

208 Signs**208.010 Purpose and Findings.**

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Ord. #824

(A) This sign ordinance is intended to establish a comprehensive and balanced system of sign control that accommodates the need for a well-maintained, safe, and attractive community, and to accommodate the business community's need for effective communication and identification. It is not the purpose or intent of these regulations to favor commercial messages or speech over non-commercial messages or speech or to discriminate between types of non-commercial speech or the viewpoints represented therein. It is the intent of this ordinance to promote the health, safety, general welfare, and desirable community image through the regulation of signs with the following objectives in mind:

- (1) Signs shall demonstrate a high standard of aesthetic character and encourage the use of monument and individual letter-style signs;
- (2) Permit large enough copy/graphic area to effectively convey the intended message but not so large as to unduly distract the reader and insist on lettering large enough to be easily read to encourage simple, uncluttered messages;
- (3) Signs shall be proportioned to the size of, and architecturally compatible with, the structures and other signs on the premises;
- (4) Permanent signs shall only advertise on-premise businesses, services, facilities, etc;
- (5) Allow temporary business signs for grand openings and occasional sales events without creating continuous visual clutter or traffic hazards along streets or at intersections; and
- (6) Signs shall be properly maintained.
- (7) Signs that distract drivers, cyclists and pedestrians shall not be permitted. Studies conducted by public and private agencies have identified that dynamic signs, including multi-vision signs, electronic signs and video displays can be highly distracting to drivers, pedestrians, and cyclists and that distraction is a significant underlying cause of traffic accidents. With respect to electronic signs, including video display signs, the City finds that they are highly visible from long distances and at very wide viewing angles both day and night and are designed to catch the eye of persons in their vicinity and hold it for extended periods of time. If left uncontrolled, electronic signs, including video display signs, constitute a serious traffic safety threat. Studies conducted by the Federal Highway Administration

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(FHWA), Research Review of Potential Safety Effects of Electronic Billboards on Driver Attention and Distraction, Sept. 11, 2001, and The Role of Driver Inattention in Crashes: New Statistics from 1995; the University of North Carolina Highway Safety Research Center, Distractions in Everyday Driving, May 2003 and The Role of Driver Distraction in Traffic Crashes, May 2001; the Wisconsin Department of Transportation, Synthesis Report of Electronic Billboards and Highway Safety, June 10, 2003; the Municipal Research and Services Center of Washington, Sign Control Provisions, Jan. 2006; the Veridan Group, Video Signs in Seattle, Gerald Wachtel, May 2001, reveal that electronic signs are highly distracting to drivers and that driver distraction continues to be a significant underlying cause of traffic accidents.

(B) Findings. The City of Shoreview hereby finds that regulation of the construction type, location, size, and maintenance of signs is necessary to accomplish the above referenced objectives, because:

- (1) The presence of permanent and temporary signage affects the image of the community;
- (2) Properly regulated signage can create an atmosphere of prosperity, stimulate commercial activity, and consequently, lead to increased employment and a healthier tax base;
- (3) The safety of motorists, cyclists, and pedestrians can be threatened by signage that interferes with necessary sight-distances and/or unduly diverts the attention of such persons.
- (4) Signs that are too bright, overly illuminated, flash, blink, scroll, twirl, change messages or color, or imitate movement, including video displays, can distract drivers, cyclists and pedestrians and impact traffic safety.

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208.020 Definitions

Unless specifically defined below, words or phrases used in the City of Shoreview Code of Ordinances shall be interpreted so as to give them the same meaning as they have in common usage and so as to give subject code its most reasonable application.

Sign. Any letter, word or symbol, device, poster, picture, statue, reading matter or representation in the nature of an advertisement, announcement, message, or visual communication, whether painted, posted, printed, affixed or constructed, which is displayed for informational or communicative purposes and is visible to the general public.

Sign, Banners (or Pennants). A sign constructed of lightweight material designed as an attention-getting device which resembles a flag or similar type of advertisement.

Sign, Base. The supporting structure upon which a sign face is affixed and which must be architecturally compatible with the exterior of the principal structure in the associated development, in terms of color, form, and exposed material type(s).

Sign, Canopy or Awning. Any sign that is part of or attached to an awning, canopy, or other fabric, plastic, or structural protective cover over a door, entrance, window, or outdoor service area. A marquee is not a canopy.

Sign, Cabinet or Canister-Style. A sign that consists of a translucent sign face(s) to which the lettering/graphic message is painted onto and/or molded into. Such sign differs from a canopy sign in that the edges of the face(s) are enclosed by a ridge frame to form a cabinet.

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Sign, Changeable Copy or Readerboard. A sign which is changed manually and not controlled by means of electronic devices, except as otherwise permitted for Gas Price Display signs.

Rev. Date 8/15/11 Ord. #883

Sign, Dynamic Display Billboard. A dynamic display sign is defined as an off-premise advertising sign used for outdoor advertisement which is capable of displaying a video signal, including, but not limited to, cathode-ray tubes (CRT), light-emitting diode (LED) displays, plasma displays, liquid-crystal displays (LCD), or other technologies used in commercially available televisions or computer monitors.

Sign, Electronic Graphic Display. A sign or portion thereof that displays electronic, static images, static graphics or static pictures, with or without text information, defined by a small number of matrix elements using different combinations of light emitting diodes (LED's), fiber optics, light bulbs or other illumination devices within the display area where the message change sequence is accomplished immediately or by means of fade, repixelization or dissolve modes. Electronic graphic display signs include computer programmable, microprocessor controlled electronic or digital displays. Electronic graphic display signs include projected images or messages with these characteristics onto buildings, billboards, or other objects, but do not include Message Center Signs or Dynamic Display Billboards.

Sign, Flashing. An illuminated sign which contains flashing lights or exhibits noticeable changes in color or light intensity.

Sign, Freestanding. Any sign structure that is self supporting, placed in the ground, and not affixed to a building.

<p>Rev. Date 12/28/05 Ord. #786</p>

Sign, Gas Price Display. That portion of a sign that announces fuel prices and consists of changeable copy, manual or electronic. A Gas Price Display must be integrated into a freestanding sign.

Sign, Ground. A free standing sign whose face is mounted upon a base that is 40 to 75 percent of the width of the face and the height of the top of the sign above the ground does not exceed 6 feet. A ground sign may be externally or internally lighted or unlighted. The face may be individual-letter or cabinet style.

Sign, Incidental Business. A small sign, emblem or decal, not to exceed 2 square feet, displayed outside on a premises or displayed in a window or door visible outside of the structure. These signs are distinguished from Traffic Directional Signs.

