

ORDINANCE CITY OF SAINT PAUL, MINNESOTA

Presented by _____

An ordinance amending Leg. Code Chapter 64, Signs, revising and updating existing language, adding new language regarding signs with dynamic display, and removing redundant language regarding billboards with dynamic display.

THE COUNCIL OF THE CITY OF SAINT PAUL DOES ORDAIN

Section 1

That Legislative Code Chapter 64 is hereby amended as follows:

Sec. 64.101. Intent and purpose.

The purpose of this chapter is as follows:

- (a) To regulate the time, place, and manner in which signs may be exhibited;
- (b) To protect the right of information transmittal;
- (c)~~(a)~~ To promote the public health, safety and general welfare of the community;
- (d)~~(b)~~ To encourage a concern for the visual environment which makes the city a more desirable place to live;
- (e)~~(c)~~ To identify and promote business and industry in the city;
- (f)~~(d)~~ To reduce hazards which may be caused by signs projecting over public rights-of-way;
- (g)~~(e)~~ To protect open space and areas characterized by unique environmental, historical and architectural resources;
- (h)~~(f)~~ To protect the right of information transmittal.
- (i)~~(g)~~ Along advanced speed arteries, to promote the safety, convenience and enjoyment of public travel, to protect the public investment in highway beautification, and to preserve and enhance the natural scenic beauty or the aesthetic features and roadways in scenic and adjacent areas;
- (j)~~(h)~~ To reduce the number of nonconforming signs in the ~~city~~ city, particularly billboards;
- (k)~~(i)~~ To control the quality of materials, construction, electrification and maintenances of all signs; and
- (l)~~(j)~~ To provide for the administration of this chapter; and,
- ~~(m) To provide penalties for violations of the provisions of this chapter.~~

Sec. 64.104. B.

~~*Billboard with dynamic display.* A billboard on which the sign message moves or changes, or appears to do so, through any method other than physically removing and replacing the sign or its components, whether such movement or change is in the display, the sign structure itself, or any other component of the sign. This includes a display that incorporates a technology or method allowing the sign face to change the images without having to replace the sign face or its components physically or mechanically. This also includes any rotating, revolving, moving, flashing, blinking, or animated display and any display that incorporates rotating panels, LED lights manipulated through digital input, "digital ink" or any other~~

38 ~~method or technology that allows the sign face to present a series of images or displays, except for time~~
39 ~~and temperature displays that occupy less than twenty (20) percent of the billboard face.~~

40 **Sec. 64.107. E.**

41 ~~Electronic message sign. A sign which allows for periodic changes in copy or symbols by electronic~~
42 ~~means.~~

43 **Sec. 64.108 F**

44 ~~Flashing sign. An illuminated sign on which the illumination is not kept stationary or constant in intensity~~
45 ~~or color at all times when the sign is in use. An Signs with dynamic display and time and/or temperature~~
46 ~~signs are electronic message sign is not considered to be a flashing sign.~~

47 **Sec. 64.121. S.**

48 ~~Sign with dynamic display. Any sign capable of displaying words, symbols, figures or images that can be~~
49 ~~electronically or mechanically moved or changed by remote, automatic or electronic means. Signs~~
50 ~~providing only time and/or temperature information are not considered to be signs with dynamic display for~~
51 ~~regulatory purposes.~~

52 **Sec. 64.302. Nonconforming advertising signs; conversion to billboard with dynamic display.**

53 (b) Except in a B4 or B5 zoning district, a legally nonconforming, illuminated billboard may be converted to
54 a billboard with a dynamic display if the following conditions are met:

55 (2) The billboard is located at least one (1) mile measured ~~linearly~~ along the freeway from any
56 other billboard with dynamic display designed to be read by drivers heading in the same
57 direction on the highway.

58 (c) In addition to the other regulations in this chapter, a billboard with a dynamic display shall conform to
59 the following operational standards:

60 (1) All alpha-numeric copy must be at least fifteen (15) inches high.

