



**Norwood Young America Planning Commission**  
**Tuesday, July 19, 2016**  
**Norwood Young America City Council Chambers, 310 Elm St. W.**  
**7:00 p.m.**

**AGENDA**

1. Call to Order  
Pledge of Allegiance  
**Bill Grundahl**
2. Adoption of Agenda  
**Cassandra Kemp**
3. Approve Minutes – June 21, 2016 meeting  
**JR Hoernemann**
4. Public Hearing  
A. Ordinance Opting Out of Temporary Family Health Care Dwelling Law  
**Mark Lagergren**
5. Old Business  
A. Ordinance Opting Out of Temporary Family Health Care Dwelling Law  
B. Solar Energy Systems  
C. Goals/Work Plan for 2016  
**Charlie Storms**
6. New Business  
A. Sign Standard Update  
**Craig Heher**  
Council Liaison
7. June Building Permit Report
8. Commissioner's Reports
9. Adjourn

**UPCOMING EVENTS**

- July 25<sup>th</sup> 6:30 p.m. – City Council Meeting  
August 8<sup>th</sup> 6:30 p.m. – City Council Meeting  
August 10<sup>th</sup> 6:30 p.m. – Economic Development Commission Meeting  
August 16<sup>th</sup> 5:30 p.m. – Parks & Recreation Commission Meeting  
August 16<sup>th</sup> 7:00 p.m. – Planning Commission Meeting

*Norwood Young America  
Planning Commission Minutes  
June 21, 2016*

**Present:** Commissioners Bill Grundahl, Craig Heher, JR Hoernemann, Mark Lagergren, and Charlie Storms.

**Absent:** Cassandra Kemp

**Public:** Andy Strong (Waconia Dodge), Tim Fahey, and Sharilyn Feltmann.

**Staff:** City Administrator Steve Helget and Planning Consultant Cynthia Smith Strack.

**1. Call to Order**

The meeting was called to order by Heher at 7:00 pm. All present stood for the Pledge of Allegiance.

**2. Adoption of Agenda**

Chairperson Heher introduced the agenda. Staff requested the addition of a short discussion regarding a potential solar energy system proposed for Young America Township which is under orderly annexation agreement and within the City's 2008 Comprehensive Plan municipal urban services area.

*Motion* – Motion Storms, seconded by Lagergren with all in favor to approve the agenda as presented. Motion approved 5-0.

**3. Approval of Minutes from the Regular Meeting May 17, 2016.**

Heher introduced the minutes from the May 17, 2016 meeting.

*Motion* – Storms to approve May 17, 2016 meeting minutes. Second by Hoernemann. With all in favor the minutes were approved 5-0.

**4. Public Hearings.**

A. Ordinance Amendment: Light and Heavy Industrial Definitions.

Chairperson Heher opened the public hearing at 7:03 p.m. Strack provided an overview of the request.

Strack stated that at the April meeting the PC reviewed sample definitions from several ordinances and directed staff to build on the concept of light industrial uses having impacts confined within typical lot size and heavy industrial uses have the potential to impact adjacent parcels. At the May meeting, the PC reviewed sample definitions which

included impact standard and sample uses. Following review, the PC called for a public hearing on the definitions for this evenings meeting. The hearing notice has been published and posted. No oral or written comments for or against the proposed Ordinance have been received.

Heher recapped the Ordinance amendment's genesis in a discussion about use of property within the C-2 District.

City Administrator Helget spoke in favor of the language and the clarification it presented.

Heher noted intent is to clarify what can and cannot be located in a particular district as related to industrial uses.

*Motion* – Lagergren, second Grundahl to close the public hearing. Motion carried 5-0. Hearing closed at 7:07 p.m.

B. Ordinance Amendment: Auto Dealer Sales, Storage, Display in C-3 Downtown District.

Chairperson Heher opened the public hearing at 7:08 p.m. Strack provided an overview of the request.

Strack stated Hydro Real Estate, LLC and Waconia Dodge have applied for a text amendment to the C-3 Downtown District. The Applicant's request the City consider amending Chapter 1230.10, Subd.(4) by adding subsection (E) allowing auto sales, auto storage, and auto display with or without ancillary auto repair and service.

