



2241 221st Ave. NE • East Bethel, MN 55011
Phone: (763) 367-7844 • Fax: (763) 434-9578

PERMIT APPLICATION FOR PERMANENT SIGN

Job Address: _____

Owner's Name: _____ Phone: _____

Email: _____

Tenant's Name (if different from owner): _____ Phone: _____

Email: _____

Sign Contractor: _____ Phone: _____

E-mail: _____

Type of work: **New** **Repair** **Alteration** (re-facing does not require a permit)

Is this property part of a multitenant building: Yes* No

*Comprehensive sign plan required

Width of building frontage: _____ Width of lot frontage: _____

Area of existing signage: _____ Area of proposed signage: _____

Type of sign*: _____

Proposed illumination*: _____

* The changing message must be no more than 1x every three minutes, cannot have intermittent flashing lights, or exhibit a noticeable change in color or intensity, and cannot have the illusion of motion. 1 changeable sign per parcel.

* The city may specify the hours any sign may be illuminated. The hours of illumination may be specified on the permit. Illuminated signs must have a shielded light source.

Sign dimensions: Height*: _____ Length: _____ Depth: _____

*The maximum height for all signs will be the lowest point of the roof or parapet of the building associated with the sign.

What is the lowest point of the roof or parapet of the building: _____

Height: Ground to bottom of sign: _____ Ground to top of sign: _____

Number, kinds, and size of posts: _____

Footing size: _____ Depth of footings in ground: _____

Width/circumference of footings: _____

Zoning: _____ Acres: _____ Shoreland Overlay District: YES NO

Valuation of Work*: \$ _____

*Based on cost of material and labor as if you were to hire a contractor.

SEPARATE PERMIT IS REQUIRED FOR ELECTRICAL WORK. THIS PERMIT BECOMES NULL AND VOID IF WORK OR CONSTRUCTION AUTHORIZED IS NOT COMMENCED WITHIN 180 DAYS, OR IF CONSTRUCTION OR WORK IS SUSPENDED OR ABANDONED FOR A PERIOD OF 180 DAYS AT ANY TIME AFTER WORK IS COMMENCED. I HEREBY CERTIFY THAT I HAVE READ AND EXAMINED THIS APPLICATION AND KNOW THE SAME TO BE TRUE AND CORRECT. ALL PROVISIONS OF LAWS AND ORDINANCES GOVERNING THIS TYPE OF WORK WILL BE COMPLIED WITH WHETHER SPECIFIED HERIN OR NOT. THE GRANTING OF A PERMIT DOES NOT PRESUME TO GIVE AUTHORITY TO VIOLATE OR CANCEL THE PROVISIONS OF ANY OTHER STATE OR LOCAL LAW REGULATING CONSTRUCTION OR THE PERFORMANCE OF CONSTRUCTION.

TOTAL AMOUNT DUE (Price based on valuation) \$ _____
Total cost of permit will be available after building review. An estimate can be provided.

Signature of Contractor or Authorized Agent: _____ Date: _____

Signature of Owner (if owner builder): _____ Date: _____

Building Approval: _____ Date: _____

Zoning Approval: _____ Date: _____

INFORMATION NECESSARY WHEN APPLYING FOR A PERMANENT SIGN

1. Permit application completed and signed.
2. Two sets of detailed building plans or blueprints.
3. Two copies of the residential survey or site plan indicating the following: Distances from the property lines, buildings on the same property, driveway and parking locations, curb cuts, access roads, off-street loading areas, septic system and well locations, lot size and any wetlands, rivers, lakes or easements. Site plan must be approved by the Zoning Administrator. If the property lines cannot be determined, a survey will be required.
4. Sign design, drawn to scale and in color, showing the following: type of sign (freestanding, wall, roof, etc.), height, width, message, materials constructed of, light source, location on structure or property.
5. Copy of job estimate from sign contractor.
6. Electrical permits must be obtained separately.
7. The septic system location must be fenced off before a permit will be issued as to prevent trucks from driving over it.

Zoning Setbacks (please refer to the sign ordinance for sign setbacks)

Zoning	Front Yard Setback on City Road	Side Yard Setback	Side Yard Setback on a City Road	Rear Yard Setback	Setback from County Road	2nd Driveway Allowed	Primary Structure Setbacks	Septic setbacks	Well setbacks	Wetland Setbacks
R1*	30 ft	10 ft	25 ft	10 ft	100 ft	No	10 ft	Bldg must be 20 ft from drainfield and 10 ft from tanks Septics can be 10ft from a property line	3 ft from any bldg overhang	See Wetland or Shoreland Ord.
R2*	30 ft	10 ft	25 ft	10 ft		No	10 ft			
RR*	40 ft	25 ft	40 ft	25 ft		With permit	25 ft			
Whispering Aspen	28 ft	10 ft	25 ft	10 ft	NA	No	10 ft			
Viking Preserve	25 ft	7 ft	25 ft	25 ft	50 ft	No	10 ft			25 ft

*Check to see if you are in the Shoreland Overlay District as the setbacks may be different.

Shoreland Overlay Please check with staff for your setbacks as they will be different than above. 25% Impervious Surface rule applies, meaning only 25% of the property's surface can have an impervious surface where water cannot drain through it. To find out your zoning or if you are in the Shoreland Overlay District: either use the GIS map on the city website or call 763-367-7844 between M-F 8am-4pm.

