

MEMORANDUM

To: City Planning Commission, Committee of the Whole
Prepared By: Steve Poor, Zoning Administrator, (612) 673-5837
Date: August 17th, 2017
Subject: Text amendment - Off Premises Signs Text Amendment

Council Member Warsame is the author of a proposed Zoning Code Text Amendment that would allow for greater flexibility in the location of off-premise signage and billboards in the City, specifically signs located downtown. The amendment would be to Title 20 of the Minneapolis Code of Ordinances relating to Zoning Code, specifically as follows:

1. Chapter 525 Administration and Enforcement
2. Chapter 544 Off-Premise Advertising Signs and Billboards

APPLICABLE POLICIES

Comprehensive Plan:

How will this amendment implement the Comprehensive Plan?

The following Urban Design policies of The Minneapolis Plan for Sustainable Growth apply:

10.10: Support urban design standards that emphasize traditional urban form in commercial areas.

Applicable Implementation Steps

10.15.5 Limit the visual impact of existing billboards in neighborhood commercial areas.

The proposed amendment will contribute to the removal of nonconforming signs and billboards from neighborhood commercial areas.

10.17: Provide sufficient lighting to reflect community character, provide a comfortable environment in a northern city and promote environmentally friendly lighting systems.

Applicable Implementation Steps

10.17.1 Provide high quality lighting fixture designs that are appropriate to street types and land use, and that provide pedestrian friendly illumination, but minimize glare and dark sky conditions, and other unnecessary light pollution.

10.17.4 Ensure that all site lighting requirements and directional signs have appropriate illumination levels to comply with zoning and industry standards.

10.17.8 Update city zoning code to reflect best available practices related to dark skies and the environmental benefits of strategic lighting management.

The proposed amendment will encourage the use of painted signs, applied graphic signs and high quality, efficient lighting of signs, while contributing to the lessening the amount glare and ambient light pollution. It will also further the policy goal of updating the city zoning code to reflect best available practices related to dark skies and the environmental benefits of strategic lighting management.

10.20 Promote an attractive environment by minimizing visual clutter and confusion caused by a proliferation of signage.

Applicable Implementation Steps

10.20.1 Location, size, height and spacing of off-premise advertising signs and billboards shall be regulated to minimize their visual blighting effects.

The proposed amendment will provide for an increased incentive to remove nonconforming signs and billboards from residential and neighborhood commercial areas and thereby lessening the amount of visual clutter and visual blighting effects in those areas.

10.21 Unique areas and neighborhoods within the city should have a special set of sign standards to allow for effective signage appropriate to the planned character of each area/neighborhood.

Applicable Implementation Steps

10.21.2 To promote street life and activity, signs should be located and sized to be viewed by people on foot (not vehicles) in order to preserve and encourage the pedestrian character of commercial areas that have traditional urban form.

10.21.3 Encourage effective signage that is appropriate to the character of the city's historic and landmarks, and preserves the integrity of historic structures.

The proposed amendment is consistent with prohibiting new off-premise signs and billboards in the city's historic districts and landmarks as well as residential or neighborhood commercial areas.

Environment:

6.2: Protect and enhance air quality and reduce greenhouse gas emissions.

Applicable Implementation Steps

Policy 6.2.2: Support energy efficiency and resource conservation.

The amendment will allow for the installation of painted wall signs, applied graphic signs and signs internally illuminated by LED digital technology, which is widely recognized as substantially more efficient than conventional incandescent bulbs. Most illuminated billboards in Minneapolis currently use high watt incandescent light bulbs (e.g.: 400 watt mercury vapor lamps). Further allowing the use of LED lighting on large billboards reduces the amount of energy required to illuminate them. This is consistent with Chapter 6: Environment of the Minneapolis Plan.

The proposed amendment may allow for the possible furthering of these policy goals by increasing the incentives to remove nonconforming billboards. The amendment is not inconsistent with the Comprehensive Plan policies on signage.

The policies and implementation steps related to signage call for signs that relate to the pedestrian scale and character of the City's different commercial areas, master sign plans for multi-tenant buildings and signs that are of a higher quality and design. Limiting where painted signs, applied graphic signs and dynamic changeable copy signs and dynamic signs are allowed furthers these policies.

CHAPTER 544. - OFF-PREMISE ADVERTISING SIGNS AND BILLBOARDS

ARTICLE I. - GENERAL PROVISIONS

544.10. - Purpose.

Regulations governing off-premise advertising signs and billboards are established to minimize the visual blighting effects caused by off-premise advertising signs and billboards by regulating their location, size, height and spacing, luminance and frequency of image change; to encourage the removal of signs and billboards that do not conform to the regulations of this chapter; and to protect the public health, safety and welfare. (2008-Or-027, § 1, 4-4-08)

544.20. - General provisions.

