

PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE

10-042-O

ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE 10-030-O RELATING TO THE UNIFIED DEVELOPMENT CHAPTER, AMENDING SECTION 50-27.1, SECTION 50-27.3, SECTION 50-27.4, SECTION 50-38.7, SECTION 50-41-244, SECTION 50-41-277, SECTION 50-41-282, SECTION 50-41-290, AND TABLE 50-27.2.

CITY PROPOSAL:

The city of Duluth does ordain:

Section 1. That Section 50-27.1 of Ordinance 10-030-0, Section 6, is hereby amended to read as follows:

50-27 SIGNS

50-27.1 General

- A. **Intent.** It is not the intention of this Section 50-27 to engage in any form of content-based regulation of sign content prohibited by the federal or state constitution, statutes, or court decisions. A non-commercial message may be substituted for a commercial message on any sign permitted by this Section 50-27. If any portion of this section is determined to include any form of impermissible content-based regulation of sign content, that provision shall be severed from the remainder of this section, and the remainder of this Section 50-27 shall remain in effect. It is the specific intent of the city that any unintentional impermissible content-based regulation of sign content not result in the invalidation of this Section 50-27.
- B. **Compliance Required.** All signs erected or maintained in the city – whether accessory to a primary use of property or themselves a primary use of property – shall comply with the provisions of this Section 50-27.
- C. **Permits and Exceptions.** Unless an exception is listed in this Section 50-27, no person, firm or corporation shall erect any sign, or cause or allow a sign to be erected unless a sign permit for that sign has been issued pursuant to Article 5.
- D. **Limits Apply per Property.** Whenever the number of signs permitted is limited by this Section 50-27, the limitation shall refer to each piece of property held under separate ownership.

- E. **Signs for Nonconforming Uses.** If the use of a property constitutes a legal nonconforming use, all signs erected on the property shall be erected and maintained in conformance with the provisions of this Section 50-27 applying to the most restrictive district in which that use is a permitted use of the property.
- F. **No Signs on Streets, Trees or Fences.** Except for A-frame signs allowed pursuant to Section 50-27.4 and temporary signs approved pursuant to this Section 50-27, no sign shall be placed on any street, highway or pedestrian easement or be attached to or painted on a tree, fence or accessory building. This provision shall not be deemed to prohibit holiday season decorations or those items regulated by Article III of Chapter 45.
- G. **Name of Installer on Sign.** All signs for which a permit is required shall contain, on the face of the sign and in a legible manner, the permit number and installer's name. This provision shall not apply to awning signs.
- H. **Setbacks Apply.** No sign shall be located within a required front, side or rear yard space, except for wall signs, projecting signs and pole signs.
- I. **No Safety Obstructions.** No sign shall obstruct access to fire escapes or windows, doors, exits or standpipes. No pole sign or ~~ground~~ monument sign shall be constructed in such a manner that it projects over any building.
- J. **Illumination and Glare.** All sign illumination, whether direct or indirect, shall be so shaded or concealed that it does not create unreasonable and annoying illumination on residential structures constructed prior to the installation of such lighting apparatus. No sign illumination shall shine in any manner that interferes with the vision of motor vehicle operators.
- K. **Signs in the Public Right-of-Way.** Where any sign is permitted on the public right-of-way (including but not limited to a portable A-frame sign on the sidewalk), no sign shall be placed in the public right-of-way unless a sign permit has been issued for that sign, and no sign shall be issued until the applicant has submitted evidence of a certificate of insurance approved as to form by the city evidencing that the applicant has in force insurance in the minimum amounts required by the city for bodily injuries or property damage in any one year protecting such person or organization and the city against liability for injuries or damages resulting from the placement of such objects or materials in the public right-of-way.
- L. **Attachment to Buildings.** All signs attached to a building shall be thoroughly and rigidly secured and shall be repaired and maintained as necessary to keep them secure, safe and free from becoming a hazard.
- M. **Wind Pressure Design.** All permanent signs and supports shall be designed to withstand a wind pressure of not less than 30 pounds per sq. ft. of area subject to such pressure, or to the value found in the current edition of the Uniform Building Code, whichever is greater.
- N. **Electrical Wiring.** All electrical wiring of signs shall comply with the provisions of the National Electrical Code and any other applicable provision of the State Building Code.
- O. **Certification by Structural Engineer.** The structural design of all supporting members of pole signs, ~~ground~~ monument signs and projecting signs that

have an area of more than 80 sq. ft., shall be certified by a structural engineer registered in the state or an architect registered in the state. In lieu of the above, if a structural design book showing basic standard sign designs is filed with the city building official, and the designs therein are certified by a structural engineer licensed in the state, and the permit filed is for one of the signs shown in the standard design book, no individual certification shall be required. However, all signs with deviations from the standard designs shall be certified by a Minnesota registered structural engineer or architect.

