

Section 31 - Sign Regulations

Subdivision

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31.01 GENERAL

- A. Findings:. In conjunction with the adoption of the sign regulations of this article, the city council finds as follows:
 - 1. Exterior signs have a substantial impact on community appearance and quality of the environment.
 - 2. Signs provide an important medium through which individuals may convey a variety of messages.
 - 3. Signs can create traffic hazards, aesthetic concerns, and detriments to property values, thereby threatening the public health, safety, and welfare.
 - 4. The regulation of the physical characteristics of signs within the city has positively impacted traffic safety and the community's appearance.

- B. Purpose:
 - 1. Allow a wide variety of sign types in mixed-use zones, and a more limited variety of signs in other zones, subject to the standards set forth in this article.
 - 2. Allow certain small, unobtrusive signs incidental to the principal use of a site in all zones when in compliance with this article's requirements.
 - 3. Prohibit signs whose location, size, type, illumination, or other physical characteristics negatively affect the environment and when communication can be accomplished by means having a lesser impact on the environment and the public health, safety, and welfare.
 - 4. Provide for the enforcement of this article's provisions.

- C. Scope and Applicability: All signs on private property are subject to the sign regulations of this article and all other applicable provisions of this code. Official signs are not subject to the regulations of this article.

31.02 DEFINITIONS

See Subsection 2.02 DEFINITIONS under letter “S” for definitions.

31.03 PERMITS

- A. Required: Except as expressly stated in paragraph C below, no sign may be erected, altered, reconstructed, maintained, or moved without first securing a permit from the city. Permit applications must be submitted to the City Administrator and include at least the following:
1. The applicable application/permit fee;
 2. Name and address of the applicant, and the owners of the sign and the subject lot;
 3. The address at which any signs are to be erected;
 4. The lot, block, and addition at which the signs are to be erected and the street on which they are to front;
 5. A complete set of plans showing the necessary elevations, distances, size, and details to represent the construction and placement of the sign fully and clearly;
 6. The cost of the sign;
 7. Type of sign (i.e., wall sign, monument sign, etc.);
 8. Certification by the applicant indicating the application complies with all requirements of this article; and
 9. If the proposed sign is along a state trunk highway or interstate highway, the application must be accompanied by proof that the applicant has obtained a permit from the state.
- B. Exemptions: The following signs do not require a permit. These exemptions, however, are not to be construed as relieving the owner of the sign from the responsibility of compliance with the provisions of this article or any other law or ordinance regulating signs in the city.
1. The changing of the display surface on a painted or printed sign. This exemption applies only to poster replacement and/or on-site changes involving sign painting elsewhere than directly on a building.
 2. Signs 6 square feet or less in size.
- C. Prohibited Signs: The following signs are prohibited in all zones:
1. Any sign, signal, marking or device that purports to be or is an imitation of or resembles any official traffic control device or railroad sign or signal, or emergency vehicle signs, or which attempts to direct the movement of traffic or which hides from view or interferes with the effectiveness of any official traffic control device or any railroad sign or signal;
 2. Signs over 700 square feet in area;
 3. Flashing signs;
 4. Inflatable signs;
 5. Roof signs;
 6. Rotating signs;
 7. Shimmering signs;
 8. Signs painted on, attached to or in any other manner affixed to trees or similar natural surfaces, or attached to utility poles, bridges, towers, transit shelters, benches, or similar public structures, except for signs erected by government entities; and

9. Signs containing content classified as "obscene" as defined by Minnesota statutes, section 617.241.

31.04 GENERAL REQUIREMENTS

- A. Noncommercial Speech Signs: Notwithstanding any other provisions of this article to the contrary, all signs of any size containing noncommercial speech may be posted in any zone from August 1 in any general election year until 10 days following the general election and 13 weeks before any special election until 10 days following the special election.
- B. Illumination: A permanent sign may be illuminated by either internal or external light sources. A Temporary Sign shall not be illuminated.

A light source that illuminates a sign shall have a constant color and intensity except to dim or brighten in response to changes in ambient light. Glare must be prevented through fully shielded fixtures, shields, baffles, mounting height, appropriate luminosity, aiming angle, and placement of the light source. Sign illumination shall not project light that exceeds .01-foot candles above the ambient light at a lot line bordering a residential district.

