



**City of North St. Paul
City Council
Special Meeting Agenda**

**July 26, 2022
5:00 PM**

The City Council Meeting will be conducted on **July 26, 2022** at 5:00 p.m. The meeting location is the City Council Chambers of City Hall, located at 2400 Margaret St., North St. Paul.

The City Council will also be meeting by interactive TV under Minn. Stat. 13D.02. Members of the public are permitted to attend the meeting in person, however, it is encouraged to participate in the meeting remotely. Instructions can be found below.

The **July 26, 2022** Zoom meeting can be accessed at

<https://tinyurl.com/NSPCityCouncil>

(from a PC, Mac, tablet, iPhone, or Android device)

or by phone at 1-929-205-6099

Participants accessing the meeting by phone please use the following meeting ID:
84409094358

You can also watch the meeting on our YouTube channel here: tinyurl.com/NSPYouTube

I. Call to Order

II. Pledge of Allegiance

III. Roll Call

Council Member Thorsen
Council Member Petersen
Council Member Wong
Council Member Cole
Mayor Furlong

IV. Adopt Agenda

V. City Business Action Items & Recommendations

- A. An ordinance repealing and replacing Chapter 154.011 of the North St. Paul City Code of Ordinances: Sign Ordinance

VI. Adjournment

The next City Council meeting is Monday, August 8, 2022.

**To**

Honorable Mayor Furlong and City Council

Date

July 26, 2022

Agenda Placement # V.A

City Business Action Items & Recommendations

Subject

An ordinance repealing and replacing Chapter 154.011 of the North St. Paul City Code of Ordinances: Sign Ordinance

Background/Facts

The Planning Commission has been working since October 2021 to update the sign ordinance. The purpose of the sign ordinance update is to improve clarity and simplify the ordinance, eliminate regulations that have been deemed unnecessary and strengthen regulations where necessary, and comply with the 2015 Reed v. Town of Gilbert Supreme Court decision. The Planning Commission held a public hearing on July 21, 2022 and recommended approval to the City Council.

Recommended Action

Approve the ordinance repealing and replacing Chapter 154.011 of the North St. Paul City Code of Ordinances: Sign Ordinance

Attachments

1. AN ORDINANCE TO REPEAL AND REPLACE CHAPTER 154.011: SIGN ORDINANCE

Respectfully submitted,
Brandy Howe, Planner

**CITY OF NORTH ST. PAUL
ORDINANCE NO. ____**

**AN ORDINANCE REPEALING AND REPLACING CHAPTER 154.011
NORTH SAINT PAUL CITY CODE OF ORDINANCES
SIGN ORDINANCE**

THE CITY COUNCIL OF THE CITY OF NORTH ST. PAUL, MINNESOTA ORDAINS:

SECTION 1. Section 154.011 “Signs” of the North St. Paul City Code is hereby repealed and replaced as Chapter 157.

Chapter 157: Sign Ordinance

§ 157.001. Introductory Provisions

- A) Purpose. It is not the purpose or intent of this section to regulate the message displayed on any sign; nor is it the purpose or intent of this article to regulate any building design or any display not defined as a sign, or any sign which cannot be viewed from outside a building. The purpose and intent of this article is to:
1. Regulate the number, location, size, type, illumination, and other physical characteristics of signs within the city in order to promote the public health, safety, and welfare.
 2. Maintain, enhance, and improve the aesthetic environment of the city by preventing visual clutter that is harmful to the appearance of the community.
 3. Improve the visual appearance of the city while providing for effective means of communication, consistent with constitutional guarantees and the city's goals of public safety and aesthetics.
 4. Provide for fair and consistent enforcement of the sign regulations set forth herein under the zoning authority of the city.
 5. Ensure adequate means of expression as allowed by the first amendment of the U.S. Constitution and other federal, state, and local laws.
 6. Minimize hazards caused by signs that are structurally unsound, interfere with sightlines or unduly distract drivers, pedestrians, or bicyclists.
- B) Applicability. Any sign visible from a public street erected, altered, or maintained after the effective date of this ordinance shall conform to the regulations in this Chapter.
- C) Interpretation.
1. The provisions of this chapter shall be held to be the minimum requirements for the promotion and protection of the public health, safety, morals, and general welfare.
 2. When any condition imposed by any provision of this chapter is either more restrictive or less restrictive than similar conditions imposed by any provision of any other applicable law, Municipal Code provision, statute, resolution, or regulation of any kind, the more restrictive one which imposes higher standards or requirements shall prevail.
 3. Any sign type determined by staff not identified by this code may be considered by the Planning Commission at a regular meeting and its recommendation will be forwarded to the City Council for review and action.

