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AGENDA
PLANNING AND ZONING COMMISSION MEETING
CITY OF CREVE COEUR, MISSOURI
MONDAY, MAY 7, 2012
7:00 PM

1. ROLL CALL

Mr. Michael Barton
Mr. Gary Eberhardt
Mr. James Faron
Mr. Ken Howard
Ms. Cynthia Kramer
Mr. Tim Madden
Mr. Jim Schnarr
Mr. Carl Lumley, City Attorney
Mr. Paul Langdon, AICP, Director of Community Development
Ms. Whitney Kelly, AICP, City Planner
Ms. Alexandra Gada, Recording Secretary

Pursuant to Section 610.022 RSMO, the Planning and Zoning Commission could, at any time during the meeting, vote to close the public meeting and move to closed session to discuss matters relating to litigation, legal actions and/or communications from the City Attorney as provided under Section 610.021(1) RSMo. and/or personnel matters under Section 610.021(13) RSMo. and/or employee matters under Section 610.021(3) RSMo. and/or real estate matters under Section 610.021(2) or other matters as permitted by Chapter 610.

Reports, documents, plans, and related materials are available for examination at the Creve Coeur Government Center, 300 North New Ballas Road, prior to the meeting.

Special disabled service may be arranged by contacting the Office of the City Administrator in advance.

2. ADDITIONS TO – ACCEPTANCE OF THE AGENDA

3. APPROVAL OF MINUTES

A. Draft minutes of the April 16th meeting.

4. PUBLIC COMMENT

An opportunity for members of the public to address the Planning and Zoning Commission regarding issues or concerns not already on the agenda for this meeting. Those wishing to speak will be asked to limit comments to three minutes and to complete a speaker card.

5. **UNFINISHED BUSINESS**

None

6. **NEW BUSINESS**

None

7. **WORK AGENDA**

A. Zoning for the Core Business District; General Street Type

B. Revisions to the City of Creve Coeur's Article VIII Sign Regulations of the Zoning Ordinances

8. **OTHER BUSINESS**

A. Planning Division Report

B. City Attorney Report

9. **ADJOURNMENT**

Posted: _____
Whitney Kelly
City Planner



**CITY OF CREVE COEUR - MINUTES
PLANNING AND ZONING COMMISSION MEETING
MONDAY, APRIL 16, 2012
7:00 P.M.**

A public hearing and regular meeting of the Planning and Zoning Commission of the City of Creve Coeur, Missouri was held on Monday, April 16, 2012, at the Creve Coeur Government Center, 300 North New Ballas Road. Chair Tim Madden called the meeting to order at 7:00p.m.

MEMBERS PRESENT: *Mr. Timothy Madden, Chair*
 Mr. Gary Eberhardt
 Mr. James Faron
 Mr. Ken Howard
 Ms. Cynthia Kramer
 Mr. Michael Barton

OTHERS PRESENT: *Mr. Carl Lumley, City Attorney*
 Ms. Whitney Kelly, City Planner
 Ms. Alexandra Gada, Recording Secretary

1. ADDITIONS TO – ACCEPTANCE OF THE AGENDA

The Agenda was accepted as written.

2. APPROVAL OF MINUTES

Draft Minutes of March 19, 2012 meeting.

Mr. Eberhardt moved approval of the draft minutes. Mr. Faron seconded the motion which carried unanimously.

3. UNFINISHED BUSINESS

None.

4. NEW BUSINESS

A. PUBLIC HEARING

Application #12-009: A request for conditional use permit amendment to allow full service, in-theatre dining at the AMC theatre located at 12657 Olive Boulevard.

Applicant/Agent: Kevin M. Connor	Applicant's	Tammy Korte
American Multi-Cinema, Inc.	Representative: ArcVision	
920 Main Street		1950 Craig Road, Suite 300
Kansas City, MO 64105-2008		St. Louis, MO 63146

(Beginning of the public hearing – please see transcript for detailed information)

Reporter Deborah McLaughlin swore in all parties who wished to address the Board.

A presentation was made by Mr. George Patterson Vice-President of AMC Entertainment, on behalf of the AMC Theater, regarding the new concept of the in-theater dining and AMC's Alcohol Control Policy.

Comments and questions from Commission members.

Comments and questions from the public.

A presentation was made by Whitney Kelly, City Planner, regarding the application and the establishment of the off-street parking requirements. The hours of operation in the draft ordinance should indicate 9:30 a.m. not 9:30 pm.

Comments and questions from Commission members.

There being no further comments, the City Attorney presented exhibits for the record

There being no further comments, the motion was made by Mr. Barton to approve the Application #12-009: for a Conditional Use Permit for a 16-screen in-theatre dining AMC motion picture theatre at 12657 Olive Boulevard, subject to the conditions contained in the draft ordinance, as amended regarding the hours of operation, attached to the staff report for the meeting of April 16, 2012 Mr. Eberhardt seconded the motion with the resultant vote as follows:

Mr. Faron – aye	Mr. Eberhardt –aye	Chairman Madden – aye
Mr. Barton – aye	Ms. Kramer – aye	Mr. Howard – aye

(This ends the Public Hearing)

5. PUBLIC COMMENT

Ms. Indira Krasavtseva, business owner at 11074 Olive Blvd, addressed the board regarding the possibility of changing or amending the sign regulations to accommodate her business.

