

**CHAPTER 916                      SIGNS**

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**916.010 Purpose**

This section is established to protect and promote health, safety, general welfare and order within the City of Little Canada through the establishment of a comprehensive and impartial set of standards, regulations and procedures governing the type, numbers, size, structure, location, height, lighting, erection, use and/or display of devices, signs or symbols serving as a visual communication media to persons situated within or upon public rights-of-way or properties.

The provisions of this subdivision are intended to encourage opportunity for effective, orderly communication by reducing confusion and hazards resulting from unnecessary and/or indiscriminate use of communication facilities, as well as to provide adequate opportunity for travelers to find their way through the community, and to specific points within the community. Such hazards result in unsafe traffic conditions, including threats to vehicular and pedestrian travelers. The regulations herein have been narrowly tailored to meet these purposes.

**916.020 Permitted and Prohibited Signs**

For each type of commercial message permitted by the regulations in Chapter 916, a non-commercial message may substitute which complies with all of the size, location, and other applicable performance standards of the Chapter.

1. Permitted Signs.

The following signs are allowed without a permit, license, or fee, but shall comply with all other applicable provisions of this Chapter:

- a. Public Signs.
- b. Identification Signs. There may be one per premise, not to exceed two (2) square feet in area. If the sign is freestanding, the total height may not exceed 5 feet.
- c. Integral Signs.
- d. Political Campaign Signs. Such signs shall not exceed eight (8) square feet in all Residential Districts, or 16 square feet in all other zoning districts. During the period 46 days before the state primary in a state general election year to 10 days following such general election, non-commercial signs of any size may be posted in any number, in accordance with Minn. Statute.

- e. Temporary Displays, including Holiday displays. A noncommercial display as defined by this Chapter may exceed the sign area maximums specified by this Chapter for the district within which the display is located. Such displays shall not be considered signs for the purposes of this Chapter. Said displays shall not, however, exceed size limitations for window signs as allowed by this Chapter. Displays shall be displayed no longer than 45 days. Displays shall not contain any advertising or business identification. Unless approved by the City Council, displays shall be located on private property and shall be setback no less than 5 feet from any property line
  - f. Construction Signs. Such signs shall be confined to the site of the construction, alteration, or repair, and shall be removed within 2 years of the date of issuance of the first building permit or when the particular project is completed, whichever is sooner, as determined by the City Building Official or his agent. One sign shall be permitted for each major street the project abuts. No sign may exceed 64 square feet.
  - g. Real Estate Sale or Rental Signs. The City finds that the sale or rental of real estate requires additional signage allowance due to the unique and specific geographic location aspects of real property. As such, additional signage shall be permitted for the sale or rental of real estate, as follows:
    - (1) On-site Signs. Signs must be removed within 7 days after sale or rental of property. Signs may not measure more than 6 square feet in residential districts. Signs for all non-residential zoning districts shall not exceed a ratio of one square foot of sign area for each thousand (1,000) square feet of lot area up to a maximum of 64 square feet. There shall be only one sign per premise. Corner properties, however, may contain two (2) signs, one per frontage.
    - (2) Off-site Signs. Signs shall be displayed no more than 24 hours prior to and/or after the hours in which a real estate agent is available at the subject property. In the case of a house for sale by owner, signs shall be allowed 24 hours prior to and/or after a scheduled open house. Such signs shall not be located within the public right-of-way and permission must be obtained from the property owner where said sign will be located.
    - (3) Real estate signs shall not be lighted in Residential zoning districts.
  - h. Directional/Information Signs.

On-Premise Signs. Shall not be larger than 4 square feet unless approved by the City Council. The number of said signs shall not exceed 4 unless approved by the City Council.
2. Prohibited Signs. The following signs are specifically prohibited by this Chapter.
- a. Any sign which obstructs the vision of drivers or pedestrians, or detracts from the visibility of any official control device.
  - b. Any sign which contains or initiates an official traffic sign or signal, except for private, on-premise directional signs.
  - c. Any sign which moves or rotates. Exempted are time and temperature information and barber poles.
  - d. Any sign which contains or consists of strings of light bulbs, spinners, or similar devices (except as allowed in Section 916.030C.5.a of this Chapter.

