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AGENDA
CITY OF MAPLEWOOD
PLANNING COMMISSION
7:00 P.M. Tuesday, April 18, 2023
City Hall, Council Chambers
1830 County Road B East

A. CALL TO ORDER

B. ROLL CALL

C. APPROVAL OF AGENDA

D. APPROVAL OF MINUTES

1. February 21, 2023 Planning Commission Meeting Minutes

E. PUBLIC HEARING

1. Conditional Use Permit Resolution, Multiple Residential Dwelling, 2627 Stillwater Road East
2. Conditional Use Permit Resolution, Multifamily Residential Project, 1310 Frost Avenue East

F. NEW BUSINESS

1. Zoning Code – Sign Code Regulations Discussion

G. UNFINISHED BUSINESS

None

H. COMMISSION PRESENTATIONS

I. STAFF PRESENTATIONS

None

J. VISITOR PRESENTATIONS – *3 minute time limit per person*

K. ADJOURNMENT

WELCOME TO THIS MEETING OF THE PLANNING COMMISSION

This outline has been prepared to help you understand the public meeting process.
The review of an item usually takes the following form:

1. The chairperson of the meeting will announce the item to be reviewed and ask for the staff report on the subject.
2. Staff presents their report on the matter.
3. The Commission will then ask City staff questions about the proposal.
4. The chairperson will then ask the audience if there is anyone present who wishes to comment on the proposal.
5. This is the time for the public to make comments or ask questions about the proposal. Please step up to the podium and speak clearly. Give your name and address first and then your comments.
6. After everyone in the audience wishing to speak has given his or her comments, the chairperson will close the public discussion portion of the meeting.
7. The Commission will then discuss the proposal. No further public comments are allowed.
8. The Commission will then make its recommendation or decision.
9. All decisions by the Planning Commission are recommendations to the City Council. The City Council makes the final decision.

“Welcome to the meeting of the Maplewood Planning Commission. It is our desire to keep all discussions civil as we work through difficult issues tonight. If you are here for a Public Hearing or to address the Planning Commission, please familiarize yourself with the Policies and Procedures and Rules of Civility, which are located near the entrance. At the podium please state your name and address clearly for the record.”

Revised: 02/18

MINUTES
MAPLEWOOD PLANNING COMMISSION
 7:00 P.M. Tuesday, February 21, 2023
 City Hall, Council Chambers
 1830 County Road B East

A. CALL TO ORDER

A meeting of the Commission was held and called to order at 7:01 p.m. by Chairperson Arbuckle

B. ROLL CALL

Paul Arbuckle, Chairperson	Present
Frederick Dahm, Commissioner	Present
Tushar Desai, Vice Chairperson	Present
John Eads, Commissioner	Absent
Allan Ige, Commissioner	Present
Lue Yang, Commissioner	Present

Staff Present: Michael Martin, Assistant Community Development Director

C. APPROVAL OF AGENDA

Commissioner Ige moved to approve the agenda as presented.

Seconded by Commissioner Dahm Ayes – All

The motion passed.

D. APPROVAL OF MINUTES

1. November 15, 2022, Planning Commission Meeting Minutes

Commissioner Desai moved to approve the November 15, 2022, Planning Commission Meeting Minutes as submitted.

Seconded by Commissioner Dahm Ayes – All

The motion passed.

E. PUBLIC HEARING

1. Conditional Use Permit and Wetland Buffer Setback Variance Resolution, Assisted Living and Memory Care Project, 1910 County Road C East

Michael Martin, Assistant Community Development Director, presented the Conditional Use Permit and Wetland Buffer Setback Variance Resolution, Assisted Living and Memory Care Project, 1910 County Road C East, and answered questions from the Commission.

Lucas Larson, Galahad Development, addressed the commission and answered questions.

Ben Lindau, Doran Companies, addressed the commission and answered questions.

Kevin Bohl, BKBM Engineers, addressed the commission and answered questions.

Chairperson Arbuckle opened the public hearing.

The following individuals addressed the commission regarding the project:

Arlene Frokjer, 1883 County Road C East

Rick Johnson, 1861 County Road C East

Chairperson Arbuckle closed the public hearing.

Commissioner Ige moved to approve a resolution for a conditional use permit and wetland buffer setback variance for a two-story assisted living and memory care facility to be constructed on the vacant land at 1910 County Road C East.

Seconded by Commissioner Desai

Ayes – All

The motion passed.

This item will go to the city council on March 13, 2023.

2. Conditional Use Permit Amendment Resolution, InTech, Inc., 1055 Gervais Avenue East

Michael Martin, Assistant Community Development Director, presented the Conditional Use Permit Amendment Resolution, InTech, Inc., 1055 Gervais Avenue East, and answered questions from the Commission.

Patrick Kasper, InTech, Inc., addressed the commission and answered questions.

Chairperson Arbuckle opened the public hearing.

There were no speakers for this item.

Chairperson Arbuckle closed the public hearing.

Commissioner Desai moved to approve a conditional use permit amendment resolution for a building addition at 1055 Gervais Avenue East, subject to certain conditions of approval.

Seconded by Commissioner Yang

Ayes – All

The motion passed.

This item will go to the city council on March 13, 2023.

F. NEW BUSINESS

1. 2022 Planning Commission Annual Report

Michael Martin, Assistant Community Development Director, presented the 2022 Planning Commission Annual Report and answered questions from the Commission.

Commissioner Desai moved to approve the Planning Commission's 2022 Annual Report.

Seconded by Commissioner Arbuckle

Ayes – All

The motion passed.

G. UNFINISHED BUSINESS

None

H. COMMISSION PRESENTATIONS

1. Quorum Discussion

Chairperson Arbuckle spoke on the importance for Commission members to prioritize attending scheduled Commission meetings for the purpose of having a quorum so meetings can be conducted as scheduled.

I. STAFF PRESENTATIONS

None

J. VISITOR PRESENTATIONS

K. ADJOURNMENT

Chairperson Arbuckle adjourned the meeting at 8:32 p.m.

Seconded by Commissioner Dahm

Ayes – All

The motion passed.

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PLANNING COMMISSION STAFF REPORT

Meeting Date April 18, 2023

REPORT TO: Melinda Coleman, City Manager

REPORT FROM: Elizabeth Hammond, Planner

PRESENTER: Elizabeth Hammond, Planner

AGENDA ITEM: Conditional Use Permit Resolution, Multiple Residential Dwelling, 2627 Stillwater Road East

Action Requested: ☒ Motion ☐ Discussion ☒ Public Hearing

Form of Action: ☒ Resolution ☐ Ordinance ☐ Contract/Agreement ☐ Proclamation

Policy Issue:

The property owner requests approval for a multiple residential dwelling on the subject property. The city zoning classification for this site requires a conditional use permit for multiple residential dwellings. In 1985, the city changed the land use designation and rezoned the property. According to city documentation, there were six residential units on the property at the time. After that, four additional units were added to the property without city review or approval. This request, if approved, would formally authorize the 10 existing residential dwelling units on the property under a conditional use permit.

