

## **Zoning Code Chapter 9**

### **Signs**

**Article 1. General Conditions, §§ 9-010--9-046**

**Article 2. Residential Zoned Districts, §§ 9-050--9-060**

**Article 3. Commercial and Industrial Zoned Districts, §§ 9-070--9-180**

#### **Article 1. General Conditions**

##### **Sec. 9-010. Purpose.**

The intent of this Chapter is to permit the use of signs that are compatible with their surroundings and are legible while at the same time assuring that the public is not endangered or distracted by the unsafe or indiscriminate use of such signs.

The City Council has determined that the regulations in this Chapter are necessary for the following reasons, among others:

- (1) To preserve the residential character of residential neighborhoods;
- (2) To preserve order and cleanliness;
- (3) To avoid the appearance of clutter;
- (4) To protect property values;
- (5) To avoid litter and the growth of weeds around signs;
- (6) To reduce the traffic hazard caused by distractions to motorists and impairment of sight lines;
- (7) To ensure that the City remains an attractive place to live and work;
- (8) To reduce administrative burdens; and,
- (9) To protect the health, safety, welfare, morals, convenience, and comfort of the public. (Ord. No. 534, 9-24-85; Ord. No. 583, 10-22-91; Code of 2001)

##### **Sec. 9-020. Permits.**

- (1) A permit shall be required for the erection, relocation, repair or modification of a sign regulated by this Code except those signs not requiring permits under Section 9-040.
- (2) No sign shall be erected, modified, or relocated nor shall repairs be made costing more than \$50.00 without first obtaining a permit. The permit will be void within three months if the sign has not been installed.

- (3) A permit may be obtained by submitting a completed application to the City.
- (4) Permit fees shall be established by resolution. (Ord. No. 534, 9-24-85; Code of 2001)

**Sec. 9-030. Definitions.**

- (1) ***Above-Roof Sign.*** A sign, any portion of which is displayed above the peak of the roof-line or beyond the outline of the building or roof as viewed from the front of the sign.
- (2) ***Animation Sign.*** A sign that displays a collection of static images joined together and shown consecutively so that they appear to move.
- (3) ***Billboard.*** A free-standing sign that directs attention to a business, commodity, service, or entertainment not exclusively related to the premises where the sign is located or to which it is affixed, or a structure designed to display or support such a sign.
- (4) ***Canopy Sign.*** A cloth or cloth-like covering suspended over a window or door that displays a name or logo of the business within.
- (5) ***Dynamic Sign.*** A sign that exhibits any characteristics of movement or that appear to change, caused by any method other than physically removing and replacing the sign or its components, whether the apparent movement or change is in the display, the sign structure itself, or any other component of the sign.
- (6) ***Electric Sign.*** Any sign containing electrical wiring, and/or is defined as dynamic, but not including signs illuminated by an exterior light source.
- (7) ***Encased Bulletin Boards.*** A sign with a see-through cover and changeable letters used by institutions such as churches, public facilities, or schools to display hours of operation, special events, services, or other related information.
- (8) ***Freeway Sign.*** Any sign which is oriented in such a way as to primarily display its contents to persons traveling on interstate highway I-35W and I-694 and Trunk Highway 88.
- (9) ***Ground Sign.*** Any stationary sign placed upon the ground and not attached to a building, excluding billboards.
- (10) ***Moving Sign.*** Any sign that is animated or revolving, up and down or sideways, mechanically or otherwise.
- (11) ***Luminance.*** The measure of the light emanating from an object with respect to its size and is the term used to quantify electronic sign brightness.
- (12) ***Nit.*** A measure of luminance.
- (13) ***Manual Changeable Copy Signs.*** A sign or portion thereof on which numerals or letters can be changed or rearranged manually without altering the face or surface of the sign.