The following provisions shall apply to all off-premise signs, except as otherwise provided:

- (1) *Minimum commercial/industrial zoning.* Except as provided in section 544.60, no off-premise signs shall be located on a site that is not part of an area of at least one thousand three hundred twenty (1,320) feet of continuous, parallel, commercial or industrial zoning fronting along both sides of the county-state aid roadway, municipal-state aid roadway, or state trunk highway from which the off-premise sign is intended to be read, without interruption by a residence or office residence zoning district, as allowed by Table 544-1, General Billboard District Standards. The following factors shall be considered in determining the roadway or roadways from which a sign is intended to be read:
 - a. The angle of the off-premise sign to the roadway.
 - b. The duration of the view of the message from the roadway.
 - c. The distance the off-premise sign is from the roadway.
 - d. Obstructions to the view of the message from the roadway.
- (2) *Off-premise signs next to residence districts.* Except as provided in section 544.60, no off-premise sign shall be located within the required spacing from a residence or office residence zoning district fronting on either side of the roadway from which the off-premise sign is intended to be read. Spacing shall be measured from the closest residence or office residence district boundary to a line projected from the nearest point of the off-premise sign perpendicular to the roadway.
- (3) *Off-premise signs next to parks.* No off-premise sign, except where designated by the heritage preservation commission or where determined to be a contributing feature in an historic district, shall be located within three hundred (300) feet of a parkway or a public park of three (3) acres or more.
- (4) *Historic preservation districts.* No off-premise sign, shall be located on any historic preservation-site or within any historic preservation district designated by the city council, except where designated by the heritage preservation commission or determined to be a contributing feature in an historic district.
- (5) *Central riverfront.* No off-premise sign shall be allowed in any commercial or downtown zoning district within the area bounded by I-35W, Plymouth Avenue North, Washington Avenue and the Mississippi River, except where designated by the heritage preservation commission or determined to be a contributing feature in an historic district.

- (6) *Shoreland and Mississippi River Critical Area Overlay Districts.* All off-premise signs located within the Shoreland and Mississippi River Critical Area Overlay Districts shall be subject to the provisions of Chapter 551, Overlay Districts.
- (7) *Measurement of spacing between off-premise signs.* Required spacing shall be measured as follows in subsections a. and b. below. For the purpose of measuring spacing, the off-premise sign shall be the face displaying the copy or message and shall not include the structural members, frame or edge. The same factors shall be considered in determining the roadway or roadways and the direction or directions from which an off-premise sign is intended to be read as in (1) above.
 - a. *General billboard district.* Required spacing between signs shall apply to all off-premise signs on either side of the roadway that are intended to be read from the same direction. Spacing shall be measured by projecting a line from the nearest points of the off-premise signs, and measuring the distance between those points.
 - b. *Opportunity billboard districts.* Required spacing between off-premise signs shall apply only to signs on the same side of the roadway that are intended to be read from the same direction. Spacing shall be measured by projecting a line from the nearest points of the off-premise signs perpendicular to the roadway or roadways from which they are intended to be read, and measuring the distance along the roadway between those points. Off-premise Wall signs, as defined in 544.20(16), are not subject to this provision.
- (8) *Minimum lot frontage.* Minimum lot frontage shall be measured along the roadway from which the off-premise sign is intended to be read including frontage along an intersecting road in the case of a corner lot, measured between side lot lines of the zoning lot. In the Limited Access Roadway Opportunity District, lot frontage shall be measured parallel to the right-of-way of the limited access roadway. Only one (1) off-premise sign shall be allowed on a zoning lot. For the purposes of this chapter, a railroad right-of-way shall not constitute a zoning lot for purposes of minimum lot frontage. Off-premise Wall signs, as defined in Section 544.20(16), are not subject to this provision.
- (9) *Maximum off-premise sign area.* The maximum off-premise sign area shall apply to each side of the sign structure, whether a single-sided, back-to-back or v-type sign. Off-premise signs shall not include more than two (2) sides and may not include more than one (1) sign face per side. Off-premise Wall signs, as defined in Section 544.20(16), are not subject to this provision.
- (10) *Calculating the height of an off-premise sign.* The height of off-premise signs shall be calculated as the vertical distance from the natural grade measured at a point either at the curb level or ten (10) feet away from the front center of the sign, whichever is closer, to the upper-most point of the sign. In the case of a rooftop sign, the height of the off-premise sign above the roof shall be measured from the surface of the roof at the lowest point of mounting. In the case of an off-premise Wall sign, the height and area shall be determined as defined in Section 544.20.
- (11) *Temporary extensions.* Temporary extensions shall be prohibited in the General Billboard District. Off-premise signs in the Opportunity Billboard Districts may have temporary extensions of not more than six (6) feet from the top, eighteen (18) inches from the sides, and fifteen (15) inches from the bottom, up to a maximum of twenty-five (25) percent of the sign, provided that temporary extensions shall be completely removed not later than ninety (90) days after installation and the total combined period of temporary extensions for a sign shall not exceed one hundred eighty (180) days per year.
- (12) *Lighted off-premise signs.* All lighted off-premise signs shall comply with the performance standards governing lighting contained in Chapter 535, Regulations of General Applicability. Off-premise signs that employ electronic devices shall be subject to the applicable provisions of the zoning district where the sign is located, as established by Table 544-1, General Billboard District Standards, Table 544-2, Opportunity Billboard District Standards, or Table 544-3, Downtown Entertainment Billboard District Standards. Illuminated off-premise signs shall not

