



CPED STAFF REPORT

Prepared for the City Planning Commission

CPC Agenda Item #6
March 3, 2014

ZONING CODE TEXT AMENDMENT SUMMARY

Initiator: Council Member Goodman
Introduction Date: December 13, 2013
Prepared By: [Shanna Sether](#), Senior City Planner, (612) 673-2307
Specific Site: Citywide
Ward: All
Neighborhood: All
Intent: To allow on-premise roof signs.

APPLICABLE SECTION(S) OF THE ZONING CODE

- Chapter 543, On-Premise Signs

The following chapters were also introduced: Chapter 520, Introductory Provisions. However, staff is not recommending changes to these chapters as part of this amendment and is therefore recommending returning them to the author.

BACKGROUND

On December 13, 2013, Council Member Goodman introduced a zoning code text amendment for Chapter 520, Introductory Provisions, and Chapter 543, On-Premise Signs, to change the regulations pertaining to on-premise roof signs. On-premise roof signs became a prohibited sign type in all zoning districts with the adoption of the 1999 zoning code.

The zoning code defines a roof sign as: “a sign which is mounted on the roof of a building or which projects above the top of the wall of a building with a gambrel, gable or hip roof.” The purpose of the regulating on-premise signs is to allow for effective signage appropriate to the planned character of each zoning district, to promote an attractive environment by minimizing visual clutter and confusion, to minimize adverse effects on nearby property, and to protect the public health, safety and welfare.

Since the adoption of the 1999 zoning code, three text amendments have been approved by the City Council to allow roof signs in specific zoning districts and for specific uses. In 2003, Chapters 543, On-Premise Signs, and 551, Overlay Districts, were amended to allow roof signs on nonresidential, multiple story building containing at least one hundred thousand (100,000) square feet of gross floor area located within the area bounded by Tenth Avenue South, Washington Avenue South, third Avenue south and the Mississippi River in the DH Downtown Height Overlay District. In 2010, Chapter 543, On-Premise Signs was amended to allow roof signs accessory to a regional sports arena. In 2013, Chapter 551, Overlay Districts, was amended to allow roof signs not exceeding one hundred twenty (120) feet above grade for nonresidential, multiple story buildings located in the NM Nicollet Mall Overlay district. In addition, the Heritage Preservation Commission has authorized certain roof signs using historic variances. This tool is only applicable for locally designated historic properties.

The proposed amendment would allow for two types of roof signs, depending on the height of the building. On buildings with one to five stories, one roof sign, limited to individual channel letters and/or logo that would be viewed from a public street would be permitted. On buildings with a flat roof and at least 15 stories in height would be permitted to have one roof sign, affixed flat to the roof, intended to be viewed from above. The proposed amendment would comprehensively address the regulation of roof signs citywide, with specific design standards and regulations related to sign area, height and illumination. Proposed standards are intended to avoid or mitigate off-site impacts to adjacent uses, pedestrians and motorists. The proposed amendment would not allow for roof signs in the Residence Districts or the ORI Office Residence District. In addition, structures between 6 and 14 stories, roof signs would not be allowed unless approved with a variance of the sign type.

PURPOSE

What is the reason for the amendment?

On-premise roof signs are a prohibited sign type in the zoning code. Therefore, no land use application can be applied for to authorize the use of a new roof sign. Roof signs became a prohibited sign type in all zoning districts with the adoption of the 1999 zoning code. Since the adoption of the 1999 zoning code, three text amendments have been approved by the City Council to allow roof signs in specific zoning districts and for specific uses. The proposed amendment would authorize the construction and installation of new on-premise roof signs with specific design standards, area, height and illumination in all zoning districts except the Residence Districts and the ORI District. On-premise dynamic and dynamic changeable copy signs would continue to be a prohibited sign type, except where allowed accessory to a museum per section 543.240, in the zoning code.

What problem is the amendment designed to solve?

The proposed amendment is designed to allow for two different types of roof signs than would be permitted on buildings of 1-5 stories and 15 stories or greater. This will allow for an additional sign type to identify a building or use within a building.

What public purpose will be served by the amendment?

