

## **Summary of Proposed Changes to Sign Ordinance**

### **Overall Goals for Proposed Changes**

- **Not a full ordinance rewrite!**
- **Address issues of content based regulations from “Reed vs. Town of Gilbert” Supreme Court decision.**
- **Create consistent standards for similar style signs**
- **Maintain differing provisions for “on premise” vs. “off-premise” signage**
- **Maintain distinctions between signage with residential zoning and signage with nonresidential zoning**
- **Update some definitions, processes and standards to reflect industry and development trends**
- **Clarify provisions for sign removal**
- **Add flexibility in signage options to reflect different styles of development and lot configurations**

### **Definitions**

#### **Sign**

##### **New definition: - (*Definitions*) Page 21-22**

“Any device, form, graphic, illumination, symbol, writing, trademark or changeable image/message used to advertise, announce the purpose of, or identify a person, place or entity, or to communicate information to the public. This definition shall not include works of art or murals provided they do not contain trademarks, logos or other identifying symbols or words associated with a business. This definition shall also not apply to any architectural feature directly integrated into or supporting a building.”

##### **Current definition:**

“Any object, device, display or structure, or part thereof, that is used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, product, service, event or location by any means, including but not limited to words, letters, pennants, banners, emblems, trademarks, tradenames, insignias, numerals, figures, design, symbols, fixtures, colors, illumination or projected images or any other attention directing device.”

## Roof Sign

### **New definition – Integral Roof Sign: (*Definitions*) – Page 23**

“Any sign erected or constructed as an integral part of a normal roof structure of any design, such that no part of the sign extends vertically above the highest portion of the roof and such that no part of the sign is separated from the rest of the roof by more than six inches”

### **Outdoor Advertising Sign (Billboard) (*Definitions*) – Page 22**

#### **Expanded definition:**

Any sign with one or more of the following characteristics:

- A. A sign which displays commercial messages related to products, services or other activities that are not offered on the premises where the sign is located; or
- B. A sign that is offered for lease or rent or on which space is offered for lease or rent separately from the premises on which it is located; or
- C. A freestanding sign larger than 36 sq. ft. (***the proposed new max sign area for real estate signs in nonresidential zoned areas***) that is located on a lot or parcel that has no active use other than agricultural or residential

## Flag (*Definitions*)

### **New definition: (as defined in Table 14-1) Page 9**

A piece of fabric or other flexible material attached to-a permanent pole that is not readily movable containing colors, patterns, standards, words, or emblems.

#### **Current definition:**

A piece of fabric or other flexible material-containing only distinctive colors, patterns, standards, words, or emblems used as a symbol of corporate, political, professional, fraternal, civic, religious or educational organizations.

## **Signs Allowed Without Permits**

### **Directional/Instructional/Warning/Historical Signs: (*Content*) – Pages 4-6**

Adjusted to one standard of maximum 6 square feet in area and 8 feet in height. Codified previous administrative determination to allow business name/logos as part of instructional (enter/exit) signs, with area for such messaging being max 30% of sign area.

### **Temporary Real Estate/Philosophical/Campaign/Identification Signs: (*Content*) - Page 7**

Combined into one category. No limit on number of signs per lot

In R- and RM- districts allow max. 6 sq. ft. in area and 6 ft. in height.

In all other zoning districts, allow max. 36 sq. ft. and 8 ft. in height

**Weekend Directional Signs: (Content) – Page 8**

Changed from real estate only to directing persons to weekend (noon Friday to noon Monday) activities. Standards for signs stay the same.

**Flags: (Content) – Pages 2 and 9**

Updated definition of flag, clarified when exempted from regulation and revised standards on numbers allowed and dimensions when regulated

**Historical or Memorials Signs: (Technical) – Page 6**

Clarified what is considered historic for signage regulations

**Sandwich Board Signs: (Technical and Content) – Pages 10 and 20**

Added to Signs Allowed Without Permit, allow noncommercial messages and remove indemnity language. Dimensions and location stays same. Removed from Signs Requiring Permits

**Signs Standards for Vending Machines and Window Signs – Removed (Technical) – Pages 11-12**

**Signs Requiring Permits**

**Freestanding Signs**

**General Standards: (Technical and Admin Determination) – Page 12**

Ensure any signs “6 feet and under” are monument style. Current wording is unclear if sign is exactly 6 ft. in height. Also added provision that signage associated with properties in Historic Overlays adheres to historic guidelines to resolve current conflict with base standards for smaller freestanding signs.

