

**City of Lake Elmo
Washington County, Minnesota**

Ordinance 815⁰

**AN ORDINANCE AMENDING SECTION 535 AND ITS SUBDIVISIONS
OF THE LAKE ELMO MUNICIPAL CODE RELATING TO SIGNS**

Section 1. Amendment Section 535 of the 1979 Municipal Code of Lake Elmo is hereby adopted;
to wit:

Subd. PURPOSE. Signs have an impact on the rural character and quality of the environment in
535.01 Lake Elmo. They may attract or repel the viewing public and affect the safety of vehicular traffic. As a rural community, Lake Elmo is unique. The proper control of signs is of particular importance because of this rural quality and uniqueness. Signs should be kept within reasonable boundaries consistent with the objectives and goals of the community to retain its special character and economic advantages which rest in part on the quality of its appearance. The following standards in this section are therefore adopted to regulate signs.

Subd. SIGN PERMITS REQUIRED. All signs shall require a sign permit as required in this
535.02 Chapter. A sign permit application containing the following information shall be filed with the City Planner:

- a. A drawing of the proposed sign, or signs, showing dimensions and describing materials, lettering, colors, illumination and support systems.
- b. Photographs of the building face and the building faces of both adjacent buildings.
- c. A drawing of the building face and site plan showing the location of the proposed sign(s) as necessary.
- d. A cross section of the building face showing how the sign will be attached and how far it will extend from the building.
- e. Any pictorial proof or other information that the sign is of historical significance or is a reproduction of an historic sign as appropriate.
- f. A building sign plan for a building with more than one use or business, showing all signs.

Subd. DEFINITIONS.

535.03

Awning Signs Any sign that is painted on or attached to an awning.

Banner A sign intended to be hung either with or without a frame possessing character, letters, illustrations, or ornamentation's applied to paper, plastic or fabric of any kind, excluding flags, emblems and insignia or political, professional, religious, educational or corporate organizations providing that such flags, emblems and insignia are displayed for noncommercial purposes.

Billboard Refers to a non-accessory sign erected for the purpose of advertising a product, event, person or subject not usually related to the premises on which said sign is located.

Building Sign Plan An illustration that shows all signs on a building or group of related buildings.

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

Directorial Sign A sign which contains no advertising of any kind and provides direction or instruction to guide persons or vehicles to facilities intended to serve the public.

Electrical Sign An illuminated sign upon which the artificial light is not kept constant in terms of intensity or color at all times when the sign is illuminated.

Freestanding Signs Any stationary, self-supporting sign standing on the ground not affixed to any other structure. Includes monument, ground or pedestal signs.

Graphic Signs Means any mural or pictorial scene painted on the side of a wall or building or painted on a sign board affixed to a wall and in which a mural or scene has its purpose artistic effect. A "Graphic Design" shall be considered a "sign" for the purpose of this ordinance.

Governmental Sign A sign which is erected by a governmental unit for identification or traffic.

Historical Sign Any sign that is of historical significance and that is a historical resource within the meaning of Minnesota Statutes Chapter 116B.

Illuminated Sign Any sign which is lighted by an artificial light source either directed upon it or illuminated from an interior source.

Marquee Sign A permanent roof-like structure extending from part of the wall of a building but not supported by the ground and constructed of durable material such as or glass.

Mobile Sign Signs on wheels or otherwise capable of being moved from place to place.

Motion Sign Any sign which revolves, rotates, has any moving parts or gives the illusion of motion.

Nameplate Sign A sign which states the name and/or address of the business, industry or occupant.

Portable Sign Any sign that is designed to be moved.

Projecting Sign Any sign projecting from a building wall.

Public Utility Sign Signs which identify public utilities.

Sign A display, illustration with lettering, structure or device which directs attention to an object, product, place, activity, person, institution, organization or business. The term

shall not include the United States flag or any governmental flag properly displayed in approved manner.

Sign Area The area which is framed either physically or visually by the construction, design or layout of a sign itself but not including supporting structures.

Sign Structure The supports, uprights, braces and framework of the sign.

