

**AGENDA REPORT**  
**PLANNING AND ZONING COMMISSION MEETING**  
**June 20, 2013**

**SUMMARY**

A request by the City of Columbia to approve revisions to Chapter 23 (Signs) and Chapter 29 (Zoning) of the City Code as it relates to signage definitions and permitted types of signage within the Scenic Roadway Overlay District (SR). This amendment has been prepared in response to the signage moratorium established by Ordinance 21482. **(Case # 13-50)**

**DISCUSSION**

On October 15, 2012, the City Council approved Ordinance 21482 (attached) establishing a 6-month moratorium on the issue of permits for illuminated window sign. On May 6 the Council approved a 3-month extension of the moratorium. It is scheduled to expire on August 6.

The purpose of the moratorium was to evaluate the existing sign code and propose revisions that would address signs that have:

- 1) Scrolling, racing, or pixelating images, text or symbols
- 2) Use LED, LCD, or other electronic technologies
- 3) Are located within 10 feet of a window or other opening on the wall of a building such that the sign presents its message to or attracts the attention of the public from outside.

The attached ordinance proposes several changes to the sign code and zoning ordinance to address the purposes for which the moratorium was approved. Additional potential revisions were identified during the Commission review; however, were felt to be beyond the scope of the moratorium. The Commission, staff, and City's Legal Department believe these additional revisions can be addressed at a later time during a more comprehensive revision of the sign code.

The attached ordinance proposes to:

- a) **Revise** the definition of "animated sign". The revision removes reference to "display sign" as well as "safety warning signs and devices" as being excluded from the definition of an animated sign.

A "display sign" will become subject to the definition of a "sign" as defined in the code. Existing display signs would be permitted to operate as legal non-conformities; however, new display signs would be prohibited from having animation of any kind.

"Safety warning signs and devices" are not considered signs by definition since they are not permanently attached to the ground and often operated for a public purpose within right-of-way. As such regulation of such signs was seen as unnecessary.

- b) **Delete** the definition of "display sign" and strike all references in the sign code and zoning ordinance to such signs.
- c) **Add** a definition for "digital sign"

This revision provides standards for signs that use any electronic means of display for conveyance of a message arranged, intended, designated or used as an advertisement, announcement, or direction. A digital sign; however, excludes electronically operated changing **numeric** message signs (i.e. fuel station pricing boards).

d) **Revise** the definition of “sign”

The revision clarifies that signs may be located behind glass as long as they do not meet the definition of an “animated” or “digital” sign.

e) **Add** “digital sign” as an unlawful type of sign

This revision replaces the reference to “display signs” as being unlawful. This provision would ensure that future signs incorporating the use of LED, LCD, or other electronic technologies would not be allowed within the city limits. Animated signs are presently a prohibited type of sign within the city.

**RECOMMENDATION**

Approve the proposed ordinance amendment.

Report prepared by Patrick Zenner

Approved by Patrick Zenner

Date: June 11, 2013

To: Columbia Signage Companies

From: Patrick R. Zenner, Development Services Manager

Re: Proposed Chapter 23 (Signs) amendment to the City of Columbia Code of Ordinances

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Attached you will find a proposed revision to the City's sign code pertaining to "animated" and "digital" signs. The amendment was prepared in response to City Council's passage of Ordinance #21482 (attached) which established a 6-month moratorium on the issuance of illuminated window signs that have electronic changeable copy. This ordinance was extended on May 6, 2013 and is set to expire on August 6, 2013.

The purpose of this letter is to provide you and others within the sign industry advance opportunity to comment on the proposed changes prior to a public hearing. Per City Code, amendments to the sign ordinance are required to be heard before the City's Planning and Zoning Commission. A public hearing on the attached ordinance has been scheduled for June 20, 2013, at 7 pm in the City Council Chambers located at 701 East Broadway Street in Columbia, Missouri.

In summary, the attached ordinance amends the existing sign code by:

1. Revising the following definitions:
  - a. **Animated sign** - removed safety warning signs and devices as well as display signs from the definition.
  - b. Deletion of **display sign**
  - c. **Sign** - 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 desire of Council, per the signage moratorium, was to have existing electronic changeable copy signs to be amortized out of use over a period of time. This issue has not been addressed in the revised ordinance. As such, signs becoming non-compliant upon passage of the proposed revisions would be permitted to operate as legal non-conforming signs provided they were remained compliant with Section 23-3 of the Sign Code. This omission from the proposed ordinance is subject to change at Council's discretion.

If you have comments regarding the proposed amendment you are welcome to attend the public hearing on June 20, 2013 or you may submit comments to my attention at [przenner@gocolumbiamo.com](mailto:przenner@gocolumbiamo.com). If you prefer you may submit comment in writing to the address shown below – please ensure that such correspondence is addressed to my attention.

The City Council has final authority in adopting, modifying, or denying the attached ordinance. Tentatively, Council will have final reading on this ordinance at its July 15, 2013 meeting. If you desire to submit comments to City Council please direct them to the City Clerk at 701 E. Broadway Street and reference Case #13-50.

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.

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*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.

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*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.

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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

DRAFT