The C-3 Downtown District is located in both the north and south downtowns as illustrated on the maps in the packet. The C-3 District is intended to serve as the specialized service, retail, employment, and public business district for the community. Auto dealer sales and service are not uncommon in original city downtowns in rural Minnesota. As proposed auto dealer sales, display, and storage would need to be the primary use of the property/structure with subordinate repair and service allowed.

Strack stated that to limit visual intrusion and the nature of the use the following conditions are proposed for contemplated uses:

- i. Sales, display, and storage are limited to new and used passenger automobiles.
- ii. A valid dealership license is maintained.
- iii. Office space devoted to perform transactions in conjunction with the business is provided on site.
- iv. Service and repair, if provided, are clearly secondary and subordinate to the use of the property for auto dealer sales, display, and storage.
- v. Auto service and repair, if provided, shall be conducted indoors and all automobiles undergoing service or repair shall be stored off-street.

vi. Auto repair shall not include vehicle painting or auto body work.

A public notice was drafted, published, and posted. The City has not received any oral or written comments for or against the proposed ordinance.

Lagergren inquired as to whether or not outdoor display would be allowed. Strack confirmed that was the intent, but no vehicles could be stored on the street.

Strack noted Tim Fahey, Fahey Real Estate and Andy Strong with Waconia Dodge were in the audience.

Heher inquired as to whether or not vehicles would be sold on the site. Strong noted at this time the site was to be used for indoor storage of vehicles and readying of vehicles for sale, including detailing and servicing. Retail sales are not envisioned at this time but could be in the future.

Lagergren clarified the geographic area to which the Ordinance would apply.

Storms inquired as to whether or not the building was sprinkled. Strong confirmed the building is sprinkled.

Heher noted the Applicant appeared to be representing a primary use of structure would be repair versus storage. Strack noted her discussion of the request was primary dealership storage with accessory service.

Lagergren noted he didn't want to have Waconia Dodge return in a few months because the use of the property wasn't principally sales, display, or storage.

Strack noted a key question was whether or not the PC was comfortable with auto repair and service as a principal use of property in the downtown. That is a different use than what is contemplated under the draft Ordinance. The requirement for a dealer license could curtail owner/operator repair shops. The City could also look at limiting volume of auto repair and service by limiting number of bays used for repair.

Sharilyn Feltmann was in the audience and inquired as to how many vehicles would be stored outside of the structure. Strong noted there wasn't much area that could be used for outdoor parking. Occasionally that may occur but during most times the service/repair vehicles will be stored indoors.

Fahey noted the building was inspected by several entities and it was viewed as very suitable to the intended use.

Storms inquired as to whether or not access to property should be reviewed. Strack noted current discussion related to Ordinance amendment and not a specific conditional use permit request; but access is a consideration. Ingress/egress from the street is required elsewhere in the Code.

Storms inquired as to any issues with adjacent property owners. No issues foreseen.

Grundahl asked whether or not a separate sign permit is needed. Strack confirmed a sign permit would be needed.

Motion – Grundahl, second Storms to close the public hearing. Motion carried 5-0. Hearing closed at 7:25 p.m.

C. Conditional Use Permit: Waconia - 115 East Main Street and 15 2<sup>nd</sup> Ave SE

Chairperson Heher opened the public hearing at 7:03 p.m. Strack provided an overview of the request.

Strack stated Hydro Real Estate, LLC (Property Owner) and Waconia Dodge (Applicant) have applied for a conditional use permit concurrent with filing of a text amendment to the C-3 Downtown District.

The Applicant requests the City consider issuance of a CUP for auto dealer sales, display, and storage with subordinate auto repair and service at 115 East Main Street and 15 2<sup>nd</sup> Ave SE. No changes to existing structural footprints are contemplated in conjunction with the change in use.

Public hearing notices were mailed and the notice was published and posted. The City hasn't received any oral or written comments for or against the proposed CUP.

Heher inquired as to whether or not exterior building standards would apply to the CUP request.

Strack noted the Commission is functioning in a dual capacity relating to this request. It is serving in a legislative capacity in creating an ordinance and the Commission is serving in a quasi-judicial capacity in applying the proposed CUP to the proposed Ordinance. The City could incorporate language in the Ordinance regarding exterior adornment. The City also has broad discretion in applying conditions, but those conditions should be based in ordinance language.

