



# City of Littleton

Littleton Center  
2255 West Berry Avenue  
Littleton, CO 80120

## Meeting Agenda

### City Council

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Tuesday, May 10, 2016

6:30 PM

Community Room

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#### Study Session

#### **1. Study Session Topics**

- a) [ID# 16-95](#) Sign code update presentation - Kristin Schledorn, City Attorney  
  
**Attachments:** [Sign Code Update presentation](#)
- b) [ID# 16-96](#) Discussion on paper packets - Council discussion to allow paper packets upon request
- c) [ID# 16-97](#) Discussion on video minutes - Council discussion to return to written minutes
- d) [ID# 16-98](#) Discussion on City Council specific action items for City Manager focus  
  
**Attachments:** [City Manager Action Items](#)

The public is invited to attend all regular meetings or study sessions of the City Council or any City Board or Commission. Please call 303-795-3780 at least forty-eight (48) hours prior to the meeting if you believe you will need special assistance or any reasonable accommodation in order to be in attendance at or participate in any such meeting. For any additional information concerning City meetings, please call the above referenced number.



# City of Littleton

Littleton Center  
2255 West Berry Avenue  
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## Staff Communication

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**File #:** ID# 16-95, **Version:** 1

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Agenda Date: 05/10/2016

Subject:

Sign code update presentation - Kristin Schledorn, City Attorney

Presented By: Kristin Schledorn, City Attorney
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# Sign Code Updates

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- *Reed v. Gilbert*
- Regulatory Sign Code Amendments
- Signs on City Property
  - Hand-held signs
  - Temporary signs in right-of-way (ROW)
  - City-placed wayfinding signs

## ***Reed v. Gilbert***

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- Clyde Reed, Pastor of Good News Community Church located in Gilbert, AZ.
- Church did not have permanent location so Reed posted signs from Saturday to Sunday, with the time and location of next service.
- Church was cited for exceeding the time limits for displaying temporary directional signs and for failing to include an event date on the signs.



## ***Reed v. Gilbert***

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- Gilbert sign code prohibited outdoor signs without a permit, but exempted 23 categories of signs.
  - Ideological signs: up to 20 square feet, could stay in place indefinitely and were unlimited in number.
  - Political signs: up to 32 square feet, only allowed to be displayed during election season.
  - Temporary directional signs for events, such as church services: limited to 6 square feet, could only be displayed 12 hours before and 1 hour after an event, and limited to 4 per property.

## ***Reed v. Gilbert***

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“Content-based laws — those that target speech based on its communicative content — are presumptively unconstitutional and may be justified only if the government proves that they are narrowly tailored to serve compelling state interests.”

## ***Reed v. Gilbert***

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- This decision will not prevent governments from enacting effective sign laws.
  - Ample content-neutral options available to resolve problems with safety and aesthetics, including regulating size, building materials, lighting, moving parts, and portability.
  - May be able to forbid postings on public property, so long as it does so in an evenhanded, content-neutral manner.

## ***Reed v. Gilbert* – Justice Alito’s Guidance**

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“This does not mean...that municipalities are powerless to enact and enforce reasonable sign regulations... Here are some rules that would not be content-based.”

- Rules regulating the size of signs and locations in which signs may be placed (free-standing vs. attached)
- Rules distinguishing between lighted and unlighted signs
- Rules distinguishing between signs with fixed messages and electronic signs with messages that change
- Rules distinguishing between placement of signs on private and public property
- Rules distinguishing between the placement of signs on commercial and residential property
- Rules distinguishing between on-premises and off-premises signs
- Rules restricting the total number of signs allowed per mile of roadway
- Rules imposing time restrictions on signs advertising a one-time event

## ***Reed v. Gilbert* – Justice Alito's Guidance**

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- In addition to regulating signs put up by private actors, government entities may also erect their own signs consistent with the principles that allow governmental speech.
- They may put up all manner of signs to promote safety, as well as directional signs and signs pointing out historic sites and scenic spots.

