



## City of Lake Elmo

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Lake Elmo, Minnesota 55042

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### NOTICE OF MEETING

The City of Lake Elmo  
Planning Commission will conduct a meeting on  
**Monday, February 9, 2009, at 7:00 p.m.**

### AGENDA

1. Pledge of Allegiance
2. Approve Agenda
3. Approve Minutes
  - a. December 8, 2008
  - b. January 12, 2009
4. Welcome New Commissioners – Saleh Van Erem, Joan Ziertman, Thomas Bidon (1<sup>st</sup> Alternate), and Steve Britz (2<sup>nd</sup> Alternate)
5. Public Hearings - None
6. Business Items
  - a. Sign Regulations Update
  - b. Comprehensive Plan Update
    - i. Surface Water Plan
    - ii. Water Plan
    - iii. Transportation Plan
  - c. Wireless Communication Tower
    - i. Application Update
    - ii. Ordinance Project Timeline
  - d. 2009 Planning Commission Work Plan
  - e. General Information Update
    - i. Updated Commissioner Term Chart
    - ii. Planning Commissioner Interview Questions Review
7. City Council Updates

- a. January 20<sup>th</sup> Council Mtg.
  - i. Variance and Lot Line Adj. Application at 8186 and 8190 Hill Trail North – Approved
  - ii. MnDOT Community Roadside Landscaping Partnership Program application authorization
- b. T-Mobile Tower Application
  - i. January 13<sup>th</sup> Workshop
  - ii. January 20<sup>th</sup> Council Mtg.
  - iii. January 26<sup>th</sup> Ad Hoc Discussion Committee
  - iv. January 27<sup>th</sup> Council Mtg.
  - v. January 28<sup>th</sup> Emergency Council Mtg.
  - vi. February 3<sup>rd</sup> Council Mtg. – Application Denied

8. Adjourn

**City of Lake Elmo  
Planning Commission Meeting  
Minutes of December 8, 2008**

Chairman Ptacek called to order the meeting of the Lake Elmo Planning Commission at 7:00 p.m. COMMISSIONERS PRESENT: Deziel, Fliflet, Hall, McGinnis, Pearson, Pelletier, Ptacek, and Van Zandt. Absent: Anderson, Roth, and Helwig. STAFF PRESENT: Assistant Engineer Stempski, Planning Director Klatt, and Planner Matzek.

**Agenda**

M/S/P, Van Zandt/Hall, move to approve as presented. Vote: 8:0.

**Minutes**

*September 8, 2008* - M/S/P, Pelletier/Van Zandt, move to approve as presented. Vote: 4:0. 4 abstentions: Fliflet, Hall, McGinnis, and Pearson.

*November 10, 2008* - M/S/P, Hall/McGinnis, move to approve as presented. Vote: 7:0. 1 abstention: Pelletier.

Commissioner Deziel requested that the names of who voted against applications be added as has been done previously.

**Public Hearing – Storm Water Management and Sediment and Erosion Control Ordinance**

Planning Director Klatt introduced the item saying that this is a state mandated requirement that the city must comply with. The document is in draft format and staff is anticipating going back through the ordinance to take out some existing sections of code to condense the information into this one section.

Engineer Stempski identified the purpose and schedule, the existing ordinance, the proposed storm water management ordinance, proposed erosion and sediment control ordinance, next steps, and asked for questions.

Commissioner Deziel asked if the ordinance will need to be regularly updated or will it reference other documents which will be updated.

Engineer Stempski confirmed that the ordinance will reference the Engineering Design Standard Manual which will be updated as needed.

Commissioner Pelletier asked if the aeration of a storm water basin was an issue.

Engineer Stempski said historically they have not been maintained well, but now the city is mandated to do so and he has been working with the Public Works department.

THE CHAIRMAN OPENED THE PUBLIC HEARING AT 7:20 P.M.

No one spoke.

THE CHAIRMAN CLOSED THE PUBLIC HEARING AT 7:21 P.M.

Commissioner Fliflet asked how much of the ordinance is best practice and just copied from other sample text.

Engineer Stempski said the MPCA provides sample guidelines and although the framework was taken from other cities, it was personalized with engineering design standards for Lake Elmo.

Commissioner Van Zandt asked if a neighboring community approved a project that then created a water issue in Lake Elmo, would that be addressed by the cities or the watershed district.

Engineer Stempski said that dependent on the size of the project, the watershed district may be the appropriate agency.

M/S/P, Deziel/Van Zandt, move to recommend approval. Vote: 8:0.

#### **Staff Updates**

*Wireless Telecommunication Tower Permit; 9057 Lake Jane Trl N*

Planning Director Klatt said the City Council did not take action at the last meeting, but chose to table the item to discuss it again at a future meeting. [Referenced later in the minutes.]

*Village Area AUAR*

Planning Director Klatt said the City Council decided to move forward with the official 30 day public review of the draft Village Area AUAR, which will end on December 31<sup>st</sup>.

#### **City Council Updates**

Planning Director Klatt said the City Council approved the Wireless Telecommunication Tower Permit to add an antenna array to the water tower at 3303 Langly Court for AT&T.

Planning Director Klatt said the City Council held a workshop on December 2<sup>nd</sup> to discuss the tower permit application for 9057 Lake Jane Trail. A series of questions were posed at the meeting and staff was directed to provide some suggested language text. A moratorium was put in place for Wireless Telecommunication Towers.

*Jim Blackford, 9765 45<sup>th</sup> St N*

Mr. Blackford said he thought the planning commission should be involved in the discussion of the location and design of the proposed T-Mobile cell tower. He asked the commission to send a resolution to the council saying they should do what is needed – to put in place a moratorium.

Planning Director Klatt said that based on legal advice received, the city can not retroactively put a moratorium on an active application, but can put a moratorium on future applications while the ordinance is reviewed and revised. He expects at the next meeting other suitable locations and height will be discussed.

Commissioner Deziel said that the city can pass what they would like and get sued.

Commissioner Pearson stated that the code says the city should keep a list of sites for towers and asked if there was such a map at city hall. He said the rights of property owners should be kept in mind.

Planning Director Klatt said the zoning text amendment was approved and the Interim Use Permit application for Terry Emerson at 11530 Hudson Boulevard was tabled.

*Nadine Obermueller, 8696 42<sup>nd</sup> Street*

Ms. Obermueller said she wants to debunk the belief that the city and the commission do not have much to say about the T-Mobile cell tower application. She said they should not fear lawsuits.

Commissioner Fliflet said she is unhappy with how long vacancies have taken to be filled on the Planning Commission and asked if there were applications waiting.

Planning Director Klatt said he will find that information.

M/S/P, Ptacek/Van Zandt, move to direct staff to provide information for terms and eligibility as well as let commissioners know by December 31<sup>st</sup> if they will no longer be on the commission. Vote: 8:0.

Planning Director Klatt said there will be an informal open house to discuss the concerns with the existing sign regulations and to receive feedback from interested parties before a draft ordinance is written.

Commissioner Fliflet said the commission should have had an attorney and a city administrator at the meeting to ask questions about what options they had for reviewing the T-Mobile cell tower application.

Adjourned at 8:06 p.m.

Respectfully submitted,

Kelli Matzek  
Planner

**City of Lake Elmo  
Planning Commission Meeting  
Minutes of January 12, 2009**

Chairman Ptacek called to order the meeting of the Lake Elmo Planning Commission at 7:01 p.m. COMMISSIONERS PRESENT: Anderson, Fliflet, Hall, Pelletier, Ptacek, and Van Zandt. Absent: Deziel, Helwig, McGinnis, Pearson, and Roth. STAFF PRESENT: Planning Director Klatt and Planner Matzek

**Election of Officers**

Commissioner Robert Van Zandt was nominated for Chair by Commissioner Fliflet.

Vote: 5:0. Van Zandt abstained.

Commissioner Todd Ptacek was nominated for Vice Chair by Commissioner Pelletier.

Vote: 5:0. Ptacek abstained.

Commissioner Julie Fliflet was nominated for Secretary by Commissioner Pelletier.

Vote: 5:0. Fliflet abstained.

**Agenda**

M/S/P, Ptacek/Hall, to approve the agenda as presented. Vote: 6:0.

**Minutes**

Minutes were not available.

**Public Hearing: Variance and Lot Line Adjustment**

Planning Director Klatt summarized the variance and lot line adjustment application to move an internal lot line between the properties at 8186 and 8190 Hill Trail North. Although a lot line adjustment could be administratively approved, because one of the legally non-conforming lots would become more non-conforming to lot size, a variance is required. The property at 8186 Hill Trail North would be reduced in size by 470 square feet. The minimum lot size requirement variance is from both the R-1 zoning district and the Shoreland District. Staff is recommending approval of the application as the topography, the area's function as a drainage way, and the need for maintenance make it a unique situation.

*Jim Dillon, Co-Applicant*

Mr. Dillon stated that the retaining walls in this area range in size from three feet to fifteen feet high. The original owners built the retaining walls and provided incorrect information on the property line location. Mr. Dillon said he has spent 18 years maintaining the area to ensure it does not become a drainage problem.

THE CHAIRMAN OPENED THE PUBLIC HEARING AT 7:23 p.m.

Planning Director Klatt said city staff received a phone call from a neighbor in support of the application.

THE CHAIRMAN CLOSED THE PUBLIC HEARING AT 7:24 p.m.

M/S/P, Ptacek/Pelletier, move to recommend approval of the variance application. Vote 6:0.

**Business Item**

*Sign Ordinance Project Update*

Planning Director Klatt stated that consultant Ben Gozola was planning to attend the meeting, but did not due to the inclement weather. Mr. Gozola had completed the Agricultural Business and Off-Premise sign code update in 2008. He has now begun work on updating the remaining sign code and has held an open house to receive public input before a draft ordinance is created.

*Planning Commission Terms*

Planning Director Klatt said that some changes had been implemented by the council in 2008 to utilize the existing code regarding commissioner terms which had previously not been enforced.

