

**CITY OF MOUNDS VIEW
CITY COUNCIL WORK SESSION AGENDA
MOUNDS VIEW CITY HALL**

**Monday, April 3, 2023
6:00 p.m.**

ROLL CALL: Hull, Meehlhause, Cermak, Gunn, Lindstrom

Council Workshops are informal gatherings of the council at which no final decisions are made, rather consensus discussion to direct staff on council decision items.

PUBLIC COMMENT

Citizens may speak to issues not on tonight's agenda. Before speaking, please share your full name and address. Also, please limit your comments to three minutes.

AGENDA ITEMS DISCUSSED BY CONSENSUS

1. Closed Session – Police Chief Selection
2. Campaign Signs - Jon
3. Sign Ordinance – Jon
4. Critical Corridors Grant – Jon
5. Discussion of Priorities for the 2024 General Fund Budget – Mark
6. Police Officer Recruitment and Retention- Rayla and Ben
7. 2022-2023 Street Project Spring Lake Road / 2023 Street Project Pleasant View Drive – Trail Location – Don

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City of Mounds View Staff Report

To: Honorable Mayor and City Council
From: Jon Sevald, Community Development Director
Item Title/Subject: Campaign Signs

Introduction:

In August 2022, Staff received complaints regarding campaign signs in the right-of-way, Staff notified candidates, giving one week to relocate signs. Staff spent about an hour pulling signs from the right-of-way. Following this, Staff received complaints from residents regarding the removals. The Council briefly discussed during the September 5th Work Session, and September 12th Council meeting, concluding that more discussion is needed after the election.

Discussion:

Campaign signs are Noncommercial Signs¹.

MN Statute §211B.045

All noncommercial signs of any size may be posted in any number beginning 46 days before the state primary in a state general election year until ten days following the state general election. Municipal ordinances may regulate the size and number of noncommercial signs at other times.

This (above) is included in the 2022 State of Minnesota Campaign Manual, along with other requirements for campaigning. To be clear, there are different rules during the election season, and after.

Mounds View City Code §161.020(B)(11)

Non-commercial sign. For all types of property, the city allows one sign that expresses an opinion or a viewpoint of a non-commercial nature. The non-commercial sign shall not be illuminated or exceed nine square feet. For multiple unit residential properties, the sign must be attached to the dwelling unit or placed in a location that clearly indicates ownership and does not represent the opinions of other residents in the area who have not agreed to the sign. Notwithstanding any other provision of this chapter, the non-commercial speech exemption provided by M.S. § 211B.045, as it may be amended from time to time, is hereby incorporated by reference.

During the September 12th Council meeting (Open Forum), a candidate inquired if exceptions can be made to allow political signs in the right-of-way? No, there are no exceptions. This topic was addressed by the US Supreme Court in 2015 (Reed et al vs. Town of Gilbert).² The Court ruled that signs are a form of Free Speech, and that government cannot regulate signs based

¹ Mounds View City Code §161.006; *A sign disseminating messages not classified as commercial that include, but are not limited to, messages about political, religious, social, ideological, public service and information topics.*

² Reed et al vs. Town of Gilbert (2015). Summary: The town of Gilbert, AZ sign ordinance permitted temporary signs, divided into 23 categories with different regulations. A Church official was cited for not removing a Temporary Event Directional sign within the required period. The Church sued the Town for violation of freedom of speech. District Court and Appeals Court ruled in favor of the Town. The U.S. Supreme Court ruled in favor of the Church. At question, is; was the sign ordinance “content neutral”? The Court ruled that the ordinance was not, because sign regulations depended on the content of the sign. Temporary “Ideological”, “Political”, and “Directional” signs were regulated differently based on the sign’s content, e.g. a temporary sign for a one-day event was treated differently than a multi-day political sign, although the sign’s size and location may be the same.

on the sign's content. In other words, if Mounds View were to allow political signs in the right-of-way, then it must allow all signs to be in the right-of-way and on other public property.

Questions to consider:

1. Should the City Council amend the City Code to permit Temporary Signs in the right-of-way?

The distance between the curb and property line may vary, but is generally 10' or more. If the City were to allow signs in City ROW, signs would still be prohibited from County ROW. Not all county roads are county roads (e.g. County Road H2, portions of County Road I). To allow one, but not the other is confusing to residents.

2. Should the City Council amend the City Code to allow more than one non-commercial sign (of any size) during non-campaign times?

Examples:



(1) union sign; (2) community event sign; (3) "GOOD MORNING", viewable to motorists on 35W prior to 2019 sound wall.

Strategic Plan Strategy/Goal:

Encourage landowners to maintain and take care of properties to ensure they are following codes and rules and forcing them to keep up maintenance. Make low interest loans available to address maintenance needs.

Financial Impact:

None.

Recommendation:

1. Regarding signs in the ROW, Staff recommends that signs continue to be prohibited from the ROW.
2. Regarding non-commercial signs, it is reasonable to allow more than one sign, but the total sign area should have a limit (e.g. 9 sq ft). Otherwise, it's not enforceable. In practice, Staff does not enforce this unless there is a complaint. Staff recommends leaving the Code as-is.

Respectfully,

Jon Sevald, AICP
Community Development Director

ATTACHED

"First Amendment and Regulation of Signs", March/April 2023, Minnesota Cities

First Amendment and Regulation of Signs

BY TORI KEE

The 2020 presidential election brought a fresh wave of political signage to cities, including signs that contain profanity and partisan language. More than two years later, many cities continue to receive complaints about signs that contain swear words, especially near schools, busy city roads, and on bus routes — leaving city officials asking how they can address the issue.

First Amendment protections

The First Amendment protects signs as speech; as a result, courts closely review attempts to regulate signs. In 2015, the Supreme Court decided *Reed v. Town of Gilbert*, which has since become the pivotal case in determining the validity of sign ordinances.

Under *Reed*, courts now presume that sign ordinances which restrict speech — expressly or implicitly — are unconstitutional. Before conducting this analysis, courts will look at the effect of the sign ordinance to determine whether it regulates signs differently based on the content or message expressed in the sign. If the court finds that the ordinance restricts the speech based on the content, it will apply the strict content-based standard to review the challenged ordinance. If the sign ordinance does not regulate the message or content of a sign, courts will apply the less strict content-neutral standard in its analysis.

Courts generally uphold sign ordinances that are content-neutral and further a significant government interest. Therefore, cities should avoid implementing regulations that prohibit signs based on their content or message. So, what can cities do when it comes to signs and flags?

Number, size, and placement of non-commercial signs

Cities may not regulate the signs and flags based on subjective standards — including campaign signs — for safety or aesthetic reasons. Cities may regulate

the manner in which signs and flags are displayed, based on objective standards like size, location, number of signs, etc. However, cities cannot discriminately regulate signs based on the subject matter discussed or message expressed.

Cities should keep in mind the three things that courts analyze when determining if city regulations infringe upon free speech:

- ▶ **Location:** Where speech occurs, focusing on public property.
- ▶ **Content:** The expressed viewpoints.
- ▶ **Content neutrality:** Neutral interpretation of the expressed message that does not show disapproval for specific types of messages.

Political signs in Minnesota

During election season, cities may not enforce any size and number regulations of signs. Minnesota Statutes, section 211b.045 requires cities to allow noncommercial signs of any size or number during election season, from 46 days before the state general primary until 10 days after the state general election, regardless of local ordinances.

However, this law does not give cities the authority to prohibit political signs during other parts of the year. Outside of election season, a city's sign ordinance applies, but campaign signs may still be posted outside of the parameters listed above at any time during the year as long as they abide by the number and size restrictions in the ordinance.

Profanity in signs

Community members tend to be particularly upset by signs on private property that contain profanity, and cities question whether such language is considered obscene and can be regulated.

Obscenities can be regulated in specific contexts, but the definition of

obscene content is limited. Minnesota Statutes, section 617.241 defines obscene as “work, taken as a whole, [that] appeals to the prurient interest in sex and depicts or describes in a patently offensive manner sexual conduct and which, taken as a whole, does not have serious literary, artistic, political, or scientific value.” Generally speaking, swear words are not considered obscene, in fact the Supreme Court has noted that language may be indecent, offensive, vulgar, and profane but not reach the level of obscenity.

Therefore, even when a sign or flag contains profanity, it is most likely protected speech under the First Amendment.

Alternatives to regulations

Many complaints about signs deal with the language used in the expression and not as much about the message. Citizens can be encouraged to have open and

honest conversations with their neighbors about the effect profanity and other messages has on them.

Many citizens express concerns about the effect such profanity has on their children. Citizens can use it as an opportunity to teach their children about the First Amendment right to free speech and a lesson on what is considered appropriate language in their

household. Parents and other adults can lead by example by expressing their opinions through less controversial signs or by ignoring signs they find offensive all together.

Because First Amendment issues are very fact specific, the city should work with its city attorney to review the city's sign ordinance and determine its options. Learn more from the LMC information memo at lmc.org/signs.

Tori Kee is staff attorney with the League of Minnesota Cities. Contact: tkee@lmc.org or (651) 281-1292

LEARN MORE ABOUT HOW CITIES CAN NAVIGATE AND UPHOLD THE FIRST AMENDMENT AT **LMCIT's 2023 Safety and Loss Control Workshops** lmc.org/LCW2023

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City of Mounds View Staff Report

To: Honorable Mayor and City Council
From: Jon Sevald, Community Development Director
Item Title/Subject: Sign Ordinance

Introduction:

During the February 6th City Council Work Session, the Council discussed the Sign Ordinance, directing Staff to prepare an amendment increasing Wall Signs, from 100 sq ft per business to _____, and to allow rooftop signs. Staff has not had an opportunity to draft an amendment. Therefore, the purpose of this item is to further discuss the intent of regulating signs, and design standards along the Mounds View Boulevard corridor.

Staff's "quick answer" is to increase Wall Signage from 100 sq ft to 200 sq ft, and keep everything else the same (end of report). But, for further reading.....

Discussion:

The February Work Session discussion is in response to the Bear Lot expressing a desire to triple their signage (including an iconic bear on the roof). The February 6th Staff Report compared Mounds View sign regulations to other cities with corridors similar to the Boulevard, finding many methods of calculating maximum sign area. But, the comparable results for the Bear Lot is that Mounds View would be consistent with other cities if we increased Wall Signs from 100 sq ft to 200 sq ft, but also consistent if we continued to prohibited Wall Signs from being larger than the Wall (e.g. no rooftop signs). **Does the Council want to permit rooftop signs (e.g. the Mermaid)?**

	Regulation (2022)			Allowed at The Bear Lot		
	Ground Sign		Wall Sign	Ground Sign		Wall Sign
	Area	Height	Area	Area	Height	Area
Arden Hills	100sf	16'	80sf	100sf	16'	80sf
Blaine	180sf	14'	10% ¹ or 200sf, whichever smaller	180sf	14'	200sf
Coon Rapids	200sf	20'-36'	40sf or 10% up to 200sf	200sf	30'	200sf
Fridley	80sf	25'	15X of $\sqrt{\text{wall length}}$ ²	80sf	25'	233.3sf
Mounds View	200sf	16'	100sf	200sf	16'	100sf
New Brighton	64sf	20'	40% of wall area, or 200sf whichever smaller	64sf	20'	200sf
Roseville	200sf	25'	1.5sf p/1sf of wall length	200sf	25'	363sf
Shoreview	50-150sf	10'-20'	5%-10% of wall area (max 500sf)	60sf	6'	424sf
White Bear Lake	35sf	10'	Single-tenant: 10% of front wall area + 5% of side wall area, not to exceed 200 sq ft, based on size of building. Single-Tenant: 7% of wall area, up to 80 sq ft.	35sf	10'	200sf
The Bear Lot³				229sf	26'	86'+215'+bear

Generally, the intent of signs is identification (here we are), and advertisement (what we have for you). In recent months, Voice of Truth has installed an illegal second monument sign. The North Church has expressed interest in increasing their wall sign from 93 sq ft, to larger than the

1 Front wall area (MV Blvd side) = 4,296sf area (source: p.A3.1 Building Elevations, Mar 6, 1998)

2 Wall length (MV Blvd side) = 242' (source: p.A2.1 Floor Plan, Mar 6, 1998). Building height = 18'

3 Ground Sign #1 = 144.2sf area (permit #2017-00012), 26' ht (Res 5042). Ground Sign #2 & #3 = 2X 42.7sf. (Res 5042)

permitted 100 sq ft so that the church is visible from Co Rd H & I-35W. Win Insurance has expressed that their monument sign is obscured by trees. Caribou Cabin would like to be visible from Co Rd H2 (obscured by trees intended to hide business from neighborhood). The point is that businesses want more signage and maximum visibility, which conflicts with the design standards for the Boulevard (see chart comparing Mounds View to White Bear Lake).

Design Standards need to balance the needs of the property owner (“buy from me today”) with the desires of the community (“enjoy the drive home”), while allowing for property identification (e.g. monument signs that clearly identify the business location).



The Bear Lot, Mounds View (photo March 29, 2023)



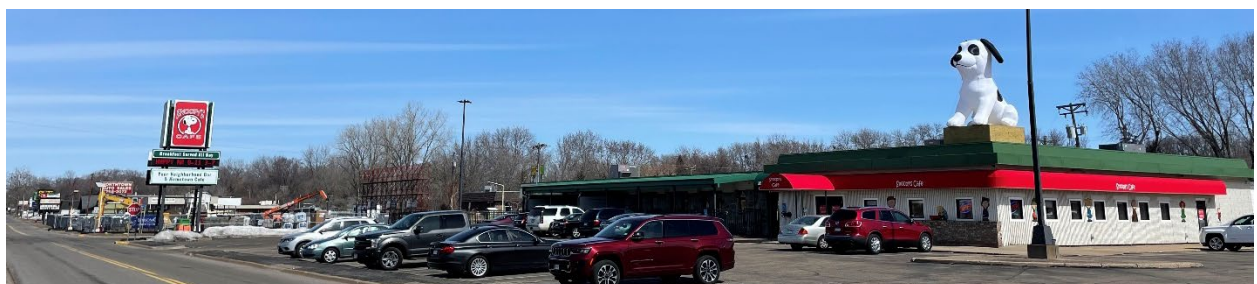
Proposed 215 sq ft wall signage + bear (wall sign).



White Bear Mitsubishi, White Bear Lake (parent company of The Bear Lot) (March 29, 2023)

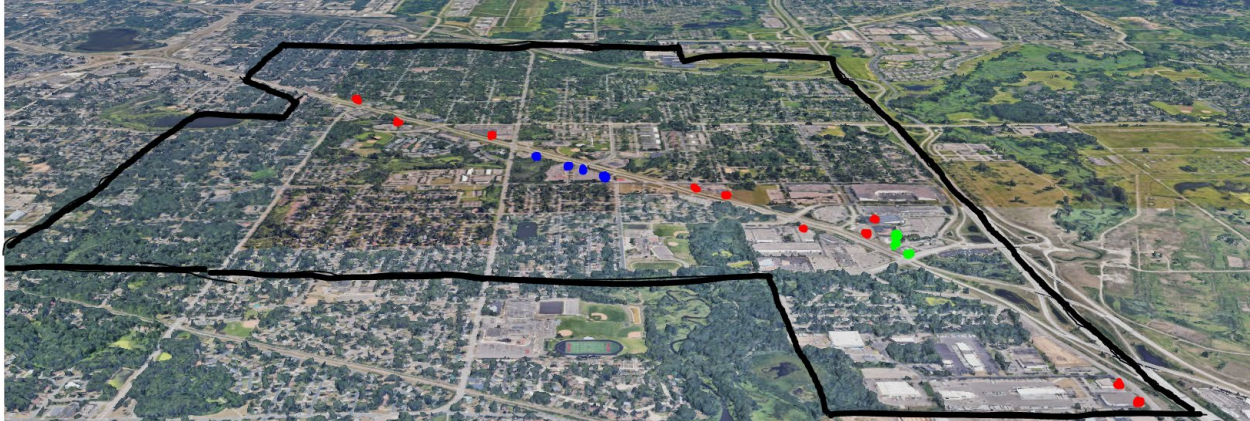


The North Church as seen from the roundabout, (March 29, 2023)



Snoopy's Café (formerly Key's Café), Spring Lake Park. Rooftop sign is a Temporary Sign (6 weeks) (March 29, 2023)

Since 1996, sign variances have been approved for: Mounds View Square, Saturn, Spots Quick Lube, Kindercare, ACE Supply, Midway Industrial Supply, Mounds View Business Park, CVS, C.G. Hill, Aldi, Totino's, KFC, Allegiance Fitness, and Win Insurance. When there are frequent variance requests, this is a "sign" that code requirements may be too stringent. Many properties along Mounds View Boulevard are zoned PUD, which allows the Council to approve signs in excess of the City Code (e.g. Caribou Cabin, AppleTree Dental).



Red = post-1996 sign variance. Green = pre-1996 sign variance (height). Blue = PUD sign in excess of code. Some variances were after-the-fact, e.g. sign was installed without a permit, and too large. Applied for variance to keep as-is.

Strategic Plan Strategy/Goal:

- ID, expand, and maintain City's strengths to include splash pad, parks, trails/sidewalks, park programs, Community Center, & **beautification of Mounds View Boulevard**. Consider other areas of the city to connect and add additional trails, walkways, amenities, features and **improved appearances**.
- **Beautification of Mounds View Blvd:** Cooperate with Ramsey County in implementing new features and improved beautification, aesthetics, and landscaping including but not limited to different plant species in median that looks professional, clean, and neat. Conduct and budget for improvements in phases and use Hwy 96 as an example.
- **Consider a façade and landscaping policy that is more robust** while allowing for native pollinator plant species and other alternative landscaping that looks professional and pleasing including but not limited to urban gardening and creative energy saving projects.

Financial Impact:

None.

