

Meeting Minutes
Town of Dewey Beach Planning Commission
Meeting Date: July 11, 2013

The meeting was called to Order by Chair Harry Wilson (6:33 pm), followed by the Pledge of Allegiance and Roll Call. All Commission members were present: Jim Dedes, Don Gritti, David King, Chuck McKinney, Mike Paraskewich, and Marty Seitz. Town Building Official Bill Mears and Town Manager Marc Appelbaum were present in their official capacities; also in attendance were Mayor Diane Hanson and reporter Kara Nuzbach. The following materials were provided to the public at the meeting: meeting notice and agenda, draft revisions to sections 185-27 and 185-27.1 of the Town Zoning Code, along with section 185-27.1 from the 2009-Revision of the Zoning Code and 2010 amendments regarding outdoor displays.

Chair's Comments. Chairman Wilson said the purpose of this meeting was a public hearing to review sections 185-27 and 185-27.1 regarding temporary signs and outdoor displays, and possibly recommend amendments to the Town Commissioners that would facilitate compliance with, and enforcement of these requirements and to provide a pathway for settlement of a costly and protracted federal lawsuit.

Draft minutes for the Planning Commission's May 17 and June 7, 2013 meetings were approved with the correction of a minor clerical error by voice vote 6-0-1 (McKinney abstained having not been present at these meetings).

Public Hearing and Planning Commission discussion. During almost 2 hours of discussion, the planning commissioners reached consensus on a number of conceptual changes to the current code regarding temporary signs and outdoor displays that would achieve the Town's objectives while easing restrictions on business operators town wide. The Planning Commission will review a redraft of these sections of the zoning code at its August 2, 2013 meeting, and likely approve recommended amendments to the Town Commissioners at that time

The scope of the conceptual changes include:

- Removing reference to an outdoor display permit application process in favor of introducing language to prohibit displays that would be considered offensive in a family-friendly environment or a nuisance;
- Allowing a business property occupying a corner lot to use the private property of its business along both abutting roadways for outdoor display;
- Removing the 30% limitation on allowable outdoor display area, as well as the restrictions arising from abutting parking areas, but keeping a maximum outdoor display area of 500 square feet;
- Allowing businesses in complexes surrounding parking areas to use as much of the walkway in front of each business as desired provided appropriate ingress/egress and handicap access are left clear and unobstructed;
- Introduce restrictions on placing temporary commercial-business signs and banners, and outdoor display items in front of residential use portions of a mixed use property;
- Allow businesses employing an outdoor display of merchandise to also display a sandwich board;
- Clarify all language, including that outdoor displays shall be removed at the end of daily business operations and that the restrictions in these sections apply to specific commercial businesses and that residential rental businesses must conform to a different set of regulations regarding temporary signs, etc;

- Deletion of sub-section 185-27.1.E. Sales benefiting nonprofit organizations and addition of a sub-section on Penalties and Violations

Adjournment. There was a motion to adjourn; seconded and passed by unanimous voice vote (8:25 pm). The next Planning Commission meeting, to revisit the outdoor display issue, to seek to define a small microbrewery/restaurant-type operation that might enhance the business diversity in Dewey and be acceptable to the majority of residents and property owners, and to consider zoning-code amendments addressing sea- and bay-level rise, is scheduled for 6:30 pm August 2, 2013.