

ORDINANCE NO. 19-06

**AN ORDINANCE AMENDING CHAPTER 7B OF THE
CITY OF COLUMBUS CODE OF ORDINANCES**

WHEREAS, for the purpose of promoting the public health, safety, morals, and general welfare, the City Council of the City of Columbus (“City”) may by ordinance regulate on the earth's surface, in the air space above the surface, and in subsurface areas, the location, height, width, bulk, size and types of buildings and other structures and the uses of buildings and structures and may establish standards and procedures regulating such uses;

WHEREAS, the City includes a substantial area of land located adjacent to and visible from Interstate 35, which runs north-south through the City (the “I-35 Corridor”);

WHEREAS, there are several billboards, referred to as off-premises signs, located within the City along the I-35 Corridor, which have been approved at various times subject to Interim Use Permits;

WHEREAS, the initial terms of several billboard Interim Use Permits are anticipated to expire in the coming years and the City expects that most if not all billboard owners will reapply for Interim Use Permits;

WHEREAS, the I-35 Corridor is undergoing substantial changes as a result of increased development along the corridor and the construction of a new Highway 97 interchange; and

WHEREAS, in order to ensure the highest and best uses of lands adjacent to the I-35 Corridor, the City Council seeks to make modifications to the City Code of Ordinances governing off-premises signs to ensure that the revised ordinance language applies to any requests for renewed Interim User Permits.

NOW, THEREFORE, the City Council of the City of Columbus ordains the following amendments to the Code of Ordinances:

SECTION I. Chapter 7B, Article II of the Columbus Code of Ordinances is hereby amended as follows:

SECTION 7B-201. GENERAL PROVISIONS.

T. Dynamic signs permitted in this Ordinance shall meet the zoning district requirements established in Article III and the following minimum standards:

...

4. The sign must not exceed a maximum illumination of ~~7500~~5,000 nits (candelas per square meter) during daylight hours and a maximum illumination of 500 nits (candelas per square meter) between dusk to dawn, as measured from the sign’s face at maximum brightness. All dynamic signs must be equipped with an automatic dimmer

control or other mechanism that automatically controls the sign's brightness according to ambient conditions. In addition, all dynamic signs must be equipped with a default mechanism that will eliminate sign lighting or freeze the brightness at 500 nits when a malfunction in the automatic dimmer control occurs.

SECTION II. Chapter 7B, Article III of the Columbus Code of Ordinances is hereby amended as follows:

SECTION 7B-310. I-35 CORRIDOR LARGE OFF-PREMISES SIGNS. Large or over-sized off-premises signs, commonly called "highway billboards," are permitted within the I-35 Corridor, as long as the following conditions or restrictions are met:

A. **Setbacks.** Except as modified by this Section, any new off-premises signs structures constructed after the effective date of this ordinance, must be setback a minimum of ~~Twenty~~ (20) feet from any public right-of-way. No off-premises sign shall obstruct in any way a driver's vision of the road or hinder or obstruct any pedestrian path.

B. **Commercial or Industrial Zoning.** The property upon which the large off-premises sign is erected must be located within the CR, C/S, HR, or LI Zoning District.

C. **State and Federal Laws.** The requirements of State and federal law must be met before a permit is issued (see MINN. STAT. Ch. 173 (1991), and MINN. RULES, Parts 8810.0200 through 8810.1400 (1989), as amended).

D. **Size.** The sign face of a large off-premises sign shall not exceed 720 square feet and shall not exceed 1,440 square feet total for a multi-sided sign.

E. ~~Spacing, Setback and Additional~~ **General Requirements.** Large off-premises signs are subject to the following ~~spacing and setback restrictions~~ requirements:

1. All static signs shall be located no closer than 750 feet from another permitted or nonconforming large off-premises static or dynamic sign on the same side of the highway.

2. Dynamic signs shall be located no closer than 3,750 feet from another permitted dynamic sign in excess of 200 square feet. The 3,750-foot measurement is a 360 degree measurement, calculated as a straight line from one dynamic sign to another dynamic sign, including measurements across the Interstate Highway as well as measurements to a permitted dynamic sign located on any other Interstate Highway.

3. Large off-premises signs shall be located no closer than 750 feet from a state, county, or city park, historic site, public picnic grounds, highway rest area, on-ramp or off-ramp, church or school.

4. Large off-premises signs shall be located no closer than 500 feet from any area zoned RR or SR.

5. Large off-premises signs shall be located so as to not obstruct the view of any permitted on-premises sign.

6. Illuminated signs shall be located and the source of illumination shielded so that neither the light source, nor direct visible rays or glare project beyond the surface of the sign to be illuminated.

7. Large off-premises signs shall be located not less than 25 feet, nor more than 45 feet from the ground elevation on which the sign is erected.