Recommendation:

Two options (pick one). Staff's recommendation is Option 2. This option serves the Strategic Plan, but will take much longer than Option 1 (one year vs. one month), and is likely to have the same results as Option 1 in the end.

1. Amend Sign Code, increasing Wall Signs from 100 sq ft to 200 sq ft. This option is simple, and can be implemented quickly.
2. Reconsider the *County Road 10 Corridor Overlay District* (2014) together with the PUD ordinance (1980's), and analyze if they are working as intended, if it is consistent with comparable city corridors, and if changes are needed. This is a long-term project.

Respectfully,

A handwritten signature in black ink, appearing to read "Jon Sevard".

Jon Sevard, AICP
Community Development Director

ATTACHED
Sign Ordinance

CHAPTER 161: SIGNS AND BILLBOARDS

Section

General Provisions

- 161.001 General intent
- 161.002 Purpose
- 161.003 Scope of regulations
- 161.004 Severability
- 161.005 Substitution provision
- 161.006 Definitions
- 161.007 Abrogation and greater restrictions
- 161.008 Sign variances

Permit and License Requirements

- 161.020 Permits required; exceptions
- 161.021 Permit application
- 161.022 Permit fees; waivers
- 161.023 Issuance of permit; review process and conditions
- 161.024 Sign installer's license

Conditions and Regulations

- 161.035 Maintenance of premises
- 161.036 Sign maintenance, repair, permits and inspections
- 161.037 General location, design and construction standards
- 161.038 Specific sign type standards and requirements
- 161.039 Miscellaneous signage requirements and provisions
- 161.040 Prohibited signs
- 161.041 Non-conforming signs

- 161.999 Penalty

GENERAL PROVISIONS

§ 161.001 GENERAL INTENT.

In order to preserve Mounds View as a desirable city to live and to do business in, having a pleasing and visually attractive urban environment is important. The regulation of signs is an important means to help achieve the desired results of the city. As such, the city has prepared these sign regulations to enhance the urban environment and to promote the well-being of the city.

(Prior Code, § 1008.005) (Ord. 816, passed 01-22-2009)

§ 161.002 PURPOSE.

(A) This chapter is intended to establish a comprehensive and balanced system of sign control that accommodates the need for a well-maintained, safe and attractive community, and the need for effective communications including business identification. The city finds it is necessary for the promotion and preservation of the public health, safety, welfare, image and aesthetics of the community that the construction, location, size and maintenance of signs be controlled.

(B) Further, the city finds that:

- (1) Permanent and temporary signs have a direct impact on and relationship to the image and aesthetics of the city;
- (2) The manner of installation, location and maintenance of signs affects the public health, safety, welfare and aesthetics of the city;
- (3) An opportunity for viable identification of residences, businesses and institutions in the city must be established;

(4) The safety of motorists, cyclists, pedestrians and other users of public streets and property is affected by the number, size, location and appearance of signs that create hazards for drivers and unduly divert the attention of drivers;

(5) Installation of signs suspended from, projecting over or placed on the tops of buildings, walks or other structures may constitute a hazard during periods of high winds and an obstacle to effective firefighting and other emergency service;

(6) Uncontrolled and unlimited signs and sign types, particularly moving signs and signs with dynamic displays, adversely impact the image and aesthetic attractiveness of the city and thereby undermine economic value and growth;

(7) Uncontrolled and unlimited signs, particularly temporary signs which are commonly located within or adjacent to public right-of-way or are located at driveway/street intersections, result in roadside clutter and obstruction of views of oncoming traffic. This creates a hazard to drivers and pedestrians and also adversely impacts a logical flow of information;

(8) Signs are generally incompatible with residential uses and should be strictly limited in residential zoning districts; and

(9) The right to express opinions in any zoning district must be protected, subject to reasonable restrictions on size, height, location and number.

(C) The city does not intend to, nor does it propose to, regulate the message on any sign.

(D) The city intends to protect the public from the dangers of unsafe signs.

(Prior Code, § 1008.01) (Ord. 679, passed 05-29-2001; Ord. 769, passed 05-08-2006; Ord. 816, passed 01-22-2009)

§ 161.003 SCOPE OF REGULATIONS.

The sign regulations established in this chapter shall apply to all structures and all land uses. This chapter describes the sign standards for all the zoning districts of the city. The city establishes specific additional regulations for signs that are unique in purpose and not easily addressed by district regulations. No person, property owner or lessee shall place, erect, alter, modify, enhance or change a sign in any way that does not meet the requirements of this chapter and other applicable regulations.

(Prior Code, § 1008.011) (Ord. 816, passed 01-22-2009) Penalty, see § 161.999

§ 161.004 SEVERABILITY.

If any section, division, sentence, clause, phrase or other part of this chapter is held to be invalid, such invalidity shall not affect the validity or enforceability of the rest of this chapter. The City Council hereby declares that it would have adopted the chapter in each section, division, sentence or phrase thereof, irrespective of the fact that any one or more sections, divisions, sentences, clauses or phrases are declared invalid.

(Prior Code, § 1008.012) (Ord. 816, passed 01-22-2009)

§ 161.005 SUBSTITUTION PROVISION.

The owner or operator of any sign that this chapter would otherwise allow may substitute a non-commercial sign in lieu of any other commercial or non-commercial sign. The owner may make this substitution without any additional city approval or permit. The purpose of this provision is to prevent any inadvertent favoring of commercial speech over non-commercial speech, or the favoring of any particular non-commercial message over any other non-commercial message. This provision shall prevail over any more specific provision to the contrary.

(Prior Code, § 1008.013) (Ord. 816, passed 01-22-2009)

§ 161.006 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ABANDONED SIGN. A sign that becomes vacant, unoccupied or unused; or a sign promoting a business or activity no longer in operation or incorrectly or inaccurately conveying a message, or a sign promoting an obsolete message or sign copy, for a period in excess of one month.

ANIMATED SIGN. A sign that has any moving or rotating part; or uses movement or change of lighting to depict action or create a special effect or scene, but is not a dynamic display sign. Refer also to **ELECTRONIC SCROLLING MESSAGE OR MARQUEE SIGNS**.

AREA IDENTIFICATION SIGN. A free- standing sign which identifies the name of a community, neighborhood, a residential subdivision, a multi-family residential complex consisting of three or more structures, a planned unit development or any combination of the above located on contiguous properties.

AWNING SIGN. A sign displayed on or attached flat against the surface or surfaces of an awning attached to or extending from a building.

BANNER. Any sign of lightweight, flexible material affixed to a building, poles, vehicle or other supporting structures upon which a message, slogan, design or logo is displayed. National, state or municipal flags shall not be considered a **BANNER**.

BEACON. Any light with one or more beams directed into the atmosphere or directed at one or more points not on the same lot as the light source; also, any light with one or more beams that rotate or move. Otherwise known as **SEARCHLIGHTS**. For the purposes of this section, **BEACONS** or **SEARCHLIGHTS** shall be considered temporary signs.

BENCH SIGNS. A sign which is affixed to a bench or shelter at a bus stop.

BILLBOARD. A large, outdoor advertising structure typically mounted on one or more poles, located off the site or premises where the advertised product is sold, available or offered.

BUSINESS SIGN. A sign that states the proper name of the business, organization or institution located on the premises on which the sign is located.

CANOPY SIGN. A sign affixed to the visible surface of an attached or free-standing canopy structure, often backlit to provide internal illumination. For the purposes of sign area computation, **CANOPY SIGNS** shall be treated as a wall sign.

CHANGEABLE COPY SIGN. A sign or portion thereof with characters, letters or illustrations that can be changed or rearranged electronically or manually without altering the face or the surface of the sign, but is not a dynamic display. A sign on which the message changes more than eight times a day shall be considered an animated sign for the purposes of this section. The portion of a sign on which the only copy that changes is an indication of the time and temperature shall be considered a public informational sign. **PORTABLE OR NON-PERMANENT CHANGEABLE COPY SIGNS** shall, for the purposes of this chapter, be considered temporary signs.

COMMERCIAL SIGN. A sign advertising a business, profession, commodity, service or entertainment.

CONSTRUCTION SIGN. A sign placed at a construction site identifying the project and/or names of the architect, engineers, developers, contractors or other individuals or firms associated with the project.

DIRECTIONAL SIGN. A sign for the purpose of making specific commercial, industrial or public and semi-public locations known and to assist in finding these locations on the property where the sign is located. Such signs may be located within street rights-of-way subject to approval of the city and appropriate governmental agency.

DYNAMIC DISPLAY. Any characteristics of a sign that appear to have movement or that appear 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 itself, or any other component of the sign. This includes a display that incorporates a technology or method allowing the sign face to change the image without having to physically or mechanically replace the sign face or its components. Such technologies or methods may include, but are not limited to, cathode-ray tube (CRT), light-emitting diode (LED) displays, plasma displays, liquid-crystal displays (LCD) or other technologies used in commercially available televisions or in computer or video monitors. This also includes any rotating, revolving, moving, flashing, blinking or animated display or structural element 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 or displays. Signs with this technology that a government or public agency installs for directing or regulating pedestrian or motor vehicle movement are exempt from this definition.

FLAG OR PENNANT STRINGERS. A series of flags, pennants or streamers connected by a string or a rope. The **STRINGERS** shall be considered temporary signs for the purpose of this chapter.

FLASHING SIGN. A sign or portion thereof whose illumination is characterized by a repetitive cycle in which the period of illumination is either the same as or less than the period of non-illumination. For the purposes of this chapter, **FLASHING** will not be defined as occurring if the cyclical period between on-off phases of illumination exceeds four seconds.

FREE-STANDING SIGN. A sign principally supported by a structure affixed to the ground, and not supported by a building, including signs supported by one or more columns, poles or braces placed in or upon the ground. Also referred to as a **GROUND SIGN**.

GOVERNMENT OR REGULATORY SIGN. A sign which is erected by a governmental unit for identification, traffic control or other regulatory purposes. The signs are often located within street rights-of-way.

GRAND OPENING. The commencement of operation of a new business. For purposes of this chapter, the city considers a **GRAND OPENING** to occur if there is a business name change or if there is a change in the type of business or activity.

GRAPHIC SIGN. A sculpture attached to or sign painted directly on a wall that is primarily symbolic or representational in nature and not alpha or numeric in content or copy.

GROUND SIGN. A sign principally supported by a structure affixed to the ground, and not supported by a building, including signs supported by one or more columns, poles or braces placed in or upon the ground. Also referred to as a **FREE-STANDING SIGN**.

HOME OCCUPATION SIGN. A sign erected upon a residential property to advertise a home based business or occupation taking place at that location.

IDENTIFICATION SIGN. A sign, the primary function of which is to identify a residential, commercial, industrial or public or semi-public use located upon the premises where such sign is located or to which such sign is affixed. Signs identifying commercial uses may call attention to the product, service or activity that is sold or offered upon the premises. Signs identifying industrial uses may call attention to the product, goods or material which is produced, processed, assembled or stored upon the premises.

ILLEGAL SIGN. A sign erected without a permit or in violation of this chapter. The signs shall be subject to removal upon written notice by the city.

ILLUMINATED SIGN. Any sign that has characters, letters, figures, designs or outlines that an artificial light source illuminates.

INCIDENTAL SIGN. A sign, generally informational, that has a purpose secondary to the uses on the property on which it is located. Such signs might include, but are not limited to, "no parking", "entrance", "exit", "ATM" or "payphone". No sign with a message legible off the premises shall be considered **INCIDENTAL**.

INFLATABLE SIGN. A portable device inflated with air or helium used to draw attention to an activity or business upon which the device is attached. The object may or may not display advertising copy. For the purposes of this chapter, **INFLATABLE DEVICES** shall be considered a temporary sign.

MONUMENT SIGN. A free-standing sign attached to the ground by means of a free-standing support structure, solid from grade to the top of the sign structure, typically encased or supported by masonry materials.

NON-COMMERCIAL SIGN. A sign disseminating messages not classified as commercial that include, but are not limited to, messages about political, religious, social, ideological, public service and information topics.

NUISANCE SIGN. A sign in a state of disrepair, deterioration or damage whereupon one-fourth or more of the sign surface is no longer clearly legible or recognizable at a distance of 40 feet. Also, any sign in violation of the provisions of this chapter shall be considered a nuisance sign, except for legal non-conforming signs.

ON-PREMISES SIGN. A sign related to the property or activity and use occurring on the property on which the sign is located. **ON-PREMISES SIGNS** include multi-tenant identification signs that may advertise tenants on a different property; provided, the tenants are in the same PUD and the properties share parking and access.

POLE SIGN. A free-standing sign supported by or erected upon one or more narrow columns, shafts or poles. Also referred to as a **PYLON SIGN**.

PORTABLE SIGN. Any sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported, including, but not limited to, signs on wheels, signs converted to "A" or "T" frames, menu and sandwich boards, inflatable devices, advertising umbrellas and signs attached to or painted on vehicles parked and visible from the public right-of-way, unless the vehicle is used in the normal day-to-day operations of the business.

PROJECTING SIGN. A sign other than a wall sign which is perpendicular to and projects more than 18 inches from a building face or wall or from a structure whose primary purpose is other than the support of the sign.

PUBLIC SIGN. A traffic control sign in state statutes; any identification sign installed in a public park by a public agency or authority; and any other identification, regulatory or warning sign approved by the city for installation on public land.

PYLON SIGN. A free-standing sign supported by or erected upon one or more narrow columns, shafts or poles. Also referred to as a **POLE SIGN**.

REAL ESTATE SIGN. A sign advertising the sale, lease or rental of the property or premises upon which the sign is located.

REFACING. The process of replacing the sign copy, message, logo or graphic on a sign without altering or moving the structure to which the sign face is attached.

ROOF SIGN. A sign erected, constructed, mounted or attached wholly or in part upon any roof or over the highest roofline of a building.

ROTATING SIGN. A sign or a portion of a sign where the sign or the sign structure moves in a rotating, oscillating or similar manner other than changing signs.

SECURITY SIGN. A small, incidental sign identifying the presence of a security system.

SIGHT TRIANGLE. A triangle formed at a property corner abutting two street rights-of-way where two triangle legs are 30 feet long with the third leg traversing the property to connect the other two legs. (Refer to the graphic in § 161.037 of this chapter.)

SIGN. Any written message, pictorial presentation, number, illustration, decoration, banner or other device that is used to announce, direct attention to, identify or advertise a product, service or activity or otherwise make anything known. For purpose of maintenance or removal, the term **SIGN** also shall include frames and support structures.

SIGN AREA. The area of a sign within the marginal lines of the surface, which bears the announcement, name, advertisement or other message or, in the case of letters, figures or symbols attached directly to any part of a building, the area which is included in the smallest rectangle which can be made to circumscribe all letters, figures or symbols displayed thereon.

SIGN COPY. The letters, numbers, figures, symbols, logos and graphical elements comprising the content or message of the sign.

SIGN HEIGHT. The distance measured perpendicular from the highest point of the sign structure to the average elevation

of the ground or grade adjacent to the base of the sign.

TEMPORARY SIGN. Any sign displaying a message erected or maintained for a limited period of time and not of a permanent nature and that is not permanently affixed to the land or to a structure. The signs shall include banners, inflatable signs or devices, sandwich boards, portable changeable copy signs or any other device intended to attract attention.

TRANSIT ENCLOSURE SIGN. Commercial advertising located within a transit enclosure or shelter. The signage shall not include route schedules, service announcements or other similar notices.

WALL SIGN. A sign attached to or erected against the exterior wall of a building or structure with the exposed face of the sign in a plane approximately parallel to the face of the wall, not to project more than 12 inches from the surface to which it is attached.

WINDOW SIGN. A sign affixed to the interior or exterior of a window or inside the building within three feet of the window with its message intended to be visible to and readable by the public from the outside of the building.

(Prior Code, § 1008.02) (Ord. 679, passed 05-29-2001; Ord. 769, passed 05-08-2006; Ord. 801, passed 01-07-2008; Ord. 816, passed 01-22-2009)

§ 161.007 ABROGATION AND GREATER RESTRICTIONS.

Where the conditions imposed by any provisions of this chapter are either more or less than comparable conditions imposed by any other code, rule or regulation of the city, the code, rule or regulation which imposes the more restrictive condition, standard or requirement shall prevail.

(Prior Code, § 1008.14) (Ord. 679, passed 05-29-2001)

§ 161.008 SIGN VARIANCES.

(A) A variance to the provisions of this chapter may be considered by the Board of Adjustment and Appeals to provide relief to the landowner in those cases where the chapter imposes practical difficulties to the property owner. Applications shall be submitted and reviewed in the same manner as indicated in §§ 160.450 through 160.452, 160.465 through 160.470 and 160.485 through 160.487 of this chapter.

(B) All requests shall be made in writing on the form provided by the city and the request shall include the fee specified in the city's fee charges. All information required when applying for a sign permit, as outlined in § 161.020 of this chapter, shall be required before the request for a variance is considered.

(Prior Code, § 1008.16) (Ord. 585, passed 07-15-1996; Ord. 644, passed 12-13-1999; Ord. 679, passed 05-29-2001; Ord. 816, passed 01-22-2009; Ord. 861, passed 09-22-2011)

PERMIT AND LICENSE REQUIREMENTS

§ 161.020 PERMITS REQUIRED; EXCEPTIONS.

(A) *Permit required.* It is unlawful to install, construct, erect, alter, revise, reconstruct or relocate any outdoor sign or structure, as defined in § 161.006 of this chapter, in the city without first obtaining a permit therefor as required by this chapter, except as provided in division (B) below.

