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DATE: May 29, 2014

TO: Planning Commission

FROM: Comprehensive Planning Committee

RE: Amendments to Chapter 64 – Signs (May 27 meeting)

Background:
The Saint Paul Zoning Code is established to promote and to protect the public health, safety, morals, aesthetics, economic viability and general welfare of the community. Section 61.801(a) of the Zoning Code requires periodic review and reevaluation of the code, and Section 61.801(b) authorizes the Saint Paul Planning Commission to initiate amendments to the code. A number of minor text edits are needed in order to update and clarify the Zoning Code to better accommodate modern signage, current standards and practice, and interpretations by the Zoning Administrator. On January 24, 2014 the Planning Commission authorized a study of Chapter 64-Signs via Resolution #14-05. Staff has been studying the issue, partnering with staff from the Department of Safety and Inspections (DSI), Heritage Preservation Commission (HPC) as well as Saint Paul Parks (Parks).

There are four issues to be addressed by these amendments, which include suggested changes to Chapter 64 - Signs of the Saint Paul Zoning Code. A previous version suggested edits to Appendix I of the Saint Paul Legislative Code. These changes are not able to be made, per the City Attorney's Office.

1. Minor text amendments
Through several code revisions, certain code citations have changed and not been changed consistently throughout the zoning code chapters. In addition, there have been typographical errors made on a number of occasions and there have been interpretation issues encountered primarily by DSI staff. All of these issues are addressed with this series of edits to Chapter 64.

2. Amendments to accommodate municipal ballpark
Chapter 64 - Signs does not accommodate signs proposed for the new municipal ballpark in Lowertown. The chapter references Midway Stadium as well as "professional sports facilities," but does not provide for the new municipal ballpark in Lowertown in regard to sports facility sponsorship signs or advertising signs. Text changes to accommodate the new ballpark are included in this amendment package.

In addition, proposals for signage at the ballpark include proposals for roof signs, which are prohibited city-wide. Roof signs were initially addressed in 2007 when the Planning Commission reviewed a City Council text amendment to prohibit roof signs city-wide. The Planning Commission, in their recommendation, provided an alternative for additional restrictions on roof signs, short of prohibiting them, but the City Council voted unanimously to prohibit them. In the amendment package reviewed by the Comprehensive Planning Commission on April 29, 2014, staff proposed to amend the restriction on roof signs to permit them only in the B5 Central Business Service zoning district as well as only on professional sports facilities, in a manner similar to the way advertising signs are permitted on professional sports facilities. Permitting them only in the B5 zoning district would continue the prohibition on roof signs in the B4 district, which is where the Xcel Energy Center and related convention halls are located. Discussions with HPC staff regarding roof signs have been positive, as roof signs were relatively common on warehousing buildings in Lowertown historically. HPC staff has presented Parks staff and staff from the ballpark project and Saint Paul Saints organization with historically-accurate signage options, which are being considered for the roof sign(s). In the recommended draft code language roof signs with dynamic display are prohibited.

After discussion with the Comprehensive Planning Committee on April 29, staff was directed to accommodate roof signs through an alternative method, such as a conditional use permit, to potentially allow roof signs in other zoning districts. Those changes are reflected in the attached proposed amendments. The changes in the attached proposed amendments include permitting roof signs in the B5 Central Business Service and B4 Central Business districts, subject to application for, approval, and receipt of a conditional use permit, for which required standards and conditions are outlined.

3. Transit stop signage

The Green Line Light Rail Transit (LRT) stations are proposed to have advertising kiosks. Advertising kiosks at LRT stations are not addressed in Chapter 64 - Signs, nor are they addressed in other sections of the city's legislative code. Bus stops are addressed, and those provisions are recommended to be amended in order to accommodate advertising on LRT and streetcar stop shelters, as well as bus stop shelters, by changing the word "bus" to "transit." Appendix I of the city's legislative code authorizes a bus stop shelter franchise, including provisions for advertising, but cites specifically Minnesota Statutes, Section 160.27, Subd. 2 as the authorizing legislation (Attachment C) for the city to allow advertising on bus stop shelters in street and highway right-of-way. That legislation refers to both streetcars and buses and states, "The owners may place advertising on the benches and shelters if authorized by the license, permit, or franchise, provided that advertising on shelters shall be limited to one-third of the vertical surface of the shelter." Appendix I may be amended by the City Council provided the amendments align with Minnesota Statutes, Section 160.27, Subd. 2. Staff from the City Attorney's Office has informed PED staff that this appendix may not be amended at this time, as it represents the franchise agreement with the franchisee for the advertising. Thus the Planning Commission may not recommend changes to Appendix I. Amendments to the Zoning Code are included in Attachment A.

4. Nice Ride kiosks

Nice Ride kiosks are supported through sponsorship signs on the non-map side of the kiosk. Because Nice Ride is a 501(c)3 non-profit organization, they must follow specific rules outlined by the IRS regarding advertising and sponsorship signs. The signs on the Nice Ride kiosks meet the definition of "advertising sign" in the Saint Paul Zoning Code, which prohibits advertising signs in all zoning districts. The attached proposed amendments would allow Nice Ride

sponsorship signs in a similar manner to transit stop shelters in all zoning districts. Minnesota Statutes, Section 160.27 Subd. 7 (Attachment C) authorizes the placement of bicycle racks with or without signage in the public right-of-way, subject to approval by the appropriate road authority.

Recommendation
The committee recommends that the Planning Commission set a public hearing on the proposed text amendments to Chapter 64 - Signs for July 11, 2014.

Attachments:
A – Proposed text amendments to Chapter 64 – Signs of the Saint Paul Zoning Code with strikeouts/underlines and notes

B – Minnesota State Statutes, Section 160.27 Subd. 2 and 7