

**MEETING DATE/TYPE:**                      **COMBINED STUDY SESSION & VOTING MEETING**  
**11-15-16**

**DEPARTMENT:**    **Community Development**

**AGENDA ITEM:** Adoption of Ordinance No. 5015-1553, authorizing amendments to Land Development Code Article 6, Section 6.12. Signs, changing the method of calculating permitted permanent and temporary signs for commercial and residential zoning districts

**Approved By:** Michael Lamar, City Manager

### **Item Summary**

The proposed revision of the sign regulations addresses a new approach to the way the Land Development Code (LDC) handles sign size and placement regulations. The Unified Development Code Committee (UDC) and the Planning and Zoning Commission provided guidance resulting in the attached proposed revisions and both bodies recommended Council consideration of the draft.

### **Background**

Prescott's sign regulations were adopted with the LDC in 2003. The regulations follow a pattern found in many, if not most, cities regulations in that they have different limitation on sign size or placement depending upon the type of sign. A campaign sign has different regulations than a garage sale sign, which is different from a sign on a commercial building. While these differences seem logical, they are based upon the message of the sign and thus the content of the speech.

The changes necessary to re-focus Prescott's sign code on the accepted time, place, and manner criteria are significant and resulted in consideration of a basic change in the way the LDC regulates signs. An important secondary concern was to simplify the code as much as possible. Model sign codes were acquired from various sources and studied for ideas. A new proposal was formulated to regulate signs based upon logical criteria, and without differences in the content of the sign message.

The proposed regulations hold signs to two general categories, permanent and temporary. Within permanent signs there is a further breakdown into commercial zoning districts and residential zoning districts. There is then a further breakdown into free-

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standing and building-mounted signs. Temporary signs are broken down into commercial uses and residential uses.

Permanent commercial free-standing signs are most often intended to attract the attention of persons in vehicles. They are usually placed as close to the frontage street as allowed. Because these signs are oriented to the street traffic, it is logical to consider their size, place and manner restrictions in the context of the posted speed limit of the fronting street. Slower posted speeds give drivers more time to identify and read the sign. Faster posted speeds give drivers less time. The proposed concept allows larger sign areas with faster posted speeds. The range starts with 24 square feet, which is equal to the current code allowance for most free-standing signs.

Permanent commercial wall signs are most often focused on persons entering the property, either pedestrian or in vehicles. They are usually placed on a wall that also has a customer entrance. Because these signs are focused on persons entering or on the property, their size, place and manner restrictions are most logically controlled by distance from the property line. The greater the distance to the property line, the larger the sign area permitted. To maintain some reasonable scale of sign to building, the ratio of building frontage to area of signs is included. This allows a large building set back far from the street to have a larger sign than a small building set back far from the street. Similarly, this will allow a large building close to the street a smaller sign than a large building far from the street.

Permanent residential free-standing and wall signs size, place and manner restrictions follow the same concept as for commercial, however with minor differences in allowable sizes because of the difference in the development styles of residential properties.

Temporary commercial signs are intended to act independently of permanent commercial signs. These signs are to allow a commercial use to inform the public of intermittent or individual events or occurrences such as sales, grand openings or to display other messages that are relevant only for a limited time period. Because these are temporary signs, a time limitation is applied and because these signs are not intended to replace the permanent signs, they are limited in size. A permit is required to assure compliance with the size and time limitations. As with permanent signs, the message or speech conveyed by the sign is not regulated. A temporary commercial sign could convey messages related to products, sales, events, social issues, political support, or religious beliefs.

Temporary residential signs are intended to allow property owners the ability to display signs in residential areas with some very limited controls to prevent clutter and dilapidated or dangerous displays. Individual sign size is limited to a commonly used area of 6 square feet, but no limitation as to duration or number is proposed. Limiting the duration and number can be argued on the basis of visual blight and clutter; however the balance against the protection of free speech must weigh in favor of free speech. No permits are proposed for residential temporary signs. Enforcement of the size limitation is contemplated to be complaint-based and handled by simple measurement of area. Establishment of a maximum aggregate square foot for

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residential property was a concept discussed during the review by staff and the UDC. While not included in the current draft, that concept can be addressed at Council's discretion.

### **Unified Development Code Committee Recommendation**

The above concepts and proposed changes were discussed at two meetings of the Unified Development Code Committee. After discussion, the Committee recommended that this amendment be forwarded to the Planning and Zoning Commission for consideration.

### **Planning and Zoning Commission Recommendation**

This proposed amendment to the Sign regulations was presented to the Planning and Zoning Commission for their review and recommendations. After in-depth discussion by the Commissioners, this draft amendment was recommended for City Council consideration.

### **Attachments**

1. Sign Code Amendment 2016, strikethrough version
2. Ordinance No. 5015-1553

**Recommended Action: MOVE** to adopt Ordinance No. 5015-1553.