

# COUNCIL DECISION REQUEST

SUBJECT: Request to amend the Unified Development Code (UDC) provisions concerning automated signs.

MEETING DATE: October 07, 2010

PAYSON GOAL: NEW:            EXISTING:

ITEM NO.:

TENTATIVE SCHEDULE:

SUBMITTED BY: Ray Erlandsen   
Community Dev Director

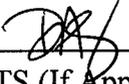
AMOUNT BUDGETED: \$0.00

SUBMITTAL TO AGENDA

EXPENDITURE REQUIRED: \$0.00

APPROVED BY TOWN MANAGER

CONT. FUNDING REQUIRED: \$0.00

  
EXHIBITS (If Applicable, To Be Attached):

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## POSSIBLE MOTION

"I move to direct staff to prepare an ordinance amending the Unified Development Code provisions concerning automated signs as recommended by the Planning & Zoning Commission."

## SUMMARY OF THE BASIS FOR POSSIBLE MOTION:

This amendment is a staff initiative aimed at clarifying current provisions. Rather than relying upon the interpretation of the Zoning Administrator to clarify what the existing language means, the proposed changes would make existing provisions more definitive for anyone who reads the sign code. Staff is seeking council direction before proceeding with an ordinance.

## PROS:

## CONS:

PUBLIC INPUT (if any): Public Hearing held at Planning and Zoning Commission meeting September 13, 2010.

BOARD/COMMITTEE/COMMISSION ACTIONS/RECOMMENDATIONS (if any) (give dates and attach minutes): Planning and Zoning Commission's recommendation and staff report are attached.

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## FUNDING:

|       |         |            |          |            |
|-------|---------|------------|----------|------------|
| Acct: | Budget: | Available: | Expense: | Remaining: |
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BA: \_\_\_\_\_ Date: \_\_\_\_\_

OCT 07 2010 I.2

**P10-007 UDC Amendment – Automated Signs**  
**P&Z Commission Motion**  
**September 13, 2010**

Commissioner Scheidt moved, seconded by Commissioner Waldrop, to recommend to the Town Council approval of P10-007, an amendment to the Unified Development Code, Section 15-05, Signs, by amending Section 15-05-003(A)(1)(f.) and adding a new definition for "automated signs" as shown in Exhibit A of the staff report.

Motion carried 7-0.



MEMO

TO: Planning and Zoning Commission

FROM: Ray Erlandsen  
Community Development Director

DATE: September 13, 2010

SUBJECT: **Unified Development Code Amendment** **P10-007**  
**Amend Section 15-05 – Signs, Related to Automated Signs**

**Background:**

The Unified Development Code (UDC) regulates signs in the Town of Payson. The intent is to ensure that the public welfare and public amenities are protected by exercising reasonable controls over the character, location and design of signs. When this section of the UDC was drafted and approved, automated signs were not commonplace. The UDC does not allow for intermittent or flashing illumination, animated or moving signs – excluding time and temperature. Since the advent of automated signs, the question has been raised as to whether or not the copy should be allowed to change electronically as any manually operated sign could be changed and how often could this change occur. In the spirit of the code and in the absence of clear direction from the UDC, automated signs need to be addressed with a time element of change to be assigned.

**Analysis:**

Historically, animated or scrolling signs have not been allowed based on safety factors. If a drivers attention is drawn away from the primary task of operating a motor vehicle for too long, the risk of an accident increases. In cooperation with the Town Engineer, a minimum of 20 second intervals has been established as reasonable for animated signs and message boards to change the message. In addition, message colors may not change or alternate.

Clarification required for any situation will be the responsibility of the Zoning Administrator in cooperation with the Public Works Director.

Automated signs and message boards utilized by law enforcement, public agencies, emergencies, events of a general town-wide civic or public benefit or other similar activities as determined by the Zoning Administrator and the Public Works Director are exempt.

**References:**

UDC Section 15-05, Signs

**Staff Recommendation:**

Staff recommends approval of P10-007, an amendment to the Unified Development Code, Section 15-05, Signs, by amending Section 15-05-003(A)(1.) (f.) and adding a new definition for “automated signs” as shown in Exhibit A.

**Suggested Motion to Recommend Approval:**

If the Commission agrees with the listed revisions, a possible motion could be:

“I move the Planning and Zoning Commission recommend to the Town Council approval of P10-007, an amendment to the Unified Development Code, Section 15-05, Signs, by amending Section 15-05-003(A)(1.) (f.) and adding a new definition for “automated signs” as shown in Exhibit A.”

## EXHIBIT A

15-05-003(A)(1)(f.) Any sign or devise with intermittent or flashing illumination, ANIMATION ~~animated~~ or moving COPY sign, but not including AUTOMATED SIGNS ~~time and temperature signs~~.

### New Definition

Automated Signs - Any sign utilizing a mechanical, electronic, or other means to automatically change the sign copy subject to the following: (1) the sign copy, including colors, may not change more than one time per twenty (20) seconds and (2) the sign copy may not scroll, flash, or be otherwise animated.