

Ordinance amending and supplementing the Pittsburgh Code, Title Nine, Zoning Code, Articles IV through VII, Sections 910, 913, 919, and 921 to provide new sign categories, definitions, procedures, and regulations regarding electronic signage.

Be it resolved by the Council of the City of Pittsburgh as follows:

Section 1. The Pittsburgh Code, Title Nine, Zoning Code, Article IV, Chapter 910, Downtown Districts, is hereby amended by removing Electronic Sign Messages from Section 910.01.D, Conditional Uses as follows:

[910.01.D.2 Electronic Sign Messages

Electronic Sign Messages shall be permitted as a Conditional Use in the GT-A and GT-B Subdistricts in accordance with the following standards:

(a) Electronic Sign Messages in GT-A

Subdistrict Electronic Sign Messages shall be permitted as a Conditional Use in accordance with the review procedures of Sec. 922.06, provided that:

- (1) The top of the sign shall not extend more than 30 feet above grade and shall not exceed more than 500 square feet in sign face area;
- (2) All spacing provisions relative to Advertising Signs (Chapter 919) are met; and
- (3) The sign is appropriate at the specific location with respect to the impact upon adjacent property uses, particularly those of a public or semi-private nature, taking into consideration the relative size, height and location of the sign, the hours of illumination, type of lighting, color and intensity of lighting, nature and effect of animated components, and the nature and number of illuminating devices already in the immediate neighborhood.

(b) Electronic Sign Message in GT-B

Subdistrict Electronic Sign Messages shall be permitted as a Conditional Use in accordance to the provisions of Sec. 922.06, provided that:

- (1) Signs are limited in size to 300 square feet;
- (2) Signs do not extend more than 30 feet above grade;
- (3) Signs are not visible from districts that do not permit these signs; and
- (4) Signs are not visible from roadways which have speed limits greater than 35 miles per hour.]

Section 2. The Pittsburgh Code, Title Nine, Zoning Code, Article V, Chapter 913, Exceptions and Conditions not Listed in the Use Table, Section 913.03 Special Exceptions, is hereby supplemented by adding Section 913.03.H as follows:

913.03.H Electronic Signs

1. Electronic Advertising Signs (Sec. 919.02.C)
2. Electronic Nonadvertising Signs (Sec. 919.03.O)
3. Major Public Destination Facility Electronic Signs (919.03.P.2(a))

Section 3. The Pittsburgh Code, Title Nine, Zoning Code, Article V, Chapter 913, Exceptions and Conditions not Listed in the Use Table, Section 913.04 Conditional Uses, is hereby amended by deleting Section 913.04.C.2 and adding Section 913.04.E as follows:

913.04.C Golden Triangle District

1. Density and Intensity Transfers (Sec. 910.01.D.1)
- [2. Electronic Sign Messages (Sec. 910.01.D.2)]

913.04.E Electronic Signs

2. Community Message Signs (Sec. 919.01.L)
3. Major Public Destination Facility Large Video Displays (919.03.P.2(b))

Section 4. The Pittsburgh Code, Title Nine, Zoning Code, Article VI, Chapter 919 Signs, Section 919.01.C, Special Definitions, is hereby amended by adding the following:

919.01.C Special Definitions

The following special definitions shall apply throughout the Sign regulations of this chapter.

1. *Sign* means any surface, fabric or device bearing lettered, trademarked, pictorial, or sculptured matter designed to convey information visually and expose to public view the identity of a business, organization, building, or commercial product, service, or activity; or any structure designed to carry the above visual information.

(a) A sign includes, but is not limited to:

(1) Separate structure consisting of a face or faces upon which information is portrayed and its supporting elements including foundation; or

(2) A structure or device erected in the form of a symbol or trademark; or

(3) A structure or device designed to carry visual information, attached or fastened to another structure, such as on the wall or roof of a building; or

(4) A surface of a structure or device upon which lettered, pictorial or other visual information is painted; or

(5) Window signs, cloth banners, balloons, festoon lighting, pennants or other devices designed to attract attention by animation or direct or reflected lighting; or

(6) Visual information projected onto a surface by any device; or

(7) Search light or spotlights used to bring attention to any product, service, activity, event or location.

(b) A sign does not include:

(1) Merchandise, pictures or models of products or services incorporated in a window display;

(2) Holiday decorations customarily displayed in a window or on or about the premises of residential structures, or in windows of business uses, without business advertising; or

(3) Works of art or physical constructs that do not promote product, service, or activity.

