

Attachment to Staff Summary – April 15, 2014 Council Work Session Overview of Proposed Amendments to Division 10-20.50 (Sign Regulations) of the Flagstaff Zoning Code

This attachment to the April 15, 2014 Staff Summary includes the Purpose statements for the City's sign regulations (Section 10-50.100.010) of the Flagstaff Zoning Code, a discussion of the comments provided by three councilors on the sign regulations with an analysis of pros and cons, as well as a similar presentation and analysis of staff's suggested amendments to the sign regulations.

Purpose of Sign Regulations:

The purpose of the City of Flagstaff's sign regulations are established in Section 10-50.100.010 (Purpose), and are included here as a reference.

10-50.100.010 Purpose

- A. The Council finds that the natural surroundings, climate, history, and people of the City provide the Flagstaff community with its unique charm and beauty. This Division has been adopted to ensure that all signs installed in the City are compatible with the unique character and environment of the community, and in compliance with the General Plan.
- B. The purpose of this Division is to promote public health, safety, and welfare through a comprehensive system of reasonable, effective, consistent, content neutral, and nondiscriminatory sign standards and requirements, including the following specific purposes:
 - 1. To promote and accomplish the goals, policies, and objectives of the General Plan;
 - 2. To balance public and private objectives by allowing adequate avenues for both commercial and non-commercial messages;
 - 3. To recognize free speech rights by regulating signs in a content-neutral manner;
 - 4. To promote the free flow of traffic and protect pedestrians and motorists from injury and property damage caused by, or which may be fully or partially attributable to, cluttered, distracting, and/or illegible signage;
 - 5. To protect the aesthetic beauty of the City's natural and built environment;
 - 6. To prevent property damage, personal injury, and litter from signs which are improperly constructed, poorly maintained, or of flimsy materials;
 - 7. To protect property values, the local economy, and the quality of life by preserving and enhancing the appearance of the streetscape;
 - 8. To provide consistent sign design standards;
 - 9. To provide an improved visual environment for the citizens of and visitors to the City and to protect prominent view sheds within the community; and
 - 10. To enable the fair and consistent enforcement of these sign regulations.

List of Council Identified Issues and Concerns:

The issues and concerns identified by three councilors are arranged below in their own words in broad categories. Located at the end of this document is a table that summarizes each of the issues submitted by the three councilors.

General:

- 1. Continue to respect our dark sky ordinance. (Woodson)
Pros: Supported by goals and policies in the Flagstaff Regional Plan, both current and proposed.
Cons: None.

Permanent Signs:

2. Include a provision that sets criteria for off-premises signs for properties that do not have frontage on a major road, such as an arterial like Route 66 or John Wesley Powell Boulevard: How big; primarily directional; how many; under what circumstances? (Mayor Nabours)

Pros: Allows for clearer directional way-finding signs for developments that are not located on a major arterial road.

Cons: Significant sign clutter could result if this rule was applied to all developments and/or uses not located on a major arterial. Also, it may be hard to define the circumstances under which this new regulation would apply.

3. Allow for off-premise signs. (Woodson)

Comment: With this statement Councilor Woodson is seeking to initiate a conversation on off-premise signs in general with the off-site signs for the Flagstaff Auto Park, Flagstaff Mall and Marketplace, and the Catholic Church as examples.

4. Window Sign: Delete the permit requirement for any sign inside a business or on the inside surface of a window. (Mayor Nabours)

Pros: Business owners save time and money by not having to apply on-line or to the City for a permit for a window sign.

Cons: Business owners will be less likely to understand the rules for window signs. There may be a potential impact on code compliance staff if active enforcement of these rules is commenced. Note that currently code compliance staff only respond to complaints relative to window signage alleged to be out of compliance with existing standards.

5. Sign placement on commercial buildings. Broaden placement options for business signs on commercial buildings. Example: If the owner is allowed 50 sq. ft. of signage as per code, businesses should have the ability to decide appropriate placement of signage on the building. A business may prefer 40 sq. ft. on the back of their business and 10 sq. ft. on the front or vice versa. Some examples where this may be advantageous include; Woodlands Plaza (where Greek Taverna is) and Staples. (Oravits)

Pros: This proposal will allow for simplified sign regulations that are easier for residents to understand, provide more flexibility in building mounted sign placement than the current regulations, and will be easier to administer and interpret by staff. This proposal is also supported by many business owners.

