



MAYOR AND COUNCIL COMMUNICATION

DATE: 6/04/2013

**REGULAR**

ITEM #: 11

**AGENDA ITEM:** Zoning Text Amendment – Sign Ordinance

**SUBMITTED BY:** Nick Johnson, City Planner

**THROUGH:** Dean Zuleger, City Administrator

**REVIEWED BY:** Planning Commission  
Kyle Klatt, Planning Director

**SUGGESTED ORDER OF BUSINESS:**

- Introduction of Item.....Staff
- Report/Presentation.....Staff
- Questions from Council to Staff.....Mayor Facilitates
- Public Input, if Appropriate.....Mayor Facilitates
- Call for Motion.....Mayor & City Council
- Discussion.....Mayor & City Council
- Action on Motion.....Mayor Facilitates

**SUMMARY AND ACTION REQUESTED:**

The City Council is asked to consider a Zoning Text Amendment, establishing new signage regulations in Lake Elmo. These signage provisions will be organized under Article 5 - General Regulations under the new organizational structure of the Zoning Code. This Zoning Text Amendment is part of the ongoing effort to reorganize and improve the Lake Elmo Zoning Code.

*The Planning Commission recommends the City Council approve Ordinance 08-082 through the following motion:*

***“Move to approve Ordinance 08-082, establishing new signage regulations in the Lake Elmo Zoning Code.”***

*In addition, Staff recommends that the City Council approve Resolution No. 2013-47, authorizing summary publication of Ordinance 08-082, through the following motion:*

***“Move to approve Resolution No. 2013-47, authorizing summary publication of Ordinance 08-082.”***

**BACKGROUND AND STAFF REPORT:**

Staff is continuing to progress on a large project aimed at incrementally reorganizing and improving the Lake Elmo Zoning Code in preparation of upcoming growth. One of the ordinances that was identified as needing improvement was the Sign Ordinance. More specifically, the ordinance is confusing, poorly organized and overly restrictive in some areas. In addition, there are some provisions of signage that are not adequately addressed in the existing ordinance. Therefore, Staff researched several sign ordinances from various communities to find a more comprehensive and better organized ordinance that would address all considerations related to signage. The proposed ordinance is organized under Article 5 –

General Regulations within the Zoning Code. Staff determined that it was important to incorporate best practices related to signage in advance of future growth in the community.

The Planning Commission reviewed the proposed Sign Ordinance at a regular meeting on May 13, 2013. At this meeting, the Planning Commission made several recommendations related to additional research and provisions contained within the draft ordinance. Staff responded to these recommendations by making refinements to the ordinance. The Planning Commission held a public hearing on the proposed Sign Ordinance on May 29, 2013. No one spoke in favor or against the ordinance at the public hearing. The Planning Commission recommended the proposed ordinance for approval. In addition, the motion for approval included a recommendation by the Planning Commission to investigate the creation of a sign district in downtown Lake Elmo (Vote: 4-1, with Commissioner Dorschner voting no). Given the City's plans to build off of the existing Lake Elmo Avenue corridor by creating a mixed-use downtown, it may make sense to look at more comprehensive signage for the areas that are more pedestrian oriented in nature. It should be noted that the existing sign ordinance does include a Village sign district. However, this sign district does not account for the varied development patterns that exist on TH-5 vs. Lake Elmo Avenue. In other words, any future sign district that could be applied to the downtown should not include the TH-5 corridor given the higher travel speeds, wide right-of-way and distinctly different streetscape.

Regarding the proposed Sign Ordinance, there are a number of areas that are improvements over the existing ordinance, including the following:

- **Organization:** The existing Sign Ordinance is not well organized and contains standards pertaining to signage in a cluttered manner in many different sections of the ordinance. The proposed ordinance is a far improvement in this regard in that it lays out administrative items, general regulations pertaining to all signage, signage considerations by land use, standards per specific sign type, provisions for temporary signage and signage exempt from permit. Overall, the flow and organization of the proposed ordinance is superior. In addition, the existing Sign Ordinance is located under Chapter 151: Building Regulations. Signage is more of a zoning consideration than a building consideration. Therefore, the proposed ordinance is located under Article 5 – General Regulation of the Zoning Code.
- **General Regulations:** the proposed ordinance does an excellent job of providing provisions related to location of signage to allow for safe and reasonable placement of signage. These location related provisions are important given the variety of different land uses and development types the City may see with not only higher density residential and commercial development, but mixed-use development, as anticipated in the pending Village Comprehensive Plan Amendment.
- **Allowed Signage by Land Use:** The proposed ordinance is straightforward in the types of signage that can be utilized according to land use type. In addition, the provisions related to Agricultural Sales Businesses from the existing Sign Ordinance have been included in the proposed ordinance, as these businesses represent an important aspect of Lake Elmo's rural character and commercial activity presently.
- **Ground Signs:** The existing ordinance allows for a base size limit of ground signs solely according to land use. However, when considering the size of ground signs, the traffic speed of vehicles and the number of travel lanes play a large role in the amount or size of signage necessary to effectively communicate a commercial message. Therefore, the proposed ordinance allows for varying levels of sign area for ground signs according to the travel speed and number of travel lanes of the street that the property is fronting. Staff has determined that this represents a signage best practice.
- **Temporary Signs:** As growth of commercial business in Lake Elmo increases, the demand for temporary signage related to sales and other events is likely to increase. The proposed ordinance does an excellent job of addressing the different types of temporary signage.
- **Exempt Signs:** The proposed ordinance is extremely straightforward and thorough in terms of the sign types that are exempt from permit. It is helpful to establish the sign types that are exempt in

terms of maintaining a balance between the signage types that significantly impact the public rights-of-way, and signage that does not need to be regulated.

It should also be noted that Staff is recommending to delete all of the existing definitions pertaining to signage in the City Code in order to not have any conflicts between existing terminology and the proposed ordinance. In addition, Staff is recommending that the term “vision triangle” be defined in the code, as it is used in the proposed ordinance and is not currently defined. These changes are also found within Ordinance 08-082.

Overall, the proposed ordinance is more comprehensive and better organized, making it easier to administer. Given the future growth that is likely to occur in the coming years, it is helpful to have signage regulations that address all of the different situations related to signage, while having an ordinance in place that is straightforward.

**RECOMMENDATION:**

*The Planning Commission recommends the City Council approve Ordinance 08-082 through the following motion:*

***“Move to approve Ordinance 08-082, establishing new signage regulations in the Lake Elmo Zoning Code.”***

*In addition, Staff recommends that the City Council approve Resolution No. 2013-47, authorizing summary publication of Ordinance 08-082, through the following motion:*

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**ATTACHMENT(S):**

1. Ordinance 08-082
2. Resolution No. 2013-47