Heher and Lagergren inquired as to whether or not building exterior improvements were proposed. Strong noted exterior improvements were not being contemplated.

Grundahl inquired as to hours of operation and number of vehicles to be stored outdoors. Strong stated typical office hours were foreseen. Grundahl asked how many cars would likely be moving into and out of the facility each day. Strong indicated a limited number of vehicles would be moving in and out of the building each day. Strong stated the typical routine would be driving one or two vehicles in the facility at one time. Unloading of truck carrier loads of cars is not envisioned at this time.

Grundahl inquired as to whether or not the facility in NYA would be mostly a storage area for vehicles. Strong confirmed that was the case.

Storms inquired about vehicles using alley. Strong stated vehicles wouldn't have a need to use the alley.

Storms inquired as to whether or not facility had necessary containment systems for oil. Strong stated necessary containment systems were in the facility.

Grundahl asked whether or not a car wash bay was in the building. There is not a wash facility in the building. Strong noted there is a paint booth but Waconia Dodge will not be using it.

Feltmann asked whether or not dumpsters would be located on the lot. Strong stated dumpsters would not be located on the street.

Fahey opined the use was ideal for the 24,000 sf building. He opined the business had a track record of keeping up their buildings. Fahey also opined sprucing up buildings was a nice idea but having buildings occupied was more important for NYA at this time. Sprucing up buildings could be a big demand on small businesses.

Feltmann inquired as to whether or not Waconia Dodge would become a true member of the community or just store vehicles at the site. Strong noted Waconia Dodge supported NYA with donations as it did to other areas in the county.

Heher inquired as to how many employees would be on site. Strong indicated approximately four detailers and two repair technicians.

Hoernemann supported occupancy of the building.

Heher inquired as to whether or not building permit and/or fire review was needed. Strack noted change of occupancy permit likely required by Building official.

## **5. New Business.**

### **A. Ordinance Amendment – Auto Sales, Display, Storage in C-3 District.**

Heher introduced the business discussion.

Strack reviewed the proposed Ordinance and conditions for the use. She noted the proposed language could be changed and added/deleted at this time. She requested a recommendation on the draft Ordinance to the Council.

Lagergren supported the proposed use of the building and the amendment.

Motion – Motion by Lagergren, second by Storms to recommend the City Council approve the Ordinance amendment. Motion carried 5-0.

B. CUP Request: Waconia Dodge - 115 East Main Street and 15 2<sup>nd</sup> Ave SE

Heher introduced the business discussion.

Strack stated the Planning Commission is to examine the request under Section 1210.06 Conditional Use Permits, Subd. 3(A). The City may, as it deems necessary to protect the health, safety, and general welfare of the public, require additional performance standards.

Strack noted the use appeared to be consistent with goals, policies and objectives of the Comprehensive Plan and consistent with the intent of the Code.

The use appeared to not have an undue adverse impact on governmental facilities, utilities, services or existing or proposed improvements as the building and services were existing and not proposed for expansion.

The use as proposed appeared not to be injurious to the use and enjoyment of other property in the immediate vicinity for the purpose already permitted, nor substantially diminish and impair property values within the neighborhood.

Adequate utilities, access roads, drainage and necessary facilities have been or will be provided.

The use meets all of the performance criteria requirements as established in Section 1245.01 of the Zoning Code.

Strack reviewed proposed conditions for the CUP:

1. The “Use” is defined as auto sales, display, and storage with ancillary minor repair and service at the subject property. No other use shall be allowed under this Conditional Use Permit. The Use is subject to the following standards:
  - A. Sales, display, and storage are limited to new and used passenger automobiles.
  - B. A valid dealership license is maintained.
  - C. Office space devoted to perform transactions in conjunction with the business is provided on site.
  - D. Service and repair, if provided, are clearly secondary and subordinate to the use of the property for auto dealer sales, display, and storage.
  - E. Auto service and repair, if provided, shall be conducted indoors and all automobiles undergoing service or repair shall be stored off-street.