Cons: This may result in the placement of more signs on a building, although the area of signage allowed would not change.

6. Freestanding sign replacement incentive: Allow commercial buildings with an older freestanding sign the option to replace it with a new freestanding sign of the same size (or smaller if they chose). There is currently a disincentive for businesses to replace older freestanding signs. Business's may chose not to replace the freestanding sign because they often lose a large amount of square footage. Let's allow businesses the option to replace their old freestanding sign with a new modern freestanding sign, under current design standards, but allowing square footage as large as (or smaller if the owner chooses) as the old freestanding sign being replaced. Some examples include; Green Tree Shopping Center, Kachina. (Oravits)

Comment: The City Attorney will be providing a legal opinion on this proposal under separate cover.

7. Allow the retrofit of existing but old and unsightly signs with a newer sign that would be allowed to have a % larger than if a new sign as an incentive to get the old sign down and something more attractive up in its place. (Woodson)
Comment: This is an equivalent comment to that offered in comment #5 above. The City Attorney will be providing a legal opinion on this proposal under separate cover.
8. Allow signage to face the interstate. (Woodson)
Pros: Allows businesses that face the interstate without a frontage road to have signage that faces directly toward the interstate. Under the current sign regulations this is not permitted.
Cons: When the City's sign regulations were updated in 1991 with the adoption of the Land Development Code, and with pressure from many Flagstaff residents who were concerned with the proliferation of billboards and other signs in the City at that time, the prohibition on freeway-oriented signs was inserted. Removal of this prohibition may not be supported by many Flagstaff residents as it has been in place for over 20 years.
9. Allow for more than one group sign for a property if the property is large enough. (Woodson)
Comment: The current sign regulations allow for more than one freestanding sign provided that the frontage is longer than 500 feet (See Table 10-50.100.060.H and Table 10-50.100.060.I). Staff suggests that these existing provisions should be simplified, and possibly studied to determine if and how additional freestanding signs should be permitted.

Temporary Signs:

10. Include a provision that there can only be one temporary (A-frame; pole banner) sign per 200 feet of street frontage (or per parcel if less than 200 feet). (Mayor Nabours)
Pros: This proposal will help to reduce or eliminate temporary business signs in the community. The staff comments below (# 13) explain the need for clearly establishing the purpose of temporary business signs.
Cons: Administration and enforcement of this regulation may be difficult.
11. Discuss the prohibition of vertical banners. (Mayor Nabours)
Pros: This proposal will help to reduce or eliminate temporary business signs in the community. Refer to the staff comments below regarding the need to clearly establish the purpose of temporary business signs.
Cons: Some business owners who currently use these signs may oppose their prohibition.
12. A-Frame Signs: (Oravits)
 - a. Allow A-Frame signs without a permitting process and allow these signs to be self-regulated on private property with a complaint-driven enforcement.
Pros: This proposal will make it easier for businesses to place temporary signs as there will be no oversight from City staff through a permitting process.
Cons: This proposal has the potential to result in a proliferation of temporary business signs in the community, and staff doubts that self-regulation would ensure a different outcome than that in effect today. Staff is already struggling to manage the number of temporary signs in the community today, and is concerned that without some permitting mechanism in place, it will be very difficult to minimize sign clutter and proliferation. The staff comments below (# 13) explain the need for clearly establishing the purpose of temporary business signs.

- b. Develop basic design standards to ensure Flagstaff remains visually pleasing, e.g. construction material of the signs, (i.e. weather proof material) and a maximum size, perhaps based on total surface area, for example a maximum size of 3'x3' per side or a maximum of 9 square feet, or 6 square feet per side (TBD).

Comment: The current sign regulations establish specific standards for materials and sign area for temporary signs. Sign area is included with each of the specific temporary sign types, e.g. Table 10-50.100.070.D: Standards for Temporary A-Frame Signs. Sign materials are included in the paragraph below this table.

- c. Signs need to be properly secured or heavy enough to resist wind.

