

ORDINANCE NO. 541, SECOND SERIES

AN ORDINANCE OF THE CITY OF HASTINGS, MINNESOTA AMENDING CHAPTER 10, SECTION 10.08, OF THE HASTINGS CITY CODE PERTAINING TO:

SECTION 10.08. SIGN ORDINANCE

SUBD 1. General Provisions

- A. Purpose: The purpose of these provisions is to:
 - 1. Establish standards that would permit businesses in the city a reasonable and equitable opportunity to advertise.
 - 2. Preserve and promote civic beauty and not allow signs that would detract from this purpose because of unusual size, shape, height, location, condition or illumination.
 - 3. Insure that signs shall not create a safety hazard.
 - 4. Preserve and protect the value of land and buildings and also preserve and protect landscapes.
- B. Definitions: See Section 10.02 (DEFINITIONS).
- C. General: The following are minimum requirements:
 - 1. All signs shall be erected or installed according to state building and electrical codes. Furthermore, all electrical signs shall require underground wiring.
 - 2. All signs/sign structures shall be maintained in safe and orderly condition with the areas around them kept free from debris, bushes, high grass/weeds or anything else that would be a nuisance.
 - 3. Address signs that are clearly legible from the street which access is gained shall be required for each principal structure, except in non-sewered areas where addresses shall be affixed and visible from both sides of the mailbox and/or a separate structure visible from the access or street.
 - 4. Illuminated signs shall be designed so as not to be obtrusive to adjacent property or to passing motorists on private or public right of ways.
 - 5. Except as otherwise regulated herein, the minimum setback from property lines for all signs may be zero feet provided that no portion of the sign extends into public right of way. At no time shall a sign be permitted to extend into a Minnesota Department of Transportation right of way. Signs above 30" in height may not be placed within the vision triangle, which is measured by 25' in either direction of an intersection at the edge of the street, or within any easement.

6. Signs permitted by this section shall be designed and constructed to resist wind and seismic forces as specified in the 1982 Uniform Sign Code.
7. Roof Signs. To provide reasonable flexibility in respect to the sign regulations set forth in this section, the City Council may approve an application for a roof sign where an exception would be consistent with the intent of these regulations, in cases where the applicant demonstrates practical difficulties in using a wall sign or freestanding sign. However, no roof sign shall exceed in size the district requirements for freestanding signs. If the City Council approves a roof sign, the area of the roof sign may be subtracted from the allowable freestanding and/or wall signage allowed for the property and/or building.
8. Portable signs are allowed in all commercial districts, except within the Downtown Overlay District, in addition to permanent signs, only by temporary permit issued by the ~~Community Development Division~~ Planning Department according to provisions established under Subdivision 5 of this Section. Portable signs may not exceed 32 square feet in size or six feet in height. The length of permits for portable signs shall be either 15 or 30 days. Permits for portable signs may be obtained for no more than 60 days per legal parcel per year. Only one portable sign per legal parcel may be permitted at a time. Portable signs may not be situated within any public street right-of-way or easement. Temporary Portable sign permit fees shall be established by resolution of City Council.

SUBD. 2. Prohibited Signs and Sign Structures

- A. No sign shall be located within or over a public right of way unless otherwise specifically permitted by this section or the City Council.
- B. No illuminated flashing or revolving signs shall be permitted except movie theaters, time and temperature provided such signs are designed so as not to be obtrusive to adjacent property or to passing motorists on private or public right of ways. Furthermore, movie theaters with illuminated flashing or revolving signs shall use light bulbs that are 25 watts or less and shall not be operated between midnight and 6:00 a.m.
- C. No sign shall be erected or maintained in a way that obstructs, obscures or otherwise physically interferes with an official traffic sign, signal/device or driver's view of approaching, merging or intersecting traffic.
- D. No sign shall be erected or maintained which imitates or resembles any official traffic sign, signal or device. Furthermore, no sign shall contain such wording including, but not limited to, "stop," "warning" or "caution" which may be confused with traffic signing or controls unless such signs are approved by the City.