8. Large off-premises signs shall be constructed and mounted with a load factor consistent with the Minnesota State Building Code. Applicants shall submit structural plans certified by a licensed structural engineer.

9. Dynamic sign messages shall not change at intervals less than once every 8 seconds. The duration of the transition of the electronic image message change shall be instantaneous and include no fading, scrolling, or other special effects.

10. All dynamic off-premises signs must be equipped with a default mechanism that will stop the messaging or freeze the image in one position when a malfunction in electronic programming occurs.

11. All dynamic off-premises signs must be equipped with an automatic dimmer control or other mechanism that automatically controls the sign's brightness according to ambient conditions. In addition, all dynamic signs must be equipped with a default mechanism that will eliminate sign lighting or freeze the brightness at 500 nits when a malfunction in the automatic dimmer control occurs.

12. All static off-premises signs converted to dynamic off-premises signs shall be required to bury any electrical power lines located on the subject property and serving the sign structure.

13. A static off-premises sign converted to a dynamic off-premises sign shall be prohibited from conversion to a static off-premises sign.

14. All electrical equipment and wiring shall be enclosed in a shroud or other equipment box that is visually integrated into the sign structure.

15. Off-premises signs shall be allowed a three-dimensional protrusion as long as it does not extend further than four (4) feet above the top of the sign. An extension shall not be larger than 25% of the face of the sign and must form an integral part of the advertising design.

16. Any off-premises sign subject operating under a new or reissued Interim Use Permit term must be improved to conceal exposed metal support columns, consistent with the following standards:

a. Support columns shall be concealed by materials that are primarily natural stone, brick, approved masonry or stucco panels, or similar materials, and the design shall be approved by the Planning Commission in conjunction with the Interim Use Permit review.

b. All updated billboards concealments should be a uniform shape, and uniform color scheme and design (tan/beige/earth tone), based on an approved set of design standards.

c. All updated billboards should have a sign bearing the word "Columbus" placed near the top of the support structure.

d. Signs bearing the City's name should be oval in shape, with black lettering matching that of the new TH97 bridge with a tan/sandstone backdrop visible from traffic on Interstate 35.

F. **Interim Use Permit.** Large off-premises signs shall only be erected or maintained upon approval of an Interim Use Permit. Interim Use Permits granted by this section shall be temporary in nature, valid for a period of ~~twenty (20)~~ ten (10) years, or until any governmental agency with authority for construction of public roadways requires the underlying property for roadway purposes. Interim Use Permits shall be

granted to a designated person or entity, and are not transferable to other persons or entities. An Interim Use Permit will terminate upon: (1) a violation of the conditions or terms of the permit; ~~or~~ (2) a change in the zoning regulations that render the use nonconforming; (3) subdivision of the property; or (4) establishment of any use other than a single-family residence or agricultural use on the property after the effective date of this ordinance. Upon termination of an off-premises sign Interim Use Permit, the owner of the sign structure shall remove the structure and provide written notice to the City Administrator of such removal within sixty (60) days of the termination of the Interim Use Permit. Notwithstanding the foregoing, any Interim Use Permit which was granted prior to the effective date of this ordinance shall be allowed to continue under same conditions of approval until its current Interim Use Permit term expires or until there is a violation of the conditions of the permit, whichever occurs first.

1. **Interim Use Permit Applications.** Applications for large off-premises sign Interim Use Permits shall be filed with the City Administrator, together with a filing fee established by City Council. The application shall be forwarded to the Planning Commission for a public hearing. The Planning Commission shall consult with and consider the recommendations of the City Administrator, City Planner, City Engineer, and City Building Official in its deliberations and recommendations to the City Council for the Interim Use Permit. The procedure and requirements for the application and public hearing for an Interim Use Permit are described in Sections 7A-530 and 7A-531 of the Columbus City Code. The City Council shall consider the recommendations of the Planning Commission and City Administrator, City Planner, City Engineer, and City Building Official in its action on the Interim Use Permit application.

2. **Interim Use Permit Renewal.** Upon the expiration of the ~~twenty-year~~ term of an approved Interim Use Permit, an applicant may re-apply for renewal of an Interim Use Permit for a large off-premises sign in the same manner as an initial application. Prior granting of an Interim Use Permit does not give an applicant any vested right to renewal. Interim Use Permits shall conform to restrictions or conditions as the City Council may determine are necessary to avoid conflict with surrounding land usage.

3. **Dynamic sign conversion of existing Interim Use Permits for large off-premises signs.** Applicants with an existing Interim Use Permit for a large off-premises sign may apply for an amendment to allow a dynamic sign. Applications for amendments to an existing Interim Use Permit are made in the same manner as an initial application under this Section ~~7B-310F.1~~. In considering the application to amend the existing Interim Use Permit, the Planning Commission and City Council shall consult with and consider the recommendations of the City Administrator, City Planner, City Engineer and City Building Official. Interim Use Permits shall conform to restrictions or conditions as the City Council may determine are necessary, including the term of the amended Interim Use Permit, to avoid conflict with surrounding land usage.