- F. Auto repair shall not include vehicle painting or auto body work.
2. No outdoor storage of any kind, including but not limited to garbage, refuse, materials, equipment or machinery shall be permitted.
  3. All business vehicles stored at the site shall be accommodated by off-street parking.
  4. An office area shall be maintained at the front (street-facing) side of the building to the greatest extent possible.
  5. All loading/unloading at the subject site shall occur separate and independent from CSAH 34 right-of-way unless specifically authorized in writing by Carver County Public Works Department.
  6. The use shall at all times meet the requirements of Section 1245.01 of the City Code relating to noise, vibration, smoke, particulate matter, odor, and connection to municipal utilities.
  7. The Property Owner shall not discharge industrial waste into the sanitary sewer system.
  8. Any proposed signage will require the issuance of a sign/building permit.
  9. This approval is applicable only to the property at 115 Main Street East and 15 2<sup>nd</sup> Ave SE.
  10. This approval shall expire one year after date of approval unless the Applicant has commenced operation of the Use on-site.
  11. This permit is subject to all applicable codes, regulations and ordinances, and violation thereof shall be grounds for revocation.
  12. The permit shall be subject to annual inspection and audit by the City.
  13. The City may revoke the CUP upon violation of the conditional use permit standards in the Zoning Ordinance or violation of the conditions of this resolution, subject to the requirements of Section 1210.06, Subd. 5 “Revocation of Conditional Use Permits” of the Zoning Ordinance.
  14. The conditional use permitted under this Resolution shall be revoked if the Use ceases for more than 12 consecutive months.

Lagergren inquired as to where loading and unloading would occur. Strong stated truck loading or unloading is not envisioned at the site.

Lagergren clarified if loading/unloading was to happen it would be on 2<sup>nd</sup> Street. Strong confirmed that was the case.

Grundahl inquired as to cost for auditing CUP. No additional costs are anticipated.

Motion – Motion by Strong, second by Lagergren to recommend the City Council approve the conditional use permit with conditions suggested. Motion carried 5-0.

Heher advised the Applicants of the next step and requested attendance at the Council meeting.

### C. Temporary Family Health Care Dwellings Law – Discussion Opt Out

Heher introduced the agenda item.

Strack stated that Governor Dayton signed into law a bill regarding temporary family health care dwellings. The law is attached to this memo and becomes effective September 1, 2016 unless the City approves an Ordinance opting out of the law. If an Ordinance opting out is approved prior to September 1<sup>st</sup> the law will not apply to NYA. Opting out of the law doesn't preclude the City from approving an ordinance allowing accessory dwelling units.

Under the law, RV's, manufactured homes, tiny houses, converted detached garages, etc. would meet the definition of a 'temporary family health care dwelling'. Under the law such dwellings must be allowed provided certain measures are attained. Among them, (1) be no more than 300 s.f.in area; (2) **not** be attached to a permanent foundation; and (3) provide for sanitary provisions (water, sewer, electric) under which porta-pottys are allowed.

The language, as drafted, is concerning. Specific concerns with law include: (1) lack of opportunity for adjacent property owners to comment on the ADU, (2) potential for 'temporary' to morph into semi-permanent with separate individual family members succumbing to illness/injury and/or chronic and reoccurring instances of illness/injury, (3) constitutionality of the limited definition of 'relative' included in the law, (4) aesthetic concerns, (5) life safety concerns of dwelling unit occupants during adverse weather conditions, (6) adequacy of sanitation services, (7) oversight and staff time required to comply with, document, and follow up on temporary ADU, and (8) limited time allowance for review (i.e. 15 days).

Strack requested discussion of the law and potential to opt out of the law and consideration of calling for a public hearing on an Ordinance to opt out of the law.

Grundahl inquired as to whether or not accessory dwelling units were allowed in the City at this time. Strack noted ADU are not allowed in City of NYA. If City opts out the rule will revert to zoning code.

Motion Grundahl, second Lagergren to call for a public hearing at the July meeting.

## **6. Old Business.**

### **A. Ordinance: Light/Heavy Industrial Definitions.**

Chairperson Heher introduced the agenda item.

Lagergren clarified the Ordinance language would be inserted in definitions.

Motion Storms, second Hoernemann to recommend the City Council approve the Ordinance. Motion carried 5-0

## **7. Building Permit Report.**

The building permit report was acknowledged.