- E. No sign shall be painted or placed on a fence, utility pole, tree or other like structure except those signs that provide public information concerning a school, city, county, state or federal event.
- F. No sign shall be made of paper, cardboard or similar material and attached directly to a building.
- G. No sign/structure shall be placed that will obstruct safe access to doors, windows or fire escapes.
- H. No sign shall be supported by guy wires.
- I. No sign shall be placed on a rooftop or project above the roof line when attached to a structure except as may be permitted by the City Council under Subd. 1, of this section.
- J. Any sign not expressly permitted by the provisions of Section 10.08.

Source: Ordinance No. 485 Second Series
Effective Date: February 3, 2003

SUBD. 3. Signs Permitted without a Permit

- A. Traffic signs as approved by the Public Works Director.
- B. Public signs as approved by the City of Hastings.
- C. Election/campaign signs on private property provided such signs are posted no sooner than 100 days before a city, school, county, state or federal election and removed within 10 days following an election. No election signs shall be affixed to utility poles.
- D. Real estate, lease and rental signs not more than 15 square feet for residentially zoned property and 32 square feet for non-residentially zoned property provided only one sign per street frontage upon which the property to be sold or leased abuts.
- E. Open house signs no larger than five square feet that state that a particular home, commercial, industrial or public institutional structure will be open for public inspection for a limited number of hours on a specific day. Said signs may be placed in the city boulevard area on the same day of the open house and only during the open house.
- F. One temporary, on-site construction sign for a residential development provided a final plat has been filed. Said sign shall not exceed 100 square feet in size, 10 feet in height and must be located on a vacant lot or lot with a model home within the subdivision at least 10 feet from the nearest property line. Furthermore, said sign shall be removed when 90 percent of single family or 75 percent of multiple family lots are sold. Construction trailers may be placed in close proximity to support construction of the site. Placement and/or use of the trailers solely for advertising shall be prohibited.
- G. One temporary, on-site construction sign for a commercial, industrial or public institution development provided a building permit has been issued. Such sign shall not exceed 100 square feet in size, 10 feet in height and shall be removed before any building in the project is occupied. Where a

building permit or certificate of occupancy is not required for a construction project including, but not limited to, landscaping projects, one on-site sign not to exceed 25 square feet in size and 10 feet in height may be allowed up to seven days. Construction trailers may be placed in close proximity to support construction of the site. Placement and/or use of the trailers solely for advertising shall be prohibited.

- H. Name plate signs displaying only the name or address of the owner not to exceed two square feet.
- I. Garage/rummage sale signs on private property not to exceed four square feet in size and to be removed the same day the sale ends.
- J. No trespass/no hunting and similar signs not to exceed two square feet in size may be placed on private property.
- K. Temporary ribbons, banners, pennants, and similar devices are allowed in commercial, industrial and public institution districts. Such devices are intended to be temporary and shall be removed if they become torn, discolored or in any way damaged to modify their original appearance, said devices shall be removed. Businesses and/or property owners utilizing these temporary devices that include advertising and/or a message shall be allowed only a total of 90 days during any 12 month period. Only one device shall be used at a time, and the maximum size of said device shall be equal to or less than the monument sign standards for the district in which the site is located, or in the case of the East 2nd Street Historic District or Downtown Core District, equal or less than the wall sign standards.
- L. Temporary holiday signs or displays relating noncommercial messages associated with national, state or local holidays or festivals.
- M. One temporary seasonal farm products sales sign not to exceed 32 square feet in size.
- N. Flags or insignia of any government.

SUBD. 4. Signs Requiring a Permit

A. Unless otherwise noted, the following regulations apply to all zoning districts.

1. One monument sign for each principal structure, unified development or legal parcel, whichever is more restrictive. Lots adjacent to more than one street may have one (1) sign per street frontage. In no case shall secondary signs exceed 50 square feet in size or six (6) feet in height.
2. Wall, Canopy, Projecting or Marquee. Except as otherwise noted, the amount of signage permitted is based on the wall to which the sign will be attached. Sign heights shall not exceed the top of the parapet wall or, if there is no parapet wall, sign height shall not exceed height of eaves.
3. On-Site Directional Signs. To direct vehicular and pedestrian traffic in a safe and convenient manner, directional signs are permitted,

provided the sign does not exceed the sizes indicated in Figure 1. The number and location of directional signs will be determined through sign permit review.