2. *Advertising Sign* means a sign that directs attention to a business, commodity, service or entertainment, conducted, sold or offered:

(a) Only elsewhere than upon the premises where the sign is displayed; or

(b) As a minor and incidental activity upon the premises where the sign is displayed.

3. *Business Sign* means a sign that directs attention to a business, organization, profession or industry located upon the premises where the sign is displayed; to the type of products sold, manufactured or assembled; and/or to the service or entertainment or other activity offered on such premises; except a sign pertaining to the preceding if such activity is only minor and incidental to the principal use of the premises.

4. *Identification Sign* means a sign used to identify the name of the principal entity occupying the premises; the profession of the principal occupant; the name of the building on which the sign is displayed; the name of a public destination facility, or portion thereof, including any sponsor or memorialized names assigned thereto; or the name of the major enterprise or principal product or service on the premises.

5. *Electronic Sign* means any sign, video display, projected image, or similar device or portions thereof with text, images, or graphics generated by solid state electronic components. Electronic signs include, but are not limited to, signs that use light emitting diodes (LED), plasma displays, fiber optics, or other technology that results in bright, high-resolution text, images, and graphics.

6. *Large Video Display* means an electronic sign that features real-time, full-motion, or pictorial imagery of television quality or better.

7. *Luminance* means the photometric quantity most closely associated with the perception of brightness. Luminance is measured in candelas per square meters or “nits”.

8. *Motion* means the depiction of movement or change of position of text, images, or graphics. Motion shall include, but not be limited to, visual effects such as dissolving and fading text and images, running sequential text, graphic bursts, lighting that resembles zooming, twinkling, or sparkling, changes in light or color, transitory bursts of

light intensity, moving patterns or bands of light, expanding or contracting shapes, and similar actions.

9. Nits are a unit of measure of brightness or luminance. One nit is equal to one candela per square meter.

10. Public Destination Facility, Major means a structure providing as its primary use cultural services, public assembly, and recreation and entertainment facilities (general, indoor and outdoor and gaming enterprise) and meeting the following criteria:

- a. A minimum annual attendance or patronage of 500,000 people, or
- b. Indoor or outdoor seating to accommodate a minimum of 10,000 people at a single event.

Hospitals, religious assembly uses, flea markets, temporary events, primary and secondary schools are not included in the definition of Major Public Destination Facility.

11. Rivers means the Allegheny, Monongahela, and Ohio Rivers within the City of Pittsburgh.

12. Solid State Electronic Components means based on or consisting chiefly or exclusively of semiconducting materials and components and related devices.

13. Sponsor means a person, entity, or organization that provides financial and other support for an event or activity taking place on the premises.

14. Twirl Time is the time it takes for static text, images, and graphics on an electronic sign to change to different text, images, or graphics.

[5.]15. Nonconforming Sign means a sign, lawfully existing on the effective date specified by the provisions of Sec. 901.05 that does not completely conform to the sign regulations applicable in the district in which it is located. Nonconforming signs are regulated by Sec. 921.03.F.

[6.]16. Area of Sign means the entire area within a single continuous perimeter enclosing the extreme limits of writing, representation, emblem or any figure or similar character together with any frame or other material or color forming an integral part of the display or used to differentiate such sign from the background against which it is placed (excluding the necessary supports or uprights on which such sign is placed or apron designed to cover such uprights or work board installed to provide a safe area for servicing such sign). Where a sign has two (2) or more faces on the same side, the area of all faces shall be included in determining the area of the sign, except that when two (2) such faces are placed back-to-back and are at no point more than two (2) feet from one (1) another, the area of the sign shall be taken as the area of one (1) face if the two (2) faces are of equal area, or as the area of the larger face if the two (2) faces are of unequal area.

[7.]17. Back-to-Back Signs means a structure with two (2) parallel and directly opposite signs with their faces oriented in opposite directions and spaced no more than two (2) feet apart.

[8.]18. *Decked Sign* means a structure consisting of two (2) signs, one (1) above the other, both facing the same direction.

[9.]19. *Face of Sign* means the side or sides of a sign on which the lettered, pictorial or sculptured matter designed to convey information is to be placed.

[10.]20. *Ground Sign* means a free standing sign that is not attached to any building and is supported by uprights, braces or a type of object that is anchored within the ground or if located above ground.

[11.]21. *V-Type Sign* means a structure of two (2) signs arranged in the shape of the letter "V" when viewed from above and with their faces oriented in opposite directions, with the faces separated by an angle not to exceed 45 degrees.

[12.]*Electronic Message Sign* means a sign with changing text or graphics generated by electronic components.]

