



**Saint Paul Planning Commission**  
 City Hall Conference Center Room 40  
 15 Kellogg Boulevard West

Christopher B. Coleman,  
 Mayor

REVISED  
**Agenda**

Saint Paul  
 Planning Commission

August 8, 2014  
 8:30 – 11:00 a.m.

Chair  
 Barbara A. Wencil  
 First Vice Chair  
 Elizabeth Reveal  
 Second Vice Chair  
 Paula Merrigan  
 Secretary  
 Daniel Ward II

- I. Approval of minutes of July 11<sup>th</sup> and July 25, 2014**
- II. Chair’s Announcements**
- III. Planning Director’s Announcements**
- IV. Zoning Committee**

**SITE PLAN REVIEW** – List of current applications. *(Tom Beach, 651/266-9086)*

**NEW BUSINESS**

#14-293-509 Walgreens – Nonconforming use permit for relocation of one drive-through lane. 1578 University Avenue West, SE corner at Snelling Avenue. *(Anton Jerve, 651/266-6567)*

#14-189-866 Walgreens (University and Snelling) – Site plan review for a building addition, relocation of a drive-through window and changes to a parking lot. 1578 University Avenue West. *(Tom Beach, 651/266-9086)*

#14-308-782 Mississippi Market Cooperative Inc. – Conditional use permit for retail use with more than 15,000 sq. ft. of floor area, and variance of parking lot interior landscaping requirement. 740 7<sup>th</sup> Street East, SW corner of East 7<sup>th</sup> Street and Maple Street. *(Jake Reilly, 651/266-6618)*

#14-308-882 More 4 A Buck – Change of nonconforming use permit for auto repair and outdoor auto sales. 1176 Dale Street North between Maryland and Geranium. *(Jake Reilly, 651/266-6618)*

Pat Connolly  
 Daniel Edgerton  
 Gene Gelgelu  
 Anne DeJoy  
 William Lindeke  
 Kyle Makarios  
 Melanie McMahon  
 Gaius Nelson  
 Rebecca Noecker  
 Christopher Ochs  
 Trevor Oliver  
 Julie Padilla  
 Betsy Reveal  
 Emily Shively  
 Terri Thao  
 Wendy Underwood  
 Jun-Li Wang  
 David Wickiser

Planning Director  
 Donna Drummond

- V. Comprehensive Planning Committee**

Chapter 64 Sign Amendments - Approve resolution recommending adoption of amendments to the Mayor and City Council. *(Jake Reilly, 651/266-6618)*

Department of Natural Resource’s (DNR) Draft Rules for the Mississippi River Corridor Critical Area – Approve resolution and comments to the Mayor for submittal to the DNR. *(Allan Torstenson, 651/266-6579 and Josh Williams, 651/266-6659)*

**VI. Neighborhood Planning Committee**

**VII. Transportation Committee**

**VIII. Communications Committee**

**IX. Task Force/Liaison Reports**

**X. Old Business**

**XI. New Business**

**XII. Adjournment**

Information on agenda items being considered by the Planning Commission and its committees can be found at [www.stpaul.gov/ped](http://www.stpaul.gov/ped), click on Planning.

Planning Commission Members: PLEASE call Sonja Butler, 651/266-6573, if unable to attend.



**CITY OF SAINT PAUL**  
Christopher B. Coleman, Mayor

25 West Fourth Street  
Saint Paul, MN 55102

Telephone: 651-266-6700  
Facsimile: 651-228-3220

**DATE:** August 4, 2014

**TO:** Planning Commission

**FROM:** Comprehensive Planning Committee

**RE:** Public Hearing Response to Amendments to Chapter 64 – Signs

**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: minor text amendments; amendments to accommodate the Lowertown municipal ballpark, which include amendments to the current roof sign prohibition; amendments to bus stop signage; and a new section to accommodate sponsorship signs on bicycle sharing facilities (Nice Ride).

On Friday, July 11, 2014 a public hearing was held to consider the proposed amendments. Comments from four organizations were received via letter on the proposed amendments. No one spoke at the public hearing. No letters were received following the public hearing.

**Public hearing testimony**

Paul St. Martin with the Department of Public Works suggested editing Sec. 64.122 T. *Transit stop shelter* to read *Transit stop station*, and remove reference to appendix I which refers only to the CBS Outdoor Bus Shelter Franchise and not all transit stop shelters, in order to simplify language and accommodate all types of transit shelters, stations and structures that might be constructed in the future.

Director of Parks and Recreation Michael Hamm submitted a letter in support of the changes, specifically calling out the permit process for roof signs as being particularly important. Related

to that amendment, Executive Vice-president and Owner Thomas Whaley of the St. Paul Saints Baseball Club requested that rooftop signs not be limited to only two sides of the structure, while expressing general support for the proposed amendments.

A fourth letter in support of the proposed amendments was received from Clinton Blaiser and Richard Pakonen, owners of the Northwestern Building, also in Lowertown and proximate to the new ballpark. The letter specifically called out the addition of a provision permitting roof top signs to the code as a positive amendment to the code.

### **Recommendation**

There are five main amendments to the original proposed amendments to Chapter 64 suggested following the July 11 public hearing.

1. Sec. 64.103. A. *Advertising sign*. The reference to bus stop shelters is proposed to be amended to “transit stop stations.”
2. Sec. 64.105 C. *Combination sign*. We propose removing the citation/amendment, given that roof signs are proposed to be permitted via a conditional use permit in B4 and B5 zoning districts.
3. Sec. 64.122. T. *Transit stop station*. Is amended to change the term “shelter” to “station” and remove reference to appendix I.
4. Sec. 64.414. *Roof signs*. Is amended to remove condition “(c)” regarding placement and design of roof top signs, potentially permitting greater flexibility within the conditional use permit process for roof top sign design and placement.
5. Sec. 64.422. *Bicycle sharing facility sponsorship signs*. Condition “(c)” is proposed to be amended to include the word “externally” regarding illumination. This would allow an internal, backlit sign to enhance safety at bicycle facilities and enhance legibility of the text both on the map and sponsorship sign sides of the facility.

See attachments A and B for these amendments. Attachment A has strikeouts, double-strikeouts and underlines and double-underlines in both text and notes in order to highlight the changes in version two. Attachment B is a so-called “clean” copy of the proposed text amendments without any strikeouts or underlines, for ease of reading.

The Comprehensive Planning Committee recommends that the Planning Commission approve the attached amendments, as amended following the public hearing (amendments noted in double-strikeout and double-underline text), and forward them to the Saint Paul City Council and Mayor for approval. A second public hearing will be set at the City Council.

### **Attachments:**

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

B – Proposed text amendments to Chapter 64 – Signs of the Saint Paul Zoning code (“clean” copy – no strikeout or underline)

C – Written public hearing testimony

D – Planning Commission resolution

## Chapter 64. Zoning Code - Signs

### Article I. Purpose and Definitions

...

#### Sec. 64.102. Definitions.

All words and terms not defined in this chapter which are defined in the Minnesota State Building Code or elsewhere in the zoning code of the City of Saint Paul shall be interpreted as therein defined. Otherwise, for the purposes of this chapter, terms and words not herein defined shall have the meaning customarily assigned to them. Certain words and terms shall be defined as follows.

...

#### Sec. 64.103. A.

*Advanced speed arteries.* A limited access freeway or other road upon portions of which speeds of forty-five (45) miles per hour or greater are permitted.

*Advertising sign.* A sign which directs attention to a business, profession, commodity, service or entertainment which is conducted, sold or manufactured elsewhere than on the premises upon which the sign is placed. It shall be considered as a nonaccessory sign except that an advertising sign on a professional sports facility with permanent seating for more than ~~ten thousand (10,000)~~ six thousand (6,000) spectators shall be considered as accessory. Billboards are a form of advertising sign. Advertising signs located on ~~bus transit stop shelters~~ transit stations, courtesy benches and ~~newsstands~~ racks are regulated under other chapters and are not subject to the requirements of this chapter. Sports facility sponsorship signs are a special type of off-premise sign and are subject to different regulations from advertising signs.

[Note: This adds language to accommodate new opportunities in the city for advertising signs at LRT stations, just as existing language provides for advertising on bus stop shelters and bus stop courtesy benches. "Bus stop shelters" is changed to "transit stop stations" to apply to LRT, bus rapid transit, streetcars, as well as bus stops.]

...

#### Sec. 64.104. B.

...

~~*Bus stop shelter.* Bus stop shelters are regulated under appendix I and are not subject to the requirements of this chapter.~~

[Note: To be changed to "transit stop station" and moved to Sec. 64.122. T.]

...

#### Sec. 64.105. C.

~~*Combination sign.* A sign incorporating any combination of the features of freestanding, and projecting and roof signs.~~

[Note: This edit becomes unnecessary with the addition of permitted roof signs, via CUP, in B4 and B5 districts.]

*Courtesy bench.* Courtesy benches are regulated under chapter ~~315~~ Chapter 127, Courtesy Benches, and are not subject to the requirements of this chapter.

[Note: Updates a code reference.]

...

**Sec. 64.116. N.**

*Newsstandrack.* ~~Newsstandracks~~ are regulated under chapter ~~128~~ 131 and are not subject to the requirements of this chapter.

