

ORDINANCE #69198
Board Bill No. 71

An Ordinance recommended by the Planning Commission repealing a part of Section Five of Ordinance 62588 relating to signs at carry-out restaurants and motor fuel pumping stations, designated as Section 26.40.026(B)(1)(b) and Section 26.40.027(B)(2), respectively, in the Revised Code of the City of St. Louis; and repealing Ordinance 68849, which is codified as Section 26.68 of the Revised Code of the City of St. Louis and designated as Comprehensive Sign Control Regulations, and enacting a new Ordinance on the same subject matters; containing a substitution clause, severability clause, savings clause and an emergency clause.

NOW THEREFORE BE ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:

SECTION ONE. Section Five of Ordinance 62588, designated as Section 26.40.026(2)(A)(2), [codified as Section 26.40.026(B)(1)(b) in the Revised Code of the City of St. Louis] and Section 26.40.027(2)(B) [codified as Section 26.40.027(B)(2) in the Revised Code of the City of St. Louis] is hereby repealed.

SECTION TWO. Enacted in lieu thereof is the following new section pertaining to signs at carry-out restaurants and motor fuel pumping stations:

26.40.026(B)(1) Site requirements for carry-out restaurants.

b. The carry-out restaurant does not have more than one freestanding sign. Said sign shall not exceed 25 feet in height nor exceed on all faces a total of 150 square feet of sign copy and shall be a minimum of 50 feet from any existing residential use or dwelling district.

26.40.027(B) Site requirements for motor fuel pumping stations.

2. Not more than one free-standing sign shall be permitted; said sign shall not exceed 25 feet in height nor exceed on all faces a total of 150 square feet of sign copy and shall be a minimum of 50 feet from any existing residential use or dwelling district.

SECTION THREE. Ordinance 68849 is hereby repealed.

SECTION FOUR. Enacted in lieu of Ordinance 68849 is the following new Chapter:

**COMPREHENSIVE SIGN
CONTROL REGULATIONS**

26.68.010	Scope of chapter.
26.68.015	Purpose.
26.68.020	Definitions.
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26.68.050	Repealed.
26.68.055	Signs on vacant City or Land Reutilization Agency-owned properties.
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26.68.070	Signs in historic districts.
26.68.080	Signs in zone districts A, B, C, D and E.
26.68.090	Signs in zone district F.
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26.68.110	Signs in zone districts J and K.

26.68.120	Signs in zone districts I and L
26.68.130	Outdoor general advertising devices.
26.68.135	Prohibited use of signs.
26.68.140	Signs for and by nonconforming use in all zone districts.
26.68.150	Nonconforming signs.
26.68.160	Signs in chapter 353 development plans, in signage plan overlay districts and signs with special provisions.
26.68.170	Prohibited signs.
26.68.175	Board-up signage prohibited.
26.68.180	Removal of signs within or on public right-of-way or easement.
26.68.190	Substitution clause.

26.68.010 **Scope of chapter.**

These regulations shall govern and control the erection, remodeling, enlarging, moving, operation and maintenance of all signs by conforming uses within all zoning districts. Nothing herein contained shall be deemed a waiver of the provisions of any other ordinance or regulation applicable to signs. Signs located in areas governed by several ordinances and/or applicable regulations shall comply with all such ordinances and regulations.

26.68.015 **Purpose.**

In interpreting and applying the provisions of the sign regulations of the zoning code, they shall be held to the minimum requirements for the promotion of the public health, traffic safety and convenience, comfort, prosperity, aesthetics and general welfare.

26.68.020 **Definitions.**

For the purpose of this chapter the following terms, phrasing, words and their deviations shall have the meaning given herein:

1. **Animation or Animated Sign.** "Animation or Animated sign" means any sign or part of a sign which changes physical position by any movement or rotation, including electronic and video display changed by remote or automatic means.

2. **Area of Sign.** The area of a sign shall be measured in conformance with the regulations as herein set forth provided that the structure or bracing of a sign shall be omitted from measurement unless such structure or bracing is made part of the message or face of the sign. Where a sign has two faces at a right angle to the building or street, the area of one face shall determine the area of the sign. Where a sign has two faces not at a right angle to the building or street or has three or more faces, the area of all faces shall determine the area of the sign.

a. **Sign With Backing.** The area of all signs with backing or a background, material or otherwise, that is part of the overall sign display shall be measured by determining the sum of the areas of each square, rectangle, triangle, portion of a circle or any combination thereof which creates the smallest single continuous perimeter enclosing the extreme limits of the display surface or face of the sign including all frames, backing, face plates, nonstructural trim or other component parts not otherwise used for support.

b. **Signs Without Backing.** The area of all signs without backing or a background, material or otherwise, that is part of the overall sign display shall be measured by determining the sum of the area of each square, rectangle, triangle, portion of a circle or any combination thereof which creates the smallest single continuous perimeter enclosing the extreme limits of each work, written representation (including any series of letters), emblems or figures of similar character including all frames, face plates, nonstructural trim or other component parts not otherwise used for support.

c. **All Other Signs or Combinations Thereof.** The area of any sign having parts both with and without backing shall be measured by determining the total area of all squares, rectangles, triangles, portions of a circle of any combination thereof constituting the smallest single continuous perimeter enclosing the extreme limits of any of the following combinations: the display surface or face of the sign including all frames, backing, face plates, nonstructural trim or other component parts not otherwise used for support for parts of the sign that have backing and each words, written representation (including any series of letters), emblems or figures or a similar character including all frames, face plates, nonstructural trim or other component parts not otherwise used for support for parts of the sign having no backing.

3. **Building Front.** "Building front" means that exterior wall of a building facing the front line of a premises.

4. **Display Surface or Face.** "Display surface or face" means the area made available by the sign structure for the purpose of displaying the message.

5. **Distance of Sign Projection.** "Distance of sign projection" means the distance from the exterior wall surface of the building to the display face of a wall sign.