Sign, Individual Letter-Style. A sign with a sign face(s) that is opaque to which the letters/graphics are affixed, cut-out of, cut into, or resemble such. In the case of wall signs, the building elevation constitutes the sign face. The color of the sign face is also the same behind each tenant name, where multiple names appear. If lighted from within, only the lettering/graphic area is recognizable as being lighted.

Sign, Logo. An identifying graphic which may or may not be a registered trademark but which is the official graphic identifier for a business or organization.

Sign, Major Tenant. A business or organization that occupies at least 50 percent of a building's floor area or contains at least 5,000 square feet of floor area within a development.

Sign, Marquee. Any sign attached, or affixed in any manner, or made a part of a marquee.

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Sign, Message Center. A sign that consists of electronically changing alphanumeric text except as otherwise permitted for Gas Price Display signs. A Message Center Sign must be integrated into a freestanding sign but not including Dynamic Display Billboards.

Sign, Monument. A freestanding sign whose face is mounted upon a base that is at least 75 percent of the width of the face. A monument sign may be externally or internally lighted or unlighted.

Sign, Multi-vision. A sign composed in whole or in part of a series of vertical or horizontal slats or cylinders that are capable of being rotated at intervals so that partial rotation of the group of slats or cylinders produces a different

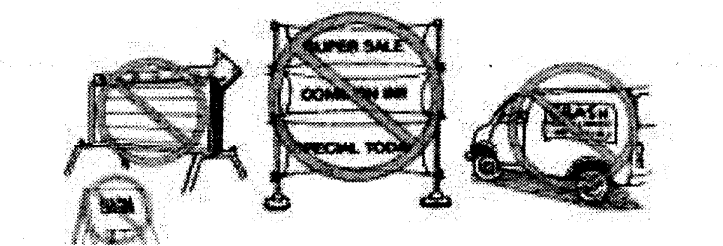
image and when properly functioning allows on a single sign structure the display at any given time one of two or more images.

Sign, Off-Premises Advertising. A freestanding sign with a commercial message which directs attention to a business, commodity, service or entertainment not related to the premises where such a sign is located (i.e., outdoor advertising), including Dynamic Display Billboards.

Sign, Political/Opinion. A sign with a non-commercial message, attracting attention to political candidates or issues or that expresses an opinion or point of view that does not advertise any product, service or business.

Sign, Portable. A sign structure with or without copy and/or graphics so designed as to be movable from one location to another and which is not permanently attached to the ground or any structure.

Examples of portable signs are illustrated and described below:



Portable Signs

A- and T- frame signs;

Sandwich signs;

Signs designed to be transported by trailer or on wheels;

Mounted on a vehicle for advertising purposes, when the vehicle is parked and visible from public right of way, except signs identifying a business when the vehicles is being used in the normal day-to-day operations of that business.

A sign may be a portable sign even if it has wheels removed, was designed without wheels, or is attached to the ground, a structure, or other sign.

Sign, Projecting. A sign which is affixed to a building and which extends perpendicularly from the building wall more than twelve (12) inches.

Sign, Pylon. Any permanent, freestanding sign whose sign face which is mounted upon a sign base that is less than 40 percent of the width of the face and height in excess of six feet.

Sign, Roof. Any sign which is erected, constructed or attached wholly or in part upon or over the roof of a building, unless attached to a parapet or mansard structure that is an architectural component of the building.

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Sign, Rotating. A sign or a portion of a sign which moves in a rotating, oscillating, or similar manner.

Sign, Shimmering. A Sign which reflects an oscillating sometimes distorted visual image.

Sign Structure. A term used in conjunction with freestanding signs, meaning the sign face together with the sign base.

Sign, Temporary. Any sign which is erected or displayed on a non-permanent basis for a limited period of time.

Sign, Transit Amenity. A sign which is affixed to or painted on a transit amenity, such as a transit bench or shelter.

Sign, Video Display. A sign that changes its message or background in a manner or method of display characterized by motion or pictorial imagery, which may or may not include text and depicts action or a special effect to imitate movement, the presentation of pictorials or graphics displayed in a progression of frames which give the illusion of motion, including but not limited to the illusion of moving objects, moving patterns or bands of light, or expanding or contracting shapes, not including electronic changeable copy signs. Video display signs include projected images or messages with these characteristics onto buildings or other objects but do not include Message Center Signs or Dynamic Display Billboards.

Sign, Wall. A single-faced sign which is affixed to the exterior wall of a building and which is parallel to the building wall and which does not project more than twelve (12) inches from the wall surface to which it is attached, nor extend beyond the top of a building elevation or parapet wall, whichever is higher.

Sign, Window. A sign affixed to or inside of a window in view of the general public. Merchandise on display is not considered window signage.

Signature Architecture. Use of design elements, colors and material to identify a structure's use or affiliation (e.g., a commercial brand or business).

208.030 General Standards. The following regulations apply to signs throughout the City:

(A) Location:

- (1) Unless stated otherwise in this ordinance, permanent signs shall be setback at least five (5) feet from all property lines. The City may require a greater setback because of public safety reasons that may include, but not

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be limited to, the following concerns: vehicle sight-distances, distance from an intersection, or function of the adjoining right-of-way.

- (2) Signs shall not be permitted within public right-of-way or road easements, except for: 1) public traffic control signs, 2) traffic directional signs and 3) temporary (not to exceed 30 days) banners and signs for authorized civic events, 4) other signs as permitted by this ordinance.
- (3) Traffic directional signs are permitted, provided: 1) all such signs have a uniform design on a site, 2) if located within a right-of-way, the sign shall comply with all applicable roadway authority rules for height, location, and size; 3) the sign(s) is as small and low to the ground as practical to convey the intended information; 4) the minimum number of such signs necessary for the purposes intended are utilized.

(B) Construction and Lighting:

- (1) All signs shall be constructed and maintained in accordance with applicable provisions of the Minnesota State Building and Electrical Codes. Permanent freestanding signs shall have self-supporting structures erected on and permanently attached to concrete foundations. Walls that are meant to support wall signs shall be designed and constructed with sufficient strength to support the proposed sign.
- (2) Lettering on permanent wall and freestanding signs shall be a minimum of four inches tall or at least one inch tall for every fifty feet of distance from which the lettering is intended to be read, whichever is greater. Larger lettering may be required when the sign is intended to be read by motorists traveling at speeds greater than 30 miles per hour. Lettering for a center name shall not be smaller than tenant names listed on the same sign or on the same building elevation.
- (3) The light cast by any illuminated sign located within fifty feet of a street right-of-way or property planned for residential, park, or open space use shall illuminate only the sign and not the adjoining property or air space above the property.
- (4) Holiday lights and decorations shall be permitted provided no commercial message is displayed.
- (5) Where multiple tenant names are displayed on the same building elevation or same face of a freestanding sign, all must be lighted if one is lighted, and the lighting type (internal or external) shall be uniform.