Section 2. That Section 50-27.3 of Ordinance 10-030-0, Section 6, is hereby amended to read as follows:

50-27.3 Prohibited Signs

The following types of signs are prohibited:

- A. Portable stand signs;
- B. Private signs that resemble public authority signs;
- C. Roof signs;
- D. Wind oscillating pennants and propellers for use on a permanent basis (use for carnivals, bazaars and similar events for up to 10 days per calendar year are permitted);
- E. Signs with flashing, oscillating or revolving lights that could be confused with emergency or traffic lights;
- F. Signs that involve rapid rotation of all or part of the structure, except for changeable message signs and electronic signs that comply with Section 50-27.4
- G. Signs that involve rapid rotation of all or part of the structure, except for changeable message signs and electronic signs that comply with Section 50-27.4.

Section 3. That Section 50-27.4 of Ordinance 10-030-0, Section 6, is hereby amended to read as follows:

50-27.4 Regulations for Specific Sign Types

A. Awning Sign

1. The message of an awning sign shall consist of the letters and numbers not more than 10 in. high



Figure 50-27.4-A: Awning sign

and a logo not exceeding 18 in. square.

2. The message shall be fabricated into or printed on the awning cover.
3. The message shall convey only the name or address of the building or the name of the principal occupant or business.

B. Changeable Message Sign (CMS) and Electronic Sign (ES)

Changeable message signs and electronic signs shall conform to the following additional conditions in those zone districts where they are permitted:

1. **Separation.** The sign must be separated from other changeable message signs and electronic signs by at least 100 ft.
2. **Orientation.** In all districts, the sign must be oriented so that no portion of the sign face is visible from a park that is over 1 acre in area and contains improvements for recreational use, if the park is within 150 ft. of the sign, and no portion of the sign face is visible from a school that is within 150 ft. of the sign.
3. **Brightness.** The maximum brightness of a changeable message sign and electronic sign shall not exceed 5,000 nits (equivalent to 464 candelas per sq. ft) during daylight hours, or of 500 nits (equivalent to 46 candelas per sq. ft) between dusk to dawn. The sign must have an automatic dimmer control that produces a distinct illumination change from a higher allowed illumination level to a lower allowed level for the time period between one-half hour before sunset and one-half hour after sunrise.
4. **Duration.** Any image or message or part of a message displayed on the sign shall have a minimum duration of eight seconds and shall be static display. Transition time between images or messages or part of a message must be no longer than two seconds.
5. **Default Mechanism.** CMS and ES shall contain a default design that will freeze the design in one position if a malfunction occurs.
6. **Audio or Pyrotechnics.** Audio speakers or any form of pyrotechnics are prohibited.

C. Marquee Sign

1. **Structurally Integrated.** Must be structurally integrated into the fascia of a marquee, and may not project above or below such fascia.
2. **Lettering.** Marquee signs shall be constructed of individual numbers and letters not exceeding 10 in. in height and

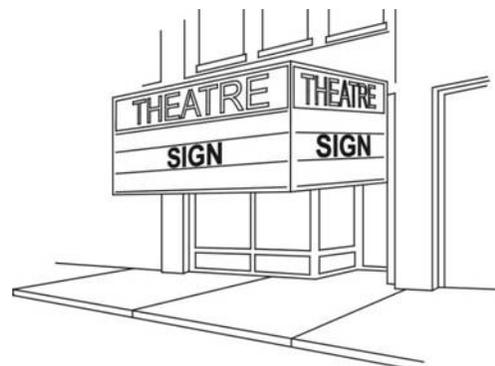


Figure 50-27.4-B: Marquee sign

may contain a logo 28 in. square or less, all of which are individually attached to the fascia and do not project outward more than three in. from such fascia.

