

## **CHAPTER 20 ZONING**

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#### **DIVISION 20-XXVI-1 GENERALLY**

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#### **Sec 20-1251 Purpose And Findings**

- a) *Purpose.* The purpose of this sign ordinance is intended to establish an effective means of communication in the city, maintain and enhance the aesthetic

environment and the city's ability to attract sources of economic development and growth, to improve pedestrian and traffic safety, to minimize the possible adverse effect of signs on nearby public and private property, and to enable the fair and consistent enforcement of these sign regulations. It is the intent of this section, to promote the health, safety, general welfare, aesthetics, and image of the community by regulating signs that are intended to communicate to the public, and to use signs which meet the city's goals:

1. Establish standards which permit businesses a reasonable and equitable opportunity to advertise their name and service;
2. Preserve and promote civic beauty, and prohibit signs which detract from this objective because of size, shape, height, location, condition, cluttering or illumination;
3. Ensure that signs do not create safety hazards;
4. Ensure that signs are designed, constructed, installed and maintained in a manner that does not adversely impact public safety or unduly distract motorists;
5. Preserve and protect property values;
6. Ensure signs that are in proportion to the scale of, and are architecturally compatible with, the principal structures;
7. Provide an opportunity for temporary signs and displays while restricting signs and displays which create continuous visual clutter and hazards within the public right-of-way .

It is not the purpose or intent of this of this sign ordinance to regulate the message displayed on any sign; nor is it the purpose or intent of this ordinance to regulate any building design or any display not defined as a sign, or any sign that cannot be viewed from outside a building.

Signs containing noncommercial speech are permitted anywhere that advertising or business signs are permitted, subject to the same regulations applicable to such signs.

- b) *Findings*. The city finds it is necessary for the promotion and preservation of the public health, safety, welfare and aesthetics of the community that the construction, location, size and maintenance of signs be controlled. Further the city finds:

1. Permanent and temporary signs have a direct impact on, and a relationship to, the image of the community;
  2. The manner of installation, location and maintenance of signs affects the public health, safety, welfare and aesthetics of the community;
  3. An opportunity for a viable identification of community business and institutions must be established;
  4. The safety of motorists, cyclists, pedestrians and other users of public streets and property is affected by the number, size, location and appearance of signs that unduly divert the attention of drivers;
  5. Installation of signs suspended from, projecting over, or placed on the tops of buildings, walks or other structures may constitute a hazard during periods of high winds and an obstacle to effective firefighting and other emergency service;
  6. Uncontrolled and unlimited signs adversely impact the image and aesthetic attractiveness of the community and, thereby, undermine economic value and growth;
  7. Uncontrolled and unlimited signs, particularly temporary signs, which are commonly located within or adjacent to public right-of-way, or are located at driveway/street intersections, result in roadside clutter and obstruction of views of oncoming traffic. This creates a hazard to drivers and pedestrians and also adversely impacts a logical flow of information.
- c) *Severability. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance. The city council hereby declares that it would have adopted this Ordinance in each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid.*

(Ord. No. 231, § 1, 1-9-95)

### **Sec 20-1252 Permit And Variance Fees**

Fees for sign permit applications and variance requests shall be imposed in accordance with the fee schedule established pursuant to the ordinance adopting fees. The intent of this section is to recover costs associated with administering this article. Permit fees shall

reflect the costs of reviewing and processing permits, as well as costs associated with periodic enforcement activities and compliance checks.

(Ord. No. 231, § 1, 1-9-95; Ord. No. 377, § 138, 5-24-04)

#### HISTORY

*Amended by Ord. 683 on 1/10/2022*

### **Sec 20-1253 Variances**

The city council, upon the recommendation of the planning commission, may grant a variance from the requirements of this article where it is shown that by reason of topography or other conditions, strict compliance with the requirements of this article would cause a **practical difficulty hardship**; provided that a variance may be granted only if the variance does not adversely affect the spirit or intent of this article. Written application for a variance shall be filed with the planning department and shall be supplemented with reproducible copies of the proposed sign. The application shall be processed in conformance with the public hearing requirements dictated for variances in section 20-29. No variance shall be granted by the city council unless it has received the affirmative vote of at least a simple majority of the full city council.

(Ord. No. 231, § 1, 1-9-95)

### **Sec 20-12584 Legal Action**

If the city **Community Developmentplanning** Director or an administrative officer finds that any sign regulated by this **articledivision** is prohibited as to size, location, type, number, height or method of construction; or erected without a permit first being granted to the installer of the sign to the owner of the property upon which the sign has been erected or is improperly maintained, or is in violation of any other provision of this chapter, **theyhe** shall give written notice of such violation to the owner or permittee thereof. If the permittee or owner fails to remove or alter the sign so as to comply with the provisions set forth in this chapter following receipt of said notice:

- a) Such permittee or owner may be prosecuted for violating this chapter and if convicted shall be guilty of a misdemeanor. Each day a violation exists shall constitute a separate offense.

