



**Norwood Young America Panning Commission WORKSHOP**  
**Tuesday, November 1, 2016**  
**Norwood Young America City Council Chambers, 310 Elm St. W.**  
**6:00 p.m.**

**AGENDA**

- |  |   |
|--|---|
| <b>Bill<br/>Grundahl</b>                       | 1. Call to Order<br>Pledge of Allegiance  |
| <b>Cassandra<br/>Kemp</b>                      | 2. Adoption of Agenda   |
| <b>JR<br/>Hoernemann</b>                       | 3. Public Hearings  |
| <b>Mark<br/>Lagergren</b>                      | 4. New Business<br>A. Faxon Road Investments – Semi tractor/trailer Parking<br>B. Southwest Paving CUP Compliance |
| <b>Charlie<br/>Storms</b>                      | 5. Old Business<br>A. Sign Ordinance  |
| <b>Craig<br/>Heher<br/>Council<br/>Liaison</b> | 6. Commissioner's Reports   |
|  | 7. Adjourn  |

**UPCOMING MEETINGS**

- |                           |   |
|---------------------------|---|
| November 14 <sup>th</sup> | 6:30 p.m. – City Council Meeting                    |
| November 2 <sup>nd</sup>  | 6:30 p.m. – Economic Development Commission Meeting |
| November 15 <sup>th</sup> | 5:30 p.m. – Parks & Recreation Commission Meeting   |
| November 15 <sup>th</sup> | 7:00 p.m. – Planning Commission Meeting             |



To: Chairperson Heher  
Members of the Planning Commission  
Administrator Helget

From: Cynthia Smith Strack, Consulting Planner

Date: November 1, 2016

Re: Faxon Road Investments Property: Semi tractor/trailer parking adjacent to Morse Street

**BACKGROUND**

The owner of the former YA building also owns a parking lot abutting Morse Street adjacent to Central Schools (map attached).

The owner has contacted the City regarding ability to park semi tractor/trailers at the subject site. Please note the following:

1. Appropriateness of the use. The principal use of the property is non-conforming light industrial. The principal building is currently occupied lease space by several light industrial type operations.
2. The lot is directly adjacent to a school zone.
3. The number of truck/trailers proposed to be stored on site is unknown at this time, as is duration of parking.

Input on the proposed use of the property is kindly requested.



This map was created using Carver County's Geographic Information Systems (GIS), it is a compilation of information and data from various City, County, State, and Federal offices. This map is not a surveyed or legally recorded map and is intended to be used as a reference. Carver County is not responsible for any inaccuracies contained herein.

Map Date: 10/23/2016



To: Chairperson Heher  
Members of the Planning Commission  
Administrator Helget

From: Cynthia Smith Strack, Consulting Planner

Date: November 1, 2016

Re: CUP Compliance: Southwest Paving

### **BACKGROUND**

Subject Property Address: 700 Railroad Street West  
Legal Description: 745' TH S 75' +OR- TO A PT ON S R-O-W LINE OF HWY 212 BEING PT OF BEG OF LINE TO BE DESC; TH CONT S 468.68' TO N R-O-W LINE OF OLD ST HWY 212 NOW RAILROAD ST & LINE TERMINATING

Property ID: 580150720  
Zoning Class: I-1 Light Industrial, with existing CUP

A conditional use permit was issued on March 27, 2006 to allow outdoor storage of equipment and material at the subject site. The CUP specifically limited items stored outdoors to those described in a representation from the Applicant received February 13, 2006. In 2015, the Property Owner was granted an amendment to the CUP issued in 2006. The CUP amendment removed a requirement to completely fence in the property but required installation of vegetative screening pursuant to a landscape plan submitted with the application.

At the end of September, City Administrator Helget asked for a compliance audit. Please find pictures attached illustrating current conditions as of the beginning of October.

The Planning Commission is asked to provide a recommendation as to how to proceed.

Staff notes building site maintenance again appears to be a point of non-compliance. As illustrated in a 2006 memo from the Property Owner (attached), the Applicant was to keep the grounds neat with grass mowed as needed. As illustrated in a landscape plan (attached) submitted with the 2015 CUP amendment request, the Applicant was to: (a) landscape the front yard adjacent to Railroad Street and (b) fill a berm across 212 with coniferous trees.

The site appears to be in disarray with weeds the predominant land cover. The landscaping required adjacent to Railroad Street appear be non-existent for the most part. There have been some coniferous plantings installed on the berm adjacent to Hwy 212. The site is populated by numerous pieces of equipment parked on semi-improved surface with weeds dispersed throughout. The storage piles of material are prominent features at the site.

### **ATTACHMENTS:**

1. 2006 Letter from Property Owner.
2. Landscaping Plan required by CUP amendment.
3. Photographs of the site.







Office/Shop  
Space for lease  
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## **Description of use for 700 Railroad Street**

Use of property to conduct normal business operations for Southwest Paving, Inc.

### **Basic Operation**

Employees will report to the shop every morning and leave shortly after to head to the job site. Employees would return every evening. Times would vary depending on workload and location of job.

Included in the basic operation will be storage and maintenance of equipment, storage of materials and daily operations of the business. Also, included are plans for the leasing of space and the upkeep of the property.

### **Equipment list**

- Dump Trucks
- Tractor Trailers
- Several Pick-up trucks
- Paving machines
- Rollers
- Backhoes
- Skid Steers
- Bulldozers
- Other General Construction Equipment

### **Materials Stored on-site**

- Base Material \*
- Chip Rock held in bins
- Asphalt and Concrete Chunks to be recycled\*

\*both items would be piled in the rear of the property behind berm with coniferous trees

### **Other**

- Dumpster
- Fuel tanks in required spill protection

### **Space to be leased**

- Proposed that Southwest Paving will lease part of the space in the building
- Proposed tenants would be similar construction type business
- Goal is to lease to two tenants

### **Building Site Maintenance**

- Grounds will be kept neat with grass mowed as needed
- Front of the property (along Railroad St.) will be landscaped
- Fill berm across 212 edge of lot with coniferous trees
- Fence to encompass entire property once grade is complete





To: Chairperson Heher  
Members of the Planning Commission  
Administrator Helget

From: Cynthia Smith Strack, Consulting Planner

Date: November 1, 2016

Re: Sign Standard Update

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**BACKGROUND**

The Planning Commission will be reviewing the sign ordinance at the November 1<sup>st</sup> work session. Kristin C. Nierengarten with the City Attorney's office will be attending the meeting. As you recall, Ms. Nierengarten redlined the existing language based on items discussed at the July PC meeting.

While discussing the redlined version, the Commission addressed billboards. The Commission discussed disallowing billboards. At this time eight billboards exist adjacent to Hwy. 212 (see attached inventory).

In addition discussion regarding how to regulate gateway entry signs occurred. Ms. Nierengarten notes gateway signage is allowed under either version of the revised code.

Attached please find two draft updates: one allowing billboards and one disallowing billboards.

Discussion is kindly requested.

**ATTACHMENTS:**

1. Inventory of billboards.
2. Draft language with billboards allowed.
3. Draft language with billboards disallowed.

## NYA INVENTORY OF BILLBOARDS:

### East Bound Hwy 212

1. Vacant industrial lot between Lano Equipment and Southwest Paving, standard billboard size, lighted, double sided, single (Waconia Ford)
2. Southwest Paving, standard billboard size, lighted, double sided, single (Party Foul Public Info)
3. City Sign and Stiftungsfest & Yesters, standard billboard size, lighted, double sided & double side by side
4. Church property? Next to watertower, vacant currently, perhaps slightly less than standard size, lighted, double sided.
5. East of The Haven, west of Heritage Shopping Center, Buffalo Creek BMX, standard billboard size, lighted, double sided, single
6. East of Heritage Shopping Center, Gillette, standard billboard size, lighted, double sided, single



### West Bound Hwy 212

1. City Sign, Stiftungsfest – standard size
2. Hydro Property, Cologne Academy, standard billboard size, lighted, double sided, stacked double.



