



ST. FRANCIS PLANNING COMMISSION

**ISD #15 DISTRICT OFFICE BUILDING
4115 AMBASSADOR BLVD.
FEBRUARY 16, 2011**

7:00 PM

AGENDA

1. Call to Order/Pledge of Allegiance
2. Roll Call
3. Adopt Agenda February 16, 2011
4. Approve Minutes November 17, 2010
5. Public Comment
- Annual Business**
6. Election of Officers
- Public Hearings**
7. Parking & Driveway Ordinance Amendments
- Regular Business Items**
8. Sign Ordinance Review
9. Goal Setting - 2011
10. Discussion by Planning Commissioners
11. Adjournment

There may be a quorum of St. Francis Council Members present at this meeting.

**CITY OF ST. FRANCIS
ST. FRANCIS, MN
PLANNING COMMISSION MINUTES
NOVEMBER 17, 2010**

1. **Call to Order:** The Planning Commission meeting was called to order at 7:00 pm by Chairman Rich Skordahl.
2. **Roll Call:** Present were Chairman Rich Skordahl, Commission Members Ray Steinke, John Hane, Greg Zutz, William Murray, Todd Gardner, and City Planner Nate Sparks. Kyle Waterworth was not in attendance.
3. **Adopt Agenda:** Motion by Steinke, second by Hane to adopt the November 17, 2010 Planning Commission Agenda. Motion carried 6-0.
4. **Approve Minutes:** Motion by Steinke, second by Murray to approve the September 15, 2010 Planning Commission Minutes with clarification by Zutz. Motion carried 6-0.
5. **Public Comment:** None.
6. **Completion of Exterior Work Ordinance:** Sparks stated Minnesota State Statutes had recently been amended for 2010 to include 326B.121 Subd . 1a that states a City “may by ordinance adopt an official control that requires exterior work authorized by a building permit issued in accordance with the State Building Code, to be completed within a specified number of days following issuance of the building permit. The local regulation may not require completion of the exterior work earlier than 180 days following the issuance of the permit.” Ordinances like this can assist in preventing blight from long term construction sites. St. Francis does not have such an ordinance. A draft ordinance that states residential exterior work must be finished within one year with the possibility for a six month extension has been prepared for review. The Cities of Mound, Bloomington, Waite Park, and Edina all have similar ordinances. Timelines could be changed, if desired. Murray asked about enforcement when ownership issues arose due to foreclosures. Gardner sought clarification the extension procedure. Skordahl stated the ordinance would allow for extension only by Council action and review on a case by case basis. Zutz stated that twelve month plus a six month extension seemed to be too long of a duration. Gardner asked for clarification on the enforcement process. Sparks stated the City’s policy for out of compliance building permits is to send a letter to the permit holder identifying the issue and then turn over to the City Attorney. Gardner, Steinke, Murray, and Skordahl stated a preference for the Council to adopt an ordinance requiring the completion of the exterior work for a building permit within one year with the ability for the Council to grant a six month extension. Zutz and Hane suggested a shorter timeline.
7. **Parking and Driveway Ordinance Review:** Sparks stated this is a continuation of the discussion from September regarding driveways. The Planning Commission requested a draft ordinance regarding the paving of driveways in Rural Residential & Marginal Land PUD subdivisions. Such an ordinance was prepared and included an exemption for people on gravel roads, and only required secondary driveways to be paved within the right-of-way. Also included in the draft ordinance were a few minor clarifications regarding handicapped parking standards, defining curb cuts as property access points, requiring proof of parking as a conditional use, and including pavers as allowed driveway

materials. Sparks asked the Commissioners to weigh in on the ordinance and also to give their opinion on providing required parking in the Central Business District. Skordahl stated the RR/ML-PUD Driveway ordinance is consistent with the direction from the September meeting and that the consensus of the commission is to not require full parking be provided in the CBD when other alternatives exist. Sparks stated City Staff will bring back more information on CBD parking in the future.

- 8. Discussion by Planning Commissioners:** Hane and Steinke stated their terms expire at the end of the year.
- 10. Adjournment:** Motion by Steinke, second by Hane to adjourn the Planning Commission meeting at 8:15 pm. Motion carried 6-0.

Nate Sparks
City Planner



MEMORANDUM

TO: St. Francis Planning Commission
Matt Hylan, City Administrator

FROM: Nate Sparks, Consulting Planner

MEETING DATE: February 16, 2011

RE: Parking & Driveway Ordinance Public Hearing

BACKGROUND

At the November meeting, the Planning Commission reviewed a draft with some revisions to the City' Parking & Driveway Ordinance. The Commission gave City Staff a consensus that the draft ordinance was satisfactory and ready for a public hearing.

RURAL RESIDENTIAL DRIVEWAYS

The consensus of the Planning Commission was to require Rural Residential and Marginal Land PUD zoned properties to have their primary driveways paved. The Commissioners thought the secondary driveway should not be required to be paved except for the portion within the public right-of-way. This policy change would only impact properties in existing platted Rural Residential and Marginal Land PUD subdivisions that are on paved roads. In the attached ordinance chapter Section 10-19-4-B-21 on page 5 is intended to reflect this direction.

OTHER RECOMMENDED CHANGES

Other issues have arisen regarding items within Chapter 19 of the Zoning Ordinance. The following are a summary of changes reflected in the draft:

Page 1 – No changes

Pages 2 & 3 – Section 10-19-3-I regarding disability parking is being clarified to defer to all federal and state standards, whichever is most restrictive.

Pages 3 & 4 – Section 10-19-4-B-5 & 10-19-4-B-11 regarding driveway standards restricts paved driveways to being just concrete and/or bituminous. Paver stone or similar driveways may become more prevalent as general stormwater ordinances become more restrictive. These types of driveways should be included to ensure they are not inadvertently discouraged.

Page 5 – Section 10-19-4-B-21 reflects the proposed Rural Residential Driveway changes.

Page 6 – No proposed changes.

Page 7 – Section 10-19-7, Proof of Parking is proposed to be allowed as a conditional use. Previously, the City would review this type of request with a site plan review, however, now City policy is that such reviews are only necessary in conjunction with a CUP, Variance, or PUD. Therefore, the proof of parking is recommended to be moved into such a class to allow for a necessary review by City Officials.

Page 7 – Section 10-19-8-A, Curb Cuts is proposed to be renamed “Curb Cuts & Property Access Points”. Residents in the rural area have expressed confusion on whether or not this section applied to them. Thus, a clarification in the name is proposed.

Pages 8-15 – No proposed changes.

DOWNTOWN PARKING

The Planning Commission has expressed a desire to study the parking requirements in the downtown area in more detail in the future.

RECOMMENDED ACTION

The Planning Commission should hold the public hearing and provide a recommendation to the City Council on the amendments to the City’s Parking & Driveway Ordinance.

CHAPTER 19

GENERAL PARKING, LOADING, AND ACCESS REQUIREMENTS

SECTION:

- 10-19-1: Purpose
- 10-19-2: Application of Off-Street Parking Regulations
- 10-19-3: General Provisions
- 10-19-4: Performance Standards
- 10-19-5: Joint Parking Requirements
- 10-19-6: Off-Site Parking
- 10-19-7: Proof of Parking Requirements
- 10-19-8: Design and Maintenance of Off-Street Parking
- 10-19-9: Parking Supply Requirements
- 10-19-10: Off-Street Loading Requirements

10-19-1: PURPOSE. The regulation of off-street parking spaces, loading areas, and site access is to alleviate or prevent congestion of the public rights-of-way and to promote the safety and general welfare of the public, by establishing minimum requirements for off-street parking and loading areas for motor vehicles in accordance with the intensity of utilization of various parcels of land or structures.

10-19-2: APPLICATION OF OFF-STREET PARKING REGULATIONS. The regulations and requirements set forth in this Chapter shall apply to the required and non-required off-street parking facilities in all use districts.

10-19-3: GENERAL PROVISIONS.

