



DEVELOPMENT SERVICES DEPARTMENT

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DEVELOPMENT CODE ADMINISTRATIVE PLAN REVIEW: SIGN PERMIT

Status: DENIED – A 15 DAY RIGHT TO APPEAL PROCESS ENDS 11/18/2022

Building Permit No.: SGNFY2022-0038

Plan Review Number: 1

Reviewer: Betty Gumm

Date: 11/3/2022

Note: This review is for applicable Development Code and laws only. Formal approval of your application may be subject to additional rules.

FINDINGS OF FACT

1. The requested permit is for the installation of a single face non-illuminated flat cut out Dibond composite aluminum letters wall sign.
2. There has been no denial of any application on this property within one year.
3. The applicant is Dan Conlin of Idaho Electric Signs.
4. The owner of record is March Holdings LLC.
5. The location of the project is 3725 W Chinden Blvd. Garden City, ID 83714. Ada County Parcel # R2734511345.
6. This appears to be a legal lot of record.
7. There is a certificate of occupancy or certificate of compliance for the subject business:
 - a. The business has applied for permits that will render a certificate of occupancy or compliance.
8. There is not a master sign plan on file for the subject property.
9. The following application materials have been provided:

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- a. Site Plan
- b. Affidavit of Legal Interest – needs a revised form with the owner as March Holdings LLC
- c. Sign Layout
- d. Application Materials

10. The following files/approvals are associated with this application:


- a. BLD2006-00160
- b. DEV2005-00316
- c. PWU2006-00159EAP2006-00046
- d. SGN2007-00014

11. The following are the standards of review for this application:

| Development Code | Compliant | Staff Comments |
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| 8-4F-2: Definitions | Yes | <i>Wall Sign: A sign which is attached to or painted on the exterior wall of a building with the display surface approximately parallel to the building wall.</i> |
| 8-4F-5: Sign Districts Established | Yes | Sign District 6 |
| 8-4F-8: Exempt Signs | N/A | N/A |
| 8-4F-9: Prohibited Signs | N/A | N/A |
| 8-4F-10: General Regulations | Yes | <p><i>The following types of signs are necessary to ensure the public health and safety. The following provisions are required in all zoning districts and are uniform in all sign districts.</i></p> <p><i>A. Addressing Signs:</i></p> <ol style="list-style-type: none"> <i>1. All principal buildings and any structure utilized as a dwelling unit shall be addressed with numbers and/or letters at least four inches (4") or greater, or meet the minimum Ada County addressing standards, whichever is greater. The addresses or unit numbers shall be clearly visible from the street or access drive that the business or dwelling unit fronts on; and</i> <i>2. All street numbered addresses shall be posted and clearly visible from the street that provides access to the corresponding structure. This requirement does not include suite or</i> |

