

MEMO

DATE: May 29, 2013

TO: Planning Commission Members

FROM: Patrick R. Zenner, Development Services Manager

Re: Signage Moratorium

On May 6, the City Council approved a 3-month extension to the existing signage moratorium (attached) that expired on April 6. The extended moratorium will expire on August 6. The purpose for the moratorium was approved to allow the Commission to evaluate the existing sign code and offer recommended changes to its provisions dealing specifically with signage that:

1. Has blinking, scrolling, racing, pixelating, or moving characters, text, symbols or other images;
2. Uses LED, LCD, or other digital or electronic technology; and
3. Is placed within ten (10) feet of a window or other opening on the wall of a building in a manner that presents a message to or attracts the attention of the public outside.

Staff had prepared a proposed ordinance revision that have would addressed the above stated purpose of the moratorium as well as several other technical deficiencies. This ordinance was revised by the Commission at its March 7 work session. Following that work session the ordinance was presented to Council. The proposed ordinance was reviewed by the Law Department prior to the extension of moratorium. In its review, the Law Department identified several issues it believed necessary correct before holding a public hearing on it.

The attached ordinance includes the proposed changes made by the Law Department. The ordinance was introduced to the Commission at its May 23 work session; however, due to limited time for discussion and a lack of a quorum its changes were not fully discussed. Staff desires to completely brief the Commission on the ordinance contents with a quorum present.

Below is a summary of the proposed changes to the sign code (as recommended by the Law Department) that will fulfill the moratorium's general objectives:

1. Revision of the following definitions:
 - a. **Animated sign** to remove safety warning signs and devices as well as display signs from the definition.
 - b. Deletion of the definition of **display sign**

- c. The definition of **sign** was revised to exclude “digital signs” or “animated signs”. The provision allowing signs behind the glass was retained provided such did not meet the definition of “digital sign” or “animated sign”.
2. Addition of the following definitions to the code:
- a. Digital sign

An additional objective of the signage moratorium was to have existing electronic changeable copy signs not compliant with the proposed ordinance revisions amortized out of use over a period of time. This issue has not been addressed in the revised ordinance. The Law Department recommends that as a part of the comprehensive revision of the zoning code this issue be addressed.

As part of its review, the Law Department also identified that a provision within the Scenic Roadway Overlay District (SR) made reference to “display sign”. The SR districts supplemental standards reference the sign ordinance and since the definition of “display sign” is proposed to be deleted the sign provision of the SR district also need to remove that reference. Section 3 of the attached ordinance accomplishes this recommended revision.

Council desires to have second reading on the proposed revisions prior to the extended moratorium expiring on August 6. As such, staff has scheduled this item to be heard at the Commission’s June 20 meeting. Moving the public hearing into July is not possible since the first meeting in July will be cancelled due to the July 4 holiday.

If additional changes to the ordinance are desired by the Commission they can be made between the June 6 work session and the June 20 packet deadline of June 14. During this period, staff will also notify parties in interest of the pending changes.

Please feel free to contact me or Tim with questions.

021482

Permanent Record
Filed in Clerk's Office

Introduced by McDavid

First Reading 10-1-12

Second Reading 10-15-12

Ordinance No. 021482

Council Bill No. B 283-12

AN ORDINANCE

establishing a moratorium on illuminated window signs that have electronic changeable copy; and fixing the time when this ordinance shall become effective.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBIA, MISSOURI, AS FOLLOWS:

SECTION 1. As used in this ordinance, "illuminated window signs that have electronic changeable copy" means any sign that:

- (1) Has blinking, scrolling, racing, pixelating or moving characters, text, symbols or other images;
- (2) Uses LED, LCD or other digital or electronic technology; and
- (3) Is placed within ten (10) feet of a window or other opening on the wall of a building in a manner that presents a message to or attracts the attention of the public outside.

SECTION 2. The City Council finds that illuminated window signs that have electronic changeable copy jeopardize public safety by distracting drivers much more than traditional static signs. The City Council wishes to consider an ordinance that would limit or prohibit such signs. The City Council also wishes to prohibit the installation of such signs while it is considering an ordinance that would limit or prohibit them.


SECTION 3. It shall be unlawful for any person to install an illuminated window sign that has electronic changeable copy while this ordinance is in effect.

SECTION 4. It shall be unlawful for any person to allow any illuminated window sign that has electronic changeable copy that was installed after October 1, 2012, to remain in place while this ordinance is in effect.

SECTION 5. This ordinance shall be in full force and effect from and after its passage and shall remain in effect until April 16, 2013.

PASSED this 15th day of October, 2012.

ATTEST:




City Clerk



Mayor and Presiding Officer

APPROVED AS TO FORM:



City Counselor

AN ORDINANCE

amending Chapter 23 and Chapter 29 of the City Code as it relates to sign definitions; unlaw signs; signage allowed in the Scenic Roadway Area Overlay District; and fixing a time when this ordinance shall become effective.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBIA, MISSOURI, AS FOLLOWS:

SECTION 1. Chapter 23, Section 1, of the Code of Ordinances of the City of Columbia, Missouri, is hereby amended as follows:

Material to be deleted in ~~strikeout~~; material to be added **bold & underlined**.