- (6) Signs may be internally or externally lighted or be unlighted, unless otherwise stated herein. Signs which are not internally illuminated shall have their light fixtures and light sources screened from view.
- (7) No sign may be brighter than is necessary for clear and adequate visibility.
- (8) No sign may be of such intensity or brilliance as to impair the vision of motor vehicle driver with average eyesight or to otherwise interfere with the driver's operation of a motor vehicle.
- (9) No sign may be of such intensity or brilliance that it interferes with the effectiveness of an official traffic sign, device or signal.
- (10) All signs that have illumination by a means other than natural light must be equipped with a mechanism that automatically adjusts the brightness in response to ambient conditions. These signs must also be equipped with a means to immediately turn off the display or lighting if it malfunctions, and the sign owner or operator must immediately turn off the sign or lighting when notified by the city that it is not complying with the standards in this section.

(C) Maintenance and Repair:

- (1) All sign components shall be kept in a sound structural and attractive condition, which shall constitute, but not limited to: replacement of defective, missing, or broken parts, including lighting; periodic cleaning; maintenance of the display surface to keep it neatly painted or posted at all times, including the timely removal of obsolete messages; and maintenance by the owner of the landscaping near the sign to keep it free and clear of all obnoxious substances, rubbish and weeds.
- (2) All legal nonconforming signs are subject to all requirements of this ordinance regarding safety, maintenance, and repair. Repair of a legal non-conforming sign is subject to the provisions of Section 208.080.

- (D) Area: Except as otherwise provided, the area of a sign shall be calculated by means of the smallest rectangle that will encompass the extreme limits of the writing, representation, emblem or other display, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed, but not including any supporting framework, base, bracing or decorative fence or wall when such fence or wall otherwise meets the regulations of this Ordinance and is clearly incidental to the display itself. (See Table 1)

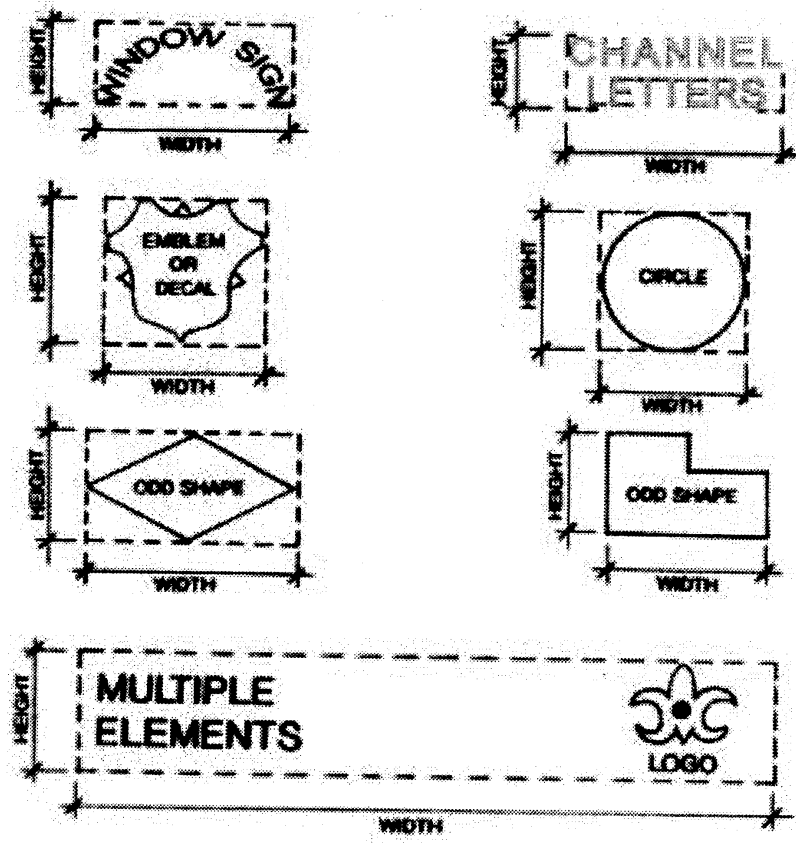


Table 1

- (1) For a single wall on a single-occupant building, all copy and graphics on that wall shall be measured as though part of one sign, encompassed within one rectangle, which may not exceed the maximum permitted sign area.
- (2) Where the faces of a double-faced sign are parallel or the interior angle formed by the faces is 45 degrees or less, only one display face shall be measured in computing sign area. If the two sides of a double-faced sign are of unequal size, the area of the sign shall be the area of the larger face.
- (3) In all other cases, the areas of all faces of a multi-faced sign shall be added together to compute the area of the sign.

(D) Sign Height - Freestanding Signs. The vertical distance between the highest part of the sign structure and the average ground level adjacent to and within ten feet of the sign base or the grade of the adjoining street, whichever is less.

208.040 Permitted Signs and Sign Standards:

(A) Signs are permitted, subject to area, height and location requirements of this Ordinance. Provisions of a Comprehensive Sign Plan may deviate from these requirements.

- (1) Signs in PUD Districts shall be regulated by the underlying District regulations.
- (2) Signs for individual residential buildings are limited to Address, Flag, Political/Opinion, Temporary Real Estate and Seasonal Residential Sales signs, except as otherwise permitted by this ordinance or as part of an approved Comprehensive Sign Plan.

(B) Standards, by Sign Type

(1) **Address** - A sign that displays the numerical street address authorized by the City for a particular property.

- (a) A street address shall be clearly visible (contrasting number/background colors or reflectorized numbers) from the adjoining street for each principal structure that has been assigned an address by the City.
- (b) Address signs shall not reduce the permitted sign area for a given structure/use but must be compatible in size to the building elevation to which affixed but in no case larger than 10 square feet for nonresidential or 2 square feet for residential uses.

(2) **Business, Temporary**

- (a) Such signs may consist of a banner affixed to a principal structure on the premises not to exceed 32 square feet of area.
- (b) No more than two temporary business signs shall be allowed per calendar year, per building, and permits for such signs shall not exceed seven (7) days unless associated with a Grand Opening of a business or development, when a temporary sign may be displayed for up to 14 days. All such signs shall be removed from the premises no more than one working day following the expiration of the permit.
- (c) A minimum period of thirty (30) days shall be required between temporary sign permits issued for a building.
- (d) No temporary business signs shall be allowed for business located on property that has a changeable copy sign.