- A. **Site Plan Requirements.** All applications for a building permit or a certificate of occupancy in all zoning districts shall be accompanied by a site plan, indicating the location and number of off-street parking and loading spaces, meeting the requirements set forth in this Chapter.
- B. **Permits Prior to Effective Date.** Structures or uses for which a building permit has been issued prior to the effective date of this Ordinance shall be exempt from the parking requirements in this Ordinance if the structure is completed within six (6) months after the effective date of this Ordinance.
- C. **Reduction of Existing Off-Street Parking Space.** Off-street parking spaces and loading spaces existing upon the effective date of this Ordinance shall not be reduced in number unless the number exceeds the requirements set forth herein for a similar new use.

- D. **Change of Use or Occupancy of Land.** No change of use or occupancy of land already dedicated to a parking area, parking spaces, or loading spaces shall be made, nor shall any sale of land, division or subdivision of land be made which reduces area necessary for parking, parking stalls, or parking requirements below the minimum prescribed by this Ordinance.
- E. **Change of Use or Occupancy of Buildings.** Any change of use or occupancy of any building or buildings including additions thereto requiring more parking area shall not be permitted until additional parking spaces are provided as required by this ordinance.
- F. **Off-Site Parking Facilities.** When required accessory off-street parking facilities are provided elsewhere than on the lot in which the principal use served is located, they shall be in the same ownership or control, either by deed or long-term lease, as the property occupied by such principal use.
- G. **Use of Parking Area.** All parking lot designs shall be well planned to minimize conflicts between vehicular and pedestrian traffic. Required off-street parking spaces in any district shall not be utilized for vehicle repair, open storage, stockpiling of snow, debris, materials, goods or for the storage of vehicles which are inoperable or for sale or for lease. Parking spaces for the disabled shall comply with current state requirements.
- H. **Computation of Required Spaces.** In computing the number of parking or loading spaces required the following rules shall govern:
1. The term "floor area" for the purpose of calculating the number of off-street parking spaces shall be the net usable floor area of the various floors, exclusive of hallways, utility space, restrooms, window show cases, and ornamental space not used for assembly.
 2. Where fractional spaces result, the parking spaces required shall be construed to be the nearest whole number.
 3. The parking space requirement for a use not specifically mentioned herein shall be the same as required for a similar use as determined by the Zoning Administrator.
 4. When computing total number of parking spaces required for a use, individual activities within the use will be calculated separately and added together to arrive at the total required parking spaces for each specific use proposed.
- I. **Disability Accessible Parking.** ~~Disability accessible parking spaces shall be provided as applicable pursuant to Minnesota Statutes 168.021, as may be~~

~~amended.~~ *Disability parking and associated signage shall be provided per the applicable State or Federal standards, whichever is more restrictive.*

10-19-4: PERFORMANCE STANDARDS. All off-street parking facilities shall comply with the following dimensional standards:

A. Drive Aisles/Parking Lots/Stall Dimensions.

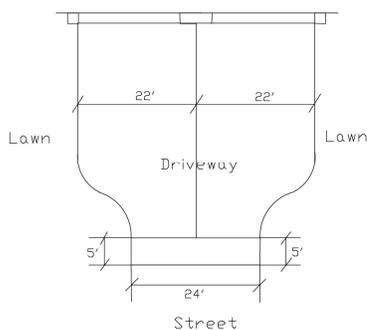
Angle	Minimum Stall Dimensions	Minimum Parking Lot Drive Aisle Width
90 Degree	9 x 19	24 feet (two-way traffic)
60 Degree	9 x 19	18 feet (one-way traffic)
Parallel	8 x 22	24 feet (two-way traffic)

B. Driveway Requirements.

1. Two-way traffic: Twenty-four (24) feet.
2. One-way traffic: Twenty (20) feet minimum if for fire truck access.
3. Drive-up window lanes: Fourteen (14) feet if fire truck access required.
4. All lots or parcels shall have direct adequate physical access for emergency vehicles along the frontage of the lot or parcel from either an existing dedicated public roadway, or an existing private roadway approved by the City.
5. Bituminous, *concrete, pavers, or other similarly surfaced* driveways on ~~surfaced~~ *paved* roadways may extend to and adjoin the existing ~~bituminous paved surface~~. Driveways constructed along roads that are constructed as a rural section street shall meet the rural driveway standard set forth in the City's Development Standards.
6. Driveways of any type surface shall maintain at least a three-foot side yard adjacent property lines in residential districts. Driveways that service commercial and industrial uses may extend to the side property line with approval by the adjacent land owner.
7. No residential driveway shall exceed twenty-four (24) feet in width at the point where it adjoins the street. The driveway shall not exceed a width of twenty-four (24) feet for a distance of at least five (5) feet behind the street, at which point the driveway may exceed twenty-four (24) feet in width.

8. Two single family residences may share a driveway provided both parcels have adequate frontage, easements are recorded, both property owners agree to maintenance and dissolution agreements, and the driveway meets the minimum fire and safety standards. No more than two single family residences may share a driveway. For the purposes of setbacks, the two parcels shall be counted as one, while the agreement is in effect.
9. No residential driveway access shall be allowed onto a designated collector or arterial street, unless the Planning and Zoning Commission finds that no other practical alternative exists and the Council approves said access.
10. No driveway shall obstruct drainage utility access, or impair public safety. When necessary, the lot owner shall install a culvert of adequate size and type, as determined by the City Engineer.
11. All driveways in the Urban Service Area that are constructed after the effective date of this Chapter shall be either ~~bituminous or concrete~~ *bituminous, concrete, pavers, or other similar surface*.
12. Driveways shall not have a slope of greater than ten (10) percent.
13. Driveways in the Rural Service Area shall be of a design that will provide reasonable access for emergency service vehicles and meet all fire and public safety standards. At a minimum, the driveway shall have at least a 10 foot driving surface, with a driveway base that is suitable to support the City's largest piece of fire fighting apparatus. Obstructions adjacent to and directly over the driveway, including but not limited to; tree branches, shrubs, landscaping materials, etc. shall be removed.
14. All new or relocated driveways shall require a permit prior to construction. Driveways located on City streets shall obtain a permit from the City of St. Francis. Driveways located on State Highway 47 shall obtain a permit from MnDOT and driveways located on a County Road shall obtain a permit from the Anoka County Highway Department.
15. The property owner shall be responsible for the maintenance in safe condition of all driveways leading to his or her property, including the portions of sidewalks used as part of said driveways.
16. The center island separating townhome driveways shall be landscaped with hardy shrubs.
17. The center island separating townhome driveways shall not be used for snow storage.

18. The property owners of the townhomes shall share maintenance responsibilities of the center island.
19. In lieu of two separate townhome driveways, one shared driveway may be utilized subject to the following conditions:
 - a. The shared driveway shall not exceed twenty-four (24) feet in width at the point it adjoins the street.
 - b. Townhome driveways shall be required and maintained by a property owner association.



20. Town homes and multi-family dwellings under the ownership and/or control of a property owner association shall be maintained, repaired, and replaced under the cost of property owner association. Said association shall maintain a capital improvement program for the driveways under its ownership.
21. *In the Rural Residential and Maginal Land PUD Districts, primary driveways that lead to the principle structure or primary garage shall be paved with a bituminous, concrete, paver, or similar surface. Secondary driveways shall be paved in a similar manner from the edge of the constructed public roadway to the property line, at minimum. All other rural driveway standards shall be met. The City Engineer may waive this requirement in cases where the public roadway is not paved.*

C. **Private Street Standards.** All private streets intended to service Commercial, Industrial, Institutional, and Multi-family Projects shall be constructed in accordance to the City's Public Street Standard, including but not limited to; street width, curb and gutter, intersection standards, pavement section and design standard.