(B) *Exceptions.* Permits need not be obtained for any sign less than or equal to eight square feet in area (excluding temporary signs), or for the specific signs addressed below; provided, all other requirements of this chapter are satisfied:

- (1) A sign pertaining only to the sale, rental or lease of the premises upon which displayed;
- (2) A sign on residential property stating only the name or identity of the occupant;
- (3) Construction sign or sign belonging to a contractor performing work upon a property. The sign shall be removed immediately upon completion of the work;
- (4) Home occupation signs and incidental residential signs;
- (5) National, state, regional, local, institutional or cultural flags;
- (6) Advertising on a transit bench or within a transit shelter or enclosure;
- (7) Official notices authorized by a court, public body or public safety official;
- (8) Government signs. All governmental signs, including, but not limited to, traffic-control and other regulatory purpose signs, street signs, identification signs, informational signs, danger signs and signs for official city events;
- (9) Flag or pennant stringers;
- (10) Sandwich boards not exceeding eight square feet and ground signs not exceeding four square feet that are located within 15 feet of business advertised on sign; and
- (11) Non-commercial sign. For all types of property, the city allows one sign that expresses an opinion or a viewpoint of a non-commercial nature. The non-commercial sign shall not be illuminated or exceed nine square feet. For multiple unit

residential properties, the sign must be attached to the dwelling unit or placed in a location that clearly indicates ownership and does not represent the opinions of other residents in the area who have not agreed to the sign. Notwithstanding any other provision of this chapter, the non-commercial speech exemption provided by M.S. § 211B.045, as it may be amended from time to time, is hereby incorporated by reference.

(Prior Code, § 1008.01) (Ord. 607, passed 05-11-1998; Ord. 679, passed 05-29-2001; Ord. 769, passed 05-08-2006; Ord. 816, passed 01-22-2009; Ord. 847, passed 10-21-2010)

§ 161.021 PERMIT APPLICATION.

(A) Application for sign permits shall be made upon forms provided by the city and shall include the following information, unless waived by the City Administrator or his or her designee.

(B) The city will consider a sign application incomplete and will not process the sign application if the applicant has not supplied all the required information:

- (1) The name, address and telephone number of the applicant;
- (2) The location, address and parcel identification number (PIN) of the building, structure or lot to which or upon which the sign is to be placed;
- (3) Complete and detailed plans showing the position of the sign or other advertising structure in relation to nearby buildings, structures and streets or highways, and to the nearest property lines;
- (4) Two complete and detailed blueprints or ink drawings of the plans, including elevations, distances, size and details, and specifications and method of construction and attachment to the building or to the ground. The plans shall fully and clearly represent the proposed sign and the construction;
- (5) A copy of the stress sheets and calculations may be required by the Inspector, on larger signs, showing that the structure is designed for dead load and wind pressure in any direction in the amount required by this chapter and any other applicable law;
- (6) The name of the person or company erecting the structure, if not the applicant, or the name of the person on whose property the structure is to be located, if not the applicant;
- (7) The written consent of the owner of the property, if not the applicant;
- (8) A statement as to whether the sign will be illuminated or not;
- (9) A statement as to whether any electric lights on the sign will be "moving" or blinking;
- (10) A statement as to whether the sign will be single-faced, double-faced or multi-faced;
- (11) A statement as to whether or not the copy on the sign will be changeable;
- (12) A statement as to whether or not the copy on the sign will relate only to the business or activity conducted on the premises on which the sign is to be located; and
- (13) A statement as to whether the sign would have any dynamic display and if so, the specifics in area and style of the dynamic display.

(Prior Code, § 1008.04) (Ord. 679, passed 05-29-2001; Ord. 816, passed 01-22-2009; Ord. 844, passed 05-20-2010)

§ 161.022 PERMIT FEES; WAIVER.

(A) *Fee.* The application for a permit shall be accompanied by the required permit fee. The permit fee shall be per the city's approved fee schedule.

(B) *Waiver.* Temporary sign permit fees shall be waived for civic or religious organizations.

(Prior Code, § 1008.05) (Ord. 679, passed 05-29-2001; Ord. 769, passed 05-08-2006; Ord. 816, passed 01-22-2009; Ord. 847, passed 10-21-2010)

§ 161.023 ISSUANCE OF PERMIT; REVIEW PROCESS AND CONDITIONS.

(A) *Review process.* The City Administrator or his or her designee shall approve or deny the sign permit application in an expedited manner from the receipt of the completed application, including all plans, specifications and applicable fees. The city will notify all applicants in writing if the city denies the sign application. The notification shall include the reasons the city denied the proposed sign.

(B) *Variances.* In the event an application is made for a sign which does not conform to the requirements of this chapter, the city will deny the application or the applicant shall either modify the application or apply to the city for a variance according to the provisions established in §§ 160.450 through 160.452, 160.465 through 160.470 and 160.485 through 160.487 of this chapter. No permit for a non-conforming sign shall be issued without evidence of an approved variance.

(Prior Code, § 1008.06) (Ord. 679, passed 05-29-2001; Ord. 816, passed 01-22-2009; Ord. 844, passed 05-20-2010)

§ 161.024 SIGN INSTALLER'S LICENSE.

(A) *License required.* No person shall engage in the business of installing signs, nor shall be entitled to receive a permit to install a sign in connection with the business unless first licensed by the city to do so.

(B) *Application and fee.* A license may be granted by the Council upon written application to the City Administrator on such form as required by the City Administrator and accompanied by an annual license fee as established per the city's approved fee schedule.

(C) *Liability insurance.*

(1) Any person holding a license shall file with the City Administrator policies of public liability and property damage insurance which shall remain and be in force and effect during the entire term of the license and which shall contain a provision that they shall not be cancelled without ten days' written notice to the municipality.

(2) Public liability insurance should not be less than \$1,000,000 for injuries and property damage, including accidental death to any one person in an amount not less than \$500,000 on account of any one accident.

(D) *Expiration.* Licenses shall be issued on an annual basis, with the license year running from January 1 through the following December 31.

(E) *Revocation.* A license may be terminated and renewal thereof may be denied by the Council for violations of this chapter or other applicable ordinances.

(Prior Code, § 1008.07) (Ord. 679, passed 05-29-2001; Ord. 816, passed 01-22-2009; Ord. 844, passed 05-20-2010; Ord. 957, passed 05-28-2019)

CONDITIONS AND REGULATIONS

§ 161.035 MAINTENANCE OF PREMISES.

Premises on which ground signs are located shall be maintained free of weeds and debris, and where landscaping was part of the original sign permit, the landscaping shall be maintained in the manner provided in the permit.

(Prior Code, § 1008.01) (Ord. 679, passed 05-29-2001)

§ 161.036 SIGN MAINTENANCE, REPAIR, PERMITS AND INSPECTIONS.

(A) *General.* All owners and property managers shall keep signs in good condition and repair and free from peeling paint, rust, damaged or rotted support, framework or other materials, broken or missing faces or missing letters. When any sign becomes insecure, in danger of falling, or is otherwise deemed unsafe or a nuisance by a city inspector, or if any sign shall have been unlawfully installed, erected or maintained in violation of any of the provisions of this chapter, the owner or firm using the sign shall, upon written notice by the city inspector, make the sign conform to the provisions of this chapter or shall remove the sign within ten days. If the sign owner, user or responsible party has not corrected the violation within ten days, the city inspector may remove or cause the sign to be removed at the expense of the owner or user of the sign.

(B) *Obsolete sign copy.* The owner or user of any property or sign that has any sign copy that no longer advertises or identifies a use conducted on the property on which the sign is located must cover or remove the sign copy within 30 days after written notification from the city inspector. The city considers such a sign to be a nuisance sign.

(C) *Paint.* The owner or user of any structure from which he or she has moved or removed a sign shall repair and/or paint the structure with colors and materials to match the existing background.

(D) *Sign permit not required.* Activities considered to be normal maintenance and repair shall not require a sign or building permit from the city. The activities shall include replacing or repairing lamps, ballasts, transformers, trim, sign fasteners, nuts or washers; painting the pole or supports of free-standing signs; and painting the cabinet of the free-standing signs or building signs.

(E) *Sign permit required.* For any sign that initially required a permit, the city requires a permit for all of the following additional activities (the city does not consider such activities as normal maintenance):

(1) Refacing a sign, except for the text on a manual changeable message sign;

(2) Removing the sign for the repair of the cabinet or any part thereof;

(3) Changes made to a sign's size, illumination or electrical service, including, but not limited to, height, width, weight, area, adding or removing illumination; and

(4) Changes to poles, structural supports, bases or shrouds, footings or anchor bolts, moving the sign to a new location, or replacement of the interior or exterior cabinet frame, except the sign face.

(F) *Building permit.* The city also will require a building permit for signs or sign repair that involves the construction of, or changes to, a sign, a sign structure, billboards and/or electrical connections. All signs using electricity shall be subject to the state's current Electrical Code. The contractor shall bury or conceal all electrical wiring for the signs.

(G) *Inspection authority.* All signs are subject to inspection by the Building Official or his or her designee, who the city

authorizes to enter any property or premises to determine if the provisions of this chapter are being met. The inspector or city staff person shall make such an entrance or inspection during regular business hours, unless there is an emergency.

(H) *Signs in disrepair.* The Building Official or his or her designee may order the removal of any sign that the owner or the responsible party is not maintaining according to the provisions of this chapter. Upon failure to meet the requirements of a correction notice in the specified time in such an order, the City Council may declare the sign to be a public nuisance, may have it removed and impounded and assess the cost of the removal to the sign owner or to the property owner.

(I) *Impoundment of signs on public property or within public right-of-way.* The City Administrator or his or her designee may, at any time and without notice, remove and impound signs that have been installed on public property, within a public right-of-way, or within a public easement that are in violation of this chapter. The sign owner or his or her agent may retrieve an impounded sign subject to the following rules:

(1) Any impounded sign may be retrieved from the impound area within five business days of the impoundment or the City Administrator or his or her designee may dispose of it. The impound area can be located by contacting City Hall. Any cost incurred by the city for disposal of an impounded sign may be assessed to the sign owner or the sign owner's agent.

(2) The city shall have no obligation to notify a property owner or sign owner or his or her agent that it has impounded a sign.

(3) The city shall not be held liable for any damage to an impounded sign.

(Prior Code, § 1008.081) (Ord. 679, passed 05-29-2001; Ord. 816, passed 01-22-2009; Ord. 847, passed 10-21-2010)

§ 161.037 GENERAL LOCATION, DESIGN AND CONSTRUCTION STANDARDS.

(A) *General standards.* Every sign shall conform to the standards of this chapter whether or not a permit is required, and nothing contained herein shall be construed as modifying or repealing any of the provisions of this code relating to zoning. No sign shall be so located as to obscure or tend to obscure any existing sign. The following additional requirements are to be followed and met.

(1) Each sign shall be securely built, constructed and erected on the building or ground. Temporary signs shall be so designed that they are not readily overturned.

(2) No sign structure shall be attached or placed upon any building in such a manner as to obstruct any fire escape or any window or door nor shall any sign structure be attached to a fire escape.

(3) The illumination of any sign located near a residential district shall be defused or indirect and located so as not to direct light on residences.

(4) No swinging sign shall hereafter be erected or hung on or attached to any building within the city, and every such sign so erected, hung or attached prior to the effective date hereof which is deemed unsafe by the Building Inspector shall be immediately removed by the owner thereof or changed to conform with the requirements of this chapter when so ordered by the Building Inspector.

(5) Where portions of a sign are subject to a different classification, each portion shall meet the requirements of its classification.

(6) All illuminated signs shall have a shielded light source. The city does not permit signs that have light sources directly visible to pedestrians or to the operators of motor vehicles.

(7) No sign shall display matter that has been deemed obscene by a court of competent jurisdiction.

(8) No sign shall have moving sections or intermittent, blinking or flashing lights, except for government signs and signs with dynamic displays as allowed in § 161.038 of this chapter.

(9) Each sign shall be used and maintained only in the manner permitted and subject to the conditions imposed at the time the permit therefor was granted.

(10) Clearance of signs from conductors: the minimum clearance of any sign from unprotected electrical conductors (whether poles or other installations) shall not be less than 36 inches for conductors carrying not over 600 volts and 48 inches for conductors carrying more than 600 volts.

(11) Signs along freeways: except as otherwise provided in this chapter and subject to state and federal laws, signs located on property adjacent to any freeway within the municipality (including Interstate Highway 35W and U.S. Highway 10) shall be business signs advertising businesses being conducted on the premises on which the signs are located. No changeable copy signs shall be located to face any freeway or be visible from the freeway. The provisions of this division (A) (11) and chapter, however, shall not be construed to render illegal or non-conforming any signs that are legally located along any such freeway at the effective date herein.

(B) *Signs allowed by district.* The following table represents the allowable signage and area requirements (in square feet) by zoning district:

Sign Type	R-1	R-2	R-3	R-4	R-5	B-1	B-2	B-3	B-4	Li	CRP	PUD
Billboards	No	No	No	No	No	No	No	No	No	No	No	No
Construction***	8	8	8	8	8	32	32	32	32	32	32	32

Directional***	No	No	4	4	4	4	4	8	8	8	8	8
Drive-thru menu board***	No	No	No	No	No	No	No	(2) 36' primary + 15' secondary	(2) 36' primary + 15' secondary	No	No	0
Ground***	No	No	32	32	32	100	200	200	200	200	100	*
Home occupation	1	1	No	No	1	No	No	No	No	No	No	No
Identification***	2	2	2	2	2	4	4	8	8	8	4	*
Incidental	1	1	1	1	1	1	1	1	1	1	1	1
Non-commercial***	6	6	6	9	9	9	9	9	9	9	9	9
Projection	No	No	No	No	No	100	8	24	24	24	No	*
Real estate***	10	10	32	32	10	32	32	32	32	64	32	32
Temporary	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Wall	No	No	64	64	64	100	100	100	100	100	100	*
Window	No	No	No	No	No	Yes	Yes	Yes	Yes	No	No	*

NOTES TO TABLE:

* Signage requirements within a PUD shall be as allowed by the PUD Narrative document. If no such document exists, signage shall be as permitted for a B-3 zoning district.

** Directional signs may be allowed within rights-of-way upon written approval of the city, the appropriate governmental agency having jurisdiction over the roadway (if not the City) and the owner of the property directly abutting the sign.

*** For free-standing signs, maximum sign area is measured per side, maximum of two sides.

(C) *Ground sign height, by district.* The following table represents the maximum height allowed for ground signs in each zoning district.

R-1	R-2	R-3	R-4	R-5	B-1	B-2	B-3	B-4	I-1	CRP	PUD
(1)	(1)	8	8	8	16	16(3)	16(3)	16	16(3)	16(3)	(2) (3)

NOTES TO TABLE:

(1) No ground sign, other than home occupation, real estate, incidental and temporary signs shall be allowed in these districts.

(2) Signage requirements within a PUD shall be as indicated by the PUD Narrative document. If no such document exists, signage shall be as allowed for a B-3 Zoning District.

(3) Maximum billboard sign height in some locations is 45 feet. Refer to § 161.038(F) of this chapter.

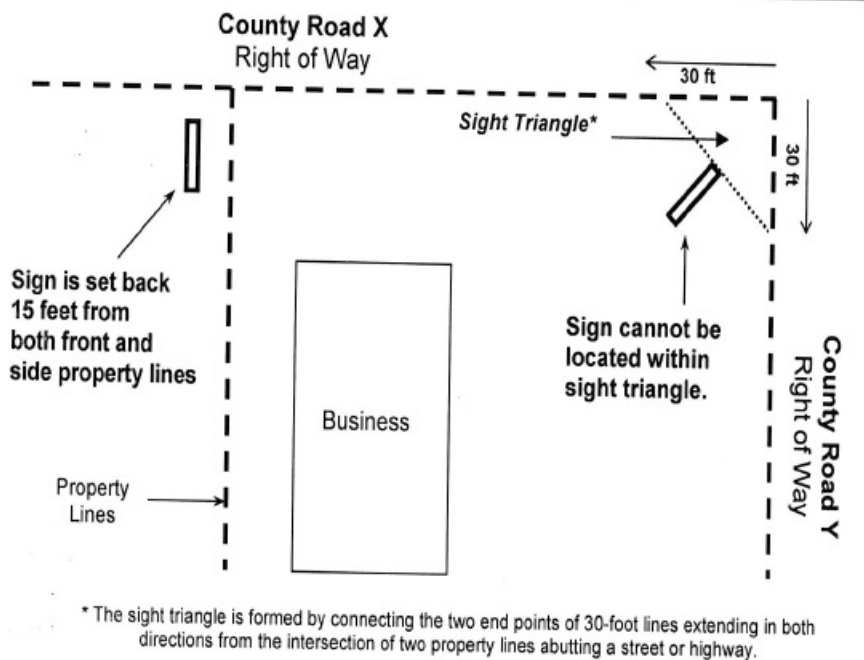
(Prior Code, § 1008.09) (Ord. 644, passed 12-13-1999; Ord. 679, passed 05-29-2001; Ord. 769, passed 05-08-2006; Ord. 816, passed 01-22-2009; Ord. 829, passed 09-03-2009; Ord. 847, passed 10-21-2010; Ord. 884, passed 12-09-2013; Ord. 988, passed 03-28-2022)

§ 161.038 SPECIFIC SIGN TYPE STANDARDS AND REQUIREMENTS.

(A) *Ground signs.* The following standards shall be maintained for all ground signs, excluding incidental, temporary, home occupation, identification and real estate signs.

(1) No part of a ground sign shall be nearer than three feet to any building unless the sign is placed parallel to the side of the building.

(2) No part of a ground sign shall be nearer than 15 feet to any perimeter lot line, nor located within a 30-foot sight triangle on any property abutting two intersecting street rights-of-way. However, ground signs on properties that front County Road 10 may have a five-foot setback from the lot line adjacent to County Road 10, and a ten-foot sight triangle. (Refer to the graphic below.)



(3) The owner, lessee or occupant of the land on which the ground sign is located and the owner of the sign shall keep the property on which the sign is located free of long grass, weeds or other rank growth, rubbish or debris.