Temporary Sign A sign constructed of paper, cloth, canvas or other similar lightweight material with or without frame and all others intended to be displayed for a short period of time only.

Three-Dimensional Sign A type of projecting sign which depicts a physical object, such as a shoe or product sold, as opposed to utilizing letter to convey the signing message.

Real Estate Sign A business sign placed upon property advertising that particular property for sale, rent or for lease.

Roof Sign Any sign which is erected, constructed or attached wholly or in part upon or over the roof of a building.

Wall Sign A sign attached to, painted on or erected against the wall of a building with the exposed face of the sign plane parallel to the plane of said wall.

Window Sign A sign affixed to a window galls or door glass. This does not include merchandise on display.

Subd. 535.04 GENERAL PROVISIONS.

The following provisions apply to signs located in all zoning districts:

- a. 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. Any existing sign or sign structure which is rotted, unsafe, deteriorated, defaced or otherwise altered, shall be repainted, repaired, replaced or removed as necessary.
- b. When electrical signs are installed, the installation shall be subject to the State's Electrical Code. Overhead electrical wiring is not allowed.
- c. No signs other than governmental signs shall be erected or temporarily placed within any street right-of-way or upon public lands or easements of right-of-ways without Council approval.
- d. 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.

- e. Temporary signs may be allowed for special business events such as business openings and closings, change in management, district wide shopping events or other special occasions for fifteen (15) days maximum by permit from the City Planner.
- f. Sign structures not used for signing twelve (12) consecutive months shall be removed.
- g. The City of Lake Elmo may grant a permit to locate signs or decorations on, over or within the right-of-way for a specified period of time.
- h. All signs shall be compatible with the building and area in which they are located.
- i. No more than three (3) properly displayed flags may be displayed outside of the building.
- j. A sign shall not obscure architectural features of a building to which sign is attached.
- k. A building address shall not be considered a sign.
- l. The terms of this ordinance may be waived if the sign is a historic resource or if the sign is a proposed reproduction of a historic sign.
- m. Graphic design signs shall require a Special Use Permit.

Subd. PERMITTED SIGNS.

535.05

The following signs are allowed without a permit in all zoning districts but shall comply with all other applicable provisions of this ordinance:

- a. **Public Signs:** Signs of public, noncommercial nature including safety signs, danger signs, trespassing signs, traffic signs, signs indicating scenic or historical points of interest, memorial plaques and the like, when signs are erected by or on order of a public officer or employee in the performance of official duty.
- b. **Integral Signs:** Names on buildings, date of construction, commemorative tablet and the like, which are permanent construction and which are an integral part of the building or the structure.
- c. **Political Signs:** Signs or posters announcing candidates seeking political office or issues to be voted upon at a public election. Such signs must contain the name and address of person(s) responsible for its removal. These signs shall be erected no more than 45 days before any election and be removed 10 days after the general election for which they are intended. The City of Lake Elmo shall have the right to remove and destroy signs after the 10 day limit.

Size: The size of a political sign shall be regulated as follows:

1. Residential Districts -
The maximum sign size shall be 6 square feet in area with a maximum height of 4 feet.
2. Commercial Districts -
The maximum size shall be 35 square feet in area.

Notwithstanding this provision, all noncommercial signs of any size may be posted from August 1st in a state general election year until 10 days following the state election.

- d. Holiday Signs: Signs or displays which contain or depict messages pertaining to a national, state or local holiday and no other matter and which are displayed for a period not to exceed 60 days.
- e. Construction Signs: A non-illuminated sign announcing the names of architects, engineers, contractors or other individuals or firms involved with the construction, alteration or repair of a building (but not including any advertisement of any product) or announcing the character of the building enterprise or the purpose for which the building is intended. Such signs shall be confined to the site of the construction, alteration or repair and shall be removed within two (2) years of the date of issuance of the first building permit or when the particular project is completed, whichever is sooner. One sign shall be permitted for each street the project abuts. No sign may exceed 32 square feet in Multi-Family Residential, Commercial and Industrial District and 12 square feet in Single Family Residential Districts.
- f. Individual Property Sale, Lease, or Rental Sign: An on-premise sign announcing the name of the owner, manager, Realtor or other person directly involved in the sale or rental of the property or announcing the purpose for which it is being offered. Such signs are limited to six (6) square feet in residential districts and 32 square feet in commercial districts. Signs must be removed within then ten (10) days after sale or rental of property.
- g. Rummage Sale Signs: Signs advertising a rummage sale not exceeding four (4) square feet located on private property which conform to the applicable provisions of this title and are removed at the termination of the sale.
- h. One name plate sign, placed on a wall of the structure, for each dwelling not exceeding two (2) square feet in area per structure. No signs shall be constructed to have more than two (2) surfaces.