10-19-5: JOINT PARKING REQUIREMENTS. Required parking facilities serving two (2) or more uses may be located on the same lot or in the same structure, except in residentially zoned districts, provided that the total number of parking spaces furnished

shall be not less than the sum total of the separate requirements for each use during any peak hour parking period when the parking facility is used at the same time by two (2) or more uses. Conditions required for joint uses are:

- A. The proposed joint parking space is within five hundred (500) feet of the use it will serve.
- B. The applicant shall demonstrate that there is not substantial conflict in the principal operating hours of the two (2) or more buildings or uses for which joint use of off-street parking facilities is proposed.
- C. A properly drawn legal instrument executed by the parties concerned for joint use of off-street parking facilities shall be filed as a deed restriction on both properties in the recorder's office of Anoka County.

10-19-6: OFF-SITE PARKING.

- A. Any off site parking which is used to meet the requirements of this Ordinance may, as applicable, be allowed by a conditional use permit for long term off site parking facilities as regulated under the provisions of Chapter 6 of this Ordinance, or an interim use permit for short term temporary off site parking facilities as regulated under the provisions of Chapter 7 of this Ordinance, and shall be subject to the conditions listed below.
- B. Off site parking shall be developed and maintained in compliance with all requirements and standards of this Ordinance.
- C. Reasonable access from off-site parking facilities to the use being served shall be provided.
- D. Except as provided by this Ordinance, the site used for meeting the off-street parking requirements shall be under the same ownership as the principal use being served or under public ownership.
- E. Off-site parking for multiple-family dwellings shall not be located more than two hundred fifty (250) feet from any normally used entrance of the principal use served.
- F. Off-site parking for non-residential uses shall not be located more than five hundred (500) feet from the main public entrance of the principal use being served. Off site parking located more than five hundred (500) feet from the main entrance may be allowed with the provision of a private shuttle service.
- G. Any use which depends upon off-site parking to meet the requirements of this Ordinance shall maintain ownership and parking utilization of the off-site location

until such time as on site parking is provided or a site in closer proximity to the principal use is acquired and developed for parking.

10-19-7: PROOF OF PARKING REQUIREMENTS. The City may allow reductions in the number of required parking spaces to be installed under one (1) or more of the following circumstances *via a Conditional Use Permit*:

- A. The unique characteristics of the proposed use are such that it will generate a need for less parking than the Ordinance standard; or
- B. All requests for reductions in the amount of required parking to be installed shall be accompanied by a plan showing where the total required parking spaces can be added on the lot, if necessary, up to the total amount required by this Ordinance, (meeting green area requirements) without requiring a variance.

10-19-8: DESIGN AND MAINTENANCE OF OFF-STREET PARKING.

A. Curb Cuts & Property Access Points.

1. Width. No driveway curb cut access within the public right-of-way shall exceed twenty-four (24) feet.
2. Number Allowed. Residential lots within the Urban Service Area shall be limited to no more than one driveway access on to a public street. Residential lots within the Rural Service Area may have two driveway accesses, provided the driveways have at least a one hundred (100) feet separation and the second driveway is intended to service an accessory structure. Both driveways shall have culverts meeting City Code Requirements. Lots developed for Commercial, Industrial, Multi-family and/or Public Institutional Uses may be permitted multiple driveways onto a public street after review and approval by the City Engineer.
3. Setbacks. Curb cuts may not be placed closer than three (3) feet to any side or rear lot line.
4. County/State Roads. Curb cuts onto County/State roads shall require review by the County/State Engineer. The County/State Engineer shall determine the appropriate location, size, and design of such access drives and may limit the number of access drives in the interest of public safety and efficient traffic flow.
5. Sensitive Areas. Curb cuts to principal structures which traverse wooded, steep, or open field areas shall be constructed and maintained to a width

and base material depth sufficient to support access by emergency vehicles as determined by the City Engineer.

- B. **Signs.** Signs shall not be located in a required parking area except as necessary for disability accessibility and for the orderly operation of traffic movement. Such signs shall not be a part of the permitted advertising space.
- C. **Curbing.** Except for single, two family and townhouses, all open off-street parking shall have a perimeter concrete curb barrier around the entire parking lot. Said curb barrier shall be set back a minimum of five (5) feet from any property line.
- D. **Striping.** Except for single, two family and townhouses, all parking stalls shall be marked with white or yellow painted lines not less than four (4) inches wide.
- E. **Surfacing.** All commercial, industrial, and institutional parking spaces and driveways shall be surfaced with concrete, bituminous, or pavers in all zoning districts. Other materials such as decorative rock, gravel, sand, or bare soil are prohibited. All parking areas and driveways shall be maintained in a safe and proper manner. The owner shall not allow weeds or surface materials to become deteriorated.
- F. **Lighting.** Lighting in an off-street parking area shall be shaded or diffused so as to reflect the light away from adjoining property and adjacent traffic areas as regulated in accordance with Section 10-16-8 of this Ordinance. All light fixtures shall be a down-cast style.
- G. **Maintenance of Off-Street Parking Spaces.** It shall be the joint responsibility of the operator and owner of the principal use, uses and/or building to maintain, in a neat and adequate manner, the parking space, access ways, landscaping and required fencing.
- H. **Location.** All accessory off-street parking facilities required herein shall be located as follows:
 - 1. Spaces accessory to one and two family dwellings shall be on the same lot as the principal use served unless guest parking is provided elsewhere.
 - 2. There shall be no off-street parking space within five (5) feet of any property line except as provided below:
 - a. B-2 and B-3 Districts. Zero lot line parking area setbacks shall be allowed within B-2 and B-3 Districts subject to the following conditions:

- (1) A five (5) foot parking area setback shall be maintained along street rights-of-way (not including alleys). Such setback area shall be sodded or landscaped with approved ground cover, shrubs or trees.
 - (2) The parking area shall not abut a residential zoning district or use.
 - (3) If applicable, a maintenance and joint use agreement shall be executed and recorded against the titles of the affected properties.
 - (4) Encroachment into established utility easements shall be allowed only via permit and an encroachment agreement with the City.
- b. **Shared Access and Joint Parking.** Zero lot line setbacks shall be allowed in cases of shared access and joint parking subject to the following conditions:
- (1) The access and/or parking area layout is approved by the City Engineer.
 - (2) A maintenance and joint use agreement shall be executed and recorded against the titles of the affected properties.
 - (3) If applicable, the conditions of Section 10-19-5 of this Ordinance related to joint parking are satisfied.
3. When parking stalls abut a sidewalk, the minimum sidewalk width shall be six (6) feet.
 4. Parking stalls shall not be located where they obstruct doorways, driveways, or pedestrian walkways.
 5. All disability accessible stalls shall be located in close proximity to entrance areas and shall not be hindered by inappropriately located curb cuts, catch basins, etc.
- I. **Use of Parking Area.** Required off-street parking spaces in all districts shall not be used for open storage, or sale of goods, or for the storage of vehicles which are inoperable, for lease, rent or sale or the stockpiling of snow.
- J. **Parking and Storage of Recreational Vehicles.** The parking and storage of recreational vehicles shall be regulated in accordance with Section 7-4-5 of the City Code and Section 10-16-15 of this Ordinance.

10-19-9: PARKING SUPPLY REQUIREMENTS.