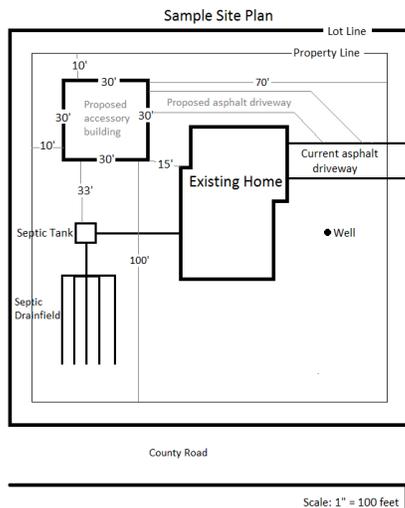
Wetland Setbacks

Water Body Type	Permanent Buffer Average Width	Minimum Building and septic system setback from delineated wetland edge
Wetlands adjacent to Significant Natural Environmental Areas (SNEA) or *highly susceptible wetlands	25 ft	50 ft
Cedar Creek or wetlands adjacent to	25 ft	Structures: 100 ft Septic systems: 75 ft
All other remaining wetlands including *slightly and moderately susceptible wetlands	15 ft	25 ft
Storm water ponds and *least susceptible wetlands	Top of slope	25 ft
Lakes	15 ft	Refer to Shoreland Overlay District ord.

*Wetland susceptibility as defined in city's water management plan

Shoreland Setbacks

Classes of Public Waters	Structures in Sewered Districts	Structures in Unsewered Districts	Sewage Treatment Systems
Lake – Natural Environment <i>Anderson Lake, Booster Pond, Cooper's Lake, Deer Lake, Devil Lake, Fish Lake, Goose Lake, Lone Pine Lake, Mud Lake, Ned's Lake, Rice Lake</i>	150 ft	150 ft	150 ft
Lake – Recreational Dvlp <i>Minard Lake</i>	75 ft	100 ft	75 ft
Lake – General Dvlp <i>Coon Lake</i>	50 ft	75 ft	50 ft
Creeks and Streams	100 ft	100 ft	75 ft



Required to be on site plan:

1. Septic system location and distances
2. Well location and distances
3. Property line location and distances
4. Wetland location and distances
5. Drainage Easements locations
6. Other structures locations and distances
7. Proposed structure location and size/measurements

Additional site plan material required for Shoreland Overlay District:

8. The Ordinary High Water (OHW) level must be provided
9. The Impervious Surface Calculations must be provided
10. A Certificate of Survey may be required

CHAPTER 54 – SIGNS



Sec. 54-1. - **Purpose.**

The purpose of this chapter is to protect the health, safety, and general welfare of the community through the establishment of a comprehensive, balanced, constitutionally sound system of sign control intended to achieve the following:

- (1) Provide a needed service through effective communication for those persons residing and working within and traveling through the community;
- (2) Encourage effective and orderly communications by reducing confusion and hazards caused by unnecessary and indiscriminate signage;
- (3) Encourage creativity and offer a reasonable degree of choice for those who design, display, or otherwise use signage;
- (4) Provide for signs that are architecturally compatible with and are proportioned to the scale of the principal structures;
- (5) Reflect the community's concern for an aesthetically pleasing and orderly environment by reducing visual clutter caused by indiscriminate and inappropriate signage;
- (6) Provide the community the opportunity to effectively communicate personal self-expression; and
- (7) Reflect the community's concern for protecting the night sky from unnecessary or excessive light generated from signage.

(Ord. No. 41B, subd. 1, 9-5-2007)

Sec. 54-2. - **Definitions.**

For purposes of this chapter, the following definitions will apply:

Abandoned sign means a sign which no longer identifies or advertises a bona fide business, tenant, service, owner, product or activity, and/or for which no legal owner can be found.

Address sign means a sign communicating the street address only, whether in script or in numerical form.

Advertising copy means the graphic content of a sign surface in either permanent or removable letter, pictographic, symbolic, or alphabetic form.

Advertising sign means a sign that directs attention to a business or profession, or to a commodity, service, or entertainment not sold or offered upon the premises where such sign is located or to which it is attached.

Area identification sign means a sign which identifies the name of any of the following:

- (1) A residential subdivision;
- (2) A multiple residential complex consisting of three or more structures;
- (3) A business or industrial structure containing two or more independent businesses or industrial enterprises;
- (4) A single business and/or industrial complex consisting of three or more separate structures existing on individual platted lots or as a planned unit development (PUD);
- (5) A mobile home park;
- (6) Any integrated combination of such developments or structures; or
- (7) A shopping center.

Such signs must identify an area or complex and may also name the principal business in a building or development.

Awning/canopy/umbrella sign means a sign constructed of flexible translucent or fabric-type material that incorporates a written message or logo on the exterior.

Balloon sign means a sign consisting of a bag or similar device of lightweight material supported by helium or hot or pressurized air and which is greater than 18 inches in diameter.

Banners, pennants, streamers, and festoons means a temporary sign or attention-getting device generally made of flexible materials such as paper, cloth, plastic, or any non-rigid material with no enclosing framework. National or state flags shall not be included in this definition.

Billboard sign means a sign over 24 square feet in display area which meets any one or more of the following criteria:

- (1) A permanent structure sign which is used for the display of off-site commercial messages;
- (2) A permanent structure sign which constitutes a principal, separate, or secondary use, as opposed to an accessory or ancillary use, of the parcel on which it is located;
- (3) An outdoor sign used as advertising for hire (i.e., on which display space is made available to parties, other than the owner or operator of the sign or occupant of the parcel, not including those who rent space from the sign owner, when such space is on the same parcel as the sign, such as tenant directories on shopping malls), in exchange for a rent, fee, or other consideration; or
- (4) An off-site outdoor advertising sign on which space is leased or rented.

Business sign means a sign that directs attention to a business or profession conducted, or to a commodity, service, or entertainment sold or offered on the premises where such sign is located or to which it is affixed.

