



**Planning Commission Regular Meeting
City Council Chambers, 2660 Civic Center Drive
Minutes – Wednesday, January 8, 2025 – 6:30 p.m.**

1. Call to Order

Chair Pribyl called to order the Planning Commission's regular meeting at approximately 6:30 p.m. and reviewed the Commission's role and purpose.

2. Roll Call

At the request of Chair Pribyl, City Planner Thomas Paschke called the Roll.

Members Present: Chair Michelle Pribyl, Commissioners Michelle Kruzel, Tammy McGehee, Pamela Aspnes, and Erik Bjorum.

Members Absent: Vice-Chair Karen Schaffhausen

Staff Present: City Planner Thomas Paschke, Community Development Director Janice Gundlach, and Senior Planner Bryan Lloyd.

3. Approve Agenda

MOTION

Member McGehee moved, seconded by Member Bjorum, to approve the agenda as presented.

Ayes: 5

Nays: 0

Motion carried.

4. Review of Minutes

a. December 4, 2024, Planning Commission Regular Meeting

MOTION

Member McGehee moved, seconded by Member Aspnes, to approve the December 4, 2024, meeting minutes.

Ayes: 5

Nays: 0

Motion carried.

5. Communications and Recognitions:

a. From the Public: *Public comment pertaining to general land use issues not on this agenda, including the 2040 Comprehensive Plan Update.*

None.

- b. From the Commission or Staff:** *Information about assorted business not already on this agenda, including a brief update on the 2040 Comprehensive Plan Update process.*

None.

6. Public Hearing

7. Other Business

- a. Planning File Heading (PF24-016) Reconsideration of a request by Clear Channel Outdoor MSP for a City Code Amendment to Title 10, Chapter 1010, Sign Regulations, to allow two (2) lawful pre-existing non-conforming off-site billboards to be converted to Dynamic/Digital (LED) Displays, as well as additional modifications to §1010.10 Dynamic Displays in support of changing the duration from 25 seconds to 8 seconds and modifications to maximum daylight illumination from 5,000 nits to 6,500 nits.**

City Planner Paschke summarized the request as detailed in the January 8, 2025, staff report.

Member McGehee asked about Item C under HC. Staff put 500 feet, and she thought, as she was reading the information, it was the only one the City has near residential, with 750 feet.

Mr. Paschke indicated that would not necessarily be correct; it would be the one on top of Brown Wilbert on Hamline Avenue. Generally, what was being measured was 250 to 300 feet from residential property on the east side.

Ms. Gundlach indicated that the 500 foot proposed in the ordinance would mean that the one on top of that building could not be converted to a dynamic display.

Member McGehee indicated nothing in the ordinance would give the City control of what was on those signs or where the City's advertising was placed in terms of being sandwiched between other ads.

Mr. Pascke indicated that the City Council would have to approve an agreement with Clear Channel regarding the content and the number of hours. The City can approve how that all works.

Ms. Gundlach noted that this would only be for the City's content. The City cannot legally control the electronic or static content on billboards. She indicated this should not be approved if it concerns the Planning Commission.

Member McGehee indicated she was concerned about where city advertising would be placed in these ads. She had concerns about the distraction of these displays along the freeways, which are very busy, especially in these areas. She was also concerned about the content there, and the City has no control over this. The City has regulations but no other control over the content.

Member Bjorum indicated to piggyback on the last part with the freezing screen and shut down; the note that would be added to the ordinance was that Clear Channel would have to shut it down within one hour of being notified by the City. Does the City count that? That assumes to him that the City was giving them an hour to shut it down, or there would be a penalty imposed or something of that nature. Does the City dictate that, and how can the City enforce it? I am not assuming that Clear Channel would act in bad faith if the City asked them to shut it down because it was broken, but if we had that language in the ordinance, would that mean the City would have to enforce that somehow?

Mr. Paschke indicated that if there were a problem with the dynamic displays, Clear Channel would know before the City did because everything was electronic. Clear Channel can monitor it, change things, and do everything. They are going to know if there is an issue. He noted he did not know the ramifications if Clear Channel did not shut it down.