4. Figure 1 illustrates the allowed amounts of signage permitted in the various districts.

Figure 1

Zoning District		A, R, P-I	C-1, O-1	C-2	I-1, I-2	DC
Monument	Maximum Height	5 ft.	6 ft.	6 ft.	6 ft.	N/A
	Sign Face Size	50 sq. ft.	50 sq. ft.	50 sq. ft.	50 sq. ft.	N/A
	Cap Height (max)	8 in.	8 in.	8 in.	8 in.	N/A
Wall	Max size	Greater of 40 sq. ft or 5% of wall area				Subd. 4E
Projecting	Clearance	N/A	8 ft.	8ft.	N/A	8 ft.
	Max. Dist. from bldg	N/A	4 ft.	4 ft.	N/A	2.5 ft.
Directionals	Max. Height	4 ft.	4 ft.	4 ft.	4 ft.	N/A
	Max. Size		2 sq. ft	2 sq. ft	2 sq. ft	N/A

Zoning District		C-3		C-4		
		Single Occupant	Multiple Occupant	Single - under 100,000 sq. ft.	Single - over 100,000 sq. ft	Multiple Occupant Bldg
Monument	Maximum Height	6 ft.	10 ft.	6 ft.	15 ft.	20 ft.
	Sign Face Size	50 sq. ft.	100 sq. ft.	50 sq. ft.	75 sq. ft.	100 sq. ft.
	Cap Height (max)	8 in.	12 in.	8 in.	18 in.	24 in.
Wall	Max size	Greater of 40 sq. ft or 5% of wall area				
Projecting	Clearance	8ft.	8ft.	8ft.	8ft.	8ft.
	Max. Dist. from bldg	4 ft.	4 ft.	4 ft.	4 ft.	4 ft.
Directionals	Max. Height	4 ft.	4 ft.	4 ft.	4 ft.	4 ft.
	Max. Size	2 sq. ft	2 sq. ft	2 sq. ft	2 sq. ft	2 sq. ft

B. "A", "R" and "P-I" Districts:

1. A. Residential developments with six or more single family or multiple family dwelling units may have one monument identification sign per the sizes indicated in Figure 1. One monument identification

~~sign not to exceed 50 square feet in size or five feet in height for residential developments with six or more single family or multiple family dwelling units.~~

~~2. **B** Churches, public or private schools, hospitals, and residential care facilities are permitted one monument identification for the purpose of displaying the name of the institution and its activities or services. One monument identification sign not to exceed 50 square feet in size or five feet in height for each church, public or parochial school, hospital and residential care facility. Such sign shall be solely for the purpose of displaying the name of the institution and its activities or services.~~

~~3. On-Site Directional Signs are permitted for churches, public or private schools, hospital, residential care facility, or government/public institutions.~~

B. “C-1” and “O-1” Districts:

~~1. Signs as permitted per Subd. 4A. One monument sign for each principal structure or legal parcel, whichever is more restrictive, not to exceed 50 square feet in size or 6 feet in height.~~

~~2. Lots adjacent to more than one street may have one (1) sign per street frontage. In no case shall secondary signs exceed 50 square feet in size or six (6) feet in height. Wall, Canopy, or Marquee. Total sign area on any one side of a building may not exceed five percent (5%) of the building façade on which the sign is erected, or forty (40) square feet, whichever is greater. Sign heights shall not exceed the top of the parapet wall or, if there is no parapet wall, sign height shall not exceed height of eaves.~~

C. “C-2” District:

~~1. Signs as permitted per Subd. 4A. One monument sign for each principle structure or legal parcel, whichever is more restrictive, however, lots adjacent to more than one street may have one (1) sign per street frontage. Signs shall not exceed 50 square feet in size or 6 feet in height.~~

~~2. Lots adjacent to more than one street may have one (1) sign per street frontage. In no case shall secondary signs exceed 50 square feet in size or six (6) feet in height.~~

~~3. Additional monument signs permitted for Automobile Dealerships:
a. One monument sign not to exceed 50 square feet or 6 feet in height for advertisement of sale of pre-owned automobiles.
b. One monument sign not to exceed 50 square feet or 6 feet in height for each additional new automobile product line (automobile make) sold on the premises.~~

~~Wall, Canopy, or Marquee. Total sign area on any one side of a building may not exceed five percent (5%) of the building façade on which the sign is erected, or forty (40) square feet, whichever is greater. Sign height shall not exceed the top of the parapet wall or,~~

if there is no parapet wall, sign height shall not exceed height of eaves.