- (14) **Nonconforming Sign.** Any sign or combination of signs that were lawfully established and that do not comply with all applicable provisions of this Chapter.
- (15) **Portable Sign.** A mobile advertising device that is capable of being transported from one location to another and that is not permanently attached to the ground, a sign structure, or a building.
- (16) **Projecting Sign.** A sign attached to a building and projecting more than eighteen inches.
- (17) **Non-Commercial Sign.** A sign that does not advertise products, goods, businesses, or services.  
(Ord. 860, 3-27-2018)
- (18) **Revolving Sign.** A sign that moves in an orbit, rolls, or turns on or around an axis or a center.
- (19) **Sandwich Board Sign.** A sign consisting of two boards connected at the top, displaying a front and back, and used to display speech that directs attention to a business, commodity, service or entertainment.  
(Ord. 860, 3-27-2018)
- (20) **Scrolling Sign.** A sign that moves through text or graphics (up, down, left, or right) so that you can see parts of a file or list that cannot fit on the entire screen.
- (21) **Selected Signable Area.** A signable area that is selected for use to apply a wall sign. It is an area of a building free of windows or doors. The maximum size of the selected signable area is determined by calculating the number of square feet that are enclosed by an imaginary rectangle around this area.
- (22) **Sign.** Any letter, number, symbol, configuration or combination thereof designed and displayed to attract the attention of the public while on public streets, highways, or walkways.
- (23) **Signable Area.** Any area of the wall of a building, free of windows or doors upon which wall signs are permitted.
- (24) **Spinning Sign.** A sign that revolves quickly and repeatedly around one's own axis or displays a swift whirling motion.
- (25) **Temporary Sign.** A sign, banner, pennant, balloon, streamer or advertising device intended to be displayed for a period not to exceed thirty days.
- (26) **Video Sign.** A sign delivering information created from the recording of real events to be processed simultaneously by a learner's eyes and ears.
- (27) **Wall.** All the exterior surface of a building from ground level to the highest point of the roof.
- (28) **Wall Sign.** A sign painted or affixed to any exterior wall of a building that is projecting no more than eighteen inches.
- (29) **Window Sign, Permanent.** A sign placed in or on a window that is visible from a public right-of-way and that is more or less permanently attached in such a manner that it is clearly intended to be left in place for a period of more than thirty days.

(30) **Window Sign, Temporary.** A sign placed in or on a window that is readily removable and will not be left in place for a period exceeding thirty days. (Ord. No. 534, 9-24-85; Ord. No. 583, 10-22-91; Ord. No. 620, 2-13-96; Code of 2001; Ord. No.758, 3-11-08, Ord No. 804, 10-25-2011, Ord No. 809, 1-24-2012)

**Sec. 9-040. General Provisions Applicable to All Districts.**

(1) The following signs are prohibited in all zoning districts:

- A. Projecting signs.
- B. Above-roof signs.
- C. Moving signs.
- D. Spinning, scrolling, or revolving signs.
- E. Signs with animation or video capabilities.
- F. Portable signs.

(2) The following signs are excluded from the requirements of this Chapter:

- A. Architectural details of buildings including corner-stones, crosses, or other identifying details that are part of the buildings.
- B. Signs affixed to bus stop benches. Such signs shall not exceed ten square feet in area.
- C. Official traffic signs and signals.

(3) The following signs are subject only to section 9-040 (5) and do not require permits:

- A. House and building numbers for addressing purposes not exceeding twelve inches in height.
- B. Official governmental information signs.
- C. Interior signs and building directories not readily visible from a public right-of-way.
- D. Signs under four square feet in area either affixed to a building or located on the ground not exceeding a height of four feet and setback seven feet from a street right-of-way line.
- E. Non-commercial signs of any size may be posted in any number in even numbered years from 46 days before the state primary election until ten days following the state general election and in odd numbered years from the last day of candidate filing until ten days following the city election. All such signs shall be subject to the following requirements:
  - 1. Signs are permitted on private property only and may be placed only upon approval of the property owner.
  - 2. No such sign may be located closer than seven feet to the paved portion of a street.
  - 3. The property owner on which campaign signs are located shall be responsible for the removal of such signs within ten days following the election.  
(Ord. No. 801, 06-28-2011)

F. For the purposes of selling, renting, or leasing a single parcel, a single unlighted sign. The sign is not to exceed six square feet in area in residential districts and 32 square feet in area in business and industrial districts.

G. In addition to all other signs permitted under this Chapter, each lot that is being used for residential purposes may contain one non-commercial opinion sign for each street frontage.

- 1. Such signs are permitted on private property only and may be placed only upon approval of the property owner.
- 2. Such signs may not exceed six square feet in area or four feet in height.
- 3. Such signs may not be located closer than seven feet to the paved portion of a street and must be at least five feet from any other privately owned property.
- 4. All signage shall adhere to the following safety standards:

A. *Design Standards.* Signs shall be designed and constructed to meet the standards of the International Building Code. All signs shall be constructed in such a manner and of such material that they shall be safe and substantial provided that nothing in this Chapter shall be interpreted as authorizing the erection or construction of any signs not now permissible under the City's zoning, building, or electrical codes. Signs that become unsafe shall be ordered repaired or removed by the City.

