

Change of Zone 13004B

ORDINANCE NO. _____

1 AN ORDINANCE amending Ordinance No. 19870 relating to the Railyard Special
 2 Sign District by amending Section 4 to reflect that the Cube has been installed; by amending
 3 Section 5 to allow two sponsorship signs for the Railyard, a sponsorship sign for the Cube, and
 4 limited advertising on the Cube; and repealing Section 4 and Section 5 of Ordinance No. 19870 as
 5 hitherto existing.

6 Section 1. That Section 4 of Ordinance No. 19870 be amended to read as follows:

7 "Section 4. The Railyard is configured as a reverse "C" shape of buildings, with the open
 8 space adjacent to the refurbished railroad platform canopy and Canopy Street. A principal feature
 9 of the open space ~~will be~~ is a large video screen/digital display, referred to as "The Cube" with the
 10 projection screens/faces oriented towards the north and the west, ~~referred to as "The Cube" to limit~~
 11 visibility to persons walking in the Haymarket Landmark District. ~~The below sign regulations are~~
 12 ~~intended to permit and regulate the use of The Cube along with guiding the signs of the Railyard~~
 13 ~~for general compatibility with Historic Haymarket."~~

14 Section 2. That Section 5 of Ordinance No. 19870 be amended to read as follows:

15 "Section 5. All signs in the Railyard Special Sign District shall be erected and maintained
 16 in compliance with the sign regulations of the underlying B-4 Central Business District except as
 17 modified by the following additional express terms, conditions, and requirements:

18 a. The following signs permitted in the B-4 District are prohibited:

- 19 i. Plastic-faced, interior-illuminated signs, except that with two
 20 exceptions: (1) dimensional channel letters may be illuminated with
 21 neon tubing or similar appearing light sources protected with
 22 transparent, colorless covers internal light sources and protected
 23 with transparent or translucent covers; (2) such channel letters may
 24 be accompanied by a logo sign of the same type of illuminated
 25 cabinet, which shall not exceed 4 feet by 4 feet in size, with
 26 transparent or translucent cover;

- 1 ii. Translucent awnings of plastic or vinylized materials with interior
2 illumination;
- 3 iii. Horizontal banners or pennants parallel to the building;
- 4 iv. Electronic changeable copy signs (except on The Cube);
- 5 v. Mobile signs;
- 6 vi. Animated, moving, rotating, flashing, or noise-making signs (except
7 on The Cube).

8 b. The required spacing between projecting signs (in lieu of freestanding signs)
9 is reduced from 50 feet to 25 feet.

10 c. ~~A Two signs identifying the "Railyard" ("Railyard Identification Sign") is are~~
11 permitted. One Railyard Identification Sign is permitted on a structure spanning between the north
12 and south buildings, facing S. 7th Street. The area of this sign shall not exceed 300 square feet
13 in sign area. This identification sign is limited to identifying the Railyard and a single sponsor of the
14 Railyard, provided that the "sponsorship" element shall not exceed 49% of the sign area used. The
15 second Railyard Identification Sign is permitted on the wall of the building addressed as 350
16 Canopy Street located at the southeast corner of R Street and Canopy Street. This sign shall not
17 exceed 150 square feet in sign area. This identification sign is limited to identifying the Railyard
18 and a single sponsor of the Railyard provided that the sponsorship element shall not exceed 49%
19 of the sign area used. The name of the sponsor may be the same or different on each Railyard
20 Identification Sign.

21 d. A Cube naming rights sign ("Cube Sponsorship Sign") is permitted on the wall
22 that frames The Cube. The sign shall be limited to identifying the name of the Sponsor and the
23 word "Cube." This sign shall not exceed 75 square feet in sign area.

24 ~~e.~~ The Cube shall primarily serve as a digital display for motion and still graphic
25 art installations, ~~and is deemed not to be~~ Secondarily, the use of The Cube as an electronic
26 changeable copy sign within the Railyard Special Sign District exceeding 80 square feet in sign
27 area is permitted, provided that such use of The Cube meets the following requirements:

- 1 i. ~~The projection screens/faces of The Cube shall have northerly and~~
2 ~~westerly orientations in order to limit visibility to persons walking in~~
3 ~~the Haymarket Landmark District.~~
- 4 ~~ii. Displaying of on or off premises advertising on The Cube is~~
5 ~~prohibited except that~~
- 6 i. No display which serves to advertise, identify, or convey information
7 regarding any goods, product, service, business, or activity, including
8 but not limited to the display of distinguishable trademarks, logos,
9 and insignias are allowed on The Cube except those identifying the
10 sponsor of The Cube, the sponsor of the Railyard, and the sponsors
11 of special events in the Railyard (collectively “Commercial
12 Sponsorship Advertising”). For the purposes of this subsection,
13 special event shall mean any organized activity that requires
14 additional personnel or barriers to restrict or control access to the
15 Railyard. Special events may include, but are not limited to,
16 concerts, tailgating events, festivals, rides, exhibitions, theater
17 presentations, movies, fairs, celebrations, and sales events or similar
18 gatherings utilizing the Railyard.
- 19 ii. No more than five (5) minutes of each hour of operational time of
20 The Cube shall be allocated for recognition of sponsors of special
21 events may be used for Commercial Sponsorship Advertising.
- 22 iii. Commercial Sponsorship Advertising by sponsors of special events
23 shall not be displayed earlier than one calendar month before the
24 date of commencement of the special event nor after the last day of
25 the special event.
- 26 ~~iii f.~~ Notwithstanding subsection ~~5.d.ii:~~ 5.e. above, programming on The Cube
27 may occasionally include entertainment or public service broadcasts such as movies, television
28 broadcasts, and sporting events, including advertising ordinarily part thereof.
- 29 g. The name of the sponsor on the Railyard Identification Signs and Cube
30 Sponsorship Sign and the Commercial Sponsorship Advertising on the Cube shall be deemed to
31 be on-premises advertising.
- 32 e h. The terms, conditions, and requirements of this ordinance shall run with the
33 land and be binding upon the Owner of Lot 1, Block 5, West Haymarket Addition, and its
34 successors and assigns.
- 35 f j. The Owner of the Railyard shall sign and return the letter of acceptance
36 agreeing to the terms and conditions of the Railyard Special Sign District to the City Clerk. This

1 action should occur within 60 days following the approval of The Railyard Special Sign District;
2 ~~provided, however, said 60-day period may be extended up to six months by administrative~~
3 ~~amendment.~~ The Clerk shall file a copy of this amendment to the ordinance approving the Railyard
4 Special Sign District and the letter of acceptance with the Register of Deeds, filing fees therefor to
5 be paid in advance by the applicant.

6 Section 3. No application for a sign permit for the two Railyard identification signs
7 or The Cube Sponsorship sign shall be approved until the Letter of Acceptance is filed with the City
8 Clerk.

9 Section 4. That Section 4 and Section 5 of Ordinance No. 19870 as hitherto existing
10 be and the same are hereby repealed.

11 Section 5. Pursuant to Article VII, Section 7 of the City Charter, this ordinance shall
12 be posted on the official bulletin board of the City, located on the wall across from the City Clerk's
13 office at 555 S. 10th Street, in lieu of and in place of newspaper publication with notice of passage
14 and such posting to be given by publication one time in the official newspaper by the City Clerk.
15 This ordinance shall take effect and be in force from and after its passage and publication as herein
16 and in the City Charter provided.

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ___ day of _____, 2015: _____ Mayor