3. **Placement.** The message may be placed on up to three sides of the marquee.
4. **Illuminated.** Letters, numbers and logos may be individually illuminated only, and shall not flash or convey an animated message.
5. **Size.** Marquee signs shall cover no more than one sq. ft. of sign area for each linear ft. of building frontage.

D. Portable A-Frame Sign

1. **Size Restriction.** Between 36 and 40 in. tall and between 24 and 30 in. wide.
2. **Location.** Shall extend no more than 3 ft. into the public right-of-way and must provide an unobstructed sidewalk width of at least 5 ft. for pedestrian passage.
3. **Time.** Shall be displayed only during the hours in which the business is open.
4. **Snow Removal.** Shall be removed during city snow removal operations and the city is not liable for any damage to signs caused by snow removal operations.
5. **Insurance.** Applicant must provide and maintain in force a certificate of insurance, approved as to form by the city, evidencing that such person or organization has in force insurance in the minimum amounts required by the city for bodily injuries or property damage in any one year protecting such person or organization and the city against liability for injuries or damages resulting from the placement of such objects or materials on public sidewalks or boulevard areas.



Figure 50-27.4-B: Portable

E. Projecting Sign

1. **Projection Distance.** May not project more than 4 ft. from the building.
2. **Projection Height.** May not project higher than 3 ft. above an exterior wall of the building.

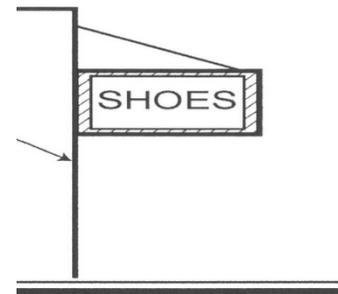


Figure 50-27.4-D:Projecting sign

F. Window Sign

1. In districts other than Form Districts, window signs shall cover no more than 15% of the window area visible from any public street unless a more specific standard for the district is provided by this Section 27.
2. In Form Districts, window signs shall comply with those standards in Section 50-22.

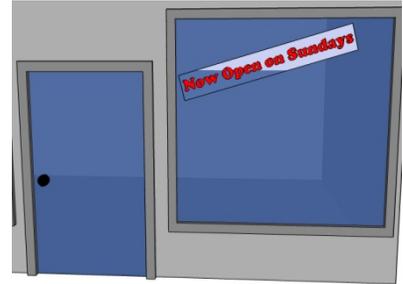


Figure 50-27.4-D: Window sign

Section 4. That Section 50-38.7 of Ordinance 10-030-0, Section 6, is hereby amended to read as follows:

50-38.7 Nonconforming Off-premises Signs

In order to bring nonconforming off-premises signs into closer conformance with the purposes of Chapter, the following system is established to enable the reconstruction, structural alteration or relocation of certain nonconforming off-premises signs. Once rebuilt, the sign shall retain its status as a nonconforming off-premises sign.

A. Reconstruction of Existing Signs

1. A sign permit for reconstruction on the same site of a nonconforming off-premises sign that either exists or has been destroyed no more than 6 months prior to written sign permit application, may be issued after the building official certifies that the sign to be reconstructed has less of an adverse impact on the area near the site than the sign being replaced. A reconstructed sign may be enlarged, up to the maximum size of an off-premises sign permitted within the applicable zone district, by use of an exception credit pursuant to subsection 2. For purposes of this subsection the "same site" shall mean contiguous property owned by one person or entity, or a related person or entity, and not divided by an improved street.
2. No permit shall be issued until the sign to be reconstructed is removed.
3. All signs shall be constructed and placed in strict conformance with the permit and the failure to do so shall constitute a violation of this Chapter, and if not corrected shall be grounds for revocation of the permit and an order for removal of the sign.

B. Exception Credit System

1. The owner of a nonconforming off-premises sign may receive an exception credit if it is determined by the building official that a nonconforming off-premises sign is to be removed, or has been removed, due to a termination of lease for reasons beyond the reasonable control

of the applicant, or other forced removal (not including destruction or other situations rendering the sign unusable). Such reasons include but are not limited to the refusal of a lessor to renew a lease or the applicant's inability to obtain a lease renewal on reasonable terms and conditions (including lease rent at a fair market rate). An exception credit may be issued for each such sign that has been removed no more than 30 days prior to written application for the exception credit.

