

## SECTION 16: SIGNS

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### **Subdivision 1: Purpose and Findings**

- A. Purpose.
1. It is the purpose of this Section to: (1) regulate the number, location, size, type, illumination and other physical characteristics of signs within the City in order to promote the public health, safety, and welfare of the community; (2) maintain, enhance, and improve the aesthetic environment of the City by preventing visual clutter; (3) improve the visual appearance of the City while providing for effective means of communication, consistent with constitutional guarantees and the City's goals of public safety and aesthetics; and (4) provide for fair and consistent enforcement of sign regulations set forth herein under the zoning authority of the City.
  2. It is not the purpose of this Section to regulate the message displayed on any sign; nor is it the purpose of this Section to regulate any building design or any display not defined as a sign, or any sign which cannot be viewed from outside a building.
- B. Findings. The City Council hereby finds it necessary for the promotion and preservation of the public health, safety, and general welfare as well as the aesthetics of the community that the construction, location, size, and maintenance of signs be controlled. Further, the City finds that:
1. Permanent and temporary signs have a direct impact on and relationship to the image of the community;
  2. The manner of installation, location, and maintenance of signs affects the public health, safety, and general welfare as well as the aesthetics of the community;
  3. An opportunity for visible identification of community businesses and institutions must be established;

4. The safety of motorists, cyclists, pedestrians, and other users of public streets and property is affected by the number, size, location and appearance of signs that unduly divert the attention of drivers;
5. Uncontrolled and unlimited signs adversely impact the image and aesthetic attractiveness of the community and thereby undermine economic value and growth;
6. Uncontrolled and unlimited signs, particularly temporary signs which are located within or adjacent to the public right-of-way or are located at driveway/street intersections, result in roadside clutter and obstructions of views of oncoming traffic. This creates a hazard to drivers and pedestrians and also adversely impacts a logical flow of information; and
7. The right to express noncommercial opinions in any zoning district must be protected, subject to reasonable restrictions on size, height, location, and number of signs.

## **Subdivision 2: Measurement Standards**

### **A. Sign Area and Dimensions.**

#### **1. Wall Signs.**

- a. For signs that are framed, outlined, painted or otherwise prepared and intended to provide a background for a sign display, the area and dimensions shall include the entire portion within the frame or background.
- b. For signs comprised of individual letters, figures, or elements on a wall or similar surface of the building or structure, the area and dimensions of the sign shall encompass a regular geometric shape (rectangle, triangle, square, circle, etc.) or a combination of regular geometric shapes, which approximate, the perimeter of all elements of the sign, the frame and any applied background that is not part of the building architecture. Minor appendages to a particular regular shape, as determined by the Zoning Administrator or their designee shall not be included in the total sign area.

2. **Freestanding Signs.** The sign area shall include the face of the sign panel and the sign frame, if any, but shall not include: (1) a pole or other structural support unless the pole or structural support is internally illuminated or otherwise so design to constitute a display device, or a part of the display device and (2) architectural features that are either part of the building or part of a freestanding structure and not an integral part of the sign, and which may consist of landscaping, building or structural forms complementing the site in general.

3. **All Other Signs.** The area in square feet of all faces of a sign panel, including the frame shall be used to calculate the square footage.

### **B. Sign Height.** The height of the sign shall be calculated as the vertical distance measured from the base of the sign at grade to the top of the highest attached component of the sign.

### **C. Sign Setback.** Signs shall be setback a minimum of ten (10) feet from the property line. Signs should not be in locations that would interfere with safe vehicular and pedestrian circulation or public safety signals. Signs shall meet the provisions of Section 4, Subdivision 3 with regards to the Vision Clearance Triangle.

### **D. Building Frontage Determination.**

1. The length of any primary or secondary building frontage shall be the sum of all wall lengths parallel or nearly parallel to such frontage. The Zoning Administrator or their designee shall determine if such wall meets the criteria to be considered frontage.
2. For buildings that are identified as having two or more frontages, the length of the wall and allowable sign area shall be calculated separately for each such building frontage. Additional signage located on a secondary frontage shall not exceed the size of the sign located on the primary frontage.

3. The building frontage for a building unit shall be measured from the centerline of the party walls defining the building unit.

**Subdivision 3: Establishment of Sign Overlay Districts**

- A. Findings.  
The City has determined that property zoned “B-2” General Business District have frontage along the Heritage Boulevard and Trunk Highway 65 corridors; each of which present a unique set of conditions that may be distinguished from all other similarly zoned property within the City because of increased roadway capacity in terms of design, size, and traffic volume and speed. As a result, the City finds that it is in the public interest to create a Heritage Boulevard Sign Overlay District and a TH 65 Sign Overlay District; in order to provide for special regulations that allow appropriate sign dimensions and types as well as to encourage economic development that fits the character of the roadway and protects the overall character of the community.
- B. Establishment of the Heritage Boulevard Sign Overlay District.  
The Heritage Boulevard Sign Overlay District is hereby established and consists of those parcels or lots that are located within the “B-2” General Business District of the City, as shown on the Zoning Map, as amended, which have frontage on Heritage Boulevard also known as County Road 5.
- C. Establishment of the Trunk Highway 65 Sign Overlay District.  
The Trunk Highway 65 Overlay District is hereby established and consists of those parcels or lots that are located within the “B-2” General Business District and “T1-R” Tier One Business District of the City, as shown on the Zoning Map, as amended, which have frontage on Trunk Highway 65.
- D. For those properties having frontage along both Trunk Highway 65 and Heritage Blvd; the more restrictive requirements will take effect.
- E. For properties having no frontage on either corridor (Heritage Blvd or TH 65), the standard requirements provided for the “B-2” General Business District shall be met.