§ 157.002. Definitions

The following terms, as used in this chapter, shall have the meanings stated. All measured distances expressed in feet shall be to the nearest tenth of a foot. For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

AWNING SIGN. A building sign attached to, affixed to, or painted on an awning.

BANNER SIGN. A sign made of fabric or other similar nonrigid material with no enclosing framework or

electrical components that is supported or anchored on two or more edges or at all four corners.

BENCH SIGN. A sign attached to a bench located on the street and designed for seating while waiting at a bus stop.

BILLBOARD (Prohibited). An off-premises sign intended by the sign owner to be available for sale, lease, or rental for the purpose of promoting any commercial activity which is not situated on the same property as the billboard or of promoting any product or service which is not primarily available on the same property as the billboard; and incidentally used for the display of public service messages.

BUILDING SIGN. A building sign is attached to or supported by a building whether it is the wall, window, or roof of the building. This sign type includes awning, canopy, marquee, projecting, roof, and wall signs.

CANOPY SIGN. A building sign attached to, affixed to, or painted on a canopy.

DWELLING, MULTIFAMILY. A residential structure containing three or more dwelling units.

DWELLING, SINGLE FAMILY. A detached residential structure that is designed for or occupied by one family only.

DWELLING, TWO FAMILY. A residential structure containing two dwelling units.

ELECTRONIC MESSAGE CENTER (EMC). A sign that can display words, symbols, figures, or images that can be electronically changed by remote or automatic means.

FEATHER SIGN. A nonpermanent sign made of lightweight materials that is prone to move in the wind, and that contains a harpoon-style pole or staff that is driven into the ground or supported by means of an individual stand.

FLAG. Any fabric or flexible material attached to or designed to be flown from a flagpole or other similar structure.

FREESTANDING SIGN. A sign on a frame, pole, or other, support structure not attached to any building. This sign type includes pylon, post and arm, and monument signs.

INFLATABLE (AIR ACTIVATED) SIGN. (Prohibited) A nonpermanent sign typically made of plastic, cloth, canvas, or other light fabric, inflated with air, and held upright, typically by mechanical means.

INTERNAL WAYFINDING. A sign used to aid customers in circulation within parking areas for multifamily or nonresidential uses. These signs could come in the form of monument, pylon, post and arm, or wall sign types.

MARQUEE SIGN. Any building sign attached to a marquee, a permanent roof-like structure projecting beyond a building or extending along and projecting beyond the wall of the building, generally designed and constructed to provide protection from the weather.

MONUMENT SIGN. A freestanding sign supported primarily by an internal structural framework or integrated into landscaping or other solid structural features other than support poles.

NONPERMANENT SIGN. A sign structure or device that is easily installed and removed and is not intended or suitable for permanent display due to the construction, materials, placement, or installation.

NONRESIDENTIAL USE. Any land use that is not a residential use.

OFF-PREMISES SIGN. (Prohibited) A sign whose message is unrelated to the premises or the activity and use occurring on the premises on which the sign is located.

ON-PREMISES SIGN. A sign whose message is related to the premises or the activity and use occurring on the premises on which the sign is located.

PERMANENT SIGN. A sign structure that is intended for permanent display due to the construction, materials, placement, or installation. See also "BUILDING" and "FREESTANDING" sign definitions.

POST AND ARM SIGN. A type of freestanding sign supported by a post and arm.

PROJECTING SIGN. A type of building sign extending outward from the face of the building.

RESIDENTIAL USE. See dwelling, multifamily, dwelling, single family, and dwelling, two family.

ROOF SIGN. Any single or double-faced signs mounted upon the roof of a building. This also includes signs painted or displayed directly upon the roof surface.

ROTATING SIGN (Prohibited). A sign that revolves, rotates, or mechanically moves.

SIGN. A device, structure, or fixture which communicates a message using words, graphics, letters, figures, symbols, trademarks, or other visual representations. Painted wall designs or patterns are not considered signs.

WALL SIGN. A building sign mounted flat against a wall or painted on the wall of a building or structure with the exposed face of the sign in a plane parallel to the face of the wall.

WINDOW SIGN. A sign posted, painted, placed, or affixed to the interior or exterior of a window.

