

FRIDLEY CITY CODE
CHAPTER 214. SIGNS

(Ref. 318, 330, 344, 382, 438, 666, 672, 799, 837, 860, 913, 1171, 1233, 1267, 1323)

214.01. PURPOSE

The purpose of this Chapter is to protect and promote the public health, safety and general welfare of the City of Fridley through the establishment of a comprehensive and impartial set of regulations governing the erection, display and use of signs serving as a visual media to persons upon public or private properties. These regulations are intended to provide an opportunity for effective communication, allow a reasonable freedom of choice and promote a concern for the visual amenities on those people designing, displaying, erecting or utilizing signs while at the same time assuring that the public health, safety and general welfare of the City is preserved.

214.02. DEFINITIONS

The following words and terms, wherever they occur in this Chapter, are defined as follows and shall apply in its interpretation and application:

1. Abandoned Sign.

A sign which no longer correctly advertises a bona fide business, lessor, owner, activity, use or product available on the premises where the sign is displayed for a continuous period of more than three (3) months.

2. Address Sign.

A sign consisting of numbers or numbers and a street name, identifying the address of a building.

3. Advertising Sign.

A sign which is used to advertise products, goods, uses or services.

4. Alteration.

Any major change to a sign structure or the change of a sign face, excluding routine maintenance, of an existing sign. (Ref 1233)

5. Area Identification Sign.

A sign which identifies the name of a neighborhood, a residential subdivision, a multiple residential complex or a business or industrial area.

6. Banners And Pennants.

A temporary sign constructed of cloth, canvass, paper, plastic film or light fabric.

7. Bench Sign.

A sign which is attached to a bench.

8. Billboard.

A sign advertising a business, product, service, use or entertainment which is conducted, sold or offered somewhere other than on the premises where the sign is located.

9. Changeable Sign, Automatic.

An electronically controlled sign, including a time, temperature or date sign, or a message center or a readerboard, where different message changes are shown on the same panel.

10. Changeable Sign, Manual.

A sign on which the message is changed manually.

11. Construction Sign.

A temporary sign erected at a construction site identifying the project. It may include the name of the architect engineer, contractor, financier or other information about the project.

12. District.

A zoning district as defined in Chapter 205, Zoning, of the City Code.

13. Electronic Message or Dynamic Sign

Programmable electronic message board, and/or programmable illuminated sign.

14. Flashing Sign.

An illuminated sign which has intermittent flashing lights, revolving beacons, zip flashers or exhibits a noticeable change in color or light intensity.

15. Free Standing Sign.

A sign which is securely attached to the ground and not attached to any part of a building or structure.

16. Governmental Sign.

A sign which is erected by a governmental unit for the purpose of directing or guiding traffic or providing public information.

17. Illuminated Sign.

A sign which is illuminated by an artificial light source.

18. Information Sign.

A sign giving information or directions to employees, visitors or delivery vehicles and containing no advertising. An information sign may display the name, address or identifying symbol of the business.

19. Institutional Sign.

A sign which identifies a public or private institution including churches, schools, hospitals and medical clinics.

20. Interstate 694 Corridor (Ref Ord 1233)

Any commercial, industrial, or S-2 redevelopment property immediately adjacent to Interstate 694 right-of-way.

21. Motion Sign.

A sign which revolves, rotates, has moving parts or gives the illusion of motion.

22. Nonconforming Sign, Legal.

A sign which lawfully existed prior to the adoption of this Chapter, but does not comply with all requirements of this Chapter.

23. Nonconforming Sign, Illegal.

Any sign in any district which was constructed in violation of any requirements of this Chapter, and is not a legal nonconforming sign. (Ref 837)

24. Permanent Sign.

A sign constructed of materials including plastic or metal that are durable and easily maintained, and which is intended to be used for an indefinite period of time. Signs painted directly on structures, wood or wood products are not authorized or included in this definition.

25. Personal Expression Sign.

A sign which expresses an opinion or feeling of an individual or group and which its principal purpose, is not for the promotion of any good or service. (Ref. 860)

26. Political Sign.

A temporary sign advertising election issues or the candidacy of a person running for public office.

27. Porta-panel.

A portable sign, mounted on wheels and used for commercial as well as civic promotions.

28. Projecting Sign.

A sign, attached to a wall, that projects perpendicular from a building or structure.

29. Real Estate Sign.

A temporary sign erected for the purpose of selling, leasing or promoting real estate.

30. Roof Sign.

A sign which is erected, constructed or attached above the roof line of a building, except where the roof is an extended facade or mansard.