exceed the maximum luminance standard provided in the applicable billboard district in which it is located.

(13) *Flashing or animated off-premise signs.*

- a. *Downtown Entertainment Billboard District.* Flashing, blinking, and/or animated off-premise signs, including but not limited to traveling lights or other means not providing constant illumination, shall be permitted in the downtown entertainment billboard district.
- b. *Downtown Entertainment Area.* Flashing off-premise signs shall be permitted in this area provided the messages and/or imagery are displayed in a static manner for a minimum of eight (8) seconds. Animated off-premise signs shall be prohibited in the downtown entertainment area. The area consisting of those properties with frontage along the north side of Hennepin Avenue between Tenth Street and Fifth Street, and those properties with frontage along the south side of Hennepin Avenue between Ninth Street and Sixth Street shall be considered the downtown entertainment area for purposes of this section.
- c. *Downtown Opportunity Billboard District.* Flashing and/or blinking off-premise signs shall be permitted in the Downtown Opportunity Billboard District provided that outside the Downtown Entertainment Billboard District and Downtown Entertainment Area flashing signs containing changing written messages shall be limited to the news, weather, time or other public service message with a vertical dimension that shall not exceed two (2) feet.
- d. *Limited Access Roadway Opportunity Billboard District.* Flashing off-premise signs shall be permitted in these areas only: on Interstate 94 and on Interstate 35-W north of 31st Street East, provided (i) the messages and/or imagery are displayed in a static manner for a minimum of eight (8) seconds, and (ii) flashing signs shall be a minimum of two thousand five hundred (2,500) feet from any other off-premise flashing sign reading to the same directional traffic. Flashing off-premise signs permitted pursuant to this section shall comply with all applicable provisions of this ordinance, except that existing nonconforming off-premise signs in the areas described in this section shall be allowed to be converted to flashing off-premise signs and shall not be subject to section 531.50, expansion or alteration of nonconforming uses and structures, for the conversion, so long as the dimensions, height and orientation of the sign match the conditions that preceded the conversion, the sign meets the requirements of this section and the applicant complies with the credit requirements of section 544.60(c).

(14) *Roof signs.* Off-premise roof signs shall not project beyond the face of any wall of the building on which they are mounted.

(15) *Moving signs.* Off-premise signs with moving or swinging parts or elements shall be prohibited except in the Downtown Entertainment Billboard District. Off-premise signs with moving or swinging parts or elements shall not project beyond the zoning lot.

(16) ~~Painted w/Wall signs.~~ Off-premise Wall signs shall be prohibited except in: A) a Downtown Entertainment Billboard District; B) buildings with frontage on the west side of Washington Avenue between I-35W and Hennepin Avenue; and C) buildings with frontage on either side of Hennepin Avenue from 8th Street North to Washington Avenue. Off-premise Wall signs may not cover occupied windows, such as office space. Off-premise Wall signs have a maximum area equal to 10 times the building perimeter and may extend 5 feet above the parapet wall. There is no spacing requirement between an off-premise Wall sign and any other off-premise sign. No off-premise signs shall be painted on the exterior of a building.

(17) *Backs of signs.* The back of each off-premise sign, including all parts of the off-premise sign structure and any temporary extensions, shall be painted a dark or neutral color and shall be well maintained. The structure of an off-premise sign, whether freestanding or mounted on a building or other structure, shall include a framing system consisting of painted black anodized steel. A sign that is integrated into the façade or elevation of the building such that the sign is framed by the structure is exempt from this provision.