22. *Temporary Special Event Sign* means a sign that advertises a specific special event, including but not limited to sporting events, festivals and parades, which takes place not more than once per year.

Section 5. The Pittsburgh Code, Title Nine, Zoning Code, Article VI, Chapter 919 Signs, Section 919.01 General, is hereby amended by adding the following section:

919.01.L Community Message Sign

A community message sign carries primarily non-commercial messages including without limitation not for profit community messages such as public safety or public relations messages. Such non-commercial messages may be interspersed with a single sponsor's messages, name or logo provided such message, name or logo does not occupy the sign face more than one third of the time.

Such signs shall be the primary use of a zoning lot and are permitted, or permitted to be reconstructed, in all AS-O Subdistrict A, and Public Realm Districts. Such signs shall also be spaced at least 1500 feet from another community message sign. Reconstruction of existing community message signs shall not result in a larger sign face. New community message signs shall have a maximum sign face area of 378 square feet and a maximum height of thirty-five (35) feet. Approval of such signs or their reconstruction shall be permitted pursuant to the Conditional Use procedures of Sec. 922.06 and subject to the following criteria:

1. **Motion**

All motion is prohibited on a community message sign face. Community message signs shall have only static text and graphics.

2. **Dwell Time**

The text, image, or display on a community message sign may not change more than eight times per minute. Twirl time shall not exceed 0.25 seconds.

3. **Brightness**

During daylight hours between sunrise and sunset, luminance shall be no greater than forty-five hundred (4,500) nits. At all other times, luminance shall be no greater than three hundred fifty (350) nits.

4. **Location**

(a) New community message signs are prohibited in City Designated Historic Districts and the Riverfront Overlay District as defined in 906.03.E.

(b) No community message sign shall be erected or maintained in such a manner as to obscure or otherwise physically interfere with an official traffic sign, signal or device, or to obstruct or physically interfere with a driver's view of approaching, merging, or intersecting traffic.

5. **Controls/Testing/Annual Certification**

(a) All community message signs shall be equipped with an automatic dimmer control or other mechanism that automatically controls the sign's brightness as provided above.

(b) Prior to approval of any permit to operate a community message sign, the applicant shall certify that the sign has been tested and complies with the motion, dwell time, brightness, and other requirements herein.

(c) The owner and/or operator of a community message sign shall submit an annual report to the city certifying that the sign complies with the motion, dwell time, brightness, and other requirements herein.

6. **Maintenance**

Routine maintenance of community message signs is permitted including the replacement of solid state electronic components, subject to compliance with regulations set forth in Sec. 919.02.C relating to motion, brightness, and dwell time.

Section 6. The Pittsburgh Code, Title Nine, Zoning Code, Article VI, Chapter 919 Signs, Section 919.02 Advertising Signs, is hereby amended as follows:

919.02.C Electronic Advertising Signs

1. **General**

Electronic advertising signs may be erected, maintained, and replaced according to the standards set forth below relating to motion, dwell time, brightness, location, and operational controls as applicable. All electronic advertising signs shall also comply with all requirements for signs set forth in Article VI, Sec. 919.

2. **Conflicts**

The provisions of this section shall take precedence over any conflicting provisions in Sec. 919 relating to advertising signs unless the conflicting provisions result in greater limitations on electronic advertising signs.

3. **New Electronic Advertising Signs**

Electronic Signs as defined in Sec. 919.01.C.5 shall be permitted within AS-O – Subdistrict A only, and shall be approvable by the Zoning Board of Adjustment as Special Exceptions, according to the Special Exception Review Standards of Sec. 922.07, and subject to the following criteria:

(a) **Motion**

All motion is prohibited on an electronic advertising sign face. Electronic advertising signs shall have only static text and graphics.

(b) **Dwell Time**

The text, image, or display on an electronic advertising sign may not change more than eight times per minute. Twirl time shall not exceed 0.25 seconds.

(c) **Brightness**

During daylight hours between sunrise and sunset, luminance shall be no greater than forty-five hundred (4,500) nits. At all other times, luminance shall be no greater than three hundred fifty (350) nits.

(d) **Location**

i. New electronic advertising signs are prohibited in City Designated Historic Districts and the Riverfront Overlay District as defined in 906.03.E.

ii. No electronic advertising sign shall be erected or maintained in such a manner as to obscure or otherwise physically interfere with an official traffic sign, signal or device, or to obstruct or physically interfere with a driver's view of approaching, merging, or intersecting traffic.

