



2017 COSA Sign Code (Ch. 28) Update & Summary of Proposed Major Code Changes

- 1) **September 11, 2015 - Councilman Gallagher (CD10) submits CCR** to review, update and amend City Code Chapter 28:
 1. Review new technology or products and sign material/placement issues such as banners and flag signs to address questions in today's sign industry and demands.
 2. The code should have flexibility to deal with change in the sign industry
 3. Improved clarity of intent with regard to signage within COSA
- 2) **21 stakeholder meetings since Feb 2016 to develop Draft O**
- 3) **Major changes:**
 1. New code will be in general conformance to US Supreme Court Reed Case from 2015
 - i) 2015 Supreme Court ruling about content based regulation
 2. Clarifies the ability of the code official to interpret the grey areas of the code
 3. Adds administrative flexibility into sign code with the use of administrative exceptions (+/- 10%) and alternative methods sections.
 - i) Obvious minor variances can now be approved administratively (quicker/cheaper)
 - ii) New technologies may be reviewed and approved if deemed safe and meets intent of code. Adds flexibility to the code.
 4. Clarifies that appeals of formal variance requests will go to City Council not court (essentially no change to this section) – still needs approval of City Council
 5. Coordinated City and State licensing requirements to eliminate conflicts
 6. Added increased enforcement: In addition to criminal charges that could be brought against sign code violators (existing code), this update adds the ability to utilize civil penalties (fines) through the AHO for quicker court hearing and possibly higher penalties. Will be used for bandit sign enforcement.
 7. Adds language to clarify when dangerous signs need to be immediately removed for safety purposes as well as the timeline for abandoned signs to be maintained or removed.
 8. Adds additional buffer to commercial signs that are adjacent to residential homes - Minimum 10 feet for an 8 foot sign – taller signs need further buffer (1 ft. for 1 ft)
 9. Maximum brightness of digital signs was modified so that both on-premise and off-premise digital signs have to meet the same measurements (both ft. candle and nit measurements). Improves consistency. Brightness will not increase and could decrease as a result of this.
 - i) Ordinance will include council direction for staff to further study and evaluate for next code change
 - ii) Lots of discussion on this one. Will monitor over the next few years with data.

10. Sign master plan agreements are still allowed but a minimum of 25% reduction in overall sign height and sign area is required to be approved. Previous code was silent on how much reduction needed.
11. Added language and regulations for ground mounted flag/feather type signs – allowed with permits but height/ area and spacing requirements.
12. Changes to governmental action allowance for billboards
 - i) Additional flexibility for billboard operators when governmental action comes into play but have to take out of historic, scenic or urban corridor.
13. NO CHANGES TO GENREAL HEIGHTS AND SIZES OF SIGNS
14. NO CHANGES TO HISTORIC DISTRICTS, URBAN OR SCENIC CORRIDOR REQUIREMENTS
- 15. TEMPOARY SIGNS – MAJOR CHANGES TO SIGN LANGUAGE AND SETUP DUE TO REED CASE, BUT COMMITTEE ATTEMPTED TO LIMIT ACTUAL CHANGES**
 - i) Temporary sign requirements broken down into 3 categories
 - (1) Temp signs on residential properties
 - (i) Maximum 10 sq.ft. and 6 feet high
 - (ii) Maximum 90 days
 - (iii) Non-commercial and some commercial speech allowed (for sale, roofing co, remodeler, etc)
 - (b) EXCEPTION: for vacant residential lots 1 acre or more, commercial speech is similar to the rules allowed for non-residential properties below
 - (2) Temp signs on non-residential properties
 - (a) Large signs:
 - (i) Maximum 64 sq.ft. and 16 ft high (follow engineering rules if over 12ft.)
 - (ii) Within 5 miles of “event” being advertised
 - (iii) Maximum: Event duration but max 1 year permit – renewals permitted if event is still going on
 1. Permit and decals required
 2. Spacing requirements
 3. Note that this will bring in some commercial temp signage due to Reed Case or else we would have eliminate all temp off premises signage (e.g., residential developer/builder program)
 - (b) Small signs:
 - (i) Maximum 10 sq.ft.
 - (ii) Durations are for weekends – like our temp weekend sign program now
 - (3) Temp signs on ROW or City property
 - (a) Maintains temporary weekend sign program
 - (b) Increases penalties for violators to include ability to utilize AHO
 - (c) Increases penalty for violators who are registered sign contractors
 - (d) Banner signs – noncommercial speech is only allowed and only allowed on the 300 or so already approved locations by CPS.
 - (i) These locations will be included in the code with stipulation that CPS can remove them from approved list but can’t add to list w/o code change.
 - (e) Garage sale signs – maximum 2 “off-premises” signs allowed with garage sale permit (Ch. 16 will be modified). Additional signs need additional permits (\$)