- (18) *Orientation of sign faces.* All off-premise signs consisting of back-to-back or parallel design shall be no greater than eight (8) feet apart. All off-premise signs shall be designed with faces at an angle no greater than thirty-five (35) degrees. Off-premise wall signs shall be mounted parallel to the building and shall not project more than fifteen (15) inches from the building. Freestanding off-premise signs shall conform to the yard requirements for a structure, and shall not be oriented to face residential or office-residence districts.
- (19) *Obstruction.* No off-premise sign shall be located in such a manner as to obscure or otherwise interfere with the effectiveness of an official traffic sign, signal or device, or obstruct or interfere with a driver's view of approaching, merging or intersecting traffic.
- (20) *Off-premise signs on bus shelters.* The provisions of this chapter shall not apply to off-premise signs placed on public transit, bus shelters and benches as specifically permitted by ordinance or franchise.
- (21) *Roadway classification.* The classification of roadways shall be shown on the map entitled "Roadway Classification" maintained by the city engineer, as amended from time to time, which is incorporated into this chapter by reference and made a part hereof.
- (22) *Prohibited off-premise signs.* Freestanding off-premise signs are prohibited in B4 Districts.

(2008-Or-027, § 2, 4-4-08; 2010-Or-113, § 1, 12-17-2010)

544.30. - Nonconforming off-premise signs.

The following provisions shall apply to nonconforming off-premise signs:

- (1) Off-premise signs lawfully existing at the time of adoption of this chapter which do not conform to the regulations of this chapter may continue to exist, but shall not be enlarged, relocated, or altered to include electronic lighting devices, except in compliance with this chapter.
- (2) Maintenance and repair, including replacement, restoration, improvement, and changing of off-premise sign messages is allowed. Conversion of an existing non-conforming off-premise sign shall be subject to provisions of this chapter. Following damage or destruction, replacement of a nonconformity shall mean that the off-premise sign face or sign structure, if reinstated with a nonconformity as allowed under the terms of this chapter, shall be reconstructed to match the conditions that preceded damage or destruction. Nonconformities that are completely or substantially reconstructed that include changes to the placement or design, including use of electronic elements or animation, of the off-premise sign face or sign structure shall be subject to section 531.50, Expansion or alteration of nonconforming uses and structures. A new painted wall sign with changed advertising copy or graphics painted over an existing painted wall sign shall be prohibited by this chapter.
- (3) Off-premise signs and sign structures which are moved shall be brought into compliance with all applicable regulations of this chapter.
- (4) A nonconforming off-premise sign which is damaged or destroyed by any cause or means to the extent that the cost of restoration exceeds one-half ($\frac{1}{2}$) of its replacement cost and no building permit for reconstruction or replacement of the nonconforming structure is applied for within one hundred eighty (180) days of date the property is damaged or destroyed, shall not be reconstructed except in conformity with all applicable regulations of this chapter. When a building permit to reconstruct or replace the nonconforming off-premise sign face or sign structure in its pre-existing design and not enlarge, relocate or expand the nonconforming off-premise sign face or sign structure is applied for within one hundred eighty (180) days of the date the property is damaged or destroyed, such permit shall be approved notwithstanding the cost of the restoration and its relationship to the market value of the structure. Use of electronic device or animation for these off-premise signs shall be subject to all applicable regulations of

this chapter. Reasonable conditions may be imposed by the zoning administrator to mitigate any newly created impact on adjacent property.

- (5) A nonconforming off-premise sign which is discontinued for a continuous period of one (1) year shall be deemed to be abandoned and may not thereafter be reestablished or resumed except in conformity with all applicable regulations of this chapter.

(2002-Or-019, § 1, 3-1-02; 2005-Or-139, § 1, 12-2-05; 2006-Or-018, § 1, 2-10-06; 2008-Or-027, § 3, 4-4-08)

544.40. - More restrictive provisions to apply.

If a provision of this chapter conflicts with Chapter 109, Signs and Billboards, of the Minneapolis Code of Ordinances, or with any other ordinance or other provision of law, the more restrictive provision shall apply.

ARTICLE II. - GENERAL BILLBOARD DISTRICT

544.50. - General Billboard District.

Off-premise signs shall be permitted along county-state aid roadways, municipal-state aid roadways and state trunk highways in all commercial and industrial zoning districts, subject to the standards in Table 544-1, General Billboard District Standards, and all other applicable regulations of this zoning ordinance.

Table 544-1 General Billboard District Standards

General Billboard District	
Minimum commercial or industrial zoning	The off-premise sign shall be located within a minimum of one thousand three hundred twenty (1,320) feet of continuous commercial or industrial zoning along and parallel to both sides of the roadway from which the off-premise sign is intended to be read .
Minimum lot frontage	Fifty (50) feet; one (1) sign per zoning lot
Maximum sign area	Three hundred (300) square feet
Maximum sign height	The top of the off-premise sign shall not exceed twenty-five (25) feet above the roof. No off premise sign shall be placed on the roof of any building exceeding two (2) stories in height or where the roof is more than twenty-eight (28) feet

	above grade.
Lighted sign	Permitted subject to luminance regulation; not facing R or OR districts.
Luminance*	Maximum of seven thousand (7,000) nits from 6:00 a.m. to 9:00 p.m.; and maximum of five hundred (500) nits from 9:00 p.m. to 6:00 a.m.
Animated signs	Not Permitted
Flashing signs	Not Permitted
Freestanding signs	Permitted
Minimum sign spacing	Six hundred sixty (660) feet from a residence or office residence district; One thousand (1,000) feet from an off-premise sign on either side of the roadway.