Ms. Gundlach explained that any zoning code violation was a misdemeanor, and the City would be able to document a problem. If Clear Channel does not meet the hour requirement, the City can issue a criminal citation for a misdemeanor because they did not comply with the code. The City has done that but rarely, but that was an enforcement tool staff had. The City also has some administrative fines in the ordinance, and staff could issue administrative penalties for non-compliance. There are enforcement mechanisms that can be used.

Chair Pribyl asked about the fourth provision, which was the current height of the billboards. She wondered if these are currently within the 35-foot range.

Mr. Paschke believed they were.

Ms. Gundlach reviewed the requirements of the existing signs with the Commission. She noted the City could amend the condition to strike the second sentence in the fourth provision.

Member Bjorum explained he had a couple of questions. Since the City Council wanted the Planning Commission to look at visuals for these things in a couple of examples for display brightness or illumination, ambient light was called out. Three-foot candles about ambient light instead of the measurement of nits. He did not know how those two things relate, and he wondered if it was something to consider that they have more than one transition between day and night if it was cloudy or incredibly foggy.

Ms. Gundlach explained that her initial concern was that we must have a light meter for the City to enforce the foot-candle. We must have somebody who can go out and take that reading and knows how to read it. It was like a manufacturer and it cannot exceed this. It's more internal to the sign and the different color lights that the image was illuminating that they control with the manufacturer. And maybe Clear Channel can offer more details than I can. If we have something where our staff must have a light meter and go out and measure foot candles, that's more difficult from an enforcement perspective.

Member Bjorum explained that the only other item he had was that in the bulk of the examples, the duration of the display was fifteen seconds instead of eight seconds. He could not remember how they got to 8 seconds as a component of this instead of the fifteen seconds.

Mr. Pascke believed most billboards are eight seconds long. There are a couple of communities that have fifteen seconds, but the lion's share of the communities along interstate corridors and others use the standard of eight seconds.

Ms. Gundlach thought Mr. Paschke's examples were picked because the communities were relatively close. These communities had new billboards, so they were looking at more expansive requirements theoretically. She did not think it was accurate to say most are at fifteen seconds. She thought it was more accurate to say most are at eight seconds. She noted that years ago, when Clear Channel first started doing these conversions to electronic billboards, SRF engaged in a reasonably extensive study about the impact of these billboards. One component, or sort of outcome of that, was the eight seconds. There was an engineering foundation to that rule, and based on something Commissioner McGehee said earlier, that study found that these billboards are no more of a distraction to a driver than changing a radio station in the SRF study that guided many of the standards.

Member McGehee asked about the light difference between the City's current static signs and the digital ones in light emissions at different times of day.

Ms. Gundlach indicated she did not know if the City had any recent foot candle measurements of the existing billboards.

Member McGehee asked if the City had any regulations regarding the standing signs.

Ms. Gundlach explained that the City's code contains some base regulations about foot candle measurements at property lines.

Mr. Paschke did not think the City had any one regulation in place in the code related to billboards and the lighting of static signs.

Member McGehee asked how often the static sign images change.

Mr. Paschke indicated he did not know, but the representative from Clear Channel was at the meeting and could probably answer that question.

Mr. Matthew Weiland, Clear Channel Outdoor, indicated he would be happy to answer any questions the Commission had.

Member McGehee explained she would like to know if Mr. Weiland had any information about the current light emission from a standard static sign, whether he had it on any of the five signs in the City, or if he had the information for other signs.

Mr. Weiland indicated he did not, and these are two different things. Our current, existing static signs are lit and have LED lights that shine on them, and then they reflect out, whereas Dynamic Digital signs are internally illuminated and shine out. Still, they are regulated, as we talked about. Just some more clarification on the nits and the standards Commissioner Bjorum, you discussed the reason many cities put that in there; the 250, at a certain 250 feet less than point three candles difference, was that it's a more straightforward measurement than measuring nits. Because you can use a light meter now, you have to have a light meter to do that, and it's a study we do have, or we can order engineers to do that study. But it's just a measurement, an easier way to show that we're in compliance, which, again, our job was, and our number one job was to ensure we operate these things safely. You mentioned the freeze and all that stuff. We constantly monitor these with cameras in front of the signs we've been operating since 2006. We operate them safely.