## **8. Commissioner's Reports**

Heher introduced a discussion regarding potential solar energy system in a location within the orderly annexation area and municipal urban services area. Helget noted no application has been filed but it is anticipated. Helget asked for input from the Commission. He noted oversizing of utilities in The Preserve was an investment the City had already made. Site is adjacent to YA Lake, an area planned for residential development with lake access and views.

Lagergren clarified the potential site was not under City jurisdiction. Helget confirmed the potential location was outside of corporate limits. The City is allowed to comment in the event a hearing is scheduled.

Heher noted he would be opposed to the use, Lagergren and Grundahl also opposed.

Grundahl inquired as to whether or not the Commission had heard about the project previously. Strack noted she and Administrator Helget had met with a solar developer regarding a development on the identified property earlier this year. It may or may not have been mentioned under commissioner reports.

Hoernemann did not favor the use of the property in question for SES.

Grundahl comments about Stiftungsfest area and conditions of lawns in the area. Also the building on Morse Street is being improved don't know if a permit has been issued or if people are living there but should be looked into.

Lagergren noted Family Dollar landscaping has not been completed. Weeds are growing and garbage/trash is collecting. Helget noted he has been following up with company representatives

regarding seeding/sodding. Helget has taken pictures and will again be corresponding with them regarding landscaping.

Heher noted just south of the YA building a series of dilapidated cars, trailers, weeds, pallets, etc. collected on a lot; the lot needs to be cleaned up.

Storms attended an EDC meeting last week; the EDC is meeting again next week with Chamber and Council to talk about branding for City.

Helget stated the EDC looking at hiring a branding consultant.

Heher provided an update on the Council meeting. The Council approved refunding bonds, a bidding process for Willkommen Park restroom improvements, a promotion for Kelly Hayes, and a liquor license for Lazy Loon Lanes.

Grundahl stated Faxon Road Investors have been working inside the building. Helget noted outside too. Helget to confirm permits were issued.

## **8. Adjourn**

Motion – Grundahl, seconded by Storms with all in favor, the meeting was adjourned at 8:22 p.m.

Respectfully submitted,

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*Steven Helget*  
Zoning Administrator



To: Chairperson Heher  
Members of the Planning Commission  
Administrator Helget

From: Cynthia Smith Strack, Consulting Planner

Date: July 19, 2016

Re: Public Hearing: Ordinance Opting Out of Temporary Family Health Care Dwelling Law

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#### **BACKGROUND**

At the June meeting the PC discussed a law signed by Governor Dayton regarding temporary family health care dwellings. Cities are allowed to opt out of the law provided an Ordinance is approved and made effective by September 1, 2016.

The PC called for a public hearing on an Ordinance to opt out of the law due to concerns with the law's language including: (1) lack of opportunity for adjacent property owners to comment on the ADU, (2) potential for 'temporary' to morph into semi-permanent with separate individual family members succumbing to illness/injury and/or chronic and reoccurring instances of illness/injury, (3) constitutionality of the limited definition of 'relative' included in the law, (4) aesthetic concerns, (5) life safety concerns of dwelling unit occupants during adverse weather conditions, (6) adequacy of sanitation services, (7) oversight and staff time required to comply with, document, and follow up on temporary ADU, and (8) limited time allowance for review (i.e. 15 days).

Please find attached an Ordinance opting out of the law based on a template from the League of Minnesota Cities.

#### **ACTION**

The PC is to hold the public hearing and make a recommendation to the City Council regarding the Ordinance.

**CITY OF NORWOOD YOUNG AMERICA  
ORDINANCE NO. █**

**AN ORDINANCE OPTING-OUT OF THE REQUIREMENTS OF  
MINNESOTA STATUTES SECTION 462.3593 RELATING TO  
TEMPORARY FAMILY HEALTH CARE DWELLINGS**

- I. THE CITY COUNCIL OF THE CITY OF NORWOOD YOUNG AMERICA, MINNESOTA TO PROMOTE THE PUBLIC SAFETY, HEALTH, AND WELFARE, HEREBY ORDAINS CHAPTER 12, SECTION 1245.04 OF THE CITY CODE SHALL AMENDED BY ADDING SUBDIVISION 3 AS FOLLOWS:**

**Opt-Out of Minnesota Statutes, Section 462.3593 as may be amended from time to time.** Pursuant to authority granted by Minnesota Statutes, Section 462.3593, subdivision 9, the City of Norwood Young America, Minnesota opts-out of the requirements of Minn. Stat. §462.3593, which defines and regulates Temporary Family Health Care Dwellings.