Comment: The current sign regulations require each temporary sign type to be properly secured, e.g. Table 10-50.100.070.C: Standards for Temporary Wall Banners. Staff agrees that it would be appropriate to insert similar language for all temporary sign types, as it is not included, for example, with the standards for A-frame signs.

- d. Signs can only be placed on private property and must only be out during the businesses operating hours. These would be brick and mortar hours, not website hours.

Comment: The current sign regulations prohibit the placement of signs on public property (Section 10-50.100.040 (General Restrictions for All Signs), i.e. signs may only be placed on private property, and this is reinforced in Section 10-50.100.070.B.6. The standards for certain temporary sign types (e.g. A-frame signs or vertical banners) also limit the hours of use to business hours only. Staff has consistently interpreted this to mean the hours the store is open for business, and has not interpreted it as website hours, which could be 24 hours. The current regulations allow temporary wall banners to be installed overnight as it is not practicable to hang and remove a wall banner every day. The staff comments below (# 13) explain the need for clearly establishing the purpose of temporary business signs.

- e. To regulate the amount of signs we should develop a maximum amount allowed per lineal footage or frontage. For example, 100 feet of frontage would be allowed a maximum of 2 signs at any given time.

Pros: This proposal may help to reduce or eliminate temporary business signs in the community. The staff comments below (# 13) explain the need for clearly establishing the purpose of temporary business signs.

Cons: Administration and enforcement of this regulation may be difficult.

- f. Limitations on what you can attach to the temporary signs. For example, balloons, flags etc.

Comment: The current sign regulations already prohibit the attachment of balloons, ribbons, etc. to all temporary signs (Section 10-50.100.070.B.5).

- 13. Should we allow event banners, and if so, where and for whom? (Woodson)

Comment: The City Council held a work session on the topic of community non-profit event signs in April 2013, and at that time provided direction to staff to develop ideas to allow these signs at three locations within the community where they would be visible without being a distraction to drivers.

Pros: This idea will eliminate the proliferation of community event/non-profit banners in the community by requiring them to be placed in pre-approved locations that are both visible to passing vehicles without being a distraction to passing drivers. This will also make it easier to administer and enforce these regulations once the community has become accustomed to them.

Cons: It will take time to educate the community on the new regulations.

List of all Issues and Concerns Identified by Staff:

The issues and concerns that staff has identified for review and possible amendment are arranged below in broad categories. Those that fall into the “General”, “Permanent Signs”, and “Temporary Signs” categories are mostly issues that are policy-driven, and for which specific direction from the Council is requested. Some, but not all of the technical issues, are introduced as examples of minor amendments in the “Some Technical Issues” category.

General:

1. Combine the incentives available in the sign regulations into one location, possibly a table, so that they are easier to find and apply.

Pros: This will make it easier for applicants to find and apply incentives for greater sign area and/or height that exist in the sign regulations, and it will be easier for staff to administer the regulations.

Cons: None.

2. Eliminate many of the tables by combining the regulations in the tables to simplify the code – e.g. Tables 10-50.100.060.D, E, and P can be combined and simplified. Table D establishes the standards for building mounted signs and it refers to Table P where more regulations are established. Table E provides for additional standards for building mounted signs. Because standards are currently provided in three locations, it makes it hard to understand and apply these regulations. Combining the standards into one location, and simplifying them as suggested in comment #4 below, will significantly shorten the sign regulations, and make them more understandable and easier to apply.

Pros: This idea will make the sign regulations, shorter, more understandable, and easier to apply

Cons: None, other than that it will be a significant amount of work to affect this much needed change.

3. Include additional illustrations for clarity, e.g. to illustrate a service island canopy sign, measurement of sign height, and a map to show the relationship between the regulations within the “Downtown Historic District”, “Flagstaff Central District”, and the remainder of the City.

Pros: This idea will provide enhanced clarity and understanding for how the sign regulations are applied.

Cons: None.