§ 157.003. Sign Permits

- A) Applicability. Permanent sign structures shall require a sign permit in all districts.
- B) Application.
 - 1. A sign permit application shall be submitted for all signs requiring a permit.
 - 2. All sign permit applications shall be accompanied by a permit fee according to the adopted fee schedule.
 - 3. A sign permit application shall be accompanied by the following items:
 - a. A site plan and/or building elevations showing the position, height, and dimensions of the sign(s) in relation to all nearby existing or proposed buildings, structures, and property lines.
 - b. Written consent of the property owner of the building or site upon which a sign is to be erected, constructed, or maintained.
 - c. Such other information as the zoning administrator requires to show full compliance with this and all other laws and ordinances of the city.
- C) Review. Sign permits are reviewed administratively by the zoning administrator with a determination made within 30 days from the time an application has been deemed complete.
- D) Appeals.
 - 1. Applicants wishing to appeal a determination by the zoning administrator shall do so in writing within 30 days of said determination.
 - 2. Appeals from the zoning administrator's determination shall be heard by the Board of Appeals and Adjustment and a recommendation made to City Council.
 - 3. The Board of Appeals and Adjustment shall consider the appeal within 45 days of filing of said appeal by the applicant.
- E) Nullification. A sign permit shall become null and void if the work for which the permit was issued has not been completed within a period of six months after the date of the permit. A permit may be renewed and no additional fee shall be collected for the renewal.
- F) Revocation. The city may revoke a permit when a sign is in violation of this chapter or any other ordinance in the City of North Saint Paul. Any signs installed under a revoked permit shall be removed within ten days of written notice of the revocation.

§ 157.004. General Sign Regulations

- A) Applicability. All permanent and nonpermanent signs, except official traffic and street signs, shall conform to the provisions of this section and any other ordinance or regulations of the city.
- B) Sign Area Measurement.
 - 1. The area within the sign frame shall be used to calculate the square footage.
 - 2. The area without a sign frame shall be determined by drawing a box around the outermost periphery of letters or graphics. The square footage shall be that of the box surrounding the letters or graphics.
 - 3. Each side of a double-faced sign shall be considered in determining the total display surface area. The face shall be that portion of a sign upon which the message, advertisement or similar display is presented, as distinguished from the structural members.
- C) Sign Height Measurement. The height of a sign shall be measured from the existing grade, or, if elevations of the centerline of the nearest frontage street are provided by the sign applicant, this point of elevation may be used rather than the existing grade.
- D) Setbacks. Unless specifically noted otherwise, all permanent freestanding signs shall be set back a minimum of 10 feet from any property line and a minimum of 5 feet from any parking area or driveway. The city may require a greater or lesser setback due to public safety reasons, which may

include the following conditions. vehicle sight distance, distance from intersection, designation of adjacent right-of-way.

E) Placement.

1. No sign shall be placed in such a position as to endanger pedestrians, bicyclists, or traffic on a street by obscuring the view or by interfering with official street signs or signals.
2. No sign may be located within a vision triangle as depicted in Chapter 154, Figure 22.
3. Signs and their supporting structures shall not interfere with any surface and underground utility or communications lines or equipment.
4. No sign shall be mounted on chimneys, rooftop equipment, towers, cooling towers, elevator penthouses, commercial antennas, communication towers, belfries, church spires and cupolas.
5. No sign shall be pasted or attached to utility poles, trees, fences, or other signs.
6. No sign shall be pasted or attached to city property or equipment without permission from the governing body and shall be subject to all related laws and ordinances.

F) Materials and Construction.

1. All signs shall be constructed of durable materials using noncorrosive fastenings.
2. All signs shall be constructed in such a manner and of such material to be considered safe and substantial.
3. All signs and supporting structures shall be designed and constructed to withstand wind pressure of not less than 40 pounds per square foot of area.
4. Signs which utilize electricity must meet the following provisions.
 - a. Be installed in accordance with the current applicable electrical code.
 - b. All necessary electrical and building permits must be obtained prior to placement.
 - c. Electrical service to freestanding signs shall be underground
 - d. Exposed wiring or conduit shall not be allowed.
 - e. All work shall be completed by an electrical contractor licensed by the State of Minnesota.

G) External Lighting.

1. Lighting must be directed at the sign and must be shielded (not be visible to pedestrians, motorists, or neighboring residents or businesses).
2. Lighted signs shall be no closer than 20 feet from the nearest residential property and shall be illuminated only by white or amber light, unless specifically allowed elsewhere in this ordinance.

H) Maintenance.

1. All signs and components thereof shall be kept in good repair and in safe, neat, clean, and attractive condition and in compliance with all applicable building code requirements.
2. All permanent signs shall be properly painted including all parts and supports of the sign unless such parts or supports are galvanized or otherwise treated to prevent rust.
3. Any sign which becomes structurally unsafe or endangers the safety of a building or premises, or endangers the public safety, shall be considered a public nuisance and shall repaired or removed by the owner, agent, or person having the beneficial use of the building, structure, or land upon which the sign is located within ten days after written notification from the zoning administrator.

§ 157.005. Sign Area and Location Regulation

A) Applicability. The following district regulations and sign standards are applicable to all permanent and nonpermanent sign types.

B) Acceptable Sign Types by Land Use. See standards for sign types in Section 157.006.