(4) All parts of ground signs shall be designed for wind pressure of not less than 30 pounds per square foot, and ground signs of wood construction shall have all members which extend into the ground protected from decay by treatment with a preservative approved by the Building Inspector.

(5) No permit shall be granted for the location of any ground sign having a sign area of more than 40 square feet within 100 feet of any single-family residence.

(6) Notwithstanding the provisions of division (F) below, no more than one pole or pylon sign shall be allowed per lot. However, the ground sign area allowance may be divided between one pole or pylon sign and a monument sign or between multiple monument signs, subject to the requirements herein; provided that, one or more of the following conditions are applicable:

- (a) The lot abuts multiple street rights-of-way, in which case a sign may be located along each frontage;
 - (b) There are multiple curb cuts or driveways accessing the property, in which case a sign may be located near each access point or driveway; provided, the signs are separated by no less than 200 feet;
 - (c) The width of the lot, as measured along its longest street frontage, exceeds 250 feet, in which case multiple signs may be located along the long frontage; provided, the signs are separated by no less than 200 feet; and
 - (d) The property or properties are within an approved planned unit development (PUD).
- (7) Ground signs must include masonry construction materials such as stone, brick or stucco.

(B) *Wall signs.* The following standards shall be maintained for all wall signs.

- (1) No wall sign shall have a projection over a private sidewalk or an established building line of more than 12 inches.
- (2) The wall sign area allowances as indicated in §161.035(B) of this chapter for B-2, B-3, B-4 and I-1 Zoning Districts are per building occupant.
- (3) The wall sign area allowances as indicated in §161.035(B) of this chapter for the R-3, R-4, PF and CRP Zoning Districts are per building.
- (4) In the B-1 Zoning District, the area allowance, as indicated in §161.035(B) of this chapter, reflects the combined area for all wall, ground and projection signage on that lot.

(C) *Projection signs.* The following standards shall be maintained for all projection signs.

- (1) All portions of projection signs shall be designed for a wind pressure of not less than 30 pounds per square foot.
- (2) Such signs shall not project over public street right-of-way but may project over private sidewalks. No such sign shall be less than 12 feet above the level of the sidewalk; except that, the signs which do not exceed four square feet and which do not project more than two feet over the sidewalk may be eight feet or more above the sidewalk. No projection sign shall project more than eight feet over any private sidewalk.

(3) There shall be no more than two feet of space between the inner edge of any such sign and the face of the wall from which it projects, nor shall the outer edge of the sign be more than eight feet from the face of the wall.

(4) The building or structure from which any such sign projects and all attachments or fastenings must be so constructed as to safely resist the dead load and the wind load added by the attached sign.

(5) All such signs shall be of non-combustible materials or of not less than one-hour fire-resistive construction.

(6) Such signs shall be securely fixed in place and shall not be able to swing or sway.

(D) *Temporary signs.* All temporary signs shall comply with the provisions of this chapter. The following general and specific standards shall be observed for all types of temporary and portable signs.

(1) *General provisions.*

(a) Except as provided herein, no temporary sign shall be located on any property in the city without first obtaining a permit from the city. If the city determines to approve a permit for any such temporary sign it may impose conditions upon the granting thereof, and it shall be unlawful to locate or maintain any such sign for a longer period or in a different manner than that specified in the permit. No permit for a temporary sign shall be issued if prohibited by other provisions of this code.

(b) Temporary signs shall not be hung or installed to cover, either partially or completely, any door, window or opening required for ventilation.

(c) No temporary sign for which a permit is required shall be located on any property in the city for more than 21 days at one time or for more than four 21-day periods in any calendar year. A fifth temporary sign permit is allowed for a banner only. Permit periods may run consecutively without interruption if so approved. Except as provided in division (D)(7) of this chapter, only one temporary sign shall be allowed on a property at a time.

(d) The city prohibits temporary signs with blinking, flashing or fluttering lights or with dynamic displays.

(2) *Banners.*

(a) Banners shall be strongly constructed and shall be securely attached to their supports. They shall be repaired or removed (including all framework and supports) as soon as damaged or torn and immediately upon expiration of the permit.

(b) Banners shall not exceed 120 square feet or 20% of the surface area of the building face or front upon which the banner is attached, whichever is less.

(3) *Changeable copy signs.*

(a) Portable and temporary changeable copy signs shall not exceed 48 square feet on each side and the entirety of the sign copy shall be maintained within the 48 square foot area.

(b) No part of such sign shall extend into or encroach onto public right-of-way.

(c) The sign shall not obscure motorist or pedestrian vision and shall not block or otherwise interfere with a public or private sidewalk or trailway.

(d) The sign may be lighted provided the lighting is not a nuisance to motorists or to adjoining properties. Flashing lights, strobe lights or lights which could be confused for that of an emergency vehicle shall be prohibited.

(4) *Inflatable signs.*

(a) Inflatable signs and devices shall be securely tethered and attached to the ground.

(b) The city prohibits the installation or placement of inflatable signs and devices or balloons on building roofs.

(c) Balloons less than two feet in diameter are excluded from the permit provisions of this section.

(d) No Mylar or metallic balloons shall be permitted to be displayed or flown outside.

(5) *Grand openings and other events.* Subject to all other requirements of this chapter, a permit may be issued for a grand opening or other special event that would utilize a combination of temporary signs at any one principal location. No more than one special event permit shall be allowed per business in a calendar year.

(E) *Window signs.* In the interest of public safety, the city requires that commercial or retail businesses operating in the B-1, B-2, B-3 or B-4 Zoning Districts meet the following regulations and requirements governing signs placed upon window interiors.

(1) No business shall obscure more than 50% of any window section or pane.

(2) The window signage shall not obscure or block from view that area of a window or door between four feet and seven feet from the interior floor level, unless the area does not offer any visibility to interior public space.

(3) Window signs as allowed herein shall be exempt from any permit requirements.

(F) *Billboards.* A new or renewed interim use permit shall not be issued for any new or currently existing billboard within the city.

(1) *Interim use permit.* Any IUP issued for an interim use billboard shall automatically expire no later than 07-01-2037 or earlier if so indicated in the resolution approving the IUP.

(2) *Maximum sign area.* The maximum gross surface display area of the sign cannot exceed 700 square feet per side except that any rectangular billboard may contain temporary extensions, cutouts, or top lettering which occupy a total area not in excess of 25% of the area of the basic billboard and form an integral part of the design thereof. No such temporary extension, cut out or top lettering may project more than six feet from the top, 18 inches from either side or 15 inches from the bottom of the basic rectangular advertising message. The area of an extension, cutout or top lettering shall be deemed to be the area of the smallest rectangle into which the extension, cutout or top lettering will fit.

(3) *Orientation of sign faces.* Billboards may have no more than two sign faces. Sign faces must be back-to-back with sign faces parallel or angled. All billboards with their faces back-to-back and parallel shall have no greater distance than eight feet between the faces. All billboards with faces at an angle shall have no greater angle than 35 degrees.

(4) *Maximum sign height.* The maximum allowable height of billboards shall be 45 feet, except for billboards located on County Road 10 or on Interstate 35W between County Road H2 and County Road I, in which cases the height shall be limited to 35 feet. The height shall be measured from the grade at the base of the sign or from the surface of the roadway whichever is higher.

(5) *Obstruction.* No billboard may be located in such a manner as to obscure or otherwise interfere with the effectiveness of an official traffic sign, signal or device, or obstruct or interfere with a driver's view of approaching, merging or intersecting traffic.

(6) *Dynamic displays.* All billboards with dynamic displays shall meet all the requirements of §161.038 of this chapter.

(G) *Home occupation signs.* In the R-1, R-2 and R-5 Residential Zoning Districts, a sign not to exceed one square foot is allowed to be displayed; provided, the sign is attached to the house or garage of the property on which the home occupation takes place.

(H) *Dynamic display signs.*

(1) The city allows non-commercial dynamic display signs wherever the city allows commercial dynamic display signs. The signs are subject to the same standards and total maximum allowances per site or building of each sign type specified in this chapter.

(2) Standards for all dynamic display signs.

(a) The messages, content and images on all such displays shall not flash or blink.

(b) No person or contractor shall install a dynamic display sign that because of its position, shape, movement or color, interferes with the proper functioning of a traffic sign, signal or that constitutes a traffic hazard.

(c) All dynamic display signs shall have ambient light monitors and shall, at all times, allow the monitors to automatically adjust the brightness level of the sign based on light conditions.

(d) The manufacturers, owners and operators of dynamic display signs must design and equip such signs with a fully functional monitoring off switch system that automatically shuts the sign off or will freeze the device or sign in one position; if a malfunction occurs. The signs and displays also must be equipped with a means to shut off or discontinue the display if it malfunctions. The sign owner or operator must stop or shut off the dynamic display within one hour or as soon as reasonably possible of the city notification that the sign is not meeting the standards of this chapter.

(e) Any dynamic display sign capable of accessing and utilizing State Amber Alert technology shall display such messages as they are made available by the state's Department of Public Safety or other responsible agency.

(f) All dynamic display signs shall meet the following brightness standards.

1. No sign shall be brighter than is necessary for clear and adequate visibility and no sign shall exceed 500 Nits (candelas per square meter) at night and 7,500 Nits (candelas per square meter) during the day.

2. No sign shall be of such intensity or brilliance as to impair the vision of a motor vehicle driver with average eyesight, nor shall such a sign interfere with the driver's operation of a motor vehicle in any way or manner.

3. No sign may be of such intensity or brilliance that it interferes with the effectiveness of an official traffic sign, device or signal.

4. The person owning or controlling a sign with a dynamic display shall adjust the sign to meet the brightness standards according to the city's instructions. The sign owner or operator shall adjust the sign within one hour or as soon as reasonably possible upon notice of non-compliance from the city.

5. All dynamic display signs installed after 12-31-2008 shall be equipped and operated with an ambient light monitor or a mechanism that automatically adjusts the brightness level of the sign in response to light conditions. These signs also shall be equipped with a means to turn off immediately the display or lighting if the sign malfunctions, and the sign owner or operator must turn off the sign or lighting within one hour or as soon as reasonably possible after the city notifies the owner or operator that the sign is not meeting the standards of this chapter.

6. Subsequent to 11-01-2011, no dynamic display sign shall have the capacity to operate in excess of 7,500 Nits

(candelas per square meter). The lamp wattage and luminance level in Nits (candelas per square meter) shall be provided at the time of permit application. Dynamic display sign permit applications must also include a certification from the owner or operator of the sign stating that the sign shall at all times be operated in accordance with city codes.

7. In addition to the brightness standards required above, dynamic display signs shall meet the city's lighting requirements as listed in § 160.031 of this code of ordinances.

(3) In addition to all other standards of this chapter, the city allows on-site dynamic display signs subject to the following additional conditions.

(a) Such signs may be located only in the Limited Business (B-2), Highway Business (B-3), Regional Business (B-4), Commercial Planned Unit Developments (PUDs), or (I-1) Industrial zoning districts.

(b) Notwithstanding division (H)(3)(a) above, the signs may be located on the sites of schools, churches, places of worship or other institutional land uses, subject to the following additional conditions:

1. City Council approval of a conditional use permit (CUP) as outlined in §§160.088 and 160.452 of this chapter; and

2. The signs shall not cause glare, disturbance or other problems to any residential properties or land uses.

(c) The owner or operator of a dynamic display sign shall control and display the primary or background images and messages on the sign so they maintain each display for a minimum of eight seconds.

(d) Dynamic display signage shall not exceed 50 square feet of the sign area.

(e) The signs may only display and advertise information about products, events, persons, institutions, activities, businesses, services or subjects that are located on the premises or on the site or only to provide public service or community service information.

(f) Such signs must meet all other city location and setback requirements.

(4) The city allows off-site dynamic display signs subject to division (F) above, the above-mentioned standards for all dynamic display signs, and the following operational standards and additional conditions.

(a) The images and messages displayed on the billboard must be static and each display must be maintained for a minimum of eight seconds. The transition from one static display to another must be instantaneous and without any special effects or videos.

(b) Only billboard faces located adjacent to Interstate 35W and more than 1,000 feet from any residentially zoned property in the city may be retrofit to a dynamic display, and only subsequent to a building permit issued by the city. One hundred percent of the sign face may be used for dynamic display.

(c) If city staff determines that a dynamic display sign is not being operated pursuant to this chapter due to its location or display capabilities, city staff can require the sign owner or operator to modify the sign after the city notifies the property owner or operator about the operational issues.

(Prior Code, § 1008.10) (Ord. 644, passed 12-13-1999; Ord. 656, passed 03-27-2000; Ord. 679, passed 05-29-2001; Ord. 708, passed 12-30-2002; Ord. 769, passed 05-08-2006; Ord. 801, passed 01-07-2008; Ord. 816, passed 01-22-2009; Ord. 829, passed 09-03-2009; Ord. 884, passed 12-09-2013; Ord. 864, passed 11-03-2011; Ord. 872, passed 06-07-2012; Ord. 887, passed 06-09-2014; Ord. 919, passed 06-27-2016; Ord. 957, passed 05-28-2019; Ord. 988, passed 03-28-2022)

§ 161.039 MISCELLANEOUS SIGNAGE REQUIREMENTS AND PROVISIONS.

(A) *Signage allowances for specific land uses.* Public or semi-public recreational buildings and neighborhood and community centers; public and private education institutions limited to elementary, middle and senior high schools; religious institutions; nursing homes, senior assisted living facilities and commercial day care facilities; may be allowed the following signage:

(1) Wall signage not to exceed 100 square feet per principal building; and

(2) Ground signage not to exceed 100 square feet, subject to §161.038(A)(5) of this chapter.

(B) *Traffic-control related sign regulations.* Compliance with the following regulations relative to traffic control is required.

(1) No animated or moving sign shall be located or maintained within 50 feet of an intersection at which traffic semaphores are located.

(2) No sign shall be designed, located or maintained to obscure or conceal or cause confusion as to any traffic-control sign or device.

(3) No sign shall be located or maintained on or over any public street or highway right-of-way unless specifically permitted herein.

(4) There shall be no use of revolving beacons, zip flashers, flashing signs or similar devices that would distract automobile or motor vehicle traffic to constitute a safety hazard.

(5) The sign shall be located or maintained so as not to interfere with the ability of drivers or pedestrians to see any crossroad or crosswalk.

(C) *Area identification signs.* The City Council at its discretion may allow for the placement of an area identification sign to define a neighborhood, community, development, subdivision or multi-family complex and may require that:

(1) The applicant is a duly noted representative of the appropriate group or organization;

(2) The land upon which the sign is located has been dedicated for such a use by easement, plat or other legal and recordable instrument unless such sign would otherwise be permitted herein; and

(3) A maintenance agreement be recorded which among other things would provide for the long term responsibility, care and maintenance of such sign.

(D) *Off-site directional signs.* Off-site directional signs may be permitted within a public right-of-way subject to approval of the city, written approval of the appropriate governmental agency having jurisdiction over the roadway (if not the city) and the written approval of the owner of the property to which the sign may be adjacent, if applicable.

(Prior Code, § 1008.11) (Ord. 679, passed 05-29-2001; Ord. 816, passed 01-22-2009; Ord. 900, passed 05-26-2015)

§ 161.040 PROHIBITED SIGNS.

The following signs and sign types are prohibited in the city:

(A) Flashing signs;

(B) Signs, or lights attached to signs, which mimic or have an appearance similar to those on an emergency vehicle or a traffic-control light;

(C) Roof signs, unless integrally incorporated into the roof design, then the sign shall be considered a wall sign;

(D) Temporary or permanent signs posted within public rights-of-way, excluding directional signs and signs expressly allowed herein and by other governmental agencies;

(E) Vehicles used as signs: vehicles or trailers that display advertising and are parked in such a way as to attract public attention shall be prohibited, except for signs on vehicles or trailers which are magnetic, decals or permanently painted upon the surface of the vehicle without obscuring any vehicle window area. The sign shall not alter the profile or silhouette of the vehicle;

(F) Nuisance signs: any sign considered a nuisance as defined herein shall be prohibited. The property owner of the land upon which the sign is located or the owner of the sign shall act to remove the sign or bring the sign into compliance upon notification of the City Inspector;

(G) Signs that have blinking, flashing or fluttering lights;

(H) Billboards, except as otherwise provided in this chapter or Code; and

(I) Beacons and searchlights.

(Prior Code, § 1008.12) (Ord. 679, passed 05-29-2001; Ord. 769, passed 05-08-2006; Ord. 801, passed 01-07-2008; Ord. 816, passed 01-22-2009; Ord. 847, passed 10-21-2010)

§ 161.041 NON-CONFORMING SIGNS.

(A) It is the intent of the city with this chapter that non-conforming signs shall not be enlarged or expanded, nor should a person use this chapter as grounds for adding other signs or uses prohibited elsewhere in the same district. It is further the intent of the city with this chapter to permit legal non-conforming signs to remain if the signs are safe, maintained in good condition and if the signs have not been abandoned, moved or removed. Any sign, including a billboard, legally existing at the time of the passage of this chapter that does not conform to the provisions of this chapter shall be considered a legal non-conforming sign and may be continued including through repair, replacement of graphic panels, restoration, maintenance or improvement, but not including the moving, enlargement or expansion of the sign. **EXPANSION** shall be defined as any structural alteration, change or addition that is made outside of the original sign structure or design.

(B) Nothing in this chapter shall prevent the return or repair of a sign structure that has been declared unsafe by the Building Official to a safe condition.

(C) When any lawful non-conforming sign is discontinued for more than one year, or is changed to a conforming sign, any future sign or sign structure shall meet the provisions of this chapter.