Changeable sign, electronic, means an electronically controlled sign, including a time, temperature, or date sign, or a message center, or a reader board, where different message changes are shown on the same panel.

Changeable sign, manual, means a sign on which the message is changed manually.

Commercial speech sign. See *Advertising sign*.

Community promotion sign means an attention-getting device such as a banner or seasonal decorations that are installed and maintained by the city.

Construction sign means any sign that displays information regarding the construction or development of the site on which it is displayed.

Directional sign means a sign that serves primarily to direct traffic to the location of a place, area, or activity.

Flag means any fabric or similar lightweight material attached at one end of the material to a staff pole so as to allow movement of the material by atmospheric changes and which contains distinctive colors, patterns, symbols, emblems, insignia, or other symbolic devices.

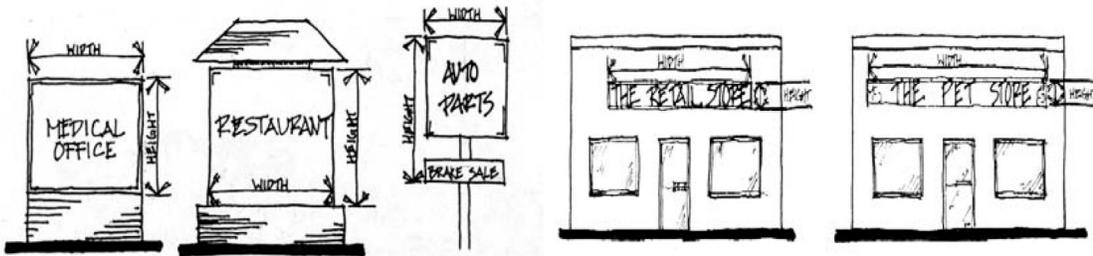
Flashing sign means an illuminated sign which has intermittent flashing lights, revolving beacons, zip flashers, or exhibits a noticeable change in color or light intensity. The term "flashing sign" does not include electronic signs.

Freestanding sign means a sign that is self-supporting and affixed to a frame structure and not attached to a building.

Front, building, refers to the primary building wall and main entrance, which may not necessarily front directly onto a public right-of-way. There may be only one building front for signage calculation.

Front lot line refers to the boundary of a lot that abuts an existing dedicated street. For lots abutting more than one street, the front shall be the side with the minimum street frontage. For lots abutting more than one street with the same frontage, the city will determine the front lot line.

Height of sign means the vertical distance from the elevation at the centerline of the street upon which the sign fronts, measured at the nearest point to such sign and to the top of the sign structure, or from the elevation of the ground surface at the base of the sign to the top of the sign structure, whichever is higher.



Identification sign means a sign containing principally the name of the individual or establishment occupying the premises and which also may include the street address, telephone number, or other information identifying the use.

Illuminated sign means any sign that has characters, letters, figures, designs, or an outline illuminated by electric lights or luminous tubes as a part of the sign proper.

- (1) *Backlit.* A light source contained within the sign element or sign cabinet that illuminates by shining through a translucent surface or sign face, except where only the letters of the sign copy are illuminated.
- (2) *External.* A light source outside the sign element or sign cabinet that illuminates by directing light onto the sign surface, such as by floodlights or spotlight.
- (3) *Internal.* A light source contained within the sign cabinet or sign element that illuminates by directing light onto the sign surface, or that illuminates only the letters of the sign copy, and which is not backlighting.
- (4) *Neon.* A light source supplied by neon or other gas in which the light tube is bent to form letters, symbols, or other shapes.

Institutional sign means a sign that identifies the name and other characteristics of a public or semipublic institution on the site where the sign is located.

Logo means an identifying graphic which may or may not be a registered trademark but which is the official graphic identifier for a business organization.

Marquee sign means a building sign painted on or attached to a marquee.

Message center/time/temperature display sign means a sign having electronically changing copy that displays current time, temperature, and/or public service announcements.

Monument sign means a sign not supported by exposed posts or poles which is architecturally designed and located directly at grade where the base width dimension is at least as wide as the sign.

Motion sign means a sign which revolves, rotates, has moving parts, or gives the illusion of motion. The term "motion sign" does not include automatic changeable signs.

Multitenant center means a group of commercial retail, service, or professional establishments with a designed occupancy of two or more tenants with shared parking and visual appearance as a contiguous structure which may or may not be planned, constructed, or managed as a total entity.

Nameplate means a sign indicating the name and address of a building or the name of an occupant therein.

Noncommercial speech means 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.

Nonconforming sign means a sign that does not conform to the requirements of this chapter.

- (1) *Legal.* A legal sign is a sign which lawfully existed at the time of the passage of the ordinance from which this chapter is derived and amendments thereto, but which does not conform to the regulations of the chapter.
- (2) *Illegal.* An illegal sign is a sign which was constructed after the passage of the ordinance from which this chapter is derived or amendments thereto, but which does not conform to the regulations of this chapter, or a sign which existed prior to the adoption of the ordinance from which this chapter is derived which did not conform to the regulations then in effect.

