

# **SIGN ORDINANCE UPDATE PROJECT PUBLIC HEARING**

City Council  
02/26/2024 – ITEM #4.2

# AGENDA

Process and Timeline

Project Goals

Legal Considerations

Full Ordinance/New Code Highlights

PC Hearing, Review, and Action

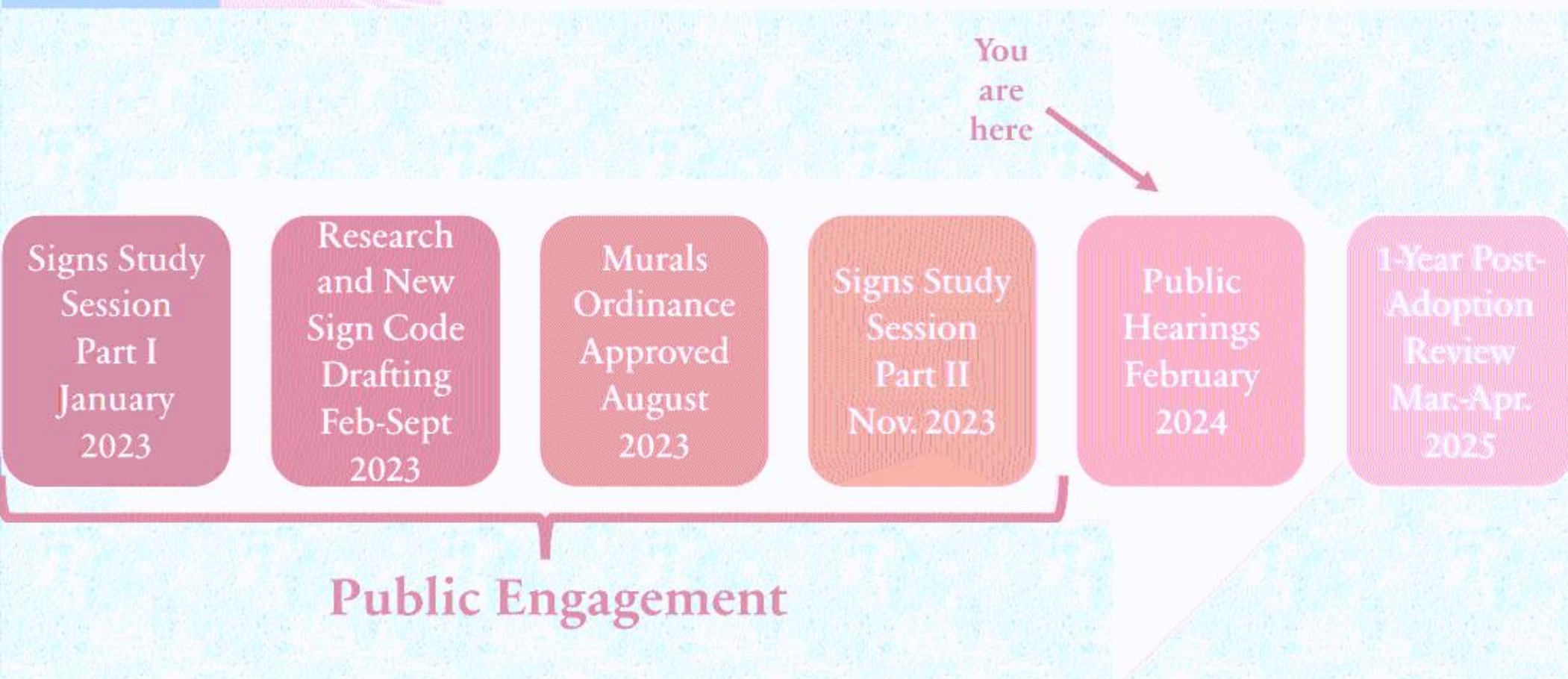
Public Correspondence Overview

PC/Staff Recommendation





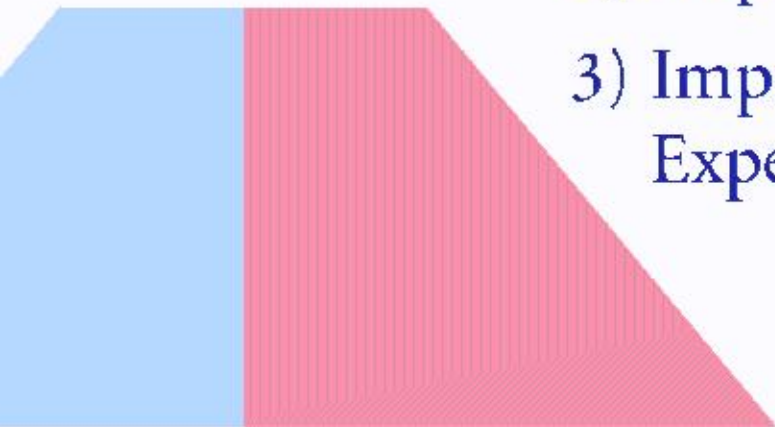
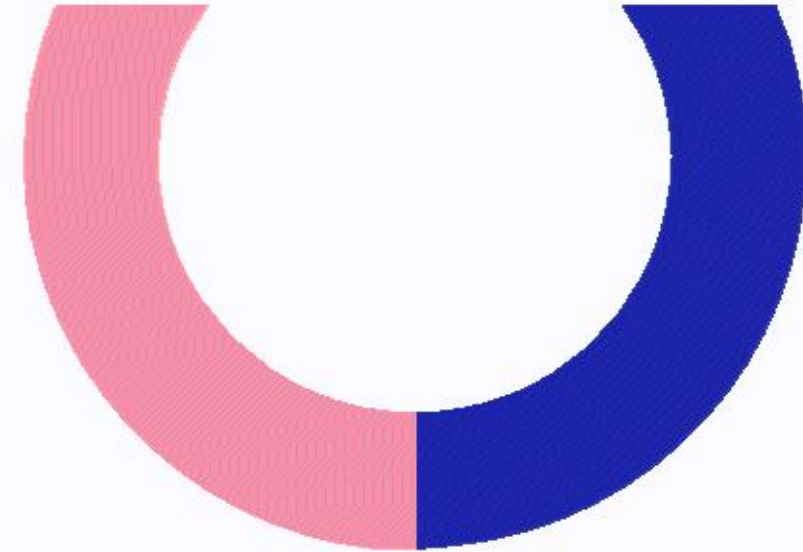
# PROCESS AND TIMELINE



# PROJECT GOALS FOR NEW SIGN CODE



- 1) Conform with Current Legal Standards
- 2) Improve Clarity/Reduce Complexity
- 3) Improve Organization, Formatting, and User Experience





# LEGAL CONSIDERATIONS

- City's Legal Dept. directly involved in writing the draft sign code
- Supportive legal services from nationally recognized expert (John Baker w/ Greene Espel PLLP)
- General requirements
  - Content neutrality
  - Noncommercial vs. commercial messages
  - Undue discretion



# FULL ORDINANCE HIGHLIGHTS

Highlights include:

- Sign variances moved from Ch. 2 to 21
- Definition changes (Ch. 19)
- Deletion of existing billboard (Article VI) and sign standards (Article X) (Ch. 19)
- Addition of new Sign Code (Article III, Division D, Ch. 21) (21.304.01-21.304.27)

EXHIBIT A - SUMMARY OF CODE CHANGES  
SIGN CODE UPDATE PROJECT (CASE #PL2023-205)

CODE SECTION #	DESCRIPTION OF CHANGE
1.11	Updated reference to new Sign Code
2.10	Deletion of administrative consideration of variances related to size, location, and duration of temporary signs
2.35.04	Deletion of specific findings for sign variances from general variance section
12.01.01	Updated reference to new Sign Code
12.03	Added abandoned or unlawful signs as a property condition constituting a public nuisance
14.552 14.553 14.554 14.557	Updated references to new Sign Code and fee schedule in Appendix A
17.60.02	Updated reference to new Sign Code
17.93	Updated reference to new Sign Code
19.03	Multiple updates to broader definitions of the Zoning Code
19.29	Updated reference to new Sign Code
19.31.01	Updated reference to new Sign Code
19.38.01	Updated reference to sign code and clarification of sign districts eligible for PD flexibility of sign area and the number of freestanding signs
19.40.07	Updated reference to new Sign Code
19.40.08	Updated reference to new Sign Code
19.40.10	Updated reference to new Sign Code
Chapter 19 Article VI 19.64 – 19.66.02	Deletion of existing billboard provisions