**Subdivision 4: Permitted and Conditional Signs**

	R	B-1	B-2			B-3	I-1	RC	CBT	POS
			Standard	Heritage	TH 65					
<b>Awning/Canopy</b>		P	P	P	P	P	P	P	P	
<b>Billboard</b>					C					
<b>Changeable Copy</b>		P	P	P	P	P	P	P	P	P
<b>Dynamic</b>	C		P	C	P		P	C		C
<b>Exempt</b>	P	P	P	P	P	P	P	P	P	P
<b>Freestanding</b>	P		P	P	P	P	P	P		
<b>Ground</b>	P	P	P	P	P	P	P	P	P	P
<b>Monument</b>	P		P	P	P	P	P	P	P	P
<b>Off-Premise</b>			P	P	P		P			
<b>Projecting</b>		P	P	P	P	P		P	P	
<b>Pylon</b>			P		P		P			
<b>Temporary</b>	P	P	P	P	P	P	P	P	P	P
<b>Wall</b>		P	P	P	P	P	P	P	P	
<b>Mural</b>		C								

\*\*The sign would be generally permitted within the zoning district designation as provided. In multiple tenant centers, each business is not entitled to its own freestanding sign. In those instances, the freestanding sign would identify the entire center or development.

**Subdivision 5: Development Standards**

**A. Wall signs.**

1. Wall signs shall be located a minimum of one (1) foot from the side of the building or unit line.
2. The minimum sign area for each building or tenant shall be not less than twenty-five (25) square feet.
3. The maximum wall sign area is to be no greater than three hundred (300) square feet per business or unit regardless of wall size.
4. One (1) wall sign per building or unit is permitted on the primary frontage. Additional wall signage may be permitted on the secondary frontage, which shall not exceed eighty (80) percent of the primary sign area allowance.
5. Wall signs shall not exceed the number of square feet for every lineal frontage of building or unit wall in which the sign is to be located, for the district in which it is located, as provided:

<b>Zoning District</b>	<b>Square feet of Sign Area</b>
B-1	1
CBT, B-3, RC, POS	1.5
Heritage Blvd Overlay, I-1	1.75
B-2	2
TH 65 Overlay	2.5

6. Wall signs shall not project more than eighteen (18) inches from the façade of the building.
7. On non-residential multiple story buildings, wall signs shall be located below the bottom of the second story; except that wall signs indicating the building name or the name of the primary occupant shall be permitted above the floor level of the highest floor in the building.
8. Illumination. The light source shall be either internal or shielded external to minimize glare and light spilling unto neighboring properties. The illumination of signs shall not interfere with surrounding uses.

**B. Projecting Signs.**

1. The maximum area of a projecting sign is twelve (12) square feet.
2. The sign shall not project more than four (4) feet from the wall.
3. The minimum spacing between projecting signs is twenty (20) feet.
4. A minimum eight (8) foot clearance must be between the sidewalk and the bottom of the sign.

**C. Freestanding Signs.**

1. A maximum of one (1) freestanding sign is permitted, with the exception of a business center greater than two (2) acres. One (1) freestanding sign per three (300) feet of zoning lot frontage may be located not less than three hundred (300) feet from any other freestanding sign for the same center.
2. The maximum area and height of a freestanding sign are shown below for the zoning district in which the sign is located.

Zoning District	Square feet of Sign Area	Height
R-1, R-2, R-3A, R-3B	8	4
R-4	24	4
B-2	120	35
TH 65 Overlay	200	45
B-3, RC	100	12
I-1	100	25
Heritage Overlay	110	30

3. Landscaping requirements. A dense clustering of plantings, with a minimum area of one (1) square foot per square foot of sign face for a double-faced sign or two (2) square feet per square foot of sign face for a single-faced sign. The plantings shall include evergreens and may include perennials, annuals, and other varieties of plantings. The line of sight of the sign must not be compromised by the height of the landscaping.
  4. No part of a freestanding sign shall be within ten (10) feet of the property line.
  5. Trunk Highway 65 Overlay District Additional Freestanding Sign Standards
    - a. The base of the sign shall be enclosed with brick or a material that matches the main building on which the sign is for. If the sign has a double pole structure a minimum four-foot brick (or established material) base is required.
- D. Pylon Signs. Pylon signs must meet the requirements as defined for freestanding signs for the district in which the sign will be located. (*Ord. No. 595*)
- E. Awnings. When permitted within the zoning district, awnings shall meet the following requirements:
1. An awning may project over a public sidewalk provided that it is at least eight (8) feet above grade and does not project more than two-thirds (2/3) the width of the public sidewalk as measured from the building.
  2. Awnings and canopies should be made of high quality materials that complement the overall design, colors, and materials of the building. Brightly colored awnings shall be compatible with the colors used on the main building.
  3. Awnings must be constructed of a durable, water-repellent material such as canvas or metal. Plastic or fiberglass awnings are not permitted.
  4. Backlighting or illuminating of awnings is not permitted.
  5. Retractable or fixed awnings may be used.
  6. Awnings shall not extend across multiple storefronts and/or multiple buildings. Long expanses of awnings should be broken into segments that reflect the door or window openings located beneath.
  7. Awnings and canopies deteriorate over time; regular maintenance and replacement is required.
  8. Signage on awnings is permitted. Lettering size shall be proportional to the space available and shall meet the requirements as provided for wall signs.
  9. Color renderings showing the location, size, color, and any proposed signage shall be submitted for review by the Planning Commission. Awnings that encroach within or above the public right-of-way shall receive approval by the City Council prior to construction of the awning.
- F. Ground sign (sandwich board signs). A sign mounted at ground level, the face of which is no more than thirty-six (36) inches wide. Ground signs must be brought inside each evening at the completion of business hours. Ground signs may not be located in such a way to impede

