AGENDA
PLANNING COMMISSION STUDY SESSION
WEBEX VIDEOCONFERENCE
6:00 P.M.
SEPTEMBER 2, 2020

All meetings of the St. Louis Park Planning Commission will be conducted by telephone or other electronic means until further notice. This is in accordance with a local emergency declaration issued by Mayor Jake Spano March 16, 2020 in response to the coronavirus (COVID-19) pandemic. Additionally, city facilities are closed to the public in keeping with the Executive Orders 20-20 and 20-33 issued by Gov. Tim Walz directing Minnesotans to Stay at Home March 28 through May 4, 2020.

All members of the St. Louis Park Planning Commission will participate in the September 2, 2020 planning commission meeting by electronic device or telephone rather than by being personally present at the planning commission’s regular meeting place at 5005 Minnetonka Blvd.

Members of the public can monitor this meeting by calling +1-312-535-8110 meeting number (access code): 372 106 61 for audio only. Cisco Webex will be used to conduct videoconference meetings of the planning commission, with planning commissioners and staff participating from multiple locations.

AGENDA

1. 2020 Work Plan revisited (priorities, revised timelines, COVID, Racial Equity)
2. Architectural design zoning code text amendment
3. Painted signs zoning code text amendment

Auxiliary aids for individuals with disabilities are available upon request. To make arrangements, please call the administration department at 952-924-2525 (TDD 952-924-2518) at least 96 hours in advance of meeting.
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1 2020 work plan

**Recommended action:** Review 2020 work plan and discuss at the meeting.

**Summary:** Each year planning commission creates a work plan of ongoing and new projects. Because of the health pandemic, city council and city boards and commissions have worked on essential business only. This resulted in many items on the 2020 planning commission work plan falling behind schedule. Staff recommend commissioners review the 2020 work plan and discuss potential revisions for the rest of 2020. Also, we have new commissioners that have joined us since the 2020 work plan was completed, and many events have occurred that may influence the commission’s priorities. Furthermore, the city council was set to begin discussions with boards and commissions to review their work plans and improve communications and alignment with city priorities. The meeting planned for May was cancelled and has not been rescheduled.

**City of St. Louis Park strategic priorities**
1. St. Louis Park is committed to being a leader in racial equity and inclusion in order to create a more just and inclusive community for all.
2. St. Louis Park is committed to continue to lead in environmental stewardship.
3. St. Louis Park is committed to providing a broad range of housing and neighborhood-oriented development.
4. St. Louis Park is committed to providing a variety of options for people to make their way around the city comfortably, safely and reliably.
5. St. Louis Park is committed to creating opportunities to build social capital through community engagement.

**Council requested discussion items.** Items that are also included in the planning commission’s 2020 work plan are listed in **bold**.

- P1 Prioritizing transit options thru investments, and engineering and operations decisions
- P2 Climate crisis
- **P3 Discuss public process expectations and outcomes (June 8)**
- P4 Revisit housing setbacks, F.A.R. and more to maintain and create more affordable housing
- P5 Home occupations (accessory dwelling units)
- P6 Public forums at city council meetings
- P7 STEP discussion: facilities
- P8 Community and neighborhood sidewalk designations
- P9 Remove mint and menthol exemption from existing flavored tobacco policy
- P10 Easy access to nature, across city, starting with low-income neighborhoods
- P11 Conversion therapy ban
- **P12 Changes to sign ordinance**
- P13 Westwood Hills Nature Center access fund (On hold)

**Supporting documents:** 2020 work plan

**Prepared by:** Jacquelyn Kramer, associate planner

**Reviewed by:** Sean Walther, planning and zoning supervisor
## 2020 Work Plan

<table>
<thead>
<tr>
<th>Time Frame</th>
<th>Initiative</th>
<th>Strategic Priorities</th>
<th>Purpose</th>
<th>Current status</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ongoing</td>
<td>Identify strategies to broaden participation and reduce barriers to public participation. Review notification methods, online opportunities to submit input, and consider when providing translation services, transportation or childcare may be warranted.</td>
<td>☐ New Initiative ☒ Continued Initiative ☒ Ongoing Responsibility</td>
<td>☐ Commission Initiated Project ☐ Council Initiated Project ☐ Report Findings <em>(council requested)</em> ☒ Formal Recommendation <em>(council requested)</em></td>
<td>No discussions, yet; ongoing item</td>
</tr>
<tr>
<td>Ongoing</td>
<td>Review development applications, hold study sessions and hearings in order to make informed recommendations to city council.</td>
<td>☐ New Initiative ☒ Continued Initiative ☒ Ongoing Responsibility</td>
<td>☐ Commission Initiated Project ☐ Council Initiated Project ☐ Report Findings <em>(council requested)</em> ☒ Formal Recommendation <em>(council requested)</em></td>
<td>Ongoing</td>
</tr>
<tr>
<td>Ongoing</td>
<td>Hold planning commission meetings at off-site locations to foster community relationships (high school, HACER, etc.).</td>
<td>☒ New Initiative ☒ Continued Initiative ☒ Ongoing Responsibility</td>
<td>☐ Commission Initiated Project ☐ Council Initiated Project ☐ Report Findings <em>(council requested)</em> ☒ Formal Recommendation <em>(council requested)</em></td>
<td>On hold due to health pandemic</td>
</tr>
<tr>
<td>Q1-Q2</td>
<td>Accessory dwelling unit ordinance</td>
<td>☑ New Initiative ☒ Continued Initiative ☐ Ongoing Responsibility</td>
<td>☐ 1 ☐ 2 ☒ 3 1 4 5 ☐ N/A</td>
<td>☑ Commission Initiated Project ☒ Council Initiated Project ☐ Report Findings (council requested) ☒ Formal Recommendation (council requested)</td>
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<tr>
<td>Q1-Q2</td>
<td>Historic Walker-Lake zoning district</td>
<td>☒ New Initiative ☐ Continued Initiative ☐ Ongoing Responsibility</td>
<td>☐ 1 ☐ 2 ☒ 3 1 4 5 ☐ N/A</td>
<td>☑ Commission Initiated Project ☐ Council Initiated Project ☒ Report Findings (council requested) ☒ Formal Recommendation (council requested)</td>
</tr>
<tr>
<td>Q1-Q2</td>
<td>Billboard ordinance</td>
<td>☒ New Initiative ☐ Continued Initiative ☐ Ongoing Responsibility</td>
<td>☐ 1 ☐ 2 ☒ 3 1 4 5 ☐ N/A</td>
<td>☑ Commission Initiated Project ☐ Council Initiated Project ☒ Report Findings (council requested) ☒ Formal Recommendation (council requested)</td>
</tr>
<tr>
<td>Q1-Q3</td>
<td>Food security and access study</td>
<td>☐ New Initiative ☒ Continued Initiative ☐ Ongoing Responsibility</td>
<td>☒ 1 ☒ 2 ☒ 3 1 4 5 ☐ N/A</td>
<td>☑ Commission Initiated Project ☒ Council Initiated Project ☒ Report Findings (council requested) ☒ Formal Recommendation (council requested)</td>
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<tr>
<td>Q1-Q3</td>
<td>Single family building scale</td>
<td>☒ New Initiative ☒ Continued Initiative ☐ Ongoing Responsibility</td>
<td>☒ 1 ☒ 2 ☒ 3 1 4 5 ☐ N/A</td>
<td>☑ Commission Initiated Project ☒ Council Initiated Project ☒ Report Findings (council requested) ☒ Formal Recommendation (council requested)</td>
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<tr>
<td>Q2-Q3</td>
<td>Transit Oriented Development District</td>
<td>☒ New Initiative ☒ Continued Initiative ☐ Ongoing Responsibility</td>
<td>☒ 1 ☒ 2 ☒ 3 1 4 5 ☐ N/A</td>
<td>☑ Commission Initiated Project ☒ Council Initiated Project ☒ Report Findings (council requested) ☒ Formal Recommendation (council requested)</td>
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<tr>
<td>Q4</td>
<td>Architectural materials requirements</td>
<td>☐ New Initiative ☒ Continued Initiative ☐ Ongoing Responsibility</td>
<td>☒ 1 ☒ 2 ☒ 3 1 4 5 ☐ N/A</td>
<td>☒ Commission Initiated Project ☒ Council Initiated Project ☒ Report Findings (council requested) ☒ Formal Recommendation (council requested)</td>
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</tbody>
</table>
### Parking Lot

Items that are being considered by the board/commission but not proposed in the annual work plan. Council approval is needed if the board/commission decides they would like to move forward with an initiative.