D. **"C-3" District:**

1. Signs as permitted per Subd. 4A. Single Occupant Building
 - a. ~~One monument sign for each principal structure, unified development or legal parcel, whichever is more restrictive, however, lots adjacent to more than one street may have one (1) sign per street frontage. Signs shall not exceed fifty (50) square feet in area per sign with a maximum height of six (6) feet.~~
 - b. ~~Wall, Canopy, or Marquee — Total sign area on any side of a building may not exceed five (5) percent of the building façade on which the sign is erected, or forty (40) square feet, whichever is greater. Sign height shall not exceed the top of parapet wall or, if there is no parapet wall, sign height shall not exceed height of eaves.~~
2. Lots adjacent to more than one street may have one (1) sign per street frontage. In no case shall secondary signs exceed 50 square feet in size or six (6) feet in height. Multiple Occupant Building
 - a. ~~Area Identification. One (1) monument sign may be erected on a lot. The sign shall not exceed one hundred (100) square feet in area nor be higher than ten (10) feet. Monument signs may include the name of the development and up to four (4) tenants of the development.~~
 - b. ~~Occupant Identification. Sign area may not exceed five (5) percent of the building façade on which the sign is erected, or forty (40) square feet, whichever is greater. For purposes of calculating area, the building itself shall be used.~~
 - c. ~~Wall signs shall be erected within the leasehold and their width shall not extend to any point less than one (1) foot from the leasehold boundary.~~
 - d. ~~Sign height shall not exceed the top of parapet wall or, if there is no parapet wall, sign height shall not exceed height of eaves.~~
3. Those properties located within the East 2nd Street Historic District are subject to the regulations of Subd. 4G. On-Site Directional Signs. To direct vehicular and pedestrian traffic in a safe and convenient manner, directional signs are permitted, provided the sign does not exceed four (4) feet in height and two (2) square feet in size. The number and location of directional signs will be determined through sign permit review.

E. **"C-4" Districts:**

1. Signs as permitted per Subd. 4A. Single Occupant Building
 - a. ~~Under 100,000 square feet — One monument sign for each principal structure, unified development of legal parcel,~~

~~whichever is more restrictive, however, lots adjacent to more than one street may have one (1) sign per street frontage. Signs shall not exceed fifty (50) square feet in area per sign with a maximum height of six (6) feet.~~

~~b. Over 100,000 square feet — One Monument sign for each principal structure, unified development or legal parcel, whichever is more restrictive, however, lots adjacent to more than one street may have one (1) sign per street frontage. Primary sign shall not exceed seventy five (75) square feet in area per sign with a maximum height of fifteen (15) feet, and a secondary street frontage sign shall not exceed fifty (50) square feet in area per sign with a maximum height of six (6) feet.~~

~~c. Wall, Canopy, or Marquee — Total sign area on any side of a building may not exceed five (5) percent of the building façade on which the sign is erected, or forty (40) square feet, whichever is greater. Sign height shall not exceed the top of parapet wall or, if there is no parapet wall, sign height shall not exceed height of eaves.~~

2. Lots adjacent to more than one street may have one (1) sign per street frontage. In no case shall secondary signs exceed 50 square feet in size or six (6) feet in height. Multiple Occupant Building

~~a. One monument sign for each principal structure, unified development or legal parcel, whichever is more restrictive, however, lots adjacent to more than one street may have one (1) sign per street frontage. Primary sign shall not exceed one hundred (100) square feet in area per sign with a maximum height of twenty (20) feet, and a secondary street frontage sign shall not exceed fifty (50) square feet in area per sign with a maximum height of six (6) feet. Monument signs may include the name of the development and up to four (4) tenants of the development.~~

