



PLANNING COMMISSION MEETING
Thursday, October 13, 2015
7:00 PM

- 1. CALL TO ORDER - ROLL CALL – ADOPT AGENDA**

- 2. MINUTES**

September 10, 2015 Planning Commission Meeting (pages 1-2)

- 3. PUBLIC HEARINGS**
 - a. None

- 4. OTHER BUSINESS**
 - a. Sign Code Update (pages 3-37)

- 5. ADJOURNMENT**



ALBERTVILLE PLANNING COMMISSION

Thursday, September 10, 2015

DRAFT MINUTES

ALBERTVILLE CITY HALL

7:00 PM

1. CALL TO ORDER – ROLL CALL – ADOPT AGENDA

Chair Klecker called the meeting to order at 7:00 p.m.

Becker conducted roll call.

Present: Chair Klecker and Commissioners Dominick and Barthel

Absent: Commissioners Lindberg and Edgren

Others Present: City Planner Alan Brixius, Maeghan Becker

Motioned by Dominick, seconded by Klecker, to approve the agenda as presented. Ayes: Klecker, Dominick, and Barthel. Nays: None. Absent: Lindberg and Edgren. MOTION DECLARED CARRIED.

2. MINUTES

Motioned by Dominick, seconded by Klecker, to approve the August 11, 2015 Planning Commission meeting minutes as presented. Ayes: Klecker, Dominick, and Barthel. Nays: None. Absent: Lindberg and Edgren. MOTION DECLARED CARRIED.

3. PUBLIC HEARINGS:

A. None

4. OTHER BUSINESS

A. Sign Code Update Discussion

Brixius wants to make the sign ordinances simpler. He highlighted on the Supreme Court Case called Reed vs. the Town of Gilbert, AZ. The Supreme Court has decided that signs will not discriminate between signs based on content.

Brixius is looking for direction from the Planning Commission on:

1. The outline of current code
2. Permitted sign without a permit

3. Prohibited signs
4. Non-conforming signs provisions
5. General district standards
6. Special sign standards
 - a. Klecker is asking if there could be a certain time limit on these temporary signs.
Brixius said that on the temporary signs, they will have time limits and usually there is a permit, the permit will expire.
7. Administration

The Commission continued to discuss the possible changes in the sign code presented by Brixius. The sections brought to the Commission's attention by Brixius were purpose and intent, sign location and setbacks, and projecting signs. Due to the detail and time limits, the committee agreed to continue the sign code discussion at future meetings.

5. ADJOURNMENT

Motioned by Barthel, seconded by Dominick, to adjourn the meeting at 8:12 p.m. Ayes: Klecker, Dominick, and Barthel. Nays: None. Absent: Lindberg and Edgren. MOTION DECLARED CARRIED.

Respectfully submitted,

Maeghan M. Becker, Building Permit Technician



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MEMORANDUM

TO: Adam Nafstad
FROM: Alan Brixius
DATE: October 8, 2015
RE: Albertville – Sign Code Update
FILE NO: 163.18

Attached is a draft Sign Ordinance for Planning Commission review. Please bring last month's ordinance outline for comparison and discussion. As a draft, I expect that the Planning Commission will further edit and change the proposed ordinance to make it fit Albertville.

See you next Tuesday.

c: Kim Olson
Maeghan Becker
Paul Heins
Mike Couri

**ALBERTVILLE SIGN CODE
CHAPTER 7**

10-7-1: PURPOSE AND INTENT:

- A. Purpose. This section is established to protect and promote health, safety, general welfare and order within the City of Albertville through the establishment of a comprehensive and impartial series of standards, regulations and procedures governing the type, number, size, structure, location, height, lighting, erection, use and/or display of devices, signs or symbols serving as a visual communication media to persons situated within or upon public rights-of-way or private properties. The provisions of this Section are intended to encourage opportunity for effective, orderly communication by reducing annoyances, confusion and hazards resulting from unnecessary and/or indiscriminate use of communication facilities.
- B. Objectives.
1. To establish standards which permit businesses a reasonable and equitable opportunity to advertise.
 2. To preserve and promote civic beauty and prohibit signs which would detract from this objective because of number, size, shape, height, location, condition, cluttering or illumination.
 3. To insure that signs do not create safety hazards.
 4. To preserve and protect property values.
 5. Allow signage and communication to direct traffic on both public streets and private property.

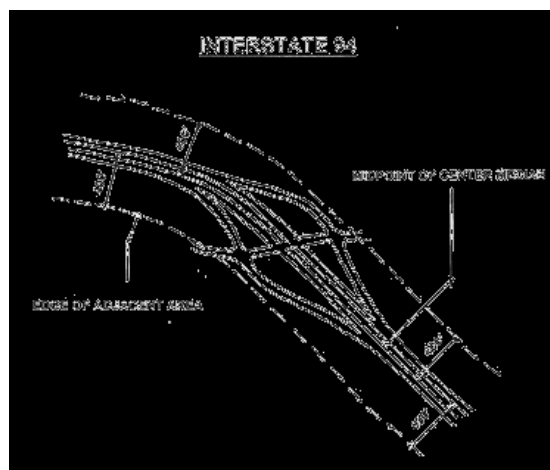
10-7-2: DEFINITIONS:

Staff Comment: Content descriptive definitions have been removed.

For the purpose of this chapter, the terms defined in this section shall have the meanings herein given them:

ADJACENT AREA: For the purpose of section 10-7-6 of this chapter, adjacent area shall be defined as a strip of land that is immediately adjacent and parallel to Interstate 94 through Albertville and meets both of the following criteria:

- A. The adjacent area shall only include land parcels or lots that directly abut the Interstate 94 right of way, or city owned right of way intended for future interstate access improvements, otherwise known as CSAH 19/Interstate 94 and CSAH 37/Interstate 94 interchange improvements. Parcels acquired solely for drainage and utility or ponding purposes shall not be considered an adjacent area. Parcels that do not directly abut the aforementioned rights of way are not within the adjacent area.
- B. The adjacent area shall be limited to a strip of land four hundred feet (400') in width measured from the midpoint of the center median between the opposing traffic lanes of Interstate 94 and extending out either sides of Interstate 94 (see graphic below).



BILLBOARD AREA OR SIGN AREA: That portion of the sign face of a billboard or business sign which includes the border and trim thereof, but excludes the base and apron supports and other structural members. If an advertising device or business sign is constructed so that the faces are not constructed back to back, the angle shall not exceed ninety degrees (90°). If said angle is greater than ninety degrees (90°), the total area of both sides added together shall not exceed the maximum allowable advertising device or business sign area.

BANNERS: Any attention getting devices which resemble flags and are of a paper, cloth or plastic or plastic-like consistency.

CAMPAIGN SIGNS: Any sign that meets the provisions of Minnesota State Statute 211B.045.