- (3) *On-premises sign.* An on-premises sign is a sign that pertains to the occupant of the premises and/or property on which it is located.
- (4) *Portable (trailer) sign.* A portable (trailer) sign is a sign with or without copy and/or graphics which is constructed or placed upon a chassis with wheels, legs, or skids in order to be movable from one location to another, such as may be mounted on an automobile or trailer. The term "portable (trailer) sign" does not include permanent identification signs painted directly on vehicles, principally used for transportation, but does include such signs if the vehicles are not used for transportation purposes but are intended rather as a structure to support a sign.
- (5) *Projecting sign.* A projecting sign is a sign with a face perpendicular to the wall of a building upon which it is attached.
- (6) *Projection sign.* A projection sign is a sign that is projected by means of a light on an exterior wall or other exterior surface.
- (7) *Pylon sign.* A pylon sign is any permanent, freestanding sign mounted on posts or columns.
- (8) *Real estate sign.* A real estate sign is any sign pertaining to the sale, lease, or rental of land or buildings.
- (9) *Roof sign.* A roof sign is a sign which is mounted on the roof of a building or which projects above the top of the wall of a building with a flat, gambrel, gable, or hip roof, or deck line of a building with a mansard roof.
- (10) *Informational sign.* An informational sign is any device, structure, fixture, or placard using graphics, symbols, and/or written copy for the primary purpose of identifying, providing directions, or advertising any establishment, products, goods, or services. This includes symbols, flags, pictures, wording, figures, or other forms of graphics painted on or attached to windows, walks, awnings, freestanding structures, suspended by balloons or kites, or on persons, animals, or vehicles.
- (11) *Temporary sign.* A temporary sign is a sign which is designed or intended to be displayed temporarily.
- (12) *Temporary window sign.* A temporary window sign is a sign which is displayed on the inside of a window and is designed for the purpose of advertising goods, specials, and sales for a short period of time and is not permanently installed. Temporary window signage may include vinyl, paint, and banners.
- (13) *Wall-mounted sign.* A wall-mounted sign is a sign attached essentially parallel to and extending not more than 24 inches from the wall of a building with no copy on the sides or edges.
- (14) *Off-premises sign.* An off-premises sign is 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 the purpose of this chapter, 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.

Sign gross area.

- (1) *Area of freestanding sign* means the area of the actual sign. It does not include embellishments such as the monument base, pole covers, framing, or decorative roofing provided there is no advertising copy on or attached to such embellishments. If the freestanding sign is double-faced, only one face is used to calculate sign area.
- (2) *Area of wall sign* means the total area of the sign, including all structures framing the sign, background embellishments or area contained within a rectangle or square drawn completely around the display surface, even if the sign consists of individual letters and graphics.

(Ord. No. 41B, subd. 2, 9-5-2007)

Sec. 54-3. - General provisions.

- (a) *Scope of regulations.* The sign regulations set forth in this chapter shall apply to all structures and all land uses in the city.
- (b) *Compliance with standards.* No person shall place, erect, or maintain a sign, nor shall a lessee or owner permit property under his control to be used for any sign that does not conform to the requirements of this chapter.
- (c) *Permitted districts—Electronic changeable signs.* Electronic changeable signs are allowed in the limited business (B-1), central business (B-2), highway commercial (B-3), light industrial (I), and public/institutional (P/I) districts, and may occupy the sign area allowed for freestanding monument signs.
 - (1) The changeable sign must not exceed 32 square feet.
 - (2) The changing message must be no more than one time every three minutes.
 - (3) The changeable sign must not have intermittent flashing lights or exhibit a noticeable change in color or intensity.
 - (4) The changeable sign must not give the illusion of motion.
 - (5) One changeable sign is allowed per parcel.
- (d) *Same—Manual changeable signs.* Manual changeable signs are allowed in the limited business (B-1), central business (B-2), highway commercial (B-3), light industrial (I), and public/institutional (P/I) districts, and may occupy 20 square feet of the sign area allowed for freestanding monument signs.
- (e) *General regulations.* The following general regulations shall apply to all signs and districts:
 - (1) *Comprehensive sign plan.* A comprehensive sign plan shall be required for multitenant buildings and shopping centers. The comprehensive sign plan for the structure shall be submitted to the city and shall be of sufficient scope and detail to permit a determination as to whether or not the plan is consistent with the regulations of this chapter. The effect of the comprehensive sign plan is to require the owner of a structure to determine and have approved by the city the specific individual tenant sign requirements.
 - (2) *Illumination.* Symbols, statues, sculptures, and integrated architectural features on nonresidential buildings may be illuminated by floodlights provided the source of light is not directed toward the public right-of-way or any adjacent residential district. Such artwork will have 25 percent of the area considered as a sign.