# NEW SIGN CODE

## NOTABLE POLICY CHANGES

- Number of Sign Districts
- Lot/Building Frontage Sign Area Calculations
- Individual Building Sign Maximum Size
- Grouping of All Building Sign Allowance
- Building Signs on Four Elevations
- Uniformity of Construction
- Special Use Sign Provisions
- Electronic Sign Standards
- Billboard Standards
- Sign Lighting
- Nonconforming Sign Standards
- Comprehensive Sign Plans

# CODE UPDATES SINCE NOVEMBER

- Temporary Signs Format – Tables
- Temporary Signs Size Allowances
- Electronic Changeable Copy Dwell Time
  - Changeable Copy 10 Words or Less: 8 Seconds
  - Graphics or Changeable Copy 11 Words or More: 10 Minutes



# **PLANNING COMMISSION REVIEW, ACTION, AND AMENDMENTS**

- Public hearing held on 2/1/2024 – two persons spoke
- PC recommends approval with three amendments
- Amendments (more detail in extra slides)
  - Parking Structure Signs – Increase from 1 to 2 signs per elevation
  - Expand Temporary Signage for Commercial Promotions
  - Remove Billboard Digital Conversion

## PUBLIC CORRESPONDENCE

[illegible]



# OUTSTANDING REQUESTS

- Request A – Parking Structure Signs – *PC Resolved*
  - Request B – Billboard Digital Conversion
  - Request C – Billboard Brightness Recommendations
  - Request D – Billboard Electronic Dwell Time
  - Request E – Temp Signs for Commercial Promotions – *PC Expanded*
  - Request F – Max Individual Building Sign Size
  - Request G – Building Sign Allowance (Class V)
  - Request H – Max Freestanding Sign Size (Class III and V)
  - Request I – Electronic Sign Size
  - Request J – Electronic Sign Dwell Time
-

# REQUEST F – MAX INDIVIDUAL SIGN SIZE

- Option 1 – No Changes
- Option 2 – Apply restrictions only when in proximity to residential uses
  - Amend 21.304.17(d)
  - Staff supported
- Option 3 – Max 400 sf

<u>Class III</u>	4	No limit	1.25 sq. ft. per linear foot of tenant space or building frontage with no individual sign exceeding 250 square feet when visible from and within 250 feet of a dwelling on designated residential property
<u>Class IV (CX-2)</u>			
<u>Mixed use center identification sign</u>	4	1 per building elevation	2,500 sq. ft.
<u>Tenant identification signs</u>	4	8 per building elevation	1,000 sq. ft.
<u>Class V</u>	4	Residential uses – 1 per building elevation Nonresidential uses – No limit	Residential uses – 50 sq. ft. Nonresidential uses – 1.25 sq. ft. per linear foot of tenant space or building frontage with no individual sign exceeding 4250 square feet when visible from and within 250 feet of a dwelling on designated residential property



# REQUEST G – BUILDING SIGN ALLOWANCE (CLASS V)

- Option 1 – No Changes
- Option 2 – Increase allowance in Class V from 1.0 to 1.25 sq. ft. per lineal foot of building/tenant frontage
  - Amend 21.304.17(d)
  - Staff supported

<u>Sign District</u>	<u>Building Sign Standards</u>		
	<u>Maximum Number of Building Elevations with Signage</u>	<u>Maximum Number of Building Signs Allowed</u>	<u>Maximum Total Area of Allowed Signage per Building Elevation</u>
<u>Class V</u>	4	<u>Residential uses – 1 per building elevation</u> <u>Nonresidential uses – No limit</u>	<u>Residential uses – 50 sq. ft.</u> <u>Nonresidential uses – 1.25 sq. ft. per linear foot of tenant space or building frontage with no individual sign exceeding 1250 square feet when visible from and within 250 feet of a dwelling on designated residential property.</u>

