

## MEMO

Date: July 17, 2017

To: Alexandria Town Board

From: Ben Oleson, Hometown Planning  
Zoning Administrator, Alexandria Township

Re: Zoning Administrator's Report

Dear Town Board Members:

The Planning Commission held its regular meeting on June 26, 2017. There was one public hearing held and the Planning Commission is passing on their recommendations to the Town Board in relation to this application.

Attachments, drawings and photos related to the application is available at: [www.hometownplanning.com](http://www.hometownplanning.com). Public comments (if any) are also at the same location.

### PUBLIC HEARING #1

**Application:** Zoning Ordinance Amendment to Section V.A. (Signs) to allow electronic changeable copy signs in the rural commercial, urban commercial and light industrial zoning districts as a conditional use.

**Applicant:** Alexandria Township

**Background Information:** The Alexandria Township Zoning Ordinance currently does not allow for "Electronic changeable copy" signs anywhere in the Township. This was the result of discussions in 2012, when the sign ordinance was last updated in coordination with Douglas County as they updated their ordinance. While the County allowed for such signs in certain zoning districts, the Township decided to not allow them. Staff's recollection is that the Township felt that its more rural setting made electronic changeable copy signs less appropriate and consistent with the character of the area.

Since that time, changeable copy digital signs have become more prevalent around the state and country and their cost has decreased somewhat. The Township was recently approached by an organization with facilities in the Township (Rainbow Rider) with a request for such a sign. Staff expects such requests would not be uncommon going into the future.

The Town Board was approached on this issue by Rainbow Rider and a local sign company and directed that a public hearing be held by the Planning Commission to determine if there is any public input on this issue and to come up with a recommendation for whether electronic changeable copy signs should be allowed in the Township's commercial and light industrial zoning districts only. The Planning Commission held this public hearing on June 26, 2017. No public attended, with the exception of a representative from the sign company that was approached by Rainbow Rider about the installation of an electronic sign.

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**Planning Commission Recommendation:** Based on the findings of fact and discussion listed elsewhere in this report, the Planning Commission, on a 3-0 vote (Dokken-McFann and Dropik absent), recommends that Section V.A (Signs) of the Township zoning ordinance be amended to reflect the same language as Douglas County, with the following exception - that electronic changeable copy signs be allowed only within the Township's two commercial and one industrial zoning districts.

A copy of the recommended amendments is attached.

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**Town Board Direction:** The Town Board can accept the recommendation of the Planning Commission, render a modified decision on the application, or send the request back to the Planning Commission for further review if additional information is needed.

If you have questions or concerns on the items in this report or any other issues, please do not hesitate to contact us. You can reach me by email at [oleson@hometownplanning.com](mailto:oleson@hometownplanning.com) or by phone at 320-759-1560.

Sincerely,

HOMETOWN PLANNING

A handwritten signature in black ink, appearing to read 'Ben Oleson', with a stylized flourish at the end.

Ben Oleson  
Planning and Zoning Administrator

## SECTION V. PERFORMANCE STANDARDS

The performance standards established in this section are designed to encourage a high standard of development by providing assurance that neighboring land uses will be compatible. The performance standards are designed to prevent and eliminate those conditions that may cause a blight or are detrimental to the environment. All future development in all districts shall be required to meet these standards and the standards shall also apply to existing development where so stated.

Before any land use permit is approved, the Zoning Administrator, or a representative thereof, shall determine whether the proposed use will conform to the performance standards. The developer or landowners shall supply data necessary to demonstrate such conformance. Such data may include a description of equipment to be used, hours of operation, method of refuse disposal, and type and location of exterior storage.

### A. SIGNS<sup>49</sup>

#### 1. Findings, Purpose, and Intent.

##### a. Findings. Alexandria Township hereby finds as follows:

- (1.) Exterior signs have a substantial impact on the character and quality of the community.
- (2.) Signs provide an important medium through which individuals may convey a variety of messages.
- (3.) Signs can create traffic hazards, aesthetic concerns, and detriments to property values, thereby threatening the public health, safety, and welfare.