31. Rummage/Garage Sale Sign.

A temporary sign which advertises or directs the public to the, sale of used merchandise, sold from a private residence.

32. Shopping Center/Multiple Use Building.

A building planned and developed for multiple occupancy whether as a commercial or industrial use.

33. Sign.

A painted panel, lettered board, series of letters or symbols or other display, and any supporting structure used to advertise, direct, identify, inform or convey a message to anyone who views it.

34. Sign Area.

The area of a sign, including the border and the surface which bears the advertisement. In the case of messages, figures or symbols attached directly to any part of a building or sign structure, it is that area which is included in the smallest geometric figure which can be made to circumscribe the message, figure or symbol.

35. Sign Area, Maximum.

The maximum allowable sign area for a single faced free standing sign refers to that single facing. When a free standing sign has multiple faces, then the maximum allowable sign area doubles.

36. Sign Structure.

Any structure which supports or is capable of supporting a sign, but not including a building to which a sign is attached.

37. Temporary Sign.

Any sign fabricated of paper, plywood, fabric, or other light, impermanent material. Including but not limited to (Ref 1233):

- A. A sign with wheels removed.
- B. A sign with chassis or support constructed without wheels.
- C. A or T frame signs.
- D. Signs temporarily or permanently attached to the ground, a structure, or other signs.
- E. A sign mounted on a vehicle for advertising purposes, parked, and visible from public right-of-way, except signs identifying the business when the vehicle is being used for normal day to day business operations.
- F. Menu and sandwich boards.
- G. Searchlight stands.
- H. Hot air or gas-filled balloons or umbrella's used for advertising.
- I. Banners.

38. Wall Graphic.

A graphic design or decorative mural, not intended for identification or advertising purposes, which is painted directly on the exterior surface of a building.

39. Wall Sign.

A sign which is attached to the wall of a building or structure.

40. Window Sign.

A sign attached to the inside of a window for the purpose of viewing from outside the building. This term does not include merchandise located in a window.

214.03. GENERAL PROVISIONS FOR ALL DISTRICTS

The following provisions shall apply to Sections 214.04 through 214.07. Any sign shall be constructed in such a manner and of such material that it will be safe and substantial. Nothing in this Chapter shall be interpreted as authorizing the erection or display of any sign not now permitted under Chapter 205 of the City Code.

214.04. SIGNS PROHIBITED IN ALL DISTRICTS

1. Any permanent signs, other than governmental signs, erected or displayed upon any right of way or public property.
2. Any signs or wall graphics that contain words or pictures of obscene, pornographic or immoral character.
3. Any signs painted directly on buildings.
4. Any signs which by reason of size, location, movement, content, coloring or manner of illumination may be confused with the light of an emergency or road equipment vehicle, a traffic sign, signal or device or which hides from view any traffic sign, signal or device.
5. Any projecting signs.
6. Any motion signs.
7. Any flashing signs.
8. Any signs located within a corner vision safety zone as defined in Chapter 205.

214.05. SIGNS ALLOWED IN ALL DISTRICTS, WITHOUT A SIGN PERMIT UNLESS OTHERWISE SPECIFIED

1. Address Signs.

Each dwelling, business or building must have a minimum of one (1) address sign, that is a minimum of three and one-half (3-1/2) inches high and a maximum of twenty-four (24) inches high. The sign must be illuminated or reflective and visible from the public right of way.

2. Bench Signs.

Displayed only at bus stops and cannot be any larger than or extend beyond any portion of the bench.

3. Flags.

Shall be displayed as outlined in Title 36, Section 173-378 of the United States Code, State Flag and Corporate Flag.

4. Governmental Signs.

5. Informational Signs.

Provided they meet the following requirements:

- A. A maximum size of four (4) square feet in area.

B. A minimum distance of ten (10) feet from any property line or driveway.

6. Institutional Signs.

By sign permit provided they meet the following requirements:

A. Free standing signs. One (1) per development.

- (1) A maximum size of thirty-two (32) square feet in area (except as provided in Section 214.05.6.A.(2)).
- (2) A maximum size of eighty (80) square feet in area is allowed per development provided the following criteria can be met:
 - a. Signs over thirty-two (32) square feet shall be placed a minimum of fifty (50) feet from any neighboring residentially zoned property (not including a residential site an institution is located upon).
 - b. Signs shall be placed so illuminated sign face is perpendicular to adjacent roadways.
 - c. Sign shall not create a glare that will impact adjacent residential properties.
- (3) A maximum height of twenty-five (25) feet above the finished ground grade.
- (4) A minimum height of ten (10) feet from the bottom of the sign to the finished ground grade within twenty-five (25) feet of a driveway or a corner vision safety zone.
- (5) A minimum distance of then (10) feet from any property line or driveway (except as defined in Code Section 214.05.6.A.(2)a.