# REQUEST H – MAX FREESTANDING SIGN SIZE (CLASS III AND V)

- Option 1 – No Changes
- Option 2 – Increase max allowance in Classes III and V from 100 to 150 sq. ft.
- Amend 21.304.16(d)
  - Staff supported

<u>Sign District</u>	<u>Monument Sign Performance Standards</u>				
	<u>Maximum Number</u>	<u>Minimum Setbacks</u>		<u>Maximum Height</u>	<u>Maximum Area per Sign</u>
		<u>Along Public Streets</u>	<u>Side or Rear Yard</u>		
<u>Class III</u>	1 monument or pylon sign per public street frontage	15 feet for signs 8 feet or less in height, 20 feet for signs taller than 8 feet	5 feet	20 feet (see table note 1)	0.4 sq. ft. of sign area per linear foot of lot frontage, up to a maximum of 1500 sq. ft. (see table notes 2 and 3)
<u>Class V</u>	1 per public or private street frontage	15 feet	5 feet	8 feet	0.4 sq. ft. of sign area per linear foot of lot frontage, up to a maximum of 1500 sq. ft. (see table notes 2 and 3)

## Table Notes

- 1) When located adjacent to and oriented towards I-35W, I-494, and TH-77, the maximum height allowed for a monument sign is 45 feet at sites zoned CR-1, C-2, C-3, or CX-2 and 30 feet at all other sites.
- 2) When located adjacent to and oriented towards I-35W, I-494, and TH-77, the maximum area allowed for a monument sign is 200 square feet at sites zoned CR-1, C-2, or C-3 and 150 square feet at all other sites.
- 3) Each legally permitted monument sign is granted a minimum sign area allowance of 40 square feet irrespective of lot frontage.



# REQUEST H CONT. – MAX FREESTANDING SIGN SIZE (CLASS III AND V)

- Option 1 – No Changes
- Option 2 – Increase max allowance in Classes III and V from 100 to 150 sq. ft.
- Amend 21.304.16(c) and (d)
  - Staff supported

Sign District	Pylon Sign Performance Standards				
	Maximum Number	Minimum Setbacks		Maximum Height	Maximum Area per Sign
		Along Public Streets	Side or Rear Yard		
<b>Class III</b>	1 monument or pylon sign per public street frontage	15 feet for signs 8 feet or less in height, 20 feet for signs taller than 8 feet	5 feet	20 feet (see table note 1)	0.35 sq. ft. of sign area per linear foot of lot frontage, up to a maximum of 1500 sq. ft. (see table notes 2 and 3)