6. **Electronic Message Center.** "Electronic message center" means a sign or device capable of displaying letters, numbers, words, symbols, figures or images, including graphics, that can be electronically, digitally or mechanically changed by remote or automatic means. This definition includes what is commonly referred to as a "digital" sign or device.

7. **Exterior Wall Surface.** "Exterior wall structure" means the most exterior part of a wall, sun screen or any screening or material covering a building.

8. **Flashing Signs.** "Flashing sign" means any directly or indirectly illuminated sign either stationary or animated, which exhibits changing natural or artificial light or color effects by any means whatsoever, including blinking, fluctuating scrolling or fading.

9. **Ground Sign.** "Ground sign" means a sign supported by poles, uprights or braces extending from the ground or an object on the ground but not attached to any part of any building. Height measurement for ground signs shall be from the grade level or the level of the abutting roadway whichever is higher.

10. **Illuminated Sign.** "Illuminated sign" means a sign lighted by or exposed to artificial lighting either by lights on the sign or within the sign or directed towards the sign.

a. **Concealed Light Source.** Internal and external lighting, such as neon tubing, flood lights, thin line and gooseneck reflectors are permitted provided the light source is directed upon the face of the sign and is effectively shielded so as to prevent beams or rays of light from being directed toward any person facing such sign or device upon any public way or street and shall not be of such intensity so as to cause glare or impair the vision of any person upon any public way or street or adjoining premises. Neon tubing shall be enclosed in channels or covered by plastic faces.

b. **Exposed Light Source.** Internal and external lighting, such as neon tubing and lamps are permitted, provided the intensity of such lighting shall not cause glare or impair the visions of any person, facing such sign or device, upon any public way, street or adjoining premises.

11. **Joint Identification Sign.** "Joint identification sign" means a sign which serves as a common or collective identification for two (2) or more businesses or industrial uses on the same premises.

12. **Marquee Sign.** "Marquee sign" means a sign on or attached to a permanent overhanging shelter that projects from the face of a building and is supported entirely by the building and which sign is painted on or erected against the marquee. Said such signs shall not exceed seven (7) feet in height nor shall they project below the face of the marquee nor lower than ten (10) feet above the sidewalk. A marquee sign may extend the full length but in no case shall it project beyond the ends of the marquee.

13. **On-premises Signs.** "On-premises sign" means a sign relating to products, goods, services or uses which are conducted, sold, manufactured, produced, offered or occurs on the same premises as the sign.

14. **Outdoor General Advertising Device.** "Outdoor general advertising device" means a device maintained by advertising agencies which advertises products of their customers or clients, and all business signs individually or privately owned which are not on the premises of the owner or place of business to which they apply, including wall signs and those otherwise attached to

buildings and structures or devices, as well as those not attached to buildings and supported by uprights or braces on the ground.

15. **Projecting Sign.** "Projecting sign" means a sign attached to a building at an angle, provided:

- a. There is no more than one such sign for each entrance door to a business establishment;
- b. It projects no more than five (5) feet from the building;
- c. The sign advertises a use which occupies at least eighteen (18) feet of sign frontage;
- d. The bottom of the sign is at least ten (10) feet from grade and its top is no higher than whichever of the following is highest: forty (40) feet above grade, or the height of the building at the building line; and
- e. No support for a sign shall extend above the cornice line of a building to which it is attached.

16. **Roof Line.** "Roof line" means the highest point on any building where an exterior wall encloses usable floor area including floor area provided for housing mechanical equipment.

17. **Roof Sign.** "Roof sign" means an on-premises sign which projects above the roof line or is located on the roof of a building or structure.

18. **Sign.** "Sign" means any object or device or part thereof situated outdoors which is used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business product, service, event, or location by any means including words, letters, figures, designs, symbols, fixtures, colors, motion, illumination or projected images.

19. **Sign with Backing.** "Sign with backing" means any sign that is displayed upon, against or through any material or color surface or backing that forms an integral part of such display and differentiates the total display from the background against which it is placed.

20. **Sign without Backing.** "Sign without backing" means any word, letter, emblem, insignia, figure or similar character or group thereof, that is neither backed by, incorporated in or otherwise made part of any larger display area.

21. **Sign Frontage.** "Sign frontage" means the length along a ground floor building front, facing a street or a private way accessible from a street, which is occupied by a separate and distinct use or by the same use which occupies the front of said building.

22. **Street Front.** "Street front" means any boundary line of a premises or parcel of land that runs parallel to and within twenty (20) feet of the right-of-way of a street or highway designated and assigned an individual name or number by the legislative action of the municipality.

23. **Street Property Line.** "Street property line" means a common boundary between private property and a dedicated street or alley.

24. **Temporary Sign.** "Temporary sign" means any exterior sign or advertising display constructed of cloth, canvas, fabric, plywood, metal or other material intended to be displayed for a short period of time not in excess of six (6) months.

25. **Wall Sign.** "Wall sign" means a sign attached to, painted on, or erected against a wall or parapet wall of a building or structure which extends no more than twenty-four (24) inches from the wall surface upon which it is attached and whose display surface is parallel to the face of the building to which the sign is attached.

26. **Wind Sign.** "Wind sign" means any sign in the nature of a series of two (2) or more banners, flags, pennants or other objects or material which call attention to a product or service fastened in such a manner as to move upon being subjected to pressure by wind or breeze.

27. **Window Sign.** "Window sign" means a sign which is applied or attached to, or located within three (3) feet of the interior of a window, which sign can be seen through the window from the exterior of the structure.

26.68.030 **Repealed.**

26.68.050 Repealed.**26.68.055 Signs[RW1] on vacant City or Land Reutilization Authority of the City of St. Louis-owned properties.**

A. Notwithstanding to the contrary any ordinance, statute, or legal authorization from the City or Land Reutilization Authority, respectively, the placement of any sign on any building or structure owned by the City or the Land Reutilization Authority which is vacant or unoccupied, on any traffic control device or signal or on any utility pole is prohibited.