## Section 1260 – Signs

**1260.01 Purpose and Intent.** The purpose of the sign ordinance is to establish regulations that govern the use, approval, construction, change, replacement, location and design of signs and related informational tools within the city. The sign ordinance is not intended to and does not restrict, limit, or control the content or message of signs. The sign ordinance has a number of specific purposes:

1. To encourage the effective use of signs as a means of communication.
2. To promote health, safety, and welfare by limiting hazardous or distracting signage.
3. To ensure and improve pedestrian and traffic safety.
4. To protect, conserve, and enhance property values.
5. To enhance the attractiveness and economic well being of Norwood Young America as a place to live and conduct business.
6. To encourage creative and well-designed signs that contribute in a positive way to the city's visual environment, express local character, and help develop a distinctive pedestrian image in the city.
7. To recognize that signs are a necessary form of communication and provide flexibility within the sign review and approval process to allow for unique circumstances.
8. To create a framework for a comprehensive and balanced system for sign regulation, to facilitate an easy and pleasant communication between people and their environment, and to avoid the visual clutter that is potentially harmful to traffic and pedestrian safety, property values, business opportunities, and overall community appearance.
9. To encourage and, to the maximum extent feasible, require that all signs within the city be brought into compliance with the terms of the sign ordinance.

### 1260.02 Definitions

**Abandoned Sign:** A sign (including any structure whose primary function is to support such Sign): a) whose display surface remains blank for a period exceeding sixty (60) days; b) which pertains to a time, building, event or purpose that passed or ceased to apply more than sixty (60) days prior to the then applicable date; or c) that has remained for more than sixty (60) days after demolition of the building that it served.

**Address Sign:** A sign including postal identification numbers, whether written or in number form, and, optionally, the name of a building occupant.

**Awning Sign:** A Sign permanently affixed to an awning providing a shelter or cover over the approach to any building entrance or shading a window area.

**Banner:** A Temporary Sign made out of flexible paper, cloth or plastic-like material.

**Building Face:** That portion of any exterior elevation of a building or other structure extending from grade to the top of a wall and the entire width of that particular building or structure elevation.

**Canopy and Marquee:** A roof-like structure projecting over the entrance to a building.

**Commercial Speech:** Speech advertising a business, profession, commodity, service, or entertainment.

**Development:** A commercial use of three or more principal structures with common characteristics, as determined by the City, or a platted residential use of twenty (20) or more lots with common characteristics, as determined by the City. Common characteristics may include shared access, similar architecture, single ownership or history or site plan review approval.

**Directional Sign:** A Sign erected on a property by the owner of such property solely for the purpose of guiding vehicular and pedestrian traffic, which does not contain any commercial speech.

**Dynamic Sign:** A Sign or portion thereof that appears to have movement or that appears to change using any method other than a person physically removing and replacing the Sign or its components. 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.

**Freestanding Sign:** A Sign which is placed in the ground and not affixed to any part of any structure.

**Government Sign:** A Sign which is erected or maintained by a governmental unit.

**Illuminated Sign:** A Sign or portion thereof that: 1) incorporates an artificial light source as part of the Sign including, but not limited to, a Sign with LED lights, neon lights or an interior light; or 2) a Sign that has an artificial light source directed upon it.

**Marquee Sign:** A Sign that is permanently attached to a marquee.

**Monument Sign:** Any one-sided or two-sided free-standing Sign with its entire Sign Area mounted on the ground or mounted on a base at least eighty percent (80%) as wide as the Sign Area.

**Mural:** A work of graphic art painted or applied to a wall of a building or other structure which contains no commercial speech.

**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.

**Nonconforming Sign:** A Sign lawfully existing prior to the adoption of this ordinance but that does not conform to the newly enacted requirements of the ordinance.

**Off-Site Sign:** A sign, including the supporting sign structure, that contains commercial speech and advertising advertises a business, commodity, or service which is not located or performed on the premises on which the sign is located; commonly known as a “billboard.”

**Portable Sign:** A Sign designed to move from one location to another, not permanently attached to the ground or any other surface.

**Pylon Sign:** Any free-standing sign supported by a column-like structure, posts or poles set firmly in or below the ground surface.

**Roof Sign:** A Sign erected or painted upon or above a roof or parapet of a building.

**Scoreboard:** A sign displayed at an athletic field and in conjunction with the activities occurring at the athletic field.

**Shielded Light Source:** Shall have the meaning associated with the nature of the light source, as follows: 1) For an artificial light source directing light upon a Sign, Shield Light Source shall mean a light source diffused or directed so as to eliminate glare and housed to prevent damage or danger. 2) For light source located within a Sign, Shielded Light Source shall mean a light source shielded with a translucent material of sufficient opacity to prevent the visibility of the light source. 3) For a light source designed to directly display a message (e.g. LED and neon lighting), Shielded Light Source means a light source specifically designed by its manufacturer for outdoor use.

**Sidewalk Sign:** A temporary, freestanding, Portable Sign placed at ground level, with no moving parts or flashing lights, displayed on a public or private sidewalk adjacent to and directly in front of a business.

**Sign:** Any letter, symbol, device, poster, picture, statuary, reading matter or representation in the nature of any advertisement, announcement, message, or visual communication, whether painted, pasted, printed, affixed or constructed, which is displayed outdoors for informational or communicative purposes.

**Sign Area:** The entire area within a continuous perimeter enclosing the extreme limits of the Sign message and background. However, such perimeter shall not include any structural elements lying outside of such sign and not forming an integral part of the Sign. The area of a Sign within a continuous perimeter shall be computed by means of the smallest circle, rectangle or triangle that will encompass the extreme limits of the writing, representation, emblem or other display, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the building façade against which it is placed.

**Special Events Sign:** A Temporary Sign displayed before or during a one-time, special, or annual event or a holiday.

**Temporary Sign:** A Sign displayed concurrent with a specific event or occurrence for a limited duration, after which the Sign is to be removed, which does not necessarily meet the structural requirements for a permanent sign.

**Wall Sign:** Any Sign which is affixed to the wall of any building or structure.

**1260.03 Jurisdiction.** No sign permit shall be issued for any lot, tenant, or development after the effective date of and which is not in substantial conformity with the provisions of these regulations. Nor shall any sign, except as hereinafter specified, be erected, substantially improved, converted, enlarged, moved, or structurally altered without conforming with the provisions of these regulations. The lawful use of a sign existing at the time of the enactment of this chapter may be continued although such use may not conform to the regulations herein. For those signs permitted before the adoption of these regulations, such signs shall be classified and governed as nonconforming structures under this Chapter.

**1260.04 Permit Required.** Except as herein exempted, no person firm or corporation shall maintain, install, erect, relocate or modify any sign in the City without first obtaining a permit therefore. The fee for the permit shall be based on the chart of fees as adopted by the City Council from time to time, and shall be determined by the Building Inspector.

The permit application shall include two sets of plans drawn to scale that show in sufficient detail the following:

- A. The proposed location and its relationship to the other principal buildings on the lot and on adjacent properties.
- B. The size and height of the sign.
- C. The elevation of the centerline of the roadway upon which the sign is oriented, when applicable.
- D. Material of the sign and supporting pole.
- E. Drawing of any landscaping or other base upon which the sign will be placed. Including the height or increase in elevation resulting from the base or landscaping.
- F. Any other information required by the Building Inspector to accurately review the application for conformance to the code. Including but not limited to a certified land survey.

**1260.05 Registration Required.** Those signs permitted within this section, not requiring a permit which must be registered with the City, shall include the following information.

- A. Name of the person or company responsible for the sign.
- B. Address of the responsible party.
- C. Number of signs and their location(s).
- D. Dates signs will be posted.
- E. Description of the sign including the size, height and copy of any text or graphics shown on the sign.

**1260.06 Variance.** A variance may be sought from this regulation in accordance with the variance procedure outline in Section 1210.04 of this Chapter.