(D) Any legal, non-conforming sign shall be removed and shall not be repaired, replaced, restored or rebuilt if it is damaged by fire or other similar peril to the extent of greater than 50% of its market value at the time of destruction and no sign permit or building permit (if applicable) has been applied for within 180 days of the date of destruction. The city's Building Official shall be responsible for making the determination whether a non-conforming sign has been destroyed greater than 50% of its market value at the time of destruction. In making this determination, the Building Official shall consider the market value of the entire sign at the time prior to the destruction and the replacement value of the existing sign. In the event a building permit is applied for within 180 days of the date of the damage or destruction and the sign did

not withstand damage greater than 50% of its market value at the time of destruction, the city may impose reasonable conditions upon the building permit in order to mitigate any newly created impact on adjacent properties.

(E) A lawful non-conforming sign shall not be changed to a similar non-conforming sign or to a more restrictive non-conforming sign.

(F) Sign regulation conformance. Should a sign owner, operator or contractor permanently move a non-conforming sign or a non-conforming sign structure for any reason for any distance, it shall thereafter conform to the regulations of this chapter and with the zoning district standards that it is in after the owner or contractor moves it.

(Prior Code, § 1008.13) (Ord. 679, passed 05-29-2001; Ord. 769, passed 05-08-2006; Ord. 816, passed 01-22-2009; Ord. 884, passed 12-09-2013)

§ 161.999 PENALTY.

Any person found violating any of the provisions of this chapter shall be guilty of a misdemeanor.

(Prior Code, § 1008.15) (Ord. 679, passed 05-29-2001)

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City of Mounds View Staff Report

To: Honorable Mayor and City Council
From: Jon Sevald, Community Development Director
Item Title/Subject: Critical Corridors Grant

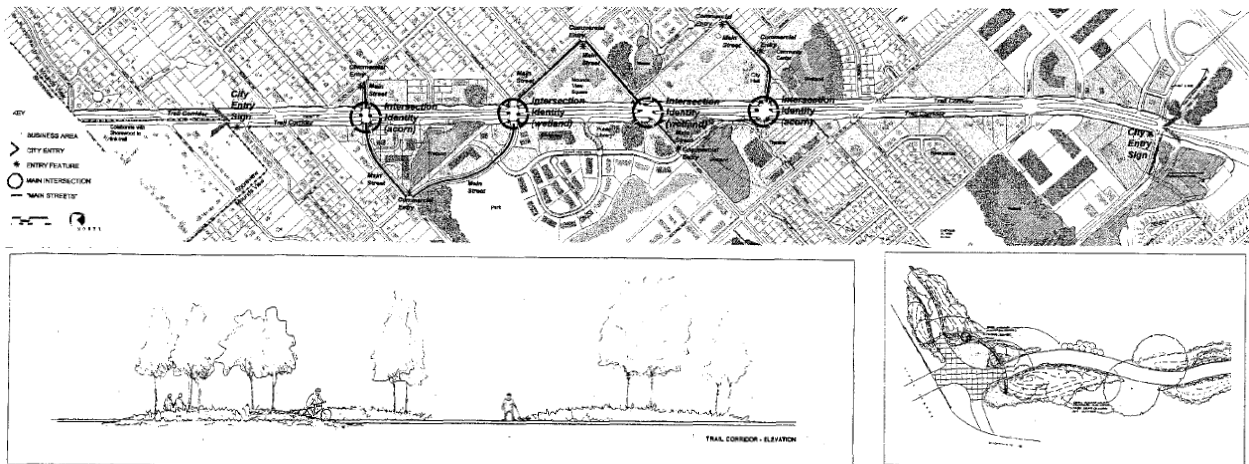
Introduction:

The Ramsey County HRA is administering a Critical Corridors grant program for suburbs. The program has \$100,000 available, and may award grants up to \$50,000 for eligible projects. Applications are due Tuesday, April 4th. Awards will be announced in May. Projects must be completed by July 1, 2024. If the City Council provides consensus, Staff will submit two applications:

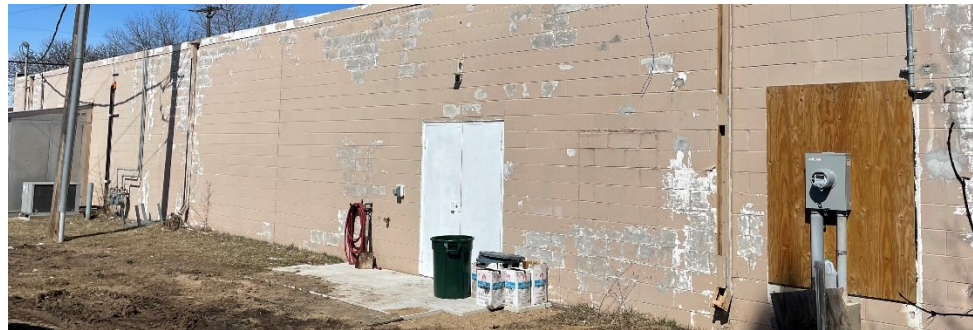
1. \$21,900 Update of *A Design Theme for Highway 10* (1998).
2. \$50,000 Building façade improvements to Filipino Village, and Kusina, 2408 Co Rd I.

Discussion:

A Design Theme for Highway 10 was completed in 1998, and established a “woods & wetlands” theme focused on five major intersections, and several minor intersections off of the corridor. Since that time, the City has made improvements, but not to the extent identified in the 1998 plan. If the grant is awarded, the City will contract with HKGI (landscape architects and planners) to update the plan, including construction cost estimates for which the City can budget to implement.



Filipino Village, and Kusina are located at the SE corner of Co Rd I and Edgewood Drive. This building is 50-years old, and in need of major repairs. The two businesses have created a cultural synergy that is what was intended in the City's Strategic Plan. If the grant is awarded, the City will reimburse the business owners' replacement of doors, windows, paint, and signage/overhang.



Strategic Plan Strategy/Goal:

- Maintain good infrastructure in such a way that is walkable & attractive, safe and affordable.
 - Maintain and plan for infrastructure improvements including streets, parks, waste water, water, WiFi (internet), and transportation.
 - ID, expand, and maintain City's strengths to include splash pad, parks, trails/sidewalks, park programs, Community Center, & **beautification of Mounds View Boulevard**. Consider other areas of the city to connect and add additional trails, walkways, amenities, features and improved appearances.
 - ID all County owned roads and cooperate with the County to **find ways to improve the aesthetics and amenities for pedestrians** and transit options.
 - ID attractions that are destinations in order to **eliminate Mounds View as just drive through suburb, make it appealing** and easy for those who grew up in MV to be able to move back, ex: (obstacle course, autistic park features, other water features, explore possibility of converting existing ponds to fishing ponds and piers, a museum/veterans memorial tribute, other sports or expanded sports facilities, etc.).
- **Create and maintain a positive business climate** where businesses want to locate and remain in Mounds View.
 - Continue BR&E program, maximize utilization of development space and updated list of available sites, & consider residential redevelopment.
 - **Thriving small business neighborhood appeal: Support through Forgivable Loan program**, setting aside land for service oriented business like convenience stores or similar in residential neighborhood areas.
 - Strategize how to **attract new higher-end restaurants and how to keep them here**.
- Housing & Code enforcement & Mounds View Boulevard.
 - Address Absentee Landlords, Attract Affordable Housing Opportunities, Aggressive Code Enforcement, **Encourage land owners to maintain their properties**.
 - **Beautification of Mounds View Blvd: Cooperate with Ramsey County in**

implementing new features and improved beautification, aesthetics and landscaping including but not limited to different plant species in median that looks professional, clean, and neat. Conduct and budget for improvements in phases and use Hwy 96 as an example.

Financial Impact:

Staff time.

Recommendation:

Staff request that the City Council provide a consensus to pursue these two grant applications.

Respectfully,

A handwritten signature in black ink, appearing to read "Jon Sevald", is written over a rectangular box.

Jon Sevald, AICP
Community Development Director

ATTACHED

Ramsey County Critical Corridors Initiative 2023 Program Guidelines
A Design Theme for Highway 10

Critical Corridors

Commercial Corridor Initiative

2023 Program Guidelines

Purpose

Ramsey County's Commercial Corridor Initiative program, funded through the Housing Redevelopment Authority levy, strengthens suburban small business districts by investing in pathways to entrepreneurship for racially and ethnically diverse communities and supporting thriving main streets.

Eligible Applicants

Suburban Ramsey County entities including cities, associated development authorities, business coalitions, and chambers of commerce.

Eligible Activities

- Business recruitment activities.
- Establishment of small-business incubators.
- District-wide planning and design.
- District-wide marketing, branding, and promotion initiatives.
- Design and implementation of wayfinding, signage, street furniture or other public realm enhancements.
- Building facade improvements.
- Technical assistance related to business activities, including:
 - o Special service district or business-association establishment.
 - o Financial, legal, or tax-related services.
 - o Merchandising, marketing and social media assistance.

Ineligible Activities

- Parking lot improvements.
- Activities for sites without public frontage.
- Activities that benefit a single business.
- Administration, overhead, and business operations support.
- Events.



Funding

- Total funding available: approximately \$100,000 (subject to change).
- Maximum anticipated award: \$50,000 per project.
- Activities funded by this program must be completed by July 1, 2024.
- Funds are available on a reimbursement basis.
- Activities completed prior to award are not eligible for reimbursement.
- Match is not required but may be considered during evaluation.

Strategic and Selection Priorities

- Alignment with Ramsey County Economic Competitiveness & Inclusion Plan.
- Improvement of conditions for job creation and entrepreneurship.
- Improvement of coordination among businesses.
- Placemaking and improved pedestrian and bicycle access.
- Demonstrated need for financial assistance.
- Project readiness and organizational capacity.
- Support from businesses and property owners.
- Alignment with city priorities and plans.

Application Details

Program webpage: ramseycounty.us/CriticalCorridors.

Pre-application: A pre-application meeting with staff is optional, but highly recommended, to ensure project eligibility and program fit. Please email ella.mitchell@ramseycounty.us to schedule a call prior to March 7, 2023.

Webinar: A Zoom webinar is scheduled for March 1, 2023 at 10 a.m. Applicants are encouraged to attend to learn more about funding availability and program application requirements. The webinar link and recording is available on the program webpage.

Frequently Asked Questions: Questions may be submitted anonymously through a webform on the program webpage until March 17, 2023. Responses will be posted the week of March 20, 2023.

Applications will be accepted via ZoomGrants. Application attachments include:

- Application form.
- Map of proposed project area.
- Letters of support from city and affected business owners.

A full list of required application materials will be available on ZoomGrants.

Application opens: Tuesday, March 7, 2023.

Application closes: Tuesday, April 4, 2023.

Award decisions: May 2023.

Application Evaluation

When determining funding awards, reviewers will prioritize proposals that further County goals and align with local plans and priorities. Applications will be reviewed by a committee consisting of Ramsey County staff and other outside reviewers as deemed necessary. Ramsey County seeks to address racial and ethnic-based disparities so that all residents can experience fair outcomes including the highest level of health, wellbeing, and opportunities for advancement and growth. Please review the Ramsey County Economic Competitiveness & Inclusion Plan, the Equitable Development Framework, and the Ramsey County Strategic Plan for the County's goals and priorities.

Contracting and Reporting

Ramsey County will contract directly with grantees for the portion of work covered by the program award. All grantees are required to submit a final report summarizing the project process, outcomes and impacts of completed work. Award of funds through this program does not guarantee future funding.

Staff Contacts

Ella Mitchell

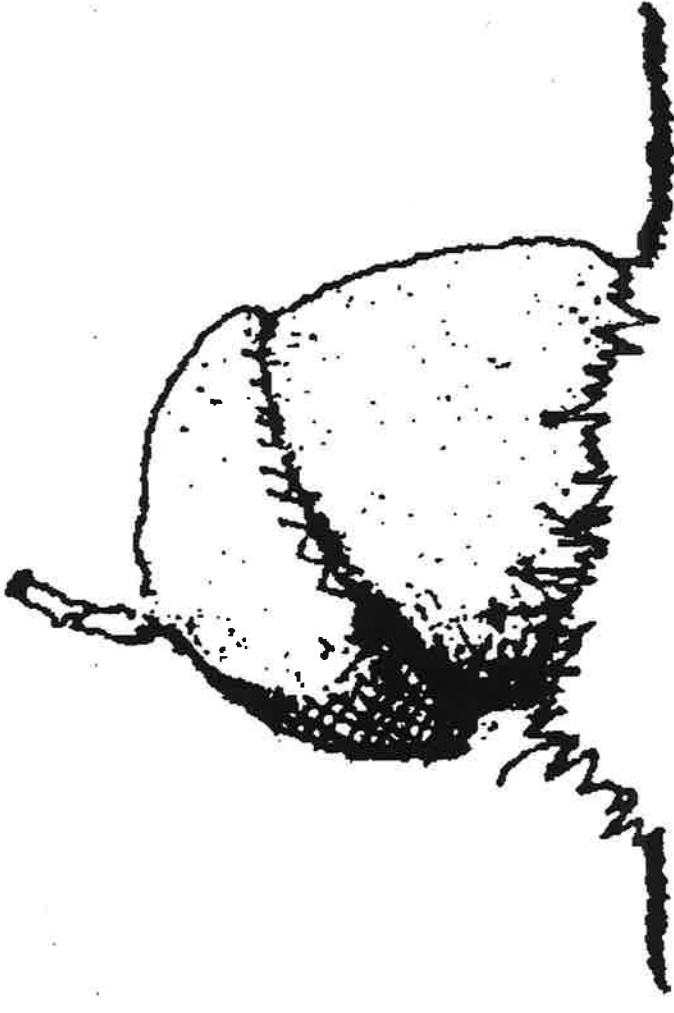
Economic Development Specialist
ella.mitchell@ramseycounty.us
651-413-4975

Martha Faust

Redevelopment Manager
martha.faust@ramseycounty.us
651-358-4341

A Design Theme for Highway 10

Mounds View, Minnesota



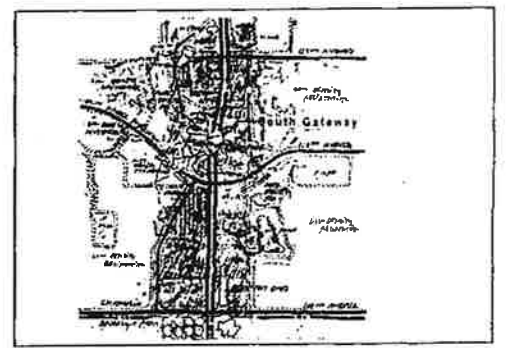
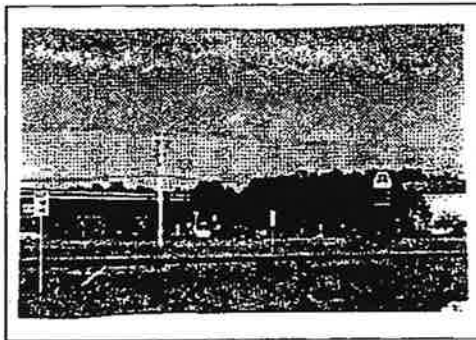
28 December 1998

prepared by:
Hoisington Koegler Group Inc.



Consistency and coherency...

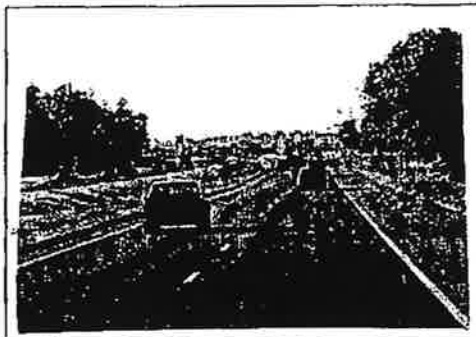
Development along the Highway 10 corridor will always be somewhat varied. Mounds View's design theme needs to be strong enough to yield consistency along its length and build coherency to the patterns set upon the land.



Gateway Corridor
Champlin, Minnesota

A barrier or a "seam"...

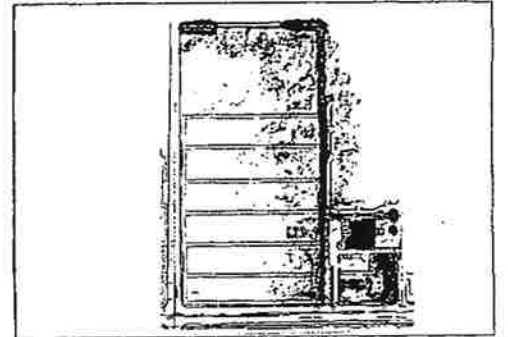
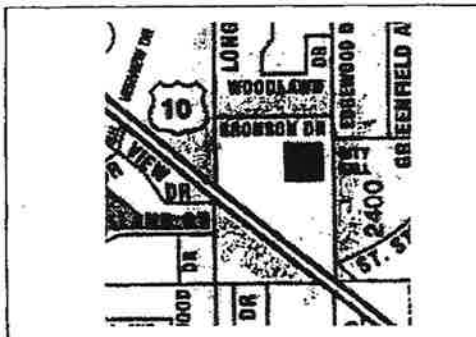
Highway 10 presents an obstacle to uniting Mounds View and might even be a barrier to the idea of community. It should be a "seam" -- binding the community together with threads that are integral to the fabric of the Mounds View.



Old Highway 8 Corridor Study
New Brighton, Minnesota

Civic elements...

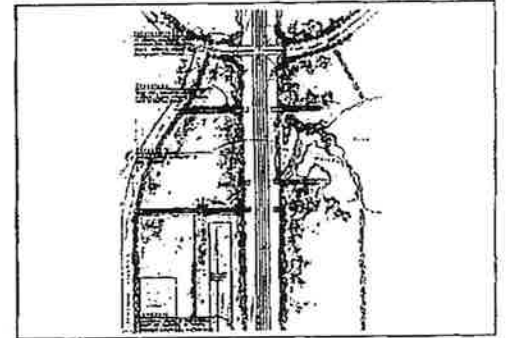
Civic elements should be prominent, visible features of the community. They should be recognized as highlights and made integral to the Highway corridor and its design theme.