Commissioner Fliflet said she thought it was strange that if a commissioner had served for three years and wanted to serve an additional three year term that the person would need to be interviewed again. She asked if that is what the City Council had wanted as she would expect the council to know the commissioner from watching their meetings.

Planning Director Klatt said the City Clerk stated that is what the City Council wanted; commissioners' whose term was expiring was in the same pool of interviewees.

Commissioner Ptacek said he spoke with the previous City Administrator and she stated that was what the council wanted.

Planning Director Klatt said that an alternate is not a part of the interview process unless they would like to become a full voting member. The City Clerk identified that there was a break from past practice.

Chairman Van Zandt said he would like the decision made on how the three vacant positions on the commission would be filled.

*2009 Work Plan*

Planning Director Klatt handed out the 2008 and 2009 work plans. He stated what was accomplished in 2008 and what projects were in progress.

Commissioner Pelletier said the review of the outdoor lighting ordinance has been on the work plan as long as she can remember. She said the Village Area AUAR was a dramatic task, but was curious as to how to get this item started.

Planning Director Klatt said the items on the 2008 work plan were prioritized and the lighting ordinance was given a number three. Staff tries to work on the items as time allows and other high priority items were accomplished first.

Commissioner Fliflet said she would like to finish the home occupation ordinance which was started two years ago. She said it is difficult to work on a project over a long period of time when commission members change. She would like to see a work plan of what will get done on a smaller work plan of only 4-5 items.

Planning Director Klatt said that a fair amount of projects were accomplished in 2008 and some items were intended to take a longer time, such as the AUAR. He suggested the commission select one or two critical code amendments.

#### *2009 Meeting Schedule*

M/S/P, Anderson/Hall, move to approve the meeting schedule as presented. Vote: 5:0. Ptacek abstained as he believed they should spend more time on it.

#### **Informational Item: Government Training Services**

Planner Matzek stated that training is provided by a private company in the spring of each year. The registration fee would be paid by the city if a commissioner would like to attend. At the time of the meeting, the dates and times had not been released.

#### **Council Updates**

Planning Director Klatt said that the T-Mobile Tower Application was reviewed at the December 9<sup>th</sup> meeting, but that an extension was approved by the applicant to February 10<sup>th</sup>. A workshop will be held tomorrow night at 6:30 p.m. to receive additional feedback, but that no decisions would be made at that time.

Commissioner Pelletier asked if the application were approved, if it would be setting a precedent for future applications.

Planning Director Klatt said that it would not as the city's regulations will be reviewed, but that there are federal regulations that restrict what a city can regulate.

Planning Director Klatt said the Interim Use Permit for Terry Emerson at 11530 Hudson Boulevard was approved, but that the use has not taken place as additional plantings were required. He also stated that a moratorium on wireless telecommunication towers was put in place and staff was asked to put together an outline.

Adjourned at 8:26 p.m.

Respectfully submitted,

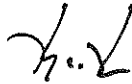
Kelli Matzek  
Planner



Planning Commission  
Date: 2/9/09  
**Staff Update**  
Item: 6a

ITEM: Sign Ordinance Update

SUBMITTED BY: Kyle Klatt, Planning Director



REVIEWED BY: Kelli Matzek, City Planner

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**SUMMARY AND ACTION REQUESTED:**

The City's consulting planner, Ben Gozola of MFRA, has been asked to provide the Planning Commission with an update regarding the Sign Ordinance project. To date, there have been two public open houses conducted to gather public feedback regarding the City's sign regulations, and Mr. Gozola has prepared an initial draft of the revised sign code. This preliminary draft is attached for review by the Planning Commission, and has been previously sent to all parties on the project email list (including all Commissioners).

As noted in most recent email update from Mr. Gozola, highlights of this draft ordinance include:

- 1) The new language is color coded to identify where proposed language originated (e.g. green wording indicates existing language while orange lettering indicates existing text that has been edited. A legend for all colors is provided at the beginning of the draft ordinance).
- 2) The new language addresses existing legal concerns by focusing regulation on objective standards such as number, size, placement, height, lighting, etc.
- 3) The new language strives to maintain existing minimums & maximums within the new framework to avoid significant changes in the level of signage currently allowed within the city.
- 4) The new language provides requested flexibility in signage types (e.g. one participant at the first open house denoted a need for wall signage and a monument sign near their property entrance. Under the draft ordinance, property owners would be afforded a maximum square footage for overall signage based on their lot characteristics, and can use that square footage—subject to size, location, and height restrictions—on sign types and locations that make the most sense for their property).
- 5) The new language provides requested flexibility in multi-tenant situations.
- 6) The new language maintains the recently added provisions for agricultural businesses and residential developments.
- 7) As requested by some parties, staff has drafted optional language for residential development identification signs (this language is not currently reflected in the draft ordinance, but can be provided under separate cover).

Please keep in mind that THIS IS ONLY A DRAFT at this point in time. Further examination of all proposed language will be completed prior to a final draft going before the planning commission for a public hearing in March.

ADDITIONAL INFORMATION:

The next major step that is planned in the review process will be for the Planning Commission to conduct a public hearing on the draft ordinance.

RECOMMENDATION:

The Planning Commission is asked to establish a public hearing to consider adoption of the revised sign ordinance at its March 9, 2009 meeting.

ATTACHMENTS:

1. Draft Lake Elmo Sign Code

ORDER OF BUSINESS:

- Introduction ..... Kyle Klatt, Planning Director
  - Report/Presentation ..... Ben Gozola, Senior Planner
  - Questions from the Commission ..... Chair & Commission Members
-

**Color Legend:**

GREEN language = existing language that has NOT been edited

ORANGE language = existing language that has been edited

BLUE language = optional language for consideration

BLACK language = new language

RED language = needs to change or be edited

## **SIGNS**

### **§ 151.115 PURPOSE**

#### **(A) Purpose, Findings, and Effect**

##### **(1) Purpose.**

(a) The Lake Elmo Sign Regulations are intended to establish a comprehensive and balanced system of sign control that accommodates the need for a well-maintained, safe, and attractive community, and the business community's need for effective communication and identification. It is not the purpose or intent of these regulations to favor commercial messages or speech over non-commercial messages or speech or to discriminate between types of non-commercial speech or the viewpoints represented therein. It is the intent of these regulations to promote the health, safety, general welfare, and desirable rural community image through the regulation of signs with the following objectives in mind:

- a. Signs shall demonstrate a high standard of aesthetic character and encourage the use of monument and individual letter-style signs;
- b. Permit large enough copy/graphic area to effectively convey the intended message but not so large as to unduly distract the reader and insist on lettering large enough to be easily read to encourage simple, uncluttered messages;
- c. Signs shall be proportioned to the size of, and architecturally compatible with, the structures and other signs on the premises;
- d. Permanent signs shall only advertise on-premise businesses, services, facilities, etc;

- e. Allow temporary business signs for grand openings and occasional sales events; allow temporary signs to advise the public of the seasonal sale of agricultural and horticultural products in keeping with the City's rural image; and to allow temporary directional signs permitting the public to more easily locate land conservation developments which enhances the City's rural image, without creating continuous visual clutter or traffic hazards along streets or at intersections; and
- f. Signs shall be properly maintained.
- g. Signs that distract drivers, cyclists and pedestrians shall not be permitted. Studies conducted by public and private agencies have identified that dynamic signs, including multi-vision signs, electronic signs and video displays can be highly distracting to drivers, pedestrians, and cyclists and that distraction is a significant underlying cause of traffic accidents. With respect to electronic signs, including video display signs, the City finds that they are highly visible from long distances and at very wide viewing angles both day and night and are designed to catch the eye of persons in their vicinity and hold it for extended periods of time. If left uncontrolled, electronic signs, including video display signs, constitute a serious traffic safety threat. Studies conducted by the Federal Highway Administration (FHWA), Research Review of Potential Safety Effects of Electronic Billboards on Driver Attention and Distraction, Sept. 11, 2001, and The Role of Driver Inattention in Crashes: New Statistics from 1995; the University of North Carolina Highway Safety Research Center, Distractions in Everyday Driving, May 2003 and The Role of Driver Distraction in Traffic Crashes, May 2001; the Wisconsin Department of Transportation, Synthesis Report of Electronic Billboards and Highway Safety, June 10, 2003; the Municipal Research and Services Center of Washington, Sign Control Provisions, Jan. 2006; the Veridan Group, Video Signs in Seattle, Gerald Wachtel, May 2001, reveal that electronic signs are highly distracting to drivers and that driver distraction continues to be a significant underlying cause of traffic accidents.

**(2) Findings.**

The City of Lake Elmo hereby finds that regulation of the construction type, location, size, and maintenance of signs is necessary to accomplish the above referenced objectives, because:

- (a) The presence of permanent and temporary signage affects the rural image of the City of Lake Elmo;

- (b) Properly regulated signage can create an atmosphere of prosperity, stimulate commercial activity, and consequently, lead to increased employment and a healthier tax base;
- (c) The safety of motorists, cyclists, and pedestrians can be threatened by signage that interferes with necessary sight-distances and/or unduly diverts the attention of such persons.
- (d) Signs that are too bright, overly illuminated, flash, blink, scroll, twirl, change messages or color, or imitate movement, including video displays, can distract drivers, cyclists and pedestrians and impact traffic safety.

**(3) Effect.**

A sign may be erected, mounted, displayed or maintained in the city if it is in conformance with the provisions of this section. The effect of this sign ordinance is to:

- (a) Allow a wide variety of sign types in commercial zones, and a more limited variety of signs in other zones subject to the standards set forth in this sign ordinance.
- (b) Allow certain small, unobtrusive signs incidental to the principal use of a site in all zones when in compliance with the requirements of this sign ordinance.
- (c) Prohibit signs whose location, size, type, illumination or other physical characteristics negatively affect the environment and where the communication can be accomplished by means having a lesser impact on the environment and the public health, safety and welfare.
- (d) Provide for the enforcement of the provisions of this sign ordinance.

**(B) Severability.** If any section, subsection, sentence, clause, or phrase in sections 151.115 through 151.120 are for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Sign Ordinance. The City Council hereby declares that it would have adopted the Sign Ordinance in each section, subsection, sentence, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid.

