

Digital Sign Amendments Ordinance
Proposed Land Use Code Changes
DRAFT – June 9, 2020

Language to be added is shown in ***bold italics***.
Language to be removed is shown by ~~strikeout~~.

Definitions:

Cutout. *A supplemental design element attached to or superimposed upon a billboard.*

Digital Billboard. *Any billboard that changes messages by any electronic process.*

Digital Sign. *Any sign with a sign face of 20 or fewer square feet in surface area that changes messages by any electronic process.*

Electronic Message Center. ~~A sign, or portion of a sign, that conveys information through a periodic automatic change of message on a lampbank, through the use of fiber optics, or through mechanical means. A sign on which any portion less than an entire sign rotates shall be considered an electronic message center.~~ ***A sign component that utilizes a computer or other electronic means to change the digital message displayed.***

Flashing Sign. A sign or sign structure ***that is not a digital billboard, digital sign, or electronic message center,*** where some part of the display is provided by light-emitting elements which abruptly change color or intensity of illumination, including intermittent periods of illumination and non-illumination, or where the effect of flashing is achieved through mechanical means, including rotation.

Sign Standards:

9.6610 Exemptions to Sign Standards.

- (2) Except as provided in subsection (3) of this section, the following signs are exempt from the requirements of EC 9.6600 through 9.6680, and are exempt from the requirement to obtain a sign permit if they are located on private property outside of vision clearance areas:

Building Directories. For buildings with multiple tenants, one wall-mounted sign up to 12 square feet in area for the purpose of communicating to persons already on the development site.

~~Message Boards~~**Drive-through Signs.** One sign per business for the purpose of communicating to persons on the development site, such as a drive through menu sign or building directory. Such a sign may be up to 6 feet in height and up to 40 square feet in area.

Two drive-through signs for each drive-through lane. Each drive-through sign may be up to 7 feet in height and up to 40 square feet in area. Drive-through signs may be digital signs if the sign display is static and the copy is not changed more than once per hour, except for a portion of the digital display not to exceed 2 square feet may change copy more frequently.

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Residential Property Signs. Two signs for each development site used primarily for a single family dwelling or duplex. The signs are limited to the following types: freestanding sign or banner. A freestanding sign may not exceed 12 square feet in size per face, with a maximum of two faces; a banner may not exceed 15 square feet in size. The maximum height of a freestanding sign under this exemption is ~~6~~ **5** feet (from grade), and it must be separated by at least 8 feet from any other freestanding sign on the same development site.

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9.6615 Prohibited Signs. Except where qualified as a nonconforming sign, the following signs are unlawful and are declared to be nuisances:

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- (5) Decorative laser signs, search lights, and flashing signs, ~~except electronic message centers;~~

9.6620 Nonconforming Signs.

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- (3) **Except as provided in EC 9.6675(7) or** ~~Except~~ where only a change in display copy is made, any nonconforming sign which is structurally altered or has illumination installed shall be brought into compliance with all applicable provisions of the sign standards within 90 days and shall thereafter be kept in compliance with the sign standards.

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- (5) ~~The provisions of subsection (6) of this section and~~ subsection (2) of EC 9.6635 Approval of Permit Application do not apply to signs in existence pursuant to a validly issued sign permit as of July 1, 1990, along Goodpasture Island Road from a point 300 feet north of the intersection with Valley River Way to a point 1400 feet north of the intersection. The provisions of subsection (2) of this section shall apply except that restoration of a damaged

sign shall be allowed where a sign is damaged to the extent of 100 percent of its value. All other provisions of this section shall apply.

- (6) ~~All signs with a surface area of 200 square feet or greater shall be removed or brought into compliance with this land use code by April 1, 2003.~~

9.6630 Permit Application.

- (1) An application and related information shall be submitted by the applicant, in a manner prescribed by the city, together with a fee established by the city manager as provided by EC 2.020 City Manager - Authority to Set Fees and Charges. ~~When a person begins construction of a sign requiring a sign permit before the permit is issued, the permit fee shall be doubled. Payment of a double permit fee shall not otherwise exempt the person from liability for other penalties prescribed for a violation of the sign standards.~~

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9.6635 Approval of Permit Application.

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- (8) A decision granting or denying a sign permit may be appealed to a hearings official. Appeals are processed according to ~~other~~ Type II applications beginning at EC 9.7200 General Overview of Type II Application Procedures. The decision of the hearings official is final.

9.6640 General Provisions.

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(4) Location Standards.

- (a) Setbacks. All signs shall comply with the setback requirements beginning at EC 9.2000 through EC 9.3980 and EC 9.6745 Setbacks - Intrusions Permitted. ~~Signs may be installed up to 5 feet into the required front yard setback except that freestanding signs up to 5 feet in height in the E-1 zone may be installed at least 5 feet from the front property line.~~

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Projecting Over the Public **Right-of-Way**. Except as specified in EC 9.6670 Central Commercial Sign Standards, no privately owned sign may project over any public right-of-way.

