

TEXT AMENDMENTS TO COUNCIL BILL 12-152

**TITLE 17. SIGNS**

(1<sup>st</sup> Reader Copy)

Proposed by: Various

{To be offered to the Land Use and Transportation Committee}

**Amendment No. 1 (DLR vice T-555) {Cabinet Box Wall Signs}**

On page 285, in lines 22-23, and on page 309, in lines 19-20 and in lines 27-28, in each instance, strike beginning with “HOWEVER” through the period; and, on page 311, in line 29, after “OR,”, insert “I-MU,”.

**{DLR NOTE: Each of the sentences deleted here states that “internally illuminated cabinet box wall signs are prohibited” in certain specified districts. T-555 attempted to conform the list of districts on page 285 (§ 17-202(d)(5)) to a similar, but broader list on page 311 (§ 17-815(l)). [That attempt was mostly successful, though it did leave a couple of inconsistencies. But not to worry ...] § 17-815(l) flatly prohibits *all* “cabinet box wall signs”, *whether illuminated or not*, in a broad list of districts. With but one exception, then, the prohibition in § 17-202(d)(5), as proposed to be conformed by T-555, is totally redundant: That is, since *ALL* cabinet box wall signs are prohibited by § 17-815(l) in the there-specified districts, there’s no need for § 17-202(d)(5) to “kill half a dead horse” by prohibiting *INTERNALLY ILLUMINATED* cabinet box wall signs in the same districts. The one left-over is the I-MU district, proposed by T-555 for inclusion in § 17-202(d)(5), but not listed in § 17-815(l). This revised amendment, by deleting the redundant sentence in § 17-202(d)(5) – as well as similarly redundant sentences on page 309 – and adding “I-MU” to the list in § 17-815(l), corrects all of these oversights.]**

**Amendment No. 2 (T-833 w/ DLR Correction) {Ads on Bike-Sharing Stations}**

On page 290, after line 9, insert:

**“§ 17-504. BIKE-SHARING STATIONS, ADVERTISING SIGNS ON.**

**(A) “BIKE-SHARING STATION” DEFINED.**

**IN THIS SECTION, “BIKE-SHARING STATION” MEANS AN INSTALLATION THAT CONSISTS OF AN AUTOMATED PAYMENT AND INFORMATION KIOSK, TOGETHER WITH A MECHANISM FOR STORING, RELEASING, AND SECURING BICYCLES.**

(B) IN GENERAL.

ADVERTISING SIGNS ON BIKE-SHARING STATIONS ARE ALLOWED AS PROVIDED IN THIS SECTION.

(C) LIMITATIONS.

- (1) IN ALL DISTRICTS, THESE SIGNS ARE SUBJECT TO THE FOLLOWING LIMITATIONS AND REQUIREMENTS.
- (2) THE SIGN DISPLAY AREA MUST BE INTEGRAL TO THE DESIGN OF THE BIKE-SHARING STATION.
- (3) NO SIGN MAY EXTEND FROM THE FACE OF THE BIKE-SHARING STATION.
- (4) NO SIGN MAY EXTEND ABOVE THE TOP OF THE BIKE-SHARING STATION.
- (5) THE ADVERTISING SIGN AREA MAY NOT EXCEED 16 SQUARE FEET ON EACH SIDE. THE SIGN MAY BE DOUBLE-SIDED. INFORMATIONAL SIGNS, BIKE PATH INFORMATION, AND MAPS PROVIDED BY THE DEPARTMENT OF TRANSPORTATION ARE NOT INCLUDED WITHIN THIS SIZE LIMIT. A COMMUNITY INFORMATION PANEL IS ALLOWED AND IS NOT INCLUDED WITHIN THIS SIZE LIMIT AS LONG AS IT DOES NOT EXCEED 11" X 17" AND IS PLACED ON THE INSIDE OF THE STATION.
- (6) NO SIGN MAY ADVERTISE ALCOHOLIC BEVERAGES OR TOBACCO PRODUCTS.
- (7) FOR A BIKE-SHARING STATION THAT IS IN A PUBLIC RIGHT-OF-WAY, THE STATION MUST HAVE OBTAINED A MINOR PRIVILEGE PERMIT.
- (8) IF LOCATED WITHIN A PUBLIC PARK, THE BIKE-SHARING STATION AND SITE MUST BE APPROVED BY THE DIRECTOR OF RECREATION AND PARKS.
- (9) THE SIGN MUST OTHERWISE COMPLY WITH ALL APPLICABLE REQUIREMENTS OF THIS TITLE.”;

