
CITY COUNCIL AGENDA ITEM

TO: Mayor & City Council

DATE: October 25, 2011

FROM: John McDonough, City Manager

AGENDA ITEM: Seasonal Lights and Decorations Discussion Item

MEETING DATE: For Submission onto the November 1, 2011, City Council Work Session Meeting Agenda

BACKGROUND INFORMATION: (Attach additional pages if necessary)

See attached:

Memorandum
Mark-up

APPROVAL BY CITY MANAGER:  APPROVED

_____ NOT APPROVED

PLACED ON AGENDA FOR: 

CITY ATTORNEY APPROVAL REQUIRED: () YES () NO

CITY ATTORNEY APPROVAL: 

REMARKS:

To: John McDonough, City Manager

From: Ed Shoucair, Acting Director of Community Development

Date: October 25, 2011 for Submission onto the November 1, 2011 City Council Work Session

Subject: Seasonal Lights and Decorations Discussion Item

Background:

Staff has found that the existing provisions related to seasonal lights and decorations can use clarification as to the intent of the Mayor and City Council. Currently, Article 33, Signs, provides the following:

SECTION 18: PROHIBITED SIGNS AND DEVICES.

The following types of signs are prohibited in the City:

- A. Balloons, streamers or air or gas filled figures.
- B. Signs consisting in whole or in part of a series, line, or row of lights, whether supported by cables or other physical means, within one hundred fifty (150) feet of a street and visible therefrom. Notwithstanding the foregoing, holiday lights and decorations displayed not more than thirty (30) days before a holiday shall be exempted from this Section.

Discussion:

In the last 18-months, the issue of the restrictions on seasonal lights and decorations has been raised by several business owners (see photographs below). Most recently, there was a need to address a gas filled figure on the roof of a business during the Halloween season. At this time, staff is requesting direction from the City Council on how such items should be addressed.





Department of Community Development Recommendation:

Staff has provided a mark-up of the above section to clarify the existing language regarding seasonal lights and also to add language to allow the limited use of air or gas filled figures during specific time periods.

Alternatives:

The Mayor and City Council could choose to amend or not approve the changes prepared by staff.

Tentative Schedule:

Planning Commission – November 17, 2011

Mayor and City Council – December 6 and 20, 2011

SECTION 18: PROHIBITED SIGNS AND DEVICES.

The following types of signs are prohibited in the City:

- A. Balloons, streamers or air or gas filled figures; except that one (1) stationary, anchored air or gas filled figure not exceeding fifteen (15) feet in height shall be allowed with a permit twice per calendar year and not more than twenty-one (21) days prior to and up to seven (7) days after a holiday.
- B. ~~Signs consisting in whole or in part of a s~~Series, lines, or rows of lights or signs consisting thereof, whether supported by cables or other physical means, within one hundred fifty (150) feet of a street and visible therefrom. Notwithstanding the foregoing, holiday white and/or clear lights and decorations displayed not more than twenty-one (21)thirty (30) days before and up to seven (7) days after a holiday shall be exempted from this Section.
- C. Promotional beacons, search lights or laser lights or images.
- D. Audible signs.
- E. Signs in a public right of way, other than those belonging to a government, public service agency, or railroad.
- F. Signs mounted or located on a tree, utility pole, or other similar structure.
- G. Roof signs and signs which extend vertically above any portion of a roof or parapet of the applicable wall.
- H. Portable signs, including signs attached to any parked vehicle or trailer, so as to be visible from a public right-of way.
- I. Signs which depict obscene material.
- J. Signs which advertise an activity which is illegal under federal, state or local laws.
- K. Signs not in good repair, in violation of codes, or containing or exhibiting broken panels, visible rust, visible rot, damaged support structures, or missing letters.
- L. Abandoned signs.
- M. Animated signs, flashing signs, and changeable copy signs which change more than once per twenty-four (24) hours within one hundred fifty (150) feet of a road right of way.
- N. Signs which contain or are an imitation of an official traffic sign or signal or contain

the words “stop,” “go,” “slow,” “caution,” “warning,” or similar words in such a manner as to resemble official traffic control signs.

O. Projecting Signs.

P. Any sign utilizing LED technology and/or components, except those where the LED technology is the internal light source as defined by this ordinance for an opaque faced area of the sign.