B. Electronic Message and/or Dynamic Sign provided:

- 1. Message does not change more than once every eight (8) seconds.
- 2. Message shall never flash or have motion that may distract vehicular traffic.
- 3. Luminance levels must comply with the following: 5,000 nits in the daytime hours and not more than 500 nits in the evening nighttime hours.

C. Wall Signs. The total sign area shall not exceed fifteen (15) times the square root of the wall length on which the sign is to be placed.

D. Temporary Signs.

- (1) May be displayed for a period of fourteen (14) days after a permit is issued by the City. Such signs shall be restricted to one per tax parcel/development at any one time. The number of permits issued per year for a single or multiple use buildings/shopping centers shall be based upon the number of businesses within said building as follows:

<u>Number of Businesses</u>	<u>Maximum Number of Permits Allowed</u>
1-5	2
6-10	4
11-15	6
16+	8

- (2) The use of such sign by businesses within the building shall be the responsibility of the property owner or designated manager. All temporary sign permit applications must be signed by said property owner or designated manager before processing can begin.
- (3) All temporary signs shall be located on the property on which the business is located. Such signs shall be located a minimum distance of ten (10) feet from any property line or driveway so as not to interfere with pedestrian or vehicular traffic.
- (4) Prior to the issuance of a permit, a deposit of \$200.00 in the form of a certified check or money must be provided to the City. Said deposit will be refunded only if the sign is removed by noon of the next business day after the permit period expires.

E. A hospital emergency sign may be a maximum of 100 square feet in area.

7. Personal Expression Sign.

Provided they meet the following requirements:

- A. A maximum size of thirty-two (32) square feet in area per sign.
- B. A maximum of three signs per tax parcel.
- C. A maximum distance of ten (10) feet from any property line or driveway.
- D. The sign is erected by the owner of the property upon which it is located, or the tenant with the permission of the owner. (Ref. 860)

214.06. TEMPORARY SIGNS ALLOWED IN ALL DISTRICTS WITHOUT A SIGN PERMIT

1. Construction Signs.

- A. Multiple Developments. Construction signs may be erected for the purpose of identifying a development of ten (10) or more dwellings, ten (10) or more manufactured homes, three (3) or more multiple dwellings, or a building consisting of three (3) or more businesses or industries, with the following restrictions:
 - (1) One (1) sign per street frontage.
 - (2) A maximum size of fifty (50) square feet in area per development.
 - (3) Located no closer than 100 feet to a building outside the development.
 - (4) A minimum distance of ten (10) feet, from any property line or driveway.
 - (5) To be removed upon completion of the construction.

B. Other Developments.

- (1) One (1) sign per building.
- (2) A maximum size of six (6) square feet in area.
- (3) A minimum distance of ten (10) feet from any property line or driveway.
- (4) To be removed upon completion of the construction.

2. Real Estate Signs.

A. Multiple Developments. Real estate signs may be erected for the purpose of selling, leasing or promoting development of ten (10) or more dwellings, ten (10) or more manufactured homes, three (3) or more multiple dwellings or a building consisting of three (3) or more businesses or industries, with the following restrictions:

- (1) One (1) sign per street frontage.
- (2) A maximum size of fifty (50) square feet in area per development.
- (3) Located no closer than 100 feet to a building outside of the development.
- (4) To be removed when the project is ninety-five percent (95%) sold or leased.
- (5) A minimum distance of ten (10) feet from any property line or driveway.

B. Other Developments.

- (1) One (1) sign per building.
- (2) A maximum size of six (6) square feet in area.
- (3) To be removed within five (5) days following the sale or lease of the building.
- (4) A minimum distance of ten (10) feet from any property line or driveway.
- (5) "Open House" signs are allowed only during the day of the open house.

3. Political Signs.

- A. A maximum size of thirty-two (32) square feet in area.
- B. To not be placed until 46 days before a special or regular election.
(Ref Ord 1267)
- C. To be removed within ten (10) days following the election.

D. All political signs must be placed a minimum distance of ten (10) feet from a street curb and ten (10) feet from any driveway.

