

ORDINANCE NO. 1485

CITY OF BURNSVILLE, MINNESOTA

**AN ORDINANCE AMENDING TITLE 10, ZONING, CHAPTER 30 SIGNS, OF THE
BURNSVILLE CITY CODE RELATED TO DEFINITIONS, TEMPORARY
FREESTANDING SIGNS AND TEMPORARY BANNERS**

CASE FILE NO. DEV2018-0020

THE CITY COUNCIL OF THE CITY OF BURNSVILLE, MINNESOTA ORDAINS AS FOLLOWS:

Section 1. Title 10, Chapter 30 SIGNS, Section 2: DEFINITIONS of the Burnsville City Code is hereby amended by adding the underlined language and deleting the ~~strike through~~ language as follows:

CHANGEABLE COPY SIGN: An on premises sign or portion thereof with characters, letters, or illustrations that can be changed or rearranged without altering the face or the surface of the sign. Signs or portions thereof shall not change in ~~e~~content, color, illumination or intensity more frequently than one time for every eight (8) second interval. A sign on which the only copy that changes is an electronic or mechanical indication of time or temperature shall be considered a "time and temperature" portion of a sign and not a changeable copy sign for purposes of this chapter.

~~CONDO FOR SALE BANNER: A banner placed on a building (principal structure or garage) advertising that particular property for sale. The banner message or wording has no restrictions, other than to advertise the property it is located on.~~

~~CONSTRUCTION SIGN: A nonilluminated sign placed at a construction site identifying the project or the name of the architect, engineer, contractor, financier and other involved parties, or announcing the character of the building enterprise or the purpose for which the building is intended.~~

~~DEVELOPMENT PROJECT SIGN: A sign placed at a development site for the purpose of selling or promoting the project.~~

~~EMPLOYMENT SIGNS: A temporary sign to announce employment opportunities in business and industrial zoning districts as well as each public and institutional conditional use in residential districts.~~

INFORMATION SIGN: Any permanent sign, including on premises directional signs, and public information service signs, giving information to employees, customers, visitors or delivery vehicles, but containing no advertising or identification.

~~NEW BUSINESS SIGN: A temporary banner sign used by a new business to identify their location while they are awaiting the installation of their permanent wall signs.~~

PERMANENT SIGN: A sign that is not temporary and is affixed or attached to a building, ground or a structure which cannot be removed without special handling.

~~REAL ESTATE SIGN: A sign placed upon a property advertising that particular property for sale, for rent or for lease. A real estate sign shall be considered as one sign though it may have two (2) faces.~~

~~RUMMAGE SALE SIGN: Signs advertising infrequent temporary display and sale by an occupant on his premises of personal property, including general household rummage, used clothing and appliances.~~

~~TEMPORARY BUSINESS: A business that occupies or leases a commercial building for sixty (60) days or less.~~

TEMPORARY FREESTANDING SIGN: A sign that is installed for a limited duration and could be used to identify commercial or non-commercial speech.

TEMPORARY BANNER SIGN: A sign that is installed for a limited duration that is attached to a building wall that could be used to identify commercial or non-commercial speech.

TEMPORARY OFF PREMISES DIRECTIONAL SIGN: A sign that is installed for a limited duration, which gives direction for a temporary event.

WALL SIGN: A sign which is affixed to the exterior wall of a building and which is parallel to the building wall. A wall sign does not project more than twelve inches (12") from the surface to which it is attached, nor extend beyond the top of the parapet wall. ~~Temporary B~~anners do not qualify as a permanent wall sign.