USES	REQUIRED NUMBER OF PARKING SPACES
RESIDENTIAL	
Assisted Living Facility	One-half (½) space per unit.
Daycare Nursery	One (1) space per teacher/employee on the largest work shift, plus one (1) off-street loading space per six (6) students.
Elderly (Senior Citizen) Housing (uses with occupancy limited to persons age 55 and over)	One (1) space per unit. One-half (½) of required stalls may be provided at initial development for projects with occupancy restricted to persons age 55 and older. The development shall include a proof-of-parking area sufficient to meet the parking requirements.
Group Home (Dwelling)	One (1) space per sleeping room or one (1) space for every four (4) beds.
Manufactured Home	Two (2) parking spaces per manufactured home (A minimum of one (1) parking space shall be enclosed)
Multiple Family (Apartment) Dwelling (see also Guest Parking)	One and one-half (1½) parking spaces for each efficiency and one bedroom unit and two and one-quarter (2¼) parking spaces for units with two (2) or more bedrooms. A minimum of one (1) of the required parking spaces per unit shall be an enclosed garage space. A land area requirement credit of three hundred (300) square feet toward the satisfaction of lot area requirements shall be given for each garage space under the principal building.
Multiple Family Guest Parking	One-half (½) space per townhouse or apartment unit, distributed throughout the development, in addition to the required parking per unit.
Nursing Home other than Assisted Living Facility	One (1) space per six (6) patient beds, plus one (1) space per employee on the largest work shift.
One and Two Family Residence	A four hundred forty (440) square foot attached garage shall be constructed at the same time as the principal structure. For lots of record established after the effective date of this Ordinance, all site plans for single-family homes shall provide for the location of a three (3) stall attached garage, whether or not construction is intended.
Townhome Dwelling Unit (see also Guest Parking)	Each dwelling unit shall have an attached garage with a minimum of two (2) garage spaces and two (2) driveway spaces per unit. The minimum garage space shall be two hundred twenty (220) square feet for dwellings with basements and five hundred forty (540) square feet for dwellings without basements. Garages shall be a minimum of twenty (20) feet in width.

USES	REQUIRED NUMBER OF PARKING SPACES
COMMERCIAL:	
Automobile Repair (Associated with Motor Fuel Station)	Two (2) spaces for each service stall plus motor fuel requirements.
Automobile Repair, Major	At least two (2) off-street parking spaces plus four (4) off-street parking spaces for each service stall.
Automobile Repair, Minor	One (1) space per two hundred (200) square feet of floor area.
Automobile Sales	One (1) space per five hundred (500) square feet of showroom plus one (1) space for each three thousand (3,000) square feet of outdoor sales lot.
Bank	One (1) parking space for each three hundred (300) square feet of floor area plus five (5) stacking spaces for each drive-in window.
Bar, Tavern, Night Club	At least one (1) space per three (3) patron seats, plus one (1) space per employee on the largest work shift.
Beauty or Barber Shop	Two (2) parking spaces per chair, plus one (1) space per employee on the largest work shift.
Boarding House	At least one (1) parking space for each person for whom accommodations are provided for sleeping.
Bowling Alley	Five (5) parking spaces for each alley, plus additional spaces as may be required herein for related uses contained within the principal structure.
Car Wash (Accessory to motor fuel station)	Four (4) off-street stacking spaces per drive-through car wash. The bay inside the car wash shall not be considered a stacking space.
Car Wash (Drive-Through) as Principal Use	A minimum of ten (10) spaces or one (1) space for each employee on the maximum shift, whichever is greater.
Community Center, Private Club, Lodge, Museum, Art Gallery	Ten (10) spaces, plus one (1) for each one hundred fifty (150) square feet in excess of two thousand (2,000) square feet of floor area in the principal structure.
Convenience Grocery	One (1) parking space per one hundred (100) square feet of floor area. Parking areas at pump islands may be counted as parking spaces.
Fitness Center	One (1) space per exercise station (e.g., strength machine or cardiovascular) plus one (1) space per employee on the largest work shift plus additional parking required for ancillary uses.
Funeral Home	Twenty (20) spaces per chapel or parlor, plus one (1) space for each company vehicle maintained on site. Adequate stacking space shall also be provided for staging funeral processions.
Grocery or Supermarket	One (1) space per one hundred (100) square feet of floor area of customer sales and service, plus one (1) space per two hundred (200) square feet of floor area of storage.

USES	REQUIRED NUMBER OF PARKING SPACES
Hotel or Motel	At least one (1) space for each dwelling unit or lodging room, plus one (1) additional space for each eight units. Additional spaces shall be required for liquor or restaurant facilities.
Instructional Studio (Dance, Karate, Music, and similar uses)	One (1) space for each two hundred (200) square feet of floor area.
Laundromat	One-half (½) space per machine.
Mini-Storage	Two (2) parking spaces per employee area plus one (1) space per six thousand (6,000) square feet of indoor storage area.
Motor Fuel Station	One (1) space per pump plus one (1) space per employee on the largest work shift. With convenience grocery; include one (1) space per one hundred (100) square feet of floor area. Parking areas at pump islands may be counted as parking spaces.
Outdoor Storage and/or Display of Retail Merchandise	One (1) space per two thousand (2,000) square feet of outdoor storage or display area in addition to the total parking required on the site for the individual use.
Pool Hall and Arcade	One (1) space per four (4) patrons at the maximum occupancy load of the facility, plus one (1) space per employee on the largest work shift, plus one (1) space per one hundred (100) square feet of kitchen, dining, or snack bar area.
Religious Institution, Theater, Auditorium	One (1) space for each three (3) seats. Based upon maximum design capacity, plus additional spaces as may be required herein for related uses contained within the principal structure.
Restaurant (Fast Food)	One (1) space per fifty (50) square feet of floor area, plus one (1) space per employee on the largest work shift.
Restaurant (Sit Down) including outdoor seating	Five (5) spaces per one thousand (1,000) square feet of floor area
Restaurant, Take-Out (No seating)	One (1) space per one hundred (100) square feet of floor area.
Retail Sales and Multiple occupancy retail service building	One (1) space per two hundred fifty (250) square feet of floor area and outdoor sales space.
Retail Sales/Service and storage	One (1) space per two hundred (200) square feet of floor area of retail space and one (1) space per five hundred (500) square feet of storage area.
OFFICE:	
Medical, Dental, or Chiropractic Office or Clinic	Five (5) spaces per doctor or dentist, plus one (1) space for each employee on the largest work shift.
Office (Business and Professional)	One (1) space for each four hundred (400) square feet of floor space.

USES	REQUIRED NUMBER OF PARKING SPACES
Veterinary Office (with or without kennels)	Three (3) spaces per doctor, plus one (1) space per employee on the largest work shift.
INDUSTRIAL:	
Industrial	A minimum of one (1) space per employee on the largest work shift plus one (1) space per company vehicle regularly stored on premises, plus addition spaces that may be required depending upon the specific use.
Manufacturing, Fabricating or Processing of a Product	One (1) space per one thousand (1,000) square feet of floor area, plus one (1) space for each company owned truck (if not stored inside principal structure).
Manufacturing, Office	One (1) space per three hundred fifty (350) square feet of floor area, plus one (1) space per company vehicle not stored within the principal structure.
Warehouse	Office Area: One (1) space per two hundred (200) square feet of office area. Warehouse Area: One (1) space per one thousand (1,000) square feet of floor area plus one (1) space per company vehicle not stored within principal structure.
INSTITUTIONAL:	
Cemetery	One (1) space per employee
Church	One (1) space per three (3) seats of maximum capacity.
Community Recreation Center	One (1) space per two hundred fifty (250) square feet of floor area, or one (1) space per four (4) patrons at the maximum occupancy load, whichever is greater, plus one (1) space per employee on the largest work shift.
Hospital	Two (2) spaces per three (3) patient beds, plus one (1) space per employee on the largest work shift.
Library	One (1) space per two hundred fifty (250) square feet of floor area or one (1) space per four (4) seats at the maximum occupancy load, whichever is greater, plus one (1) space per employee on the largest work shift.
School, College or Trade	One (1) space per staff member on the largest work shift, plus one (1) space per two (2) students of the largest class attendance period.
School, Elementary and Junior High	One (1) space per seven (7) students based upon building design.
School, High School and Post High School Facilities	One (1) space per three (3) students based on building design capacity, plus one (1) space per classroom.