(Ord. No. 231, § 1, 1-9-95)

### **Sec 20-126055 Nonconforming Signs**

- a) When the principal use of land is legally nonconforming under this chapter, all existing or proposed signs in conjunction with that land, shall be considered conforming if they are in compliance with the sign provisions for the most restrictive zoning district in which the principal use is allowed.
- b) Excluding normal maintenance, face changes and repair, a nonconforming sign shall not be moved, altered, enlarged or reconstructed unless it is brought into compliance with the sign regulations.

(Ord. No. 231, § 1, 1-9-95)

### **Sec 20-12596 Prohibited Signs**

The following signs are prohibited:

- a) ~~Advertising or business~~ Signs on or attached to equipment, such as semitruck trailers, ~~where signing is a principal use of the equipment on either a temporary or permanent basis.~~
- b) Motion signs and flashing signs except barber poles, ~~which may be permitted by conditional use permits (see sections 20-231 through 20-237).~~
- ~~c) Projecting signs, not including awning or canopies as defined in this chapter.~~
- d) Roof signs, except that a business may be place a sign on the roof, fascia or marquee of a building provided it does not extend above the highest elevation of the building, excluding chimneys, and provided:
  - 1. Roof signs shall be thoroughly secured and anchored to the frames of the building over which they are constructed and erected.
  - 2. No portion of roof signs shall extend beyond the periphery of the roof.
- e) Temporary signs or banners except as permitted in section **20-1258**.
- f) Signs that are placed or tacked on trees, fences, utility poles or in the public right-of-way.
- g) Bench signs are prohibited except **for those installed/owned by a governmental unit and** at designated transit stops as authorized by the local transit authority.

h) Billboards.

i) Temporary flag signs.

(Ord. No. 231, § 1, 1-9-95; Ord. No. 424, § 1, 7-24-06; Ord. No. 431, § 3, 9-25-06; Ord. No. 482, § 1, 8-10-09)

### **Sec 20-12547 Permit Generally**

a) Except as provided in section 20-12558, no sign or sign structure shall be erected, constructed, altered, rebuilt or relocated until a permit has first been issued by the city.

b) The following information for a sign permit shall be supplied by an applicant if requested by the city:

1. Name, address and telephone number of person making application.
2. A site plan to scale showing the location of lot lines, building structures, parking areas, existing and proposed signs and any other physical features.
3. Plans, location, specifications, materials, method of construction and attachment to the buildings or placement method in the ground.
4. Copy of stress sheets and calculations.
5. Written consent of the owner or lessee of any site on which the sign is to be erected.
6. Any electrical permit required and issued for the sign.
7. Such other information as the city shall require to show full compliance with this chapter and all other laws and ordinances of the city. Information may include such items as color and material samples.
8. Receipt of sign permit fee **as established by the city's annual fee schedule.**
9. ~~The planning director, upon the filing of any application for a permit, shall examine such plans, specifications and other data. If the proposed sign complies with this article and other applicable ordinances, the city shall issue a sign permit unless city council approval is required. If city council approval is required, the matter shall be promptly referred to the council for action. Any sign permit application that fails to meet the requirements of this article shall be denied by the City.~~

(Ord. No. 231, § 1, 1-9-95)

### **Sec 20-12558 Signs Allowed Without Permit**

The following signs are allowed without a permit:

a) *Political campaign signs.* Temporary political campaign signs are permitted according to the following

- 1) ~~The sign must contain the name of the person responsible for such sign, and that person shall be responsible for its removal.~~
- 2) ~~Signs are not permitted in the public right-of-way, or within the sight triangle.~~
- 3) ~~Shall comply with the Fair Campaign Practices Act contained in M.S. § 211B.045.~~
- 4) ~~The city shall have the right to remove and destroy signs not conforming to this subsection.~~
- 5) ~~Permitted from 46 days before the state primary in a state general election year until ten days following the state general election and 13 weeks prior to any special election until ten days following the special election.~~
- 5) ~~No such sign shall be located within 100 feet of any polling site.~~
- 6) ~~Sign shall be located on private property with permission of the property owner.~~

b) *Directional signs.*

- 1) ~~On-premises signs shall not be larger than four square feet. The maximum height of the sign shall not exceed five feet from the ground. The placement of directional signs on the property shall be so located such that the sign does not adversely affect adjacent properties (including site lines or confusion of adjoining ingress or egress) or the general appearance of the site from public rights-of-way. No more than four signs shall be allowed per lot. The city council may allow additional signs in situations where access is confusing or traffic safety could be jeopardized.~~
- 2) ~~Permanent off-premises signs shall be allowed only in situations where access is confusing and traffic safety could be jeopardized or traffic could be inappropriately routed through residential streets. The size of the sign shall~~

be no larger than what is needed to effectively view the sign from the roadway and shall be approved by the city council. Temporary off-premises signs are prohibited, unless otherwise specified in this chapter.