**(C) Definitions.** (TO BE EDITED AND REVISED FOLLOWING THE COMPLETION OF THE DRAFT ORDINANCE. DEFINITIONS HEREIN ARE EXAMPLES TO CONSIDER OR EXISTING LANGUAGE). The definitions set forth in this Section are in addition to the definitions set forth in Section 11.01. In the event of a conflict between the Sections, the definitions in this section shall apply.

**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, shall be deemed to have been abandoned. Signs applicable to a business temporarily suspended because of a change in ownership or management of such business 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.

**animation** -- The movement or the optical illusion of movement of any part a sign, sign structure, design, or pictorial segment, including the movement of any illumination or the flashing or varying of light intensity; the automatic changing of all or any part of the facing of a street sign.

**Awning** means a shelter supported entirely from the exterior wall of a building.

**Awning sign** - a sign or graphic printed on or in some fashion attached directly to the awning material.

**Back lit (sign illumination)** means a direct source of light which illuminates a sign by shining through a translucent surface of a sign, including plastic signs, lit from an internal light source.

**Banner** - A temporary sign typically made of cloth, plastic or vinyl materials. Banner signs shall not be used as permanent signage.

**Billboard** - A sign structure with a surface area over one hundred (100) square feet per surface that identifies or communicates a commercial or non-commercial message.

**Business Vehicle Identification Sign** – A sign that is permanently mounted or otherwise permanently affixed to a vehicle, trailer, or semitrailer which identifies the business, products, or services with which the vehicle, trailer, or semitrailer is related. For purposes of this definition, magnetic and adhesive signs shall be considered as being permanently affixed. Bumper stickers and similarly sized adhesive decals shall not be considered business vehicle identification signs.

**Canopy** means a detachable, rooflike cover, supported from the ground or deck, floor or walls of a structure, for protection from the sun or weather.

**Canopy sign** means a sign that is mounted, painted, or otherwise applied on or attached to a freestanding canopy or structural protective cover over an outdoor service area. An awning or a marquee is not a canopy.

**Changeable copy sign** - A sign designed to allow the changing of copy through manual, mechanical, or electrical means including time and temperature.

**Commercial Speech** – Speech or graphics advertising a business, profession, commodity, service or entertainment.

**Direct illumination (sign illumination)** means a sign whose light source is either located in the interior of the sign so that the rays go through the face of the sign, or which is attached to the face of the sign and is perceived as a design element of the sign.

**Directional sign** – An on-site sign for the purpose of making specific locations known and to assist in finding these locations (e.g. “Parking,” “Shipping Receiving Area”).

**Electronic Variable Message Sign** – Signs whose message are changed at reasonable intervals by electronic process or remote control and whose movement is the periodic changing of information against a solid, colorless background, engineered for maximum legibility and readability, and having a constant light level and glare reduced screens. This definition does not include static time and temperature displays which only change when necessary for accuracy.

**External Illumination** Illumination of a sign that is affected by an artificial source of light not contained within the sign itself.

**Flag**” - any fabric or similar lightweight material attached at one end of the material, usually to a staff or pole, so as to allow movement of the material by atmospheric changes and which contains distinctive colors, patterns, symbols, emblems, insignia, or other symbolic devices.

**Freestanding sign** means a sign that is attached to, erected on, or supported by some structure (such as a pole, mast, frame, or other structure) that is not itself an integral part of or attached to a building or other structure whose principal function is something other than the support of a sign.

**Governmental Sign** – a sign erected and maintained by or on behalf of the United States, the state, the county, or the city for the purpose of regulating traffic or for other civic purposes.

**Ground sign**” - any freestanding sign with its sign face mounted on the ground or mounted on a base at least as wide as the sign and which has a total height not exceeding six (6) feet.

**Historic sign** means an existing sign which has a special historical, architectural, cultural, or aesthetic value to the community.

**Illuminated sign**” - any sign which contains an element designed to emanate artificial light directly or indirectly.

**Indirect illumination (sign illumination)** means a sign whose light source is external to the sign and which casts its light onto the sign from some distance.

**Monument sign**” - any freestanding sign with its sign face mounted on the ground or mounted on a base at least as wide as the sign and which has a height exceeding six (6) feet.

**multi-tenant building** – A grouping of two or more business establishments that either share common parking on the lot where they are located, or that occupy a single structure or separate structures that are physically or functionally related or attached.

**Mural Sign** – Any mural or pictorial scene painted on a wall or building or painted on a sign board affixed to a wall, and in which mural or scene has as its purpose an artistic effect.

**Non-commercial Speech** – A sign that contains a non-commercial message. Examples of non-commercial messages include, but are not limited to, messages concerning political, religious, social, ideological, public service and informational topics.

**“Off-premise sign”** – a commercial speech sign which directs the attention of the public to a business, activity conducted, or product sold or offered at a location not on the same lot where such sign is located. A sign located within an easement or other appurtenance to a lot on which a business is located shall be deemed an off-premises sign.

~~**“On-premise sign”** – a sign which identifies or advertises an establishment, person, activity, goods, products or services located on the premises where the sign is installed.~~

**“Permanent Sign”** – A sign constructed of durable materials designed to exist for the duration of time that the use or occupant is located on the premises.



**Pole sign** - any freestanding sign which has its supportive structure(s) anchored in the ground and which has a sign face elevated above ground level by pole(s) or beam(s) and with the area below the sign face open

**portable sign** – A sign not permanently attached to the ground or a building or designed to be permanently attached to the ground or a building.

**Projecting sign** – A sign attached to and projecting out from a building face or wall, generally at a right angle.

**Reverse lit (sign illumination)** means a direct source of light which illuminates a sign by shining off an opaque surface of a sign thereby casting the light off the wall behind the sign creating a halo effect.

**Roof sign** - any sign erected and constructed 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”** – Any letter, word or symbol, device, poster, picture, statue, reading matter or representation in the nature of an advertisement, announcement, message, or visual communication, whether painted, posted, printed, affixed or constructed, which is displayed for informational or communicative purposes and is visible to the general public.

**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, Real Estate Development”** – A sign offering for sale, lease, or rent a single-family or multiple-family residential project of 10 or more dwelling units or lots. Real estate development signs shall be administered as permanent signs subject to all removal requirements outlined in code.

**“Sign, Agricultural Sales”** – A sign placed on a lot or parcel of land advertising an operating and permissible agricultural sales business. Off-premises agricultural sales signs shall be administered as temporary signs subject to all removal requirements outlined in code.

~~**“Sign, Wayside Stand”** – A sign located on a temporary structure or vehicle being used to sell agricultural, floricultural, or horticultural products.~~

**Snipe sign** means an off-premises sign that is tacked, nailed, posted, pasted, glued, or otherwise attached to trees, poles, stakes, fences, or to other object

**“Temporary Sign”** – Any sign intended for display over a short period of time.

**Wall sign** – A sign attached to or erected against the wall of a building with the exposed face of the sign on a plane parallel to the plane of the wall, and which displays only one (1) sign surface.

**Warning sign** – A sign located on private property posting such property for warning or prohibitions on trespassing, hunting, or other activity.

**Window sign**” - any building sign, pictures, symbol, or combination thereof, designed to communicate information about an activity, business, commodity, event, sale, or service, that is placed inside a window or upon the window panes or glass and is visible from the exterior of the window.

## **151.116 Administration and Enforcement**

### **(A) Permit Required.**

No sign shall be erected, altered, reconstructed, maintained or moved in the city without first securing a permit from the city. The content of the message or speech displayed on the sign shall not be reviewed or considered in determining whether to approve or deny a sign permit.

- (1) Permanent Signs.** To apply for a permanent sign permit, a complete application shall be submitted to the City containing the following:
  - (a) Names and addresses of the applicant, owners of the sign, and lot;
  - (b) The address at which the sign(s) are to be erected;
  - (c) The legal description of the property on which the sign(s) are to be erected and the street on which they are to front;
  - (d) A complete set of scaled plans showing the sign dimensions, area, height, ground elevations, applicable setbacks, and other details to fully and clearly represent the safe construction and placement of the proposed sign(s);
  - (e) Type of sign(s) being requested (i.e. wall sign, monument sign, etc.);
  - (f) The permit fee; and
  - (g) The following if applicable:
    - i. Written authorization from the property owner upon who’s land the sign is to be erected.

- ii. A permit from either MnDOT or Washington County if the proposed sign is along a state highway or county road.
  - iii. A sign plan showing signs for all businesses if the sign is located on a building with more than one business.
  - iv. Photographs of the building face and the building faces of both adjacent buildings if the sign is being placed on an existing structure.
  - v. If replacing a historical sign, pictorial proof or other information that the sign is of historical significance or is a reproduction of a historic sign.
- (2) **Temporary Signs.** To apply for a permit to allow a temporary sign, a complete application shall be submitted to the City containing the following:
- (a) Names and addresses of the applicant, owners of the sign, and lot;
  - (b) The address at which the sign(s) are to be erected;
  - (c) A generalized plan set showing the sign dimensions and height, and a notation of the materials to be used.
  - (d) A scaled site plan which clearly represents the placement of the proposed sign(s) on the applicable property;
  - (e) The proposed timeframe(s) over which the sign(s) will be posted;
  - (f) The permit fee; and
  - (g) The following if applicable:
    - i. Written authorization from the property owner upon who's land the sign is to be erected.
    - ii. A permit from either MnDOT or Washington County if the proposed sign is along a state highway or county road.
- (3) **Temporary Sign Renewal.** A temporary sign permit issued by the City may be renewed provided the sign design, size, location, or other previously approved details are not proposed to change. A sign renewal application shall include the following:
- (a) Names and addresses of the applicant, owners of the sign, and lot;
  - (b) The address at which the sign(s) are to be erected;
  - (c) The date of issuance of the permit being renewed;

- (d) The proposed timeframe(s) over which the sign(s) will be posted;
  - (e) Written authorization from the property owner upon whose land the sign is to be erected (if applicable); and
  - (f) The permit renewal fee.
- (4) **Review.** The planning department shall approve or deny complete sign permit applications upon receipt of a complete application. If the permit is denied, the planning department will send a written notice of denial to the applicant. The written notice will indicate the reason(s) for denial and a description of the applicant's appeal rights.

