

Other Business

Zoning Ordinance Amendment

Sign Refacing

September 5, 2013

Staff Comments:

Public Hearing to consider an amendment to the Zoning Ordinance which would amend the Sign Regulations to allow refacing of signs in certain circumstances to be done without a permit; and amend standards for menu board signs.

The amendment relating to refacing of signs without a permit is being presented based on a resolution adopted by the City Council asking the Commission to consider removing this requirement. The menu board amendment is being presented due to the changing nature of menu boards for drive-thru restaurants.

First, refacing of a sign must be defined. The proposed amendment includes the following as a very simplistic definition:

Sign Refacing. Repainting or replacing the advertising surface of a sign without making structural or cabinet changes

The allowance of refacing without a permit, as proposed, will allow a simple refacing (as defined above) where there is not a change of use (Zoning Ordinance) or Change of Occupancy (Building Code). While this is not the full allowance that may have been the intent of the Council's resolution, there are several reasons that limiting refacing without a permit is important for both the City and the business(es).

In many cases signs are refaced prior to businesses obtaining Zoning Certificates, building permits, or business licenses. If a sign permit is not required, the proposed business may not be allowed in the zoning classification, may require Planning Approval, or may be a change in parking requirements. Further, there may be building code issues – dependant on the change of occupancy – that would be required. In some cases some of the new occupancy requirements may be insignificant, while in others they may be very substantial.

The requirement of a sign permit for changes in use or occupancy (at a minimum) is one of the checks and balances that the City currently utilizes to try to make citizens and business owners aware of requirements before they have made a substantial investment and then are unable to accomplish their goal because of various city code issues.

This part of the proposed amendment is not recommended by staff.

The menu board amendment is being presented due to several issues that have arisen over the last several months where drive-thru establishments have either applied for and received

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variances for increased size, or have installed new menu boards without appropriate approvals, variances, or permits.

Further, the amendment includes volume standards that have not previously been a part of the regulations. The maximum volume at 32' from the speaker is 54db. This is below the volume of a normal conversation at a 3' distance. (see below) The proposal requires that the menu board/speaker be a minimum of 25' from a residential property line. When the residential building setback is added, the minimum distance would be 33'.

. Environmental Noise	
Weakest sound heard	0dB
Whisper Quiet Library at 6'	30dB
Normal conversation at 3'	60-65dB
Telephone dial tone	80dB
City Traffic (inside car)	85dB

The proposed increase in allowable size is due to current trends which include multiple panels and in some cases a small video monitor of the order clerk so the customer can see them as the order is being placed.

Based on the inclusion of speaker volume requirements and that the menu board amendment is in keeping with current trends for the drive-thru market, this portion of the proposed amendment is recommended by staff.