



MEMORANDUM

DATE: November 17, 2011

TO: Citizen Sign Code Committee

FROM: Glenn Moyer, AICP
Planning Administrator

SUBJECT: Continued Public Hearing – SCA-11-02 Proposed Amendments to Article VIII Nonconforming Signs and Change of Use, Section 3-96 Regulating Nonconforming Signs

This is a continued public hearing for consideration of proposed amendments to Article VIII Nonconforming Signs and Change of Use, Section 3-96 Regulating Nonconforming Signs. This item was continued from September 15, 2011. The proposed amendments present two options addressing allowances for nonconforming signs to be moved, altered, removed and reinstalled, or replaced. Option 1 is the immediate repeal of all such allowances. Option 2 would establish a 30 month transition period for repeal of all such allowances. The transition period would consist of a six month delayed effective date and a 24 month sunset clause. During the last 24 months of the transition period all nonconforming signs that are moved or altered would have to be reduced by at least 20 percent in height and area. Height would be capped at 20 feet, with a maximum area of 100 square feet. Nonconforming signs could be moved but only to a location that is along a line through the existing sign location and perpendicular to the street centerline at least 20 feet behind the existing or future curb, 30 feet if the sign is taller than ten feet.

Under both options, as in the current Sign Code, nonconforming signs are permitted, including reasonable repairs and alterations, and may remain indefinitely.

Proposed text for both options is attached, in each new text is underlined, deleted text is ~~strikethrough~~. The actual adopting ordinance for Amendment Option 2 would include the six month delayed effective date and the 24 month sunset clause.

Attachments:

- Amendment Option 1 (with mark-up)
- Amendment Option 1 (clean)
- Amendment Option 2 (with mark-up)
- Amendment Option 2 (clean)

ARTICLE VIII. NONCONFORMING SIGNS AND CHANGE OF USE

Sec. 3-96. Signs for legal nonconforming uses.

* * *

C. Except for reasonable repairs and alterations, no nonconforming sign shall be moved, altered, removed and reinstalled or replaced, unless it is brought into compliance with the requirements of this Sign Code, ~~except under the following conditions:~~

~~1. If the freestanding or detached sign is a legally permitted on-site freestanding or detached sign, and there is no roof or projecting sign existing on that business establishment, the sign may be moved, repaired, altered, removed and reinstalled or replaced, subject to the following conditions:~~

~~A. A sign permit must be obtained prior to commencing any such alteration, replacement or relocation. The following information must be attached to the sign permit application:~~

~~1. Photographs of all existing signs on the property.~~

~~2. Scaled drawings showing copy, height, sizes and location of all existing signs on the property.~~

~~3. Scaled drawings showing the new configuration of the sign and setback.~~

~~B. All signs that are 20 feet in height or less must be decreased a minimum of 10% in height and sign area. All signs above 20 feet in height must be decreased in height at least 20% and in sign area at least 20%.~~

~~C. If the sign shares a common structure with other tenants, the area of all tenant signs must be reduced to a smaller total aggregate area and the height of the common structure must be reduced.~~

~~D. The new sign and structure configuration must be equipped with pole covers or architectural embellishments that hide or conceal all structural components or braces (such as pipes, angle iron, cables, internal or back framing, bracing, etc.). The pole cover or architectural embellishment may require plan check for construction purposes.~~

~~E. No part of the relocated sign and/or structure will be permitted to occupy or overhang public right-of-way.~~

~~2. If the sign is a roof and/or projecting sign and the business establishment does not have a freestanding or freeway sign, the sign may be moved, altered and installed on a freestanding or freeway sign structure subject to the following conditions:~~

~~A. A sign permit must be obtained prior to commencing any such alteration or relocation. The following information must be attached to the sign permit application:~~

- ~~1. Photographs of all existing signs on the property.~~
- ~~2. Scaled drawings showing copy, height, sizes and location of all existing signs on the property.~~
- ~~3. Scaled drawings showing the new configuration of the sign and setback.~~

