CITY OF SCANDIA
ORDINANCE NO. 165

AN ORDINANCE AMENDING ORDINANCE NO. 122, THE SCANDIA DEVELOPMENT CODE, CHAPTER 1, SECTION 4.2 and CHAPTER 2, SECTION 3.13 REGARDING DEVELOPMENT STANDARDS FOR SIGNS

The City Council of the City of Scandia, Washington County, Minnesota hereby ordains:

Section 1. Amendment. Ordinance No. 122, the City of Scandia Development Code ("Development Code" or "Code"), Chapter One, Section 4.2, Definitions, shall be amended to add the following definitions:

Abandoned Sign: Any sign and/or its supporting sign structure which remains without a message or whose display surface remains blank for a period of one (1) year or more; or any sign which pertains to a time, event or purpose which no longer applies; or any sign whose permit has expired shall be deemed to have been abandoned. Signs applicable to a use temporarily suspended because of a change in ownership or management of such use shall not be deemed abandoned unless the property remains vacant for a period of one (1) year or more. Any sign remaining after demolition of a principal structure shall be deemed to be abandoned. Signs which are present because of being legally established nonconforming signs or signs which have required a conditional use permit or a variance shall also be subject to the definition of abandoned sign.

Banner: A temporary sign made of lightweight fabric or similar material with no enclosing framework that is mounted to a pole or a building at one or more edges. National flags, state or municipal flags or the official flag of any organization shall not be considered a banner if displayed for noncommercial purposes.

Height of sign: the height of the sign shall be computed as the vertical distance measured from the base of the sign at grade to the top of the highest attached component of the sign.

Pennant: Any lightweight plastic, fabric or other material designed to move in the wind, whether containing a message or not.

Sign: Any letter, word or symbol, poster, picture, statuary, reading matter or representation in the nature of advertisement, announcement, message or visual communication, whether painted, posted, printed, affixed or constructed, including all associated brackets, braces, supports, wires and structures, which is displayed for informational or communicative purposes.

Sign, Animated (also called Dynamic Display signs): Any characteristics of a sign that appear to have 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. This includes a display that incorporates a technology or method allowing the sign fact 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 represent a series of images or displays.

Sign, Awning: A building sign or graphic printed on or in some fashion attached directly to the awning material.

Sign, Back-lit or Illuminated: A sign which contains an element designed to emanate artificial light internally or externally.

Sign, Freestanding: A sign which has a supporting framework that is placed on, or anchored in, the ground and which is independent from any building or other structure.

Sign, Monument: Any freestanding sign with its sign face mounted on the ground or mounted on a base at least as wide as the sign.

Sign, Off-Premises: A sign that directs attention to a use not located upon the premises where the sign is located or to which it is attached.

Sign, Portable: A sign, with or without copy and/or graphics, that is constructed or placed upon a chassis with wheels or skids in order to be movable from one location to another, such as may be mounted on an automobile or trailer. This definition does not include permanent identification signs painted directly on vehicles, principally used for transportation, but does include such signs if the vehicles are not used for transportation purposes but are intended as a structure to support a sign.

Sign, Pylon/Pedestal: A permanent, freestanding sign mounted on one (1) central shaft or post that is solidly affixed to the ground.

Sign, Roof: Any sign erected and construction wholly on and above the roof of a building, supported by the roof structure, and extending vertically above the highest portion of the roof.

Sign, Sandwich-Board: A sign composed of two boards and being either carried by a person, with one board in front and one behind, creating a "sandwich" effect; or set up in a triangle shape, hinged along the top.

Sign, Temporary: A sign designed or intended to be displayed for a short period of time and that is not permanently installed.

Sign, Wall: a Building sign attached parallel to, but within two (2) feet of a wall, painted on the wall surface, or erected an confined within the limits of an outside wall of any

building or structure, which is supported by such wall or building, and which displays only one (1) sign surface.

Section 2. Amendment. Ordinance No. 122, the City of Scandia Development Code ("Development Code", or "Code"), Chapter Two, Section 3.13, Signs, shall be amended to read as follows:

3.13 Signs

(1) Applicability. The regulations contained herein do not apply to signs painted, attached by adhesive or otherwise attached directly to or visible through windows and glass portions of doors.

(2) Permit Required. Except as otherwise provided in this Development Code, no sign shall be erected, constructed, altered, rebuilt or relocated until an Administrative Permit or Conditional use permit as may be required for the sign has been issued. Application for a permit shall be accompanied by the established fee.

No permit will be required under this Development Code for the following signs:

(A) Signs up to ten (10) square feet in area.