CHANGEABLE COPY SIGN: A sign or portion thereof that has a reader board for the display of text information in which each alphanumeric character, graphic or symbol is defined by objects not consisting of an illumination device and may be changed or rearranged manually or mechanically with characters, illustrations, letters or numbers that can be changed or rearranged without altering the face or surface of the sign structure. Changeable copy signs shall also include the following:

1. **Changeable Copy Sign, Electronic:** A sign or portion thereof that displays electronic, non-pictorial text information in which each alphanumeric character, graphic, or symbol is defined by a small number of matrix elements using different combinations of light emitting diodes (LEDs), fiber optics, light bulbs or other illumination devices within the display area. Electronic changeable copy signs include computer programmable, microprocessor controlled electronic displays. Electronic changeable copy signs include projected images or messages with these characteristics onto buildings or objects. Electronic changeable copy signs do not include official signs.
2. **Electronic Graphic Display Sign:** A sign or portion thereof that displays electronic, static images, static graphics or static pictures, with or without text information, defined by a small number of matrix elements using different combinations of light emitting diodes (LEDs), fiber optics, light bulbs or other illumination devices within the display area where the message change sequence is accomplished immediately or by means of fade, re-pixelization or dissolve modes. Electronic graphic display signs include computer programmable, microprocessor controlled electronic or digital displays. Electronic graphic display signs include projected images or messages with these characteristics onto buildings or other objects.
3. **Video Display Sign:** A sign that changes its message or background in a manner or method of display characterized by motion or pictorial imagery, which may or may not include text and depicts action or a special effect to imitate movement, the presentation of pictorials or graphics displayed in a progression of frames that gives the illusion of motion, including, but not limited to, the illusion of moving objects, moving patterns or bands of light, or expanding or contracting shapes, not including electronic changeable copy signs. Video display signs include projected images or messages with these characteristics onto buildings or other objects.

COUNTY STATE AID HIGHWAYS OR CSAH: A road that is established, located, constructed, reconstructed, improved and maintained as a public highway by the county and is so designated a county state aid road.

DOUBLE FACE SIGN: A sign displaying information on both sides.

ERECT: To construct, build, raise, assemble, place, affix, attach, create, paint, draw or in any other way to bring into being or establish, but it shall not include any of the foregoing activities when performed as an incident to the change of advertising message or customary maintenance of an outdoor advertising structure or device.

FLASHING SIGN: A directly or indirectly illuminated sign or portion thereof that exhibits changing light or color effect by any means, so as to provide intermittent illumination that changes light intensity in sudden transitory bursts and creates the illusion of

intermittent flashing light by streaming, graphic bursts showing movement, or any mode of lighting which resembles zooming, twinkling or sparkling.

GRADE OF SIGN: The lowest point of elevation of the finished surface of the ground, paving or sidewalk within the area between the sign and a line ten feet (10') from the sign.

GROUND SIGN: A sign placed upon or supported by the ground independently of the main building or structure on the property. Signs on accessory structures shall be considered "ground signs".

ILLUMINATED SIGN: A sign which has characters, letters, figures, designs or outlines illuminated by electric lights or tubes, or by other artificial light directed to the sign or by internal illumination.

INTERSTATE HIGHWAY: Any highway at any time officially designated as a part of the national system of interstate and defense highways by the commissioner of transportation and approved by the appropriate authority of the federal government.

LOGO: Any letter, character, or symbol used to represent an entire word or group of words denoting the name, trade or purpose of any business.

MAINTAIN: To allow to exist.

MOVING SIGN: A sign which revolves, rotates, has any moving parts, or gives the illusion of motion.

MULTIVISION SIGN: Any sign composed in whole or part of a series of vertical or horizontal slats or cylinders that are capable of being rotated at intervals so that partial rotation of the group of slats or cylinders produces a different image and when properly functioning allows on a single sign structure the display at any given time one of two (2) or more images.

OFF PREMISES SIGNS: A commercial speech sign which directs the attention of the public to a business, activity conducted, or product sold or offered at a location not on the same lot where such sign is located. For purposes of this sign ordinance, easements and other appurtenances shall be considered to be outside such lot and any sign located or proposed to be located in an easement or other appurtenance shall be considered an off premises sign.

ON PREMISES SIGNS: A sign that is located on property that is the premises, property or site of the use identified or advertised in the sign.

PORTABLE SIGN: A moveable sign not fixed to a building or the ground (i.e., pulled on a trailer vehicle).

PROJECTING SIGN: A sign which is affixed to a building and which projects from the building wall a distance greater than twelve inches (12").

PUBLIC NOTICES: Official notices posted by public officers, employees or their agents in the performance of their duties, or as directed by such officers, employees or agents.

PYLON SIGN: A freestanding sign erected upon no more than two (2) pedestals, posts or shafts.

READER BOARD SIGN: A sign with separate inset letters and symbols or changeable copy which can be easily removed and which are periodically changed.

ROOF SIGN: A sign which is located above the eaves or coping line.

ROTATING SIGN: A sign or portion of a sign which in any physical part or in total turns about on an axis, rotates, revolves or is otherwise in motion, including, without limitation, a multivision sign.

SHIMMERING SIGN: A sign which reflects an oscillating, sometimes distorted, visual image.

SIGN: A name, identification, description, display, illustration, structure, or device which is affixed to, or painted, or represented directly or indirectly upon a building or other outdoor surface or a piece of land, and which directs attention to an object, product, place, activity, person, institution, organization or business.

SIGN SETBACK: The shortest distance between the property or public right of way line and the surface or main supporting structure of a sign.

SIGN STRUCTURE: The supports, foundations, uprights, bracing and framework for a sign, including the sign area.

SPECIAL SIGN: means any sign that is a billboard, temporary sign, or banner

TEMPORARY SIGN: A sign which is erected for a limited time and/or special purpose.

WALL SIGN: A sign which is affixed to the exterior wall of a building and which does not project more than twelve inches (12") from the surface to which it is attached.

WINDOW SIGN: A sign affixed to a window or located inside a window surface legible to the general public. (Amended Ord. 1987-3, 10-19-1987; amd. Ord. 2004-09, 11-15-2004; Ord. 2007-08, 8-20-2007; Ord. 2014-06, 10-20-2014)

10-7-3: NON-CONFORMING SIGNS:

A. The following are non-conforming signs:

1. Prohibited signs.

2. All other signs not prohibited that do not conform to the provisions of this code.

B. General provisions governing non-conforming signs:

1. A non-conforming sign lawfully existing upon the effective date of this ordinance may be continued at the size and in the manner existing upon such date.
2. Non-Conforming Sign Maintenance and Repair. Nothing in this code shall be construed as relieving the owner or user of a legal non-conforming sign or other of the property on which the legal non-conforming sign is located from the provisions of this ordinance regarding safety, maintenance, and repair of signs, provided however, that any repainting, cleaning, and other normal maintenance or repair of the sign or sign structure shall not modify the sign structure or sign area in any way which makes it more non-conforming or the sign shall lose its legal non-conforming status.
3. If at any time a non-conforming sign shall be damaged or destroyed to the extent of more than fifty percent (50%) of its fair market value, said value to be determined by the City, it may be re-established to its prior size and form, but not expanded, if the property owner applies for a signed building permit within one hundred eighty (180) days of the damage event. If no signed building permit is applied for within the specified time period, then without further action by the Council, the sign shall be subject to all the regulations specified by this code for the district in which such land and buildings are located. Any sign which is damaged to an extent of less than fifty percent (50%) of its fair market value may be restored to its former extent if it is reconstructed within twelve (12) months after the date of said damage. Estimate of the extent of damage or destruction shall be made by the Building Official.

Staff Comment: Non-conforming section reflects current State Statutes.

10-7-4: PROHIBITED SIGNS:

A. The following signs are prohibited in all zoning districts in the City of Albertville:

1. Flashing Or Moving Signs: No flashing signs, rotating or moving signs, animated signs, signs with moving lights, or creating the illusion of movement shall be permitted.
2. Painted Wall Signs: No sign which is painted directly upon a wall surface shall be permitted.
3. Obsolete And Off Premises Signs: No sign shall be permitted which advertises a business which is not being presently conducted on the

premises on which the sign is located, except billboards, as provided for in section 8 of this chapter, and except any privately owned recreational establishment having a gross open space area within the city greater than eighty (80) acres, where such open space is an integral part of the business, may have one directional sign not to exceed thirty two (32) square feet in size identifying the name of the establishment with one directional arrow. Said sign shall be in conformance with this chapter. Said directional sign shall not be erected or maintained in the city except on property abutting a county road.