<table>
<thead>
<tr>
<th>Initiative</th>
<th>Comments:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Water conservation and water recycling</td>
<td>Explore ways to encourage reduced water use, capture and reuse of storm water, and protect ground water resources.</td>
</tr>
<tr>
<td>Housing analysis</td>
<td>Explore setting policy targets for different housing types in the city based on present inventory and unmet demand, and for the ratio of owned vs. rental housing units.</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Q4</th>
<th>Home occupation zoning requirements and work toward formal adoption</th>
</tr>
</thead>
<tbody>
<tr>
<td>☐ New Initiative</td>
<td>☐ 1 ☐ 2 ☒ 3 ☐ 4 ☐ 5 ☐N/A</td>
</tr>
<tr>
<td>☒ Continued Initiative</td>
<td>☐ Commission Initiated Project</td>
</tr>
<tr>
<td>☐ Ongoing Responsibility</td>
<td>☒ Council Initiated Project</td>
</tr>
<tr>
<td>☐ N/A</td>
<td>☒ Report Findings ([council requested])</td>
</tr>
<tr>
<td>☒ Formal Recommendation ([council requested])</td>
<td>Not yet started; study session tentatively planned for Q4 2020</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Q4</th>
<th>Transitional industrial zoning district and work toward formal adoption</th>
</tr>
</thead>
<tbody>
<tr>
<td>☒ New Initiative</td>
<td>☒ 1 ☐ 2 ☒ 3 ☐ 4 ☐ 5 ☐N/A</td>
</tr>
<tr>
<td>☒ Continued Initiative</td>
<td>☒ Commission Initiated Project</td>
</tr>
<tr>
<td>☐ Ongoing Responsibility</td>
<td>☐ Council Initiated Project</td>
</tr>
<tr>
<td>☒ N/A</td>
<td>☒ Report Findings ([council requested])</td>
</tr>
<tr>
<td>☒ Formal Recommendation ([council requested])</td>
<td>Not yet started</td>
</tr>
</tbody>
</table>
Purpose: definitions

**Commission Initiated Project**
- Project initiated by the board or commission

**Council Initiated Project**
- Project tasked to a board or commission by the city council

**Report Findings**
- Initiated by the city council
- Board and commission will study a specific issue or topic and report its findings or comments to the city council in writing
- No direct action is taken by the board/commission

**Formal Recommendation**
- Initiated by the city council
- Board and commission will study a specific issue or topic and makes a formal recommendation to the city council on what action to take
- A recommendation requires a majority of the commissioners' support

**Modifications:**
Work plans may be modified, to add or delete items, in one of three ways:
- Work plans can be modified by mutual agreement during a joint work session.
- If immediate approval is important, the board or commission can work with their staff liaison to present a modified work plan for city council approval at a council meeting.
- The city council can direct a change to the work plan at their discretion.
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2 Architectural design zoning code text amendment

Recommended motions: None at this time. Provide input on the draft ordinance.

Summary of request: The planning commission work plan includes a review and modification of the list of exterior materials approved for use in the St. Louis Park.

Background: Section 36-366 of the city code regulates architectural design of buildings in St. Louis Park. The purpose of the architectural design standards is to serve the public interest by promoting a high standard of development in the city. The city reviews both functional and aesthetic aspects of new or intensified developments and seeks to implement the comprehensive plan, preserve the character of the city, reasonably maintain and improve the tax base, reduce the adverse impacts resulting from dissimilar land uses, promote orderly flow of vehicular and pedestrian traffic, discourage development of identical and similar building facades which detract from the character and appearance of the neighborhood, preserve the natural environment and minimize adverse impacts on adjacent properties from buildings which are or may become unsightly. Among the ways to help accomplish this, the zoning code regulates building design and materials.

Staff submitted a report and the draft ordinance to the planning commission on August 19, 2020 for review and comment. Commissioners provided the following comments:

1. Supported having more options that hold a high standard of design.
2. Define “integral colored stone” to avoid ambiguity. Staff added a definition for “integral colored” in section “(c)” of the draft.
3. Would like to discuss moving fiber reinforced cement board from class 2 to class 1 unless it has the appearance of raw concrete.
4. Can we explore design standards for parking ramps that accommodate future reuse? We can discuss this at the study session.

Present considerations: The city places materials into three categories. Class 1 materials are promoted. Class 2 materials are acceptable. Class 3 materials are discouraged and limited. Materials that are not listed are not allowed. The list of permitted materials has remained, for the most part, unchanged since 1990. Minor changes have been made since then as follows:

- 2008 – Limited obstructions such as bars or grills on windows and doors to a maximum of 10%.
- 2006 – Added options for awnings and canopies. Added fiber-reinforced concrete siding as an exterior material to classifications 1 and 2.
- 2002 – Allowed wood as a class 1 on small park buildings.
- 2001 – Required wall deviations to avoid long and flat walls and required varying depths of deviations based on the ratio of the wall height and wall length.

The selection and quality of exterior materials has changed considerably since 1990 resulting in more available varieties to consider adding to our materials list. New materials should be on the market and in use for enough time so we can be confident that they will withstand the effects of weather in Minnesota without compromising their aesthetics.
Every year staff takes note of the materials requested by architects on projects submitted for review and construction. There are some products that continue to be requested and have been used with success around the nation and state for many years. Also, there are materials that the city has allowed on a case by case basis routinely. Therefore, the city would like to consider adding them to the list or recategorizing them. Our process for review includes allowing some materials that are not on our approved list on a building in a limited capacity. This gives us the ability to see if they retain their appearance of quality and aesthetics over the years. We also had discussions with a few architects and builders about new materials. These discussions were had when they were not representing a project going through an approval process in St. Louis Park, so we were able to get detailed opinions resulting from their expertise and experience.

**Materials for consideration:** The ordinance includes a list of materials allowed to be used on building exteriors. The list is broken down into three categories, class 1, class 2 and class 3. Class 1 materials are required to cover at least 60% of each building elevation. Class 2 can cover up to 40% of each elevation. Class 3 can cover up to 10% of each elevation. A complete list of the materials can be viewed in the attached draft ordinance. Staff requests adding the following materials to the approved materials list:

1. **Integral colored cast stone.** This product is currently allowed as a class 2 (artificial stone), staff proposes allowing it as a class 1 material. This is a manufactured product that has the appearance of stone. It is important that this material not be surface treated for color to look like stone, but instead have the color integral and throughout the product. That way if it gets chipped, it will still have the appearance of the stone color. Additionally, the color shouldn’t fade or wear over time. It appears that the industry standard term for this product is integral colored.

2. **Architectural wall cladding.** This product is currently allowed as a class 2, staff proposes allowing it as a class 1 material. This includes name brand products such as Nichiha or Equitone. It is a manufactured material that is applied to the surface of the building. There is a wide variety of styles available. Information about available products and styles available can be viewed at Nichiha.com or Equitone.com. Styles available include stone, brick, stucco and wood. They also include a variety of textures. The city has allowed the use of this material on several recent developments when the thickness of the material is at least 7 millimeters on a few recent planned unit developments, including Via Sol, The Quentin, Bridgewater and Parkway Residences.

3. **Integrally colored concrete panels, except smooth finished,** as a class 2 product. This is a large wall panel that is colored throughout the product and has a textured exterior. It is good for large buildings, typically industrial, but can also be used for commercial buildings. It is commonly used on a building elevation that has limited visibility. This change would allow 10% to 40% of an exterior wall to be clad in this material.

4. **Smooth finished concrete panels as a class 3.** This is not a commonly used product as it is not aesthetically appealing when used in a large scale. Therefore, it is limited to 10% of a building elevation where it may be used to create architectural interest as a detail material.
5. Surface painted brick, stone or integral colored cast stone. This category is added as a class 3 material to protect the aesthetics of class 1 materials. Periodically, the city receives a request to paint a brick or stone building. This is contrary to the intent of the ordinance and the natural finish of these materials should be preserved. Staff also notes that painted materials can add interest to a building as a minor detail. Listing this as a class 3 material allows for some flexibility.

Other considerations: The existing ordinance includes a provision that allows an applicant to appeal staff’s interpretation of the ordinance as it pertains to design and use of materials. This is not a variance request, but rather gives the council the opportunity to review a proposed design or material and determine if it meets the intent of the architectural design ordinance.

Next steps: Staff requests that you review the full architectural standards ordinance and the suggested edits. If the planning commission agrees on a draft ordinance, then staff will bring the ordinance back to the planning commission for a public hearing.

Supporting documents: Draft ordinance; Article: Adaptive Reuse without breaking the bank: what is reasonable when planning new parking? Article: We need to design parking garages with a car-less future in mind.

Prepared by: Gary Morrison, assistant zoning administrator
Reviewed by: Sean Walther, planning and zoning supervisor
Sec. 36-366. Architectural design.