2. The building official shall determine if the applicant is eligible to receive an exception credit and shall certify and keep a log of all such credits documenting the owner of the credit, cumulative square footage of sign area credited and number of locations available for sign structures. After approving the use of an exception credit, the building official shall notify the owner, in writing, of the owner's remaining credited total of available square footage of sign area and remaining credited number of locations available for sign structures.

C. Use of Exception Credits

1. Exception credits may be used to permit the relocation of certain nonconforming off-premises signs that do not meet site, location or other requirements of this Chapter.
2. An application for an exception credit shall include a statement identifying the exception credit(s) to be used for the permit for the new location. No holder of a credit shall be granted a permit under this subsection 50-38.7 for more locations than it lost or for more square footage of sign area than it lost. No sign permit shall be issued until the sign(s) that is the basis for the credit is first removed.
3. All signs shall be constructed and placed in strict conformance with the sign permit and the failure to do so shall constitute a violation of this section, and if not corrected, shall be grounds for revocation of the sign permit and an order for removal of the sign. No sign permit issued under this section shall be valid until the applicant has complied with all applicable requirements of the NR-O, Natural Resources Overlay district, and MSA Chapter 173.

D. Sign Relocation Permits

Sign permits for relocation of nonconforming off-premises signs shall be approved only after the applicant demonstrates that the following requirements will be satisfied:

1. **Location**

The property on which the sign is to be relocated must be within the MU-B, MU-C, or I-G districts.

2. **Compliance**

The application complies with all applicable requirements of Section 50-27 except for proximity to residential zone districts and except for sign spacing, which shall be subject to subsections 5 and 6 below.

3. Criteria

The application is consistent with the intent stated in Section 50-27.1.A and will not cause material adverse impact on a significant scenic natural or manmade feature located near the site of the proposed sign through loss of view from or of such feature or through an architecturally inappropriate scale of the size of the sign in relationship to a nearby building or structure.

4. Height

The maximum height of the relocated sign does not exceed 25 ft., except that the sign may have a height of up to 35 ft. if it is found to be necessary for effective use of such sign and that such additional height will not have a material adverse impact on buildings or structures located near the sign or on views of significant natural or manmade features. For purposes of this subsection, the height of a sign shall be measured from the grade at the base of the sign or the surface of the roadway from which it is intended to be read, whichever is higher. A determination of whether a sign is intended to be read from a roadway shall be based upon the angle of the sign to the roadway, the duration of the view from the roadway, the size of the sign and any obstructions to the view from the roadway.

~~**5. Signs Near Residential Districts**~~

~~If the sign is located closer to a residential district than is permitted by Section 50-27, it is not located (a) within 50 ft. of a residential district; or (b) within 75 ft., measured along a street or highway from which the sign is to be read, of any point on a street or highway where residential district meets with the MU-C district.~~

6-5. Spacing

(a) The spacing restrictions for controlled highway sign districts in Section 50-27.7 shall not apply to signs permitted under this Section 50-38, but the following spacing restriction shall apply to such signs, and such signs must be located so that they do not interfere with the effectiveness of traffic signs or signals or interfere with a driver's view of approaching, merging or intersecting traffic. The highways subject to the spacing restrictions are as follows:

- (i) Interstate Highway No. 35;
- (ii) Interstate Highway No. 535;
- (iii) Minnesota Highway No. 194 between the city limits and 11th Street;
- (iv) U.S. Highway No. 53 between Central Entrance Road and West First Street.

(b) No relocated off-premises sign located on a segment of the highways described above shall be placed within 500 ft. of another off-premises sign that is displayed principally towards the same highway. The 500 ft. spacing shall be measured along the nearest edge of the highway pavement to which the nonconforming off-premises sign is displayed and between points directly opposite the center of the off-premises

signs. These spacing limitations shall apply only to off-premises signs located on the same side of the same highway. For purposes of this subsection, multiple-faced signs, back-to-back signs, and signs that are closer than two ft. from another sign shall be considered as one sign. The determination of whether an off-premises sign is intended to be read from a highway shall be determined under the same standard used in subsection D.4 above.

6-6. Setback from Railroad Tracks

Setback restrictions from railroad tracks shall be relaxed if the building official determines that it would not create a risk to public safety.