B. Notification of Violation--Removal Required. Upon receiving a complaint from any person that a sign or advertisement has been placed in violation of this ordinance, the Building Commissioner shall issue a notice to the person, partnership or corporation whose name appears on such sign or advertisement requiring such person, partnership or corporation to remove the signage within fifteen (15) days of the date of the notice. Failure to remove the signage with this period of times shall constitute a violation of this section.

D. Penalty for Violation. Any person who is found guilty or who enters a plea of guilty to a violation of this section shall be punished by a fine of not more than \$500.00 or by imprisonment of not more than ninety (90) days or by both a fine and imprisonment.

26.68.060 Permits required in all districts.

No person shall erect a sign not described herein above until a building permit for said sign has been issued by the Building Commissioner stating that said proposed sign complies with the rules and regulations described herein below relating to signs. In addition to other information with regard to said sign as may be required by the Building Commissioner, the applicant must provide a glossy 8" x 10" photograph(s) of the premises where the sign is proposed which adequately shows all existing signs on the premises, and all pertinent information needed to properly review the application as requested by the Building Commissioner. If said sign complies with the herein below rules and regulations, the permit may be issued by the Building Commissioner if said sign also complies with all applicable provisions of the Building Code of the City; if said sign fails to comply with the rules and regulations set out herein below said permit shall not be issued, regardless of whether said sign complies with all provisions of the Building Code of the City.

26.68.070 Signs in historic districts.

No sign shall be erected within a district which has been zoned an historic district, unless said sign meets and satisfies an requirements of the applicable historic district ordinance and accompanying development plan, which ordinance has been approved by the Board of Aldermen and the Mayor of the City.

26.68.080 Signs in zone districts A, B, C, D, and E.

A. General. On premises signs may be erected, altered and maintained only for and by a conforming use in the district in which the signs are located; shall be located on the same premises as the conforming use and shall be clearly incidental, customary as commonly associated with the operation of the conforming use provided, however, that no sign of any type shall be erected or maintained for or by a single unit dwelling.

B. Permitted Contents. Identification by letter, numeral, symbol or design of the conforming use by name, use, hours of operation, services offered and events.

C. Permitted Sign Types. Wall, window and ground.

D. Permitted Maximum Number. One (1) sign for each front line of the premises on which the conforming use is located.

E. Permitted Maximum Sign Area.

1. **Hotel and Motel.** No one sign shall exceed thirty (30) square feet.

2. **All other uses.** Total signage shall not exceed thirty (30) square feet.

F. Permitted Maximum Height.

1. **Wall and Window Signs.** The roof line of the building to which the sign is attached.
2. **Ground Signs.** Six (6) feet above grade.

G. Permitted Location.

1. **Wall and Window Signs.** Shall be set back from the boundary lines of the premises on which they are located, the same distance as a building containing a conforming use; provided, however, wall signs may project into the required setback space the permitted depth of the sign;

2. **Ground Signs.** Shall be set in at least ten (10) feet from every boundary line of the premises or shall be set in on a line parallel with the exterior line of any building on the said premises.

H. Permitted Illumination. May be illuminated but only from a concealed light source, shall not remain illuminated between the hours of 12:00 a.m. and 6:00 a.m., and shall not flash, blink, fade, scroll or fluctuate.

I. Animation. Shall not be animated.

26.68.090 Signs in zone district F.

A. General. On premises signs may be erected, altered or reconstructed only for and by a conforming use in the district in which the signs are located; shall be located on the same property as the conforming use and shall be clearly incidental, customary and commonly associated with the operation of the conforming use; provided, however, that no sign of any type shall be erected or maintained for or by a single unit dwelling except signs identifying home occupations.

B. Permitted Contents. Identification by letters, numeral, symbol or design of the conforming use, by name, use, hours of operation, services offered and events.

C. Permitted Sign Types. Wall, window, ground, marquee and roof signs are permitted. Projecting signs that comply with the provisions in the definition section, designated as Section 26.68.020(15)(a-e), are permitted[RW2].

D. Permitted Maximum Sign Area.

1. **Hotel and Motel.** No one sign shall exceed two hundred (200) square feet.
2. **All Other Uses.** The total area in square feet of all on-premises signs on a sign frontage, except for free-standing signs shall not exceed:

Average Distance of Sign from Center Line of Abutting Street	Sign Frontage Multiplied by
Less than 100	2*
100—399	4
400 and over	5

* Excepting that a use with less than twenty-five (25) feet of sign frontage may have a maximum of fifty (50) square feet of on-premises signs.

3. The distance of a sign on or under a canopy, marquee or awning from the center line of an abutting street shall be constructed to be the same as if such sign were attached to the building to which the said canopy, marquee or awning is attached.

4. If the first floor of a building is substantially above street grade and the basement is only partially below street grade, separate occupants of each level may each have one-half (1/2) the square feet of signage to which use would be entitled if it were a single ground floor use.

5. If a building fronts on two (2) or more streets, the sign area for each street frontage shall be computed separately.

6. If the ground sign has two (2) faces the area of each face shall not exceed seventy-five (75) square feet; if a ground sign has more than two (2) faces the total of all faces shall not exceed one hundred fifty (150) square feet. A premise with a front line of two hundred (200) feet or more may have two (2) ground signs.

E. Permitted Maximum Height.

- 1. **Wall and Window Signs.** The roof line of the building to which the sign is attached.
- 2. **Ground Signs.** Shall not exceed thirty (30) feet above grade.

3. **Roof Signs.** Including the supporting structures fifty percent (50%) of the building height on which they are erected but a maximum height of five (5) feet above roof line, or parapet wall if it is higher than the roof line. Further, there must be a clear space of not less than four (4) feet between the lowest part of the sign and roof level, except for necessary structural supports, if sign is over one hundred (100) square feet in size. If such clearance is necessary said sign cannot exceed nine (9) feet above roof line or parapet wall. If sign is less than one hundred (100) square feet no such clearance is necessary.