(a) Purpose. The purpose of this section is to serve the public interest by promoting a high standard of development in the city. Through a comprehensive review of both functional and aesthetic aspects of new or intensified developments, the city seeks to accomplish the following:

1. Implement the comprehensive plan;
2. Preserve the character of neighborhoods, commercial and industrial areas;
3. Reasonably maintain and improve the city tax base;
4. Reduce the adverse impacts of dissimilar land uses;
5. Promote orderly and safe flow of vehicular and pedestrian traffic;
6. Discourage the development of identical and similar building facades which detract from the character and appearance of the neighborhood;
7. Preserve the natural and built environment; and
8. Minimize adverse impacts on adjacent properties from buildings which are or may become unsightly.

(b) Building Design. Buildings shall be designed to enhance the attractiveness of the city’s streetscape by minimizing monotonous structures and long, blank walls. Additionally, buildings shall, through use of architectural details and scale, have architectural features and patterns that provide visual interest from the perspective of the pedestrian. The following techniques shall be incorporated into building design in order to accomplish such requirements.

1. Architectural design elements that will be considered in the review of building and site plans include building materials, color and texture, building bulk, general massing, roof treatment, proportion of openings, facade design elements and variation, window and openings. Site plan design elements that will be considered in the determination as to whether site plan design is superior include quantity, quality, variation, compatibility and size of plant materials, landscape berms and screening walls. Also considered will be the overall order, symmetry and proportion of the various elements within the site and within the larger context of the area or corridor.

2. The height, bulk, general massing, roof treatment, materials, colors, textures, major divisions, and proportions of a new or remodeled building shall be compatible with that of other buildings on the site and on adjacent sites.

3. Building wall deviations are required where the unbroken building wall length to wall height ratio meets or exceeds 2:1. The minimum depth of each building wall deviation at the 2:1 ratio shall be two feet. The unbroken wall length to wall height ratio may be increased to 3:1 if the depth of the building wall deviations is increased to three feet. The unbroken wall length to wall height ratio may be increased to 4:1 if the depth of the building wall deviations is increased to four feet. The building wall deviations must extend from the grade to the roof, or top of the parapet.

4. No building may display more than five percent of any elevation surface in bright, pure accent colors.
(5) The development must locate the noise-producing portions of the development, such as loading docks, outside storage and outside activity away from adjacent residential areas.

(6) All developments shall consider the effect of sun angles and shade patterns on other principal buildings. All new multiple-family and nonresidential buildings and additions thereto shall be located so that the structure does not cast a shadow that covers more than 50 percent of another building wall for a period greater than two hours between 9:00 a.m. and 3:00 p.m. for more than 60 days of the year. This section will not prohibit shading of buildings in an industrial use district, two or more buildings on the same lot in the Mixed Use zoning district, or as approved for buildings covered by the same PUD, CUP, or Special Permit. Shading of existing public spaces and outdoor employee break areas shall be minimized to the extent reasonable and possible.

(7) Interior and exterior bars, grills, mesh or similar obstructions, whether permanently or temporarily affixed, shall not cover any exterior door or more than ten percent of any individual window or contiguous window area.

(8) Ground floor transparency. The following façade design guidelines shall be applicable to all ground floor street-facing facades in the C-1, C-2, and MX Districts, and retail, service, and restaurant uses in O and BP Districts:
   a. Window paintings and signage shall cover no more than 10 percent of the total window and door area.
   b. Visibility into the space shall be maintained for a minimum depth of three (3) feet. Display of merchandise is allowed within this three (3) feet.
   c. Interior storage areas, utility closets and trash areas shall not be visible from the exterior of the building.
   d. No more than 10 percent of total window and door area shall be glass block, mirrored, spandrel, frosted or other opaque glass, finishes or material including window painting and signs. The remaining 90 percent of window and door area shall be highly transparent, low reflectance windows with a minimum 60 percent transmittance factor and a reflectance factor of not greater than 0.25.
   e. For all new buildings constructed after January 1, 2019, and existing buildings which expand the gross square footage of the building by more than 50 percent, the minimum ground floor transparency shall be 50 percent on the front façade, and 20 percent on all other ground floor street facing facades.
   f. The city acknowledges a degree of flexibility may be necessary to adjust to unique situations. Alternatives that provide an increase in pedestrian vibrancy and street safety including but not limited to public art and pedestrian scale amenities may be considered and may be approved by the Zoning Administrator, unless the development application requires approval by city council, in which case the city council shall approve the alternate transparency plan.

(c) Building Materials. Exterior surface materials of buildings shall be installed and maintained in accordance with the adopted building code and the manufacturer’s specifications and shall be subject to the regulations listed below following regulations: Products listed as “integral colored” shall continue its surface color consistently through the depth of the product as opposed to being colored, painted or stained on the surface only.

(1) Classes of materials. Materials shall be divided into class I, class II and class III categories as follows:
a. **Class I.** The following materials are considered class I materials as specified:
1. Brick
2. Marble, granite or other natural stone
3. Integral colored cast stone (the stone is colored consistently through)
4. Textured cement stucco
5. Architectural wall cladding (Nichiha, Equitone and similar brands) Material must be through colored and at least 5/8 inches thick.
6. Copper
7. Porcelain
8. Glass
9. Residential buildings containing four or fewer dwelling units may utilize the following additional materials:
   i. Wood
   ii. Vinyl siding
   iii. Fiber-reinforced cement board
   iv. Prefinished metal
10. Residential buildings containing five or more dwelling units may utilize the following additional materials:
   i. Up to 10% of the façade may be finished with clapboard and/or shake-style fiber-reinforced cement board with a minimum thickness of ¼ inch.
11. Park buildings under 3,000 square feet may utilize the following additional materials:
   i. Wood.

b. **Class II.** The following materials are considered class II materials as specified:
1. Exposed aggregate concrete panels
2. Burnished concrete block
3. Integral colored split face (rock face) and exposed aggregate concrete block
4. Cast-in-place concrete
5. Artificial stucco Insulated exterior wall panels (E.I.F.S., Drivit and similar brands)
6. Artificial stone
7. Fiber-reinforced cement board siding with a minimum thickness of ¼ inch
8. Prefinished metal.
9. Integral colored concrete panels other than smooth finished.

c. **Class III.** The following materials are considered class III materials as specified:
1. Unpainted or surface painted concrete block (scored or unscored)
2. Unpainted or surface painted plain or ribbed concrete panels
3. Unfinished or surface painted metal
4. Smooth finished concrete panels
5. Brick, stone, or integral colored material which has been painted

(2) **Minimum class I materials.** At least 60 percent of each building face visible from off the site must be of class I materials except as permitted by subsection (b)(6)c. of this section. Not more than 10 percent of each building face visible from off the site may be of class III materials. Portions of buildings not visible from off the site may be constructed of greater percentages of class II or class III materials if the structure otherwise conforms to all city ordinances. The mixture of building materials must be compatible and integrated.

(3) **Buildings in I-G and I-P districts.**
a. Not on major streets and not near residential. For buildings in the I-G and I-P districts which are not located on a principal arterial, minor arterial, major collector, or adjacent to or across from any residentially zoned property, class I materials may be reduced to a minimum of 25 percent provided that the remaining materials are functionally and durably equal to a class I material as certified by the architect or manufacturer.

b. On major streets or near residential. For building walls in the I-G and I-P districts facing on a principal arterial, minor arterial or major collector, or adjacent to or across from any residentially-zoned property, class I materials may be reduced to a minimum of 25 percent provided that the remaining materials are functionally and durably equal to a class I material as certified by the architect or manufacturer and that the architectural design and site plan are superior quality as determined by the zoning administrator. The architecture and site plan shall meet the following minimum criteria to be considered superior quality:
   1. The exposed height of the building wall shall not exceed 15 feet.
   2. The number of required plant units shall be increased by 20 percent or the size of 20 percent of the overstory trees installed shall be increased to 3 1/2 caliper inches.
   3. A minimum of ten percent of the building facade must be windows or glass spandrels.

(d) General provisions.

(1) All exterior finishes for one- and two-family dwellings and accessory structures shall be installed within one year from the issuance of the building permit.

(2) Additions and accessory structures. The exterior wall surface materials, roof treatment, colors, textures, major divisions, proportion, rhythm of openings, and general architectural character, including horizontal or vertical emphasis, scale, stylistic features of additions, exterior alterations, and new accessory buildings shall address and respect the original architectural design and general appearance of the principal buildings on the site and shall comply with the requirements of this section. Clear acrylic that is high impact, double-skinned, non-yellowing, and a minimum eight (8) millimeter thick may be classified as a Class I material for accessory greenhouses.