- 3) ~~On-premises signs for industrially zoned land in excess of 40 acres shall not exceed 12 square feet. The maximum height of the sign shall not exceed five feet from the ground. The placement of directional signs on the property shall be so located such that the sign does not adversely affect adjacent properties or the general appearance of the site from public right-of-way. No more than four signs shall be allowed per site. The city council may allow additional signs in situations where access is confusing or traffic safety could be jeopardized.~~
- c) ~~Community-based signs or displays~~ which contain or depict a message pertaining to a religious, national, state or local holiday or event and no other matter, and that are displayed for a period not to exceed 40 contiguous days in any calendar year.
  - d) ~~Motor fuel price signs~~ are permitted on the premises of any automobile service station or convenience store selling fuel, only if such signs are affixed to the fuel pumps or are made an integral part of a ground low profile or pylon business sign otherwise permitted in that zoning district. Motor fuel price signs affixed to a fuel pump shall not exceed four square feet in sign display area. When such signs are made an integral part of a freestanding business sign, the sign display area devoted to the price component shall not exceed 30 percent of the total sign display area of the sign.
  - e) ~~Nameplate or integral signs~~ not exceeding two square feet per building and does not include multi-tenant names.
  - f) ~~Nonilluminated construction signs~~ confined to the site of the construction, alteration or repair of a structure or building. Such a sign must be removed within one year from the date of issuance of the first building permit on the site, and may be extended until the project is completed. One sign shall be permitted for each street the project abuts. Commercial and industrial signs may not exceed 50 square feet in sign area, and residential construction signs may not exceed 24 square feet in sign area. Where a nonilluminated construction sign and a temporary development project advertising sign are proposed at the entrance to the project, such signage shall be combined on one sign with a maximum sign area of 64 square feet.

- g) ~~Signs of a public, noncommercial nature, informational signs~~ erected by a governmental entity or agency, including safety signs (O.S.H.A.), directional signs to public facilities, trespassing signs, traffic signs, signs indicating scenic or historical points of interest, memorial plaques and the like. Signs shall not exceed 16 square feet.
- h) ~~Rummage (garage) sale signs. Rummage sale signs shall be removed within two days after the end of the sale and shall not exceed four square feet. Rummage sale signs shall not be located in any public rights-of-way. The city shall have the right to remove and destroy signs not conforming to this subsection. The city may assess a fee in the amount established in chapter 4 of this Code for sign permits for each sign removed by the city. Temporary nonilluminated signs for residential districts. The maximum sign display area shall not exceed four (4) square feet. The maximum height of signs shall be four (4) feet from the ground. The total number of signs shall not exceed two per property. Signs shall not be located in any public rights-of-way. The city shall have the right to remove and destroy signs located within the public rights-of-way.~~
- i) ~~Temporary real estate signs~~ which advertise the sale, rental or lease of real estate subject to the following conditions:
- 1) ~~On-premises real estate signs advertising the sale, rental or lease of the premises upon which the sign is located:~~
    - a) ~~One nonilluminated sign is permitted per street frontage.~~
    - b) ~~Sign display area shall not exceed 16 square feet per sign on property containing less than ten acres in area, and 32 square feet per sign on property containing ten or more acres.~~
    - c) ~~No such sign shall exceed ten feet in overall height, nor be located less than ten feet from any property line.~~
    - d) ~~All temporary real estate signs shall be removed within seven days following sale, lease or rental of the property.~~
    - e) ~~Window signs advertising the sale, rental or lease of a building are permitted subject to the conditions of subsection 20-1265(g).~~
  - 2) ~~Off-premises real estate signs advertising the sale, rental or lease of business and industrial buildings:~~
    - a) ~~One nonilluminated sign is permitted per building.~~

- b) ~~Such signs shall only be permitted in business and industrial districts, and on property located within the same subdivision or development as the building being advertised.~~
- c) ~~Such signs shall not be located closer than 100 feet from any other such sign located on the same side of the street.~~
- d) ~~Sign display area shall not exceed 32 square feet, and the height of such signs shall not exceed ten feet.~~
- e) ~~Such sign shall be setback at least ten feet from any property line.~~
- f) ~~Such signs shall be removed within seven days following the lease or sale of the building floor space which it is advertising.~~
- g) ~~Provide Must receive written permission of property owner.~~

3) ~~Off-premises directional signs which show direction to new residential developments in accordance with the following. The intent of this subsection is to allow short-term signage, for residential development, to familiarize the public with the new development.~~

- a) ~~Such sign shall only be permitted along major arterials and collectors as identified in the comprehensive plan.~~
- b) ~~Only one sign per corner of an intersection per development shall be permitted. There shall not be more than four signs per intersection. Signs shall not be located in any site distance triangle, measured 30 feet from the point of intersection of the property line.~~
- c) ~~Sign display area shall not exceed 32 square feet and the height of such signs shall not exceed ten feet.~~
- d) ~~Such sign shall not be located closer than ten feet from any street right-of-way line, and shall be firmly anchored to the ground.~~
- e) ~~Written permission must be obtained from the property owner upon whose land the proposed sign is to be located.~~
- f) ~~Such sign shall be nonilluminated and kept in good condition.~~
- g) ~~Such sign shall be removed 12 months after the sign has been erected. A sign shall be allowed for each phase of a development.~~

j) ~~Off-premises sign for open house, house for sale or rent, parade of homes, etc.~~ Such signs shall be removed within two days after the end of the event and shall not exceed four square feet. The property owner upon which a sign is located shall provide their approval. The signs shall not be located in any public rights-of-way. The city shall have the right to remove and destroy signs not conforming to this section. The city may assess a fee in the amount established in chapter 4 of this Code for sign permits for each sign removed by the city.

