

Sign Regulation Committee – Summary of Meeting

Monday, December 8, 2008

Conference Room 1, Urban Government Center

Present:

Debbie Brent, Greg Williams, April Robbins, Paul Whitty, and Maggie Harlow.

Staff:

Christopher French, Debra Richards, Theresa Senninger, Bob Keesaer, and Chris Cestaro (notes)

Summary of the Meeting:

Items for discussion were handed out by staff prior to the beginning of the meeting.

***NOTE:** Although Christopher French stated that the next Sign Regulation Committee meeting will be held on January 19, 2008, this date was later changed to **January 26, 2008**.

Mr. French introduced the subject of today's meeting, which is the continuation of the discussion regarding LED and Changing Image Signs. He also showed a Power Point presentation that detailed the proposed recommended revisions to the table format, and reviewed the handout in detail (Section 8.2.1 of the Land Development Code.)

LED and Changing Image Signs (also referred to as “Animated” or “Moving Image” signs)

Mr. French reviewed the handout which details moving sign regulations. There were some questions about authorized residential (versus non-residential) uses of illuminated signage. After some discussion, it was decided that a sentence should be changed to mean that certain residential uses are subject to specific authorization. In response to a question from one of the Committee members, Mr. French said that off-premise signs have been considered separately.

He reviewed how other cities regulate LED signs and concerns that some have had about these signs. Dealing with enforcement issues were discussed, particularly regarding timing issues. Mr. French proposed an option of limiting these signs to one per property; also, instead of using a 20-second sign-change restriction, use a percentage of the square footage of the sign that can be devoted to changing image/LED. He also recommended a proximity limit to residentially zoned districts, unless the residentially-zoned property is used for a non-residential use.

In response to a comment from a Committee member, Mr. French discussed density and some possible enforcement difficulties with LED signs. How can these signs be fairly limited (why would one business be allowed to have an LED sign and another prohibited?)

Greg Williams asked why these signs are being allowed at all – they are a nuisance, cause safety hazards, can be very difficult/maybe impossible to regulate, etc. He suggested banning them. Bob Keesaer said a new proposal is to not allow LED signs in the Bardstown Road corridor due to safety issues. He said the traffic is too dense with a high pedestrian flow; also, there is a close proximity to residences.

Maggie Harlow asked to hear arguments for LED signs (for example, representatives of a church group had recently come before this Committee to argue for the right to have an LED sign for their church.) Answers included: it's a technology that exists; businesses (especially those located along major arteries) want them so customers can find them; and it is more convenient for business owners to simply type in their messages/price changes/etc. instead of sending an employee up a ladder to change the signs. The sign brightness can be adjusted to save energy at night.

The possibility of LED signs causing driver distraction and safety issues were discussed.

Ms. Harlow said she sees most of these LED signs with a static message. The ones that she feels can cause a hazard are the flashing/changing signs, or signs with a complicated message, or signs with a full-color movie-like image. She said that enforcement could be very difficult and costly, with Metro employees having to drive around and monitor the signs for timing, brightness, etc. She feels that it would be easier to restrict the quantity and the size instead.

Paul Whitty said these signs should be regulated in Overlay Districts and areas where protecting the character of the area is a consideration.

Mr. French agreed that any regulations of these signs should not all be enforcement-based.

A Committee member said it should be up to businesses to decide what is important to communicate to their customers.

Ms. Harlow said she would prefer some regulations that may be more restrictive now, thus taking the burden of enforcement off Louisville Metro. She said she feels that LED signs are not being used as intended (to provide information) and instead are being used only to draw attention to the business.

April Robbins asked about some format issues. She also discussed some aspects of enforcement and what happens when businesses change (CUPs, permit regulations, etc.) Mr. French elaborated on the permit process. Ms. Robbins asked if the current LED signs would become non-conforming. He said many most of these signs would be “grandfathered” in.

Mr. French itemized ideas he had for regulating these signs, based on what other cities have done, including:

- Restricting the number of LED and/or changing image signs that can be on a property;
- Restricting the percentage of the square footage of the sign that can be LED;
- Restricting the locations of the signs based on nuisance issues, such as the proximity to residential properties.

Greg Williams reiterated that safety issues had to be included, particularly when the signs are located along busy streets and/or intersections. Visual clutter is an issue. Mr. French said color is another aspect that could be difficult to regulate. Debra Richards said light intensity and glare are also problems. The Committee members said that LED sign owners are not toning the light down at night. Mr. Williams suggesting making permits for these signs as conditional uses.

In response to a question from a Committee member, staff and other Committee members detailed complaints they had heard from citizens about lighted signage issues. Lighted wall signage was discussed.

Mr. Whitty asked if Mr. French could bring in some graphic representations of what signage with a restricted percentage of LED area would look like. He agreed that LED signs should be restricted in residential areas, and asked Mr. French to bring in some proposed criteria for conditional use permits for these signs.

A citizen asked about LED versus “digital” signs. Mr. French said the language in any regulation should be careful to define LED, digital, and video signage. Bob Rueff said digital capability has to be added to LED message signs, increasing the expense.

A Committee member said that most gas stations are going to LED signs to display their gas prices. The price is the only thing displayed on these signs; there are no words or pictures. Time and temperature signs were also discussed.

The meeting adjourned at 2:15 p.m.