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(5) Construction Standards.

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- (f) Wall Signs. Wall signs shall ~~may~~ project **up to** a maximum of 12 inches **from the wall, except that wall signs shall project no more than 4 inches from the wall when the sign is less than 8 feet above a sidewalk or public way.** ~~when the wall sign is more than 8 feet above~~

grade and a maximum of 4 inches when the wall sign is less than 8 feet above grade.

(6) **Illumination Standards.**

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- (d) Illumination From Signs on Residentially Zoned Property. ~~No internally illuminated sign shall be allowed on property in a residential zone. Lighting from all light sources operated for the purposes of sign illumination on property in a residential zone shall be shielded from other property in the residential zone and shall not be more than 2 foot candles at *any point along* the *boundary of the development site* closest street or property line. **Externally illuminated signs shall be shielded.**~~

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- (9) **Electronic Message Centers.** Except electronic message centers operated as public signs by governmental agencies, ~~no~~ **electronic message centers are subject to the following limitations:**

- (a) **Except as provided in subsection (b) of this section, that** portion of *any* sign used as an electronic message center shall be larger ~~than~~ **limited to** 3 square feet in area, ~~may~~ **display a message containing** no more than 5 characters, ~~or~~ **and must not** change the displayed message at intervals of less than once every 3 seconds. No electronic message center, except for temporary construction use, shall exceed a maximum one-hour equivalent A-weighted sound pressure level of 50 dBa at the receiving property line when the receiving property is occupied by a dwelling, hospital, school, library or assisted care center.
- (b) **Each service station may include up to 6 rectangular digital signs, constructed a minimum of 3 inches from each other, limited to 20 square feet in area cumulatively, and must not change the displayed message at intervals of less than once every 24 hours.**

- (10) **Digital Signs.** **One digital sign up to 20 square feet in area is permitted per institutional use on a development site. Digital signs must be located a minimum of 50 feet from the property line of any residentially zoned property.**

All digital signs shall be subject to the following standards:

- (a) **The change from one message to another message shall be no more frequent than once every 10 seconds.**
- (b) **The change from one message to another message shall be instantaneous.**
- (c) **Animation, scrolling or other perceived movement is not allowed.**
- (d) **The digital sign shall operate at an internal illumination intensity level of not more than 0.3 foot-candles over ambient light levels as measured from a distance of 45 feet perpendicular to the sign face**
- (e) **The digital sign shall be equipped with a light sensor that automatically adjusts the intensity of the digital display according to the amount of ambient light.**

9.6645 Applicability of Sign Standards.

- (1) No sign permit shall be issued for any sign unless specifically identified as an allowed sign use under the terms of the applicable sign standards or otherwise allowed a permit under EC 9.6620 Nonconforming Signs or ***exempted from the requirement for a permit under EC 9.6610 Exemptions to Sign Standards.***
- (2) Except as otherwise specified, signs located on property zoned S Special Zone shall be subject to the provisions of:

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- (b) EC 9.6680 Employment and Industrial Sign Standards, if employment or industrial, or
- (c) EC 9.6660 General Commercial Sign Standards, or
- (d) ***EC 9.3970(11) if the property is zoned S-WS Walnut Station Special Area Zone.***

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9.6650 Residential Sign Standards. The residential sign standards are hereby created and applied to all land zoned as set forth below. Signage is limited to preserve the character of the area by allowing signs only for residential purposes and for non-residential uses allowed in the applicable zone.

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- (2) **Permitted Sign Types.** Signs allowed under residential sign standards are limited to the following types:
 - (a) Awning signs;
 - (b) ***Digital signs;***
 - (c) Freestanding signs;
 - (d) Readerboards; and
 - (e) Wall signs.

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9.6655 General Office Sign Standards. The general office sign standards are hereby created and applied to all land as set forth below. Signs are regulated to accommodate the office buildings and other public uses that are commonly located within these zones and because of the proximity of residential areas.

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- (2) **Permitted Sign Types.** Signs allowed under general office sign standards shall be limited to the following types:
 - (a) Awning signs;
 - (b) ***Digital signs;***
 - (c) Electronic message centers;
 - (d) Freestanding signs;
 - (e) Marquee signs;
 - (f) Readerboards;

- (fg) Under-marquee signs; and
- (gh) Wall signs.

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9.6660 **General Commercial Sign Standards.** The general commercial sign standards are hereby created and applied to all land as set forth below. Sign limitations reflect the commercial nature of the area and the amount of vehicular traffic.

