

CHAPTER 8: ZONING REGULATIONS

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ORDINANCE 85 SIGNS

Section 85.01. PURPOSE. The purpose of these sign regulations is to establish a set of standards to control the erection and use of on-premises and off-premises advertising, symbols, markings, or devices within the City of Rice.

Section 85.02. DEFINITIONS.

Subd. 1. Accessory Sign: A sign relating in its subject matter to the premises on which it is located, or to products, accommodations, services or activities on the premises on which it is located.

Subd. 2. Address Sign: Postal identification numbers only, whether written or in numeric form.

Subd. 3. Area Identification Sign: A free-standing sign that identifies the name of a neighborhood, a residential subdivision, a multiple residential complex consisting of three (3) or more structures, a shopping center or area, an industrial area, an office complex consisting of three (3) or more structures or any combination of the above that could be termed an area.

Subd. 4. Banners and Pennants: Attention-getting devices that resemble flags and are of a nonpermanent paper, cloth or plastic-like material.

Subd. 5. Bench Signs: A sign that is affixed to a bench or shelter at a bus stop.

Subd. 6. Billboard Sign: A Billboard is the largest standard-sized sign that delivers maximum exposure to vehicular traffic on expressways, highways and primary arteries. Typically 14 feet high and 48 feet wide, a billboard provides 672 square feet of space for your ad. Billboard offer unparalleled visibility.

Subd. 7. Bulletin Sign: An accessory sign that announces goods or services available through the use of changeable letters.

Subd. 8. Church Directional Sign: A sign that bears the address and/or name of a church and direction arrows pointing to a church location.

Subd. 9. Dynamic Display Sign: "Dynamic display" shall mean any characteristics of a sign that appear to have movement or that appear to change, caused by any method other than physically removing and replacing the sign or its components, whether the apparent movement or change is in the display, the sign structure itself, or any other component of the sign. This includes a display that incorporates a technology or method allowing the sign face to change the image without having to physically or mechanically replace the sign face or its components. This also includes any rotating, revolving, moving, flashing, blinking or animated display and any display that incorporates rotating panels, LED lights manipulated through digital input, "digital ink" or any other method or technology that allows the sign face to present a series of images or displays.

Subd. 10. Free-Standing Sign: A sign that is placed in the ground and not affixed to any part of any structure.

Subd. 11. Illuminated Sign: Any sign that is illuminated by an artificial light source, which shall include all electronic signs utilizing internal light sources and any sign that makes use of electric lighting to reflect off of an otherwise opaque message surface.

Subd. 12. Institutional Sign: Any sign or bulletin board that identifies the name and other characteristics of a public or private institution on the site where the sign is located.

Subd. 13. Non-Accessory Sign: A sign other than an accessory sign.

Subd. 14. Portable Sign: A sign that is not permanently attached to the ground or any structure and so designed as to be movable from one location to another.

Subd. 15. Permanent Sign: Any sign that is not a temporary sign.

Subd. 16. Pylon Sign: A free-standing area identification sign greater than twenty (20) feet in height, intended for freeway advertising.

Subd. 17. Roof Sign: Any sign erected upon or projecting above the roofline of a structure to which it is affixed.

Subd. 18. Sign: Any letter, word or symbol, device, poster, picture, statuary, reading matter or representation in the nature of an advertisement, announcement, message or visual communication whether painted, posted, printed, affixed or constructed, that is displayed outdoors or on a window or on the interior of a building within three (3) feet of a window and clearly visible from the outside of said building for informational or communicative purposes.

Subd. 19. Sign Area: That area within the marginal lines of the surface that bears the advertisement, or in the case of messages, figures or symbols attached directly to any part of the building, the area that is included in the smallest rectangle that can be made to circumscribe the message, figure or symbol displayed thereon. The stipulated maximum sign area for a free-standing sign refers to a single facing.

Subd. 20. Temporary Sign: A sign that is erected or displayed for a limited period of time.

Subd. 21. Traffic Directional Sign: A sign that is erected by a governmental unit for the purpose of directing or guiding traffic.

