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## Planning Commission Staff Report

**Meeting Date:** March 8, 2021

**From:** Mike Knight, Assistant City Planner

**Location:** City of Chesterfield

**Petition:** **P.Z. 01-2021 City of Chesterfield (Unified Development Code—Article 4 and Article 10):** An ordinance amending Article 4 and Article 10 of the Unified Development Code to revise regulations pertaining to window signs.

### **SUMMARY**

The Unified Development Code (UDC) was approved and adopted by the City of Chesterfield City Council in June of 2014. The purpose of this petition is to discuss and potentially revise these regulations where they pertain to window signs in Article 4, Section 405.04.050 *Sign Requirements* and the associated definition of a window sign in Article 10, Section 405.10.040 *Signage Terms*.

This petition is the result of a request, received by the Planning and Public Works Committee at the February 18, 2021 meeting, to review window signage. The Committee directed staff to research the current regulations and bring forward potential updates to the window sign requirements with the City's Unified Development Code. Specifically, staff was directed to clarify window signage quantity and location. The first available date to schedule the required Public Hearing after the February P&PW meeting is March 22<sup>nd</sup>, 2021.

The goal of this meeting is to have a discussion with the Planning Commission about the current regulation of window signage, as well as to provide insight on the potential recommendations to the Planning Commission, before the scheduled Public Hearing.

## **HISTORY**

Window signs are currently permitted and have been permitted since before the City was incorporated. The table on this page outlines a history of window sign regulations in the City of Chesterfield. The window sign regulation has been largely consistent, with two minor amendments, most notably a 10% decrease in signage outline area allowed per window in 1997. It is important to note the dates outlined within the “Historical Reference” column are not a singular point in time, but an estimated time period based on research of both previous zoning ordinance and the City’s Unified Development Code.

Historical Reference	Window Sign Regulation
Pre-1988 -1997 Zoning Ordinance	Signs may be placed on any window in addition to other permitted signs. However, the outline area of the signs shall occupy no more than 50% of the outline area of any window on the ground floor and no more than 20% of any window on any other level of the building.
1997 Zoning Ordinance - Present Unified Development Code	Window signs may be placed on any window in addition to other permitted signs. However, the outline area of said signs, whether temporary or permanent, shall occupy no more than (40%) of the outline area of any window on the ground or first floor level of the building and no more (20%) of any window on any other level of the building. A sign permit shall not be required for any window sign.

Table 1

## **REQUEST**

At the February 18<sup>th</sup>, 2021 Planning and Public Works Committee meeting, there was discussion of Window Signs under New Business. This discussion led to formal direction by the Committee directing staff to review the current regulation of window signage and address concerns brought forward by City Council. There were two primary concerns about window signs brought by City Council. The first concern is that window signs are currently permitted on multiple floors of buildings, in which some office buildings consist mostly of glass windows. The second concern is that unlike monument and wall signs, there is no maximum allowed amount of window signs, and thus every window of a building could be covered under the current allowable percentage (Table 1).

## **RESEARCH**

In accordance with the request by the Planning and Public Works Committee, staff reviewed window signage regulations of a number of surrounding municipalities. Additionally, staff spoke to Planners in surrounding municipalities about review and enforcement of window signage, and also discussed the topic of window signage with nearby sign companies. After this thorough review, it was determined that window sign regulation varies widely between each municipality. In some cases, no additional signage is allocated for windows, while some are only approved for a temporary length in time, and in other cases, it is a percentage of the total window area of a façade vs. an individual window. The City of Chesterfield regulations were not unique, but there is a definite lack of consistency about window signage regulation between municipalities.

## **RECOMMENDATION**

The first concern of the Planning and Public Works Committee is that window signs are currently permitted on multiple floors of buildings. The Unified Development Code reads that outline area of window signs, whether temporary or permanent, shall occupy no more than twenty percent (20%) of any window on any other level of the building. Staff proposes to remove the language referencing other levels, solely permitting window signs on the first floor of a building. Currently there are not many, if any, businesses that have window signs above the first floor. Although this may have minimal impact on the current conditions, it will prevent a full glass office building from having numerous signs on individual tenant floors above the first level.

The second concern is that there is no maximum on the total number of window signs. One solution is to draft similar regulation as the permitted quantity of wall signs within code. Each tenant will be allowed one window sign on any two windows of a building or particular tenant space, unless the tenant business is the sole occupant of a building located on a corner lot or double frontage, then the business may have one window sign on any three windows. This proposed change allows for consistency within the sign code and guarantees each ground floor tenant of a building the opportunity to have a window sign, assuming they have a window.

Below is a red-line version of the Unified Development Code incorporating the recommendations above.

Section 405.04.050 F.8.c.

### **Window Signs.**

- 1) Subject to the specific regulations set out below, each business occupying a tenant space or being the sole occupant of a freestanding building shall have no more than one (1) window sign on any two (2) windows of a building that are exterior windows of the particular building or tenant space solely on the ground or first floor of the building. Window signs may be in addition to other permitted signs.**

- 2) For a business being the sole occupant of a building located on a corner lot or a lot with double frontage, said business may have one (1) window sign on any three (3) windows of a building.
- 3) The outline area of said signs, whether temporary or permanent, shall occupy no more than forty percent (40%) of the outline area of any window on the ground or first floor level of the building.
- 4) A sign permit shall not be required for any window sign.

It is important to note that when considering the regulations of widow signs, items such as hours of operation, open/closed, and other messages that cannot be understood from a position off-site are considered “incidental” and are exempt signs in the City’s Unified Development Code.

Staff recommends a minor change to the definition of a window sign in Article 10 of the City’s Unified Development Code for clarification purposes. The draft red-line change is below.

Section 405.10.040 Signage Terms.

#### SIGN, WINDOW

Any sign, including paint, placed ~~inside a window or~~ upon ~~the window~~ a single pane ~~s or~~ of glass that is visible from the exterior of the window.

The changes herein are recommended by Staff in order to effectively administer the UDC as originally intended and to implement revised language as directed by the Planning and Public Works Committee. Staff is requesting that the Planning Commission have a discussion over these items subsequent to the Public Hearing scheduled for March 22<sup>nd</sup>, 2021. No action is being requested at the March 8<sup>th</sup> Planning Commission meeting. After a vote is taken by the Planning Commission, this project will be presented before the Planning and Public Works Committee for a recommendation to the City Council.

**No vote is requested at this time. Input received will be incorporated into the draft regulations which will then be presented at a future Public Hearing before the Planning Commission.**

Links:

1. [UDC Article 04-05 Sign Requirements](#)
2. [UDC Article 10-04 Signage Terms](#)