



## AGENDA ITEM SUMMARY

### District Impacted

- ☐ 1 = Wolosin
- ☐ 2 = Woolard
- ☐ 3 = Vacant
- ☐ 4 = Cisneros
- ☒ 5 = Handren
- ☐ All

### AGENDA DATE

March 26, 2019

### DESCRIPTION

RECEIVE AND CONSIDER A REQUEST FROM PERFORMANCE OFF ROAD FOR A VARIANCE TO THE SIGN ORDINANCE SECTION 11. PROHIBITED SIGNS. E. CHANGEABLE COPY SIGN; FLASHING SIGN; G. MOVING SIGN; H. LED SIGN. (Michael Hawes, 30980 IH 10 W)

### STAFF'S RECOMMENDED ACTION (be specific)

Deny approval of the variance request.

### CONTACT PERSON

Laura Talley, Planning and Community Development Director

### SUMMARY

This property is located along IH-10, south of town and in the ETJ. The subject sign is a self-supported sign. The two signs above the proposed LED sign have been in place for several years (2017). The variance request is to allow an LED, Flashing/Moving sign, all of which are prohibited by the Sign Ordinance.

The ordinance allows a self-supported sign on IH-10 to be 100 sf and 40 feet in height. The sign meets both of these requirements. Mr. Hawes met with Code Enforcement and was advised that the LED sign was not permitted. One of our inspectors noticed that the sign was put up without a permit. She met with the owner and advised him that he needed to either remove the sign or apply for a variance.

Mr. Hawes has applied for the variance. We've attached the variance request and night time photos for Council's review. The Sign Variance Review Committee met and considered the request and voted unanimously to deny the variance request. A number of reasons were cited; 1) there is no hardship – the existing sign is easily seen from IH-10, 2) the sign is bright and combined with the motion and flashing is distracting to motorists and could potentially be a safety issue.

#### **Section 11. Prohibited Sign Types:**

**LED signs** except for, window or door signs (only one per store front), and Public Service and Governmental signs, theater marquee signs and canopy gas pricing signs, as described in Section 10 GG of this ordinance, outside of the central area.

	Staff plans to revisit LED signs with the update of the sign ordinance, which will be part of the unified development code. New technology provides more control over brightness and motion. At this time though, LED, flashing or moving signs are not allowed. This particular sign incorporates all three of those sign types into one. During the Master Plan update, in the Section 3. Community Input, it was determined that the community preferred (59% of those that voted) more restrictive signage. They expressed a desire for pedestrian scale signage (monument type signage). Obviously pedestrian scale signage won't work on highway frontage due to the speed of vehicles and the ability to read the sign, but it is doubtful that brightly lit signs that emit glare or quick motion will be incorporated into the ordinance.
<b>COST</b>	
<b>SOURCE OF FUNDS</b>	
<b>ADDITIONAL INFORMATION</b>	

This summary is not meant to be all inclusive. Supporting documentation is attached.