- (e) All temporary sign messages must relate to a product(s) or service(s) available on the premises, unless the message is noncommercial.
- (f) Any banner sign must be affixed to the principal structure in which the associated business is located, except as permitted in Section 208.030(A)(2).
- (g) Window signage visible outside of the building is permitted only for commercially zoned property, provided:
 - (i) It does not exceed 33 percent of the total glass area of the window or door in which displayed.
 - (ii) It is not illuminated.
- (h) Help Wanted Signs. Temporary display of help wanted signs is permitted as following:
 - (i) The sign is displayed for a period not to exceed 3 months with a period of one month between signs.
 - (ii) Only one temporary help wanted sign is permitted per property.
 - (iii) The temporary help wanted sign shall be set back the greater of 5 feet from all property lines or not less than the setback of the principal freestanding sign.
 - (iv) The sign area shall not exceed 32 square feet unless greater area is approved by the City Manager.
 - (v) The sign shall not be used for advertising or commercial messages outside the purposes of employee recruitment.
- (3) **Changeable Copy or Readerboard** – Changeable Copy signs are permitted only when integrated into a freestanding sign. The changeable copy portion of the sign must be accompanied by the name of the building or facility displayed in an individual-letter format in letters that dominate all other names and graphics on said sign. Commercial messages must advertise only goods and services available on the premises.
 - (a) In Business Districts, Changeable Copy signs are permitted, provided:
 - (i) The maximum area of the changeable copy shall not exceed 40-square-feet of area in a C2, General Commercial, C1, Retail

Service District, and not more than 30-square-feet of area in a C1A, Limited Retail Service District.

1. Fuel stations may integrate a Gas Price Display sign into a changeable copy sign, provided:

- a. Copy height shall not exceed 16 inches;
- b. The Gas Price Display shall not exceed 6 square feet;
- c. Electronic copy is limited to numeric characters only;
- d. Electronic copy shall be a static display using a single color and shall not scroll, flash or blink or include animated copy or graphics.
- e. The level of illumination is controlled and limited as specified in Section 208.040(8)(g).

(ii) Changeable Copy signs shall not be used to display a listing of tenant names.

(b) In Residential Districts, Changeable Copy signs are permitted only to display non-commercial or public service announcements when displayed on the site of an approved public or quasi-public land use, provided the changeable copy sign does not exceed 30 square feet of area, unless it faces an arterial roadway, in which case up to 40 square feet of changeable copy sign area may be permitted.

(4) Civic Event Signs.

- (a) The area for such signs shall not exceed 8 square feet when located on property used for residential purposes and not more than 32 square feet for any other land use.
- (b) Only one such sign is permitted per property unless the site abuts two or more arterial roadways, than a sign may be displayed adjacent to each such roadway.
- (c) Such signs shall not be posted prior to 30 days in advance of the event and shall be removed within 2 days following the special occasion.

(5) Construction. A temporary sign placed at a construction site identifying the project and may include any of the following items of information: the name(s) of the architect, engineer, contractor, financier, or other involved parties. Leasing information may be integrated into the sign text.

- (a) The face area of such signs shall not exceed 12 square feet for residential developments and 64 square feet for non-residential uses

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and such signs shall extend no higher than twelve feet above the ground surface.

- (b) Only one such sign is permitted per property unless said property adjoins two or more collector or arterial roadways in which case identical signs may be displayed along each such roadway.
 - (c) Such signs shall be removed within seven days of the issuance of a certificate of occupancy for any building on the site or within 2 years of the date of issuance of the first building permit, whichever is sooner.
 - (d) Such signs shall not be posted prior to the development/project receiving at least preliminary approval from the City Council. Such signs shall also be removed within one year of installation if a building permit has not been issued or upon the erection of a leasing sign.
- (6) **Flag.** On-site display of flags is regulated as follows:
- (a) All flagpoles shall be setback at least 20 feet from all property lines. Flagpoles shall not exceed 35 feet in height, unless associated with structure at least 30 feet in height, in which case flagpoles up to 50 feet tall may be permitted.
 - (b) Display of up to three political jurisdiction flags and one flag representing an authorized on-premises business or organization is permissible, except in residential districts where one additional flag is permitted.
 - (c) Any other display of flags shall require approval of a Comprehensive Sign Plan.
- (7) **Incidental.** Incidental business signs located outside on a premise shall comply with the following requirements:
- (a) Not to exceed a total of 3 square feet of area, unless integral to and permanently included within the architectural perimeter of an approved wall or freestanding sign(s), in which case up to 6 square feet is permissible.
 - (b) Signs that give notice of the presence of a property security system are permissible in all zoning districts, provided the sign face does not exceed one square foot of area.
 - (c) Incidental business sign area shall count towards the total amount of permitted wall signage area.

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(8) **Message Center.** The changeable copy portion of the sign must be accompanied by the name of the building or facility. Said name shall be displayed in an individual-letter format in letters that dominate all other names and graphics on said sign. Message Center signs are permitted only when integrated into a freestanding sign on the site of an approved Public/Quasi-Public use, except as otherwise permitted for Gas Price Display signs.

- (a) In Business and Industrial Districts, Message Center signs are permitted on the site of an approved Public/Quasi-Public use, provided the maximum area of the changeable copy shall not exceed 30-square-feet of area in a C2, General Commercial, C1, Retail Service District, OFC, Office District, or BPK, Business Park District, and not more than 20-square-feet of area in a C1A, Limited Retail Service District
- (b) In Residential Districts, Message Center signs are permitted when displayed on the site of an approved public or quasi-public land use, provided the changeable copy sign does not exceed 20 square feet of area, unless it faces an arterial roadway, in which case up to 30 square feet of message center sign area may be permitted.
- (c) Duration. In non-residential districts, any portion of the message must have a minimum duration of one hour and must be a static display. In residential districts any portion of the message must have a minimum duration of two hours and must be a static display. In all districts, no portion of the message may flash, scroll, twirl, change color, fade in or out or in any manner imitate movement.
- (d) Color. In residential districts, all portions of the sign shall use an amber color.
- (e) Limited Text. The text of the sign must be limited to allow passing motorists to read the entire copy with minimal distraction.
- (f) Audio or pyrotechnics. Audio speakers or any form of pyrotechnics are prohibited in association with an electronic changeable copy sign.
- (g) Brightness. The sign must preset by the manufacturer not exceed a maximum illumination as measured from the sign's face at maximum brightness of 5000 nits (candelas per square meter) during daylight hours and a maximum illumination of 500 nits (candelas per square meter) for the time period between one half-hour before sunset and one half-hour after sunrise. Notwithstanding the manufacturer's preset, sign brightness shall comply with the requirements of Section 208.030(B).