7-7. MU-B, MU-C, and I-G Districts

In addition to those off-premises signs permitted in the MU-B, MU-C, and I-G districts pursuant to Section 50-27, nonconforming off-premises signs may be relocated to or within the MU-B, MU-C, and I-G districts as wall signs.

9-8. Scenic Areas

Scenic areas for purposes of sign control are shown on the scenic areas map in Section 50-27.8. Nonconforming off-premises signs may be relocated within the scenic areas listed below, but only if views of scenic, historic, park or educational features are not obstructed or materially distracted from.

- (a) **That part of the St. Louis Bay waterfront area, bounded by Interstate Highway No. 535, a line parallel to and 300 ft. west of Garfield Avenue, a line parallel to and 100 ft. south of Nelson Avenue and Interstate Highway No. 35 (the I-535 scenic area); provided that only exception credit(s) for nonconforming signs that were located in the I-535 scenic area may be used to relocate a nonconforming off-premises sign within such area.**
- (b) The Evergreen Memorial Drive area
- (c) The London Road area, provided that only exception credit(s) for nonconforming signs that were located in the London Road scenic area may be used to relocate a nonconforming off-premises sign within the that area.
- (d) The Downtown Renaissance District.
- (e) The areas near parks, school grounds, public ways and historic sites.

Section 5. That Section 50-41-244 of Ordinance 10-030-0, Section 6, is hereby amended to read as follows:

244. Readerboard. A sign or portion of a sign face that allows for the creation of messages by physical manipulation of simple block letters, but not including a changeable message sign (MCS) or electronic sign (ES).

[Editor's Note: "Receiving stream or channel", currently numbered 50-41-244 will be renumbered to 50-41-245 as a result of this amendment and shall continue to read as follows: "The body of water or conveyance into which storm water runoff is discharged".]

Section 6. That Section 50-41-277 of Ordinance 10-030-0, Section 6, is hereby amended to read as follows:

277. ~~Sign, ground. Any sign, other than a pole sign, that is supported vertically by a structure attached to the ground.~~

[Editor's Note: "Sign, electronic" currently number 50-41-276 will be renumbered to 50-41-277 as a result of this amendment shall continue to read as follows: "An off-premise advertising sign, display or device that changes the message copy on the sign by means of light emitting diodes (LEDs), fiber optics, light bulbs or other illumination devices with the display area."]

Section 7. That Section 50-41-282 of Ordinance 10-030-O, Section 6 is hereby amended to read as follows:

282. Sign, monument . A permanent sign in which all or substantially all of the bottom of the sign is affixed to the ground or to a base structure, not to a post, pole, or portion of a building.

[Editor's Note: "Sign, off-premises", currently numbered 50-41-282 will be renumbered to 50-41-283 as a result of this amendment and shall continue to read as follows: "A sign that directs attention to a business, product, service or entertainment not conducted, sold or offered upon the premises where the sign is located."]

Section 8. That Section 50-41-290 of Ordinance 10-030-O, Section 6 is hereby amended to read as follows:

290. Sign, readerboard. A sign, including a portable or temporary sign, where all or substantially all of at least one sign face is a readerboard.

[Editor’s Note: “Sign, real estate”, currently number 50-41-290 will be renumbered to 50-41-292 as a result of this amendment and shall continue to read as follows: “An accessory sign advertising property for sale, lease or rent, or informing that property has been sold, leased or rented.”]

Section 9. That Table 50-27-2 is hereby amended to read as follows:

Table 50-27-2: Sign Regulations for Specific Zone Districts		
Zone District	Type of Sign	Conditions on Sign
Residential Districts		
All residential districts	Construction contractor sign	Residential: 1 sign with maximum size 20 sq. ft. Non-residential: 1 sign with maximum size of 32 sq. ft. plus 16 sq. ft. to identify architects, engineers, or subcontractors. Not permitted in required front, side, or rear yard areas. Indirect illumination only. Must be removed 7 days after construction is complete.
	Home occupation sign	Maximum size: 20 sq. ft. in RC, RR-1 and RR-2. 1 sq. ft. in R-1 and R-2. Must be set back 20 ft. from front property line in RC, RR-1 and RR-2. Must be attached to building in R-1 and R-2. May not be illuminated.
	Nameplate	1 per dwelling. Maximum size: 2 sq. ft. in RC, RR-1, RR-2 and R-1. Indirect illumination only.
	Political sign or property owner opinion sign	Minimum setback from property lines and street or sidewalk improvements: 3 ft. If illuminated must comply with Section 50-31. Building permit required if more than 6 ft. tall.
	Property identification/management sign	Maximum size: 3 sq. ft. in RC, RR-1, RR-2 and R-1. 6 sq. ft. in R-2. No illumination or animation.
	Public assembly bulletin board	Maximum size: 25 sq. ft. Minimum setback from property lines: 10 ft. Indirect illumination.
	Real estate sign	Maximum size: 32 sq. ft. in RC, RR-1, and RR-2. 6 sq. ft. in R-1. In R-2, may contain name of building and/or management firm. Minimum setback from property lines; 10 ft, unless attached to a building. Must be removed within 7 days after sale, lease, or rental. No illumination.
	Recreational	Directional sign: Maximum size: 20 ft.