Subd. 22. Internal Traffic Directional Sign: A sign that is erected on private property by the owner of such property for the purpose of guiding vehicular and pedestrian traffic within the property. Such sign bears no advertising information.

Subd. 23. Wall Sign: Any sign that is affixed to a wall of any building.

Section 85.03: SIGNS IN RESIDENTIAL DISTRICTS.

Subd. 1. Permitted Signs.

- a) The following on-premises signs shall be permitted in residential districts:
- 1) Nameplate Signs: One (1) sign for each dwelling unit, not greater than two feet in area, indicating the name and/or address of the occupant.
 - 2) One unlighted identification sign for each use other than residential shall not exceed four (4) square feet in area.
 - 3) One unlighted sign, having a surface area not exceeding twenty-four (24) square feet and a height not exceeding eight (8) feet, per vehicle entrance identifying each subdivision or housing development.
 - 4) One (1) unlighted sign per vehicle entrance identifying a dwelling unit complex. Such signs may indicate the name and address of the building and rental or management offices. Such signs shall have a surface area not exceeding twenty-four (24) square feet and a height not exceeding eight (8) feet.
 - 5) One area identification sign for each multiple residential complex consisting of four (4) or more structures. In R-2 districts such signs shall have a surface area not exceeding seventy-five (75) square feet and in R-4 districts surface area may not exceed one hundred (100) square feet. The height of the signs may not exceed eight (8) feet.
 - 6) One home occupation sign, non-illuminated, attached to the wall of a dwelling and not exceeding four (4) square feet in area.
 - 7) Advertising signs attached to fences within a ballpark.
 - 8) Flags, badges, or signs of any governmental agency including but not limited to emergency signs.

Subd. 2. General Regulations.

- a) No sign shall be permitted that is a hazard to the public health, safety, convenience or welfare. No sign shall be erected or maintained so as to prevent free ingress or egress from any door, window or fire escape.
- b) Signs shall not be permitted within the public right-of-way or easements except public traffic control signs as determined by the city engineer.

- c) Signs or marquees that may extend beyond the building line shall not be constructed to extend over the property line. Signs located within three (3) feet of an alley, a driveway, or parking area shall have a clearance of fourteen (14) feet above finished grade.
- d) Except as provided in this Ordinance, all signs are required to follow the setback and side yard requirements for other structures in the district where located, provided that where a drive-in service or parking is permitted one (1) ground identification sign not exceeding thirty-five (35) square feet may be erected in any required front yard or setback area; however, it may not be located closer to the street or right-of-way than the required setback distance.
- e) All displays shall be shielded to prevent light from being directed at oncoming traffic in such brilliance as to impair the vision of any driver. No device shall be illuminated in such a manner as to interfere with or obscure an official traffic sign or signal.
- f) No advertising devices shall be erected or maintained in such a place or manner as to obscure or otherwise physically interfere with an official traffic control device or a railroad safety signal or sign, or to obstruct or physically interfere with the drivers' view of approaching, merging, or intersecting traffic.
- g) No advertising device shall be erected closer to any other such advertising device on the same side of the same street than 100 feet; provided, however, that this provision shall not prevent the erection of double-faced, back-to-back, or v-type advertising devices with a maximum of two signs per facing; the spacing between advertising devices does not apply to structures separated by buildings or other obstructions in such a manner that only one sign face located within the above spacing distances is visible from the street at any one time.
- h) Directional signs shall be permitted in all districts provided the total area of each sign shall not exceed four (4) square feet per sign face.
- i) It is unlawful to maintain for more than thirty (30) days, any sign that has become obsolete because of the discontinuance of the business, service, or activity that it advertises, removal from the location to which it directs, or for any other reason. The fact that an obsolete sign is nonconforming shall not be construed as modifying any of the requirements of this Ordinance.
- j) It is unlawful to erect or maintain any sign on any property, public or private, without the consent of the owner or occupant thereof.
- k) All signs shall be maintained in good condition and the area around them kept free from debris, bushes, and high weeds and from anything else that would be a nuisance.