(3) Screening.
   a. The visual impact of rooftop equipment shall be minimized using one of the following methods. Where rooftop equipment is located on buildings and is visible from the ground within 400 feet from property in an R district, only the items listed in subsections 1 and 2 shall be used.
      1. A parapet wall.
      2. A fence the height of which extends at least one foot above the top of the rooftop equipment and incorporates the architectural features of the building.
      3. The rooftop equipment shall be painted to match the roof or the sky, whichever is most effective.
   b. Utility service structures (such as utility meters, utility lines, transformers, aboveground tanks); refuse and recycling handling; loading docks; maintenance structures; and other ancillary equipment must be inside a building or be entirely screened from off-site views.
utilizing a privacy fence or wall that is at least six feet in height. A chain link fence with slats shall not be accepted as screening.

c. All utility services shall be underground except as provided elsewhere in this chapter.

(4) Parking ramps. All new parking ramps shall meet the following design standards:

a. Parking ramp facades that are visible from off the site shall display an integration of building materials, building form, textures, architectural motif, and building colors with the principal building.

b. No signs other than directional signs shall be permitted on parking ramp facades.

c. If the parking ramp is located within 20 feet of a street right-of-way or recreational trail, the facade facing the street shall be subject to the same requirements for exterior surface materials as for buildings.

(5) Awnings and canopies.

a. Design parameters. Awnings and canopies shall be designed, installed and maintained to meet the following criteria:

1. Awnings and canopies shall have noncombustible frames. If an awning can be collapsed, retracted or folded, the design shall be such that the awning does not block any required exit.

2. Awnings and canopies less than 25 feet in width may extend into the public right-of-way up to two feet from the face of the nearest curb line measured horizontally.

3. All portions of any awning and canopy shall provide at least eight feet of clearance over any walkway and twelve feet of clearance over a driveway or private roadway.

4. Canopy posts or other supports located within a public right-of-way or easement shall be placed in a location approved by the city engineer.

b. Permit required. A building permit shall be issued prior to the installation of any awning or canopy. In addition to the building permit, an encroachment agreement shall be issued by the city engineer prior to the installation of any awning or canopy that extends into, upon or over any street or alley right-of-way, park or other public property. The encroachment agreement shall include provisions that hold the owner of the awning or canopy liable to the city for any damage which may result to any person or property by reason of such encroachment or the removal of such encroachment. Additional conditions may be imposed on encroachment permits to protect the health, safety or welfare of the public or to protect nearby property owners from hardship or damage or to protect other public interests as determined by the city engineer.

c. Submission requirements. The following information shall be submitted prior to the installation of an awning or canopy.

1. Application form and fee. A separate fee shall be required for the building permit and encroachment agreement.

2. Dimensioned and scaled site plan and building elevations.

3. Four sets of drawings for each awning or canopy proposed.
d. Projections to be safe. All such projections over public property shall be structurally safe, shall be kept in a safe condition and state of repair consistent with the design thereof and repaired when necessary in the opinion of the city engineer or building official by and at the expense of the person having ownership or control of the building from which they project.

e. Removal upon order. The owner of an awning or canopy, any part of which projects into, upon, over or under any public property shall upon being ordered to do so by the city engineer remove at once any part or all of such encroachment and shall restore the right-of-way to a safe condition. Such removal and restoration of the right-of-way will be at the sole expense of the property owner. The city may, upon failure of the property owner to remove the encroachment as ordered, remove the encroachment, and the reasonable costs of removing such encroachment incurred by the city shall be billed and levied against the property as a special assessment.

(e) Appeal. In any instance where the zoning administrator denies a permit or a request for preliminary approval of building materials or building design, the applicant may submit an appeal to the interpretation, based upon the plans and other papers on file in the office of the zoning administrator, to the city council without payment of additional filing fees of any kind.

(1) Permit. A permit for an appeal shall be filed as required by Section 36-30.

(2) Process. A request for an appeal will be considered by the Board of Zoning Appeals as outlined in this chapter. The city council will act as the board of zoning appeals for appeals made in conjunction with a conditional use permit or planned unit development. The planning commission shall hold the public hearing on the appeal, review the appeal along with the conditional use permit or planned unit development, and report its findings and recommendation to the city council.
Adaptive Reuse without breaking the bank: What is reasonable when planning new parking?

TRENDS & INNOVATION WATRY INSIGHTS

As we ponder a future with autonomous vehicles and a reduced demand for parking, some adaptability and future-proofing of a parking structure in this environment makes sense. However, sometimes the costs can render the idea infeasible.

Full adaptive re-use design, in which all of the parking areas can be replaced with other uses in the future can increase initial construction cost by 40% or more. Many owners evaluating this issue today are deciding it is more effective to design traditional, cost-effective parking today, even if it may be demolished before end-of-life. These cost factors are driven in large part by the following:

Rendering of a parking structure in which the ground level has been adapted for retail use. Note the increased floor-to-floor heights and use of speed ramps to create a level floor plate.

1. **Floor-to-floor height.** Clear height requirements for parking are generally between 7’0” and 8’4” depending on accessibility issues. This amount of clearance is not appropriate for other uses such as retail, residential or office, and therefore needs to be increased.

2. **Ramping system.** A traditional “park-on” ramp is often times the most efficient parking system, since you park on the ramping
system. However, this sloping floor is inappropriate for other uses. A likely strategy is to create a “speed” ramp on the edges of the floor plate so that the ramp can be removed in the future use scenario.

3. **Footprint size.** Parking structures are sometimes very large plates, which do not correspond well to uses such as office, retail or residential. Adaptive re-use in this case may include removal of areas of the structure and/or the creation of interior courtyard areas.

4. **Egress, pedestrian pathways and occupant load.** The location of pedestrian cores and pathways in garages is often counter to those in human occupied spaces. For example, an office layout will put a core in the middle while parking structures typically place them in the corners. To adapt the space for an alternative use, additional cores may need to be added. Likewise, parking also has light occupancy loads. It may be necessary to overdesign or add entry and exit points.

5. **Structural system.** Structural loads needed to support humans are nearly twice what is required to house cars. In addition, vibration and acoustics are more sensitive in uses such as residential and office space than they are for parking facilities. Fire rating and other code requirements are also more stringent for uses other than parking. Open parking is also designed with slope to drain for water, as opposed to flat floors for enclosed spaces.

Given these factors, one approach for adaptive re-use without excessive cost is to employ it only at the ground level. Assuming the soil is sufficient to avoid a structural slab on grade, many of the high cost issues are avoided. By providing a high floor height at the ground level, you are set up to achieve a re-use scenario at grade while avoiding, for the most part, the other cost drivers, such as ramping, egress and structural system. This level of re-use design may be achieved for a relatively small increase in the construction cost of less than 10%.
We Need to Design Parking Garages With a Car-less Future in Mind

Building adaptable structures will save time, money, and material waste.

By Eric Jaffe
November 14, 2013, 9:46 AM CST

The Joni Mitchell song "Big Yellow Taxi" rues the day they paved paradise to put up a parking lot. But on East 13th Street in Manhattan, they’re doing the reverse. The New York Post reports that a developer has turned a former Hertz garage into an uber-luxury residential building, complete with rooftop foliage (and, yes, parking spaces for tenants). What's most interesting is that the developers decided not to raze the garage but merely to renovate it:

"It has very good bones," says [Dan Hollander, managing partner of DHA Capital] of the garage. "There are over 10-foot ceilings, good columns and the property is 67 feet wide — that's what really attracted us to it."
There's a growing belief among architects and designers that all urban parking garages should be built with these "good bones," which will allow them to be repurposed in the future. For a variety of reasons, from higher gas prices to greater densification to better transit options, city residents will continue to drive fewer cars. As a result, we’ll eventually require fewer parking lots. The ability to adapt a structure rather than tear it down will save developers time, money, and material waste.

"As the auto culture wanes we're going to have a lot of demolition to do, which is unfortunate," says Tom Fisher, dean of the College of Design at the University of Minnesota. "If we're going to build these [garages] let's design them in a way that they can have alternative uses in the future. With just a few tweaks that's really possible."

Fisher says designing parking structures with an eye toward their afterlife is not only logical but rather simple. His three key elements to an adaptable garage design are flat floors, comfortable floor-to-ceiling heights, and enough loading capacity (in other words, strength) to support another structural use. Those types of changes may cost a tiny bit more up front but will provide enormous savings down the line.

The idea isn't exactly a new one. Fisher says architects did something similar in the 1920s, when the demand for cars was still uncertain. As a result, there are apartment buildings, offices, and warehouses in cities across the country that were parking garages in pre-war times. It was only recently that sloped floors became a preferred way to maximize garage space, especially on smaller urban sites.

Still, says Fisher, there's no great reason to build sloped garages. Many of the spatial challenges that gave rise to sloped floors can be overcome with car elevators — especially as digital technology makes locating parked cars and open spaces easier. The main reason architects continue to build sloped garages, says Fisher, is probably the faulty mindset that people will always need cars.

