




CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

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DATE: November 4, 2016
TO: Neighborhood Planning Committee
FROM: Allan Torstenson, 266-6579 
RE: Review of Zoning Amendments Pertaining to Wall Signs

PURPOSE

The City Council, by resolution adopted on October 26, 2016, pursuant to Minnesota Statutes § 462.357, Subd. 4, requested Planning Commission review and recommendation on City Council proposed amendments to Chapter 64 of the Zoning Code pertaining to wall signs.

Minnesota Statutes § 462.357, Subd. 4, requires that “an amendment [to the Zoning Code] not initiated by the planning agency shall be referred to the planning agency . . . for study and report and may not be acted on by the governing body until it has received the recommendation of the planning agency on the proposed amendment or until 60 days have elapsed from the date of reference of the amendment without a report by the planning agency.”

The City Council resolution referring the proposed amendments to the Planning Commission is attached, along with the draft ordinance for the proposed amendments. An ordinance must be read at four separate council meetings before it can be adopted. City Council public hearings are held at the third reading. The first reading of the draft ordinance was on November 2, 2016.

Minnesota Statutes § 462.357, Subd. 3, requires that “no zoning ordinance or amendment thereto shall be adopted until a public hearing has been held thereon by the planning agency or by the governing body.” Only one public hearing is required. If the Planning Commission is able to make its recommendation on the proposed amendments at its meeting on November 18, 2016, the City Council plans to hold a public hearing on the proposed amendments on December 7, 2016.

BACKGROUND AND RATIONALE

In 2007 the City Council requested Planning Commission review and recommendation on options to amend the Zoning Code to reduce the visual impact of roof signs by prohibiting roof signs or by adding restrictions for roof signs. The December 14, 2007, Planning Commission resolution with recommendations for additional restrictions for roof signs is attached. On December 26, 2007, the City Council passed an ordinance amending Zoning Code Chapter 64 to prohibit roof signs in St. Paul.

Roof signs are defined in the code as “a sign mounted on a roof or that projects above the top of a building wall.” It has come to the attention of the City Council that there is some desire on the part of the owners and tenants of tall, multi-tiered buildings for signs with the name of the building or logo of a building tenant to be attached to a building wall and extend slightly above a wall that is not the top story of the building. Further, it has been noted that such signs have less visual impact than signs mounted on the roof or that project above the top story of a building. The draft amendments referred to the Planning Commission for review and recommendation would permit such signs.

STAFF RECOMMENDATION

Staff recommends that the Neighborhood Planning Committee forward the following draft amendments to Chapter 64 of the Zoning Code pertaining to wall signs to the Planning Commission with a recommendation for approval.

Sec. 64.120. R.

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

Sec. 64.125.

Wall sign. A sign attached to or erected against the wall of a building ~~or structure~~, with the ~~exposed sign face of sign in a place~~ substantially parallel to the plane of said wall.

Sec. 64.415. Wall signs.

- (a) A wall sign shall not project above the top of the wall to which it is attached, with the following exception. Above the third story of a building of more than four (4) stories, except for the top story, a wall sign bearing only the name of the building or logo of a building tenant may project up to five (5) feet above the building wall to which it is attached.
- (b) Wall signs that are business signs may project into a public right-of-way or beyond a legal setback line up to twelve (12) inches, provided such signs do not violate Minnesota Statutes, section 160.27.

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File #:	RES 16-1901	Version: 1	Name:	Resolution Requesting Planning Commission Study of Wall Sign Code.
Type:	Resolution	Status:	Mayor's Office	
		In control:	City Council	
		Final action:	10/26/2016	
Title:	Requesting that the Planning Commission undertake a study of the Zoning Code's definitions and regulations pertaining to wall signs.			
Sponsors:	Rebecca Noecker			

[History \(1\)](#) [Text](#)

Title

Requesting that the Planning Commission undertake a study of the Zoning Code's definitions and regulations pertaining to wall signs.

Body

WHEREAS, the Council of the City of Saint Paul finds that the Zoning Code's present definitions and regulations pertaining to "Wall Signs" require clarification; NOW,

THEREFORE, BE IT RESOLVED, that the Council, pursuant to Minn. Stat. § 462.357, Subd. 4, hereby requests the planning commission to undertake a study of the code's definitions and regulations pertaining to wall signs and that the commission at its earliest convenience return to the Council its report on the feasibility of amending these definitions and regulations; and

BE IT FURTHER RESOLVED, that for the purposes of commission's study, consideration, and report, the Council proposes that the commission review the following proposed amendments to the zoning code:

1. That Leg. Code § 64.120. R. be amended as follows:

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

2. That Leg. Code § 64.125 be amended as follows:

Wall sign. A sign attached to or erected against the wall of a building ~~or structure, with the exposed sign face of sign in a plane substantially parallel to the plane of said wall.~~

3. That Leg. Code § Sec. 64.415 be amended as follows:

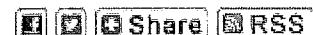
Wall signs.