**(B) Exemptions.**

The following signs shall not require a permit. However, these exemptions shall not be construed as relieving the owner of the sign from the responsibility of its erection and maintenance, and its compliance with the provisions of this ordinance or any other law or ordinance regulating signs.

- (1) The changing of the display surface on a previously approved sign.
- (2) Signs six (6) square feet or less in size, per surface if double sided.
- (3) Window Signage that does not cover more than 1/3 of the total area of the window in which the sign is displayed
- (4) Governmental Signage.

**(C) Fees.**

The fee for a sign permit is established yearly in the City's adopted fee schedule as indicated in section 11.02.

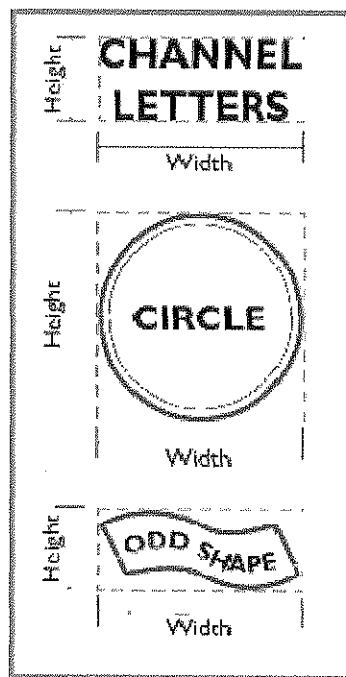
## (D) Computations.

### (1) Sign Area Measurement.

The area of a sign shall be computed by means of the smallest rectangle within which a single sign face can be enclosed. When a sign has two back-to-back sign faces containing sign copy, the sign area for both faces are counted toward the total allowed sign area. Poles, bases, and other supports shall not be included in the sign area calculation.

ALTERNATE: The area of a sign shall be computed by means of the smallest circle, rectangle or triangle that will encompass the extreme limits of the writing, representation, emblem, or other display, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the building facade against which it is placed. When a sign has two back-to-back sign faces containing sign copy, the sign area for both faces are counted toward the total allowed sign area. Poles, bases, and other supports shall not be included in the sign area calculation.

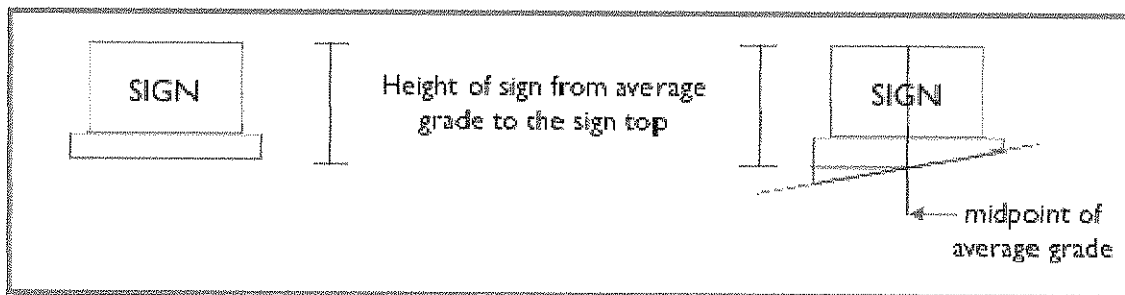
Figure 1: Sign Area Measurement



### (2) Sign Height Measurement

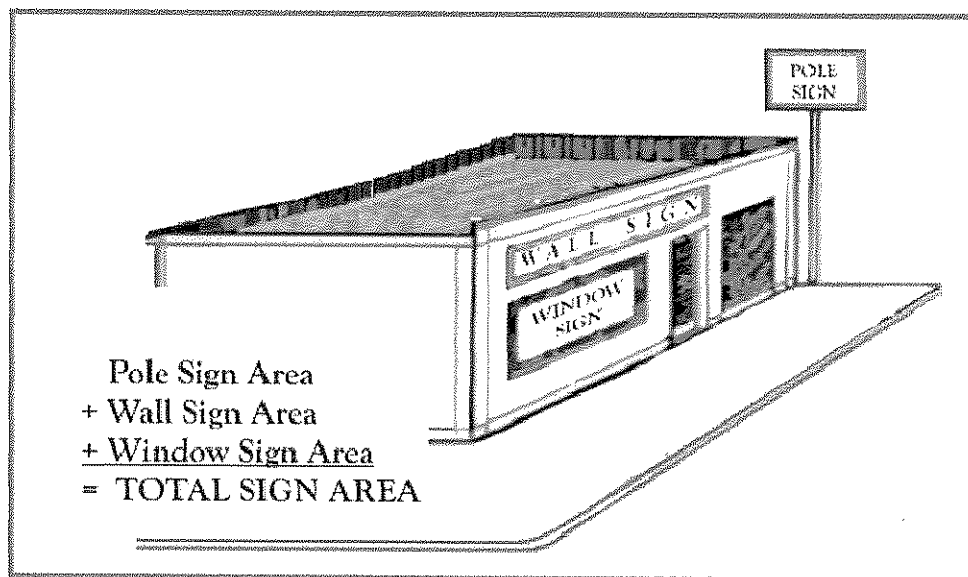
The height of the sign shall be computed as the vertical distance measured from the average grade at the base of the sign to the top of the highest attached component of the sign.

Figure 2: Sign Height Measurement



**(3) Total Sign Area Calculation**

The total square footage of all sign surfaces shall be computed by adding together the sign areas of all signs on a property.



**Figure 3: Total Sign Area Measurement Example**

**(E) Construction, Maintenance and Repairs.**

- (1) The construction of all signs, unless otherwise stated herein, shall be in conformance with the provisions of the Uniform Sign Code published by the International Conference of Building Officials, 1997 Edition, as may be amended, which is hereby adopted by reference and made a part of this ordinance.
- (2) All signs and structures shall be properly maintained and shall be constructed of sufficiently permanent material so that they shall not succumb to deterioration from weathering.
- (3) Any existing sign or sign structure which is rotted, unsafe, deteriorated, defaced, or otherwise altered, shall be repainted, repaired, replaced, or removed if repair is not feasible. Sign maintenance shall be the responsibility of the underlying fee owner.

**(F) Abatement.**

If the City finds that any sign has been erected without the necessary approvals or any sign is being maintained in violation of any zoning provision, the City may give written notice of such violation to the installer of said sign, to the permit holder and/or to the owner, lessee or manager of said property. If after receiving said notice such person fails to remove or alter said sign so as to comply with the provisions of the zoning ordinance, the sign shall be deemed to be a nuisance and may be abated by the City under Minnesota Statutes, Chapter 429. The cost of such abatement, including administrative expenses and reasonable attorneys' fees, may be levied as a special assessment against the property upon which the sign is located.

**151.117 General Standards**

- (A) Substitution Clause.** The owner of any sign which is otherwise allowed by this sign ordinance may substitute non-commercial speech signs in lieu of any other commercial speech sign or other non-commercial speech sign. The purpose of this provision is to prevent any inadvertent favoring of commercial speech over non-commercial speech, or favoring of any particular non-commercial speech over any other non-commercial speech. This provision prevails over any more specific provision to the contrary.
- (B) Non-commercial speech signs.** Notwithstanding any other provisions of this sign ordinance, all signs of any size containing non-commercial speech may be posted from August 1 in any general election year until ten (10) days following the general election and thirteen (13) weeks prior to any special election until ten (10) days following the special election.
- (C) Signs needing electricity.** Signs needing electricity shall be subject to all applicable electrical codes as may be amended. Overhead wiring for such signs is prohibited.
- (D) Public lands and rights-of-way.** No signs other than governmental signs shall be erected or temporarily placed within any street right-of-way or upon public lands or easements or rights-of-ways without Council approval.
- (E) Ingress or egress.** No sign or structure shall be erected or maintained if it prevents free ingress or egress from any door, window, or fire escape. No sign or sign structure shall be attached to a standpipe or fire escape.
- (F) Flags.** No more than 3 flags may be displayed on any given parcel. Individual flags shall not exceed one-hundred (100) square feet in size per surface.

**(G) Building identification.**

- (1) A building address, date of construction, commemorative tablet, etc; shall not count towards the overall permitted signage on a building or parcel. All forms of building identification, except for the building address, shall be cut into a masonry surface or be constructed of bronze or other incombustible material.
- (2) Posting of a building address identifying the correct property number as assigned by the City shall be required on each principal building in all districts. The number shall be at least three (3) inches in height, but no larger than twelve (12) inches in height.

**(H) Illumination.**

- (1) Indirect illumination for signs shall be so constructed and maintained that the source of light is not visible from the public right-of-way or residential property.
- (2) The following types of illumination are prohibited:
  - (a) Back-lit awnings.
  - (b) xxx

**(I) Multi-Tenant Buildings.**

- (1) Multi-tenant buildings are herein considered a single commercial establishment, and shall be limited to one (1) freestanding sign amongst all planned/allowed signage subject to the following requirements:
  - (a) If the multi-tenant commercial building has a floor area of 40,000 square feet or less, the sign shall not exceed forty (40) square feet (per side) and shall not exceed eight (8) feet in height.
  - (b) If a multiple tenant commercial building has a floor area greater than 40,000 square feet but less than 100,000 square feet, the sign shall not exceed seventy-five (75) square feet (per side) and shall not exceed nine (9) feet in height.
  - (c) If a multiple tenant commercial building has a floor area of greater than 100,000 square feet, the sign shall not exceed 120 square feet (per side) and shall not exceed fifteen (15) feet in height.
- (2) Where a building, group of attached buildings on the same block, or center contains more than one business, the allowable sign area for any single business shall be its portion of the gross square footage of the building or center applied as a percentage to the allowable sign area of the entire building or center, subject to size limitations for specific signs within an approved Master Sign Program.