(e) **Controls/Testing/Annual Certification**

i. All electronic advertising signs shall be equipped with an automatic dimmer control or other mechanism that automatically controls the sign's brightness as provided above.

ii. Prior to approval of any permit to operate an electronic advertising sign, the applicant shall certify that the sign has been tested and complies with the motion, dwell time, brightness, and other requirements herein.

iii. The owner and/or operator of an electronic advertising sign shall submit an annual report to the city certifying that the sign complies with the motion, dwell time, brightness, and other requirements herein.

(f) **Maintenance**

Routine maintenance of electronic advertising signs is permitted including the replacement of solid state electronic components, subject to compliance with regulations set forth in Sec. 919.02.C relating to motion, brightness, and dwell time.

4. **Existing Electronic Advertising Signs**

Existing electronic signs that do not meet the standards set forth above for new electronic advertising signs shall become non-conforming uses and structures subject to the provisions of Article VII, Chapter 921, Nonconformities.

5. **Conversion of Existing Non-Electronic Advertising Signs**

An existing non-electronic advertising sign may be converted to an electronic advertising sign if the proposed electronic advertising sign meets all requirements of Sec. 919.02. Applications for conversion shall be subject to review and approval as new electronic advertising signs in accordance with 919.02.C.

6. **Conversion of Existing Nonadvertising Signs**

An existing nonadvertising sign may be converted to an electronic advertising sign if the proposed electronic advertising sign meets all requirements of Sec. 919.02. Applications

for conversion shall be subject to review and approval as new electronic advertising signs in accordance with 919.02.C.

919.02.[C]D Separation from Other Uses

The face of an advertising sign shall be situated so that it is not visible within a sight distance of three hundred fifty (350) feet of the following:

1. Property in a residential or EMI zoning district;
2. Park or recreation area of one-quarter (1/4) acre or more;
3. Cultural service;
4. The center line of a restricted access highway or center line of ramps thereof.
5. The floodway of the Allegheny, Monongahela or Ohio Rivers;
6. The entry or exit points of the Liberty Tunnels, The Fort Pitt Tunnels, The Squirrel Hill Tunnels or the Wabash Tunnels;
7. Any bridge which crosses the Allegheny, Monongahela, or Ohio Rivers.

919.02.[D]E No Painting Directly on Walls

Advertising signs shall not be painted directly on the wall of any building.

919.02.[E]F Number Allowed

The number of advertising sign structures shall be limited to one (1) structure per zoning lot which shall contain no more than two (2) separate sign faces. The faces may be arranged: back-to-back, side-to-side, decked or V-type. In no case shall there be more than one (1) sign face on any wall of a building.

919.02.[F]G Maximum Face Area

The square foot face area of an advertising sign shall not exceed seven hundred fifty (750) square feet in Subdistrict A and three hundred seventy-eight (378) square feet in Subdistrict B. The face shall not exceed twenty (20) feet in height or sixty (60) feet in length.

919.02.[G]H Height

The height of an advertising sign shall be measured from the ground elevation nearest to the sign to the highest elevation of the sign structure, the overall height of the sign shall not exceed a height of thirty-five (35) feet in Subdistrict B and forty-five (45) feet in Subdistrict A. All signs shall be setback within the buildable area of the zoning lot in accordance with the area requirements of the applicable zoning district.

919.02.[H]I Spacing Between Advertising Signs

The spacing of advertising signs shall be limited as follows:

1. Along restricted access highways or interchange ramps thereof; no two (2) advertising sign structures shall be spaced less than one thousand five hundred (1,500) feet apart;
2. Along any other right-of-way; no two (2) advertising sign structures shall be spaced less than five hundred (500) feet apart;
3. The distance between sign structures shall be measured along the center line of the roadway on which the signs are located, and shall extend along the center line of any intersecting roadway. The closest point of the center line to the pertinent sign shall provide the point from which measurements along the center line are taken.

919.02.[I]J Illumination

The illumination of advertising signs shall be limited as follows:

1. Illumination shall be effectively shielded so as to prevent beams or rays of light from being directed at any portion of the traveled rights of way or which is of such intensity or brilliance as to cause glare or to impair the vision of the driver of the vehicle, or which interferes with any driver's operation of a motor vehicle;
2. Illumination shall not be permitted that interferes with the effectiveness of or obscures an official traffic sign, device or signal;
- [3. Advertising signs shall not be permitted that contain, include or are illuminated by any flashing, intermittent or moving lights except those giving public service information such as time, date, temperature, weather or similar information.]

