

August 16, 2021

TO: CapitolRiver Council Board Members and stakeholders

FROM: Jon Fure, CapitolRiver Council Executive Director

SUBJECT: Development Review Committee Motion recommending a change to City signage regulations

On August 10, the CRC Development Review Committee approved the following motion:

To move forward with a process to revise current signage restrictions, and to recommend support for the requested change to amend City Zoning Code Section 64.420 to allow advertising signage to be installed at professional sports arenas in B4 or B5 zones with seating for more than 1,000 people (current ordinance requires an arena to have seating for more than 10,000).

The committee's motion was based on a request by Lee Krueger, President of the Saint Paul Port Authority, which was also discussed by the Development Review Committee on June 8, 2021. No motions were made at the June 8 meeting.

Here is the text of the specific section that the committee is recommending to change, based on a request :

Sec. 64.420. - Advertising signs.

(a) Advertising signs prohibited. No advertising signs are permitted in any zoning district in the city. The purposes of this prohibition are to enhance views of the natural and built environments of the city, to improve aesthetically the fusion of residential and commercial areas, to promote community pride on the part of property owners, to encourage beautification and investment in the city, to protect property values, and to reduce cluttered and chaotic signage, which draws attention away from the identification signs of businesses and institutions located in the city. Existing legal nonconforming advertising signs that are not electrified, or illuminated by any means, as of October 26, 2005, may not be wired for electrification or illumination.

(b) Professional sports facility. At a professional sports facility with permanent seating for more than ~~ten one thousand 10,000~~ **1,000** spectators and located in a B4-B5 Business zone, one (1) or two (2) advertising signs are permitted as an accessory use subject to the following standards:

(1) Advertising signs shall face and be designed to be read by traffic on arterial streets as designated in the comprehensive plan. A facility fronting on one (1) arterial street is permitted to have one (1) advertising sign; a facility fronting on two (2) or more arterial streets is permitted to have two (2) advertising signs.

(2) No advertising sign shall be located within three hundred (300) feet of a residential zoning use, house of worship, or school offering general education courses at the elementary, junior high or high school level.

(3) No advertising sign shall exceed seven hundred (700) square feet in size.

(4) Advertising signs shall be attached to exterior walls of the sports facility structure and shall not project above the wall.

(5) If the zoning administrator determines that the sign lighting affects neighboring properties, advertising signs shall not be illuminated overnight, either from midnight or from one (1) hour after the end of any facility event, whichever is later, until 6:00 a.m.

(6) For signs with dynamic display, the modes of display of messages shall conform to the requirements in [section 64.405](#).

If the CRC Board chooses to approve this motion (if a majority of board members vote Yes), I will forward that recommendation to Councilmember Rebecca Noecker and City staff. It would then be at their discretion to pursue the ordinance change, which would require a public hearing.

If the CRC Board chooses to reject this motion (if a majority of board members vote No), I will also forward that to Councilmember Noecker and City staff.

Under current City regulations, the Treasure Island Center may install dynamic, illuminated signage with certain restrictions, but it would only be able to advertise the building's tenants. Mr. Krueger told the committee that the building ownership group is seeking the ordinance change, because the additional income that would be possible through advertising sales would make it more feasible to pay for the costs of installing and operating the signage. The [proposed locations and sizes of the signs](#) are posted on the CRC website.

Notes from the June 8 and August 10 Development Review Committee meetings:

- A question was asked about how many places downtown could accommodate seating for 1,000 people. The sign ordinance allows for advertising signs at a **professional sports facility with seating for 10,000 spectators (or 1,000 if the provision were amended)**, not any facility that can accommodate a large number of people. The only two that could allow for such signs would be Treasure Island Center and CHS Field.
- A question was asked about whether a billboard would need to come down to allow an advertising sign to go up at a professional sports facility. According to the City Zoning Administrator in the Department of Safety and Inspections, the answer to the question is no.
- A question was asked about how the distance to residential zoning uses is measured, per 64.420 (b) (2). The distance is measured from the residential use property line to the closest point of the sign.
- A question was asked about who owns the property. It is a private ownership group, where the Saint Paul Port Authority is the majority owner with two other owners.
- A question was asked about why off-site advertising is needed. Why not just advertise for the current building's tenants? Mr. Krueger said additional revenue is needed not only to pay for the signs, but because the pandemic has resulted in lower revenue from tenants. In fact, many Downtown buildings are appealing their property taxes because there have been tenants who have either closed or who have been unable to pay their rent due to the downturn in business activity during the pandemic. Furthermore, there are entertainment venues that could benefit from the opportunity to purchase advertising in these locations. The signs would also be able to display public service announcements, such as amber alerts, or to promote government and / or nonprofit programming.
- There is nothing worse than bright lights right outside of residents' windows.
- We are moving in the wrong direction if we think Downtown Saint Paul should be more like Times Square.
- Billboards in or near Downtown often advertise for businesses that are outside of Downtown, so allowing this type of signage hurts Downtown businesses.

- This is a slippery slope, so you need to have meetings with residents throughout Downtown to find out if they would be OK with digital advertising right outside of their window.
- There was a lawsuit where a billboard company sued the City of Saint Paul, and the City was forced to allow more billboards because the City allowed the dynamic sign with outside advertising on the Xcel Energy Center.
- Saint Paul used to have the highest number of billboards per capita. There used to be 608 billboards, and now that has been reduced to 408. Most of the billboards in Saint Paul are located in poorer neighborhoods.
- The sign would be built by Clear Channel, and the lights would be pointed down toward the street to minimize the light pollution for tenants in other buildings.

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