(B) Noncommercial Signs that comply with Minnesota Statutes 211B.045 or successor statutes.

(C) Signs placed on parcels that are currently offered for sale providing such signs are not closer than 10 feet to any property line and shall not exceed ten (10) square feet in area. One sign shall be permitted for each street frontage.

(D) Signs erected on parcels that are currently under construction for single-family or multiple-family residences. The plat of the development shall be recorded with the Washington County Recorder prior to the erection of a sign. Signs are subject to the following standards.

1. Such signs shall not exceed one hundred (100) square feet in area.

2. Only one (1) such sign shall be erected on each road frontage with a maximum of three (3) such signs per project.

3. Such signs shall be removed when the project is eighty percent (80%) completed, sold or leased.

4. Such sign shall be located on the property which is for sale. Off-site development project signs are prohibited.

5. One sign shall be allowed for each street entrance to a parcel currently under construction. The sign shall not exceed thirty-two (32) square feet per surface and no sign shall have more than two surfaces. The sign shall not exceed eight (8) feet in height.

If the work authorized under a sign permit has not been completed within six (6) months after the date of issuance, the permit shall become null and void.

(3) Signs by Conditional Use Permit. Where a use is permitted in a zoning district by Conditional Use Permit, the sign for that use shall require a Conditional Use Permit unless the sign is otherwise provided for in this Chapter.

(4) General Standards.

(A) Signs located in the Village Mixed Use (VMU A and B),Village Neighborhood (VN), and Rural Commercial (R COMM) Districts shall be reviewed for compatibility with the Scandia Architectural Design Guidelines, as applicable.

(B) No sign may be erected that, by reason of position, shape, movement, color or any other characteristic, interferes with the proper functioning of a traffic sign or signal or otherwise constitutes a traffic hazard; nor shall signs be permitted which would otherwise interfere with traffic control.

(C) All signs, other than public utility warning signs, are prohibited within a public right of way.

(D) Backlit or illuminated signs are permitted in all districts, and shall be diffused or indirect so as not to direct rays of light onto any public right-of-way or adjacent residential property. No backlit or illuminated signs or their support structures shall be located closer than twenty-five (25) feet to any roadway surface or closer than ten (10) feet to a road right-of-way line, notwithstanding more restrictive portions of this section.

(E) LED (light-emitting diode) luminaires, or other energy-saving luminaires, may be used in backlit signs, illuminated signs or other signs permitted by this ordinance.

(F) Flashing signs and animated signs (also called Dynamic Display signs) shall be prohibited. Signs giving off intermittent, rotating, or direct light, which may be confused with traffic, aviation, or emergency signaling, are also prohibited.

(G) One (1) wall sign shall be allowed for each street frontage on a building for each use located within such building. The total area of all wall signs affixed to a building wall shall not exceed twenty percent (20%) of the total area of that wall. No individual wall sign shall exceed one hundred and fifty (150) square feet.

A wall sign shall not project more than eighteen (18) inches from the wall to which the sign is to be affixed. Wall mounted signs shall not exceed the roof line on any building. Wall signs located in the Village Mixed Use (VMU A and B), Village Neighborhood (VN), and Rural Commercial (R COMM) Districts shall be reviewed for compatibility with the Scandia Architectural Design Guidelines.

The City Council may approve the placement of murals on building walls that exceed the standards for wall signs.

(H) Signs shall not be painted on a fence, tree, or other object in any district.

(I) Roof signs are prohibited in all districts.

(J) All signs and displays using electric power shall have a cutoff switch on the outside of the sign and on the outside of the building or structure to which the sign is attached.

(K) Multi-faced signs shall not exceed two (2) times the allowed square footage of single faced signs.

(L) Except for more restrictive parts of this Chapter, no sign that exceeds one hundred (100) square feet in area shall be erected or maintained:

1. Which would prevent any traveler on any road from obtaining a clear view of approaching vehicles on the same road for a distance of five hundred (500) feet.

2. Which would be closer than one thousand three hundred fifty (1,350) feet to a national, state or local park, or historic site.

3. Which would obstruct more than fifty (50) percent of the view of a lake, river, rocks, wooded, area, stream or other point of natural and scenic beauty.

(M) Any sign for which a permit is required but no permit has been issued shall be taken down and removed by the owner, agent or person having the beneficial use of the building, or land upon which the sign may be found within thirty (30) days after written notice from the Zoning Administrator.