The proposed amendment will allow for effective identification of a building or use by allowing an on-premise roof sign. Staff finds that, in many instances, roof signs may be more compatible with a building's function, scale and character than other sign types currently allowed by ordinance. The proposed amendment sets specific design standards and regulates the sign area, height and illumination to avoid off-site impacts to adjacent uses, pedestrians and motorists.

What problems might the amendment create?

The proposed amendment is designed to allow for two different types of roof signs that would be permitted on buildings of 1-5 stories and 15 stories or greater. The proposed amendment would comprehensively address the regulation of roof signs citywide, with specific design standards and regulations related to sign area, height and illumination. Proposed standards are intended to avoid or mitigate off-site impacts to adjacent uses, pedestrians and motorists. The proposed amendment would not allow for roof signs in the Residence Districts or the ORI Office Residence District.

The proposed amendment would not have does not affect Chapter 544 Off-Premise Signs and Billboards and would only include on-premise signage.

TIMELINESS

Is the amendment timely?

This amendment is timely due to a recent proposal for roof signs on a newly proposed development in Downtown East. Since the adoption of the 1999 zoning code, three text amendments have been approved by the City Council to allow roof signs in specific zoning districts and for specific uses. The proposed amendment would allow for roof signs city wide with sets specific design standards and regulates the sign area, height and illumination to avoid off-site impacts to adjacent uses, pedestrians and motorists.

Is the amendment consistent with practices in surrounding areas?

Staff performed a code search to obtain information on how other cities regulate roof signs in the metro area and in peer cities in the country. In 2007, Saint Paul amended their zoning code to prohibit all roof signs. Duluth, Stillwater, Roseville, Woodbury, Maplewood and Bloomington all prohibit roof signs.

San Diego, California, allows roof signs in lieu of a freestanding and projecting signs in certain commercial and industrial districts. The City of San Diego regulates the maximum area of roof signs based on the width of the public right-of-way and the street speed limit. The maximum height is determined by a combination of the building height and vertical dimension of the sign. Additional provisions include the limitation of one roof sign per property, the sign must be on-premise signage, the property must have street frontage, the sign is not allowed to rotate and may only be internally illuminated.

Austin, Texas, allows for roof signs along the Expressway and in commercial districts, in lieu of a freestanding sign. The maximum height of the sign is the lesser of five feet above the building façade or

five feet above the maximum height permitted for a freestanding sign. The City of Austin prohibits roof signs in historic districts and their University District.

Seattle Washington, allows each business establishment one ground, roof, projecting or combination (projecting sign above the roof) sign. The maximum area of the roof sign is 72 square feet and cannot exceed 25 feet in height above grade. Roof signs are permitted in neighborhood commercial, commercial and industrial districts; however, they are prohibited in downtown districts. Further, such signs must be on-premise only, stationary except barberpoles; signs may be electric, externally illuminated or nonilluminated. Finally, no flashing, changing-image or chasing signs are permitted except for motion picture and performing theater signage.

Milwaukee, Wisconsin, allows roof signs as allowed by the building and fire codes. Roof signs are limited to 50% of the building height limitation in the zoning district with a maximum height of 50 feet. Roof signs erected parallel to the exterior walls shall be located not less than 5 feet from the exterior wall. Signs at an angle must be located 2.5 feet or less from the exterior wall.

Are there consequences in denying this amendment?

Denial of the proposed amendment would continue to prohibit roof signs in the City of Minneapolis except for nonresidential uses with multiple stories in the DH Downtown Height Overlay District and NM Nicollet Mall Overlay District and regional sports arenas. Prohibited signs cannot be allowed with any land use application.

COMPREHENSIVE PLAN

The amendment will implement the following applicable policies of [The Minneapolis Plan for Sustainable Growth](#):

Land Use Policy 1.2: Ensure appropriate transitions between uses with different size, scale, and intensity.

- 1.2.1 Promote quality design in new development, as well as building orientation, scale, massing, buffering, and setbacks that are appropriate with the context of the surrounding area.
- 1.2.2 Ensure that lighting and signage associated with non-residential uses do not create negative impacts for residential properties.
- 1.2.3 Lessen the negative impacts of non-residential uses on residential areas through controls on noise, odors, and hours open to the public.