F. Permitted Location.

- 1. **Wall and Window Signs.** Shall be set in from the boundary lines of the premises on which it is located, the same distance as a building containing a conforming use; provided, however, wall signs may project into the required setback space the permitted depth of the sign.
- 2. **Ground Signs.** Shall be set in at least three (3) feet from every boundary line of the premises.

G. Permitted Illumination. Concealed or exposed light source. No sign shall be illuminated that it interferes with the effectiveness of an official traffic sign, signal or device; illumination shall not flash, blink, fade, scroll or fluctuate.

H. Animation. Shall not be animated.

26.68.100 Signs in zone districts G and H.

A. General. On premises signs may be erected, altered or reconstructed only for and by a conforming use in the district in which the signs are located; shall be located on the same premises as the conforming use; and shall be clearly incidental, customary and commonly associated with the operation of the conforming use.

B. Permitted Contents. Identification by letter, numeral, symbol and design of the conforming use by name, use, hours of operation, services and products offered, events and prices of products and services.

C. Permitted Sign Types. Wall, window, ground, marquee and roof signs are permitted. Projecting signs that comply with the provisions in the definition section, designated as Section 26.68.020(15)(a-e), are permitted[RW3].

D. Permitted Maximum Sign Area.

1. **Hotels and Motels.** On premises having a linear street frontage of one hundred (100) feet or less: one hundred (100) square feet; on premises having a linear street frontage of more than one hundred feet: one (1) square foot of street front; provided, however, computations shall be made and sign area shall be made and sign area shall be determined on each street front separately, and provided, further, that in no event shall more than three hundred (300) square feet of sign area be applied to any one (1) street front and no sign shall exceed three hundred (300) square feet in size.

2. **All Other Uses.** The total area in square feet of all on-premises signs on a sign frontage, except for free-standing signs, shall not exceed:

Average Distance of Sign from Center Line of Abutting Street	Sign Frontage Multiplied by
Less than 100	3*
100—399	4
400 and over	5

* Excepting that a use with less than twenty-five (25) feet of sign frontage may have a maximum of fifty (50) square feet of on-premises signs.

3. The distance of a sign on or under a canopy, marquee and awning from the center line of an abutting street shall be construed to be the same as if such sign were attached to the building to which the said canopy, marquee or awning is attached.

4. If the first floor of a building is substantially above street grade and the basement is only partially below street grade, separate occupants of each level may each have one-half (1/2) the square feet of signage to which use would be entitled if it were a single ground floor use.

5. If a building fronts on two (2) or more streets, the sign area for each street frontage shall be computed separately.

6. If the ground sign has two (2) faces the area of each face shall not exceed one hundred (100) square feet; if a ground sign has more than two (2) faces the total of all faces shall not exceed two hundred (200) square feet. A premises with a front line of two hundred (200) feet or more may have two (2) ground signs.

E. Permitted Maximum Height.

1. **Wall and Window Signs.** The roof line of the building to which the sign is attached.

2. **Ground Signs.** Shall not exceed thirty (30) feet above grade.

3. **Roof Signs.** Including the supporting structures fifty percent (50%) of the building height on which they are erected but a maximum height of ten (10) feet above roof line, or parapet wall if it is higher than the roof line. Further, there must be a clear space of not less than four (4) feet between the lowest part of the sign and the roof level, except for necessary structural supports, if sign is over one hundred (100) square feet in size. If such clearance is necessary said sign cannot exceed fourteen (14) feet above roof line or parapet wall. If sign is less than one hundred (100) square feet no such clearance is necessary.

F. Permitted Location. Ground signs shall be set in at least three (3) feet from every boundary line of the premises. Provided, however, wall signs may project into the required setback space the permitted depth of the sign.

G. Permitted Illumination. Concealed or exposed light source. No sign shall be illuminated that it interferes with the effectiveness of an official traffic sign, signal or device. Illumination shall not flash, blink, fade, scroll or fluctuate.

H. Animation. May be animated unless the Building Commissioner shall determine that animation will constitute a distraction to traffic or a source of undue annoyance to adjoining uses.

I. Joint Identification Signs. Subject to the conditions hereinafter set forth and upon application to and issuance by the Building Commissioner of a sign permit therefor, joint identification signs are permitted for three (3) or more conforming uses on the same premises as the sign, excluding parking. The following joint identification signs are in addition to all other signs:

1. **Permitted Sign Types of Joint Identification Signs.** Wall and ground.

2. **Permitted Maximum Number of Joint Identification Signs.** One (1) sign for each front line of the premises.

3. **Permitted Area of Joint Identification Signs.** The greater number of the following: (1) one hundred (100) square feet or (2) two (2) square feet of sign area for each linear foot of street frontage on the premises; provided, however, that the total area of all signs on each front line of the premises shall not exceed two hundred (200) square feet.

4. **Permitted Maximum Height Above Grade of Joint Identification Signs.** Thirty-five (35) feet.

5. **Permitted Location of Joint Identification Signs.** Shall be set in at least three (3) feet from every boundary line of the premises.

6. **Permitted Illumination of Joint Identification Signs.** May be illuminated but shall not flash, blink, fade,

scroll or fluctuate and shall only be illuminated by a concealed or exposed light source.

7. **Animation of Joint Identification Signs.** Shall not be animated.

26.68.110 **Signs in zone districts J and K.**

A. **General.** On premises signs may be erected or altered and reconstructed only for and by a conforming use in the district in which the signs are located; shall be located on the same premises as the conforming use and shall be clearly incidental, customary and commonly associated with the operation of the conforming use.

B. **Permitted Contents.** Identification by letter, numeral, symbol or design of the conforming use by name, use, hours of operation, services and products offered, events and prices of products and services.

C. **Permitted Sign Types.** Wall, window, roof, projecting, marquee ground and electronic message center signs, provided such electronic message center signs meet the following criteria;

1. The sign shall not flash, blink, fade, scroll, fluctuate or have animation and shall only be illuminated by a concealed or exposed light source.
2. Each message on the sign shall be displayed for a minimum of five (5) minutes.
3. The sign shall not be located within five hundred (500) feet of any premises used as a dwelling unit or zoned residential.
4. Only one (1) such sign shall be allowed and the electronic message center portion of such sign size shall not exceed ten (10) square feet per side and no letter or numeral on any sign shall exceed ten (10) inches by 14 (fourteen) inches in size. No sign shall have more than two sides.