4. **Dynamic sign conversion of existing legally nonconforming Conditional Use Permits for large off-premises signs.** Applicants with an existing legally nonconforming Conditional Use Permit for a large off-premises

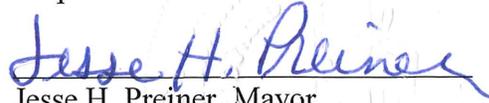
sign may apply for a dynamic off-premises sign by terminating the existing nonconforming Conditional Use Permit and applying for an Interim Use Permit for the dynamic off-premises sign. Applications for the Interim Use Permit are made in the same manner as an application under this Section 7B-310F.1. In considering the application to issue an Interim Use Permit, the Planning Commission and City Council shall consult with and consider the recommendations of the City Administrator, City Planner, City Engineer and City Building Official. Interim Use Permits shall conform to restrictions or conditions as the City Council may determine are necessary, including the term of the Interim Use Permit, to avoid conflict with surrounding land usage.

G. **Public Service Messages.** In all new or amended Interim Use Permits for dynamic large off-premises signs, the applicant shall be required to provide a minimum number of public messaging opportunities, such as “Amber Alerts,” traffic and weather advisories, community events, and similar public messages. The number and sequencing of public messaging shall be comparable to the average number and sequencing of public messaging opportunities on dynamic large off-premises signs throughout the Twin Cities Metropolitan Area, or as agreed upon by the City Council and applicant in the conditions of the Interim Use Permit.

H. **Findings.** The City Council shall make the following findings when issuing an Interim Use Permit for a large off-premises sign:

- a. The structure and sign conform to the regulations of this Section and other applicable provisions of the Columbus City Code;
- b. The date or event that will terminate the use can be identified with certainty;
- c. Permission of the use will not impose additional costs on the public if it is necessary for the public to take the property in the future; and
- d. That the user agrees to any conditions that the City Council deems appropriate for permission of the use.

SECTION III. This Ordinance was adopted by the Columbus City Council on this 13th day of November, 2019 and shall become effective upon its publication.


Jesse H. Preiner, Mayor

ATTEST:


Elizabeth Mursko, City Administrator

Published in the Forest Lake Times on December 19, 2019.



APPLICATION FOR CONSIDERATION OF NON-BINDING DESIGN STANDARD REVIEW

Applicant Name: Clear Channel Outdoor, LLC - Matthew Weiland Phone 612-605-5142

Address: 3225 Spring St NE

City: Minneapolis **State** MN **Zip** 55413

Existing Zoning and Use: Columbus Freeway District; I-35 Corridor Large Off Premises Signs (Billboards)

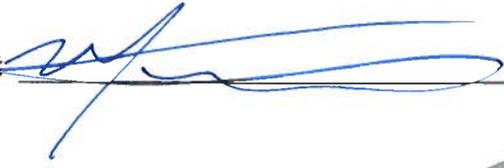
Request: Information for IUP Applications

Reason for request: To garner feedback from the Planning Commission regarding the new design standards outlined in the Amended Ordinance Section 7B-310 E. General Requirements (16.)

Concept of the Sign Elevations Submitted*: YES NO

Note: Sign Elevation should show the proposed metal concealment design and the Columbus Name sign in color.

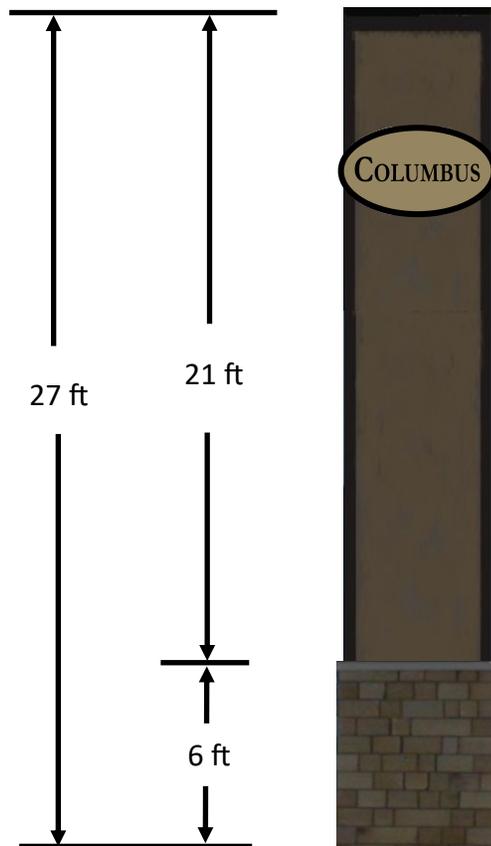
In signing this application, I hereby acknowledge that I have read and fully understand the applicable provisions of the zoning and current administrative procedures. I further acknowledge and hereby agree to pay for all statements recieved from the City pertaining to professional consultant staff application expenses.