- (3) *Prohibited in public rights-of-way or easements.* Signs, other than governmental signs, are prohibited within the public rights-of-way or easements.
 - (4) *Nonconforming use.* Signs existing on the effective date of the ordinance from which this chapter is derived that do not conform to the regulations set forth in this chapter are a nonconforming use.
 - (5) *Permanent signs.* No permanent sign shall be constructed on any lot prior to the time of construction of the principal building to which it is accessory.
 - (6) *Maximum sign base.* The sign base, decorative roof, or other embellishments not included in the sign area shall not exceed 50 percent of the allowable square footage.
 - (7) *Hours of illumination.* The city may specify the hours any sign may be illuminated. The hours of illumination may be specified on the permit. Illuminated signs must have a shielded light source.
 - (8) *Compliance with National Electrical Code.* All signs, other than temporary signs, shall meet the National Electrical Code requirements.
 - (9) *Exempt signs.* All signs under two square feet are exempt from the requirements of this chapter.
 - (10) *Permitted accessory uses.* Signs are a permitted accessory use in all zoning districts.
- (f) *Prohibited signs.* The following signs and advertising devices are prohibited:
- (1) Computer-controlled electronic changeable signs with a changing message no more than one time every three minutes.
 - (2) All noncommercial signs may be posted in any number from 46 days before the state primary in a general election year until ten days following the state general election.
 - (3) Any sign that by reason of its location, shape, movement, color, lighting intensity, or any other manner interferes with the proper and safe functioning of a traffic sign or signal, obstructs the vision of pedestrians, cyclists, or motorists traveling on or entering public streets, or otherwise constitutes a traffic hazard, as defined by the city.
 - (4) Balloon signs.
 - (5) Banners, pennants, ribbons, streamers, and strings of light bulbs used as an attention getting device on commercial properties are prohibited except for special events as permitted by subsection (h) of this section.
 - (6) Flashing signs.
 - (7) Motion signs.
 - (8) Portable (trailer) signs.
 - (9) Roof signs, including signs mounted on a roof surface or projecting above the roof line, or on a wall of a structure if either attached to the structure or cantilevered over the structure.
 - (10) With the exception of "No Trespassing" and/or "No Hunting" signs, signs painted on or attached to trees, rocks, or other natural surfaces, or attached to public utility poles, bridges, or similar public structures are prohibited except for those signs found on fences (inside) of baseball parks.
 - (11) Search lights, strobe lights, or projection signs.
 - (12) Projecting signs except in the city center (CC) district.
 - (13) Signs painted directly on building walls (wall graphics).
 - (14) Signs which advertise an activity, business, product, or service no longer produced or conducted on the premises upon which the sign is located. Where the owner or lessor of the premises is seeking a new tenant, such signs may remain in place for not more than 30 days from the date of vacancy.
 - (15) Temporary window signs used for the purpose of advertising goods and/or services, which signs occupy more than 25 percent of the window space of the premises displaying the sign.
 - (16) Signs with unshielded light that directly illuminate the night sky.
 - (17) Off-premises signs.
 - (18) Billboard signs.
- (g) *Temporary signs—No permit required.* No permit shall be required for the following temporary signs:
- (1) Temporary political campaign signs.
 - (2) Temporary construction signs identifying the parties involved in the construction to occur or occurring on a parcel shall be allowed only as an accessory to an approved building permit for a project or development, and may be installed upon a construction site in any district provided the following requirements are met:
 - a. The sign must not exceed 32 square feet in commercial and industrial districts and six square feet in residential districts.
 - b. One temporary sign for each project or development will be permitted along each directly abutting street.
 - c. The temporary sign may be erected and maintained for a period not to exceed 30 days prior to the commencement of construction and shall be removed within 14 days of the issuance of the certificate of occupancy.
 - (3) Temporary window signs. No more than 25 percent of the glass area within a window opening may be used for the display of a temporary sign message.
 - (4) No trespass/no hunting signs. "No Trespassing" and "No Hunting" signs and similar warning or restrictive signs, not to exceed two square feet in area, may be placed upon private property by the owner.
 - (5) Public event signs. Ground signs not exceeding 32 square feet in area for each sign may be erected and maintained for a period not to exceed 30 days before the first day of the event, celebration, or festival, and shall be removed immediately upon completion of the event. Signs permitted under this subsection may be located in any zoning district.

- (h) *Temporary signs —Permit required.* Temporary signs, as defined and regulated in this chapter, in B-1, B-2, B-3, I, PBD, and CC districts must further comply with the following provisions:
- (1) No more than one special event banner not exceeding 75 square feet in area may be placed on an outside building wall more than three times per calendar year. Each special event sign may be permitted to be displayed for a maximum period of ten consecutive days with an approved temporary sign permit.
 - (2) One sandwich board-style sign may be used in conjunction with any banner event as described in this section in areas outside the CC district and PBD. Sandwich board signs may be located no closer than ten feet to any property line. Signs may be constructed of wood or other material approved by the city. Sandwich board style signs shall not exceed six square feet in area nor shall they exceed five feet in height.
 - (3) Balloons 18 inches in diameter may be used in conjunction with a banner event as described in this section. Balloons may not be elevated more than 20 feet above ground elevation.
 - (4) Other temporary sign requirements.
 - a. *Responsibility for temporary signs.* Temporary signs located on private property must have the consent of the property owner who with the owner-manager of the sign or civic sponsor of the event will be jointly responsible for the proper location, maintenance, and ultimate removal of the sign.
 - b. *Placement restrictions.* Signs must not be placed in the public right-of-way.
 - c. *Waiver of setback requirements.* Setback requirements may be waived for temporary signs if the site configuration makes it difficult or impractical to conform to the standard setback requirements provided they are located entirely on the business property in which the temporary sign is intended and the location is approved by city staff.
 - (5) Sign construction and maintenance.
 - a. *Conformance with the building code.* The construction of all signs permitted by this chapter shall be in accordance with the provisions of the building code as administered by the city and the National Electrical Code.
 - b. *Safety.* No sign or structure may be erected in such a manner that any portion of its surface and/or supports will interfere in any way with the free use of any fire escape, exit, or standpipe. No sign shall obstruct any window. Signs shall be so located as to maintain all required clearances from overhead power and service lines.
 - c. *Posts and columns.* Sign support structures for all freestanding signs, except ground signs, must be limited to posts or columns not in excess of that commonly required to support the size and weight of the sign.
 - d. *Sign maintenance.* All signs and sign structures must be properly maintained and kept in a safe and presentable condition. Vegetation around, in front of, behind, and underneath the base of ground signs for a distance of ten feet shall be neatly trimmed and kept free of weeds. No accumulation of rubbish or debris shall be permitted.

(Ord. No. 41B, subds. 2, 3, 9-5-2007; Ord. No. 26, Second Series, 7-7-2010)

Sec. 54-4. - Signs in rural residential (RR), single-family residential (R-1), and single-family and townhome (R-2) residential districts.