D. **Permitted Maximum Sign Area.** The total area in square feet of all on premises signs on a sign frontage, except for free-standing signs shall not exceed:

Average Distance of Sign from Center Line of Abutting Street	Sign Frontage Multiplied by
Less than 100	4*
100—399	5
400 and over	6

*Excepting that a use with less than twenty-five (25) feet of sign frontage may have a maximum of fifty (50) square feet of permanent signs.)

1. The distance of a sign on or under a canopy, marquee or awning from the center line of an abutting street shall be construed to be the same as if such sign were attached to the building to which the said canopy, marquee or awning is attached.
2. If the first floor of a building is substantially above street grade and the basement is only partially below street grade, separate occupants of each level may each have one-half (1/2) the square feet of signage to which use would be entitled if it were a single ground floor use.
3. If a building fronts on two (2) or more streets, the sign area for each street frontage shall be computed separately.
4. If the ground sign has two (2) faces the area of each face shall not exceed one hundred twenty-five (125) square feet; if a ground sign has more than two (2) faces the total of all faces shall not exceed one hundred fifty (150) square feet. A premise with a front line of two hundred fifty (250) feet or more may have two (2) ground signs.
5. Roof signs shall be limited to one (1) per building except in the case of a group of buildings under the same ownership, one (1) per building group.

E. Permitted Maximum Height.

1. **Wall and Window Signs.** The roof line of the building to which the sign is attached.
2. **Ground Signs.** Fifty (50) feet above grade.

3. **Roof Signs.** Including the supporting structures fifty percent (50%) of the building height on which they are erected but a maximum height of thirty-five (35) feet above roof line, or parapet wall if it is higher than the roof line. Further, there must be a clear space of no less than four (4) feet between the lowest part of the sign and the roof level, except for necessary structural support, if sign is over one hundred (100) square feet in size. If such clearance is necessary said sign cannot exceed thirty-nine (39) feet above roof line or parapet wall. If sign is less than one hundred (100) square feet no such clearance is necessary.

F. Permitted Location.

1. **Wall and Window Signs.** Set back from the boundary lines of the premises on which it is located, the same distance as a structure containing a conforming use provided, however, wall signs may project into the required setback space and permitted depth of the sign.
2. **Ground Signs.** Any location provided that the sign is at least three (3) feet from any boundary line of the premises on which the conforming use is located.

G. Permitted Illumination. May be illuminated but shall not flash, blink, fade, scroll or fluctuate and shall be illuminated by a concealed or exposed light source.

26.68.120 Signs in zone districts I and L.

A. General. Signs may be erected, altered and maintained only for and by a conforming use in the district in which the signs are located; shall be located on the same premises as the conforming use and shall be clearly incidental, customary and commonly associated with the operation of the conforming use.

B. Permitted Contents. Identification by letter, numeral, symbol or design of the conforming use by name, use, hours of operation, services and products offered, events and prices of products and services.

C. Permitted Sign Types. Window signs; wall signs other than wall signs which are painted on the side of a building. Ground signs which denote names, entrances, exits, rates and hours of operation for parking lots. Projecting signs that comply with the provisions outlined in the definition section—Section 26.68.020(15)(a-e[RW4]).

D. Permitted Maximum Sign Area. The total area in square feet of all on premises signs on a sign frontage, except for freestanding signs, shall not exceed:

Average Distance of Sign from Center Line of Abutting Street	Sign Frontage Multiplied by
Less than 100	3*
100—399	4
400 and over	5

* Excepting that a use with less than twenty-five (25) feet of sign frontage may have a maximum of fifty (50) square feet of on-premises signs.

1. The distance of a sign on or under a canopy, marquee or awning from the center line of an abutting street shall be construed to be the same as if such sign were attached to the building to which the said canopy, marquee or awning is attached.
2. If the first floor of a building is substantially above street grade and the basement is only partially below street grade, separate occupants of each level may each have one-half (1/2) the square feet of signage to which use would be entitled if it were a single ground floor use.

3. If the building fronts on two (2) or more streets, the sign area for each street frontage shall be computed separately.

4. A parking lot ground sign in zone district I or L shall have no more than two (2) faces and the area of each face shall not exceed thirty (30) square feet.

E. Permitted Maximum Height.

1. **Wall and Window Signs.** The roof line of the building to which the sign is attached.

2. **Ground Signs.** Twenty (20) feet above grade.

F. Permitted Location.

1. **Wall and Window Signs.** Shall be set back from the boundary lines of the premises on which it is located, the same distance as a structure containing a conforming use; provided, however, wall signs may project into the required setback space the permitted depth of the sign.

2. **Ground Signs.** Any location.

G. Permitted Illumination. May be illuminated by a concealed or exposed source but shall not flash, blink, fade, scroll or fluctuate.

H. Animation. Shall not be animated.

26.68.130 Outdoor general advertising devices.

A. Prohibited. The erection and maintenance of outdoor general advertising devices (device) are non-conforming and prohibited in all districts except as may be allowed pursuant to the provisions of this chapter.

B. Nonconforming. Any device lawfully existing prior to March 11, 1988, or prior to the effective date of this ordinance, but could not be erected in accordance with the provisions herein shall be deemed nonconforming, but may continue in accordance with the following conditions.

1. **Destruction, Damage or Obsolescence.** The right to maintain any non-conforming device shall terminate and shall cease to exist whenever the device is damaged over 60% of its value or destroyed, from any cause whatsoever, or became obsolete or substandard under any ordinance regulating such devices to the extent that the device becomes a hazard or a danger.

