

**PLANNING AND ZONING COMMISSION ACTION ITEM  
STAFF SUMMARY  
MARCH 2, 2022 PLANNING AND ZONING COMMISSION MEETING**

**DATE:** February 25, 2022

**AGENDA ITEM NUMBER:** 6

**DISCUSSION ITEM:** Temporary Signs

**SUMMARY:**

During the past two (2) years the Town has implemented a policy to reduce enforcement of temporary sign regulations due to the Covid-19 pandemic. In general, the temporary display of banners was orderly and in general compliance with display criteria found in the Code.

At this time, the Town is considering if the Code might be amended to address how temporary signs are dealt with in Town. The Code would have all temporary sign displays obtain a permit, have limited display periods, have limitations on the number of display periods per year, and have stringent dimensional standards. Please refer to Appendix 'A' of this staff summary for the Code criteria on temporary signs.

Town staff requests the Planning Commission consider Code amendments to the temporary banner Code criteria.

**BUDGET IMPACT:** To Be Determined

**DEPARTMENT HEAD RESPONSIBLE:** Ned West, Sr. Town Planner

Appendix 'A'

CHAPTER 16 - Zoning  
ARTICLE XI - Sign Regulations  
Division 5 Temporary Signs

### *Division 5 Temporary Signs*

#### **Sec. 16-11-340. Temporary signs and permitting requirements.**

- (a) Except as specifically authorized in this Division and Section 16-11-50 of this Article, temporary signs are prohibited within the Town. Permitted temporary signs are not charged against the maximum allowable sign area as described in Division 6 of this Article.
- (b) Temporary signs requiring a permit. The following types of temporary signs shall be allowed only upon issuance of a Class 2 sign permit in accordance with Sections 16-11-80 through 16-11-90 of this Article.
  - (1) Civic event banners.
  - (2) Directional signs.
  - (3) Real estate development signs.
  - (4) Grand opening signs.
  - (5) Sandwich board signs.
  - (6) Temporary signs and temporary banners.
  - (7) Temporary banners on temporary structures.
  - (8) Temporary sign in lieu of a permanent sign.
  - (9) Temporary sign in lieu of a monument sign panel.
  - (10) New business signs.
  - (11) Temporary feather banners.
- (c) Temporary signs which do not require a permit. The following types of temporary signs shall be allowed without a sign permit.
  - (1) Real estate open house signs.
  - (2) Real estate for sale and for rent signs.
  - (3) Garage sale signs.
  - (4) Window signs.

(Ord. 14-13 §1)

#### **Sec. 16-11-350. Civic event banners (permit required).**

- (a) Civic event banners shall not be greater than four (4) feet by forty (40) feet in size.
- (b) Civic event banners shall have a minimum clearance of eight (8) feet over pedestrian ways and eighteen (18) feet over streets. Civic event banners installed within Town rights-of-way must be approved in writing by the Town Manager.

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- (c) Civic event banners announcing events held on a weekly basis shall be allowed under this provision, may be hung twenty-four (24) hours prior to the event, shall be removed within two (2) hours following the conclusion of such activity and shall be placed on the property where the event is being held. A permit for civic event banners announcing events held on a weekly basis shall be valid for each calendar year in which the permit is issued.
  - (d) Civic event banners announcing events held other than on a weekly basis may be hung two (2) weeks prior to the opening of the event or activity being promoted. These banners shall be removed within twenty-four (24) hours after the conclusion of the event.

(Ord. 14-13 §1)

**Sec. 16-11-360. Directional signs (permit required).**

- (a) Directional signs shall not be greater than six (6) square feet in size.
- (b) Nonilluminated directional signs shall be permitted for civic events.
- (c) Such signs shall not be displayed for longer than four (4) consecutive days and shall be placed so as not to create a hazard for pedestrian or vehicular traffic.
- (d) Directional signs may be placed off-site and within public rights-of-way if the Town Manager determines that their placement off-site and/or within public rights-of-way is necessary to direct participants to the proposed civic event and if their placement does not create a traffic or safety hazard and is not detrimental to the health, safety and welfare of the community.

(Ord. 14-13 §1)

**Sec. 16-11-370. Real estate development signs (permit required).**

- (a) Real estate development signs shall not be greater than thirty-two (32) square feet in size, one (1) per development.
- (b) A real estate development sign may be displayed commencing with the issuance of approval of the project by the Town and shall be removed at or before the time of the issuance of a certificate of occupancy; provided, however, that, if a building permit for the project identified by the sign is not issued within one (1) year after the approval of the project by the Town, the sign must be removed.

(Ord. 14-13 §1)

**Sec. 16-11-380. Real estate open house signs.**

Three (3) real estate open house signs may be allowed off-premises for each property for sale if the proposed signs meet the following criteria:

- (1) The off-premises real estate open house signs shall not be greater than four (4) square feet in size.
- (2) The off-premises real estate open house signs shall not be placed on any sidewalk, bikeway, travel lane or highway median, nor in any manner where, in the opinion of the Town, the sign would constitute a safety hazard.
- (3) The off-premises real estate open house signs shall be located no closer than three (3) feet to any travel way and shall not block or obstruct the ability of pedestrians and vehicle drivers to view oncoming traffic at street intersections and where driveways intersect streets.

