

**CPED Planning Division Report
Zoning Code Text Amendment**

Date: February 23, 2004

Initiator Of Amendment: Council Member Goodman

Date of Introduction at City Council: June 20, 2003

Ward: All

Planning Staff And Phone: Jason Wittenberg, 673-2297

Intent Of The Ordinance: The amendment would authorize a variance/sign adjustment to allow certain flashing signs on museums of at least one hundred thousand (100,000) square feet.

Appropriate Section(s) of the Zoning Code: Chapter 543

Background: The Walker Art Center has proposed a flashing sign on the Hennepin Avenue side of their current building expansion. The amendment would authorize large-scale museums to apply for a variance/sign adjustment to allow flashing signs.

Purpose For The Amendment:

What is the reason for the amendment?

What problem is the Amendment designed to solve?

What public purpose will be served by the amendment?

What problems might the amendment create?

The amendment would authorize a variance/adjustment to allow flashing window or wall signs on large-scale museums. The Walker Art Center has proposed a unique sign that is classified under the zoning code as a flashing sign. This amendment would allow representatives from the Walker Art Center to apply for a variance to allow the proposed sign. Other large scale museums would also be afforded the opportunity to apply for a variance to allow a flashing sign or signs.

Flashing signs are largely limited by the zoning code to the downtown districts and the C3A District. The existing sign regulations may not adequately allow the opportunity for new and innovative sign technologies on large scale museums.

The public would be served by giving the City Planning Commission and City Council the ability to authorize certain signs that may be more consistent with the design and the mission of museums. Note that the proposed 100,000 square foot threshold likely limits the amendments applicability to two existing institutions (and, of course, any future museum having 100,000 square feet or more).

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Flashing signs can have negative consequences, including creating an annoyance for residents living near the signs and causing confusion or distraction among motorists. However, the amendment does not authorize as-of-right installation of flashing signs on museums. Instead, such sign proposals would be reviewed on a case by case basis by City staff and either the Planning Commission or Board of Adjustment.

Timeliness:

Is the amendment timely?

Is the amendment consistent with practices in surrounding areas?

Are there consequences in denying this amendment?

The timing of the amendment coincides with construction of a major addition to the Walker Art Center. A flashing sign—currently prohibited by the zoning code—is proposed for the wall facing Hennepin Avenue.

Surrounding areas generally do not have large scale cultural institutions comparable to the Walker Art Center or the Minneapolis Institute of Arts. Regulations regarding flashing signs vary in surrounding communities. In Edina, for example, “No sign shall change in either color or in intensity of light more frequently than once per hour, except signs giving time, date, temperature or weather information.” And in Brooklyn Center, prohibited signs include, “Flashing signs including indoor signs which are visible from the public streets.”

The consequences of denying the amendment are that museums would be limited to the types of signs currently allowed by Chapter 543 of the zoning code.

Comprehensive Plan:

How will this amendment implement the Comprehensive Plan?

Allowing flashing signs as-of-right would perhaps not be consistent with the provisions of the comprehensive plan, including policies related to protecting residential uses from certain impacts associated with non-residential uses.

Policy 9.18 of the Minneapolis Plan states that, “Minneapolis will establish land use regulations, in order to achieve the highest possible development standards, enhance the environment, promote flexibility in approaches and otherwise carry out the comprehensive plan.” The proposed amendment allows flexibility compared to current provisions while maintaining the City’s ability to exercise discretion to protect against flashing signs that could prove detrimental to their surroundings.

Recommendation Of The CPED Planning Division:

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The CPED Planning Division recommends that the City Planning Commission and City Council adopt the above findings and **approve** the text amendment.

PROPOSED ORDINANCE

Amending Title 20, Chapter 543 of the Minneapolis Code of Ordinances relating to Zoning Code: On-Premise Signs.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 543.185 of the above-entitled ordinance be added to read as follows:

543.185. Museums. Notwithstanding any other provision to the contrary, on-premise flashing wall or window signs may be allowed on museums of at least one hundred thousand (100,000) square feet (in those districts where museums are allowed) when approved as a sign adjustment pursuant to Chapter 543, On-Premise Signs, and Chapter 525, Administration and Enforcement.