Recommended Action:

Motion to approve a conditional use permit resolution for a multiple residential dwelling located at 2726 Stillwater Road, subject to certain conditions of approval.

Fiscal Impact:

Is There a Fiscal Impact? ☒ No ☐ Yes, the true or estimated cost is \$ 0.00

Financing source(s): ☐ Adopted Budget ☐ Budget Modification ☐ New Revenue Source
☐ Use of Reserves ☒ Other: n/a

Strategic Plan Relevance:

☐ Community Inclusiveness ☐ Financial & Asset Mgmt ☐ Environmental Stewardship
☐ Integrated Communication ☒ Operational Effectiveness ☐ Targeted Redevelopment

The city deemed the applicant's application complete on March 30, 2023. The initial 60-day review deadline for a decision is May 29, 2023. As stated in Minnesota State Statute 15.99, the city can take an additional 60 days, if necessary, to complete the review.

Background:

Project Overview

The property owner requests approval for 10 residential apartment units on the subject property. City Code requires a conditional use permit for multiple residential dwelling units in the BCM, business commercial modified zoning district. The city had documentation of six residential units on the property when the city council approved a change to the land use plan and zoning designation for the property in 1985. The property's land use was changed from residential low density to residential business. The zoning was changed from business commercial to business commercial modified. The four additional units added to the building without city review or approval were discovered during a required inspection as part of the city's rental licensing program. This request, if approved, would formally authorize the 10 existing residential dwelling units and would not increase the number of units beyond what exists today.

Historically, there has been a mix of commercial and residential dwelling units within the building. Based on the limited documentation in city records, it is unknown when the additional units were added to the building. The process would have required a conditional use permit before modifying the structure for residential dwelling units. If this process had been followed and approved, the property owner would have been required to meet residential building code requirements to ensure that all life and safety requirements were included in each housing unit.

In the case of the property currently, the conditional use permit would bring the property in compliance with the required zoning approval for the multiple residential dwelling units. From a land use standpoint, staff supports the request as it meets the intent of the city's comprehensive plan. If approved by the city council, the property owner must work with the city's building official to ensure the property is brought into compliance with all required building codes, and the residential dwelling units must meet requirements for residential habitable space.

If the applicant does not meet the requirements of the building official to bring all units into compliance with the building code, the property owner will be required to remove all illegal units on site and will be subject to civil and/or criminal citations issued by the city.

Conditional Use Permit

The 2040 Comprehensive Plan guides this site as Mixed-Use – Neighborhood, which allows up to 31 units per acre. The zoning of this site is Business Commercial Modified which allows multiple dwellings with the approval of a conditional use permit. The city's zoning ordinance outlines nine standards that must be met for the city council to approve a conditional use permit. These standards are outlined in the attached resolution.

Commission and City Council Review

The Planning Commission will hold a public hearing and review the conditional use permit on April 18, 2023.

The City Council will review the application and decide on the conditional use permit on May 8, 2023.

Department Comments

Building – Randy Johnson, Building Official

The applicant will need to hire a Minnesota-licensed architect to inspect and evaluate the entire building, verify that the construction meets the minimum requirements of the Minnesota State Building Code, and make recommendations where the construction is substandard. The architect will need to generate architectural drawings for the entire building that indicates the layout and construction of the residential dwelling units, including any remaining commercial or office spaces. Additional design professionals may need to be hired, and drawings prepared to address any concerns discovered involving the structural, mechanical, electrical, or plumbing systems. Once the drawings have been completed, a licensed contractor must apply for a building permit for the change of use and any necessary construction alterations.

Engineering – Jon Jarosch, Assistant City Engineer

The applicant must obtain a Sewer Availability Charge (SAC) Determination from the Metropolitan Council Environmental Services (MCES). Any units/prior use before 1973 would be grandfathered in. Any units that have unpaid SACs will need to be paid. The approximate costs for each unit paid to the city, and Met Council are provided below. In the instances where there is not a clothes washing machine or dryer in an apartment unit, the MCES SAC would only be 80% of a full MCES SAC (\$1,988).

MCES SAC Unit \$2,485

City SAC Unit \$130

City WAC Unit \$285

Total per SAC unit charged: \$2,900

Public Comments

Staff sent a public hearing notice and application details to the properties within 500 feet of the subject property. No public comments were received.

Reference Information

Site Description

Site Size: 0.47

Existing Land Use: Commercial and Residential, Mixed-Use

Surrounding Land Uses

North: Maple Greens Residential Planned Unit Development

South: R1, Single Dwelling

East: R3, Multiple Dwelling Residential

West: F, Farm Residential

Planning

Existing Land Use: Mixed-Use, Neighborhood

Existing Zoning: BCM, Business Commercial Modified

Attachments:

1. Conditional Use Permit Amendment Resolution
2. Overview Map

3. Future Land Use Map
4. Zoning Map
5. City Documentation of Land Use and Zoning Change, Dated 1985
6. Applicant's Narrative
7. Applicant's Plans and Photos

CONDITIONAL USE PERMIT RESOLUTION

BE IT RESOLVED by the City Council of the City of Maplewood, Minnesota, as follows:

Section 1. Background.

1.01 Cecilia Chang, Property Owner, has requested a Conditional Use Permit for a multiple-dwelling building on the property.

1.02 The property is located at 2627 Stillwater Road East and is legally described as:

Lots 26 and 27, Block 5, Midvale Acres No. 2, except that part of Lot 26, Block 5, Midvale Acres No. 2, described as follows: Beginning at the Southeasterly corner of said Lot 26, thence Northwesterly 297.7 feet more or less along the Northeasterly line of Lot 26 to the Northeasterly corner of Lot 26, thence Southwesterly along the Northwesterly line of Lot 26 for the 27.95 feet more or less to the Northwesterly corner of Lot 26, thence South along the West line of Lot 26 for 114.00 feet, thence Northeasterly parallel to the Northwesterly line of Lot 26 for 59.06 feet, thence Southeasterly 200.85 feet more or less to the Southeasterly line of lot 26 at a point that is 53.67 feet Southwesterly from the point of beginning, thence Northeasterly along said Southeasterly line for 53.67 feet to the point of beginning.
PID 252922140001

1.03 City Ordinance Sec. 44-512 allows for multiple residential dwellings in the property's zoning district through a conditional use permit approved by the city council.

Section 2. Standards.

2.01 General Conditional Use Permit Standards. City Ordinance Section 44-1097(a) states that the City Council must base approval of a Conditional Use Permit on the following nine standards for approval.