[919.02.J Motion]

[Advertising signs that contain any form of motion shall be limited as follows:

1. Rotation of any visual component shall be limited to fifteen (15) revolutions per minute, except electronic message signs in GT-A, GT-B, DR-B, and CP Districts;
2. The component involving movement shall not project more than two (2) feet from the face of sign nor shall it extend beyond the vertical or horizontal "area of sign" as defined in this chapter.
3. Any mechanical component which is the source of movement shall be concealed in such a manner as to not be obvious;
4. Movement shall not be permitted that interferes with the effectiveness of or obscures an official traffic sign, device or signal;
5. Movement shall not be permitted that adversely affects the community taking into consideration the character of the uses in the vicinity, the possible effect on vehicular traffic and the relationship of the use to its immediate surroundings and to other areas of the City from which it may be viewed.]

Section 7. The Pittsburgh Code, Title Nine, Zoning Code, Article VI, Chapter 919 Signs, Section 919.02.N Nonconforming Advertisings Signs, is hereby amended by adding the following:

919.02.N Nonconforming Advertising Signs

A nonconforming advertising sign may be continued only as provided in this section:

1. Normal maintenance of a nonconforming sign may occur, including any necessary repairs or alterations which do not enlarge, extend, or intensify the nonconformity;
2. No structural alteration, enlargement, or extension shall be made of a nonconforming sign, except when the alteration is required by law or will eliminate the nonconforming condition;
3. Shall not be moved to a different location;
4. Poster paper and panel copy boards may be replaced. Painted bulletin boards may be repainted.
5. If a nonconforming sign is damaged or destroyed by any means to the extent of fifty (50) percent or more of its replacement value at the time of the damage or destruction (based on prevailing costs), the sign shall be made to conform to the provisions of this section. However, if the damage or destruction is less than fifty (50) percent of the replacement value, then the sign may thereafter be restored to its original condition.
6. An electronic advertising sign shall not replace an advertising sign, and an advertising sign shall not replace an electronic advertising sign, unless the replacement sign meets all of the requirements of Sec. 919 for a new sign.

Section 8. The Pittsburgh Code, Title Nine, Zoning Code, Article VI, Chapter 919 Signs, Section 919.03 Nonadvertising Signs, Section 919.03.M Business Signs and Identification Signs, is amended by deleting the following:

[919.03.M.2 Signs Containing Animation, Rotation or Illumination in HC, GT, NDI, UI and GI Districts

[In the HC, GT, NDI, UI and GI zoning districts, such signs may contain animation, rotation or illumination that flashes or is intermittent provided:

- (a) Revolving or rotating components shall not exceed a speed of eight (8) revolutions per minute;
- (b) Flashing or intermittent illumination shall not be of high intensity, strobe type lights or emergency vehicle type lights;
- (c) It is demonstrated that such sign is appropriate at the specific location with respect to the impact upon adjacent property uses, particularly those of a public or semi-public nature, taking into consideration the relative size, height and location of the sign, the hours of illumination, type of lighting, color and intensity of lighting, nature and effect of animated components and the nature and number of illuminating devices already in the immediate neighborhood.]

Section 9. The Pittsburgh Code, Title Nine, Zoning Code, Article VI, Chapter 919 Signs, Section 919.03.M Business Signs and Identification Signs, is hereby amended as follows:

919.03.M.7 GT and DR Zoning Districts

In the GT and DR Zoning Districts:

(a) Wall mounted signs, except for Public Destination Facilities, are permitted provided that;

(i) The total face area shall not exceed two (2) square feet of sign face area for each lineal foot of building wall width to a maximum of eighty (80) square feet and shall be mounted no higher than forty (40) feet above grade except where expressly permitted.

(ii) For buildings with multi-commercial tenants on the first and second floors one (1) additional tenant business or identification sign shall be permitted per tenant identifying the name of the tenant or business, the total face area of which shall not exceed two (2) square feet of sign face area for each lineal foot of tenant frontage to a maximum of eighty (80) square feet per sign on each wall or facade and shall be mounted no higher than the second floor above grade.

(iii) Tenant signs are to be located within the facade area of the tenant. Maximum letter height on all wall signs below forty (40) feet above grade shall be four (4) feet.

(b) For Public Destination Facilities, the total face area of wall mounted signs below forty (40) feet shall not exceed a total of three (3) percent of exposed building facade area or a maximum of two hundred (200) square feet per facade, whichever is smaller, shall permit electronic identification signs with no motion or animation, and shall be subject to design review and approval by the City Planning Commission.