[Note: Updates a code reference and term to be consistent with Chapter 131]

...

**Sec. 64.118. P.**

...

*Projecting sign.* A sign, other than a wall or roof sign, ~~that which~~ projects from and is supported by a wall or a building or structure.

[Note: Cleans up language to make the definition more clear]

...

**Sec. 64.120. R.**

...

*Real estate sign.* A temporary sign placed upon a property advertising that particular property for sale, rent or lease, and excluding a cloth, vinyl or banner sign, which are regulated under section ~~64.402(m)(3)~~ 64.419(d).

[Note: Wrong code citation]

*Roof sign.* A sign ~~mounted~~ erected upon or above a roof or parapet that projects above the top of a building or structure wall.

[Note: Clarifies that a roof sign projects above the top of a building wall, including the parapet wall.]

...

**Sec. 64.122. T.**

~~*Transit stop shelter station.* Transit stop shelter stations are regulated under appendix I of the city's legislative code and are not subject to the requirements of this chapter.~~

[Note: Was "bus stop shelter" and must be amended to provide for transit options in the city and to ensure the code reference is correct. New amendment removes reference to appendix I.]

Article II. 64.200. Administration and Enforcement

**Sec. 64.201. Duties of zoning administrator.**

...

- (d) The zoning administrator shall not issue any sign permits that do not conform to this chapter. ~~No renewal of an expired permit shall be issued for a use or structure made nonconforming by amendments to this code.~~

[Note: Sign permits can no longer be renewed. If a sign permit expires and work was not done under that permit, a new permit, meeting today's standards, must be obtained.]

**Sec. 64.203. - Permits.**

A permit shall be required for all exterior signs visible from a public right-of-way.

- (a) *Application.* Applications for sign and/or sign structure permits shall be submitted to the zoning administrator. Each application shall contain the names and addresses of the owners of the display structure and property; the address at which any signs are to be erected; the lot, block and addition at which advertising signs are to be erected and the street on which they are to front; ~~and a complete set of plans showing the necessary elevations, distances, size and details to fully and clearly represent the construction and placing of the display structure; and a fee as required under chapter 33.04.~~ Structural plans are required for all freestanding signs greater than fifty (50) square feet. Permit applications for advertising signs along state trunk highways and interstate highways shall be accompanied by proof that the applicant has obtained a permit from the state for the advertising sign.

[Note: Clarifies where fees are listed]

Article IV. 64.400. General Provisions

**Sec. 64.401. All signs.**

...

- (k) *Illumination.* Flashing signs are prohibited. In residential districts, no sign may exceed a maximum illumination of 0.5 footcandle above ambient light level as measured fifty (50) feet from the sign's face.
- l) Only one side of a double-faced sign or V-shaped sign shall be used to compute the gross surface display area, display surface area or sign area of a sign.
- ~~(m) Only one side of a double-faced sign or V-shaped sign shall be used to compute the gross surface display area, display surface area or sign area of a sign.~~
- (~~m~~) Canopy signs that are parallel to the street shall be regulated as wall signs. Canopy signs that are perpendicular to the street shall be regulated as projecting signs.
- (~~e~~) *Multiple tenant buildings.* Any application for a sign permit for a multiple tenant building shall include a master sign plan for the building, drawn to scale and fully dimensioned, showing any exterior signage to be provided. The property owner or the property owner's designee shall be responsible

for allocating the allowable sign area among the tenants of the building. If a building will contain multiple uses, a comprehensive sign program shall be established.

- (p) Signs attached to buildings shall be positioned so that they are an integral design feature of the building, and to complement and enhance the building's architectural features. Signs shall not obscure or destroy architectural details such as stone arches, glass transom panels, or decorative brickwork.

[Note: Removes duplicate language. Adjusts the formatting to make (k) and (n) more clear and amends (n) to clarify how a multiple-tenant building's master sign plan shall be established.]

...

#### **Sec. 64.405. Signs with dynamic display.**

...

- (e) Image characteristics, duration, and transition. The following standards shall apply to image duration, transition, and other characteristics of signs with dynamic display. Additional district-specific restrictions are contained in Sec. 64.502, and 64.503 and 64.504.

[Note: Adds language referring to code citation for district-specific restrictions]

...

#### **Sec. 64.414. Roof signs.**

~~No roof signs are permitted in any zoning district in the City.~~

- (a) Roof signs may be permitted only in the B4-B5 business districts, subject to a conditional use permit.
- (b) The Planning Commission shall consider the context of the building design, building location, and its surroundings in considering whether to approve or deny a conditional use permit, and may impose conditions and limitations pertaining to such things as sign height, width, location, orientation, illumination, and how it is attached to the building.
- ~~(c) Roof signs shall face and be designed to be read by traffic on adjoining streets as designated in the comprehensive plan. A facility fronting on only one (1) street is permitted to have one (1) roof sign; a facility fronting on two (2) or more streets is permitted to have two (2) or more roof signs.~~
- ~~(d)(c) For roof signs consisting of lettering with no defined background and that allow visibility through the sign through the spaces, the roof sign area shall be defined as the smallest area encompassing all of the words, numerals, figures, designs, or trademarks, as well as any ornamental strip, border, or design around the edges of the sign, and shall be reduced by fifty (50) percent in calculating the permitted roof signage.~~
- ~~(e)(d) If the zoning administrator determines that the sign lighting affects neighboring properties, roof signs shall not be illuminated overnight, either from midnight or from one (1) hour after the end of any facility event, whichever is later, until 6:00 a.m.~~
- ~~(#)(e) Roof signs with dynamic display are prohibited.~~

[Note: Purpose is to accommodate roof signs, subject to a CUP, in the B4 and B5 zoning districts. Amendment is to permit greater flexibility in roof sign design, placement, etc., subject to conditions imposed by the planning commission, as suggested during the Planning Commission's initial discussion of these amendments.]

## Sec. 64.418. Marquees.

Signs may be placed on, attached to or constructed in a marquee. Such signs shall, for the purpose of determining projection, clearance, height and material, be considered a part of and shall meet the requirements for a marquee as specified in ~~chapter 45~~ section 3106 of the state building code. No such sign shall project above or beyond the physical dimensions of the marquee, except that one (1) sign less than four (4) square feet in size may be attached underneath for each entrance located under the marquee, provided the sign does not project lower than eight (8) feet above the sidewalk.

[Note: Updates a code reference]

## Sec. 64.420. Advertising signs.

- (a) *Advertising signs prohibited.* No advertising signs are permitted in any zoning district in the city. ~~The purposes of this prohibition are to enhance views of the natural and built environments of the city, to improve aesthetically the fusion of residential and commercial areas, to promote community pride on the part of property owners, to encourage beautification and investment in the city, to protect property values, and to reduce cluttered and chaotic signage, which draws attention away from the identification signs of businesses and institutions located in the city. Existing legal nonconforming advertising signs that are not electrified, or illuminated by any means, as of October 26, 2005, may not be wired for electrification or illumination.~~
- (1) ~~Advertising signs which are not electrified, or illuminated by any means, as of October 26, 2005, may not be wired for electrification or illumination.~~
- (b) *Professional sports facility.* At a professional sports facility with permanent seating for more than ~~ten-six thousand (10,000)~~ (6,000) spectators and located in a B4-B5 Business or IR-12 Industrial zone, one (1) or two (2) advertising signs are permitted as an accessory use subject to the following standards:
- (1) Advertising signs shall face and be designed to be read by traffic on arterial streets as designated in the comprehensive plan. A facility fronting on one (1) arterial street is permitted to have one (1) advertising sign; a facility fronting on two (2) or more arterial streets is permitted to have two (2) advertising signs.
  - (2) No advertising sign shall be located within three hundred (300) feet of a residential zoning district, house of worship, or school offering general education courses at the elementary, junior high or high school level.
  - (3) No advertising sign shall exceed seven hundred (700) square feet in size.
  - (4) Advertising signs shall be attached to exterior walls of the sports facility structure and shall not project above the wall.
  - (5) If the zoning administrator determines that the sign lighting affects neighboring properties, advertising signs shall not be illuminated overnight, either from midnight or from one (1) hour after the end of any professional sports game facility event, whichever is later, until 6:00 a.m.
  - (6) For signs with dynamic display, the modes of display of messages shall conform to the requirements in section 64.405

[Notes: Deletes redundant language that repeats Sec. 64.101. Intent and purpose of the code. Decreasing the number of spectators to 6,000 accommodates the new municipal ballpark, located in the B5 Business service district downtown, in a manner similar to the Xcel Energy Center, located in the B4 zoning district. Removes reference to the IR-12 zoning districts.]