4. Signs Obstructing Accessways or Windows: No sign shall physically obstruct any required accessway or window in such a manner as to create a safety hazard.
5. Signs Obstructing Traffic: No exterior sign or sign located in the interior of a building but visible through a window shall be maintained at any location where, by reason of its position, size, shape or color, it may obstruct, impair, obscure, interfere with the view of, or be confused with any traffic control sign, signal or device, or where it may interfere with, mislead or confuse traffic.
6. Signs on trees or shrubs, or which are painted or drawn upon rocks or natural features, or on public utility poles.
7. Signs which are structurally unsafe, in disrepair, or are abandoned.
8. Roof signs located directly on a building roof or projecting over or from a building roof.
9. Signs mounted on vehicles or trailers with the exception of trailer reader signs, except temporary portable signs as permitted under Section 10-7-8 of this chapter.

10-7-5: GENERAL PROVISIONS:

All signs hereafter painted, constructed, erected, remodeled, relocated or expanded shall comply with the following standards:

- A. Application of Building and Electrical Codes: All signs shall be wired to conform to the electrical code of the state of Minnesota. Sign structures shall be designed to provide a thirty (30) psf snow load and a thirty (30) psf wind pressure. All signs allowed by permit shall be installed and maintained in conformance with Minnesota State Building and Electrical Codes, as may be amended.
- B. Maintenance Requirements: All signs, including electrical wiring, supporting structures, guywires or chains, shall be properly maintained and kept in a safe condition.

- C. Illuminated Signs: Signs shall be shaded wherever necessary to avoid casting bright light upon property located in any residential district or upon any public street or park. Any illuminated sign located on a lot adjacent to, within three hundred feet (300') of, or across the street from, any single-family residential district, which sign is visible from such single-family residential district, shall not be illuminated at any time between the hours of eleven o'clock (11:00) P.M. and seven o'clock (7:00) A.M., when the use is not open for business.
- D. Glare: In all districts, any lighting used to illuminate an off street parking area, yard or other structure shall be arranged to deflect light away from any adjoining residential zone or from the public streets. Direct or sky reflected glare, where from floodlights or from high temperature processes such as welding or combustion, shall not be directed into any other property. The source of light shall be hooded or controlled. Bare incandescent light bulbs shall not be permitted in view of adjacent property or right of way. Any light or combination of lights which cast light on residential property shall not exceed four-tenths (0.4) foot-candle (meter reading), as measured from the residential property. Any light or combination of lights which cast light on a public street shall not exceed one foot-candle as measured from the centerline of the street.
- E. Identifiable Address: Every principal building shall be identified with an address containing the street number(s), which shall be readable from the nearest adjacent roadway serving the premises. The size of the numbering shall not exceed the size standards in Section _____ of this chapter.
- F. Any sign now or hereafter existing which no longer advertises or identifies a bona fide business conducted, or a service rendered, or a product sold, shall be removed by the owner, agent, or person having the beneficial use and/or control of the building or structure upon which the sign may be found within ten (10) days after written notice from the City Official.
- G. Signs shall not create a hazard to the safe, efficient movement of vehicular or pedestrian traffic. No private sign shall contain words or colors which might be construed as traffic controls, such as "stop", "caution", "warning", unless the sign is intended to direct traffic on the premises.
- H. Sign Location/Setbacks.
 - 1. No signs other than governmental signs shall be erected or placed within a public right-of-way.
 - 2. No freestanding sign structure shall be closer than five (5) feet from any property line. When the bottom of the sign face of a freestanding sign is fifteen (15) feet or higher above grade, the sign face may extend into the setback no closer than one (1) foot from the property line. No sign shall be placed within any drainage or public easement.

3. Except for off-premise signs allowed in other sections of this Ordinance, all signs must be located on the same lot as the person, firm, business, product, or building being identified.
4. On all corner lots, signs shall not be permitted within twenty (20) feet of any corner formed by the intersection of two (2) streets. The twenty (20) feet shall be in the form of a triangle with two (2) sides formed by the property lines and the third side formed by a straight line connecting the two (2) twenty (20) foot points on each side of the corner. A sign may be extended above the triangular area provided that the clearance between the bottom of the sign face and the street grade is fifteen (15) feet or higher.

Staff Comment: Setbacks offer greater flexibility in sign placement.

- I. Banners, Pennants, Streamers, Strings of Lights, Searchlights: No banner, pennant, streamer, string of lights, searchlight, or any other similar sign shall be permitted, except as provided in section 10-7-8 of this chapter. Banner signs and specialty signs will be permitted as temporary signage as regulated by this section and Section 10-7-8 of this chapter.
- J. Projecting signs are permitted if they are at least eight feet (8') aboveground and meet required setbacks. Said sign shall be counted as a wall sign in the sign area calculation.
- K. All signs shall be accessory uses within the designated zoning district and shall be directly related to the principal use of the property on which it is located. Only off-premise signs and Billboard sign structures, allowed under Section 10-7-8, shall be an exception to this provision.
- L. Sign Height.
 1. All height restrictions on signs shall include height of sign structure and be measured from the lot grade or in the case of inflatable device from its mounting surface to its highest point.
 2. The top edge of any wall or building mounted sign or object intended as an attention attracting device shall not extend above the roof line, parapet, mansard or façade of a building adjacent to the sign or object.
- M. A freestanding sign or sign structure constructed so that the faces are not back to back shall not have an angle separating the faces exceeding twenty (20) degrees unless the total area of both sides added together does not exceed the maximum allowable sign area for that district.
- N. Off Premise Signs. Off premise signs shall adhere to the regulations of Section 10-7-8 of this chapter.

10-7-6: DISTRICT REGULATIONS: The following regulations apply to the City's various zoning districts.

- A. In A-1, A-2, R-1A, R-1, R-2, R-3 Districts, the following signs are allowed without a permit:
1. Temporary special event signs may be allowed without a permit subject to the following:
 - a. The sign shall not exceed four (4) square feet
 - b. The sign shall not exceed five (5) feet in height
 - c. A temporary sign for a special event may not be placed on the property prior to five (5) days before the event, and must be removed one (1) day after the end of the event.

Staff Comment: Garage sale, party sign, etc.

2. Address Identification: For each dwelling unit there shall be permitted one address sign not exceeding two (2) square feet in area.
3. Property listed for sale may have one (1) temporary freestanding sign provided it meets the following:
 - a. The sign shall not exceed four (4) square feet
 - b. The sign shall not exceed five (5) feet in height
 - c. The sign may only be displayed while the property is listed for sale.
 - d. The sign is removed within fourteen (14) days after the date of closing.
 - e. The sign is removed if the property is no longer offered for sale.
4. Vacant lots that are two (2) acres or more in size that are listed for sale are allowed one (1) temporary freestanding sign per adjacent street provided that:
 - a. The sign shall not exceed thirty-two (32) square feet.
 - b. The sign shall not exceed eight (8) feet in height.
 - c. The sign shall not be placed in the public right-of-way and shall meet the required sign setbacks.

- d. The sign shall be removed within fourteen (14) days of the property being sold.
- e. The sign is removed if the property is no longer offered for sale.