**1260.07 Maintenance and Continuation.** All signs shall be constructed in such manner and of such material as to be safe and substantial. The exposed backs of all signs and sign structures shall be painted a neutral color. Signs determined by the Zoning Administrator to be in a state of disrepair shall be considered a nuisance pursuant to Chapter 6 of the City Code. Any Abandoned Sign or Sign that no longer advertises or identifies a business in operation, a service rendered, or a product sold shall be taken down and removed by the owner, agent or person having the beneficial use and/or control of the buildings or structure upon which the sign may be found. Any sign found to be in violation of this Section shall be enforced in the same manner as described in Chapter 6, Section 610- General Abatement Procedures.

**1260.08 General Provisions Applicable to All Districts.**

**Subd. 1. Prohibited Signs.** The following signs are prohibited in all districts:

- A. Signs in, upon, or projecting into any public right-of-way or easement, excepting Government Signs.
- B. Signs containing statements, words, or pictures of an obscene, indecent, or immoral character, or such as would offend public morals or decency.
- C. Any type of sign painted, attached, or in any manner affixed to trees, rocks, or similar natural surfaces.
- D. Roof Signs.
- E. Signs which interfere with the ability of vehicle operators or pedestrians to see traffic signs or signals, or which impedes the vision of traffic by vehicle operators or pedestrians.
- F. Signs that contain or are an imitation of an official traffic sign or signal or include the terms “stop”, “look”, “caution”, “danger”, “warning” or similar words, phrases, symbols, or characters in such a manner as to interfere with, mislead or confuse motorists.
- G. Signs which obstruct any window, door, fire escape or opening intended to provide ingress or egress to any structure or building.
- H. Portable Signs, except for sidewalk signs expressly permitted within.
- H.I. **Off-Site Signs.**
- I.J. Any Sign not in conformance with these regulations, other than a Non-Conforming Sign.
- J.K. Any other Sign not expressly permitted by the provisions of these regulations.

**Subd. 2. Illuminated Signs.** Each Illuminated Sign shall:

- A. Have a Shielded Light Source;
- B. Not exceed a maximum light intensity of .5 foot-candles at each property line;
- C. Not cause beams or rays of light to be directed at any portion of the road or of such intensity or brilliance as to cause glare or impair vision of a driver of any motor vehicle; and

- D. Be equipped with (i) an automatic dimmer control to produce the illumination change required by Section 1260.08, Subd. 2.A.2. above and (ii) a means to immediately turn off the display or lighting if the Illuminated Sign malfunctions.

**Subd. 3. Address Signs.** To aid emergency personnel, postal delivery, and the navigation of traffic, one address sign shall be required per residential and commercial building in all districts. No permit or registration is required.

**Subd. 4. Scoreboards.** One scoreboard up to 450 square feet per playing field, located in a public or private park, shall be permitted.

**Subd. 5. Temporary Signs.** The following regulations apply to Temporary Signs within the City. If they are not removed by the date specified, the signs may be taken down by the City and the cost of removal charged to the sign's owner or registrant.

- A. *Signs Containing Non-Commercial Speech.* Subject to Minnesota Statute Section 211B.045, as it may be amended from time to time, and notwithstanding the other provisions contained in this Section 1260, Signs containing Non-Commercial Speech may be posted beginning forty six (46) days before a primary election in a general election year until ten (10) days following the general election. No permit or registration is required for this type of sign.
- B. *Banners.* Banners may be displayed for one-time or special events for up to forty-five (45) days. Banners may be up to forty (40) square feet in area. They must be registered with the City under the guidelines established in this chapter and removed within five (5) business days of the closing date listed on the registration permit.
- C. *Grand Openings.* Air inflated devices, Banners exceeding forty (40) square feet in area, non-mechanical whirling devices, spotlights, or any Sign resembling the same may be permitted for a period of one (1) week in conjunction with a grand opening, meaning the initial commencement of a business. Such signs are prohibited at all other times.
- D. *Special Events.* Special Event Signs may be permitted with the following conditions:
  - 1. Non-residential property: Special Event Signs may be erected and maintained on non-residential property for a period not to exceed thirty (30) days prior to the date of the event and shall be removed within five (5) business days following the event.
  - 2. Residential property: Special Event Signs, not exceeding four (4) square feet, may be erected on residential property for a period not to exceed five (5) days and shall be removed within one (1) day following the event.
- E. *Property for Sale or Lease.* A Sign may be placed upon property in any District while it is for sale or for lease. Only one (1) Sign shall be permitted per street frontage with the following conditions:
  - 1. Each such Sign shall be removed within seven (7) days following the date of leasing or sale.
  - 2. The maximum Sign Area for each such Sign is as follows:
    - a. R-1, R-2, R-3, T-A Districts- nine (9) square feet
    - b. R-4, RC-1 Districts- eighteen (18) square feet
    - c. Commercial and Industrial Districts- thirty-two (32) square feet
  - 3. No such Sign shall exceed eight (8) feet in height.

4. Subdivision developments which have more than two (2) sites remaining available may place one Sign at each entry point. Such signs shall not be greater than thirty two (32) square feet and not to exceed eight (8) feet in height.
- F. *Construction.* One Sign may be installed at a construction site in any district for the period of the construction subject to the following conditions:
1. The Sign must be registered with the City under the guidelines established in this chapter.
  2. The Sign shall be removed within five (5) days of the closing listed on the registration permit or end of construction period, whichever is sooner.
  3. No such Sign shall exceed twenty-four (24) square feet or eight (8) feet in height.

**Subd. 6. Off-Site Signs.** ~~Off-Site Signs are not allowed in any district, except that an Off-Site Sign lawfully existing prior to [DATE OF AMENDMENT ENACTMENT] shall be considered a Nonconforming Sign, subject to Section 1215 of the Zoning Code. permitted in the C-2, B-1 and I-1 Districts, on properties with frontage on Highway 212 or Highway 5 only. Off Site Signs must conform to the following standards:~~

- ~~A. Off Site Signs which face the same general direction shall be 2640 feet apart measured down the centerline of the road from which the signs are to be seen. Off Site Signs with the sign face facing the same direction, but on either side of the road, shall be 2640 feet apart measured down the centerline of the road.~~
- ~~B. Only one Off Site Sign per lot shall be permitted.~~
- ~~C. No Off Site Sign shall be closer than 100 feet from any other Freestanding Sign on the same side of the street.~~
- ~~D. Back to back signs are permissible. A back to back sign shall constitute one Off Site Sign.~~
- ~~E. V type construction is not permitted.~~
- ~~F. The maximum area for any one sign facing shall be 300 square feet inclusive of border and trim but excluding the base or apron, supports and other structural members.~~
- ~~G. The maximum size limitations shall apply to each facing of a sign structure with one display to each facing not exceeding the maximum sign area.~~
- ~~H. No Off Site Sign shall be established closer than 15 feet from the right of way line. No portion of any Off Site Sign may be placed on, or extend over the right of way line of any street or highway.~~
- ~~I. No Off Site Sign or part thereof shall be located on any property without the written consent of the owner, holder, lessee, agent or trustees.~~
- ~~J. No Off Site Sign shall exceed 30 feet in overall height above the ground level. Ground level shall be regarded as the average elevation of the natural ground on which the sign is located.~~
- ~~K. All Off Site Signs must be equipped with a steel monopole, be painted in an earth tone color and have appropriate landscaping. (Amended by Ord. 140, 2-26-2001)~~

**Subd. 7. Dynamic Signs.** Dynamic Signs may be permitted with the following conditions:

- A. Dynamic displays are permitted as follows:

1. R-1, R-2, R-3 and R-4 Districts: only on monument signs for conditionally permitted uses. Dynamic displays may occupy no more than 35 percent of the Monument Sign Area.
  2. C-2 District: on monument and pylon signs for any permitted or conditionally permitted use, occupying up to 35 percent of the Sign Area, ~~and on permitted Off-Site Signs, occupying up to 100 percent of the Sign Area.~~
  3. B-1 and I-1 Districts: only on monument and pylon signs for any permitted or conditionally permitted use, occupying up to 35 percent of the Sign Area, ~~and on permitted Off Site Signs, occupying up to 100 percent of the Sign Area.~~
- B. Dynamic displays may not change or move more often than the following, except one for which changes are necessary to correct hour-and minute, date, or temperature information:

Speed Limit	Maximum number of changes
25-34	Once every two (2) minutes
35-54	Once every five (5) minutes
55 and over	Once every ten (10) minutes

- C. Time, date, or temperature information is considered one dynamic display and may not be included as a component of any other dynamic display.
- D. A display of time, date, or temperature must remain for at least the minimal allowable display time for the district in which it is located before changing to a different display, but the time, date, or temperature information itself may change no more often than once every three (3) seconds.
- E. The images and messages displayed must be static, and the transition from one static display to another must be instantaneous without any special effects.
- G. The images and messages displayed must be complete in themselves, without continuation in content to the next image or message or to any other sign.
- H. Every line of copy and graphics in a dynamic display must be at least seven inches in height on a road with a speed limit of 25 to 34 miles per hour, nine inches on a road with a speed limit of 35 to 44 miles per hour, 12 inches on a road with a speed limit of 45 to 54 miles per hour and 15 inches on a road with a speed limit of 55 miles per hour or more.
- I. Dynamic displays must be designed and equipped to freeze the device in one position if a malfunction occurs. The displays must also be equipped with a means to immediately discontinue the display if it malfunctions, and the sign owner must immediately stop the dynamic display when notified by the City that it is not complying with the standards of this ordinance.
- J. Dynamic displays must comply with the brightness standards contained in Section 1260.08, Subd. 2.

**Subd. 8. Interior Building Signs.** Unless specifically named in this ordinance, signs which are located in the interior of a building shall be exempt from the provisions of this ordinance.

(Amended by Ord. 114, 7-27-1998)

**1260.09 District Regulations.** Signs herein designated shall be permitted in each specified District and shall conform as to size, location, and character according to the requirements herein set forth.

**Subd. 1 Residential District (R-1, R-2 and R-3) Regulations.** The following signs are permitted within the residential districts.

- A. Address Sign: One sign not to exceed two (2) square feet in area for each dwelling unit.
- B. Monument Signs: One Monument Sign per street frontage, not to exceed two (2) Monument Signs, shall be permitted for each lot and development entrance located on a collector or arterial roadway. Such Sign shall not exceed forty-eight (48) square feet in area and shall not exceed twelve (12) feet in width and six (6) feet in height. No Sign shall be placed closer than five (5) feet to any public right-of-way.
- C. Directional Signs: Directional Signs for non-single-family uses are allowed up to three (3) per lot. The Sign Area of each such Sign shall not exceed four (4) square feet or four (4) feet in height.

**Subd. 2 Multiple Family Residential District (R-4) Regulations.** The following signs are permitted within the Multiple Family Residential District:

- A. Address Sign: One sign not to exceed four (4) square feet in area for each building.
- B. Monument and Wall Signs: Each lot and development entrance located on a collector or arterial roadway shall be permitted one Monument Sign per street frontage, not to exceed two (2) Monument Signs. Each lot located on a local roadway shall be permitted one Monument Sign. Such Sign shall not exceed forty-eight (48) square feet in area and shall not exceed twelve (12) feet in width and six (6) feet in height. No Sign shall be placed closer than five (5) feet to any public right-of-way. In addition to any Monument Sign, one Wall Sign shall be permitted on each Building Face, not to exceed two Wall Signs per Building. The Sign Area of each such Wall Sign shall not exceed 5% of the Building Face on which it is located. (*Amended by Ord. 216; 8-24-2009*)
- C. Directional Signs: Directional Signs are allowed up to three (3) per lot. The Sign Area of each such Sign shall not exceed four (4) square feet or four (4) feet in height.

**Subd. 3 Downtown Districts (C-3) Regulations.** The following signs are permitted within the Downtown Districts.

- A. Address Sign: One sign not to exceed four (4) square feet in area for each building.
- B. Monument Signs: Where a building does not cover the full area of the property, one Monument Sign is allowed per lot. The Sign Area of any such Monument Sign shall not exceed thirty-two (32) square feet and shall not exceed ten (10) feet in width or six (6) feet in height.
- C. Wall Signs: One Wall Sign shall be permitted per Building Face, not to exceed two Wall Signs per building. For multi-tenant buildings, one Wall Sign per tenant is allowed provided that the Building Face coverage limitation set forth below is met.
  - 1. A maximum of 10% of the Building Face may be used for a Wall Sign.
  - 2. Signs shall not project above the roof level.

- D. Sidewalk Signs: Sidewalk Signs shall be permitted on the premises of a business, provided the following provisions are followed:
1. Only one sidewalk sign per business is allowed.
  2. Signs shall be displayed during business hours only.
  3. Maximum allowable sign size, including the frame and support structure, shall not exceed 6-square feet. Two sides of the sign may contain graphics and/or text. The maximum depth or spread of the sign shall not exceed 2 feet.
  4. Quality of said signs shall be of professional craftsmanship only.
  5. Signs shall not create any hazards or interfere with pedestrian or vehicular traffic.
  6. Signs shall be placed only on the business property or on sidewalks directly abutting the business property. (*Amended by Ord. 172; 11/28/2005*)
- E. Awning Signs: One Awning Sign is allowed per lot, provided the Sign Area does not exceed eight (8) square feet. The Sign Area of any Awning Sign shall reduce, square foot for square foot, the Sign Area of any permitted Wall Signs on the same building face. Awnings shall have a minimum clearance of eight (8) feet above a public sidewalk or right-of-way and be an integral part of the awning, not projecting above or below the vertical awning face.

**Subd. 4 C-2, B-1 and I-1 Regulations.** The following uses are permitted within the C-2, B-1 and I-1 Districts.

- A. Address Sign: One sign not to exceed four (4) square feet in area for each building.
- B. Monument Signs: One Monument Sign facing each street frontage may be permitted per lot and development entrance. The Sign Area of any such Monument Sign shall not exceed sixty (60) square feet and shall not exceed twelve (12) feet in width or six (6) feet in height, except when adjacent to a major arterial. The total area of any such Monument Sign facing a major arterial shall not exceed eighty (80) square feet and shall not exceed fifteen (15) feet in width and eight (8) feet in height. No Monument Sign shall be placed closer than five (5) feet to any public right-of-way line. For multi-tenant buildings, one Monument Sign per lot is allowed. The Sign Area of each such Monument Sign shall not exceed eighty (80) square feet, with a maximum Sign Area of forty (40) square feet per tenant, except when adjacent to a major arterial. The total area of any such multi-tenant Sign facing a major arterial shall not exceed one hundred (100) square feet, with a maximum Sign Area of fifty (50) square feet per tenant.
- C. Wall Signs: One Wall Sign shall be permitted per Building Face, not to exceed two Wall Signs per building. For multi-tenant buildings, one Wall Sign per tenant is allowed provided that the Building Face coverage limitation set forth below is met.
1. A maximum of 10% of the Building Face may be used for a Wall Sign.
  2. Signs shall not project above the roof level.
- D. Pylon Signs: One Pylon Sign facing each street frontage may be permitted per lot. The Sign Area of any such Sign shall not exceed forty-eight (48) square feet and shall not exceed twelve (12) feet in width or six (6) feet in height, except when adjacent to a major arterial. The total area of any such Pylon Sign facing a major arterial shall not exceed sixty (60) square feet and shall not exceed fifteen (15) feet in width and eight (8) feet in height. No Pylon Sign shall be placed closer than five (5) feet to any public right-of-way line. For multi-tenant buildings, one Pylon Sign per lot is allowed. The

Sign Area of each such Sign shall not exceed sixty (60) square feet, with a maximum Sign Area of thirty (30) square feet per tenant, except when adjacent to a major arterial. The total area of any such multi-tenant Sign facing a major arterial shall not exceed eighty (80) square feet, with a maximum Sign Area of forty (40) square feet per tenant. The height of any Pylon Sign shall not exceed thirty (30) as measured from the elevation of the centerline of the roadway upon which the sign is orientated. The maximum actual sign height shall be no more than forty (40) feet. The sign shall not be raised up by use of a natural or manmade material so as to create a base for the placement of the sign resulting in a height greater than thirty (30) feet as measured from the elevation of the centerline of the roadway.