Table 50-27-2: Sign Regulations for Specific Zone Districts

Zone District	Type of Sign	Conditions on Sign
	field sign	Maximum Height 10 ft. Building mounted sign: Maximum size 10 ft. Each scoreboard sign may contain up to 10 sq. ft. of advertising. Indirect illumination only.
	Residential complex sign	In R-2 district only. 1 ground mounted monument sign constructed of individual letters and numbers attached to a structure that is similar in color, texture and material to the primary exterior of the complex buildings. Maximum height of 4 ft., maximum width of 8 ft., maximum depth of 1 ft. Minimum setback from property lines: 10 ft. Indirect illumination only.
	School (grades K-12) sign	1 wall identification sign not exceeding 32 sq. ft. Maximum height of wall identification sign shall be 16 ft. or top of wall, whichever is less. Corner lots limited to 2 wall identification signs per building. 1 freestanding ground monument sign not exceeding 32 sq. ft. in area and 8 ft. in height also allowed. Either the wall sign or the ground monument sign, but not both, may be illuminated. Flashing, animated and revolving signs are not permitted.
	Temporary sign	May not advertise on-going business activity. Maximum size: 6 sq. ft. Minimum setback from property lines and street and sidewalk improvements: 3 ft. Maximum length of use: 2 days. No illumination.
	Off-premises sign	Not permitted.
Mixed Use and Form Districts		
All residential uses	All signs permitted for residential uses in the R-2 district	
MU-N (formerly R-4 and C-1), MU-W, F-1, F-2, F-3, F-4, F-5, F-6 and F-9 Zones		
Non-residential uses	Awning sign	Permitted on first floor awnings only. Indirect illumination only, but no lighting apparatus shall be attached to the awning itself.
	Marquee signs	Maximum number: 1 for first street frontage plus 1 for any additional street frontage longer than 100 ft. Permanent signage shall be included. Changeable copy shall be limited to no more than 2/3 of the sign face.
	Pole sign	Maximum number: 1 for first street frontage plus 1 for any additional street frontage longer than 100 ft. Maximum height: 15 ft. Minimum height of sign face base above ground: 8 ft. (decorative planters without advertising and not more than 3 ft. above ground are permitted) for signs 8 ft. total in height and no more than 8 sq. ft. per sign face, no minimum clearance required. Maximum thickness: 30 in. (except spherical signs). Maximum sign area: 1 sign per pole, maximum 40 sq. ft. per sign face. The area of a double or triple faced pole sign shall be the area of the largest face.