4. Rummage/Garage Sale Signs.

A. A maximum size of three (3) square feet in area.

B. To be removed within three (3) days following the sale.

214.07. SIGNS ALLOWED WITH A SPECIAL USE PERMIT

1. Billboards.

214.08. SPECIFIC DISTRICT REQUIREMENTS

In addition to those signs allowed in all districts, the following signs are allowed in each specific district and shall be regulated as to type, size, and setback according to the following requirements.

214.09. TYPES, SIZES, AND SETBACKS FOR R-1 AND R-2 RESIDENTIAL DISTRICTS, BY SIGN PERMIT UNLESS OTHERWISE SPECIFIED.

1. Area Identification Signs.

A. One (1) sign per development.

B. A maximum size of twenty-four (24) square feet in area.

C. A minimum distance of ten (10) feet from any property line or driveway.

2. Wall Signs. (No sign permit required)

A. One (1) sign per dwelling unit.

B. A maximum size of three (3) square feet in area.

214.10. TYPES, SIZES AND SETBACKS FOR R-3 RESIDENTIAL DISTRICT, BY SIGN PERMIT UNLESS OTHERWISE SPECIFIED.

1. Area Identification Signs

A. One (1) sign per development.

B. A maximum size of twenty-four (24) square feet in area.

- C. A minimum distance of ten (10) feet from any property line or driveway.
- D. A maximum height of twenty-five (25) feet above the finished ground grade.
- E. A minimum height of ten (10) feet from the bottom of the sign to the finished ground grade when within twenty-five (25) feet of a driveway or corner vision safety zone.

2. Wall Signs.

The total sign area shall not exceed fifteen (15) times the square root of the wall length on which the sign is to be placed.

3. Temporary Signs.

- A. May be displayed for a period of fourteen (14) days after a permit is issued by the City. Such signs shall be restricted to one per tax parcel/development at any one time. The number of permits issued per year for a single or multiple use buildings/shopping centers shall be based upon the number of businesses within said building as follows:

<u>Number of Businesses</u>	<u>Maximum Number of Permits Allowed</u>
1-5	2
6-10	4
11-15	6
16+	8

- B. The use of such sign by businesses within the building shall be the responsibility of the property owner or designated manager. All temporary sign permit applications must be signed by said property owner or designated manager before processing can begin.
- C. All temporary signs shall be located on the property on which the business is located. Such signs shall be located a minimum distance of ten (10) feet from any property line or driveway so as not to interfere with pedestrian or vehicular traffic.
- D. Prior to the issuance of a permit, a deposit of \$200.00 in the form of a certified check or money must be provided to the City. Said deposit will be refunded only if the sign is removed by noon or the next business day after the permit period expires.

214.11. TYPES, SIZES, AND SETBACKS FOR CR-1 DISTRICTS BY SIGN PERMIT UNLESS OTHERWISE SPECIFIED

1. Free Standing Signs.

- A. One (1) sign per street frontage.
- B. A maximum size of forty-eight (48) square feet in area per development.

- C. A maximum height of six (6) feet above the finished ground grade.
- D. A minimum distance of ten (10) feet from any property line or driveway.
- E. Electronic Message and/or Dynamic Sign provided:
 - 1. Message does not change more than once every eight (8) seconds.
 - 2. Message shall never flash or have motion that may distract vehicular traffic.
 - 3. Luminance levels must comply with the following: 5,000 nits in the daytime hours and not more than 500 nits in the evening nighttime hours.

2. Roof Signs.

- A. One (1) sign per development.
- B. The use of a roof sign will substitute for the free standing sign along the street the roof sign is intended to be viewed.

3. Window Signs. (No sign permit required)

A maximum coverage of forty percent (40%) of the window area, excluding merchandise.

4. Wall Signs.

The total sign area shall not exceed fifteen (15) times the square root of the wall length on which the sign is to be placed.

5. Temporary Signs.

- A. May be displayed for a period of 14 days after a permit is issued by the City. Such signs shall be restricted to one per tax parcel/development at any one time. The number of permits issued per year for single and multiple use buildings/shopping centers shall be based upon the number of businesses within said building as follows:

<u>Number of Businesses</u>	<u>Maximum Number of Permits Allowed</u>
1-5	2
6-10	4
11-15	6
16+	8

- B. The use of such sign by businesses within the building shall be the responsibility of the property owner or designated manager. All temporary sign permit applications must be signed by said property owner or designated manager before processing can begin.
- C. All temporary signs shall be located on the property on which the business is located. Such signs shall be located a minimum distance of ten (10) feet from any property line or driveway so as not to interfere with pedestrian or vehicular traffic.
- D. Prior to the issuance of a permit, a deposit of \$200.00 in the form of a certified check or money order must be provided to the City. Said deposit will be refunded only if sign is removed by noon of the next business day after the permit period expires.