1. The use would be located, designed, maintained, constructed and operated to be in conformity with the City's Comprehensive Plan and Code of Ordinances.
2. The use would not change the existing or planned character of the surrounding area.
3. The use would not depreciate property values.
4. The use would not involve any activity, process, materials, equipment or methods of operation that would be dangerous, hazardous, detrimental, disturbing or cause a nuisance to any person or property, because of excessive noise, glare, smoke, dust, odor, fumes, water or air pollution, drainage, water run-off, vibration, general unsightliness, electrical interference or other nuisances.
5. The use would not exceed the design standards of any affected street.

6. The use would be served by adequate public facilities and services, including streets, police and fire protection, drainage structures, water and sewer systems, schools and parks.
7. The use would not create excessive additional costs for public facilities or services.
8. The use would maximize the preservation of and incorporate the site's natural and scenic features into the development design.
9. The use would cause minimal adverse environmental effects.

Section 3. Findings.

3.01 The proposal meets the specific Conditional Use Permit standards.

Section 4. City Review Process

4.01 The City conducted the following review when considering this conditional use permit request.

1. On April 18, 2023, the Planning Commission held a public hearing. City staff published a hearing notice in the Pioneer Press and sent notices to the surrounding property owners. The Planning Commission gave everyone at the hearing a chance to speak and present written statements. The Planning Commission recommended that the City Council _____ this resolution.
2. On May 8, 2023, the City Council discussed this resolution. They considered reports and recommendations from the planning commission and City staff.