B. *Electric and/or Dynamic Signs.* All electric and/or dynamic signs shall be designed and installed in accordance with the electrical code and shall obtain an electrical permit.

C. *Clearance from High-Voltage Power Lines.* Signs shall be located no less than six feet horizontally or twelve feet vertically from overhead electrical conductors that are energized in excess of 750 volts. The term "overhead conductors" as used in this Section means any electrical conductor, either bare or insulated, above the ground except such conductors that are enclosed in iron pipe or other material covering of equal strength.

D. *Clearance from Fire Escapes, Exits or Standpipes.* No sign shall be erected or maintained in such a manner that any portion of its surface or supports will interfere in any way with fire ingress or egress from any door, window or fire escape. No sign shall be attached to a standpipe or fire escape.

E. *Obstruction of Openings.* No sign shall obstruct any opening to such an extent that light or ventilation is reduced to a point below that required by the International Building Code. Signs erected within five feet of an exterior wall in which there are openings within the area of the sign shall be constructed of noncombustible material or approved plastics.

F. *Traffic Flow.* No sign shall be used at any location or in any manner where it may be confused or construed as a traffic-control device or create a traffic hazard.

G. *Sign Maintenance.* The owner of any sign shall properly maintain and keep the sign in a safe, orderly condition and keep such sign, including all parts and supports, properly painted. (Ord. No. 534, 9-24-85; Ord. No. 583, 10-22-91; Code of 2001; Ord. No. 758, 3-11-08, Ord No 804, 10-25-2011; Ord. 860, 3-27-2018)

#### **Sec. 9-041. Area of Special Control.**

(1) It is recognized that regulations provided in this Chapter cannot sensitively handle all the sign situations in the City. Therefore, the City Council may designate by resolution any of the following as areas of special control:

A. *Scenic Areas.* Are areas where special architectural or historical characteristics or where natural beauty requires special sign regulations to ensure that all signs used within the areas are compatible with each other.

B. *Shopping Centers.* Are more intensive commercial areas signs should be permitted that differ from those that would otherwise be allowed under this Chapter. A shopping center is a premises planned and developed as a unit, with an undivided or nonsegregated parking area that is advertised as a center and has multiple occupancy.

C. *Renewal Areas.* Are areas designed for renewal, redevelopment, or as development districts in accordance with the procedures established in Minnesota Statutes.

(2) In areas of special control, the City Council may, by special permit, establish special regulations for signs that are either more restrictive or less restrictive than those provided by this Chapter, having regard for the character of the area of special control to which the special permit will apply.

A. In scenic areas, it is generally expected that sign regulations will be more restrictive than those that would otherwise be applicable under this Chapter.

B. For shopping centers, in addition to general standards in Section 9-040, the following apply:

1. The shopping center should be identified by a single ground sign for the purpose of center identification.

2. The height and size limitations of a ground and wall sign shall follow the B-3 zoning requirements, unless approved otherwise through the special use permit provisions herein.

3. would be an identity sign only.

C. In renewal areas it is recognized that Zoning Code regulations may have to be varied to creatively and reasonably revitalize the area. It is the intent of this paragraph that a comprehensive sign plan shall be a component of an overall renewal plan and be sensitive to and compatible with the unique physical circumstances that may be created by a renewal project. The general purposes of sound identification, reduction or clutter, and aesthetic enhancement shall, however, be the controlling standard.

(3) Special use permits for signs in areas of special control shall be issued as part of an overall sign plan for that area. The plan, when approved by City Council, shall constitute the permitted signs for that area and any future change to the plan shall be submitted under special permit procedure and when adopted shall become part of that plan.