## **Sec. 64.421. Sports facility sponsorship signs.**

Sports facility sponsorship signs are permitted, ~~without regard to in all zoning districts,~~ as accessory uses at the following places: golf courses; hockey rinks at McMurray Field; ~~Midway Stadium~~ the municipal ballpark; baseball fields owned or operated under a long-term agreement by an established youth baseball organization such as the Little League, Babe Ruth, VFW, or American Legion Baseball; and baseball and softball fields at Dunning Field, Rice-Arlington Field, and Arlington-Arkwright Field. Sports facility sponsorship signs are subject to the following required standards:

- (a1) Signs at golf courses shall be integrated with the hole identification signs located at tee boxes and the sponsorship component of such signs shall not exceed two (2) square feet.
- (b2) Signs at hockey rinks shall be on the interior sides of the hockey boards.
- (c3) Signs at baseball and softball fields shall be ~~on the outfield fences or the scoreboard or both and~~ oriented toward the field of play. Such signs shall not exceed twenty-four (24) square feet per sign face, except at ~~Midway Stadium~~ the municipal ballpark where larger signs are permitted because it is an enclosed facility.
- (d4) Each sign shall primarily provide identifying information for a sponsor such as name, address, telephone number, or logo; any product advertising shall be incidental and secondary to sponsor identification. However, at ~~Midway Stadium~~ the municipal ballpark, product advertising signs are permitted.
- (e5) Signs shall not be illuminated except by the regular sports facility lighting during hours of use.
- (f6) Signs shall be maintained in good condition.
- (g7) Signs at facilities owned and managed by Saint Paul Parks and Recreation shall also be subject to general standards for regulating sports facility sponsorship signs.

[Note: This change accommodates the new municipal ballpark, and allows signage as permitted at the existing Midway Stadium, which this ballpark replaces. Reference to Midway Stadium is struck, as that facility is to be demolished.]

## **Sec. 64.422. Bicycle sharing facility sponsorship signs.**

Bicycle sharing facility sponsorship signs are permitted in all zoning districts subject to the following required standards:

- (a) One (1) sponsorship sign, no more than fifteen (15) square feet in area, is permitted per bicycle sharing facility. The sponsorship sign shall be an integral part of the bicycle sharing facility rack.
- (b) The sponsorship sign shall primarily provide identifying information for a sponsor such as name, address, telephone number, or logo; any product advertising shall be incidental and secondary to sponsor identification.
- (c) Signs shall not be externally illuminated.
- (d) Signs shall be maintained in good condition.
- (e) Signs within the public right of way are subject to, and must first have and maintain, a permit from the designated road authority.

[Note: This change accommodates the bicycle sharing facilities currently managed by Nice Ride and follows the regulations outlined in the Code of Federal Regulations as well as Minnesota State Statute 160.27 Subd. 7.]

**Sec. 64.503. T1—T4 traditional neighborhood and OS—BC business districts.**

(a) *Business and identification signs:*

- (1) The sum of the gross surface display area in square feet of all business and identification signs on a lot shall not exceed one and one-half (1½) times the lineal feet of lot frontage, or seventy-five (75) square feet, whichever is greater.

[Note: The phrase "and identification" was new in Supplement 80 in 2009, but unintentionally lost when Supplement 83 came out in 2011.]

...

(b) *Temporary signs:*

...

- (5) Temporary window signs, shall cover no more than thirty (30) percent of the store window area, including windows in doors, between four (4) and seven (7) feet above grade and shall not block the view from a public right-of-way into the clerk or cashier station

[Note: Corrects a typographical error]

**Sec. 64.504. B2—B3 business and IR industrial districts.**

(a) *Business and identification signs:*

...

- (4) The height of signs shall be subject to the conditions specified in section 64.503(a)(~~3~~4).

[Note: became (4) in Supplement 83, through the TN district amendments.]

...

(b) *Temporary signs:*

...

- (5) Temporary window signs, shall cover no more than thirty (30) percent of the window area, including windows in doors, between four (4) and seven (7) feet above grade and shall not block the view from a public right-of-way into the clerk or cashier station.

[Note: Corrects a typographical error]

...

**Sec. 64.505. B4 – B5 business districts.**

...

- (b) *Temporary signs.* Except for skyway banners and light pole banners, temporary signs shall be permitted as required in section 64.504(b).
  - (1) *Skyway banners.* Banners or signs may be affixed to the exterior of skyway bridges provided the following standards are met:
    - a. The banners serve to promote a legitimate public purpose as established in the written guidelines of the city. These guidelines are developed and updated by a team of city staff from the department of safety and inspections ~~office of license, inspection and environmental protection~~, the department of public works, the city marketing director, and the city planning commission. The guidelines address appropriate banner purposes, sponsors, and applicants;
    - ...
    - c. The banners meet the size standards of section 64.419(d)(3) and also are not more than three (3) feet (thirty-six (36) inches) in height. Sponsorship identification may occupy up to fifteen (15) per cent of the banner face for any number of sponsors. For events with a business name in the title, the sign area taken up by the business name shall not be included as part of the allowed sponsorship area. ~~Banners currently used by organizations that exceed the height or area standards can continue to be used for up to three (3) years after the effective date of this ordinance, provided they are registered with the office of license, inspection and environmental protection before the effective date of the ordinance. After this period, these banners shall be replaced with signs that conform to the size requirement;~~

[Note: Correcting the name of the department. The three-year grace period has come and gone]

**Sec. 64.506. I1—I3 industrial districts.**

- (a) *Business and identification signs:*

...

- (4) The height of signs shall be subject to the conditions specified in section 64.503(a)(~~3~~4).
- ~~(5) Electronic message signs are permitted and subject to the conditions specified in the B-2 and B-3 districts, section 64.504(a)(5).~~

[Note: In (4) a new (3) was added to Sec. 64.503 in the TN amendments so old (3) becomes (4). In (5), these, and other, conditions for electronic message signs are now under Sec. 64.400 General Provisions in Sec. 64.405 for "signs with dynamic display."]

...

Article VI. 64.600. Special Sign Districts

**Sec. 64.770. Downtown area special district sign plan.**

...

- (c) Within the downtown special sign district, no advertising signs shall be permitted except ~~signs on transit shelters and courtesy benches licensed or franchised by the city~~ as permitted in section 64.420(b) for professional sports facilities.

[Note: Advertising signs on transit shelters and courtesy benches are not subject to the requirements of this chapter per language in Sec. 64.103. A. *Advertising sign*. Advertising signs are regulated by section 64.420 (b) for professional sports facilities.]

## Chapter 64. Zoning Code - Signs

### Article I. Purpose and Definitions

...

#### Sec. 64.102. Definitions.

All words and terms not defined in this chapter which are defined in the Minnesota State Building Code or elsewhere in the zoning code of the City of Saint Paul shall be interpreted as therein defined. Otherwise, for the purposes of this chapter, terms and words not herein defined shall have the meaning customarily assigned to them. Certain words and terms shall be defined as follows.

...

#### Sec. 64.103. A.

*Advanced speed arteries.* A limited access freeway or other road upon portions of which speeds of forty-five (45) miles per hour or greater are permitted.

*Advertising sign.* A sign which directs attention to a business, profession, commodity, service or entertainment which is conducted, sold or manufactured elsewhere than on the premises upon which the sign is placed. It shall be considered as a nonaccessory sign except that an advertising sign on a professional sports facility with permanent seating for more than six thousand (6,000) spectators shall be considered as accessory. Billboards are a form of advertising sign. Advertising signs located on transit stop stations, courtesy benches and newsracks are regulated under other chapters and are not subject to the requirements of this chapter. Sports facility sponsorship signs are a special type of off-premise sign and are subject to different regulations from advertising signs.

...

...

#### Sec. 64.105. C.

*Courtesy bench.* Courtesy benches are regulated under Chapter 127, Courtesy Benches, and are not subject to the requirements of this chapter.

...

#### Sec. 64.116. N.

*Newsrack.* Newsracks are regulated under chapter 131 and are not subject to the requirements of this chapter.

...

**Sec. 64.118. P.**

...

*Projecting sign.* A sign, other than a wall or roof sign, that projects from and is supported by a wall or building.

...

**Sec. 64.120. R.**

...

*Real estate sign.* A temporary sign placed upon a property advertising that particular property for sale, rent or lease, and excluding a cloth, vinyl or banner sign, which are regulated under section 64.419(d).

*Roof sign.* A sign mounted on a roof or that projects above the top of a building wall.

...

**Sec. 64.122. T.**

*Transit stop station.* Transit stop stations-are not subject to the requirements of this chapter.

Article II. 64.200. Administration and Enforcement

**Sec. 64.201. Duties of zoning administrator.**

...

(d) The zoning administrator shall not issue any sign permits that do not conform to this chapter.

**Sec. 64.203. Permits.**

A permit shall be required for all exterior signs visible from a public right-of-way.

(a) *Application.* Applications for sign and/or sign structure permits shall be submitted to the zoning administrator. Each application shall contain the names and addresses of the owners of the display structure and property; the address at which any signs are to be erected; the lot, block and addition at which advertising signs are to be erected and the street on which they are to front; and a complete set of plans showing the necessary elevations, distances, size and details to fully and clearly represent the construction and placing of the display structure; and a fee as required under chapter 33.04. Structural plans are required for all freestanding signs greater than fifty (50) square feet. Permit applications for advertising signs along state trunk highways and interstate highways shall be accompanied by proof that the applicant has obtained a permit from the state for the advertising sign.

Article IV. 64.400. General Provisions

**Sec. 64.401. All signs.**

...