Staff Comment: Real estate signs

- 5. Remodeling: In connection with the construction or remodeling of a building, there shall be permitted one freestanding sign not exceeding thirty-two (32) square feet in area and eight (8) feet in height; on corner lots, two (2) such signs, one facing each street, shall be permitted. All signs shall be removed by the person or persons erecting the same no longer than two (2) weeks after final inspection by the building official of the structure indicated, or two (2) years, whichever is less.
 - 6. Campaign signs are exempt from these provisions of this chapter per Minnesota State Statute 211B.045.
- B. In A-1, A-2, R-1A, R-1, R-2, R-3 Districts, signs are allowed by permit with the following conditions:
- 1. Businesses other than home occupations allowed within the agricultural and residential districts are allowed one (1) wall sign or one (1) monument sign provided that:
 - a. Freestanding signs may not exceed fifty (50) square feet or eight (8) feet in height.
 - b. Wall signs may not exceed fifteen (15) percent of the building façade.
 - 2. Subdivisions with twenty (20) or more units are permitted one (1) permanent freestanding sign per subdivision street entrance, provided it meets the following regulations:
 - a. The sign may not exceed thirty-two (32) square feet.
 - b. The sign shall be placed on an outlot, easement, or common lot owned by a neighborhood association property.
 - c. The sign may not be placed in a visibility triangle.
 - d. The neighborhood association shall be responsible for the maintenance and upkeep of the sign.
 - e. The sign must be constructed out of materials approved by the zoning administrator.

Staff Comment: Do we need a regulation on sign illumination for residential districts?

- C. In R-4, R-5, R-6, R-7, R-8, R-MH Districts, the following signs are allowed without a permit:
1. One (1) temporary special event sign is allowed without a permit per street frontage provided that the following criteria is met:
 - a. The sign shall not exceed four (4) square feet.
 - b. The sign shall not exceed five (5) feet in height with the exception of wall signs.
 - c. A temporary sign for a special event may not be placed on the property prior to five (5) days before the event, and must be removed one (1) day after the end of the event.
 2. Address Identification: For each dwelling unit, there shall be permitted one nameplate not exceeding two (2) square feet in area indicating the name and/or address of the occupant.
 3. Remodeling: In connection with the construction or remodeling of a building, there shall be permitted one sign not exceeding thirty-two (32) square feet in area and eight (8) feet in height; on corner lots, two (2) such signs, one facing each street, shall be permitted. All signs permitted shall be removed by the person or persons erecting the same no longer than two (2) weeks after final inspection by the building official of the structure indicated, or two (2) years, whichever is less.
 4. Property listed for sale or rent may have one (1) temporary wall or freestanding sign per street frontage provided it meets the following:
 - a. Wall signs shall not exceed ten percent (10%) of the building side facing a public street.
 - b. Freestanding signs shall not exceed thirty-two (32) square feet in area or eight (8) feet in height.
 - c. Signs must meet all sign setback requirements.
 - c. The sign may only be displayed while the property is listed for sale or rent.
 - d. The sign is removed within fourteen (14) days after the date of closing or vacancy filled.
 - e. The sign is removed if the property is no longer offered for sale or rent.

5. Vacant lots that are two (2) acres or more in size that are listed for sale are allowed one (1) temporary sign without a permit per adjacent street provided that:
 - a. The sign shall not exceed thirty-two (32) square feet.
 - b. The sign shall not exceed eight (8) feet in height.
 - c. The sign shall not be placed in the public right-of-way.
 - d. The sign shall be removed within fourteen (14) days of the property being sold.
 - e. The sign is removed if the property is no longer offered for sale.
 6. Campaign signs are exempt from these provisions per Minnesota State Statute 211B.045.
- D. In R-4, R-5, R-6, R-7, R-8, R-MH Districts, the following signs are allowed by permit:
1. Businesses other than home occupations allowed within the residential districts are allowed one (1) wall sign and one (1) freestanding sign provided that:
 - a. Wall signs shall not exceed ten percent (10%) of building façade facing a street.
 - b. Freestanding signs shall not exceed one hundred (100) square feet or ten (10) feet in height.
 2. Multiple family, apartments, condominiums, and cooperatives containing four (4) or more units, may have the following signs:
 - a. Wall signs not to exceed ten percent (10%) of the building façade facing a street.
 - b. One (1) freestanding sign per site entrance from a street not to exceed forty (40) square feet in area and not to exceed ten (10) feet in height.
 3. Subdivisions with twenty (20) or more units area one (1) permanent sign per public street access provided it meets the following regulations:
 - a. The sign may not exceed thirty-two (32) square feet.

- b. The sign shall be placed on an out lot, easement, or neighborhood association property.
 - c. The sign may not be placed in a visibility triangle.
 - d. The neighborhood association is responsible for the maintenance and upkeep of the sign.
 - e. The sign must be constructed out of materials approved by the zoning administrator and must complement the neighborhood.
- E. In B-2, B-2A, B-3, B-4, B-W Districts, the following signs are allowed without a permit:
- 1. Address Identification: For each business unit, there shall be permitted one (1) nameplate not exceeding two (2) square feet in area.
 - 2. Window Signs:
 - a. Window signs may occupy up to twenty (20) percent of the window area.
 - b. All window signs must be placed inside the building.
 - 3. Remodeling: In connection with the construction or remodeling of a building, there shall be permitted one sign not exceeding thirty-two (32) square feet in area and eight (8) feet in height; on corner lots, two (2) such signs, one facing each street, shall be permitted. All signs permitted shall be removed by the person or persons erecting the same no longer than two (2) weeks after final inspection by the building official of the structure indicated, or two (2) years, whichever is less.
 - 4. Vacant lots that are two (2) acres or more in size that are listed for sale are allowed one (1) temporary freestanding sign without a permit per adjacent street provided that:
 - a. The sign shall not exceed thirty-two (32) square feet.
 - b. The sign shall not exceed eight (8) feet in height.
 - c. The sign shall not be placed in the public right-of-way and must meet sign setback requirements.
 - d. The sign shall be removed within fourteen (14) days of the property being sold.
 - e. The sign is removed if the property is no longer offered for sale.

5. Property listed for sale or rent may have one (1) temporary wall or freestanding sign provided it meets the following:
 - a. Wall sign shall not exceed ten percent (10%) of the wall façade facing a public street.
 - b. Freestanding signs shall not exceed thirty-two (32) square feet or eight (8) feet in height.
 - c. The sign may only be displayed while the property is listed for sale or rent.
 - d. The sign is removed within fourteen (14) days after the date of closing or vacancy filled.
 - e. The sign is removed if the property is no longer offered for sale.
 6. Campaign signs are exempt from these provisions per Minnesota State Statute 211B.045.
- F. In B-2, B-2A, B-3, B-4, B-W Districts, the following signs are allowed by permit:
1. Wall, Awning, and Canopy Signs:
 - a. Area: The total wall sign area (including projecting, awning, and canopy signs) for any building shall not exceed fifteen percent (15%) of the building walls (including windows and doors) fronting on a public street right of way.
 - b. Number: The total number of signs may not exceed two (2) signs per building walls fronting on a public street right of way. One wall sign may be a changeable message board including changeable readerboard/changeable banner (non-dynamic) that is framed to define its perimeter.
 - c. Awning or Canopy Signs: Letters may be painted or otherwise affixed to any permissible awning or canopy, subject to the following regulations:
 - (1) Lettering or letters shall not project above, below or beyond the physical dimensions of the awning or canopy.
 - (2) Signs on awnings that do not exceed fifty (50) percent of the total square footage of the awning.

Staff Comment: Planning Commission should decide if we should eliminate the number of signs allowed and simply move to a percentage of coverage.

