

A photograph of a sign shop interior. The background is filled with various signs, including a large cartoon character of a man in a suit pointing, a sign with a house, and a sign with a cake. The lighting is warm and the overall tone is sepia.

Unmasking the Myths about Signs:

Learning to Use Signage as a Planning Tool
for Intelligent Community Development

Chapter 7

**Myth #6: Signs
Negatively Impact
Aesthetics**

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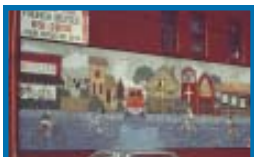
An assumption often propounded by land use planners and regulators is that severe signage restrictions enhance community aesthetics and livability. This assumption is rarely correct. What is more likely to occur is that local businesses will fail and local revenues will decrease, resulting in urban decay.

Planners are reluctant to admit that signs function, in many ways, as urban artwork and that the public actually likes them. When people are shown pictures of on-premise signs with beautiful face moldings, excellent balance of color or letter or graphics, and adequate lighting, consistently a large majority of those surveyed can be expected to tell researchers that they appreciate the artwork of the signs and enjoy looking at them.¹ Large painted wall murals, cut-out extensions on billboards, and colorful decorations of the otherwise mundane (such as buses, transit structures, and public benches) are often seen as adding character and life to the cityscape.

The most aggressively signed stores in existence in this country are malls, which are very popular with consumers. Although a mall may have one large sign out front, inside each store has an intensive amount of advertising – usually four times the amount of signage the average main street merchant is allowed to have. The signage typically includes creative window displays and point of purchase displays that are visible from outside, as well as a lighted sign above the entrance to the store. Even the lighting systems in malls are dimmed to enhance the visibility component of the store. Why doesn't the public complain about mall signage? The public does not complain because the signage is attractive and serves the consumer by calling attention to the goods and services available within the store.

While many will agree with the desire to approve visual appearance, it is nonsensical to equate absolute numeric sign size, height and placement restrictions with aesthetics. Nobody claims that large buildings are ugly when compared to small buildings, or that buildings in older sections of a city are unacceptable when compared to new buildings set back significant distances from the roadway.

Painted murals and well-crafted signs are seen by most people as adding flavor to the cityscape.



The simple fact of the matter is, in most cities, when voters are asked straight out whether they support the specific code changes being proposed to further restrict signs, surveys consistently show that 75% of the people do not approve. The public does not support restrictive sign codes that are, in effect, blatant censorship. Poll after poll in city after city has found that the vast majority of people consider outdoor advertising to be interesting and informative, believe it is good for business, and do not support banning it. Typically, just 12 ½% of the American public supports doing away with outdoor advertising. The fact is, Americans love their advertising.

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In many instances, “aesthetics” is simply a pretext for censorship of commercial speech.

It is important to keep in mind that the U.S. economy does not function like the economies of Europe or Japan. Planners may benefit from studying the models of other countries, but there certain economic influences at work in the United States make those models non-functional here. The U.S. economy is driven by consumers, and nothing planners can do will change that. A city simply can not have “smart growth” if its first assumption is that consumers don’t know what they are doing and businesses do not have to appeal to their needs.

Amortization Undermines Aesthetics

Amortization in the land-use context is inherently anti-commerce, carrying with it the imprimatur of negation and punishment rather than fair payment for loss of property and civil rights. An amortization policy clearly implies both a distaste for signs and a certain ignorance of their true value. The fallout of such a policy generally is a higher interest rate on the loan and a concurrent lower expenditure of borrowed funds on signage that could be subject to noncompensable removal at municipal whim.

Despite the proven value of a sign to business success, a decision concerning the amount of money one is willing to pay for one’s sign is heavily influenced by the controlling sign code and the reception one is likely to receive when applying for a permit. A lender considering a business loan application will be equally interested in sign code provisions,

Creative outdoor advertising structures with cut-out extensions provide points of interest that ease driver boredom while providing information.



¹ Thirty years ago, after San Diego had written a draconian sign code that banned all billboards and retroactively took them, the city enclosed a public opinion survey in all utility bills. What they learned surprised them: the public did not feel there was a sign problem in San Diego, did not support banning billboards or taking them without compensation, and felt the signs were useful and good for business.

which always affect the borrower's ability to effectively compete in the marketplace, and, therefore, the value of collateral assets.