- II. EFFECTIVE DATE: THIS ORDINANCE IS EFFECTIVE UPON ITS ADOPTION AND PUBLICATION AS PRESCRIBED BY LAW.**

Adopted by the City of Norwood Young America on the \_\_\_ day of \_\_\_\_\_, 2016.

Attest:

\_\_\_\_\_  
Tina Diedrick, Mayor

\_\_\_\_\_  
Steven Helget, City Administrator

Adopted:  
Published:



To: Chairperson Heher  
Members of the Planning Commission  
Administrator Helget

From: Cynthia Smith Strack, Consulting Planner

Date: July 19, 2016

Re: Solar Energy Systems

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**BACKGROUND**

As you recall, the PC has been discussing solar energy systems as **accessory uses** in various zoning classifications following a request from a local business owner. At this time discussion is limited only to accessory uses as solar energy systems as principal uses was not favored by the City Council.

At the May meeting the PC received input from a rooftop solar installation contractor. Patrick Wier and James Strommen from TruNorth Solar attended the PC meeting to discuss rooftop solar arrays.

Following receipt of information from TruNorth, the PC requested staff draft language for consideration.

Please find attached a sample ordinance for review.

**ACTION**

This item is for your information and discussion. If the PC is comfortable with the language direction to schedule a public hearing is in order.

**CITY OF NORWOOD YOUNG AMERICA  
ORDINANCE NO. █**

**AN ORDINANCE ESTABLISHING SECTION 1245.10 OF THE CITY  
CODE RELATING TO ENERGY SYSTEMS.**

- I. THE CITY COUNCIL OF THE CITY OF NORWOOD YOUNG AMERICA, MINNESOTA TO PROMOTE THE PUBLIC SAFETY, HEALTH, AND WELFARE, HEREBY ORDAINS CHAPTER 12, OF THE CITY CODE SHALL BE AMENDED BY ADDING SECTION 1245.10 RELATING TO ENERGY SYSTEMS AS FOLLOWS:**

**1245.10 Energy Systems.**

**Subd. 1 Findings.** The City finds accessory solar energy systems, subject to certain standards, promote the public safety, health, and welfare by:

- A. Investing in abundant, clean, and renewable energy resources, and
- B. Reducing greenhouse gas emissions, and
- C. Promoting utility cost savings, and
- D. Creating access to community-based solar energy.

**Subd. 2 Purpose.** The purpose of this Subdivision is to allow for rooftop and building integrated solar energy systems as accessory uses in certain zoning classifications.

**Subd. 3 Solar Energy Systems As Accessory Uses.** Rooftop and building integrated solar energy systems are allowed in all zoning classifications, subject to the following:

- A. The solar energy system meets the definition of "Solar Energy System, Rooftop" and/or "Solar Energy System, Building Integrated as defined in Section 1245.10, Subd. 6.
- B. A maximum of one (1) solar energy system is allowed per lot.
- C. Rooftop solar energy system components:

1. Shall not exceed the maximum height allowed in the applicable zoning district.
  2. Shall cover no more than eighty (80) percent of each side of the roof to which they are affixed.
  3. Shall be setback at least one (1) foot from every roof edge, peak, ridge, and valley.
  4. Shall not protrude above the roof line.
- D. Solar energy system components shall be placed to limit visibility from public rights-of-way provided that minimizing visibility shall still allow the owner to reasonably capture solar energy.
- E. Solar energy system components which visually impact buildings with local historic significance or character are discouraged.
- F. Glare from solar energy systems to adjacent or nearby properties shall be minimized. In the event there is a dispute regarding glare, the City may require the owner of the solar energy system produce a glare study. The Solar Glare Hazard Analysis Tool (SGHAT) or equivalent method may be used for the glare study.
- G. Solar energy system annual power output (kWh) shall be no more than one hundred twenty (120) percent of the total energy used by the lot or parcel over the previous year. The City, at its discretion, may allow an array designed to produce more than 120% of the energy used provided an interim use permit is issued.
- H. A building permit is required.
- I. An electrical permit is required.