(c) Only [business and building name signs] the name of the building or business shall be mounted higher than forty (40) feet above grade and [shall] may face in all directions but shall not be roof mounted nor project above the roof peak or parapet wall, shall not exceed in face area 40 square feet or two (2) percent of exposed facade area whichever is larger, shall be limited to four (4) per building, shall include no motion or animation, shall not exceed a luminance of forty-five hundred (4,500) nits during daylight hours between sunrise and sunset, shall not exceed a luminance of three hundred fifty (350) nits at all other times, shall permit electronic illumination with no motion or animation, and shall be subject to design review and approval by the City Planning Commission. All applications shall include certification that the sign will comply with luminance level standards at the time of application and must certify again that the sign is operating in compliance with the standards prior to issuance of an occupancy permit.

(d) Ground signs shall be limited to one (1) along each street frontage when the property frontage measures one hundred (100) feet or less, otherwise ground signs shall not be spaced within one hundred (100) feet of each other when located on the same zoning lot. Ground signs shall not extend more than forty (40) feet from the top of the sign to the grade beneath the sign and shall not exceed a total face area of one hundred fifty (150) square feet;

(e) Marquee or canopy sign is a sign attached to, painted on or inscribed upon a marquee or canopy that otherwise complies with any other governmental regulation; the face of such sign shall not project above or below the marquee or canopy, shall not exceed eight (8) inches in height, shall not project more than six (6) inches horizontally from the surface of such marquee or canopy, shall not contain flashing lights or animation and shall meet the definition of business or identification sign; provided that a marquee or canopy sign attached to a Public Assembly (general) facility which shall otherwise be subject to this provision, may be up to eight (8) feet in height and subject to review by the Planning Commission under the Project Development Plan criteria put forth in Section 922.10.

Section 10. The Pittsburgh Code, Title Nine, Zoning Code, Article VI, Chapter 919 Signs, Section 919.03 Nonadvertising Signs, is hereby amended by adding the following sections:

919.03.O Electronic Nonadvertising Signs

1. General

Electronic nonadvertising signs shall be allowed subject to all regulations applicable to nonadvertising signs and the additional standards set forth below. These provisions shall not apply to electronic signs associated with Major Public Destination Facilities or High Wall Signs as permitted in accordance with Sec. 919.03.M.7.

2. Conflicts

The provisions of this section shall take precedence over any conflicting provisions in Sec. 919 relating to advertising signs unless the conflicting provisions result in greater limitations on electronic nonadvertising signs.

3. New Electronic Nonadvertising Signs

Electronic Signs as defined in Sec. 919.01.C.3 shall be permitted within the HC, UI, and GI zoning districts only, and shall be approvable by the Zoning Board of Adjustment as Special Exceptions, according to the Special Exception Review Standards of 922.07, and subject to the following criteria:

(a) Motion

Any motion of any kind is prohibited on an electronic nonadvertising sign face. Electronic nonadvertising signs shall have only static text, images, and graphics.

(b) Dwell Time

The text, image, or display on an electronic nonadvertising sign may not change more than eight times per minute. Twirl time shall not exceed 0.25 seconds.

(c) Brightness

During daylight hours between sunrise and sunset, luminance shall be no greater than forty-five hundred (4,500) nits. At all other times, luminance shall be no greater than three hundred fifty (350) nits.

(d) Size

The changeable copy area of an electronic nonadvertising sign shall be limited to fifty (50) percent of the total permitted sign area up to a maximum of 50 square feet, but not including high wall signs which are subject to the specific standards of 919.03.M.7(ii).

(e) **Location**

i. Electronic nonadvertising signs shall not be located within 100 feet of or be primarily directed towards rivers, parks, City Designated Historic Districts, or properties within a residential or public realm zoning district; and

ii. No electronic nonadvertising sign shall be erected or maintained in such a manner as to obscure or otherwise physically interfere with an official traffic sign, signal or device, or to obstruct or physically interfere with a driver's view of approaching, merging, or intersecting traffic.

(f) **Controls/Testing/Annual Certification**

i. All electronic nonadvertising signs shall be equipped with an automatic dimmer control or other mechanism that automatically controls the sign's brightness as provided above; and

ii. Prior to approval of any permit for to operate an electronic nonadvertising sign, the applicant shall certify that the sign has been tested and complies with the motion, dwell time, brightness, and other requirements herein.

919.03.P Major Public Destination Facility Electronic Signs

1. **Applicability**

This section shall apply to electronic signs associated with all uses that meet the definition of Major Public Destination Facility.