* Luminance is the physical measure of brightness or light emanating from an object with respect to its size. The unit of measurement for luminance is nits, which is the total amount of light emitted from a sign divided by the surface area of the sign (candela per square meter).

(2008-Or-027, § 4, 4-4-08)

ARTICLE III. - OPPORTUNITY BILLBOARD DISTRICTS

544.60. - Opportunity Billboard Districts.

(a) *Establishment and restrictions.* This section establishes the following opportunity billboard districts:

- (1) *Limited Access Roadway Opportunity Billboard District.* The Limited Access Roadway Opportunity Billboard District shall comprise areas within six hundred sixty (660) feet of limited access roadway where continuous commercial or industrial zoning extends at least one thousand three hundred twenty (1,320) feet along and parallel to the limited access roadway without interruption by a residence or office residence zoning district. The six hundred sixty (660) foot spacing distance shall be measured from the right-of-way for the limited access roadway perpendicular to the flow of traffic. Any off-premise sign constructed or structurally altered within six hundred sixty (660) feet from such limited access roadway shall comply with the provisions of this section and shall be subject to all applicable regulations of this zoning ordinance.
- (2) *Downtown Opportunity Billboard District.* The Downtown Opportunity Billboard District shall comprise the area bounded by the Mississippi River, I-35W, I-94, and I-394/Third Avenue North

(extended to the river), except that in no case shall an off-premise sign be constructed or structurally altered along or within three hundred (300) feet of either side of Nicollet Avenue between Washington Avenue and Ninth Street South, between LaSalle Avenue and Marquette Avenue from Ninth Street South to Grant Street, or north of Washington Avenue extending to the Mississippi River. Any off-premise sign constructed or structurally altered within the Downtown Opportunity Billboard District shall comply with the provisions of this section and subject to all applicable regulations of this zoning ordinance.

- (b) *Opportunity Billboard District Standards.* Off-premise signs shall be permitted in the Opportunity Billboard Districts, subject to the standards in Table 544-2, Opportunity Billboard District Standards, and all other applicable regulations of this zoning ordinance. If a provision of one (1) district conflicts with a provision of another district, the more restrictive provision shall apply. The appropriate district standards shall be determined by the zoning administrator at the time of application for a permit to construct or structurally alter an off-premise sign .
- (c) *Additional conditions.* Prior to issuance of a permit to construct or structurally alter any off-premise sign within any Opportunity Billboard District, the applicant shall either: A) remove, or establish to the satisfaction of the zoning administrator, nonconforming off-premise sign area credits equivalent to the removal of two (2) square feet of nonconforming off-premise sign face area from qualifying locations for each one (1) square foot of total off-premise sign face area proposed, pursuant to the provisions of section 544.80; or in the case of an electronic off-premise signs, the applicant shall remove, or establish to the satisfaction of the zoning administrator, nonconforming off-premise sign area credits equivalent to the removal of four (4) square feet of nonconforming off-premise sign face area from qualifying locations for each one (1) square foot of total off-premise sign face area proposed, pursuant to the provisions of section 544.80; or B: establish a Public Benefit Program that provides advertising space to the City equal to either one 4 week period per year for an off-premise sign face or one 8 second advertising flip per 4 week period for an electronic off-premise sign. The City may choose to use the annual sign space or allocate any portion of its annual sign space to another entity for advertising use. ~~Provided~~ if credits under this section were used to permit the initial establishment of the off-premise sign, the applicant shall be required to remove only two (2) additional square feet of nonconforming off-premise sign face area from a qualified location for each one (1) square foot proposed for conversion to a flashing off-premises sign.

Table 544-2 Opportunity Billboard District Standards

	Downtown Opportunity Billboard District	Limited Access Roadway Opportunity Billboard District
Minimum commercial or industrial zoning	At least one thousand three hundred twenty (1,320) feet of continuous parallel commercial or industrial zoning along both sides of the roadway from which the off-premise sign is intended to be read	At least one thousand three hundred twenty (1,320) feet of continuous commercial or industrial zoning along and parallel to the limited access roadway from which the off-premise sign is intended to be read, or can be read
Minimum lot frontage	50 feet for an off-premise sign not exceeding three hundred (300) square feet; 100 feet for an off-premise sign over three hundred (300) square feet; one (1) off-premise sign per zoning lot	Fifty (50) feet for an off-premise sign not exceeding three hundred (300) square feet; one hundred (100) feet for an off-premise sign over three hundred (300) square feet; one (1) off-premise sign per zoning lot

