

Sign Regulation Committee – Summary of Meeting

Monday, November 24, 2008

Conference Room 1, Urban Government Center

Present:

Debbie Brent, Steven Ward, Maggie Harlow.

Staff:

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

Summary of the Meeting:

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

Christopher French introduced the subjects of today's meeting, which are 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.

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

Mr. French discussed some of the ways other cities regulate LED / moving-image signage (see handout for detailed presentation.) Three-to-four second-intervals are what is recommended by the International Sign Council standard for *minimum* image-change time. Standards for residential, non-residential, and commercial areas were discussed.

Current lighting regulations do not deal with the signs except for the external illumination of them. Externally lighted signs require lighting to be directed down to the sign instead of towards the ground (there are some non-conforming signs permitted in the Metro area.) LED sign lighting is all internal.

Changeable copy signs – all readerboard or all-electronic readerboard (like LED). Can be LED or manually operated.

The summary of regulations seems to be that most or all flashing signs are prohibited or restricted in some way. Most cities have restrictions on color, daytime vs. nighttime intensity of light, scrolling, special use permits required for certain types of signs (particularly video signs), locations where the signs may or may not be located, etc. Changeable copy signs were discussed.

Questions posed for discussion included:

- How can these signs be regulated in a way that can be enforced easily? Timing restrictions can be problematic.
- How can these signs be regulated in a way that limits the potential for increasing driver distraction?
- How many should be allowed per property? How much of the permitted sign area should be taken up with LEDs/pictures?
- How problematic is text color?
- Where, if anyplace, would video signs be appropriate?

Mr. French suggested that the most effective ways to regulate these signs is through enforcement, or permitting. Permitting would seem to be the most effective since this is done at the beginning of the development process.

Maggie Harlow asked what are some core issues and who is complaining about these signs (business owners, sign companies?) Mr. French said Planning has heard from business owners and sign companies who are complaining about timing restrictions; also, some institutions which are located in residential areas who would like to have these signs, but are restricted. Ms. Harlow asked if there are any studies that support concerns about driver distraction from these signs. Mr. French described some tests and studies that have been done, specifically related to video signs.

In response to a question from Ms. Harlow, Mr. French said the requests for more LED signs is coming primarily from institutional uses (churches, etc.) wanting to have access when they are in a residential area; also, some business owners who have an existing sign and want to loosen restrictions on the timing. There do not seem to be complaints coming from businesses to allow more LED signs. Some uses/businesses want these signs because they say they are more energy-efficient and are easier to change.

Ms. Harlow said she was concerned that Metro may be creating controversy by allowing signage with restrictions on it that we may not be able to enforce. She said this is a new technology, and these signs usually last about 10 years; at that time, Metro will have to revisit these regulations to adjust to the next level of technology. She said proliferation could be a problem. Debra Richards cited an example on Lexington Road where businesses are competing with each other to have the most noticeable LED sign.

Mr. French said timing restrictions can work from an enforcement perspective. A Committee member suggested limiting number and size; Ms. Harlow suggested one LED sign per square foot area of the property. Mr. French said Chicago

used restricting the number and the percentage of the sign given to LED display. Steven Ward submitted some footage he recorded of a scrolling/changing LED sign on Taylorsville Road.

Smaller scrolling LED signs that fit into storefront windows were also discussed. It was suggested that LED signs be limited to a percentage of the window area or a maximum square footage. Mr. French said he would review current regulations regarding percentages of the square footage and also distance from the LED sign to visibility from residential uses.

The pastor of a church located on Shelbyville Road spoke and said his church is not allowed to have a “modern” sign because they are in a residential district, even though they are surrounded by many businesses. He said his church wants an LED sign because their current sign gets lost among all the business signs along this busy retail area, and also because the signs are more energy efficient.

Ms. Harlow said she had no problem with any institution having an LED sign; however, this can be a sensitive issue if the institution is surrounded by residential uses. Mr. French said this could be an issue with form district and use. There was another suggestion that LED signs in residential areas could have a time restriction (sign has to be shut off after a certain hour.) Mr. French said he would look at this issue before the next meeting and research what other cities have done. Issuing a Conditional Use Permit might be one option.

Mr. Ward suggested having some restriction/s based on form district and related to the proximity of residential uses. Mr. French said he would put together options for non-residential uses; also restrictions other than timing.

A citizen requested limiting the signs to an opaque background, which would lessen light pollution. Mr. French said opaque backgrounds would work well for certain form districts (such as Neighborhood).

In response to a question from Ms. Harlow, Mr. French said LED video billboards are not permitted at this time. Non-conforming uses of signs and billboards were discussed; also, some criteria for sign placement in regards to roads and highways. Current regulations for billboards usually deal with size and illumination.

Mr. French said he would bring all existing LED moving sign regulations to the next meeting for the Committee members to examine, as well as some suggested options. After discussion, no one voiced any objection to “institutions” having LED signs.

The meeting adjourned at approximately 2:20 p.m.