and, beginning on page 290, in line 10, through page 293, in line 25, renumber §§ “**17-504**” through “**17-515**” to be §§ “**17-505**” through “**17-516**”, respectively.

**{DLR NOTE: The obvious purpose of this amendment was to incorporate into the TransForm Zoning Code the provisions of Ord. 12-067 {“Zoning - Advertising Signs on Bike-Sharing Stations”}, enacted after the TransForm bill had already been drafted and introduced into the City Council. The proposed amendment to fill the gap,**

however, failed to include an important element of Ord. 12-067: its specific definition of the term “bike-sharing station”. This amendment corrects that oversight.}

**Amendment No. 3 (T-559) {Real Estate Signs - R & OR Dists - Multi-Family (20) and Non-Residential Bldgs}**

On page 292, in line 25, after “MAY NOT EXCEED”, strike “36 SQUARE FEET” and substitute “16 SQUARE FEET” and, before “IN HEIGHT”, strike “8 FEET” and substitute “4 FEET”.

**Amendment No. 4 (T-558) {Real Estate Signs - R & OR Dists - Others}**

On page 293, in line 1, before “IN HEIGHT”, strike “6 FEET” and substitute “3 FEET”.

**Amendment No. 5 (T-953) {Temporary window signs}**

On page 293, in line 27, strike “TEMPORARY” and substitute “EXCEPT AS PROVIDED IN § 17-602 OF THIS TITLE, TEMPORARY”.

**Amendment No. 6 (T-635) {Permitted Alcohol and Cigarette Advertising Signs}**

On page 294, strike lines 29 and 30, in their entirety, and substitute:

“(II) 1 SIGN ONLY PER STREET FRONTAGE, WHETHER A WINDOW OR WALL SIGN, WHETHER PERMANENT OR TEMPORARY, THAT CONTAINS THE NAME OR SLOGAN OF THE LICENSED PREMISES AND HAS BEEN PLACED THERE FOR THE PURPOSE OF IDENTIFYING THE LICENSED PREMISES, PROVIDED THAT THE TOTAL OF EACH SIGN, WHETHER PERMANENT OR TEMPORARY, INCLUDING WINDOW DISPLAYS, COVERS NO MORE THAN 15% OF THE WINDOW OR EXTERIOR WALL AREA ON WHICH DISPLAYED. ALL OTHER WINDOW AND EXTERIOR WALL SIGNS AND DISPLAYS ARE PROHIBITED. FOR PURPOSES OF THIS SUBSECTION, 1 WINDOW IS COMPRISED OF ALL THE GLASS PANES WITHIN THE MAIN FRAME OF THE WINDOW AREA. THE MAXIMUM 15% COVERAGE APPLIES TO THE TOTAL AREA WITHIN THE EXTERNAL WINDOW FRAME.”;

and, on the same page, strike lines 31 through 34, in their entirety; and, on page 295, strike lines 1 and 2, in their entirety; and, on page 295, in line 3, strike “(v)” and substitute “(III)”; and, in the same line, after the semicolon, insert “AND”; and, in line 4, strike “(VI)” and substitute “(IV)”; and strike beginning with the semicolon in line 5 through “ARTICLE” in line 7.