Table 50-27-2: Sign Regulations for Specific Zone Districts

Zone District	Type of Sign	Conditions on Sign
		<p>Location: If pole signs are located in the required front, side, or rear yards they shall not be closer than 100 ft. from any residential structure located in a residential zone. Not permitted on or projecting into or over any public street or utility easement.</p> <p>In the Form Districts, this type is limited for use with the Corridor, Cottage Commercial, and Iconic building types.</p> <p>Materials: Solid or composite finished wood, metal, masonry, neon, glass. Internally-lit plastic box signs are not permitted. Plastic and synthetics permitted only as separate alphanumeric characters or logos.</p> <p>Direct and indirect illumination permitted.</p>
	Wall sign	<p>Maximum aggregate sign size: 40 sq. ft. or 2 times the number of lineal ft. of the length the building wall where it is mounted, whichever is greater.</p> <p>Materials: Solid or composite finished wood, metal, masonry, neon, glass. Internally-lit plastic box signs are not permitted. Plastic and synthetics permitted only as separate alphanumeric characters or logos.</p> <p>Direct and indirect illumination permitted.</p>
	Portable A-frame sign	1 per street frontage.
	Monument	<p>Maximum number: 1 for first street frontage plus 1 for any additional street frontage longer than 100 ft.</p> <p>Maximum height of 6 ft., maximum area 48 sq. ft. per sign face.</p> <p>Setback from corners and driveways for vehicular site triangles.</p> <p><u>In the Form Districts, this type is limited for use with the Corridor, Cottage Commercial, and Iconic building types.</u></p> <p>Materials: Solid or composite finished wood, metal, masonry, neon, glass. Internally-lit plastic box signs are not permitted. Plastic and synthetics permitted only as separate alphanumeric characters or logos.</p> <p>Direct and indirect illumination permitted.</p> <p>Landscape at base of sign shall not be taller than 18 in. at mature height.</p>
	Projecting sign	<p>1 per each building façade facing a street, alley, or sidewalk.</p> <p>Maximum sign area: 150 sq. ft. or 1.5 times the number of lineal ft. of the wall where the sign is located, whichever is less. The area of a double faced projecting sign shall be the area of the largest face.</p> <p>Minimum height above sidewalk: 10 ft.; for signs projecting 2 ft. or less, 7 ft.</p> <p>Minimum height above street or alley: 16 ft. Shall not extend closer than 1 ft. to back of any curb or over any alley.</p> <p>Materials: Solid or composite finished wood, metal, masonry, neon, glass. Internally-lit plastic box signs are not permitted. Plastic and synthetics permitted only as separate alphanumeric characters or logos.</p> <p>Direct and indirect illumination permitted.</p>
	Window sign	<p>Shall not block more than 30% of any window panel as measured by drawing a box around the outer edges of any typeface or image.</p> <p>Materials: Painted directly on the window, mounted neon on inside of window, or mounted sign on a wall inside the window area.</p>
	Off-premises sign	Not permitted
MU-C (formerly C-5), F-7 and F-8 Zones		
	Awning sign	Same as for MU-N, MU-W, F-1, F-2, F-3, F-4, F-5, F-6 and F-9 zones.

Table 50-27-2: Sign Regulations for Specific Zone Districts

Zone District	Type of Sign	Conditions on Sign
	Marquee sign Wall sign Portable A-frame sign	
	Projecting sign	1 per each building façade facing a street, alley, or sidewalk. Maximum sign area: 150 sq. ft. or 1.5 times the number of lineal ft. of the wall where the sign is located, whichever is less. The area of a double faced projecting sign shall be the area of the largest face. Minimum height above sidewalk: 10 ft.; for signs projecting less than 2 ft., 7 ft. Shall not extend closer than 1 ft. to back of any curb or over any alley. Materials: Solid or composite finished wood, metal, masonry, neon, glass. Internally lit plastic box signs are not permitted. Plastic and synthetics permitted only as separate alphanumeric characters or logos. Direct and indirect illumination permitted.
	Window sign	Shall not block more than 30% of any window panel as measured by drawing a box around the outer edges of any typeface or image. Materials: Painted directly on the window, mounted neon on inside of window, or mounted on a wall inside the window area.
	Window Sign Pole sign	Shall not block more than 30% of any window panel as measured by drawing a box around the outer edges of any typeface or image. Materials: Painted directly on the window, mounted neon on inside of window, or mounted sign on a wall inside the window area. <u>Maximum number: 1 for first street frontage plus 1 for any additional street frontage longer than 100 ft.</u> <u>Maximum height: 25 ft.</u> <u>Minimum height of sign face base above ground: 8 ft. (decorative planters without advertising and not more than 3 ft. above ground are permitted). For signs not more than 8 ft. total height and no more than 8 sq. ft. per sign face, no minimum clearance required.</u> <u>Maximum thickness: 30 in. (except spherical signs).</u> <u>Maximum sign area: 1 sign per pole, maximum area not exceeding 30 percent of the lineal street frontage on the street nearest the sign. The area of a double or triple faced pole sign shall be the area of the largest face.</u> <u>Location: If pole signs are located in the required front, side, or rear yards they shall not be closer than 100 ft. from any residential structure located in a residential zone. Not permitted on or projecting into or over any public street or utility easement.</u> <u>In the Form Districts, this type is limited for use with the Corridor, Cottage Commercial, and Iconic building types.</u> <u>Materials Solid or composite finished wood, metal, masonry, neon, glass</u>
	Off-premises sign	Off-premises wall signs prohibited. All other off-premises signs subject to approval under Section 50-15.3.D
	Monument sign	<u>Maximum number: 1 for the first street frontage plus 1 for any additional street frontage longer than 100 ft.</u> <u>Maximum height: 18 ft.</u> <u>Maximum sign area: 144 sq. ft.</u> <u>Location: Sign may not be located in defined sight triangles for street and driveways</u> <u>In the Form Districts, this type is limited for use with the Corridor, Cottage Commercial, and Iconic building types.</u> <u>Direct and indirect illumination permitted</u> <u>Landscaping at base of sign shall not be taller than 18 in. at mature height.</u>