## Table Notes

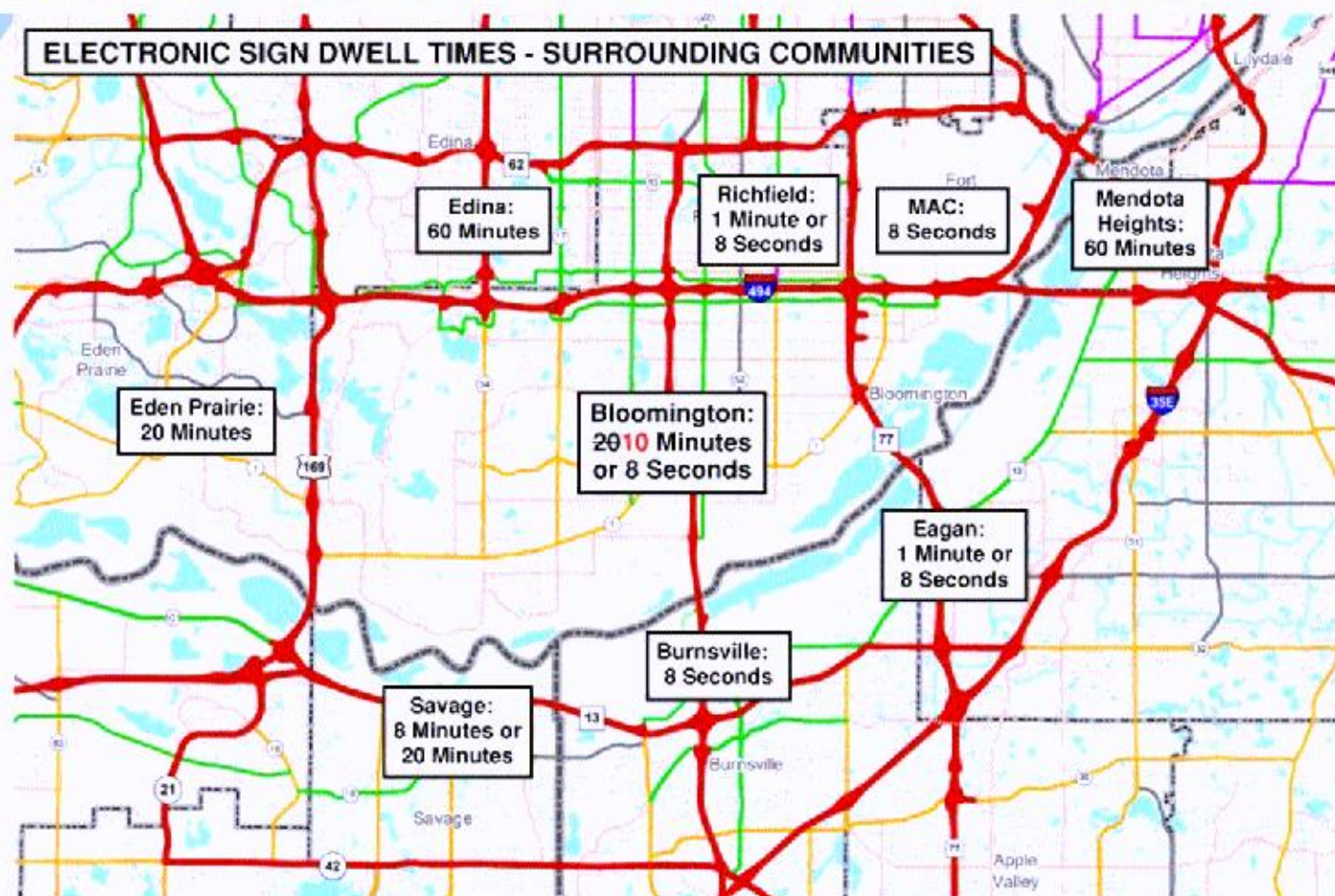
- 1) When located adjacent to and oriented towards I-35W, I-494, and TH-77, the maximum allowed height for a pylon sign is 45 feet at sites zoned CR-1, C-2, or C-3 and 30 feet at all other sites.
- 2) When located adjacent to and oriented towards I-35W, I-494, and TH-77, the maximum area allowed for a pylon sign is 200 square feet at sites zoned CR-1, C-2, or C-3 and 150 square feet at all other sites.
- 3) Each legally permitted pylon sign is granted a minimum sign area allowance of 40 square feet irrespective of lot frontage.



# SUPPLEMENTAL ANALYSIS

## ELECTRONIC SIGN DWELL TIMES

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# NEXT STEPS

- Ordinance Adoption
- Updating procedural and informational materials on City's website and permitting systems
- **1-Year Review (March 2025 or later)**
  - Track signage requests and sign permit outcomes
  - Catalog potential refinements/improvements

## PC RECOMMENDED MOTION

Planning Commission and staff recommend approval through the following motion:

Motion made by \_\_\_\_\_, seconded by \_\_\_\_\_, I move to adopt Ordinance Number 2024-\_\_\_\_\_, an ordinance establishing new standards and procedures for signs, thereby amending Chapters 1, 2, 12, 14, 17, 19, 21, and Appendix A of the City Code.



## ALTERNATIVE MOTION

If supportive of additional amendments outlined by staff, the following motion is recommended:

Motion made by \_\_\_\_\_, seconded by \_\_\_\_\_, I move to adopt Ordinance Number 2024-\_\_\_\_\_, an ordinance establishing new standards and procedures for signs, thereby amending Chapters 1, 2, 12, 14, 17, 19, 21, and Appendix A of the City Code. City Code, subject to amendments F2, G2, and H2 presented by staff.