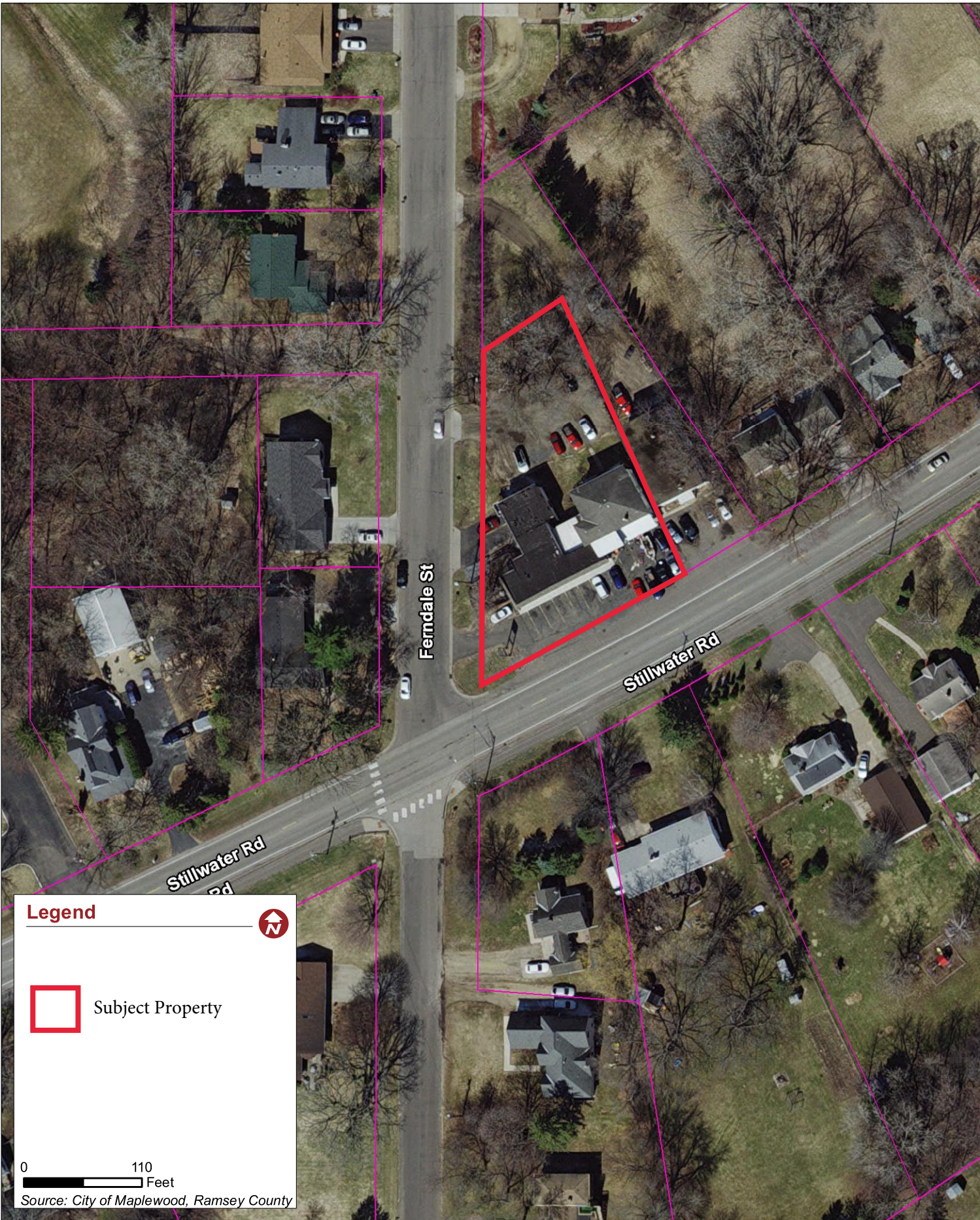
Section 5. City Council

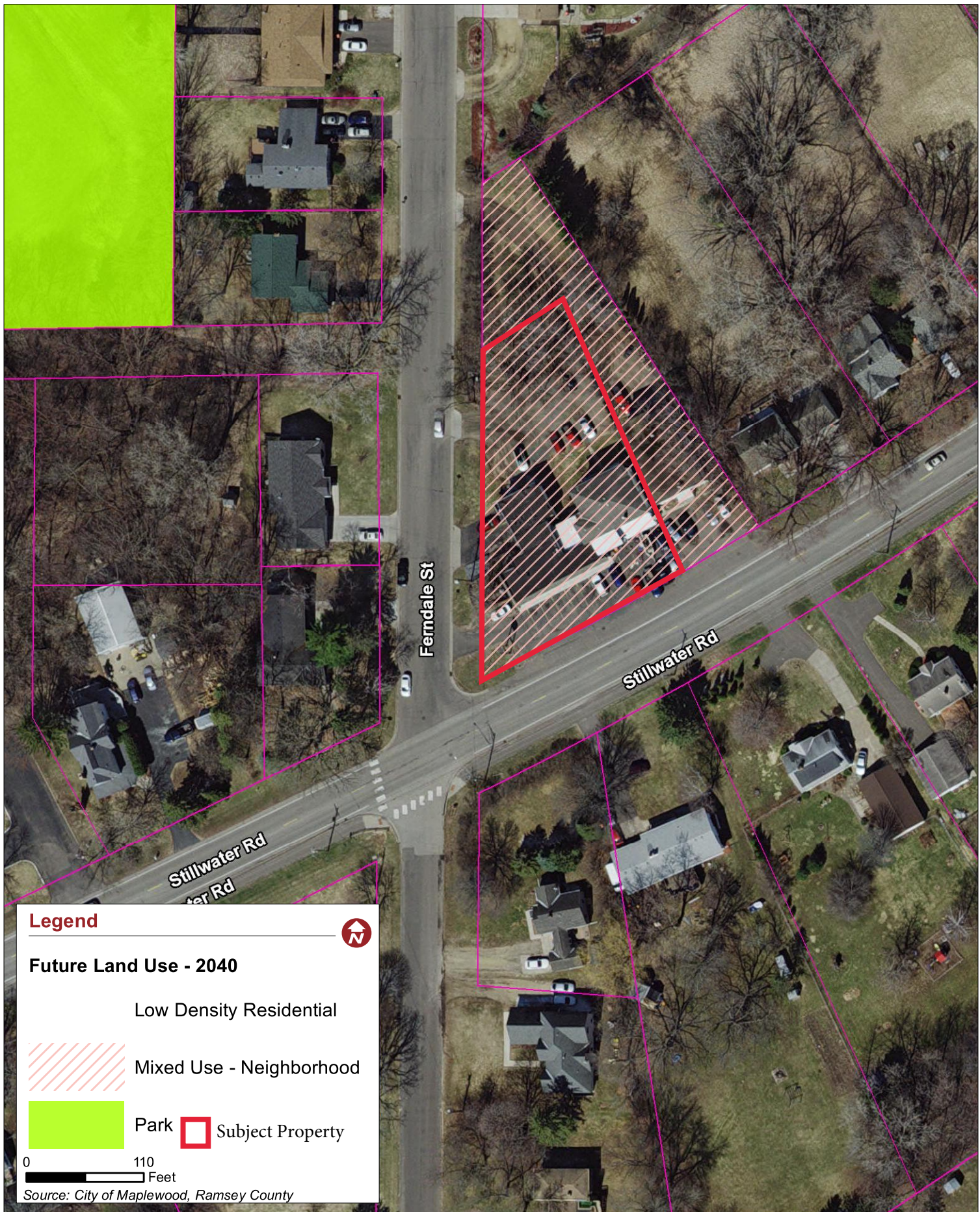
5.01 The City Council hereby _____ the resolution. The conditional use permit resolution approves a residential multiple-dwelling building on the property. Approval is based on the findings outlined in section 3 of this resolution. Approval is subject to the following conditions:

1. The property can have up to ten (10) multiple residential dwelling units. Any proposed increase in residential habitable space will require review by the city and an amendment to the conditional use permit.
2. The applicant will ensure the property meets the requirements of the building official and fire marshal.
3. The applicant must hire a Minnesota-licensed architect to inspect and evaluate the entire building, verify that the construction meets the minimum requirements of the Minnesota State Building Code, and make recommendations where the construction is substandard. A licensed contractor must apply for a building permit for the change of use and any necessary construction alterations.

4. The applicant must obtain a SAC determination letter from the Metropolitan Council. The applicant will pay any unpaid fees as required by the determination letter.
5. The city must review any exterior improvements to the site.
6. The applicant shall provide a trash enclosure plan for the dumpster on the property. The enclosure must achieve the screening requirements as outlined in the city code. This plan may be reviewed and approved by staff.
7. The applicant must comply with the city's rental housing licensing program requirements.
8. Code requires two parking stalls for each multiple residential dwelling unit, with one of those being an enclosed stall. The property does not have enclosed parking stalls for the dwelling units. This resolution approves a waiver to the requirement for enclosed parking stalls.
9. The applicant shall submit a parking plan illustrating the number and location of parking stalls provided on the site. The applicant must request a parking waiver if the parking plan does not provide the required stalls. There shall be two stalls provided for each dwelling unit. In addition, commercial uses are required to have parking provided as outlined in Section 44 – 17, based on the type of commercial use. For a commercial office building use, one space is required for every 200 square feet or portion thereof of floor area.
10. The city council shall review this permit in one year.

_____ by the City Council of the City of Maplewood, Minnesota, on May 8, 2023.







B. Plan Amendment and Rezoning--Stillwater Road and Ferndale

Secretary Olson read the notice of public hearing. The proposal is to amend the land use plan designation from RL to RB and rezone 2633 Stillwater Road from BC to BC (M), and also rezone the property at 2637 Stillwater Road from BC to R-3

Chairman Axdahl asked if there was anyone present who wished to comment on the proposal.

No comments received.

Chairman Axdahl closed the public hearing

The commission questioned if the owners of the property were contacted.

Secretary Olson said they were contacted, no objections were given to the plan amendment and zone change.

Commissioner Whitcomb moved the planning commission recommend amending the land use plan designation from RL, low density residential to RB, residential business as the RB designation better represents the existing development and recommends the city council adopt the following resolution:

NOW, THEREFORE, BE IT RESOLVED BY THE MAPLEWOOD CITY COUNCIL that the above-described plan amendment be approved on the basis that the RB classification would better represent the existing development of these properties.

The planning commission also recommends rezoning the properties at 2633 Stillwater Road from BC, business commercial to BC (M), business commercial (modified) as this zoning would permit the existing businesses, but would prohibit some uses that may be incompatible to adjacent homes and the council adopt the following resolution:

NOW, THEREFORE, BE IT RESOLVED BY THE MAPLEWOOD CITY COUNCIL that the above-described rezoning be approved on the basis of the following findings of fact:

1. The proposed change is consistent with the spirit, purpose and intent of the zoning code.
2. The proposed change will not substantially injure or detract from the use of neighboring property or from the character of the neighborhood, and that the use of the property adjacent to the area included in the proposed change or plan is adequately safeguarded.
3. The proposed change will serve the best interest and conveniences of the community, where applicable and the public welfare.
4. The proposed change would have no negative effect upon the logical, efficient, and economical extension of public services and facilities, such as public water, sewers, police and fire protection and schools.

The planning commission further recommends rezoning the property at 2637 Stillwater Road from BC, business commercial to R-3, multiple-dwelling residential and this would bring the zoning into compliance with the use and BC permits uses that are not compatible with adjacent residential development and the city council adopt the following resolution:

NOW, THEREFORE, BE IT RESOLVED BY THE MAPLEWOOD CITY COUNCIL that the above-described rezoning be approved on the basis of the following findings of fact:

1. The proposed change is consistent with the spirit, purpose and intent of the zoning code.
2. The proposed change will not substantially injure or detract from the use of neighboring property or from the character of the neighborhood, and that the use of the property adjacent to the area included in the proposed change or plan is adequately safeguarded.
3. The proposed change will serve the best interests and conveniences of the community, where applicable and the public welfare.
4. The proposed change would have no negative effect upon the logical, efficient, and economical extension of public services and facilities, such as public water, sewers, police and fire protection and schools

Commissioner Sletten seconded Ayes--Commissioners Axdahl,
Cardinal, Larson, Sigmundik, Sletten, Whitcomb

4-8-85

a. Manager Evans presented the Staff report.

b. Councilmember Anderson introduced the following resolution and moved its adoption:

85 - 4 - 64

WHEREAS, the City of Maplewood initiated an amendment to the Maplewood Comprehensive Plan from RL, low density residential to RB, residential business for 2633 and 2637 Stillwater Road;

WHEREAS, the procedural history of this plan amendment is as follows:

1. This plan amendment was initiated by the City of Maplewood.
2. The Maplewood Planning Commission held a public hearing on March 4, 1985, to consider this plan amendment. Notice thereof was published and mailed pursuant to law. All persons present at said hearing were given an opportunity to be heard and present written statements. The Planning Commission recommended to the City Council that said plan be approved.
3. The Maplewood City Council considered said plan amendment on April 8, 1985. The Council considered reports and recommendations from the Planning Commission and City Staff.