Discussion followed.

There were no further requests to address the Commission.

6. WORK AGENDA

A. Downtown Discussion: Transitional Street Type.

Ms. Whitney Kelly, City Planner, presented on behalf of Mr. Paul Langdon, Director of Community Development, regarding the standards for the Transitional street type with the draft form based code for the downtown area.

Brief discussion followed.

Ms. Kelly mentioned that next steps would be to work on developing standards for other street types such as Arterial and General Frontage, and incorporating the design guidelines into the code requirements.

Chair Madden inquired if there has been an interest expressed, so far, in the development along the Transitional Frontage and if the city owns any of the lots along it. Ms. Kelly responded that the City does not own any property in that area and, while there has been a lot of general interest, she is not aware of any specific project being planned.

7. OTHER BUSINESS

A. Planning Division Report

Ms. Kelly reported that, due to April being a five Monday month, the next Planning and Zoning Commission meeting will be on May 7, 2012. Further development of street standards will be on the agenda as well as another discussion of the Sign Code revisions.

B. City Attorney Report

None

8. ADJOURNMENT

There being no further business to come before the Planning and Zoning Commission, upon motion being made and duly seconded, the meeting was adjourned at 8:11 p.m.

Timothy Madden, Chair

Alexandra Gada, Recording Secretary



city of CREVE COEUR

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www.creve-coeur.org

STAFF MEMORANDUM TO THE PLANNING AND ZONING COMMISSION

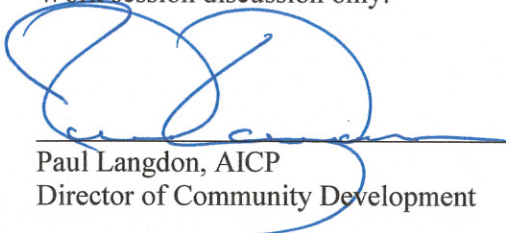
Meeting Date: May 7, 2012

Subject: Zoning for the Core Business District (CBD)

Location: Area bounded by Olive Boulevard, Old Ballas Road, and North New Ballas Road.

Requested Action: Work session discussion only.

Prepared by:


Paul Langdon, AICP
Director of Community Development

5/3/2012
Date

BACKGROUND

On April 16, 2012, the Planning Commission was provided a sheet depicting the standards for the Transitional street type. This type generally correlates with the area shown in yellow on the attached Regulating Plan for Building Envelope Standards (BES). No concerns were raised at that time. Attached to this memorandum is a similar depiction for the General street type that is shown in orange on the Regulating Plan.