Maximum off-premise sign area	Six hundred seventy-two (672) square feet plus up to twenty-five (25) percent temporary extension of the basic off-premise sign face	Six hundred seventy-two (672) square feet plus up to twenty-five (25) percent temporary extension of the basic off-premise sign face
Maximum off-premise sign height	The top of the off-premise sign shall not exceed thirty-five (35) feet above the roof. No off premise sign shall be placed on the roof of any building exceeding three stories in height or where the roof is more than forty (40) feet above grade.	35 feet from grade. If located on a roof, the top of the off-premise sign shall not exceed thirty-five (35) feet above the roof. No off premise sign shall be placed on the roof of any building exceeding three stories in height or where the roof is more than forty (40) feet above grade.*
Freestanding off-premise signs	Not Permitted	Permitted
Lighted sign	Permitted subject to luminance provision	Permitted subject to luminance provision
Luminance**	Maximum of seven thousand (7,000) nits from 6:00 a.m. to 9:00 p.m.; and maximum of five hundred (500) nits from 9:00 p.m. to 6:00 a.m.	Maximum of seven thousand (7,000) nits from 6:00 a.m. to 9:00 p.m.; and maximum of five hundred (500) nits from 9:00 p.m. to 6:00 a.m.
Flashing signs	Not Permitted except as provided in Section 544.20(13)	Not Permitted except as provided in Section 544.20(13)(d)
Animated signs	Not Permitted except as provided in Section 544.20(13)	Not Permitted
<u>Off-Premise Wall Signs</u>	<u>Not permitted except as provided in Section 544.20(16)</u>	<u>Not Permitted</u>
Minimum off-premise sign spacing	Two hundred (200) feet from a residence or office residence district one thousand (1,000) feet from an off-premise sign on the same side of the roadway <u>except for off-premise wall signs as provided in Section 544.20(16)</u>	Six hundred (600) feet from a residence or office residence district located along and on the same side of the limited access roadway; one thousand (1,000) feet from an off-premise sign on the same side of the roadway two thousand five hundred (2,500) feet from

		<p style="text-align: center;">an off-premise flashing sign reading to the same directional traffic</p>
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* A sign in excess of height limits may be allowed as a conditional use in the Limited Access Roadway Opportunity Billboard District, subject to the provisions of Chapter 525.

** Luminance is the physical measure of brightness or light emanating from an object with respect to its size. The unit of measurement for luminance is nits, which is the total amount of light emitted from a sign divided by the surface area of the sign (candela per square meter).

(2008-Or-027, § 5, 4-4-08)

544.70. - Special downtown spacing provision.

In order to allow structural alteration or reconstruction of existing off-premise signs in the Downtown Opportunity Billboard District that may not meet the one thousand (1,000) foot spacing requirement of the district, the required spacing between existing off-premise signs may be reduced by one (1) foot for each two (2) square feet, or four (4) square feet in case of electronic signs, of nonconforming off-premise sign face area removed by the applicant from qualifying locations, pursuant to the provisions of section 544.80. In no case may the required spacing be reduced to less than five hundred (500) feet. This special spacing provision applies only to existing off-premise sign locations in the Downtown Opportunity Billboard District and only where the structurally altered or reconstructed off-premise sign is located on or within one hundred (100) feet of the zoning lot where the original off-premise sign was located immediately before such alteration or reconstruction. This special spacing provision does not apply to any Limited Access Roadway Opportunity Billboard District or to any General Billboard District.

(2008-Or-027, § 6, 4-4-08)

544.80. - Nonconforming sign area credits.

The zoning administrator shall maintain an account of removals of nonconforming off-premise sign face area from qualifying locations, and shall maintain a record of such nonconforming off-premise sign area credits used. Removal of the off-premise sign face shall include removal of all parts of the sign structure, including footings, and shall include removal of all nonconforming off-premise signs on the affected zoning lot. Nonconforming off-premise sign area credits may be reserved and used only by the original owner of the credits within five (5) years of the removal of the nonconforming off-premise sign face area. Qualifying locations are: A location that is not any part of the Opportunity Billboard District.

(2008-Or-027, § 7, 4-4-08)

544.90. - Downtown Entertainment Billboard District.