- i. One name plate for each dwelling group of six (6) or more units. Such sign shall not exceed six (6) square feet in area per surface. No signs shall be constructed to have more than two (2) surfaces.
- j. Real Estate Development Project Signs: For the purpose of selling or promoting a development project of three (3) to twenty-five (25) acres, one sign not to exceed 100 square feet of advertising surface may be erected on the project site. For projects of twenty-six (26) through fifty (50) acres, one (1) or two (2) signs not to exceed 200 aggregated square feet of advertising surface may be erected. For projects over fifty (50) acres, one (1), or two (2) or three (3) signs may be erected. For projects of over fifty (50) acres, one (1), two (2) or three (3) signs not to exceed 200 aggregate square feet of advertising surface may be erected. No dimension shall exceed 25 feet exclusive of supporting structures. Such sign shall not remain after 95 percent of the project is developed. The permit for such sign must be renewed annually by the Council, shall be bordered with a decorative material compatible with the surrounding area. If such signs are lighted, they shall be illuminated only during those hours when business is in operation or when the model homes or other development are open for conducting business.
- k. No sign permit is required for window signage that does not cover more than one third of the total area of the window in which the sign is displayed.
- l. No trespassing and no hunting sign no larger than 2 square feet.

Subd. 535.06 PROHIBITED SIGNS.

The following signs are prohibited in all zoning districts:

- a. Any sign which obstructs the vision of drivers or pedestrians or detracts from the visibility of any official traffic control device.
- b. Any sign which contains or imitates an official traffic sign or signal, except for private, on-premises directional signs.
- c. Off premises advertising signs except as regulated herein.
- d. Any sign which moves or rotates including electronic reader board sign, except approved time and temperature information signs and barber poles.
- e. No sign shall display any moving parts, be illuminated with any flashing or intermittent lights or shall be animated, except time and temperature information. All displays shall be shielded to prevent any light to be directed at oncoming traffic in such brilliance as to impair the vision of any driver. No device shall be illuminated in such a manner as to interfere with or obscure an official traffic sign or signal. This includes indoor signs which are visible from public streets.
- f. Roof signs.

- g. Any sign which contains or consists of banners, pennants, ribbons, streamers, string of light bulbs, spinners or similar devices, except where used for noncommercial purposes or part of an approved sign plan.
- h. 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, except signs identifying the related business when the vehicle is being used on the normal day-to-day operations of that business, hot air or gas filled balloon or semi-truck umbrellas used for advertising.
- i. Signs painted directly on building walls unless approved by sign permit.
- j. Illuminated signs or spotlights giving off an intermittent or rotating beam existing as a collection or concentration of rays of light.
- k. Revolving beacons, beamed lights, or similar devices.
- l. Signs supported by a guy wire.
- m. No sign shall be erected, placed or maintained by any person on rocks, fences or trees.
- n. No sign shall be erected which will interfere with any electric light, power, telephone or telegraph wires or the supports thereof.
- o. Graphic design signs without Special Use Permit.
- p. Billboards

Subd. 535.07 PERMITTED SIGNS IN RESIDENTIAL DISTRICTS

- a. Professional name plate wall signs, not exceeding two (2) square feet in area.
- b. Memorial signs or tablets, names of buildings and the date of erection when cut into a masonry surface or when constructed of bronze or other incombustible material.
- c. Political signs as regulated.
- d. Individual property sale, lease or rental as regulated.
- e. Construction signs as regulated.
- f. Bulletin boards or public information signs not over thirty-two (32) square feet located only on the premises of public, charitable or religious institutions.