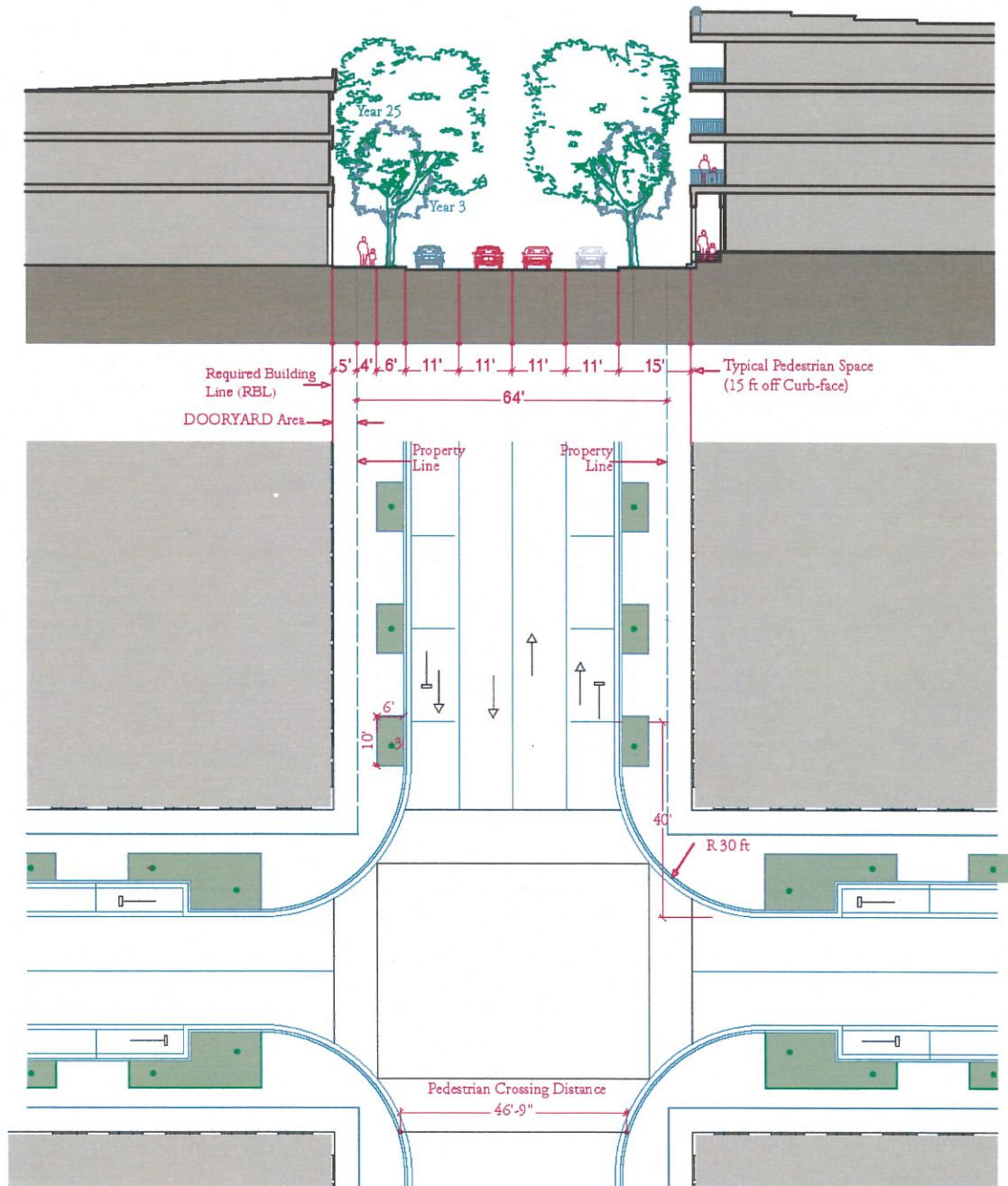
DISCUSSION

As discussed on March 5th, the General Frontage BES is intended to be the building form most suited to mixed-use development. It provides sufficient pavement width for up to four through lanes, however, staff strongly recommend that the curb lanes be generally available for parking except, perhaps, during peak traffic demand ("rush hour"). This lane configuration does meet the street design requirements of the Subdivision Code and has been reviewed by the Department of Public Works.

Note also that the sidewalk area is composed of several features including an area for street tree planting, an open sidewalk area, and the setback area against the buildings. These correspond with the furnishing, the through pedestrian and frontage zones called for in the City's Pedestrian Plan (see attached excerpt). Although the parsing of individual zones varies slightly based on this particular application, the overall design and available space does satisfy the Pedestrian Plan standards for a 60-foot right-of-way.

The Planning Commission should review these standards for character and consistency with the General BES standards reviewed at the March 5th meeting. Staff will be available to answer any questions or concerns and will continue to develop the subsequent sections of the code.

The final street type, Arterials, will need to be divided into two types. One will be for North New Ballas Road and north portion of Hamm Avenue while the second will be for Olive Boulevard. This is primarily a reflection of the City's lack of jurisdiction over Olive Boulevard. Draft street standards will be available for the next meeting of the Commission.