- E. Directional Signs: Each lot is permitted up to four (4) Directional Signs per driveway or vehicle entrance onto the property. The Sign Area of each such Sign shall not exceed four (4) square feet or four (4) feet in height.

**1260.10 Substitution Clause.** The owner of any Sign that is otherwise allowed under this Section may substitute Non-Commercial Speech for any other Commercial or Non-Commercial Speech without any additional approval or permitting, notwithstanding any provision to the contrary.

**1260.11 Severability.** If any part, clause, provision, or portion of this Section is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Section shall not be affected thereby.

## Section 1260 – Signs

**1260.01 Purpose and Intent.** The purpose of the sign ordinance is to establish regulations that govern the use, approval, construction, change, replacement, location and design of signs and related informational tools within the city. The sign ordinance is not intended to and does not restrict, limit, or control the content or message of signs. The sign ordinance has a number of specific purposes:

1. To encourage the effective use of signs as a means of communication.
- ~~2. To promote health, safety, and welfare by limiting hazardous or distracting signage.~~
- ~~3. To ensure and improve pedestrian and traffic safety.~~
- ~~42. To protect, conserve, and enhance property values.~~
- ~~53. To enhance the attractiveness and economic well being of Norwood Young America as a place to live and conduct business.~~
- ~~64. To encourage creative and well-designed signs that contribute in a positive way to the city's visual environment, express local character, and help develop a distinctive pedestrian image in the city.~~
- ~~75. To recognize that signs are a necessary form of communication and provide flexibility within the sign review and approval process to allow for unique circumstances.~~
- ~~86. To create a framework for a comprehensive and balanced system for sign regulation, to facilitate an easy and pleasant communication between people and their environment, and to avoid the visual clutter that is potentially harmful to traffic and pedestrian safety, property values, business opportunities, and overall community appearance.~~
- ~~97. To encourage and, to the maximum extent feasible, require that all signs within the city be brought into compliance with the terms of the sign ordinance.~~

### 1260.02 Definitions

**Abandoned Sign:** A sign (including any structure whose primary function is to support such Sign) ~~whose:~~ —a) ~~whose~~ display surface remains blank for a period exceeding sixty (60) days; b) which pertains to a time, building, event or purpose that passed or ceased to apply more than sixty (60) days prior to the then applicable date; or c) that has remained for more than sixty (60) days after demolition of the building that it served.

**Address [KCN1]Sign:** A sign including postal identification numbers, whether written or in number form, and, optionally, the name of a building occupant.

~~**Advertising Sign:** Also known as a “billboard”, a sign, including the supporting sign structure, advertising a business, commodity, or service which is not located or performed on the premises on which the sign is located.~~

~~**Area Identification Sign:** A freestanding sign, on the identified premises, which identifies the name of a neighborhood, residential subdivision, multiple residential complex, shopping center, industrial area, office complex, park or any combination of the above.~~

**Awning Sign:** A Sign permanently affixed to an awning providing a shelter or cover over the approach to any building entrance or shading a window area.

**Banner:** A Temporary Sign made out of flexible paper, cloth or plastic-like material [KCN2]identifying: 1) a special, unique or limited event, service or product, 2) a sale of limited duration; or 3) a grand opening.

**Building Face:** That portion of any exterior elevation of a building or other structure extending from grade to the top of a wall and the entire width of that particular building or structure elevation.

~~**Campaign Sign:** A Temporary Sign promoting the candidacy of a person running for a government office, or promoting an issue to be voted on at a governmental election.~~

**Canopy and Marquee:** A roof-like structure projecting over the entrance to a building.

**Commercial [KCN3]Speech:** Speech advertising a business, profession, commodity, service, or entertainment.

**Development:** A commercial use of three or more principal structures with common characteristics, as determined by the City, or a platted residential use of twenty (20) or more lots with common characteristics, as determined by the City. Common characteristics may include shared access, similar architecture, single ownership or history or site plan review approval.

**Directional Sign:** A Sign erected on a property by the owner of such property solely for the purpose [KCN4]of guiding vehicular and pedestrian traffic, which does not contain any ~~advertising~~commercial speech.

**Dynamic Sign:** A Sign or portion thereof that appears to have movement or that appears to change using any method other than a person physically removing and replacing the Sign or its components. 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.

**Freestanding Sign:** A Sign which is placed in the ground and not affixed to any part of any structure.

**Government Sign:** A Sign which is erected or maintained by a governmental unit.

**Illuminated Sign:** A Sign or portion thereof that: 1) incorporates an artificial light source as part of the Sign including, but not limited to, a Sign with LED lights, neon lights or an interior light; or 2) a Sign that has an artificial light source directed upon it.

~~**Institutional Sign:** A Sign or bulletin board, which identified the name and other characteristics of a public or private institution (i.e. church or school) on the site where the sign is located.~~

**Marquee Sign:** A Sign that is permanently attached to a marquee.

**Monument Sign:** Any one-sided or two-sided free-standing Sign with its entire Sign Area mounted on the ground or mounted on a base at least eighty percent (80%) as wide as the Sign Area.

**Mural:** A work of graphic art painted or applied to a wall of a building or other structure which contains no ~~advertising or logos~~commercial speech.

**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.

**Nonconforming Sign:** A Sign lawfully existing prior to the adoption of this ordinance but that does not conform to the newly enacted requirements of the ordinance.

~~**Off-Site**~~ [KCN5]Sign: A sign, including the supporting sign structure, advertising a business, commodity, or service which is not located or performed on the premises on which the sign is located; commonly known as a "billboard."

**Portable Sign:** A Sign designed to move from one location to another, not permanently attached to the ground or any other surface.

~~**Promotional Devices**~~ [KCN6]: Promotional devices, including air inflated devices, Banners exceeding forty (40) square feet in area, non-mechanical whirling devices, spotlights, or any Sign resembling the same.

**Pylon Sign:** Any free-standing sign supported by a column-like structure, posts or poles set firmly in or below the ground surface.

~~**Real Estate Sign:** Any sign pertaining to the sale, lease or rental of land or buildings.~~

**Roof Sign:** A Sign erected or painted upon or above a roof or parapet of a building.

**Scoreboard:** A sign ~~associated with~~displayed at an athletic field ~~that includes information and/or statistics pertinent to an on site game or activity and also includes any sponsor or identification panels~~and in conjunction with the activities occurring at the athletic field.

**Shielded Light Source:** Shall have the meaning associated with the nature of the light source, as follows: 1) For an artificial light source directing light upon a Sign, Shield Light Source shall mean a light source diffused or directed so as to eliminate glare and housed to prevent damage or danger. 2) For light source located within a Sign, Shielded Light Source shall mean

a light source shielded with a translucent material of sufficient opacity to prevent the visibility of the light source. 3) For a light source designed to directly display a message (e.g. LED and neon lighting), Shielded Light Source means a light source specifically designed by its manufacturer for outdoor use.

**Sidewalk Sign:** A temporary, freestanding, Portable Sign placed at ground level, with no moving parts or flashing lights, displayed on a public or private sidewalk adjacent to and directly in front of a business ~~to advertise the business hours of operation, an event, or a promotion.~~

**Sign:** Any letter, symbol, device, poster, picture, statuary, reading matter or representation in the nature of any advertisement, announcement, message, or visual communication, whether painted, pasted, printed, affixed or constructed, which is displayed outdoors for informational or communicative purposes.

**Sign Area:** The entire area within a continuous perimeter enclosing the extreme limits of the Sign message and background. However, such perimeter shall not include any structural elements lying outside of such sign and not forming an integral part of the Sign. The area of a Sign within a continuous perimeter shall be computed by means of the smallest circle, rectangle or triangle that will encompass the extreme limits of the writing, representation, emblem or other display, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the building façade against which it is placed.