- (k) *Illumination.* Flashing signs are prohibited. In residential districts, no sign may exceed a maximum illumination of 0.5 footcandle above ambient light level as measured fifty (50) feet from the sign's face.
- (l) Only one side of a double-faced sign or V-shaped sign shall be used to compute the gross surface display area, display surface area or sign area of a sign.
- (m) Canopy signs that are parallel to the street shall be regulated as wall signs. Canopy signs that are perpendicular to the street shall be regulated as projecting signs.
- (n) *Multiple tenant buildings.* Any application for a sign permit for a multiple tenant building shall include a master sign plan for the building, drawn to scale and fully dimensioned, showing any exterior signage to be provided. The property owner or the property owner's designee shall be responsible for allocating the allowable sign area among the tenants of the building.
- (o) Signs attached to buildings shall be positioned so that they are an integral design feature of the building, and to complement and enhance the building's architectural features. Signs shall not obscure or destroy architectural details such as stone arches, glass transom panels, or decorative brickwork.

...

**Sec. 64.405. Signs with dynamic display.**

...

- (e) Image characteristics, duration, and transition. The following standards shall apply to image duration, transition, and other characteristics of signs with dynamic display. Additional district-specific restrictions are contained in Sec. 64.502, 64.503 and 64.504.

...

**Sec. 64.414. Roof signs.**

- (a) Roof signs may be permitted only in the B4-B5 business districts, subject to a conditional use permit.
- (b) The Planning Commission shall consider the context of the building design, building location, and its surroundings in considering whether to approve or deny a conditional use permit, and may impose conditions and limitations pertaining to such things as sign height, width, location, orientation, illumination, and how it is attached to the building.
- (c) For roof signs consisting of lettering with no defined background and that allow visibility through the sign through the spaces, the roof sign area shall be defined as the smallest area encompassing all of the words, numerals, figures, designs, or trademarks, as well as any ornamental strip, border, or design around the edges of the sign, and shall be reduced by fifty (50) percent in calculating the permitted roof signage.

- (d) If the zoning administrator determines that the sign lighting affects neighboring properties, roof signs shall not be illuminated overnight, either from midnight or from one (1) hour after the end of any facility event, whichever is later, until 6:00 a.m.
- (e) Roof signs with dynamic display are prohibited.

#### **Sec. 64.418. Marquees.**

Signs may be placed on, attached to or constructed in a marquee. Such signs shall, for the purpose of determining projection, clearance, height and material, be considered a part of and shall meet the requirements for a marquee as specified in section 3106 of the state building code. No such sign shall project above or beyond the physical dimensions of the marquee, except that one (1) sign less than four (4) square feet in size may be attached underneath for each entrance located under the marquee, provided the sign does not project lower than eight (8) feet above the sidewalk.

#### **Sec. 64.420. Advertising signs.**

- (a) *Advertising signs prohibited.* No advertising signs are permitted in any zoning district in the city. Existing legal nonconforming advertising signs that are not electrified, or illuminated by any means, as of October 26, 2005, may not be wired for electrification or illumination.
- (b) *Professional sports facility.* At a professional sports facility with permanent seating for more than six thousand (6,000) spectators and located in a B4-B5 Business zone, one (1) or two (2) advertising signs are permitted as an accessory use subject to the following standards:
  - (1) Advertising signs shall face and be designed to be read by traffic on arterial streets as designated in the comprehensive plan. A facility fronting on one (1) arterial street is permitted to have one (1) advertising sign; a facility fronting on two (2) or more arterial streets is permitted to have two (2) advertising signs.
  - (2) No advertising sign shall be located within three hundred (300) feet of a residential zoning district, house of worship, or school offering general education courses at the elementary, junior high or high school level.
  - (3) No advertising sign shall exceed seven hundred (700) square feet in size.
  - (4) Advertising signs shall be attached to exterior walls of the sports facility structure and shall not project above the wall.
  - (5) If the zoning administrator determines that the sign lighting affects neighboring properties, advertising signs shall not be illuminated overnight, either from midnight or from one (1) hour after the end of any facility event, whichever is later, until 6:00 a.m.
  - (6) For signs with dynamic display, the modes of display of messages shall conform to the requirements in section 64.405

#### **Sec. 64.421. Sports facility sponsorship signs.**

Sports facility sponsorship signs are permitted in all zoning districts as accessory uses at the following places: golf courses; hockey rinks at McMurray Field; the municipal ballpark; baseball fields owned or operated under a long-term agreement by an established youth baseball organization such as the Little League, Babe Ruth, VFW, or American Legion Baseball; and baseball and softball fields at Dunning

Field, Rice-Arlington Field, and Arlington-Arkwright Field. Sports facility sponsorship signs are subject to the following required standards:

- (a) Signs at golf courses shall be integrated with the hole identification signs located at tee boxes and the sponsorship component of such signs shall not exceed two (2) square feet.
- (b) Signs at hockey rinks shall be on the interior sides of the hockey boards.
- (c) Signs at baseball and softball fields shall be oriented toward the field of play. Such signs shall not exceed twenty-four (24) square feet per sign face, except at the municipal ballpark where larger signs are permitted because it is an enclosed facility.
- (d) Each sign shall primarily provide identifying information for a sponsor such as name, address, telephone number, or logo; any product advertising shall be incidental and secondary to sponsor identification. However, at the municipal ballpark, product advertising signs are permitted.
- (e) Signs shall not be illuminated except by the regular sports facility lighting during hours of use.
- (f) Signs shall be maintained in good condition.
- (g) Signs at facilities owned and managed by Saint Paul Parks and Recreation shall also be subject to general standards for regulating sports facility sponsorship signs.

**Sec. 64.422. Bicycle sharing facility sponsorship signs.**

Bicycle sharing facility sponsorship signs are permitted in all zoning districts subject to the following required standards:

- (a) One (1) sponsorship sign, no more than fifteen (15) square feet in area, is permitted per bicycle sharing facility. The sponsorship sign shall be an integral part of the bicycle sharing facility rack.
- (b) The sponsorship sign shall primarily provide identifying information for a sponsor such as name, address, telephone number, or logo; any product advertising shall be incidental and secondary to sponsor identification.
- (c) Signs shall not be externally illuminated.
- (d) Signs shall be maintained in good condition.
- (e) Signs within the public right of way are subject to, and must first have and maintain, a permit from the designated road authority.

**Sec. 64.503. T1—T4 traditional neighborhood and OS—BC business districts.**

(a) *Business and identification signs:*

- (1) The sum of the gross surface display area in square feet of all business and identification signs on a lot shall not exceed one and one-half (1½) times the lineal feet of lot frontage, or seventy-five (75) square feet, whichever is greater.

...

(b) *Temporary signs:*

...

- (5) Temporary window signs, shall cover no more than thirty (30) percent of the store window area, including windows in doors, between four (4) and seven (7) feet above grade and shall not block the view from a public right-of-way into the clerk or cashier station.

**Sec. 64.504. B2—B3 business and IR industrial districts.**

(a) *Business and identification signs:*

...

- (4) The height of signs shall be subject to the conditions specified in section 64.503(a)(4).

...

(b) *Temporary signs:*

...

- (5) Temporary window signs shall cover no more than thirty (30) percent of the window area, including windows in doors, between four (4) and seven (7) feet above grade and shall not block the view from a public right-of-way into the clerk or cashier station.

...

**Sec. 64.505. B4 – B5 business districts.**

...

- (b) *Temporary signs.* Except for skyway banners and light pole banners, temporary signs shall be permitted as required in section 64.504(b).

- (1) *Skyway banners.* Banners or signs may be affixed to the exterior of skyway bridges provided the following standards are met:

- a. The banners serve to promote a legitimate public purpose as established in the written guidelines of the city. These guidelines are developed and updated by a team of city staff from the department of safety and inspections, the department of public works, the

city marketing director, and the city planning commission. The guidelines address appropriate banner purposes, sponsors, and applicants;

...

- c. The banners meet the size standards of section 64.419(d)(3) and also are not more than three (3) feet (thirty-six (36) inches) in height. Sponsorship identification may occupy up to fifteen (15) per cent of the banner face for any number of sponsors. For events with a business name in the title, the sign area taken up by the business name shall not be included as part of the allowed sponsorship area.

**Sec. 64.506. I1—I3 industrial districts.**

- (a) *Business and identification signs:*

...

- (4) The height of signs shall be subject to the conditions specified in section 64.503(a)(4).

...

Article VI. 64.600. Special Sign Districts

**Sec. 64.770. Downtown area special district sign plan.**

...

- (c) Within the downtown special sign district, no advertising signs shall be permitted except as permitted in section 64.420(b) for professional sports facilities.

DEPARTMENT OF PARKS AND RECREATION  
DESIGN AND CONSTRUCTION



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City in America

CITY OF SAINT PAUL

Mayor Christopher B. Coleman

400 City Hall Annex  
25 West 4<sup>th</sup> Street  
Saint Paul, Minnesota 55102  
www.stpaul.gov/parks

Telephone: 651-266-6400  
Facsimile: 651-292-7405

June 26, 2014

Saint Paul Planning Commission  
25 West Fourth Street, Suite 1400  
Saint Paul, MN 55102

Dear Members of the Planning Commission,

We would like to express our support for the Chapter 64 text amendment changes accommodating signs at the new municipal ballpark in Lowertown. Specifically, we believe the effort to allow roof signs, Sec. 64.414, is very important.