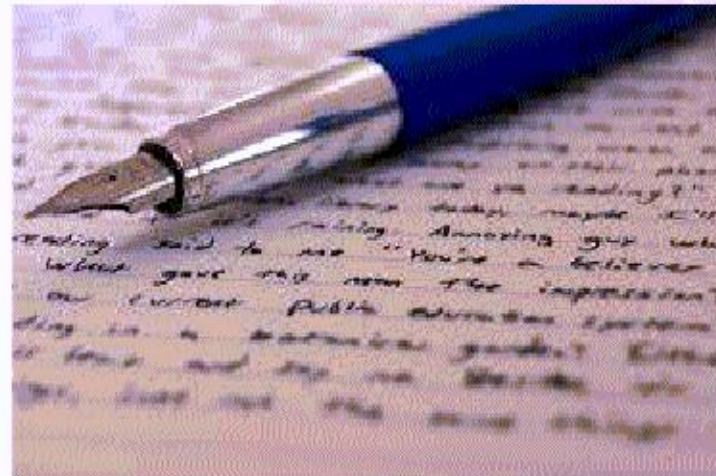
# SUMMARY PUBLICATION

Staff recommends summary publication through the following motion:

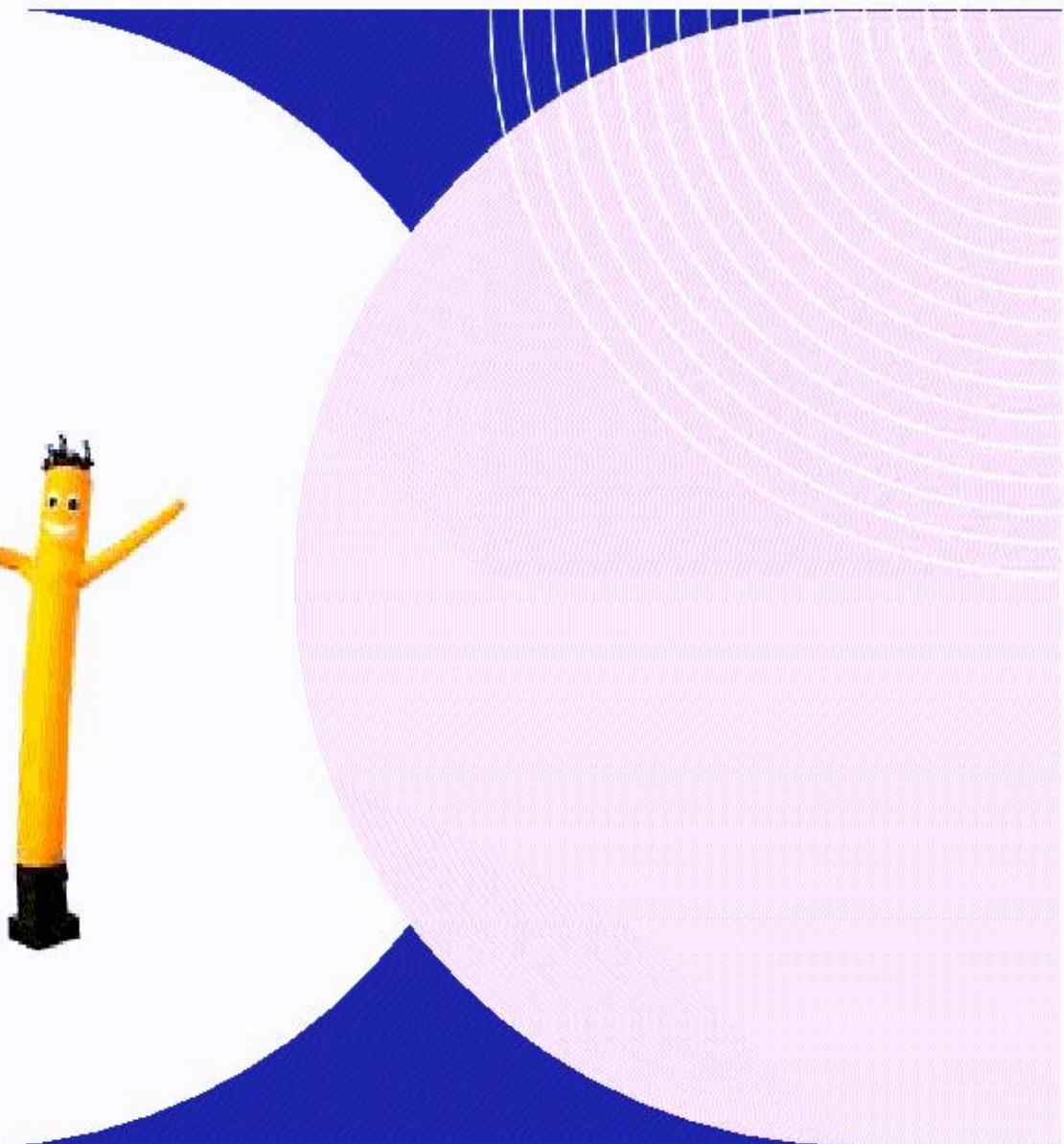
Motion made by \_\_\_\_\_, seconded by \_\_\_\_\_, I move to adopt Resolution Number 2024-\_\_\_\_\_, a resolution of summary publication of the sign ordinance amending Chapters 1, 2, 12, 14, 17, 19, 21, and Appendix A of the City Code.



