



## Legislation Text

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**File #:** RES 13-730, **Version:** 1

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Requesting a Planning Commission study of zoning changes to the sign ordinance regarding murals, flexible dynamic display screens, and outdoor business signs.

WHEREAS, a “sign” is defined under §64.121.S as: “The use of words, numerals, figures, devices, designs or trademarks the purpose of which is to show or advertise a person, firm, profession, business, product or message”; and

WHEREAS, a “wall sign” is defined under §64.125.W as: “A sign attached to or erected against the wall of a building or structure, with the exposed face of sign in a place substantially parallel to the plane of said wall”; and

WHEREAS, a “sign with dynamic display” is defined under §64.121 as: “Any sign capable of displaying words, symbols, figures, or images that can be electronically or mechanically moved or changed by remote, automatic or electronic means, but not including merely the ability to turn the sign on or off,” and

WHEREAS, the Saint Paul sign ordinance does not have a definition of a “mural” nor does it have any language defining what would and would not be a sign on a flexible dynamic display screen, nor does it distinguish between what is a sign and what is art; and

WHEREAS, art work or murals or flexible dynamic display screens occasionally contain advertising words or product or brand designs within the overall visual; and

WHEREAS, one of the intents and purposes of the sign ordinance under §64.101(d) is “To encourage a concern for the visual environment which makes the city a more desirable place to live”; and

WHEREAS, public art, according to Strategy 3 of the Land Use Chapter of the Comprehensive Plan, “strengthens the public realm and enhances the city’s identity. It promotes economic vitality and civic life. It advertises that Saint Paul is an attractive place to live, work, and visit”; and

WHEREAS, at a recent appeal before the City Council regarding Creative Kidstuff at 1074 Grand Ave., what city staff determined met the definition of a sign was decided by the Council to not be subject to sign regulations, creating uncertainty about Council intent; and

WHEREAS, new flexible screens that project websites with dynamic display are now possible, and one is currently on display in Lowertown; and

WHEREAS, city regulating staff and those interested in creating murals and those interested in installing flexible screens with dynamic displays need to have clear direction in determining whether or not sign regulations must be met; now therefore;

BE IT RESOLVED, that the Saint Paul City Council hereby requests the planning commission to study the issue of murals, and of flexible screen dynamic display websites, looking at how other municipalities address the difference between signs and art; whether portions of a mural should be considered a sign and portions considered art; and make recommendations for amendments to Chapter 64 to clarify when murals or dynamic display websites should require a sign permit and when they should be a permitted use as a form of artistic

expression; and

FURTHER BE IT RESOLVED, that the Saint Paul City Council requests Chapter 64 recommendations from the Planning Commission by March 12, 2014.