A roof sign at the municipal ballpark, designed under the proposed code amendments, and integrated into the architecture, will become a great identifier for the ballpark and the neighborhood. In addition to becoming a recognizable landmark, it would reflect the historic character of the district as a contemporary interpretation of the signs once mounted above the nearby warehouses. Increasing Lowertown's identity and relating to its history are important goals defined in the October 2011 *Greater Lowertown Masterplan*. It is for these reasons that we support the effort to amend the Chapter 64 code.

Sincerely,

Michael Hahm, CPRP  
Director, Saint Paul Department of Parks and Recreation  
25 W. 4<sup>th</sup> Street, Suite 400  
Saint Paul, MN 55102

cc: Jody Martinez, Saint Paul Parks and Recreation  
Chris Stark, Saint Paul Parks and Recreation  
Jake Reilly, Saint Paul Planning and Economic Development



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July 8, 2014

Saint Paul Planning Commission  
25 W. Fourth Street, Suite 1400  
Saint Paul, MN 55102

**Re: Draft Zoning Code Amendments Ch. 64 - Signs**

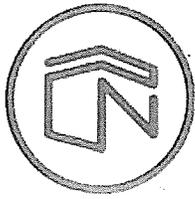
Dear Sir/Madam,

Please allow this letter to serve as our support of the proposed draft zoning code amendments pertaining to Chapter 64 of the City Code, specifically regarding a conditional use permit option for roof signs in the B4 and B5 Central Business Service districts. We understand that there is a hearing on the matter this Friday morning, July 11<sup>th</sup>.

We are relocating to downtown St. Paul early next year as primary tenant and operator of the Lowertown Ballpark. Providing property owners downtown with the option to pursue roof top signs for their buildings in these districts is a good idea, allowing for contemporary interpretations of historic roof signs that once were part of Lowertown. Further, well done rooftop signs will increase the neighborhood's sense of identity and relationship to its history.

More specifically, we understand that certain code amendments are being proposed for signs relating to the Lowertown Ballpark. We are in favor of those, as well. The Ballpark effort was a true community effort and the facility will be a landmark for the city and the region.

Regarding a rooftop sign for the Lowertown Ballpark, our opinion is that allowing the Ballpark's design team to enhance the building's architecture, perceived mass and presence along Broadway, as a rooftop sign certainly will achieve, will add to the visual experiences of fans attending events at the park and visitors to the neighborhood. We would encourage you strongly to entertain the notion of a four-sided rooftop sign with regard to the one proposed for the Ballpark and potentially for other buildings that would seek a conditional use permit. Our understanding is that draft code language would limit such signs to two sides. The Ballpark has the potential to be highly visible in all four directions from its location as a community anchor on the east end of downtown. It's a



# Northwestern Building

July 8, 2014

Saint Paul Planning Commission  
25 W. Fourth Street, Suite 1400  
Saint Paul, MN 55102

**Re: Draft Zoning Code Amendments Ch. 64 - Signs**

Dear Sir/Madam,

Please allow this letter to serve as our general support of the proposed draft zoning code amendments pertaining to Chapter 64 of the City Code, specifically regarding a conditional use permit option for roof signs in the B4 and B5 Central Business Service districts. We understand that there is a hearing on the matter this Friday morning, July 11<sup>th</sup>.

We are building owners in St. Paul and providing an owner with the option to pursue a roof top sign is a good idea, allowing for contemporary interpretations of historic roof signs that once were part of Lowertown. Further, well done rooftop signs will increase the neighborhood's sense of identity.

More specifically, we understand that certain code amendments are being proposed for signs relating to the Lowertown Ballpark. We are in favor of those, as well. The Ballpark effort was a true community effort. It is resulting in a facility that will be a landmark for St. Paul. To the extent that the proposed amendments allow the facility designers and the City to enhance the building's architecture, perceived mass and presence along Broadway, as a rooftop sign certainly will do, we are fully supportive. Further, a rooftop sign and the other signs that go along with the ballpark will afford the St. Paul Saints, as facility operator, signage opportunities consistent with those at other sports venues in St. Paul and the Twin Cities.

Thank you for taking time to review our comments.

Sincerely,

Clinton T. Blaiser  
Owner/Partner  
Wheeler Cleveland Hague Partnership

Sincerely,

Richard S. Pakonen  
Owner/Chief Manager  
275 Northwestern, LLC

Jake

I read thru updated version and see the revisions to Appendix I have been eliminated.

But under section Sec 64.122 T

Proposed Language is

***Transit stop shelter.* Transit stop shelters are regulated under appendix I of the city's legislative code, and are not subject to the requirements of this chapter.**

Since Appendix I only deals with the CBS Outdoor Bus Shelter Franchise and not all transit stop shelters which potentially could include advertising ( Met Transit Bus Shelters, BRT Stations/Shelters, LRT Stations/Shelters, future Streetcar Stations/Shelters), I would recommend the above proposed language be amended to:

***Transit stop station.* A transit stop station is a regular stopping place on a public transportation route with a covered structure providing protection against the weather for people waiting for transit. Transit stop stations are regulated under appendix I of the city's legislative code, and are not subject to the requirements of this chapter.**

By copy of this email, I request Peter Warner and Lisa Veith comment on this also.

Paul St. Martin P.E.  
Assistant City Engineer  
Traffic and Lighting Division  
St. Paul Department of Public Works  
800 City Hall Annex  
25 West 4th Street  
St. Paul, MN 55102  
Telephone # 651-266-6118  
Fax # 651-298-4559  
[paul.st.martin@ci.stpaul.mn.us](mailto:paul.st.martin@ci.stpaul.mn.us)

city of saint paul  
planning commission resolution  
file number \_\_\_\_\_  
date \_\_\_\_\_

**Amendments to Chapter 64 - Signs**

WHEREAS, the Planning Commission, on June 4, 2014, released draft Amendments to Chapter 64 – Signs of the zoning code for public review, and set a public hearing for July 11, 2014; and

WHEREAS, notice of the hearing was published pursuant to Minnesota Statutes § 462.357, Subd. 3, and mailed to the early notification list and other interested parties; and

WHEREAS, a public hearing on the proposed Bicycle Parking Amendment was conducted by the Planning Commission on July 11, 2014, at which all persons present were allowed to testify; and

WHEREAS, the Planning Commission referred the proposed ordinance to the Comprehensive Planning Committee for consideration, review of the public testimony, and recommendation; and

WHEREAS, the Comprehensive Planning Committee, on July 22, 2014, forwarded its recommendations to the Planning Commission; and

WHEREAS, the Planning Commission considered the public testimony and the recommendations of the Comprehensive Planning Committee;

NOW, THEREFORE, BE IT RESOLVED, under the provisions of § 61.801 of the Zoning Code and pursuant to the provisions of Minnesota Statutes § 462.357, that the Planning Commission recommends to the City Council the following amendments to Chapter 64, Signs, of the Zoning Code:

**Chapter 64. Zoning Code - Signs**

Article I. Purpose and Definitions

...

**Sec. 64.102. Definitions.**

All words and terms not defined in this chapter which are defined in the Minnesota State Building Code or elsewhere in the zoning code of the City of Saint Paul shall be interpreted as therein defined. Otherwise, for the purposes of this chapter, terms and words not herein defined shall have the meaning customarily assigned to them. Certain words and terms shall be defined as follows.

...

moved by \_\_\_\_\_

seconded by \_\_\_\_\_

in favor \_\_\_\_\_

against \_\_\_\_\_

**Sec. 64.103. A.**

*Advanced speed arteries.* A limited access freeway or other road upon portions of which speeds of forty-five (45) miles per hour or greater are permitted.

*Advertising sign.* A sign which directs attention to a business, profession, commodity, service or entertainment which is conducted, sold or manufactured elsewhere than on the premises upon which the sign is placed. It shall be considered as a nonaccessory sign except that an advertising sign on a professional sports facility with permanent seating for more than ~~ten thousand (10,000)~~ six thousand (6,000) spectators shall be considered as accessory. Billboards are a form of advertising sign. Advertising signs located on ~~bus transit stop stations~~, courtesy benches and ~~newsstand racks~~ are regulated under other chapters and are not subject to the requirements of this chapter. Sports facility sponsorship signs are a special type of off-premise sign and are subject to different regulations from advertising signs.

[Note: This adds language to accommodate new opportunities in the city for advertising signs at LRT stations, just as existing language provides for advertising on bus stop shelters and bus stop courtesy benches. "Bus stop shelters" is changed to "transit stop stations" to apply to LRT, bus rapid transit, streetcars, as well as bus stops.]

...

**Sec. 64.104. B.**

...

~~*Bus stop shelter.* Bus stop shelters are regulated under appendix I and are not subject to the requirements of this chapter.~~

[Note: To be changed to "transit stop station" and moved to Sec. 64.122. T.]

...

**Sec. 64.105. C.**

~~*Courtesy bench.* Courtesy benches are regulated under chapter 315~~ Chapter 127, Courtesy Benches, and are not subject to the requirements of this chapter.

[Note: Updates a code reference.]

...

**Sec. 64.116. N.**

~~*Newsstand rack.* Newsstand racks are regulated under chapter 128~~ 131 and are not subject to the requirements of this chapter.

[Note: Updates a code reference and term to be consistent with Chapter 131]

...

**Sec. 64.118. P.**

...

