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## ZONING CODE TEXT AMENDMENT

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<i>Initiator:</i>	Council Member Warsame
<i>Introduction Date:</i>	July 1, 2016
<i>Prepared By:</i>	Stephen Poor, Zoning Administrator, (612) 673-5837
<i>Specific Site:</i>	N/A
<i>Ward:</i>	6
<i>Neighborhood:</i>	Downtown West, Downtown East, Elliot Park
<i>Intent:</i>	Amending regulations for off-premise signs and billboards

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## APPLICABLE SECTION(S) OF THE ZONING CODE

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- Chapter 525, Administration And Enforcement
- Chapter 544, Off-Premise Advertising Signs And Billboards

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## BACKGROUND

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This proposed zoning code text amendment, introduced by Council Member Warsame, would revise off-premise advertising sign and billboard regulations in the Downtown Entertainment Billboard District, expanding the district and allowing for larger signs. Additionally, the proposed amendment will allow for painted wall signs along Washington Avenue South; and along both sides of Hennepin Avenue, beginning at Eighth Street to Washington Avenue.

The City has had a policy of encouraging the removal of off-premise advertising signs and billboards from residential neighborhoods and less intense commercial areas since 1994, when the regulatory tool of nonconforming sign (area) credits was adopted. The current ordinance was established to regulate advertising signs and billboards so as to minimize their visual blighting effects by regulating their location, spacing between off-premise advertising signs, height, size, illumination and to encourage billboards being removed from locations that are nonconforming to the ordinance.

Under Chapter 544, nonconforming signs located within and adjacent to residential neighborhoods could be removed and receive a partial credit for the amount of the square footage of the sign face removed. In 2009, Chapter 544 was amended to allow new billboards to be installed without the utilization of nonconforming sign credits when located in the Downtown Entertainment Billboard Districts.

The proposed amendment would expand the Downtown Entertainment Billboard District and allow the establishment of off-premise advertising billboards on the south side of Sixth Street South, with the sign facing Sixth Street South (north). The expanded district would also allow new signs along the west side of Park Avenue, from Sixth Street South, to Fourth Street South, with the sign facing Park Avenue (east).

The amendment would also allow for signs to be placed (painted) on building walls along the south side of Washington Avenue, from Hennepin Avenue eastward to I – 35W. These signs would not require sign credits to be utilized in order to be installed. The size of the signs would be based on the expected to be large, as much as the maximum area of a sign could be as large as ten (10) times the building perimeter as measured at the foundation wall.

The amendment would also eliminate the prohibition on the City financing of billboard advertising, which was added to Chapter 544 in 2010. The provision has had no apparent effect on City operations, or contracts. The elimination of this provision would streamline the ordinance and remove unnecessary regulations.

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## PURPOSE

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### **What is the reason for the amendment?**

The City has established regulations that are intended to minimize the visual blighting effects caused by off-premise advertising signs and billboards by regulating their location, height, size and spacing, luminance, and frequency of image change and to encourage the removal of signs and billboards that are nonconforming. The proposed amendment is intended to allow for large off-premise advertising signs adjacent to the regional sports facility, U.S. Bank Stadium, which is similar to the larger Downtown Entertainment Billboard District boundaries adjacent to Target Center. The placement of billboards in these types of areas is deemed as acceptable.

In Addition, some portions of Hennepin Avenue and Washington Avenue are proposed to allow additional off-premise advertising signs placed on building walls as a means to enliven the streetscape.

The most current LED technology is more energy efficient as compared to older, incandescent lighting technology. Furthermore, the newer flashing billboards are fitted with LED modules, which are several groupings of LED lights configured within a panel. These panels are fitted with external louvers that allow for substantially less ambient illumination (i.e.: "light bleeding"). In effect, this focus the illumination in an intended direction and causes less ambient light emanating from the top, bottom and sides of the sign face.

While there is a still some debate as to whether or not flashing dynamic signs a serious distraction to motor vehicle drivers, the proposed amendment restricts the orientation of sign faces primarily towards the stadium and pedestrian plaza and walkways. The painted wall signs

The amendment is also consistent with Minnesota Department of Transportation Technical Memorandum No. 08-07-TS-01 (May 19, 2008) with respect to flashing and moving lights on outdoor advertising devices. The flashing messages and/or images must remain static for a minimum of eight (8) seconds, which is greater than the six (6) seconds allowed the technical memorandum.

In addition, there are adopted regulations governing brightness and intensity of the images (measured in *nits*), the orientation of the sign faces and location. The City is not currently proposing regulations governing the size, color, or number of different text fonts presented on sign faces.