It is axiomatic that the local business community will not readily respond to municipal efforts to improve sign design and community aesthetics if amortization is the only compensation provided in the regulatory scheme. A business owner will not invest in a beautifully crafted, aesthetically pleasing sign that performs adequately for the business if experience has taught him or her that the sign can be taken away without compensation and if what he or she perceives as a credible source – that is, the government – says the sign will harm the public.

The public does not support restrictive sign codes that are, in effect, blatant censorship.

When municipalities create an environment that is hostile to signs, they also ensure that existing signs will not be improved or well-maintained. Why invest more money in a sign that will be removed in a few years? Instead, many businesses turn to temporary signage, often placed in violation of the sign code but seen by the merchant as the only feasible way to communicate with customers in an oppressive sign code environment.

Furthermore, codes that call for amortization are nearly impossible to enforce, and when the amortization period ends the majority of signs will not have been amortized and replaced. As a result, all that has been accomplished is that the municipality has given an unfair advantage to the established businesses with the larger non-conforming signs over newcomers in the marketplace. Such marketplace involvement is not the function of government. Absent a forced amortization period, signs will be replaced in a matter of time on their own because a sign has a limited life span.

If business owners understand that sign regulators are trying to improve the aesthetics of the community, while at the same time trying to help them stay in business and promote their businesses effectively, they will design better signs and the old, nonconforming signs will come down. Moreover, cities that have studied the results of amortization programs and have instead focused on enforcement of the existing sign code have discovered that up to 75% of businesses wishing to erect a new sign have not asked for the maximum amount of signage allowed under the code. They have asked only for the amount of signage they needed. When cities focus on enforcement, they find there is no reason to resort to “takings” through amortization.

Amortization is reactive rather than proactive, in both nature and application, and in the end works to undermine a community's aesthetic goals.

Americans love their advertising.



Aesthetic and Graphic Design Considerations

Aesthetic enhancement through signage is generally a function of creative design attained by the full use of all available materials and technologies. However, creative design is expensive. A municipality which offers only amortization as compensation for a retroactive taking of place-based communication devices will not encourage a willing expenditure of funds by the local business sector. Further, retroactive regulations and amortization, enforced by fines or criminal sanctions, or both, have a deleterious effect on the local business community. Such a policy does not encourage creative or optimum sign design, but instead generates litigation, a distrust of government, and the loss of a balanced economic environment.

When a business owner's need and right to communicate has been restricted by absolute limits on sign size, height and placement, his or her only option is to maximize the usable copy area of the sign at the expense of a creative visual appearance.

On the other hand, community aesthetics and livability can be enhanced if a municipality offers incentives, rather than punishments, to obtain a desired result. In such instances, the local business community will respond affirmatively. For example, by offering bonuses for custom sign designs, Barbertown, Ohio was able to gain the trust and cooperation of the local business community and successfully rehabilitated its business districts and streetscapes through attractive sign design. Merchants were encouraged to incorporate all necessary place-based advertising on one, custom-designed sign, and design – not size – was the controlling factor.

By working with and rewarding its local retail and service community, Barbertown achieved positive reaction to its “new” sign code and averted both owner neglect during any grace period and the unsightly proliferation of replacement signage (e.g., inexpensive cardboard window signs or temporary “A-frame” signs).¹

Theme signage can be enhanced by using traditional false-front concepts. Although dating back to 19th Century, “old West” America, this commercial communication “art form” retains its relevancy and vitality.



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¹ Amortization of nonconforming signs often heralds a period when owners halt all efforts to maintain existing signs, resulting in unattractive, broken, unreadable and even unsafe signage – “sign blight” in the truest sense.

An Enjoyable Visual Experience for the Tourist

Visitors to specific geographic locations that function as major tourist destinations (e.g., Times Square) not only consider the signage in and around these areas to be an important part of their total experience, but also respond to signage messages that invite purchases. Along the same line, destination cities such as Las Vegas or Santa Fe/Taos, are home to signage that both entertains and invites commercial transactions.

While destination districts or cities must strive to meet the signage expectations of the thousands who visit them annually, they must also consider the signage requirements of the local community. Generally, all signage needs and expectations are met by emphasizing theme design in the controlling sign codes. For example, all businesses in Las Vegas, casino or otherwise, must submit their signage designs to rigorous design review tests before construction or placement. New York City municipal authorities exercise strict dominion over Times Square signage, including imposition of rigid sign size-to-site ratio standards.



The Fremont Experience in Las Vegas is truly a street of lights.



In such places as Las Vegas, Hollywood and Times Square, the signs themselves have become a tourist attraction, and are essential to the local tourist economy.