USES	REQUIRED NUMBER OF PARKING SPACES
RECREATIONAL:	
Athletic Field (Private or private nonprofit)	One (1) space per eight (8) seats of design capacity.
Athletic Stadium/Auditorium/Indoor Sports Area	One (1) space per four (4) seats.
Golf Course	Four (4) spaces per hole, plus fifty (50) percent of the requirements for any other associated use, except in planned residential, resort, or commercial developments, which have otherwise adequate provisions for parking.
Golf Driving Range, Miniature Golf, Archery Range	Ten (10) off-street spaces, plus one (1) for each one hundred (100) square feet of floor area.
Skating Rink, Ice	One (1) space per three hundred (300) of rink area.
Tennis, Racquet, Handball Court	Four (4) spaces per court, plus one (1) space per employee on the largest work shift.
GENERAL PARKING	
Uses Not Listed	The parking space requirement for a use not specifically mentioned herein shall be the same as required for a similar use as determined by the Zoning Administrator.

10-19-10: OFF-STREET LOADING REQUIREMENTS. Any of the following uses with a gross floor area of six thousand (6,000) square feet or more which requires deliveries or shipments shall provide off-street loading facilities in accordance with the requirements specified below unless a conditional use permit is granted:

- A. Every retail establishment, industrial or manufacturing use, warehouse, or wholesale use having a gross floor area of six thousand (6,000) square feet or more shall provide off-street loading facilities as follows:

Gross Floor Area in Square Feet	Number of Loading Spaces
6,000 - 24,999	1
25,000 – 74,999	2
75,000 – 150,000	3
For each additional one hundred thousand (100,000) square feet (or fraction thereof) of gross floor area	One (1) additional off-street loading space shall be provided

- B. Every public assembly use, such as auditoriums, convention halls, exhibition halls, stadiums or sports arenas, with a gross floor area of greater than one hundred thousand (100,000) square feet shall be provide a minimum of one (1) off-street loading space.
- C. Funeral Homes, restaurants and hotels with a gross floor area of greater than thirty thousand (30,000) square feet and offices with a gross floor area of one

hundred thousand (100,000) square feet or more shall provide a minimum of one (1) off-street loading space.

- D. Off-street loading spaces shall be at least ten (10) by twenty-five (25) feet, excluding area for maneuvering vehicles.
- E. At no time shall any part of a truck or van be allowed to extend into the right-of-way of a public street while the truck or van is being loaded or unloaded.



PLANNING REPORT

TO: St. Francis Planning Commission
Matt Hylan, City Administrator

FROM: Nate Sparks, Consulting Planner

MEETING DATE: February 16, 2011

RE: Sign Ordinance Review

BACKGROUND

In 2010, the Planning Commission held a series of brief discussions regarding some modifications to the sign ordinance. The revisions were required due to the existing ordinance being out of date in terms of content neutrality and with non-conformities. There are also issues with the current ordinance in regards to enforceability especially in regards to temporary signage. After reviewing the issues the Planning Commission made some recommendations for changes to the ordinance. The draft ordinance has been updated to include these recommendations. The changes are represented by the strikethroughs and italicized text.

CONTENT NEUTRALITY / NON-CONFORMITIES / ENFORCEABILITY

The draft sign ordinance includes content neutral language. The types of signs were rewritten to avoid regulation unrelated to the time, place, and manner of signs. Also included was a correction to the non-conformities section to make the ordinance consistent with Minnesota State Statutes.

Another topic of discussion was overall enforceability. The draft ordinance attempts to tackle several loopholes that were present in the ordinance. Temporary signs are required to receive permits and governmental units are no longer exempted from the ordinance.

TEMPORARY & BANNER SIGNS

Temporary and banner sign enforcement is an issue in many cities. Attempting to strike a balance between the practical purposes of such signage and the appearance of the City is important. In St. Francis, temporary signs are defined as: "Signs which are erected or displayed for a limited period of time. Unless otherwise stipulated by the Council, temporary signs are limited to not longer than ten (10) calendar days." This language is very difficult to enforce because it there is no process to establish when the ten days has started or when it is completed. The City would need to document 11 consecutive days of the sign

being up prior to being able to successfully seek enforcement. At which point the property owner could possibly take the sign down and put it back up and get a new ten days. Banners are regulated in the ordinance as temporary signs.

BANNER SIGN REGULATIONS

There are a variety of methods by which cities regulate banner signs. Princeton uses the same language St. Francis currently has with the 10 day allowance and no permit required. Lindstrom allows banners for 14 days at a time and requires a permit. East Bethel allows one at a time up to three per year for 10 days each with a permit. Cambridge allows 2 banners up to 100 square feet each on a building at a time without a permit and one 48 square foot ground banner may replace one of the two on the building in certain circumstances. Ramsey allows banners up to 50% of the allowed wall signage to be attached to a building with a permit. Big Lake has a more complex formula where 3 per lot up to 32 square feet in area each are allowed without a permit 21 days per month but with a permit they are allowed year round.

The Planning Commission discussed creating a limit on the number of banners allowed per building and using the same limits as identified in the Cambridge ordinance. Draft language to that effect has been supplied in the ordinance draft.

PORTABLE TEMPORARY SIGN REGULATIONS

With the large multi-tenant buildings set behind the large parking areas, sometimes people driving by on the highway will miss the large sale sign in the window of the business. In cases such as this, portable signs become popular for businesses to attract attention. As they are portable and temporary in nature, they are usually not as attractive and well constructed as the typical business wall sign. Cities usually regulate these signs to ensure they don't become permanent and too prevalent where they become too distracting to drivers.

Some cities like East Bethel, North Branch, and Otsego prohibit such signs in most all cases (with a few exceptions). As with banner signs, many cities seek to limit the duration of display via a permitting process. Big Lake requires a permit to display one per parcel up to 60 days a year. Cambridge is similar but up to 120 days a year. Elk River allows one per parcel at a time up to 90 days a year in 30 day intervals with a permit required for each interval. Wyoming is similar with an allowance of 3 15 day permits a year. The size allowed is typically 32 square feet (Big Lake, Cambridge, Wyoming) with some exceptions. Ramsey allows up to 50 square feet and Elk River allows 48.

Multi-tenant buildings can create an issue for cities. Many simply allow one per building or parcel. Others allow extra for such situations. Ramsey allows three per multi-tenant building versus two per single tenant. Currently, St. Francis does not differentiate. A possible method to allow more for multi-tenant structures would be to take a nominal distance and allow one per every number of feet.

After some discussion, the Planning Commission came to a consensus that the portable temporary signs should be permitted, limited to 120 days per year, limited to one per parcel or one per 150 feet for multi-tenant buildings. There was lengthy discussion on whether or not the permit process would be too onerous. If the Commission feels that this is potentially the case, it is possible for the ordinance to read similarly but that no permit is required and any sign could be up 30 days but then must be removed for 30 days.

WINDOW SIGNS

The Planning Commission also discussed window signage. A consensus was reached that signage should be limited to 75% coverage of the window and that no permit was required. Draft language to that effect was included in the ordinance.

CHAMBER OF COMMERCE DISCUSSION

City Staff attended a Chamber of Commerce meeting and discussed the draft portable sign issues. Representatives from the Chamber will be invited to the Planning Commission meeting to further the discussion. At the meeting, Chamber members were generally receptive to the direction the Planning Commission was going and understood the attempt to strike a balance between aesthetics, enforceability, and creating a business friendly atmosphere. Some members expressed concern about permits and permit fees and one suggested the alternative for the portable temporary sign.

RECOMMENDED ACTION

The Planning Commission should discuss the final draft of the ordinance and the comments from the Chamber and give Staff direction on any policy content changes for the final draft of the ordinance update.