- d. Location: Wall signs shall be located on that side of the building or tenant bay facing the street right of way. Signs may be placed on that side of a building or tenant bay not facing a street right of way provided that no sign is located on that side of the building where the lot directly abuts a residential zoning district.
- e. Type and Construction:
 - (1) Illuminated Signs: Wall signs shall be by shielded illumination, shielded silhouette lighting or shielded spotlighting, but not any lighting where the light source itself is visible or exposed on the face or sides of the characters.
 - (2) Clearance to Grade: Signs constructed of metal and illuminated by any means requiring internal wiring or electrically wired accessory fixtures attached to a metal sign shall maintain a free clearance to grade of nine feet (9'). Accessory lighting fixtures attached to a nonmetal frame sign shall maintain a clearance of nine feet (9') to ground. In the event a metal sign structure or accessory fixture herein described is grounded by the use of a grounding conductor run with the circuit conductors, and said structure or fixture is also grounded by being bonded to a grounding electrode at the sign site, no clearance to grade shall be mandatory.
 - (3) Neon Signs: Wall signs may be gaseous tube or may be illuminated by interior means of lighting of an intensity to prevent excessive glare and shall comply with the regulations established in section 10-7-7 of this chapter.

2. Ground Signs:

- a. Not more than one ground sign shall be permitted on any lot. The total area of such sign shall be based on the lot width where the sign is to be placed up to a maximum area. For each one hundred (100) linear feet of width, sixty (60) square feet of signage shall be permitted (lot width/100 x 60) up to a maximum of two hundred fifty (250) square feet.
- b. No ground sign shall exceed thirty feet (30') in height.
- c. Sign area for ground signs applies to only one face of a two (2) faced ground sign, or two (2) faces of a four (4) faced sign, etc.
- d. Commercial lots having one hundred feet (100') in width immediately adjacent to and along Interstate Highway 94 (excluding any intervening street or railroad right of way) shall be allowed the following:

- (1) One freestanding pylon sign not to exceed fifty feet (50') in height. Sign area shall be determined by subsection A3 of this section.
- (2) One freestanding monument sign at the site entrance not to exceed sixty (60) square feet in sign area or twelve feet (12') in height.
- (3) Lots containing an off premises advertising device shall only be allowed one billboard sign not to exceed fifty feet (50') in height.

Staff Comment: The Planning Commission should determine if we should remove the 50 foot sign height option.

- e. Ground signs shall have a background which is dark in color in contrast to the sign lettering or message which is light in color to create a sufficient contrast and be clearly legible. No ground signs with lightly colored backgrounds shall be permitted unless the following conditions are met:
 - (1) All signs with light backgrounds shall be equipped with automatic dimming devices. Light cast upon adjacent rights-of-way (as measured from the curb line) or residential zoning districts (as measured from the property line) shall not exceed five-tenths (0.5) footcandles (meter reading) above ambient light.
 - (2) The sign does not exceed thirty feet (30').
 - (3) The sign is located two hundred feet (200') from all residential buildings.
3. Changeable Copy Signs: One electronic changeable copy sign shall be allowed per site in the above listed districts with the following restrictions:
 - a. The changeable copy sign shall not exceed a maximum of twenty five percent (25%) of the allowable sign area or exceed forty (40) square feet, whichever is less, for a freestanding or wall sign.
 - b. Changeable copy signs occurring on freestanding signs shall not be higher than twenty feet (20').

Staff Comment: With the changing technology associated with dynamic signs, the City may consider removing the size and height limitations of these signs.

- c. The images and messages displayed on changeable copy signs must be static, and the transition from one static display to another must be instantaneous without any special effects with the exception of a scrolling monochromatic message on a single color dark background.
 - d. A changeable copy sign may change its message no more than once every eight (8) seconds.
 - e. No changeable copy signs shall be closer than two hundred feet (200') from any residential zoning district unless they are screened from the adjoining residential property, or they are limited to operation between six o'clock (6:00) A.M. and eleven o'clock (11:00) P.M.
 - f. All changeable copy signs shall be equipped with automatic dimming devices. Light cast upon adjacent rights-of-way (as measured from the curb line) or residential zoning districts (as measured from the property line) shall not exceed five-tenths (0.5) footcandles (meter reading) above ambient light.
 - g. Changeable copy signs shall not be permitted as window signs.
4. Automobile Service Station Signs: In addition to the district standards, the following sign standards apply to automobile service stations:
- a. Pump operation instructions located on the gas pumps are exempt from the sign requirements.
 - b. Motor fuel station canopy may have a sign on those facades facing a public street not to exceed thirty (30) percent of the canopy face.
5. Signage for multiple occupancy buildings shall submit a comprehensive sign plan in accordance with Section 10-7-8 of this chapter.
6. Temporary special event signs as regulated by Section 10-7-8 of this chapter.
- G. In I-1, I-2 Districts, the following signs are allowed without a permit:
- 1. Window signs:
 - a. Window signs may occupy up to twenty (20) percent of the window space on which the sign is placed.
 - b. All window signs must be placed inside the building

2. Campaign signs are exempt from these provisions per Minnesota State Statute 211B.045.
3. Address Identification: For each business unit, there shall be permitted one (1) nameplate not exceeding two (2) square feet in area.
4. Remodeling: In connection with the construction or remodeling of a building, there shall be permitted one sign not exceeding thirty-two (32) square feet in area and eight (8) feet in height; on corner lots, two (2) such signs, one facing each street, shall be permitted. All signs permitted shall be removed by the person or persons erecting the same no longer than two (2) weeks after final inspection by the building official of the structure indicated, or two (2) years, whichever is less.
5. Vacant lots that are two (2) acres or more in size that are listed for sale are allowed one (1) temporary freestanding sign without a permit per adjacent street provided that:
 - a. The sign shall not exceed thirty-two (32) square feet.
 - b. The sign shall not exceed eight (8) feet in height.
 - c. The sign shall not be placed in the public right-of-way and must meet sign setback requirements.
 - d. The sign shall be removed within fourteen (14) days of the property being sold.
 - e. The sign is removed if the property is no longer offered for sale.
6. Property listed for sale or rent may have one (1) temporary wall or freestanding sign provided it meets the following:
 - a. Wall signs shall not exceed ten percent (10%) of the building façade facing a public street.
 - b. Freestanding signs shall not exceed thirty-two (32) square feet or eight (8) feet in height.
 - c. The sign may only be displayed while the property is listed for sale.
 - d. The sign is removed within fourteen (14) days after the date of closing or vacancy filled.
 - e. The sign is removed if the property is no longer offered for sale or rent.

H. In I-1, I-2 Districts, the following signs are allowed by permit:

1. Wall, awning, or canopy signs with the following restrictions:

- a. Wall signs shall not exceed two hundred (200) square feet or ten percent (10%) of the wall area (including windows and doors) facing the public street right-of-way, whichever is less.
- b. Signage placed on a wall abutting a public right of way, if illuminated, shall be by shielded illumination, shielded silhouette lighting, or shielded spotlighting but not any lighting where the light source itself is visible or exposed on the face or sides of the characters.
- c. Awning or Canopy Signs: Letters may be painted or otherwise affixed to any permissible awning or canopy, subject to the following regulations:
 - (1) Lettering or letters shall not project above, below or beyond the physical dimensions of the awning or canopy.
 - (2) Signs on awnings that do not exceed fifty (50) percent of the total square footage of the awning.
- d. Signage on Walls Not Abutting a Public Right of Way: A sign or signs shall be permitted on those walls not abutting a public right of way of any principal building, subject to the following regulations:
 - (1) The total area of each sign or signs shall not exceed nine (9) square feet per access door.
 - (2) Notwithstanding Section _____ of this chapter, if the main entrance/exit to a particular use in the principal building opens on a wall not abutting a public right of way, the applicant shall be permitted to sign the walls not abutting a public right-of-way in accordance with the provisions of Section _____ of this chapter.