61 (2) The images and messages displayed must be static, and the transition from one static display
62 to another must be direct and immediate without any special effects. ~~(3) Each image and~~
63 ~~message displayed must be complete in itself, and may not continue on the subsequent one.~~
64 ~~(4) Each image and message must remain constant for at least twelve (12) seconds before~~
65 ~~changing to the next one.~~

66 ~~(5) No sign may be brighter than necessary for clear and adequate visibility.~~

67 ~~(6) No sign may be of such intensity or brilliances as to impair the vision of a driver with average~~
68 ~~eyesight or to otherwise interfere with drivers' operation of their vehicles.~~

69 ~~(7) No sign may be of such intensity or brilliance that it interferes with the effectiveness of an~~
70 ~~official traffic sign, device, signal, or the safety of the public, or located where it would do so, as~~
71 ~~determined by the city traffic engineer.~~

72 ~~(8) A billboard converted for dynamic display, on which more than twenty (20) percent of the sign~~
73 ~~face is changeable, must have a mechanism that automatically adjusts the sign's brightness in~~
74 ~~response to ambient conditions. It must also be equipped with a means to turn off the display~~
75 ~~or lighting immediately if it malfunctions, and the sign owner or operator must turn off the sign~~
76 ~~or lighting immediately upon notification by the city that sign malfunctions are causing it to be~~
77 ~~out of compliance with the operational standards in this section.~~

78 ~~(9) A billboard with a dynamic display should not appear to be brighter than billboards with~~
79 ~~external lighting. The billboard's owner or operator must adjust the sign to meet this brightness~~
80 ~~standard in accordance with the city's instructions. The adjustment must be made immediately~~

upon receiving a notice of non-compliance from the city; however, the sign owner or operator may appeal the city's notice of non-compliance to the board of zoning appeals.

Sec. 64.405. Signs with dynamic display.

(a) Location and orientation. Business signs with dynamic display shall be at least seventy-five (75) feet, as measured along the road, from a residential district, and shall be at least fifty (50) feet from a residential district, measured radially. Signs with dynamic display intended to be read from a freeway shall be at least six hundred sixty (660) feet as measured along the freeway from any other sign with dynamic display designed to be read by drivers heading in the same direction. Signs with dynamic display shall not interfere with traffic and road safety due to placement and orientation as determined by the city traffic engineer.

(b) Sign area. Business and identification signs shall be restricted in the measured area of their dynamic displays so that the dynamic displays may occupy no more than twenty (20) percent of the total allowable signage of the property. The remaining eighty (80) percent of the total allowable signage of the property must not have the capability to have dynamic displays even if not used.

(c) Illumination and brightness. No sign with dynamic display may exceed a maximum illumination of 0.3 foot candles above ambient light level as measured from fifty (50) feet from the sign's face. All signs with dynamic display having illumination by means other than natural light must be equipped with an automatic dimmer control or other mechanism that automatically controls the sign's brightness to comply with this requirement. No sign with dynamic display may be of such intensity or brilliance that it interferes with the effectiveness of an official traffic sign, device, signal or the safety of the public, or located where it would do so as determined by the city traffic engineer. If there is a violation of the brightness standards, the adjustment must be made within one (1) business day upon notice of non-compliance from the city.

(d) Malfunction. Signs with dynamic display must be designed and equipped to freeze the sign face in one position if a malfunction occurs. Signs with dynamic display must also be equipped with a means to immediately discontinue the display if it malfunctions, and the sign owner or operator must immediately turn off the display when notified by the city that it is not complying with the standards of this ordinance.

(e) Image characteristics, duration, and transition. The following standards shall apply to image duration, transition, and other characteristics of signs with dynamic display. Additional district-specific restrictions are contained in Sec. 64.502 and 64.503.

(1) Except at professional sport facilities, signs with dynamic display that are oriented towards the public right of way shall not include moving video images.

(2) Business and identification signs with dynamic display may either have stable text and/or stable images, or they may have scrolling text and/or scrolling images. Signs with dynamic display which contain stable text and/or stable images may not change their text or image more than once every twelve (12) seconds. Signs with dynamic display which contain scrolling text and/or scrolling images may not scroll at a rate faster than one (1) word per second, where words contain an average of five (5) characters each.

(3) For stable text and/or stable images, the transition from one static display to another must be direct and immediate without any special effects except for fading and dissolving that takes less than one (1) second;

(4) Text on signs with dynamic display must be monochromatic. Images on signs with dynamic display may be full color.

(5) Signs with dynamic display shall not emit sound except for those at drive-through sales and services as allowed under section 65.513.

(6) Other modes of displaying messages are prohibited. Modes which cause the message to flash are prohibited.

Sec. 64.420. Advertising signs.