l) Billboard/ Dynamic Display shall only be allowed in the highway 10 corridor. All signs that exceed 150 square foot sign area per side shall require a conditional use permit. A site shall be limited to either one monument sign or one billboard. All Billboards/Dynamic Display must be in conformance with the following standards:

1. Maximum sign area shall be 672 square feet per side with no more than 2 sides.
2. The minimum ground clearance shall be 12 feet.
3. The maximum height of a billboard shall be 40 feet.
4. No part of the billboard structure shall be built upon or over the public right of-way.
5. That they do not contain more than twelve (12) square feet of area per lineal foot of frontage of such lot not to exceed 672 square feet per side with no more than 2 sides. Must contain spacing of 1,000 foot radius between the billboards.
6. The minimum distance from street intersection shall be 300 feet as measured from the edge of the right of way to the base of the billboard.
7. The minimum distance from adjacent properties or rights-of-way shall be 50 feet.
8. No billboard located within 1,000 feet of residentially zoned property may be illuminated.
9. Lighting devices used in association with billboards shall be placed and directed in a manner which, so far as practicable, illuminates the sign only, and does not illuminate or reflect upon public roadways or adjacent properties.

Subd. 3. Permit Requirements.

- a) Except as otherwise herein provided, it shall be unlawful for any person to erect, repair, alter, relocate, or maintain within the city any sign as defined in this Ordinance without first obtaining a permit from the Building Official and paying of the fee required. Fees for sign permits shall be in the amount established from time to time by the governing body. Sign permits shall be renewed annually. The renewal fee shall be in an amount established from time to time by the governing body.
- b) Application for permits shall be made upon forms provided by the city and shall be accompanied by:
 - 1) The name and address of the sign owner and sign erector.
 - 2) A drawing to scale showing the design, location, and construction of the sign.

- 3) Written consent of the owner or lessee of any site on which the sign is to be located.
 - 4) Such other pertinent information as the Building Official may require insuring compliance with this Ordinance.
- c) The following signs shall be exempt only from a permit fee. The owner shall not be relieved from the responsibilities of following other regulations of erection and maintenance.
- 1) One (1) on-premises unlighted or indirectly illuminated identification sign not exceeding two (2) square feet in area in residential zones and six (6) square feet in other zones. The identification sign may announce only the name and/or address of the occupants of the premises.
 - 2) Signs located on the rolling stock of common carriers, or on motor vehicles or trailers bearing current license plate, that are traveling or lawfully parked upon public highways, or lawfully parked upon other premises for a period not exceeding four hours, or for longer periods when the primary purpose of such parking is not the display of any sign, and where the number of vehicles bearing a sign or signs of any one advertiser does not exceed one plus one more for each 25,000 square feet of area of the premises.
 - 3) Signs that are located on the interior of a building and are not visible from outside the building.
 - 4) On-premises signs located inside an enclosed building and visible through a window or windows thereof where the area of such signs does not exceed twenty-five (25) percent of the area of the windows.
 - 5) Signs indicating only the name and/or date of erection of a building, having an area not exceeding six (6) square feet, and made an integral part of the structure.
 - 6) Public signs of a non-commercial nature erected by, or on the order of, a duly constituted public office of City, County, State or Federal Governments in pursuance of their public duties.
 - 7) Temporary signs except as otherwise provided in Section 85.05.
 - 8) One (1) sign for one hundred feet (100') of lineal frontage per lot, not to exceed two (2) signs for any lot provided such signs do not exceed two hundred square feet (200') per sign (with one face side considered). One (1) structure will be considered one (1) sign even if said structure advertises multiple businesses. The sign face will be a ratio of 1.25 square feet per one (1) lineal foot of property frontage. Building wall signs shall not exceed fifteen percent (15%) of the actual building frontage.

- 9) On-premises signs having an area of not more than six (6) square feet each, the message of which is limited to warning of any danger, prohibition or regulation of the use of this property or traffic or parking thereon.

Section 85.04. SIGNS IN BUSINESS DISTRICTS.