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| | | <p>unit identification.</p> <p>B. <i>Building Code: Signs shall be built, constructed and erected in conformance with the requirements of the building code as adopted by title 7 of this code.</i></p> <p>C. <i>Directory Signs: In development sites where three (3) or more non-accessory structures do not have street frontage there shall be a permanent and legible directory map drawn to scale that is clearly visible and accessible from the entrance to the site. The directory sign shall indicate the location of all ingress/egress to the site, driveway locations, drive aisle width and the location of each structure. The directory shall clearly identify the address or addresses of each structure, including applicable unit or suite identification. The address numbering and/or lettering shall be at least four inches (4") or greater. A copy of the directory shall be submitted to the city.</i></p> <p>D. <i>Display: Signs that contain more than two (2) display sides shall require a design review.</i></p> <p>E. <i>Electrical Code: All wiring, fittings, and material used in the construction, connection, and the operation of electrically illuminated signs shall be in accordance with the provisions of title 7 of this code.</i></p> <p>F. <i>Fire Safety Access: Signs shall not be erected in any manner which interferes with free passage from or obstructs a fire escape, downspout, window, door, stairway, ladder or opening intended as a means of ingress or egress or providing light or air in accordance with the provisions of title 7 of this code.</i></p> <p>G. <i>Illumination: Any illuminated sign or lighting device shall emit a light of constant intensity. Lighting shall be fully shielded. No illuminated sign or lighting device shall be placed or directed in a way that allows beams of light and illumination to be directed or beamed upon a public right of</i></p> |
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| | | <p>way or adjacent property which causes glare or reflection that may constitute a traffic hazard or nuisance.</p> <p>H. <i>Maintenance: All signs shall be continually maintained in a state of good appearance, safety and repair throughout their life. All signs shall be plainly marked with the name of the person responsible for maintenance of the sign. Should any sign become structurally unsafe, damaged, broken, rusted or a safety hazard, the person responsible for the sign maintenance, upon written notification by the city, shall be required to return the sign to a safe condition or remove the sign.</i></p> <p>I. <i>Raceway: Any visible raceway must be painted or otherwise designed to match or blend in with the color of the wall to which it is attached.</i></p> <p>J. <i>Other Jurisdictions: Signs along the state highways and the Ada County highway district (ACHD) rights of way shall conform to the regulations of Idaho transportation department (ITD) and ACHD, respectively, in addition to this code.</i></p> <p>K. <i>Overhead Electrical Conductors: Signs shall be located more than six feet (6') horizontally or twelve feet (12') vertically from overhead electrical conductors which are energized in excess of seven hundred fifty (750) volts.</i></p> <p>L. <i>Residential Frontage: Unless the sign is the only sign on premises, no signs shall be placed so as to front on an existing residential use; such signs utilized for businesses open to the public during hours of darkness shall turn off lighting to the signage at the close of business each evening. The lights shall remain off except during the operations of business hours.</i></p> <p>M. <i>Setbacks: Signs must comply with the clear vision triangle set forth in section 8-4E-3 of this chapter; and comply with the setbacks required within the adopted street sections. For the purpose of this article the clear vision triangle shall also</i></p> |
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| | | <p><i>pertain to any driveway or drive aisle located within a development site.</i></p> <p><i>N. Trees: Signs must be placed so as to not interfere with existing or future growth of trees. (Ord. 927-10, 2-14-2011)</i></p> |
| 8-4F-11: Regulations for Specific Sign Districts | Yes | <p>8-4F-11: REGULATIONS FOR SPECIFIC SIGN DISTRICTS:</p> <p>F. SD6:</p> <p>1. <i>Illumination may be either external or internal illumination.</i></p> <p>2. <i>Businesses are not required to turn off lighting to signs at the close of business providing that the lighting is found compatible with adjacent residential uses. (Ord. 944-12, 5-14-2012)</i></p> |
| 8-4F-12: Regulations for Specific Sign Categories | Not compliant | <p><u>Wall</u></p> <p>Sign submitted is 79 SF and is routed from 2MM or 3MM Dibond composite aluminum.</p> <p>Per H. Wall Signs</p> <p>1. Location Standard: Wall signs shall be placed on an exterior wall visible from or fronting on a street, thoroughfare or common parking area associated with a clear public entrance for the subject business.</p> <p>This sign is located on the side of the building and does not have a clear public entrance.</p>  <p>EXISTING THE WEST ELEVATION N.T.S.</p> |

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| | |  <p>This sign is not allowed per code.</p> |
| 8-4F-14: Abandoned Signs: | N/A | N/A |
| 8-4F-15: Nonconforming Signs | N/A | N/A |

DETERMINATION

The Planning Official reviewed the application with regard to Garden City Code, Title 8, and based on the conditions required herein, concludes the application does not satisfy the standards of approval under Garden City Code, Title 8.

Please provide the following and/or make the following revisions:

1. Place a wall sign on a wall with a clear public entrance.
2. There is a 15 day right to appeal. An appeal shall be made on the form provided by the City and filed with the City within fifteen (15) days after the action of the decision.

WALL SIGNS

Stipulations, Conditions, General Requirements, Other:

1. Wall sign shall be placed on an exterior wall visible from or fronting on a street, thoroughfare or common parking area associated with a clear public entrance for the subject business.
2. The total signage shall not exceed more than ten percent (10%) the area of the overall building face on which the sign is located may be utilized for signage.
3. Buildings that are set back more than one hundred fifty feet (150') from the right-of-way may increase the size of a distinctive materials/design sign up to one hundred eighty (180) square feet; provided, that it does not exceed more than ten percent (10%) the area of the overall building face.
4. Up to five hundred (500) square feet for signage may be allowed on any given building face so as long as the total signage does not exceed subsection H2a of this section.
5. Wall signs shall not project more than two feet (2') from the face of the building where the business is located.

