

MEMORANDUM

TO: Honorable Mayor & City Council Members

FROM: Council Member Tom Laputka

DATE: November 10, 2009

SUBJECT: **Temporary Signs**

PURPOSE

To initiate a discussion on the possibility of instituting a suspension of the prohibition/restrictions against temporary signs in the right of way during the holiday season (sixty days).

BACKGROUND

Currently, temporary signs are not allowed on any right of way or easement in the City. There are a number of churches and businesses that have special holiday events that they would like to be able to advertise via signage. In many cases, the most visible location for these signs is in the right of way.

I am proposing that Council consider allowing temporary signs to be placed in the right of way during the holiday season. This would cover the remainder of November and the month of December. The use of these signs would require an application which must be approved by the Development Services Director. I am proposing that there would be no fee for such signs.

Section 9.7. Detailed sign regulations.

9.7.1. *Residential development signs.* It is the intent of these regulations to encourage the incorporation of signage into entranceway features which include landscaping and other amenities that express and enhance the residential character of the development. To that end, the following shall apply:

- A. Residential development signs shall only provide the name of the subdivision and primary address numerals.
- B. Lighting of a development sign may be provided by internal lighting, backlighting, the general lighting of the sign area or by shielded spotlights. Lighting shall not spill over on to residential lots.
- C. Residential development signage may be provided at each roadway entrance to the overall development. Signage may consist of a maximum of two signs per entranceway; however, the total maximum sign area shall not exceed 64 square feet per entranceway.
- D. All signage shall be subject to the site plan review process and approval.

9.7.2. *Off-site directional signs.* Off-site directional signs are permitted so as to give sufficient notice of the location of governmental facilities, hospitals, colleges, schools, churches, other institutional signs and unincorporated communities. The maximum size of said sign shall be four square feet and shall be of such design and color as approved by the DSD.

9.7.3. *Model home signs.* Model home signs are permitted in all residential zoning districts as set forth below:

- A. One freestanding sign is allowed per model home.
- B. The sign area is not to exceed three square feet.
- C. The sign copy of a model sign may include only the following information:
 - 1. Model or development name;
 - 2. Builder, architect agent;
 - 3. Number of bedrooms and baths;
 - 4. Telephone number; and
 - 5. Prices.
- D. One flag per model.
- E. Model signs shall be located on the lot of the model.

9.7.4. *Temporary signs.* Temporary signs shall comply with the following regulations:

- A. Temporary election campaign signs. Temporary signs advertising political parties or candidates for election may be erected or displayed and maintained subject to the following restrictions, limitations and requirements and any other applicable requirements set forth in this chapter. Campaign signs are permitted in all zoning

districts under the following conditions:

1. Signs larger than four square feet shall be set back ten feet from the public right-of-way and no sign shall be located in any public right-of-way.
 2. Sign setback shall be 25 feet from side property lines.
 3. The maximum sign height shall be three feet in residential zoning district and six feet in all other zoning districts.
 4. The maximum sign size shall be four square feet in residential zoning districts and 16 square feet in all other zoning districts.
 5. Political campaign signs shall be erected not more than 60 days prior to an election and shall be removed within seven days after the election or after the campaign issue has been decided.
 6. The erection and removal of all political signs shall be the responsibility of the candidate for whom such sign was placed. Such person shall be liable for a violation of the terms and conditions of this chapter.
 7. The provisions of this section shall not apply to what are commonly referred to as "bumper stickers" or "car-top" signs when such signs are placed on motor vehicle bumpers or tops, respectively.
 8. No political or election signs of any type or size, advertisements, handbills, snipe signs or billboards shall be placed on property owned or used by the city or by other governmental agencies or units in the incorporated areas of the city.
- B. Real estate signs. Real estate signs shall comply with the following requirements:
1. Only one real estate sign may be located adjacent to each separate street frontage of a lot, except as provided in section 9.7.4.C. However, when the street frontage of a lot exceeds 1,200 lineal feet, one sign per 1,200 lineal feet or fraction thereof may be permitted. Signs shall be located entirely within the property to which the signs apply; they shall not be directly illuminated. Real estate signs shall be removed within seven days after a deed has been recorded for the same or a lease signed for the rental or lease of the property. Real estate signs shall not exceed the following maximum area requirements:
 - a. For the CG-1 and CG-2 zoning districts: Thrity-two square feet.
 - b. For all other zoning districts: Four square feet.
 2. Real estate signs are permitted within the established setback areas of all zoning districts. However, no real estate sign shall be nearer than five feet from the property line if placed upon vacant property, and if placed on land improved by building, it shall not be placed nearer than five feet from any property line unless the building is less than five feet from the property line, in which case it may be placed in or upon a front or side door or window of the building. If there is a wall upon the property line, then such sign may be placed on or against such wall.

3. In residential zoning districts, a maximum of three signs may be hung from or attached to the approved temporary sign for announcing additional information such as "by appointment only," "sold," etc. A "sold" sign may be attached to the sign for a period of ten days subsequent to the date of closing. The maximum permitted size of such signs is eight inches by 24 inches.
- C. Open house signs. An open house sign may be posted on property available for inspection. A maximum of two off-site open house signs may be placed on privately owned property to direct attention to the property available for inspection. Open house signs shall not exceed a maximum of four square feet in area and shall indicate the responsible agency or owner of the sign. Open house signs may be posted only on weekends and holidays, between the hours of 10:00 a.m. and 6:00 p.m. Open house signs may be posted at the aforementioned times and dates only when the premises are actually available for inspection.
- D. Temporary development signs. Temporary signs advertising a proposed development may be erected or displayed and maintained provided that:
1. The sign copy may include only the following:
 - a. Name of the project;
 - b. Nature of the development;
 - c. General contractor;
 - d. Architect;
 - e. Lending institution;
 - f. Owner or agent;
 - g. Telephone number; and
 - h. Price.
 2. Said development signs shall not exceed 32 square feet in area and may be permitted to be posted from the issuance date of a site development permit up to 30 days after the date the final certificate of occupancy is issued on the site.
- E. Temporary banners and/or live or animated characters. Temporary banners and/or live or animated characters may be permitted by a building permit to advertise a grand opening, special event or other special occasion, provided said banners and/or live or animated characters are not located over and/or within the street right-of-way and meet the following conditions:
1. Said banner and/or live or animated characters shall not be permitted to be displayed for a period greater than 30 days.
 2. A banner and/or live or animated characters may be displayed up to four times per year per business establishment. Each display period must be separated by a minimum period of 30 days.

3. The maximum size of a banner shall not exceed four square feet per lineal foot of storefront facade length. Where a building has more than one facade length, the facade on which the banner will be located shall be used to determine maximum character size. The maximum size of live or animated character shall not exceed seven feet in height and three feet in width.
- F. All signs attached to fences shall be limited to four square feet in area per sign and two such signs per entire fence, unless additional signage is necessary for public safety purposes.