Economic Development Policy 4.2: Promote business start-ups, retention and expansion to bolster the existing economic base.

- 4.2.1 Promote access to the resources and information necessary for successful operation of healthy businesses.
- 4.2.5 Encourage small business opportunities, such as appropriate home occupations and business incubators, in order to promote individual entrepreneurs and business formation.

Urban Design Policy 10.12: Design industrial uses with appropriate transitions and other design features which minimize negative impacts on surrounding residential uses.

- 10.12.6 Use the site plan review process to ensure that lighting and signage associated with industrial uses do not create negative impacts for residential properties.

The Urban Design Chapter states that sign design should balance the desire to convey information with a need to maintain visual aesthetics so that signage is not intrusive. The scale of signage should be geared toward the pedestrian and less to the automobile. Unique signage that incorporates unusual materials or designs is encouraged.

Urban Design Policy 10.20: Promote an attractive environment by minimizing visual clutter and confusion caused by a proliferation of signage.

10.20.1 Location, size, height and spacing of off-premise advertising signs and billboards shall be regulated to minimize their visual blighting effects.

10.20.2 Master sign plans shall be submitted for multi-tenant buildings to ensure a complementary relationship between signage and the architecture of a building.

10.20.3 Develop incentives for exceptional sign design and style, including a special review process to ensure appropriate location, size, height and compatible design to the architecture of the building and other signage.

10.20.4 Develop a consistent, city-wide wayfinding signage design and maintenance plan for neighborhoods, trails, etc.

Urban Design Policy 10.21: Unique areas and neighborhoods within the city should have a special set of sign standards to allow for effective signage appropriate to the planned character of each area/neighborhood.

10.21.1 Supporting the regional draw of Downtown entertainment areas, larger scale signage shall be allowed in appropriate places (such as the Hennepin Avenue Downtown Entertainment Area and Nicollet Mall Overlay District).

10.21.2 To promote street life and activity, signs should be located and sized to be viewed by people on foot (not vehicles) in order to preserve and encourage the pedestrian character of commercial areas that have traditional urban form.

10.21.3 Encourage effective signage that is appropriate to the character of the city's historic districts and landmarks, and preserves the integrity of historic structures.

This proposed amendment will be consistent with the above policies of the comprehensive plan.

RECOMMENDATIONS

Recommendation of the Department of Community Planning and Economic Development:

The Department of Community Planning and Economic Development recommends that the City Planning Commission and City Council adopt the above findings and **approve** the zoning code text amendment, amending Chapter 543 On-Premise Signs. Staff further recommends that Chapter 520, Introductory Provisions, be **returned** to the author.

ATTACHMENTS

- I. Ordinance amending Chapter 543 On-Premise Signs

2014-Or-____

**AN ORDINANCE
OF THE
CITY OF MINNEAPOLIS**

By Goodman

**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 543.50 of the above-titled ordinance be amended to read as follows:

543.50. Prohibited signs.

The following signs shall be prohibited in all zoning districts, except as otherwise specified in this chapter:

- (1) Dynamic and dynamic changeable copy Rroof signs.
- (2) Balloon signs.
- (3) Signs placed on or painted on a motor vehicle or trailer and parked with the primary purpose of providing signage.
- (4) Signs placed or maintained on natural features.
- (5) Audible signs.
- (6) Signs with moving or swinging parts or elements, except in the downtown districts and C3A District or as a window sign.
- (7) Any sign relating to sexually oriented uses and prohibited by the regulations governing such uses in Chapter 549, Downtown Districts.
- (8) Searchlights and strobe lights, except as allowed in Chapter 535, Regulations of General Applicability.
- (9) Signs attached to skyway bridges and intended to be read from the public right-of-way.
- (10) Stringer signs.
- (11) Off-premise signs that do not comply with Chapter 544, Off-Premise Signs and Billboards.
- (12) Any sign not listed as either permitted or conditional or any sign not determined by the zoning administrator to be substantially similar to a sign

listed as permitted or conditional in the manner provided for in Chapter 525, Administration and Enforcement, governing determination of substantially similar uses.

(13) Snipe signs.