Within the residential districts, the following signs are permitted:

- (1) *Single-family residential use.* For single-family residential use, one address/nameplate sign for each dwelling that shall not exceed three square feet in area per surface, and no sign shall be so constructed as to have more than two surfaces.
- (2) *Residential developments.* For residential developments, one nameplate sign and one monument identification sign per roadway access point to a residential development, unless approved as part of a PUD, with the following regulations:
 - a. The area identification sign shall not exceed 32 square feet in area per surface, and no sign may be constructed as to have more than two surfaces.
 - b. The maximum height shall be six feet.
 - c. The sign must be located at least 20 feet from the public right-of-way.
- (3) *Home occupations.* For home occupations, one identification sign is permitted, and the sign shall not exceed two square feet.

(Ord. No. 41B, subd. 4, 9-5-2007)

Sec. 54-5. - Signs in public/institutional (P/I) district located within a residentially zoned district and/or abutting local or county roads.

- (a) The total aggregate square footage of all sign space per parcel shall not exceed the sum of three square feet for each front foot of building. The maximum area per individual sign placed on a building shall not exceed 40 square feet. One freestanding monument sign shall be allowed with a surface area not to exceed 40 square feet. The maximum height for all signs will be the lowest point of the roof or parapet of the building associated with the sign.
- (b) No sign, or any part thereof, shall be located closer than 20 feet to the front property line, five feet to the side property line,¹ or five feet to the rear property line.²

¹ Exception: 15 feet when abutting a side street, or 35 feet when abutting a residential district.

² Exception: 15 feet when abutting a residential district.

(Ord. No. 41B, subd. 5, 9-5-2007)

Sec. 54-6. - Signs in public/institutional (P/I) district abutting trunk Highway 65.

- (a) The total aggregate square footage of all sign space per parcel shall not exceed the sum of three square feet for each front foot of building. The maximum area per individual sign placed on a building shall not exceed 40 square feet. One freestanding monument sign to be placed perpendicular to Highway 65 and not to exceed 100 square feet. The maximum height for all signs will be the lowest point of the roof or parapet of the building associated with the sign.

(b) No sign, or any part thereof, shall be located closer than 20 feet to the front property line, five feet to the side property line,³ or five feet to the rear property line.⁴

³ Exception: 15 feet when abutting a side street, or 35 feet when abutting a residential district.

⁴ Exception: 15 feet when abutting a residential district.

(Ord. No. 41B, subd. 6, 9-5-2007)

Sec. 54-7. - Signs in the limited business (B-1) district.

Within the B-1 district, nameplate signs and business signs are permitted subject to the following regulations:

(1) On a parcel with a building containing one principal use, the total aggregate square footage of all sign space per parcel shall not exceed the sum of three square feet for each front foot of building. The maximum area per individual sign placed on a building shall not exceed 40 square feet. One freestanding monument sign shall be allowed with a surface area not to exceed 40 square feet. The maximum height for all signs will be the lowest point of the roof or parapet of the building associated with the sign.

(2) On parcels of land with a building containing more than one principal use, the owner of the building shall submit a comprehensive sign plan for the total building signage for approval by the planning commission. The square footage of all signs per parcel shall not exceed the sum of three square feet for each front foot of building. The maximum area per individual sign placed on a building shall not exceed 40 square feet. One freestanding monument sign will be allowed with a surface area not to exceed 40 square feet. The maximum height for all signs shall be the lowest point of the roof or parapet of the building associated with the sign.

(3) No sign, or any part thereof, shall be located closer than 20 feet to the front property line, five feet to the side property line,⁵ or five feet to the rear property line.⁶

⁵ Exception: 15 feet when abutting a side street, or 35 feet when abutting a residential district.

⁶ Exception: 15 feet when abutting a residential district.

(Ord. No. 41B, subd. 7, 9-5-2007)

Sec. 54-8. - Signs in central business (B-2) district.

Within the B-2 district, nameplate and business signs are permitted subject to the following:

(1) On parcels with a building containing one principal use, aggregate square footage of sign space per lot shall not exceed the sum of three square feet per front foot of building. The maximum area per individual sign placed on a building shall not exceed 40 square feet, nor shall two or more signs be so arranged and integrated as to cause an advertising surface exceeding 80 square feet. One freestanding monument sign with a surface area not to exceed 40 square feet shall be allowed. The maximum height for all signs shall be the lowest point of the roof or parapet of the building on which the sign is located or associated with.

(2) On parcels with a building containing more than one principal use, the owner of the building must submit a comprehensive sign plan for the total building signage to be approved by the planning commission. The square footage of all signs per parcel shall not exceed the sum of three square feet for each front foot of building. The maximum area per individual sign placed on a building shall not exceed 40 square feet. One freestanding monument sign with a surface area not to exceed 100 square feet shall be allowed. The maximum height of all signs shall be the lowest point of the roof or parapet of the building associated with the sign.

(3) No sign, or any part thereof, shall be located closer than 20 feet to the front property line, five feet to the side property line,⁷ or five feet to the rear property line.⁸

⁷ Exception: 15 feet when abutting a side street, or 35 feet when abutting a residential district.

⁸ Exception: 15 feet when abutting a residential district.

(4) Business park monument identification signs. Business park monument identification signs are permitted per roadway access point to a business park and shall be in addition to any other ground sign permitted upon the parcel on which it is located. Business park signs will be subject to site plan approval by city council and the following criteria will apply:

a. The sign shall be of the monument variety and may be placed at all roadway entrance points within the development provided the sign applicant controls the property by easement or title.

b. Information on the sign shall contain no more than the name and address of the park and the manager or the developer thereof.

c. Stylized logos may be incorporated into the sign and shall be included in the allowable square footage.

d. The gross surface area may not exceed 40 square feet for each exposed face.

e. Sign height may not project higher than ten feet above grade.

f. Landscaping plans for the area around the base of the sign shall be completed and reviewed as part of the site plan approval process.

