

## Legislation Text

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**File #:** Ordinance 16-2018, **Version:** 2

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Agenda Date: 05/01/2018

**Subject:**

An ordinance on second reading deleting Title 4, Section 3 from the Building Regulations of the Municipal Code regarding sign code regulation and adding Title 10, Section 17 to the Zoning Code of the Municipal Code regarding sign code regulation

Presented By: Steve Kemp, City Attorney
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**REQUESTED COUNCIL ACTION:**

Does city council support amending the Littleton City Code by removing Title 4, Chapter 3 pertaining to signs and adding a new Title 10, Chapter 17 pertaining to signs?

**BACKGROUND:**

Currently the sign code is part of the building code. With the exception of amendments arising out the decision of the United States Supreme Court in *Reed v. Town of Gilbert*, most of the sign code dates back to 1971. The inclusion of and administration of the sign code as a building code function is unique to Littleton. In most jurisdictions, signs are regarded as part of the zoning and site development functions administered by a planning department.

This unique code set up has forced an informal process where the community development department issues the sign permits on behalf of the building official, even though such delegation is not provided for in the code. For the business owner the code is confusing because city processes and the code are not consistent.

In 2017, the city council reviewed the code provisions pertaining to portable sandwich board signs and provided direction to staff on amendments to the code. After a comprehensive review of the code, staff determined a number of additional modifications were necessary which were then reviewed with council.

**PRIOR ACTIONS OR DISCUSSIONS:**

Study Session on February 27, 2018.

**STAFF ANALYSIS:**

Most of the Littleton sign code has not been updated in more than 40 years. As a result the code has a number of issues:

1. Not addressed as part of the land use code where signs are administratively processed.
2. Confusing as the code suggests that administration is done by the building official, not the community development department.
3. Does not address new forms of signs such as signs inside buildings designed to be seen from the street or large menu board signs.

4. Does not address murals used for commercial purposes.
5. The sign code violation abatement provisions are cumbersome and difficult to enforce.
6. Does not address all types of temporary signs in a consistent manner such as portable sandwich board signs.

The proposed draft amendment that was reviewed with city council is designed to address each of these issues. While the sign code currently is not within the jurisdiction of the planning commission, a courtesy study session was held with the commission to review the proposed amendments.

The proposed amendments are the result of a cooperative effort between the community development department and the city attorney. This is one of a number of code amendments that will be coming to the city council to update and improve the code on an immediate basis. These amendments will make the code more workable and reflect actual administrative practices.

After City Council approval of the introduction on first reading, City Attorney met with Council member Cole to review and incorporate changes in punctuation. These are indicated on the redline version. City Attorney also incorporated revisions to the provision on portable signs as requested by the community development department to make the text clearer. These changes are indicated on the redline version. None of these changes are substantive and modify the provisions in any manner.

**OPTIONS/ALTERNATIVES:**

1. Adopt the proposed draft ordinance amending the sign code and codifying the code in Title 11.
2. Take no action on the proposed draft ordinance and continue with the outdated sign code.

**FISCAL IMPACTS:**

No fiscal impacts anticipated.

**STAFF RECOMMENDATION:**

Staff recommends approval of the proposed ordinance amending the sign code.

**PROPOSED MOTION:**

I move to approve the ordinance deleting Title 4, Section 3 from the Building Regulations of the Municipal Code regarding sign code regulation and adding Title 10, section 17 to the Zoning Code of the Municipal Code regarding sign code regulation.