Mr. Weiland explained that their design has improved, as everything was continually updated, and we put new signs in every 10 years. We don't have a lot of issues with them. You're not going to see a lot of signs down as you drive around. We currently have 83 of them in the market, many close to your City. We don't have a lot of issues with them, which was a top concern for us. We don't want them blinking; we don't want them shut off. We need them running to do our primary job: sell advertising for local businesses, and we only get paid if the signs are up. So we take that all very seriously, including how these operate, and we want to ensure they're done safely. We don't want them to be a distraction. We knew we couldn't manage them if that were the case.

Chair Pribyl asked if there were any other questions.

Member Bjorum thanked Mr. Weiland for the clarification. I appreciate that.

Mr. Weiland indicated his only clarification, speaking of clarification, was on the height. This, the main sign, probably the only sign they would be looking at doing was on a hill. It's only 35 feet tall. But if rereading your ordinance, if it's 30 feet, 35 feet from the grade of the road, and I'm on a hill, I will be higher.

Mr. Paschke indicated it was at-grade for one of the signs.

Mr. Weiland indicated that was grade, and he was fine with that. Then he didn't have a question, so that's the only clarification. But yes, they are. It was only 35 feet tall, correct?

Member Aspnes asked about the free-standing billboards; the two Clear Channel requests to be upgraded today because Clear Channel owns four.

Ms. Gundlach thought it was number three that Mr. Weiland was immediately interested in.

Mr. Weiland indicated that Ms. Gundlach was correct; it would be number three. That was the main one Clear Channel was focused on right now.

Member Aspnes thought they were considering allowing two, but at this point, number three was optional.

Mr. Paschke indicated that Clear Channel wants to do all of them once the code is in place. The Commission was not looking to review and approve any of the numbers. We're just making text changes so they can all be converted.

Staff reviewed the sign locations with the Commission and Mr. Weiland.

Member Aspnes indicated these signs are seen everywhere. She noted she mainly sees them on Interstate 35, which was pretty high and far off the road. You see them on the big interstate, and she has caught herself looking at the sign as approaching it; you are doing 55, the speed limit there, and as you approach it, you take a quick look, and as it changes, it was mildly distracting, not any more so than all the other things that go on. But as it changes, you catch yourself going, what was that? You know? Was that something I cared about, and now I can't see it again because I won't go around? She noted the only one that would concern me in that respect was number five, the one by Brown Wilbert because Hwy 36, the traffic was a nightmare there all the time, and they do not need any more distractions on Highway 36. She was less concerned about these other three signs because they are on the more significant freeway, with more opportunities for people to stop being distracted by them.

Member McGehee understood what Member Aspnes was saying. Still, she thought where sign four was located was a busy area. It looked like it was right at the interchange where Cleveland comes into 35W. There is also a way to get on 280 and that is always a problem with people who got on from 35W, and they are trying to get over, and you've got another lane of 280 coming in there, so there's five lanes of traffic.

Mr. Paschke thought people would probably be past that area by the time they came up on that sign. He noted that the sign was before FedEx, so it's the furthest down point, past 280.

Chair Pribyl asked if anyone from the audience would like to speak to please come forward.

Ms. Alana Howey, 991 Parker Ave, indicated that light pollution was the primary concern with these. Roseville was already very light. It has a lot of lights, and the City does not get very dark in this area. These LEDs make it challenging to shade from lateral to above. There was increasing evidence that it can disrupt bird migration. It can impact human health significantly, too. A lot of this was emerging research, looking at a few things. One was the density of the signs in this small area within our community, with cumulative impacts of light. So, if you think about one sign, it would not necessarily be such a big deal. But now we have four signs in a small area. We do not know what those impacts are, so that concerns me.