(5) Parcels within 200 feet of Highway 65 are allowed one additional freestanding monument sign not to exceed 100 square feet per parcel. The parcel is limited to one freestanding monument sign to be placed perpendicular to Highway 65. The maximum height for all signs shall be the lowest point of the roof or parapet of the building on which the sign is located or associated with.

(Ord. No. 41B, subd. 8, 9-5-2007)

Sec. 54-9. - Signs in the highway commercial (B-3) district and the light industrial (I) district.

Within the B-3 district and the I district, nameplate and business signs are permitted subject to the following:

- (1) On parcels with buildings containing one principal use, the aggregate square footage of sign space per parcel shall not exceed the sum of four square feet for each front foot of building. The maximum area per individual sign placed on a building shall not exceed 200 square feet. One freestanding monument sign shall be allowed for each parcel with a surface not to exceed 100 square feet. The maximum height for all signs shall be the lowest point of the roof or parapet of the building on which the sign is located or associated with.
- (2) On parcels with buildings containing more than one principal use, the owner of the building must submit a comprehensive sign plan for total building signage for approval by the planning commission. The total signage for such a building shall not exceed four square feet for each front foot of building. The maximum area per individual sign placed on a building may not exceed 200 square feet. One freestanding monument sign shall be allowed for each total parcel with a surface not to exceed 100 square feet. The maximum height for all signs shall be the lowest point of the roof or parapet of the building on which the sign is located or associated with.
- (3) No sign or any part thereof shall be located closer than 20 feet to the front property line, five feet to the side property line,⁹ or five feet to the rear property line.¹⁰
⁹ Exception: 15 feet when abutting a side street, or 35 feet when abutting a residential district.
¹⁰ Exception: 15 feet when abutting a residential district.
- (4) Business park monument identification signs. Business park monument identification signs are permitted per roadway access point to a business park and shall be in addition to any other ground sign permitted upon the parcel on which it is located. Business park signs will be subject to site plan approval by city council, and the following criteria will apply:
 - a. The sign shall be of the monument variety and may be placed at all entrance points within the development provided the sign applicant controls the property by easement or title.
 - b. Information on the sign shall contain no more than the name and address of the park, and the management or developer thereof.
 - c. Stylized logos may be incorporated into the sign and shall be included in the allowable square footage.
 - d. The gross surface area shall not exceed 40 square feet for each exposed face.
 - e. Sign height shall not project higher than ten feet from grade. Landscaping plans for the area around the base of the sign shall be completed and reviewed as part of the site plan approval process.
- (5) Parcels within 200 feet of Highway 65 are allowed one additional freestanding monument sign not to exceed 100 square feet per parcel. The parcel is limited to one freestanding monument sign to be placed perpendicular to Highway 65. The maximum height for all signs shall be the lowest point of the roof or parapet of the building on which the sign is located or associated with.

(Ord. No. 41B, subd. 9, 9-5-2007)

Sec. 54-10. - Signs in the city center (CC) district and the planned business district (PBD).

A developer or subsequent owner of a development project shall submit a comprehensive sign plan. The city council shall approve the comprehensive sign plan or amendment for each development. Such plan shall set down the standards guiding the installation of all signs within the development.

- (1) *Design standards.*
 - a. All wall signs shall be comprised of individual letters.
 - b. The sign plan may adopt portions of this chapter by reference, but shall result in a more integrated sign design for the development than is required by this chapter.
 - c. If the city council determines that a sign plan does not provide an integrated sign design, city council may deny the plan.
 - d. If the sign plan approved by city council is unacceptable to the developer, the developer may choose to resubmit a plan and have this chapter serve as the sign control for the development.
- (2) *Projecting signs.* Projecting signs shall only be allowed in the CC district and shall meet the following requirements:
 - a. Projecting signs may extend four feet into a required yard setback.
 - b. Projecting signs must be at least eight feet above a sidewalk.
 - c. The maximum area of a projecting sign is eight square feet.
- (3) *A-frame or sandwich board signs.* A-frame or sandwich board signs shall only be permitted in the PBD and the CC districts and shall meet the following requirements:
 - a. The sandwich board shall be located no further than ten feet from the principal structure.
 - b. The sign must be constructed of a material approved by the city council.
 - c. The sign shall not exceed six feet in area.
 - d. The sign shall not exceed five feet in height.

(Ord. No. 41B, subd. 10, 9-5-2007)

Sec. 54-11. - Nonconforming sign regulations.

- (a) *Nonconformities.* Any nonconforming sign may be continued, including through repair, replacement, restoration, maintenance, or improvement, but not including expansion, unless:
 - (1) The nonconforming sign is discontinued for a period of more than one year.
 - (2) The nonconforming sign is destroyed to the extent of greater than 50 percent of its market value.

- (3) The sign is relocated on the building and/or parcel.
- (b) *Signs erected under comprehensive sign plan requirements.* Any signs erected under a comprehensive sign plan approved by city council shall not be considered nonconforming.
- (c) *Existing nonconforming signs.* Except as otherwise provided in this chapter, the provisions of this chapter are not intended to alter, diminish, increase, or otherwise modify any rights or liabilities imposed upon nonconforming or prohibited signs existing prior to adoption of the ordinance from which this chapter is derived. Any act done, offense committed, or rights accruing or accrued, or liability or penalty incurred or imposed prior to adoption of the ordinance from which this chapter is derived, is not affected by this chapter.
- (d) *Maintenance and repair.* Nothing in this chapter will be construed as relieving the owner or user of a legal nonconforming sign or the owner of the property on which the legal nonconforming sign is located from the provisions of this chapter regarding safety, maintenance, and repair of signs contained in this chapter 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 copy in any way which makes it more nonconforming or the sign will lose its legal nonconforming status.
- (e) *Signs for nonconforming uses.* Based upon the city's zoning ordinance set forth in Appendix A to this Code, in cases where a use is legally nonconforming, all existing or proposed signs will be considered conforming if they are in compliance with the sign provisions for the most restrictive zoning district in which the use is allowed.