"That's the big mistake — it doesn't anticipate tipping points or phase changes," he says. "We have to start designing the physical environment to accommodate those kinds of changes."

New York isn't the only place where this re-use is happening. During a recent talk, Fisher pointed out a few other examples from the Twin Cities and elsewhere around the country. In St. Paul, a developer is converting a century-old building
from a garage into an apartment complex; in Miami Beach, a parking ramp is being used for retail and housing purposes.

Cities can take the lead by rewriting zoning and building codes to require garage developers to meet the minimal adaptability requirements. As for the developers themselves, Fisher says they've been very receptive to the idea, perhaps because they see a less-car dependent future coming. "I think they're worried about building parking garages that don't really have a long-term use," he says.

Who says you don't know what you got 'til it's gone?
Painted signs zoning code text amendment

Recommended motions:

None at this time. Provide input on the draft ordinance.

Summary of request: The ordinance was prepared at the request of city council to consider allowing signs to be painted directly onto buildings.

Background: Section 36-362 of the city code regulates signs in St. Louis Park. The purpose of the sign code is to establish standards for the size, placement and maintenance of signs. The sign regulations are intended to permit a safe, efficient, effective and aesthetic means of communication using signs which recognizes the need to maintain an attractive and appealing appearance of property and community.

City code prohibits signs from being painted directly on a building [section 36-362(e)(9)]. In 2019, a business painted a sign on their building without receiving a permit or permission. As a result, staff began enforcing the above regulation and required the sign to be removed. The business owner contacted the ward council person about the sign and the ward council person asked staff to review the regulations and a potential code revision. The ward councilperson also submitted a request to discuss the issue at a future study session, to which the city council agreed. It is currently on the city council’s listed 12th in the city council’s priority discussion topics.

The primary concerns with painted signs are ongoing maintenance and covering over exterior materials that are favored in the city code (i.e. class I materials, including brick). Staff reviewed regulations from various cities including St. Paul and Minneapolis and found that painted signs are permitted. The regulations include provisions requiring the signs to be maintained in good repair and removed entirely when the sign is no longer used.

Present considerations: Attached is a copy of a proposed sign ordinance. It includes all the city code sign provisions for context. It also shows the following changes highlighted and redlined:

Section 36-362(d)(3) requires a permit for supergraphics. A supergraphic is a mural or other depiction that does not include advertising.

Section 36-362(e)(9) removing painted signs from the list of prohibited signs. This change allows businesses to begin painting signs directly on their buildings.

Section 36-362(f)(16) language was added to require the building surface to be refinished to match the surrounding surface. As a result, when the painted sign is removed, then the portion of the wall where the sign existed must be refinished to match the surrounding wall surface.

Next steps: Staff requests that you review the sign ordinance and the suggested edits. If the planning commission agrees upon a draft ordinance, then staff will bring the ordinance back to the planning commission for a public hearing.

Supporting documents: Draft ordinance

Prepared by: Gary Morrison, assistant zoning administrator
Reviewed by: Sean Walther, planning and zoning supervisor
Sec. 36-362. Sign regulations.

(a) Purpose. The purpose of this section is to establish minimum requirements for the size, placement and maintenance of signs by adoption of regulations governing all signs in the city. The sign regulations are intended to permit a safe, efficient, effective and aesthetic means of communication using signage which recognizes the need to maintain an attractive and appealing appearance of property in the community, including that property used for residential, commercial, industrial, institutional, public development use, and the air space above and between those uses. These regulations are intended to permit signage which is adequate for effective communication but minimizes distractions to traffic and prevents visual clutter and visual pollution which can be caused by the unregulated use of signage.

(b) Findings. The city finds that:

(1) The manner of installation, location and maintenance of signs affects the public health, safety, welfare and aesthetics of the community.

(2) An opportunity for identification of community business and institutions must be established.

(3) The safety of motorists, cyclists, pedestrians, and other users of the public streets and property are affected by the number, size, location and appearance of signs that divert the attention of drivers.

(4) Installation of signs on the tops of buildings constitutes a hazard during periods of high winds and is an obstacle to effective firefighting and other emergency services.

(5) Uncontrolled and unlimited construction and placement of permanent and temporary signs adversely affects the image and aesthetic attractiveness of the community and undermines economic value and growth.

(6) Uncontrolled, abandoned and unlimited signs, particularly temporary signs, which are commonly located in or near public rights-of-way or at driveway and street intersections, result in roadside clutter, obstruction of views of oncoming traffic, and a visual distraction to drivers and pedestrians.

(7) Electronic signs, including video display signs, 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, are highly distracting to drivers and driver distraction continues to be a significant underlying cause of traffic accidents.

(c) Definitions. The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

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

**Billboard and off-premises sign** means a permanent sign located outdoors, that is readable from adjacent properties including public right-of-ways, and whose message advertises a product, service, business, event or activity which is not offered for sale, rent or does not take place on the premises on which the sign is located. Off-premises signs do not include multi-tenant identification signs that advertise tenants on a different property provided such tenants are within the same approved PUD and parking is shared between properties.

**Commercial message** means any message which identifies a business or product or promotes the sale of any product or service.
**Courtesy bench** means any bench licensed by the city and in compliance with chapter 8 of this Code.

**Decorative banner** means a piece of fabric attached to a pole or building wall as a decorative display of color to enhance the architecture of a building or a site which does not contain a commercial message.

**Direct lighting** means an illuminated sign where the source of light is visible.

**Height** means the distance measured perpendicularly from the highest point of the sign structure to the grade level of the ground directly below that point or the grade level of the centerline of the nearest adjacent roadbed, whichever grade level is higher.

**Indirect lighting** means an illuminated sign where the sign reflects the light from an external source.

**Internal lighting** means an illuminated sign having the source of illumination located inside a translucent panel which is not directly visible.

**Scoreboard** - a sign associated with an athletic field that includes information and/or statistics pertinent to an on-site game or activity and also includes any sponsor or identification panels.

**Sign** means any written message, pictorial presentation, number, illustration, decoration, flag, banner or other device that is used to announce, direct attention to, identify, advertise or otherwise make anything known. The term "sign" shall not include landscaping or the architectural embellishment of a building not intended to communicate information. For purposes of maintenance or removal, the term "sign" shall also include frames and support structures.

**Sign area** means the area in square feet of all faces of the sign panel, including the frame. Each message shall be considered to be a sign. If individual letters are mounted directly on a wall, canopy or awning without a frame, the sign area shall be the area in square feet of the smallest rectangle, which encloses the sign message or logo. The sign area of a freestanding multiple face or volumetric sign shall be determined by totaling the area of all faces. The maximum aggregate or total sign area on a lot shall include the sign area of all signs.

**Sign, blade** means a wall sign that projects away from the wall at an angle sufficient to provide visibility to at least two sides of the sign.

**Sign, canopy/awning** means a visual message on an awning or canopy which is constructed according to the requirements of the building code, is an integral part of the building, and is consistent with the architecture and design of the building.

**Sign, changing** means a sign whose message can be readily changed, by manual means.

**Sign, Electronic** - any characteristic of a sign that appears to have movement or that appears to change, caused by any method other than physically removing and replacing the sign or its components, whether the apparent movement or change is in the display, the sign structure, or any other component of the sign. This includes any rotating, revolving, moving, flashing, blinking, or animated display and any display that incorporates rotating panels, LED lights manipulated through digital input, digital ink or any other method or technology that allows the sign face to present a series of images, displays or video.

**Sign, flashing** means any sign, which emits a blinking or flashing light, or creates the illusion of blinking or flashing light by means of animation.

**Sign, freestanding** means a sign, which is self-supporting usually by uprights placed on or in the ground.

**Sign, Garage sale** means a sign advertising a garage sale per section 36-82(b)(9).

**Sign, illuminated** means any sign, which has characters, letters, figures, designs or outlines which are either internally or externally illuminated by an artificial light source.

**Sign, off-premises and billboard** means a permanent sign located outdoors, that is readable from adjacent properties including public right-of-ways, and whose message advertises a product, service,
business, event or activity which is not offered for sale, rent or does not take place on the premises on which the sign is located. Off-premises signs do not include multi-tenant identification signs that advertise tenants on a different property provided such tenants are within the same approved PUD and parking is shared between properties. (Ord. No. 2350-08, 03-28-08)

Sign, permanent means any sign that is not a temporary sign, real estate sign, political sign, project information sign or pedestrian sign.

Sign, pedestrian means a temporary sign, which is constructed of durable materials and is designed to be readily moved from one location to another. (ex. Sandwich board sign or any item containing a message) For purposes of this ordinance, any sign mounted to, or conveyed by means of, a vehicle shall not be considered a pedestrian sign.

Sign, political means a temporary sign, which advertises or promotes a candidate for public office, a political party, an issue to be considered in a public election or any other message not classified as a commercial message.