2. **Changes.**

a. **Message.** The message of the device may be changed or modified without a permit, subject to all other provisions herein, provided the area of the device is not enlarged, the height or depth of the sign increased or any portion of the device structurally altered.

b. **Maintenance.** Permits shall be obtained pursuant to applicable City ordinance(s) for any alterations (other than changing or modifying the message), electrical work or repairs.

c. **Damage.** Any device that is damaged in excess of 60% of the device shall be deemed unlawful and shall be immediately removed. If the device is not damaged more than 60%, then it may be maintained and repaired pursuant to the maintenance provisions above.

3. **Ownership.** There may be a change in tenancy, ownership or management of a nonconforming device provided there is no change in the area or height of such device.

4. **By Discontinuation.** Discontinuation of a device shall mean the absence of any commercial advertisement or public information message and the discontinuation of any device for a period of sixty days or more regardless of any intent to resume or not to abandon such use or device shall be considered abandonment of use and that device for rent is

not considered a continued use under this subsection.

5. **By Relocation.** Unless it is a device under a settlement agreement with the City of St. Louis, any device that is moved or relocated for any reason for any distance whatever, shall become an unlawful device and shall be removed immediately. Devices that are subject to the terms of a settlement agreement with the City of St. Louis may be relocated pursuant to the terms of the agreement and if the relocation site is a conforming site with the State of Missouri as of March 15, 2011.

6. **By Violation of Law.** Any violation of ordinance, state or federal statute shall terminate immediately the right to maintain such device.

7. **Replacement.** A nonconforming device may be replaced with a permit if the replacement device is at the exact same location, of the same kind/type of device, operates in the same manner, has no greater area, no greater height, and has the same or less number of faces than the existing nonconforming device. This provision shall not apply to devices that have been discontinued, per §26.68.130(B)(4) of the City of St. Louis Revised Code, and those discontinued devices shall be removed and shall not be replaced.

8. **Removal.** Any device that loses its nonconforming status shall be removed within seven (7) days of such loss of nonconforming status by the owner of the device or the owner of the property on which the device is located. If the device is not removed within said seven (7) days, the Building Commission may remove said device and charge the owner of the device for said removal and the City of St. Louis may also place a lien on the property on which the device is located.

C. Exemptions.

The following devices are hereby exempted from the provisions of this chapter:

1. All on-premises signs;
2. Repealed.
3. Repealed.
4. Notice of any judicial or public proceeding posted by public officers or employees in the performance of their duties pursuant to laws, ordinances, orders of the court, regulations, policies and procedures;
5. Repealed.
6. Signs required or specifically authorized for a public purpose by a law, statute, regulation or ordinance;
7. Signs of government, public utility, public service, railroad companies, or their contractors which aid safety, indicate installations or repairs, or which show the location of underground facilities[RW5];
8. Devices that encroach the public right-of-way that have been lawfully erected;
9. Repealed;
10. Pursuant to Sections 226.500 to 226.600, RSMo., Cum. Supp. 1993, any lawfully erected or proposed device located within six hundred sixty feet of the nearest edge of the right-of-way of any interstate or primary highway in areas zoned commercial or industrial subject to the following regulations which are consistent with said Missouri statutes and customary use in the City of St. Louis:
 - a. The City of St. Louis shall not issue a permit to allow a device to be newly erected without having the requisite permit issued by the Missouri Highways and Transportation Commission,
 - b. Lighting;
 - i. No revolving or rotating beam or beacon of light that simulates an emergency light or device shall be permitted as part of any sign. No flashing, intermittent, or moving light or lights will be permitted except

scoreboards and other illuminated signs designating public service information, such as time, date, or temperature, or similar information, will be allowed; trivision, electronic, digital, projection or other changeable message signs or devices shall not be allowed, except as provided herein;

ii. The lighting on an outdoor general advertising device shall not exceed the level of 0.3 footcandles over ambient lighting levels using a footcandle meter at a preset distance based on sign size as follows:

<u>Billboard Dimension</u>	<u>Measurement Distance</u>
11x 22	150'
10.5' x 36'	200'
14' X 48	250'
20' X 60	350'

If the state or federal government adopts more restrictive lighting standards then the more restrictive regulations shall apply;

iii. Signs or devices may not have message surfaces made entirely or partly of light emitting diodes (LEDs) or similar lighting technology. Any sign or general outdoor advertising device with one or more LED message surfaces, trivision display or projection display that was permitted prior to April 16, 2010, shall be considered a nonconforming general outdoor advertising device and shall be allowed to continue in operation and be maintained in accordance with the provisions herein.

iv. External lighting, such as floodlights, thin line and gooseneck reflectors are permitted, provided the light source is directed upon the face of the sign or device and is effectively shielded so as to prevent beams or rays of light from being directed into any portion of the main traveled way of the interstate or federal-aid primary highway and the lights are not of such intensity so as to cause glare, impair the vision of the driver of a motor vehicle, or otherwise interfere with a driver's operation of a motor vehicle; provided the light source is effectively shielded so as to prevent beams or rays of light from shining onto any lot which is used or zoned residential,

v. No sign or device shall be so illuminated that it interferes with the effectiveness of, or obscures, an official traffic sign, device, or signal,

vi. No sign or device shall emit scent, odor, amplified sound, noise, radio frequencies or visible matter with the exception of light.

vii. No sign or device shall use interactive technology that allows electronic communications with the viewers of the sign except for communication necessary for repairs.

viii. The duration of each message on changeable message devices shall be no less than eight (8) seconds. If the state or federal government adopts more restrictive duration standards then the more restrictive regulations shall apply.

c. Size of Signs/Devices.

i. The maximum area per face for any one sign shall be one thousand two hundred square feet, inclusive of border and trim but excluding the base of apron, supports, and other structural members,

ii. The maximum size limitations shall apply to each side of a sign structure, and signs may be placed back to back, or in V-type construction with not more than one display to each facing,

iii. The maximum height of any sign shall be no more than thirty-five feet from the highest point on the device to the grade of the highway from which the sign is intended to be read,

d. Spacing and Location of Signs.