The off-premise advertising industry also cite the use of flashing dynamic signs as contributing to the public welfare through initiatives such as *Amber alerts*, which serve to help identify vehicles involved in possible abductions and "most wanted" postings, which identify individuals being sought by law enforcement. The industry also posts various public service announcements (PSA's) on the billboards.

Hennepin Avenue already has several illuminated billboards aimed at reading to traffic. This amendment would allow for more signs and more billboard industry firms to have signs in the downtown market.

### **What problems might the amendment create?**

The creation of an allowance for off-premise advertising signs to be painted on building walls could be perceived as adding sign clutter to the recently improved Washington Avenue street and pedestrian improvements. Other views may consider the signs to enliven large blank walls until there is more infill construction.

CPED staff does not anticipate that the amendment will result in significant problems to the existing billboard regulatory framework surrounding the regional sports facility.

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## COMPREHENSIVE PLAN

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The amendment will implement the following applicable policies of *The Minneapolis Plan for Sustainable Growth*:

**Land Use Policy 4.16.6 Strengthen Downtown's position as a regional cultural, entertainment and commercial center that serves Downtown employees, visitors, and residents.**

- 4.16.6 Preserve and build upon Downtown's cultural, entertainment and hospitality amenities, such as the convention center, professional sports venues and the Central Riverfront

**Land Use Policy 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.**

- 10.1.1 Ensure that the City's zoning code is consistent with The Minneapolis Plan and provides clear, understandable guidance that can readily be administered.

**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.**

- 10.21.3 Encourage effective signage that is appropriate to the character of the city's historic districts 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.

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**RECOMMENDATIONS**

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The Department of Community Planning and Economic Development recommends that the City Planning Commission and City Council return Chapter 525 to author and adopt staff findings to amend Title 20 of the Minneapolis Code of Ordinances, as follows:

**A. Text amendment to revise regulations for off-premise advertising sign and billboards.**

Recommended motion: **Approve** the text amendment to enlarge the Downtown Entertainment Billboard District and the remove the restrictions of City financing of billboards. Staff has **No Recommendation** regarding the amendment to permit wall signs on building walls along Hennepin Avenue and Washington Avenue.

Chapter 544 related to the Zoning Code: *Off-Premise Advertising Signs And Billboards Districts*

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**ATTACHMENTS**

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1. Ordinance amending Chapter 544 related to the Zoning Code: Off-Premise Signs And Billboards
2. Map of the existing Downtown Entertainment Billboard District
3. Map of the proposed Downtown Entertainment Billboard District

## ORDINANCE

By Warsame

### Amending Title 20, Chapter 544 of the Minneapolis Code of Ordinances relating to OFF PREMISE ADVERTISING SIGNS AND BILLBOARDS

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That Section 544 of the above-entitled ordinance be amended to read as follows:

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 may not exceed one thousand seven hundred and fifty (1,750) square feet in area, as defined in Section 544.20(16),

(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 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 8<sup>th</sup> 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**

<b>General Billboard District</b>	
<b>Minimum commercial or industrial zoning</b>	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 .
<b>Minimum lot frontage</b>	Fifty (50) feet; one (1) sign per zoning lot
<b>Maximum sign area</b>	Three hundred (300) square feet
<b>Maximum sign height</b>	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.
<b>Lighted sign</b>	Permitted subject to luminance regulation; not facing R or OR districts.
<b>Luminance*</b>	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.
<b>Animated signs</b>	Not Permitted
<b>Flashing signs</b>	Not Permitted
<b>Freestanding signs</b>	Permitted
<b>Minimum sign spacing</b>	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; 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
<b>Minimum commercial or industrial zoning</b>	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	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

	sign is intended to be read	read
<b>Minimum lot frontage</b>	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
<b>Maximum off-premise sign area</b>	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
<b>Maximum off-premise sign height</b>	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.*
<b>Freestanding off-premise signs</b>	Not Permitted	Permitted
<b>Lighted sign</b>	Permitted subject to luminance provision	Permitted subject to luminance provision
<b>Luminance**</b>	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.
<b>Flashing signs</b>	Not Permitted except as provided in Section 544.20(13)	Not Permitted except as provided in Section 544.20(13)(d)
<b>Animated signs</b>	Not Permitted except as provided in Section 544.20(13)	Not Permitted
<b>Off-Premise Wall Signs</b>	<u>Not permitted except as provided in Section 544.20(16)</u>	<u>Not Permitted</u>
<b>Minimum off-premise sign spacing</b>	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 an off-premise flashing sign reading to the same directional traffic

\* 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 Sixth 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.