Sign, private directional means a sign, which includes no advertising placed on private property for the purpose of regulating, guiding, warning traffic or persons, or providing other safety information.

Sign, project information means a temporary directional sign displayed during the time that a construction project on a public roadway or in an approved redevelopment district is underway.

Sign, public means any sign defined as a traffic control sign in the Highway Traffic Regulation Act M.S.A. § 169.97 et seq., any identification sign installed in a public park by a public authority, or any other identification, regulatory, or warning sign approved by the city council for installation on public land.

Sign, real estate means a sign which advertises the development, sale, lease or rental of land or buildings. A real estate sign is designed to be displayed for a limited period of time and is not permanently fixed to the land or a structure. Real estate signs may be constructed of paper, cloth, canvas, wood or any other light and non-durable material.

Sign, rooftop means a sign attached to any roof or any sign attached to a building in any other manner that allows more than ten percent of its area to extend above the wall or parapet wall of the side of the building on which the sign is located.

Sign, rotating means a sign or a portion of a sign which moves in a rotating, oscillating or similar manner.

Sign, temporary means a sign designed to be displayed for a limited period of time that is not permanently fixed to the land or a structure.

Sign, wall means a sign attached to or erected against an exterior wall surface of a building or structure.

Supergraphics means any mosaic, mural, painting or graphic art or combination thereof which is professionally applied to a building that does not contain any brand name, product name, letters of the alphabet spelling or abbreviating the name of any product, company, profession or business, or any logo, trademark, trade name, or other commercial message.

(d) Exempt signs. The following signs are exempt from the provisions of this section:

(1) Public signs.

(2) The United States flag, other national flags, the flags of all the states of the United States and the city flag.

(3) Supergraphics, **except that a permit shall be required**.

(4) A building address which does not exceed 12 inches in height.
(5) Signs on courtesy benches, if they comply with the requirements of chapter 8 of this Code.

(6) Signs on vehicles when the vehicle is being used in the normal day-to-day operation of a business.

(e) **Prohibited signs.** The following signs are prohibited in all use districts:

1. Flashing signs.

2. Signs on or over the public rights-of-way unless the city council grants permission for a temporary sign on or over the public rights-of-way for a period of time not to exceed ten days.

3. Searchlights, beacons, strobe lights or other illuminated signs emitting a beam consisting of a collection or concentration of rays of light.

4. Rooftop signs.

5. Rotating signs.


7. Off-premises signs.

8. Inflatable signs and tethered balloons.

9. **Signs painted directly on a building.**

10. Signs mounted on chimneys, rooftop equipment, observation towers, flagpoles, cooling towers, elevator penthouses, commercial antennas, communication towers, belfries, church spires and cupolas.

11. Signs, including the sign structure or any other component of the sign, that rotate, revolve, scroll, move, flash, blink, fade, or are animated.

(f) **General provisions.** Subject to the following regulations, signs are a permitted accessory use in all use districts:

1. **Permit required.** A sign permit shall be issued prior to the installation of any sign.

   a. Exception. Real estate signs less than 10 square feet in area, political signs and garage sale signs are exempt from the permit requirements.

   b. Submission requirements. The following information shall be submitted prior to a sign permit being issued:

      1. Application form and fee. A fee shall be charged per sign, except that decorative banners and private directional signs less than 4 square feet per sign face shall be charged one fee per proposal submitted for review and approval.

      2. Site plan and building elevations, if applicable.

      3. Two sets of drawings for each sign that is proposed.

   c. Sign permits shall be null and void if the sign is not installed 180 days after the issuance of a permit.
(2) **Required yards.** Sign shall maintain a 10 foot minimum yard to property line unless exempted below:

a. In the C-1, C-2, BP, and M-X districts the required yard for any sign less than 200 square feet in sign area shall be 5 feet.

b. In the C-1, C-2 and M-X districts, a blade sign may project into the required front yard if the sign meets the following requirements:

   1. The sign is attached to a wall in such a manner that meets the building code; and
   2. The lowest portion of the sign is no closer than 8 feet to the ground; and
   3. The sign shall not extend higher than the lowest portion of a window of a residential unit located on the second story of a mixed use building.
   4. No portion of the sign shall extend more than 5 feet into the required yard, and in no instances shall the sign project into the public right-of-way.
   5. The portion of any sign face extending into the required yard does not exceed 40 square feet.

c. Except as allowed under (3)b of this section, a wall sign may extend into the required yard a distance not to exceed 18 inches, and a canopy or awning sign may extend into the required yard as allowed by Section 36-73(a)(5) and Section 36-73(b)(3), except that structures that do not meet the current front or side yard requirements shall place signs flush against the front or side walls.

d. A sign may be placed on the face of an existing canopy or awning located on a structure classified as conforming or lawful nonconforming use if the sign does not extend above the top or below the bottom of the vertical portion of the canopy or awning face.

e. Real estate signs meeting the standards set forth in Section 36-362(h)(1).

f. Private directional signs meeting the standards set forth in Section 36-362(h)(2).

g. Pedestrian signs meeting the standards set forth in Section 36-362(h)(4).

h. Decorative Banners meeting the standards set forth in Section 36-362(h)(5).

i. Project Information signs meeting the standards set forth in Section 36-362(h)(7).

k. In the I-P district the required front yard for a freestanding sign shall be 20 feet. The required side yard abutting a street for a freestanding sign shall be 15 feet.

(3) **Freestanding signs.** Except for private directional, project information, real estate, political, decorative banners, and temporary signs, no more than one freestanding sign shall be permitted on an individual street frontage of a lot or PUD site.

(4) **Parking areas.** Signs shall not be placed in or restrict access to required parking spaces or loading berths.

(5) **Multi-tenant building.** The property owner or the property owner’s designee shall be responsible for allocating the allowable sign area among the tenants of a multi-tenant building. If the property owner does not allocate the sign area, the city may do so based on the proportion of floor area or tenant frontage occupied by each tenant.
(6) **Lighting.** All signs must meet the following standards:

a. Direct rays or glare of light from an illuminated sign shall not be visible from public right-of-way or property other than that on which the illuminated sign is located. Any external source of illumination must be provided with shields or lenses which concentrate the light onto the sign.

b. Brightness Standards:
   1. The sign shall not be brighter than is necessary for clear and adequate visibility.
   2. The sign shall not be of such intensity or brilliance as to impair the vision of a motor vehicle driver or to otherwise interfere with the driver's operation of a motor vehicle.
   3. The sign shall not be of such intensity or brilliance that it interferes with the effectiveness of an official traffic sign, device or signal.
   4. The sign shall not exceed a maximum illumination of 5000 nits (candelas per square meter) during daylight hours and a maximum illumination of 500 nits (candelas per square meter) between dusk to dawn as measured from the sign's face.
   5. Electronic signs installed after May 28, 2010 shall meet the following standards:
      a. A mechanism that immediately turns off the sign if it malfunctions.
      b. A mechanism that automatically adjusts the illuminative brightness of the display according to existing ambient light conditions.
      c. The sign shall not exceed a brightness level of 0.3 foot candles above ambient light as measured from 100 feet from the sign. All measurements shall be taken with the meter pointing at the sign and perpendicular to the sign face. The ambient light level shall be taken with the sign off. The sign brightness level shall be taken with the sign displaying a full white screen.
   6. The electronic sign must be certified as complying with the brightness standards and the malfunction provision. The Certification must come from the sign manufacturer or other qualified individual and must be submitted with the sign permit application and at any time thereafter as requested by the city.
   7. The person owning or controlling the sign must adjust the sign to meet the brightness standards in accordance with the city's instructions. The adjustment must be made immediately upon notice of non-compliance from the city.

(7) **Electrical wiring.** The electrical energy used to illuminate freestanding signs may not be from an overhead source but must be buried underground. The conduit and wiring to all signs must be concealed.

(8) **Wind load.** All signs shall be designed and constructed to withstand wind loads of at least 30 pounds per square foot of area and the dead loads required by the building code and other ordinances of the city.

(9) **Anchoring.** All signs shall be safely and securely anchored to their supporting structure. All attachments and movable parts shall be securely fastened. No sign shall be anchored to another sign.
Bracing. All signs shall be constructed with internal or hidden bracing. External bracing shall be eliminated whenever practicable. Exposed wire, cable and chain braces are prohibited.

Glass. All glass must be safety or tempered glass and designed and installed to withstand a wind load of 30 pounds per square foot.

Durable Materials. All permanent sign faces and supports shall be made of durable materials. Canvas, cloth and similar materials such as flexible vinyl, are not allowed except for canopies and temporary signs other than pedestrian signs. Awnings shall be constructed of heavy canvas fabric, metal, and/or glass. Plastic, vinyl, and backlit awnings are prohibited. All permanent wood signs must be constructed of durable hardwood products. The wood must be treated against rot and decay, and cannot be constructed of plywood, chipped wood, hardboard, fiber board or similar materials. Sign support structures shall not be constructed of wood.