i. No sign structure shall be erected within five hundred feet of an existing sign on the same side of the highway,

ii. No sign structure shall be erected within three hundred feet of any lot which is used or zoned residential, nor shall any sign structure be located:

a. Within fifty feet of any property line of the lot on which the sign structure is located,

b. Within thirty feet from the nearest building,

c. Within one hundred feet of any on-premise sign,

d. In or within 300 feet of any park, playground, school, library, hospital, church, historic district, landmark, an area on the National Register of Historic Places or the Jefferson Memorial District,

e. The spacing between structure provisions of subsection (10)(d)(i) of this section do not apply to signs which are separated by buildings, natural surroundings, or other obstructions in such manner that only one sign facing located within such distance is visible at any one time. Directional or other official signs or those advertising the sale or lease of the property on which they are located, or those which advertise activities on the property on which they are located, including products sold, shall not be counted, nor shall measurements be made from them for the purpose of compliance with spacing provisions,

f. No sign shall be located in such manner as to obstruct or otherwise physically interfere with effectiveness of an official traffic sign, signal, or device or obstruct or physically interfere with a motor vehicle operator's view of approaching, merging or intersecting traffic,

g. The measurements in this section shall be the minimum distances between outdoor advertising sign structures measured along the nearest edge of the pavement between points directly opposite the signs along each side of the highway and shall apply only to outdoor advertising sign structures located on the same side of the highway involved,

h. No sign shall be located adjacent to or within five hundred feet of an interchange, intersection at grade, or safety rest area. Such distances shall be measured from beginning or ending of the pavement widening at the exit from or entrance to the main traveled way,

i. No sign shall be located on the roof of a building or non-sign structure.

11. Signs located within the redevelopment project area established pursuant to Ordinance No. 65668, approved October 18, 2002.

26.68.135 Prohibited use of signs.

It shall be unlawful to allow any sign to fall into non-use by failing to display a message or public information message for a period of sixty (60) days or more. If any such sign shall fall into such non-use its removal and dismantling shall be ordered by the Building Commissioner of the City whether or not said sign is a nonconforming sign. Failure to obey the Building Commissioner's said order by removal of said sign or by renewing the use of said sign by placement of a new advertising message or public information message within seven (7) days of receipt of said order shall be unlawful and shall subject the owner of said sign to a fine of not less than twenty-five dollars (\$25.00) and not more than five hundred dollars (\$500.00) for each week subsequent to such order which passes without compliance with said order.

26.68.140 Signs for and by nonconforming use in all zone districts.

A. **General.** Signs may be erected, altered and maintained for and by a nonconforming use in any zone district under the following restrictions:

1. Nonconforming Uses in Zone Districts A and B. Signs may be erected, altered and maintained for and by a nonconforming use in zone districts A and B subject to all of the restrictions concerning signs for and by conforming uses in zone districts A, B, C, D and E as set out herein above in Section 26.68.080.

2. Nonconforming Uses in Zone Districts C, D and E. Signs may be erected, altered and maintained for and by a nonconforming use in zone districts C, D and E subject to all of the restrictions concerning signs for and by conforming

uses in zone districts C, D and E as set out herein above in Section 26.68.080.

3. Nonconforming Uses in Zone District F Local Business. Signs may be erected, altered and maintained for and by a nonconforming use in zone district F subject to all of the restrictions concerning signs for and by conforming uses in zone district F as set out herein above in Section 26.68.090.

4. Nonconforming Uses in Zone Districts G and H. Signs may be erected, altered and maintained for and by a nonconforming use in zone districts G and H subject to all of the restrictions concerning signs for and by conforming uses in zone districts G and H as set out herein above in Section 26.68.100.

5. Nonconforming Uses in Zone Districts I, J, K and L. Signs may be erected, altered and maintained for and by a nonconforming use in zone districts I, J, K and L subject to all of the restrictions concerning signs for and by conforming uses in zone districts I, J, K and L as set out herein above in Sections 26.68.110 and 26.68.120.

26.68.150 Nonconforming signs.

A. Declaration of Public Policy. A nonconforming sign may be maintained and repaired. If reconstructed (not meaning to restyle or reword), the sign must conform to the regulations in the district in which it is located.

B. Definition of Nonconforming Signs. A nonconforming sign shall be any sign which:

1. On the effective date of this ordinance was lawfully maintained and had been lawfully erected in accordance with the provisions of any prior zoning ordinance but which sign does not conform to the limitations established by this ordinance in the district in which the sign is located; or

2. On or after the effective date of this ordinance was lawfully maintained and erected in accordance with the provisions of this ordinance but which sign, by reason of amendment to this ordinance after the effective date thereof does not conform to the limitations established by the amendment to this ordinance in which the sign is located.

3. **Continuance of Nonconforming Signs.** Subject to the termination hereinafter provided, any nonconforming sign may be continued in operation and maintained after the effective date of this ordinance; provided, however, that no such sign shall be changed in any manner that increases the noncompliance of such sign with the provisions of this ordinance established for signs in the district in which the sign is located; and, provided, further that the burden of establishing a sign to be nonconforming under this Section rests entirely upon the person or persons, firm or corporation claiming a nonconforming status for a sign.

4. Termination of Nonconforming Signs.

a. By Abandonment. Abandonment of a nonconforming sign shall terminate immediately the right to maintain such sign.

b. By Violation of the Title. Any violation of this title shall terminate immediately the right to maintain a nonconforming sign.

c. By Destruction, Damage or Obsolescence. The right to maintain any nonconforming sign shall terminate and shall cease to exist whenever the sign is damaged over sixty percent (60%) of its value or destroyed, from any cause whatsoever, or becomes obsolete or substandard under any applicable ordinance of the municipality to the extent that the sign becomes a hazard or a danger.

