

Public Works and Planning Committee

June 23, 2016

Staff Summary of Proposed Sign Code Revisions

The primary purpose behind these amendments is a response to the recent Supreme Court ruling that the message contained on signs cannot be regulated (a city cannot distinguish between real estate signs, political signs, business/advertising signs, etc). A city can only regulate the time (when or how long a sign can be displayed), manner (such as the design of allowed signs), and place (such as the location of the sign on a property), without any regulations as to the message on the sign. Staff are also proposing a number of other (mostly minor) amendments within Chapter 3.

The Draft Council Bill is broken down into 15 Sections. A brief summary of each section is as follows:

Section 1

Minor changes to the intent section, update to reference recent Supreme Court ruling, and allowance for government signs.

Section 2

Definitions – a number of definitions to be added to or deleted from Chapter 3. Definitions prepared from a variety of sources including other communities sign codes, American Planning Association definitions manual, and drafted in conjunction with Law Department.

Section 3

Amendments to Section 3-4 regarding on-premise signs.

- Removal of differences between signage allowances (percentage of façade area) for building mounted commercial signage. The existing differences between zoning districts are minimal and confusing to explain and administer. Staff are proposing to standardize them across the commercial/industrial districts.
- Permit window signage up to 50% of a window area in commercial and industrial districts (including downtown). Window signage is currently included as part of a buildings permitted signage, which is difficult to administer and enforce.
- Allow for signage on accessory structures, such as gas station canopies and ATM machines.
- Allow for directional and menu board signs associated with drive through uses.

Section 4

Adds light beacons, advertising flags, and inflatable devices as prohibited signage.

Inflatable devices would be permitted in residential districts around the Christmas/Thanksgiving holiday season.

Section 5

Regulations for Temporary Signs. Would permit temporary signage as follows:

Commercial districts –

- one small (5 sf) temporary sign per property plus one per business on the property (capped at a total of 6 signs), and;
- one banner, max size of 25 sf.
- Election Season – two additional temporary signs (up to 25 sf) for each street frontage.

This would, for example, allow a standalone business to have two yard signs and one banner and allow a shopping center to have a real estate sign advertising space for lease as well as allow each business a temporary sign to use

for advertising purposes. During election season, a corner lot could have up to 7 signs on the property (2 yard signs, 1 banner, and 4 large signs).

Residential districts –

- Two small (5sf) temporary signs per property.
- Election Season – two additional small signs per property (for a total of 4)

Sections 6, 7, and 8

Movement of regulations for street banners to back of Sign Code and associated minor amendments to text and title. Staff felt that this section was improperly located within the Chapter.

Section 9

Regulations for Flags. Would permit flags as follows:

Commercial Districts – Allow up to 3 flags, which must be displayed on flagpoles (minimum 20 feet tall) or attached to the building.

This would permit flags on flagpoles and flags displayed on buildings while prohibiting “advertising flags” that are typically placed in the yard in front of a building.

Would permit rooftop flags on tall buildings downtown (such as the flag atop the Central Bank building) but prohibit rooftop flags outside of the downtown.

The message on a flag cannot be regulated, so flags could be governmental or could be “Sale” or “Now Open” flags.

Residential Districts – Allow up to two flags, with maximum flagpole height of 25 feet and maximum flag size of 4x6.

Section 10

Section identifying permit requirements. Sign permits would not be required for tenant panel change outs, window signage, or temporary signs.

Sections 11 and 12

Movement of Enforcement Section and minor amendments to it. Staff felt it was improperly located within the Chapter. Also, there is a duplicate penalty section that is being deleted.

Section 13

Amendment to section allowing for banners to be placed on utility poles, proposed by Law Department to clarify ownership status.

Section 14

Replacing “Building Official” with “Director” (meaning the Director of Planning and Protective Services) throughout the Chapter in order to better align with the structure of the remainder of the City Code.

Section 15

Enactment Section