



DEVELOPMENT DEPARTMENT

DATE: March 7, 2001

TO: ALL STAFF MEMBERS
Planning Division

FROM: RAY BEACH, Planning Manager
Planning Division

SUBJECT: NEW INTERPRETATIONS OF SIGN ORDINANCE BY ADMINISTRATION RELATIVE TO ISSUANCE OF TEMPORARY WINDOW SIGN "LETTER TO DIRECTOR" APPLICATIONS AND PERMANENT WINDOW SIGN REVIEW APPLICATIONS, SITE PLAN REVIEW AND CONDITIONAL USE PERMIT APPLICATIONS

After public testimony and City Council discussion at the February 6, 2001, City Council public hearing on amendments to the existing Sign Ordinance, the following administrative directives have been given to both regular staff; and, those staff members who regularly work at the Public Front Counter.

Those directives are as follows:

- **EQUITY AND CONSISTENT APPLICATION OF SIGN ORDINANCE REGULATIONS** are of major concern to both the City Council and the public sector. Although this is not a categorized "directive," staff is asked to exercise common consistency in its application of the Sign Ordinance in approval or denial of Master Sign Programs, Sign Reviews, Conditional Use Permits, and Site Plan Review Applications.
- **SIGN REVIEW APPLICATIONS FOR PERMANENT WINDOW SIGNS**

FOR ALL LAND USES (Excluding Residential/Home-based Businesses)

Permanent window signs over 6 square feet in area can be submitted for approval under a Sign Review Application for a fee of \$150.00. Window signs:

- ✓ must not exceed 10 percent of the total exterior wall surface (which includes the window)
- ✓ can be painted on the window (if paint is a permanent type of paint--not water-based)
- ✓ can be attached on the interior or exterior of the window with paste or glue (must be attached to the window in a manner which is attractive and free of exposed tape, wires, or other adhesive material)
- ✓ sign must be constructed utilizing material(s) designed to maintain an attractive appearance for as long as the sign is displayed. Specific materials are not listed in the FMC/Sign Ord., therefore, it will be at the discretion of the analyst or Planning Manager to determine if the type of material requested for use will sufficiently satisfy this criteria. Since "equity/consistent application" of code requirements is a concern, this should also be considered when making a determination.

NOTE: REGARDING INTERIOR SURFACE ATTACHMENT OF WINDOW SIGN—If sign is attached to any interior surface other than the window or the window frame itself and visible through the window, the sign is not within the City's scope of authority/jurisdiction.

NOTE: There are new Sign Review Applications with guidelines for applicants entitled "Requirements for Submittal" located in the Sign Review Accordian file at the front counter.

FOR ALL LAND USES (Excluding Residential/Home-based Businesses)

"LETTER TO DIRECTOR" APPLICATIONS FOR TEMPORARY WINDOW SIGNS

- Temporary window signs are allowed if they do not exceed 10 percent of the total exterior wall surface, for a fee of \$35.00. The window(s) on an exterior wall count in the calculation of the total exterior wall surface. Temporary window signs shall be constructed of cloth, canvas, fabric, wood, or may be painted, with or without a structural frame. Each site (address) is limited to two (2) 30-day temporary window sign approvals in any calendar year, with a separate application required for each 30-day period/approval.

NOTE: There are new application forms for temp. window signs located at the front counter in the Accordion File labeled "Temporary Window Sign Applications."

FLAGS DISPLAYED ON LIGHT POLES

- Flags that contain a name and/or logo which are displayed on light poles/light standards must be included in a Site Plan Review or Conditional Use Permit Application as a part of the "Conditions of Approval." If they are not, they are considered illegal. If a light pole is existing, a flag can be added to it by filing for a "No Fee" Revised Exhibit." If a light pole is being added, then a normal Revised Exhibit is required. In either case, flag cannot exceed 18 square feet in area.

SPR/CUP "SPECIAL PERMIT CONDITIONS OF APPROVAL--NEW SIGNAGE-RELATED CONDITION

- Require as a condition of approval, that any onsite "sign copy" (not sign "structure") which has been left behind for 60 days or more by a former tenant/owner, be removed prior to occupancy by new tenant/owner. The former tenant/owner is responsible for removal of the sign copy; however, "responsibility issues" are up to the new tenant/owner/applicant to handle. This must also be made a condition of approval on Master Sign Program and Sign Review Applications.
- It has been noted that most current SPR and CUP "Special Permit Conditions of Approval" documents contain the following information under the category of "Outdoor Advertising." This information/paragraph, labeled E141 in K:\FORMS\COA.wpd reads as follows:

["Window signs are limited to 4 square feet in area, providing information about hours of operation and emergency, sale or rental information only. Exterior signage such as banners, flags and pennants are prohibited. However, a special event banner sign announcing Grand Openings, New Management etc. are permitted for 30 days if approved by the Development Director, attached to the building and not exceeding 32 square feet in area. (Include this note on the site plan.)"] This paragraph is not, itself, a "Condition of Approval," and does not need to be addressed in the "Special Permit Conditions of Approval." For the record, information relative to the above paragraph is contained in the sign ordinance and not even relevant to "Conditions of Approval." Therefore, if you do not utilize the K:\FORMS\COA.wpd document when you create new documents, then remove the above paragraph from whatever document you are utilizing.

- If applicable, as per the FMC, require Directional signs, not exceeding 6 square feet in area, as a condition of approval under a Site Plan Review or Conditional Use Permit. If traffic congestion, or other traffic flow-related issues are of particular concern, such as, but not unique to, projects located in the Hemdon Avenue area, directional signs should be considered mandatory.

The new "Directional Sign" Condition of Approval information/paragraph is in K:\FORMS\COA.wpd labeled "E141." Utilize the paragraph from this document or copy from this document to the document you utilize to create your Special Permit Conditions of Approval.