**Subd. 4 Prohibited Solar Energy Systems.** The following solar energy systems are prohibited:

- A. Ground mounted solar energy systems.
- B. Wall mounted solar energy systems.
- C. Solar energy systems which are not accessory to the use of the property. Accessory means they are clearly subordinate and incidental to the principal use of the subject property.
- D. Utility scale solar energy systems.

**Subd. 5 Solar Access Easements Allowed.** The City elects to allow solar easements to be filed consistent with Minnesota Statutes, Chapter 500.30, as may be amended from time to time. Owners of land or solar skyspace are responsible for negotiating, drafting, and executing solar easements. Solar easements shall be filed with the City and the Carver County Recorder's Office.

**Subd. 6 Definitions.** For the purpose of this Section, certain terms and words are defined as follows:

- A. Solar Easement means an easement that limits the height or location or both of permissible development on land on which the easement is placed in terms of a structure or vegetation, or both, for the purpose of providing access for the benefited land to sunlight as defined in Minnesota Statutes Section 500.30, Subdivision 3 as may be amended.
- B. Solar Energy System means a device, combination of devices, or structural design feature, of which a substantial purpose is to provide for the collection, storage, use, and distribution of solar energy for electricity generation, space heating or cooling, or water heating.
- C. Solar Energy System, Building Integrated means an active solar energy system that is designed and fabricated as an integral part of a structure or structural component rather than a separate mechanical or mounted device.
- D. Solar Energy System, Ground Mounted means an solar energy system structurally mounted to the ground which is not roof mounted,
- E. Solar Energy System, Rooftop means an active solar energy system that is structurally mounted to a code-compliant roof of an existing building or structure.
- F. Solar Energy System, Wall-Mounted means an active solar energy system that is structurally mounted to a code-compliant wall of an existing building or structure.

**II. EFFECTIVE DATE: THIS ORDINANCE IS EFFECTIVE UPON ITS ADOPTION AND PUBLICATION AS PRESCRIBED BY LAW.**

Adopted by the City of Norwood Young America on the \_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Tina Diedrick, Mayor

ATTEST:

\_\_\_\_\_  
Kelly Hayes, City Clerk-Treasurer

Adopted:  
Published:



To: Chairperson Heher  
Members of the Planning Commission  
Administrator Helget

From: Cynthia Smith Strack, Planning Consultant

Date: July 18, 2016

Re: Planning Commission Goals/Work Plan for 2016

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**Background**

The Planning Commission discussed and developed the following goals and work plan items at meetings held on November 17, 2015 and December 15, 2015. The Council accepted the goals and work plan at the January meeting.

1. Review of sign regulations (Chapter 1260 of the City Code) (Initiated July 2016)
2. Continued consideration of accessory dwelling units as allowed uses in certain residential districts as a means of addressing community of a lifetime and active aging issues (ADU survey completed)
3. Review of/familiarization with the 2008 Comprehensive Plan (February PC meeting)
4. Preparation for/outline structure of 2040 (i.e. 2018) Comprehensive Plan Update for consistency with Twin Cities Metropolitan Council 2040 Plan (RFP developed)
5. Review of Chapter 11 of the City Code, subdivision regulations (suggested by City Administrator Helget)
6. Review of/familiarization with the zoning map
7. Review of zoning language relating to adult uses.



To: Chairperson Heher  
Members of the Planning Commission  
Administrator Helget

From: Cynthia Smith Strack, Consulting Planner

Date: July 19, 2016

Re: Sign Standard Update

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**BACKGROUND**

The Planning Commission established goals for 2016 in December of last year. One of the goals is to review and update sign standards.

Please find attached a copy of signage standards for your information and reference.

A few observations:

1. The sign code doesn't include a commercial/non-commercial speech substitution clause and definitions thereof. Failure to incorporate a substitution clause is problematic.
2. The sign code identifies specific groups and/or organizations – churches, non-profits, festivals, etc. and specific standards. This approach has been deemed unlawful.
3. In general, signage standards are generous and not subject to debate/variance.
4. The number of directional signs and signs per building wall in the C-2 District have proved problematic in certain instances.
5. I find the manufacturer's certificate required for illuminated signs is often difficult to secure for simple, internally lit signs.