405.400.D.3 General Street Type

Right-of-way width: 64 feet

Streetspace width: 74 feet

Travel lanes: 2 fixed @ 11 feet wide
2 optional @ 11 feet wide

Parking lanes: 1 convertible each side @ 11 feet wide

Sidewalks: Both sides @ 9 feet wide

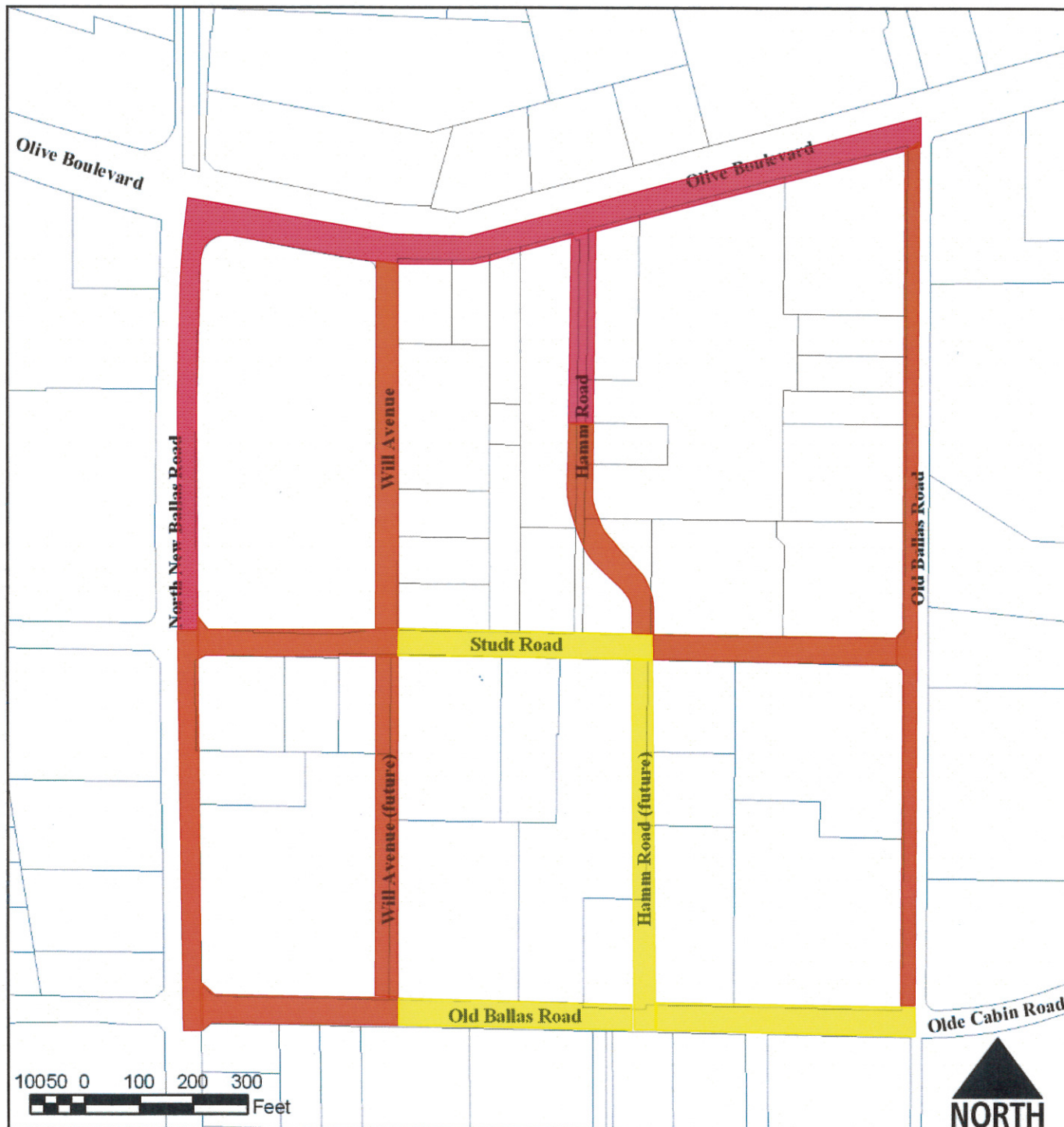
Pedestrian Crossing Distance: 46 feet

Required Building Line: 5 feet back from right-of-way

Minimum street tree planters: 6 feet by 10 feet

Buildings are depicted for illustrative purposes only. Refer to Section 405-400.C, Building Envelope Standards, for specific regulations.

SECTION 450-400 C, BUILDING ENVELOPE STANDARDS
 Regulating Plan: Building Envelope Standards



Using this plan

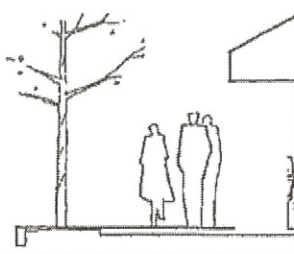
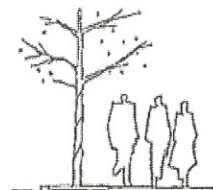
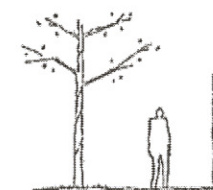
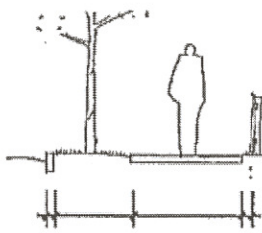
The Form-Based Code (FBC) is primarily concerned with the relationship between private development and the public right-of-way (ROW). The different colors on this map reference the character of development adjacent to the given portion of ROW. The names shown in the legend correspond with a particular building envelope standard described in Section 405.400.C.

Note that this map is not intended to describe any street ROW standards beyond a representative alignment. Please refer to Section 405.400.D for detailed ROW information.

Legend

- Arterial Frontage
- General Frontage
- Transitional Frontage
- Property Lines (as of 2007)

**TABLE A-1:
RECOMMENDED WIDTHS FOR SIDEWALK CORRIDOR**

Sidewalk Corridor	Application	Recommended Configuration			
15'-0"	Recommended in Pedestrian Districts, and on Primary Streets where ROW width is 80'-0".				
		Curb Zone "A"	Furnishings Zone "B"	Through Pedestrian Zone "C"	Frontage Zone "D"
		0'-6"	4'-0"	8'-0"	2'-6"
12'-0"	Recommended for Pedestrian Districts, and for Primary and Non Residential Secondary Streets where ROW width is 60'-0".	Typical Commercial		Typical Residential	
					
		Curb Zone	Furnishings Zone	Through Pedestrian Zone	Frontage Zone
		0'-6"	4'-0"	6'-0"	1'-6"
11'-0"	Recommended for Residential Secondary Streets where ROW width is 40'-50'.				
		Curb Zone	Furnishings Zone	Through Pedestrian Zone	Frontage Zone
		0'-6"	5'-0"	5'-0"	0'-6"



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MEMO TO PLANNING AND ZONING COMMISSION

Meeting Date: Monday, May 7, 2012

Subject: Revisions to the Article VIII Sign Regulations of the Zoning Ordinances

Memo Prepared by: Whitney Kelly, City Planner

Attachments:

1. **Memo on 8th Circuit decision on City of St. Louis Sign Code**
2. **Draft strike-through of the City's Sign Regulations Definitions of Terms that relate to content**

Introduction

Staff has been reviewing the sign regulations to facilitate the permitting process, and reduce or eliminate points of confusion. During the previous discussion with the Commission, members were generally supportive of the following changes:

- For first floor office/retail uses
 - In-line or mid-block uses. Each individual use located at ground floor level with its own entrance at street level may have one (1) attached sign, affixed or painted on a wall, canopy, or awning with a total gross sign area of one (1) square foot per linear foot of front façade or twenty (20) square feet, whichever is greater, up to a maximum of fifty (50) square feet in area. The sign shall be located on the front façade which shall also be the same façade as the main entrance.
 - Corner units, single uses on corner lots, or out-lot buildings within a shopping center. Each individual use located at ground floor level with its own entrance at street level may have one (1) attached sign, affixed or painted on a wall, canopy or awning with a total gross sign area of one (1) square foot per linear foot of building frontage, up to a maximum of fifty (50) square feet in area to be placed on the same façade as the main entrance. One (1) additional attached sign may be permitted, subject to the same size regulations above, where the building abuts two or more public streets.

It was Staff's understanding that the Commission were not receptive to the proposed statement of: "The total allowable square footage may be divided among the total allowable number of signs as long as the sign area in combination does not exceed the allowable total gross sign area, (for example: a building on a corner lot may receive two wall signs at 50 sq. ft. each, or one sign at 100 sq. ft., or any division thereof)" and therefore will not be included with the changes.

- Attached signs for multi-floor office buildings.
 - (1) Each freestanding, single or multi-tenant office building of three or more floors of leasable space may have one (1) attached sign affixed parallel to the building, with a sign area of up to fifty (50) square feet for a three (3) story building, with an additional ten (10) square feet of sign area allowed for each additional floor over three (3), up to a maximum of one hundred and fifty (150) square feet.
- Allowing for blade signs and small portable message board signs in the downtown area.
- Clarifying, and making consistent, language regarding prohibited moving signs and those allowed for temporary display.

Discussion also included revising the ground monument sign regulations. However, a recent Missouri court ruling regarding the City of St. Louis Sign Code has brought up several questions that Staff needs further direction from the Commission Members in order to proceed with the draft changes. Please refer to the memo from the City Attorney (Attachment 1) regarding the 8th Circuit decision on the City of St. Louis Sign Code.

The main point of the decision is that signs must be content neutral. Local governments can make restrictions on speech based on its time, place, and manner, so long as the restrictions do not relate to the content of the speech. Many of Creve Coeur's definitions for various signs, and in several cases, the type of sign permitted, are based on content. Attachment 2 is a preliminary strike-through of the City's Sign Regulations, Definitions of Terms, identifying content that will need to be addressed with the revisions to the Code. Please note that Staff is still reviewing these changes and in some instances the signs may remain as currently written if the content is specific to public safety, such as traffic directional signage, where the content is indicating an entrance or exit.

Real Estate Signs and Ground Monument Signs

A significant concern is how the court ruling might be applied to real estate ground signs, versus low monument signs that identify businesses on the property. Based on the recent ruling, Staff believes that the multi-tenant real estate signs that are permitted as a ground sign could be used for any message, including commercial advertising. Thus those properties that have a low monument sign identifying tenants, and one for leasing information, now have two ground signs that could contain any message.

The key questions before the Commission are:

- Should the City allow for every property to have one ground sign?
- For those that already have a low monument sign under the existing ordinance (i.e. sites of 30,000 sq. ft., and have a minimum lot frontage of 200 on Lindbergh or 300 feet for all other streets) should two ground signs be allowed, or should they be limited to one ground sign, with the presumption that real estate information will be included on the permitted ground sign? If all of the allowable square footage is taken up by the tenant signage, leasing information would then be limited to window signs, or wall signs.
- If real estate information should be limited to the existing ground sign, should the size of the allowable square footage be increased from 30 sq. ft.?
- How does the City want to limit ground signs for those properties that did not qualify for a ground signs under the current regulations (properties with less than frontage)?

- If all properties are allowed a ground sign, then what is the square footage that the City should consider, for example (12 sq. ft.)? Or should those properties with less linear feet of frontage be limited to only window signs, or incorporated in some way as part of the building wall signs?
- Based on this discussion, the current multi-tenant real estate signs could become legally pre-existing, non-conforming signs.

Common Signage Plans and Master Signage Plans

During previous discussions, Staff proposed eliminating the common signage plan provision from the Sign Regulations, and revising the master sign plan provision to encourage all large scale projects and campuses to seek approval for a sign package that is unique to the project and site development plan, as well as to provide better review criteria.

Staff is seeking direction on how to treat those properties that currently have common signage plans (West Oak, Bellerive Plaza, Pavilion, and West Park Shopping Centers):

- Should Staff convert approved Common Signage Plans to approved master sign plans through separate ordinances?
- Should any those signs that no longer meet with the proposed regulations be non-conforming signs once the changes are adopted? Any changes to the non-conforming sign would then require compliance with the new regulations, or the development could seek approval of a master sign plan by the City Council.