**Special Events Sign:** ~~—A Temporary Sign erected by a civic or other non profit organization to promote or identify a fund raiser, festival, tournament, or other non commercial one time or annual event; examples of which are Stiftungsfest, Music in the Park, Relay for Life, and the Carver County Fair.~~ displayed [KCN7] before or during a one-time, special, or annual event or a holiday.

**Temporary Sign:** A Sign ~~placed displayed for a specific purpose that is of~~ concurrent with a specific event or occurrence for a limited time duration, after which the Sign is to be removed, which does not necessarily meet the structural requirements for a permanent sign.

**Wall Sign:** Any Sign which is affixed to the wall of any building or structure.

**1260.03 Jurisdiction.** No sign permit shall be issued for any lot, tenant, or development after the effective date of and which is not in substantial conformity with the provisions of these regulations. Nor shall any sign, except as hereinafter specified, be erected, substantially improved, converted, enlarged, moved, or structurally altered without conforming with the provisions of these regulations. The lawful use of a sign existing at the time of the enactment of this chapter may be continued although such use may not conform to the regulations herein. For those signs permitted before the adoption of these regulations, such signs shall be classified and governed as ~~"permitted nonconforming"~~ structures under this Chapter.

**1260.04 Permit Required.** Except as herein exempted, no person firm or corporation shall maintain, install, erect, relocate or modify any sign in the City without first obtaining a permit therefore. The fee for the permit shall be based on the ~~state~~ chart of fees as adopted by the City Council ~~by Ordinance~~ from time to time, and shall be determined by the Building Inspector.

The permit application shall include ~~the following information:~~

~~Two~~ sets of plans drawn to scale that show in sufficient detail the following:

- A. The proposed location and its relationship to the other principal buildings on the lot and on adjacent properties.
- B. The size and height of the sign.
- C. The elevation of the centerline of the roadway upon which the sign is oriented, when applicable.
- D. Material of the sign and supporting pole.
- E. Drawing of any landscaping or other base upon which the sign will be placed. Including the height or increase in elevation resulting from the base or landscaping.
- F. Any other information required by the Building Inspector to accurately review the application for conformance to the code. Including but not limited to a certified land survey.

**1260.05 Registration Required.** Those signs permitted within this section, not requiring a permit which must be registered with the City, shall include the following information.

- A. Name of the person or company responsible for the sign.
- B. Address of the responsible party.
- C. Number of signs and their location(s).
- D. Dates signs will be posted.
- E. Description of the sign including the size, height and copy of any text or graphics shown on the sign.

**1260.06 Variance.** A variance may be sought from this regulation in accordance with the variance procedure outline in Section 1210.04 of this Chapter.

**1260.07 Maintenance and Continuation.** All signs shall be constructed in such manner and of such material as to be safe and substantial. The exposed backs of all signs and sign structures shall be painted a neutral color. Signs determined by the Zoning Administrator to be in a state of disrepair shall be considered a nuisance pursuant to Chapter 6 of the City Code. Any Abandoned Sign or Sign ~~sign hereafter existing which~~ that no longer advertises or identifies ~~KNB~~ a bona fide business ~~conducted in operation, or~~ a service rendered, or a product sold shall be taken down and removed by the owner, agent or person having the beneficial use and/or control of the buildings or structure upon which the sign may be found. Any sign found to be in violation of this Section shall be enforced in the same manner as described in Chapter 6, Section 610- General Abatement Procedures.

**1260.08 General Provisions Applicable to All Districts.**

**Subd. 1. Prohibited Signs.** The following signs are prohibited in all districts:

- A. Signs in, upon, or projecting into any public right-of-way or easement, excepting Government Signs.
- B. Signs containing [KCN9] statements, words, or pictures of an obscene, indecent, or immoral character, or such as would offend public morals or decency~~containing any indecent or offensive material.~~
- C. Any type of sign painted, attached, or in any manner affixed to trees, rocks, or similar natural surfaces.
- D. Roof Signs.
- E. Signs which interfere with the ability of vehicle operators or pedestrians to see traffic signs or signals, or which impedes the vision of traffic by vehicle operators or pedestrians.
- F. Signs that contain or are an imitation of an official traffic sign or signal or include the terms "stop", "look", "caution", "danger", "warning" or similar words, phrases, symbols, or characters in such a manner as to interfere with, mislead or confuse motorists.
- G. Signs which obstruct any window, door, fire escape or opening intended to provide ingress or egress to any structure or building.
- H. Portable Signs, except for sidewalk signs expressly permitted within.
- I. Any Sign not in conformance with these regulations, other than a Non-Conforming Sign.
- J. Any other Sign not expressly permitted by the provisions of these regulations.

**Subd. 2. Illuminated Signs.** ~~The following standards apply to Illuminated Signs:~~

Each Illuminated Sign shall:

- A. Have a Shielded Light Source;
- B. ~~Not exceed a maximum light intensity of 5000 nits (candelas per square meter) during daylight hours and a maximum light intensity of 500 nits between dusk to dawn as measured from the sign's face at maximum brightness.~~ 5 foot-candles [KCN10] at each property line;
- B.C. ~~Not cause beams or rays of light to be directed at any portion of the road or of such intensity or brilliance as to cause glare or impair vision of a driver of any motor vehicle;~~ and
- C.D. Be equipped with (i) an automatic dimmer control to produce the illumination change required by Section 1260.08, Subd. 2, ~~A, 2.A.2.~~ above and (ii) a means to immediately turn off the display or lighting if the Illuminated Sign malfunctions.
- ~~D. Prior to the issuance of a sign permit, the applicant shall provide a written certification from the sign manufacturer that the light intensity has been factory pre-set not to exceed the levels specified in Section 1260.08, Subd. 2, A, 2 above.~~

~~**Subd. 3 Promotional Devices.** Promotional Devices are prohibited except when used in conjunction with a grand opening (the initial commencement of business). For a grand opening, Promotional Devices shall be allowed for a period of one week.~~

~~Subd. 4 Campaign Signs. Campaign Signs shall be regulated by the laws of the State of Minnesota, as amended from time to time. All Campaign Signs must be removed within seven (7) days following the date of the election. In the event the signs are not removed within seven (7) days, the city may remove the signs at the expense of the sign or property owner. No permit or registration is required for this type of sign.~~

**Subd. 53. Address [KCN11]Signs.** To aid emergency personnel, postal delivery, and the navigation of traffic, One address sign shall be required per residential and commercial building in all districts. No permit or registration is required.

**Subd. 64. Scoreboards.** One scoreboard up to 450 square feet per playing field, located in a public or private park, shall be permitted.

**Subd. 75. Temporary Signs [KCN12].** The following regulations apply to Temporary Signs within the City. If they are not removed by the date specified, the signs may be taken down by the City and the cost of removal charged to the sign's owner or registrant.

A. Signs Containing Non-Commercial Speech. Subject to Minnesota Statute Section 211B.045, as it may be amended from time to time, and notwithstanding the other provisions contained in this Section 1260, Signs containing Non-Commercial Speech may be posted beginning forty six (46) days before a primary election in a general election year until [KCN13]ten (10) days following the general election. No permit or registration is required for this type of sign.

A.B. Banners. Banners may be permitted displayed for one-time or special events for up to forty-five (45) days. Banners may be up to forty (40) square feet in area. They must be registered with the City under the guidelines established in this chapter and removed within five (5) business days of the closing date listed on the registration permit.

C. Grand Openings. Air inflated devices, Banners exceeding forty (40) square feet in area, non-mechanical whirling devices, spotlights, or any Sign resembling the same may be permitted for a period of one (1) week in conjunction with [KCN14]a grand opening, meaning the initial commencement of a business. Such signs are prohibited at all other times.

