



CITY OF SAINT PAUL
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Date: April 12, 2019
To: Planning Commission
From: Comprehensive and Neighborhood Planning Committee
Re: Sidewalk Sign Code Amendments

Background

The Saint Paul City Council initiated amendments to the Saint Paul Legislative Code, including Zoning Code Chapter 64, Signs, to permit sidewalk signs on public sidewalks and boulevards. The Council, in City Council resolution 19-551 (attached), forwarded the proposed amendments to Chapter 64 of the Zoning Code to the Planning Commission for study and report as required under Minnesota Statute § 462.357, Subd. 4.

Saint Paul Legislative Code Chapter 106, Restrictions on Use of Sidewalks, Streets, etc. (not part of the Zoning Code), does not currently permit private business signs to be placed on a public sidewalk. Zoning Code Chapter 64, Signs, is written to be consistent with this.

City Council initiation of Legislative Code amendments for sidewalk signs is in response to a request from the Business Review Council (BRC). The BRC noted that it is common for businesses to place such signs on the public sidewalk or boulevard to direct customers to their business, even though they are not currently allowed, and the regulations are enforced on a complaint basis so enforcement across the City is uneven.

Legislative Code Chapters 116 and 135 make the Saint Paul Department Public Works responsible for the administration of rights-of-way, right-of-way permits including right-of-way obstruction permits, and the ordinances related thereto, including Chapter 106 regarding restrictions on use of sidewalks and streets. Therefore, Public Works is taking the lead on working with the City Council on proposed amendments to Chapter 106 (attached) to add an exemption in § 106.01 to permit *sidewalk signs* subject to a number of specific requirements and provisions. Unlike amendments to the Zoning Code, amendments to Chapter 106 do not require a Planning Commission study and report.

Proposed Zoning Code Amendments

The real substance of proposed Legislative Code amendments to permit sidewalk signs is in the draft amendments to Chapter 106, which would include a number of specific standards and conditions for sidewalk signs and do not require a Planning Commission study and report. The proposed amendments to Zoning Code Chapter 64 initiated by the City Council would simply add language in several places to refer to or permit "sidewalk signs placed pursuant to chapter 106 of this code." This would keep Zoning Code Chapter 64 consistent with Legislative Code Chapter 106.

The City Council will hold a public hearing on the proposed Zoning Code amendments at the same time as their public hearing on the proposed amendments to Legislative Code Chapter 106. Minnesota Statute § 462.357, Subd. 3, requires a public hearing on proposed zoning code amendments, held either "by the planning agency or by the governing body." Given the minor and technical nature of the proposed Zoning amendments, and that a public hearing will be held by the City Council, a Planning Commission public hearing is unnecessary.

Comprehensive and Neighborhood Planning Committee Recommendation

The Committee recommends approval of the following proposed amendments to Zoning Code Chapter 64, Signs, initiated by the City Council to be consistent with proposed amendments to Legislative Code § 106.01 to permit *sidewalk signs* on public sidewalks and boulevards. The Committee recommends approval of the Planning Commission resolution recommending approval of the proposed amendments.

NOTE: Existing language to be deleted is shown by ~~strikeouts~~. New language to be added is shown by underlining.

Chapter 64. Zoning Code—Signs

Sec. 64.118. P.

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Portable sign. A sign ~~which is~~ attached to a chassis with wheels or skids or to a metal or wood frame, ~~which is not permanently mounted into the ground, or a sidewalk sign placed pursuant to chapter 106 of this code.~~

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Sec. 64.204. Exemptions.

- (a) Signs of the city, county, state, and federal government and subdivisions and agencies thereof which give orientation, direction or traffic-control information shall be exempt from the requirements of this chapter.
- (b) The following signs shall not require a permit. These exemptions shall not be construed as relieving the owner of the sign from the responsibility of its erection and maintenance, and its compliance with the provisions of this chapter or any other law or ordinance regulating the same.
 - (1) The changing of the message on the display surface of signs that are designed to have changeable copy.
 - (2) Signs six (6) square feet or less in area.
 - (3) Lettering on motor vehicles when not utilized as a parked or stationary outdoor display sign.
 - (4) Political signs.
 - (5) Sports facility sponsorship signs.
 - (6) Sidewalk signs placed pursuant to chapter 106 of this code.

Sec. 64.401. All signs.

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- (i) No signs shall be located in, project into or overhang a public right-of-way, except those projecting business signs permitted in business and industrial districts that do not violate Minnesota Statutes, section 160.27, sidewalk signs placed pursuant to chapter 106 of this code, and signs established by the city, county, state, or federal governments.

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Sec. 64.419. Temporary and portable signs.

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- (c) *Permit required.*
 - (1) A sign permit shall be required for all temporary and portable signs, except that temporary signs concerning a commodity, service or entertainment conducted, offered, sold, or manufactured on the premises, placed inside a window, shall not require a sign permit.
 - (2) A sign permit is not required for a sidewalk sign placed pursuant to chapter 106 of this code.

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Sec. 64.502. RL-RM3 residential and entirely residential uses in T1-T4 traditional neighborhood districts.

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(b) *Temporary signs.*

- (4) For parks, community centers, and religious, educational, civic or philanthropic institutions, portable signs and temporary signs are permitted for special events under the following conditions:

a. Portable signs:

1. On zoning lots with a street frontage of three hundred thirty (330) feet or less, the gross surface display area of the signs shall not exceed one hundred (100) square feet. On zoning lots with a street frontage of over three hundred thirty (330) feet, the gross surface display area of the signs shall not exceed three hundred (300) square feet;
2. The signs shall be permitted two (2) nonconsecutive times per calendar year for a period of not more than fourteen (14) days per time; Sidewalk signs placed pursuant to chapter 106 are exempt from this requirement;
3. The signs shall not be flashing signs or located in a required yard, required off-street parking space or maneuvering area, or public right-of-way. Sidewalk signs placed pursuant to chapter 106 are permitted in the public right-of-way.

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Sec. 64.503. T1-T3 traditional neighborhood and OS-BC business districts.

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- (c) *Portable signs.* Portable signs are permitted under the following conditions:
[These conditions apply in all T, B, and I zoning districts.]

- (1) On zoning lots with a street frontage of three hundred thirty (330) feet or less, the gross surface display area of the signs shall not exceed thirty-six (36) square feet. On zoning lots with a street frontage of over three hundred thirty (330) feet, the gross surface display area of the signs shall not exceed three hundred (300) square feet;
- (2) The signs shall be permitted on a zoning lot four (4) nonconsecutive times per calendar year and for a period of not more than fourteen (14) days per time; Sidewalk signs placed pursuant to chapter 106 are exempt from this requirement;
- (3) The signs shall not be flashing signs or located in a required yard, required off-street parking space or maneuvering area, or public right-of-way. Sidewalk signs placed pursuant to chapter 106 are permitted in the public right-of-way.