26.68.160 Signs in chapter 353 development plans, in signage overlay plan districts and signs with special provisions.

A. Chapter 353 Development Plans.

Any urban redevelopment corporation ("Developer") formed, existing and in good standing under Chapter 353 of the Revised Statutes of Missouri that has obtained approval by ordinance adopted by the Board of Aldermen for the City for a development plan ("Development Plan") in accordance with Chapter 11.06 of the Revised Code of the City of St. Louis may, with respect to the area described in the Development Plan ("Development Area") promulgate uniform sign standards for the development area with respect to the placement, location, size, type and appearance of signs erected or caused to be erected and placed by or on behalf of the

Developer in connection with its redevelopment activities in the development area including access within the public right-of-way. Such uniform sign standards and any amendments thereto shall be immediately effective upon the approval of such standards by resolution of the Board of Aldermen and shall terminate upon expiration of the agreement approved and authorized by the ordinance approving the Development Plan, as amended or modified; provided, however, that prior to the adoption of any such resolution by the Board of Aldermen, any such standards shall have been reviewed and favorably recommended by the Planning Commission which may delegate said review to the Director of the Planning & Urban Design Agency; and provided further that no authority is given to any Developer to regulate or restrict the placement, location, size, type or appearance of signs indicating that any real estate is "for sale" or "for lease"; and provided further that no authority is given to any Developer to regulate, restrict placement, location, size, type or appearance of signs as set forth and provided in Section 26.68.130.

B. Signage Plan Overlay Districts.

1. A Signage Plan Overlay District may be created by Ordinance to promulgate uniform sign standards for a designated district allowing for flexibility in the size, height, type, placement and number of allowed signs. A Signage Plan District provides a means for defining common sign regulations for unique areas of the City, to encourage a creative incentive and latitude in the design and display of signs for the Signage Plan Overlay District.

2. An applicant may apply for the establishment of a Signage Plan Overlay District for any property or project area zoned "F" Neighborhood Commercial District or higher with a minimum of two (2) acres of area and in accordance with other regulations to be established by the Planning Commission.

3. A Signage Plan Overlay District may be approved by Ordinance by the Board of Aldermen of the City of St. Louis after a recommendation from the Planning Commission.

4. Notwithstanding the foregoing, any redevelopment project area established pursuant to Ordinance No. 65668, approved October 18, 2002, shall hereby be deemed to be a Signage Plan Overlay District, provided that the developer(s) designated for such redevelopment project area promulgate(s) uniform sign standards with respect to the placement, location, size, height, type and number of signs within such redevelopment area. Such uniform sign standards and any amendments thereto shall be immediately effective upon approval by resolution of the Board of Aldermen.

C. Kiel Center Arena – Special Provisions.

Notwithstanding the provision of Ordinance 60704, approved March 11, 1988, Ordinance 60364, approved June 18, 1987, Ordinance 62121, approved December 17, 1990, the zoning code of the City of St. Louis, a building sign including off-premise outdoor advertising may be erected, maintained and operated on the new Kiel Center Arena located in City Blocks 209 and 210 south subject to the following conditions:

1. Said device shall display no more than five logo signs; and
2. Said device may contain any information or advertising and an electronic message board; and
3. Said device may be either a wall or window type; and
4. Said device may be installed no less than two hundred feet from any other off-premise outdoor general advertising device on the same side of the highway existing at the time of the erection; and
5. Said device may not exceed (a) two hundred feet in length, (b) ten feet in height, and (c) sixty-five feet above grade on Clark Avenue as measured to the bottom of the device.

Except as herein provided, the device shall be subject to all other provisions of the ordinances of the City of St. Louis.

26.68.170 Prohibited signs.

Any sign not specifically permitted by this title shall be deemed prohibited. These prohibited signs include, but are not limited to the following:

- A. Signs which emit any odor, noise, amplified sound, radio frequencies or visible matter, other than light.

26.68.175 Board-up signage prohibited.

A. The application, by stencil or other similar means, of any words, letters, numbers, or graphic advertising designs on the plywood or other material used to secure openings in vacant or occupied buildings is prohibited.

B. The City of St. Louis and the Land Reutilization Authority shall be exempt from the provisions of this section.

C. **Penalty for Violation.** Any person violating the provisions of this ordinance shall, upon conviction, be punished by a fine of not more than five hundred dollars, or by imprisonment of not more than ninety days, or by both fine and imprisonment.

26.68.180 Removal of signs within or on public right-of-way or easement.

A. No person, partnership, corporation or organization shall place, erect, attach or set up a prohibited sign, as defined in Chapter 26.68 of the Revised Code, within or on a public right-of-way or a public easement.

B. The Refuse Commissioner is hereby authorized to remove and dispose of any signs which are placed within or on a public right-of-way or a public easement and which are specifically prohibited by Chapter 26.68 of the Revised Code.

C. **Penalty for Violation.** Any person violating the provisions of this chapter shall be subject to a fine of not more than five hundred dollars or by imprisonment of not more than ninety days, or by both fine and imprisonment.

26.68.190 Substitution clause.

Any device, display, or sign allowed under this Ordinance may contain in lieu of any other copy, any otherwise lawful noncommercial message including any political message, that does not direct attention to a business operated for profit or to a commodity or service for sale, and that complies with all other requirements of this Ordinance.

SECTION FIVE. Severability.

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

SECTION SIX. Savings clause.

Any act done or right vested or accrued, or any proceeding, suit or prosecution had or commenced in any cause before the effective date of the ordinance codified in this title shall not be affected by this title; but every act done, or right vested or accrued, or proceeding, suit or prosecution had or commenced shall remain in full force and effect to all intents and purposes as if prior law had remained in full force and effect. No offense committed and no liability or penalty incurred prior to the effective date of said ordinance, shall be discharged or affected by this title; but prosecutions and suits for such offenses, liabilities or penalties shall be instituted and proceeds with in all respects as if this ordinance had not taken effect.

SECTION SEVEN. Emergency Clause. The passage of this ordinance being deemed necessary for immediate preservation of the public peace, health and safety, an emergency is hereby declared to exist within the meaning of Section 20 of Article IV of the Charter, and this ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

Approved: July 18, 2012