- e. Portable signs (except in Section 916.030C.5.a of this Chapter)
- f. Signs which are attached in any manner to trees, fences, utility poles, vehicles which are parked or stored in a location so as to constitute an advertising display for more than 24 hours, or any other such display, except for those signs found on fences (inside) of baseball parks.
- g. No sign shall display any moving parts, nor shall it be illuminated with any flashing or intermittent lights, nor shall it be animated. Exempted are time and temperature information and barber poles. 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.
- h. Roof signs erected after the effective date of this Chapter.
- i. Any temporary off-premise sign, except as expressly allowed by this Chapter.

### 916.030 General Provisions

- 1. All signs shall comply with maintenance sections of the Minnesota State Building Code as may be amended.
- 2. When electrical signs are installed, the installation shall be subject to the State Building Code as may be amended.
- 3. Regulations for Dynamic Signs. Based on studies related to the use of dynamic sign displays and driver distraction, the City finds that dynamic signs, as defined by the zoning Chapter, have a unique potential to create driver distraction, a major cause of traffic crashes. As a result, the City has adopted special regulations that relate to such signs. These regulations shall apply to all proposed dynamic signage in the City, whether new or existing, conforming or non-conforming at the time of adoption of this Chapter.
  - a. No dynamic sign shall have lettering smaller than the Letter Height listed in Table 916-1.
  - b. Dynamic signs shall have messages that change instantaneously, and do not fade, dissolve, blink, or appear to simulate motion in any way. Such signs may change by turning off for a period of at least 10 minutes between displays.
  - c. Dynamic signs shall not be permitted in any Residential zoning district.
  - d. No dynamic display shall change more often than the Duration of Display shown in Figure 916-4, except time and temperature displays which may change once every three seconds.

**Table 916-1  
Dynamic Sign Regulations**

	<b>I-694, I-35, TH 36</b>	<b>Other Roadways</b>
<b>Letter Height</b>	Ten (10) inches	Six (6) inches
<b>Duration of Display</b>	Ten (10) minutes	Ten (10) seconds

- e. Dynamic signs shall be no brighter than other illuminated signs in the same district.
- f. Dynamic displays shall be designed to freeze the display in the event of malfunction, and the owner shall discontinue the display immediately upon malfunction, or upon notice from the City that the display violates the City's regulations.

- g. Where access to the Minnesota Amber Alert technology is available, all applicants for freestanding sign licenses employing electronic dynamic sign technology shall display such messages as they are made available by the Minnesota Department of Public Safety or other responsible agency. License applicants shall be required to submit information from the State of Minnesota documenting the availability, or non-availability, of such access as part of their license application.
  - h. Applicants for a dynamic display shall obtain a specific license for such display from the City of Little Canada, and shall sign a form agreeing to operation of the sign in conformance with these regulations. Violation of these regulations shall result in forfeiture of the license, and the City shall be authorized to arrange disconnection of electrical service to the facility.
4. No signs other than governmental signs shall be erected or temporarily placed within any street right-of-way or upon any public lands or easements or rights-of-way.
5. Temporary Use of Portable Signs
- a. Temporary use of portable signs, window signs in excess of that established below, and similar devices shall require a permit pursuant to Section 916.060 of this Chapter. In no case shall permits exceed 4 in a calendar year, or a total of 120 days in a calendar year, with no more than 60 days of that allocation to be used for non-banner temporary signage per business and/or tenant. If spotlights are used in conjunction with temporary signs, such lights shall not be operated during more than 5 days in conjunction with any single permit and shall be placed in such a banner as to not constitute a traffic hazard. Said signs shall be at least 5 feet from the property line. Temporary signs shall be removed from display immediately upon lapse of permit.
    - (1) In the case of single-tenant buildings, a permit shall not be issued for more than 30 days nor shall a permit be issued within 30 days from the termination date of a prior permit.
    - (2) In the case of multi-tenant properties, a permit shall not be issued for more than 30 days. Further, no more than two temporary sign permits may be issued at the same time. In the case of two or three tenant buildings, no more than one temporary sign permit may be issued at any given time. It is hereby noted that sign permits for multi-tenant buildings may not be reallocated from one tenant to another to increase the allowable number of signs in any calendar year.
    - (3) On property zoned P, Public, temporary signs may be allowed by Administrative Permit.
    - (4) Temporary sign permits shall be valid for no more than one sign per permit, and no more than one permit per sign period.
  - b. Except as expressly allowed in Section 916.030.5.a. of this Chapter, no temporary sign shall exceed 32 square feet in area nor 6 feet in height, as measured from the ground over which the sign is displayed to the top of the sign, with exception that banners may be mounted up to, but no higher than, the peak of the roof. Banners may be up to 36 square feet in size.