- (h) Dimmer control. The sign must have an automatic dimmer control to produce a distinct illumination change from a higher illumination level to a lower level, depending on ambient weather conditions and for the time period between one half-hour before sunset and one half-hour after sunrise.
- (i) Orientation. In all districts the sign must be oriented so that no portion of the sign face is visible from an existing or permitted principal structure on any residential lot.

(9) Off-Premise Advertising Signs

- (a) Residential home sales and seasonal residential sales in accordance with the standards of Section 208.040(B)(13)(b) and 108.040(B)(14).
- (b) Off-premise advertising signs are permitted along high volume interstate corridors where the City has land use control on each side of the interstate road right-of-way. As such, said signs may only be placed along the Interstate 694 Highway Corridor. The intent is to minimize the impact said signs may have on adjoining communities.
 - (i) General Standards.
 - (a) Zoning. Off-premise advertising signs may be permitted on property zoned I, Industrial, or PUD, Planned Unit Development with an underlying zone of C2, General Commercial, provided the standards identified in this ordinance are met.
 - (b) Location and setback requirements.
 - i. Off-premise advertising signs are permitted within one-hundred fifty (150) feet of Interstate 694 right-of-way and must be oriented to be read from the Interstate Highway.
 - ii. The minimum lineal distance between Off-premise advertising signs located on the same side of the Interstate Highway shall be five-thousand two hundred fifty (5,250) feet.
 - iii. The sign structure shall maintain a minimum setback of ten (10) feet from any property line.
 - iv. The minimum lineal distance for the sign structure from any road intersection with the Interstate Highway shall be

one-thousand three-hundred (1,300) feet as measured from the centerline of the road right-of-way.

- v. The minimum setback for the sign structure from any residential use is five-hundred (500) feet.
 - vi. Prior to the issuance of a sign permit, a visual impact analysis may be required if the City Manager determines the proposed dynamic display billboard could have a detrimental visual impact on a residence, residential neighborhood or obstruct the views of City Park or County Open Space from properties developed with a residential use.
- (c) Use. Off-premise advertising signs are permitted only on properties that are vacant and not occupied by another building or structure.
- (d) Size.
- i. The maximum gross surface area for each face of an Off-premise advertising sign shall be seven-hundred (700) square feet.
 - ii. Signs may be single or double-faced.
 - iii. The maximum height of the Off-premise advertising sign structure shall not exceed fifty (50) feet above the grade elevation of the Interstate Highway Road surface from which the sign is to be read, however, said height may be increased if the sign's visibility is obstructed by vegetation, a structure or other objects. In situations where obstructions are present, the sign height may be increased to thirty (30) feet above the height of the obstruction. In no case shall the sign height exceed seventy (70) feet above the grade elevation unless approved by the City Manager. If obstructions are present that require a greater sign height, an increase in sign height may be permitted provided the City Manager determines said height is needed to view the sign and practical difficulties are present.
- (e) Design Requirements.
- i. All visible sign support columns shall be concealed with an approved architectural treatment primarily consisting of

natural stone, brick, approved masonry panels, stucco or architectural metal.

- ii. Ground equipment and facilities shall be screened from view using landscape materials.
- iii. Dynamic Display Billboards. In addition to the general standards, Dynamic Display Billboards must comply with the following:
 - (a) Message Standards.
 - i. The images and messages must be static, and the transition from one static display to another must be direct and immediate without special effects. Each image and message displayed must be complete in itself, and may not continue into a subsequent image or message. Each image and message shall be displayed with minimum time duration of eight (8) seconds before changing to the next image and message.
 - ii. Messages shall not be animated, moving, flashing or scrolling, fade in or out or imitate motion in any manner.
 - (b) Brightness.
 - i. Lighting shall be set at a minimum level necessary to provide clear viewing from the roadway in which the billboard is intended to be read and shielded to minimize glare.
 - ii. Said sign shall be equipped with a dimmer control and photo cell designed to measure the ambient lighting conditions and adjust the sign brightness as needed.
 - iii. The light level shall not exceed .3 foot-candles above the ambient light conditions as measured a horizontal distance two-hundred fifty (250) feet from the sign face.
 - (c) Agreement.

- i. If the City approves a permit to install a Dynamic Display Billboard, the permit holder, property owner and City shall enter into an agreement that identifies the terms including but not limited to:
 - a. Said sign shall display public service announcements allowing the City the ability, if the City chooses to participate, at no cost to the City, to provide public service messages.
 - b. Said sign shall be part of the State of Minnesota's public safety alert system if said system is operable and incorporates dynamic display billboards.

(10) **Parks and Open Space.**

(a) Freestanding signs:

- (i) One unlighted, individual letter-style sign is permitted near each street access to a park or open space facility. A lighted sign may be permitted for recreation facilities that frequently have evening or night time uses, such as the ice arena, provided the property located in the vicinity of entrance is not designated for residential use in the City's Land Use Plan.
- (ii) Freestanding signs at park/open space entrances shall be limited to the following items of information: official logo; park/open space name or sub-area name; type of park, if not evident from the name (i.e., county, regional, nature interpretative area, etc.); property address; and, name of the management authority.
- (iii) The sign area shall not exceed 15 square feet and the top of the sign shall not be more than six feet above grade.
- (iv) Regional or County park or open space facilities may have one additional individual letter-style sign located along Interstate Highway right-of-way, provided it is located on the park or open space property; it is unlighted; the sign face is an earth-tone color, such as the brown used by MN/DOT, and does not exceed 32-square-feet of area; and, the top of the sign is not more than ten feet off the ground.
- (v) Signs located on the interior of the site used to identify various use areas, facility boundaries, on-site traffic direction, trail use

information, the hours and rules for use of the grounds, etc. are excluded from regulation.

(b) Athletic Field Fence Panels: Fence panels that contain advertising are prohibited.

(c) Scoreboards:

(i) One scoreboard, not to exceed 40 square feet of area, is permitted per playing field.

(ii) One sponsor panel, not to exceed 12 square feet of area, may be affixed to the bottom edge of each scoreboard

(11) **Political/Opinion Signs.** Are permitted, subject to the following:

(a) An unlimited number of political signs are permitted during the three-month period preceding the election until 10 days after the election. The signs shall be located on private property, with the permission of the owner.

(b) To preserve public safety, a setback of at least six feet from the edge of any roadway or back of curb is permitted for a sign whose face is not more than 6 square feet in area or four feet above the ground. Signs exceeding 4 feet in height or 6 square feet in area shall be setback at least fourteen feet from edge of a roadway. All signs shall be setback a minimum of 2 feet from a sidewalk or trail. Signs shall not interfere with visibility and signs placed on corner lots shall comply with Section 206.010(B).