CHAPTER 23

SIGNS

SECTION:

- 10-23-1: Purpose and Intent
- 10-23-2: Exempt Signs
- 10-23-3: Prohibited Signs
- 10-23-4: Signs Not Requiring Permits
- 10-23-5: ~~Construction Sign Specifications~~ *General Sign Requirements*
- 10-23-6: Maintenance of Signs
- 10-23-7: Non-Conforming Signs
- 10-23-8: District Regulations
- 10-23-9: Administration
- 10-23-10: *Severability*

10-23-1: PURPOSE AND INTENT: The purpose of this chapter is to protect and promote the general welfare, health, safety and order within the City through the establishment of a comprehensive and impartial series of standards, regulations and procedures governing the erection, use and/or display of devices, signs or symbols serving as visual communicative media to persons situated within or upon public right-of-way or private properties. The provisions of this Section are intended to encourage creativity, a reasonable degree of freedom of choice, an opportunity for effective communication, and a sense of concern for the visual amenities on the part of those designing, displaying or otherwise utilizing needed communicative media of the types regulated by this Section; while at the same time assuring that the public is not endangered, annoyed or distracted by the unsafe, disorderly, indiscriminate or unnecessary use of such communicative facilities.

10-23-2: EXEMPT SIGNS: The following signs are exempt from the requirements of this Section:

- A. ~~Informational signs not exceeding two square feet in area, displayed strictly for the convenience of the public, including signs which identify rest rooms, waste receptacles, addresses, door bells, mailboxes or building entrances.~~
- B. ~~Memorial plaques, cornerstones, and historical tablets.~~ *Memorial plaques, building identification signs, and building cornerstones when cut or carved into a masonry surface or made an integral part of the building or structure.*
- C. ~~Wall or window occupational signs giving the name or profession of a business, providing the sign does not exceed four (4) square feet in area.~~

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- D. ~~Public signs, street signs, warning signs, railroad crossing signs, signs of public service companies for the purpose of safety or private directional signs of not over four (4) square feet. Directional, warning, or informational signs authorized by federal, state, or municipal governments with proper jurisdiction.~~
- E. ~~Other signs of a temporary nature, not specifically covered by this Section for a period of time not to exceed ten (10) calendar days.~~
- F. ~~Signs erected by a governmental unit or a public school district. Official notices authorized by a court, public body, or public safety official.~~

10-23-3: PROHIBITED SIGNS: The following signs are prohibited within the City:

- A. Sign attached to any tree, public sign or utility poles.
- B. Sign constructed of a material not of a permanent nature.
- C. Above roof signs. Projecting signs shall project no further than two (2) feet from the wall to which they are anchored. No sign, or portion thereof, shall project over public property.
- D. Sign which by reason of position, movement, shape, illumination or color would constitute a traffic hazard to oncoming traffic.
- E. Sign noticeably moving as a result of normal wind pressure.
- F. Sign containing obscene language or graphics.
- G. Abandoned signs which no longer identify or advertise a bona fide business, service, product, or activity or for which a legal owner can be found.
- H. Banners, pennants, festoons, and search-lights except as a permitted temporary special event sign *and as identified in 10-23-5-H.*
- I. Signs imitating or resembling official traffic or governmental signs or signage.
- J. Signs placed on vehicles or trailers which are parked or placed for the primary purpose of displaying said sign except for portable signs or lettering on buses, taxis, or vehicles operating during the normal course of business.
- K. Any sign placed within thirty (30) feet of any intersection that may obstruct motorist or pedestrian visibility.

10-23-4: SIGNS NOT REQUIRING PERMITS: The following signs are exempt from permit requirements but must otherwise be in conformance with all requirements of this Section.

A. ~~Construction signs. having a sign area of sixty-four (64) square feet or less. A non-illuminated sign not exceeding thirty-two (32) square feet in the R-1 and R-2 District and sixty-four (64) square feet in area in all other districts may be placed on the site where an open building permit has been issued. The sign shall be removed within two (2) years of the date of issuance of the building permit or when the building permit has been finalled or expired, whichever is sooner.~~

B. ~~Directional/Informational signs having a sign area of four (4) square feet or less. Directional signs, on-site. On site-directional signs, not exceeding two (2) square feet in area, intended to facilitate the movement of pedestrians and vehicles within the site, identify restrooms, waste receptacles, addresses, door bells, mailboxes, or building entrances upon which signs are located. Such signs shall be limited to two (2) per site in R-1 and R-2 Districts and four (4) per site for all other districts.~~

C. ~~Holiday decorations.~~

D. ~~Nameplates having a sign area of four (4) square feet or less. Identification Signs. Signs in all non-residential districts which identify the business, owner, manager, or resident providing the sign does not exceed four (4) square feet in area and is attached to a wall or placed in a window. Such a sign may be placed on a residential property with a permitted home occupation.~~

E. ~~Political signs in compliance with State Statutes governing campaign signage. Non-commercial speech. Notwithstanding any other provisions of this sign ordinance, all signs of any size containing non-commercial speech may be posted from June 25 in any general election year until ten (10) days following the general election and thirteen (13) weeks prior to any special election until ten (10) days following the special election.~~

F. ~~Private sale or event signs. One sign not to exceed four (4) square feet in area may be placed on the site of a rummage sale or similar event. Any sign shall be removed at the termination of the sale or similar event.~~

G. ~~Real Estate signs having a sign area of six (6) square feet or less. Individual property sale, lease, or rental signs. Any property that is currently for sale or rent may place one sign per street frontage. Such signs must be removed within ten (10) days after the sale or rental of the property. Such signs shall not exceed six (6) square feet in area in all residential districts and thirty-two (32) square feet in area in all other districts.~~

10-23-5: CONSTRUCTION SIGN SPECIFICATIONS GENERAL REQUIREMENTS: All signs within the City shall be subject to the following standards:

- A. **Compliance with Building and Electrical Codes:** All signs shall be ~~constructed in accordance~~ *erected pursuant to* with the requirements of the State Building Code.
- B. **Anchorage Requirements:**
1. No sign shall be suspended by non-rigid attachments that will allow the sign to swing in a wind.
 2. All freestanding signs shall have self-supporting structures permanently attached to concrete foundations.
 3. All portable signs on display shall be braced or secured to prevent motion.
 4. *No sign shall be attached to hang from any building until all necessary wall attachments have been approved by the Building Official.*
- C. **Sign Wind Resistance Requirements:**
1. Solid signs, other than wall signs, shall be designed to withstand a wind load of seventeen (17) pounds per square foot on any face, having a height less than thirty (30) feet and to withstand a wind load of twenty-two (22) pounds per square foot on any surface having a height in excess of thirty (30) feet in height.
 2. Skeleton signs, other than wall signs, shall be designed to withstand a wind load of seventeen (17) pounds per square foot on the total face area of the letters and all other sign surfaces less than thirty (30) feet in height and to withstand a wind load of twenty-two (22) pounds per square foot on all portions in excess of thirty (30) feet in height.
- D. **Additional Sign Construction and Placement Requirements:**
1. No sign shall be erected, constructed or maintained so as to obstruct any fire escape, required exit, window or door opening used as a means of egress.
 2. No sign shall be attached in any form, shape, or manner which will interfere with any opening required for ventilation, except that signs may

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be erected in front of and may cover transom windows when not in violation of the provisions of the current Building or Fire Codes.