Maintenance. All signs shall be kept in good repair and free from peeling paint, rust, damaged or rotted supports or framework, broken or missing faces, facing or missing letters. Faded or torn canopies, awnings and banners shall be removed or replaced. If faded or torn canopies, awnings and banners are not removed or replaced by the owner within 30 days of notification by the city, the city may remove them and assess the cost of removal to the property.

Maintenance grounds. The premises surrounding all ground signs shall be maintained by the property owner or tenant of the property on which they are located in a safe, clean, and sanitary condition free and clear of all rubbish and weeds.

Removal and repair. Any structure from which a sign has been moved or removed shall be repaired with a material which matches the existing background.

Removal of painted signs. Any structure from which a painted sign is removed shall be repainted, sandblasted or treated in a manner which makes the former sign not visible. The surface from which the sign was removed, shall be refinished in a manner to match the surrounding surface.

Signs not to be traffic hazard. No sign shall be installed in a way that obstructs clear vision of persons using the streets or at any location that, because of its position, shape, or color, interferes with, obstructs the view of, or may be confused with any authorized traffic sign, signal or device. No sign, other than public or project informational signs, shall be visible from a public street which makes use of the words "Stop," "Look," "Danger," or any other word, phrase, symbol or character which may interfere with, mislead or confuse persons using the public streets.

Pedestrian clearance. Any sign which projects over a sidewalk or other pedestrianway must be not less than eight feet above ground level.

Sign area and height. The allowable sign area and height are established by table 36-362A in this subsection (f)(20) and adjustments to table 36-362A in subsection (g) of this section according to the parcel size or PUD site size and use district in which the sign is located.

Noncommercial speech. Any non-commercial message may be substituted for any commercial message on any sign allowed under the Code, subject to the same regulations applicable to such signs.

TABLE 36-362A
SIGN AREA AND HEIGHT

32
<table>
<thead>
<tr>
<th>Use District &amp; Lot Size (sq ft)</th>
<th>PERMANENT SIGNAGE</th>
<th>TEMPORARY SIGNAGE</th>
<th>REAL ESTATE SIGNAGE</th>
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<td>Maximum Height (feet)</td>
<td>Maximum Total Area (sq ft)</td>
<td>Maximum Size of Sign Face (sq ft)</td>
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<tr>
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(g) Adjustments to table 36-362A. Signs which qualify for any adjustment permitted under this section shall conform to all other sections of this chapter.
(1) In an R district, identification signs may be permitted for religious institutions, libraries, museums, art galleries, schools, golf courses, country clubs, community centers, colleges, universities, hospitals and sanitariums in excess of the size allowed in table 36-362A based on the following criteria:

a. **Size.** The sign shall be proportional to the size of the facility, need for signage, street frontage, location, visibility, and development in the area. The maximum sign size shall not exceed 20 square feet per sign face on a local street, 40 square feet per sign face on a minor collector street, and 60 square feet per sign face on any other street frontage.

b. **Height.** No freestanding sign shall exceed 15 feet high.

c. **Lighting.** Signs shall be lighted only by backlighting, internal lighting or indirect lighting.

d. **Design.** The materials and design of signs shall be integrated with the site and buildings on the site by using compatible materials and consistent design features. If freestanding, the sign shall be placed in a landscaped bed equal in area to twice the size of the combined sign faces.

e. **Sign purpose.** The principal purpose of any sign permitted under this section shall be to identify the public or institutional use made of the property.

(2) For any building not located in an R district which is eight or more stories or 85 or more feet in height, the maximum size for any one sign may be increased to 400 square feet, if the sign is located on the wall of the building more than 75 feet above the ground.

(3) The maximum size for any one real estate sign may be increased to 200 square feet for any building not located in an R district which is six or more stories or 65 or more feet in height, if the sign is located on the wall of the building more than 55 feet above the ground.

(4) In the C-1, C-2, O, BP, M-X, PUD, I-G and I-P districts, the total area of all wall signs on a building which meets the following outlined conditions shall not be included in calculating the aggregate sign area on a lot:

a. The building shall be a shopping center, a building containing multiple tenants, or a single-tenant building located on a single lot with other principal buildings and is part of an approved CUP or planned unit development.

b. The tenants are located on the ground floor of the building and have a direct and primary access to the outside of the building.

c. The sign area of all wall, blade, canopy, or awning signs permitted by this section shall not exceed seven percent of the exterior wall area of the space occupied by the tenant.

d. The sign is located on the exterior wall of the space occupied by the tenant from which the seven percent sign area was derived.

e. No individual wall sign shall exceed 150 square feet in area, except in the C-1 and M-X districts where the maximum area of any individual sign shall not exceed 100 square feet.

(5) The maximum size of the sign face may be increased by 20 percent for a property which is not located in an R district if the sign is located at least 100 feet from any public right-of-way.

(6) The sign which identifies a contiguous group of buildings under a single ownership within a single complex shall be exempt from the total sign area requirements if the property on which the sign is erected is not located in an R district. The maximum size of the sign face shall be regulated by table 36-362A.
Additional signs permitted in the POS district. The following signs are permitted in the POS district, and shall not be included in the maximum total area for permanent and temporary signs identified in table 36-362A.

a. Scoreboards. One scoreboard per athletic field with a maximum height of 15 feet and a maximum sign face of 80 square feet.

b. Athletic field signs are considered to be temporary signs and are permitted with the following conditions:
   1. The sign must be inside of, and face the interior of, an athletic field that is fully enclosed by a fence.
   2. The sign shall not be displayed before May 1 and/or after October 31.
   3. The maximum sign height is 4 feet.
   4. The maximum sign face is 4 feet by 8 feet.
   5. The maximum height of text (letters and numerals) is 7 inches.
   6. The maximum height of logos is 15 inches.
   7. Pictures and illustrations are permitted at any size within the 4 x 8 sign face.
   8. The back side of the sign must be blank and painted a dark shade of green.
   9. The sign cannot be illuminated or made of reflective materials.
   10. There shall be no more than 15 signs per field.

(h) Special provisions. In addition to the general provisions contained in subsection (f) of this section, these special provisions apply to the following types of signs:

1. **Real estate sign.** Real estate signs shall be regulated as follows:
   a. A real estate sign which does not exceed ten square feet in area and ten feet in height is exempt from the required yard restrictions.
   b. A real estate sign may only be displayed on the property on which the sign is advertising the sale, lease or rental of.
   c. A real estate sign may only be displayed until the advertised property is sold, leased or rented.

2. **Private directional sign.** Private directional signs are regulated as follows:
   a. A private directional sign that does not exceed 4 square feet in sign face area and 42 inches in height, shall be exempt from the required yard restrictions, and shall not be included in the maximum total area for permanent signs identified in table 36-362A.
   b. A private directional sign that exceeds 4 square feet in sign face area, and/or 42 inches in height shall be subject to all permanent sign regulations.
   c. All private directional signs shall be located on the property, or within an approved planned unit development, on which the business receiving the benefit of the private directional sign is located.

3. **Temporary sign.** Temporary signs are regulated as follows:
   a. With the exception of Pedestrian signs as defined below, temporary signs may be permitted on a lot for a total of 30 days in any calendar year.
   b. The total sign area of all temporary signs on a lot shall not exceed the total permitted in table 36-362A.
c. A temporary sign shall not direct persons to or advertise a product or service not available on the premises where the sign is located.

d. Temporary signs, other than pedestrian signs, may be constructed of paper, cloth, canvas, wood or any other light and non-durable material.

e. Pedestrian Signs are temporary signs further regulated as follows:
   
   1. Pedestrian signs may be displayed in the C, O and MX districts only.
   
   2. No portion of the sign shall project beyond a cube measuring 3 feet wide by 3 feet deep by 4 feet in height.
   
   3. Pedestrian signs may be placed up to the property line, subject to Section 36-76. No portion of the sign shall be placed in, or project into the public right-of-way, and any such sign shall be located so that it does not obstruct pedestrian or vehicular movement or impede pedestrian or vehicular visibility.
   
   4. The sign may be displayed during business hours only. The sign shall be stored inside a building during non-business hours and during severe weather conditions.
   
   5. The sign shall not be placed in such a manner that it obstructs the visibility of another property's permanent signage.
   
   6. No place of business shall display more than 1 pedestrian sign at any time and the total of all pedestrian and other temporary signs on the property shall not exceed the total allowed in table 36-362A.
   
   7. Pedestrian signs that are maintained in good repair and in accordance with all ordinance provisions may be permitted for up to one calendar year. The Zoning Administrator may revoke a permit and remove any sign that does not meet the ordinance requirements or is creating a public hazard. After one year, a new permit may be applied for.
   