(c) Such signs shall not exceed 6 square feet in area, except where such sign is erected in place of another type of sign permitted at that location, then it shall be subject to the conditions of that sign type.

(d) Where such signs refer to an election or other specific event, they shall be removed within ten (10) days after the election or specific event.

(12) **Principal Signs, Freestanding.**

(a) Each principal structure, excluding individual residential buildings, is entitled to one freestanding sign, unless stated otherwise in this ordinance. Sites that adjoin two or more arterial roadways may have two freestanding signs subject to approval of a Comprehensive Sign Plan.

(b) At least 75 feet of separation shall exist between all freestanding signs.

- (c) Freestanding signs shall be located outside of street, drainage, trail/sidewalk or utility easements and be placed at least five (5) feet from any property line.
 - (d) The maximum area of a freestanding sign shall be a function of: 1) the gross floor area of the principal structure(s) located in the development and 2) the style of the sign, according to the Table 2: *Freestanding Sign Dimension Requirements*, unless otherwise specified in this section.
 - (e) All freestanding signs associated with approved Public/Quasi-Public uses and residential developments shall be ground or monument-style. If a sign for such a facility will face property planned for residential use, the sign area shall not exceed forty (40) square feet and the height of the sign face shall not exceed six feet.
 - (f) Freestanding signs may be single or double-faced. If single-faced, and the backside will be visible, the backside must be constructed of a material and/or painted to be a neutral color that is compatible with the principal structure.
 - (g) If wall signage is not to be installed, the area for any allowable freestanding sign area may be increased by 25 percent and vice versa by approval of a Comprehensive Sign Plan.
 - (h) Advertisement on a freestanding sign for a single or multi-tenant building shall be limited to the following items of information: the building/center name, address of the property, and tenant names. Tenant names may be listed on freestanding business sign for a multi-tenant center/development, provided an individual letter-style sign is used. The building or project name shall be the dominant display on all freestanding signs.
 - (i) A maximum of 25% of the sign area may be used for leasing information, provided the sign copy, graphics, and structure shall be architecturally designed to accommodate a leasing message within its perimeter.
- (13) **Project Identification** - identifies the name of a neighborhood or residential subdivision consisting of at least 20 dwelling units; or a multiple-family dwelling with 5 or more units; or a commercial, office, high tech, industrial, or public/quasi-public development consisting of two (2) or more principal structures. Project Identification signs shall be limited to the following items of information: development name, site

address, and major tenant names/graphics. The development name must be dominantly displayed on all project identification signs.

- (a) One project identification sign is permitted per development site, unless the site adjoins two or more arterial roadways. In such instance, a second project identification sign may be permitted by Comprehensive Sign Plan approval.
- (b) Where permitted, project identification signs shall be limited to the following items of information: development name, site address, and major tenant names/graphics. The development name must be displayed on all project identification signs. If any tenant name(s) is to be displayed, an individual letter-style sign shall be used. Signs displaying official logos may be permitted, only if the logo complies with the letter/graphic height and illumination requirements set forth in the Comprehensive Sign Plan for the project identification sign.
- (c) The area and height of a primary project identification sign shall be limited as shown in Table 2, except residential developments of 20 or more units, as below.
 - (i) Public or Quasi-Public Development: As required in Section 208.040(C)(9)(e).
 - (ii) Commercial, Office, High Tech, and Industrial Development: As permitted for monument signs listed in Section 208.040(C)(9). Gross floor area shall be for the development site.
 - (iii) Residential developments of 20 or more units shall have a maximum height of 12 feet and area not to exceed 32 square feet.
- (d) Approval of a Comprehensive Sign Plan is required to construct a project identification sign if there will be any other freestanding signs on the site, including a second project identification sign. If another freestanding sign(s) is proposed for a development, it shall be monument-style and be no larger than 50 percent of the area of the primary sign and not taller than 10 feet.

TABLE 2. FREESTANDING SIGN DIMENSION REQUIREMENTS

Individual Letter Style Signs

Gross Floor Area of Principal Structure	Height (feet)		Sign Area (sf)	
	Monument	Pylon Sign	Monument	Pylon Sign or Ground Sign
Greater than 100,000 sf	20	Not allowed	150	Not allowed
100,000 to 50,001 sf	20	25	100	60
50,000 to 20,000 sf	16	20	80	50
Less than 20,000 sf	12	20	60	40

TABLE 2. FREESTANDING SIGN DIMENSION REQUIREMENTS

Cabinet Style Signs

Gross Floor Area of Principal Structure	Height (feet)		Sign Area (sf)	
	Monument	Pylon Sign	Monument	Pylon Sign or Ground Sign
Greater than 100,000 sf	Not allowed	Not allowed	Not allowed	Not allowed
100,000 to 50,001 sf	Not allowed	Not allowed	Not allowed	Not allowed
50,000 to 20,000 sf	12	20	60	40
Less than 20,000 sf	10	20	50	30

NOTES:

- 1) Except for the "greater than 100,000-square-foot" category, the sign area for highway-commercial development sites (fuel stations, motels, restaurants) that abut I-694 or I-35W may be increased up to 2 times and the sign height may be increased up to 50 percent through approval of a Conditional Use Permit or Planned Unit Development.
- 2) The stated sign heights and areas are maximums for the three largest categories. Dependent upon the architectural characteristics of a particular development, the City may require less than maximum permissible area or height.
- 3) The sign structure shall not exceed 75% of the permitted maximum sign area.

(14) **Real Estate** signs pertain to the sale, lease, or rental of land and/or buildings.

- (a) Permanent leasing messages may be incorporated into an approved freestanding sign.
 - (i) Multiple Dwelling Developments. A leasing message may be displayed without time limit if incorporated into an authorized permanent ground or monument sign, provided:
 - (aa) The sign copy, graphics, and sign structure shall be architecturally designed to accommodate a leasing message within its perimeter.
 - (ab) The area for the leasing message may comprise an area of up to 25 percent of that allowable for the sign.
 - (ii) Nonresidential Developments. A leasing message may be displayed without time limit if incorporated into the permanent freestanding sign for the particular development, provided:
 - (aa) The principal freestanding sign (monument, ground, or pylon) shall be architecturally designed to accommodate a leasing message within its perimeter.
 - (ab) The area for the leasing message may comprise an area of up to 25 percent of that allowable for the sign.
 - (ac) The area of the leasing message shall proportionately range between 15 square feet for principal structures with less than 20,000 square feet of floor area and up to 25 square feet for principal structures with over 100,000 square feet of floor area.
- (b) Real Estate Signs, Temporary. Signs for the lease or sale of property or building space shall comply with the following rules:
 - (i) Only one such sign is permitted per property unless the property is a corner lot abutting a collector or arterial roadway, in which case a sign may be displayed along each roadway. Said sign(s) shall be setback at least 3 feet from the edge of any roadway or back of curb and at least 2 feet from the edge of a sidewalk or trail, whichever is the greater. Signs shall not be erected between the pavement or curb and any sidewalk or trail.
 - (ii) To preserve public safety, on any corner lot, no sign shall be erected which may cause danger to traffic by obscuring the view, as required by Section 206.010(B).