pedestrian traffic. If business owner desires ground sign to be located on a sidewalk or trail, approval must be given by City Council prior to the sign being erected.

- G. Billboards. Off-premise signs which are generally for hire. Billboards shall meet the following conditions:
1. Billboard shall only be allowed in the commercial and industrial zones, provided that they are adjacent to the right-of-way of Highway 65 or a Highway 65 frontage road. No billboard shall be allowed within a “B-1” district.
  2. The applicant must provide written permission from the property owner where the billboard is proposed to be located, at the time of making application for a conditional use permit.
  3. The applicant must provide proof of having obtained a permit from the Minnesota Department of Transportation, prior to being issued a conditional use permit.
  4. Billboards shall be located a minimum of 1,320 feet (¼ mile) from the nearest billboard.
  5. Only one billboard shall be located on a parcel. The parcel must be a minimum of 43,560 square feet (1 acre). All existing structures on the parcel and the proposed billboard shall not exceed a maximum of 60% lot coverage. Lot coverage shall be deemed to include square footage of all existing structures and square footage equal to the billboard face and supporting structures of one side of the proposed billboard.
- H. Off-Premise Signs. The signs shall meet the requirements for the property and district in which the sign is located. The permit must be accompanied by written documentation from the owner of the property on which the sign is located.
- I. Monument Sign. When permitted within the zoning district, the following requirements shall be met:
1. Signs constructed in commercial, industrial, mixed use and overlay areas shall not exceed the square feet of sign area and height requirements as shown for freestanding signs.
  2. Signs intended to permanently identify a single-family residential development or a multi-family residential development shall be permitted with the following conditions:
    - (i) Signs shall not exceed one hundred (100) square feet in sign face area and shall not exceed 8 feet in height as measured from natural grade.
    - (ii) Signs shall be either single-faced or double-faced.
    - (iii) The total number of signs permitted shall be subject to review by city staff depending upon the number of entryways into the development.
    - (iv) Decorative landscaping shall be provided around the base of the sign.
    - (v) The location of the sign shall not interfere with the safe movement and visibility of traffic or street maintenance operations. Signs shall be setback a minimum of five (5) feet from all property lines. Size, location, and configuration of the sign may result in a greater setback requirement.
    - (vi) The City shall not be responsible for the maintenance of the sign. An entity shall be established to the satisfaction of the City such as a homeowner’s association or a dedicated permanent easement with a homeowner’s association shall be identified as responsible for perpetual maintenance of the sign.
    - (vii) Signs may be externally illuminated.
  3. Landscaping requirements. A dense clustering of plantings, with a minimum area of one (1) square foot per square foot of sign face for a double-faced sign or two (2) square feet per square foot of sign face for a single-faced sign. The plantings shall include evergreens and may include perennials, annuals, and other varieties of plantings. The line of sight of the sign must not be compromised by the height of the landscaping.



J. Murals. When permitted within the zoning district, awnings shall meet the following requirements:

- (1) Murals are solely permitted by conditional use permit within the “B-1” Central Business District
- (2) Color renderings showing the location, size, and color shall be submitted for review by the Planning Commission.