# Regulatory Sign Code Amendments

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- Mandatory changes to address constitutional concerns with current sign code
- Overarching principles
  - Message Neutrality
    - Cannot favor commercial speech over noncommercial speech
    - Cannot regulate noncommercial speech by message content
  - Message Substitution
    - Any non-commercial message can be substituted for any allowed commercial message or other noncommercial message, provided that the sign structure and mounting device is legal

# Regulatory Sign Code Amendments

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- Regulating the medium, not the message
- Generally no change to regulations concerning:
  - Number of signs
  - Sign type (e.g., ground, wall, window)
  - Maximum area/square footage
  - Illumination/animation/blinking/flashing restrictions
  - Sign height
  - Permitted locations (e.g., setbacks)

# Regulatory Sign Code Amendments

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- Updates and modernizes definitions
  - Add previously undefined terms (e.g., banner, flags)
  - Modernization (e.g., feather banners, changeable copy signs, wind dancers and air crows)





# Regulatory Sign Code Amendments

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- Removes references to “permitted content”
  - Color
  - Letter size and type
  - Limitations on content and message
  - Distinctions based on purpose
    - Real estate/garage sales
    - Construction/contractor signs
    - Political/campaign
    - Ideological



















# Signs on City Property

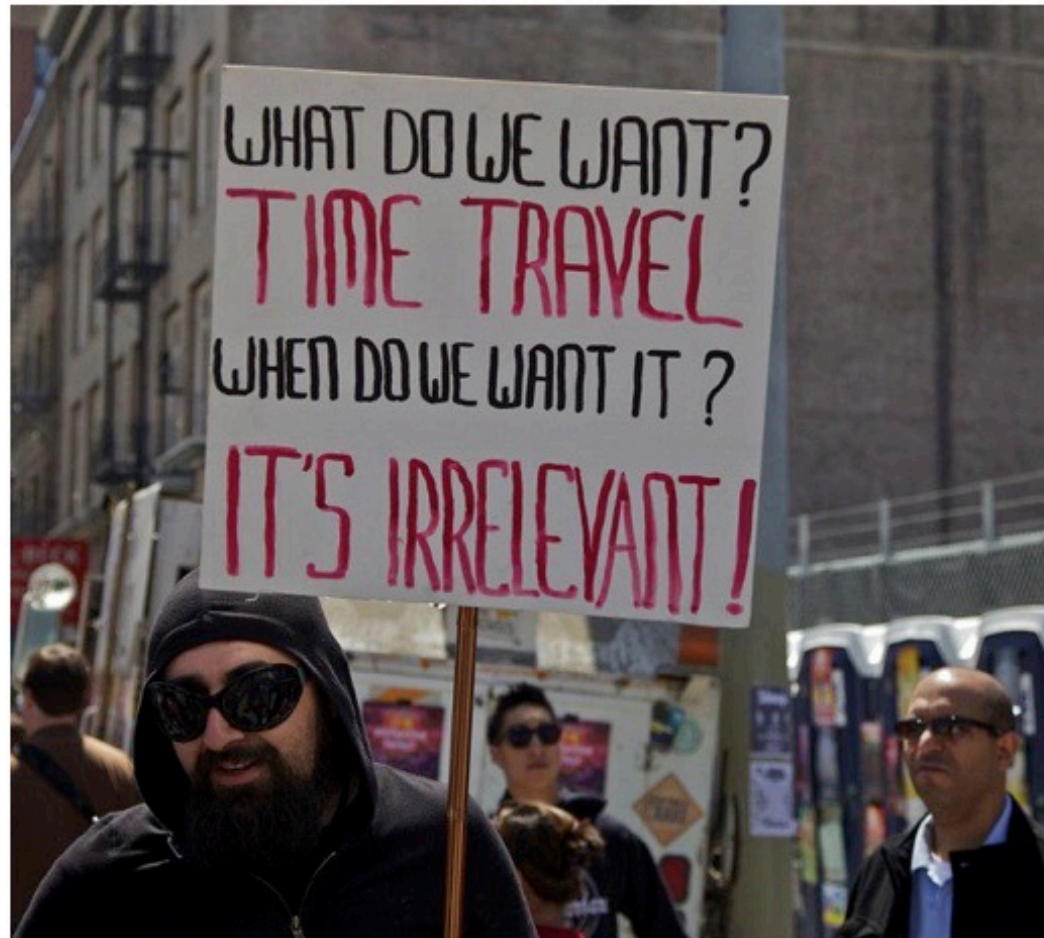
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- Traditional Public Forum
  - Streets, sidewalks, parks and exterior of Littleton Center
- Hand Held Signs
  - Personally held or personally attended
  - Time restrictions
    - Sunset to sunset, except when public night meeting
  - Size (e.g., individual: 10 sq. ft.; two or more persons: 50 sq. ft.)
  - Allow safe vehicle and pedestrian passage
- Permitting process for large protests