# QUESTIONS?



# EXTRA SLIDES





# REQUEST B – BILLBOARD CONVERSION

## 21.304.18(b) and 21.304.20(e) (language removed by PC)

### § 21.304.18 ELECTRONIC SIGNS.

(a) Findings and purpose. Studies show a positive correlation between electronic signs that display changing messages or graphics and driver distraction. Distracted driving can result in increased traffic crashes or other hazardous events. The standards within this section are intended to minimize potential driver distraction, hazards to public safety, and related nuisance characteristics associated with electronic signs.

(b) Size. An electronic sign must not exceed 150 square feet in area, ~~except for legally established nonconforming billboards otherwise in compliance with § 21.304.20.~~

(c) Setback from residential. The leading edge of an electronic sign must be located at least 100 feet from any parcel that is both residentially zoned and residentially used.

~~(d) Audio or pyrotechnics. Audio of any form or pyrotechnics are prohibited as part of a video sign.~~

### § 21.304.20 BILLBOARDS.

(a) Purpose, intent, and findings. The City Council finds that large, off-premise advertising

authority may impose reasonable conditions on the sign permit to mitigate any new impacts upon adjacent properties.

~~(e) Digital conversion permitted. Notwithstanding § 21.304.23(b), a legally established nonconforming billboard may be converted from a non-digital to digital display, provided the billboard is in compliance with this section. A sign permit is required for the conversion.~~

# REQUEST C – BILLBOARD BRIGHTNESS

## 21.304.20(c)(10)(C) and 21.301.07(c)(5)

### § 21.304.20 BILLBOARDS.

**(C) Brightness.** The billboard must not exceed maximum illumination levels specified in § 21.301.07(c)(5), measured from the billboard's face at maximum brightness.

### § 21.301.07 EXTERIOR LIGHTING.

#### (5) Brightness of signs and unshielded decorative light sources

##### (A) Dusk to dawn external illuminance standards:

- (i) Downward aimed lighting must not exceed 200 initial light output lumens per square foot of sign surface illuminated. The source must provide a 90 degree cut-off with a flat lens.
- (ii) Upward aimed lighting must not exceed 100 initial light output lumens per square foot of sign surface illuminated. The light source must be fully screened from direct view.
- (iii) In no instance may the combined upward and downward lighting exceed 25 initial lumens per square foot of surface illuminated.

##### (B) Dusk to dawn luminance standards:

- (i) All sign and decorative light sources must not exceed the luminance standards below.