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- (2) Permitted Sign Types.** Signs allowed under these standards shall be limited to the following types:
- (a) Awning signs;
 - (b) Digital signs;**
 - (bc) Electronic message centers;
 - (cd) Freestanding signs;
 - (de) Marquee signs;
 - (ef) Readerboards;
 - (fg) Roof signs;
 - (gh) Under-marquee signs; and
 - (hi) Wall signs.

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9.6665 **Shopping Center Sign Standards.** The shopping center sign standards are hereby created and applied to all land as set forth below. Sign limitations in these standards accommodate the special commercial character of these areas and the residential areas which are close to most shopping centers.

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- (2) Permitted Sign Types.** Signs allowed under the shopping center sign standards shall be limited to the following types:
- (a) Awning signs;
 - (b) Digital signs;**
 - (bc) Electronic message centers;
 - (cd) Freestanding signs;
 - (de) Marquee signs;
 - (ef) Readerboards;
 - (fg) Roof signs;
 - (gh) Under-marquee signs; and
 - (hi) Wall signs.

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9.6670 **Central Commercial Sign Standards.** The central commercial sign standards are hereby created and applied to all property within the central commercial zones as set forth below. Signs are restricted in recognition of the high density usage of these areas, where pedestrian traffic is heavy and vehicular traffic is commonly limited.

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(2) **Permitted Sign Types.** Signs allowed under the central commercial sign standards shall be limited to the following types:

- (a) Awning signs;
- (b) **Digital signs;**
- (bc) Electronic message centers;
- (ed) Freestanding signs;
- (de) Marquee signs;
- (ef) Projecting signs;
- (fg) Readerboards;
- (gh) Roof signs;
- (hi) Under-marquee signs; and
- (ij) Wall signs.

(3) **Maximum Number of Signs.** The number of signs central commercial sign standards allow shall be limited to no more than 1 electronic message center, freestanding, ~~projecting sign~~, readerboard, or roof sign per development site street frontage **and 1 projecting sign per business occupant**. The number of allowed awning, marquee, under-marquee and wall signs is not limited.

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9.6675 Highway Commercial Sign Standards. The highway commercial sign standards are hereby created and applied to all land as set forth below. Signs in this area are regulated to accommodate the mixed uses of the areas and the presence of major streets with high traffic volumes.

- (1) **Corresponding Zones.** The provisions of this section apply to that property within the S-RP Riverfront Park Special Zone located within 200 feet of the Franklin Boulevard center line and to property within the C-1, C-2, C-3, or any employment and industrial zone with frontage along the following named streets:
- (a) Beltline Road from 11th Avenue to Roosevelt Boulevard;
 - (b) Broadway from Mill Street to Franklin Boulevard;
 - (c) Coburg Road from 6th Avenue to 200 feet north of Frontier Drive;
 - (d) Franklin Boulevard east from Broadway, including the north-south segment;
 - (e) Garfield Street from 11th Avenue to 5th Avenue;
 - (f) Goodpasture Island Road from Valley River Drive to 1,700 feet north;
 - (g) Highway 99 North;
 - (h) I-5 **on the south side only** from Henderson Avenue to 300 feet north of Laurel Hill Drive;
 - (i) ~~I-5 on the north side only, from 720 feet east of Henderson Avenue to 1,330 feet east of Henderson Avenue;~~
 - (ji) I-105 from the Coburg interchange to Scout Access Road;
 - (kj) Mill Street from Broadway to Coburg Road;
 - (lk) Railroad Boulevard;
 - (ml) 6th Avenue east of conjunction with Highway 99 North;
 - (nm) 7th Avenue east of conjunction with Highway 99 North; and
 - (en) 11th Avenue from 200 feet east of the centerline of Chambers Street to Terry Street.

(2) **Permitted Sign Types.** Signs allowed under the highway commercial sign standards shall be limited to the following types:

- (a) Awning signs;
- (b) Billboards;
- (c) **Digital Billboards;**
- (d) **Digital Signs;**
- (ee) Electronic message centers;
- (df) Freestanding signs;
- (eg) Marquee signs;
- (fh) Projecting signs;
- (gi) Readerboards;
- (hj) Roof signs;
- (ik) Under-marquee signs; and
- (jl) Wall signs.

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(6) **Billboards.** Billboards shall be subject to the following standards:

- (a) Billboards located along the streets named in subsection (1)(b) through (1)(g) and (1)(~~jk~~) through 1(~~ne~~) of this section shall not exceed 250 square feet in surface area.
- (b) Billboards located on developed property along streets named in subsection 1(a), and (1)(h) **and** through (1)(~~j~~) of this section shall not exceed 300 square feet in surface area.