- (iii) "For Sale" signs shall be removed within 7 days following the lease or real estate closing.
 - (iv) A freestanding or wall sign is permissible provided that the face area does not exceed 6 square feet for residential property or 32 square feet for non-residential property. In the case of non-residential property, the sign face area shall be proportionate to the principal structure but shall not be required to be less than 15 square feet. Banner-style wall signs may be permitted for multiple dwelling residential and nonresidential structures in lieu of a temporary wall sign.
 - (v) Up to three sign riders are permitted for residential property. No single rider shall exceed 1.5 square feet in area, nor shall the total area of all the riders exceed 4.5 square feet.
 - (vi) Off-site directional signs, other than for an open house, are prohibited.
 - (vii) Off-site real estate directional sales signs for an open house are permissible only when associated with the sale or lease of individual single, double, and townhouse-style units, provided:
 - (aa) The sign face area does not exceed 18" x 24" (3 sq. ft.);
 - (ab) The sign height does not exceed 4 feet in height above the ground surface;
 - (ac) Not more than one such sign may be located at any intersection, except two signs may be located at an intersection with a collector or arterial street. They may only be displayed from one hour before until one hour after the scheduled; and
 - (ad) They are located at least 2 feet from the edge of any roadway or back of curb and at least 2 feet from the edge of a sidewalk or trail.
- (15) **Seasonal Residential Sales (Garage Sales).**
- (a) Only one such sign, not to exceed six (6) square feet in area, is permitted on the premises of the sale.
 - (b) Said sign shall only be displayed between the hours of 7 a.m. and 8 p.m. on the day(s) of the advertised sale.

- (c) Additional off-site directional sales signs are permitted provided they are:
 - (i) Freestanding;
 - (ii) The sign area does not exceed 18" x 24" (3 sq. ft.) in area nor four feet in height;
 - (iii) Not more than one such sign may be located at any intersection, except two signs may be located at an intersection with a collector or arterial streets. They may only be displayed from one hour before until one hour after the scheduled; and
 - (iv) They are located at least 2 feet from the edge of any roadway or back of curb and at least 2 feet from the edge of a sidewalk or trail.
 - (v) The sign height does not exceed 3 feet in height above the ground surface; and
 - (vi) They are displayed only between the hours of 7:00 a.m. to 8:00 p.m. on the day(s) of the advertised sale.
- (16) **Signature Architecture.** If the structure itself is used to convey the intended commercial identification message, as determined by the City, the structure is considered a sign and is permitted only as part of concurrent application, review and approval of a Site and Building Plan Review and a Comprehensive Sign Plan.
 - (a) Permitted Wall and Freestanding sign areas may be reduced up to 60 per cent of that otherwise permitted at the discretion of the City. Any reduction will be generally proportional to the use of colors and materials integrated into the structure design establishing the business identification or affiliation.
 - (b) The City reserves the right to attach conditions to approvals for Signature Architecture identifying design standards, increased setbacks and landscape screening to mitigate the visual impact of the structure.
- (17) **Transit Amenity Signs.** Transit amenity signs are permitted, subject to the licensing provisions of Section 710.
- (18) **Wall Signs.** Walls signs are not permitted for detached residential uses, except as otherwise permitted in this code. The following rules shall apply to wall signs in all Business and Industrial zoning districts:

- (a) One wall sign is permitted per principal structure, unless said structure faces two or more arterial roadways. In such instance, a second wall sign may be permitted with approval of a Comprehensive Sign Plan, provided the signs face different arterial roadways.
- (b) The length of a wall sign shall not exceed 20 percent of the length of the building elevation to which affixed.
- (c) Wall sign area shall be permitted as shown in Table 3.
- (d) Advertisement on a wall sign shall be limited to the following items of information: the building/center name, address of the property, tenant names.
- (e) Any lighted portion of a mansard, parapet, fascia, building elevation or similar structure shall count toward the allowable signage area defined in Section 208.030(D).
- (f) Signs may be affixed to fuel island canopies, or canopy supports, with approval of a Comprehensive Sign Plan, provided:
 - (i) Their area, together with any other wall and incidental signage on the accompanying structure(s), does not exceed the permissible amount of area for a single wall sign.
 - (ii) The area shall not exceed 10 percent of the canopy fascia area to which attached. Any lighted area on the canopy fascia shall count as sign area.
- (g) Wall signs may extend above a roofline only when attached to a parapet wall or similar structure that is an approved architectural component of the structure.
- (h) Comprehensive Sign Plan approval shall be required from the City Council for all structures proposed to have more than one wall sign or a sign band.
- (i) Signs affixed to marquees, mansards, canopies, awnings, etc., and to building elevations shall all be considered wall signs for purposes of the enforcing this section.

TABLE 3. WALL SIGN DIMENSION REQUIREMENTS

Zoning District/Use	Allowed Area
R2, R3, and T	20 sf
Public/Quasi-Public	40 sf
C1A, C1, C2, OFC, BPK, I: Buildings with less than 50,000 sf in area:	Not to exceed 10% of the area of the building elevation to which the sign will be affixed with a minimum of 20 sf.
Buildings with 50,000 sf or more in area:	Not to exceed 5% of the area of the building elevation to which the sign will be affixed with a minimum of 40 sf and a maximum of 500 sf.

NOTES:

- (1) The City reserves the right to require a reduction in the maximum permissible area, but not to less than 40 square feet, dependent upon the architectural characteristics of the building, site location, and land use type.
- (2) The City reserves the right to require a reduction up to 60 per cent in permitted area when the building is determined to be Signature Architecture.

208.050 Prohibited Signs.

- (A) Rotating or otherwise moving signs.
- (B) Roof signs.
- (C) Projecting signs.
- (D) Portable signs.
- (E) Signs and/or posters which are tacked on trees, fences, utility poles, sign supports, or other similar objects.
- (F) Signs painted directly on building, walls, or fences except works of art which do not contain commercial messages.