External illumination for signs must be constructed and maintained so that the source of light is directed at the sign and is not visible from the public right-of-way or property used or zoned for residential purposes.

- C. Electric Signs: Electric signs must be installed in accordance with the current electrical code, and a separate permit from the building official must be obtained before placement.
- D. Vertical Clearance: All signs mounted above sidewalks and other pedestrian walking surfaces must be mounted to ensure at least 8 feet vertical clearance above the walking surface directly below.
- E. Sign Placement: Signs mounted on buildings may not block or obstruct design details, windows, or cornices of the building to which they are attached.

31.05 FREESTANDING SIGNS

- A. Number: A maximum of one on-premises freestanding sign per road frontage is allowed per lot.
- B. Area: Freestanding signs are subject to the total site sign area limitations of Table 2. Each side of a sign face is counted in the total site sign area and each sign may have no more than two sign faces (front and back).
- C. Illumination: Freestanding signs, if illuminated, may use only indirect light, with the light source fully diffused and aimed toward the ground.

- D. Off-Premises Signs (Billboards): Off-premises signs are considered freestanding signs for the purposes of this Article. Lots with more than 500 feet of road frontage are allowed one off-premises freestanding sign subject to the following conditions:
1. The sign must follow MINN. STAT. Chapter 173
 2. The sign must meet the size requirements of Section 31.10.
 3. Off-premises signs must be located at least 500 feet from any other off-premises sign.

31.06 WINDOW SIGNS

Temporary or permanent window signs must be on the inside of the window. Temporary or permanent window signs are limited to 33% of the surface area of the window to which they are affixed, except that signs that are printed on see-through vision film may be permitted to occupy 100% of the surface area of the window. Such signs are not counted against the maximum limits established in Table 2.

31.07 DRIVEWAY SIGNS

- A. Entrances and Exits: One driveway sign may be installed at each vehicle entrance and exit to any lot occupied by an allowed nonresidential use or multi-unit residential building. Such signs must be within 10 feet of the driveway intersection and the street right-of-way. Driveway signs may be illuminated but may not exceed 4 square feet in area or 3 feet in height.
- B. Internal: Off-street parking areas with a capacity of more than 4 vehicles, multi-tenant developments and uses on lots exceeding 50,000 square feet in area may display internal site driveway signs. Such signs must be within 10 feet of an internal site driveway or drive aisle and may not exceed 8 square feet in area or 6 feet in height.

31.08 SIDEWALK SIGNS

- A. General: Sidewalk signs are allowed in commercial zones without a sign permit. Such signs are not counted against the maximum limits established in Table 2.
- B. Regulations: Sidewalk signs are subject to the following regulations:
1. Signs shall be limited to 2 feet in width and 3.5 feet in height, including support members.
 2. No sign shall have more than 2 faces.
 3. Signs may not limit the normal pedestrian use of the sidewalk, and a minimum passable contiguous space of 3 feet must be maintained.
 4. One sign is permitted for each building adjacent to the public right of way. For buildings with multiple occupants, additional sidewalk signs are allowed only if such signs are spaced at least 30 feet apart.
 5. All sidewalk signs must be removed from the sidewalk at the end of each business day.
 6. No sidewalk may be internally or externally illuminated.

31.09 DRIVE-THROUGH SIGNS

Drive-through signs are permitted along with drive-through uses, according to the following regulations.

- A. Location: Drive-through signs must be located within 10 feet of a drive-through lane.

- B. Number and Dimensions:
 1. One primary drive-through sign not to exceed 36 square feet in area or 8 feet in height is allowed per order station up to a maximum of 2 primary drive-through signs per lot.
 2. One secondary drive-through sign not to exceed 15 square feet in area or 6 feet in height is allowed per lot.
- C. Residential Separation: Drive-through signs must be set back at least 50 feet from Residential zoning districts.
- D. Visibility: Drive-through signs must be oriented to be visible by motorists in allowed drive-through lanes.