- (J) **Landscaping.** Sign owners shall be required to maintain the appearance of the ground around all signs detached from buildings and to landscape where possible.
- (K) **Private on-premises pedestrian directional signs.** Signs located on, above or beside entrances or exits to buildings or driveways which direct pedestrians (e.g. "employees entrance," "exit only," "rest rooms," etc) shall not count towards the overall permitted signage on a site provided such signs are no more than four (4) square feet in area.
- (L) **Separation Angle.** So as not to create a double exposure or increase sign size limitations, there shall be a maximum separation angle of forty-five degrees for signs which are back to back. In all residential districts, double-faced signs shall be parallel.
- (M) **Building Official Review.** No sign shall be attached to or be allowed to hang from any building until all necessary wall and roof attachments have been approved by the City Building Official.
- (N) **Warning Signs.** Warning signs which do not exceed the minimum statutory requirements for size and number may be posted, and shall not count towards the overall permitted signage on a given property. Increases in either size or number over minimum statutory requirements shall count against the overall permitted signage on a given property.
- (O) **Changeable Copy Signs.** A changeable copy sign, such as a reader board, may be integrated into an allowable sign subject to the following restrictions:
  - (1) The message conveyed by the sign face shall not blink, flash, scroll or be so animated as to be deemed a distraction to passing motorists;
  - (2) Copy on the sign shall not change more than once per day on average (except for time and temperature information which must change when necessary for accuracy);
  - (3) Characters and backgrounds depicted on a changeable copy sign shall not use florescent coloring.
  - (4) All changeable copy sign faces shall be limited to a maximum of 25 square feet in sign area, or the maximum size of the type of sign on which the face is placed, whichever is less.

**(P) Prohibited Signs**

The following signs are prohibited in all zoning districts.

- (1) **Signs obstructing vision.** Any sign which obstructs the vision of drivers or pedestrians or detracts from the visibility of any official traffic-control device. This includes indoor signs that are visible from public streets.
- (2) **Unofficial traffic signs or signals.** Any sign which contains or imitates an official traffic sign or signal, except for private, on-premises directional signs which do not interfere with traffic flows on public roads.
- (3) **Off premises advertising signs.** Off premises advertising signs except as specifically allowed.
- (4) **Signs with moving parts, moving lighting or animation.** No sign shall display any moving parts, be illuminated with any flashing or intermittent lights, use changing light intensity, utilize spotlights giving off an intermittent or rotating beam existing as a collection or concentration of rays of light (including but not limited to revolving beacons, beamed lights, or similar devices), or be animated. The only exceptions to this provision include static time and temperature information changing only when necessary (which shall be allowed provided the message depicted is reasonably accurate), allowable changeable copy signs and barbershop poles.
- (5) **Roof signs.**
- (6) **Banners, pennants, ribbons, streamers.** No sign which contains or consists of banners, pennants, ribbons, streamers, string of light bulbs, spinners, or similar devices, except when used as a governmental sign or as part of an approved master sign program.
- (7) **Portable signs.** Including but not limited to signs with wheels removed, attached temporarily or permanently to the ground, structure or other signs, mounted on a vehicle for advertising purposes, parked and visible from the public right-of-way, hot air or gas filled balloons or semitruck umbrellas used for advertising. This prohibition shall not include business vehicle identification signs when the vehicle is being used for the normal day-to-day operations of a permitted business.
- (8) **Signs supported by a guy wire.**
- (9) **Billboards.**
- (10) **Electronic Variable Message Signs.**
- (11) **Signs on natural surfaces.** No sign shall be painted, attached or in any other manner affixed to trees, rocks, or similar natural surfaces
- (12) **Snipe signs.**

**(Q) Additional Regulations for Specific Sign Types**

**(1) Wall signs**

- (a) A wall sign shall be located on the outermost wall of any principal building but shall not project more than 16 inches from the wall to which the sign is to be affixed.
- (b) A wall sign shall not project higher than the parapet line of the wall to which the sign is to be affixed or 20 feet as measured from the base of the building wall to which the sign is affixed, whichever is lower.
- (c) Wall signs authorized by a Master Sign Program shall not exceed 25 square feet per business, and all signs shall be visually consistent in location, design, and scale.

**(2) Mural Sign.**

- (a) Mural signs shall not be limited in size, but any commercial or non-commercial language incorporated into the mural sign shall be limited in size by the restrictions established for the applicable zoning district.
- (b) In addition to the standard conditional use criteria in section 154.018, mural signs shall also be subject to the following:
  - i. The location for the proposed mural sign shall be viewable by the public and be accessible;
  - ii. The scale and suitability of the mural sign shall be appropriate in the context of the surrounding properties;
  - iii. The artist(s) commissioned to complete the mural must provide documentation of demonstrated craftsmanship on similar projects;
  - iv. The applicant shall provide sureties to the city guaranteeing completion of the project within the proposed timeframe;
  - v. The applicant shall demonstrate that the necessary funds are available for the proposed project;
  - vi. The applicant must be able to show the final mural will last a minimum of five years and be reasonably resistant to vandalism and weather.

**(3) Projecting/Awning Sign.**

- (a) Projecting signs and awning signs shall be located on street level and be easily visible from the sidewalk.
- (b) If lighted, projecting signs and awning signs shall use indirect illumination.

- (c) **Clearance.** The bottom of a projecting sign or awning shall be a minimum of eight feet (8') above the ground surface when projecting over a private or public walkway.

**(R) Temporary Signs.**

- (1) **Special Events.** Temporary signs may be allowed upon issuance of a permit for on-site advertising of special events such as openings and closings, change in management, sales events, or other special occasions. No more than four temporary sign permits may be issued in any calendar year for a given destination, and each temporary sign permit shall run for 15 days. Temporary signs for special events shall be subject to the following regulations:
  - (a) Only one on-premises temporary sign shall be allowed per business or event.
  - (b) Temporary signs shall be in the form of an allowable sign type in the underlying zoning district.
  - (c) Temporary signs shall not exceed 32 square feet in area and shall not be taller than 10 feet in height.
- (2) **Residential development advertising signs.** Independent of the total allowable sign area for individual properties or residences within a residential zoning district, one or more additional ground signs may be erected within a residential development subject to the following:
  - (a) **Minimum Development Size**
    - i. Projects of less than 25 acres which create ten or more dwelling units are allowed one (1) on-premises ground sign not to exceed 100 square feet of advertising surface;
    - ii. Projects of 26 through 50 acres which create ten or more dwelling units are allowed 1 or 2 on-premises ground signs not to exceed 200 aggregate square feet of advertising surface on the project site; and
    - iii. Projects over 50 acres which create ten or more dwelling units are allowed 1, 2, or 3 on-premises ground signs not to exceed 200 aggregate square feet of advertising surface on the project site.
  - (b) **Restrictions.**
    - i. No dimension shall exceed 25 feet exclusive of supporting structures.
    - ii. The sign shall not remain once 90% of the lots in the development have been issued building permits.

- iii. The permit for the sign must be renewed annually by the Council.
- iv. All signs shall be bordered with a decorative material compatible with the surrounding area.
- v. Only indirect illumination is permitted and shall only occur during those hours when an on-site sales office or model home is open for conducting business.

**(S) Abandoned Signs**

Sign structures not used for signing for 12 consecutive months shall be considered abandoned and shall be removed.

**(T) Special Sign Districts.**

**(1) Old Village.**

- (a) Boundary. The boundary of the Old Village Sign District is depicted on the city's official zoning map. Modifications to the district boundary may be completed using the zoning map amendment process.
- (b) Illumination. Indirect illumination or reverse lit letters shall be the permitted techniques for lighting all signs within the Old Village Sign District. Direct illumination of signs is prohibited
- (c) Wall Signs.
  - i. Wall signs in the Old Village Sign District shall not project more than 16 inches from the wall to which the sign is to be affixed.
  - ii. Wall signs in the Old Village Sign District shall not project higher than the parapet line of the wall to which the sign is to be affixed or 15 feet as measured from the base of the building wall to which the sign is affixed, whichever is lower.
  - iii. Wall signs in the Old Village Sign District authorized by a Master Sign Program shall not exceed 20 square feet per business, and all signs shall be visually consistent in location, design, and scale.
- (d) Ground, Monument, and Pole Signs.
  - i. The area of ground, monument or pole signs in the Old Village Sign District shall not exceed thirty (30) square feet.
  - ii. Ground, monument or pole signs in the Old Village Sign District shall not project higher than 6 feet, as measured from the average grade at the base of the sign or grade of the nearest roadway, whichever is lower.

**(2) Agricultural Sales District**

- (a) Boundary. The Agricultural Sales District shall include all properties zoned Agricultural or Rural Residential.
- (b) On-premises sign(s). Independent of the total allowable sign area for an individual property within the agricultural sales district, one or more additional on-premises signs may be erected on a property in conjunction with an operating agricultural sales business subject to the following requirements and restrictions:
  - i. Agricultural sales businesses utilizing less than 10 acres of land specifically for the growing of agricultural crops for the business are allowed 1 on-premises sign not to exceed 32 gross square feet of advertising surface;
  - ii. Agricultural sales businesses utilizing more than 10 acres of land but less than 40 acres of land specifically for the growing of agricultural crops for the business are allowed 1 or 2 on-premises signs not to exceed 48 gross square feet of advertising surface (with no sign surface exceeding 32 square feet in size);
  - iii. Agricultural sales businesses utilizing more than 40 acres of land specifically for the growing of agricultural crops for the business are allowed 1 , 2 or 3 on-premises signs not to exceed 64 gross square feet of advertising surface (with no sign surface exceeding 32 square feet in size);
  - iv. Sign(s) shall be in the form of an allowable sign type in the underlying zoning district.
  - v. No dimension of any sign shall exceed 15 feet exclusive of supporting structures.
  - vi. All signs shall be bordered with a decorative material compatible with the surrounding area.
  - vii. Any illuminated sign shall be illuminated only during those hours when business is open to the public for conducting business.
- (c) Temporary off-premises sign(s). Independent of the total allowable sign area for an individual property anywhere within the city, a temporary off-premises sign may be erected on a property in conjunction with an operating agricultural sales business subject to the following requirements and restrictions:
  - i. Maximum Number. Every agricultural sales business shall have no more than two off-premises signs at any given time to direct the public to the location of the business.