Discussion requested:

1. Are there particular standards Commissioner's feel are in need of adjustment.
2. Approach to update: e.g. minor update versus major update.

**ACTION**

This item is for your information and discussion.

**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 protect, conserve, and enhance property values.
3. To enhance the attractiveness and economic well being of Norwood Young America as a place to live and conduct business.
4. 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.
5. 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.
6. 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.
7. 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) 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.

**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 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.

**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 advertising.

**Dynamic Sign:** A Sign or portion therefore 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.

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

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

**Promotional Devices:** 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 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.

**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.

**Temporary Sign:** A Sign placed for a specific purpose that is of 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 as "permitted nonconforming" structures.

**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 shall include the following information:

- A. Two sets of plans drawn to scale that show in sufficient detail the following:
  1. The proposed location and its relationship to the other principal buildings on the lot and on adjacent properties.
  2. The size and height of the sign.
  3. The elevation of the centerline of the roadway upon which the sign is oriented, when applicable.
  4. Material of the sign and supporting pole.
  5. 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.
  6. 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 sign hereafter existing which no longer advertises or identifies a bona-fide business conducted, 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 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:

- A. Each Illuminated Sign shall:
  1. Have a Shielded Light Source
  2. 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; and
  3. 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.
- B. 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. 5. Address Signs.** One address sign shall be required per residential and commercial building in all districts. No permit or registration is required.

**Subd. 6. Scoreboards.** One scoreboard up to 450 square feet per playing field, located in a public or private park, shall be permitted.

**Subd. 7. 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 registrant.

- A. *Banners.* Banners may be permitted for up to forty-five (45) days. Banners may be up to 40 square feet in area. They must be registered with the City under the guidelines established in this chapter and removed within 5 business days of the closing date listed on the registration permit.
- B. *Special Event Signs.* Special Event Signs may be permitted with the following conditions:
  - 1. Such Special Event Signs may be erected and maintained 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 place Special Event Signs within the public right-of-way, subject to the same restrictions as set forth above.
- C. *Real Estate Signs.* A Temporary Real Estate Sign may be placed in any District for the purpose of advertising the lease or sale of the property upon which it is placed. Only one 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 sites remaining available may advertise the development with one sign at each entry point. Such signs shall not be greater than 32 square feet and not to exceed eight (8) feet in height.
- D. *Identification Signs.* One Temporary identification sign setting forth the name of a construction project, project architects, contractors and financing agencies may be installed at a construction site in any district for the period of the construction only with 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 Advertising Signs.** Advertising 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 Signs must conform to the following standards:

1. Advertising 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 signs with advertising facing the same direction, but on either side of the road, shall be 2640 feet apart measured down the centerline of the road.
2. Only one advertising sign per lot shall be permitted.
3. No outdoor advertising sign shall be closer than 100 feet from any other free-standing sign on the same side of the street.
4. Back to Back signs are permissible. A back to back sign shall constitute one advertising sign.
5. V-type construction is not permitted.
6. 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.
7. 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.
8. No outdoor advertising sign shall be established closer than 15 feet from the right-of-way line. No portion of any outdoor advertising sign may be placed on, or extend over the right-of-way line of any street or highway.
9. No outdoor advertising sign or part thereof shall be located on any property without the written consent of the owner, holder, lessee, agent or trustees.
10. No outdoor advertising 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.
11. All outdoor advertising 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 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 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 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
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- 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.
- F. 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. 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. 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. Dynamic displays must comply with the brightness standards contained in Subd. 2 of this Section 1260.08.

**Subd. 9. Interior Building Signs.** Unless specifically named in this ordinance, signs which are located on 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 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 shall be permitted for a church, public institution, daycare center, nursing home, apartment building or recreational facility. 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. Area Identification Signs: 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. 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 Signs: One Monument Sign per street frontage shall be permitted for a church, public institution, daycare center, nursing home, apartment building or recreational facility. 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. 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 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.
- D. 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. 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. **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. Directional Signs: Up to four (4) Directional Signs per lot are permitted. The Sign Area of each such Sign shall not exceed four (4) square feet or four (4) feet in height.

**Section 1265- Reserved**