(a) *Establishment and restrictions.* This section establishes the following Downtown Entertainment Billboard District:

- (1) *Downtown Entertainment Billboard District.* The Downtown Entertainment Billboard District shall comprise the areas bounded by the following streets:
 - a. Commencing at the intersection of Street North and Hennepin Avenue, land that is south Sixth Street North between Hennepin Avenue and Second Avenue North, east of Second Avenue between Sixth Street and Seventh Street North, north of Seventh Street North between First and Second Avenue North, east of First Avenue North between Seventh and Eighth Street North, north of Eighth Street North between First Avenue North and Hennepin Avenue, and west of Hennepin Avenue between Sixth Street and Eighth Street North.
 - b. Commencing at the intersection of ~~Chicago-Portland Avenue and Sixth-Fourth Street South~~, land that is ~~north-south of Sixth Street South-Portland Avenue~~ between ~~Fourth Street South Chicago Avenue and the Eleventh Avenue western property line of parcels abutting Sixth Street South~~, and north of Tenth Avenue South (inclusive of the buildings of the western side of Sixth Street South), ~~west of Eleventh Avenue between Sixth Street South and Fourth Street South~~, south of Fourth Street South between Eleventh Avenue and Chicago Avenue, and east of Chicago Avenue (aka Kirby Puckett Place) between ~~Fourth Street South and Sixth Street South~~
 - (2) Off-premise signs constructed in this district shall not be subject to the requirements of 544.60 and 544.70.
 - (3) Prior to issuance of a permit to construct any off-premise sign within any Downtown Entertainment Billboard District, the applicant shall establish a Public Benefit Program that provides advertising space to the City equal to either one 4 week period per year for an off-premise sign face or one 8 second advertising flip per 4 week period for an electronic off-premise sign. The City may choose to use the annual sign space or allocate any portion of its annual sign space to another entity for advertising use.
- (b) *Additional conditions.* Off-premise signs lawfully existing at the time of the adoption of this ordinance shall not be included in the calculation of the total amount of off-premise signage allowed under Table 544-3 Downtown Entertainment Billboard District.

Table 544-3 Downtown Entertainment Billboard District

	General Standards	Standards for Regional Sports Arena
Maximum off-premise sign area	The off-premise sign shall not exceed the square footage equal to ten (10) times the building perimeter as measured at the foundation wall, subject to 544.90(b)	Signs applied flat on the roof and which are intended to be primarily viewed from above shall not be included in calculating the total sign area of the site.
Maximum off-premises sign height	If located on a roof, the top of the off-premises sign shall not exceed forty-five (45) feet above the roof. No off-premises sign shall be placed on the roof of any building exceeding	Signs attached to the wall or roof of a regional sports arena may extend as high as twenty (20) feet above the top of the building wall.

	four stories in height or where the roof is more than fifty-six (56) feet above grade.	
Lighted signs	Permitted subject to luminance provision.	
Freestanding Signs	Not Permitted	One (1) freestanding sign not exceeding thirty-five (35) feet in height shall be allowed. The sign may have signage on up to two sides with a maximum of one thousand two hundred (1,200) square feet of signage on each side. If the sign includes both on-premises and off-premises advertising, the total amount of signage shall not exceed one thousand two hundred (1,200) square feet on each side.
<u>Off-premise Wall Signs</u>	<u>Permitted</u>	
Luminance*	Maximum of seven thousand (7,000) nits from 6:00 a.m. to 9:00 p.m.; and maximum of five hundred (500) nits from 9:00 p.m. to 6:00 a.m.	
Animated signs	Permitted	
Flashing signs	Permitted	
Minimum sign spacing	None	

* Luminance is the physical measure of brightness or light emanating from an object with respect to its size. The unit of measurement for luminance is nits, which is the total amount of light emitted from a sign divided by the surface area of the sign (candela per square meter).

(Ord. No. 2006-Or-105, § 1, 9-22-06; 2008-Or-027, § 8, 4-4-08; Ord. No. 2009-Or-014, §§ 1, 2, 2-20-09)

ARTICLE IV. - BILLBOARD PERMITTING, INSTALLATION AND MAINTENANCE

544.100. - Billboard erectors to be licensed.

No person shall install, reconstruct, alter, repair or remove any billboard or submit a sign permit application without first having secured a license from the licensing official.

(2010-Or-002, § 1, 1-15-2010; 2013-Or-225, § 1, 12-6-2013)

544.110. - Permits required.

(a) *In general.* No person shall paint or install any billboard without first obtaining a permit from the zoning administrator. An application for a sign permit shall be filed on a form approved by the zoning administrator along with all supporting documentation including the permit fee. The fee for such permit shall be as set forth in Chapter 91, Permit Fees, of the Minneapolis Code of Ordinances.

(b) *Exceptions.* No sign permit shall be required for the installation of the following signs:

- (1) Replacement of the changeable copy portion of a billboard having a stationary framework or structure.
- (2) Repainting any legal, existing billboard when there is no change in copy or size for which previous permits had been issued.