2. **Review Process**

(a) **Electronic Signs**

All major public destination facility electronic signs shall be reviewed by the Zoning Board of Adjustment as Special Exceptions according to the Special Exception review standards and procedures of Sec. 922.07 and the standards set forth below.

(b) **Large Video Displays**

All major public destination facility video displays shall be reviewed by the Planning Commission and City Council as Conditional Uses according to the Conditional Use Standards and Procedures of Sec. 922.06 and the standards set forth below.

3. **Conflicts**

The provisions of this section shall take precedence over any conflicting provisions in Article VI, Sec. 919 relating to nonadvertising signs.

4. **Electronic Signs Allowed**

Subject to the provisions of this section, major public destination facilities may utilize electronic signs, including video displays, to display:

(a) The name of the facility, or portion thereof, including any sponsor or memorialized names assigned thereto and their logo or identifying mark. However, products or services of sponsors shall not be displayed;

(b) The name of the major enterprise or principal activity and events on the premises,

(c) Video displays of activities, events, or games taking place within the facility or contemporaneous away games of teams associated with the facility, and

(d) Events or activities at related facilities (both on- and off-premise) under the control or ownership of the primary occupant of the facility.

5. **Location**

(a) Major Public Destination Facility electronic signs shall not be located within 100 feet of or be primarily directed towards rivers, parks, City Designated Historic Districts, or properties within a residential or public realm zoning district;

(b) Major Public Destination Facility signs shall be attached to the facility or an associated structure such as a parking garage or located on-site within 30 feet of such facility;

(c) Video displays shall not be visible from roadways, or ramps associated with such roadways, with speed limits exceeding 35 miles per hour;

(d) No electronic sign or video display shall be erected or maintained in such a manner as to obscure or otherwise physically interfere with an official traffic sign, signal or device, or to obstruct or physically interfere with a driver's view of approaching, merging, or intersecting traffic; and

(e) There shall be no more than one electronic sign and one video display on the site of a major public destination facility.

6. **Motion**

Any motion of any kind is prohibited on an electronic sign face. Electronic signs shall have only static text, images, and graphics. However, motion may be allowed on large video displays depicting activities, events, or games taking place within the facility or contemporaneous away games of teams associated with the facility.

7. **Dwell Time**

The text, image, or display on an electronic advertising sign may not change more than eight times per minute. Twirl time shall not exceed 0.25 seconds.

8. **Brightness**

During daylight hours between sunrise and sunset, luminance shall be no greater than forty-five hundred (4,500) nits. At all other times, luminance shall be no greater than three hundred fifty (350) nits

9. **Size**

The maximum size of an electronic sign or video display shall be one thousand two hundred (1,200) square feet.

10. **Controls/Testing/Annual Certification**

(a) All electronic signs shall be equipped with an automatic dimmer control or other mechanism that automatically controls the sign's brightness as provided above.

(b) Prior to approval of any permit to operate an electronic sign, the applicant shall certify that the sign has been tested and complies with the motion, dwell time, brightness, and other requirements herein.

(c) The owner and/or operator of an electronic advertising sign shall submit an annual report to the city certifying that the sign complies with the motion, dwell time, brightness, and other requirements herein.

919.03.Q Special Signage Design Districts

A Special Signage Design Zoning District may be created in accordance with Sec. 922.05 if the proposed district is at least eight acres in size. A Special Signage Design District may be nominated by petition to the City Planning Commission of 80% of the property

owners (determined by 80% of the land area), or may be nominated by a City Planning Commission Member, a City Council Member, or the Mayor. The Department of City Planning will develop procedures, standards and regulations for all signage in such a district with assistance from the proposers as deemed appropriate by the City Planning Commission.

1. **Conflicts**

The provisions of this section shall take precedence over any conflicting provisions in Article VI, Sec. 919.03 relating to nonadvertising signs.

2. **Comprehensive Signage Design Plan**

A complete application for a Special Signage Design District shall include a comprehensive signage design plan to address all nonadvertising signage forms and typologies throughout the Special Signage Design District including, but not limited to, Business Signs and Identification Signs, Public Information Signs, gateway and district signage. The comprehensive signage design plan shall be subject to Design Review. Art Commission shall review and approve any signage recommendation within a Public Right-of-Way or on City-owned property.

3. **Electronic Signs Allowed**

Subject to the provisions of this section, Special Signage Design Districts may utilize electronic signs, including video displays, in accordance with an adopted Special Signage Design District Plan.