(4) The procedure for obtaining a special permit under Section 9-041 shall be as set forth in Chapter 8 of the Zoning Code except that no special permit establishing a sign plan shall be recommended by the Planning Commission unless it shall find:

A. That the sign plan provides sound identification, reduction of clutter, and aesthetic enhancement.

B. That the sign plan is sensitive to and compatible with physical circumstances of the site and buildings.

C. That the sign plan is not detrimental to public safety.

D. That the sign plan will not impede the normal and orderly placement of signs on surrounding properties. (Ord. No. 534, 9-24-85; Previously was Section 9-150; Code of 2001)

#### **Sec. 9-042. Variance.**

The procedure for obtaining a variance shall be as set forth in Chapter 8 of the Zoning Code. Before a variance can be granted, special circumstances constituting practical difficulties and involving size, shape, topography, location, or surroundings must attach to the property referred to in the application that do not apply generally to other properties in the same district. The granting of a variance must not result in

material damage or prejudice to other property in the vicinity nor be detrimental to public safety or welfare. (Ord. No. 534, 9-24-85; Previously was Section 9-160; Code of 2001; Ord. 860, 3-27-2018)

#### **Sec. 9-043. Nonconforming Signs.**

(1) Any legal nonconforming temporary or portable sign existing as of September 24, 1985 shall be made to comply with the requirements set forth herein or shall be removed within sixty days of September 24, 1985.

(2) Nonconforming permanent signs lawfully existing as of September 24, 1985 shall be allowed to continue in use, including through repair, replacement, restoration, maintenance, or improvement, but not including expansion unless the sign is destroyed by fire or other peril to an extent of greater than fifty percent ~~or more~~ of its estimated market value, as indicated in the records of the county assessor at the time of damage, and no permit has been applied for within 180 days of when the property is damaged. After a nonconforming sign has been removed, it shall not be replaced by another nonconforming sign. (Ord. 860, 3-27-2018)

(3) Whenever use of a nonconforming sign has been discontinued for a period of three months, such use shall not thereafter be resumed unless in conformance with the provisions of this Chapter. (Ord. No. 534, 9-24-85; Ord. No. 620, 2-13-96; Previously was Section 9-170; Code of 2001)

#### **Sec. 9-044. Election Year Exemption.**

To the extent that any section of the City Code conflicts with the provisions of Minnesota Statutes, Section 211B.045, the State law shall prevail. (Ord. No. 620, 2-13-96; Previously was Section 9-190; Code of 2001)

#### **Sec. 9-045. Billboards.**

(1) ***New Billboards.*** No billboard shall be erected within the City unless a permit has been issued for erection of the billboard prior to February 1, 1996. Billboards erected on or after (insert effective date of ordinance) may be permitted, subject to the following standards:

- A. The underlying property zoning shall be B-4, Downtown Business;
- B. The property has frontage abutting either Interstate 694 or Interstate 35W;
- C. The billboard shall not exceed dimensions of 14' x 48';
- D. The maximum height of the billboard shall not exceed 70';
- E. Only one billboard permitted per property, and
- F. Compliance with Minnesota Department of Transportation standards and permitting requirements.

(2) ***Existing Billboards.*** Billboards that have been erected prior to February 13, 1996 or for which a permit has been issued for erection prior to February 13, 1996 are hereby deemed a nonconforming use unless they meet the requirements in Section 9-045 (1) (A - F).

(3) ***Permit Required.*** Existing billboards or new billboards meeting the requirements in Section 9- 045 (1) (A – F) must obtain a Sign Permit from the Code Compliance Inspector in order to erect the sign or to alter or change a message to ensure compliance with Section 9-043 above.

(Ord. No. 534, 9-24-85; Ord. No. 620, 2-13-96; Previously was Section 9-130; Code of 2001; Ord. No. 758, 3-11-08; Ord. 860, 3-27-2018)

**Sec. 9-046. Temporary Sign and Sandwich Board Signs.**

(1) Temporary signs, other than those specified in Section 9-040, shall require permits unless otherwise provided in this section.

(2) Each business may be issued four (4) temporary sign permits during any calendar year. Such temporary signs shall not be on display more than fourteen (14) days. Temporary sign permits may be issued for consecutive periods but only one temporary sign per business shall be displayed at a time

(3) Temporary signs shall not exceed 32 square feet in area.

(4) Businesses that are not located in multiple occupancy buildings and that have an established dynamic sign shall not be permitted temporary signing.

(5) Each business may be permitted one sandwich board sign to be displayed daily, during business hours only, without permit. Such sign shall not exceed 36" x 24" per side and must be located outside of the right-of-way.

(1) A property that has a new business that is having a grand opening or a property that has a business that is going out of business may display a temporary sign for thirty (30) days. Said sign will not be counted towards the temporary sign allowances in Section 9-046(2) above. Such signs shall not require a permit or pay a fee. (Ord. No. 534, 9-24-85; Previously was Section 9-140; Code of 2001; Ord. No. 758, 3-11-08, Ord No. 809, 01-24-2012)

(7) Residential properties hosting garage sales, rummage sales, or produce grown on the premises sales may have one temporary sign that does not exceed six (6) square feet in area and does not exceed four (4) feet in height. No temporary sign permit or fee is required, however, signs must not be on display for more than seven (7) days. Signs must be removed within one day after the sale. No sign may be located closer than seven (7) feet to the paved portion of the street.

