OPTIONS
A. Remove the Sign
B. Permit the sign (Unable to permit – local govt. has a moratorium on signs in this county)
C. Suggest property owner convert the sign to on premise
NAMING RIGHTS: Paddock Chevrolet Golf Dome

ON PREMISE OR OFF-PREMISE?
SPACING STANDARD = 100’

Distance between A and B = 93’
Distance between A and C = 68’
Distance between 'A' and 'B' = 93'
Distance between 'A' and 'C' = 68'

Permits were good issues; but signs B and C were built too close to A

Questions:
1. Does 'A' become nonconforming, or stay conforming?
2. Do 'B' and 'C' become nonconforming or should they be removed/relocated?
VINYL WRAPPED REMAX MOVING TRUCK

Known Facts:
1. Clearly visible to controlled Interstate (NHS)
2. Fully licensed vehicle
3. Parked on commercial property (fiberglass pool sales)
4. Vehicle parking is not unlawful in commercial zoned area
OPTIONS
A. Take enforcement action
B. Can’t take enforcement action, because impossible to prove intent
C. Consider NAHBA SME input prior to acting
“Narrow Strip” is 100’ wide x 600’ long
Is this a narrow strip referred to in 23 CFR 750.709(d)(3)
DECORATIVE LED POLE LIGHTING

Known Facts:
1. Conforming structure on controlled Interstate (NHS)
2. LED sign face legally permitted
3. Decorative LED pole lighting added without permit
4. Pole lights move slowly through various color spectrums
Options:
1. Disallow it, since it constitutes flashing, intermittent or moving light
2. Allow it, provided necessary paperwork & fees/fines are handled
Is it an off-premise advertising device that needs to be regulated?  

YES or NO

- Obsolete logo
- Not registered as landmark sign
- No permission from Pepsi
- No $ received from Pepsi
- No complimentary goodies
- No directional information
- No employee connection
Blue Line = Original Parcel for Motel
Red Line = Parcel after Subdivision

Legal? Illegal? Nonconforming?
Proposed Message for “Free Speech” sign

A. OK as free speech (on-premise) sign
B. OK only if the off-site reference is removed
C. Not OK in any form; these signs are regulated just like billboards
Proposed LED Sign for businesses within the subdivision

All one platted Business subdivision

Separate properties owned by Bass Pro and Loves
Reverse Angle looking from the North
City of Little Rock’s position - Everything should be on-premise in the business park

Local Billboard moratorium in effect.

State’s position - It is not on-premise; Love’s and Bass Pro have separate properties with well-defined limits for the regularly used areas. But the area is conforming for a billboard permit. Ramp rule does not apply in a zoned urban area.

Solution: State issues billboard permit; City authorizes as “on-premise”.

Do any states have UCD (unified commercial development) signs? Reminder; Criteria must be approved by FHWA.
Now advertising a car dealership located five miles away.

...so much for “on-premise”
Are these advertising devices?
Nonconforming Sign

Cutouts not attached to sign
No message on cutouts
For Sale signs in the State of Florida are exempt if they state that the real property is for sale or for rent.

OPTIONS
A. Leave it be
B. Make the property owner remove the sign
C. Suggest property owner modify the sign so that it is exempt – Add “For Sale”
Controlled Route

Parcel in Question

Business

Business wants sign on the parcel in question
Purchased under eminent domain by the city for “street improvements”
OFFER TO BUY (Provision #24)  
“THREAT OF CONDEMNATION”

The parties acknowledge that the City is acquiring the property in order to accomplish improvements to South Grand Avenue. Under State law, the City is empowered to condemn the property for public purposes. The parties have negotiated this transaction under the threat of condemnation by the City and have entered into this purchase agreement in lieu of following formal condemnation proceedings.
City’s Position on the Matter-

“That property was purchased for mixed reasons. The part close to the highway was needed ROW for the street, but the remainder was included because it was a blighted property. The building was an eyesore and removed; The city applied for a grant to have an art sculpture erected there (not awarded). We don’t consider the whole parcel to be right-of-way for highway purposes.”
OPTIONS

A. Deny the permit. It’s ROW. The city bought using eminent domain.
B. City can determine ROW. Let them draw the imaginary ROW line and then issue a permit beyond that line.
C. Require the city to go through the proper disposal process for excess ROW parcels, according to state law. Then issue permit beyond the ROW.
D. Have the State determine what it needs for ROW; Have city convey that portion to the State. Then issue permit on the city parcel.
Huge Wall Mount Sign

LIONS & TIGERS & ART, OH MY!

SEE WHAT’S ON DECK
at the
DETOUR INSTITUTE OF ARTS

dia.org
Sign in Parking Garage
Interior Door Sign
“OFFICE” for retail sales and marketing activations.
Regulator: “What is a marketing activation”?

Answer from Sign Owner:
“It could include product sampling, a street team walking around in branded shirts handing out items, or advertising on the building. The purpose of the marketing activation is to cause people to attend there and to learn about the Detroit Institute of Arts.”
Is this an on-premise sign?
ALJ-

“If it looks like a duck, walks like a duck, flies like a duck, probably gonna be a duck.”
The Duck quacks.

They couldn’t even wait until the case was decided.
Visible and within 660’ of the controlled route
Zoned C-4 Commercial: Meets size and spacing standard
Internal illumination is turned on/off once per day
What would you do?

A. Special exemption for stadium signing
B. On-premise, since drinks are major sales revenue generator on-site
C. Needs a regular billboard permit (location is conforming)
D. Cannot issue billboard permit due to internal illumination (on/off)
E. Put it in the “someday” pile
A. Not controlled by the State authority
B. Controlled by the State authority
Hi-Rise Sign
McDonalds / Kum & Go
Yellow shaded areas are shared parking, traffic movement, pedestrian movement, ingress/egress, as per agreement recorded at courthouse before sign was ever an issue.
Shared Ingress/Egress (the only access to the site)
A. On-Premise
B. Off-Premise
C. Depends....need more info
Triangular Piece Owned by City NOT Public ROW

Public Street

SIGN

Not Kohl’s & Not owned by Kohl’s

SCENIC BYWAY and Controlled Route

2017 ROWUOAC Conference
What Would You Do?

A. Remove the Sign
B. Permit the sign (problem: cannot permit signs in the daylight triangle)
C. Allow City to convey title to Kohl’s. Call it on-premise via landowner identification
AG ZONE
County: Sign is grandfathered
DOT: Must be removed

INDUSTRIAL ZONE
County: Not allowed here
DOT: Can be moved here
Sequence of Events

1. 1984: Good permit issued (zoning was industrial)
2. Sign correctly built; permit fees paid each year.
3. 2007: Business goes bankrupt, gives sign to landowner (still off-premise)
4. DOT, unaware of this, sends annual permit bill to former owner.
5. Former owner sends in payment, but six days late.
6. DOT does not accept late payment, cancels permit, requests removal.
7. Then nothing happens.
8. DOT does not follow-up to see if sign is removed.
9. Landowner is unaware of regulations; sees permit plate, thinks legal.
10. 2008: County rezones property from Industrial to AG.
11. Sign remains for years. DOT staff see permit plate; think OK.
12. 2016: DOT discovers the problem during comprehensive review.
OPTIONS:
A. Require Removal
B. Try to convince the county to allow a move
C. Turn back the clock to 2007 & issue permit
Applicant wants signs at “A” and “B”; 660’ line is drawn in purple dash; Spacing only applies on same side of highway for this State; All four legs of this intersection are controlled routes; this is outside city limits but within an urban area. This State uses urban areas, not city limits.

Can “A” be issued?

Can “B” be issued?