Ms. Howey explained that the International Dark Skies Organization has published some best practices for light recommendations. One of the things to think about was maybe thinking about shutting them off overnight so that birds aren't screwed up on their migratory path, shutting them off from 11 o'clock till an hour before sunrise, that sort of thing. Another aspect was that their recommendation for our type of community would be more in the 40 to 80 nits overnight versus the 500 listed here. From what she has read, the light restrictions are way excessive. She thought the lights were super bright when she went down the highway. She wondered how light they needed them to be. Those were her concerns, and she would like the Commission to consider them when making this decision. She thought they should start with one and not have it be carte blanche.

Chair Pribyl thanked Ms. Howey for her concerns.

Member Bjorum thought Clear Channel could clarify that, too, from Member McGahee's original comment about how the illumination of the original billboards—they are obviously lit by floodlights—relates to the brightness of these new installations.

Mr. Weiland explained that was an excellent question, but it was hard to measure because one reflected light off something you see with your eye versus something directed at your eye. We designed them to look similar in brightness so that you will not be able to tell the difference from your eye on how they operate. It was not necessarily apples or apples on how they operate. These are not operating any brighter; we want them in that same realm, and that's why there are the conditions, or why there are fewer nits at night or during the day, constantly changing for ambient conditions around it.

Member McGehee asked if Clear Channel could turn them off at night.

Mr. Weiland indicated Clear Channel could, but that's not how we operate the signs. With the signs we have now, the existing static signs are lit all night long. The other thing he added was that he did have a lot of thoughts on some of the issues raised that have come up before in our industry. Dynamic signs have louvers, and plastic louvers direct the light towards the road and what needs to be seen. So they do reduce light as you look above them, as you get to the side of the signs or above them, you don't see anything, much like a TV screen, but yeah, they'll get to a point when you're too the side of my sign, it's entirely on. It's going to look black to you because of the way the louvers are, and as you get above them, it's going to look like the signs are not even on because of the louvers in with the LEDs.

Member McGehee asked if Mr. Weiland knew of any data regarding bird migration that could be looked up.

Mr. Weiland indicated he did not. He explained that Clear Channel operates the same signs across the country, but he was not aware of any information regarding that.

Mr. Paschke noted that at the interstates where these signs are located, all are heavily lit, blending in with that. He understood the extra light noise, if you will, and those types of things. And then, as it relates to only starting with one out of the five, the code doesn't preclude any other business from having a dynamic sign. And so, I'm not sure limiting the billboards was necessarily advantageous. The amendments to the code for dynamic signs must be much more dramatic than just the billboards if the City wants to limit or reduce noise or light pollution.

Member McGehee indicated she remembered the City getting a lot of complaints when the dynamic sign on Cleveland went in—speaking for the dynamic sign on Cleveland between Rose Lawn and County Road B at the church.

Mr. Paschke indicated he did not remember getting a lot of complaints on that sign. He remembered getting complaints from the one on Larpenter Avenue, which used to be North Como, now its New life Presbyterian. There were some complaints from the residents on that one, which mostly had to do with them not getting the setup correct. And so it took them a while to work with the light company and not have people tinker with the light and other things for the electronics that monitor and regulate the sign. And then I believe there was another sign-off of Cleveland Avenue further south, where we had a similar issue, but that one also cleared up relative effects. Only the ones that the City has had that are right smack dab adjacent to residential that we may get concerned about. Saint Rose of Lima, when that first went up, there were a lot of questions on it, but they could address it immediately once staff received a call.

Member Pribyl thanked Mr. Paschke for the information. She asked if there was any other discussion on this item or if a motion could be made.

Member McGehee thought the Commission would want to amend whatever they do to be 35 feet on top instead of 50.

Member Aspnes appreciated the member of the public coming in and talking about the light pollution. Comparing the static signs to these dynamic signs are apples and oranges in terms of how the light works and how far it spreads away from that because The Commission has no data on how we are making things better. We wondered if this would worsen things or if the status quo would. If, by making them dynamic, was it not increasing the light these are giving off? She indicated she did not know the answer to that today, which concerned her slightly.