Permanent Signs:

4. Simplify the standards for building mounted signs. This comprehensive amendment which is also suggested and supported by some members of the Council, will significantly shorten the sign regulations, bring needed clarity and organization to this section, and provide much needed flexibility for the placement of signs on buildings by property or business owners. The current Zoning Code includes the same standards from the former Land Development Code for the calculation of the area of building mounted signs, as well as very precise standards to determine where the signs may be placed on a building that were added with the adoption of the Zoning Code in November

2011. These are frequently restrictive and difficult to apply even under typical circumstances for the placement of a building on a parcel, and they become difficult and onerous when an unusual circumstance arises. Staff has, therefore, suggested that these standards be amended (this is supported by many sign design professionals) by eliminating the restrictive requirements on where a sign may be placed on a building, and instead allowing the business owner or property owner to decide where to place their sign. One way of accomplishing this goal is to combine Tables 10-50.100.060.D, E, and P, and to simplify their content. Staff also suggests that consideration should be given to incentivizing the placement of signs above or near entrances to a building, by for example, allowing for more sign area for these signs.

Pros: This change would allow more flexibility in the placement of building mounted signage by property and business owners, and it would establish less restrictive standards than those in place today.

Cons: None, other than that it will be a significant amount of work to affect this much needed change.

5. Rethink the approach for freestanding signs. As discussed in Section #13 below staff offers ideas for comprehensive amendments to the temporary sign standards of the Zoning Code, and further suggests that the concept of temporary business signs should be reassessed and a different approach taken to make them more manageable to business owners and their use easier to administer by the City. Currently temporary signs are frequently used in addition to the permanent signage for a business, rather than to promote a temporary sales event. This frequently occurs in a multi-tenant building such as a shopping center or strip mall where inadequate signage is available on the development's freestanding sign for all of the tenants. Often too, not all of the tenants are readily seen from a public street. There are frequent examples of this circumstance along S. Milton Road and E. Route 66. And, as is often the case, many tenants are unable to display their store name on the freestanding sign for the strip center because it is too small. Staff suggests that if the frontage is long enough, consideration should be given to allowing another freestanding sign so that all the tenants have equal access to signage on the highway. The sign regulations currently allow for additional freestanding signs if a frontage is longer than 500 feet in length, and staff suggests that consideration should be given to amending this to ensure more equal opportunities for signage by retailers.

The counter point to this suggestion however, is that there are many instances where small retailers are successful even if they are not easily visible from public right-of-way because the shopping center serves as a point of reference for the smaller stores, e.g. "*you will find our business in the ABC Shopping Center*". Interestingly, many shopping centers have not placed effective signage to indicate their name within which a small retailer may be located. Staff suggests that regulations may be established to increase the sign area allowed for the name of a multi-tenant shopping center complex, so that smaller retailers who may not be able to afford the expense of a sign panel on a freestanding sign, may advertise their business using the shopping center's name. Consideration may also be given to allowing for additional freestanding sign area so that all or most of the tenants in a multi-tenant building such as a strip mall shopping center may have an opportunity to have signage to advertise their business. This latter approach, may have unintended consequences however, as this may result in much larger freestanding signs than are currently allowed in the City.

Pros: These ideas could help to assure more signage for retailers and businesses in multi-tenant buildings such as strip shopping centers that should help them advertise their business without the need for temporary signs to indicate their location.

Cons: There may be opposition from some community members to the idea of granting additional signage allowances. A further consideration is whether increasing sign area for multi-tenant shopping centers is necessarily the best response, especially given the prevalence of GPS technology in smart phones which makes it so much easier to find any business these days.

6. Related to the preceding comment relative to freestanding signs, staff suggests that the functionality and purpose of having Type A and Type B signs based on street classification (Refer to Table 10-50.100.060.I: Additional Standards for Freestanding Signs According to Use) should be evaluated to determine if this is the best approach to permitting freestanding signs.

7. Table 10-50.100.060.P: Staff suggests that consideration be given to increasing the freestanding sign allowance standards for multi-family developments as the current standards only allow for a freestanding sign to be max. 4 feet in height and 24 sq. ft. in area.

Pros: This proposal will allow multi-family residential and institutional uses to have additional signage to make it easier for these developments to be identified and located.

Cons: There may be opposition from some community members to the idea of granting additional signage allowances for these uses.

