

Agenda

Planning Commission - Title 49 Committee City and Borough of Juneau

October 7, 2021
Virtual Meeting Only
12:00 PM

This virtual meeting will be held by video and telephonic participation only. To join the webinar, paste this URL into your browser: <https://juneau.zoom.us/j/85215302547>. To participate telephonically, call: 1-346-248-7799 or 1-669-900-6833 or 1-253-215-8782 or 1-312-626-6799 or 1-929-436-2866 or 1-301-715-8592 and enter Webinar ID: 852 1530 2547.

I. ROLL CALL

II. APPROVAL OF AGENDA

III. AGENDA TOPICS

A. Sign Code Updates

IV. COMMITTEE MEMBER COMMENTS AND QUESTIONS

V. ADJOURNMENT



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DATE: October 5, 2021

TO: Nathaniel Dye, Chair
Title 49 Committee

FROM: Allison Eddins, Planner *A. Eddins*

CASE NO.: AME2020 0005

PROPOSAL: Proposed amendments to CBJ 49.45 Sign Regulations

The Title 49 Committee met on September 8, 2021 to review the proposed amendments to the CBJ sign code. The Committee discussed this topic for approximately a 1.5 hours and made substantial progress. Based on the conversation and suggestions that occurred at that meeting, staff made the following changes:

- Consolidated "Intent" and "Purpose" into one section and removed redundant or unnecessary purpose statements (49.45.100).
- Removed the language regarding the permit review timeframe.
- Removed 49.45.310 Exceptions to Sign Code that contained language for variances to the Sign Code. What can and cannot be varied is already in CBJ 49.20.200.
- Added definitions for murals and amended the current definition of sign to include hand painted signs. These definitions clearly distinguish a mural from a hand-painted sign. Hand-painted signs will be required to obtain a sign permit and will be held to the same applicable regulations as regular signs.
- Removed regulations on murals.
- Added a definition for window sign that makes clear that merchandise displayed in a window will not count as a window sign.
- Added definitions for other sign-types (i.e. A-frame signs, drive-thru sign, etc.) and removed definitions for content-based signs (i.e. political signs, real estate signs, etc.)

There is one unresolved issue that staff would like to address with the Committee:

- Should CBJ continue to prohibit off-premise signs?
 - The State of Alaska already prohibits billboards and non-governmental signs within a Department of Transportation right-of-way.

- Additionally, the State prohibits for profit, off-premise advertising within 660 feet of a Department of Transportation right-of-way, with an exception for temporary signs no larger than 4' x 8'.
 - CBJ also prohibits non-governmental signs within the right-of-way.
 - CBJ does not enforce Department of Transportation sign regulations.
 - A few examples of off-premise signs include: AK Beauty School occasionally places an A-frame sign at the corner of Industrial Boulevard and Glacier Highway; a church occasionally places an A-Frame sign at the corner of Sherwood Lane and Glacier Highway; Grumpy's A-frame sign in the CBJ right-of-way.
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- Should CBJ allow moving, rotating, blinking, flashing, animated signs, spinners, twirlers, flares, etc.?
 - Current Sign Code prohibits these types of signs.
 - We could continue to prohibit them or only allow them within a certain distance of a right-of-way.
 - Allowing them outright would contradict the purpose statement that includes limiting driver distraction.

Chapter 49.45 - SIGNS^{[1](#)}

Footnotes:

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Administrative Code of Regulations cross references— Design review standards, signage, Part IV, § 04 CBJAC 065.010 et seq.

Cross reference— Building regulations, CBJ Code tit. 19.

ARTICLE I. - IN GENERAL

49.45.100 –Purpose

The purpose of this chapter is to regulate signs in a manner that balances the right of free speech by sign display against the competing public and government interests and to promote, preserve and protect the general health, safety, and welfare of the public. This chapter serves to preserve and protect the aesthetic quality of the borough, and achieve the following:

- (a) Safety. To promote the safety of persons and property by providing that signs:
 - (1) Minimize hazards due to collapse, fire, collision, decay, abandonment, or other safety considerations;
 - (2) Protect drivers' ability to see pedestrians, obstacles, or other vehicles, or to read traffic signs and signals;
 - (3) Reduce driver distractions and hazardous or unsafe driving conditions for motorists by limiting lighting or movement.
- (b) Visual landscape quality and preservation. To protect the public welfare and to enhance the appearance and economy of the borough, by providing that signs:
 - (1) Reduce the risk of nuisance to adjacent property owners or persons using the right of way through their illumination light, glare, reflection, size, height, or movement;
 - (2) Minimize visual clutter or visual blight;
 - (3) Contribute to the special character of districts within the borough, helping the observer to understand the borough and be oriented within it;
 - (4) Protect prominent views of a structure or façade of historical or architecturally significant buildings;
 - (5) Are compatible with building heights of the existing neighborhood and do not impose a foreign or inharmonious element to an existing skyline.

(Serial No. 92-39, § 3, 1992)

49.45.120 - Compliance with requirements.

All signs erected, constructed, altered, or changed in the borough must comply with the requirements of this chapter.

(Serial No. 92-39, § 3, 1992)

49.45.130 - Permits, plan submittal and review.

- (a) With the exception of those signs for which a permit is not required, all signs require a permit issued by the department.
- (b) Sign permit applications require plans for all signs to be placed, including directional signs. The plans must illustrate sign elevations, dimensions, placement, materials and lighting. Cross sections may be required if the sign requires a building permit.

(Serial No. 92-39, § 3, 1992)

ARTICLE II. - STANDARDS

49.45.200 - Generally.

- (a) Signs shall be located so as to achieve their purpose without constituting a hazard to vehicles or pedestrians.
- (b) Signs, including hand painted signs, proposed for placement in the historic district must comply with the historic district sign standards set forth in section 49.45.260.
- (c) Permanent signs must be constructed of permanent, weather-able materials, and maintained.

(Serial No. 92-39, § 3, 1992)

49.45.205 – Dimensional Standards; maximum area of signs.

The maximum allowed area of signs in the mixed use, commercial and industrial zoning districts for any single building façade is calculated as follows:

The length of one side of the building x 1.5 feet = the maximum sign area in square feet for that one side of the building.

49.45.210 – Signs allowed with a sign permit.

The following signs may be installed, mounted or placed on public display upon the issuance of a sign permit and subject to the dimensional, area and location regulations specified in the table below.

Sign Type	Zoning District			Use and/or Location	Number Allowed	Maximum Height	Maximum Area	Illumination
	Residential	Commercial and Mixed Use	Industrial					
Freestanding	•			Subdivision and Multifamily	2 per street entrance	6 feet	32 square feet per sign face	External
		•	•	Single tenant	1 per street frontage	30 feet or extend to the	64 square feet per sign face	External or internal

		•	•	Multiple tenant		roofline of the subject building, whichever is less	100 square feet per sign face	
Façade mounted	•			Home Occupation	1 per dwelling		4 square feet total sign area	Not allowed
	•			Commercial	1 per tenant per street frontage	Sign shall not project above the roofline of the subject building	8 square feet total sign area	External or internal
		•	•	Commercial	1 per tenant per street frontage	Sign shall not project above the roofline of the subject building	No maximum *Sign area shall count toward allowed sign area per building side	
Façade mounted projecting	•			Commercial	1 per tenant per street frontage	Sign shall not project above the roofline;	16 square feet per sign face	External only
		•	•	Commercial		must be 14.5 feet above a vehicular travel way and 8.5 feet above a pedestrian travel way.	No maximum *Sign area shall count toward allowed sign area per building side	External or internal
Sign Type	Zoning District			Use and/or Location	Number Allowed	Maximum Height	Maximum Area	Illumination
	Residential	Commercial and Mixed Use	Industrial					
Under canopy	•			Commercial	1 per tenant per street frontage	The lowest portion of the sign shall not be less than 7 feet above a developed right of way.	10 square feet per sign face	External only
		•	•				No maximum *Sign area shall count toward allowed sign area per building side	
Canopy face	•			Commercial	1 per tenant per street frontage	The sign shall not project more than 12" above or below the canopy face	10 square feet	External only
		•	•				No maximum *Sign area shall count toward allowed sign	

							area per building side	
Window Signs larger than 1 square foot attached to a window or displayed within 3 feet of the window and legible from the travel way	•	•	•	Commercial	1 per window		Sign areas shall not occupy more than 25% of each window (Excluding marijuana businesses) *Sign area shall count toward allowed sign area per building side	No illumination
Drive-thru signs	•	•	•	Commercial; must be located within on-site parking and vehicle circulation areas	5 per drive-thru lane	12 feet	65 square feet per drive-thru lane	

(Serial No. 92-39, § 3, 1992)

49.45.210 - Signs not requiring a permit.