#### 2. Purpose and Intent. It is not the purpose or intent of these sign standards to regulate the message displayed on any sign; nor is it the purpose or intent of this Ordinance to regulate any building design or any display not defined as a sign, or any sign which cannot be viewed from the outside of a building. The purpose and intent of this Section is to:

- a. Regulate the number, location, size, type, illumination, and other physical characteristics of signs within the County in order to protect and promote the public health, safety, and welfare.
- b. Maintain, enhance, and improve the aesthetic environment of the County by preventing visual clutter that is harmful to the appearance of the community.
- c. Improve the visual appearance of the Township while providing for effective means of communication, consistent with constitutional guarantees and the Township's goals of public safety and aesthetics.
- d. Allow a wide variety of sign types in commercial zones, and a more limited variety of signs in other zones, subject to the standards set forth in this sign ordinance.
- e. Allow certain small, unobtrusive signs incidental to the principal use of a site in all zones when in compliance with the requirements of this sign ordinance.

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<sup>49</sup> Entire section replaced 8/4/2014 (Resolution #14-02)  
Section 5 – Performance Standards

- f. Prohibit signs whose location, size, type, illumination or other physical characteristics negatively affect the environment and where the communication can be accomplished by means having a lesser impact on the environment and the public health, safety and welfare.
- g. Provide for fair and consistent enforcement of the sign regulations set forth herein under the zoning authority of the Township.

3. Definitions.

The following words and terms, when used in this Sign Ordinance, shall have the following meanings, unless the context clearly indicates otherwise:

**Abandoned sign** - any sign and/or its supporting sign structure which remains without a message or whose display surface remains blank for a period of one (1) year or more, or any sign which pertains to a time, event or purpose which no longer applies, shall be deemed to have been abandoned. Signs applicable to a business temporarily suspended because of a change in ownership or management of such business shall not be deemed abandoned unless the property remains vacant for a period of one (1) year or more. Any sign remaining after demolition of a principal structure shall be deemed to be abandoned. Signs which are present because of being legally established nonconforming signs or signs which have required a conditional use permit or a variance shall also be subject to the definition of abandoned sign.

**Awning** – see “Canopy”

**Balloon sign** - a sign consisting of a bag made of lightweight material supported by helium, hot, or pressurized air which is greater than twenty-four (24) inches in diameter.

**Billboard** – see “Off-Premise highway sign”

**Cabinet sign** - any wall sign that is not of channel or individually mounted letter construction.

**Canopy** - a roof-like cover, including an awning, often of fabric, plastic, metal or glass, which projects from the wall or roof of a building- usually over a door, entrance, or window; or a freestanding or projecting cover above an outdoor service area, such as at a gasoline service station. A marquee is not a canopy.

**Canopy sign** - any sign attached to the underside or constructed upon a canopy or awning.

**Changeable copy sign, Non-electronic** - A non-electronic sign or portion of a sign which is characterized by interchangeable letters and figures.

**Changeable copy sign, Electronic** – An electronic sign or portion thereof with characters, letters, or illustrations that can be changed or rearranged without altering the face or the surface of the sign. Such signs include, but are not limited to, signs using cathode-ray tubes (CRT), light-emitting diode (LED) displays (including organic LED screens), plasma displays, liquid-crystal displays (LCD), projection screens or other similar technologies.