2. Ground Signs:

- a. There shall be not more than one ground sign along each public street from which access is available for the parcel. The total area of such ground sign shall not exceed two hundred (200) square feet in area.
- b. Signs constructed of metal and illuminated by any means requiring internal wiring or electrically wired accessory fixtures attached to a

metal sign shall maintain a free clearance to grade of nine feet (9'). Accessory lighting fixtures attached to a nonmetal frame sign shall maintain a clearance of nine feet (9') to ground. In the event that a metal sign structure or accessory fixture herein described is grounded by the use of a grounding conductor run with the circuit conductors, and said structure or fixture is also grounded by being bonded to a grounding electrode at the sign site, no clearance to grade shall be mandatory.

- c. No metal ground sign shall be located within eight feet (8') vertically and four feet (4') horizontally of electric wires or conductors in free air carrying more than forty eight (48) volts, whether or not such wires or conductors are insulated or otherwise protected.
 - d. No ground sign shall exceed thirty feet (30') in height.
 - e. In lieu of a ground sign, one pylon sign shall be permitted on any lot in an industrial district, subject to the regulations in this section.
 - f. Ground signs shall have a background which is dark in color in contrast to the sign lettering or message which is light in color to create a sufficient contrast and be clearly legible. No ground signs with lightly colored backgrounds shall be permitted unless the sign is located two hundred (200) feet from all residential property lines.
3. Changeable Copy Signs: One electronic changeable copy sign shall be allowed per site in the above listed districts with the following restrictions:
- a. The sign shall not exceed a maximum of twenty five percent (25%) of the allowable sign area or exceed forty (40) square feet, whichever is less, for a freestanding or wall sign.
 - b. Signs occurring on freestanding signs shall not be higher than twenty feet (20').
 - c. The images and messages displayed on the signs must be static, and the transition from one static display to another must be instantaneous without any special effects with the exception of a scrolling monochromatic message on a single color dark background.
 - d. The sign may change its message no more than once every eight (8) seconds.
 - e. No sign shall be closer than three hundred feet (300') from any residential zoning district unless they are screened from the

adjoining residential property, or they are limited to operation between six o'clock (6:00) A.M. and eleven o'clock (11:00) P.M.

- f. All signs with light background shall be equipped with automatic dimming devices. Light cast upon adjacent rights-of-way (as measured from the curb line) or residential zoning districts (as measured from the property line) shall not exceed five-tenths (0.5) foot-candles (meter reading) above ambient light.
 - g. Changeable copy signs shall not be permitted as window signs.
- 4. Temporary special event signs regulated by Section 10-7-8 of this chapter.
 - 5. Signage for multiple occupancy buildings containing three (3) or more tenants shall submit a comprehensive sign plan in accordance with Section 10-7-8 of this chapter.
- I. In P/I Districts, the following signs are allowed without a permit:
- 1. Address Identification: For each business unit, there shall be permitted one (1) nameplate not exceeding two (2) square feet in area.
 - 2. Window Signs:
 - c. Window signs may occupy up to twenty (20) percent of the window space on each side of a principal building without a permit.
 - d. Window signs that occupy more than twenty (20) percent of the window space require a permit.
 - e. All window signs must be placed inside the building.
 - 3. Remodeling: In connection with the construction or remodeling of a building, there shall be permitted one sign not exceeding thirty-two (32) square feet in area and eight (8) feet in height; on corner lots, two (2) such signs, one facing each street, shall be permitted. All signs permitted shall be removed by the person or persons erecting the same no longer than two (2) weeks after final inspection by the building official of the structure indicated, or two (2) years, whichever is less.
 - 4. Vacant lots that are two (2) acres or more in size that are listed for sale are allowed one (1) temporary freestanding sign without a permit per adjacent street provided that:
 - a. The sign shall not exceed thirty-two (32) square feet.
 - b. The sign shall not exceed eight (8) feet in height.

- c. The sign shall not be placed in the public right-of-way and must meet sign setback requirements.
 - d. The sign shall be removed within fourteen (14) days of the property being sold.
 - e. The sign is removed if the property is no longer offered for sale.
5. Property listed for sale or rent may have one (1) temporary wall or freestanding sign provided it meets the following:
- a. Wall signs shall not exceed ten percent (10%) of the building façade facing a public street.
 - b. Freestanding signs shall not exceed thirty-two (32) square feet or eight (8) feet in height.
 - c. The sign may only be displayed while the property is listed for sale.
 - d. The sign is removed within fourteen (14) days after the date of closing or vacancy filled.
 - e. The sign is removed if the property is no longer offered for sale or rent.
6. Campaign signs are exempt from these provisions per Minnesota State Statute 211B.045.

J. In P/I Districts, the following signs are allowed by permit:

- 1. Wall Signs:
 - a. Area: The total wall sign area (including wall, awning, canopy, projecting signs) shall not exceed ten percent (10%) of building façade fronting on a public street.
 - b. Number: The total number of signs may not exceed two (2) signs per building wall fronting on a public street right-of-way. One (1) wall sign may be a changeable message board including changeable readerboard/changeable banner (non-dynamic) that is framed to define its perimeter.
 - c. Location: Wall signs shall be located on that side of the building or tenant bay facing the street right-of-way. Signs may be placed on that side of a building or tenant bay not facing a street right-of-way provided that no sign is located on that side of the building where the lot directly abuts a residential zoning district.

2. Freestanding Signs:

- a. Area: The maximum size of signing area allowed for such uses shall be determined on the basis of site area according to the following schedule:
 - (1) Up to 5 acres: 96 square feet.
 - (2) 5.1 acres to 25 acres: 128 square feet.
 - (3) 25.1 acres and above: 160 square feet.
- b. Height: The maximum height of sign structures shall be determined on the basis of site size according to the following schedule:
 - (1) Up to 15 acres: 8.0 feet.
 - (2) 15.1 acres and above: 17.5 feet.
- c. Number: One (1) freestanding sign per site.

10-7-8: SPECIAL SIGN STANDARDS:

A. Billboards:

- 1. Billboards shall only be allowed within the "adjacent area", as defined in section 10-7-2 of this chapter.
 - a. The maximum area of an billboard face, whether a single billboard face or each face of two (2) back to back or V-type billboards, shall not exceed seven hundred twenty (720) square feet, including border and trim, but excluding base and apron supports and other structural members, and provided further, that the maximum allowable extensions shall not exceed fifteen percent (15%) of the total billboard area. The maximum size limitation stated in this subsection A1a shall apply to each side of an billboard structure, and billboards may be placed back to back, or in a V-type construction (provided the angle shall not exceed 90 degrees), but not more than two (2) displays to each facing, and such billboard shall be considered as one billboard.
 - b. Billboards shall not be erected or maintained which are not effectively shielded so as to prevent beams or rays of light from being directed at any portion of the traveled way of an interstate highway, of such intensity or brilliance as to cause glare or impair the vision of the operator of any motor vehicle, or which otherwise

interfere with any driver's operation of a motor vehicle, are prohibited.

- c. Outdoor billboards shall not be erected or maintained which shall be so illuminated that they interfere with the effectiveness of or obscure any official traffic sign, device or signal.
2. No billboard shall be erected closer to any other such billboard on the same side of the same interstate highway facing traffic proceeding in the same direction than one thousand feet (1,000').
3. All billboards shall comply with the minimum principal building setback requirements provided in the applicable zoning district.
4. The maximum height of any billboard shall be thirty feet (30') from the ground.
5. The maximum length of any billboard shall be sixty feet (60').
6. No billboard shall be erected or maintained on any lot or parcel of land unless the lot or parcel of land is within the area zoned as commercial or industrial districts under the Albertville Zoning Ordinance.
7. No billboard shall be erected or maintained in that part of the city which lies south of County State Aid Highway 37 and west of the bridge over Interstate Highway 94 (202 bridge).
- ~~8. Billboards erected or maintained after the effective date hereof and not complying with the regulations hereof may be removed by the city upon sixty (60) days' prior written notice by certified or registered mail to the owner thereof and to the owner of the real property on which such billboard is located; provided, that no notice shall be required to be given to the owner of an billboard whose name is not stated upon the billboard or the structure on which it is displayed, unless the name of such owner is otherwise reasonably known to the city clerk. The period of such notice shall be computed from the date of mailing.~~

Staff Comment: Provision 8 above should be removed in that it is contrary to Minnesota State Statutes.