- ii. Timeframe of use. Temporary off-premises signs may be erected for 45-day time periods no more than four times in any given calendar year. The required temporary sign permit shall stipulate the range of dates for each of the four allowable time periods in any given calendar year.
- iii. Size and Height. An off-site agricultural sales advertising sign shall not exceed 50 square feet in area and shall not be taller than 10 feet in height;
- iv. Setbacks. Off-premises signs shall be a minimum of 25' from all side property lines, and a minimum of 50' from other off-premises advertising signs;
- v. Permission Required. Applicants for off-premises signs shall acquire permission from the property owner upon whose land the sign is to be erected.

**(U) Master Sign Program.**

A Master Sign Program shall be reviewed and approved for all multi-tenant commercial buildings and for all business park development to coordinate all signage for current and future tenants. The Master Sign Program shall be reviewed as a permanent sign permit, but shall only authorize the general locations and sizes of signs to be erected within a development or on a multi-tenant building. Individual permanent sign permits shall still be needed for the placement of permanent signs in accordance with an approved Master Sign Program. Master Sign Programs shall be subject to the following requirements:

- (1) A Master Sign Program shall include a to-scale site plan which identifies the overall sign types, sizes, and locations for all proposed signage on the site(s). The site plan shall not contain the names of any current or future tenants or occupants of the center or overall development.
- (2) The Master Sign Program shall include a calculation of allowable sign square footage for the site(s) based on applicable zoning requirements and lot characteristics.
- (3) The Master Sign Program shall include square footage calculations for individual signs proposed for the site(s), along with a total sign square footage area calculation.
- (4) All signs within a Master Sign Program shall be visually consistent in location, design, and scale.

- (5) The Master Sign Program may be reviewed concurrently with a separate permanent sign permit for the individual sign(s) identified in the Master Sign Program. The separate permanent sign permit shall include all information required by section 151.116(A)(1), and may only be approved if the Master Sign Program is approved.

### **151.118 Specific Regulations by Zoning District**

- (A) **Sign Setbacks.** Signs shall conform to the set back regulations listed in table 1 for the zoning district in which the signs are located except as may be specifically exempted or restricted in sections 151.117 and 151.118.

<b>Table 1: SETBACKS BY ZONING DISTRICT [1]</b>														
	Base Zoning Districts													
	A	RR	RI	R2	R3	R4	RE	OP	GB	HB	CB	LB	BP [2]	PF
Front Lot Line	5	5	5	5	5	5	5	5	1	1	1	1	1	5
Side Lot Line	5	5	5	5	5	5	5	5	5	5	5	5	5	5
Rear Lot Line	5	5	5	5	5	5	5	5	10	10	10	10	10	5
Vehicular Access	5	5	5	5	5	5	5	5	15	15	15	15	15	5
<p>[1]: Awning/Canopy signs, mural signs, projecting signs, wall signs, or window signs proposed to be located on a building legally non-conforming to setback requirements shall be permitted without a variance provided all other zoning code provisions are met.</p> <p>[2]: Signs within Business Parks shall also adhere to the requirements of a master sign program approved by the City Council in conjunction with the business park establishment.</p>														



- (B) **Allowable Sign Area.** The maximum allowable sign area for an individual sign and for total site signage is listed in table 2 by zoning district. These maximums shall apply except as may be specifically exempted or restricted in sections 151.117 and 151.118.

Table 2: ALLOWABLE SIGN AREA BY ZONING DISTRICT								
District(s)	Maximum sign area in square feet (per surface) by sign type [1]							Maximum total square footage of ALL sign surfaces
	Awning/Canopy Sign	Ground Sign [2]	Monument Sign [2]	Mural Sign	Pole Sign [2]	Projecting Sign	Wall Sign	
A, RR, R1, R2, RE, OP [3]		6		C	6		6	12 square feet
R3 & R4 [3]		12		C	12		12	24 square feet
GB, HB, CB, LB, BP, & PF	[4]	30	60	C	30	6	[5] No max	1.0 square feet per lineal foot of building parallel or substantially parallel to public road frontage (excluding alleys).
<p>[1]: Sign types with shaded cells are prohibited in the applicable zoning district(s). Sign types with a maximum sign area of "C" shall require a conditional use permit.</p> <p>[2]: Ground, monument, or pole signs, where permitted, shall be limited to one (1) per commercial establishment.</p> <p>[3]: All sign types in residential districts shall have no more than two (2) surfaces.</p> <p>[4]: The gross surface of an awning or canopy sign shall not exceed 30% of the gross surface area of the smallest face of the awning or canopy of which the sign is to be affixed.</p> <p>[5]: On any wall parallel or substantially parallel to a public roadway, the gross surface area of a wall sign shall not exceed 0.75 square feet for each lineal foot of building facing the applicable roadway. For walls not facing a public roadway, the maximum wall sign size shall be twelve (12) square feet.</p>								

- (C) **Allowable Sign Height.** The maximum allowable sign height for an individual sign is listed in table 3 by zoning district. These maximums shall apply except as may be specifically exempted or restricted in sections 151.117 and 151.118..

<b>Table 3: ALLOWABLE SIGN HEIGHT BY ZONING DISTRICT</b>														
	Base Zoning Districts													
	Residential Districts								Business Districts [1]					
	A	RR	R1	R2	R3	R4	RE	OP	GB	HB	CB	LB	BP [2]	PF
Allowable Height in feet	10	10	10	10	10	10	10	10	35	35	35	35	35	35
<p>[1]: Signs within business districts shall not exceed the listed maximum sign height for the applicable zoning district, and shall be no higher than the roof of the building to which the sign may be attached, whichever height is less. Awning or canopy signs shall not project higher than the top of the awning or canopy or below the awning or canopy</p> <p>[2]: Wall signs and window signs on buildings in the BP zoning district may be higher than 35 feet from average ground level provided they do not exceed the building's roof height at any point.</p>														

### 151.119 Non-conforming Signs

It is recognized that some existing lawful signs may become nonconforming to sign code regulations whenever the City makes changes to the ordinance. It is the City's intent that such legally nonconforming signs shall not be enlarged upon or expanded, nor be used as grounds for adding other signs or uses prohibited elsewhere in the same district. It is further the intent of the City to permit legal nonconforming signs to continue as legal nonconforming signs provided such signs are safe, are maintained so as not to be unsightly, and have not been abandoned or removed subject to the following provisions:

- (A) No legal nonconforming sign shall be enlarged or altered in a way which increases its nonconformity
- (B) If the use of the legal nonconforming sign or sign structure is discontinued for a period of one year, the sign or sign structure shall not be reconstructed or used except in conformity with the provisions of this ordinance.
- (C) Should a legal nonconforming sign or sign structure be damaged or structure be destroyed by any means to an extent greater than fifty (50) percent of its market value and all required permits for its reconstruction have not been applied for within 180 days of when the sign or sign structure was damaged, it shall not be reconstructed or used except in conformity with the provisions of this ordinance.

- (D) If a legal nonconforming sign or sign structure is moved for any reason for any distance whatsoever, it shall thereafter conform to the regulations for the zoning district in which it is located after it is moved.
- (E) When a building loses its nonconforming status, all signs devoted to the structure shall be removed and all signs painted directly on the structure shall be repainted in a neutral color or a color which will harmonize with the structure.

#### **151.120 Sign Variances**

Variances from sign provisions shall be administered in accordance with section 154.017, and shall be subject to the following additional requirements:

- (a) The sign(s) shall be compatible with the character of the adjacent buildings and with the character of the adjacent neighborhood;
- (b) The sign(s) shall have good scale and proportion in the visual relationship to buildings and adjacent areas;
- (c) The material, size, color, lettering, location, and arrangement of the sign(s) is an integral part of the site and building design; and/or
- (d) The colors, materials, and lighting of the sign(s) are restrained and harmonious, as interpreted by the City Planner.

Planning Commission

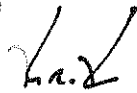
Date: 2/9/09

**Staff Update**

Item: 6b

ITEM: Comprehensive Plan Update

SUBMITTED BY: Kyle Klatt, Planning Director



REVIEWED BY: Kelli Matzek, City Planner  
Ryan Stempski, Assistant Engineer

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#### SUMMARY AND ACTION REQUESTED:

The City Engineer has been asked to attend the Planning Commission meeting to present an update concerning the City's efforts to revise the Comprehensive Plan in accordance with the requirements and deadlines imposed by the Metropolitan Council. These updates were previously due for Met Council review in December of 2008; however, the City was granted an extension until May 29, 2009 to complete its work. The elements that must be considered by the City as part of its 2008 Comprehensive Plan update include the following: Water Supply, Surface Water Management, Regional Parks, and Transportation.

The City Council has authorized TKDA to prepare amendments to the Comprehensive Plan for the waste water and transportation elements, some of which have been in progress for a while. In addition to these elements, the City Council has adopted an updated park and trails plan that should also be incorporated directly into the final Comprehensive Plan document. Planning Staff is currently reviewing the existing Comp Plan and will be working with the City Engineer to determine the best way to incorporate the new sections into the plan without impacting other sections that have already been approved by the City Council and Met Council.

The Planning Commission will play a critical role in the review of the Comprehensive Plan update and will be required to hold a public hearing as part of its deliberations on any updates to the Comprehensive Plan. The intent of the City Engineer's report will be to give members of the Planning Commission a chance to review the proposed schedule for completion of the various plan elements and to ask questions about this process.

#### BACKGROUND:

In December of last year, the Metropolitan Council granted the City of Lake Elmo's request for an extension until May 29, 2009 to update its Comprehensive Plan and submit the document for comment. The initial request to the Metropolitan Council was for a two-year extension that would have given the City until December 31, 2010 to complete the required updates. The later deadline was sought to provide additional time to incorporate information from the Village AUAR planning process into the overall update and to complete a more extensive review of the transportation plan. With the decision by the Met Council to grant a shorter extension, the scope of the proposed work has been scaled back by removing any Village area updates (which can be processed, if needed, at a later date) and reducing the amount of time that would be spent on the transportation plan.