   8. Pedestrian signs may be constructed of wood, metal, non-flexible plastic or any other durable material.

(4) Decorative banners. Decorative banners are allowed in the R-C, C-2, O and M-X districts and are regulated as follows:

   a. All decorative banners shall be an integral part of the overall design scheme of a project. A decorative banner shall be deemed to be a part of the integral design scheme if the following conditions exist:

      1. The decorative banners are compatible with the architectural character of the building in terms of rhythm of openings, horizontal or vertical emphasis, and stylistic features of the building in color, pattern and shape.

      2. The decorative banners are considered to be in harmony and unity with various elements within the site and also within the larger context of the area or corridor.

      3. The location and placement of the banners provides a harmonious rhythm to the building and site elements.

      4. The zoning administrator shall determine whether any banner meets the design criteria set forth by this subsection (h)(4).
b. No single decorative banner may exceed eight square feet in area.

c. Decorative banners shall be securely fastened on the full length of at least two sides of the decorative banner to a structure which was erected for another principal purpose, such as a light standard.

d. Faded or torn decorative banners shall be removed or replaced. If faded or torn banners are not removed or replaced by the owner within 30 days of notification by the city, the city may remove them and assess the cost of removal to the property.

e. No decorative banner may display a commercial message. Commercial messages are allowed on other signage in accordance with this section.

f. Decorative banners shall be exempt from the total allowable sign area for a parcel. The maximum aggregate area for decorative banners shall not exceed 15 percent of the total allowable sign area for a parcel.

g. The top of a decorative banner may not exceed 15 feet in height from the ground.

h. No decorative banner may be displayed within any required yard.

(5) Political signs.

a. Political signs of any size are permitted in any number from 46 days before a primary election, or the general election if a primary election is not held.

b. Political signs must be removed within ten days after the general election has been held.

c. Political signs shall not be placed on the public right-of-way or any publicly owned property, including boulevard trees and utility poles.

d. Political signs shall not obstruct the vision at an intersection or otherwise constitute a hazard to public safety.

(6) Project information signs.

a. Purpose. The purpose of a project information sign is to identify a business or group of businesses affected by a construction project that is underway on a roadway or in an approved redevelopment district to direct traffic or convey that the business or group of businesses is open to the public. Project information signs shall not be used for the purpose of advertising products, services or events.

b. Design. Project information signs shall have black letters on a "federal highway orange" background. A project information sign displayed on public property must conform to the Highway Traffic Regulation Act, M.S.A. § 169.97 et seq., for informational signs and if displayed on private property, may not exceed the area and height requirements of this section for signs on that parcel.

c. Placement. The city council shall be responsible for approving the general location of project information signs. Such signs may not be permitted on a roof.

d. Duration. Project information signs will be removed when the city determines that:

1. The business identified discontinues operation;

2. The construction work has been completed; or
3. Access to the business is no longer affected by the construction project.

e. **Plan development.** A plan for the project information signs may be initiated by either the affected businesses or city staff. If developed by city staff, the plan shall be reviewed by the affected businesses prior to transmitting the plan to the city council for consideration.

f. **Installation.** The city will be responsible for the fabrication and installation of project information signs installed on public property. The cost of fabricating, installing and maintaining the signs will be paid by the affected businesses.

If a project information sign is displayed on private property, it is the responsibility of the property owner to fabricate and install the sign according to the approved signage plan and to pay all costs, including sign permit fees, incident to the fabrication and placement of the project information signs.

(7) **Signs which advertise businesses on freeways and highways.**

a. Application may be made to the city for an increase in maximum sign height on a lot having all of the following characteristics:

   1. The lot abuts the right-of-way of an interstate freeway or state highway or abuts a frontage road immediately adjacent to an interstate freeway or state highway.

   2. The lot does not have and is not permitted to have directional signage on the interstate freeway or state highway directing the public to the subject lot.

   3. The lot has no other option permitted by this chapter to provide the requested square footage of signage visible from 50 percent of, at a plane 3.5 feet above, the portion of the interstate freeway or highway adjacent to the lot.

b. To be eligible for an increase in sign height, the second point of all cross sectional drawings, as described in subsection (h)(7)b.2.ii. of this section, must be located such that more than 50 percent of the plane above the traveled surface of the interstate freeway or state highway is obstructed from the first point, as described in subsection (h)(7)b.2.i. of this section. An application for increased sign height shall be accompanied by the following drawings drawn to scale:

   1. A site plan showing the location of the proposed sign, property lines of the subject property, road alignments of adjacent streets and highways and the locations of any cross sectional drawings necessary to analyze the request.

   2. Cross sectional drawings necessary to analyze the request showing the entire traveled surface of the freeway or state highway, any retaining walls or fences, any frontage roads, proposed sign location and height and a straight line (referred to as the "sight line") drawn between two points described as follows:

      i. The first point situated on a line perpendicular to the earth's surface at the location of the proposed sign passing through the center of the sign face and 25 feet above the centerline of the nearest adjacent street or the ground level of the base of the proposed sign, whichever results in a higher elevation.

      ii. The second point situated on a plane surface 3.5 feet above and parallel to the traveled surface of the interstate freeway or state highway, located by projecting a line from the first point to its intersection with the plane surface so that the resulting point of intersection of the line with the plane surface (the second point)
is as close as possible to the first point while not passing through an intervening
obstruction that would prevent visibility.

c. The zoning administrator may approve an application to increase sign height which meets
the criteria set forth in this subsection (h)(7)c. where the proposed sign plan meets each
of the following requirements:

1. The sign is no higher than necessary to permit the bottom edge of the sign face to be
visible from at least 50 percent of the traveled surface of the interstate or state
highway.

2. The top of the sign face is no more than 12 feet above the bottom of the sign face.

3. The location of the sign is such that the increase in sign height is minimized.

4. The sign face shall not exceed 150 square feet.

5. The sign lighting is either internal or indirect and no light source is visible beyond the
property lines of the lot.

6. Illuminated signs located within 400 feet of the structures used for residential
purposes shall have its illuminated portion shielded from view of such residential
structures.

(8) **Electronic signs.** Electronic signs are allowed subject to the following conditions:

a. The sign face shall not exceed:

   1. 20 square feet in a residential district and the Park and Open Space District.

   2. 40 square feet in all other districts.

b. The maximum sign face established above shall not be in excess of the maximum sign
area allowed in table 36-362A.

c. No more than one sign face may be visible from any same location off-site.

d. Messages and/or images must be displayed for at least three seconds.

e. Electronic signs existing on May 28, 2010 must comply with this section, except that
electronic signs that exceed the maximum size limit above may continue as a non-
conforming sign as to size.

f. Messages or displays must change instantaneously. Using any type of special effect to
change from one message or display to another is prohibited.

(i) **Nonconforming signs.**

(1) **General.** A nonconforming sign shall not be rebuilt, relocated, altered or modified in size or
height unless it is made fully conforming with this section.

(2) **Removal.** Except for changing signs or billboards, if a face or message on a nonconforming sign
is removed, the entire sign and sign structure must be removed or made to conform with this
section.

(3) **Temporary sign.** Temporary and portable signs in existence at the time of passage of the
ordinance from which this section is derived which do not conform to this section shall be
removed or made to conform within 30 days of the effective date of the ordinance from which
this section is derived.

(4) **Real estate signs.** Real estate signs in existence as of the date of the ordinance from which this
section is derived was adopted which do not conform with the requirements of this section shall
be removed or made to conform within 120 days of the effective date of the ordinance from
which this section is derived.
(5) **Billboards.**

a. Any billboard in existence as of the date of the ordinance from which this section is derived was adopted may remain in place if it is not increased in sign area or height and is maintained in conformance with the general provisions of this chapter. The following are not permitted on billboards:

1. Flashing signs.
2. Changing signs.
3. Rotating signs.
4. Electronic signs.

b. The maximum height of a billboard shall be 35 feet, including extensions, measured as required by subsection (c) of this section.

c. Billboards which have been destroyed or damaged must be removed when the cost of repair equals more than 50 percent of the appraised physical value of the structure.

(6) All lawful nonconforming signs existing at the time of passage of the ordinance from which this section is derived, except temporary signs, real estate signs and billboards, must be removed or made to conform by January 1, 2000, unless the existing sign was made nonconforming by a provision of this section. Those nonconforming signs must be removed or made to conform to this section by January 1, 2005.

(j) **Forfeiture.** Any sign installed or placed on public property shall be forfeited to the public and subject to confiscation, unless it conforms to the requirements of this section. In addition to other remedies granted to it by this section, the city shall have the right to recover from the owner or person placing the sign the full costs of removal and disposal of the sign in a civil action.