3. Signs shall be located in such a way as to maintain horizontal and vertical clearance of all overhead electrical conductors in accordance with present Electrical Code specifications.
4. Lighting shall be directed away from road rights-of-way and adjacent dwellings.
5. Freestanding signs in all districts shall have a minimum setback of ten (10) feet from any public right-of-way measured to any portion of the sign, and a minimum clearance of ten (10) feet over any vehicular or pedestrian use area. No freestanding sign shall be located within twenty-five (25) feet of any intersection of street right-of-way lines and/or driveway entrances.
6. *Except as otherwise permitted by this ordinance, no signs other than governmental signs shall be erected or temporarily placed within any right-of-way or upon any public lands or easements.*
7. *When a free standing sign or sign structure is constructed so that the sign faces are not back to back, the angle shall not exceed ten degrees. If the angle is greater than ten degrees, the total area of both sides added together shall not exceed the maximum allowable sign area for that district.*

E. Temporary Signs:

1. *An on-site temporary, portable sign may be used for a period of time not to exceed 120 days per calendar year per parcel of record in the commercial and industrial zoning districts provided:*
 - a. *Such temporary, portable signs shall not exceed thirty-two (32) square feet in area and six (6) feet in height and shall not be placed closer than ten (10) feet from any street right-of-way or property line.*
 - b. *Any temporary, portable sign shall require a permit issued by the City to the property owner specifying the duration of time to be displayed.*
 - c. *No temporary, portable sign shall occupy required parking spaces.*

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- d. *In the case of multi-tenant structures, one sign may be placed every 150 feet of street frontage rather than one sign per parcel. Each 150 feet is granted 120 days for display.*
2. *One sandwich board sign per business may be allowed in the business districts without a permit and without using the time period allotted for temporary, portable signs provided:*
 - a. *The sign is placed within fifteen (15) feet of the entrance of the business.*
 - b. *The sign shall be placed on private property and may be placed on a private sidewalk provided there is five (5) feet of clearance for pedestrians.*
 - c. *The sign may not obstruct safety, visibility, or traffic.*
 - d. *The sign shall be freestanding, not attached to any other structure or device, not be illuminated, greater than 3 ½ feet in height, greater than 2 feet in width, or greater than 2 feet in depth.*
 - e. *The sign shall be only displayed during business hours.*

F. **Electronic Message Board Signs.** *Signs displaying electronic, scrolling text-based messages may be permitted in commercial and industrial districts provided that the electronic message board component of any sign is no greater than forty (40) square feet in area.*

G. **Business and Industrial Window Signs.** *Window signs are permitted in the industrial and business districts provided each sign does not occupy more than 75% of the window.*

H. **Banner signs.** *Banner signs are permitted for two per building up to 100 square feet in area each. If a banner sign is placed on the ground it cannot exceed 48 square feet in size. Only one of the two banner signs shall be allowed to be on the ground and must meet the setback and duration provisions for temporary portable signs.*

10-23-6: MAINTENANCE OF SIGNS: All signs shall be maintained by the owner in a safe condition. A sign shall be repainted whenever its paint begins to fade, chip, or discolor.

10-23-7: NON-CONFORMING SIGNS: Any sign legally existing on the effective date of this Section which does not conform to the requirements set forth in this Section shall become a non-conforming sign. *No non-conforming sign shall be enlarged or*

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altered in such a fashion that increases its non-conformity. Non-conforming signs shall be subject to the following requirements of Chapter 15 of the Zoning Ordinance.

- A. ~~Any non-conforming temporary or portable sign existing on the effective date of this Section shall be made to comply with the requirements set forth herein and shall be removed within sixty (60) days after the effective date of this Section.~~
- B. ~~A lawful sign on the effective date of this Section or of amendments thereto that does not conform to these provisions shall be regarded as a non-conforming sign.~~

10-23-8: DISTRICT REGULATIONS: The following signs are permitted in their respective Zoning District:

A. **A-1, A-2. and A-3:**

- 1. All signs not requiring permits as set forth in this Section.
- 2. One (1) permanent area identification sign per neighborhood, subdivision, or development, not to exceed thirty-two (32) square feet in sign area and six (6) feet in height. The area identification sign shall be placed on the same premises as the development which it identifies.
- 3. For ~~permitted~~ *legally established* non-residential uses, one (1) freestanding sign not to exceed thirty-two (32) square feet and six (6) feet in height, shall be permitted. One (1) wall business sign, not to exceed twenty (20) square feet, shall also be permitted. The freestanding sign and wall business signage shall be placed on the same premises as the business in which it identifies.
- 4. Signage requirements for Home Occupations shall be as follows: one (1) freestanding sign not to exceed twenty (20) square feet in sign area and six feet in height, and one (1) business wall sign not to exceed twenty (20) square feet in sign area.

B. **RR:**

- 1. All signs not requiring permits as set forth in this Section.
- 2. One (1) permanent area identification sign per neighborhood, subdivision, or development, not to exceed thirty-two (32) square feet in sign area and six (6) feet in height. The area identification sign shall be placed on the same premises as the development which it identifies.

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3. For ~~permitted~~ *legally established* non-residential uses, one (1) freestanding sign not to exceed thirty-two (32) square feet and six (6) feet in height, shall be permitted. One (1) wall business sign, not to exceed twenty (20) square feet, shall also be permitted. The freestanding sign and wall business signage shall be placed on the same premises as the business in which it identifies.
4. Signage requirements for Home Occupations shall be as follows: one (1) freestanding sign not to exceed twenty (20) square feet in sign area and six (6) feet height, and one (1) business wall sign not to exceed twenty (2) square feet in sign area.

C. **R-1 and R-2:**

1. All signs not requiring permits as set forth in this Section.
2. One (1) permanent area identification sign per neighborhood, subdivision, or development, not to exceed thirty-two (32) square feet in sign area and six (6) feet in height. The area identification sign shall be placed on the same premises as the development which it identifies.
3. For ~~permitted~~ *legally established* non-residential uses, one business wall sign, not to exceed four (4) square feet, shall be permitted.
4. For ~~permitted~~ *legally established* institutional uses, such as religious institutions, nursing homes, medical establishments and schools, one (1) freestanding sign per street frontage identifying said institution or institutional complex shall be permitted. The freestanding sign shall not exceed sixty (60) square feet in sign area and ten (10) feet in height. One business wall sign, not to exceed twenty (20) square feet in sign area, shall be permitted for each structure.
5. Signage requirements for home occupations shall be as follows: one (1) freestanding sign not to exceed four (4) square feet in sign area and six (6) feet in height, and one (1) business wall sign not to exceed four (4) square feet in sign area.

D. **R-3 and R-4:**

1. All signs not requiring permits as set forth in this Section.
2. One (1) permanent area identification sign per *frontage with access to a* neighborhood, subdivision, development or multi-family complex, not to exceed thirty-two (32) square feet in the sign area and six (6) feet in

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height, shall be permitted. The area identification sign shall be placed on the same premises as the development which it identifies.

3. For ~~permitted~~ *legally established* non-residential uses, one business wall sign, not to exceed four (4) square feet in sign area, shall be permitted.
4. For ~~permitted~~ *legally established* institutional uses, such as religious institutions, nursing homes, medical establishments, and schools, one (1) freestanding sign per street frontage identifying said institution or institutional complex shall be permitted. The freestanding sign shall not exceed sixty (60) square feet in sign area and ten (10) feet in height. One business wall sign, not to exceed twenty (2) square feet in sign area, shall be permitted for each structure.
5. Signage requirements for home occupations shall be as follows: one (1) freestanding sign not to exceed four (4) square feet in sign area and one (1) business wall sign not to exceed four (4) square feet in sign area.

E. PUD:

1. All signs not requiring permits as set forth in this Section.
2. Signage requirements shall be established at the time the PUD is approved by the City. All applicants shall submit a signage plan for the proposed development.

F. B-2 and B-3:

1. All signs not requiring permits as set forth in this Section.
2. One (1) permanent area identification sign per neighborhood, subdivision, or development, not to exceed thirty-two (32) square feet in sign area and six (6) feet in height, shall be permitted. The area identification sign shall be placed on the same premises as the development which it identifies.
3. One (1) freestanding sign per street frontage is permitted. The total area of a freestanding sign for a building having one street frontage shall not exceed eighty (80) square feet. Where a building site has two (2) or more street frontages, only one (1) freestanding sign of the above size shall be permitted. Each permitted freestanding sign in excess of one (1), shall have a sign area not to exceed thirty-six (36) square feet. The maximum height of a freestanding sign shall be twenty-five (25) feet.
4. For ~~permitted~~ *legally established* institutional uses, one (1) freestanding sign per street frontage identifying said institution or institutional complex

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shall be permitted. The freestanding sign shall not exceed sixty (60) square feet in sign area and ten (10) feet in height.

