



AGENDA REQUEST

<u>AGENDA HEADING:</u> Unfinished Business	<u>COMMISSION MEETING DATE:</u> July 6, 2015	<u>AGENDA ITEM NO:</u> VI.2.		
BY City Attorney	Robert Fournier	City Attorney Fournier		
_____ Originating Department	_____ Department Head	_____ Presenter		
<u>SUBJECT:</u> Discussion Re: Portable signs in the public right-of-way.				
<u>COMMISSION PRIORITIES:</u> Business Requirement				
<u>EXPLANATION:</u> (see next page for additional explanation) At the regular City Commission meeting on June 15, 2015, the City Attorney requested direction from the Commission as to any desired zoning text amendment regarding portable A-frame signs in public rights-of-way. After hearing input from local merchants, the City Commission voted unanimously in favor of a motion for the City Attorney to prepare a draft regulation for discussion purposes. The draft regulation limits the dimensions of the portable signs within acceptable industry standards and allows for variations on a strictly "A-frame" design within those size restrictions.				
<u>ADMINISTRATION'S RECOMMENDATION:</u> Provide direction re: desired content of regulation, and motion to direct preparation of an ordinance to be scheduled for first reading and public hearing.				
<u>APPROVAL SUMMARY:</u>				
Approval	Required	Date Completed	Completed By	Status
Department Head Approval	Y	06/29/2015	Robert Fournier	APPROVED
City Auditor and Clerk Approval	Y	06/30/2015	Pamela Nadalini	APPROVED



AGENDA REQUEST

ADDITIONAL EXPLANATION:

The City Attorney's Office recommends that the Commission consider a pilot program which would allow an evaluation of the results of the program before going to the time and expense of a zoning text amendment. The City Attorney's office does not recommend requiring permits as a condition precedent to allowing these signs. Additionally, subsequent to the June 15, 2015 discussion, on June 18, 2018, the United States Supreme Court issued a decision in Reed v. Town of Gilbert which further reinforced the legal requirement that regulation of signs in a traditional public forum shall be content-neutral or will be subjected to strict scrutiny. As a result, the City Attorney's office has prepared proposed language for a draft ordinance providing for content-neutral time, place, and manner restrictions on portable signs in public rights-of-way to serve the significant governmental interest in the economic vitality of downtown businesses.

ADDITIONAL ADMIN RECOMMENDATION:

FUNDING SOURCE:

AMOUNT:

HOUSING IMPACT (Per House):

NEW CONSTRUCTION:

REHABILITATION:

\$ 0

\$ 0

SUPPORT DEPARTMENTS:

City Auditor and Clerk - Pamela M. Nadalini

City Attorney - Robert Fournier

AGENDA DISPOSITION

COMMISSION ACTION:

Final Action Motion: _____

Motion By: _____ Second By: _____

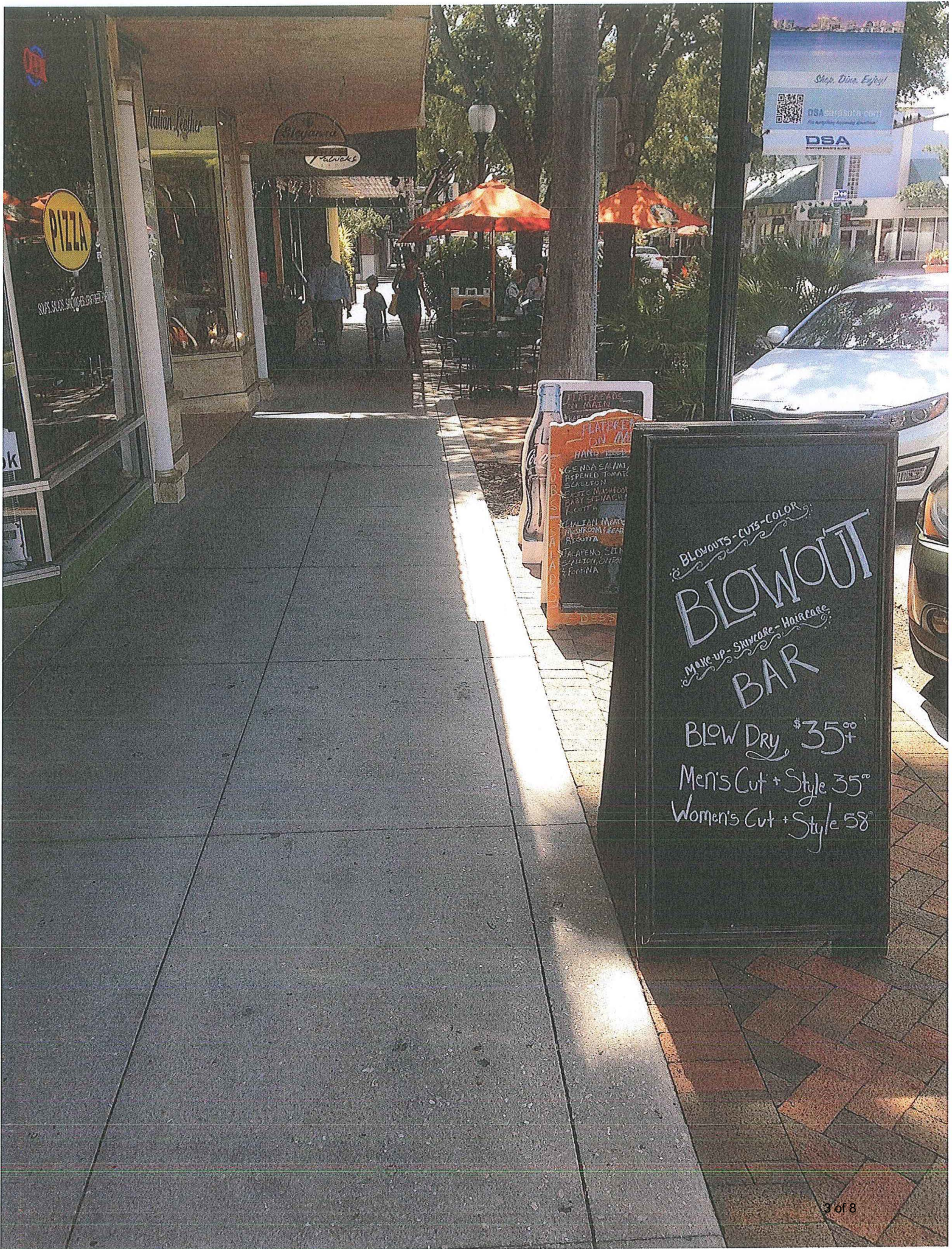
Vote: _____

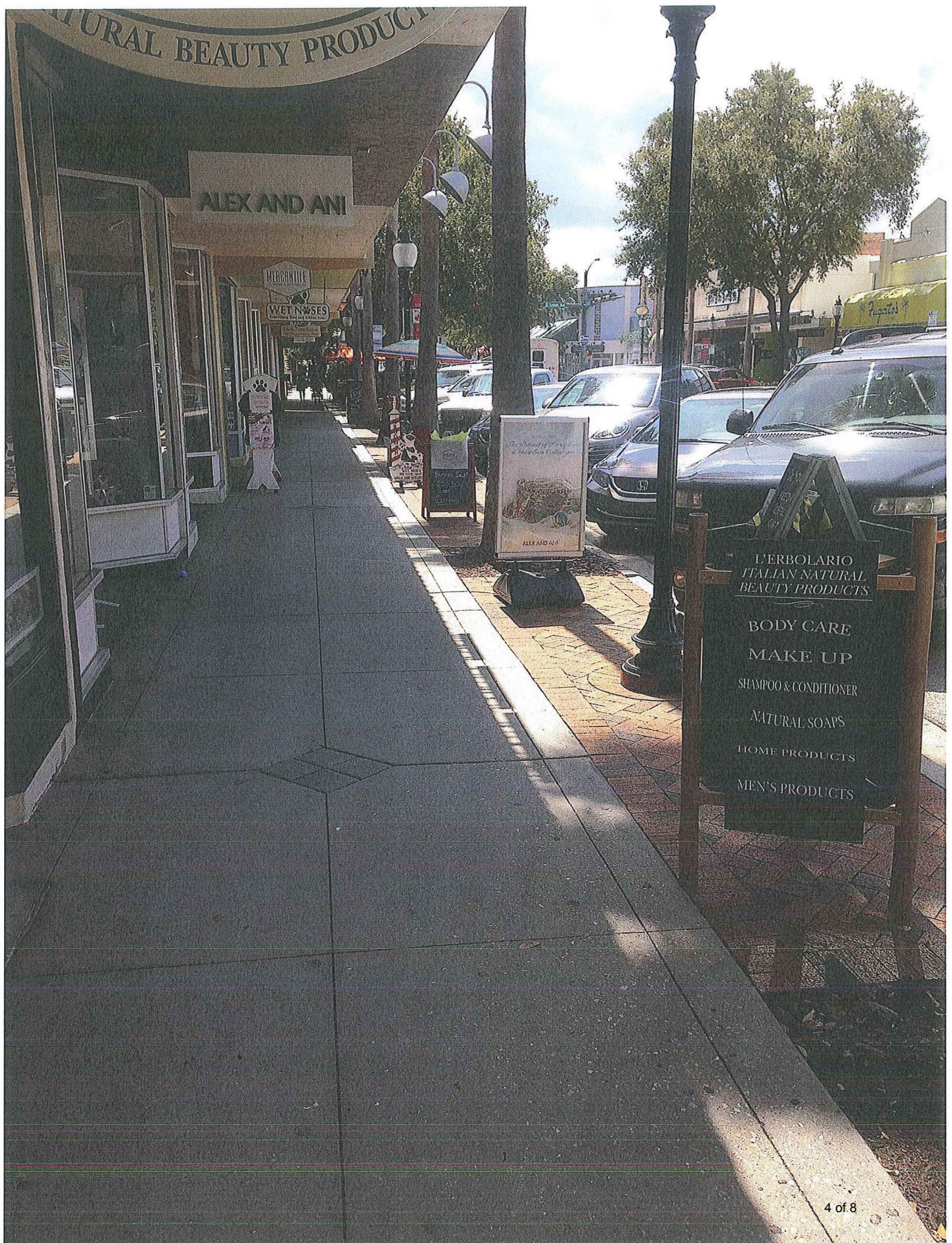
PORTABLE SIGN PILOT PROGRAM

Portable signs are allowed in the public rights-of-way of the DTC zone district, subject to the following restrictions:

- 1) *Time*: Portable signs may be placed between the hours of sunrise and sunset.
- 2) *Place*: Portable signs may be placed in the area between the curb and the edge of the sidewalk, also known as the “verge” , in such a manner that does not interfere with the free and unobstructed use of the sidewalk, leaving a minimum six-foot swath for pedestrian travel.
- 3) *Manner*: Portable signs shall not exceed sixty (60) by thirty (30) inches on its face with a height not to exceed sixty (60) inches.
- 4) *Notwithstanding the above, no sign shall*:
 - a. Directly or indirectly create a traffic or fire hazard or interfere with the free and unobstructed use of streets or sidewalks.
 - b. Be erected or maintained at any location in such a manner as to obstruct free and clear vision at the intersection of any streets, drives or other public or private vehicular access ways.
 - c. Be attached to or placed against a building in such a manner as to prevent ingress or egress through any door or window of any building, nor shall any sign obstruct or be attached to a fire escape.
 - d. Be attached or affixed in any manner to another object, including but not limited to light poles, beams, benches, trees, shrubs, or pottery.
 - e. Be erected or maintained at any location where, by reason of its position, illumination, shape, or color may interfere with, obstruct the view of or be confused with any authorized traffic sign, signal, or device.













Chicago's
COOKIES & BAKED GOODS
CAKES & PIES
* Truffle (BRONZEN) *
Cooked whole either dark
or light chocolate, with
truffle oil, and a
served with a
Couscous
\$25.00

Lemon Meringue Pie
for \$12.00
100% all natural
lemons, fresh
lemon juice, and
sugar, with
meringue
topping
\$12.00