~~j. Employment opportunity signs; (help wanted) which advertise job opportunities for a specific location upon which the sign is located subject to the following conditions:~~

~~1) One nonilluminated sign is permitted per street frontage.~~

~~2) A banner shall not exceed 100-50 square feet of display area and must be affixed to the principle structure.~~

~~3) Freestanding signs shall not exceed 16 square feet of display area and eight feet in height.~~

~~4) No such sign shall be located less than ten feet from any property line.~~

~~5) All temporary employment opportunity signs shall be removed within seven days after the posted position has been filled.~~

~~6) Window signs advertising job opportunities are permitted subject to the conditions of subsection 20-1255(O).~~

k) ~~Corporate flags~~ shall be a maximum size of 35 square feet.

l) ~~Pickup signs; big box retailers and grocery stores are allowed to designate an area of the parking lot for customer pickup/driveup loading of goods purchased in advance subject to the following conditions:~~

~~1) The pickup sign must be located within the parking lot and the placement of pickup sign shall be so located such that the sign does not adversely affect adjacent properties or navigability of the parking lot (including sight lines; confusion of adjoining ingress or egress) or the general appearance of the site from public rights-of-way.~~

~~2) The pickup sign may not exceed 13 feet in height.~~

~~3) The pickup sign's base shall be not more than two feet wide on a side, and no portion of the sign may project beyond the base.~~

~~4) The pickup sign is limited to four square feet of display area per sign face, and no more than 30 percent of the display area shall be used for the business logo or identification.~~

~~5) Businesses with a drive-through facility may not also have a pickup sign.~~

m) Site signage subject to the following conditions:

- 1) Shall be a maximum of 4 square feet.
- 2) The maximum height of the sign shall not exceed five feet from the ground.
- 3) Shall not be placed to affect the safety of traffic or pedestrians.
- 4) The placement of signs on the property shall not adversely affect adjacent properties or the general appearance of the site from public right-of-way.

n) Windows signs subject to the following conditions:

- 1) Shall not exceed 6 square feet per business occupant or owner.
- 2) Signage visible through windows shall not blink, flash, scroll or have any constant illumination, when illuminated, nor be excessively bright as determined by the city.

o) Temporary commercial signs, searchlights, banners, etc. subject to the following conditions:

- 1) Banners attached to the principle structure shall not exceed 140 square feet.
- 2) Detached banners shall not exceed 32 square feet and six feet in height.
- 3) Portable A-frame signs shall not exceed ~~32~~ 8 square feet and six-four feet in height.
- 4) Non-portable signs shall be a maximum of 25 square feet and eight feet in height.
- 5) A business may display an attached or detached banner or portable sign on up to four occasions per calendar year, with a maximum ten-day display period for each occasion.
- 6) ~~Portable~~ Signs and ~~detached~~ banners shall not be located in the public right-of-way.
- 7) No more than one ~~portable~~ sign or detached banner shall be permitted per business tenant at one time.
- 8) Inflatable advertising devices for each site or center are limited to two occasions per calendar year with each occasion not to exceed seven days. The inflatable device shall not exceed 25 feet in height.

9) The use of searchlights shall be limited to three occasions per year with each occasion not to exceed two days. The use of searchlights shall be controlled in such a way so as not to become a nuisance or safety hazard. Searchlights may not be illuminated between the hours of 12:00 midnight and 6:00 a.m.

p) Temporary Non-Commercial Signs subject to the following conditions:

- 1) Signs shall not be located within public right-of-way.
- 2) Shall not exceed 6 square feet.
- 3) Shall not exceed 5 feet in height, as measured from grade to top of sign structure.

(Ord. No. 231, § 1, 1-9-95; Ord. No. 252, § 1, 4-8-96; Ord. No. 377, §§ 139, 140, 5-24-04; Ord. No. 423, §§ 9, 10, 6-12-06; Ord. No. 431, § 2, 9-25-06; Ord. No. 459, § 1, 9-24-07; Ord. No. 468, § 1, 8-11-08; Ord. No. 507, §§ 4, 5, 6-28-10; Ord. No. 510, § 1, 9-13-10; Ord. No. 632, § 18, 6-11-18)

#### **Sec 20-12569 Permit For Temporary Signs, Searchlights, Banners, Etc.**

Temporary signs are permitted/allowed without a permit as follows:

- a) ~~Banners attached to the principle structure shall not exceed 140 square feet.~~
- b) ~~Detached banners shall not exceed 32 square feet and six feet in height.~~
- c) ~~Portable signs shall not exceed 32 square feet and six feet in height.~~
- d) ~~All temporary signage shall meet the following standards:~~
  1. ~~A 30-day display period to coincide with the grand opening of a business or a new development (business park or shopping center which shall be in addition to subsection (d)(2).~~
  2. ~~A business may display an attached or detached banner or portable sign on up to four occasions per calendar year, with a maximum ten-day display period for each occasion.~~
  3. ~~Messages must relate to on-premises products or services, or any noncommercial message.~~
  4. ~~Attached banners, detached banners and portable signs must be located on the property which is owned or leased by the business which the sign is~~