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(7) **Digital Billboards.** *In addition to the standards in EC 9.6675(6), Digital Billboards shall be subject to the following standards. Where standards conflict, the standards for Digital Billboards in this subsection (7) shall control:*

- (a) ***Minimum spacing between digital billboards shall be 1200 feet. The distance between digital billboards shall be measured along the centerline of the street designated to be a location for digital billboards.***
- (b) ***The change from one message to another message shall be no more frequent than once every 10 seconds.***
- (c) ***The change from one message to another message shall be instantaneous.***
- (d) ***Animation is not allowed.***
- (e) ***The digital billboard shall operate at an internal illumination intensity level of not more than 0.3 foot-candles over ambient light levels as measured from a distance of 150 feet perpendicular to the sign face.***
- (f) ***The digital billboard shall be equipped with a light sensor that automatically adjusts the intensity of the billboard according to the amount of ambient light.***
- (g) ***The digital billboard shall be designed to either freeze the display in one static position, display a full black screen or turn off in the event of a malfunction.***
- (h) ***Cutouts are not allowed.***

- (i) **Notwithstanding EC 9.1230, legal nonconforming billboards may be removed and replaced by digital billboards if the location, area and height of the sign do not change and if the building permit is issued within 365 days of the 1st day of demolition. However, no digital billboard shall be larger than 300 square feet and all other standards in this section must be met.**
- (j) **Digital billboards are allowed at the locations identified at EC 9.6675(1) except for (b), (e), (f), (j) and (k).**

9.6680 Employment and Industrial Sign Standards. The employment and industrial sign standards are hereby created and applied to all property zoned for employment and industrial use as set forth below. Signs are regulated to accommodate the minimal street frontage of most parcels and the general proximity to highways and arterial streets.

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- (2) **Permitted Sign Types.** Signs allowed under the industrial sign standards shall be limited to the following types:
 - (a) Awning signs;
 - (b) Billboards;
 - (c) **Digital Billboards;**
 - (d) **Digital signs;**
 - (ee) Electronic message centers;
 - (ef) Freestanding signs;
 - (eg) Marquee signs;
 - (fh) Projecting signs;
 - (gi) Readerboards;
 - (hj) Roof signs;
 - (ik) Under-marquee signs; and
 - (jl) Wall signs.

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- (5) **Maximum Height.** All billboards, freestanding signs and roof signs shall be no more than 30 feet in height except freestanding signs ~~up to 5 feet in height~~ are allowed in the E-1 zone at a minimum of 5 feet from the front property line.
- (6) **Billboards.** Billboards regulated by the employment and industrial sign standards shall be subject to the following:
 - (a) Billboards shall be permitted only along property which abuts the following named streets:
 1. Garfield Street north of 5th Avenue to the intersection of Roosevelt Boulevard.
 2. Seneca Street north of 11th Avenue to the intersection of Roosevelt Boulevard.
 3. Bertelsen Road north of 11th Avenue to the intersection of Roosevelt Boulevard.
 4. Obie Street north of 11th Avenue to the end of the street, but no further north than the intersection of Stewart Road.
 5. West 11th Avenue from 200 feet east of the centerline of Chambers Street to Terry Street.

- (b) No billboard shall exceed 250 square feet in area.
 - (c) Notwithstanding the required connection between perimeter wall size and billboard size established in (4)(b) of this section, a billboard not to exceed 200 square feet may be located on an otherwise vacant lot abutting any street designated in this section.
 - (d) The provisions of EC 9.6675(6)(d) to (i) shall apply to all billboards in areas regulated by the employment and industrial sign standards.
- (7) Digital Billboards. In addition to the standards in EC 9.6680(6), Digital Billboards shall be subject to the following standards. Where standards conflict, the standards for Digital Billboards in this subsection (7) shall control:**
- (a) Minimum spacing between digital billboards shall be 1200 feet. The distance between digital billboards shall be measured along the centerline of the street designated to be a location for digital billboards.**
 - (b) The change from one message to another message shall be no more frequent than once every 10 seconds.**
 - (c) The change from one message to another message shall be instantaneous.**
 - (d) Animation is not allowed.**
 - (e) The digital billboard shall operate at an internal illumination intensity level of not more than 0.3 foot-candles over ambient light levels as measured from a distance of 150 feet perpendicular to the sign face.**
 - (f) The digital billboard shall be equipped with a light sensor that automatically adjusts the intensity of the billboard according to the amount of ambient light.**
 - (g) The digital billboard shall be designed to either freeze the display in one static position, display a full black screen or turn off in the event of a malfunction.**
 - (h) Cutouts are not allowed.**
 - (i) Notwithstanding EC 9.1230, legal nonconforming billboards may be removed and replaced by digital billboards if the location, area and height of the sign do not change and if the building permit is issued within 365 days of the 1st day of demolition. However, no digital billboard shall be larger than 300 square feet and all other standards in this section must be met.**
 - (j) Digital billboards are only allowed at the location described in EC 9.6680(6)(a)5.**