(8) When a property is for sale, a temporary sign may be erected off of the premises offered for sale that does not exceed six square feet in area and does not exceed four (4) feet in height. No temporary sign permit or fee is required, however, signs must not be on display for more than three days in any seven day period. No sign may be located closer than seven (7) feet to the paved portion of the street.

(9) Institutions or businesses hosting special events may have one temporary sign that does not exceed six (6) square feet in area and does not exceed four (4) feet in height. No temporary sign permit or fee is required, however, signs must not be on display for more than seven (7) days. Signs must be removed one day after the event. No sign may be located closer than seven (7) feet to the paved portion of the street. (Ordinance 860, 3-27-2018)



**Sec. 9-047. Substitution Clause.**

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

**Sec. 9-048. Severability Clause.**

If any subsection, sentence, clause, or phrase of this chapter is for any reason held to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this section. The city council hereby declares that it would have adopted this section in each subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more subsections, sentences, clauses, or phrases be declared invalid. (Ordinance 860, 3-27-2018)

**Article 2. Residential Zoned Districts**

**Sec. 9-050. Residential Zoning Districts, R-1, R-2, and R4.**

(1) ***Institutional Sign.*** A single sign and/or encased bulletin board is permitted for any property which includes a church, public facility, or a school.

A. A ground sign authorized under this section shall not exceed thirty-two square feet in area, not exceed ten feet in height and shall be placed not less than ten feet from any street right-of-way.

B. A wall sign authorized under this section shall not exceed twenty percent of the designated signable area or 200 square feet in area, whichever is less. (Ord. 746, 8-22- 2006)

(2) ***Signs on Residential Project Sites.*** A single unlighted sign may be displayed on a property containing a residential project where 10 or more new dwelling units, vacant lots, or combination thereof are initially being offered for sale or rent. The sign may remain for a duration not to exceed two years. Such sign shall not be more than ten feet in height and 32 square feet in area, except that the area of the sign may be increased to 64 square feet so long as it is situated no closer than 150 feet from the property line of an occupied residence that is not a part of the project.

(3) ***Temporary Signs.*** Temporary signs are permitted and are subject to the regulations of Section 9-046.

(4) ***Electronic and/or Dynamic Signs.*** A single such sign per lot shall be permitted by special use permit, and is subject to the requirements of institutional signs. Signs defined as dynamic must adhere to the following operating conditions:

A. Message changes may not occur any more frequent than once per 8 seconds. Excluded from this standard are time, temperature, and fuel price signs.

B. 35 feet of separation from another sign considered dynamic.

C. Luminance levels must comply with the following: 5,000 nits – 7,000 nits in the daytime hours and not more than 500 nits in the nighttime hours.

D. The sign manufacturer must submit certification at the time of Sign Permit issuance that the sign has the mechanical capabilities to control luminance at the levels noted in C above. In no instance shall the sign have the mechanical capabilities to exceed 7,000 nits.

(Ord. No. 534, 9-24-85; Code of 2001, Ord. No. 758, 3-11-08)

(5) **Manual Changeable Copy Signs.** A single such sign per lot may be permitted by special use permit, and is subject to the requirements for institutional signs as noted in this Section. Additionally, such sign shall not exceed 50% of the allowable sign area or 32 square feet, whichever is less. (Ord. No. 534, 9-24-85; Code of 2001, Ord. No. 758, 3-11-08 (Ord. No. 804, 10-25-2011; Ord. 860, 3-27-2018)

#### **Sec. 9-060. Residential Zoning Districts, R-3A and R-3B.**

(1) **Institutional Sign.** A single sign and/or encased bulletin board is permitted for any property which includes a church, public facility, or school.

A. A ground sign authorized under this section shall not exceed thirty two square feet in area, not exceed ten feet in height and shall be placed not less than ten feet from any street right-of-way.

B. A wall sign authorized under this section shall not exceed twenty percent of the designated signable area or 200 square feet in area, whichever is less. (Ord. 743 8-22-2006)

(2) **Ground Sign.** No ground sign shall exceed 35 square feet in area, shall not exceed twelve feet in height and shall be set back a minimum of ten feet from any street right-of-way line.