Member McGehee explained that one possibility would be to make a motion to table this and find some more information to pass on to the Council. That would be the only way to get the answers to those questions. If there was enough interest in doing that, she would make a motion to the table so that we could get information on this.

Member Aspnes asked if that information was available and could be obtained. She thought that even if it's a perception, the human eye's perception of, was this as bright as this? Are these bright, glowing the same, or are they? Was one more colorful than the other?

Member McGehee indicated that theoretically one could do that by measuring the candles, which you must do by hand on the various signs, and calculating the static sign. She thought, based on what Clear Channel has said, there would have to be a measurement from above and each side and in the front, and then that's the only comparison that she could see, but that could indeed be done, but she did not know that anybody's done it.

Ms. Gundlach explained she did not know the science behind how much lighter the static would be compared to the dynamic one. The City could go and measure, but all the billboards are adjacent to freeways. Foot candles are taking into effect all of the surrounding lights, so she was not sure that that's a fair representation either of what you're trying to get at because the foot candles are going to capture all of the light where you're standing with that light meter, which could be the freeway lights. It could be lights anywhere, not just coming from the billboard.

Member Paschke explained his only comment was that the code currently allows that amount of light to be emitted from Dynamic displays throughout the City of Roseville, so what they're putting in wasn't anymore, per se, than what's already out there and was allowed by the code.

Mr. Paschke indicated he had a comment about E, as the Commission was considering potentially eliminating that last sentence. He asked if that was to clarify that the City might want to make it 35 feet above the sign's grade because 35W was above one of the billboards, and you run into that situation. I think the key was, was that the billboard from where it was today, you're limited to that 35 feet from grade, and that's a lot easier for staff to be able to deal with that versus a road that may fluctuate where you are taking that elevation from so he suggested saying "35 feet above the grade of the existing sign base".

Ms. Gundlach explained that, as written, it might allow a billboard to be taller, especially in an area where the freeway was maybe coming up, but the grade around it was not like a bridge.

Member Kruzel indicated she could make a motion to approve this with the changes Mr. Paschke spoke of, striking out the last few words.

Chair Pribyl asked if that would eliminate the second sentence on item number four and change the first sentence to end above the grade elevation at the existing sign base.

Member Kruzel indicated that was correct.

Chair Pribyl indicated a motion was made and asked for a second to the motion.

Member Bjorum indicated he would second the motion.

MOTION

Member Kruzel moved, seconded by Member Bjorum, to recommend to the City Council approval of the proposed modified Zoning Code text amendments outlined in Attachment 3 with the proposed changes as discussed. (PF24-016).

Ayes: 3

Nays: 2 (McGehee, Aspnes)

Member McGehee indicated she was going to list some reasons for her opposition. She explained that the reason for her opposition was that the research she has done in most places, if this was put to the public in terms of billboards, they don't want billboards, period, which was what we already had in our code. Thus, allowing Clear Channel to invest about \$100,000 to upgrade these signs was purely a business and money-making venture for them. They will well recoup the money because of the marketing that they do. We have no legal obligation to provide this resource avenue for Clear Channel, and we have not asked the public if they would like us to do this. I think there are unanswered research questions here. I don't think we have enough

control to get rid of this once we start. I am still concerned about the content of these sites and potential distractions. So those will be my findings in opposition to this.

Member Aspnes indicated her objection was more to the case that we can't determine if they are improving things or just maintaining a status quo because there was no information about that. She felt like that was an essential piece for her.

Chair Pribyl indicated that staff will pass on those comments to the City Council for their consideration, and they will consider this at their meeting on January 27, 2025.

Motion carried.

8. Commission Direction on Commission Member Initiated Agenda Items

Member McGehee indicated that the president of The Dark Skies Organization will give a presentation at the library on January 19.

9. Adjourn

MOTION

Member Bjorum, seconded by Member Kruzel, to adjourn the meeting at 7:24 p.m.

Ayes: 5

Nays: 0

Motion carried.