B.D. Special Events Signs. Special Event Signs may be permitted with the following conditions:

1. Non-residential property: Such Special Event Signs may be erected and maintained on non-residential property for a period not to exceed thirty (30) days prior to the date of the event and shall be removed within five (5) business days following the event.
2. The City of Norwood Young America may [KCN15]place Special Event Signs within the public right of way, subject to the same restrictions as set forth above. Residential property [KCN16]: Special Event Signs, not exceeding four (4) square feet, may be erected on residential property for a period not to exceed five (5) days and shall be removed within one (1) day following the event.

C.E. Real Estate Signs Property for Sale or Lease. A Temporary Real Estate Sign Sign may be placed upon property in any District for the purpose of advertising the lease or

~~sale of the property upon which it is placed while it is for sale or for lease.~~ Only one (1) Sign shall be permitted per street frontage with the following conditions:

1. Each such Sign shall be removed within seven (7) days following the date of leasing or sale.
2. The maximum Sign Area for each such Sign is as follows:
  - a. R-1, R-2, R-3, T-A Districts- nine (9) square feet
  - b. R-4, RC-1 Districts- eighteen (18) square feet
  - c. Commercial and Industrial Districts- thirty-two (32) square feet
3. No such Sign shall exceed eight (8) feet in height.
4. Subdivision developments which have more than two (2) sites remaining available may ~~advertise the development with~~ place one Ssign at each entry point. Such signs shall not be greater than thirty two (32) square feet and not to exceed eight (8) feet in height.

~~D.F. Identification Signs~~ Construction. One ~~Temporary identification sign setting forth the name of a construction project, project architects, contractors and financing agencies~~ Sign may be installed at a construction site in any district for the period of the construction ~~only with~~ subject to the following conditions:

1. The Sign must be registered with the City under the guidelines established in this chapter.
2. The Sign shall be removed within five (5) days of the closing listed on the registration permit or end of construction period, whichever is sooner.
3. No such Sign shall exceed twenty-four (24) square feet or eight (8) feet in height.

~~E. Garage Sale Signs. Garage Sale Signs shall be removed within one (1) day after the end of the sale and shall have a Sign Area of four (4) square feet or less. The City shall have the right to remove and destroy Signs not conforming to the provisions of this Chapter.~~

**Subd. 7.6. Advertising Sign Off-Site Signs.** ~~Advertising Sign Off-Site Signs~~ are permitted in the C-2, B-1 and I-1 Districts, on properties with frontage on Highway 212 or Highway 5 only. ~~Advertising Off-Site Signs~~ Signs must conform to the following standards:

- A. ~~Advertising Off-Site Signs signs~~ which face the same general direction shall be 2640 feet apart measured down the centerline of the road from which the signs are to be seen. ~~Advertising Off-Site Signs signs~~ with advertising the sign face facing the same direction, but on either side of the road, shall be 2640 feet apart measured down the centerline of the road.
- B. Only one advertising Off-Site Sign sign per lot shall be permitted.
- C. No ~~outdoor advertising Off-Site Sign sign~~ shall be closer than 100 feet from any other ~~free standing~~ Freestanding Ssign on the same side of the street.
- D. Back to ~~Back back~~ signs are permissible. A back to back sign shall constitute one advertising Off-Site Sign sign.
- E. V-type construction is not permitted.
- F. The maximum area for any one sign facing shall be 300 square feet inclusive of border and trim but excluding the base or apron, supports and other structural members.

- G. The maximum size limitations shall apply to each facing of a sign structure with one display to each facing not exceeding the maximum sign area.
- H. No ~~outdoor advertising sign~~ Off-Site Sign shall be established closer than 15 feet from the right-of-way line. No portion of any ~~outdoor advertising sign~~ Off-Site Sign may be placed on, or extend over the right-of-way line of any street or highway.
- I. No ~~outdoor advertising sign~~ Off-Site Sign or part thereof shall be located on any property without the written consent of the owner, holder, lessee, agent or trustees.
- J. No ~~outdoor advertising sign~~ Off-Site Sign shall exceed 30 feet in overall height above the ground level. Ground level shall be regarded as the average elevation of the natural ground on which the sign is located.
- K. All ~~outdoor advertising sign~~ Off-Site Signs must be equipped with a steel monopole, be painted in an earth tone color and have appropriate landscaping. *—(Amended by Ord. 140, 2-26-2001)*

**Subd. 8.7. Dynamic Signs.** Dynamic Signs may be permitted with the following conditions:

- A. Dynamic displays are permitted as follows:
  - 1. R-1, R-2, R-3 and R-4 Districts:— only on monument signs for conditionally permitted uses. Dynamic displays may occupy no more than 35 percent of the Monument Sign Area.
  - 2. C-2 District:— on monument and pylon signs for any permitted or conditionally permitted use, occupying up to 35 percent of the Sign Area, and on permitted ~~Advertising Sign~~ Off-Site Signs, occupying up to 100 percent of the Sign Area.
  - 3. B-1 and I-1 Districts:— only on monument and pylon signs for any permitted or conditionally permitted use, occupying up to 35 percent of the Sign Area, and on permitted ~~Advertising Sign~~ Off-Site Signs, occupying up to 100 percent of the Sign Area.
- B. Dynamic displays may not change or move more often than the following, except one for which changes are necessary to correct hour-and minute, date, or temperature information:

Speed Limit	Maximum number of changes
25-34	Once every two (2) minutes
35-54	Once every five (5) minutes
55 and over	Once every ten (10) minutes

- C. Time, date, or temperature information is considered one dynamic display and may not be included as a component of any other dynamic display.
- D. A display of time, date, or temperature [KCN17] must remain for at least the minimal allowable display time for the district in which it is located before changing to a different display, but the time, date, or temperature information itself may change no more often than once every three (3) seconds.
- E. The images and messages displayed must be static, and the transition from one static display to another must be instantaneous without any special effects.
- ~~F.G.~~ F.G. The images and messages displayed must be complete in themselves, without continuation in content to the next image or message or to any other sign.

~~G.H.~~ Every line of copy and graphics in a dynamic display must be at least seven inches in height on a road with a speed limit of 25 to 34 miles per hour, nine inches on a road with a speed limit of 35 to 44 miles per hour, 12 inches on a road with a speed limit of 45 to 54 miles per hour and 15 inches on a road with a speed limit of 55 miles per hour or more.

~~H.I.~~ Dynamic displays must be designed and equipped to freeze the device in one position if a malfunction occurs. The displays must also be equipped with a means to immediately discontinue the display if it malfunctions, and the sign owner must immediately stop the dynamic display when notified by the City that it is not complying with the standards of this ordinance.

~~I.J.~~ Dynamic displays must comply with the brightness standards contained in ~~Subd. 2 of this Section 1260.08, Subd. 2.~~

**Subd. 98. Interior Building Signs.** Unless specifically named in this ordinance, signs which are located ~~on~~in the interior of a building shall be exempt from the provisions of this ordinance.

~~Subd. 10. Public Signs. The City may exempt a public sign [KCN18] from the permitting and size standards of this ordinance. (Amended by Ord. 114, 7-27-1998)~~

**1260.09 District Regulations.** Signs herein designated shall be permitted in each specified District and shall conform as to size, location, and character according to the requirements herein set forth.

**Subd. 1 Residential District (R-1, R-2 and R-3) Regulations.** The following signs are permitted within the residential districts.