Table 50-27-2: Sign Regulations for Specific Zone Districts

Zone District	Type of Sign	Conditions on Sign
MU-I District		
	All signs permitted in the MU-N district	<p>Maximum sign area on any wall: Number of sq. ft. equal to the number of lineal ft. of the wall.</p> <p>All signs, including public signs, shall be approved by staff based on the consistency of the size, texture, and scale of signs with the character and scale of signs and development in the surrounding area. However, review and permits shall not be required for (a) property information/management signs less than 4 sq. ft., (b) political signs, and (c) property owner opinion signs.</p>
MU-B District		
	Wall signs, projecting signs, and monument signs	<p>Maximum sign size of wall and projecting signs: 5% of the total sq. ft. area of building façade on which they are placed. All wall signs attached to the building shall be flush mounted and shall not extend above the roof line. All monument signs must be architecturally designed and located directly at grade, shall be limited to 1 sign on each street frontage, shall be limited to 60 sq. ft. in area and eight ft. in height and shall be located no closer than 15 ft. from the property lines.</p> <p>Neon signs are not permitted.</p> <p>Direct and indirect illumination is permitted. Spotlighting of signs is permissible if the lighting is shielded so as to direct light to the sign only and the light source is not visible from the property lines.</p> <p>Flashing and animated signs are not permitted.</p>
	Property identification/management sign	<p>Maximum size: 4 sq. ft.</p> <p>Maximum height: 5 ft.</p> <p>No illumination, animation, or flashing.</p>
	Off-premises signs	Not permitted.
Special Purpose Districts		
I-G and I-W Districts	All signs permitted in the MU-C district	On-premises signs only.
P-1 District	Construction contractor sign	<p>Non-residential: 1 sign with maximum size of 32 sq. ft. plus 16 sq. ft. to identify architects, engineers, or subcontractors.</p> <p>No illumination or animation</p> <p>Must be removed 7 days after construction is complete</p>
	Property identification/management sign	<p>Maximum size: 6 sq. ft. in R-2</p> <p>No illumination or animation</p>
	Public assembly bulletin board	<p>Maximum size: 25 sq. ft.</p> <p>Minimum setback from property lines: 10 ft</p> <p>Indirect illumination</p>
	Recreational field sign	<p>Directional sign: Maximum size: 20 ft. Maximum Height 10 ft.</p> <p>Building mounted sign: Maximum size 10 ft.</p> <p>Each scoreboard sign may contain up to 10 sq. ft. of advertising.</p> <p>Indirect illumination only</p>
	Temporary	May not advertise on-going business activity.

Table 50-27-2: Sign Regulations for Specific Zone Districts

Zone District	Type of Sign	Conditions on Sign
	sign	Maximum size: 6 sq. ft. Minimum setback from property lines and street and sidewalk improvements: 3 ft. Maximum length of use: 30 days. No illumination or animation.
	Off-premises sign	Not permitted

Section 10. That this ordinance shall be operative only if Ordinance 10-030-O is passed, shall be consolidated into Ordinance 10-030-O for publication, and take effect and be in force on the same date as Ordinance 10-030-O.

Approved as to form:

Approved for presentation to council:

City Attorney

Chief Administrative Officer

PLNG/ATTY MAL:cjk 8/6/2010

STATEMENT OF PURPOSE: This ordinance provides modifications on sign regulations.