Sign Types	Land Uses			
	Single-Family	Two-Family	Multifamily	Nonresidential
Awning	NA	NA	Allowed	Allowed
Canopy	NA	NA	Allowed	Allowed

Electronic Message Center	NA	NA	NA	Allowed
Freestanding	NA	NA	Allowed	Allowed
Internal Wayfinding	NA	NA	Allowed	Allowed
Marquee	NA	NA	NA	Allowed
Projecting	NA	NA	NA	Allowed
Roof	NA	NA	NA	Allowed
Wall	NA	NA	Allowed	Allowed
Nonpermanent (all types)*	Allowed	Allowed	Allowed	Allowed
Notes: NA means “not allowed.” *Refer to § 157.008 for a list of nonpermanent sign types.				

C) Sign Dimensional Standards. The dimensions listed below represent the maximum aggregate square footage of all permanent sign faces on a site based on the land use and zoning district.

Sign Types	Land Uses			
Permanent	Single-Family	Two-Family	Multifamily	Nonresidential
R-1	NA	NA	NA	60 SF
R-2	NA	NA	32 SF	60 SF
R-3	NA	NA	60 SF	60 SF
MU-1	NA	NA	60 SF	250 SF
MU-2	NA	NA	60 SF	250 SF
MU-3	NA	NA	60 SF	300 SF
Nonpermanent (all types)*				
R-1	32 SF	32 SF	NA	60 SF
R-2	32 SF	32 SF	32 SF	60 SF
R-3	32 SF	32 SF	60 SF	60 SF
MU-1	32 SF	32 SF	60 SF	250 SF
MU-2	32 SF	32 SF	60 SF	250 SF
MU-3	32 SF	32 SF	60 SF	300 SF
Notes: NA means “not allowed.” *Refer to § 157.008 for a list of nonpermanent sign types.				

§ 157.006. Standards for Permanent Signs

A) Awning Sign.

1. Signs shall not exceed 75 percent of individual awning area or awning width.
2. One awning sign per side of structure.
3. The awning structure shall have a minimum 8-foot vertical clearance above sidewalk or pathway.

B) Canopy Sign.

1. Signs shall not exceed 75 percent of individual canopy area or canopy width.
2. One canopy sign per side of building.
3. The canopy structure shall have a minimum 8-foot vertical clearance above sidewalk or pathway.
4. The sign may be placed on the front, above, or suspended below the canopy.

C) Electronic Message Centers (EMC)

1. General.
 - a. EMCs shall only be permitted on freestanding signs.
 - b. Non-conforming signs shall not be eligible for conversion to an electronic message center.
2. One electronic message center sign structure may be allowed per street frontage, not to exceed two EMC sign structures per site. Each structure may have two sign faces.
3. EMCs shall adhere to the height standards for freestanding signs.
4. EMC Display.
 - a. EMCs shall maintain no less than an 8 second dwell time for any images and messages.
 - b. Any change from one static display to another must be instantaneous and shall not include any distracting effects, such as dissolving, spinning, or fading. Animation, motion, or video displays are prohibited.
 - c. The images and messages displayed must be complete in themselves without continuation in content to the next image or message or to any other sign.
 - d. No EMC shall have a brightness level that exceeds 0.3 foot-candles above ambient light as measured from the property line.
 - e. All EMC signs shall include certification from the sign's manufacturer that the sign has been preset to conform to the luminance levels noted above and these settings are protected from end users' manipulation by password protected software.
 - f. EMCs may use multiple colors within the display, but the use of color shall not create distraction or a hazard to the public health, safety, or welfare.
5. EMC text size and legibility. The following minimum text sizes shall apply to all EMCs. If a sign is located on a corner with streets having differing speed limits, the minimum text size shall be based on the standard for higher speed limit to ensure legibility.

Minimum Text Sizes for EMC Signs	
Speed Limit of Adjacent Road	Minimum Text Size
25 to 34 MPH	7"
35 to 44 MPH	9"
45 to 54 MPH	12"
55 MPH or more	15"

6. Operation.
 - a. All EMCs shall be equipped with a means to immediately discontinue the display if it malfunctions.
 - b. The owner of an EMC must immediately cease operation of their sign when notified by the city that it fails to comply with the standards of this chapter.
- D) Freestanding (includes monument, pylon, and post and arm sign types).
1. The total area of one freestanding sign face shall not exceed 1 square foot of surface area for every one foot of lineal street frontage, not to exceed the maximum aggregate sign area per 157.005(C).
 2. One freestanding sign per street frontage.
 3. Height.
 - a. Post and arm signs shall not exceed 5 feet above existing grade.
 - b. Monument signs shall not exceed 8 feet above existing grade.
 - c. Pylon signs shall not exceed 25 feet above existing grade.
 - d. Electronic message center signs shall not exceed 8 feet above existing grade.
- E) Internal Wayfinding Sign.
1. Appropriate number of signs to provide directional assistance given size of site and circulation pattern as determined by the zoning administrator.