8. Allow the Comprehensive Sign Program standards to also apply to multi-family residential developments and institutional uses. This would allow the concept of a Comprehensive Sign Program (it allows for greater sign height and area if specific design performance measures are incorporated into the sign) to also be applied to non-commercial uses (multi-family residential, institutional, etc.).

Pros: This proposal will allow multi-family residential and institutional uses to have additional signage to make it easier for these developments to be identified and located.

Cons: There may be opposition from some community members to the idea of granting additional signage allowances for these uses

9. Table 10.50.100.060.O: Standards for Permanent Window Signs – When the new Zoning Code was under review, staff recommended, and the City Council approved, additional language for the placement of permanent window signs that allowed businesses to apply window signs to no more than 25% of all the windows in a building, regardless of their orientation. As a result, some businesses have covered all the windows facing the street or a parking area with window signage while those facing away from the street have no window signs. This unintended consequence – which may be seen in many restaurants and other businesses on S. Milton Avenue and E. Route 66 – has resulted in sign clutter, and the inability to look into the business or restaurant thereby shutting it off from the public way. Staff suggests that it would be appropriate to return to former the language of the Land Development Code which only allowed window signs to cover 25% of each window.

Pros: Simpler regulations consistent with those in the former Land Development Code are easier to apply and enforce, reduce sign clutter, and still allow for businesses to establish meaningful window signs while also allowing for visibility into the business.

Cons: Some business owners may resist this approach to window signage.

10. Section 10-50.100.040.A.7 and Section 10-50.100.060.C.5.c.(9): Vehicle parking and vehicle signs – staff suggests that the duplication in standards between these two

sections should be corrected. Further, as the standards are loosely written and have proven to be difficult to enforce, staff suggests that they be amended to more clearly define where a vehicle may be parked so that the vehicle is not used as an adjunct to other signage on the property. This is a frequent concern along S. Milton Avenue and E. Route 66 where vehicles with business signs on them are parked permanently and used in essence, as signage.

Pros: Clearer, simpler, and more concise regulations are easier to apply and enforce.

Cons: Some business owners who currently use their vehicles as signs may resist this proposed amendment.

11. Section 10-50.100.080.D.6: Staff suggests that new regulations should be included into the Flagstaff Auto Park District that would allow for dealers to add miniature balloons and to allow for strings of pennant flags for promotional events.

Pros: Many auto dealers at the Flagstaff Auto Park currently utilize miniature balloons and hang pennant flags to advertise special sales events as it helps to draw attention to the dealership. This amendment would, therefore, legitimize their current practice.

Cons: Dealerships not located within the Flagstaff Auto Park District would not be able to use balloons and hang pennant flags consistent with the sign regulations. This amendment may, therefore, be opposed by those dealers outside of the District. Note that if balloons and pennant flags are permitted for all auto dealers, they would also have to be allowed for all other uses based on the equality standards of zoning law. Within the Flagstaff Auto Park District, special standards can be enacted, that may serve as an incentive for dealers to locate within the District.

12. Section 10-50.100.120 Removal of Signs: Staff proposes to include this new section to better clarify and define when and under what conditions staff may remove an illegal sign. This suggested language is based on the provisions of the City of Scottsdale's sign regulations.

Pros: This amendment would make it easier for City code staff to cause the removal of an illegal sign on public and private property after suitable notice to the property owner/business owner has been provided. The benefit of this approach is that illegal signs are quickly removed and, therefore, any danger to public safety and sign clutter, would be quickly abated.

Cons: Some business owners, especially those that are in frequent violation of the existing sign regulations, may oppose this new amendment.

Temporary Signs:

13. Section 10-50.100.070: Since the new Flagstaff Zoning Code was adopted in November 2011, staff has realized that the temporary signs section, while well intentioned, has not worked very well and has been hard to administer and implement. Staff suggests, therefore, that a different approach to allowing for temporary signs is necessary. The most important aspect of this revised approach is to more clearly define a temporary sign so that it is clearly understood that it may only be used on a limited basis to advertise a specific sales event or promotion for a finite time. Today the current temporary sign regulations tend to allow business owners to abuse the right to have a temporary sign, and as is apparent on any major arterial in the City, temporary signs are frequently used as additional signs to advertise a business, effectively becoming adjunct permanent signs. Indeed there are many examples of such temporary signs as vertical banners, A-frame signs, or wall banners (most of which have received temporary sign permits from City staff) that are on display every day, and that advertise the name of the

business or direct patrons to parking, rather than advertise a short-term sale or special promotional event, as this Section was intended to facilitate.