- g. Other signs, such as neighborhood or project identification signs consistent with the neighborhood character, subject to Special Use Permit.

Subd. 535.08 PERMITTED SIGNS BY A SIGN PERMIT IN THE "OLD VILLAGE"
(South of State Highway 5, in the (GB) General Business Zoning District)

The following signs are hereby permitted with a sign permit:

General Requirements:

- a. All signs in the "Old Village" are regulated by the following requirements:

1. Number: One wall, monument, awning and canopy or three dimensional sign is allowed per business. When a building or business abuts two or more public streets, an additional sign located on each street building face is allowed.
2. Sign Plan: When there is more than one business or use in a building with more than one sign, a building sign plan shall be provided with the sign permit application.
3. Other requirements: See area, location and height requirements below for type of sign selected.

- b. Wall Signs

1. Area. the total building signage shall have an aggregate area not exceeding .75 square foot for each foot of such building face parallel or substantially parallel to a street lot line.
2. Location. A wall sign shall not project more than sixteen (16) inches from the wall to which the sign is to be affixed.
3. Height. A wall sign shall not project higher than the parapet line of the wall to which the sign is to be affixed or fifteen (15) feet as measured from the base of the building wall to which the sign is affixed, whichever is lower.
4. No internally illuminated signs are allowed.
5. Special Conditions. Where a principal building is devoted to two (2) or more permitted uses, the operator or each such use may install a wall sign for their particular use. A sign plan must be submitted for the entire building.
 - a. The total gross signage for the entire building shall not exceed .75 square feet for each foot of such building face parallel, or substantially parallel, to a street lot line with a maximum of twenty (20) square feet per business.

c. Freestanding Signs

1. Area. The area of pedestal type freestanding sign shall not exceed thirty (30) square feet.
2. Location. A pedestal sign shall be located in any required yard but shall have a setback of fifteen (15) feet from any point of vehicular access, public roadway or property line.
3. Height. A pedestal sign shall not project higher than six (6) feet, as measured from the base of sign or grade of the nearest roadway, whichever is lower.
4. Landscaping. The area around a monument sign shall be landscaped.
5. Lighting. Externally illuminated or back lit letters are allowed, no internally illuminated signs.

d. Awning and Canopy Sign

1. Area. The gross surface of an awning or canopy sign shall not exceed thirty (30) percent of the gross surface area of the smallest face of the awning or canopy of which such sign is to be affixed.
2. An awning or canopy sign shall not project higher than the top of the awning or canopy or below the awning or canopy.

f. Projecting Sign

1. The total areas of a projecting signs shall be six (6) square feet.
2. All projecting signs shall be located on street level and easily visible from the sidewalk.
3. If lighted, projecting signs shall be externally illuminated.

Subd. 535.09 PERMITTED SIGNS BY A SIGN PERMIT IN BUSINESS PARK DISTRICTS

All commercial, office and industrial signs in all Highway Business, Limited Business, General Business and Business Park Zoning Districts.

a. Wall Signs

1. Area. The gross surface area of a wall sign shall not exceed .75 square feet for each foot of building, parallel, or substantially parallel, to the front lot line.
2. Location. A wall sign shall be located on the outermost wall of any principal building but shall not project more than sixteen (16) inches from the wall to which the sign is to be affixed. The location and arrangement of all wall signs shall be subject to the review and approval of the City Planer.
3. Height. A wall sign shall not project higher than the parapet line of the wall to which the sign is to be affixed or twenty (20) feet as measured from the base of the building wall to which the sign is affixed, whichever is lower.
4. Special Conditions. Where a principal building is devoted to two (2) or more uses, the operator of each such use may install a wall sign upon his/her proportionate share of the building wall to which the sign is affixed. A sign plan must be submitted for the entire building containing the following information:
 - a. The total gross signage for the entire building shall not exceed one (1) square foot for each foot of such building face parallel, or substantially parallel, to a street lot line or a maximum of twenty-five (25) square feet per business.
 - b. The location, sizes, types and elevations of all signs.
 - c. All signs shall be visually consistent in location, design and scale.

b. Freestanding Sign

1. Area. the gross surface area of a ground sign shall not exceed thirty (30) square feet for each exposed face nor exceed an aggregate gross surface area of 60 square feet.
2. Location. A ground sign may be set back fifteen (15) feet from front or side property line.
3. Height. A ground sign shall not project higher than six (6) feet, as measured from base of sign or grade of the nearest adjacent roadway, whichever is lower.
4. There shall be one freestanding sign per development site.

