

# City of Providence

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

## PETITION TO THE CITY COUNCIL

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

*The undersigned respectfully petitions your honorable body*

Diony Garcia, Esq. hereby petitions the City Council to amend Article 16, "Signs" Section 1604 "Illumination Standards"; Section 1605 "Prohibited Signs"; and Article 20, Section 2005, entitled "Nonconforming Signs" of the Official Zoning Ordinance of the City of Providence as indicated by the underlined text below:

### ARTICLE 16. SIGNS

#### 1604 ILLUMINATION STANDARDS

- D. The intensity of sign illumination shall meet the requirements for exterior lighting in Section 1301. For electronic message signs, the maximum brightness is ~~limited to 5,000 nits during daylight hours, and 500 nits between dusk to dawn.~~ The sign shall have an automatic dimmer control that produces a distinct illumination change from a higher allowed illumination level to a lower allowed level for the time period between one half hour before sunset and one half hour after sunrise. shall be responsive to ambient lighting in real time and said brightness shall not exceed 0.3 foot candles above ambient light, as measured using a foot candle meter at a pre-set distance. Distances to measure the foot candle impact vary with the expected viewing distance of each size sign. Measurement shall be taken as close to perpendicular to the face of the sign as possible. Measurement distance criteria:

<u>Face Size</u>	<u>Distance to be measured from</u>
<u>Up to 300sf</u>	<u>150 feet</u>
<u>More than 300sf up to 378sf</u>	<u>200 feet</u>
<u>More than 378sf up to 672sf</u>	<u>250 feet</u>
<u>More than 672sf</u>	<u>350 feet</u>

#### 1605 PROHIBITED SIGNS

The following sign types are prohibited:

- L. Off-premise electronic message signs are prohibited in all zones except as a nonconforming sign removal development incentive. Regardless of any development incentive, off-premise electronic message signs are prohibited as follows:

##### 1. Prohibited Locations

- a) Off-premise electronic message signs shall be oriented towards an interstate highway and may only be incidentally noticeable from any residential zone.
- b) Any off-premise electronic message sign shall continue to be subject to the requirements and restrictions of Sections 2005 A through E of this Ordinance.

## 2. Prohibited Dimensions or Uses

- a) No flashing
- b) No animation
- c) No scrolling
- d) No change of image more frequent than once every ten (10) seconds
- e) The sign face shall not be larger than 14 ft. x 48 ft

## ARTICLE 20. NONCONFORMITIES

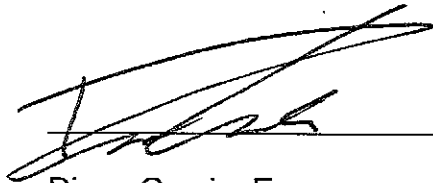
### 2005 NONCONFORMING SIGNS

#### F. Removal of Nonconforming Signs.

The removal of nonconforming signs is a public benefit. Incentive zoning is the process whereby the local authority may grant additional development capacity in exchange for the provision of a public benefit or amenity as specified in the Zoning Ordinance. An off-premise electronic message sign shall be permitted in exchange for the removal of nonconforming signs as follows:

1. At least two times the equivalent square footage of other off-premise sign(s) in Providence, including their footings, shall be removed prior to the completion of the off-premise electronic message sign.
  - a. The removed signs and footings may not be replaced and shall be deemed "abandoned" for purposes of this Ordinance and state law.
2. The off-premise electronic message sign shall be subject to the most restrictive provisions of applicable city, state, and federal law, including but not limited to:
  - a. Restrictions on hours of operation, and
  - b. Restrictions on brightness.
3. Off-premise electronic message signs are not subject to the provisions of Section 1607.D.4 that limit electronic message signs to a maximum of 70% of the sign area of a freestanding or wall sign.
4. If the state or federal government shall deem any off-premise electronic message sign or permit to be "abandoned," then the sign shall be deemed abandoned for the purpose of these zoning regulations.

Signature:



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An ordinance in amendment of City of Providence Zoning Code Article 16, "Signs" Section 1604 "Illumination Standards"; Section 1605 "Prohibited Signs"; and Article 20, Section 2005, entitled "Nonconforming Signs".

The proposed amendment would increase illumination standards by requiring that sign illumination automatically dim in response to ambient light. It would prohibit off-premise electronic message signs generally. It would create a development incentive to remove nonconforming signs through the permission of limited off-premise electronic message signs. It would prohibit electronic message signs from any form of flashing, animation, or scrolling. It would prohibit electronic messages signs from any orientation focused on a residential zone and it would prohibit electronic message signs from any location that is not oriented to an interstate highway.