~~*Projecting sign.* A sign, other than a wall or roof sign, that which projects from and is supported by a wall or a building or structure.~~

[Note: Cleans up language to make the definition more clear]

...

**Sec. 64.120. R.**

...

*Real estate sign.* A temporary sign placed upon a property advertising that particular property for sale, rent or lease, and excluding a cloth, vinyl or banner sign, which are regulated under section ~~64.402(m)(3)~~ 64.419(d).

[Note: Wrong code citation]

*Roof sign.* A sign ~~mounted erected upon or above a roof or parapet that projects above the top of a building or structure wall.~~

[Note: Clarifies that a roof sign projects above the top of a building wall, including the parapet wall.]

...

**Sec. 64.122. T.**

~~*Transit stop station.* Transit stop stations are regulated under appendix I of the city's legislative code and are not subject to the requirements of this chapter.~~

[Note: Was "bus stop shelter" and must be amended to provide for transit options in the city and to ensure the code reference is correct. New amendment removes reference to appendix I.]

Article II. 64.200. Administration and Enforcement

**Sec. 64.201. Duties of zoning administrator.**

...

(d) The zoning administrator shall not issue any sign permits that do not conform to this chapter. ~~No renewal of an expired permit shall be issued for a use or structure made nonconforming by amendments to this code.~~

[Note: Sign permits can no longer be renewed. If a sign permit expires and work was not done under that permit, a new permit, meeting today's standards, must be obtained.]

**Sec. 64.203. - Permits.**

A permit shall be required for all exterior signs visible from a public right-of-way.

(a) *Application.* Applications for sign and/or sign structure permits shall be submitted to the zoning administrator. Each application shall contain the names and addresses of the owners of the display structure and property; the address at which any signs are to be erected; the lot, block and addition at which advertising signs are to be erected and the street on which they are to front; ~~and a complete set of plans showing the necessary elevations, distances, size and details to fully and clearly represent the construction and placing of the display structure; and a fee as required under chapter 33.04.~~ Structural plans are required for all freestanding signs greater than fifty (50) square feet. Permit applications for advertising signs along state trunk highways and interstate highways shall be accompanied by proof that the applicant has obtained a permit from the state for the advertising sign.

[Note: Clarifies where fees are listed]

Article IV. 64.400. General Provisions

**Sec. 64.401. All signs.**

...

- (k) Illumination. Flashing signs are prohibited. In residential districts, no sign may exceed a maximum illumination of 0.5 footcandle above ambient light level as measured fifty (50) feet from the sign's face.
- l) Only one side of a double-faced sign or V-shaped sign shall be used to compute the gross surface display area, display surface area or sign area of a sign.
- ~~(m) Only one side of a double-faced sign or V-shaped sign shall be used to compute the gross surface display area, display surface area or sign area of a sign.~~
- ~~(m)~~ Canopy signs that are parallel to the street shall be regulated as wall signs. Canopy signs that are perpendicular to the street shall be regulated as projecting signs.
- ~~(en)~~ Multiple tenant buildings. Any application for a sign permit for a multiple tenant building shall include a master sign plan for the building, drawn to scale and fully dimensioned, showing any exterior signage to be provided. The property owner or the property owner's designee shall be responsible for allocating the allowable sign area among the tenants of the building. ~~If a building will contain multiple uses, a comprehensive sign program shall be established.~~
- ~~(po)~~ Signs attached to buildings shall be positioned so that they are an integral design feature of the building, and to complement and enhance the building's architectural features. Signs shall not obscure or destroy architectural details such as stone arches, glass transom panels, or decorative brickwork.

[Note: Removes duplicate language. Adjusts the formatting to make (k) and (n) more clear and amends (n) to clarify how a multiple-tenant building's master sign plan shall be established.]

...

**Sec. 64.405. Signs with dynamic display.**

...

- (e) Image characteristics, duration, and transition. The following standards shall apply to image duration, transition, and other characteristics of signs with dynamic display. Additional district-specific restrictions are contained in Sec. 64.502, and 64.503 and 64.504.

[Note: Adds language referring to code citation for district-specific restrictions]

...

**Sec. 64.414. Roof signs.**

~~No roof signs are permitted in any zoning district in the City.~~

- ~~(a) Roof signs may be permitted only in the B4-B5 business districts, subject to a conditional use permit.~~
- ~~(b) The Planning Commission shall consider the context of the building design, building location, and its surroundings in considering whether to approve or deny a conditional use permit, and may impose conditions and limitations pertaining to such things as sign height, width, location, orientation, illumination, and how it is attached to the building.~~
- ~~(c) For roof signs consisting of lettering with no defined background and that allow visibility through the sign through the spaces, the roof sign area shall be defined as the smallest area encompassing all of the words, numerals,~~

figures, designs, or trademarks, as well as any ornamental strip, border, or design around the edges of the sign, and shall be reduced by fifty (50) percent in calculating the permitted roof signage.

(d) If the zoning administrator determines that the sign lighting affects neighboring properties, roof signs shall not be illuminated overnight, either from midnight or from one (1) hour after the end of any facility event, whichever is later, until 6:00 a.m.

(e) Roof signs with dynamic display are prohibited.

[Note: Purpose is to accommodate roof signs, subject to a CUP, in the B4 and B5 zoning districts. Amendment is to permit greater flexibility in roof sign design, placement, etc., subject to conditions imposed by the planning commission, as suggested during the Planning Commission's initial discussion of these amendments.]

### **Sec. 64.418. Marquees.**

Signs may be placed on, attached to or constructed in a marquee. Such signs shall, for the purpose of determining projection, clearance, height and material, be considered a part of and shall meet the requirements for a marquee as specified in ~~chapter 45~~section 3106 of the state building code. No such sign shall project above or beyond the physical dimensions of the marquee, except that one (1) sign less than four (4) square feet in size may be attached underneath for each entrance located under the marquee, provided the sign does not project lower than eight (8) feet above the sidewalk.

[Note: Updates a code reference]

### **Sec. 64.420. Advertising signs.**

(a) Advertising signs prohibited. No advertising signs are permitted in any zoning district in the city. ~~The purposes of this prohibition are to enhance views of the natural and built environments of the city, to improve aesthetically the fusion of residential and commercial areas, to promote community pride on the part of property owners, to encourage beautification and investment in the city, to protect property values, and to reduce cluttered and chaotic signage, which draws attention away from the identification signs of businesses and institutions located in the city.~~ Existing legal nonconforming advertising signs that are not electrified, or illuminated by any means, as of October 26, 2005, may not be wired for electrification or illumination.

(1) ~~Advertising signs which are not electrified, or illuminated by any means, as of October 26, 2005, may not be wired for electrification or illumination.~~

(b) Professional sports facility. At a professional sports facility with permanent seating for more than ~~ten six~~ thousand ~~(10,000)~~ (6,000) spectators and located in a B4-B5 Business or ~~IR-12 Industrial~~ zone, one (1) or two (2) advertising signs are permitted as an accessory use subject to the following standards:

(1) Advertising signs shall face and be designed to be read by traffic on arterial streets as designated in the comprehensive plan. A facility fronting on one (1) arterial street is permitted to have one (1) advertising sign; a facility fronting on two (2) or more arterial streets is permitted to have two (2) advertising signs.

(2) No advertising sign shall be located within three hundred (300) feet of a residential zoning district, house of worship, or school offering general education courses at the elementary, junior high or high school level.

(3) No advertising sign shall exceed seven hundred (700) square feet in size.

(4) Advertising signs shall be attached to exterior walls of the sports facility structure and shall not project above the wall.

(5) If the zoning administrator determines that the sign lighting affects neighboring properties, advertising signs shall not be illuminated overnight, either from midnight or from one (1) hour after the end of any ~~professional sports game~~ facility event, whichever is later, until 6:00 a.m.

- (6) For signs with dynamic display, the modes of display of messages shall conform to the requirements in section 64.405

[Notes: Deletes redundant language that repeats Sec. 64.101. Intent and purpose of the code. Decreasing the number of spectators to 6,000 accommodates the new municipal ballpark, located in the B5 Business service district downtown, in a manner similar to the Xcel Energy Center, located in the B4 zoning district. Removes reference to the IR-12 zoning districts.]

### **Sec. 64.421. Sports facility sponsorship signs.**

Sports facility sponsorship signs are permitted, ~~without regard to in all zoning districts,~~ as accessory uses at the following places: golf courses; hockey rinks at McMurray Field; ~~Midway Stadium the municipal ballpark;~~ baseball fields owned or operated under a long-term agreement by an established youth baseball organization such as the Little League, Babe Ruth, VFW, or American Legion Baseball; and baseball and softball fields at Dunning Field, Rice-Arlington Field, and Arlington-Arkwright Field. Sports facility sponsorship signs are subject to the following required standards:

- (a1) Signs at golf courses shall be integrated with the hole identification signs located at tee boxes and the sponsorship component of such signs shall not exceed two (2) square feet.
- (b2) Signs at hockey rinks shall be on the interior sides of the hockey boards.
- (c3) Signs at baseball and softball fields shall be ~~on the outfield fences or the scoreboard or both and oriented toward the field of play.~~ Such signs shall not exceed twenty-four (24) square feet per sign face, except at ~~Midway Stadium the municipal ballpark~~ where larger signs are permitted because it is an enclosed facility.
- (d4) Each sign shall primarily provide identifying information for a sponsor such as name, address, telephone number, or logo; any product advertising shall be incidental and secondary to sponsor identification. However, at ~~Midway Stadium the municipal ballpark,~~ product advertising signs are permitted.
- (e5) Signs shall not be illuminated except by the regular sports facility lighting during hours of use.
- (f6) Signs shall be maintained in good condition.
- (g7) Signs at facilities owned and managed by Saint Paul Parks and Recreation shall also be subject to general standards for regulating sports facility sponsorship signs.