**Subdivision 6: Dynamic and Changeable Copy Signs**

- A. Dynamic Signs. Any characteristics of a sign that appear to have movement or that appear to change, caused by any method other than physically removing and replacing the sign or its components, whether the apparent movement or change is in the display, the sign structure itself, or any other component of the sign. This includes display that incorporates a technology or method allowing the sign face to change the image without having to physically or mechanically replace the sign face or its components. This also includes any rotating, revolving, flashing, blinking or animated display and any display that incorporates rotating panels, LED lights manipulated through digital input, “digital ink” or any other method of technology that allows a sign face to present a series of images or displays.
1. Findings. Studies show that there is a correlation between dynamic displays on signs and the distraction of highway drivers. Distraction can lead to traffic accidents. Drivers can be distracted not only by a changing message, but also by knowing that the sign has a changing message. Drivers may watch a sign waiting for the next change to occur. Additionally, drivers are more distracted by special effects used to change the message, such as fade-ins and fade-outs. Time and temperature signs appear to be an exception to these concerns because the messages are short, easily absorbed, and become inaccurate without frequent changes. Despite these public safety concerns, there is merit to allowing new technologies to easily update messages. Except as prohibited by state or federal law, sign owners should have the opportunity to use these technologies with certain restrictions. The restrictions are intended to minimize potential driver distraction and to minimize proliferation in residential districts where signs can adversely impact residential character. The City finds that dynamic displays should be allowed on signs but with significant controls to minimize their proliferation and their potential threats to public safety.
  2. Permitted sign type and locations. Dynamic displays are solely permitted as freestanding signs and only within the “T1-B” Tier One Business District, “B-2” General Business District, “B-3” Neighborhood Business District, “RC” Recreational Commercial District, “T1-I” Tier One Industrial Park District, and “I-1” Industrial Park District.
  3. Duration of Image. A dynamic display image, or any portion thereof, may not change more than once every twenty (20) seconds, except one for which changes are necessary to correct hour-and-minute, date, or temperature information. A display of time, date, or temperature must remain for at least twenty (20) seconds before changing to a different display, but the time, date, or temperature information itself may change not more often than once every three (3) seconds.
  4. Transition. If a dynamic display’s image or any portion thereof changes, the change sequence must be instantaneous without any special effects.
  5. Prohibition on Video Display. No portion of a dynamic display may change any part of its sign face by a method of display characterized by motion or pictorial imagery, or depict action or a special effect to imitate movement, or display pictorials or graphics in a progression of frames that gives the illusion of motion of any kind.
  6. Prohibition of fluctuating or flashing illumination. No portion of a dynamic display image may fluctuate in light intensity or use intermittent, strobe or moving light, or light that changes in intensity in sudden transitory bursts, streams, zooms, twinkles, sparkles or any other manner that creates the illusion of movement.

7. Audio. Dynamic displays shall not be equipped with audio speakers.
8. Malfunctions. Dynamic displays must be designed and equipped to freeze the sign face in one position if a malfunction occurs. Dynamic displays must be equipped with a means to immediately discontinue the display if it malfunctions and the sign owner or operator must immediately turn off the display when notified by the City that it is not complying with the standards of this Ordinance.
9. Brightness. All dynamic displays shall meet the following brightness standards:
  - a) No dynamic display may exceed a maximum illumination of 5,000 nits (candelas per square meter) during the daylight hours and a maximum illumination of 500 nits (candelas per square meter) between dusk to dawn as measured from the sign's face at maximum brightness.
  - b) All dynamic displays having illumination by means other than natural light must be equipped with a dimmer control or other mechanism that automatically controls the sign's brightness to comply with the requirements of this Section.
  - c) No dynamic displays may be of such intensity or brilliance that it interferes with the effectiveness of an official traffic sign, device, or signal.
  - d) The owner or controller of the dynamic display must adjust the sign to meet these brightness standards in accordance with the City's instructions. The adjustment must be made immediately upon notice of non-compliance from the City.
  - e) A written certification from the sign manufacturer that light intensity has been preset to conform to the brightness levels established by code and that the preset level is protected from end user manipulation by password protected software or other method. This would offer the advantage of ensuring that electronic signs at a minimum cannot exceed the standards.
10. Dynamic displays are allowed only on free standing signs in the permitted districts.
  - a. Dynamic Signs that are used in conjunction with static signage may occupy not more than eighty (80) percent of the actual copy and graphic area of the sign.
  - b. Dynamic Signs that are not used in conjunction with static signage may be a maximum size of seventy (70) square feet.
  - c. Any Dynamic Signs installed shall be reviewed for aesthetics by the Development and Operations Committee.
11. The installation of any Dynamic Sign voids any use of any temporary signage on the parcel that the Dynamic Sign is installed on.

- B. Changeable Copy Signs. Changeable copy signs must meet the requirements as defined for wall or freestanding signs for the district in which the sign will be located.

### **Subdivision 7: Temporary Signs**

The following signs require a temporary sign permit in zoning districts and shall meet the requirements as provided within this Section.

- A. Public interest signs publicizing a charitable or non-profit event of general public interest. Such signs may be erected only on private property with the consent of the owner. Such signs shall be limited to thirty-two (32) square feet. Public interest signs shall be permitted only fourteen (14) days before and must be removed seven (7) days after the event to which it pertains.
- B. Banners, portable signs, and inflatable figures:
  1. No more than one (1) banner or portable sign not to exceed thirty-two (32) square feet or one (1) inflatable figure not to exceed ten (10) feet in width or depth shall be permitted in a commercial or industrial district for a special event sponsored and/or run by a



commercial enterprise in connection with a seasonal sale or other special offer. Banners, portable signs and inflatable figures for these types of events are permitted, provided they may be allowed for a maximum of thirty (30) consecutive days, no more than four (4) times per year. A minimum of one month is required between events.

2. In a shopping center or multi-tenant building, no more than two (2) temporary signs can be displayed at any one time upon the property.

### **Subdivision 8: Special Use Signs**

#### **A. Gas/Service Stations.**

For gas/service stations, only the following signs are permitted in addition to the permitted signs for the district in which the use is located. All other signs are subject to the other requirements of this Section.

1. Other non-illuminated permanent and temporary signs, customarily incidental to a gas/service station use, are allowed but the signs must not exceed a combined area of 100 square feet for the premises.
2. Signs identifying the gas station brand on the gas pumps shall not count against the sign area allowance for the property.
3. Sign island canopy may contain the color, logo, and brand name around the perimeter of the canopy. The height of the combined elements shall not exceed twenty-four (24) inches.

