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|  <p style="text-align: center;">Council Communication Office of the City Manager</p> | Date: April 7, 2014 |
| | Agenda Item No. EX-1 Roll Call No. <u>14-0575</u> Communication No. <u>14-158</u> Submitted by: Phillip Delafield, Community Development Director |

AGENDA HEADING:

Resolution scheduling hearing on proposed amendment to the Zoning Ordinance to further regulate the operation and allowed location of electronic signs, and imposing a temporary moratorium on the approval of new electronic signs. Hearing to be held on May 19, 2014.

SYNOPSIS:

Staff is preparing a proposed amendment to the Zoning Ordinance to further regulate the operation and allowed location of electronic signs. Staff tentatively plans to host a public information meeting during the week of April 21-24, 2014 and the Plan and Zoning Commission will hold a public hearing on May 1, 2014 to make recommendations to the City Council regarding the amendments. Staff recommends approval of a moratorium until June 26, 2014 to prevent issuance of permits for electronic signs during the interim period that may violate the proposed regulations that are under consideration.

FISCAL IMPACT: NONE

ADDITIONAL INFORMATION:

The highest density of off-premises advertising signs in the City of Des Moines is along those City streets which serve as major traffic corridors. An unintended consequence of the conversion credit system has been that the conversion of non-conforming off-premises advertising signs to use an electronic display has been concentrated on the major traffic corridors. Few off-premises advertising signs have been removed from those corridors, which has exacerbated the problems caused by the high density of off-premises advertising signs on those corridors.

In addition several business owners have overlooked the ban on video display signs and have purchased electronic signs in the mistaken belief that electronic signs under 24 square feet in size could be used to display moving pictures and graphics, which warrants a clarifying amendment to the zoning regulations.

At a City Council Workshop on March 10, 2014, staff made a presentation regarding Merle Hay Road Visual Clutter. The presentation identified interim and long-range actions to address City-wide regulation of electronic signs of all sizes. Based upon Council direction, staff has been working to draft proposed legislation and to identify a schedule for processing the proposed amendments. Staff anticipates holding a public information meeting the week of April 21-24, 2014; a Plan Zoning Commission hearing on May 1, 2014; and a City Council public hearing on May 19, 2014.

Recently staff was contacted by a representative of Fairway Outdoor Advertising LLC (Duncan, SC) who inquired about removal of a two-sided (672-square-feet each side) billboard along Martin Luther King, Jr. Parkway to earn “conversion credits” necessary to convert two (2) existing, legal non-conforming static billboard sign faces to digital display along the Merle Hay Road and Douglas Avenue Corridors. There is potential that such a request would violate the proposed regulations that are under consideration. Therefore, staff recommends approval of a moratorium to prevent issuance of permits for electronic signs during the interim period that may violate the proposed regulations that are under consideration.

PREVIOUS COUNCIL ACTION(S): NONE

BOARD/COMMISSION ACTION(S): NONE

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:

It is anticipated that the Plan and Zoning Commission will hold a public hearing on May 1, 2014 and the City Council will hold public hearing and first reading of an ordinance on May 19, 2014. Second and third readings of an ordinance would be required unless waived by the City Council.

For more information on this and other agenda items, please call the City Clerk’s Office at 515-283-4209 or visit the Clerk’s Office on the first floor of City Hall, 400 Robert D. Ray Drive. Council agendas are available to the public at the City Clerk’s Office on Thursday afternoon preceding Monday’s Council meeting. Citizens can also request to receive meeting notices and agendas by email by calling the Clerk’s Office or sending their request via email to cityclerk@dmgov.org.