[Note: This change accommodates the new municipal ballpark, and allows signage as permitted at the existing Midway Stadium, which this ballpark replaces. Reference to Midway Stadium is struck, as that facility is to be demolished.]

### **Sec. 64.422. Bicycle sharing facility sponsorship signs.**

Bicycle sharing facility sponsorship signs are permitted in all zoning districts subject to the following required standards:

- (a) One (1) sponsorship sign, no more than fifteen (15) square feet in area, is permitted per bicycle sharing facility. The sponsorship sign shall be an integral part of the bicycle sharing facility rack.
- (b) The sponsorship sign shall primarily provide identifying information for a sponsor such as name, address, telephone number, or logo; any product advertising shall be incidental and secondary to sponsor identification.
- (c) Signs shall not be externally illuminated.
- (d) Signs shall be maintained in good condition.
- (e) Signs within the public right of way are subject to, and must first have and maintain, a permit from the designated road authority.

[Note: This change accommodates the bicycle sharing facilities currently managed by Nice Ride and follows the regulations outlined in the Code of Federal Regulations as well as Minnesota State Statute 160.27 Subd. 7.]

Article V. 64.500. Specific Regulations by Zoning Districts

**Sec. 64.503. T1—T4 traditional neighborhood and OS—BC business districts.**

(a) *Business and identification signs:*

- (1) The sum of the gross surface display area in square feet of all business and identification signs on a lot shall not exceed one and one-half (1½) times the lineal feet of lot frontage, or seventy-five (75) square feet, whichever is greater.

[Note: The phrase "and identification" was new in Supplement 80 in 2009, but unintentionally lost when Supplement 83 came out in 2011.]

...

(b) *Temporary signs:*

...

- (5) Temporary window signs, shall cover no more than thirty (30) percent of the store window area, including windows in doors, between four (4) and seven (7) feet above grade and shall not block the view from a public right-of-way into the clerk or cashier station

[Note: Corrects a typographical error]

**Sec. 64.504. B2—B3 business and IR industrial districts.**

(a) *Business and identification signs:*

...

- (4) The height of signs shall be subject to the conditions specified in section 64.503(a)(~~34~~).

[Note: became (4) in Supplement 83, through the TN district amendments.]

...

(b) *Temporary signs:*

...

- (5) Temporary window signs, shall cover no more than thirty (30) percent of the window area, including windows in doors, between four (4) and seven (7) feet above grade and shall not block the view from a public right-of-way into the clerk or cashier station.

[Note: Corrects a typographical error]

...

**Sec. 64.505. B4 – B5 business districts.**

...

(b) *Temporary signs.* Except for skyway banners and light pole banners, temporary signs shall be permitted as required in section 64.504(b).

(1) *Skyway banners.* Banners or signs may be affixed to the exterior of skyway bridges provided the following standards are met:

a. The banners serve to promote a legitimate public purpose as established in the written guidelines of the city. These guidelines are developed and updated by a team of city staff from the department of safety and inspections ~~office of license, inspection and environmental protection, the department of public works, the city marketing director, and the city planning commission.~~ The guidelines address appropriate banner purposes, sponsors, and applicants;

...

c. The banners meet the size standards of section 64.419(d)(3) and also are not more than three (3) feet (thirty-six (36) inches) in height. Sponsorship identification may occupy up to fifteen (15) per cent of the banner face for any number of sponsors. For events with a business name in the title, the sign area taken up by the business name shall not be included as part of the allowed sponsorship area. ~~Banners currently used by organizations that exceed the height or area standards can continue to be used for up to three (3) years after the effective date of this ordinance, provided they are registered with the office of license, inspection and environmental protection before the effective date of the ordinance. After this period, these banners shall be replaced with signs that conform to the size requirement;~~

[Note: Correcting the name of the department. The three-year grace period has come and gone]

**Sec. 64.506. I1—I3 industrial districts.**

(a) *Business and identification signs:*

...

(4) The height of signs shall be subject to the conditions specified in section 64.503(a)(34).

~~(5) Electronic message signs are permitted and subject to the conditions specified in the B-2 and B-3 districts, section 64.504(a)(5).~~

[Note: In (4) a new (3) was added to Sec. 64.503 in the TN amendments so old (3) becomes (4). In (5), these, and other, conditions for electronic message signs are now under Sec. 64.400 General Provisions in Sec. 64.405 for "signs with dynamic display."]

...

Article VI. 64.600. Special Sign Districts

**Sec. 64.770. Downtown area special district sign plan.**

...

- (c) Within the downtown special sign district, no advertising signs shall be permitted except signs on transit shelters and courtesy benches licensed or franchised by the city as permitted in section 64.420(b) for professional sports facilities.

[Note: Advertising signs on transit shelters and courtesy benches are not subject to the requirements of this chapter per language in Sec. 64.103. A. *Advertising sign*. Advertising signs are regulated by section 64.420 (b) for professional sports facilities.]



**CITY OF SAINT PAUL**  
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**Date:** August 4, 2014  
**To:** Comprehensive Planning Committee  
**From:** Josh Williams ([josh.williams@ci.stpaul.mn.us](mailto:josh.williams@ci.stpaul.mn.us), 651-266-6659) and  
Allan Torstenson ([allan.torstenson@ci.stpaul.mn.us](mailto:allan.torstenson@ci.stpaul.mn.us), 651-266-6579)  
**Subject:** **Comments on Draft Rules for Mississippi River Corridor Critical Area**

### **Background and Purpose**

The Minnesota Department of Natural Resources, on June 2, 2014, published a Request for Comments on draft rules for the Mississippi River Corridor Critical Area (MRCCA). The proposed rules would replace the Standards and Guidelines for Preparing Plans and Regulations for the MRCCA in Executive Order 79-19 by Governor Quie in 1979, and would mandate new MRCCA zoning overlay districts and regulations to replace the districts and regulations that were adopted by the City and approved by the state pursuant to Exec. Order 79-19 in 1982. The DNR will accept comments on the draft rules through August 15.

This memo provides background for and outlines primary City comments and concerns. A longer companion piece provides more detailed comments and specific recommendations.

Minnesota statutes that govern the rulemaking process require that the purposes of the rules be achieved through the least costly and least intrusive methods, and that the DNR demonstrate that the rules are needed and reasonable. Therefore, this is a primary focus of our comments and recommendations.

Principal general guidelines in Executive Order 79-19 for preparing plans and regulations are:

1. Management of the river corridor as a multiple-purpose resource by:
  - conserving the scenic, environmental, recreational, mineral, economic, cultural, and historic resources and functions of the river corridor; and
  - providing for the continuation and the development of a variety of urban uses; and
2. Management of the river corridor consistent with its natural characteristics and its existing development, using districts with different standards and guidelines to fit the character and existing development for different areas within the corridor.

MN Stat. 116G.15 reflects this language in authorizing the rules and directing the DNR to ensure that the river corridor is managed as a multipurpose resource in a way that “conserves the scenic, environmental, recreational, mineral, economic, cultural, and historic resources and functions of the river corridor, [and] . . . provides for the continuation, development, and redevelopment of a variety of urban uses.” It goes on to require that the DNR “take into account municipal plans and policies, and existing ordinances and conditions” in establishing districts for “management of the river corridor consistent with its natural characteristics and its existing development, and in consideration of potential new commercial, industrial, and residential development and redevelopment.” Therefore, this is also a primary focus of our comments and recommendations.

## Summary Comments

### **1. Fine-grain local planning versus broad-brush corridor-wide regulations**

The draft rules attempt to protect key resources and features of the river corridor through new broad-brush definitions of such things as *primary conservation areas* and *slope impact zones*, general corridor-wide prohibition of development or change in such areas, and more restrictive or new height limits. In too many cases this broad-brush approach would be inconsistent with the existing character and development of a specific site, would not make sense, and would be unnecessary and/or unreasonable. For example, the proposed prohibition of structures, impervious surfaces, land alteration, and vegetation removal in an urban yard just because it happens to be within 20, 40, or even 100 feet from a 10 or 20 foot high slope is unreasonable, and unnecessary to achieve the MRCCA purposes of protecting and preserving critical resources for public use and benefit.

The City of Saint Paul has a long track record of careful and effective planning and management of the river corridor as a multipurpose resource consistent with its natural characteristics and its existing development using a more sensible, finer-grain approach.