Larpenteur Avenue
Falcon Heights, Minnesota

The larger landscape...

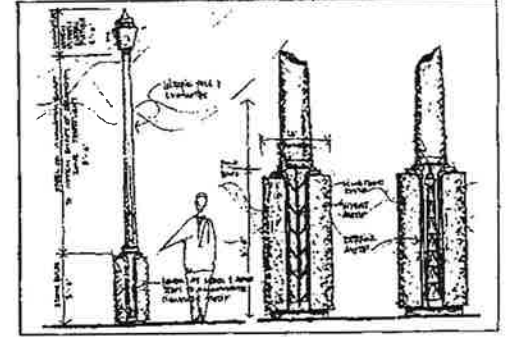
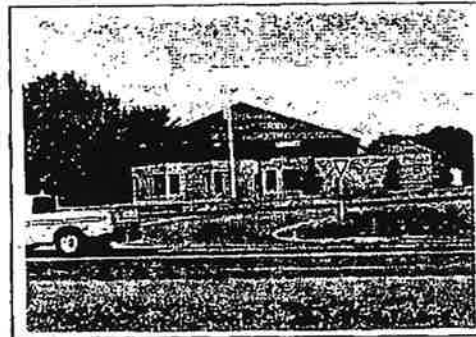
The Highway 10 corridor must bear a strong relationship to its context if it is to become a part of the Mounds View community. It must draw from its surroundings, becoming both a highlight and a part of the local larger landscape.



Gateway Corridor
Champlin, Minnesota

A story...

The design theme for Highway 10 offers an opportunity to introduce the Mounds View community, its local color, its history and its future. It should tell a story about this place and its people.



Downtown Streetscape Concept Plan
Russell, Kansas

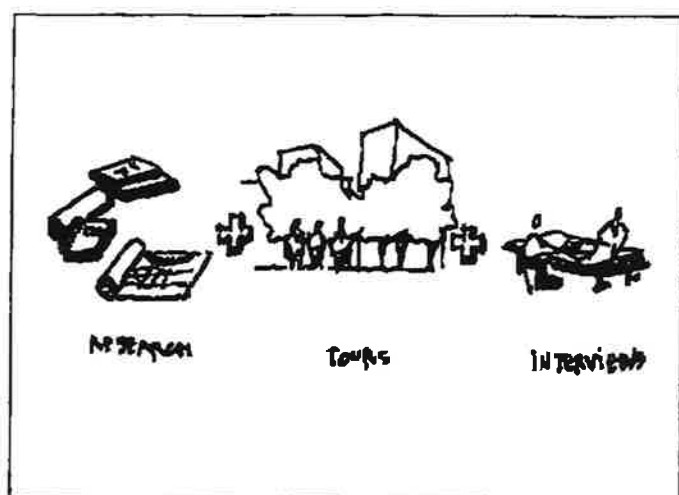
C O N S I D E R A T I O N S



Highway 10 Corridor Design Theme
City of Mounds View, Minnesota

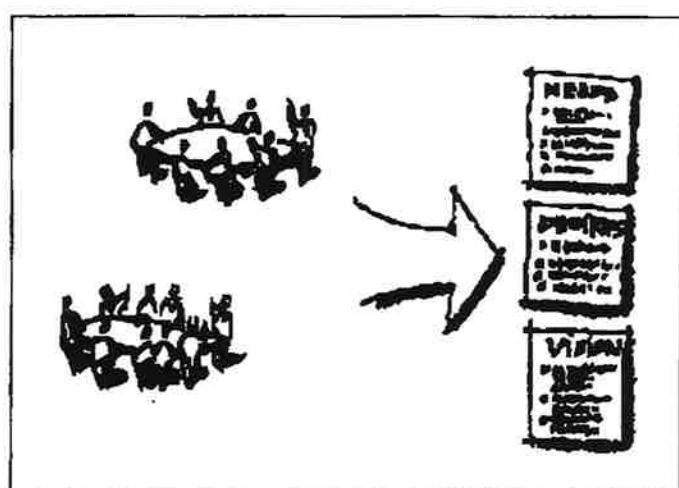


Hoisington Koepler Group Inc.



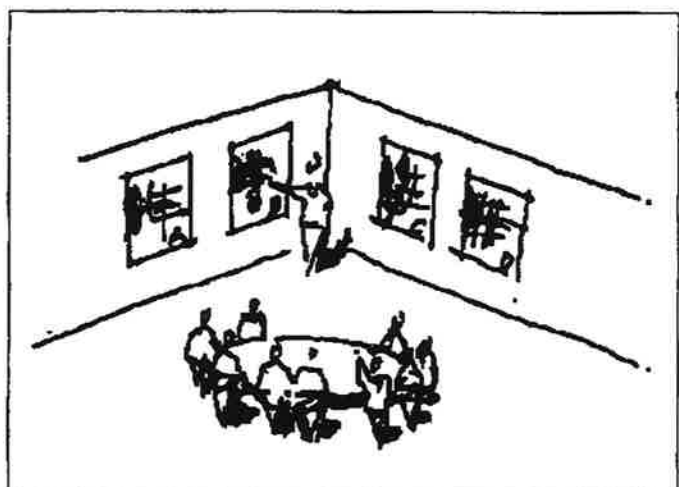
Identify what exists...

- Review existing plans, studies, reports and other background information to understand what has been learned previously.
- **Tour** with local "experts" to gain anecdotal and physical information about the Highway 10 corridor.
- Meet with City staff to learn status of corridor -- planned or potential projects and factors that might influence the design theme.
- **Interview** key focus group members about community history and local influences.
- Assemble acquired information in graphics, with specific focus provided on identifications of land available for enhancements.



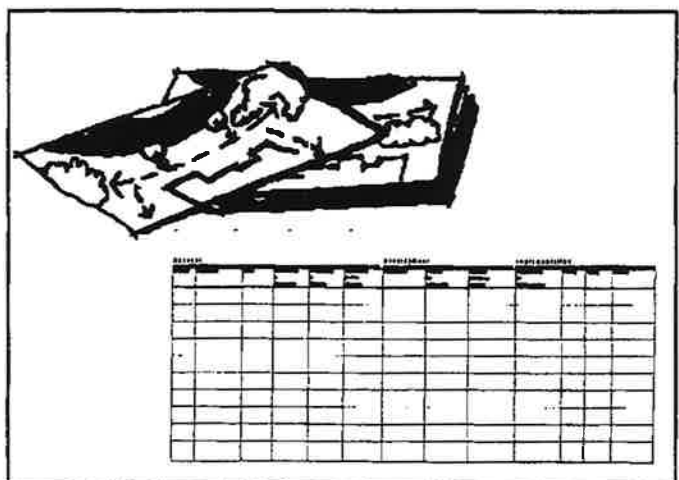
Understand what is desired...

- Determine composition of "focus group" (consider representation from City Council, Planning Commission, other City boards, community groups, business/land owners and residents).
- Conduct Highway 10 Corridor **Workshop One** with the focus group, providing the "local knowledge" of corridor issues and community desires and values; and providing interested parties with the opportunity to contribute to the creation of enhancements for the Highway 10 corridor.
- Summarize results of Workshop One.



Explore what is possible...

- Generate a range of alternative concepts for the Highway 10 corridor, exploring elements that feature various significant community features (landscape, heritage, progressive attitude...).
- Review alternative concepts with the focus group at **Workshop Two**, where the purpose is to determine which ideas best reflect the spirit and character of the community; which ideas are most "supportable;" which are the most unique or appropriate; or other criteria which the community may deem important.
- Refine the preferred alternative, or a combination of any of the alternatives, into a final Design Concept for the Highway 10 Corridor.



Define the next steps...

- Define the responsibilities and procedures for implementing the design concepts developed through this effort.
- Determine the level of design or review required for each element.
- Set priorities, establish timetable, and research funding.
- Use the steps outlined above to maintain consistency and commitment to Highway 10 Corridor enhancements, and adherence to the vision created by the focus group through this process.
- Prepare summary report to demonstrate the process, direction and next steps.
- Present final Highway 10 Design Concept at a **Community Presentation**.

PROCESS



A philosophy for a "design theme"...

- This project is about creating an environment that builds identity for the Mounds View community. This is difficult due to the conditions that exist in the Highway 10 corridor -- especially because you cannot tell when you actually pass that point at which the Mounds View "region" is entered -- the "gateway."

gate•way (gāt' wā'), n. 1. a passage or entrance that may be closed by a gate. 2. a structure for enclosing such an opening or entrance. 3. any passage by or point at which a region might be entered.

Webster's Unabridged New World Dictionary

- To make it Mounds View's corridor, it must say something about this place; it cannot simply be an idea transferred from another place. Because of this, some concepts might result in the creation of a design theme for the corridor that will not be obvious for years.
- The project offers an opportunity to begin a project today that will benefit the community forever. This becomes a great reason to involve residents. But they should also participate because of the knowledge of the community they hold. The people of Mounds View must be a part of defining a 'design theme' that is meaningful to them.

An approach to creating a "design theme" for Highway 10...

Framework design... appropriate design character

- draw from the natural, historical and cultural patterns and context to give meaning to a design
- a design that "fits" Mounds View

Strategic planning... buildable solutions

- a range of implementation strategies based on the intrinsic strengths of the project and the community
- finding a way to make the right things happen

Inclusive participation... shared "buy-in"

- bring together diverse interests in an open, inviting, productive format
- structured meetings, where everyone participates, and participants lend their "local knowledge" to the process
- people of Mounds View are the beneficiaries of this project; they are, in part, responsible for making it happen

P H I L O S O P H Y



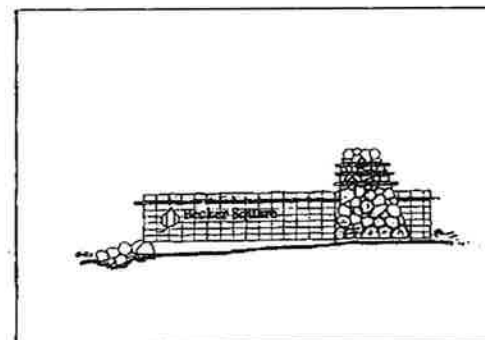
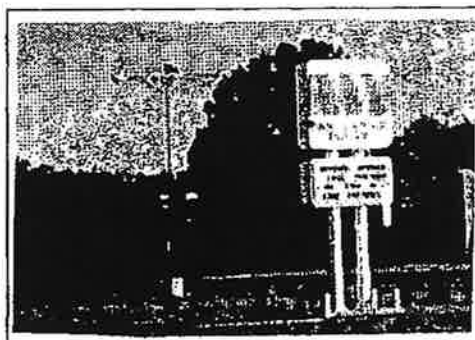
Highway 10 Corridor Design Theme
City of Mounds View, Minnesota



Hoisington Koegler Group Inc.

Working with "givens"...