If a free standing business on any major arterial has a freestanding sign and building mounted sign as allowed by the sign regulations – and these regulations are actually quite generous in terms of the sign area and sign height they are allowed – then staff suggests that temporary signage should only be allowed for a special event, and that it should not be used (as it is today) for daily advertising. Under this scenario, staff suggests ideas from other Arizona cities could be used where a business owner can apply for a special temporary business sign that is issued for a maximum of say 5 days at any one time, and it can be applied for say 10 times a year. Under this scenario, a business can put out for example, a Labor Day special event sign for 5 days, and later a Halloween, or an anniversary, or a Christmas event sign, a specified number of times in a year and for a specified number of days for each event. One permit would be issued for the year. Businesses may also combine time periods so that temporary signs could be placed for 10 days, 15 days, etc. This will make it much easier for staff to administer and enforce these regulations, and more importantly, it will ensure that the sign is used for a special purpose or sale, rather than as so many of them are today, a duplication of the primary signage on the building or freestanding sign for that business. One additional thought for consideration is whether A-frame signs are really the appropriate temporary sign type for placement along the City's arterials such as S. Milton Avenue and Route 66 because of their size? Perhaps consideration should only be given to allowing banners in these contexts, and only allowing A-frame signs within multi-tenant shopping centers adjacent to their stores?

Pros: This amendment would make it easier for City code staff to administer and enforce these regulations, and more importantly, it will ensure that temporary signs are only used for a special purpose or sale.

Cons: Some business owners, especially those that use temporary signage today in lieu of permanent signs, may oppose this new amendment.

14. Section 10-50.100.070.D.3.c.(2): A-Frame Signs – staff suggests that consideration should be given to not allowing A-frame signs within the Downtown Historic District on both public and private property.

Pros: Private property is limited in the downtown, and it is difficult to place A-frame signs without them encroaching onto a public sidewalk. Typical placement locations are in the recessed doorways of stores that have them, but then the signs often make it difficult to access the door. Further, as downtown sidewalks are already narrow and congested, and this is a predominantly pedestrian/walkable environment, signs for special sales or promotional events should be permitted in the window of the store where it would attract the most attention, or perhaps as a temporary projecting sign as already permitted by the sign regulations (Section 10-50.100.070.D.3.c.(5)).

Cons: Some downtown business owners may not support this amendment.

15. Consider allowing placement of temporary banners to support NAU sports teams. For a number of years, NAU staff has asked the City for special consideration for the placement of temporary banners supporting NAU sports teams. These banners are not currently authorized under the Zoning Code, and are not permitted.

Pros: This amendment would promote and support NAU sports teams.

Cons: If banners are permitted for NAU sports teams, they would have to also be permitted for all other sports teams within the City which would cause additional sign clutter and distraction to motorists. The City Attorney will be providing a legal opinion on this issue under separate cover.

16. Table 10-50.100.070.A: Improve and clarify the regulations for temporary event signs, and allow for community/non-profit event signs. The City Council held a work session on the topic of community non-profit event signs in April 2013, and at that time provided direction to staff to develop ideas to allow these signs at three locations within the community where they would be visible without being a distraction to motorists. Better definitions and criteria to define temporary events and community/non-profit events will also be developed.

Pros: This idea will eliminate the proliferation of community event/non-profit banners in the community by requiring them to be placed in pre-approved locations that are both visible to passing vehicles without being a distraction to passing motorists. This will also make it easier to administer and enforce these regulations once the community has become accustomed to them.

Cons: It will take time to educate the community on the new regulations.

17. Section 10-50.100.070: Include standards for temporary real estate development/construction signs.

Pros: The existing sign code is silent on temporary signs that are typically placed on a property in advance of construction for a new development project. Staff suggests that it would be appropriate to include provisions to allow these signs.

Cons: None.

