Tenant Signage" and "Site Identification and Wayfinding Signage Programs", with separate provisions for each?
4. Does the Commission agree that Planning Commission approval should be required for any sign that is not listed in, or does not conform to, the standards of Table 9-5.1607, and that compliance with the allowed aggregate sign area for individual establishment signs should be required in all cases?
5. Does the Commission agree that the following two findings should be eliminated and that the findings for Major and Minor Sign Permits should be the same, based on the current findings for Minor Sign Permits?:
  - The proposed sign is no larger than is necessary to adequately identify the establishment, or the sign is of extraordinary design significance justifying its size.
  - The proposed sign is necessary because of the nature of the establishment and its location.

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No additional issues related to the Sign Regulations were identified by the Commission.

Director Bryant thanked the Commission for their feedback and indicated that amendments to the Sign Regulations, based on the Commission's input, would be developed for future consideration by the Planning Commission and City Council.

**V. COMMISSIONERS COMMENTS - NONE**

**VI. ADJOURNMENT** – The meeting was adjourned at 8:11 p.m.

**THE NEXT SCHEDULED MEETING WILL BE HELD ON THURSDAY, MARCH 23, 2017 AT 6:30 P.M. IN THE CITY COUNCIL CHAMBERS, CITY HALL, 1333 PARK AVENUE, EMERYVILLE, CA 94608**