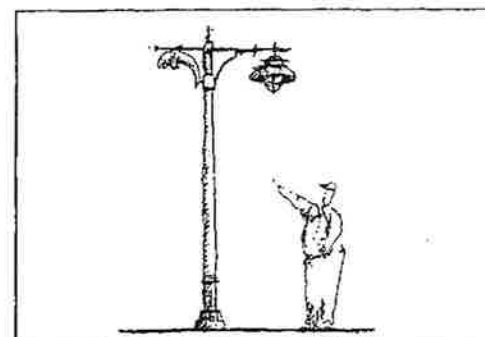
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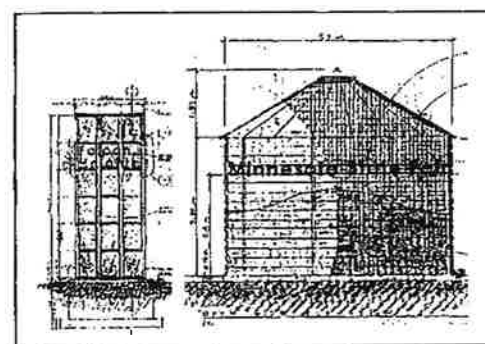
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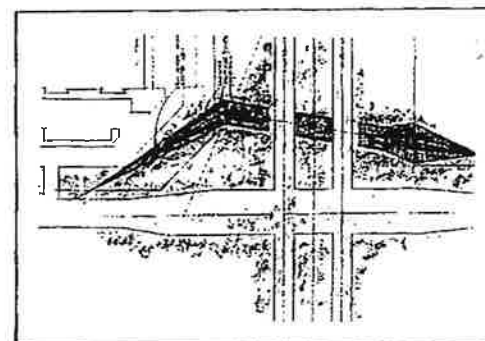
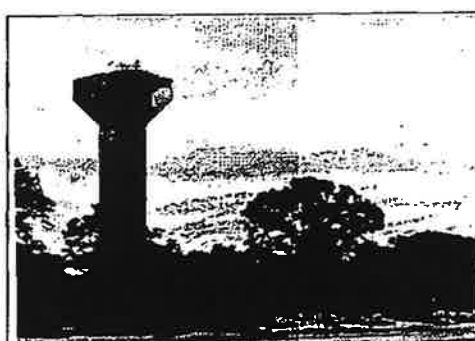
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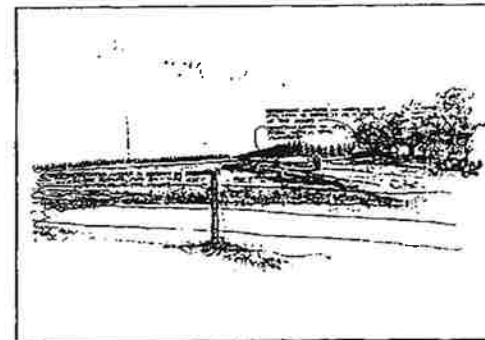
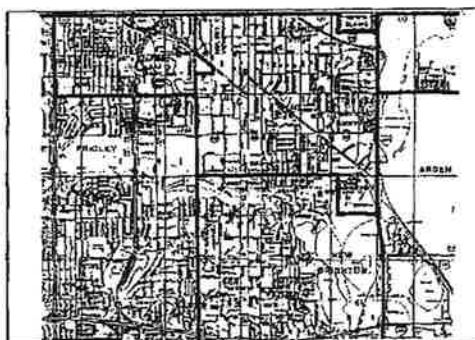
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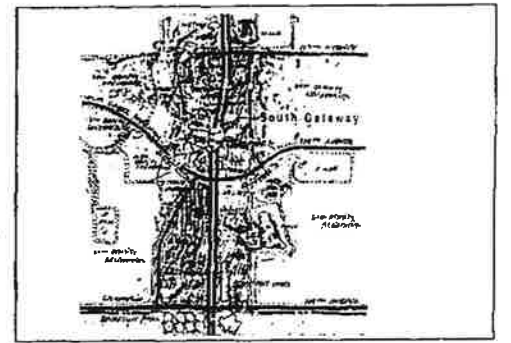
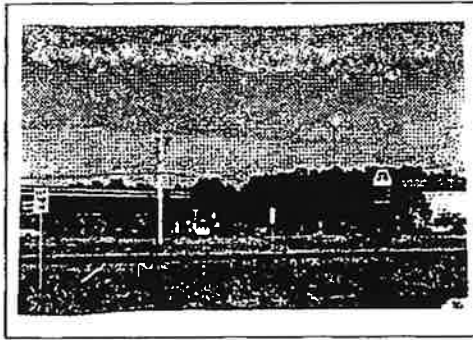
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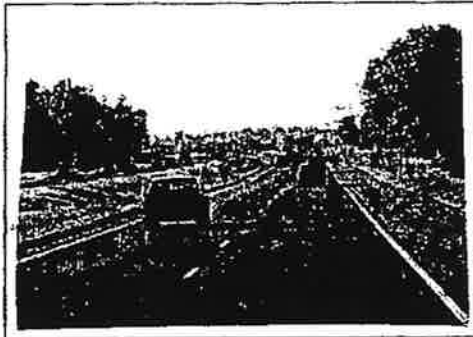
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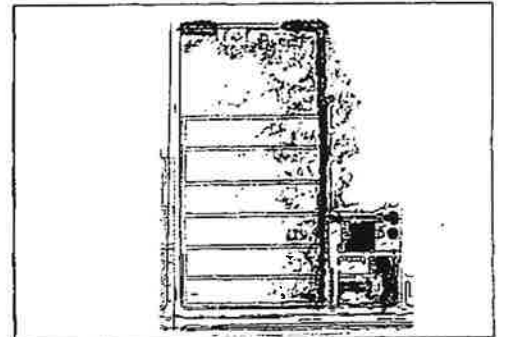
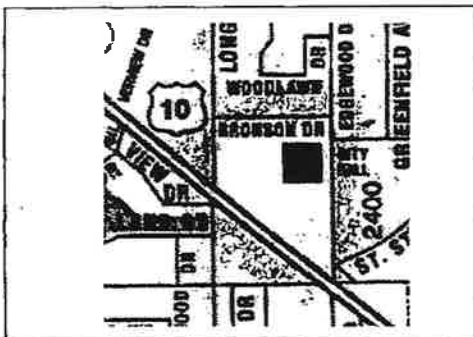
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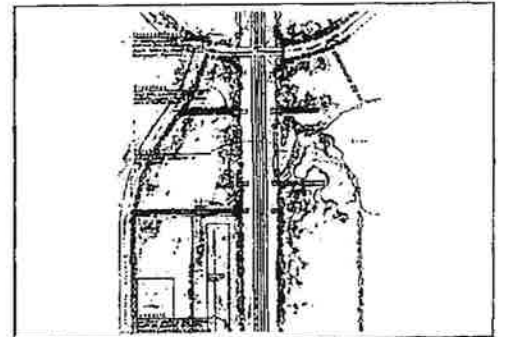
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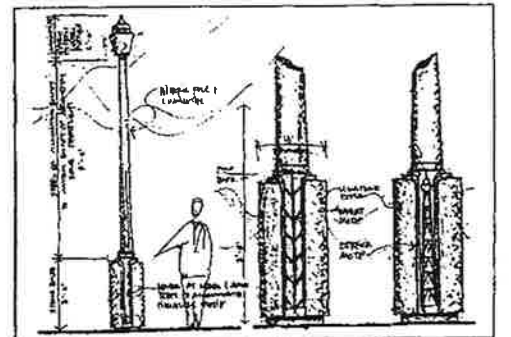
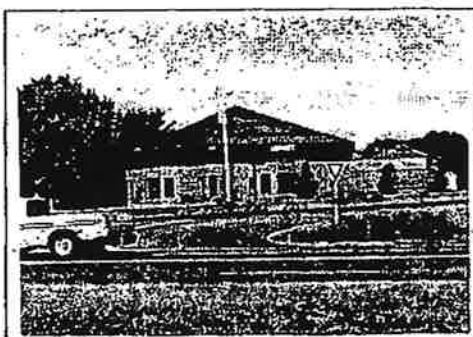
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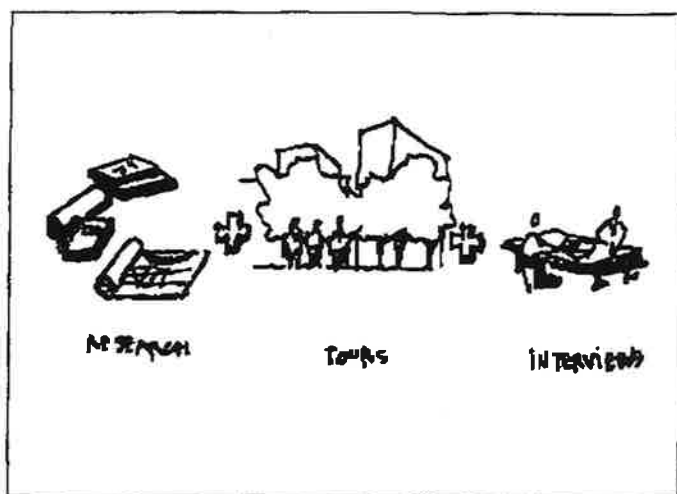
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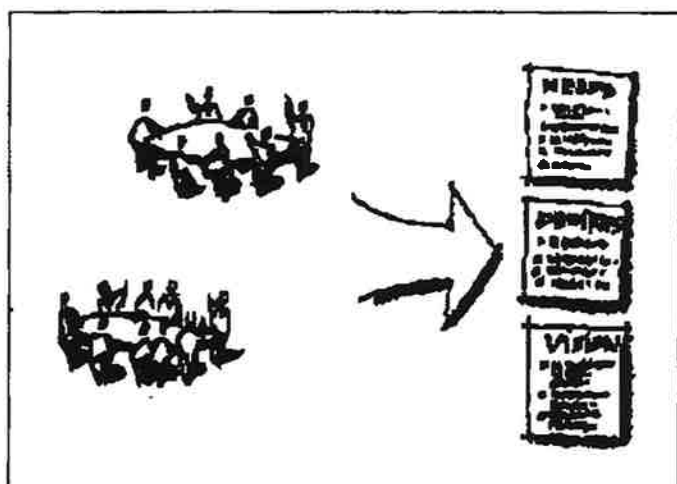
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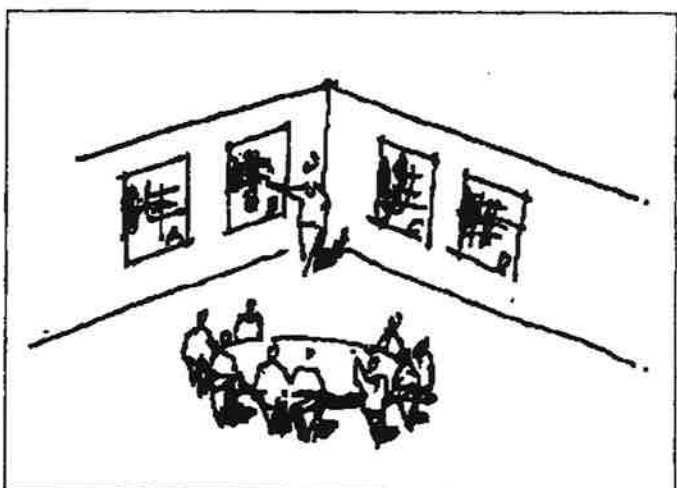
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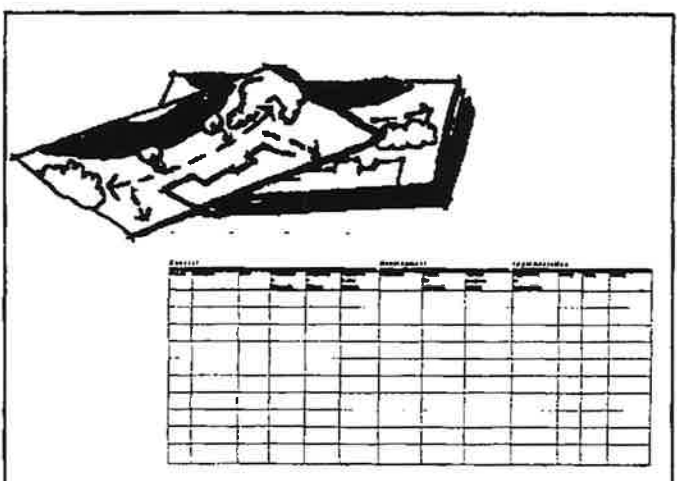
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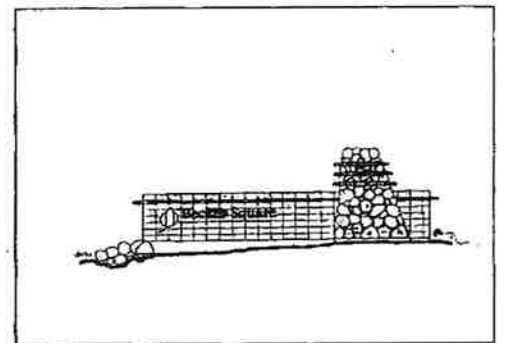
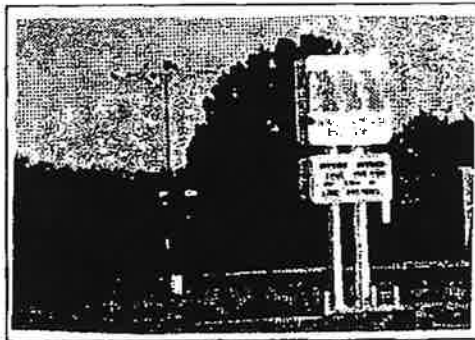
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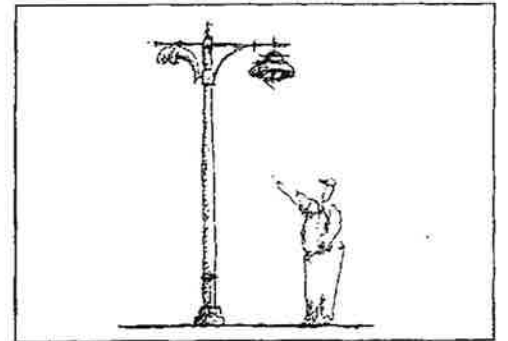
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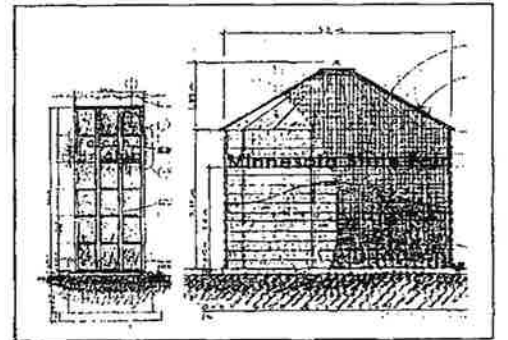
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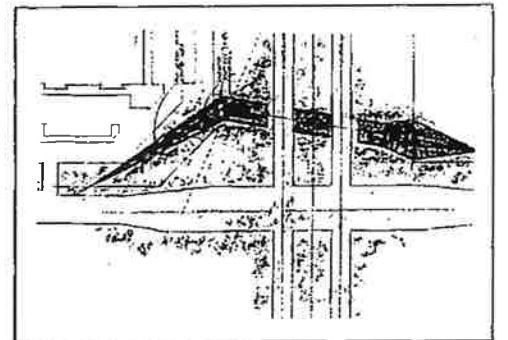
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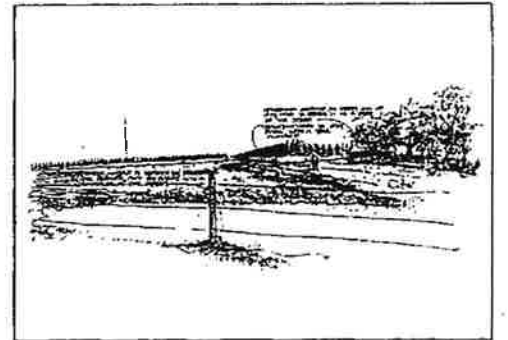
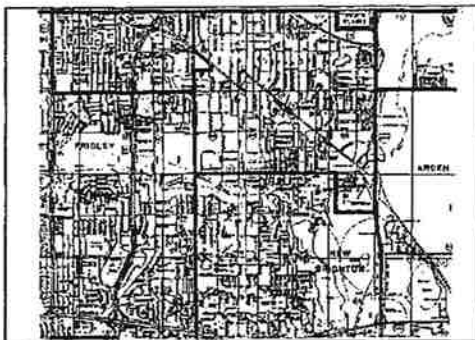
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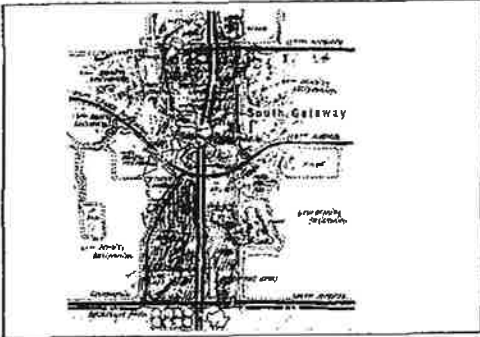
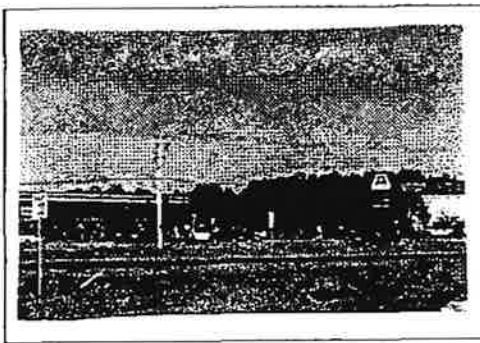
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C O N S I D E R A T I O N S