214.12. TYPES, SIZES, AND SETBACKS FOR C-1, C-2 AND C-3 DISTRICTS, BY SIGN PERMIT UNLESS OTHERWISE SPECIFIED

1. Free Standing Signs.

- A. One (1) sign per street frontage.
- B. A maximum size of eighty (80) square feet in area per development.
- C. A maximum height of twenty-five (25) feet above the finished ground grade.
- D. A minimum height of ten (10) feet from the bottom of the sign to the finished ground grade when within twenty-five (25) feet of a driveway or a corner vision safety zone.
- E. A minimum distance of ten (10) feet from any property line or driveway.
- F. A minimum distance of fifty (50) feet from any residential district.
- G. Electronic Message and/or Dynamic Sign provided:
 - 1. Message does not change more than once every eight (8) seconds.
 - 2. Message shall never flash or have motion that may distract vehicular traffic.
 - 3. Luminance levels must comply with the following: 5,000 nits in the daytime hours and not more than 500 nits in the evening nighttime hours.

2. Roof Signs.

- A. One (1) sign per development.
- B. The use of a roof sign will substitute for the free standing sign along the street the roof sign is intended to be viewed.

3. Window Signs. (No sign permit required)

A maximum coverage of forty percent (40%) of the window area, excluding merchandise.

4. Wall Signs.

The total sign area shall not exceed fifteen (15) times the square root of the wall length on which the sign is to be placed.

5. Temporary Signs.

- A. May be displayed for a period of 14 days after a permit is issued by the City. Such signs shall be restricted to one per tax parcel/development at any one time. The number of permits issued per year for single and multiple use buildings/shopping centers shall be based upon the number of businesses within said building as follows:

Number of Businesses	Maximum Number of Permits Allowed
1-5	2
6-10	4
11-15	6
16+	8

- B. The use of such sign by businesses within the building shall be the responsibility of the property owner or designated manager. All temporary sign permit applications must be signed by said property owner or designated manager before processing can begin.
- C. All temporary signs shall be located on the property on which the business is located. Such signs shall be located a minimum distance of ten (10) feet from any property line or driveway so as not to interfere with pedestrian or vehicular traffic.
- D. Prior to the issuance of a permit, a deposit of \$200.00 in the form of a certified check or money order must be provided to the City. Said deposit will be refunded only if sign is removed by noon of the next business day after the permit period expires.

6. Billboards.

Shall be permitted only in the C-3 District within this Section. Specific requirements are listed under Section 214.14.

214.13. TYPES, SIZES AND SETBACKS FOR M-1, M-2, M-3, M-4, and S-3 DISTRICTS BY SIGN PERMIT UNLESS OTHERWISE SPECIFIED

1. Free Standing Signs.

- A. One (1) sign per street frontage.
- B. A maximum size of eighty (80) square feet in area per development.
- C. A maximum height of twenty-five (25) feet above the finished ground grade.
- D. A minimum height of ten (10) feet from the bottom of the sign to the finished ground grade when within twenty-five (25) feet of a driveway or a corner vision safety zone.
- E. A minimum distance of ten (10) feet from any property line or driveway.
- F. A minimum distance of fifty (50) feet from any residential district.
- G. Electronic Message and/or Dynamic Sign provided:
 - 1. Message does not change more than once every eight (8) seconds.
 - 2. Message shall never flash or have motion that may distract vehicular traffic.
 - 3. Luminance levels must comply with the following: 5,000 nits in the daytime hours and not more than 500 nits in the evening nighttime hours.

2. Roof Signs.

- A. One (1) sign per development.
- B. The use of a roof sign will substitute for the free standing sign along the street the roof sign is intended to be viewed.

3. Window Signs. (No sign permit required)

A maximum coverage of forty percent (40%) of the window area, excluding merchandise.

4. Wall Signs.

A. Allowed only on two (2) different walls per business.

B. The total sign area shall not exceed fifteen (15) times the square root of the wall length on which the sign is to be placed.

5. Temporary Signs.

A. May be displayed for a period of 14 days after a permit is issued by the City. Such signs shall be restricted to one per tax parcel/development at any one time. The number of permits issued per year for single and multiple use buildings/shopping centers shall be based upon the number of businesses within said building as follows:

Number of Businesses	Maximum Number of Permits Allowed
1-5	2
6-10	4
11-15	6
16+	8

B. The use of such sign by businesses within the building shall be the responsibility of the property owner or designated manager. All temporary sign permit applications must be signed by said property owner or designated manager before processing can begin.