#### **B. Drive-Thru Signs.**

A use necessitating a drive-thru function will be permitted to have wall signs or freestanding signs as regulated under this section depending upon the zoning district. The property will be permitted to have additional signage related to the function of the drive thru, which meet the following requirements:

1. Menu boards shall be limited to two (2) signs per property (not including the speaker if unattached).
2. Menu boards are limited to sixty (60) square feet in size and can be internally or externally illuminated.

#### **C. Dynamic Signs.**

Dynamic signs may be permitted through the issuance of a conditional use permit for governmental buildings, recreational centers, convention centers, hotels, theaters, and schools. This type of signage may only be part of a freestanding sign and must comply with the regulations for this type of signage as stipulated within this Section.

### **Subdivision 9: Exempt Signs**

The following signs are exempt from permit requirements in all zoning districts.

#### **A. Real estate signs and construction/development signs.**

1. One (1) temporary real estate sign is permitted for the sale or lease of an existing building or vacant lot for each street frontage of the parcel and must be located on the premises. Such sign shall not exceed twelve (12) square feet in a residential district or thirty-two (32) square feet in all other districts. No more than two directional signs not exceeding six (6) square feet shall be permitted along a public right-of-way leading directly to such building or lot.
2. One temporary development real estate sign not exceeding thirty-two (32) square feet in area and located on the property shall be permitted on each public street frontage of a commercial, industrial, or residential development with five (5) or more units or lots for rent, sale, or lease. No more than two directional signs not exceeding sixteen (16) square feet in area shall be permitted on a collector or arterial street leading directly to such development.

#### **B. Window signs.**

1. Total Coverage Limitations. Window signs painted on or attached to the inside of a window can occupy no more than 90% of the total area of the window.
  2. Information Generally Permitted. The application upon a window or the glass surface of a door that includes lettering or decals giving the address, hours of operation, entrance or exit information, professional or security affiliations or members, the acceptance of credit cards or other similar information, shall not be considered as the display of signs for the purpose of this Section.
- C. Political signs. Political signs of any size may be posted in any number from forty-six (46) days before the primary election until ten (10) days following the general or special election.
  - D. Holiday signs. Holiday signs shall be allowed for a period of not more than sixty (60) days before and fifteen (15) days after said holiday.
  - E. Garage sale signs. Garage sale signs shall be allowed provided they are legible and do not violate any of the items as provided within Subdivision 2 of this Section. Signs shall be removed twenty-four (24) hours after the last day of the sale or will be removed by City staff. A phone number and address shall be placed on the sign.
  - F. Names plates. A name plate sign identifying the owners or occupants of a building or dwelling unit, provided such sign does not exceed two (2) square feet. (*Ord. No. 595*)
  - G. Directional signs. Directional signs not exceeding two (2) square feet in surface area displaying directional information for churches, schools, hospitals, sanitariums, clubs, libraries, business districts, special events, or other similar uses provided that such use shall be limited to one such sign per thoroughfare approach. Such signs shall not be illuminated and all shall comply with all applicable regulations of the road authorities.
  - H. Government or public signs. Such signs include, traffic signs, railroad crossing signs, legal notices, location of underground utilities, traffic lights and signals, and other similar signs as well as directional signs in any parking area where such signs are necessary for the orderly movement of traffic.
  - I. Any sign located inside a building, not attached to a window or door, which is not able to be read by pedestrians or vehicles passing on abutting streets.
  - J. No trespassing, no soliciting, or no dumping signs.
  - K. Ground Signs, so long as they are not located on a sidewalk or trail and are brought inside every night at the completion of business hours. (*Ord. No. 595*)

**Subdivision 10: Prohibited Signs**

The following signs are prohibited and shall not be erected or maintained:

- A. Any sign which purports to be or resembles an official traffic control device, sign, or signal, or railroad sign or signal; or which hides from view or interferes in any material degree with the effectiveness of any traffic control device, sign, or signal, or railroad sign or signal, or which obstructs or interferes with the driver's view of approaching, merging, or intersecting traffic for a distance not to exceed five hundred (500) feet.
- B. Any sign which prominently displays the word "stop" or "danger" for commercial purposes.

- C. Any sign which contains statements, words, or pictures of an obscene, indecent, or immoral character, or such as would offend public morals or decency on any right-of-way of any highway, except as otherwise provided by law or allowed by the Commissioner of the Minnesota Department of Transportation.
- D. Any sign on private land without the written consent of the owner thereof.
- E. Any sign on trees, shrubs, or which are painted or drawn upon rocks or natural features, or on any public utility poles.
- F. Any sign which has distracting flashing or moving lights so designed as to be a traffic hazard.
- G. Any sign to which access can be obtained only from an interstate main traveled way but excluding frontage roads adjacent thereto.
- H. Any signs which are structurally unsafe, in disrepair, or are abandoned.
- I. Any signs which are attached to trees or utility poles, other than those posted by the City.
- J. In all zoning districts, any sign which appears to be drawn free-hand and not professionally made. Garage sale signs and temporary directional signs in place for 24 hours shall be excluded.
- K. In commercial, mixed-use, and industrial zoning districts, temporary signs cannot be used for a business's permanent sign. This includes, but is not limited to, banners, sandwich boards, and changeable copy signs either mounted on the building or freestanding.
- L. Roof signs, search lights, and revolving signs.
- M. Off-premise business and/or advertising signs in residential districts (except those permitted in Subdivision 7 Temporary Signs). (*Ord. No. 595*)

**Subdivision 11: Non-Conforming Signs**

- A. Signs which do not conform to the provisions of this Section or do not conform with any other provision of this Ordinance applicable thereto shall be a legal nonconforming use and structure, subject to the provisions of Section 19 of this Ordinance.
- B. A sign has legal non-conforming status if it was lawfully erected prior to the regulations set forth in this section. A sign will lose its legal non-conforming status and shall be removed if:
  - 1. The sign is altered in any way in structure or copy, except for copy on changeable copy signs and normal maintenance;
  - 2. The sign is relocated or moved;
  - 3. The sign is replaced; or
  - 4. The sign is enlarged or expanded in any manner, to include but is not limited to an increase in weight, depth, height, area, intensity, technological advancements, etc.