18. Section 10-50.100.070.D.3.c.(4): Vertical banners - Staff has heard from a number of Flagstaff residents that while they support the idea of temporary signs within the community, vertical banners are their least favorite, and many would like to see them prohibited in the community. Staff agrees, and suggests that this type of temporary sign should not be allowed within the City.

Pros: Removal of these signs will help to reduce sign clutter in the community and will be less distracting to motorists.

Cons: Some business owners who currently use these signs may oppose this change.

19. Section 10-50.100.070.D.3.c.(5): Window signs – This is much the same issue described above in item # 9. When the new Zoning Code was under review, staff recommended, and the City Council approved, additional language for the placement of temporary window signs that allowed businesses to apply temporary window signs to no more than 25% of all the windows in a building, regardless of their orientation. As a result, some businesses have covered all the windows facing the street or a parking area with window signage while those facing away from the street have no window signs. This unintended consequence – which may be seen in many restaurants and other businesses on S. Milton Avenue and E. Route 66 – has resulted in sign clutter, and the inability to look into the business or restaurant thereby shutting it off from the public way. Staff suggests that it would be appropriate to return to the former language of the Land Development Code which only allowed window signs to cover 25% of each window.

Pros: Simpler regulations consistent with those in the former Land Development Code are easier to apply and enforce, reduce sign clutter, and still allow for businesses to establish temporary window signs while also allowing for visibility into the business.

Cons: Some business owners may resist this approach to window signage.

Some Technical Issues:

20. Section 10-50.100.050.C.3: More clearly state that neon included on signs does not have to be shielded.
21. Section 10-50.100.060.C.5.c.(1): Change the term "Accessory Sign" to "Directional Sign" to be consistent with the definition for this type of sign.
22. Section 10-50.100.060.C.5.c.(8): Projecting signs - include a provision to define the maximum number of projecting signs allowed per business as this was inadvertently omitted (it should be one consistent with other signs).
23. Section 10-50.100.060.C.5.c.(10): To make this section clearer change the name of this sign to "Service Island Canopy Sign" and remove the term "spanner board" as this term and type of sign is no longer used. It used to be a type of sign mounted between the posts supporting the canopy above gas pumps.
24. Section 10-50.100.070.D.3.c.: Include a new section to allow for "upright signs". Upright signs are typically vertical signs mounted on a large base often with wheels and weighted to provide stability. They are similar to A-frame signs, but the definition for A-frame signs does not comprehensively provide for them.
25. Section 10-50.100.070.D.4: Sign walkers - Modify these regulations to make it easier for sign walkers to walk and stand on private property (e.g. on a walkway). The state legislature is also addressing the issue of where sign walkers may stand (HB2528) and depending on the outcome of this bill (it prohibits a municipality from restricting a sign walker from using a public sidewalk, walkway or pedestrian thoroughfare) modifications to the sign walker regulations will be developed.
26. Table 10-50.100.100.B: Staff suggests that an end note should be added to this table to explain how cumulative adjustments are applied with regard to the range for the height of freestanding signs.
27. Map 10-90.40.030: This map is incorrectly titled as the "Downtown Overlay Zone Map", and it should be corrected to be "Downtown Historic District Overlay Zone Map".
28. Division 10-80.20: Definitions - Add some definitions that are missing, e.g. "halo illumination" and "temporary event"
29. There are numerous clerical and Scribner's errors that will be corrected, including punctuation, grammar, correcting cross-references, etc.

Table Comparing Council-Suggested Ideas on the Sign Code

Issue	Mayor N.	Oravits	Woodson	Staff	Comment
Off-premise directional signs	X		X		
No permit for window signs	X				
Standard of 1 temp. sign per 200 ft	X	X			
Prohibit vertical banners	X			X	
Flexibility for bldg. mounted signs		X			
Non-conforming signs allowed to be rebuilt larger		X	X		Legal issue – memo
A-frame signs					
No permit – self regulated		X			
Design standards		X			Already in the sign stds.
Secured against wind		X			Already in the sign stds.
Limit hours and on private property only		X			Already in the sign stds.
No balloons, etc.		X			Already in the sign stds.
Signs face the interstates			X		
Multiple group (freestanding) signs are OK			X		Already in the sign stds.
Event banners – who and where?			X	X	
Respect dark sky ordinance			X	X	