(3) **Wall Sign.** No wall sign shall exceed thirty percent of the signable area or 200 square feet in area, whichever is less. Signable area is an area of a building free of windows or doors. The maximum size of the selected signable area is determined by calculating the number of square feet that are enclosed by an imaginary rectangle around this area.

(4) **Street Frontages.** Either a ground sign or a wall sign may be displayed on each street side. Each street side of a building shall be considered separately for purposes of determining compliance with the provisions of this Section.

(5) **Signs on Residential Project Sites.** A single unlighted sign may be displayed on a property containing a residential project where 10 or more new dwelling units, vacant lots, or combination thereof are initially being offered for sale or rent. The sign may remain for a duration not to exceed two years. Such signs shall be no more than ten feet in height and 32 square feet in area, except that the area of the sign may be increased to 64 square feet so long as it is situated no closer than 150 feet from the property line of an occupied residence that is not a part of the project.

(6) **Temporary Signs.** Temporary signs are permitted and are subject to the regulations of

Section 9-046.

(7) ***Electronic and/or Dynamic Signs.*** A single such sign per lot shall be permitted by special use permit, and is subject to the requirements of institutional signs. Signs defined as dynamic must adhere to the following operating conditions:

- A. Message changes may not occur any more frequent than once per 8 seconds. Excluded from this standard are time, temperature, and fuel price signs.
- B. 35 feet of separation from another sign considered dynamic.
- C. Luminance levels must comply with the following: 5,000 nits – 7,000 nits in the daytime hours and not more than 500 nits in the nighttime hours.
- D. The sign manufacturer must submit certification at the time of Sign Permit issuance that the sign has the mechanical capabilities to control luminance at the levels noted in C above. In no instance shall the sign have the mechanical capabilities to exceed 7,000 nits.

(8) ***Manual Changeable Copy Signs.*** A single such sign per lot may be permitted by special use permit, and is subject to the requirements for institutional signs as noted in this Section. Additionally, such sign shall not exceed 50% of the allowable sign area or 32 square feet, whichever is less.

(Ord. No. 534, 9-24-85; Code of 2001; Ord. No. 758, 3-11-08, Ord. No. 804, 10-25-2011; Ord. 860, 3-27-2018)

### Article 3. Commercial and Industrial Zoned Districts

#### Sec. 9-070. Commercial Zoning Districts, B-1 and B-2.

(1) **Ground Sign.** A single ground sign is permitted per street frontage. Such sign shall not exceed 36 square feet in area, shall not exceed twenty feet in height and shall be set back ten feet from any street right-of-way. On each street side of less than 100 feet, a single ground sign not exceeding twelve square feet in area shall be permitted.

(2) **Wall Sign.** A single wall sign is permitted per street frontage. Such sign shall not exceed thirty percent of the signable area or 200 square feet in area, whichever is less. Signable area is an area of a building free of windows or doors. The maximum size of the selected signable area is determined by calculating the number of square feet that are enclosed by an imaginary rectangle around this area.

(3) **Multiple Occupancy Buildings.** See regulations under Section 9-110.

(4) **Building Sides not Abutting a Street.** See regulations under Section 9-120.

(5) **Electronic and/or Dynamic Signs.** A single electronic and/or dynamic sign per lot is permitted so long as such sign conforms to the ground and wall sign regulations of this Section and the following additional operating conditions:

A. Message changes may not occur any more frequent than once per 8 seconds. Excluded from this standard are time, temperature, and fuel price signs.

B. 35 feet of separation from another sign considered dynamic.

C. Luminance levels must comply with the following: 5,000 nits – 7,000 nits in the daytime hours and not more than 500 nits in the nighttime hours.

D. The sign manufacturer must submit certification at the time of Sign Permit issuance that the sign has the mechanical capabilities to control luminance at the levels noted in C above. In no instance shall the sign have the mechanical capabilities to exceed 7,000 nits.

(6) **Permanent Window Sign.** Permanent window signs may not exceed 25 percent of total area of the window in which they are displayed.

(7) **Temporary Window Sign.** The total area of window signs (both permanent and temporary) may not exceed fifty percent of the area of the window in which they are displayed.

(8) **Temporary sign.** A temporary sign is permitted as regulated in Section 9-046.