**{DLR ISSUES: The preceding is an unedited transcription of a proposed amendment that suffers from several flaws, including: (i) organizational-cum-grammatical errors (not the least of which is heavy “stuffing” of the existing 1-sentence tabulation of ¶ (2) elements with independent sentences that “bastardize” the tabulation of); (ii) solecisms (e.g., “total of each sign” and “comprised of”); (iii) simply mistaken usage (e.g., “this subsection”); and (iv) ambiguous usage that, without input, precludes corrective editing (e.g., what is the difference, if any, between a “sign” and a “display”? and why the seeming indiscriminate switch from one to the other?). DLR RECOMMENDATION: DEFER THIS AMENDMENT UNTIL A COHERENT REVISION CAN BE SUBMITTED AND CONSIDERED BY THE COUNCIL.}**

**Amendment No. 7 (T-562) {Digital Billboard}**

On page 295, in line 20, strike “A PLAN FOR THE REMOVAL ELSEWHERE OF” and substitute “DOCUMENTATION THAT”; and, in line 21, after “EXISTING BILLBOARD FACES”, insert “HAVE BEEN REMOVED”.

**Amendment No. 8 (T-831) {“Electronic Billboard”}**

On page 295, in line 21, strike “ELECTRONIC BILLBOARD” and substitute “DIGITAL BILLBOARD”.

**Amendment No. 9 (DLR vice T-565) {Snipe Signs}**

On page 297, strike lines 1 through 8, in their entireties.

**{DLR NOTE: Whether “snipe sign” is intended to refer to (i) illegally posted signs on public property or on someone else’s private property, or (ii) spray-painting or otherwise defacing another’s “tree, rock, utility pole, hydrant, bridge, sidewalk,” etc., that kind of activity is NOT a zoning issue. Nor is a prohibition workable when it suggests, as does this section, that all “logos and labels” on anything that isn’t “mechanical equipment, [a] recycling bi[n], or [a] trash containe[r]” is verboten. Rather, the control of true “snipe signs” is a matter that should be – and, in most instances, already is – prohibited by and enforced under our criminal code. (Examples available on request.) Hence, this revised amendment proposes the outright deletion of § 17-608. In any event, the exception proposed by T-565 is so seriously flawed as to be non-implementable. Specifics available on request.}**

**Amendment No. 10 (T-568) {Parking Access Signs}**

On page 307, in line 9, after “NON-ILLUMINATED”, strike “OR” and substitute a comma; and, in the same line, after “INDIRECTLY ILLUMINATED”, insert “, OR, IN A C-5 DISTRICT, INTERNALLY ILLUMINATED”.

**Amendment No. 11 (T-567) {Projecting Signs}**

On page 308, strike lines 4 and 5, in their entirety; and, in line 6, strike “(3)” and substitute “(2)”.

**Amendment No. 12 (T-570) {Res'l ID Signs - Gen'l}**

On page 308, in line 16 and in line 17, strike “R-8” and “R-8”, respectively, and substitute “R-10” and “R-10”, respectively.

**Amendment No. 13 (T-571) {Res'l ID Signs - Height}**

On page 308, in line 23, before “FEET”, strike “6” and substitute “3”.

**Amendment No. 14 (T-571) {Area of Special Sign Control}**

On page 313, in line 14, after “APPROVAL”, insert “BY ORDINANCE”; and, on the same page, strike beginning with “IN ACCORDANCE” in line 14 through “CODE” in line 15.

## OMITTED PROPOSALS

**{*T-554 (UNUSED SIGNS)*: T-554 generally recommended that current § 17-303(a)(2) {removal of “unused sign hardware”} be amended to add (or, perhaps, to substitute???) provisions to somehow define “obsolete” signs and require their removal, subject to extensions granted by the BMZA. NOTWITHSTANDING REPEATED REQUESTS, NO DRAFT OF THE AMENDMENT HAS BEEN OFFERED – NOR, EVEN, HAVE ANY SPECIFICS BEEN POSITED FOR REVIEW AND CONSIDERATION BY THE COUNCIL.}**