Banners are only allowed to advertise a specific promotional event with a defined time period as evidenced on the permit application. Banners may not be used solely for general advertising of a business name or product.

Banners and pennants shall be maintained in an aesthetically pleasing manner and shall be free of tears, fraying, or fading when viewed from the public right-of-way.

Banners must be affixed to the building or mounted between the poles of an existing, double-post pylon sign securely affixed by all four corners.

In the case of pennants, they must also be affixed to the building or a pylon sign and secured by both ends.

The City will remove banners and pennants that are not maintained in an appropriate manner. Banners and pennants may not encroach into the public right-of-way.

- c. A lighter than air balloon, blow up sign, no more than 35 feet in diameter, may be used as a temporary sign no more than one time a year for no more than 5 consecutive days, except in the case of a “Grand Opening” as provided for in this Chapter.
  - d. Each application for a temporary sign shall be accompanied by a fee, set by resolution of the City Council, which shall cover the administrative expenses of the permit. In addition, each application shall be accompanied by a deposit, set by resolution of the City Council, which shall be returned to the applicant upon request, and only in the event that the temporary sign has been removed by the date of the expiration of the permit. In the event that the sign is not removed by the permit expiration date, the City shall not refund the deposit. The City may apply other enforcement remedies as well.
  - e. New businesses in the C, PUD or I Districts shall be allowed additional temporary sign permits during the first six months of the opening of a new business. These “new business temporary signs” can include signs consisting of a combination of portable signs, banners, pennants, and lighter than air balloons as allowed in 916.030.5 of this Chapter. Only one of said signs may be a portable sign as defined as temporary under Section 916.030.5 of this Chapter. Display of said signs shall not exceed a period of 30 days.
6. No sign or sign structure shall protrude over public right-of-way, except wall signs (maximum protrusion – 18 inches). All signs located over public right-of-way or over any public or private access route (sidewalks, etc.) shall be located a minimum of 10 feet above surface grade.
  7. Advertising signs may not be illuminated between the hours of midnight and 6:00 a.m.
  8. All height restrictions on signs shall include height of sign structure and be measured from lot grade.
  9. Any sign now or hereafter existing which no longer advertises or identifies a bona fide business conducted, or a service rendered, or a product sold, shall be removed by the owner, agent, or person having the beneficial use and/or control of the building or structure upon which the sign may be found within ten (10) days after written notice from the Zoning Administrator.
  10. Window Signs (Commercial and Industrial Districts Only)
    - a. Window signs shall be permitted in addition to other permitted signage, provided that such signage covers no more than 20 percent of the window area for any business entity.

- b. Window signs with areas in excess of that permitted and provided for herein are prohibited subject to the provisions of Section 916.030C.5 of this Chapter relating to temporary signs.
11. Temporary Outdoor Sales Events as provided for in Little Canada Municipal Code Chapter 819. Permits for allowable signage shall be subject to the same fees as provided for in this Chapter. Signage shall be regulated in accordance with the Temporary Sign size, location, duration, and other regulations in this Section.