(b) *Professional sports facility.* At a professional sports facility with permanent seating for more than ten thousand (10,000) spectators and located in a B4-B5 Business or IR-I2 Industrial zone, one (1) or two (2) advertising signs are permitted as an accessory use subject to the following standards:

(6) For signs with dynamic display ~~electronic message boards~~, the modes of display of messages shall conform to the requirements in section 64.405 ~~64.504((a)(5)(c))~~. ~~Flashing modes are not permitted.~~

Sec. 64.502. RL through RM3 residential districts.

(a) *Identification signs:*

(4) For parks, community centers, and religious, civic, educational or philanthropic institutions, one (1) identification sign, not exceeding a total of thirty (30) square feet in area for each street frontage, and one (1) bulletin board not exceeding a total of thirty (30) square feet in area. Such bulletin board signs may ~~have electronically changeable text, but shall not fade in and out, scroll, or flash~~ be signs with dynamic display, which shall be monochromatic, shall not scroll or change their displays faster than every twenty (20) minutes, and shall be turned off between 10:00 PM and 7:00 AM.

(7) Signs with dynamic display are not permitted in residential zoning districts except as provided in Sec. 64.502(a)(4).

Sec. 64.503. TN1--TN3 traditional neighborhood and OS--~~BCB1~~ business districts.

(a) *Business and identification signs:*

(1) The sum of the gross surface display area in square feet of all business and identification signs on a lot shall not exceed one times the lineal feet of lot frontage, or seventy-five (75) square feet, whichever is greater.

(2) No business or identification sign shall be located in a required yard except for one freestanding sign. Freestanding signs may project into the public right-of-way up to eighteen (18) inches.

(6) Signs with dynamic display shall be monochromatic, shall not scroll or change their displays faster than every twenty (20) minutes, and shall be turned off between 11:00 PM and 7:00 AM or after business hours, whichever is later.

Sec. 64.504. ~~BC~~ B2--B3 business and IR industrial districts.

(a) *Business and identification signs:*

(5) In the B2 district, signs with dynamic display shall not scroll or change their displays faster than every twenty (20) minutes and shall be turned off between 11:00 PM and 7:00 AM or after business hours, whichever is later. Electronic message signs shall be prohibited from the BC--B2 district; provided that electronic message signs giving public information, such as time, temperature, stock averages and the like, are permitted in the B2 district. Electronic message signs are permitted in the districts under the following conditions:

a. ~~The signs shall be six hundred sixty (660) feet from other electronic message signs on the same side of the same street;~~

- 168 ~~b. The signs shall be at least seventy five (75) feet, as measured along the road, of a~~
169 ~~residential district, and shall be at least fifty (50) feet from a residential district, measured~~
170 ~~radially; and~~
- 171 ~~e. The following modes of displaying the message shall be permitted:~~
- 172 ~~1. The fade in/fade out mode where the message appears on the sign, dissolves and~~
173 ~~another message takes its place;~~
- 174 ~~2. The travel mode where the message moves across the sign from left to right or right~~
175 ~~to left; and~~
- 176 ~~3. The travel mode where the message moves from top to bottom or bottom to top.~~
- 177 ~~Other modes of displaying messages are prohibited. Modes which cause the message~~
178 ~~to flash are prohibited.~~

179 **Sec. 64.505. B4--B5 business districts.**

180 (a) Business and identification signs:

- 181 ~~(4) Electronic message signs are permitted and subject to the conditions specified in and B-2 and~~
182 ~~B-3 districts, section 64.504(a)(5).~~

183 **Sec. 64.506. I1--I3 industrial districts.**

184 (a) Business and identification signs:

- 185 ~~(5) Electronic message signs are permitted and subject to the conditions specified in the B-2 and~~
186 ~~B-3 districts, section 64.504(a)(5).~~

187

188 **Section 2**

189 This ordinance shall become effective thirty (30) days after its passage, approval, and publication.

190

	Yeas	Nays	Absent
Bostrom			
Carter			
Harris			
Helgen			
Lantry			
Stark			
Thune			

Requested by Department of:

By: _____

Approved by the Office of Financial Services

By: _____

Approved by City Attorney

By: _____

Approved by Mayor for Submission to Council

By: _____

Adopted by Council: Date _____

Adoption Certified by Council Secretary

By: _____

Approved by Mayor: Date _____

By: _____