**Commercial Speech** – speech advertising a business, profession, commodity, service or entertainment.

- a. General:
  - (1.) Height: Shall not exceed 15 feet, except when attached to the wall of a building.
  - (2.) Setbacks: May be placed up to, but not extend over, a property line, except where greater setbacks are required from a lake or stream by this ordinance.
  - (3.) Anchoring: Shall be securely anchored to the ground or to a structure so as to prevent damage or displacement during winds of 80 miles per hour or greater.
  - (4.) Temporary signs shall be allowed as either a on-premise sign or an off-premise directional sign (located within two miles of the business, service or location being advertised).
- b. The following shall be considered temporary signs when located on a property for twelve (12) months or less:
  - (1.) Signs advertising a new subdivision or development
  - (2.) Real estate signs, pertaining to the sale or lease of a building or property, including off-site directional signs
  - (3.) Unilluminated signs identifying an engineer, architect, contractor or product engaged in or used in the construction of a building
- c. The following shall be considered temporary signs when located on a property for no more than forty-five (45) days in any six-month period:
  - (1.) Signs announcing any public, charitable, educational or religious event or function
  - (2.) Signs announcing a temporary seasonal event, sale, or service such as for the sale of Christmas trees, pumpkins, corn mazes, or fruit picking or for boat storage, located within two (2) miles of the property where the event is to take place
- d. Portable signs shall be considered temporary signs when located on a property for no more than fourteen (14) days in any ninety (90) day period:
- e. Non-commercial speech signs shall be considered temporary signs when located on a property from August 1 to ten (10) days following a general election and thirteen (13) weeks prior to any special or township election until ten (10) days after said election:
- f. Temporary signs that have not been removed within the specified period may be ordered removed by the Township, unless permitted as a permanent sign, where allowed.

8. General Provisions.

- a. On-Premise/Off-Premise signs. Unless specifically noted otherwise, all non-exempt signs referred to in this ordinance shall be considered on-premise signs.
- b. Spacing. Signs located within twenty-five (25) feet of any other sign may be considered one sign for the purposes of this ordinance if they are placed in such a way as to circumvent the size limitations imposed on any one sign, as determined by the Township.

- c. Setbacks. All sign setbacks as required by this ordinance shall be measured to the furthest horizontal extent of the sign.
- d. Height. All maximum heights as required by this ordinance shall be measured to the furthest vertical extent of the sign.
- e. Sign Area Calculation. The area within the frame shall be used to calculate the square footage (rounded to the nearest foot), regardless of whether or not more than one side is used. If such letters or graphics are mounted directly on a wall or fascia or in such way as to be without a frame, square footage shall be calculated as the area within the periphery around such letters or graphics in a plane figure bounded by straight lines connecting the outermost points thereof. Symbols, flags, pictures, wording, figures, or other forms of graphics painted on or attached to windows, walls, awnings, free-standing structures, suspended by balloons or kites or on persons, animals, or vehicles are considered a sign and are included in calculating the overall square footage. Double-faced signs which have a 90 degree angle or less between the two faces need only count one face for the purpose of calculating area. Three or more faces on a sign shall be counted against the maximum size allowed.
- f. Illumination. Where allowed, illumination for signs, whether internal or external, shall be so constructed and maintained so that the source of light is diffused and not directly visible by a motorist or pedestrian viewing the sign.
- g. No sign shall be placed in such a way that it creates a safety hazard by obstructing lines of sight for motorists or pedestrians or physically blocks a pedestrian corridor.

**h. Electronic Changeable Copy Signs –** ~~Electronic changeable copy signs are not allowed anywhere within the Township.~~ Where allowed, electronic changeable copy signs shall meet the following requirements, in addition to any other requirements that would otherwise apply:

- (1.) Any electronic changeable copy sign capable of displaying pictures, graphics, video or scrolling words/numbers, whether such displays are permitted or not, shall be limited to a total of thirty-two (32) square feet of display area. In commercial and industrial zoning districts, display areas may be allowed up to the maximum size sign permitted in that zoning district.
- (2.) Messages or graphics displayed on an electronic changeable copy sign must be presented in a static manner, with the message changing no more than once every five (5) seconds. The images and messages displayed must be complete in themselves, without continuation in content to the next image or message or to any other sign.
- (3.) Electronic changeable copy signs which scroll, flash, strobe, blink, pulse, fade, illuminate with varying light intensity or changing colors, or create the illusion of movement (including video displays) are prohibited.
- (4.) Any electronic changeable copy sign designed for the sole purpose of displaying printable characters (letters, numbers, punctuation marks or symbols) in a static format shall be regulated as a non-electronic changeable copy sign, provided that the digital display may change its message not more than once per hour.