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# Temporary Signs in ROW

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- Time limits
  - E.g., election season (e.g., 60 days before, 5 days after) (BUT would apply to all signs, not just campaign signs)
- Location within ROW
- Total ban - all signs at all times
- Size
- Process to allow retrieval or relocation to allowable location and/or administrative hearing and appeal



# City Placed Signs

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- Government speech
  - Wayfinding signs
    - Public and quasi-public buildings and facilities
    - Cultural/historical/tourist destinations and points of interest
    - City and neighborhood entries
    - Local businesses
  - Safety (traffic, hazards, etc.)
  - City events
- Must be installed by the City, clearly indicated as city signage



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## Staff Communication

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**File #:** ID# 16-96, **Version:** 1

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Agenda Date: 05/10/2016

Subject:

Discussion on paper packets - Council discussion to allow paper packets upon request

Presented By: City Council
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# City of Littleton

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## Staff Communication

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**File #:** ID# 16-97, **Version:** 1

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Agenda Date: 05/10/2016

Subject:

Discussion on video minutes - Council discussion to return to written minutes

Presented By: City Council
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# City of Littleton

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## Staff Communication

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**File #:** ID# 16-98, **Version:** 1

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Agenda Date: 05/10/2016

Subject:

Discussion on City Council specific action items for City Manager focus

Presented By: City Council
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City Council specific action items for City Manager focus:

- ~~4. Action:~~  
~~Develop a quarterly spreadsheet creating a five-year revenue and expenditure projection including operational and capital expenditures.~~  
~~Develop a prioritized list of programs (such as Capital Projects, Omnibus, etc).~~

- ~~Action:~~  
~~Support passage of Federal Interstate Commerce Fairness Act.~~  
~~Apply for at least two new grants.~~

1. Action:  
Develop multidisciplinary groups to evaluate transportation, housing and economic development. The groups should include 2 council members, city staff, city stakeholders and others with the technical expertise familiar with Littleton and its character to become informed about the three issues and how they may impact the quality of life in Littleton over the next 20-years. This includes a specific review of arterial and secondary streets to develop predictable travel times.

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24. Action:  
Complete sub-area plans for the Santa Fe, Littleton Blvd., and Broadway corridors.

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- ~~Action:~~  
~~Evaluate ADU opportunities and other residential redevelopment limitations in the code.~~

35. Action:  
Evaluate, develop, and implement an outreach plan to businesses to ensure government is aligned with business needs and fosters public private partnerships.

- ~~Action:~~  
~~Enhance vehicular gateways to the community.~~  
~~Support commercial annexation that results in increased net revenue for the city.~~  
~~Pursue the redevelopment of the Riverfront—Santa Fe/Bowles Avenue area.~~  
~~Leverage current commercial investment to maximize additional private investment.~~  
~~Encourage and assist with occupancy of vacant commercial spaces through a diverse, complementary and cohesive ‘tenant mix’ that will define Littleton as a shopping destination.~~

4. Action Objective:

Continue an update of the city's development, land use and zoning codes to ensure ability to implement community goals.

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5. Action:

Evaluate current city financial reserve levels in all existing funds and make recommendations for change, if necessary.

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