- (a) Signs not requiring a permit must conform to the placement and height standards set forth in subsection (b) of this section.
- (b) The following signs are allowed without a permit with the following restrictions:
 - (1) A-Frame Signs. One (1) non-illuminated A-Frame, or similar self-supporting sign, up to 8 square feet shall be allowed without a sign permit and shall not be included as part of the maximum allowable sign area. A maximum of one A-Frame sign per tenant is allowed. The signs shall not be placed within a CBJ or AKDOT right-of-way and may only be used during business hours and must be removed daily after closing.
 - (2) Temporary signs.
 - a. Up to three (3) non-illuminated temporary signs are allowed without a sign permit in the commercial, mixed use and industrial zoning districts. Each sign shall not exceed 32 square feet in the commercial, mixed use and industrial zoning districts; and
 - b. Up to two (2) non-illuminated temporary signs are allowed without a sign permit in the residential zoning districts. Each sign shall not exceed 16 square feet in the residential zoning district; and

- c. Temporary sign area shall not be included as part of the maximum allowable sign area. Temporary signs shall not be displayed more than 30 consecutive days and more than 90 days total within a twelve month period.

(3) Residential use signs. Non-illuminated signs up to four square feet are allowed without a permit for residential use only, and shall not be included as part of the maximum allowable sign area.

(4) Identification signs. Bs are entitled to one sign up to 36 square feet. The sign shall not be included as part of the maximum allowable sign area. The sign may be placed in any of the following locations:

- a. On the front of the building, residence or structure; or
- b. On each side of an authorized United State Postal Service mailbox; or
- c. On one building post.

(5) Parking and vehicle circulation signs. Signs that are located within an approved parking area and are used by the public to locate entrances, exits, parking spaces, and parking lanes will not require a sign permit and shall not be included as part of the maximum allowable sign area.

(6) Government required signs. All government required signs shall be allowed without a sign permit and shall not be included as part of the maximum allowable sign area.

(7) Time and temperature display signs. Signs that use change lights to digitally display the current time and temperature will be allowed without a sign permit. The digital display shall change not faster than every 5 seconds.

(8) Murals. A mural is not considered a sign, and are not regulated by this chapter. See 49.80 for definition of mural.

49.45.240 - Illumination standards.

- (a) Signs in the rural reserve and residential zoning districts shall be indirectly illuminated.
- (b) Illuminated signs in the rural reserve and residential zoning districts shall be arranged so that no light or glare is directed or reflected onto adjoining lots, streets, or into residential windows. Dark backgrounds shall be used where feasible to reduce glare.

(Serial No. 92-39, § 3, 1992)

49.45.250 - Sign maintenance.

Signs shall be maintained in a safe and structurally sound condition at all times. If a sign does not comply with adequate safety and maintenance standards, the department may require its removal in accordance with this chapter.

(Serial No. 92-39, § 3, 1992)

49.45.260 - Historic district sign standards.

The purpose of the historic district sign standards are to enhance, protect, and preserve the distinctive historical character of the historic district. Signs within the historic district shall comply with the requirements of this chapter. In addition, the following standards apply:

- (a) Lettering style and symbols on signs must be appropriate to the building's style and compatible with the lettering and style of other signs on the building; and
- (b) The only sign appearing above the canopy or first floor level of a building must relate to the name of the building or principal use within the building. The sign may only be externally illuminated in the plane of the storefront. Signs that are hung underneath the canopy and perpendicular to the building, must be no less than seven feet above the finished sidewalk. The preferred material for these signs is wood, with natural stain or painted finish. Signs within or fixed to canopy edges cannot be lighted, and cannot extend past the bottom of the canopy or one foot above the top of the canopy fascia, and cannot exceed 12 inches in overall height.
- (c) Sign proposals for buildings in the historic district require a permit from the department. The department will review plans for dimensions, placement, lettering styles, color, materials, legibility and appropriateness of style to the character of the historic district.