Variable Message Signs

From the beginning the sign industry's methods of changing copy have continued to become more sophisticated. As this has happened, the opportunity for merchants to communicate their messages to customers has expanded. But it is with some level of difficulty that these new technologies adapt to both the marketplace and regulatory forums. Currently, these types of outdoor variable message centers, including electronic message centers, range from simple monochromatic scrolling message boards to huge screens with television-quality resolution. As the capability of electronics has expanded or changed, this powerful medium has become a valuable communication option with tremendous aesthetic capabilities.

The sign industry is quick to seize upon any lighting system that can make their communication expression more valuable and attractive. The Fremont Experience in Las Vegas is a good illustration. The original "Glitter Gulch" helped begin the growth in Las Vegas gaming. As the gambling business developed and spread to metropolitan Clark County, along the Strip, a series of experiments were tried in order to bring more people to Las Vegas. The sign industry, through the use of electronics in new lighting systems, created a phenomenon that people traveled to, without a particular casino in mind, simply to enjoy this lighting exhibition. Thus the Fremont Experience is literally a street of lights.

A good example of the value of variable message signs is found in the experience of the airport in Monmouth, N.J. The owner of the airport carefully drew up traffic profiles on his street, and the origin/destination trips of the travelers going by using the particular time of each trip. He then carefully charted customer profiles so he knew what times of day to display price or route information for the different flights on the electronic or variable message center. During the balance of the day he was able to offer groups, including those in government, the opportunity to use the electronic message center to communicate with those living in the area during their daily commutes.

Community aesthetics and livability can be enhanced if a municipality offers incentives, rather than punishments, to obtain a desired result.



The wide variety of electronic message centers available today allow the business owner unprecedented opportunities to communicate with passers-by.



Advantages Electronic Message Centers Offer to a Business

Because electronic or variable message signs attract customer attention and increase business, they have the ability to increase the economic viability of difficult commercial sites with limited space. They also offer the unique ability to consolidate information into one attractive space, eliminating the need for multiple temporary signs in store windows or on sidewalks, thereby enhancing aesthetics. Consequently, the business community is demanding them and municipalities are becoming more willing to consider allowing them.

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- They allow an unlimited number of message changes and variable controls, all easily completed with a computer. The result is lower labor cost and elimination of the physical liabilities often associated with copy changes on traditional reader boards.
- They communicate variable messages as people pass by, allowing greater flexibility in communicating to the public. The business owner can change the message as needed to provide information to specific retail customers, and can be used for political, social or community events.
- With their automated dimming and focusing systems, they can respond to the visibility needs of the public, increasing safety and conspicuity day and night.
- These signs can quickly “brand” a business site in the local community.
- They provide the best and most cost-effective form of paid advertising, allowing a business to market its products and services to its immediate trade area and prevent wasteful advertising expenses. The only form of advertising that may be more powerful is word of mouth (although it can be neither purchased nor controlled).
- Their effectiveness is not limited by space or surface area constraints as with a reader-board.
- Software is available that enables a business owner to display sophisticated logos or images on the board precisely as planned.
- They allow for sign consolidation, so a business owner does not need numerous banners and window signs to display specials, reducing visual clutter.

At first this would appear to hold real potential for merchant use. Unfortunately, this method of outdoor expression has continually seen attempts to limit its use. To explain this, in some measure, one needs to understand the components of the 1965 Highway Act. While Congress did nothing to actually prohibit or proscribe the use of

Highly technically advanced variable message signs are an increasingly common sight in big cities around the world.



electronic message centers, which were in their infancy at the time, the Federal Highway Administration (FHWA), developed its own regulation to prohibit flashing and other forms of variable message changes. Essentially, the only variable message systems allowed were those that provided time and temperature or other “public service” messages.

The federal regulations of variable message signs were clearly content-based, and awareness was growing that they would probably not hold up to Constitutional muster. By 1978 the industry had grown so concerned about the proscriptions that were occurring on these variable or electronic message centers that they took their case to the U.S. Congress. For the first and only time the 1965 Act was amended to allow electronic message centers along the highway, without invoking some kind of federal penalty.

The tide of regulations of these signs may be starting to turn. Municipalities that wish to prevent urban sprawl or deterioration of urban land are passing enabling acts that require optimization of urban space.



Because signs are critical if a business is to succeed, restrictions on standard signage can actually result in more clutter as business owners resort to temporary signs to communicate with customers. Electronic variable message centers allow businesses to convey these critical consumer-oriented messages without having to resort to a variety of temporary signs.