Location	All Signs (Excludes Those Sign Types Listed in the Next Column)	Electronic Message Display, Video or Time and Temperature Signs and Decorative Light Sources
Within the residential zoning districts of R-1, R-1A, R-3, R-3A, R-3B, R-4, RM-12, RM-24, RM-50, RM-100, and RO-24 or within 500 feet of and visible from protected residential property	125 nits	300 nits
Within all other zoning districts when greater than 500 feet and not visible from protected residential property within 500 feet	200 nits	475 nits
On sites adjacent to I-494, I-35W or within the South Loop District and not visible from a protected residential property within 500 feet	300 nits	500 nits



# REQUEST D – BILLBOARD DWELL TIME

21.304.20(c)(10)(A)

## § 21.304.20 BILLBOARDS.

(10) *Electronic display techniques.* Any billboard utilizing electronic display techniques in whole or in part must meet the following operational regulations:

(A) *Dwell time.* The full billboard image or any portion thereof must have a static display with a minimum duration of 10 minutes.

# REQUEST E – TEMP SIGNS COMMERCIAL PROMOTIONS

21.304.13(c)(1)

(1) On-site. On-site temporary signs for commercial promotions, including but not limited to banners, freestanding signs, and A-Frame signs, are allowed, subject to the following standards:

<u>Number of Building Tenants</u>	<u>Maximum Number</u>	<u>Minimum Setbacks</u>		<u>Maximum Height</u> (when freestanding)	<u>Maximum Area</u>	<u>Maximum Duration</u>
		<u>Along Public Streets</u>	<u>Side or Rear Yard</u>			
1	1 per street frontage	15 feet	5 feet	8 feet	64 sq. ft. per street frontage when freestanding or 64 sq. ft. per tenant when on a building	60 days per calendar year
2-15	2 freestanding signs per street frontage per site and 1 building sign per tenant					90 days per calendar year, with no individual tenant exceeding 60 days per calendar year
16-29	2 freestanding signs per street frontage per site and 1 building sign per tenant					120 days per calendar year, with no individual tenant exceeding 60 days per calendar year
30 or more	2 freestanding signs per street frontage per site and 1 building sign per tenant					180 days per calendar year, with no individual tenant exceeding 60 days per calendar year



# REQUEST J

## ELECTRONIC SIGN DWELL TIME

21.304.18(d)(1)(A) and (B)

### § 21.304.18 ELECTRONIC SIGNS.

(d) Operational requirements. Electronic signs are subject to the following operational requirements:

#### (1) Dwell time.

(A) Electronic changeable copy signs with ten words or less must have a static display for a minimum of eight seconds.

(B) Electronic changeable copy signs with 11 words or more or electronic graphic display signs must have a static display for a minimum of ten minutes.

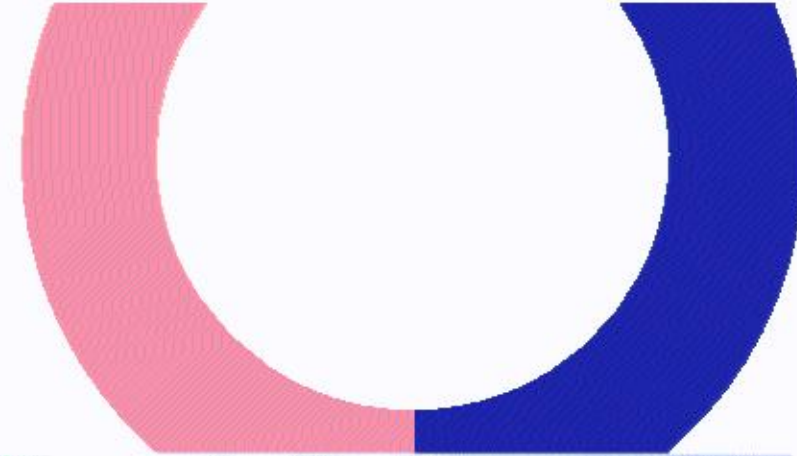


# SIGN SIZE EXAMPLES





# SIGN SIZE EXAMPLES





# SIGN SIZE EXAMPLES





# SIGN SIZE EXAMPLES





# EXISTING BILLBOARDS