**Subdivision 12: Sign Review Procedures**

- A. Permits. It is unlawful to erect, move, or change a sign without obtaining a sign permit from the City and written consent of the property owner. Every sign permit will become null and void if construction does not commence and final approval has not been granted by the City within one hundred eighty (180) days from the date of permit issuance. The following activities shall not require a permit unless otherwise noted:

1. Changing a tenant panel, marquee copy, or any message that is specifically designed for the use of changeable copy.
  2. Painting, repairing, cleaning or other normal maintenance of a sign or sign structure for which a permit has been previously issued so long as the aesthetic concept of the sign is not modified or changed in any way.
  3. Changes in window displays or window signs.
  4. Exempt signs in all districts.
- B. Application for Permits. Temporary and Permanent sign application shall be made to City staff. Sign permits shall be reviewed by the Building Department and, if necessary, the construction and installation regulated by the International Building Code (IBC). The permit shall be submitted with the following information:
1. Name and address of the premises where the sign is to be located.
  2. Name and address of all parties involved in the sign erection (sign company, electrical contractor, owner, property manager, landscape company, etc.). Names listed on the permit are legally responsible for each respective area.
  3. When appropriate, a completed building permit application with drawings showing dimensions, construction supports, electrical wiring and components, materials of the sign, and any additional items as requested by the Building Official.
  4. Site plan showing the location of the sign on the parcel as well as dimensions from property lines, landscaping areas, etc.
  5. Clear and legible drawings with a description of the colors, construction materials, sign dimensions, location of the sign and building elevations.
  6. Written authorization from the property owner for the sign to be located on the property.
  7. Any additional information as required by City staff to review the proposal.
  8. Sign permit fee as approved by the City Council within the fee schedule.
- C. Inspection of Signs. Every sign that requires a permit must be inspected by the City of Isanti to verify that the location, size, and construction of the sign conform to approved drawings and code requirements. The contractor installing or altering the sign shall provide the City of Isanti with access to the sign and all sign components so that a proper inspection of the sign can be performed. The construction and installation of the sign shall conform to the submitted drawings showing the dimensions, supports, sizes, and electrical components. Any substantial deviation from the approved drawing may result in revocation of the sign permit.

**Subdivision 13: Signage Master Plans** (*Ord. No. 595*)

- A. Purpose. The purpose of a signage master plan is to establish a fair and equitable process 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. Entities subject to this section are as outlined below:
1. Sports/Recreation Facilities. To include, soccer fields, sports arenas, baseball fields, and other similar uses.
    - a. Additional signage may be permitted with the submittal of a signage master plan, recommendation by the Park, Recreation, and Culture Board, and approval by the City Council.
    - b. Special events must submit an application for temporary signage as part of the Special Event Permitting process.
    - c. No advertisements for products or services detrimental or inappropriate to the health or welfare of children including, but not limited to, alcoholic beverages, tobacco products, adult entertainment, gambling, or questionable content will be permitted.
  2. Hospitals.

3. Businesses with campus-like settings.
  4. Colleges
  5. Strip malls or office complexes, with two (2) or more tenants, constructed after December 2014.
  6. Other similar facilities.
- C. Review. Master sign plans shall follow the Application for Permit process as outlined in Subdivision 12(B), in addition to a recommendation for approval by the appropriate committee and approval by the City Council. Park and recreation facility sign plans shall be reviewed by the Park, Recreation, and Culture Board, all other facilities shall be reviewed by the Planning Commission prior to City Council approval.

**Subdivision 14: Supplemental Information**

- A. Façade Repair and Winter Sign Installation.
1. Prior to the issuance of any sign permit for a renovated or new wall sign, the building façade or wall shall be repaired and returned to a condition similar to the remainder of the building.
  2. For sign permits that are issued during winter months, the applicant may request permission to complete façade repairs or provide landscaping at a later date. The request shall be made to the Zoning Administrator and include a date by which the required repairs or landscaping will be complete. The request shall be accompanied by an acceptable surety in the amount set by the City Council. The request shall also be accompanied by a guarantee of right of entry which would allow the City to complete the required work if the applicant fails to do so. Should the request be granted, holes in the façade shall be filled to provide adequate protection against the weather.