C. All temporary signs shall be located on the property on which the business is located. Such signs shall be located a minimum distance of ten (10) feet from any property line or driveway so as not to interfere with pedestrian or vehicular traffic.

D. Prior to the issuance of a permit, a deposit of \$200.00 in the form of a certified check or money order must be provided to the City. Said deposit will be refunded only if sign is removed by noon of the next business day after the permit period expires.

6. Billboards.

Shall be permitted in the M-1, M-2 and M-3 Districts within the Section. Specific requirements are listed under Section 214.14.

214.14. BILLBOARD REQUIREMENTS

Billboards shall be permitted in only C-3, M-1, M-2 and M-3 Districts. The following requirements shall be considered as minimum standards when issuing a special use permit to erect a billboard. The City Council may impose additional requirements.

1. Billboards shall be restricted to property adjoining the right-of-ways of Interstate Highway 694, Trunk Highway 47, Trunk Highway 65 and East River Road south of Interstate Highway 694.
2. The maximum height is twenty-five (25) feet above the finished ground grade, unless the sign is intended to be viewed from a highway, then the twenty-five (25) foot maximum height shall be computed from the centerline of the traveled highway, but in no case shall the vertical distance between the bottom of the sign and the ground be reduced to less than ten (10) feet.
3. The maximum sign area is three hundred (300) square feet facing, not to exceed two (2) facings, when erected on East River Road south of Interstate Highway 694, on Trunk Highway 47 and on Trunk Highway 65; and seven hundred fifty (750) square feet per facing, not to exceed two (2) facings, when erected on Interstate Highway 694. Double faced signs shall be attached back to back at a horizontal angle not to exceed forty-five (45) degrees.
4. The minimum distance between billboard signs is one thousand (1000) feet when erected on the same side of the highway.
5. The minimum setback from the highway right-of-way is thirty (30) feet.
6. The minimum distance is five hundred (500) feet from a billboard sign to the intersection of any street or ramp where traffic crosses or merges at the same elevation. The distance is determined by measuring from the intersection of the street and highway centerlines and the sign.
7. The minimum distance to a residential and public district is five hundred (500) feet.
8. The sign structure shall be all metal and be either painted or treated to prevent deterioration. Lack of proper maintenance shall be cause for revocation of the sign permit.
9. The minimum distance to a railroad crossing is three hundred fifty (350) feet when there are lights and a gate, and five hundred (500) feet from a railroad crossing without lights and/or a gate.
10. Any lighting will be shielded to not impair the vision of any motor vehicle operator or to create a nuisance on adjoining property.

214.15. TYPES, SIZES, AND SETBACKS FOR P, PUD, AND S-2 DISTRICTS, BY SIGN PERMIT UNLESS OTHERWISE SPECIFIED.

Sign requirements in Public and Planned Unit Development districts will be controlled by the City Council when any development is planned.

214.16. SHOPPING CENTERS AND MULTIPLE USE BUILDINGS

1. Within 180 days of the adoption of this Chapter, all owners of shopping centers and multiple use buildings of three (3) or more businesses or industries, if they have not already done so, must submit a comprehensive sign plan to the City Council for approval.
2. All future signs erected within the shopping center or multiple use building shall conform to the conditions of the sign plan and may be subject to conditions other than those in the district regulations in order to promote uniform sign appearance.
3. Existing signs within the shopping center or multiple use building which do not meet the requirements of this Chapter and/or sign plan, shall be defined as a legal nonconforming sign, and shall be subject to the restrictions set forth in 214.17.2.(B).

214.17. INTERSTATE 694 CORRIDOR SIGNAGE REQUIREMENTS

1. All properties zoned CR-1, C-1, C-2, C-3, M-1, M-2, M-3, S-2 and located within two hundred seventy-five (275) feet from the centerline of Interstate 694 (see Appendix A) shall be allowed two (2) free-standing signs per development. The primary (Interstate) free-standing sign will be allowed based on the maximum square footage of the acreage of the development. The following chart determines the size sign each development shall be allowed.