2. Signs shall not exceed 8 feet in height.
 3. Internal wayfinding signs may come in the form of monument, pylon, or post and arm sign types.
 4. Signs shall be designed in a uniform manner (within individual subdivision or center) using consistent background color and typeface colors.
- F) Marquee.
1. Signs shall not exceed 75 percent of the size of the marquee.
 2. Placement.
 - a. Marquee structure shall have a minimum 8 feet vertical clearance above sidewalk or pathway.
 - b. May be placed on the front, above, or below the canopy.
- G) Projecting.
1. One projecting sign per façade that is visible from a street, alley, or customer parking lot.
 2. Projection.
 - a. Projecting signs shall not exceed 30 square feet in area.
 - b. Projection shall not extend more than 8 feet beyond the face of the building.
 - c. Shall not be located directly over windows or in conflict with other signs or architectural features of the building.
 - d. Projecting signs shall maintain a minimum vertical clearance of 8 feet above sidewalk or pathway, and a minimum vertical clearance of 14 feet when within 5 feet of a roadway.
- H) Roof.
1. One roof sign per building.
 2. Roof signs shall not exceed 6 feet above the ridge line or parapet.
 3. The separation of the sign from the roofline to the bottom of the sign shall not be greater than one foot.
- I) Wall.
1. A minimum of 10 square feet up to a maximum of 1/3 of the building face.
 2. One sign per tenant per façade visible from an adjacent street, alley, or customer parking lot.
 3. Wall signs shall not stand more than 4" inches away from the wall.
 4. Wall signs shall maintain a minimum vertical clearance of 80" above sidewalk grade.
- J) Window. Permanent window signs are limited to one-third of the total surface area of the window to which they are affixed.

§ 157.007. Multitenant Buildings

- A) The property owner shall be responsible for allocating the allowable sign area among the tenants of multi-tenant buildings. If the owner does not allocate the sign area, the city may do so based on the relative floor area or tenant frontage.
- B) The total surface area of all individual signs on the buildings shall not exceed the maximum square footage requirements per Sections 157.005(C).
- C) Master Sign Plan. A master sign plan is required to control total sign area and sign placement to help eliminate incongruities as tenants/occupants change.
 1. No permit shall be issued for an individual sign per Section 157.003 without a submittal of a master sign plan as part of the permit application.
 2. A master sign plan shall contain the following information:
 - a. A scaled site plan showing location of buildings, parking lots, driveways and landscaped areas and an accurate indication on the site plan of the proposed location of present and future signs of any type, whether requiring a permit or not.
 - b. Scaled color drawings clearly showing the location of the sign on the site or building elevation.
 - c. Dimensions of each sign per the plan including a summary table with said dimensions.
 - d. The plan shall bear the signature of all owners or their authorized agents in such form as required by the city or as a part of applicable and active restrictive covenants.

- e. A master sign plan may be amended by filing administratively a new master sign plan that conforms to all requirements of this chapter.
- f. After approval of a master sign plan by the zoning administrator, no sign shall be erected, placed, painted, or maintained, except in conformance with approved master sign plan and such plan may be enforced in the same way as provisions of this chapter.

§ 157.008. Standards for Nonpermanent Signs

A) Applicability. Nonpermanent signs are not intended for permanent installation. Nonpermanent signs come in a variety of types, each of which are regulated below. Where not specifically defined, nonpermanent signs shall be regulated per subsection (B), below.

B) General Regulations.

1. Location.
 - a. No nonpermanent sign may be placed in the right-of-way. Exception: bus bench and shelter signs, refer to subsections C.2. and C.3., below.
 - b. If attached to a building, sign shall be flat and shall not project above the roof line.
2. Limit. No more than 4 nonpermanent signs may be placed on a site at any one time.
3. Area. The maximum aggregate area of nonpermanent signs shall not exceed the area standards per 157.005(C).
4. Per Minn. Stat. 211B.045, all noncommercial signs of any size may be posted in any number beginning 46 days before the state primary in a state general election year until 10 days following the state general election. The same time limitations shall apply to local elections. Placement of such signs shall adhere to subsection B.1.a. and b, above.
5. Maintenance. All nonpermanent signs must be maintained and shall be removed if material shows signs of wear such as fraying, fading, chipping, or other physical damage.

C) Specific Regulations by Type of Nonpermanent Sign.