(a) A wall sign shall not project above the top of the wall to which it is attached, with the following exception. Above the third story of a building of more than four (4) stories, except for the top story, a wall sign bearing only the name of the building or logo of a building tenant may project up to five (5) feet above the building wall to which it is attached.

- (b) Wall signs that are business signs may project into a public right-of-way or beyond a legal setback line up to twelve (12) inches, provided such signs do not violate Minnesota Statutes, section 160.27.

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File #:	Ord 16-45	Version: 1	Name:	Ordinance amending zoning code related to wall signs
Type:	Ordinance	Status:	Agenda Ready	
		In control:	City Council	
		Final action:		
Title:	Amending provisions of the zoning code pertaining to wall and roof signs, and clarifying where wall signs may be located on buildings.			
Sponsors:	Rebecca Noecker			

[History \(0\)](#) [Text](#)

Title

Amending provisions of the zoning code pertaining to wall and roof signs, and clarifying where wall signs may be located on buildings.

Body

WHEREAS, the Council of the City of Saint Paul, in Resolution No. 16-1901, adopted October 19, 2016 and pursuant to Minn. Stat. § 462.357, Subd. 4, requested the planning commission, at its earliest convenience, to undertake a study and prepare a report and recommendation and return these to the Council regarding the feasibility of amending the zoning code's definitions and regulations pertaining to wall signs as proposed by the Council in Resolution No. 16.901; and WHEREAS, in anticipation of the actions requested of the planning commission, and pursuant to the procedures for legislative amendments specified in City Charter § 6.05, the Council, for the purposes of initiating the legislative amendment process pending receipt of the commission's report and recommendation, desires to present the amendments proposed in Resolution 16-190, as set forth under sections 1, 2, and 3 below for the initial readings required under Charter § 6.05 and then lay the matter over until such time as the commission should deliver its report and recommendation or until otherwise permitted under Minn. Stat. § 462.357, Subd.4; and WHEREAS, upon receipt of the said report and any recommendation from the planning commission or as otherwise permitted under Minn. Stat. § 462.357, Subd.4, the Council shall proceed to consider the amendments as proposed in sections 1, 2, and 3 below or as may be recommended, as required under City Charter § 6.05, and, if any are adopted in any manner, the Council shall include a rationale for the enactment of any amendment(s) duly made, which shall be appended into this ordinance for the specific purpose of articulating the Council's reasons and rationale for enacting the amendment(s); NOW, THEREFORE,

The Council of the City of Saint Paul does ordain

Section 1.

That Leg. Code § 64.120.R., defining a "roof" sign, shall be amended as follows:

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

Section 2.

That Leg. Code § 64.125.W, defining a “wall” sign, shall be amended as follows:

Wall sign. A sign attached to or erected against the wall of a building ~~or structure~~, with the ~~exposed sign face of sign in a place substantially~~ parallel to the ~~plane of said wall.~~

Section 3.

That Leg. Code § Sec. 64.415, entitled “Wall signs,” shall be amended as follows:

Wall signs.

(a) A wall sign shall not project above the top of the wall to which it is attached, with the following exception. Above the third story of a building of more than four (4) stories, except for the top story, a wall sign bearing only the name of the building or logo of a building tenant may project up to five (5) feet above the building wall to which it is attached.

(b) Wall signs that are business signs may project into a public right-of-way or beyond a legal setback line up to twelve (12) inches, provided such signs do not violate Minnesota Statutes, section 160.27.

Section 4.