<u>Acreage Class</u>	<u>Sign Size Permitted</u>
35 acres +	500 square feet
10-35 acres	240 square feet
1-10 acres	120 square feet
Less than 1 acre	80 square feet

2. The primary free-standing sign shall be located a minimum of ten (10) feet from any property line and the adjacent Interstate 694 right-of-way and located within the two hundred seventy-five (275) foot buffer strip (see Appendix A). All applicants for a sign permit within the buffer strip shall provide a certificate of survey ensuring that the sign will be placed within the two hundred seventy-five (275) foot buffer strip when measured from the centerline of Interstate 694.
3. The maximum height of thirty-five (35) feet above the finished ground grade.
4. The secondary free-standing sign shall be allowed where the development abuts an additional right-of-way. This secondary sign shall be permitted to be forty (40) square feet, or can be increased up to eighty (80) square feet so long as the primary (Interstate) sign is reduced by the amount of the secondary sign increase. (i.e., If the secondary sign is increased to seventy-two (72) square feet, the primary size shall be reduced by thirty-two (32) square feet.)

A. A minimum distance of ten (10) feet from any property line or driveway.

- B. A maximum height of twenty-five (25) feet above finished ground grade.
5. All other signage for the properties along the Interstate 694 corridor shall refer to the specific zoning district regulations for signs provided in this Chapter.

214.18. SIGN PERMIT REQUIREMENTS

1. Sign Permit.

- A. Before a sign may be displayed in the City, the sign erector shall file an application with the City for permission to display such sign.
- B. A permit is required for all existing, new, relocated, modified or redesigned signs except those specifically exempt under Section 214.18.1E.
- C. The issuance of a permit may also be subject to additional conditions in order to promote a more reasonable combination of signs and to promote conformity with the character and uses of adjoining property. The conditions will be subject to the discretion of the City. Objections to the conditions can be appealed to the City Council by the applicant.
- D. Signs erected by a nonprofit organization are not exempt from obtaining a sign permit, but the City may waive the fee requirement.
- E. No permit is required to display the following signs. This shall not be construed as relieving the erector of a sign, or the owner of the property on which a sign is located from conforming with the other provisions of this Chapter:
 - (1) Any window signs.
 - (2) Any address signs.
 - (3) Any signs erected by a governmental unit.
 - (4) Any bench signs.
 - (5) Any memorial signs or tablets containing the names of the building, its use and date of erection, when cut or built into the wall of a building.
 - (6) Any signs which are completely within a building and are not visible from the exterior of the building.
 - (7) Any temporary signs as listed under Section 214.06.
 - (8) Any signs having an area of three (3) square feet or less.

(9) Any advertising signs on litter receptacles having an area of four (4) square feet or less per side and limited to sixteen (16) square feet per receptacle, except that approval of the design and location of the receptacle is required by the City Council.

(10) Any personal expression signs which are erected by the owner of the parcel upon which the signs are to be placed, or by the tenant with the permission of the owner. (Ref. 860)

2. Permit Application.

A. Application for a sign permit shall be made to the City on forms supplied by the City.

B. If a sign has not been erected within ninety (90) days after the date of issuance of a permit, the permit shall become null and void unless an extension is granted by the City.

C. The City may require other information as necessary to insure that the sign is erected in compliance with this Chapter.

3. Permit Fees.

Sign permit fees shall be as provided in Chapter 11 of the Fridley City Code.

214.19. SIGN ERECTORS' LICENSE REQUIREMENTS

No person, firm or corporation shall engage in the business of erecting signs under this Chapter unless a license to do so has been approved by the City Council. The annual license fee and expiration date shall be as provided in Chapter 11 of the Fridley City Code. A license shall not be required of any person who chooses to construct and erect their own sign on their own property.

214.20. EXISTING SIGNS

1. Sign Maintenance.

A. The structure and surfaces of all signs shall be maintained in a safe and presentable condition at all times, including the replacement of defective parts, painting, repainting, cleaning and other acts required to prevent the sign structure and surface from becoming hazardous or unkempt in appearance.

B. When any sign is removed, the City shall be notified and the entire sign and its structure shall be removed.

2. Legal Nonconforming Signs.

A. Any sign located within the City on the date of the adoption of this Chapter which does not conform with the provisions of this Chapter, is a "legal nonconforming" sign and is permitted, provided it also meets the following requirements:

- (1) The sign was covered by a sign permit on the date of the adoption of this Chapter, if one was required under applicable law, or
 - (2) If no sign permit was required for the sign in question, the sign was in all respects in compliance with applicable law on the date of the adoption of this Chapter.
- B. A sign shall immediately lose its "legal nonconforming" designation and be termed illegal nonconforming if:
- (1) The sign is altered in any way, except for routine maintenance and change of messages, which makes the sign less in compliance with the requirements of this Chapter than it was before the alterations.
 - (2) The supporting structure of the sign is replaced or remodeled.
 - (3) The face of the sign is replaced or remodeled.
 - (4) The sign becomes dilapidated or damaged and the cost of bringing it into compliance is more than fifty percent (50%) of the value of said sign, and no sign permit has been applied for within 180 days of when the sign is damaged, at which time all of the sign and its structure must be removed.
 - (5) Notwithstanding subparagraph (1) above, upon the change of the name of the business being displayed on this sign.