Subd. 1. Standards and Requirements. The following regulations shall apply to signs in business districts:

- a) On-premises identification, business, or area identification signs are permitted. There may be building signs, free standing signs and pylon signs, the last not exceeding thirty-five (35) feet in height. Nearby residents shall be protected from direct light if these signs are illuminated.
- b) In B-1 district, the business sign area for a lot shall not exceed the following:
 - 1) Building wall signs shall not exceed one (1) square foot per lineal lot front or ten percent (10%) of building frontage area, or fifty (50) square feet, whichever is the greatest.
 - 2) Free standing signs shall not exceed fifty (50) square feet.
 - 3) Total square footage of all signs shall not exceed one hundred (100) square feet.
- c) In B-2 districts, the business sign area per lot shall not exceed the following:
 - 1) Building wall signs shall not exceed two (2) square feet per lineal lot front or twenty (20%) of building frontage area or seventy-five square feet, whichever is the greatest.
 - 2) Free standing signs shall not exceed fifty (50) square feet per side and shall have a maximum total sign face area of one hundred square feet (100) for all sides.
 - 3) Total square footage of all signs may not exceed two hundred (200) square feet per side and shall have a maximum total sign face area of one hundred fifty (150) square feet for all sides.
 - 4) One sign for 100 feet of lineal frontage per lot, not to exceed 2 signs for any lot.
 - 5) The maximum size of a sign shall be 200 square feet (with one face side considered.) One structure shall be considered one sign even if the structure advertises multiple businesses. The sign face will not exceed 1.25 square feet per one lineal foot of property frontage.

- 6) Building wall signs shall not exceed fifteen percent (15%) of the actual building frontage.
- d) In B-3 districts, the business sign area per lot shall not exceed the following:
 - 1) One sign for one hundred (100) feet of lineal frontage per lot not to exceed two (2) signs for any lot and a maximum of two hundred (200) square feet per sign (with one (1) face side considered).
 - 2) One (1) structure will be considered one (1) sign even if said structure advertises multiple businesses.
 - 3) The sign face will not exceed 1.25 square feet per one (1) lineal foot of property footage.
 - 4) Building wall signs shall not exceed fifteen percent (15%) of the actual building frontage.
 - e) Signs in Industrial Districts. The following regulations shall apply to signs in Industrial Districts:
 - 1) Where appropriate, any sign permitted in the residential or business district shall be permitted in the Industrial District. Signs shall be under the same restrictions specified for those districts except as modified in this paragraph 5.
 - 2) Identification signs shall not exceed six (6) square feet. Building wall signs shall not exceed twenty percent (20%) of building frontage area.
 - 3) Free standing, pylon, or area identification signs may not exceed two hundred (200) square feet.
 - 4) The total square footage of sign area for each lot shall not exceed five (5) square feet for each lineal foot of lot frontage.

Section 85.05. TEMPORARY SIGNS.

- a) Temporary signs shall be allowed in any district without a permit, except as specifically provided herein. There shall not be more than three (3) such signs, excluding political or campaign signs, on any lot. All signs shall be set back a minimum of ten (10) feet.
- b) During the development of a new subdivision consisting of two or more lots, there shall be allowed one sign in the subdivision not to exceed fifty (50) square feet in surface area and not to exceed eight (8) feet in height. The sign shall advertise the development and may name the subdivision. Subdivision layout, developer, contractors, brokers and financial institutions involved. A permit shall be obtained for the placement of such signs and a fee paid as set by Council resolution. Additional signs having a surface area not exceeding four (4) square feet, and

a height not exceeding six (6) feet, directing the public and/or identifying models in the subdivision are also permitted. Both types of signs shall be removed when fifty percent (50%) of the lots are developed or within two years, whichever shall occur first. Such signs shall not be illuminated.

