

**CUBA VILLAGE PLANNING BOARD
BOARD MEETING
February 4, 2013**

PRESENT: Chairman, Mansel Wells, Connie Doyle, Ellen Scott, Sue Hillman and John Hupp

ALSO PRESENT: Mayor Tom Taylor and Deputy Clerk Katie Morris

A special Board meeting was held to address the issues of the zoning changes that will be presented to the Village Board.

The Planning Boards concerns are the signs around the Village that are not in compliance with the Village Code. Because times have changed and the enhancement of technology, changes to the sign regulations may have to be considered. This is a matter of keeping the Village with a historic look and enforcing the sign Laws or changing the sign Laws to continue with today's times. There is also the concern of the enforcement of the Code Enforcement Officer. Chairman Wells suggested that the enforcement of the codes would be more effective through someone in uniform with authority, such as a police officer. Ellen Scott will be looking into the requirements and training that is needed for the Code Enforcement Officer (Zoning Officer).

After several lengthy conversations concerning the Cuba Cheese Shoppe, it was decided that they are in 6 violations with the sign Laws. Under sections 200-70 A, C, E, F, N, and 200-71 C. Prior to this meeting, Mayor Taylor contacted the Department of transportation (DOT) and said the Cheese Shoppe is not in violation for being on a state right-of-way. This is a matter of if its not in compliance the laws need to be changed so its in compliance or if its what the code says then it needs to be in compliance thus it needs to be enforced.

It was stated that the Fire Department is not a government agency because they are a nonprofit organization. For being in a residential district, they will have to follow sections 200-70 and 200-73 of the sign Laws. This will be addressed after changes are made to the Laws or the Village codes are enforced.

In saying this, the Planning Board has decided to recommend to the Village Board to publish in the paper and send registered letters of a notice given to the community of the various forms of noncompliance. This would be sent to those in violation as well as a public notice in anticipation of considering making changes to the code as it exists right now with the idea of getting input from individuals involved so that they can voice their desires before something formal is formulated. Should this letter come from the Planning Board, the Village Board, or the two Boards together?

Identified regulations of various noncompliance issues:

- Section 200-70 General conditions and regulations: A, C, D, E, F, J (plus 200-76 A, B, C, D), K, N
- Section 200-71 Business and industrial districts; concerns Subway, Cheese Shoppe, and Cummins Construction
- Section 200-74 Permitted signs in all districts without permit
- Section 200-76 Temporary signs concerns Freeman's South Street Mart
- Section 200-81 Penalties for offenses

In addition to Sign Regulations, there are no regulations on murals. It was recommended that:

Murals (or signs painted on buildings)

1. All murals or signs painted on buildings, which are observable from public thoroughfares, shall be approved by the Planning Board.
2. Recommended materials are ceramic tile or high endurance paint with a lifespan of 20 years or more.
3. The contents of the images or text should not constitute hate speech.
4. Murals or signs painted on buildings must be kept in good repair or painted over.

Other sign concerns: Indecent, pornographic, or defamatory signs that malign or belittle, and of the following, but not limited to a person, product, institution, practice or belief, and sandwich boards.

In addition, Section 173-14 (p.17307) of the Code of the Village of Cuba be replaced by the following:

Items 1-6 refer to permanent awnings (canopies)

1. Awning and awning framework materials must be approved by the Planning Board.
2. Awnings shall be supported by and securely attached to the building.
3. The lowest portion of the awnings erected over public sidewalks shall not be lower than 8 feet above the sidewalks.
4. Advertising on awnings must be in compliance with the sign regulations and be limited to the name and logo of the business and the pursuit conducted within the premises. Said advertising must be permanently in place and in compliance with sign regulations.
5. Awnings must be kept in good repair.
6. Adjacent business signage shall not be obscured from view by an awning when viewed from the street at 45-degree angle toward the center of the adjacent business.
7. Temporary awnings must be securely supported at points that do not cause a hazard to pedestrians.
8. Temporary awning must be removed within 7 days of erection.

TIME 8:47 PM

Respectfully submitted,
Katie Morris, Deputy Clerk