



Item No. \_\_\_\_\_

## Agenda Memorandum

**Development Services**

Department

**Linda Connors**

Director

**COMMISSION MEETING DATE: November 24, 2015**

- |  |   |                                       |   |
|--|---|---------------------------------------|---|
| <input type="checkbox"/> Presentation                                | <input type="checkbox"/> Reports        | <input type="checkbox"/> Consent      | <input checked="" type="checkbox"/> Ordinance |
| <input type="checkbox"/> Resolution                                  | <input type="checkbox"/> Quasi-Judicial | <input type="checkbox"/> Old Business | <input type="checkbox"/> New Business         |
| <input type="checkbox"/> <b>FY2015 – PART OF THE STRATEGIC PLAN:</b> |   |                                       |   |

### **SUBJECT TITLE: First Reading Ordinance 2015-21 Amending Chapter 30 Article VIII Sign Regulations**

**EXPLANATION:** The June 2015 U.S. Supreme Court ruling in the case *Reed v. Town of Gilbert* affects governments' ability to regulate signage. The Town Attorney has prepared the attached Ordinance 2015-21 (**Exhibit 1**) to meet the constitutional requirements set forth in *Reed* with input from Town staff on the changes that affect policy choices.

In summary, the proposed ordinance removes many of the types of signs that were based on content and, if appropriate, categorizes them into commercial and non-commercial signs. Also removed are items that were not specifically sign related from this section of our code. In the near future, these items, for example, temporary holiday and seasonal lighting (lines 505-517), will be added to the appropriate sections of the Town's code.

In addition to the amendments initiated to comply with *Reed*, staff has reorganized and amended Sec. 30-510 Landmark and Mid-Century Modern to add the following criteria for applications that take advantage of the waiver provisions for new Mid-Century Modern signage:

1. The Mid-Century Modern sign must be placed on a Mid-Century Modern building or building renovated in the Mid-Century Modern style as approved under the Town's architectural review process; and
2. All signs on the building shall be consistent in style.

The November 18, 2015 Planning and Zoning Staff Report is attached (**Exhibit 2**). At their November 18<sup>th</sup> meeting, the Planning and Zoning Board reviewed and approved the proposed ordinance and the concept behind the Mid Century Modern changes with the following changes. The changes proposed by the Board have been incorporated into the ordinance before you tonight.

1. Reduce the amount of temporary non-commercial signage allowed in a residential area from 16 square feet to 4 square feet.

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2. Reduce the allowed non-commercial signage when there is an active building permit or site plan from 32 square feet to 16 square feet. (This new sign allotment addresses the removal of announcing signs (formerly 32 square feet) and construction signs (formerly 16 square feet)).
3. Delete the proposed concept of regulating the letter height of multiple line signs beyond the letter height regulations already in place.
4. Approve the proposed changes to the Mid-Century Modern signage regulations.

The Town attorney advises that the ordinance should be adopted on an accelerated basis so that we are in accord with the Court's ruling.

**RECOMMENDATION:** Staff recommends approval of Ordinance 2015-21 on first reading and scheduling second reading for December 8th.

**Exhibits:**        **1 – Ordinance 2015-21**  
                      **2 – Planning and Zoning Board Staff report w/o ordinance**

**Reviewed by Town Attorney:**

<input checked="checked" type="checkbox"/>	Yes	<input type="checkbox"/>	No
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