Section 2. That Table 543-2 of the above-titled ordinance be amended to read as follows:

Table 543-2 Specific Standards for Signs in the OR2, OR3 and Commercial Districts

Zoning District Sign Standards						
	OR2, OR3	C1	C2	C3A	C3S	C4
Signs Attached to Buildings						
Size Allocation	For all districts except C3S, one (1) sq. ft. of signage per one (1) ft. of primary building wall if a freestanding <u>or roof</u> sign is on the same zoning lot. If there is no freestanding <u>or roof</u> sign on the same zoning lot, one and one-half (1.5) sq. ft. of signage for each one (1) ft. of primary building wall. For the C3S District, two (2) sq. ft. of signage per one (1) ft. of primary building wall. Sign area based upon one (1) primary building wall shall not be placed on any other building wall.					
Types of signs attached to buildings allowed						
<u>Roof signs</u>	<u>Yes, see Section 543.425</u>					

Section 3. That Table 543-3 of the above-titled ordinance be amended to read as follows:

Table 543-3 Specific Standards for Signs in the Downtown Districts

Downtown District Sign Standards						
	B4	B4S	B4C	B4N	Downtown Area ¹	Entertainment
Types of signs attached to buildings allowed						
<u>Roof signs</u>	<u>Yes, see Section 543.425</u>					

Section 4. That Table 543-4 of the above-titled ordinance be amended to read as follows:

Table 543-4 Specific Standards for Signs in the Industrial Districts

Industrial Districts Sign Standards	
Signs Attached to Buildings	
Size Allocation	One (1) sq. ft. of signage per one (1) ft. of primary building wall if a freestanding <u>or roof</u> sign is on the same zoning lot. If there is no freestanding <u>or roof</u> sign on the same zoning lot, one and one-half (1.5) sq. ft. of signage for each one (1) ft. of primary building wall. Sign area based upon one (1) primary building wall shall not be placed on any other wall.
Types of signs attached to buildings allowed	
<u>Roof signs</u>	<u>Yes, see Section 543.425</u>

Section 5. That Section 543.425 be added to the above-titled ordinance be amended to read as follows:

543.425. Roof signs. *(a) In general.* Notwithstanding the height limits of Tables 543-2, Specific Standards for Signs in the OR2, OR3 and Commercial Districts, 543-3, Specific Standards for Signs in the Downtown Districts, and 543-4, Specific Standards for Signs in the Industrial Districts, one roof sign shall be allowed, subject to the following:

(b) Roof signs facing a public street frontage. Roof signs identifying the name or logo of a building or use, facing a public street frontage, shall be subject to the following:

- (1) Signs shall be located on buildings that are less than six (6) stories and eighty-four (84) feet in height.
- (2) Signs shall be internally illuminated or non-illuminated individual letters and/or logo permanently affixed and attached to the parapet wall or building roof and shall face a public street.
- (3) Signs shall not extend outward more than six (6) inches from the structure.
- (4) Signs shall not be located more than five (5) feet from the face of the primary building wall.
- (5) Signs shall be included in the calculation of the total permitted sign area allowed on the primary building wall facing the same street frontage.
- (6) A roof sign may have a vertical dimension of two (2) feet per story, but not more than a total of five (5) feet, above the roof line of a flat roofed building, or the parapet wall, whichever is greater.

(7) Between sunrise and sunset the maximum luminance shall be five thousand (5,000) nits and between sunset and sunrise the maximum luminance shall be five hundred (500) nits.

(c) Roof signs affixed flat on the roof and viewed from above. Roof signs identifying the name or logo of a building or use, affixed flat on the roof and viewed from above, shall be subject to the following:

- (1) A roof sign shall be located on a building with a flat roof that exceeds fifteen (15) stories and shall be installed on or above the fifteenth (15) story.
- (2) Notwithstanding the area limits of Tables 543-2, Specific Standards for Signs in the OR2, OR3 and Commercial Districts, 543-3, Specific Standards for Signs in the Downtown Districts, and 543-4, Specific Standards for Signs in the Industrial Districts, a roof sign shall not exceed twenty-five (25) percent of the roof area on which the sign is located.
- (3) Signs shall be non-illuminated or externally illuminated in such a way that the light shall be aimed and shielded directly onto the roof sign only.