(Serial No. 92-39, § 3, 1992; Serial No. 99-22, § 8, 1999)

49.45.270 - Prohibited signs and sign materials.

In addition to any sign or sign materials not specifically in accordance with the provisions of this chapter, the following are prohibited:

- (a) Any sign which simulates or imitates any traffic sign or signal, or which makes use of words, symbols, or characters in such a manner as to interfere with, mislead or confuse pedestrian or vehicular traffic;
- (b) Signs attached or placed adjacent to any utility pole, parking meter, traffic sign post, traffic signal or any other official traffic control device;
- (c) Any off-premise sign that directs attention to a business, service, product, or entertainment not sold or offered on the premises on which the sign is located. This prohibition does not include off-premise signs in public transportation terminals, or signs on public vehicles regulated pursuant to chapter 20.40.;
- (d) Signs consisting of any moving, rotating, blinking, flashing, fluttering, or otherwise animated light or component except for time and temperature displays and barber poles;
- (e) Spinners, twirlers or propellers, flares, and similar devices, or containing elements creating sound.
- (f) Any sign placed within the public rights-of-way that is not owned and maintained by the government entity owning the public rights-of-way.

(Serial No. 92-39, § 3, 1992; Serial No. 94-35am, § 12, 1994)

ARTICLE IV. - NONCONFORMING SIGNS AND ENFORCEMENT

49.45.400 - Nonconforming signs.

Nonconforming signs must come into compliance with this chapter at the time of a major development, except signs which violate section 49.45.270. The owner of a nonconforming sign may apply to the department for an exception from the sign standards as provided in section 49.45.310.

(Serial No. 92-39, § 3, 1992)

49.45.410 - Enforcement.

- (a) A violation of this chapter is a violation subject to a civil fine. Each and every day during which a violation of this chapter is committed, permitted, or continued shall be treated as a separate offense and subject to the offender to separate charges and fines, in accordance with CBJ 03.30.075.
- (b) A person charged with violating this chapter may produce proof to the enforcement officer that the violation has been remedied. If proof is provided within 15 days after the issuance of a citation, the citation shall be dismissed unless the person has been convicted previously for violating this chapter or has provided proof under this subsection on a prior occasion.

(Serial No. 92-39, § 3, 1992; [Serial No. 2015-29\(c\), § 2, 6-29-2015, eff. 7-30-2015](#))

49.80 Definitions

Mural means a work of original art that is placed directly on the exterior surface of a building or structure with the express permission of the property owner; the intent of a mural is to share original art with the public. A mural should not be created with the intent of marketing or selling a product or place of business, or drawing attention to a specific place, institution or organization.

Sign means any device, fixture, placard or structure, including component parts, placed with the intent to market or sell a product or place of business or meant to draw attention to a specific place, institution or organization which may be viewed from the private property of another or from any public right-of-way.

- *A-Frame sign* means a portable, stand-alone sign comprised of two separate panels or faces joined the top and spread apart at the bottom to form a base upon which the sign stands.
- *Canopy sign* means a sign which is integrated into the canopy face or placed under the canopy and does not extend beyond the limits of the canopy.
- *Drive-thru sign* means a sign oriented to occupants of vehicles utilizing a drive-through lane at an establishment that offers transactions through a window.
- *Façade mounted sign* means a sign erected on the wall of a building or other structure, whose face is generally parallel to the wall or structure and whose face does not extend outward more than 12 inches in the direction perpendicular to the wall or structure.
- *Façade mounted, projecting* means a sign erected on the wall of a building or other structure, whose face is generally perpendicular to the wall or structure.

- *Freestanding sign* means a sign attached to the ground and supported by uprights placed on or in the ground.
- *Time and Temperature sign* means a digital sign that uses changing lights to display the time and temperature and is meant to be viewed from the public right-of-way.
- *Temporary sign* means a sign not permanently attached to the ground, a wall or building, and not designed or intended for permanent display.
- *Window sign* means a sign applied or attached to a window, or displayed within 3 feet of the interior of a window area so as to attract attention of persons outside of the building. Window signs do not include merchandise in a window display.