Section 2. Title 10, Chapter 30: ALLOWABLE AND PROHIBITED SIGNS IN ANY ZONING DISTRICT: hereby amended by deleting Paragraph (A) Subsections 5, 7, 8, 9, 10, 11, 14, 15, and 16 and renumbering the remaining subsections; and by adding the underlined language and deleting the strikethrough language to Paragraph (A) Sections 1 and 8 as follows:

10-30-4: ALLOWABLE AND PROHIBITED SIGNS ~~IN ANY DISTRICT:~~

1. Governmental Signs: Signs of a public, noncommercial nature including safety signs, danger signs, trespassing signs, traffic signs, directional signs, public transit signs, signs indicating scenic or historical points of interest, memorial plaques and temporary signs and banners, when these signs are erected by or on order of a public officer or employee in the performance of official duty. These may be on or off premises.
- ~~17.8.~~ Sandwich Board Signs: ~~Sandwich board signs are two (2) sided temporary signs which are allowed by annual permit only.~~ Sandwich board signs may be no more than three feet (3') in width and four feet (4') in height and must be located within twenty feet (20') of the main entrance to the business they advertise. Sandwich board signs must be placed upon private property, leaving a minimum of four feet (4') of clearance for pedestrian access. Sandwich board signs may not be placed upon the public sidewalk. Sandwich board signs may be used only during business hours and must be removed daily.

Section 3. Title 10, Chapter 30: ALLOWABLE AND PROHIBITED SIGNS IN ANY ZONING DISTRICT: by adding Paragraphs (B) and (C) as follows and renumbering the remaining Paragraph (B) as Paragraph (D):

(B) Allowable temporary banners: The following signs are allowed with a permit unless otherwise specified. These signs if placed in accordance with the following standards, will not apply toward the maximum allowable sign area, but shall comply with all other applicable provisions of this title:

- a. A permit is required and shall be valid for 90 days. A maximum of 2 permits are allowed per year. One permit is allowed per property or in the case of a multi-tenant property one permit per tenant.
- b. Temporary banner signs shall be securely attached to the building in such a manner that no portion of the sign will be allowed to blow around freely in the wind. Temporary banner signs shall not cover or block ingress or egress from any door, window or fire escape. Shall not be located in required yards.
- c. Temporary banner signs shall not be used in place of permanent signage.
- d. There shall be no additional sign lighting allowed in addition to that which has been approved for the building.
- e. Temporary banner wall signs shall comply with the performance standards of subsection 10-30-3(O) of this chapter.
- f. The size and location of these types of signs shall be determined as if the sign were a permanent wall sign as regulated in this chapter or no greater than three hundred (300) square feet, whichever is less.
- g. Special Event Banners that are subject to the requirements of Title 3, Chapter 32 are exempt from these requirements.

(C). Temporary Freestanding Signs: The following signs are allowed with a permit unless otherwise specified. These signs, if placed in accordance with the following standards, will not apply toward the maximum allowable sign area for permanent signs, but shall comply with all other applicable provisions of this title:

- a. A permit is required and shall be valid for 90 days. A permit may be renewed once every 90 days. One permit is allowed per property or in the case of a multi-tenant property one permit per tenant.
- b. One sign is allowed per street frontage with a maximum total square footage according to the chart below:

<u>Zoning Districts:</u>	<u>Property Size</u>	<u>Temporary Freestanding Sign Square Footage</u>	<u>Height</u>	<u>Permit Required</u>
<u>R1, R-1A, R2, R-3D</u>	<u>N/A</u>	<u>12 Sq. Ft. Max</u>	<u>6 Ft.</u>	<u>No</u>
<u>Conditional Uses in the R1, R-1A, R-2, and R-3D</u>	<u>N/A</u>	<u>100 Sq. Ft. Max</u>	<u>8 Ft.</u>	<u>Yes</u>
<u>R-3A, R-3B, B-1, B-2, B-3, B-4, CRD, I-1, I-2, I-3, GIM, GIH and MIX</u>	<u>0-2 Acres</u>	<u>100 Sq. Ft. Max</u>	<u>8 Ft.</u>	<u>Yes</u>
<u>R-3A, R-3B, B-1, B-2, B-3, B-4, CRD, I-1, I-2, I-3, GIM, GIH and MIX</u>	<u>2-10 Acres</u>	<u>200 Sq. Ft. Max</u>	<u>12 Ft.</u>	<u>Yes</u>
<u>R-3A, R-3B, B-1, B-2, B-3, B-4, CRD, I-1, I-2, I-3, GIM, GIH and MIX</u>	<u>10 or More Acres</u>	<u>300 Sq. Ft. Max</u>	<u>12 Ft.</u>	<u>Yes</u>

- c. The sign(s) shall be located on private property.
- d. Such signs shall be professionally designed and painted on all sides, including support posts. Freestanding signs shall be properly anchored into the ground using posts with minimum dimensions of four inches (4") square or three inches (3") in diameter.
- e. The sign shall be set back from the front property line no less than one foot (1') per one foot (1') of sign height.
- f. Special Event signs that are subject to the requirements of Title 3, Chapter 32 are exempt from these requirements.