1. A-frame (sandwich board).
 - a. Signs must leave a minimum of 6 feet of clear walkway on the sidewalk.
 - b. One sign allowed per business, ten square feet per side, four feet in height.
 - c. Such signs shall not be left on the sidewalk overnight.
2. Banner Sign.
 - a. Banner signs may extend across a public street only by permission of the governing body and shall be subject to all related laws and ordinances.
 - b. One sign per property.
 - c. Signs may be supported by posts or stakes which are attached to the ground or securely attached to the face of a building.
3. Bus Bench or Shelter Sign.
 - a. Signs may be installed on bus benches and/or shelters within city right-of-way, pursuant to a franchise authorized by the City Council.
 - b. One sign per bus bench or shelter.
4. Feather Sign.
 - a. Sign shall be set back no less than 10 feet from the curb or street.
5. Flag.
 - a. Sign shall be set back no less than 10 feet from the curb or street.
 - b. The maximum aggregate area of all flag signs shall not exceed 32 square feet.
 - c. A flagpole shall not exceed a height of 25 feet.
6. Freestanding.
 - a. The top of the sign shall not extend more than 6 feet above ground level.
 - b. The sign shall be set back no less than 10 feet from the curb or street.
7. Window Signs.
 - a. Location. No limit on the location of the sign except as otherwise specified in this Code.

- b. Limit. Window signs are limited to one-third of the total surface area of the window to which they are affixed.

§ 157.009. Prohibited Signs

A) Prohibited Sign Types.

1. Billboards.
2. Flashing lights.
3. Inflatable signs.
4. Off-premises signs.
5. Rotating signs.
6. Signs that produce sound or include a noisemaking device or instrument for any purpose other than regulatory.
7. Signs on or attached to mobile equipment where the sign is a principal use of the equipment on either a nonpermanent or permanent basis.
8. Signs which are of a size, location, movement, content, coloring, or manner of illumination which may be confused with or construed as a traffic control device, or which hide from view any traffic or street sign or signal or which obstruct the view in any direction at a street or road intersection.

B) Prohibited signs are subject to removal by the city at the owner's expense.

§ 157.010. Exemptions

A) The following are not regulated by this ordinance.

1. Building addresses.
2. Historic plaques.
3. Governmental signs for control of traffic and other regulatory or notification purposes as governed under Manual on Uniform Traffic Control Devices (MUTCD) and Minnesota MUTCD.
4. Murals.
5. Notices required to be posted by law, including, but not limited to warning signs, dangerous dog, hazardous building, building permit, etc.
6. Seasonal decorations, including inflatable seasonal decorations.
7. Sculptures.

§ 157.011. Nonconforming Signs

A) A nonconforming sign is any sign that was legally established and maintained in compliance with the provisions of all applicable laws in effect at the time of original installation but that does not now comply with the provisions of this chapter. It is the intent of this chapter to recognize that the eventual elimination of signs that do not comply with the provisions of this chapter is as important as the prohibition of new signs that would violate these standards.

B) General Requirements. A nonconforming sign may not be:

1. Changed to another nonconforming sign.
2. Expanded.
3. Reestablished after a business discontinued for more than one year.
4. Reestablished after damage or destruction of more than 50 percent of its value, as determined by the building official, and no building permit has been applied for within 180 days of when the damage occurred.

C) Amortization. After the date of enactment of this chapter, nonconforming signs located within any zoning district shall be brought into compliance with this chapter if said sign is to be expanded.

D) Maintenance and Repair. Non-conforming signs and sign structures may be maintained and repaired.

§ 157.012. Abandoned Signs

An abandoned sign is a sign that has been inactive for a period of at least one year. An abandoned sign shall be removed by the owner or lessee of the premises upon which the sign is located when

the activity related to said sign is no longer conducted on the premises. If the owner or lessee fails to remove the sign, the zoning administrator shall give the owner 30 days written notice to remove it. Upon failure to comply with the notice, the zoning administrator may have the sign removed at the owner's expense.

§ 157.013. Enforcement

The provisions of this chapter shall be enforced and administered in accordance with the provisions of the Zoning Code.

§ 157.014. Variances

The city may grant a variance to provide relief to a property owner when the strict enforcement of the regulations for sign size, setbacks, height, and the like imposes practical difficulty on the property owner's ability to reasonably display a message. Financial considerations are not justification for variances. The procedure for reviewing a variance shall follow that process outlined for zoning variances in Section 154.004(E).

§ 157.015. Substitution Clause

Any sign allowed under this section may contain, in lieu of any other message or copy, any lawful noncommercial message or copy.

§ 157.016. Severability

If any section, subsection, paragraph, sentence, clause or phrase of this section or its application to any person or situation should be held to be invalid or unconstitutional for any reason by a court or competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of this section or its application to any other person or situation.