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- (4) The off-premises real estate open house signs may not exceed three (3) feet in height from ground level and shall not be placed on any tree, fence, public signs or signposts.
  - (5) The off-premises real estate open house signs may only be displayed between the hours of 7:00 a.m. and 9:00 p.m.
  - (6) The off-premises real estate open house signs shall only be displayed when a real estate agent is available on the premises for sale.
  - (7) Only one (1) off-premises real estate open house sign per business, or per owner when the property is being sold without the aid of an agent, may be located at the same street intersection, and no two (2) signs from the same business shall be located closer than three hundred (300) feet from each other.
  - (8) No off-premises real estate open house signs shall be used to direct citizens to a place of business nor shall they be utilized for any property not for sale.
  - (9) No real estate open house sign may be located further than one-half (½) mile from the property offered for sale.
  - (10) Real estate open house signs do not require a permit, but must comply with all of the requirements of this Section.

**Sec. 16-11-385. Real estate for sale and for rent signs.**

- (a) Real estate for sale signs shall not be greater than six (6) square feet in size, except that parcels greater than two (2) acres in size outside of the Town Center shall be allowed a for sale sign of up to sixteen (16) square feet, one (1) such sign per property.
- (b) Real estate for rent signs shall not be greater than six (6) square feet in size and shall be limited to one (1) sign per property or unit within a multi-tenant building.
- (c) Real estate for sale signs and real estate for rent signs do not require a permit, but must comply with all of the requirements of this Division and this Section.

(Ord. 14-13 §1)

**Sec. 16-11-390. Grand opening signs (permit required).**

A grand opening sign advertising the opening of a business or combination of businesses may be erected upon issuance of a Class 2 sign permit when the signs meet the following standards and limitations:

- (1) The grand opening sign may be displayed on site for the duration of the permit not to exceed sixty (60) consecutive days.
- (2) Businesses are granted one (1) grand opening sign permit in any location. When the ownership of a business changes, a new grand opening sign may be permitted for an additional thirty (30) consecutive days. Proof of business ownership change is required to be submitted prior to issuance of a permit.
- (3) A new business within an existing building may be permitted a grand opening sign similar to a new business within a new building.
- (4) Grand opening signs are prohibited on any sidewalk, bikeway or travel lane and may not be placed in any manner where, in the opinion of the Town Manager or Acting Town Manager, the sign would create a safety hazard. No grand opening sign may be freestanding.
- (5) Grand opening signs must be placed on site, either within a window or on the exterior of the building. No signs may be located above the second floor unless placed on the interior side of a window.

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- (6) Only one (1) temporary sign advertising a grand opening may be displayed per business.
  - (7) No grand opening sign may exceed forty (40) square feet in size.

**Sec. 16-11-400. Garage sale signs.**

Garage sale signs which announce the sale of used items from a residence must meet the following standards:

- (1) A maximum of two (2) signs may be placed on the right-of-way for any garage/yard sale.
- (2) A maximum of four (4) square feet per sign is allowed.
- (3) Such signs shall only be displayed between the hours of dawn and dusk on the days of the sale.
- (4) Signs shall be removed on the last day of the sale and shall not create a nuisance as defined in Chapter 7 of this Code.
- (5) Garage/yard sale signs are not allowed to be attached onto utility poles or light poles.
- (6) Garage/yard sale signs do not require a permit but must comply with all of the requirements of this Section.

**Sec. 16-11-410. Sandwich board signs (permit required).**

- (a) Only one (1) sandwich board sign is permitted per business. It must be located directly in front of the premises being advertised and must not interfere with movement of pedestrians.
- (b) Sandwich board signs shall not exceed thirty (30) inches in width and thirty (36) inches in height.
- (c) Such signs may be displayed during permitted store hours and when the store is open for business.
- (d) Such signs shall not be electrical in any form and shall not display lights or contain moving parts.
- (e) Such signs shall not be permitted on Town-owned property, public sidewalks and streets.
- (f) Such signs may be displayed through December 31 of the permit calendar year. A new permit is required to display the sandwich board sign in the following calendar year.

(Ord. 14-13 §1)

**Sec. 16-11-420. Temporary signs and temporary banners (permit required).**

Temporary signs and temporary banners may be installed upon issuance of a Class 2 sign permit when the signs meet the following standards and limitations:

- (1) Temporary banners shall not be of a flag or temporary feather banner type.
- (2) Classifications of temporary banners and temporary signs:
  - a. Temporary banners and temporary signs advertising for a sale or event or any other use not specifically described within this Section. Only one (1) temporary sign or temporary banner may be displayed per business.
  - b. Temporary banners on temporary structures.
    - 1. In conjunction with an approved development permit for a temporary structure, a Class 2 sign permit may be issued to allow up to two (2) additional temporary banners or temporary signs.