- (G) Flashing, blinking or animated signs, including but not limited to traveling lights or any other means not providing constant illumination, except approved Message Center signs.
- (H) Obsolete signs.
- (I) Pennants, whirling devices, balloons, inflatable devices and/or other apparatus resembling the same.
- (J) Signs that contain telephone numbers, hours of operation, drive-through facilities, product names, or logos that are not part of the business's official name, unless part of an approved incidental sign or part of an official public service announcement.
- (K) Signs that obstruct any window, door, fire escape, stairway, or opening intended to provide light, air, ingress or egress for any structure.
- (L) Signs placed on vehicles or trailers which are parked or located for the primary purpose of displaying said sign, except such signs attached to buses, taxis or other vehicles operating during the normal course of business.
- (M) Signs which constitute a public nuisance shall not be erected, installed or otherwise displayed. Such signs shall include, but not be limited to, signs that contain any indecent or offensive picture or written material or permissible temporary off-site signs erected without the permission of the property owner.
- (N) No sign may be erected or otherwise displayed that by reason of its location, shape, movement, color, or any other manner interferes with the proper functioning of a traffic sign or signal, obstructs the vision of pedestrians, cyclists, or motorists traveling on or entering public streets, or otherwise constitutes a traffic hazard. All signs shall also comply with the traffic visibility requirements set forth in Section 206.010(B) (Landscaping and Screening).
- (O) No signage is permitted on outdoor telephone booths, other than to identify the telephone.
- (P) Multi-vision signs.
- (Q) Shimmering signs.
- (R) Video Display signs.

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208.060 Comprehensive Sign Plan. A sign plan for a building and its associated grounds, a multi-building development site or a multi-tenant building indicating

the number, types, locations, dimensions, materials, and colors of signs proposed. An approved Plan may vary from the design and dimensional standards set forth in the Sign Code without approval of a formal variance, provided it would result in attractive signage that is compatible with the premises and with adjoining development.

- (A) **Comprehensive Sign Plan Required.** A Comprehensive Sign Plan is required if two or more signs of a single type that require a permit are proposed for an existing property or structure. Sign permits shall not be issued for multiple signs of a single type until a Comprehensive Sign Plan has been approved.
- (B) **Elements:** The Comprehensive Sign Plan review shall consider five elements that shall govern all signs within the development: location, materials, size, color and illumination. The Comprehensive Sign Plan application shall include details, specifications, dimensions, and plans showing the proposed locations of signs and how such signs conform to the requirements of this Ordinance. It shall also show the computations of the maximum total sign area permitted for the site as well as any special computations regarding additional signs proposed.
- (C) **Allocation of Wall Sign Space** The Plan should show the allocation of permitted wall sign space among tenants and any general building sign(s). Where such allocation is not specified in the Plan, the City may issue permits for wall signs for tenants entrances, in accordance with this Ordinance, in proportion to the frontage such tenant controls on the applicable wall. The City will cease to issue permits in such cases when all available wall sign area has been committed through permits.
- (D) **Project Identification signs** Approval of a Comprehensive Sign Plan is required to construct a project identification sign if there will be any other freestanding signs on the site, including a second project identification sign. If another freestanding sign(s) is proposed for a development, it shall be monument-style and be no larger than 50 percent of the area of the primary sign and not taller than 10 feet, unless the primary sign is an individual letter, monument-style, in which case the second sign may have up to the same area and height as the primary sign.
- (E) **Location on two Arterial Roads** Structures with frontage on two arterial roads shall be permitted both a freestanding and wall sign facing each arterial road, subject to approval of a Comprehensive Sign Plan, provided the structure is not part of a development which qualifies for a project identification sign.

208.070 Enforcement.

- (A) Inspection Authority: All signs for which a permit is required shall be subject to inspection by a City official who is hereby authorized to enter upon any property or premise to ascertain whether the provisions of this ordinance are being obeyed. Such entrance shall be made during business hours unless an emergency exists.
- (B) Removal of Abandoned or Obsolete Signs: Any sign which no longer advertises a bona fide business, or a product sold, shall be taken down and removed by the owner, agent or person having the beneficial use of the building or structure upon which sign may be found within 30 days after written notification from the Building Inspector. Upon failure to comply with such notice within the time specified in such order, the City Council may declare the sign to be a public nuisance, remove it, and assess the cost of removal to the property owner.
- (C) Removal of Illegal or Nonconforming Temporary Signs: Such signs shall be removed by the property owner within 3 days of written notification from the City. Failure to comply with such notice shall be a misdemeanor. Upon failure to remove within the time specified in such order, the sign is declared to be a public nuisance and may be removed by the City.
- (D) Removal of Signs in Disrepair: The Building Inspector may order the removal of any sign that is not maintained in accordance with the maintenance provisions of this ordinance. Upon failure to comply with such notice within the time specified in such order, the City Council may declare the sign to be a public nuisance, remove it, and assess the cost of removal to the property owner.
- (E) Separate Violations
- (1) Each sign installed, erected or maintained in violation of this Ordinance shall be considered a separate violation.
 - (2) Each day a sign is installed, erected or maintained in violation of this Ordinance shall be considered a separate violation.
- (F) Impoundment of Signs on Public Property or Within Public Right-of-Way: The City may, at any time and without notice, order the impoundment of signs which have been installed on public property, within a public right-of-way or within a public easement. The sign owner may retrieve an impounded sign according to the following rules:
- (1) Payment of an Impoundment Release fee. Any subsequent impoundment(s), within one calendar year, for a particular property or sign owner will require payment of double the initial impoundment release fee.

- (2) Any impounded sign must be retrieved from the impound area within 30 days of the impoundment or the City will dispose of it. Any cost incurred by the City for disposal of an impounded sign shall be assessed to the property owner.
- (3) The City shall have no obligation to notify a property owner that it has impounded a sign.
- (4) The City may not be held liable for any damage to an impounded sign.

208.080 Alteration and/or Removal of Legal Nonconforming Permanent Signs. Signs shall lose their legal nonconforming status if moved, replaced or altered in any way, except toward compliance with Section 208. Signs that are in good repair, were legally in existence before this Section was adopted, and which are not obsolete but which do not otherwise comply with the standards set forth in this Section, shall be removed or brought into conformance if damaged beyond 50 percent of its value prior to being damaged, as determined by an independent appraisal. Damaged, nonconforming signs shall be completely removed within 90 days of written notification from the City. If compliance is not obtained within 90 days of property owner notification, the City may cause the sign to be removed in accordance with Subsection 208.070(D).

- (1) A legally nonconforming billboard may be converted to a billboard with a dynamic display provided the conditions identified in Section 208.040(B)(2) are met.