

**MEETING MINUTES OF THE
PLANNING & ZONING COMMISSION
TWIN OAKS, MISSOURI
TUESDAY, MAY 25, 2021**

The Planning and Zoning Meeting was called to order at 6:35 p.m.

Members:	Frank Venturella, Chairman	X	Joe Krewson	
	Roger Loesche	X	Craig Cwiklowski	X
	Jeff Graves	X	Lisa Eisenhauer, Alderman	X
	Ray Slama	X	Shazia Brown	X
	Russ Fortune, Mayor	X		

Also in attendance were: Paul Rost, City Attorney; Frank Johnson, City Clerk.

APPROVAL OF THE AGENDA

Commissioner Graves moved, seconded by Commissioner Slama, to approve the Agenda. Motion passed with the unanimous consent of the Commission.

APPROVAL OF THE CONSENT AGENDA

Mayor Fortune moved to approve the Consent Agenda consisting of the Meeting Minutes from April 27, 2021. Commissioner Graves seconded the motion and on voice vote, the motion was announced passed.

OLD BUSINESS

Consideration of Amendments to Sections 410 of the City of Twin Oaks Municipal Code Pertaining to Sign Regulations and Related Text.

City Attorney Rost began the discussion with an overview of First Amendment issues related to the regulation of signs and how this has been impacted by recent court cases. He stated that the proposed changes are designed to help ensure the city's code adheres to the principal of "content neutrality" and that its regulations are narrowly tailored. He also gave examples of specific issues that cities, both in Missouri and nationally, have encountered in regulating signs and noted that it is a frequent subject of litigation for municipalities.

Commissioner Loesche asked City Attorney Rost about a Missouri state law that carves out specific regulations for real estate signs on residential property and asked how that can comply with the concept of content neutrality. City Attorney Rost responded that it does not, but that no one has challenged the state statute in court. Commissioner Loesche also asked about the regulation of signs by condo associations or homeowner associations. City Attorney Rost responded that these are treated differently as such associations are not considered governmental entities and therefore, there are no First Amendment concerns.

Following this, Chairman Venturella asked the commissioners to review the proposed changes, starting with the Section 410.010 and Section 410.020. Discussion ensued.

Alderman Eisenhower raised an issue with the inclusion of flags that “do not contain commercial messages” in a list of items that do not count as signs, per the code. She stated that it did not seem to match with the proposed definition of flags in Section 410.020 and that it could create confusion about how a flag is considered a sign in some cases and not others. City Attorney Rost stated that this provision could be removed.

The Commission next discussed a provision defining “interior site signs.” City Attorney Rost explained that the intent is to avoid the difficulty of trying to regulate every possible sign or notice that could be posted on the interior of a development, business or establishment. He further stated that the principal concern for the sign regulations is what is visible to the exterior.

The Commission then discussed the various definitions around flashing, fluttering, animated and moving signs. City Attorney Rost stated that they can look for ways to further clarify or condense these terms. He further stated that the Commission needs to consider how these terms are used and what exactly the Commission would like to regulate with them.

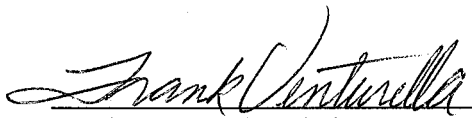
The Commission concluded its initial review by discussing the next steps in the process and the plan for upcoming meetings. Chairman Venturella asked the Commissioners to review the proposed changes to the definitions and consider how the terms are used in the later sections of the sign code. He stated that the Commission will review the residential regulations at their next meeting, followed by the commercial regulations.

MISCELLANEOUS

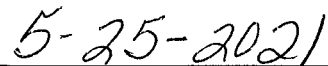
City Clerk Johnson informed the board about several complaints the City has recently received from residents concerning the fence regulations. The current City code does not allow for vinyl fences in residential areas, and these residents would like to see it included as an allowable material. Discussion ensued. No decision on the issue was made by the Commission.

ADJOURNMENT

Commissioner Graves moved, seconded by Alderman Eisenhower, to adjourn the meeting. Upon voice vote, the motion was announced passed. The meeting adjourned at 8:04 p.m.

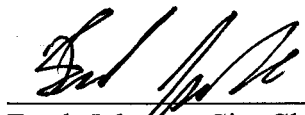


Frank Venturella, Chairman
Planning & Zoning Commission



Date of Approval

ATTEST:



Frank Johnson, City Clerk