NOW, THEREFORE, BE IT RESOLVED BY THE MAPLEWOOD CITY COUNCIL that the above-described plan amendment be approved on the basis that the RB classification would better represent the existing development of these properties.

Seconded by Councilmember Maida.

Ayes - all.

c. Councilmember Anderson introduced the following resolution and moved its adoption:

85 - 4 - 65

WHEREAS, the City of Maplewood initiated a rezoning from BC, business commercial to BC (M), business commercial (modified) for the following-described property:

Part southeasterly and southwesterly of following line, beginning on East line of Ferndale Street 114 feet south from Northwesterly line of Lot 26 thence northeasterly parallel to said lot line 59 06/100 feet thence southeasterly to point on Southeasterly line of said lot and 53 67/100 feet southwesterly from East corner of Lot 26 and all of Lot 27, Block 5, Midvale Acres No. 2;

This property is also known as 2633 Stillwater Road, Maplewood;

WHEREAS, the procedural history of this rezoning is as follows:

1. This rezoning was initiated by the City of Maplewood, pursuant to Chapter 36, Article VII of the Maplewood Code of Ordinances.
2. This rezoning was reviewed by the Maplewood Planning Commission on March 4, 1985. The Planning Commission recommended to the City Council that said rezoning be approved.

3. The Maplewood City Council held a public hearing on April 8, 1985, to consider this rezoning. Notice thereof was published and mailed pursuant to law. All persons present at said hearing were given an opportunity to be heard and recommendations of the City Staff and Planning Commission.

NOW, THEREFORE, BE IT RESOLVED BY THE MAPLEWOOD CITY COUNCIL that the above-described rezoning be approved on the basis of the following findings of fact:

1. The proposed change is consistent with the spirit, purpose and intent of the zoning code.
2. The proposed change will not substantially injure or detract from the use of neighboring property or from the character of the neighborhood, and that the use of the property adjacent to the area included in the proposed change or plan is adequately safeguarded.
3. The proposed change will serve the best interests and conveniences of the community, where applicable and the public welfare.
4. The proposed change would have no negative effect upon the logical, efficient, and economical extension of public services and facilities, such as public water, sewers, police and fire protection and schools.

Seconded by Councilmember Maida.

Ayes - all.

d. Councilmember Anderson introduced the following resolution and moved its adoption:

85 - 4 - 66

WHEREAS, the City of Maplewood initiated a rezoning from BC, business commercial to R-3, residence district (multiple dwelling) for the following-described property:

Beginning at East corner of Lot 26 thence northwesterly to North corner of said lot thence southwesterly on Northwesterly line of said lot to West line of said lot thence south thereon 114 feet thence northeasterly parallel to said Northwesterly line 59 06/100 feet thence southeasterly to point on Southeasterly line of said lot and 53 67/100 feet from beginning thence to beginning in Lot 26, Block 5, Midvale Acres No. 2;

This property is also known as 2637 Stillwater Road, Maplewood;

WHEREAS, the procedural history of this rezoning is as follows:

1. This rezoning was initiated by the City of Maplewood, pursuant to Chapter 36, Article VII of the Maplewood Code of Ordinances.
2. This rezoning was reviewed by the Maplewood Planning Commission on March 4, 1985. The Planning Commission recommended to the City Council that said rezoning be approved.
3. The Maplewood City Council held a public hearing on April 8, 1985, to consider this rezoning. Notice thereof was published and mailed pursuant to law. All persons present at said hearing were given an opportunity to be heard and present written statements. The Council also considered reports and recommendations of the City Staff and Planning Commission.

NOW, THEREFORE, BE IT RESOLVED BY THE MAPLEWOOD CITY COUNCIL that the above-described rezoning be approved on the basis of the following findings of fact:

1. The proposed change is consistent with the spirit, purpose and intent of the zoning code.
2. The proposed change will not substantially injure or detract from the use of neighboring property or from the character of the neighborhood, and that the use of the property adjacent to the area included in the proposed change or plan is adequately safeguarded.
3. The proposed change will serve the best interests and conveniences of the community, where applicable and the public welfare.
4. The proposed change would have no negative effect upon the logical, efficient, and economical extension of public services and facilities, such as public water, sewers, police and fire protection and schools.

Seconded by Councilmember Maida.

Ayes - all.

3. 7:30 P.M., Plan Amendment and Rezoning : Stillwater and Ferndale (4 Votes)

E1, Attachment 5

75
a. Mayor Greavu convened the meeting for a public hearing regarding the proposed plan amendment and rezoning of 2633 and 2637 Stillwater Road.

b. Manager Evans presented the staff report.

c. Director of Community Development Geoff Olson presented the Planning Commission recommendations.

d. Mayor Greavu called for proponents. None were heard.

e. Mayor Greavu called for opponents. The following were heard:

Mr. Walter Miller, 2633 Stillwater

f. Mayor Greavu moved to table this item until the April 8, 1985 meeting.

Seconded by Councilmember Maida.

Ayes - Mayor Greavu, Councilmembers
Anderson and Maida

Nay - Councilmember Bastian

MEMORANDUM

TO: City Manager
FROM: Thomas Ekstrand--Associate Planner
SUBJECT: Plan Amendment and Zone Change
LOCATION: 2633 and 2637 Stillwater Road
APPLICANT: City of Maplewood
OWNERS: Walter Miller and Fred Berndt
DATE: February 27, 1985

SUMMARY

Request

1. Amendment of the land use plan designation from RL, low density residential to RB, residential business.
2. Rezoning the property at 2633 Stillwater Road from BC, business commercial to BC (M), business commercial (modified).
3. Rezoning the property at 2637 Stillwater Road from BC to R-3, residence district (multiple dwelling).

Reason for Change

These properties are being reviewed as part of the city-wide downzoning program. No additional development has been proposed.

Comments

The development of this property as low density residential is not feasible, considering that these lots are developed with two apartment complexes and five businesses. Amending the plan to RB would bring it into conformance with the existing development. Although the plan describes RB as a transition zone between a diversified center and residential uses, this classification is well suited for this unique corner of mixed uses.