~~(2010-Or-002, § 1, 1-15-2010)~~

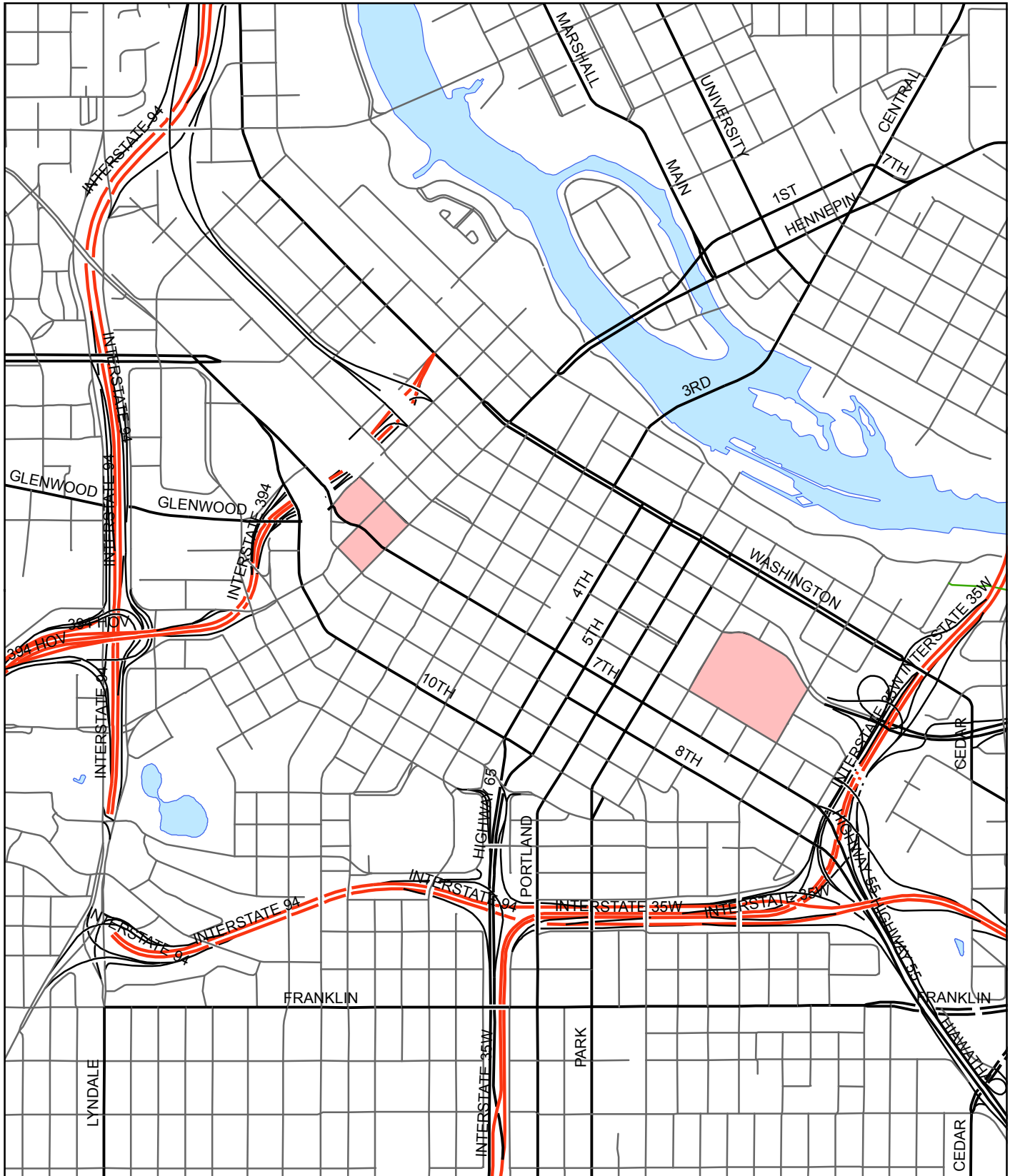
~~544.120. — City financing of billboard advertising prohibited.~~

~~(a) *in general.* The city, and city employee working within the scope of the employee's employment, and any agency or individual acting on behalf of the city shall not pay for or in any way financially support billboard advertising, taking place within the city limits of the City of Minneapolis~~

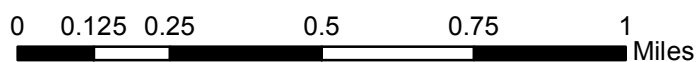
~~(b) *City contracts.* All city contracts shall contain a provision prohibiting the use of city or city derived funds to pay for billboard advertising as a part of a city project or undertaking. Billboard space donated to the City of Minneapolis shall be exempt from this section. Production costs associated with in kind donations shall not be prohibited.~~

Downtown Opportunity Billboard District

Defined by MCO544.60(2)



City of Minneapolis
Community Planning and Economic Development
Development Services Division
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Downtown Billboards