~~advertising. Nonprofit and governmental event banners are excluded from this provision.~~

- ~~5.—Portable signs and detached banners shall not be located in the public right-of-way.~~
  - ~~6.—Portable signs and detached banners are limited to the driveway entrance area.~~
  - ~~7.—No more than one portable sign or detached banner shall be permitted per entrance at any given time.~~
- ~~e)—Inflatable advertising devices are permitted according to the following:~~
- ~~1.—For each site or center, two occasions per calendar year with each occasion not to exceed seven days.~~
  - ~~2.—Written authorization from the property owner or their designee must be submitted with the sign permit application.~~
  - ~~3.—Sign permit issued by city.~~
  - ~~4.—Maximum height of the inflatable shall be 25 feet.~~
- ~~f)—Flashing or blinking portable signs, stingers, and pennants are not permitted.~~
- ~~g)—Large flags flown in high winds may cause a noise nuisance, and, or public safety hazard and are subject to removal by the City upon complaint from residents or businesses.~~
- ~~h)—The use of searchlights shall be limited to three occasions per year with each occasion not to exceed two days. The use of searchlights shall be controlled in such a way so as not to become a nuisance or safety hazard. Searchlights may not be illuminated between the hours of 12:00 midnight and 6:00 a.m.~~

~~(Ord. No. 231, § 1, 1-9-95; Ord. No. 468, § 2, 8-11-08; Ord. No. 485, § 1, 10-12-09; Ord. No. 545, § 1, 6-25-12)~~

## **Sec 20-1259 General Location Restrictions**

- a) No **freestanding** sign or sign structure shall be closer than ten feet to any property line. Signs shall not be located in the sight distance triangle of any private driveway or access. Signs shall not be located in any sight distance triangle of a public intersection.

- b) Signs on nonresidential property which are immediately adjacent to residential uses or districts shall be positioned so that the copy is not visible along adjoining side and rear yard property lines.
- c) No sign, other than governmental signs, shall be erected or placed upon any public street, right-of-way, or project over public property unless approved by the city and contingent upon an approved encroachment agreement. Temporary signs may not be erected or placed in a public easement unless approved by the city. No sign shall be placed within any drainage or utility easement without an approved encroachment agreement.
- d) Signs shall not create a hazard to the safe, efficient movement of vehicular or pedestrian traffic. ~~No private sign shall contain words which might be construed as traffic controls, such as "Stop", "Caution", "Warning", unless the sign, is intended to direct traffic on the premises.~~ No private sign shall duplicate traffic controls, unless the sign is intended to direct traffic on the premises.
- e) No signs, guys, stays or attachments shall be erected, placed or maintained on rocks, fences or trees, nor interfere with any electric light, power, telephone or telegraph wires or the supports thereof.
- f) No sign or sign structure shall be erected or maintained that prevents free ingress or egress from any door, window or fire escape. No sign or sign structure shall be attached to a standpipe or fire escape.
- ~~g) Window signs shall not cover more than 25 percent of the total window area in which they are located. The area of a window sign shall be interpreted as the total window area for that face of the building. Signage visible through windows shall not blink, flash, scroll or have any but constant illumination, when illuminated, nor be excessively bright.~~

(Ord. No. 231, § 1, 1-9-95; Ord. No. 431, § 5, 9-25-06; Ord. No. 451, § 11, 5-29-07)

### **Sec 20-12660 Maintenance And Repair**

Signs and sign structures shall be properly maintained and kept in a safe condition. Sign or sign structures which are rotted, unsafe, deteriorated or defaced shall be repainted, repaired, replaced or removed by the licensee, owner or agent of the building upon which the sign stands immediately upon notification by the city. If the permittee or owner fails to remove or alter the sign so as to comply with the provisions set forth in this chapter within 30 calendared days following receipt of written notice:

- a) Such permittee or owner may be prosecuted for violating this chapter and if convicted shall be guilty of a misdemeanor. Each day a violation exists shall constitute a separate offense.

All signs shall be subject to inspection by the building official, or any other official of the city who may be appointed by him, to ascertain if the provisions of this chapter are being met.