**916.040 Non-Conforming Signs**

1. The following are non-conforming signs:
  - a. Prohibited signs.
  - b. All other signs not prohibited that do not conform to the provisions of this Chapter.
  - c. Billboards and advertising signs.
2. Any sign identifying a business no longer in existence shall be brought into conformance within 30 days.
3. All non-conforming and prohibited signs created by this Chapter shall be removed or brought into conformity with this Chapter within the following time period.
  - a. Any sign in violation of prohibited signs: One year.
  - b. All other non-conforming signs: Five years from the date of the enactment of this Chapter.
4. A non-conforming sign may not be:
  - a. Changed to another non-conforming sign.
  - b. Structurally altered except to bring into compliance with the provisions of this Chapter.
  - c. Expanded.
  - d. Re-established after its removal for 30 days.
  - e. Re-established after damage of more than 50 percent of sign replacement cost except to bring into compliance.
5. Non-Conforming Sign Maintenance and Repair. Nothing in this section shall be construed as relieving the owner or user of a legal non-conforming sign or owner of the property on which the legal non-conforming sign is located from the provisions of this section regarding safety, maintenance, and repair of signs contained in Section 916.030 of this Chapter. Provided, however, that any repainting, cleaning, and other normal maintenance or repair of the sign or sign structure shall not modify the sign structure or copy in any way which makes it more non-conforming or the sign shall lose its legal non-conforming status.
6. All properties or businesses, containing nonconforming signage, wishing to conduct site improvements of any kind, shall bring all signage into conformance with City standards when said improvements are valued at more than 50 percent of fair market value of the existing site including structures on said site. This value shall be determined by the City Assessor.

### **916.050 District Regulations**

The following sections concern signs which require application and permit. Subject to other regulations in specific districts, no sign shall be located closer than 5 feet to any property line.

1. R-1 and R-2 Residential Districts:

- a. Institutional or area identification signs, provided that the gross square footage of sign area does not exceed 24 square feet in the R-1 and R-2 Districts.
- b. Freestanding signs (monument type only allowed) shall not exceed a height of 8 feet.
- c. Residential Project Monument Signs.

(1) On Private Property.

Within residential projects, a residential project monument sign may be located on an outlot which is owned and maintained by the owners of the residential units in the project. The sign and the outlot shall be located and be of appropriate size to protect the sign from vehicular traffic, avoid conflicts with traffic visibility or movement, and avoid conflicts with street maintenance operations. The City may adopt a standard minimum design for such signs, subject to additional requirements based on the proposed location. The City Council may approve such outlots, and may impose any conditions necessary to promote the public health, safety, and welfare of the community.

(2) Within Public Right-of-way.

Notwithstanding other provisions of this Chapter relating to use of the public right-of-way, residential project monument signs may be located with the public right-of-way under a specific license issued by the City Council, subject to other provisions of this Section and the following:

- (1) The license provides for ongoing maintenance by the licensee.
- (2) The license may be revoked, and the sign removed at the expense of the licensee, if the City Council finds that the sign has become a nuisance or a danger to the public health, safety, or welfare of the community.
- (3) Any such sign shall be located on a raised, curbed island to protect the sign from traffic and street maintenance operations.
- (4) The City Council determines that the sign does not constitute a hazard to traffic.

2. R-3, High Density Residential District and R-4, Manufactured Home District:

- a. No more than one sign may be erected on the subject property, except that in the case of multiple family residential complexes with more than one building, one sign may be erected per public street frontage.
- b. For each property, the first sign allowed under this subsection shall be no greater than 35 square feet in area, and no greater than six feet in height.
- c. For complexes that are permitted to have a second sign under this Chapter, the second sign may be no greater than 16 square feet in area and six square feet in height.



3. R-C, Residential Commercial District:
  - a. Business Signs. Only one sign shall be erected on the subject property.
    - (1) Freestanding or Wall Sign. Not more than 18 square feet in total area, nor higher than six feet.