SECTION 2. Delete subsection (J) from § 154.001 Intent and Purpose and renumber accordingly.

~~(J) Establish a comprehensive system of sign controls governing the display, design, construction, installation and maintenance of signs and to promote the orderly and effective display of outdoor advertising;~~

SECTION 3. Delete the following definitions from § 154.003 Definitions.

~~LUMINANCE. The physical measure of brightness or light emanating from an object with respect to its size. The unit of measurement for luminance is nits, which is the total amount of light emitted from a sign divided by the surface area of the sign (candela per square meter).~~

~~SIGN. A sign which lawfully existed at the adoption of this chapter but does not conform to its requirements.~~

~~SIGN. Any written message, name, identification, description, display, illustration, pictorial presentation, number, decoration, flag, banner or other device which is affixed to or represented directly or indirectly upon a building, structure or land in view of the general public and which directs attention to an object, product, place, activity, person, institution, organization or business. A sign shall be considered as a structure or a part of a structure for the purpose of applying yard and height regulations.~~

~~SIGN (TYPES). (see FIGURE 18)~~

~~ADDRESS. A sign consisting of identification numbers only, either in written or numerical form.~~

— **ANIMATED.** A sign with a progression of frames which give the illusion of motion, moving objects, moving patterns or bands of lights and shapes; or that gives the visual impression of movement.

— **AUXILIARY.** A sign that has a purpose secondary to the use of the lot on which it is located, such as "telephone," "drive through," "cash machine," "air," "entrance," "exit," parking restrictions, security warnings or similar directives.

— **AWNING.** A sign attached to, affixed to, or painted on an awning

— **BACKLIGHTING.** An illuminated sign where the light source which illuminates the wall behind individual sign letters is hidden from view. The sign letters are opaque and appear as a silhouette against the lighted surface.

— **BEACON LIGHT.** Any light with one or more beams directed into the atmosphere or directed at one or more points not on the same zone lot as the light source; also, any light with one or more beams that rotate or move.

— **BENCH.** A sign attached to a bench located on the street and designed for seating while waiting at a bus stop.

— **BILLBOARD.** An off premises sign which consists of one or more sign faces primarily intended by the sign owner to be available for sale, lease or rental for the purpose of promoting any business or other activity which is not situated on the same property as the billboard or of promoting any product or service which is not primarily available on the same property as the billboard; and incidentally used for the display of public service messages.

— **BUILDING MARKER.** Any sign indicating the name of a building and date and incidental information about its construction, which sign is cut into a masonry surface or made of bronze or other permanent material.

— **CANOPY.** A sign attached to, affixed to, or painted on a canopy.

— **CHANGEABLE SIGNS—**

— **MANUALLY ACTIVATED.** Signs whose alphabetic, pictographic, or symbolic informational content can be changed or altered by manual means.

— **ELECTRONICALLY ACTIVATED.** Signs whose alphabetic, pictographic, or symbolic informational content can be changed or altered on a fixed display surface composed of electronically illuminated or mechanically driven changeable segments. Includes the following two types:

— **COMPUTER CONTROLLED VARIABLE MESSAGE ELECTRONIC SIGNS.** Signs whose informational content can be changed or altered by means of computer driven electronic impulses.

— **FIXED MESSAGE ELECTRONIC SIGNS.** Signs whose basic informational content has been preprogrammed to include only certain types of information projection, such as time, temperature, predictable traffic conditions, or other content subject to prior programming.

— **COMMERCIAL MESSAGE.** Any sign wording, logo, or other representation that, directly or indirectly, names, advertises, or calls attention to a business, product, service, or other commercial activity.

— **DIRECT LIGHTING.** An illuminated sign where the source of light is visible.

— **DIRECTIONAL.** A sign which contains the name and address of a site, directional arrows and possibly the distance to the location of that site.

— **FLAG.** Any fabric or flexible material attached to or designed to be flown from a flagpole or other similar structure.

— **FLASHING.** Any illuminated sign which emits an intermittent or flashing light, or creates the illusion of intermittent or flashing light by means of animation which is not a "Changeable Sign."

— **FREESTANDING.** A sign on a frame, pole, or other, support structure not attached to any building.

— **IDENTIFICATION.** A sign containing principally the name of the individual or establishment occupying the premises, and which also may include the street address, telephone number or other information identifying the use.

— **ILLUMINATED.** Any sign which has characters, letters, figures, designs or outlines which are either internally or externally illuminated by an artificial light source.

— **MARQUEE.** Any permanent roof-like structure projecting beyond a building or extending along and projecting beyond the wall of the building, generally designed and constructed to provide protection from the weather.

— **MARQUEE ATTACHMENT.** Any sign attached to, in any manner, or made a part of a marquee.