Definition of Gross Sign Area

The City's definition of gross sign area allows for increased square footage in the case of individual letter signs. However, the revisions of the definitions under consideration will change as follows:

SIGN, GROSS SIGN AREA: The area within a single rectangle or circle enclosing the extreme limits of the sign, but not including structural supports which are not an integral part of the sign; except that in the case of an individual ~~letter~~ symbol sign, only two-thirds (2/3) of the area of the enclosing rectangle or circle shall be counted as the gross area of the sign. Where a sign has two (2) or more faces which can be viewed from a single location, the gross area of all such faces shall be included in determining the total gross area of the sign.

Thus a sign could have a total square footage of 75.76 sq. ft. and still meet the 50 sq. ft. limitation once the 2/3 calculation is taken into the equation. An example of a sign that used the 2/3 bonus is CVS, where the current wall sign is 3 feet by 25 feet for 75 sq. ft. of signage, but once the 2/3 of this is applied, the square footage is just under 50 sq. ft. of signage.



- Does the 2/3 bonus provide too much additional signage and should the bonus be eliminated, or reduced?

- With the change in the definition to indicate “individual symbol” versus “individual letter”, what would constitute an individual symbol, and how should the 2/3 of the sign area calculation then be applied when the entire sign could be a boxed symbol, or how many individual symbols would constitute what was an “individual letter signs?”

For example: Would the following signs qualify for the 2/3 bonus square footage as an individual symbol? When does the individual symbol become different than a general canned sign? It could be argued that any boxed sign is an individual symbol.



In the example of the CVS/pharmacy sign, the City was contacted about revising the current signage to include a 24 hour box logo, as it was part of the CVS trademark. Does the box 24 hour sign constitute an individual symbol?

- How complex could an “individual symbol” sign be in order to qualify for the 2/3 bonus square footage?

Light Pole Banners

The definition of Light Pole Signs would change as follows:

~~SIGN, LIGHT POLE ARTWORK-SIGN: A sign consisting of a banner fabricated from a durable fabric with a design applied through silkscreening or similar application method affixed to a light pole, the content of such signs shall be civic or seasonal in nature. Such signs shall not include commercial advertising, business slogans or logos or the names of individual businesses, groups, organizations, shopping centers or office parks.~~

Staff has a concern that if the City continues to allow these signs, then they will become additional commercial signage. Staff considers that the use of such non-commercial seasonal decorations is best handled in the public right-of-way by the City only or as regulated through a master sign plan.

- Should the use of light pole banners be eliminated from the City’s Sign Regulations?

Conclusion

Based on prior discussions outlined in the introduction, and feedback from the May 7th meeting, Staff will prepare a draft ordinance and schedule the text amendment public hearing for the second meeting in June.

CURTIS, HEINZ, GARRETT & O'KEEFE, P.C.
Attorneys at Law
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To: Paul Langdon, City of Creve Coeur, Director of Community Development

From: Carl Lumley, Brian Malone

Date: March 30, 2012

Re: 8th Circuit decision on City of St. Louis Sign Code

MEMORANDUM

The City of St. Louis (City) and its Board of Adjustment (Board) were sued in federal court by Jim Roos, Neighborhood Enterprises, Inc., and Sanctuary in the Ordinary (SITO) (Collectively "Property Owners"). The suit alleged that the City's zoning code provisions relating to signs violated their constitutional rights to free speech. The sign in question is the "End Eminent Domain Abuse" sign painted on the side of a building near the intersections of Highways 44 and 55. The City had issued a citation asserting that the image was a "sign" as defined by the City's code and a permit was required. Property Owners filed an application for a permit and were denied because it did not comply with several limitations on signs for the relevant zoning designation. Property Owners appealed to the Board. At the Board hearing, Property Owners asserted that no permit was required because the sign was a "work of art" or "civic symbol" or "crest" and, therefore, by the terms of the ordinance was not a sign subject to the requirements of the sign code. Property owners also argued that, if the sign was prohibited, it violated their right to free speech. The Board upheld the denial of the permit. Property Owners then filed suit in federal court.

Local governments can make restrictions on speech based on its time, place and manner, so long as the restrictions do not relate to the content of the speech. The City attempted to justify its restrictions on signs principally based upon traffic safety and aesthetic concerns. The U.S. District Court ruled in favor of the City and the Board, finding that the Board's decision was not arbitrary, capricious, unreasonable, or in excess of the Board's jurisdiction. However, the Eighth Circuit Court of Appeals ruled that the City's ordinances violated Property Owners' constitutional rights and that the City's stated concerns with traffic safety and aesthetics were insufficient to justify curtailing the rights of Property Owners. The Court was primarily concerned that, in order to determine whether a permit was required under the ordinance, one would have to look at the content of the sign. Because works of art, civic symbols, and crests, were exempt, the analysis would necessarily be based on the content of the sign. The City would allow the display if it qualified as any of these "non-signs." Further, making these exceptions for

non-signs undercut the City's rationale for the restrictions. Non-signs, the court reasoned, are just as likely to implicate traffic safety and aesthetics as any sign. The Court of Appeals remanded to the District Court to determine whether the unconstitutional definitions of "sign" and its exceptions can be severed from the remainder of the sign code, or whether the entire sign code must be struck down.