(9) **Manual Changeable Copy Signs.** A single manual changeable copy sign per lot is permitted provided that such sign conforms to the ground and wall sign regulations of this Section and that the sign does not exceed 50% of the allowable sign area or 32 square feet, whichever is less. (Ord. No. 534, 9-24-85; Ord. No. 620, 2-13-96; Code of 2001; Ord. No. 758, 3-11-08, Ord. No 804, 10-25-2011; Ord. 860, 3-27-2018)

#### Sec. 9-080. Commercial Zoning Districts, B-3.

(1) **Ground Sign.** A single ground sign is permitted per street frontage. Such sign shall not exceed 64 square feet in area, shall not exceed twenty feet in height and shall be set back ten feet from any street

right-of-way line. A freeway ground sign shall not exceed 170 square feet in area and not exceed 35 feet in height. On each street side of less than 100 feet, a single ground sign not exceeding twelve square feet in area shall be permitted.

(2) **Wall Sign.** A single wall sign is permitted per street frontage. Such sign shall not exceed forty percent of the selected signable area or 200 square feet in area, whichever is less. Signable area is an area of a building free of windows or doors. The maximum size of the selected signable area is determined by calculating the number of square feet that are enclosed by an imaginary rectangle around this area.

(3) **Multiple Occupancy Building.** See regulations under Section 9-110.

(4) **Building Sides not Abutting a Street.** See regulations under Section 9-120.

(5) **Electronic and/or Dynamic Signs.** A single electronic and/or dynamic sign per lot is permitted so long as such sign conforms to the ground and wall sign regulations of this Section and the following additional operating conditions:

A. Message changes may not occur any more frequent than once per 8 seconds. Excluded from this standard are time, temperature, and fuel price signs.

B. 35 feet of separation from another sign considered dynamic.

C. Luminance levels must comply with the following: 5,000 nits – 7,000 nits in the daytime hours and not more than 500 nits in the nighttime hours.

D. The sign manufacturer must submit certification at the time of Sign Permit issuance that the sign has the mechanical capabilities to control luminance at the levels noted in C above. In no instance shall the sign have the mechanical capabilities to exceed 7,000 nits.

(6) **Permanent Window Sign.** Permanent window signs may not exceed 25 percent of the total area of the window in which they are displayed.

(7) **Temporary Window Sign.** The total area of window signs (both permanent and temporary) may not exceed fifty percent of the area of the window in which they are displayed.

(8) **Temporary Sign.** A temporary sign is permitted as regulated in Section 9-046.

(9) **Manual Changeable Copy Signs.** A single manual changeable copy sign per lot is permitted provided that such sign conforms to the ground and wall sign regulations of this Section and that the sign does not exceed 50% of the allowable sign area or 32 square feet, whichever is less. (Ord. No. 534, 9-24-85; Ord. No. 620, 2-13-96; Code of 2001; Ord. No. 758, 3-11-08, Ord. No 804, 10-25-2011; Ord. 860, 3-27-2018)

#### **Sec. 9-090. Commercial Zoning Districts, B4 and B-5.**

The sign regulations for the B-4 and B-5 zoning districts are generally based on the sign regulations for the B-3 zoning district except that the City Council shall have the authority to allow flexibility in signing based on the nature of the B-4 and B-5 zoning districts. (Ord. No. 534, 9-24-85; Ord. No. 620, 2-13-96; Code of 2001; Ord. 860, 3-27-2018)

### **Sec. 9-100. Industrial Zoning Districts, I-1, I-2 and I-3.**

(1) **Ground Sign.** A single ground sign is permitted per street frontage. Such sign shall not exceed 36 square feet in area, shall not exceed twenty feet in height and shall be set back 13.5 feet from any street right-of-way line. A freeway ground sign shall not exceed 170 square feet in area and shall not exceed 35 feet in height. On each street side of less than 100 feet one ground sign not exceeding twelve square feet in area shall be permitted.

(2) **Wall Sign.** A single wall sign is permitted per street frontage. Such sign shall not exceed twenty percent of the signable area or 200 square feet in area, whichever is less. Signable area is an area of a building free of windows or doors. The maximum size of the signable area is determined by calculating the number of square feet that are enclosed by an imaginary rectangle around this area.

(3) **Multiple Occupancy Buildings.** See regulations under Section 9-110.

(4) **Building Sides not Abutting a Street.** See regulations under Section 9-120.