A. Address Sign: One sign not to exceed two (2) square feet in area for each dwelling unit.

~~B. Monument Signs: One Monument Sign per street frontage, not to exceed two (2) Monument Signs, shall be permitted ~~for a church, public institution, day care center, nursing home, apartment building or recreational facility~~ for each lot [KCN19] and development entrance located on a collector or arterial roadway. Such Sign shall not exceed forty-eight (48) square feet in area and shall not exceed twelve (12) feet in width and six (6) feet in height. No Sign shall be placed closer than five (5) feet to any public right-of-way.~~

~~C.B. Area Identification Signs [KCN20]: A residential subdivision of twenty (20) or more acres shall be permitted a maximum of two (2) Monument Signs. All other residential subdivisions shall be permitted one (1) Monument Sign. The Sign Area of each such Sign shall not exceed forty eight (48) square feet. The dimensions of each such Sign shall not exceed twelve (12) feet in width and six (6) feet in height. Such Signs shall be located near the main entrances of the subdivision and shall be limited to one (1) Sign per intersection.~~

~~D.C. Directional Signs: Directional Signs for non-single-family uses are allowed up to three (3) per lot. The Sign Area of each such Sign shall not exceed four (4) square feet or four (4) feet in height.~~

**Subd. 2 Multiple Family Residential District (R-4) Regulations.** The following signs are permitted within the Multiple Family Residential District:

- A. Address Sign: One sign not to exceed four (4) square feet in area for each building.
- B. Monument and Wall Signs: Each lot and development entrance located on a collector or arterial roadway shall be permitted one Monument Sign per street frontage, not to exceed two (2) Monument Signs. -shall be permitted for a church, public institution, daycare center, nursing home, apartment building or recreational facility. Each lot located on a local roadway shall be permitted one Monument Sign. Such Sign shall not exceed forty-eight (48) square feet in area and shall not exceed twelve (12) feet in width and six (6) feet in height. No Sign shall be placed closer than five (5) feet to any public right-of-way. In addition to any Monument Sign, one Wall Sign shall be permitted on each Building Face, not to exceed two Wall Signs per Building. The Sign Area of each such Wall Sign shall not exceed 5% of the Building Face on which it is located. (*Amended by Ord. 216; 8-24-2009*)

Area Identification Signs: A residential subdivision of twenty (20) or more acres shall be permitted a maximum of two (2) Monument Signs. All other permitted and conditional uses [KCN21] shall be permitted one (1) Monument Sign, except for those listed in Subd. 2.B. above. The Sign Area of each such Sign shall not exceed forty eight (48) square feet. The dimensions of each such Sign shall not exceed twelve (12) feet in width and six (6) feet in height. Such Signs shall be located near the main entrances of the development and shall be limited to one (1) Sign per intersection. In addition to any Monument Sign, one Wall Sign shall be permitted on each Building Face, not to exceed two Wall Signs per Building. The Sign Area of each such Wall Sign shall not exceed 5% of the Building Face on which it is located.

- C. Directional Signs: Directional Signs are allowed up to three (3) per lot. The Sign Area of each such Sign shall not exceed four (4) square feet or four (4) feet in height.

**Subd. 3 Downtown Districts (C-3) Regulations.** The following signs are permitted within the Downtown Districts.

- A. Address Sign: One sign not to exceed four (4) square feet in area for each building.
- B. Monument Signs: Where a building does not cover the full area of the property, one Monument Sign is allowed per lot. The Sign Area of any such Monument Sign shall not exceed thirty-two (32) square feet and shall not exceed ten (10) feet in width or six (6) feet in height.
- C. Wall Signs: One Wall Sign shall be permitted per Building Face, not to exceed two Wall Signs per building. For multi-tenant buildings, one Wall Sign per tenant is allowed provided that the Building Face coverage limitation set forth below is met.
  - 1. A maximum of 10% of the Building Face may be used for a Wall Sign.
  - 2. Signs shall not project above the roof level.
- D. Sidewalk Signs: Sidewalk Signs shall be permitted on the premises of a business, provided the following provisions are followed:
  - 1. Only one sidewalk sign per business is allowed.
  - 2. Signs shall be displayed during business hours only.

3. Maximum allowable sign size, including the frame and support structure, shall not exceed 6-square feet. Two sides of the sign may contain graphics and/or text. The maximum depth or spread of the sign shall not exceed 2 feet.
  4. Quality of said signs shall be of professional craftsmanship only.
  5. Signs shall not create any hazards or interfere with pedestrian or vehicular traffic.
  6. Signs shall be placed only on the business property or on sidewalks directly abutting the business property. —(Amended by Ord. 172; 11/28/2005)
- E. Awning Signs: One Awning Sign is allowed per lot, provided the Sign Area does not exceed eight (8) square feet. The Sign Area of any Awning Sign shall reduce, square foot for square foot, the Sign Area of any permitted Wall Signs on the same building face. Awnings shall have a minimum clearance of eight (8) feet above a public sidewalk or right-of-way and be an integral part of the awning, not projecting above or below the vertical awning face.

**Subd. 4 C-2, B-1 and I-1 Regulations.** The following uses are permitted within the C-2, B-1 and I-1 Districts.

- A. Address Sign: One sign not to exceed four (4) square feet in area for each building.
- B. Monument Signs: One Monument Sign facing each street frontage may be permitted per lot and development entrance. The Sign Area of any such Monument Sign shall not exceed sixty (60) square feet and shall not exceed twelve (12) feet in width or six (6) feet in height, except when adjacent to a major arterial. The total area of any such Monument Sign facing a major arterial shall not exceed eighty (80) square feet and shall not exceed fifteen (15) feet in width and eight (8) feet in height. No Monument Sign shall be placed closer than five (5) feet to any public right-of-way line. For multi-tenant buildings, one Monument Sign per lot is allowed. The Sign Area of each such Monument Sign shall not exceed eighty (80) square feet, with a maximum Sign Area of forty (40) square feet per tenant, except when adjacent to a major arterial. The total area of any such multi-tenant Sign facing a major arterial shall not exceed one hundred (100) square feet, with a maximum Sign Area of fifty (50) square feet per tenant.
- C. Wall Signs: One Wall Sign shall be permitted per Building Face, not to exceed two Wall Signs per building. For multi-tenant buildings, one Wall Sign per tenant is allowed provided that the Building Face coverage limitation set forth below is met.
  1. A maximum of 10% of the Building Face may be used for a Wall Sign.
  2. Signs shall not project above the roof level.

~~D. Area Identification Signs: One Area Identification Sign per development entrance is allowed. The Sign Area of each such Sign shall not exceed sixty (60) square feet and shall not exceed fifteen (15) feet in width and six (6) feet in height. No Area Identification Sign shall be placed closer than five (5) feet to any public right-of-way line. The Area Identification Sign shall only identify the name of the business or industrial park.~~
- E.D. Pylon Signs: One Pylon Sign facing each street frontage may be permitted per lot. The Sign Area of any such Sign shall not exceed forty-eight (48) square feet and shall not exceed twelve (12) feet in width or six (6) feet in height, except when adjacent to a major arterial. The total area of any such Pylon Sign facing a major arterial shall not exceed sixty (60) square feet and shall not exceed fifteen (15) feet in width and eight

(8) feet in height. No Pylon Sign shall be placed closer than five (5) feet to any public right-of-way line. For multi-tenant buildings, one Pylon Sign per lot is allowed. The Sign Area of each such Sign shall not exceed sixty (60) square feet, with a maximum Sign Area of thirty (30) square feet per tenant, except when adjacent to a major arterial. The total area of any such multi-tenant Sign facing a major arterial shall not exceed eighty (80) square feet, with a maximum Sign Area of forty (40) square feet per tenant. The height of any Pylon Sign shall not exceed thirty (30) as measured from the elevation of the centerline of the roadway upon which the sign is orientated. The maximum actual sign height shall be no more than forty (40) feet. The sign shall not be raised up by use of a natural or manmade material so as to create a base for the placement of the sign resulting in a height greater than thirty (30) feet as measured from the elevation of the centerline of the roadway.

~~F.E.~~ Directional Signs: ~~Each lot is permitted u~~Up to four (4) Directional Signs per driveway or vehicle ~~entrance onto the property [KCN22] lot are permitted.~~ The Sign Area of each such Sign shall not exceed four (4) square feet or four (4) feet in height.

**1260.10 Substitution Clause.** The owner of any Sign that is otherwise allowed under this Section may substitute Non-Commercial Speech for any other Commercial or Non-Commercial Speech without any additional approval [KCN23] or permitting, notwithstanding any provision to the contrary.

**1260.11 Severability.** If any part, clause, provision, or portion of this Section is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Section shall not be affected thereby.