**Subdivision 15: Maintenance and Removal of Signs**

- A. Any sign now or hereafter existing which no longer advertises or identifies a bonafide business conducted, service rendered or a product sold, shall be taken down and removed by the owner, agent, or other person having the beneficial use of the building or structure upon which the sign may be found, within ten (10) days after written notice from the Zoning Administrator.
- B. All signs shall be maintained so as not to be unsightly to adjoining areas or create hazards to the public health, safety or general welfare. The term unsightly shall mean a condition where the sign has deteriorated to the point that one-fourth (1/4) or more of the surface of the name, identification, description or other symbol is no longer clearly recognizable to the human eye at a distance of forty (40) feet. In the case of painted signs, unsightly shall mean that the paint is peeling away from the structure surface or is faded so that it is not clearly recognizable to the human eye at a distance of forty (40) feet. All signs, together with their supports, braces, guys, anchors, shall be kept in repair and in proper state of preservation. The display surfaces of all signs shall be kept neatly painted or posted at all times. The City Council may order the removal of any sign that is not properly maintained. Upon proper presentation of credentials, the Zoning Administrator or his authorized representatives may enter at reasonable times any building, land, or structure in the City to inspect or re-inspect any sign.
- C. Business identification must be removed or professionally covered and properly secured within thirty (30) days of a business closing or moving from the location. A fine of \$50 per day will be charged each day the sign is not removed.

### **Subdivision 16: Violations**

The violation of, or failure to comply with any of the provisions of this Section, or the erection, use or display of any sign not in compliance with all the provisions of this Section shall be and is declared to be unlawful.

- A. Injunction and Abatement. The City, through its authorized agents, may initiate an injunction or abatement proceeding or other appropriate action in a court of competent jurisdiction against any person who violates or fails to comply with the provisions of this Section or the erector, owner, or user of an unlawful sign or owner of property on which an unlawful sign is located, to prevent, enjoin, abate, or terminate violations of this Section.
- B. Penalties. Any person who violates or fails to comply with any of the provisions of this code or the erector, owner, or user of an unlawful sign or the owner of property on which an unlawful sign is located shall be subject to the penalties as specified within Section 23 of this Ordinance.

### **Subdivision 17: Definitions**

The following definitions shall have the following meaning within this Section.

#### **Banner**

A temporary sign constructed of cloth, paper, plastic, or other material upon which copy is written and supported either between poles or posts or fastened to a building or structure.

#### **Commercial Speech**

Speech advertising a business, profession, commodity, service or entertainment.

#### **Dynamic Display**

Any characteristic of a sign that appear to have movement or that appear to change, caused by any method other than physically removing and replacing the sign or its components, whether the apparent movement or change is in the display, the sign structure itself, or any other component of the sign. This includes a display that incorporates a technology or method allowing the sign face to change the image without having to physically or mechanically replace the sign face or its components. This also includes any rotating, revolving, moving, flashing, blinking, or animated display and any display that incorporates rotating panels, LED lights manipulated through digital input, "digital ink" or any other method or technology that allows the sign face to present a series of images or displays.

#### **Expansion**

An increase in the area, size, shape, volume, height, weight, or intensity of the use. Expansion can also be determined by: (1) the extent to which the current use reflects the nature and purpose of the original use; (2) any difference in character, nature, and kind of use involved; and (3) any substantial difference in affect upon the neighborhood resulting from differences in activities conducted on the property.

#### **Non-Commercial Speech**

Dissemination of messages not classified as commercial speech, which include, but are not limited to, messages concerning political, religious, social, ideological, public service and informational topics.

#### **Off Premise Sign**

A sign whose message advertises a product, service, business, event or activity which is not offered for sale, rent or does not take place on the premises in which the sign is located. The term off premise sign shall also include a billboard sign on which space is leased or rented by the owner thereof to others for the purpose of conveying a commercial or noncommercial message.



**On Premise Sign**

A sign whose message advertises a product, service, business, event or activity which is offered for sale, rent or does take place on the premises in which the sign is located.

**Primary Sign Frontage**

The portion of any frontage containing the primary public entrance to a building or building unit.

**Secondary Sign Frontage**

The frontage containing secondary public entrances to a building or building unit as well as building walls facing a public street or primary parking area.

**Sign, Billboard**

A large sign that directs attention to a business, commodity, service, or entertainment conducted, sold, or offered at another location other than the premises on which the sign is located.

**Sign, Changeable Copy**

A sign in which the display or message must be changed manually rather than by electronic means.

**Sign Face**

The surface of the sign upon, against, or through which the message of the sign is exhibited.

**Sign, Freestanding**

Any sign supported by structures or supports that are placed on or anchored in the ground, and that are independent from any building or other structure.

**Sign, Mural**

A sign applied to the wall of a building that covers all or substantially all of a wall and depicts a scene or event.

**Sign, Projecting**

Any sign which is affixed to the building or wall in such a manner as the sign face extends perpendicular to the building or wall face.

**Sign, Pylon**

A freestanding sign permanently affixed to the ground by supports, but not having the appearance of a solid base.

**Sign, Temporary**

A sign designed to be displayed for a limited amount of time that is not permanently affixed to the land or a structure. Temporary signs may be constructed of or include paper, cloth, canvas, inflatable objects, pennants or other light non-durable material.

**Sign, Wall**

A sign mounted or attached parallel to a wall or painted on the wall surface which displays one sign surface.

**Unified Business Center**

A group of two (2) or more buildings, planned or developed in a joint manner with shared parking facilities, regardless of whether such buildings, units, or uses are located on the same lot or parcel.

**Window**

The area of the building façade which is occupied by transparent or translucent glass or other similar material.