(Ord. No. 231, § 1, 1-9-95)

### **Sec 20-12671 Uniformity Of Construction, Design, Etc.**

- a) All permanent signs shall be designed and constructed in a uniform manner and, to the extent possible, as an integral part of the building's architecture. Multi-tenant commercial and industrial buildings shall have uniform signage. ~~When buildings or developments are presented for site plan review, proposed signs for the development shall be presented concurrently for staff review. All planned centers and multi-tenant buildings shall submit a comprehensive sign plan for approval by the planning commission and city council.~~
  - 1) All wall signage shall use individual dimension letters, at least one-half inch deep. ~~Company logos, display messages (not greater than six inches tall), pictorial presentations, illustrations, or decorations (anything other than wording) or wall signage that is less than 20 percent of the total sign display area are exempt from the individual dimension letter requirement.~~
  - 2) Wall signs shall meet the following criteria:
    - a) Backlit or exposed lighting shall be architecturally compatible with the building and other signage if in a multi-tenant building.
    - b) If a ~~neon~~ sign is illuminated, the luminance shall not to exceed 5,000 Nits between the hours of civil sunrise and civil sunset and not to exceed 500 Nits between the hours of civil sunset and civil sunrise.
    - c) If a sign is non-illuminated, downcast decorative lighting compatible with the building architecture may be used.

b) All permanent monument or pylon signs shall be designed and constructed in a uniform manner and, to the extent possible, as an integral part of the building's architecture. Multi-tenant commercial and industrial buildings shall have uniform signage. ~~When buildings or developments are presented for site plan review, proposed signs for the development shall be presented concurrently for staff review. All planned centers and multi-tenant buildings shall submit a comprehensive sign plan for approval by the planning commission and city council.~~

~~1) Letters on a monument sign All center, development name or an individual tenant building signage on a monument or pylon sign shall use individual dimension letters, at least one-half inch deep.~~

~~2) Registered trademarks, company symbols, display messages (less than six inches tall), pictorial presentations, illustrations, or decorations (anything other than wording) and less than 20 percent of the total sign display area are exempt from the individual dimension letter requirement.~~

3) In multi-tenant buildings, tenant panels may be used and shall be exempt from the individual dimension letter requirement.

~~4) Company logos shall not occupy more than 30 percent of the sign display area and are exempt from the individual dimension letter requirement.~~

5) All on-premises freestanding signs must have structural supports covered or concealed with pole covers. The actual structural supports should not be exposed, and the covers should be architecturally and aesthetically designed to match the building.

~~6) Pylon sign pole covers shall be a minimum height of eight feet.~~

7) Illuminated signs shall be shielded to prevent lights from being directed at oncoming traffic in such brilliance that it impairs the vision of the driver. No such signs shall interfere with or obscure an official traffic sign or signal; this includes indoor signs which are visible from public streets. Illumination for a sign or groups of signs shall not exceed one-half foot candle in brightness as measured at the property line.

(Ord. No. 231, § 1, 1-9-95; Ord. No. 423, § 11, 6-12-06; Ord. No. 468, § 3, 8-11-08; Ord. No. 485, § 2, 10-12-09; Ord. No. 507, § 6, 6-28-10; Ord. No. 544, § 1, 6-25-12)

**Sec 20-127662 Electronic Message Center Signs**

Electronic message center (EMC) signs ~~and time and temperature signs~~ shall comply with the following standards:

- a) No electronic message center sign may be erected that, by reason of position, shape, movement or color interferes with the proper functioning of a traffic sign, signal or which otherwise constitutes a traffic hazard.
- b) **Public/Community signs, e**Electronic and nonelectronic message center space used on a sign shall not exceed the following display area:

Sign display area	EMC Display
0—24 sq. ft.	50%
25—64 sq. ft.	45%
65—80 sq. ft.	40%

- c) **Electronic message center signs for gas stations shall meet the following requirements:**
  - 1) **One single or double-sided EMC display area is permitted but shall not exceed 8 square feet per side of a monument or pylon sign.**
- d) Electronic message center displays shall not exceed 5,000 Nits between the hours of civil sunrise and civil sunset and shall not exceed 500 Nits between the hours of civil sunset and civil sunrise.
- e) Electronic message center signs shall not cause direct glare, nor become a distraction due to excessive brightness.
- f) The lamp wattage and luminance level in candelas per square meter (Nits) shall be provided at the time of permit applications.
- g) There shall be no electronic message center signs within the site visibility triangle.
- h) There shall be no electronic message center signs within 125 feet of a property zoned for low density residential.

~~i) Flashing, special effects, video or animated scenes on electronic message center signs shall be prohibited.~~

j) Electronic message center signs shall not be located in agricultural or residential zoning districts.

k) Electronic message center sign display use for signs within 500 feet of single-family residential homes shall be limited to the hours between 6:00 a.m. and 12:00 p.m.

(Ord. No. 482, § 2, 8-10-09)

## **DIVISION 20-XXVI-2 SIGNS ALLOWED IN SPECIFIC DISTRICTS BY PERMIT**

Sec 20-1301 Agricultural And Residential Districts

Sec 20-1302 Neighborhood Business, Fringe Business And Office And Institutional Districts

Sec 20-1303 Highway; and General Business Districts ~~And Central Business Districts~~

Sec 20-1304 Industrial Office Park Signs

Sec 20-1305 Central Business District Signs

### **Sec 20-1301 Agricultural And Residential Districts**

The following signs are allowed by permit in the A-2, RR, RSF, R-4, RLM, R-8, R-12, R-16, and residential PUD districts:

a) *Public and institutional signs.* One ground low profile or wall sign, not exceeding 24 square feet of sign display area, shall be permitted on the premises of any public or institutional property. Such sign shall be located at least ten feet from any property line, and shall not exceed five feet in height.

b) *Entrance signs.* Only one monument sign may be erected at the entrance(s). Total sign area shall not exceed 24 square feet of sign display area, nor be more than five feet high. More than one sign per entrance may be erected, provided that the total sign area does not exceed 24 square feet. Any such sign or monument shall be designed with low-maintenance, high quality materials. The adjacent property owner or a homeowners association shall be responsible for maintenance of the entrance sign and surrounding grounds and landscaped areas. Such sign shall be located so as not to conflict with traffic visibility or street maintenance operation, and shall be securely anchored to the ground.