9. Electronic changeable billboards shall only be permitted on legal conforming billboards with the following requirements:
 - a. The graphic display may not change or move more often than once every eight (8) seconds.

- b. The images and messages displayed must be static, and the transition from one static display to another must be instantaneous without any special effects.
 - c. All changeable billboard signs shall be equipped with automatic dimming devices. Light cast upon adjacent rights-of-way (as measured from curb line) or residential zoning districts (as measured from the property line) shall not exceed five-tenths (0.5) footcandles (meter reading) above ambient light.
 - d. Billboards shall have the vertical support structure of the sign (such as pole) concealed with architectural embellishments consisting of natural stone, brick, masonry panels, stucco, or synthetic material that has the appearance of natural stone, brick or stucco over eighty percent (80%) of the exterior face on all sides of the structure.
10. No sign permit to erect a billboard on parcels or lots that are abutting city owned right of way intended for future interstate access improvements, shall be issued unless an acknowledgment and waiver of future damages is first signed by the applicant and all property owners and submitted to the city. Said acknowledgment and waiver shall be in the form approved by the city attorney, and shall acknowledge that future construction of CSAH 19/Interstate 94 and CSAH 37/Interstate 94 interchange improvements may impact the visibility of the proposed device/sign. The acknowledgment and waiver shall require the applicant and property owners to hold the city harmless and waive all damage claims arising as a result of such improvements, including, but not limited to, claims arising from the obstruction of the view of any billboard installed on the permitted property pursuant to a sign permit issued by the city. Said acknowledgment and waiver shall not apply to damages resulting from the physical occupation of the applicant's real property by the city. Said acknowledgment and waiver shall be submitted to the city with the application for a sign permit. Failure to submit such acknowledgment and waiver shall result in a denial of the requested sign permit or the refusal of the city to process the application due to its incomplete status.
11. Permit Identification Number: Every permit issued by the city shall be assigned an identification number. The city shall also issue with each permit an identifying number which shall be attached by the permittee to the billboard in a conspicuous place. The permittee shall also have his name plainly marked on each billboard.
- b. Temporary and Portable Signs: In all districts temporary and/or portable signs or banners may be permitted subject to the following:
 - 1. Permit Requirements:

- a. Permit Application: Temporary and/or portable signs or banners shall not be permitted without a permit. A temporary sign application fee, as set by city resolution, shall be submitted to the city building official. Each sign shall require a separate permit. The application shall be signed by both the business requesting the sign and the property owner of the site where the sign is to be located. The sign application shall include information that identifies the type of sign, sign size, sign location and the dates when the sign will be in place and the date of the sign removal. The city building official is authorized to review and approve permits for temporary signs and/or portable signs or banners, ten (10) days prior to the special event.
 - b. Duration Of Permit; Expiration; Sign Removal Required: All permits issued hereunder shall be for a maximum duration of fourteen (14) days and shall automatically expire after said period. Upon expiration, the applicant shall cease to display any and all signage permitted by the permit unless the applicant has received a new permit for said signage.
 - c. Limitations On Permits:
 - (1) No more than four (4) permits per calendar year shall be issued to any one property, except for the period of time from July 1, 2009 through December 31, 2012, no more than eight (8) per calendar year shall be issued for each property. After December 31, 2012, the number of temporary and portable signs shall be limited to four (4) permits per calendar year per property. Shopping centers and multiple-tenant buildings shall be counted as one property.
 - (2) If two (2) or more permits are obtained in succession by any applicant, these permits shall be counted for the purpose of determining the yearly limitations of this subsection G1c.
2. Maximum Size: Maximum banner sign size shall be limited to thirty two (32) square feet. Maximum portable sign size shall be limited to forty eight (48) square feet.
 3. Temporary Sign Location Standards:
 - a. Except as allowed in subsection G6 of this section, all temporary signs shall be located on the property of the business with the special event.
 - b. Signs may not be placed in the right of way and must be set back a minimum of five feet (5') from all property lines.

- c. Where multiple signs have been located, they shall be a minimum of one hundred feet (100') apart.
- 4. Dangerous Signs Prohibited; Anchors Required: Signs must not be unsafe or dangerous; they must be securely anchored.
- 5. Electronic Signs: Electronic changeable copy signs shall be prohibited as temporary or portable signs.
- 6. Nonprofit Or Charitable Organization Signs:
 - a. Nonprofit and charitable organizations as defined by internal revenue code 501(C3) or 501(C4) may have temporary off premises signs provided:
 - (1) All temporary signs require permits; permit applications must include the property owner's permission to locate the sign on their property.
 - (2) Special events are limited to no more than six (6) in a calendar year.
 - (3) Signs from a nonprofit or charitable organization shall not be counted against the number of temporary sign permits allowed to the property owner.
 - (4) Nonprofits and charitable organizations may have up to three (3) temporary signs per permit.
 - (5) Nonprofit and charitable organization temporary signs shall comply with sign location standards of subsection G3 of this section. These signs may be located on vacant lots with the written permission of the property owner.
- 7. Violation: Temporary off premises signs erected without a permit or in violation of this subsection G may be subject to immediate removal and/or be subject to an administrative fine per title 1, chapter 6 of this code. After one notice of a violation of this section the city shall levy administrative fines for subsequent violations or repeat offenses without additional notices. Failure to abide by the approved permit or the provision of this code will be grounds for denial of additional permits for six (6) months following notice of violation.

C. Comprehensive Sign Plan:

- 1. Introduction: Mixed use, commercial, and industrial multiple occupancy buildings or single occupancy buildings requesting more than two (2) signs shall submit an application and receive approval of a comprehensive sign

plan. Any building devoted to two (2) or more uses shall be a multiple occupancy building and shall require a comprehensive sign plan. Upon approval of a comprehensive sign plan, no permit shall be issued for an individual use except upon a determination that it is consistent with a previously or concurrently approved comprehensive sign plan. The effect of said comprehensive sign plan is to allow and require the owner of multiple occupancy structures to determine the specific individual sign requirements for the tenants of his building. As sign locations, size and other sign details may be of some significant importance in lease arrangements between owner and tenant, it is the city's intention to establish general requirements for the overall building only, thus providing a building owner with both the flexibility and responsibility to deal with his individual tenants on their specific sign needs. Comprehensive sign plan applications or amendments require approval of an administrative permit.

2. Comprehensive Sign Plan Information: The applicant shall prepare a written and graphic comprehensive sign plan for submission to the city. Said plan shall include, but not be limited to the following information:
 - a. Sign location (both wall signs and freestanding signs).
 - b. Sign area.
 - c. Sign height.
 - d. Scaled building elevations.
 - e. Scaled floor plan that outlines tenant bays.
 - f. Identification of sign design.
 - g. Sign construction drawings (sections).
 - h. The city council, planning commission and city staff may request additional information from the applicant concerning the application or may retain expert opinions at the expense of the city, or may require as a condition of proceeding with its consideration that the applicant furnish expert opinion and data at the expense of the applicant.
3. Through an approved comprehensive sign plan, the site may have building identification wall signs, individual tenant wall signs, awning signs, canopy signs, marquee signs and directory signs. The cumulative sign area of the aforementioned signs shall not exceed fifteen (15) percent of the building façades which they are located. These signs shall be located on building façades fronting on public streets or a city approved private streets or parking lots.