6. Sign area on, attached to or suspended from awnings, canopies or marquees may be substituted for sign area allowed through the wall sign provisions; provided, that they may not be backlit translucent and signs on or attached to awnings shall maintain eight foot (8') vertical clearance from the sidewalk or adjacent grade.

The following provisions are required in all zoning districts and are uniform in all sign districts per Garden City Code:

1. All principal buildings and any structure utilized as a dwelling unit shall be addressed with numbers and/or letters at least four inches (4") or greater, or meet the minimum Ada County addressing standards, whichever is greater. The addresses or unit numbers shall be clearly visible from the street or access drive that the business or dwelling unit fronts on; and
2. All street numbered addresses shall be posted and clearly visible from the street that provides access to the corresponding structure. This requirement does not include suite or unit identification.
3. Signs shall be built, constructed and erected in conformance with the requirements of the building code as adopted by Garden City Title 7.
4. In development sites where three (3) or more non-accessory structures do not have street frontage there shall be a permanent and legible directory map drawn to scale that is clearly visible and accessible from the entrance to the site. The directory sign shall indicate the location of all ingress/egress to the site, driveway locations, drive aisle width and the location of each structure. The directory shall clearly identify the address or addresses of each structure, including applicable unit or suite identification. The address numbering and/or lettering shall be at least four inches (4") or greater. A copy of the directory shall be submitted to the city.
5. All wiring, fittings, and material used in the construction, connection, and the operation of electrically illuminated signs shall be in accordance with the code as adopted by Garden City Title 7.
6. Signs shall not be erected in any manner which interferes with free passage from or obstructs a fire escape, downspout, window, door, stairway, ladder or opening intended as a means of ingress or egress or providing light or air in accordance with the provisions as adopted by Garden City Title 7.
7. Any illuminated sign or lighting device shall emit a light of constant intensity. Lighting shall be fully shielded. No illuminated sign or lighting device shall be placed or directed in a way that allows beams of light and illumination to be directed or beamed upon a public right of way or adjacent property which causes glare or reflection that may constitute a traffic hazard or nuisance.

8. All signs shall be continually maintained in a state of good appearance, safety and repair throughout their life. All signs shall be plainly marked with the name of the person responsible for maintenance of the sign. Should any sign become structurally unsafe, damaged, broken, rusted or a safety hazard, the person responsible for the sign maintenance, upon written notification by the city, shall be required to return the sign to a safe condition or remove the sign.
9. Any visible raceway must be painted or otherwise designed to match or blend in with the color of the wall to which it is attached.
10. Signs along the state highways and the Ada County highway district (ACHD) rights of way shall conform to the regulations of Idaho transportation department (ITD) and ACHD, respectively, in addition to this code.
11. Signs shall be located more than six feet (6') horizontally or twelve feet (12') vertically from overhead electrical conductors which are energized in excess of seven hundred fifty (750) volts.
12. Unless the sign is the only sign on premises, no signs shall be placed so as to front on an existing residential use; such signs utilized for businesses open to the public during hours of darkness shall turn off lighting to the signage at the close of business each evening. The lights shall remain off except during the operations of business hours.
13. Signs must comply with the clear vision triangle set forth in section [8-4E-3](#) of Garden City Code; and comply with the setbacks required within the adopted street sections. For the purpose of this article the clear vision triangle shall also pertain to any driveway or drive aisle located within a development site.
14. Signs must be placed so as to not interfere with existing or future growth of trees. Tree topping is prohibited.
15. Any violation of the conditions of this application is a criminal offence.
16. This approval shall become null and void if the work is not complete within one year of the approval unless an extension has been granted.
17. There is a 15 day right to appeal. An appeal shall be made on the form provided by the City and filed with the City within fifteen (15) days after the action of the decision.
18. If any term or provision of this decision, to any extent, is held invalid or unenforceable, the remaining terms and provisions hereof shall not be affected thereby, but each such remaining term and provision shall be valid and enforced to the fullest extent permitted by law.