In light of this decision, it would appear that many local sign codes contain unconstitutional content-based restrictions on speech. Regulation must address signs in general and cannot differentiate between signs based on their content. Also, it would be particularly difficult for an ordinance based on traffic safety and aesthetics to survive if any exceptions are contained therein, unless those exceptions exist because they do not implicate traffic safety or aesthetics. Simply stated, it appears that any exception to a restriction on a particular kind of sign must be consistent with the underlying purpose of the restriction itself. For instance, if a city ordinance provides that there are no signs permitted in the city's right of way, but an exception is created for real estate signs, such an ordinance would not survive under this decision because the content of the sign determines whether the sign is permissible and the exception for real estate signs does not relate to traffic safety or aesthetics.

SIGN: Any device, material, fixture, placard or structure, or part thereof, composed of lettered, numbered, symbolic and/or pictorial matter that is placed or located when in use outside of or on the exterior of or in the windows or other transparent surfaces of any building for display of a message, announcement, notice, direction, information or name that uses any color, form, graphic illumination, symbol or writing to advertise, announce the purpose of or identify the purpose of a person or entity or to communicate information of any kind to the public, but not including a church steeple or other religious symbol affixed to a church structure.

SIGN, ALTER (AS APPLIED TO A SIGN): A physical change in a sign or sign supports or an addition to a sign or sign supports. The term "alter" includes renovation, modification, rehabilitation or restoration, but does not include changing the copy on a ~~bulletin board sign, marquee sign or other~~ legal changeable copy sign.

SIGN, BANNER: Any sign of lightweight fabric or other non-rigid material that is mounted to a pole or a building by a frame at one (1) or more edges. ~~National flags, State or municipal flags or the official flag of any institution or business shall~~ Flags are not be considered banners.

SIGN, BILLBOARD OR OUTDOOR ADVERTISING: ~~An off-premises outdoor sign, display, device, figure, painting, drawing, message, plaque, poster, billboard, or other thing designed, intended or used to advertise or inform, any part of the advertising or information contents of which is visible from any point of the traveled ways of the interstate or primary systems.~~

~~*SIGN, BULLETIN BOARD SIGN, INSTITUTIONAL:* A sign attached to a building or freestanding which identifies a place of worship or school and which contains the name of the institution and changeable copy information such as the names of individuals connected with the institution, general announcements of events or activities occurring at the institution or similar messages.~~

SIGN, CANOPY SIGN: Any sign that is a part of or attached to an awning, canopy or other fabric, plastic or structural protective cover over a door, entrance, window or outdoor service area. A marquee is not a canopy.

SIGN, CHANGEABLE COPY SIGN: A sign on which message copy is changed manually or automatically through the utilization of attachable or integrally automated letters, numbers, symbols and other similar characters of changeable pictorial panels, ~~but not including an institutional bulletin board sign, gasoline station price sign or marquee sign.~~

SIGN, COMMERCIAL MESSAGE: Any sign ~~wording, logo or other representation~~ that, directly or indirectly, names, advertises or calls attention to a business, product, service or other commercial activity, but not including a sign offering a residential dwelling for sale, lease or rent.

SIGN, CONSTRUCTION SIGN: A temporary sign erected on the premises on which construction is taking place, during the period of such construction, ~~indicating the names of the architects, engineers, landscape architects, contractors or similar artisans and the owners,~~

~~financial supporters, sponsors and similar individuals or firms having a role or interest with respect to the structure or project.~~

~~*SIGN, DIRECTIONAL SIGN:* A sign which is designed and erected solely for the purpose of traffic or pedestrian direction and placed on the property to which or on which the public is directed including entrance and exit signs.~~

~~*SIGN, DIRECTORY SIGN:* A sign listing the name and/or use and/or location of the various businesses or activities conducted within a building or group of buildings.~~

SIGN, FACE: The area or display surface used for the message.

SIGN, FLASHING SIGN: A sign which contains an intermittent flashing light source or which includes the illusion of intermittent or flashing light by means of animation or an externally mounted intermittent light source. Also, any sign in which any part of the light source varies in intensity and/or hue and flashes or appears to flash or turn on and off; or a sign in which a message constantly flashes or turns on and off or alternates with other copy by means of rotating or otherwise moving portions of the sign.

SIGN, FREESTANDING SIGN: Any sign supported by structures or supports that are placed on or anchored in the ground and that are independent from any building or other structure including, without limitation, a low monument sign.

SIGN, FRONTAGE: The length along the front of the ground floor of a building occupied by a separate and distinct use and the length along the side of the ground floor of a building occupied by a separate and distinct use when the side of such building faces a street; or the width of a tenant space measured along the ground floor of a building occupied by a separate and distinct use which does not face a street but faces a parking lot.

SIGN, GROSS SIGN AREA: The area within a single rectangle or circle enclosing the extreme limits of the sign, but not including structural supports which are not an integral part of the sign; except that in the case of an individual ~~symbol~~letter sign, only two-thirds (2/3) of the area of the enclosing rectangle or circle shall be counted as the gross area of the sign. Where a sign has two (2) or more faces which can be viewed from a single location, the gross area of all such faces shall be included in determining the total gross area of the sign.