4. C-1 and C-2 Districts, I-1 and I-2 Districts, and P Public District:

- a. Except for corner lots as described in this section, the maximum number of signs on any principal building shall be two and, in all cases, the total sign area shall be calculated as 15 percent of the gross silhouette area of the front of the building. Where the principal building is on a corner or through lot and thus faces two public streets, both sides may be counted.

If, however, the building has only one frontage and the owner elects to erect two signs, the total square footage of both signs may not exceed the maximum allowable square footage determined from the front building silhouette.

For purposes of determining the gross area of the silhouette of the principal building, the silhouette shall be defined as that area within an outline drawing of the principal building as viewed from the front lot line or from the related public street(s). In addition to wall signs, freestanding signs may be utilized, or a combination of both.

In the Commercial and Public zoning districts, each building shall be allowed one wall sign and one freestanding sign, except that corner lots may utilize one wall sign per street frontage plus one freestanding sign. For all buildings in all other zoning districts, no more than one pylon sign or combination of two signs be displayed.

The City may determine that commercial buildings that front on both public and private streets may qualify as corner lots for the purposes of this Section.

- b. Comprehensive Sign Plan.

In the case of a shopping center or where there are two or more business uses located within one structure or on one property, the approval of a Comprehensive Sign Plan shall be required for the entire complex in accordance with an overall site plan indicating the size, location and height of all signs.

The Comprehensive Sign Plan shall be an administrative permit, provided the plan meets all size, location, and other standards of this Chapter and any applicable Architectural Guidelines applicable to the district in which the sign would be located.

A maximum of 15 percent of the building silhouette shall apply to the principal building where the aggregate allowable sign area is distributed among the several businesses.

In the case of applying this Comprehensive Sign Plan to a complex of more than one building, the complex may have two freestanding signs identifying the complex in accordance with the following:

- (1) Only one sign per street frontage. Lot shall have at least 500 feet of total street frontage to be allowed two signs.
- (2) Identification signs may be located no closer than five feet to any street right-of-way.

- (3) Where more than one shopping center identification sign is to be located on such property, no such sign shall be located less than 40 feet from point of intersection of property lines. For purposes of determining the gross area of the silhouette of the principal building, the silhouette shall be defined as that area within an outline drawing of the principal building as viewed from the front lot line or from the related public street(s).
- c. Freestanding Signs. All freestanding signs shall conform to the following provisions:
- (1) Location. No freestanding signs shall be located within five feet of the property line.
  - (2) Parking Areas, Driveways. No part of any freestanding sign shall be located so as to take up required parking space.
  - (3) Table of Permitted Freestanding Sign Areas and Heights. (See Table 916-2)

<b>Floor Area Square Feet</b>	<b>Area Square Feet</b>	<b>Sign Ht. Ft.</b>
Up to 2,200	66	16
2,201 to 2,400	72	16
2,401 to 2,600	78	16
2,601 to 2,800	84	16
2,801 to 3,000	90	16
3,001 to 3,200	96	16
3,201 to 3,400	104	16
3,401 to 3,600	110	16
3,601 to 4,000	115	16
4,001 to 4,400	120	16
4,401 to 5,000	125	18
5,001 to 5,600	130	18
5,601 to 6,500	135	18
6,501 to 7,500	140	18
7,501 to 9,200	145	20
9,201 to 11,600	150	20
11,601 to 14,400	155	20
14,401 to 16,200	160	20
16,201 to 17,600	165	22
17,601 to 18,800	170	22
18,801 to 19,800	175	24
19,801 to 20,600	180	24
20,601 to 22,000	185	25
22,001 to 23,000	190	25
23,001 to 24,000	195	25
Above 24,000	200	25