(5) **Electronic and/or Dynamic Signs.** A single electronic and/or dynamic sign per lot is permitted so long as such sign conforms to the ground and wall sign regulations of this Section and the following additional operating conditions:

A. Message changes may not occur any more frequent than once per 8 seconds. Excluded from this standard are time, temperature, and fuel price signs.

B. 35 feet of separation from another sign considered dynamic.

C. Luminance levels must comply with the following: 5,000 nits – 7,000 nits in the daytime hours and not more than 500 nits in the nighttime hours.

D. The sign manufacturer must submit certification at the time of Sign Permit issuance that the sign has the mechanical capabilities to control luminance at the levels noted in C above. In no instance shall the sign have the mechanical capabilities to exceed 7,000 nits.

(6) **Permanent Window Sign.** Permanent window signs may not exceed 25 percent of the total area of the window in which they are displayed.

(7) **Temporary Window Sign.** The total area of window signs (both permanent and temporary) may not exceed fifty percent of the area of the window in which they are displayed.

(8) **Temporary Sign.** A temporary sign is permitted as regulated in Section 9-046.

(9) **Manual Changeable Copy Signs.** A single manual changeable copy sign per lot is permitted provided that such sign conforms to the ground and wall sign regulations of this Section and that the sign does not exceed 50% of the allowable sign area or 32 square feet, whichever is less. (Ord. No. 534, 9-24-85; Ord. No. 620, 2-13-96; Code of 2001; Ord. No. 758, 3-11-08, Ord No 804, 10-25-2011; Ord. 860, 3-27-2018)

### **Sec. 9-110. Multiple Occupancy Buildings (Other Than Areas of Special Control).**

(1) Multiple occupancy buildings not displaying any wall signs, except for nameplates per Section 9-040

(3), may have a single ground sign, or comply with the requirements of Sections 9-040 (3)(A).

(2) Building having multiple occupancy with individual entrances: When a building contains two or more activities carried on by different occupants, each having a separate entrance, each occupant may display an individual wall sign containing a maximum of five words and/or numbers. However, the combined area of all wall signs shall not exceed the allowable percentage of the total selected signable area allowed. Wall signs must be placed within the selected signable area. Such buildings may be identified by a single ground sign only, except when the ground sign is an electronic readerboard. Such ground sign shall conform to all applicable size, height, and setback requirements.

(3) Buildings having multiple occupancy with shared entrances and buildings with both individual and shared entrances: Such joint occupancy buildings may have a single ground or wall sign in conformance with all applicable size, height and setback requirements. Such sign must be in accordance with the overall sign area and height requirements, except that the ground or wall sign may be an electronic readerboard sign. (Ord. No. 534, 9-24-85; Code of 2001; Ord. 860, 3-27-2018)

**Sec. 9-120. Building Sides not Abutting a Street.**

A wall sign may be displayed on the side or rear of a building facing a yard not abutting on a street under the following conditions:

- (1) The sign shall be visible from a public roadway on which the building abuts.
- (2) The side or rear yard on the side to be signed shall meet district setback and buffering requirements.
- (3) The sign shall be no larger than the largest wall sign that would be permitted on the front of the building.
- (4) If the side or rear yard on the side of the building to be signed abuts park property or a residential district, such sign shall not be lighted. (Ord. No. 534, 9-24-85; Code of 2001)

**Sec. 9-180. Non-Commercial Opinion Signs in Commercial and Industrial Districts.**

- (1) Any single sign or signable area permitted on a site that is devoted to any commercial or industrial use (whether as a permitted use, accessory use, conditional use, or non conforming use) may be used, in lieu of other uses permitted under this Chapter, as a non-commercial opinion sign.
- (2) In addition to such sign, any permitted billboard may be used as a non-commercial sign.
- (3) Non-commercial signs in commercial or industrial districts on a site that is not devoted to any commercial or industrial use (whether as a permitted use, accessory use, conditional use, or nonconforming use) shall be placed only upon approval of the property owner, shall not exceed fifteen feet in height, and shall be no closer than 500 feet from an residential district line, twenty feet from a right-of-way line, 150 feet from a nonresidential structure, or 500 feet from a residential structure. (Ord. No. 583, 10-22-91; Ord. No. 620, 2-13-96; Code of 2001; Ord. 860, 3-27-2018)

**Sec. 9-190. New Brighton Exchange District, NBE.**

The sign regulations for the New Brighton Exchange, NBE zoning district are provided in Zoning Code Chapter 6, Article 6, Section 6-750 (4). (Ord. 860, 3-27-2018)