- c) *Nonresidential uses.* Only one monument sign may be permitted on the site. The total sign area shall not exceed 24 square feet of sign display area, nor be more than five feet in height.

(Ord. No. 231, § 1, 1-9-95; Ord. No. 252, § 2, 4-8-96; Ord. No. 314, § 1, 3-26-01; Ord. No. 377, § 142, 5-24-04)

**Sec 20-1302 Neighborhood Business, Fringe Business And Office And Institutional Districts**

The following signs shall be allowed by permit in any OI, BF or BN districts:

- a) *Ground low profile signs.* One ground low profile sign not exceeding 24 square feet of sign display area shall be permitted. Such sign shall be located at least ten feet from any property line and shall not exceed five feet in height.
- b) *Wall signs.*
  - 1) One wall sign shall be permitted on the street frontage for each business occupant within a building. In buildings where individual entrances do not front on a public street, a wall sign may be permitted on the entrance facade consistent with the approved comprehensive sign plan.
  - 2) The sign shall have a sign display area that is in compliance with the district standards. Wall signs shall not be mounted upon the wall of any building which faces any adjoining residential district without an intervening building or street.

Maximum Percentage of Wall Area	Wall Area in Square Feet
<del>15%</del>	<del>0—600</del>
<del>13%</del>	<del>601—1,200</del>
<del>11%</del>	<del>1,201—1,800</del>
<del>9%</del>	<del>1,801—2,400</del>
<del>7%</del>	<del>2,401—3,200</del>

5%	3,201—4,500
3% not to exceed 275 square feet	4,500+

- 3) The total of all wall mounted sign display areas for each business shall not exceed the square footage established in the following table:

Wall Area in Square Feet	Maximum Percentage of Wall Area
0—600	15%
601—1,200	13%
1,201—1,800	11%
1,801—2,400	9%
2,401—3,200	7%
3,201—4,500	5%
4,500+	3% not to exceed 275 square feet

~~c) Wall signs shall not include product advertising. Wall signs shall only include tenant identification, tenant logo or registered trademark, center name, or any combination of the three.~~

d) Public/community signs on property owned or leased by a governmental unit and operated by a governmental unit.

- 1) One monument sign shall be permitted per site for each street frontage. Such sign shall not exceed 120 square feet in display area nor be greater than eight feet in height.

- 2) Electronic message center signs may be permitted as part of the sign display area. Such sign does not require a conditional use permit.
- 3) Electronic message center signs shall comply with the ~~following~~ standards as stated in 20-1262.
  - ~~a)–Electronic message center space used on a sign shall not exceed a total of 40 square feet.~~
  - ~~b)–No electronic message center sign may be erected that, by reason of position, shape, movement or color interferes with the proper functioning of a traffic sign, signal or which otherwise constitutes a traffic hazard.~~
  - ~~c)–Electronic message center displays shall not exceed 5,000 Nits between the hours of civil sunrise and civil sunset and shall not exceed 500 Nits between the hours of civil sunset and civil sunrise.~~
  - ~~d)–Electronic message center signs shall not cause direct glare, nor become a distraction due to excessive brightness.~~
  - ~~e)–The lamp wattage and luminance level in candles per square meter (Nits) shall be provided at the time of permit application.~~
  - ~~f)–There shall be no electronic message center signs within 50 feet of a street intersection (as measured from intersecting right-of-way lines) or within 125 feet of a residential district, except where lighting for such sign is indirect or diffused and in no way constitutes a traffic hazard.~~
  - ~~g)–Flashing, special effects or animated scenes on electronic message center shall be prohibited.~~
  - ~~h)–Electronic message center sign display use for signs within 500 feet of single-family residential homes shall be limited to the hours between 6:00 a.m. and 10:00 p.m.~~

(Ord. No. 231, § 1, 1-9-95; Ord. No. 377, § 143, 5-24-04; Ord. No. 409, § 7, 1-9-06; Ord. No. 409, § 7, 1-9-06; Ord. No. 468, §§ 4, 5, 8-11-08; Ord. No. 482, § 3, 8-10-09)

**Sec 20-1303 Highway, and General Business Districts ~~And Central Business Districts~~**

The following signs shall be allowed by permit in any Highway Business and General Business District ~~or "CBD" District:~~

Principle Structure	Pylon		Ground Low Profile	
	Height (feet)	Sign Size (square feet)	Height (feet)	Sign Size (square feet)
50,000 sq. ft. or greater	20	80	10	80
Less than 50,000 sq. ft.	16	64	8	64

The following table lists the standards for freestanding and ground low profile signs in the Highway Business and General Business districts ~~or CBD zone~~.