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- (4) The maximum sign height may be increased by one foot for each three feet of setback in addition to that prescribed in Section 916.050.4.c.3 of this Chapter, to a maximum of five additional feet in height.
  - (5) Actual sign height is determined from lot grade or averaged with the grade of the road from which the sign gains its principal exposure.
  - (6) On parcels which have a common property line with the right-of-way of limited access freeways, the maximum sign height shall be allowed to be 30 feet regardless of the building size. Sign area shall be as allowed by the table Section 916.050.E.5.c.4 of this Chapter.
- d. Roof Signs. Roof signs established prior to the effective date of this Chapter shall be considered conforming signs in these districts if they comply with the following provisions:
    - (1) The City Building Official conducts an inspection of the sign and finds it and any sign structure to be in good condition and not to be endangering the public health, safety, and general welfare.
    - (2) All signs on the subject site meet the general provisions, restrictions and performance standards of this Chapter.
    - (3) For the purposes of this Chapter, roof signs shall be considered freestanding signs, and shall be evaluated against the performance standards for such signs.
  - e. Shopping center complex lots which contain freestanding businesses. In the case of a lot or lots containing a shopping center complex which contains freestanding businesses, one freestanding sign is allowed per freestanding business provided that such sign is in conformance with all sign and setback provisions of this Chapter.
6. PUD District:
- Within a PUD District, a comprehensive sign plan shall be required which designates the number, type, size, and design of all signs proposed for the PUD project. The aggregate signage allowed by the PUD sign plan shall be the amount of signage which would be allowed under 916.050 of this Chapter, based on the proposed uses within the PUD and the zoning districts in which each use would be allowed, except as follows:
- a. Each principal building within a PUD shall be allowed one freestanding sign. Multiple tenant buildings shall be allowed a maximum of two freestanding signs. Freestanding signs shall be subject to the regulations of Section 916.050.4.c of this Chapter.
  - b. Comprehensive Sign Plans in the PUD District shall be processed as a part of the PUD Development Stage application. In the alternative, an applicant in the PUD District may request a separate Conditional Use Permit for a Comprehensive Sign Plan at a later time, but prior to the display of any permanent business signage on the property.

### **916.060 Fees, Licenses and Permits**

#### 1. Fees.

##### a. Payment Fees.

The license or permit fee and other charges set forth in this Chapter shall be collected by the City before the issuance of any license or permit and the City Clerk, Building Official, or other persons duly authorized to issue such license or permit for which the payment of a fee is required under the provisions of this Chapter may not issue a license or permit until such fee has been paid.

##### b. Double Fees.

If a person begins work of any kind for which a license or permit from the City is required, without having secured the necessary license therefore, either previous to or on the date of commencement of such work, he shall, when subsequently securing such license or permit, pay double the fee provided for such license or permit, or is subject to the penalty provisions of this Chapter.

##### c. Permits and Fees Required.

Sign Permit applications and subsequent fees will be required for all signs which do not appear in Permitted and Prohibited Signs of this Chapter. Fees shall not be required for repairs of signs and sign structures.

##### d. Initial Fees.

The City Council shall, from time to time, establish a fee schedule by Ordinance.

##### e. Special License Fees.

Special license fees shall be assessed for all attention seeking devices as described in Chapter 916. The fee shall be determined by resolution of the City Council.

##### f. Temporary Signs.

The license fee for temporary signs shall be set by Ordinance by the City Council. An applicant may obtain licenses for the display of temporary signs for a calendar year at one time, if dates of display are specifically identified.

##### g. Holiday Displays.

No license or fee shall be required for a holiday display.

### **916.070 Waiver of Requirements as to Location Signs**

In the event that a project of the Minnesota Department of Transportation changes the legal status of an existing sign or necessitates the removal and relocation of signs within the City, the City Council may waive the prohibitions and the requirements of this Chapter relating to the location of such signs by granting a variance. The Council may consider all requests simultaneously and may grant one variance applying to all signs similarly affected or situated.

### **916.080 Severability**

In the event that a court finds any portion of this Section to be invalid for any reason, the remainder of the Chapter shall stand on its own, continuing in effect and force without reliance on the invalid portion.