(N) Any sign which is abandoned or becomes structurally unsafe or endangers the safety of a building or premises or endangers the public safety, shall be taken down and removed or structurally improved by the owner, agent or person having the beneficial use of the building, structure or land upon which the sign is located within ten (10) days after written notification from the Zoning Administrator.

(O) If the work authorized under a sign permit has not been completed within six (6) months after the date of issuance, the permit shall become null and void.

(5) Signs in Agriculture – Core (AG-C), Agriculture Preserves (AP), General Rural (GR) and Village Neighborhood (VN) Districts.

(A) The maximum area permitted for a single sign shall be 10 square feet per surface. Up to three signs that meet this requirement are allowed per parcel.

(B) No sign shall be so constructed as to have more than two (2) surfaces.

(C) Noncommercial signs shall conform to Minnesota Statutes 211B.045.

(D) The top of the display shall not exceed ten (10) feet above grade.

(E) Any sign over two (2) square feet shall be setback at least ten (10) feet from any property line. In no case shall any part of the sign be closer than two (2) feet to a vertical line drawn at the property line.

(F) The following types of signs are not permitted in the AG C, AP, GR and VN Districts:

1. Animated signs

2. Awning signs

3. Canopy signs

4. Flashing signs

5. Portable signs

6. Pylon signs

7. Pennants

(6) Signs in Village Mixed Use - A (VMU-A), Village Mixed Use – B (VMU-B), Rural Commercial (R-COMM) and Industrial Park (IP) districts.

(A) Noncommercial signs shall conform to Minnesota Statutes 211B.045.

(B) The total square footage of permanent sign area for each lot shall not exceed one (1) square feet of sign area for each lineal foot of building front. No sign shall exceed two hundred (200) square feet in area.

(C) Each business or organization may display one temporary or portable sign (including sandwich-board signs) in addition to the area of permanent signs permitted. The temporary sign shall not exceed forty (40) square feet in size, and shall be permitted for a period of no more than thirty-four (34) consecutive days. No permit is required for one temporary or portable sign.

(D) The top of a monument sign shall not exceed eight (8) feet above the average grade.

(E) Any sign over six (6) square feet shall be setback at least ten (10) feet from any property line. In no case shall any part of a sign be closer than two (2) feet to a vertical line drawn at the property line.

(7) Shopping Center Signs.

(A) Shopping Centers or buildings containing more than one (1) tenant are allowed one (1) monument sign which may contain the names of all tenants in the project. Individual tenants may be identified by way of signs attached to the building. The total square footage of sign area may not exceed the limits set forth in Section 6(B) above.

(B) Signs shall in no case project from a building or structure to any point within two (2) feet of a line drawn perpendicularly upward from a curb line. No projecting sign shall be less than nine (9) feet above the sidewalk or the ground level. All projecting signs for which a permit is required shall be constructed entirely of fire resistant material.

(8) Off-Premises Signs

(A) Up to two multi-tenant off-premises signs (one for each roadway direction) may be permitted near the intersections of Olinda Trail North and TH 97, Oakhill Road North and TH 97, Manning Trail North and TH 97, TH 95 and TH 97, and Oakhill

Road North and TH 95, within the VMU A and VMU B Districts Scandia. The sign may be a monument sign or freestanding directional sign.

(B) The City Council shall grant a Conditional Use Permit for any off-premises sign. When the applicant is any person other than the owner of the property, the owner of the property shall also sign the application. The application shall contain the following information:

1. Name, address and telephone number of the property owner, sign owner, and erector.

2. Proposed location of the sign structure, including property identification number and address.

3. Scaled drawing showing the position of the sign structure in relation to the property lines, nearest buildings, structures, public streets, and rights-of-way.

4. Plans, specifications, materials, and method of construction or attachment to the ground or a structure, including all dimensions, all construction materials, a description of al light sources, wattage, types and color of lights, and details of light shields.

5. Any electrical permit required for the sign.

6. If the sign is proposed within the right-of-way of a state or county highway, the applicant shall obtain any required permits and provide a copy of the approved permit to the City.

7. Other information as required by the city.

(C) Off-premises signs shall be compatible with the Scandia Architectural Design Guidelines.

(D) In addition to the above application, an agreement must be entered into with the city which will authorize and direct the city to:

1. Remove at the expense of the owner, the sign and sign structure, where maintenance is required, but not furnished after a hearing and a 10-day notice to the owner specifying the maintenance required by the city.

Section 2. Effective Date. This ordinance shall be in full force and effect upon its adoption and publication according to law.

Passed and adopted by the City Council of the City of Scandia this November 17, 2015.

Randall Simonson, Mayor

ATTEST:

Kristina Handt, Administrator/Clerk