



Legislation Text

File #: 21-0302, **Version:** 1

Summary

To: Town Commission
From: Ashley L. A. Bernal, Assistant to the Town Manager
Date: 10/19/2021

Subject:

Ordinance 538: Amending Land Development Code - Signs

Summary: The Town Commission previously expressed interest in amending the Town Code of Ordinances relating to signs within town limits. With the help of Town Planner, Chris Brimo, and the guidance of the Planning and Zoning Board, staff has drafted Ordinance 538 to amend the Land Development Code pertaining to signs.

The proposed ordinance describes changes related to size, quantity, and duration of signage, regardless of content. Some of the major changes proposed includes more well-defined regulations as to what is permissible with signage, defining illegal and unsafe signs, and other supporting details.

This ordinance also provides amendments to Section 74-576, related to flags. This section now contains more descriptive subsections describing limitations on number of flags and flag size for each of the zoning districts within the Town.

Finally, Section 74-578 was added to this ordinance as proposed permitting for electronic message centers (EMCs) to only be used by local, state, or federal agencies within the Town for providing guidance through public communications or emergency situations.

Background: In 2015, the United States Supreme Court unanimously ruled on the issue of temporary signs in the case of Reed v. Town of Gilbert, AZ. The issue bloomed from a dispute over a church advertising its location on a temporary sign. The church stated that the party could not be subjected to different rules of other signs, including political ones. The Supreme Court ultimately ruled in favor of the church, reinforcing that communities may not regulate signs based on content, including temporary signs.

Unlike oral speech, signs take up space and may obstruct views, distract motorists, displace alternative uses for land, and pose other problems that legitimately call for regulation.

Previous Commission Action: This ordinance was recommended for approval by the Planning and Zoning Board on September 13, 2021.

Expenditure Challenges: None.

Recommendation: Staff recommends approval of the ordinance as proposed.

Proposed Motion: I move approval of Ordinance 538, amending the Land Development Code on first reading.