



## DEPARTMENT OF PLANNING AND ZONING

### PLANNER'S REPORT

DATE: August 2, 2019  
TO: Tonya Hutson  
FROM: Michael Smith  
VIA: Lynn Patterson  
RE: **Sign Permit Applications – 599 North Central Avenue**

#### **BACKGROUND**

The City of Hapeville has received three Sign Permit applications from Henry Graphics for the installation of a collection of signs for the Academy Theatre located at 599 North Central Avenue.

The subject tract is located within the U-V Urban Village Zoning District and is subject to the provisions of the Downtown Historic District Sign Regulations.

The collective installation is a marquee sign for the theater, to be installed above the front entrance. It will be made of plastic and painted aluminum. It consists of several parts, including multiple awning signs attached to a large canopy and a projecting sign. The specifications for each are as follows:

- Lettering mounted on the top edge of the canopy: 12' wide x 1'-3" high (15 square feet)
- LED Lettering applied directly to the front of the canopy: 43'-8 ¼" wide x 2'-5 ⅞" high (108.7 square feet)
- Projecting sign above canopy: 3' deep x 13'-4" high (40 square feet), mounted 14'-8 ½" above the sidewalk

The canopy is 10'-1" above the sidewalk at its lowest point, 43'-8 ¼" wide, and 5'-6" deep. The linear horizontal footage of the façade is 76'-4", and the width of the sidewalk in front of the front façade will be approximately 9'-2".

#### **CODE**

##### **Sec. 93-3.3-2. - Definitions.**

*Awning sign.* Any sign applied directly to or attached directly to an awning.

*Canopy sign.* See "Awning sign."

*Projecting sign.* Any sign which is perpendicular to a building or other structure and extends more than 12 inches horizontally from the plane of the building wall.

##### **Sec. 93-3.3-16. - Illumination.**

- (a) Internal illumination. The illumination of internally lit signs shall not exceed 20 foot-candles of incandescent light measured at a distance of ten feet from such signs.

**Sec. 93-3.3-17. - Sign standards by sign district.**

- (d) Downtown district. Permitted sign types and regulations for signs in the downtown sign district include:
- (1) Projecting signs, which shall not exceed a projection of either four feet from any building or one-third of the width of any sidewalk, whichever is less. Projecting signs must provide for a minimum of eight feet of space between the bottom of the sign and the sidewalk or ground.
  - (5) Awning signs.
  - (8) The total number of Signs in this district shall not exceed one sign of any allowed type for the primary building or tenant facade and one sign of any allowed type for each secondary building or tenant facade.
  - (9) All signs shall be setback a minimum of six feet from any public right-of-way and any electrical transmission line.
  - (10) The aggregate sign area for any lot shall not exceed one square foot for every linear foot of lot frontage, regardless of the construction, placement or type of sign or signs.

## Downtown District

	Projecting Sign	Wall Sign	Window Signs	Awning Sign	Temporary Sign
Maximum Height	Not above roofline				6 feet
Maximum Width	4 feet	50% of façade width			8 feet
Maximum Area Primary Facade	12 square feet	1 SF/LF of building or tenant façade	50% of window area	50% of awning area	32 square feet
Maximum Area Secondary Facade	12 square feet	1 SF/LF of building or tenant façade	50% of window area		
Maximum Number	1/primary facade; 1/secondary facade	1/primary facade; 1/secondary facade	No Maximum	2	1

**Sec. 93-3.3-18. - General sign regulations.**

In addition to the limitations set forth in the other sections of this division, the following limitations shall apply to these specific types of signs:

- (2) *Projecting signs.*
  - a. No projecting sign may be placed over any street, any alley, or any other public right-of-way available for vehicular traffic.
  - b. Any projecting sign located at a commercial business that is illuminated, either internally or externally, shall be illuminated between sunset and the close of business, on each side thereof, by lighting of at least five watts per square foot of sign surface, but in no case lighting that is less than 60 watts for each sign surface.
  - c. All projecting signs must be installed at a 90-degree angle to the building facade.

- d. Projecting signs shall not project above the roofline or be installed above a height of 14 feet from the ground, whichever is lower.
  - e. Projecting signs must vertically clear sidewalks by at least eight feet and may project no more than four feet from a building or one-third of the width of the sidewalk, whichever is less.
- (3) *Awning signs.*
- a. An awning sign must be painted or installed directly on the awning.
  - b. The sign area of any awning sign shall not exceed 50 percent of the surface area of the awning.
  - c. Awnings must be a maximum of eight feet above the sidewalks and may extend to within one foot of the vertical plane formed by the curb or the public right-of-way line.

## **FINDINGS**

The sign installation as proposed is not compliant with the City's Sign Ordinance, as demonstrated by the following deficiencies:

1. Awning signs must be installed directly on the awning. Lettering mounted to the top of the canopy is not compliant.
2. Only one sign of any allowed type is permitted. Two awning signs attached to one awning is not compliant.
3. Signs shall be setback a minimum of six feet from any public right-of-way. The canopy extends to within 3'-8" of the street, which is not compliant.
4. The aggregate sign area for the property may not exceed the linear horizontal footage of frontage, which is 76'-4". The total sign area for all proposed signs is 163.7 SF, which is 87.4 SF above the limit.
5. Awning signs may occupy up to 50% of the awning area. The proposed lettering above the awning would be compliant, but the LED lettering as described in the application would occupy the entirety of the canopy surface and would not be compliant.
6. Projecting signs may not be installed above a height of 14' measured from the sidewalk. The projecting sign begins 14'-8 ½" above the sidewalk and extends to 28' high.
7. Awnings must be a maximum of eight feet above the sidewalk. The canopy is 10'-1" above the sidewalk, which is not compliant.

The City has immunity from its own zoning code, meaning any failure to adhere to the requirements of the Sign Ordinance does not prevent the City from installing signs. Still, it is important to consider the intent of the ordinance when determining what kinds of signs are installed by the City. In the Downtown Historic district, the intent of our ordinance is to keep signs proportionate to the historic profile of downtown and to prevent them from dominating storefronts and the sidewalk. These signs, if installed, would alter the aesthetics of the street and overshadow neighboring businesses that must comply with the ordinance. In particular, the 28' high, 40 square foot projecting sign would tower over North Avenue and is 2 ½ times larger than what our code allows for projecting signs.