Section 4. Title 10, Chapter 30: ALLOWABLE AND PROHIBITED SIGNS IN ANY ZONING DISTRICT: by amending Paragraph (D) Subsection 3 by adding the underlined language and deleting the strikethrough language as follows:

~~(B)-(D)~~ Prohibited Signs: The following signs are prohibited in all zoning districts:

- 3. Off premises advertising and directional signs except as permitted in section ~~10-30-7, 10-30-4, 10-30-9, 10-30-10~~ of this chapter and 3-32-4 of Title 3.

Section 5. Title 10, Chapter 30, Section 6: SIGNS ALLOWED BY PERMIT: hereby amended by deleting Paragraph (D) – Leasing Banners.

Section 6. Title 10, Chapter 30, Section 7: WALL SIGNS ALLOWED BY PERMIT: hereby amended by deleting Paragraph (H) – New Business, Grand Opening, Or Temporary Business Signs and reserve this section.

(H) Reserved

Section 7. Title 10, Chapter 30, Section 8: FREESTANDING SIGNS ALLOWED BY PERMIT: hereby amended by adding Paragraph (O) as follows:

(O) Off premises freestanding signs: In a multiple lot planned unit development (PUD) that includes shared driveways and parking areas among the lots, a sign directing traffic from one lot of the PUD to a business on another lot in the same PUD shall not be considered to be an off premises directional sign. Each such sign shall not exceed ten (10) square feet in area, shall be included in the total allowable sign area for the building to which the traffic is being directed, and shall be compatible with the other signs in the PUD.

Section 8. Title 10, Chapter 30, Section 10: SIGNS ALLOWED BY PERMIT: hereby deleted in its entirety and reserved.

Title 10, Chapter 30, Section 10: RESERVED

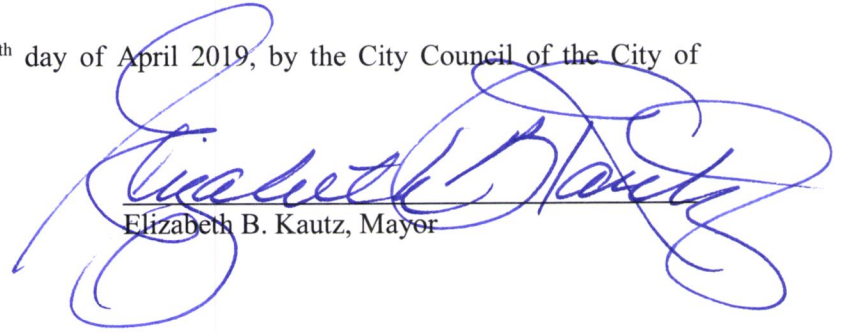
Section 9. Title 10, Chapter 30, Section 15: SIGN TABLES: by deleting Table C: Property for Lease Sign Size Limits.

Section 10. Title 10, Chapter 30, Section 16: EMPLOYMENT SIGNS: hereby removed in its entirety and reserved:

Title 10, Chapter 30, Section 16: RESERVED

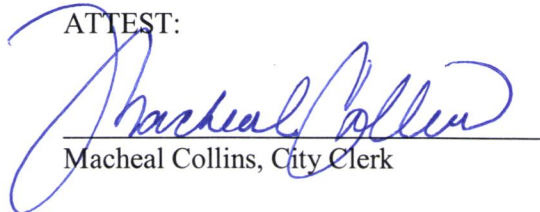
Section 11. This ordinance shall be effective immediately upon its passage and publication according to law.

PASSED AND DULY ADOPTED THIS 16th day of April 2019, by the City Council of the City of Burnsville, Minnesota.



Elizabeth B. Kautz, Mayor

ATTEST:



Macheal Collins, City Clerk