These amendments shall become effective thirty (30) days after passage, approval and publication in the official newspaper of the City.

city of saint paul
planning commission resolution

file number 07-79

date December 14, 2007

WHEREAS, the City Council, by resolution adopted on October 24, 2007, pursuant to Minnesota Statutes § 462.357, Subd. 4, requested Planning Commission review and recommendation on alternative amendments to Chapter 64 of the Zoning Code pertaining to roof signs; and

WHEREAS, the City Council initiated two alternative amendments, one to prohibit roof signs and one to provide additional restrictions for roof signs; and

WHEREAS, the Zoning Committee of the Planning Commission reviewed the proposed amendments on December 6, 2007; and

WHEREAS, the Saint Paul Planning Commission considered the recommendations of the Zoning Committee and made the following findings of fact:

1. Roof signs are defined under § 64.120. R. as "A sign erected upon or above a roof or parapet of a building or structure." They are limited to a height of no more than 37½ feet above grade under § 64.505(a)(3) and § 64.503(a)(3).
2. There have been only six new roof signs constructed in the last seven years. In all of these cases, wall or projecting signs could reasonably have been used instead of roof signs.
3. There have been three permits for replacement of existing roof signs in the last two years. Two of these were replacement of nonconforming roof signs under the provisions of Minnesota Statutes § 462.357, subdivision 1e, that allows replacement of legally nonconforming structures. Replacement of such structures would continue to be allowed if roof signs were to be further restricted or prohibited.
4. With little demand for new roof signs and reasonable alternatives for business signs provided in the Zoning Code (wall signs, projecting signs, and freestanding signs), prohibiting roof signs would have little impact on the ability to identify and promote business and industry in the city.
5. Roof signs are commonly prohibited in surrounding municipalities, including Minneapolis, Roseville, Woodbury, West St. Paul, and Bloomington. The Bloomington ordinance includes rationale behind their prohibition pertaining to aesthetics and harm to roofs.
6. Maplewood allows roof signs only upon review and approval by the City Council after review by the community design review board and a finding that, because of terrain, location, configuration of adjacent development and similar considerations, a roof sign best serves the property and public and meets the intent of their sign regulations as compared with any other permitted method of signing.

moved by Morton

seconded by _____

in favor Unanimous

against _____

7. Both alternative ordinances for regulation of roof signs initiated by the City Council are legitimate place, manner, or aesthetic regulation of signs; there is legitimate aesthetic rationale for the draft regulations, and they are not content based.
8. The draft alternative ordinance to add restrictions for (rather than to prohibit) roof signs would limit the height of roof signs to 2½ feet above the roofline of a one story building and 5 feet above the roofline of a two story building, lower than the 37½ feet above grade generally allowed for freestanding signs.
9. The draft alternative ordinance to add restrictions for roof signs contains some superfluous language, and could be written a little more clearly and simply. Proposed new language about guy wires, braces and angle irons should be moved to be part of language in existing paragraph (a) about bracing, angle irons and guy wires. Language about the effective date of the amendment is unnecessary: once adopted, the new language applies to new signs, and existing signs that do not conform to the new language become legally nonconforming and are covered by provisions for this in the code. Proposed new language that "roof signs for all other buildings shall not exceed the size limitations in the particular zoning district" is superfluous. To reduce visual clutter, roof signs should be parallel rather than perpendicular to the street (this is the requirement for ground signs in the Grand Avenue and White Bear Avenue Special Sign Districts, for example).

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission recommends, to address the issues noted in finding 9 above, that the alternative ordinance to add some additional restrictions for roof signs should be amended to read as follows:

Sec. 64.414. Roof signs.

- (a) The sign face shall be parallel to the front lot line. For a corner lot, the sign may be parallel to either street. A roof sign may project no more than two and one-half (2½) feet above the roofline of a one story building, and no more than five (5) feet above the roofline of a taller building. For this subsection only, roofline is defined as the top of the wall or parapet nearest the sign for a flat roof, the break line for mansard and gambrel roofs, and the average height between the eaves and ridge for gable and hip roofs.
- (b) Roof signs shall appear ~~The supporting members of a roof sign shall appear to be free of any extra bracing as angle irons, guy wires or cables, so as to be an architectural and integral part of the building itself, with no visible guy wires, braces, or angle irons supporting the sign. Supporting columns of round square or shaped steel members may be erected if required bracing visible to the public is minimized or covered.~~
- (c) ~~Roof signs shall be thoroughly secured and anchored to the frame of the building over which they are constructed and erected. Before any permit is granted for the erection of a roof sign greater in area than fifty (50) square feet, the plans and details of the supporting structure of the new framework, in addition to the structural details and calculations of the existing supporting building roof system, shall be filed for review by the zoning administrator. These plans and details shall be certified by a registered professional engineer.~~
- (d) ~~Clearance and access. Passage clear of all obstructions shall be left under or around, and immediately adjacent to, all signs exceeding a height of four (4) feet above the roof. Such passages shall be not less than three (3) feet wide and four (4) feet high.~~