31.10 SIGN SETBACKS AND DIMENSIONS

- A. Setbacks: Freestanding signs must be setback at least ten (10) feet from all lot lines.
- B. Sign Height:
 1. Wall signs: The top of any wall sign, including any superstructure, may not extend higher than the roof line of the building to which the sign is attached.
 2. Freestanding Signs: Freestanding signs may not exceed the maximum height limits stated in Table 1. Table 1.

Zones	Maximum Height (Feet)
A-1, R-R, R-1, R-2	6 feet
B-1, B-2, I-1, INS	50 feet

- C. Total Site Signage: The area of all sign faces of signs requiring permits may not exceed the maximum limits established in Table 2.

Zones	Single Sign Maximum Area Per Sign Face (Subject To Also Complying With Total Site Sign Area)	Total Site Sign Area (Square Feet)- Cumulative Of All Signs Requiring A Permit
R-R, R-1, R-2, A-1	6 square feet	12 square feet
B-1, B-2, I-1, INS	<p>Adjacent to I-94: One up to 700 square feet off-premises sign and one up to 300 square feet on-premises freestanding sign without a CUP</p> <p>Adjacent to State Highway 15: One up to 600 square foot off- premises sign and one up to 200 square foot on-premises square freestanding sign For any wall, not more than 20% of the wall may be covered by a sign.</p>	3 square feet per lineal foot of parcel frontage adjacent to a public street that is not I-94 and 4 square feet per lineal foot of parcel frontage adjacent to I-94. For properties with more than one street frontage, every frontage may be counted.

31.11 DYNAMIC SIGNS

All dynamic signs are subject to all regulations of this section.

- A. Business Zones: Dynamic signs may be approved in Business or Industrial zones provided that such signs will be located along a principal arterial or major collector road as designated in the comprehensive plan, Dynamic Signs may not be permitted in Residential zones.
- B. Orientation: Dynamic signs must be positioned to limit their impact on adjacent residential uses. At a minimum, such signs must be positioned perpendicular to the adjacent public right-of-way.
- C. TYPe of Sign: Dynamic signs are limited to freestanding signs only.
- D. Text Size and Legibility: The following minimum text size requirements apply to all dynamic signs. If a sign is on a corner with differing speed limits, the minimum required text size is based on the standard for the higher speed limit to ensure maximum legibility.

Speed Limit Of Abutting Street (Mph)	Minimum Text Size (Inches)
25-34	7
35-44	9
45-54	11
55 or higher	15

- E. Mode: Dynamic signs may only operate in static mode. Animation, motion, or video displays are prohibited. Any change from one static display to another must be instantaneous and may not include any distracting effects, such as dissolving, spinning or fading. The images and messages displayed must be complete in and of themselves, without continuation in content to the next image or message or to any other sign.
- F. Size and Number of Displays: Each parcel can have only one dynamic sign, and such dynamic signs may include only one dynamic display.
- G. Minimum Display Time: The images and messages displayed on a dynamic sign must have a minimum dwell time of at least 6 seconds, except for time, date, and temperature signs. Time, date, and temperature information must have a dwell time of at least 2 seconds, provided that the display of this information remains for at least 6 seconds before changing to another display.
- H. Brightness: Dynamic signs may not exceed a maximum illumination of 6,000 nits during daylight hours and a maximum illumination of 500 nits between dusk to dawn as measured from the sign's face at maximum brightness. All dynamic sign applications shall include certification from the sign manufacturer that the sign has been preset to conform to the luminance levels noted above and these settings are protected from end users' manipulation by password protected software.

- I. Color: Dynamic signs may use multiple colors within the display, but the use of color must not create distraction or a hazard to the public health, safety, or welfare. No portion of the display may change in color or color intensity in any manner. Each line of text in any direction must be uniform in color.
- J. Operation: All dynamic signs must be equipped with a means to immediately discontinue the display if it malfunctions. The owner of a dynamic sign must immediately cease operation when notified by the city that it fails to comply with this article's regulations. The dynamic sign must remain inoperable until the owner demonstrates to the city that the device is in satisfactory working condition and conforms to this article's regulations. The city's decision regarding the operation of a dynamic sign may be appealed in accordance with the appeal procedures of Section 8.
- K. Application to Existing Signs: The dynamic sign standards of this article apply to all existing and future dynamic signs, unless otherwise determined by the city that an existing sign qualifies as a nonconforming use under state statute or this development code. Any existing dynamic sign that cannot meet the minimum text size as required by the speed limit must use the largest size possible for one line of copy to fit in the available display space.