~~B. The new freestanding or freeway sign configuration and structure must be installed at a lower height above grade than it was in its nonconforming configuration.~~

~~C. The total aggregate area of the new sign configuration must be less than it was in its nonconforming configuration.~~

~~D. The new sign and structure configuration must be equipped with pole covers or architectural embellishments that hide or conceal all structural components or braces (such as pipes, angle iron, cables, internal or back framing, bracing, etc.). The pole cover or architectural embellishment may require plan check for construction purposes.~~

~~E. The sign and structure must be installed on private property and be set back at least 20 feet from the face of the curb unless otherwise specified in this Sign Code.~~

~~F. No part of the relocated sign and/or structure will be permitted to occupy or overhang public right of way.~~

~~3. If the sign is a roof and/or projecting sign, and nonconforming freestanding or freeway signs exist at this business establishment, all roof and projecting signs must be removed, subject to the following conditions:~~

~~A. A sign permit must be obtained prior to commencing any such alteration, replacement or relocation. The following information must be attached to the sign permit application:~~

- ~~1. Photographs of all existing signs on the property.~~
- ~~2. Scaled drawings showing copy, height, sizes and location of all existing signs on the property.~~
- ~~3. Scaled drawings showing the new configuration of the sign and setback.~~

~~B. The area of one or more roof or projecting signs may be combined with the area of the existing detached signs and placed on common detached sign structure, if the total resultant aggregate area of the new configuration is less than the combined total areas of the affected signs. The result of any combination used may not exceed a total of more than 300 square feet of sign area for each resultant detached sign.~~

~~C. The height of the resultant sign configuration must be less than the previous height of the highest nonconforming sign.~~

~~D. The new sign and structure configuration must be equipped with pole covers or architectural embellishments that hide or conceal all structural components or braces (such as pipes, angle iron, cables, internal or back framing, bracing, etc.). The pole cover or architectural embellishment may require plan check for construction purposes.~~

~~E. The sign and structure must be installed on private property and be set back at least 20 feet from the face of the curb unless otherwise specified in this Sign Code.~~

~~F. No part of the relocated sign and/or structure will be permitted to occupy or overhang public right-of-way.~~

~~4. A nonconforming sign may not be moved, altered, repaired, removed and reinstalled or replaced if the sign has been declared abandoned, illegal or prohibited.~~

~~5. Any nonconforming sign moved, altered, repaired, removed and reinstalled or replaced pursuant to the provisions of this section retains its classification as a nonconforming sign and shall be treated as such.~~

ARTICLE VIII. NONCONFORMING SIGNS AND CHANGE OF USE

Sec. 3-96. Signs for legal nonconforming uses.

* * *

C. Except for reasonable repairs and alterations, no nonconforming sign shall be moved, altered, removed and reinstalled or replaced, unless it is brought into compliance with the requirements of this Sign Code.

ARTICLE VIII. NONCONFORMING SIGNS AND CHANGE OF USE

Section 3-96. Signs for legal nonconforming uses.

* * *

C. Except for reasonable repairs and alterations, no nonconforming sign shall be moved, altered, removed and reinstalled, or replaced, unless it is brought into compliance with the requirements of this Sign Code, ~~except under the following conditions:~~

~~1.D. If the freestanding or detached sign is a legally permitted on-site freestanding or detached sign, and there is no roof or projecting sign existing on that business establishment, the sign may be moved, repaired, altered, removed and reinstalled, or replaced, subject to the following conditions:~~

~~A. A sign permit must be obtained prior to commencing any such alteration, replacement or relocation. The following information must be attached to the sign permit application:~~

~~(a) Photographs of all existing signs on the property.~~

~~(b) Scaled drawings showing copy, height, sizes and location of all existing signs on the property.~~

~~(c) Scaled drawings showing the new configuration of the sign and setback.~~

~~B. All signs that are 20 feet in height or less must be decreased a minimum of 10% in height and sign area. All signs above 20 feet in height must be decreased in height at least 20% and in sign area at least 20%.~~