- c) Campaign signs posted by a bona fide candidate for political office, or by a person or group promoting an issue or a political candidate, may be placed in any district providing such signs do not exceed six (6) square feet per sign in a residential district and thirty-two (32) square feet per sign in any other district. Such a sign may be erected for a period not to exceed sixty (60) days prior to the general election, or sixty (60) days prior to a primary if one is held for a particular office, and shall be removed within five (5) days following the date of the election. Removal shall be the responsibility of the person placing the sign. Each sign shall show the name and address of the person responsible for the placement and removal of the sign. In all cases where the sign is not removed within the time allowed, or after a notice to remove it by the city, the city may cause the sign to be removed and the cost of the removal shall be charged to the person named on the sign. This Ordinance shall not limit the number or size of signs where such limitation is prohibited by Minnesota Statutes, Section 211B.045.
- d) An unlighted, on-premises sign, for the purpose of selling, leasing, or renting of lots, premises, or parts of premises shall be permitted in all districts provided such signs shall not exceed four (4) square feet in residential districts and thirty (30) square feet in other districts. Such signs shall be removed within seven (7) days following sale or lease. A corner lot may have two signs.
- e) Construction signs that identify the architects, engineers, contractors and other individuals or firms involved with the construction, and announce the character of the building, enterprise or the purpose for which the construction is intended, may be erected during the construction period. Signs for this purpose are limited to thirty-two (32) square feet on any one site. The signs shall be confined to the site of construction and shall be removed by the beginning of the intended use of the project.
- f) Decorative banners, flags, cloth signs, portable signs and search lights may be temporarily used in non-residential districts on a business property for a promotional event not to exceed seven (7) days prior to the event and to be removed immediately after the event. These devices shall be allowed for thirty (30) days maximum.
- g) Temporary displays that are erected to celebrate, commemorate or observe a civil or religious holiday are permitted.
- h) Temporary signs for special events by non-profit organizations are permitted, provided the sign does not exceed thirty-two (32) square feet in size.
- i) Temporary signs not exceeding four (4) square feet advertising home or garage sales at private homes. Those placing such signs are responsible for their removal within twenty-four (24) hours of the conclusion of the sale. Each sign shall show the name and address of the person responsible for the placement and removal of the sign.

- j) Other temporary signs shall be authorized by the Zoning Administrator for not more than two (2) months in a calendar year by written permit, which shall show the size, shape, content, height, type of construction and location of such signs and the period during which authorized, upon a finding by the Zoning Administrator, on the basis of written information furnished by the applicant, that the proposed signs are necessary for the direction of the public and not contrary to the purpose and spirit of this Ordinance, and upon payment of a fee as established by the governing body for each permit and renewal of each sign.

Section 85.06. NONCONFORMING SIGNS.

- a) It is intended that the City will eliminate nonconforming signs, except as otherwise specifically set forth in this section, as rapidly as the police power of the city permits. Any lawfully erected sign the maintenance of which is made unlawful by this Ordinance may continue to be maintained as such existed at the time when the maintenance thereof became otherwise unlawful under the provisions of this Ordinance, except as herein specified.
- b) No nonconforming sign:
 - 1) Shall be changed to another nonconforming sign.
 - 2) Shall be structurally altered so as to change the shape, size, type or design of the sign.
 - 3) Shall be changed to enlarge or extend its nonconformity.
 - 4) Temporary signs, in use as of the date of this Ordinance, may continue in use for a period of 2 years after the adoption of this Ordinance, at which time all use shall terminate and all continued use of said signs shall be subject to the terms of this Ordinance.
- c) The Zoning Board of Appeals may permit variances from Section 85.06, or variances permitting the erection or maintenance of a nonconforming sign only upon the grounds established by law for the granting of zoning variances or upon finding that a grant of a variance will reduce the degree of non-conformance of an existing sign or will result in the removal of one or more lawfully nonconforming signs and replacement by a sign or signs more in keeping with the spirit, purpose and provisions of this Ordinance.
- d) Normal maintenance of a legal nonconforming sign is permitted, including necessary structural repairs that do not intensify or extend the nonconforming status.
- e) Whenever a legal nonconforming sign has been damaged, and the damage is fifty percent (50%) or more of its fair market value as estimated by the Building Official, the sign must be removed unless a building permit is applied for within 180 days of such damage.