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**

	<b>General Standards</b>	<b>Standards for Regional Sports Arena</b>
<b>Maximum off-premise sign area</b>	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.
<b>Maximum off-premises sign height</b>	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 four stories in height or where the roof is more than fifty-six (56) feet above grade.	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.
<b>Lighted signs</b>	Permitted subject to luminance provision.	
<b>Freestanding Signs</b>	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.
<b><u>Off-premise Wall Signs</u></b>	<u>Permitted</u>	
<b>Luminance*</b>	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.	
<b>Animated</b>	Permitted	

<b>signs</b>	
<b>Flashing signs</b>	Permitted
<b>Minimum sign spacing</b>	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.

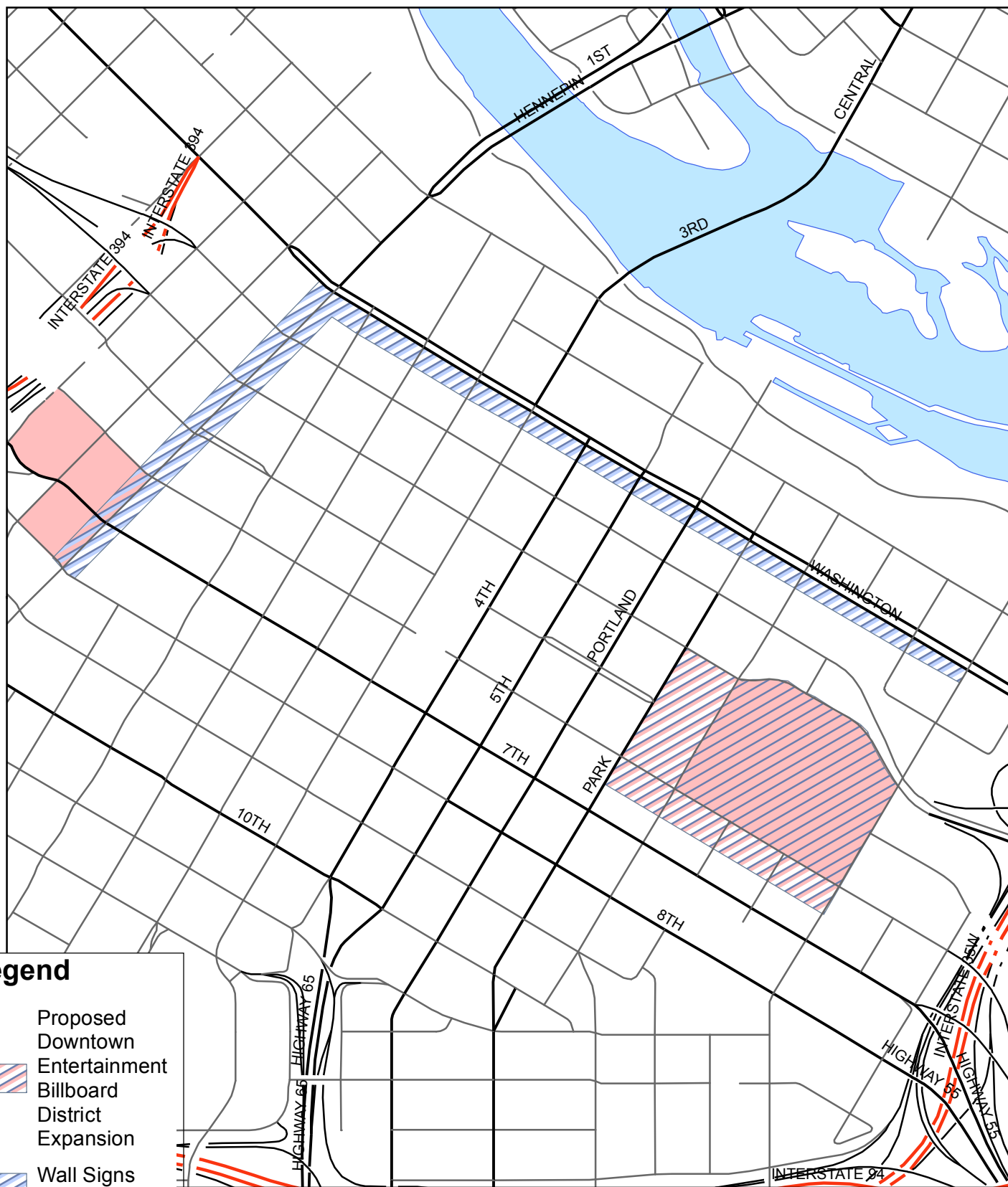
(2010-Or-002, § 1, 1-15-2010)

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.

# Proposed Downtown Entertainment Billboard District



## Legend

- Proposed Downtown Entertainment Billboard District Expansion
- Wall Signs Permitted
- Current Downtown Entertainment Billboard District

City of Minneapolis  
Community Planning and Economic Development  
Development Services Division  
Created: Sept 06, 2017