31.12 TEMPORARY SIGNS

- A. Permits: Applications for temporary sign permits are subject to the sign permit provisions of 31.03. Temporary signs are not counted against the total site signage limits established in Table 2.
- B. Number and Duration of Permit: Each property is allowed a maximum of one temporary sign at any one time. Permits for temporary signs may be issued a maximum of 6 times per year for no more than 14 days per permit. Permits may run consecutively.
- C. Location: Temporary signs are allowed only in any commercial or industrial zoning district.
- D. Type, Size, and Placement: Temporary signs may not exceed 32 square feet in area and may not be placed in such a way as to affect public safety or necessary ingress or egress of a building.

31.13 MASTER SIGN PLANS

- A. Purpose: The purpose of the Master Sign Plan is to establish fair and equitable criteria for complex signage situations that accommodate the need for a well- maintained, safe, and attractive community, and the need for effective communications including business identification.
- B. Effect of Master Sign Plan: Upon approval of a Master Sign Plan, all future signs shall conform to the Master Sign Plan. Modifications to the provisions of the Master Sign Plan may be granted only with the approval of a new Master Sign Plan:
 - 1. Required: A Master Sign Plan is required for:
 - a. Building complexes

- b. Multi-tenant structures
 - c. Covered mall buildings, shopping centers or strip malls
 - d. Planned unit developments
 - e. Subdivision entrance signage
2. Criteria: The following criteria should be used when developing a Master Sign Plan.
- a. Guideline. If possible, the underlying zoning district regulations
 - b. should be used as a guideline with minimum variations as needed to meet the intent of this Section.
 - c. Location. No freestanding sign shall be located closer than ten feet to a property line, roadway easement, or other public easement. No freestanding sign shall be erected that, by position, shape, or color, would interfere with the proper functioning or purpose of a traffic sign or signal. All freestanding signs shall comply with Section 15.08 related to traffic visibility. No freestanding sign shall impede/impair traffic.
 - d. Quality. All signage shall improve the aesthetics or functional use of the site. All freestanding signs shall include materials that complement the architectural design/existing building materials, including but not limited to face brick, natural or cut stone, integrally colored concrete masonry units/rock faced block, glass, pre-finished metal stucco or similar cementation coating, and/or factory finished metal panels. Landscaping may be integrated into any freestanding sign.
 - e. Number. The number of freestanding signs shall be related to the number of access points to public streets and/or the number of tenants within a multi-tenant structure.
3. Approval Process: Submittal of a Master Sign Plan application, appropriate/applicable information, and fee is required with the City Administrator. The City Administrator shall decide on Master Sign Plan approvals and modifications.

31.14 NONCONFORMING SIGNS

It is recognized that signs exist within the city that were lawful before these sign regulations were adopted but are prohibited under the regulations of this article. Such nonconforming signs are allowed to continue as nonconforming signs provided that such signs are safe, are maintained so as not to be unsightly, and have not been abandoned or removed. Nonconforming signs are subject to compliance with the following provisions:

- A. Nonconforming signs may not be enlarged or altered in a way that increases the sign's nonconformity.
- B. If the use of the nonconforming sign or sign structure is discontinued for a period of one year, the sign or sign structure may not be reconstructed or used except in compliance with the provisions of this article.
- C. Should a nonconforming sign or sign structure be damaged or structure be destroyed by any means to an extent greater than 50% of its market value and all required permits for its reconstruction have not been applied for within 180 days of when the sign or sign structure was

damaged, it may not be reconstructed or used except in compliance with the provisions of this article.

- D. If a nonconforming sign or sign structure is moved for any reason for any distance, it must thereafter comply with this article's regulations.
- E. All advertising copy must be removed from abandoned signs.