(Ord. No. 41B, subd. 11, 9-5-2007)

Sec. 54-12. - Application procedure.

Permanent and temporary signage shall be approved by the city prior to the installation and display of signage.

- (1) *Permanent sign.* Application for a sign permit shall be made to the city on an official city application form. Such application shall include:
- a. Completed sign permit application.
 - b. Site plan, drawn to scale, of the following:
 1. Existing conditions: location and dimensions of property lines, structures, curb cuts, driveways, access roads, parking, off-street loading areas, septic system, and well.
 2. Proposed conditions: Location of proposed sign and setback from property lines.
 - c. Sign design, drawn to scale and in color, showing the following: type of sign (freestanding, wall, roof, etc.), height, width, message, materials constructed of, light source, location on structure or property.
 - d. Copy of job estimate from sign contractor.
- (2) *Temporary sign.* Application for a temporary sign permit shall be made to the city on an official city application form. Such application shall include:
- a. Completed temporary sign permit application.
 - b. Sign design, drawn to scale and in color, showing the following: type of sign (freestanding, wall, roof, etc.), height, width, and location of proposed sign.

(Ord. No. 41B, subd. 12, 9-5-2007)

Sec. 54-13. - Fees.

The fees for applications and for all permits shall be established by the city council by resolution. The issuance of sign permits shall not occur until a complete application has been filed and the appropriate fees have been paid.

(Ord. No. 41B, subd. 13, 9-5-2007)

Sec. 54-14. - Variance.

Requests for variances from the literal provisions of this chapter shall be processed through a formal variance process as prescribed by the city's zoning ordinance, set forth in Appendix A to this Code. Before the city council and/or assigned shall grant a variance, it is the responsibility of the applicant to prove an undue hardship. The term "undue hardship," as used in connection with the granting of a variance, means the property in question cannot be put to a reasonable use if used under conditions allowed by the official controls, the plight of the landowner is due to circumstances unique to the property not created by the landowner, and the variance, if granted, will not alter the essential character of the locality.

(Ord. No. 41B, subd. 14, 9-5-2007)

Sec. 54-15. - Enforcement.

- (a) *Inspection.* City staff has the authority to enter or inspect any building, structure, or parcel in the city for the purpose of inspection of a sign and its structural and electrical connections to ensure compliance with all applicable codes and ordinances.
- (b) *Written order.* When city staff determines a violation exists, a written repair or removal order shall be issued. The repair or removal order shall be issued to the owner of the sign and/or the owner of the property upon which the sign is located. The order shall specify those sections of the Code involved, describe the violation, and shall direct that the violation be corrected within 30 days from the date of the order, unless otherwise specified. Where a safety hazard exists or the sign is temporary in nature, the order may specify immediate repair or removal.

(Ord. No. 41B, subd. 15, 9-5-2007)

Sec. 54-16. - Removal of signs by the city.

- (a) The city may cause the removal of any sign after the sign owner and/or property owner has failed to timely comply with written orders of repair or removal. Abandoned signs or signs within public right-of-way may be removed without notice.

- (b) After removal or demolition of a sign by the city, salvageable remnants of the sign will be stored for no more than 30 days, and a notice shall be mailed to the sign owner and property owner if different. Said notice shall state the nature of the work and demand reimbursement of all costs together with an additional 25 percent administration fee.
- (c) If the amount specified in the notice is not paid and all sign remnants are not reclaimed within 30 days after mailing, the sign remnants shall be disposed of and balance due, including cost of disposal, shall become a lien against the parcel where the sign was located. Said lien shall be certified as an assessment against the property.
- (d) The owner of the parcel upon which any sign is located shall be presumed to be the owner of all signs thereon unless facts to the contrary are brought to the attention of the city.
- (e) In case of emergency or immediate hazard, city staff may cause the immediate removal of a dangerous or defective sign without notice. Signs removed in this manner must present an immediate hazard to the public health, safety, and welfare.

(Ord. No. 41B, subd. 16, 9-5-2007)

Sec. 54-17. - Appeals.

To provide for a reasonable interpretation of the provisions of this chapter, a permit applicant who wishes to appeal an interpretation by city staff may file a written request for appeal with the city administrator. If said appeal is the result of a violation notice, the city shall receive the request within 20 days of the date of initial violation notice. The city council will hear the appeal, make findings, and take its action.

(Ord. No. 41B, subd. 17, 9-5-2007)

Sec. 54-18. - Penalty.

Any violation of this chapter is a misdemeanor and, upon conviction thereof, may be punished as provided in section 1-14. Each day of continued violation will constitute a separate offense.

(Ord. No. 41B, subd. 19, 9-5-2007)

Sec. 54-19. - Substitution clause.

The owner of any sign which is otherwise allowed by this chapter may substitute noncommercial speech in lieu of any commercial speech or noncommercial speech. This substitution of copy may be made without any additional approval or permitting. The purpose of this provision is to prevent any inadvertent favoring of commercial speech over noncommercial speech, or favoring of any particular noncommercial speech over any other noncommercial speech. This provision prevails over any more specific provision to the contrary.

(Ord. No. 41B, subd. 21, 9-5-2007)