The first St. Paul Mississippi River Corridor plan under the requirements of the MRCCA was adopted by the City Council and approved by the EQB in 1981. It identified primary conservation areas that were critical to protect as a continuous publically-owned and maintained river-oriented park, open space, wildlife preservation, and natural area system, almost all of which has now been acquired. Since creation of the MRCCA, the St. Paul Port Authority alone has transferred over 1300 acres to the St. Paul Department of Parks and Recreation for parks and open space purposes. Of the 7150 acres of land in St. Paul in the Critical Area, about 2500 acres (35%) are now publically-owned parks and open space. A great deal of effort has been focused on planning, development and management of this park and open space system for MRCCA purposes, from the St. Paul Mississippi River Corridor Plan in 1981, creation of the St. Paul Riverfront Corporation and all of the important work it has done over the years, to the more recent Great River Passage Master Plan.

The Great River Passage, a master plan adopted in 2013 for the 17 miles of Mississippi River park lands in Saint Paul, identifies a number of investments to enhance access to and promote use of the Mississippi River. Overly broad development restrictions in the draft rules, including doubling river setback requirements and more than doubling bluff setback requirements for most urban parkland, and applying bluff setback requirements to smaller slopes, are not only broadly inconsistent with existing park development; they would also hinder the ability to make planned investments in parks and public spaces along the river, such as in Lilydale and Hidden Falls regional parks and at the Watergate Marina.

The City has done a lot of thoughtful planning to enhance the relationship of specific sites and areas to the river, including for new urban villages with strong physical and visual connections to the river, restored natural systems, and public spaces that integrate green infrastructure for stormwater management. Examples include the West Side Flats, the Ford site, and the former Island Station power plant site. On the West Side, the proposed rules would make the existing river esplanade non-conforming, and could prevent other public realm features suitable for a dense urban neighborhood. Rather than through the absolute, broad-brush height and locational standards proposed in the draft rules, the best development for these areas can be achieved through careful planning based on the unique characteristics of each site and surrounding areas.

## 2. Consistency with existing development and appropriate redevelopment

Elements of the draft rules are broadly inconsistent with existing development, would thereby create many nonconforming buildings, lots, roads, etc., and would be inconsistent with existing critical area guidelines to provide for the continuation, development, and redevelopment of a variety of urban uses where appropriate. Most significant are proposed rules that would go beyond the current bluff setback requirements and prohibition of structures on slopes of 18% or greater. These new rules would: a) prohibit structures, impervious surfaces, land alteration, and vegetation removal in a 20-foot “slope preservation zone” (SPZ) around all sides of these slopes; b) more than double bluff setback requirements in many areas; and c) apply bluff setback requirements to “*very steep slopes*” defined as slopes with an average grade of at least 18% (about 8 degrees, a 2 foot rise in an 11 foot run) and a height of at least 10 feet.

Based on a shapefile from the DNR representing bluffs and “very steep slopes” as defined in the draft rules, it appears that about 1300 buildings in St. Paul would be in the new slope preservation zones proposed in the draft rules (making them nonconforming), and about 600 existing buildings would be nonconforming with the setback requirements from 18% slopes. Based on incomplete analysis, it appears that the draft rules would make roughly twice as many existing buildings in St. Paul nonconforming with regard to locational standards related to bluffs and very steep slopes compared to the City’s existing regulations. Many of these would be single-family residential properties in long-developed neighborhoods.

**Downtown Saint Paul.** Several major buildings as well as Kellogg Park and 2<sup>nd</sup> Street are constructed in, on, or across the face of the downtown bluff. The draft rules specifically prohibit expansion of nonconforming uses where it would result in further encroachment into required setbacks. It appears that this would prohibit the creation of the *river balcony*, a feature proposed in the recently adopted Great River Passage Master Plan to improve the connection between Downtown St. Paul and the river, and would impact redevelopment of key downtown sites such as the Ramsey County Government Center West and former Ramsey County jail, a top priority for both the City of Saint Paul and Ramsey County. The need and reasonableness of rules that would prohibit development along the downtown bluff has not been demonstrated.

Several years ago a taskforce that included DNR staff was convened for the purposes of updating the City’s river corridor ordinance. The task force recommended excepting “the area of downtown Saint Paul along the river’s left descending bank from Chestnut Street to the Lafayette/Highway 52 bridge” from location requirements in the regulations. The same or a similar exception for downtown Saint Paul should be included in the MRCCA rules.

**Ford redevelopment site.** This is a redevelopment site of critical importance for which the City is doing careful, site-specific planning to create a new urban village that has the density necessary to be walkable and sustainable, and also has significant public spaces that would provide strong physical and visual connections to the river; restored natural systems, and integrated green infrastructure for stormwater management. It has not been demonstrated that the height restrictions that would apply to the Ford site under the proposed rules are needed to protect critical views of and from the river, and they may unreasonably inhibit appropriate redevelopment of the site. The CA-SR Separated from River District, which is used directly across the river from the Ford site, is a less restrictive option that would be a better fit for appropriate redevelopment of the Ford site, especially for the portion farther east.

### 3. Administrative burden, intrusiveness, and cost

Several aspects of the draft rules would be unnecessarily costly and intrusive for property owners, and create unnecessary costs and administrative burden for municipalities. These include: a) development restrictions that would result in many nonconforming structures; b) some of the provisions regarding development and administration of ordinances; and c) requirements for permanent set aside and restoration of private land for public conservation and habitat purposes through public acquisition, conservation easements and deed restrictions, which are subject to regulatory takings law. The rules need to balance such impacts with the purpose of the rules. In some cases the connection between the rule and critical area purposes is weak or questionable. In other cases there are alternative, less costly and less intrusive options for achieving the purpose of the rules.

As noted above, draft rules pertaining to locational standards related to bluffs and slopes would result in a large number of new nonconforming structures. They would also be unnecessarily intrusive regarding construction of common residential accessory structures and, subject to some minor exemptions, patios, driveways, retaining walls, and changes to vegetation in residential yards. The DNR has indicated in presentation and in documents such as their Homeowners Guide to the Rules that these standards are intended to protect slope integrity and reduce the potential for erosion. This can be achieved in a less intrusive and more reasonable manner through development standards, including but not limited to requiring a report and plans certified by a licensed professional such as a geotechnical or soils engineer showing that the soil types and geology are suitable for the proposed development, how slope stability will be protected, how the development will be accomplished without increasing erosion, and how vegetation will be managed to control runoff and increase ground water infiltration.

Our Parks design staff note that the proposed definitions of “*very steep slope*” and “*slope preservation zone*” include areas that are not really prohibitive land forms and can reasonably be built on with competent design and construction. Maintained turf slopes are commonly built to a 25% grade, and any earth sheltering of buildings almost requires slopes of at least this minimum. Best management practices and accepted engineering standards typically permit restoration slopes of 33% (1 foot rise over a distance of 3 feet) to 50% (1 foot rise over a distance of 2 feet). Moreover, current stormwater treatment and erosion control requirements (both during and after construction), including proposed requirements in the draft rules, are much more stringent than those in place at the time of Exec. Order 79-19. Broad prohibitions on development in these areas are unreasonable, unnecessary, and overly intrusive.

A number of other aspects of the draft rules, such as vegetation and stormwater management provisions, would introduce significant new permit requirements and/or additional conditions and standards for review. They would add a large number of restrictions on property use that would need to be explained and monitored, and require permitting processes that would add significantly to the time and expense of otherwise relatively simple and inexpensive projects. The cost associated with some of these rules does not appear to be justified by possible benefits.

The draft rules include a “flexibility” provision that provides for local ordinances that are not in “strict conformity” with the MRCCA rules, requiring that the local government unit demonstrate that special circumstances exist and “justify” the use of alternative standards to

meet the intent of the rules. "Special circumstances" described in the draft rules include places where "urban, residential, commercial or industrial development patterns have been in place for many years and much of the development does not meet the minimum state standards." This approach is in direct conflict with both the authorizing legislation, which requires that the rules be consistent with existing development, as well as with the requirement that the purposes of the rules be achieved through the least costly and least intrusive methods.

#### **4. Lack of Data and analysis**

The DNR has not conducted meaningful analysis of how the proposed rules will impact existing development in the MRCCA. The ability to do any such analysis depends on the availability of accurate geographic data depicting the natural features such as slopes and bluffs that the some of the proposed regulations are based on. To date, the DNR has not provided accurate and complete geographic information of these features.

The draft rules propose prohibition of any kind of development, including construction of impervious surfaces for driveways, patios, etc., on and within 20 feet of bluffs and very steep slopes as defined. The draft rules also propose the same prohibitions within 40 or 100 feet of the tops of these features depending on the MRCCA district. While the draft rules propose definitions of very steep slopes and bluffs, the definitions are fairly complex and difficult to accurately map. The DNR has provided only "preliminary" geographic data identifying these features.

The City of Saint Paul had done a rough analysis of the impacts of the proposed rules, in terms of the number of nonconforming structures and lots that would be created, using the preliminary data provided by the DNR. This analysis indicated substantial impacts. However, based on discussions with DNR staff and examination of the data, it is not clear if the data provided by the DNR is completely consistent with the definitions of bluff and slope features that are used in the draft rules. The DNR has also not provided accurate or complete geographic information regarding the location of the ordinary high water level (OHWL), another important feature addressed in the rules.

Accurate data regarding the location of protected features and zones is crucial to understanding the impacts of the draft rules, particularly in Saint Paul where many long-developed neighborhoods are located on and very close to bluffs, and include numerous separate little slopes and hills. Therefore, we are working with DNR staff to refine mapping of bluffs and slopes as defined in the draft rules.