Signature of Applicant  **Date** 2/14/2020







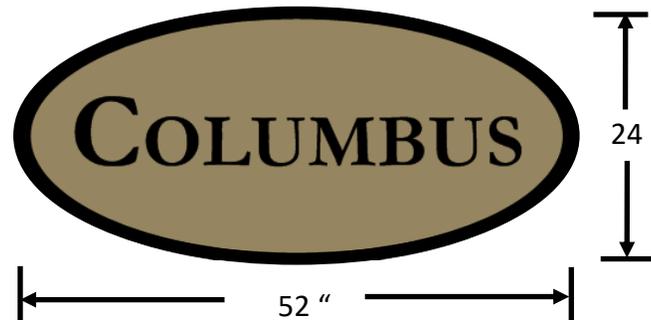


Columbus Signage & Column Enclosure

City Logo Sign—Oval shaped pan style metal sign approximately 24" H x 52" W. Color & Font to match Columbus Township requirements

Enclosure—Four sided steel frame structure with stucco panels set within cement fiber material framed surface set above a manufactured stone base

Overall size—Stucco panel section to be 48 in. x 48 in. x 21 ft. and cultured stone section to be 54 in. x 54 in. x 6 ft. (actual finished size may vary)



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TRIM COLORS
 Timber Bark



Request a Quote > Request a Sample >

Colors shown may vary due to screen resolution. Please see actual product sample for true color.

AVAILABLE SIZES

| | |
|----------------------------|-----------------------------|
| THICKNESS: 1" | WIDTHS: 3.5" 5.5" |
| LENGTH: 144" boards | EXPOSURES: 3.5" 5.5" |

Warranty Information >



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Cobblefield®

Cobblefield is designed to emulate the architecture of rural 19th-century America. Its rugged refinement makes it equally at home in residential or commercial settings. Dimensions (approx): 2' - 8" H x 4' - 20" L.



Chardonnay Desert Blend® Gray San Francisco



(PRODUCT SELECTED ARE EXAMPLES ONLY—Final selection pending city approval)



To: City of Columbus Planning Commission
From: Ben Gutknecht, City Planning Technician
planningtech@ci.columbus.mn.us
Date: March 9, 2020
RE: Clear Channel Outdoor, LLC Billboard Non-binding Design Standard Review

After review of the Non-Binding Design Standard Concept submitted by Clear Channel Outdoor LLC, the City of Columbus Planning Staff provides the following Findings of Fact and Consensus:

Findings of Fact

1. Clear Channel Outdoor submitted materials for a Concept Design Standard review on February 19, 2020.
2. Clear Channel Outdoor currently owns and operates twenty-seven Large Off-Premises signs in the City of Columbus.
3. Seven of the twenty-seven are permitted via Conditional Use Permit (CUP). The remaining twenty are permitted via Interim Use Permit (IUP).
4. Of the twenty IUPs, nineteen expired as of February 16, 2020.
5. Clear Channel Outdoor requested and was approved a 60-day extension of existing IUP renewals on February 12, 2020, in consideration of submitting new IUP applications after non-binding design standard review.
6. The proposed Column Enclosure consists of a four-sided steel frame structure with stucco panels set within cement fiber material surface set above a manufacture stone base.
7. The manufactured stone base is proposed to be 54 in. x 54in. x 6 feet in height and the “Cobblefield” style from “Cultured Stone”.
8. The four-sided steel frame structure with stucco panel section is proposed to be 48 in. x 48 in. x 21ft and the Stucco is proposed to be “Timber Bark” from the “James Hardie Statement Collection”.
9. The City sign is proposed to be an oval pan style metal sign, approximately 24 in. H x 52 in. W. The color and font are proposed to match the Columbus Code requirements.
10. The proposed use is currently permitted via interim use permit in the I-35 corridor.

Consensus

The column enclosure design concept proposed by Clear Channel Outdoor LLC was found by the City Staff to be consistent with the requirements of the Amended Chapter 7B Sign Regulations (Section 7B-310); because, they propose a column cover that is “primarily natural stone, brick, masonry, stucco panels, or similar materials.” Furthermore, the colors and City logo design are consistent with the regulations outlined in the amended ordinance. The concept should be approved by the Planning Commission pending any changes or additions that may arise during the scheduled meeting on March 18, 2020. In any subsequent submission of formal application materials for IUP renewals, the submission should include a site survey, sign dimensions, column enclosure rendering and description of materials, and a depiction and specifications of any sign lighting (wattage, shrouding and timer function).

Please do not hesitate to contact me should you have any questions.