The present BC zoning permits uses that are incompatible with the adjacent residential development, such as gas stations, contractors' businesses and repair garages. The proposed BC (M) zoning would permit the existing businesses, but would prohibit some uses that may be a nuisance to adjacent homes.

Rezoning the apartment site at 2637 Stillwater Road to R-3 would bring the zoning into compliance with the use. Any expansion is unlikely.

Recommendation

1. Adoption of the resolution on page 11 amending the land use plan designation from RL, low density residential to RB, residential business, based on the finding that RB better represents the existing development.

2. Adoption of the resolution on page 12 rezoning the properties at 2633 Stillwater Road from BC, business commercial to BC (M), business commercial (modified).
3. Adoption of the resolution on page 14 rezoning the property at 2637 Stillwater Road from BC, business commercial to R-3, multiple dwelling residential.

BACKGROUND

Site Description--2633 Stillwater Road

1. Site size: 20,667 square feet
2. Existing land use: six apartments, R and D Video, Aluminum Window and Door Mart, Hanging Around, Alteration Station and Walter J. Miller and Associates.

Site Description--2637 Stillwater Road

1. Site size: 16,000 square feet
2. Existing land use: eight-unit apartment building

Surrounding Development

Ferndale Street and Stillwater Road to the west and south. These properties are surrounded by single dwellings.

PLANNING CONSIDERATIONS

1. Land use plan designation: existing--RL; proposed--RB
2. The RL designation primarily allows single dwellings at a density not to exceed fourteen persons per net acre.
3. The RB classifications includes high density residential office uses, and should provide some transition between a commercial use that generates a high amount of traffic, such as a diversified center, and residential uses.
4. Zoning: existing--BC; proposed--BC (M) and R-3
5. Permitted uses: BC district--see attachment 5; BC (M) district--see attachment 6; R-3 district--apartments and town homes.
6. Section 36-485 requires four findings be made for the approval of a zone change. Refer to findings one through four in the resolution on page 12 .
7. It is unlikely that the apartments at 2637 Stillwater could be expanded. Garages for the existing units would have to be added and all setbacks met. Even then, only one to two units could be added and meet density requirements.

Citizen Comments

Staff surveyed the surrounding property owners within 350 feet for their opinion on what type of zoning they preferred. Of the fourteen replies, four preferred single-family zoning, six preferred no change, two preferred a more restrictive commercial zoning and three had no comment.

Procedure

Plan amendment:

1. Public hearing by the planning commission
2. Decision by the city council

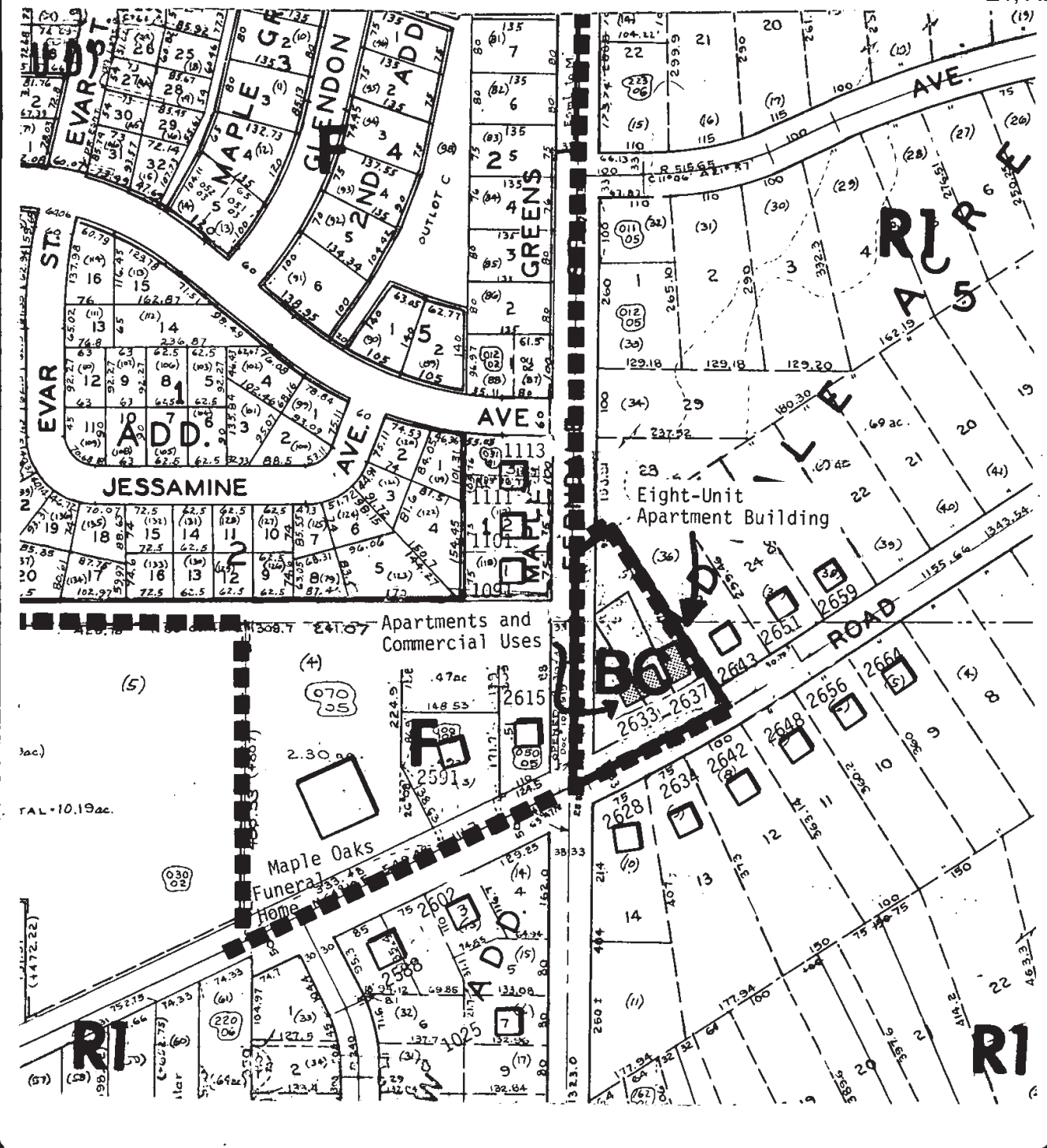
Zone change:

1. Review by the planning commission
2. Public hearing and decision by the city council

jc

Attachments:

1. Location Map
2. Property Line/Zoning Map--Existing
3. Property Line/Zoning Map--Proposed
4. Beaver Lake Neighborhood Land Use Plan
5. BC uses
6. BC (M) uses
7. Resolution--plan amendment
8. Resolution--zone change (BC to BC [M])
9. Resolution--zone change (BC to R-3)



PROPERTY LINE / ZONING MAP

EXISTING ZONING



attachment two



attachment three

Statement for applying a conditional use permit

Date: Mar. 13, 2023

There were total of 14 rental units which included a window display showroom and one working garage for the caretaker when I purchase the property in 1995. The original owner at age 82 (Eve Miller) was renting at apt. 5. I have reduced to 10 rental units excluding my office since 1995 to reduce traffic.