(5.) No sign may be of such intensity or brilliance as to impair the vision of a motor vehicle driver with average eyesight or to otherwise interfere with the driver's operation of a motor vehicle. Electronic changeable copy signs shall automatically dim by at least 50 percent between one-half hour after sunset and one-half hour prior to sunrise.

(6.) No sign may be of such intensity or brilliance that it interferes with the effectiveness of an official traffic sign, device or signal.

(7.) Electronic changeable copy signs must be designed to freeze the display or turn the display completely off if it malfunctions.

~~(8.)~~(8.) Sign owners must immediately turn off an electronic changeable copy sign when notified by the county that it is not complying with the standards of this ordinance.

i. Sign Lettering: All lettering or numbering shall be such that it is readable by a passing motorist at a glance. Unless otherwise required/allowed by this ordinance or by the requirements of a conditional or interim use permit, all letters, numbers and symbols (except periods, commas, dashes or other punctuation marks typically smaller than letters) shall be at least 6 inches in height (capital letters) and 4.5 inches in height (lowercase letters). This requirement shall not apply to signs identified in Section 5 (Exemptions) or Section 7 (Temporary Signs).

j. Freestanding Canopies or Awnings: A freestanding canopy, such as above an outdoor service area, or a freestanding awning, when permanently or semi-permanently affixed to the ground, shall be permitted as a structure and are not considered signs for the purposes of this ordinance. Signs that are an integral part of, or which are attached to, a freestanding canopy or awning shall be regulated as a wall or projecting sign.

9. Fees.

Sign permit fees are as established by the adopted fee schedule.

10. Specific Regulations by Zoning District.

a. Urban Residential and Residential Shoreland Districts

(1.) Signs requiring an administrative permit

(a) Wall, projecting or marquee signs between six (6) and twelve (12) square feet in size

(b) Up to one (1) freestanding sign no greater than twelve (12) square feet in size and six (6) feet in height that is related to an on-premise, licensed childcare business or other nonresidential program regulated under Minnesota Statutes 245A.14 or successor statutes.

(2.) Signs requiring a conditional use permit

(a) Wall, projecting or marquee signs between twelve (12) and thirty-two (32) square feet in size

- (a) Road: Two (2) feet from a road or railroad right-of-way or twenty (20) feet from the centerline of a traveled surface, whichever is more restrictive.
  - (b) Other property lines: 10 feet or a distance equal to 110% of the height of the sign, whichever is greater.
- (5.) Illumination
- (a) Internal illumination: Not allowed
  - (b) External illumination: Allowed

**d. Rural Commercial/ Urban Commercial / Light Industrial Zones**

- (1.) Signs requiring an administrative permit
- (a) Wall, projecting or marquee signs between six (6) and sixty-four (64) square feet in size or Wall signs up to ten percent (10%) of a building façade which faces a street. Such signs may be internally or externally illuminated.
  - (b) Up to two (2) permanent freestanding signs per property as follows:
    - i. Sign A: No greater than sixty-four (64) square feet in size and thirty five (35) feet in height.
    - ii. Sign B: No greater than sixty-four (64) square feet in size and fifteen (15) feet in height.
  - (c) Permanent off-premise directional signs advertising a business within two (2) miles of the sign not greater than thirty-two (32) square feet in size

**(2.) Signs requiring a conditional use permit**

- (a) Wall, projecting or marquee signs greater than sixty-four (64) square feet in size or Wall signs up to ten percent (10%) of a building façade which faces a street.
- (b) Permanent off-premise directional signs advertising a business located within two (2) miles of the sign between 32 and 64 square feet in size (lesser sizes may be required by the Township in areas where normal and customary speeds are deemed to be slower than the posted or statutory speed limit):
- (c) Up to one (1) pole or monument sign no greater than one hundred (100) square feet in size when located along highways with a posted speed limit of greater than 65 miles per hour.
- (d) Illuminated freestanding signs

**(e) Electronic changeable copy signs**

~~(e)~~(f) Non-Temporary Portable signs

~~(f)~~(g) Motion signs

~~(g)~~(h) Inflatable signs