~~b. Occupant Identification. Sign area may not exceed five (5) percent of the building façade on which the sign is erected, or forty (40) square feet, whichever is greater. For purposes of calculating area, the building itself shall be used. The building façade of the leasehold shall not include the area of any canopy.~~

~~c. Wall signs shall be erected within the leasehold and their width shall not extend to any point less than one (1) foot from the leasehold boundary.~~

~~d. Sign height shall not exceed the top of parapet wall or, if there is no parapet wall, sign height shall not exceed height of eaves.~~

3. Movie Theatres. The primary wall sign may not exceed ten (10) percent of the building façade on which the sign is erected. Secondary signs on the other building facades may not exceed five (5) percent of the building façade on which the sign is erected, or forty (40) square feet, whichever is greater.
4. ~~On-Site Directional Signs. To direct vehicular and pedestrian traffic in a safe and convenient manner, directional signs are permitted, provided the sign does not exceed four (4) feet in height and two (2) square feet in size. The number and location of directional signs will be determined through sign permit review.~~

F. **"I-1" and "I-2" Districts:**

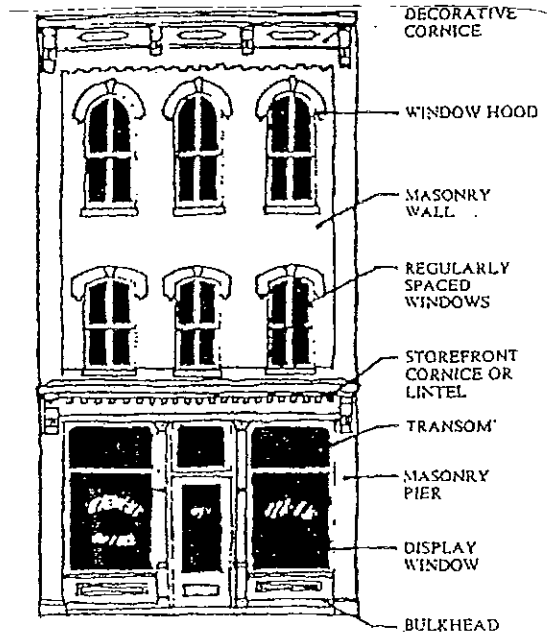
1. ~~Signs as permitted per Subd. 4A. One monument sign for each principal structure or legal parcel, whichever is more restrictive, not to exceed 50 square feet in size and 6 feet in height.~~
2. ~~Wall Canopy, or Marquee — total sign area on any side of a building may not exceed five (5) percent of the building façade on which the sign is erected, or forty (40) square feet, whichever is greater. Sign height shall not exceed the top of parapet wall or, if there is no parapet wall, sign height shall not exceed height of eaves.~~
3. ~~On-site directional signs for directing vehicular or pedestrian traffic in a safe and convenient manner are permitted provided the sign does not exceed four (4) feet in height and two (2) square feet in size. The number and location will be determined through sign permit review.~~

G. **"Downtown" Overlay District DC- Downtown Core and East 2nd Street Historic District:**

1. The "Downtown" Overlay District as established in this ordinance has a unique and historic character. Downtown Hastings is a remarkably intact and compact example of commercial architecture from the 1860's to the 1920's. This historic character is considered an important asset of "Downtown" and, therefore, it is the intent of the Sign Section that this character be preserved. To accomplish this objective, all permanent signage within the "Downtown" Overlay District East 2nd Street Historic District or on property zoned DC Downtown Core shall comply with the following requirements and guidelines:
 - a. Wall signs not to exceed two square feet per linear foot of building frontage. The size of a sign should be appropriate to the building.
 - b. Signs should not cover up the traditional design elements of a building as identified in the following sketch:
 - i. When feasible signage shall be at traditional locations including: painted inside the windows, door pane or transom pane; flush on the storefront cornice or lintel; letters painted or attached directly on the cornice or

lintel; mounted flush between the lintel and second floor windows.