SIGN, HEIGHT: The vertical distance measured from the elevation of the centerline of the adjacent right-of-way at the point closest to the sign to the highest point of the sign.

SIGN, INCIDENTAL SIGN: A sign which is ~~too small to be~~generally informational and has a purpose secondary to the use of the premises on which it is located, such as "credit cards accepted here", "loading only", "telephone" or similar information. No sign with a commercial message legible from a position off the premises ~~shall be considered incidental.~~

SIGN, LIGHT POLE ~~*ARTWORK SIGN:* A sign consisting of a banner fabricated from a durable fabric with a design applied through silkscreening or similar application method affixed to a light~~

~~pole, the content of such signs shall be civic or seasonal in nature. Such signs shall not include commercial advertising, business slogans or logos or the names of individual businesses, groups, organizations, shopping centers or office parks.~~

SIGN, LOW MONUMENT SIGN: A freestanding sign not more than six (6) feet high which is located adjacent to a road right-of-way.

SIGN, MARQUEE SIGN: Any sign attached to in any manner or made a part of a marquee and which may include changeable copy.

SIGN, MOVING SIGN: Any sign or part of a sign which changes physical position by any movement or rotation, but not including rotating panels which are integrated within an outdoor general advertising device.

~~*SIGN, NAME PLATE:* A non-illuminated sign identifying only the name and occupation or profession of the occupant of the premises on which the sign is located.~~

SIGN, NON-CONFORMING SIGN: Any sign that was lawfully erected but no longer conforms to the requirements of this Chapter.

SIGN, OFF-PREMISES SIGN: Any sign, ~~except a billboard as defined herein,~~ which advertises or identifies a property, business or address, other than the property, business or address where the sign is displayed.

SIGN, ON-PREMISES PERMANENT SIGN: A sign pertaining only to the premises on which the sign is located, ~~and containing any of the following information:~~

- ~~1. The name of the owner, occupant, management, business or building;~~
- ~~2. The address;~~
- ~~3. The type of business, profession, service or activity;~~
- ~~4. The type or types of products offered; and~~
- ~~5. Other similar information.~~

SIGN, PAPER SIGN: A sign normally for temporary use made of paper, cardboard or similar material.

~~*SIGN, PARKING DIRECTION SIGN:* A sign indicating the entrance or exit to a parking lot.~~

~~*SIGN, PARKING REGULATION SIGN:* A sign stating the regulations for use of a parking lot.~~

SIGN, PERMANENT SIGNS: All signs which are not temporary signs.

Formatted: Normal (Web)

SIGN, PERMIT: A document certifying that the plans for the proposed sign comply with all applicable City ordinances and requirements.

SIGN, PORTABLE SIGN: Any sign not permanently attached to the ground or other permanent structure, which is designed to be transported including, but not limited to, signs designed to be transported by means of wheels, signs converted to A- or T-frames, menu and sandwich board signs and ~~hot air~~ balloons used as signs.

SIGN, PROJECTING SIGN: Any sign affixed to a building or wall in such a manner that its leading edge extends more than fourteen (14) inches beyond the surface of such building or wall but not including a sign suspended from a canopy and mounted perpendicular to a wall.

~~*SIGN, REAL ESTATE SIGN:* Any sign pertaining to the sale, lease or rental of real estate.~~

~~*SIGN, RESIDENTIAL SIGN:* A sign not exceeding six (6) square feet per sign face and not having more than two (2) sign faces, which is located in a residential zoning district and that contains no commercial message other than advertising the premises for sale, lease or rent.~~

SIGN, ROOF SIGN: Any sign erected and constructed wholly on and over the roof of a building, supported by the roof structure and extending vertically above the highest portion of the roof.

SIGN, SNIPE SIGN: A ~~temporary~~ sign ~~or poster~~ affixed to a utility pole, tree, fence, or similar structure~~etc.~~

~~*SIGN, TEMPORARY PROMOTIONAL DISPLAY:* A temporary sign or signs displayed so as to attract attention to the sale of merchandise or services or a change in policy or in the status of a business.~~

SIGN, TEMPORARY SIGN: A sign which is not illuminated and is not permanently installed or affixed to any sign, structure or building.

SIGN, UNSIGHTLY OR UNKEMPT SIGN: A sign that is clearly in disrepair, is missing part of its copy, has letters or other copy that are broken, missing or so faded that they are difficult to read from the street, is not securely affixed to either the ground or some other supporting structure, ~~contains an illegible message,~~ contains rust or peeling or flaking paint or has damage to its face which is clearly visible from the street.

SIGN, WALL SIGN: Any sign attached parallel to, but within fourteen (14) inches of, a wall, painted on the wall surface of or erected and confined within the limits of an outside wall of any building or structure, which is supported by such wall or building and which displays only one (1) sign face.

SIGN, WINDOW SIGN: A sign ~~made of die-cut vinyl, screen printing and/or gilding applied to or etched into the inside surface of the storefront glazing or composed of artistically rendered skeletal neon depicting the tenant's identity or product graphics~~ placed on the surface or within

three (3) feet of the inside of a window or other transparent surface and is visible from the exterior of the window or surface.