To ensure that the May 29, 2009 deadline is met, the comprehensive plans for transportation, wastewater (includes surface water and water supply), and regional parks must be updated in accordance with the Metropolitan Council's System Statement.

#### ADDITIONAL INFORMATION:

- TKDA has nearly completed its work on the water supply plan and will finalize a draft version soon.
- On September 4, 2007, the City Council authorized staff to send a Request for Proposals (RFPs) to complete the Transportation Comprehensive Plan. Given the revised timeline for completion of the Comprehensive Plan updated, the City Council recently authorized the City to proceed with TKDA to prepare this plan. Preparation of this document is currently underway.
- The local surface water management plan is required as part of the local comprehensive plan. The local surface water management is also required to be submitted and approved by the watershed districts. TKDA has also been working on this plan and has been coordinating with the local watershed districts to incorporate their review as part of the process.
- The parks and trails plan was sent to the Met Council for comment and these comments should be incorporated into the final document.

The goal of proposed updates is to complete the minimal requirements of the Metropolitan Council's System Statements and watershed districts to comply with the given deadlines. All plans will be completed on the basis of the current land use plan adopted in 2005.

As required by the Metropolitan Land Planning Act, local governmental units must have prepared a comprehensive plan to be reviewed and approved by the Metropolitan Council within three years following the receipt of the metropolitan system statement. The official issue date of the City of Lake Elmo's system statement was September 12, 2005.

#### EXPLANATION OF SYSTEMS STATEMENTS:

System statements explain the implications of metropolitan system plans, such a sewer, for each individual community in the metropolitan area. They are intended to help communities prepare or update their comprehensive plan.

The system statement includes forecasts at densities that assure regional growth is achieved consistent with adopted policies. The system statement also contains an overview of the transportation and aviation, transit, wastewater, and regional parks system plan updates, and system changes affecting each community.

The following forecasts are part of the 2030 Regional Development Framework (adopted January 14, 2004 and updated on August 24, 2005). They are used by the Met Council to plan for regional systems. The Met Council requires local communities to base their planning work on these forecasts.

Forecast of Lake Elmo's population, households and employment:

	<b>Revised Development Framework</b>				
	<b>1990</b>	<b>2000</b>	<b>2010</b>	<b>2020</b>	<b>2030</b>
Population	5,903	6,863	9,952	18,403	24,000
Households	1,973	2,347	3,619	6,324	8,727
Employment	1,011	1,636	2,250	7,200	14,000

The May 29,2009 deadline represents the date that the plan must be submitted to the Met Council. There would still be a mandatory 6 month review period for adjacent communities that would commence on this submission date.

**RECOMMENDATION:**

No action is necessary at this time. The City Engineer will be presenting additional information at the meeting.

**ATTACHMENTS:**

1. None

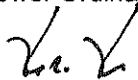
**ORDER OF BUSINESS:**

- Introduction ..... Kyle Klatt, Planning Director
- Report/Presentation ..... Ryan Stempski, Assistant Engineer
- Questions from the Commission ..... Chair & Commission Members

Planning Commission  
Date: 2/9/09  
**Staff Update**  
Item: 6c

ITEM: Wireless Communications Tower Ordinance Update

SUBMITTED BY: Kyle Klatt, Planning Director



REVIEWED BY: Kelli Matzek, City Planner

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#### SUMMARY AND ACTION REQUESTED:

The City Council has recently completed a series of workshops and regular meetings that have focused on an application from T-Mobile Corporation to construct a new cellular tower at 9057 Lake Jane Trail North. The Council ultimately denied the request to establish a new tower at this location, but prior to this action had adopted a moratorium on the construction of any new towers in the community (the moratorium did not apply to the T-Mobile application since it had been submitted before the moratorium was adopted). The purpose of the moratorium is to provide the City with additional time to conduct studies and/or to receive engineering input in regard to the effectiveness of the City's current regulations and to ensure that any revisions to the City's current regulations are in compliance with the mandates of the Federal Telecommunications Act of 1996.

A related objective of the moratorium is to give the City time to revise the current wireless communications facility ordinance. The City Council has adopted a work plan for this update, which is attached for review by the Planning Commission. At this point in time, staff is working to identify and select a consultant that will help the City with some of the technical aspects of wireless communications facilities that should be considered as part of the update process. The general timeline calls for a series of open houses to gather public input, both prior to and following the preparation of a draft document, with final approval expected sometime in July or August of this year. The moratorium was adopted for a period of one year, and could be rescinded at an earlier date if the new code is ready for adoption in accordance with the planned schedule.

#### ADDITIONAL INFORMATION:

The Planning Commission's role in the update process will include reviewing a draft ordinance and conducting a public hearing on the proposed ordinance. The first step in the overall process will include an informational session with the Commission at its next meeting.

#### RECOMMENDATION:

No action is necessary at this time. The moratorium language and work plan are included for review by the Commission

#### ATTACHMENTS:

1. Wireless Communication Tower Moratorium
2. Objectives and Work Plan for the Wireless Communications Facility Ordinance Update

**ORDER OF BUSINESS:**

- Introduction..... Kyle Klatt, Planning Director
- Report/Presentation ..... Kyle Klatt, Planning Director
- Questions from the Commission ..... Chair & Commission Members



***Wireless Telecommunications Tower Ordinance Update – Work Plan  
Prepared by the Lake Elmo Planning Department  
January 15, 2009***

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The City of Lake Elmo has adopted a moratorium on the construction of any new wireless telecommunications towers within the City for a period of 12 months. The purpose of the moratorium is to provide the City with additional time to conduct studies and/or to receive engineering input in regard to the effectiveness of the City's current regulations and to ensure that any revisions to the City's current regulations are in compliance with the mandates of the Telecommunications Act of 1996.

The Planning Commission has been asked to update the current ordinance, and will be considering the following objectives as a part of this process:

- Evaluate current trends in wireless communications industry.
- Establish preferred locations for new towers:
  - Using GIS analysis and other available tools.
- Assess community preferences for larger, but fewer towers, or smaller towers that are more densely dispersed on the landscape.
- Provide for a streamlined process when new antennas are co-located on existing facilities.
- Require location on public sites as first option before other sites can be considered.
- Specify design requirements:
  - Determine whether stealth/camouflaged/or other architectural treatments are appropriate in various circumstances.
  - Consider setting a maximum height above surrounding trees/structures.
- Require a conditional use permit for new towers and include them as a specific use on the district charts.
- Identify color preferences for new towers.
- Ensure the revised ordinance does not effectively establish a ban on towers within the City.

The preliminary schedule for accomplishing these objectives is proposed as follows:

<b>Task</b>	<b>Estimated Completion</b>
Background research	3/1/09
- Review model ordinances	
- Review current trends in wireless communications industry	
- Perform analysis of current ordinance	
- Identify and prioritize land and views to be protected	
- Consider outside review of RF issues	

Review Assistance	2/17/09
- Select outside consultant/expert to assist with review process	
Planning Commission review	3/9/09
- Input from planning commission	
Public participation	3/25/09
- Open house no. 1	
- Review current rules, present research, discuss options	
- Establish community preferences	
Complete first draft	5/11/09
- Based on model ordinances, public input, and Planning Commission feedback	
- Planning Commission review of first draft	
Public review	5/11/09
- Open House No. 2	
- Presentation of draft ordinance	
- Public response to draft	
Planning Commission public hearing	6/8/09
- Consider recommendation to Council	
2 <sup>nd</sup> Planning Commission meeting (optional)	July/August 2009
- Continue public hearing	
- Further review/refinement of draft	
City Council action	July/August 2009
- Adopt revised ordinance	
- Rescind moratorium	

STATE OF MINNESOTA  
COUNTY OF WASHINGTON  
CITY OF LAKE ELMO

ORDINANCE NO. 08-012

**AN INTERIM ORDINANCE (MORATORIUM) RELATING TO THE CONSTRUCTION OR  
MODIFICATION OF NEW OR EXISTING TELECOMMUNICATION TOWERS**

The Lake Elmo City Council ordains:

1.0 Recitals.

- A. City's current regulations relating to wireless telecommunication towers are contained in City Code Sections 150.110-150.126.
- B. On December 9, 2008, the Lake Elmo City Council adopted Ordinance No. 08-011 which gave the City more flexibility when balancing collocation requirements and impacts of wireless telecommunication towers on the surrounding environment.
- C. During the City Council discussions in regard to Ordinance No. 08-011 it became apparent that there have been technological changes and service demand changes in the wireless telecommunication tower industry which have occurred since the City first adopted its wireless telecommunication tower standards in 1998.
- D. In order to protect the planning process and the health, safety and welfare of its citizens, the City needs additional time to conduct studies and/or to receive engineering input in regard to the effectiveness of the City's current regulations and to ensure that any revisions to the City's current regulations are in compliance with the mandates of the Telecommunications Act of 1996.

2.0 Moratorium. The Lake Elmo City Council hereby determines that a moratorium relating to the construction or modification of new and existing wireless telecommunication towers, except those hereinafter exempted, is necessary:

3.0 Duration of Moratorium. The wireless telecommunication tower moratorium will commence on the effective date of this Ordinance and will continue for 12 months thereafter unless otherwise terminated or extended by action of the City Council.

4.0 Exemptions. This Ordinance shall not apply to the construction or modification of any wireless telecommunication towers on which applications have been received prior to January 1, 2009.

- 5.0 Enforcement. The City may enforce any provision of this Ordinance by mandamus, injunction, or other appropriate civil remedy in any court of competent jurisdiction.
- 6.0 Separability. Every section, provision, or part of this Ordinance is declared separable from every other section, provision or part of this Ordinance. If any section, provision or part of this Ordinance is adjudged to be invalid by a court of competent jurisdiction. Such judgment should not invalidate any other section, provision or part of this Ordinance.