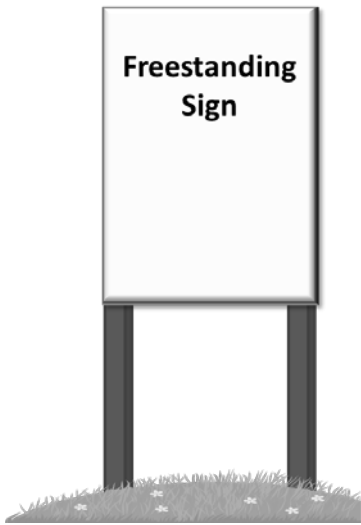
**Window Sign**

Any sign, picture, symbol, or combination thereof, placed inside a window or upon the window that can be viewed through the window by the public.

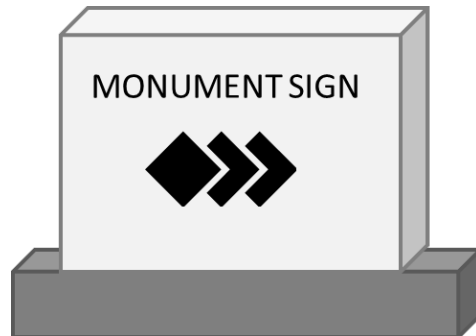
**Subdivision 18: Sign Diagrams**

*(Ord. No. 595)*

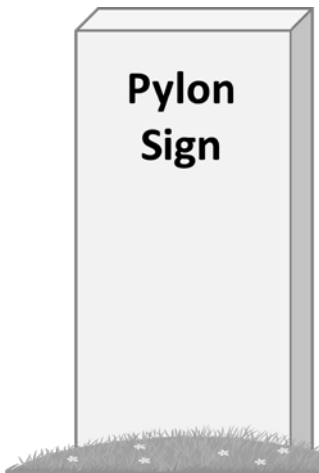
**Freestanding Sign:**



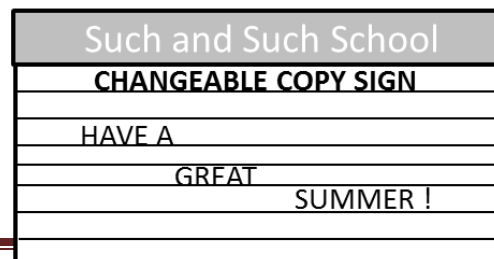
**Monument Sign:**



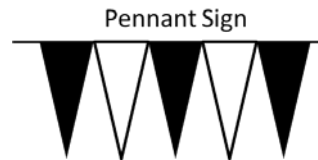
**Pylon Sign:**



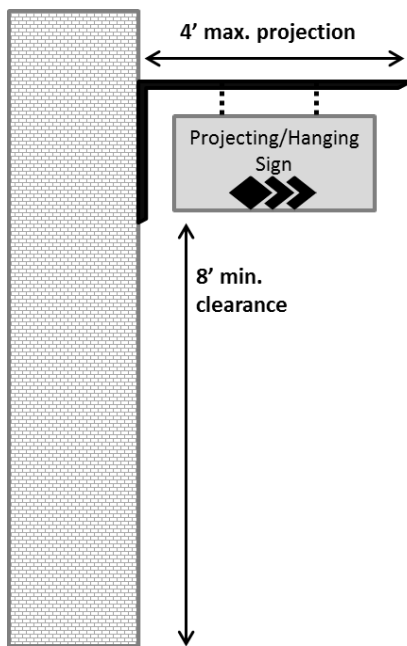
**Changeable Copy Sign:**



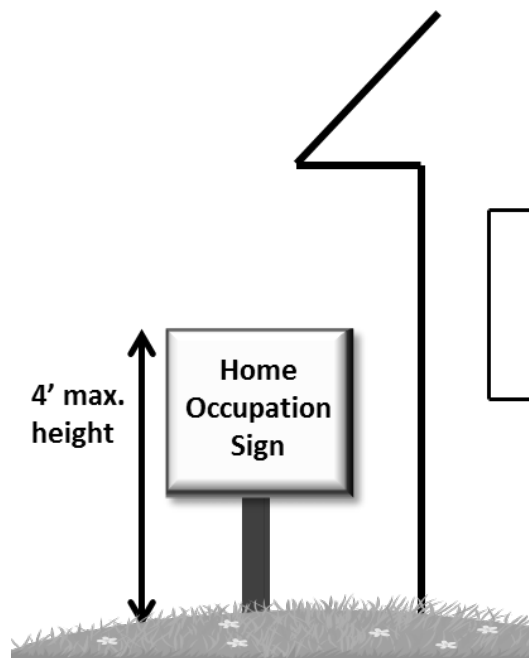
**Pennant Sign:**



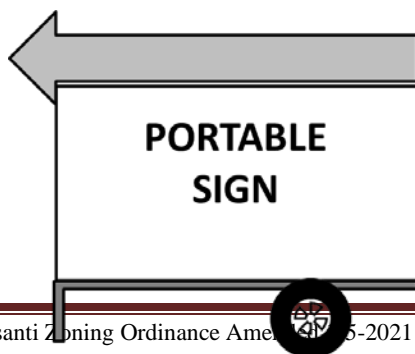
**Projecting Sign:**



**Home Occupation Sign:**



**Portable Sign:**



**Ground Sign:**