- c. Multi-tenant Master Sign Program. A building Master Sign Program shall be required (for multi-tenant commercial buildings) besides the individual tenant and occupant signs. A building master identification sign may be permitted according to the following requirements:
1. Building master identification signs shall not contain the names of any tenants or occupants of the center.
 2. If the multi-tenant commercial building has a floor area of 40,000 square feet or less, the building may have a freestanding sign with a maximum of one square foot of sign for each five feet of building frontage or 40 square feet maximum in height of eight feet.
 3. If multiple tenant commercial building has a floor area greater than 40,000 square feet, but less than the 100,000 square feet, the center may have a master identification sign with a maximum of 75 square feet on each side and with a maximum height of 9 feet.
 4. If the multiple tenant commercial building has a floor area of greater than 100,000 square feet, the center may have a master identification sign with a maximum area on 120 square feet on each side and a maximum height of 15 feet.

Subd. 535.10 DIRECTORY SIGNS

Directory signs are used to guide pedestrians to individual business within a multiple tenant commercial area and are permitted.

1. Placement -
 - a. must be placed on the site of the development
 - b. shall be erected only in internal pedestrian access areas and not in vehicle access areas.
 - c. directory sign area to be used for the purposes of direction and identification only.
2. Area -

A directory sign may have maximum area on one square foot for each business listed on the sign and four square feet for the mane of the building or complex.
3. Directory signs may be freestanding but shall not exceed four feet in height.

Subd. 535.11 AUTOMOBILE SERVICE STATION SIGNS

Automobile service stations are allowed one (1) wall sign and one (1) ground sign subject to the following conditions:

- a. Wall signs. There shall be no more than one (1) wall per building face sign with a maximum sign area of .75 square foot for each lineal foot of building frontage.
- b. Freestanding Signs. There shall be no more than one (1) freestanding sign for each principal building. A freestanding sign shall be set back fifteen (15) feet from the front and side property line. A freestanding sign shall not project higher than six (6) feet as measured from grade or contain more than 30 square feet of signage.
- c. Service Bay and Island Identification Signs. Service bay and islands identification signs are permitted providing direction or instruction to persons using the facility but containing no advertising material of any kind.

**City of Lake Elmo
Washington County, Minnesota
Summary of Ordinance 8150
Relating to Signs**

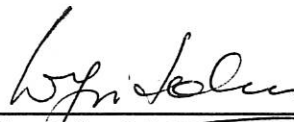
On November 19, 1996, the Lake Elmo City Council adopted Ordinance 8150 relating to Signs.

On November 19, 1996, the Lake Elmo City Council received a summary of Ordinance 8150 and by 5 affirmative votes, approved the publication of a summary of this ordinance, to wit:

Section 535 - Signs

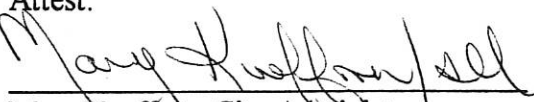
- 535.01 Purpose
- 535.02 Sign Permits Required
- 535.03 Definitions
- 535.04 General Provisions
- 535.05 Permitted Signs
- 535.06 Prohibited Signs
- 535.07 Permitted Signs in Residential Districts
- 535.08 Permitted Signs by a Sign Permit in the "Old Village"
(South of State Highway 5, in the (GB) General Business Zoning District)
- 535.09 Permitted Signs by a Permit in Business Park Districts
- 535.10 Directory Signs
- 535.11 Automobile Service Station Signs

A complete copy of Ordinance 8150 "Signs" is on file in the Office of the City Administrator and can be viewed by the public during normal business hours.



Wyn John, Mayor

Attest:



Mary Kueffner, City Administrator