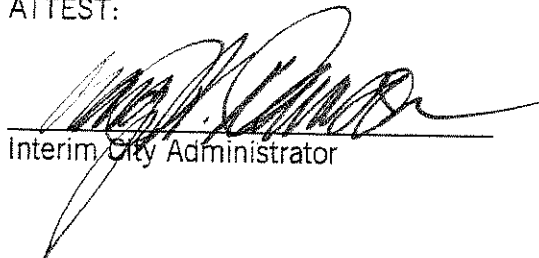
Effective Date. This Ordinance shall be effective on the date following its publication or on the date following the publication of an Ordinance Summary approved by the Lake Elmo City Council.

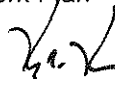
Adoption Date. Passed by the Lake Elmo City Council on the 6<sup>th</sup> day of January, 2009.



Dean Johnston, Mayor

ATTEST:

  
Interim City Administrator

ITEM: Planning Commission 2009 Work Plan  
SUBMITTED BY: Kyle Klatt, Director of Planning   
REVIEWED BY: Kelli Matzek, City Planner

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**SUMMARY AND ACTION REQUESTED:**

At its last meeting, Staff presented a very preliminary version of a 2009 work plan to the Planning Commission and sought feedback concerning the plan at this time. Staff has since revised the plan consistent with the format used for the previous year's version. At this point, the Planning Commission should provide any additional comments on the plan and should consider forwarding the document to the Council for further review.

The intent of the work plan is to help prioritize the projects the Planning Commission will be reviewing in the next several months, and to also help keep the Commission informed about the projects that will be undertaken by Staff during the coming year. It is expected that this will be a working document and that it will help the Commission gauge its progress at achieving some of its goals for the year.

**OPTIONS:**

The Planning Commission may consider forwarding the work plan on to the City Council or may wish to spend more time reviewing with Staff. If additional time is needed, the plan could come back to the Commission at a future meeting.

**RECOMMENDATION:**

**Staff recommends that the Planning Commission review the proposed work plan forward the document to the City Council with any suggested changes.**

**ORDER OF BUSINESS:**

- Introduction ..... Kyle Klatt, Director of Planning
- Report by staff..... Kyle Klatt, Director of Planning
- Questions/Comments from the Planning Commission ..... Planning Commission

**ATTACHMENTS:**

- 2009 Work Plan

## 2009 Planning Commission Work Plan - DRAFT

Prepared by the Lake Elmo Planning Department – 1/12/09; Revised 2/5/09

Status: C – Complete  
IP – In Progress  
Date: Completion Goals (with Monthly Range)  
Admin: Staff Projects/Initiatives  
PL: Priority Level (from 1 to 5 with 1 being the highest priority)

Project and Description	Date (Months)	PL	Status
<u>ZONING INITIATIVES</u>			
Wireless Telecommunications Ordinance			
• Select consultant to provide technical assistance with ordinance revisions	0-3	1	IP
• Revise ordinance based on objectives and work plan adopted by the City Council	3-6	1	
• Rescind tower construction moratorium	6-9	2	
Zoning Map Updates			
• Review of past zoning approvals, incorporate all approved map amendments	3-6	2	
• Prepare new version of official Zoning Map using most recent County GIS data	3-6	2	
• Update Zoning Map to improve consistency with the Comprehensive Plan and Future Land Use Map	9-12	3	
• Establish proper zoning designation for recently annexed Buberl property	9-12	4	
Conditional Use Permit Ordinance			
• Update current regulations to establish specific criteria for different conditionally permitted uses	6-9	3	
• Establish tracking system for all existing conditional uses	3-6	3	IP
Sign Ordinance Revisions			
• Major update to sign code, incorporating previous agricultural and temporary sign updates	0-3	2	IP
Zoning Amendments			
• Review Outdoor Lighting Ordinance to establish appropriate levels of lighting for various uses	6-9	3	
• Final Council action concerning requirements for accessory buildings and setbacks	0-3	2	

Engineering Standards Manual			
• Finalize development manual describing the City's engineering standards for private and public projects	0-3	2	IP
Home Occupation Ordinance			
• Research status and effectiveness of current ordinance	6-9	3	
• Draft updated ordinance to address appropriate home occupation standards for different areas in the community.	9-12	4	
Permit Tracking			
• Establish system for tracking interim uses	9-12	5	
• Establish system for tracking non-conforming uses	9-12	5	
Zoning Ordinance Review			
• Prepare outline of previous work and major areas of agreement	0-3	2	
• Incorporate updates where appropriate as part of Village Area and South 10 <sup>th</sup> Street zoning changes	6-15	3	
• Incorporate formatting, organization, and smaller amendments into future zoning ordinance updates	6-15	3	

### PLANNING INITIATIVES

Village Area Planning			
• Village Area AUAR			
◦ Complete review of Preliminary AUAR	0-3	1	IP
◦ Draft and adopt Final AUAR	0-3	1	
• Conduct work session with City Council to discuss future planning within Village Area	3-6	1	
• Prepare amendment to Comprehensive Plan based on selected development scenario from AUAR	6-12	1	
• Adopt amendments to the Zoning Ordinance responsive to the AUAR mitigation plan and Comprehensive Plan	12+	1	
South 10 <sup>th</sup> Street Area			
• Review Comprehensive Plan and holding zones for South 10 <sup>th</sup> Street Area for consistency with Village Area updates	9-12+	2	
Comprehensive Plan Updates			
• Monitor individual projects for compliance with the Comprehensive Plan	0-12	3	
• Incorporate major system elements into plan, including water, surface water and transportation	5/29/09	1	IP
Capital Improvement Plan			
• Planning Commission review of Capital Improvement Plan for consistency with the Comprehensive Plan	0-3	2	

Storm Water Management			
• Integrate a Surface Water Management Plan as part of the Comprehensive Plan consistent with State Statutes and the local watershed district plans	3-6	1	IP
• Develop an surface water ordinance consistent with the adopted plan	6-9	2	IP
• Bring Lake Elmo into compliance with NPDES requirements and MS4 status	6-9	2	IP

### ADMINISTRATIVE INITIATIVES

Building Division (Admin)			
• Finalize job description for Building Official; seek applicants to fill vacant position.	3-6	2	IP
• Review internal permit approval process	6-9	3	
Permit Tracking Software			
• Select and implement tracking and reporting software for planning application, building permits, and code enforcement activity.	0-3	2	IP
Development Review Process (Admin)			
• Document system for review and processing of development applications	6-9	3	IP
Code Enforcement (Admin)			
• Improve consistency and reporting for code violations and follow-up activities	6-12	3	IP
• Conduct workshop with the City Council to discuss code enforcement policy	0-3	2	
Agency Support (Admin)			
• Adopt final flood insurance rate maps from FEMA, update Flood Protection Ordinance	9-12	2	
• Review Census Bureau mapping updates, respond to other requests in advance of 2010 census	6-9	2	
CDBG Cimarron Gas Line Project			
• Assist project consultant with administration and implementation of grant project	3-6	3	IP
MnDOT Highway Landscaping Grant			
• Provide staff assistance with Highway 5 landscaping project	6-9	3	IP



Planning Commission  
Date: 2/9/09  
Item: 6e  
Regular

ITEM: General Information Update

SUBMITTED BY: Kelli Matzek, City Planner

REVIEWED BY: Kyle Klatt, Director of Planning

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SUMMARY AND ACTION REQUESTED:

*Updated Commissioner Term Chart*

The city code states that a Planning Commissioner's term shall last for three years and a voting member can serve two consecutive terms. All appointments will expire on December 31<sup>st</sup> of a given year.

Below is a chart identifying the expiration of term for each commissioner and if a commissioner is eligible to reapply for a three year term. Staff will further explain the chart and answer questions at the meeting.

Commissioner	Term Expires	Eligible to reapply for 3 year term
Joan Ziertman	12/31/2009	Yes, (Serving 1 year term as FVM; could serve two additional three year terms as FVM)
Brenda Anderson (1 <sup>st</sup> Term)	12/31/2010	Yes
Greg Hall (1 <sup>st</sup> Term)	12/31/2010	Yes
Laurie McGinnis (1 <sup>st</sup> Term)	12/31/2010	Yes
Todd Ptacek (finish Ben Roth's term)	12/31/2010	Yes, (was alternate, became FVM in Jan 2009, could serve two additional three year terms as FVM)
Robert Van Zandt (2 <sup>nd</sup> term)	12/31/2010	No, (could not serve again consecutively as a FVM, unless approved so by Council)
Julie Fliflet (2 <sup>nd</sup> Term)	12/31/2011	No, (reappointed to 2 <sup>nd</sup> term in Jan 2009; could not serve again consecutively as FVM, unless approved so by Council)
Mike Pearson (1 <sup>st</sup> Term)	12/31/2011	Yes, (was alternate, became FVM in Jan 2009)
Saleh Van Erem (1 <sup>st</sup> Term)	12/31/2011	Yes
Thomas Bidon (1 <sup>st</sup> Alt.)		
Steve Britz (2 <sup>nd</sup> Alt.)		

*Planning Commissioner Interview Questions Review*

Staff thought this would be an appropriate time for the Planning Commission to review the current application questions for future commissioner applicants. The application is attached.

City of Lake Elmo  
3800 Laverne Avenue North  
Lake Elmo, Minnesota 55042  
651.777.5510 Fax 777.9615

### APPLICATION FOR PLANNING COMMISSION APPOINTMENTS

Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

Name \_\_\_\_\_

Address \_\_\_\_\_

Phone Number W) \_\_\_\_\_ H) \_\_\_\_\_

1. What do you consider to be the major planning and development issues confronting the City of Lake Elmo?
  
  
  
  
  
  
  
  
  
  
2. What do you see as the role and function of the Planning Commission?
  
  
  
  
  
  
  
  
  
  
3. What experience and qualifications do you have that you feel will contribute to the Planning Commission's work and which will enable you to provide a service in this regard?
  
  
  
  
  
  
  
  
  
  
4. How much time do you have, or are you willing to devote to Planning Commission activities?
  
  
  
  
  
  
  
  
  
  
5. What property or development interest, either direct or indirect, do you have within Lake Elmo?

Please complete and return to the City Office