3. Abandoned Signs.

Any sign which identifies a use that has discontinued operation for period of more than three (3) months or any sign which pertains to time, event, or purpose which no longer applies, shall be deemed to have been abandoned. Permanent signs applicable to a business temporarily suspended because of a change of ownership or management shall not be deemed abandoned unless the property remains vacant for a period of more than three (3) months. An abandoned sign is prohibited and shall be removed by the owner of the sign or the property owner.

4. Illegal nonconforming signs are prohibited within the City of Fridley. Should an illegal nonconforming sign be found to exist, the owner of said sign will have, thirty (30) days to remedy the situation in one of the following manners:

- A. Remove the existing illegal nonconforming sign. If a new sign is desired, it must meet all applicable requirements of this Chapter.
- B. Obtain a sign permit for the existing illegal nonconforming sign, and if applicable, apply for a variance to eliminate the illegal nonconforming status. (Ref. 837)

214.21. ENFORCEMENT

The City Manager or designated agent shall be responsible for, the enforcement of this Chapter.

214.22. VIOLATIONS

1. Any sign that does not comply with the provisions of this Chapter or that is a hazard to the health, safety and, general welfare of the public is hereby declared to be in violation of this Chapter.
2. Notification of Violation.
 - A. If the City determines that any sign regulated by this Chapter is unsafe, a menace to the public; or has been constructed or erected without a permit first being granted to the owner of the property upon which said sign has been erected; or is in violation of an other provision of this Chapter, then the City shall issue a written notice of violation to the property owner. If the owner fails to remove the sign or bring it into compliance with, the provisions of this Chapter within twenty (20) calendar days following the date of said notice, such sign(s) may be removed by the City. The cost of this removal, including any City expenses, shall be a special assessment against the property upon which the sign(s) was located and shall be so noted in the written notice to the property owner.
 - B. The City may cause any sign or sign structure which is an immediate public hazard, to be removed summarily after a reasonable attempt has been, made to have the property owner remove the sign.
 - C. When the City mails the notice of violation, copies will be sent to both the permit holder and the property owner, if they are different persons.

214.23. PENALTY

Any violation of this Chapter is a misdemeanor and is subject to all penalties provided for such violations under the provisions of Chapter 901 of the Fridley City Code. Each day the violation continues in existence shall be deemed a separate violation. All signs are subject to any penalty for violation of the district requirements where they are located, even when not required to pay a fee or acquire a permit.

214.24. APPEALS

To provide for a reasonable interpretation of the provisions of this Chapter, a permit applicant who wishes to appeal an interpretation by the City may file a variance application and request a hearing before the Appeals Commission. The Commission shall hear requests for variances and make their recommendation to the City Council in the following cases:

1. Appeals where it is alleged that there is an error in any order, requirement, decision or determination made by the City in the enforcement of this Chapter.
2. Requests for variances from the literal provisions of this Chapter in instances where the strict enforcement would cause an undue hardship. Before the Commission shall grant a variance, it is the responsibility of the applicant to prove:
 - A. That there are exceptional or extraordinary circumstances applicable to the property or to the intended use that do not apply generally to other property in the same vicinity and district.
 - B. That the variance is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the same vicinity and district; but which is denied to the property in question.
 - C. That the strict application of the Chapter would constitute an unnecessary hardship.
 - D. That the granting of the variance would not be materially detrimental to the public health, safety or general welfare or detrimental to the property in the vicinity or district in which the property is located.
3. All variances granted prior to November 21, 1977, unless otherwise specified by Council, remain in effect until:
 - A. The sign is altered in any way, except for routine maintenance and change of messages, which makes the sign less in compliance with the requirements of this Chapter than it was before the alterations.
 - B. The supporting structure of the sign is replaced or remodeled.
 - C. The face of the sign is replaced or remodeled.
 - D. The sign becomes dilapidated or damaged and the cost of bringing it into compliance is more than fifty (50%) percent of the value of said sign, at which time all of the sign and its structure be removed.
 - E. Notwithstanding subparagraph (A) above, upon the change of the name of the business being displayed on this sign.

At such time, the owner of said sign will have three (3) months to obtain a sign permit and construct a sign which meets all requirements of this Chapter or, obtain a variance for any new or existing sign which does not meet all requirements of this Chapter.