— **MONUMENT.** A sign supported primarily by an internal structural framework or integrated into landscaping or other solid structural features other than support poles.

— **MURAL.** A work of graphic art painted on a building wall, which contains no commercial advertising or logos, and which does not serve to advertise or promote any business, product, activity, service, interest or entertainment.

— **NAME PLATE.** Any sign which states the name or address or both of the business or occupant of the lot where the sign is placed.

— **NONCONFORMING SIGN.** See 'Non-Conforming Sign'

— **OFF PREMISE.** Any sign that advertises an establishment, merchandise, service, or entertainments which is not sold produced, manufactured, or furnished at the property on which said sign is located.

— **ON PREMISE.** A sign whose message is related to the premises or the activity and use occurring on the premises on which the sign is located.

— **PORTABLE.** A sign that is movable and not permanently attached to a structure or the ground. Portable signs include sandwich board signs, portable reader boards on wheels that display changeable letters, trailer signs, gas-filled balloons, and similar signs.

— **PROJECTING.** A sign attached to and projecting out from a building face or wall, generally at right angles to the building. These signs include signs that are totally in the right-of-way, partially in the right-of-way, or fully on private property.

— **PUBLIC.** Any sign defined as a traffic control sign in the Highway Traffic Regulation Act, any identification sign installed in a public park by a public authority or any other identification, regulatory or warning sign approved by the city for installation on public land.

—~~RESIDENTIAL. Any sign located in a district zoned for residential uses that contains no commercial message except advertising for goods or services legally offered on the premises where the sign is located, if offering such service at such location conforms to all requirements of the zoning ordinance.~~

—~~ROOF. A sign erected on a roof, or signs that project above the highest point of the roofline, parapet, or fascia of the building.~~

—~~ROTATING. A sign or portion of a sign which in any physical part or in total turns about on an axis, rotates, revolves or is otherwise in motion, including without limitation a multi-vision sign.~~

—~~TEMPORARY. A sign installed for a limited time and not constructed or intended for long-term use.~~

—~~BALLOON. A sign consisting of a bag or similar device made of lightweight material supported by helium, hot, or pressurized air, which is greater than 18 inches in diameter.~~

—~~BANNER. A sign made of fabric or other similar nonrigid material with no enclosing framework or electrical components that is supported or anchored on two or more edges or at all four corners.~~

—~~CONSTRUCTION. A sign placed at a construction site identifying the project or the name of the architect, engineer, contractor, financier or other involved parties.~~

—~~PENNANT. Any lightweight plastic, fabric, or other material, whether or not containing a message of any kind, suspended from a rope, wire, or string, usually in series, designed to move in the wind. A pennant for purposes of this chapter is considered part of temporary signage.~~

—~~POLITICAL. A sign which advertises or promotes a candidate for public office, a political party or an issue to be considered in a public election.~~

—~~REAL ESTATE. A sign which advertises the development, sale, lease or rental of land or buildings.~~

—~~STRINGER. A sign that is made of commercial or decorative pennants, flags or streamers which are attached to a string, rope or cable.~~

—~~WALL. A sign mounted flat against a wall, or painted on the wall of a building or structure with the exposed face of the sign in a plane parallel to the face of the wall.~~

—~~WINDOW. A sign posted, painted, placed, or affixed to the interior or exterior of a window. Signs that face a window exposed to public view and located within 12 inches of the window are considered a window sign.~~

—~~SIGN (ELEMENTS)~~

—~~FACE. That portion of a sign upon which the message, advertisement or similar display is presented, as distinguished from the structural members.~~

—~~HEIGHT. The distance measured perpendicularly from the highest point of the sign structure to the grade level of the ground directly below that point or the grade level of the center line of the nearest adjacent roadbed, whichever grade level is higher.~~

—~~STRUCTURE. A structure including the supports, uprights, bracing and framework which supports or is capable of supporting a sign.~~

SECTION 4. Modify Section 154.010(D).19.E.iii. as follows:

A non-illuminated nameplate a maximum of two square feet in area may be placed on the front façade of the principal structure. Otherwise, there shall be no signage, display, or advertisement visible

from the exterior of the lot related to the home occupation, unless allowed elsewhere in the Municipal Code.

SECTION 5. Delete Tables 10 and 11 in Section in Appendix A.

SECTION 6. Remove Figure 18 in Appendix B and renumber accordingly.

SECTION 7. This ordinance shall be effective immediately upon its passage and publication.

ADOPTED this _____ day of _____, 2022, by the City Council of the City of North St. Paul, Minnesota.

CITY OF NORTH ST. PAUL

BY: _____
Terry Furlong, Mayor

ATTEST:

Brian Frandle, Interim City Manager

Summary published in Review: _____