- c. The style, colors, lettering and materials of the sign should reflect the age of the building. Examples may be found in old photographs and surviving signs.
- d. Contrast between a dark background and light lettering, or vice versa, is more important than size. The lettering style should be chosen for its legibility.
- e. Plastic, aluminum and back lit signs are not usually appropriate on older buildings because of their materials, colors, size and style of lettering. The content and logo of corporate and product signs can be transferred to more traditional materials and styles of sign.
- f. Signage shall be permitted on canvas or treated cloth awnings where they are compatible with the age of the building and character of "Downtown".
- g. ~~Projecting signs are permitted within the East 2nd Street Historic District upon approval of the Heritage Preservation Commission. The signs must conform with to the following:~~
 - i. Minimum height above grade is eight (8) feet. Maximum height above grade is 11' for the sign, and 12' for the bracket.
 - ii. Sign may not project more than two and one-half (2.5) feet from the face of the building.
 - iii. Total sign face may not exceed six (6) square feet.
 - iv. Materials must be wood and/or metal. Plastic signs are not permitted.
 - v. Projecting signs may not be lit, internally or externally.
 - vi. Plans must be submitted to show how the sign will be anchored to the building and masonry.
 - vii. Only one projecting sign permitted per business ~~or~~ building.
 - viii. Signs must be advertising a specific business name, not a generic product.
 - ix. The sign area of the projecting sign comes off the total signage allowed for the building under these ~~Downtown Overlay District~~ requirements.



2. All signs proposed to be constructed within the "Downtown" Overlay District on properties that are designated as Heritage Preservation Sites or are in a Historic District are subject to approval by the Heritage Preservation Commission.
3. Freestanding signs are prohibited in the "Downtown" Overlay District East 2nd Street Historic District or on properties zoned DC Downtown Core.

SUBD. 5. PERMIT REQUIREMENTS.

- A. Except as otherwise provided in this section, no sign or structure shall be erected, constructed, altered, rebuilt or relocated until a permit has been issued by the City.
- B. Sign applications are available from the Community Development Division Planning Department. The applicant shall include sign dimensions, height, colors, construction materials, method of anchoring, content, and location. A sketch or photograph of the proposed sign is required and a site plan that adequately illustrates the location of the sign. In addition, the application shall include the location and size of all other signs at the subject property/development.
- C. Once a completed sign application is filed with the Community Development Division Planning Department, staff shall review the plans and specifications for the proposed sign(s). If the proposed sign(s) meets ordinance requirements, the building code and all other laws and ordinances of the City, a sign permit will be approved.


- D. The required fee as established by resolution of the City Council shall be paid to the City before issuance of a sign permit.

SUBD. 6. NONCONFORMING AND ILLEGAL SIGNS.

- A. Any sign legally existing on the effective date of this ordinance that does not conform to the requirements set forth in this ordinance shall become a nonconforming use and/or structure. Except as otherwise provided in this section, nonconforming signs shall be allowed to continue, but shall not be rebuilt, relocated, replaced or altered without being brought into compliance with all the requirements of this ordinance. Furthermore, nonconforming signs are subject to the provisions contained at Section 10.06.
- B. Any sign that is violation of this ordinance shall be removed or altered to comply with this section.
- C. Maintenance of existing signs, including the replacement of faceplates of the same size, shall be permitted on non-conforming signs.
- D. Temporary ribbons, banners, pennants, and similar devices that are in use as of the adoption of this ordinance must comply with the provisions of Subd. 3k of this section.

ALL OTHER SECTIONS SHALL REMAIN UNCHANGED

ADOPTED by the Hastings City Council on this 17th day of October, 2005.



Michael D. Werner, Mayor

ATTEST:


Melanie Mesko Lee, City Clerk

I HEREBY CERTIFY that the above is a true and correct copy of an ordinance presented to and adopted by the City of Hastings, County of Dakota, Minnesota, on the 17th of October, 2005, as disclosed by the records of the City of Hastings on file and of record in the office.



Melanie Mesko Lee, City Clerk

(SEAL)

This instrument drafted by:
City of Hastings (KKJ)
101 4th St.
Hastings, MN 55033