

# Memorandum

## Department of Planning & Development Services



**To:** Planning and Public Works Committee

**From:** Andrew Stanislav, Planner *AS*

**Date:** July 18, 2019

**RE:** **P.Z. 08-2019 City of Chesterfield (Unified Development Code – Article 4)**: An ordinance amending Article 4 of the Unified Development Code to revise regulations pertaining to Sign Packages as established in Section 31-04-05 Sign Requirements.

### **Summary**

The purpose of this petition is to amend the regulations pertaining to Sign Packages in Article 4, Section 31-04-05 Sign Requirements. Specifically, this amendment is to incorporate language to provide regulations and standards for consideration of electronic message centers (EMCs). This proposed amendment is in relation to direction received by the Planning and Public Works Committee to pursue updates to the UDC Sign Requirements.

On April 22, 2019, a discussion was initiated at the Ordinance Review Committee regarding ideas for regulating electronic messaging centers. Staff introduced draft language of standards for electronic messaging centers at the June 12, 2019 Planning Commission Work Session based on research and prior discussion. Commission members continued discussion based on the provided materials, and the addition of minimum resolution standards was requested.

A Public Hearing was held for this request at the June 24, 2019 Planning Commission meeting, and there were no speakers for this item. This project was also presented for vote at the same Planning Commission meeting, at which time the Planning Commission recommended approval with one amendment by a vote of 8-0. The amendment was to correct the language of item “*d.5.a(7) Malfunction and noncompliance*” as presented by Staff. Staff worked with sign vendors throughout this process which resulted in the revised language for this item based on the current technological capabilities of electronic message centers and their ability to comply with the proposed standards.

Additionally, there was discussion on the proposed ten-second minimum image display duration for electronic message centers. Staff explained these types of regulations are generally determined as a function of design speed of the roadway, sight distance, and setbacks. Utilizing design speeds, traffic studies, and sight distance at a number of locations, the results for each site had a recommended value between eight (8) and ten (10) seconds. Also, wave length as it pertains to brightness was also discussed.

The ordinance language recommended by the Planning Commission is attached.

Attachments

1. Amendment to UDC Article 4 Sign Requirements

## Sec. 31-04-05.

### D. Sign Package Submittals.

1. The purpose of a sign package is to provide comprehensive, complementary and unified signage throughout a single development or contiguous lots under common ownership. If a sign package exists for a multi-lot development or subdivision, then individual lots within that subdivision or development may not submit their own, separate sign package. In addition, developments of a certain size, quality, or mix of uses may require special signage consideration. Therefore, in order to encourage superior design, quality and character, comprehensive sign packages allow for specialized review of signs and flexibility from standard signage requirements.
2. When a sign package is requested for a proposed or existing development, the criteria for signs, as provided for in this Article, may no longer be applicable in its entirety or portions thereof. The reason for the requested modification is to provide for flexible sign criteria that promotes superior design and is tailored to a specific development which may vary from general ordinance provisions.
3. Consideration of flexibility in sign criteria is based on a number of review factors, including, but not limited to, the physical impact of the proposed comprehensive sign package, the quality of the proposed comprehensive sign package, and mitigation of unfavorable conditions such as excessive signs, light spillover from signs, height, and other related conditions and potentially negative impacts.
4. When a sign package is requested for a development, the following shall be submitted to the Department:
  - a. A narrative detailing the reasoning for the sign package request and why it will enhance the proposed development above what would be permitted through the City of Chesterfield UDC.
  - b. The maximum number of proposed signs.
  - c. Location, size, height, construction material, and placement of all proposed signs.
  - d. General elevations of all proposed freestanding, monument, wall, and any other sign that requires City of Chesterfield approval.
  - e. Illumination level, color and type. Illumination shall conform to the Section 31-04-03, Lighting standards, of this Article.
  - f. Dimensions, height, square footage of all existing signs or note that none exist for both freestanding and attached signs (submit picture of all existing signage).
  - g. Material specifications for proposed signs including sign materials and colors.
  - h. Landscaping of any freestanding or monument signs.
5. **Electronic Message Centers.**
  - a. In addition to submittal requirements noted in sub-section 4., any request for an electronic message center shall comply with the following:
    - (1) Duration of image display. Each image displayed shall have a minimum duration of ten (10) seconds.
    - (2) Presentation. The image shall be a static display. No portion of the image shall flash, scintillate, fade in or fade out, scroll, twirl, change color, or in any manner imitate

movement. No motion imagery, special effect to imitate movement, or presentation of graphics displayed in a progression of frames that give the illusion of motion shall be permitted.

- (3) Transition. When the image or any portion thereof changes, the change sequence shall only be accomplished by means of instantaneous re-pixelization.
  - (4) Dimmer control. The electronic message center shall be equipped with an automatic dimmer control to automatically produce a distinct illumination change from a higher illumination level to a lower level according to ambient light conditions and for the time period between sundown and sunrise.
  - (5) Brightness. The electronic message center shall not exceed a maximum of seven thousand (7,000) nits (candelas per square meter) during daylight hours and a maximum illumination of six hundred (600) nits (candelas per square meter) between sundown and sunrise measured from the sign's face at maximum brightness.
  - (6) Fluctuating or flashing illumination. No portion of the electronic message center may fluctuate in light intensity or use intermittent, strobe or moving light or light that changes in intensity in sudden transitory bursts, streams, zooms, twinkles, sparkles or that in any manner creates the illusion of movement.
  - (7) Malfunction and noncompliance. In the case of malfunction, digitally-illuminated signs are required to contain a default design to freeze the sign message in one position.
  - (8) Resolution and pixel spacing. The electronic message center shall not have a pixel pitch larger than sixteen (16) millimeters (mm).
  - (9) Angle. When the interior angle formed by the faces of a V-shaped sign is less than one hundred eighty (180) degrees, both faces of the sign must display the same image.
- b. In considering a Sign Package that includes an Electronic Message Center, the Planning Commission shall consider the following additional items in their review:
- (1) Proximity of the proposed Electronic Message Center to other similar signs;
  - (2) Proximity and impact on adjacent land uses with particularly consideration given to residential properties and uses;
  - (3) Impact of the total amount of signage on the site in conjunction with the use of the Electronic Message Center;
  - (4) Nature and character of the roadway on which the project is located;
  - (5) Nature of character of the proposed use and area within which the project is located;
  - (6) Size of the project and roadway frontage; and
  - (7) Resolution of proposed sign accounting for size of sign, roadway characteristics, and other relevant features.
- c. Any of the standards in sub-section 5.a. of this Section may be modified by a separate 2/3 vote of the Planning Commission.
6. Planning Commission Action. The Planning Commission may approve, approve with modifications, or deny the proposed sign package based on its conformance with this subsection, findings of the

submittals furtherance of the purpose in Section 31-04-05.A., and consistency with the Comprehensive Plan.

7. Appeals. Appeals from any portion of this subsection, including the Planning Commission's decision on the electronic message center, shall be made to the City Council in accordance with the process and requirements in Section 31-02-19.