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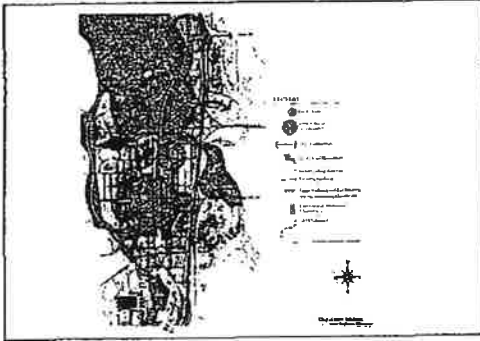
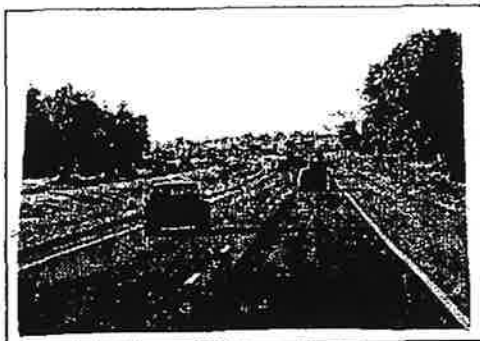
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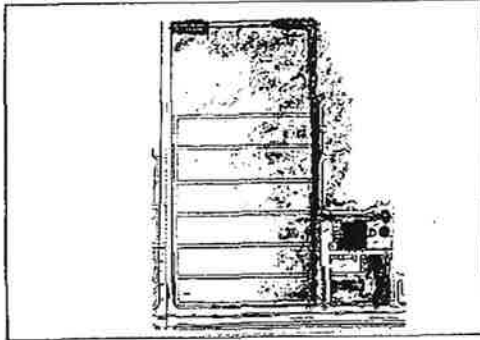
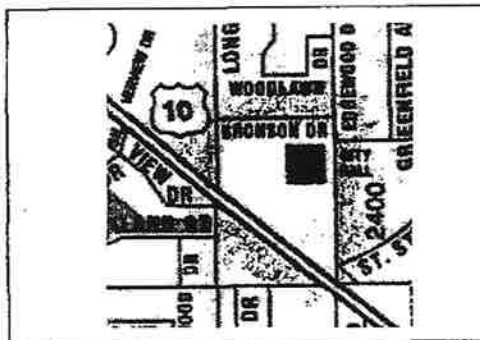
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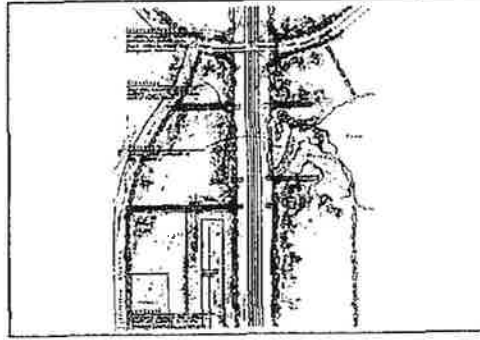
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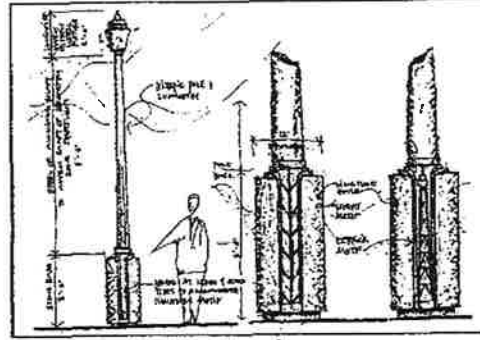
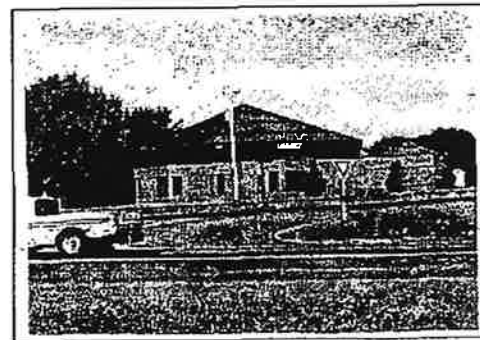
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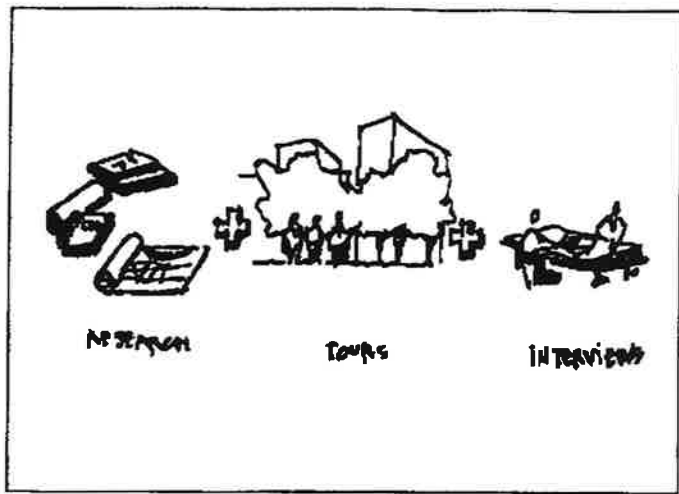
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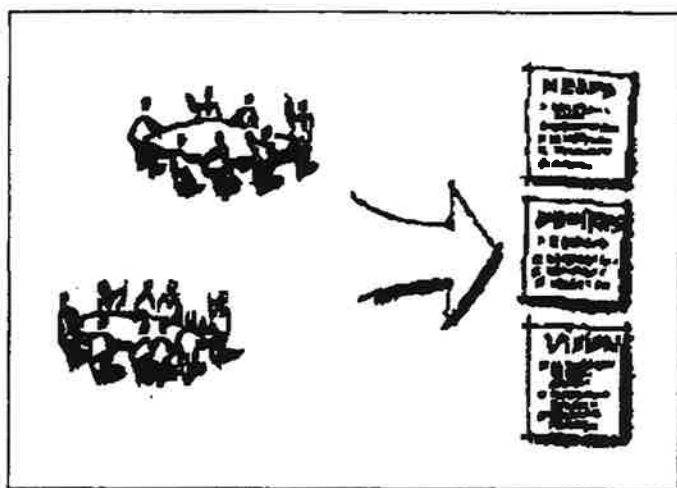
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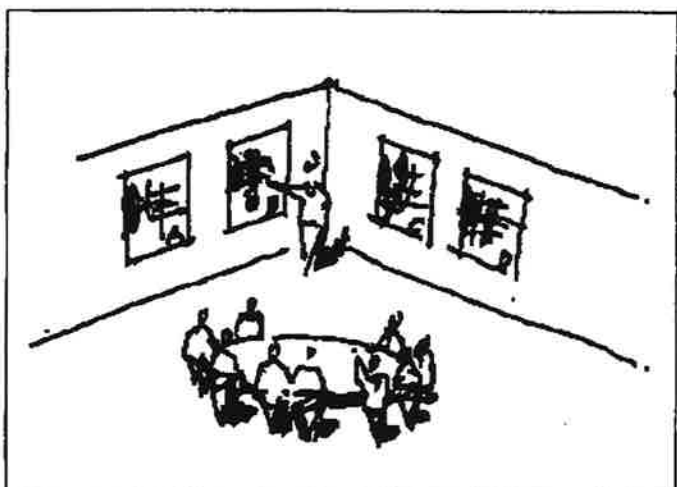
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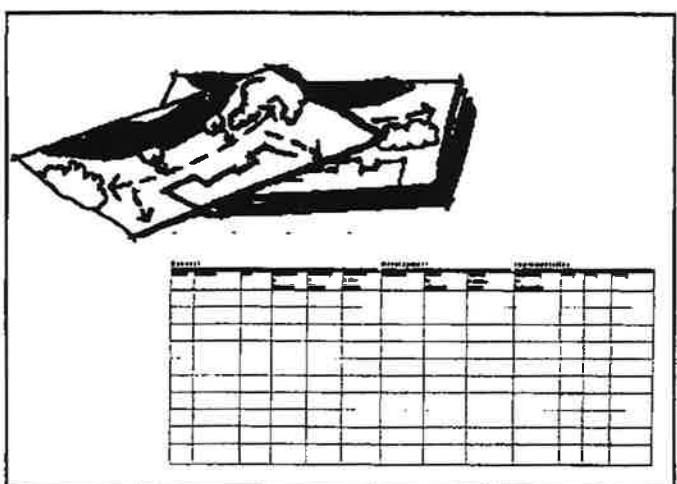
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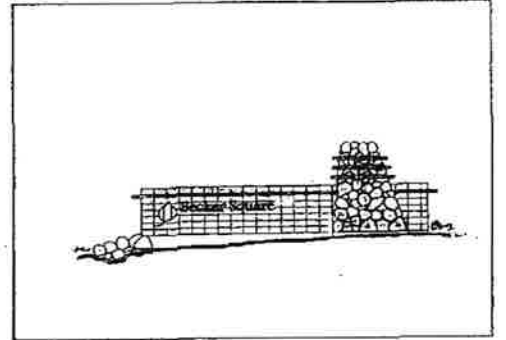
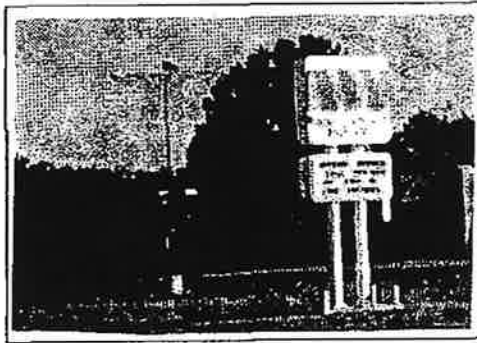
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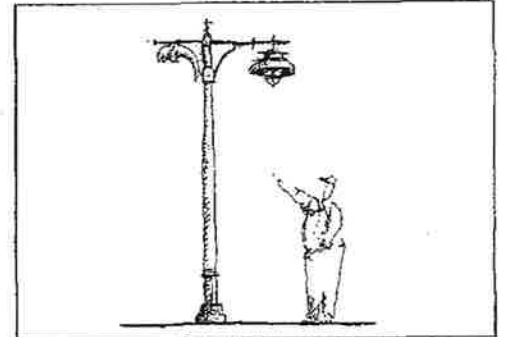
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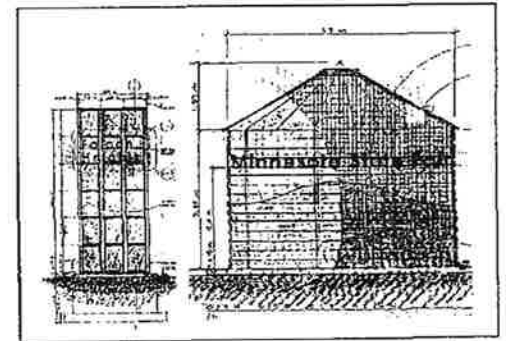
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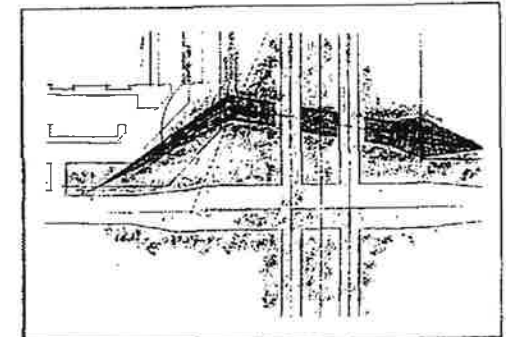
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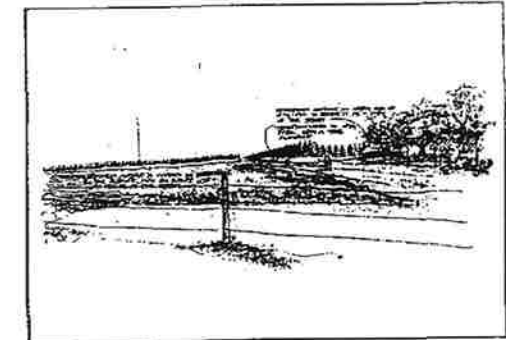
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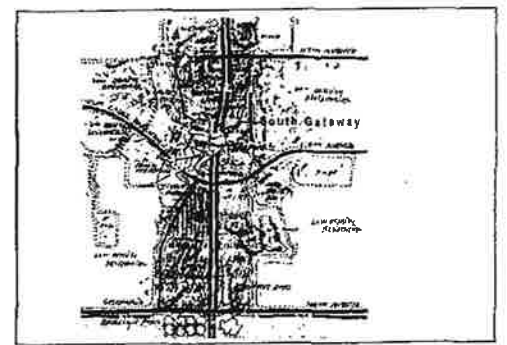
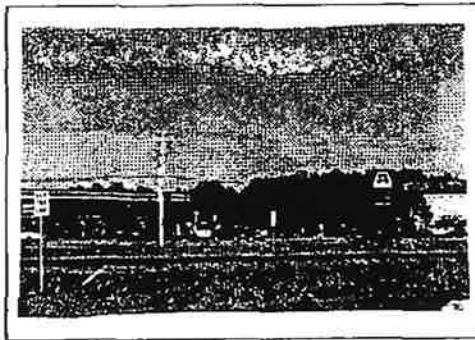
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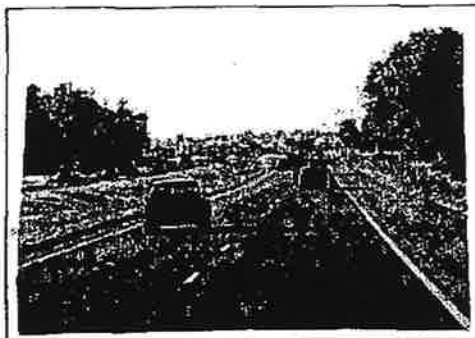
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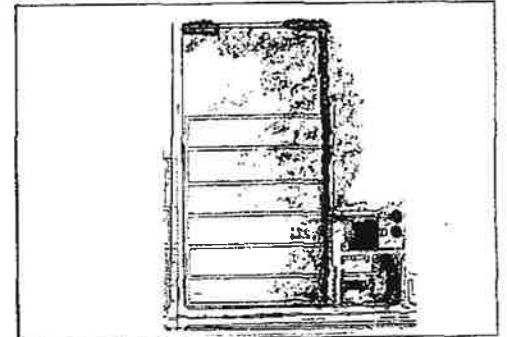
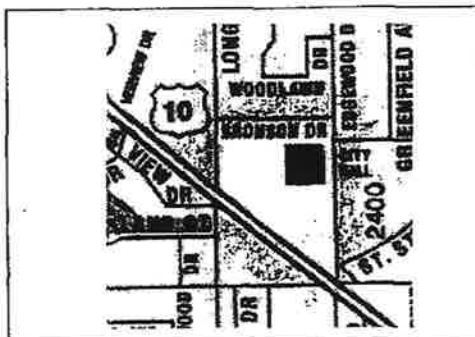
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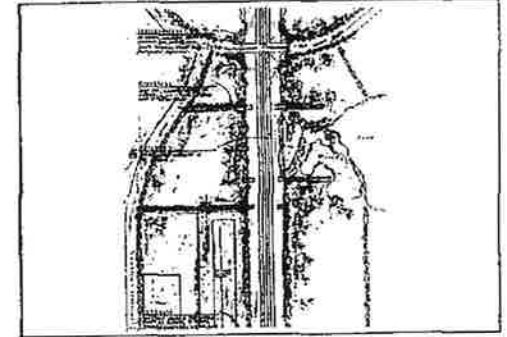
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Falcon Heights, Minnesota

The larger landscape...

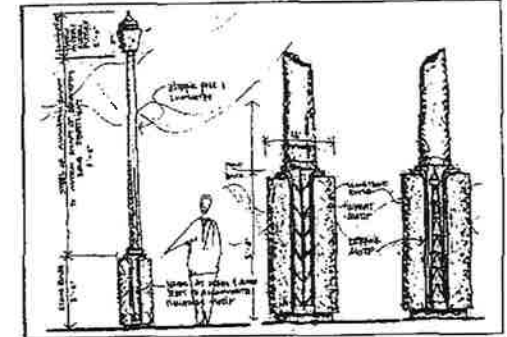
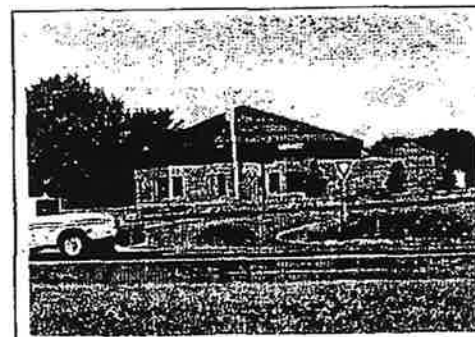
The Highway 10 corridor must bear a strong relationship to its context if it is to become a part of the Mounds View community. It must draw from its surroundings, becoming both a highlight and a part of the local larger landscape.



Gateway Corridor
Champlin, Minnesota

A story...

The design theme for Highway 10 offers an opportunity to introduce the Mounds View community, its local color, its history and its future. It should tell a story about this place and its people.



Downtown Streetscape Concept Plan
Russell, Kansas

C O N S I D E R A T I O N S





Item No. 5.

Meeting Date: April 3, 2023

Type of Business: Council Work Session

City Administrator Review: _____

City of Mounds View Staff Report

To: Honorable Mayor and City Council
From: Mark Beer, Finance Director
Item Title/Subject: Discussion of Priorities for the 2024 General Fund Budget

City staff has been busy working on the details of the 2024 budget.

This item is placed on the agenda to give the City Council and residents the opportunity to provide input to staff early in the process. Department Heads can then use this guidance as they work on the details of their proposed budgets.

General Fund 2023 Budget by Type

Personnel	53.6%	5,447,958
Contractual services	17.8%	1,808,715
Capital outlays	0.8%	84,630
Supplies	3.9%	394,741
Transfers	22.4%	2,275,000
Contingency	0.3%	35,000
Fire debt service	1.2%	121,109
Total	100%	10,167,153

General Fund 2023 Budget by Function

Police	37.7%	3,829,481
Public Works	9.4%	955,704
Park and Recreation	6.0%	608,905
Fire (SBM)	5.6%	574,185
Community Development	5.1%	523,603
Administration	3.8%	390,758
Finance	3.1%	312,450
Central Services	3.3%	338,094
Debt Service (Fire bonds)	1.2%	121,109
Misc. Contracual Service	1.5%	149,579
Legislative	0.9%	88,285
Transfers to other funds	22.4%	2,275,000
Total	100%	10,167,153

General Fund 2023 Budget by Revenue Source

Taxes (property)	68.95%	5,815,799
Other taxes (hotel, mfg home)	0.95%	80,000
Intergovernmental	14.87%	1,254,370
Franchise fees	4.03%	340,000
Licenses and Permits	3.29%	277,172
Charges for Service	0.56%	47,625
Fines and Forfeits	0.40%	33,750
Investment earnings	1.07%	90,000
Miscellaneous	3.27%	275,789
Transfers In	2.62%	220,648
Total	100.00%	8,435,153

Key 2024 Budget Issues:

The February state budget forecast projects a surplus of \$17.8 billion for the current biennium (July 1, 2023 thru June 30, 2025). Local Government Aid was projected to increase minimally. In our case, the 2024 amount was estimated to be \$857,228 under current law compared with \$856,860 in 2023. Future economic conditions or legislation may change this and we will have to wait for the legislature as no budget items have been passed. The state legislature is scheduled to adjourn on May 23. The City Council budgeted for 90% of anticipated LGA for 2023 to guard against any legislative cuts or economic weakness associated with the state budget.

Inflation has accelerated and is elevated at present. (6.0% February) The Federal Reserve projects inflation to remain elevated for several years but not at the current level. The City's charter cap was recently amended to give the City Council more flexibility to respond to the growing challenges the City faces. The charter cap excludes debt service levies, voter approved levies, and capital project levies from inclusion in the cap calculation. A 1% levy increase would generate an additional \$64,863 in tax revenue. Property taxes account for 68.95% of General Fund revenues and operating transfers in. Ramsey County will provide preliminary 2024 values and projections in late August.

The City has settled contracts with the two police unions and is still negotiating with the public works bargaining group. The settled contracts provided for a 3.0% cost of living adjustment and market adjustments in 2023. The settled contracts provide a 3% COLA in 2024. This will be the most impactful item on the future budget. The City will be conducting a market study for non-union employees during 2023 and there will be some impact from wage adjustment related to this.

12 employees will receive step or longevity increases in 2024 of 2% to 10% in addition to a COLA. Health insurance premium increases are unknown at this time and are based on our experience (experience rated premiums). We will receive our rate notice in September/October. The impact to the budget will depend upon the size of the unknown rate increase. The City's health insurance contribution for 2023 at \$1,200 per month compared with no increase for 2022. The City also contributes to the employee HSA, \$200 per month for singles and \$225 for families, this is comparable with other cities.

The employer's share of PERA will remain at 7.50% for General (non-police) plan members, the PERA General rate has increased from 5.53% in 2005 to 7.50% in 2015. The Police plan will remain at 17.7%. The police PERA rate has increased from 9.3% in 2005 to 17.7% in 2020. Current PERA pensions are funded at 76.67% for General Employees Retirement Fund and 70.53% for Police and Fire Retirement Fund. A liability has been recognized in the entity-wide financial statements, (General \$2,756,171, Police 8,033,063) as a result of implementing GASB Statement 68. The state legislature controls the resolution of the underfunded pensions.

The payroll cost for 56 FT, 9 PT, 9 PW's seasonal employees, and 10-15 Recreation seasonals is \$3,845 per hour, \$30,760 per day, \$153,800 per 40 hour week and \$7,997,967 per year. Work comp will increase by \$56,357 due primarily to across the board rate increases. Overall, pay and benefit costs will increase by approximately \$614,065 across all funds and \$407,159 for the General Fund pending a final contract with PW.

County dispatch fees were \$94,819 in 2023. The 2023 fee decreased \$4,455 or 4.49% from the prior year, we have not received the 2024 amounts.

The Fire department will have a 3% to 5% increase in operating costs and a higher capital outlay expense for 2024. Our share has been mitigated somewhat by a switch to a fixed percentage formula going forward and retirement of the SLP Equipment Note. (2023 – 15.5%, 2022 – 15.5%, 2021 – 15.5%, 2020 – 15.998%, 2019 – 16.373%, 2018 – 16.158%, 2017 – 15.819%)

Information technology costs (phones, computers, copiers, cameras, squad computers, network switches, desktop services, virtual servers, internet, email, software, laserfiche, anti-virus, VPN connections, and facility WiFi) will increase by 3-5% due to additional services and transition to a joint powers entity away from the City of Roseville. This moves Roseville employees to the joint powers entity for long term stability and continuity. This continues to be an excellent value for the City.

Fuel prices were budgeted at \$3.25 unleaded and \$4.00 for diesel for 2023, with the current economic conditions staff is recommending the same amounts for 2024.

Overall most revenues that are tied to economic activity will be in flux depending on Federal Reserve rate increases. Investment income will increase modestly in 2023 into 2024 as a result of Federal Reserve activities. The franchise fee rate is at 4.00%, the revenue is split between the General fund and the Street Improvement fund.

2022 General Fund unassigned fund balance is \$5,273,021 this represents 64.2% of 2023 budgeted revenues and transfers compared with 62.5% for the prior year. The General Fund also has Assigned fund balance for Levy Reduction of \$4,647,607, and \$232,000 to balance the subsequent budget. It has been the Council's policy to draw down the levy reduction funds over time and the Council budgeted a \$1,500,000 to the Street Improvement fund in 2023 from Assigned fund balance.

The City Council has updated the current strategic plan for 2023 thru 2025. One of the City's strategic goals is to develop a balanced budget and reduce reliance on the Levy Reduction Assigned Fund balance by 5% to 8% for 2023 thru 2025. The General Fund deficit will be \$700,000 to \$850,000 this will be partially offset by the drawdown of assigned (levy reduction) funds of \$226,000 which reflects the strategic goal. This will leave a deficit of approximately \$474,000 to \$624,000 before considering any expenditure reductions, use of fund balance or a levy increase.

Conclusion

Staff is looking for direction from the Council on priorities for the budget and property tax levy. The above items are some of the issues that will drive the 2024 budget and are presented for your consideration.

Respectfully Submitted,

Mark Beer

Mark Beer, Finance Director