- a) *Pylon sign*. Pylon signs are permitted on parcels that abut state highway corridors only. One pylon sign shall be permitted. The height and square footage of the sign shall be based on the square footage of the principal structure as shown in the table. Such signs shall be located at least ten feet from any property line.
- b) *Ground low profile signs*. One ground low profile sign shall be permitted per each outlot or separate building pad that has street frontage. The height and square footage of the sign shall be based on the table above. Such signs shall be located at least 300 feet from any other pylon or ground sign on the parcel and at least ten feet from any property line.
- c) *Wall signs*.
  - 1) One wall sign shall be permitted on the street frontage for each business occupant within a building. In buildings where individual entrances do not front on a public street, a wall sign may be permitted on the entrance facade consistent with the approved comprehensive sign plan.
  - 2) ~~The sign may contain the name, logo, company symbols, display messages, pictorial presentations, illustrations, or decorations of the business only and shall have a sign display area that is in compliance with the district standards.~~ Wall business signs shall not be mounted upon the wall of any building which faces any adjoining residential district without an intervening building or street.
  - 3) The total of all wall mounted sign display areas for each business shall not exceed the square footage established in the following table:

Wall Area in Square Feet	Maximum Percentage of Wall Area
0—600	15%
601—1,200	13%
1,201—1,800	11%
1,801—2,400	9%
2,401—3,200	7%
3,201—4,500	5%
4,500+	3% not to exceed 275 square feet

- d) **Drive-Through Sign**~~Menu board~~. One **drive-through menu board** sign per restaurant drive-through aisle is permitted with a drive-through facility. Such sign shall not exceed 45 square feet in size, nor greater than eight feet in height. Such sign is permitted in addition to any other sign permitted in the zoning district.

(Ord. No. 314, § 2, 3-26-01; Ord. No. 377, §§ 144, 145, 5-24-04; Ord. No. 409, § 8, 1-9-06; Ord. No. 468, § 4, 8-11-08; Ord. No. 628, § 49, 12-11-17)

### **Sec 20-1304 Industrial Office Park Signs**

The following signs shall be allowed by permit in any Industrial Office Park district:

- a) *Pylon signs*. Pylon signs are permitted on parcels that abut state highway corridors only. One pylon or one ground low profile sign shall be permitted. A pylon sign shall not exceed 80 square feet on a state highway in sign area and shall not exceed 20 feet in height. Such sign shall be located at least ten feet from any property line.
- b) *Ground low profile signs*. One ground low profile sign shall be permitted per site for each street frontage. Such sign shall not exceed 64 square feet, except on a state highway, in display area nor be greater than eight feet in height. Such sign shall be located at least ten feet from any property line. A ground low profile sign on a state highway may not exceed 80 square feet and eight feet in height. Such sign shall be located at least ten feet from any property line.

c) *Wall signs.*

- 1) One wall sign shall be permitted on the street frontage for each business occupant within a building. In buildings where individual entrances do not front on a public street, a wall sign may be permitted on the entrance facade consistent with the approved comprehensive sign plan.
- 2) The sign shall have a sign display area that is in compliance with the district standards. Wall signs shall not be mounted upon the wall of any building which faces any adjoining residential district without an intervening building or street.
- 3) The total of all wall mounted sign display areas for each business shall not exceed the square footage established in the following table:

<b>Wall Area in Square Feet</b>	<b>Maximum Percentage of Wall Area</b>
0—600	13%
601—1,200	11%
1,201—1,800	9%
1,801—2,400	8%
2,401—3,200	5%
3,201—4,500	3%
4,500+	2% not to exceed 275 square feet

**Sec 20-1305 Central Business District Signs**

- a) One wall sign shall be permitted on the street frontage for each business occupant within a building. In buildings where individual entrances do not front on a public street, a wall sign may be permitted on the entrance façade.

Wall Area in Square Feet	Maximum Percentage of Wall Area
0—600	9%
601—1,200	8%
1,201—1,800	7%
1,801—2,400	6%
2,401—3,200	5%
3,201—4,500	4%
4,501+	3% not to exceed 275 square feet

- b) A projecting sign may be permitted in accordance with the standards listed below.
- 1) Must provide a clearance of 8' from the adjacent sidewalk or finished surface.
  - 2) Projecting signs shall only be located on the first floor and shall not exceed 6 square feet in sign area.
  - 3) Projecting signs are limited to a projection distance of not more than four (4) feet. This is measured from edge of building face to outer edge of the projecting sign furthest from the building face.
- c) Canopy signs may be permitted as follows:
- 1) A canopy sign shall not be installed in addition to a wall sign.
  - 2) Shall be limited to one per street frontage for each business occupant within a building.
  - 3) Signs shall adhere to permitted wall sign area.
- d) Awning Signs subject to the following conditions:
- 1) Each business occupant or owner shall be limited to one awning sign.
  - 2) Shall not exceed 30% of the awning area, not to exceed 8 square feet.
  - 3) Shall not project from the surface of the awning.

c) Signage shall adhere to the Downtown Design Guidelines.