**Add Substitution Language: (Flexibility) – Page 13**

Add language to allow expanded wall signage and projecting signs as substitution for freestanding sign – refer to specific standards (to be added) to Table 14-3 and Sec. 30-14-7.4 D.

**Signs in Commercial High (C-H) zoning: (Technical) – Page 13**

Clarified that larger signage only available when there are more than 3 businesses on site, codifying previous administrative determination

## **Attached Signs**

### **Increase Base Allowance: *(Flexibility)* – Page 15**

Increase allowable percentage of wall signs by 5% across all groups of zoning districts (incorporates previous allowances for window signs). Can increase allowed percentage of wall area an additional 5% as substitution for freestanding signage.

### **Add Substitution Language: *(Flexibility)* – Page 14**

Add language to allow expanded wall signage and projecting signs as substitution for freestanding sign – refer to specific standards (to be added) to Table 14-3 and Sec. 30-14-7.4 D.

### **Projecting signs: *(Flexibility)* – Page 15**

Add MU-L, UMU, NS as districts that allow projecting signs by right. Projecting signs also allowed in C-L, C-M, C-H, O and AO districts as substitution for freestanding signage. No changes to standards for projecting signs.

### **Roof Signs: *(Flexibility and Admin Determination)* – Page 16**

Incorporate provisions to include integral roof signs in terms of wall signage calculations.

## **Electronic Message Boards**

### **Additional Districts: *(Technical and Admin Determination)* – Page 16**

Add NS, UMU and AO zoning districts (inadvertently left out with adoption of new districts).

### **Brightness: *(Industry Practices)* – Page 17**

Revise standard for measuring brightness to remove reference to nits and use a one footcandle above ambient light at property line or street right of way. This is the same standard as for outdoor lighting.

### **Overlays: *(Technical)* – Page 17**

Update language under 30-14-8.6 to reflect DDO weighted guidelines structure.

### **Automatic Shutoff: *(Industry Practice)* – Page 17**

Require any electronic message boards include automatic shut off if malfunctions

## **Outdoor Advertising Signs**

### **Districts Allowed: *(Technical and Admin Determination)* – Page 18**

Add AO district as inadvertently left out of text but currently applied by administrative policy

### **Relationship to Freestanding Signs: *(Admin Determination)* – Page 18**

Current language limits new billboards based on presence of freestanding signs and lot frontages. Adding language to confirm the reverse with no new freestanding signs if billboard on site to codify previous administrative determinations.

### **Overlays: *(Technical)* – Page 19**

Update language under 30-14-8.6 to reflect DDO weighted guidelines structure.

### **Brightness: *(Industry Practice)* – Page 19**

Revise standard for measuring brightness to remove reference to nits and use a one footcandle above ambient light at property line or street right of way. This is the same standard as for outdoor lighting.

## **Sign Removal**

### **Signs in Rights-of-Way: *(Enforcement)* – Pages 1 and 20**

Updated language to note signs in right of way considered abandoned and subject to removal by anyone without liability. Also added language that notes any identifying information (name, phone number, website, etc.) on signs in right of way or on other public property presumes that person or entity is a responsible party, if different than the property owner.

### **Revocation of Sign Permit: *(Enforcement)* – Page 20**

Add language noting removal of sign, upon revocation of sign permit, is responsibility of property owner, sign owner and/or property occupant (i.e. tenant). City can pursue any and all parties to obtain compliance.

## **Other Changes**

### **Home Occupations/Tourist Homes: *(Technical)* – Pages 1-2**

Add info on allowed wall signage for Home Occupations and Tourist Homes with development standards associated with those uses. Currently only referenced in 30-14-6.1 E.

### **Variances: *(Admin Determination)* – Page 21**

Codify administrative determination that all aspects of sign ordinance may be subject to variances. Current wording limits only to sign heights and setbacks.

### **Special Exception for Electronic Message Boards Associated with Nonresidential Uses in Residential Zoning *(Flexibility)* – Pages 16**

Allows option to request Special Exception (versus Variance or Rezoning) to allow freestanding signs for educational or religious assembly uses in residential zoning to include electronic message boards with similar standards as PI, C-N and O districts.

### **Updated Terminology - Privilege License vs. Business Permit: *(Technical)* – Page 1**

Update language in Sec. 30-4-26.5 regarding transfer of sign permit rights. Replace “privilege license” with any applicable “business license” since City no longer as privilege license requirement.