Section 23-1 Definitions and rules of construction.

For the purposes of this chapter, the following words and terms shall have the meanings respectively ascribed:

Animated sign. A sign with action or motion, flashing or color changes, requiring electrical energy, electronic or manufactured sources of supply, but not including wind actuated elements such as flags, banners, or specialty items (not to include time and temperature signs, ~~safety warning signs and devices, or revolving barber poles, or display signs.~~)

.....

Digital sign. Any video, computer generated, holographic or electronic images that are arranged, intended, designed or used as an advertisement, announcement or direction or advertising devices of every kind. A digital sign shall not include electronically operated changing numeric message signs.

Directional sign. A sign designed to guide pedestrians or vehicular traffic.

~~Display sign.~~ A structure that is arranged, intended, designed or used as an advertisement, announcement or direction; and includes a sign, screen billboard, poster panel and advertising devices of every kind. ~~Display sign includes electronically operated changing alpha-numeric message signs. Display sign does not include animated signs or signs placed on the inside of display cases or show windows fronted with glass which do not protrude more than six (6) inches from the outside surface of the building wall.~~

Elevation. A side of a building that faces a public or private street or alley. One (1) of the exterior walls of a building, inclusive of windows, doors and other openings, but not including any structural or nonstructural elements which extend beyond the roof of a building.

.....

Marquee. A roofed structure projecting from and supported by a building, or free-standing when such roofed structure extends beyond the building line, building wall or street lot line.

Marquee sign. A ~~display~~ sign attached to or hung from a marquee.

Maximum height. The maximum height of a sign shall be measured from the elevation of the point nearest the sign on the center line of the public street or highway nearest the sign upward to the elevation of the highest part of the sign or its supporting structure, whichever is higher. Notwithstanding the foregoing, unless otherwise specified in this chapter, all signs may have a height of eight (8) feet measured from the ground location of the sign to the highest part of the sign or its supporting structure, whichever is higher.

.....

Pylon sign. A freestanding sign of which the entire bottom of the sign is generally in contact with or in close proximity to the ground and which has a width of two (2) feet or a height at least three (3) times the width.

Roof sign. A ~~display~~ sign which is erected, constructed and maintained above the roof of the building.

Sandwich board. Any sign designated or constructed in such a manner that it can be moved or relocated without involving any structural or support changes.

.....

Shopping center master sign and industrial park master sign. A sign indicating the name of the shopping center or industrial park and/or names of businesses in the shopping center or industrial park.

Sign. A structure that is arranged, intended, designed or used as an advertisement, announcement or direction; and includes a sign, sign screen, billboard, poster panel and advertising devices of every kind, but does not include signs placed on the inside of display cases or show windows fronted with glass which do not project more than six (6) inches from the outside surface of the building wall **unless the sign is a "digital sign" or "animated sign".**

Structure. Anything constructed or erected, which requires location on the ground, or attached to something having a location on the ground, including but not limited to, advertising signs, billboards and poster panels, but exclusive of customary fences or boundary or retaining walls.

SECTION 2. Chapter 23, Section 2, of the Code of Ordinances of the City of Columbia, Missouri, is hereby amended as follows:

Material to be deleted in ~~strikeout~~; material to be added **bold & underlined.**

Sec. 23-2. - Unlawful signs.

- (a) No sign shall be erected in such a manner that it will or reasonably may be expected to interfere with, obstruct, confuse, distract or mislead traffic, or be considered obscene or a nuisance to the general public.

.....

- (k) No commercial flags shall be allowed except that a business may display one flag no larger than forty (40) square feet which bears the symbol or trademark or name of the business. No further advertising shall be permitted on such flags.

- (l) **No digital signs shall be allowed.** ~~No display signs which contain or include electronically operated changing alpha-numeric message signs shall be allowed.~~

SECTION 3. Chapter 29, Section 21.2, of the Code of Ordinances of the City of Columbia, Missouri, is hereby amended as follows:

Material to be deleted in ~~strikeout~~; material to be added **bold & underlined.**

- (c) *Site Development Regulations.* All land and buildings within a scenic roadway area shall comply with all regulations of the underlying zoning district and applicable sign regulations, provided they do not conflict with the scenic road overlay design, purpose or intent, as well as the following:

.....

(3) Signs. The sign regulations of chapter 23 of this code shall apply, except where modified as follows. Only monument signs are allowed. A monument sign is a sign attached directly to the ground or a base attached directly to the ground and not supported by poles, uprights or braces. Internal lighting of signs, neon or flashing signs, ~~display signs~~ and roof signs shall not be permitted. All spotlights and exterior lighting shall be oriented away from adjacent properties and the scenic roadways.

.....

SECTION 4. This ordinance shall be in full force and effect from and after its passage.

Passed this _____ day of _____, 2013.

Attest:

City Clerk

Mayor and Presiding Officer

APPROVED AS TO FORM:

City Counselor