(a) **Location**

i) Electronic Signs shall not be located within 100 feet of the rivers or be directed primarily towards the rivers.

ii) Video displays shall not be visible from roadways, or ramps associated with such roadways, with speed limits exceeding 35 miles per hour.

iii) No electronic sign shall be erected or maintained in such a manner as to obscure or otherwise physically interfere with an official traffic sign, signal or device, or to obstruct or physically interfere with a driver's view of approaching, merging, or intersecting traffic.

iv) No Electronic Sign shall be located within an LNC, NDO, P, H, or Residentially Zoned districts.

(b) **Brightness**

During daylight hours between sunrise and sunset, luminance shall be no greater than forty-five hundred (4,500) nits. At all other times, luminance shall be no greater than three hundred fifty (350) nits.

(c) **Controls/Testing/Annual Certification**

i) All electronic signs shall be equipped with an automatic dimmer control or other mechanism that automatically controls the sign's brightness as provided above.

ii) Prior to approval of any permit to operate an electronic sign, the applicant shall certify that the sign has been tested and complies with the motion, dwell time, brightness, and other requirements herein.

iii) The owner and/or operator of an electronic advertising sign shall submit an annual report to the city certifying that the sign complies with the motion, dwell time, brightness, and other requirements herein.

919.03.R Neighborhood Gateway Signs

Neighborhood Gateway Signs may be permitted in order to identify the major entrance gateways to a city neighborhood in accordance with the following standards:

1. Shall be located at or near neighborhood boundaries and placed as to clearly convey entry to that neighborhood;
2. Shall be limited to one sign for each major entrance gateway to a city neighborhood;
3. Shall not contain advertising matter attached to or integrated with or as part of such sign;
4. Shall not be an Electronic Sign;
5. Shall not exceed forty (40) square feet in face area; and
6. Shall be subject to Design Review and approval by the City Planning Commission except in locations where Art Commission approval is required.

Section 11. The Pittsburgh Code, Title Nine, Zoning Code, Article VI, Chapter 919, Signs, is hereby amended by adding the following section:

919.05 Temporary Special Event Signs

Temporary Special Event Signs shall be permitted as an Administrator's Exception in accordance with Sec. 922.08, pursuant to the following restrictions:

1. The signs shall be prohibited in all residential zoning districts and in all City Designated Historic Districts designated pursuant to Title XI of this Code;
2. The signs shall be posted for consecutive days, but not more than thirty (30) consecutive days;
3. There shall not be more than five (5) signs for a single event approved pursuant to this section;
4. Signs for the same event shall not be approved, pursuant to this section, more than once per calendar year;
5. Any sponsorship logos or trademarks shall not cover more than 15 (fifteen) percent of the sign face;
6. The signs shall not be larger than 378 square feet;
7. The signs shall not contain any flashing text or graphics; and
8. The signs shall not contain any animation.

Section 12. The Pittsburgh Code, Title Nine, Zoning Code, Article VII, Chapter 921, Nonconformities, Section 921.02 Nonconforming Uses is hereby amended as follows:

921.02.B Abandonment

921.02.B.1 Effect of Abandonment

Once abandoned, a nonconforming use shall not be reestablished or resumed. Any subsequent use or occupancy of the structure or land site must conform with the regulations of the district in which it is located and all other applicable requirements of this Code.

921.02.B.2 Evidence of Abandonment

A nonconforming use shall be presumed abandoned when any one (1) of the following has occurred:

- (a) A less intensive use has replaced the nonconforming use;
- (b) Greater than twenty-four (24) percent of the building or structure has been removed through the applicable procedures for condemnation of unsafe structures or otherwise by operational law;
- (c) The owner has physically changed the building or structure or its fixtures or equipment in such a way as to clearly indicate a change in use or activity to something other than the nonconforming use; or
- (d) The use has been discontinued, vacant or inactive for a continuous period of at least one (1) year, provided this presumption may be rebutted upon showing, to the satisfaction of the Zoning Board of Adjustment, that the owner had no intention to abandon. Where appropriate, the Zoning Board of Adjustment may require contemporaneous documentation of previous use or intended use, such as leases or real estate advertisement, to rebut the presumption.
- (e) Nonconforming signs relating to a product no longer available for brand new retail purchase and nonconforming signs relating to a business or service which is terminated or relocated, shall be presumed abandoned after a period of at least one (1) year after the termination of the product, business or service. This presumption may be rebutted upon showing, to the satisfaction of the Zoning Board of Adjustment, that the owner had no intention to abandon. Where appropriate, the Zoning Board of Adjustment may require contemporaneous documentation of previous use or intended use, such as leases or real estate advertisement, to rebut the presumption.