The surrounding neighbors are all residential area and I had had to deal with complaints about noisy business traffic; therefore, I have kept the building mostly residential except my office to reduce the noise and manage problems with numerous visitors to this building.

* I have residential renters who have been residing in those additional 4 units for many years and they all love the conformity, quietness and convenience of their current place.

*The use would not change the existing or planned character of the surrounding area.

*The use would not depreciate property values.

*The use would not involve any activity, process, materials, equipment or methods of operation that would be dangerous, hazardous, detrimental, disturbing, or cause a nuisance to any person or property, because of excess glare, smoke, dust, odor, fumes, water or air pollution, drainage water run-off, vibration, general unsightliness, electrical interference or other nuisances.

*The use would generate only minimal vehicular traffic on local streets (mainly for residents' cars only) which would not create traffic congestion or unsafe access or existing or proposed streets.

*The use would be served by adequate public facilities and services, including streets, police and fire protection, drainage structures, water and sewer systems, schools and parks.

*The use would not create excessive additional costs for public facilities or services.

*The use would not create excessive additional costs for public facilities or services.

*The use would maximize the preservation of and incorporate the site's natural and scenic features into the development design.

*The use would not cause any adverse environmental effects.

All those additional four residential facilities have been as it since we purchased the building in 1995 and we have done repairs, Maintenance and replacement due to wear, tear or damages according to city and tenants' requirements over years to keep the conformity.

The city of Maplewood newly adopted a rental license program and notified me that I could have only 6 residential units because 2627 Stillwater Rd. E, Maplewood is a commercial and

residential building and suggested that I applied for a conditional use permit for an additional 4 residential units.

There were people residing in those 4 units for numerous years since I decided not to rent to businesses for a quieter and safer environment. Currently those tenants who reside in apt. 6,8, 2633 and 2635 are very much home all the time and they help me to watch the front and side of buildings. The chief, fire Marshall and policemen of City of Maplewood have visited those 4 units many times over the years.

Everyone needs a place to live, and I usually make it easier for renters to secure a place if they do not have bad criminal or drug records. I also offer jobs to tenants to help with their rents. I will have to return those units back to commercial use if the application does not go through. Units 6 & 8 do not have cars and they walk to Knowlen supermarket and Sparrow pizza place earning very limited income to live. Tenant at 2633 is being laid off and collecting unemployment. Tenant at 2635 may not have enough income proof to secure a new place. I wish the city could help them to find a place instead of me filing evictions if the permit is denied. Most of them will be homeless if they must leave my building (they told me).

Thank you for your consideration.

Sincerely yours,

Cecilia F Chang, property owner and manager.

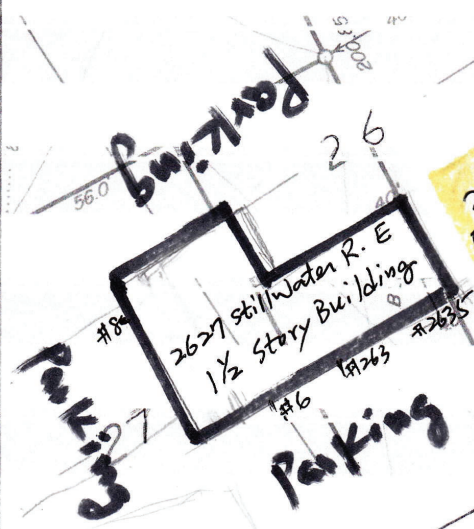
Note: The co-owner, David Y Chang (DOB 11/07/1953), moved to California in 2007. I do not know where he lives but he has a CA driver license. Hope the city can locate his address when needed.