~~C. If the sign shares a common structure with other tenants, the area of all tenant signs must be reduced to a smaller total aggregate area and the height of the common structure must be reduced.~~

~~D. The new sign and structure configuration must be equipped with pole covers or architectural embellishments that hide or conceal all structural components or braces (such as pipes, angle iron, cables, internal or back framing, bracing, etc.). The pole cover or architectural embellishment may require plan check for construction purposes.~~

~~E. No part of the relocated sign and/or structure will be permitted to occupy or overhang public right-of-way.~~

~~2. If the sign is a roof and/or projecting sign and the business establishment does not have a freestanding or freeway sign, the sign may be moved, altered and installed on a freestanding or freeway sign structure subject to the following conditions:~~

~~F. A sign permit must be obtained prior to commencing any such alteration or relocation. The following information must be attached to the sign permit application:~~

~~(a) Photographs of all existing signs on the property.~~

~~(b) Scaled drawings showing copy, height, sizes and location of all existing signs on the property.~~

~~(c) Scaled drawings showing the new configuration of the sign and setback.~~

~~G. The new freestanding or freeway sign configuration and structure must be installed at a lower height above grade than it was in its nonconforming configuration.~~

~~H. The total aggregate area of the new sign configuration must be less than it was in its nonconforming configuration.~~

~~I. The new sign and structure configuration must be equipped with pole covers or architectural embellishments that hide or conceal all structural components or braces (such as pipes, angle iron, cables, internal or back framing, bracing, etc.). The pole cover or architectural embellishment may require plan check for construction purposes.~~

~~J. The sign and structure must be installed on private property and be set back at least 20 feet from the face of the curb unless otherwise specified in this Sign Code.~~

~~K. No part of the relocated sign and/or structure will be permitted to occupy or overhang public right-of-way.~~

~~3. If the sign is a roof and/or projecting sign, and nonconforming freestanding or freeway signs exist at this business establishment, all roof and projecting signs must be removed, subject to the following conditions:~~

~~L. A sign permit must be obtained prior to commencing any such alteration, replacement or relocation. The following information must be attached to the sign permit application:~~

~~(d) Photographs of all existing signs on the property.~~

~~(e) Scaled drawings showing copy, height, sizes and location of all existing signs on the property.~~

~~(f) Scaled drawings showing the new configuration of the sign and setback.~~

~~M. The area of one or more roof or projecting signs may be combined with the area of the existing detached signs and placed on common detached sign structure, if the total resultant aggregate area of the new configuration is less than the combined total areas of the affected signs. The result of any combination used may not exceed a total of more than 300 square feet of sign area for each resultant detached sign.~~

~~N. The height of the resultant sign configuration must be less than the previous height of the highest nonconforming sign.~~

~~O. The new sign and structure configuration must be equipped with pole covers or architectural embellishments that hide or conceal all structural components or braces (such as pipes, angle iron, cables, internal or back framing, bracing, etc.). The pole cover or architectural embellishment may require plan check for construction purposes.~~

~~P. The sign and structure must be installed on private property and be set back at least 20 feet from the face of the curb unless otherwise specified in this Sign Code.~~

~~Q. No part of the relocated sign and/or structure will be permitted to occupy or overhang public right-of-way.~~

~~4. A nonconforming sign may not be moved, altered, repaired, removed and reinstalled, or replaced if the sign has been declared abandoned, illegal or prohibited.~~

~~5. Any nonconforming sign moved, altered, repaired, removed and reinstalled, or replaced pursuant to the provisions of this section retains its classification as a nonconforming sign and shall be treated as such.~~

Notwithstanding the provisions of Sec. 3-96.C, a nonconforming detached sign may be relocated, altered, removed and reinstalled, or replaced, subject to meeting all of the following conditions:

1. The sign is a legally permitted on-site sign.
2. A sign permit must be obtained prior to commencing any such relocation, alteration, removal and reinstallation, or replacement. The following information must be attached to the sign permit application:
 - (a) Photographs of all existing signs on the property.
 - (b) Scaled drawings showing copy, height, sizes and location of all existing signs on the property.
 - (c) Scaled drawings showing the new configuration of the sign and setback.
3. The sign must be decreased in height by at least 20% and shall not exceed 20 feet in height.
4. The sign must be decreased in sign area by at least 20% and shall not exceed 100 square feet in area.
5. If the sign shares a common structure with other tenants, the aggregate area of all tenant signs must be reduced by at least 20% and shall not exceed 100 square feet, and the height of the common structure must be reduced by at least 20% and shall not exceed 20 feet.

6. The new sign and structure configuration must be equipped with pole covers or architectural embellishments that hide or conceal all structural components or braces (such as pipes, angle iron, cables, internal or back framing, bracing, etc.). The pole cover or architectural embellishment may require plan check for construction purposes.
7. No part of the relocated sign and/or structure may occupy or overhang public right-of-way.
8. The sign may not be relocated, except to a location that is along a line through the existing sign location and perpendicular to the street centerline.
 - (a) If the sign is ten feet tall or less, the sign shall be at least 20 feet behind the existing or future curb whichever is greater.
 - (b) If the sign is greater than ten feet tall, the sign shall be at least 30 feet behind the existing or future curb whichever is greater.
9. The sign has not been declared abandoned, illegal or prohibited.
10. Any nonconforming sign that is relocated, altered, removed and reinstalled, or replaced pursuant to the provisions of this section retains its classification as a nonconforming sign and shall be treated as such.

ARTICLE VIII. NONCONFORMING SIGNS AND CHANGE OF USE

Section 3-96. Signs for legal nonconforming uses.

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- C. Except for reasonable repairs and alterations, no nonconforming sign shall be moved, altered, removed and reinstalled, or replaced, unless it is brought into compliance with the requirements of this Sign Code.
- D. Notwithstanding the provisions of Sec. 3-96.C, a nonconforming detached sign may be relocated, altered, removed and reinstalled, or replaced, subject to meeting all of the following conditions:
 - 1. The sign is a legally permitted on-site sign.
 - 2. A sign permit must be obtained prior to commencing any such relocation, alteration, removal and reinstallation, or replacement. The following information must be attached to the sign permit application:
 - (a) Photographs of all existing signs on the property.
 - (b) Scaled drawings showing copy, height, sizes and location of all existing signs on the property.
 - (c) Scaled drawings showing the new configuration of the sign and setback.
 - 3. The sign must be decreased in height by at least 20% and shall not exceed 20 feet in height.
 - 4. The sign must be decreased in sign area by at least 20% and shall not exceed 100 square feet in area.
 - 5. If the sign shares a common structure with other tenants, the aggregate area of all tenant signs must be reduced by at least 20% and shall not exceed 100 square feet, and the height of the common structure must be reduced by at least 20% and shall not exceed 20 feet.

6. The new sign and structure configuration must be equipped with pole covers or architectural embellishments that hide or conceal all structural components or braces (such as pipes, angle iron, cables, internal or back framing, bracing, etc.). The pole cover or architectural embellishment may require plan check for construction purposes.
7. No part of the relocated sign and/or structure may occupy or overhang public right-of-way.
8. The sign may not be relocated, except to a location that is along a line through the existing sign location and perpendicular to the street centerline.
 - (a) If the sign is ten feet tall or less, the sign shall be at least 20 feet behind the existing or future curb whichever is greater.
 - (b) If the sign is greater than ten feet tall, the sign shall be at least 30 feet behind the existing or future curb whichever is greater.
9. The sign has not been declared abandoned, illegal or prohibited.
10. Any nonconforming sign that is relocated, altered, removed and reinstalled, or replaced pursuant to the provisions of this section retains its classification as a nonconforming sign and shall be treated as such.