4. Multiple Occupancy Buildings:
 - a. Wall Signs:
 - (1) Maximum Area: The total allowable sign area for a multiple occupancy structure shall not exceed (fifteen) 15 percent of the combined wall surfaces on walls which abut streets in business or industrial zoning districts.
 - (2) No multiple occupancy structure may display more than two overall building identification signs. The total area of individual tenant wall signs, awning signs, canopy signs and marquee signs shall not exceed ten (10) percent of the building façade of the individual tenant bay.
 - (3) Tenant Signs: Individual tenants located within multiple occupancy structures shall be permitted to display individual signs, if they have separate exterior entrances to their use or they are tenants in a shopping center. A tenant occupying a corner location fronting two streets may display signs to both street frontages.
 - (4) Except for Section C.4.a.(5) of this section, tenant wall, awning, and banner signs shall be located on the building façades of the tenant bay occupied by the business.
 - (5) The property owner may identify through a comprehensive sign plan up to four (4) tenants per building within the multiple occupancy building that will be eligible to locate wall signs on the building at locations beyond their occupied tenant bays.
 - (6) The location of all wall signs and awning signs shall be established through an approved comprehensive sign plan. No illuminated wall signs shall be located on the side of a building where the lot directly abuts a residential zoning district.
 - (7) Individual sign permits shall be required prior to the installation of any wall signs or awning signs.
 - b. Tenant Directory Sign: Multiple story/multiple occupancy buildings with tenants served by a common building entrance may have, in addition to the wall signs, one tenant directory sign as either a wall sign or freestanding sign located at each common entrance provided the tenant directory sign meets the following standards:

- (1) An individual tenant directory sign shall not exceed one hundred (100) square feet in area.
- (2) An individual tenant directory sign shall be located within fifty (50) feet of the common building entrance.
- (3) A freestanding individual tenant directory wall sign shall not exceed ten (10) feet in height. Individual tenant directory wall signs shall not be located above the building floor where the common entrance is located.

4. Freestanding Sign:

- a. Shopping Centers: Shopping centers containing more than four separate distinct occupancies may erect one freestanding sign per street frontage, not to exceed two freestanding shopping center signs per site (single or double faced).

- (1) Each ground sign may not exceed two hundred (200) square feet in area, nor thirty (30) feet in height.

- b. Other Multiple Occupancies: Multiple occupancy structures other than shopping centers, or shopping centers having four or less separate and distinct occupancies, may erect one ground sign in accordance with the provisions of this chapter and may identify each separate and distinct occupancy on said ground sign.

- c. Changeable copy wall signs are permitted subject to the provisions of Section 10-7-6 of this chapter.

5. Traffic Control/Directional Signs: The City may approve a traffic control/directional sign plan for a multiple tenant site including signs not to exceed four (4) square feet in area.

10-7-9: PERMIT REQUIREMENTS:

- A. Permit And Compliance Required: Except for routine maintenance, no billboard or sign may be painted, constructed, erected, remodeled, relocated, or expanded until a billboard or sign permit is obtained and until all other signs on the premises of the applicant are brought into conformance with this chapter. No such permit shall be issued for any billboard or sign unless the same is permitted by, and complies with the regulations of this section; provided, however, that signs of a duly constituted governmental body, including traffic or similar regulatory devices, legal notices, and warnings at railroad crossings, are exempt from the permit requirement and from the regulations of this section.

- B. Application For Permit: The application for an advertising device or sign permit shall be made upon the forms provided by the city and shall state or have attached thereto the following information:
1. Name, address and telephone number of applicant and owner of the advertising device or sign.
 2. Location of lot, building or structure upon which or to which the advertising device or sign is to be erected or attached.
 3. Position of the advertising device or sign or other advertising structures in relation to nearby buildings or structures.
 4. A blueprint or ink drawing of the plans and specifications and method of construction or attachment to the building or in the ground.
 5. Copy of stress sheets and calculations showing the structure is designed for dead load and wind velocity in the amount required by this chapter and all other ordinances of the city if requested by the city building official. This information shall be furnished every three (3) years for each advertising device.
 6. Name of person erecting the structure. (Amended Ord. 1987-3, 10-19-1987)
 7. Any electrical permit required and issued for the sign.
 8. A detailed description of any electronic or electrical components that are proposed to be added to the sign. (Ord. 2007-08, 8-20-2007)
- C. Permit Fees: For each billboard sign requiring a permit, there shall be an initial fee which shall be set from time to time by City Council ordinance.
- ~~a. Initial Fee: For each advertising device, there shall be an initial fee which shall be set from time to time by city council resolution.~~
 - ~~b. Change Of Advertising Device: Any change or replacement of an advertising device will constitute a new advertising device requiring a new initial fee and the issuance of a new permit unless, after such change or replacement, the advertising device does not exceed the size requirements as provided in this chapter and the change is in content only.~~
 - ~~c. Renewal Fee: For each advertising device, there shall be an annual renewal fee which shall be set from time to time by city council resolution on or before April 1 of each year to be applicable to subsequent renewal fees. Each permit shall expire on June 30 following.~~

~~D. Consent For Continued Advertising: There shall be submitted, together with the fee for the annual renewal, a statement by the applicant that the owner or occupant of the property has consented to the continued use of his property for such advertising device, and adequate proof of such consent shall be submitted to the city at the time application is made for a permit or renewal.~~

~~E. Transfer Of Permit: Advertising device permits may be assigned. The city clerk shall be notified in writing by the assignor of any assignment of an advertising device permit.~~

Staff Comment: We would recommend removing the aforementioned language in that once the sign is established, it is a legal use and subject to City and State Statutes.

D. Revocation Of Permit: The city council may revoke any permit granted herein after a hearing for violation of the provisions of this chapter, or applicable laws and regulations of the United States or the state of Minnesota, upon thirty (30) days' written notice of such hearing to the permittee. The city council, within ten (10) days after conclusion of the hearing, shall notify the permittee of its decision, and may, where appropriate, notify the permittee what he can do to retain the permit, and the permittee shall, in those instances, have thirty (30) days therefrom in which to comply with the requirements of the city council, if compliance would bring the advertising device into lawful conformity with this chapter.

E. Scope Of Provisions; Exemptions:

1. Scope: The provisions of this section relating to permits and fees shall apply to billboard legally existing on the effective date hereof as well as devices that may be erected and maintained thereafter.
2. Exemptions From Permit Requirements: Signs identified within this chapter, as allowed without permit, are exempt from permits and fee requirements.

10-7-10: VIOLATIONS; PENALTIES:

A. Notice Of Violation: If the building official or any other authorized agent of the city shall find any advertising device, business sign, accessory sign or other regulated sign in violation of the terms of this chapter, a written notice shall be issued to the permittee, owner, possessor (tenant in possession), operator or manager of the premises on which the advertising device is located, specifying the violation and giving seven (7) days in which to correct or remove the violation.

B. Failure to Remedy; Penalties: After the expiration of seven (7) days and the violation is not corrected or discontinued, any person convicted of such violation

shall be punished as provided in section 1-4-1 of this code, and each day's violation after the initial seven (7) day period shall constitute a separate offense.

- C. Injunctive Relief: In addition thereto, the city may seek injunctive relief in the district court of the county and require that either the advertising device, business sign, accessory sign or other regulated sign conform or be removed.