5. One business wall sign shall be permitted according to the following: The total area of all wall signs on any wall of a building shall not exceed fifteen (15) percent of the wall area of that wall when said wall area does not exceed five hundred (500) square feet. When said surface area exceeds five hundred (500) square feet, then the total area of such wall sign shall not exceed seventy-five (75) square feet plus five (5) percent of the wall area in excess of five hundred (500) square feet, provided that the maximum sign area for any wall sign shall be three hundred (300) square feet. Wall area shall be computed individually for each tenant in a multi-tenant building based on the exterior wall area of the space that tenant occupies.

G. I-1 and I-2:

1. All signs not requiring permits as set forth in this Section.
2. One permanent area identification sign per neighborhood, subdivision, or development, not to exceed thirty-two (32) square feet in sign area and six (6) feet in height. The area identification shall be placed on the same premises as the development which it identifies.
3. One (1) freestanding sign per street frontage is permitted. The total area of a freestanding sign for a building having one (1) street frontage shall not exceed eighty (80) square feet. Where a building site has two (2) or more street frontages, only one (1) freestanding sign of the above size shall be permitted. Each permitted freestanding sign in excess of one, shall have a sign area not to exceed thirty-six (36) square feet. The maximum height of a freestanding sign shall be twenty-five (25) feet.
4. One business wall sign shall be permitted according to the following: The total area of all signs on any wall of a building shall not exceed fifteen (15) percent of the wall area of that wall when said wall area does not exceed five hundred (500) square feet. When said surface area exceeds five hundred (500) square feet, then the total area of such wall sign shall not exceed seventy-five (75) square feet plus five (5) percent of the wall area in excess of five hundred (500) square feet, provided that the maximum sign area for any wall sign shall be three hundred (300) square feet. Wall area shall be computed individually for each tenant in a multi-tenant building based on the exterior wall area of the space that tenant occupies.

H. I-3:

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1. All signs not requiring permits as set forth in this Section.
2. One (1) permanent area identification sign per neighborhood, subdivision or development, not to exceed thirty-two (32) square feet in sign area and six (6) feet in height, shall be permitted. The area identification sign shall be placed on the same premises as the development which it identifies.
3. One (1) freestanding sign per street frontage is permitted. The total area of a freestanding sign for a building having one street frontage shall not exceed eighty (80) square feet. Where a building site has two or more street frontages, only one freestanding sign of the above size shall be permitted. Each permitted freestanding sign in excess of one shall have a sign area not to exceed thirty-six (36) square feet. The maximum height of a freestanding sign shall be twenty five (25) feet.
4. One business wall sign shall be permitted according to the following: The total area of all signs on any wall of a building shall not exceed fifteen (15) percent of the wall area of that wall when said wall area does not exceed five hundred (500) square feet. When said surface area exceeds five hundred (500) square feet, then the total area of such wall sign shall not exceed seventy-five (75) square feet plus five (5) percent of the wall area in excess of five hundred (500) square feet, provided that the maximum sign area for any wall sign shall be three hundred (300) square feet. Wall area shall be computed individually for each tenant in a multi-tenant building based on the exterior wall area of the space that tenant occupies.

I. **Conservancy:**

1. All signs not requiring permits as set forth in this Section.
2. One (1) permanent identification sign, not to exceed fifty (50) square feet in sign area and six (6) feet in height shall be permitted *per frontage with access to the site*. The identification sign shall be placed on the same premises as the use in which it identifies.

J. **B-1:**

1. All signs not requiring permits as set forth in this Section.
2. One (1) permanent area identification sign per neighborhood, subdivision, or development, not to exceed thirty-two (32) square feet in sign area and six (6) feet in height shall be permitted.
3. One (1) freestanding sign per lot is permitted. The total area of the freestanding sign shall not exceed sixty-four (64) square feet for lots with a

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lot width of one hundred (100) feet or more than thirty-six (36) square feet for lots with a lot width of less than one hundred (100) feet. The maximum height of a freestanding sign shall be twenty (20) feet.

4. For ~~permitted~~ *legally established* institutional uses, one (1) freestanding sign per street frontage identifying said institution or institutional complex shall be permitted. The freestanding sign shall not exceed sixty (60) square feet in sign area and ten (10) feet in height.
5. One business wall sign shall be permitted according to the following: The total area of all wall signs on any wall of a building shall not exceed fifteen (15) percent of the wall area of that wall when said wall areas does not exceed five hundred (500) square feet. When said surface area exceeds five hundred (500) square feet, provided that the maximum sign area for any wall sign shall be three hundred (300) square feet. Wall area shall be computed individually for each tenant in a multi-tenant building based on the exterior wall area of the space that tenant occupies.

10-23-9: ADMINISTRATION:

- A. **Application Process:** An application for a sign permit shall be made upon forms to be provided by the City. Said form is to be completed and returned to the City and shall include the following information:
1. The name and address of the applicant: location of the building, structure or lot on which the sign is to be erected, the position of the sign in relation to nearby buildings or structures, the name of the person that will be erecting the sign, and the written consent of the owner of the land if different from the applicant.
 2. A site plan including a drawing of the plans, specifications, and method of construction or attachment to a structure or the ground.
 3. A copy of the stress sheets and calculations, showing that the sign is designed to withstand the required wind load.
 4. A sketch plan showing the signs size, manner of construction, type of sign, construction materials, *other signs on the site*, and any other information as requested by the City.
 5. Signs that meet the requirements of this Section may be issued by City Staff. Applications for signs that do not meet the requirements of this Section shall be reviewed by the Planning Commission and the City Council According to the procedures set forth in this Section.

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- B. **Sign Permit Fees:** Every applicant shall pay a fee for each sign regulated by this Section, before being granted a permit. Permit fees shall be subject to the following requirements:
1. The Council shall establish the permit fees on the City's fee schedule.
 2. Any substantial alteration or relocation of a sign shall constitute a new sign, requiring an additional permit fee.
 3. A double fee shall be charged if a sign is erected without first obtaining a permit for such sign. The Council may also require a sign to be removed, altered, or relocated, at the owner's expense, if placed prior to securing the required permit. If the owner fails to remove or alter the sign so as to comply with the provisions set forth in the Section, within ten (10) calendar days following receipt of a letter from the City stating the violations, such signs may be removed by the City, the cost incident thereto being levied as a special assessment against the property upon which the sign is located.
- C. **Inspections:** All sign installations for which a permit is required, shall be subject to inspection and acceptance by the City.
- D. **Revocation of Permit:** The City may revoke a sign permit upon failure of the holder thereof to comply with the provisions of this Section. Any party aggrieved by such revocation may appeal the action to the Council, within ten (10) calendar days after the revocation.
- E. **Expiration of Permit:** The permit shall expire if the sign is not erected within 180 days after issuance of said permit. No permit fees collected for the Sign shall be refunded to the applicant.
- F. **Removal of Signs by the City:** The City may cause the removal of any illegal sign or any sign not properly maintained in cases of emergency, or after failure to timely comply with written orders for removal or repair. After removal or demolition of a sign, the following conditions shall be in effect:
1. Written notice shall be mailed to the sign owner and owner of the property where the sign was located stating the nature of the work and the date on which it was performed. The City shall require payment of the costs associated with the removal, with an additional fifty (50) percent added for inspection, administrative and incidental costs.
 2. If the amount specified in the notice is not paid within thirty (30) days after mailing of the notice, it shall become a lien against the property where the

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sign was located and shall be certified as an assessment against the property together with ten (10) percent interest for collection in the same manner as the real estate taxes.

3. The owner of the property upon which the sign is located shall be presumed to be the owner of all signs thereon unless facts to the contrary are brought to the attention of the City, as in the case of a leased sign.
4. For purposes of removal, a sign shall be deemed to include all sign embellishments and structure designed specifically to support the sign.
5. In the case of an emergency, the City may cause the immediate removal of a dangerous or defective sign without notice. Signs removed in this manner shall present a hazard to the Public Safety as defined by the State Building Code.

SECTION 10-23-10: SEVERABILITY: *If any section, subsection, clause, or phrase of this sign ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Chapter. The City Council hereby declares that it would have adopted the sign ordinance in each section, subsection, sentence, or phase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid.*