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2. Such temporary banners and temporary signs shall be mounted on the exterior of the temporary structure. Mounting signs to pallets of materials, sales items or vehicles is not permitted.
- c. Temporary sign in lieu of a permanent sign.
    1. One (1) temporary sign or banner may be erected for a maximum of thirty (30) days in the location of a permanent building sign upon issuance of a Class 1 or Class 2 sign permit for the permanent building sign.
    2. The temporary banner shall be mounted in the same location of the permanent sign.
  - d. Temporary sign in lieu of a monument sign panel.
    1. A temporary sign or banner may be erected for a maximum of thirty (30) days in the location of an individual sign panel on a monument sign upon issuance of a Class 2 sign permit for the individual sign panel.
    2. The temporary banner shall be mounted in the sign panel location within the existing freestanding monument sign and shall not exceed the size of the sign panel.
  - e. New business signs.
    1. In conjunction with an approved development application for a new building, remodel or tenant finish, additional Class 2 sign permits may be issued for each of the following banner types:
      - a) One (1) "Opening Soon" or "Coming Soon" type banner.
      - b) One (1) "Now Open" type banner.
      - c) One (1) "Now Hiring" type banner.
      - d) One (1) "Under New Management" type banner.
    2. Such temporary banners and temporary signs may be mounted to the exterior of the building under construction, on the construction office trailer or on the perimeter construction fence. Mounting signs to construction equipment, trailers, shipping containers and vehicles is not permitted.
- (3) No temporary sign or temporary banner may exceed twenty-four (24) square feet in size.
  - (4) No temporary sign or temporary banner may be freestanding.
  - (5) Except as otherwise indicated in this Division, temporary banners or temporary signs must be placed on site, either within a window or on the exterior of the main building. No signs may be located above the second floor. No signs may be attached to storage sheds or auxiliary structures. Attaching the signs to deck and stair railings which are connected to the buildings are allowed, as long as they don't interfere with the use of the handrail.
  - (6) Temporary signs and temporary banners must be professionally printed on a durable waterproof material and provided with grommets for connection to the building. Hand-drawn banners on bed sheets, fabric, canvas or poster board are not permitted.
  - (7) Temporary banners and temporary signs display periods:
    - a. Temporary banners and temporary signs advertising for a sale or event, or any other use not specifically described within this Section, are limited to four (4) permits, once each quarter, per calendar year, and are allowed for a period of no more than twenty-one (21) consecutive days. There shall be a minimum of a seven-consecutive-day break between permit periods.

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- b. Temporary banners on temporary structures may be displayed on the temporary structure for the duration of the temporary structure permit. They shall be removed when the temporary structure is removed.
  - c. Temporary signs or temporary banners issued as new business signs may be displayed for the duration of the construction or renovation period and shall be removed within thirty (30) days of receipt of the certificate of occupancy or temporary certificate of occupancy.
  - d. Temporary signs in lieu of permanent signs or monument sign panels shall be limited to a thirty-day display period.

**Sec. 16-11-422. Temporary feather banners (permit required).**

Temporary feather banners may be erected upon issuance of a Class 2 sign permit when the signs meet the following standards and limitations:

- (1) A maximum of two (2) feather banners are allowed per lot for a single tenant building.
- (2) For multi-tenant buildings, only one (1) feather banner is allowed for each tenant.
- (3) In order to maintain intersection sight distances, feather banners shall not be installed within thirty (30) feet of a public road intersection or the driveway accessing the property. The Town Manager may increase this distance as required to ensure public safety.
- (4) Feather banners shall not exceed thirty-six (36) square feet in size. The feather banner shall not exceed eighteen (18) feet in height, as measured from ground level.
- (5) Feather banners shall be mounted at ground level and shall be installed utilizing a compatible weighted base component or shall be embedded in the ground to a sufficient depth in order to prevent the banner from blowing over. Tripod-type stand bases are not allowed unless they are integrated into a weighted base design. Utilizing sand bags, concrete blocks, big rocks and guy wires for weighting down the bases of these banners shall not be permitted, unless allowed in writing by the Town Manager.
- (6) Feather banners are prohibited on any sidewalk, bikeway or travel lane and may not be placed in any manner where, in the opinion of the Town Manager, the sign would create a safety hazard.
- (7) Private property owners shall not install private feather banners on Town-owned property or street rights-of-way.
- (8) Except as allowed herein, feather banners are limited to four (4) permits, once each quarter, per calendar year and are allowed for a period of no more than twenty-one (21) consecutive days. There shall be a minimum of a seven-consecutive-day break between permit periods, except as otherwise stated in this Section.
- (9) Up to three (3) additional permits may be issued for a temporary feather banner holiday which allows feather banners to be erected from the Friday before a temporary feather banner holiday through the Monday after a temporary feather banner holiday. This temporary feather banner holiday time period may be combined with a quarterly temporary feather banner period allowing a maximum of twenty-eight (28) days of display time. After the permitted display period, there shall be a minimum of a seven-consecutive-day break between permit periods.