N.W. 1/4 CORNER LOT 26

N. 1/4 CORNER LOT 26

FERNDALE

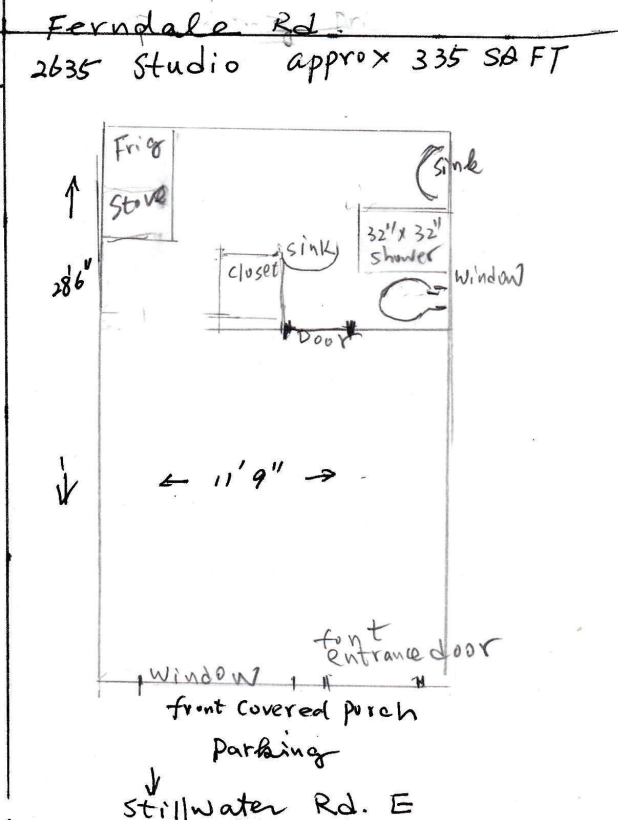
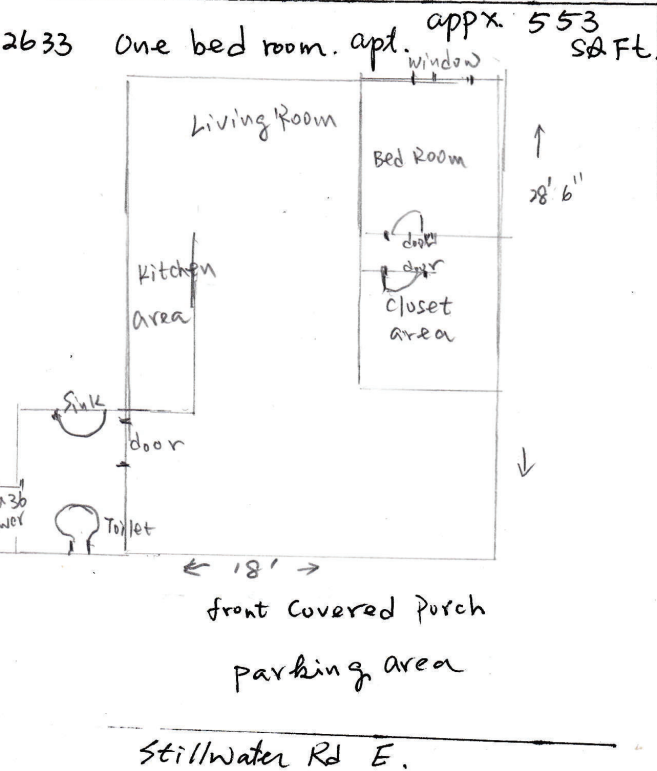
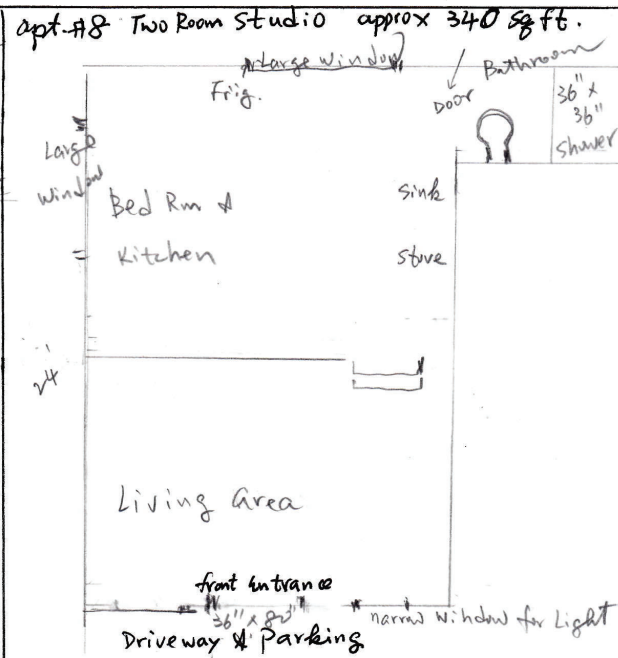
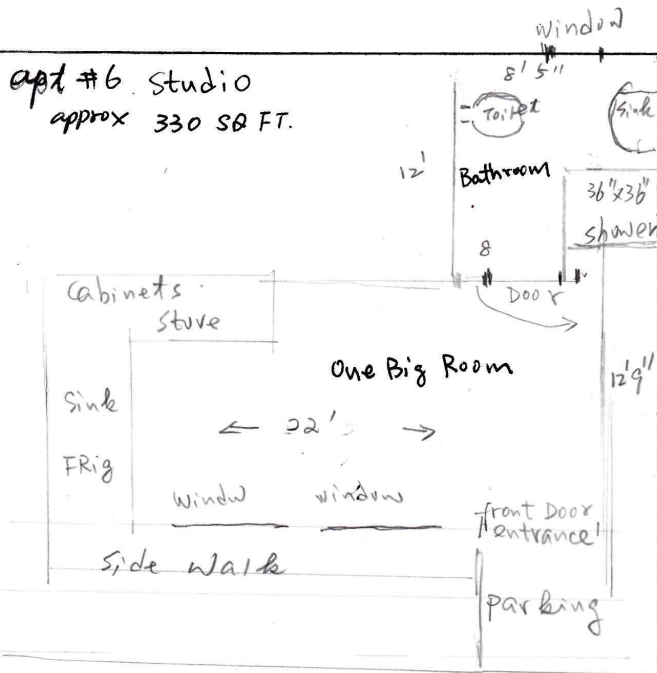
WEST Line Lot 20 16 8 14.0



Not my property
It was sold by original owner.

E STILLWATER RD

CERTIFICATE OF SURVEY



20230301_173237.jpg  Download  Full screen  Print  Save to OneDrive  Hide



(No si



Parking in the
Front

20230301_173435.jpg Download Full screen Print Save to OneDrive Hide

(No st



apt. has it's own driveway and parking.
He needs to clean the snow if he
wants to use it. Otherwise, he can
park in the back (plowed). He does not
own a car, so he just cleans a walk
way.

2635
Parking
is the
Front



2633

Parking
is the
Front

PLANNING COMMISSION STAFF REPORT

Meeting Date April 18, 2023

REPORT TO: Melinda Coleman, City Manager

REPORT FROM: Michael Martin, AICP, Assistant Community Development Director

PRESENTER: Michael Martin, AICP, Assistant Community Development Director

AGENDA ITEM: Conditional Use Permit Resolution, Multifamily Residential Project, 1310 Frost Avenue East

Action Requested: ☒ Motion ☐ Discussion ☒ Public Hearing

Form of Action: ☒ Resolution ☐ Ordinance ☐ Contract/Agreement ☐ Proclamation

Policy Issue:

JB Vang proposes to develop Gladstone Village, a 65-unit affordable multifamily apartment project located on an approximately 1.59-acre site at the corner of Frost Avenue and English Street – 1310 Frost Avenue East. To proceed with this project, the applicant requests city council approval for a conditional use permit and design review.

Recommended Action:

Motion to approve a resolution for a conditional use permit approving a four-story, 65-unit multifamily apartment project to be constructed at 1310 Frost Avenue East.

Fiscal Impact:

Is There a Fiscal Impact? ☒ No ☐ Yes, the true or estimated cost is \$0

Financing source(s): ☐ Adopted Budget ☐ Budget Modification ☐ New Revenue Source
☐ Use of Reserves ☒ Other: N/A

Strategic Plan Relevance:

☐ Community Inclusiveness ☐ Financial & Asset Mgmt ☐ Environmental Stewardship
☐ Integrated Communication ☒ Operational Effectiveness ☐ Targeted Redevelopment

The city deemed the applicant's application complete on March 31, 2023. The initial 60-day review deadline for a decision is May 30, 2023. As stated in Minnesota State Statute 15.99, the city is allowed to take an additional 60 days, if necessary, to complete the review.

Background:

JB Vang's proposed 65-unit affordable multifamily apartment's amenities would include a community and co-working room, outdoor grilling and patio area, fitness, and flex spaces located on English Street facing south to take advantage of solar access, as well as convenient access to on-site surface parking and Gladstone Savanna Park located on the west side of English Street. The courtyard shaped by the building facing south is utilized as a patio and playground, giving the residents an expansive resident-only outdoor space.

Gladstone Village's unit mix will encourage family-friendly design by including 18 three- and nine four-bedroom units. The building will have indoor and outdoor gathering areas, including community and recreation spaces for residents. The building would also provide affordable housing to those making 30 percent to 60 percent of the Area Median Income (AMI) calculated annually by HUD, and unit sizes range from approximately 700 to 1,590 square feet. A small percentage of units are set aside for people with disabilities under the Section 811 housing program and people/families experiencing homelessness. Some units will receive designated housing services, and others will receive oversight by the Minnesota Department of Human Services.

The applicant hosted a community open house on March 15, 2023, from 6:30 p.m. to 7:30 p.m. at the Wakefield Park Community Building. Invites were sent to all property owners within 500 feet of the project's site. The night of the open house, the applicant brought poster boards with preliminary renderings and printed out a few large plan pages for folks to see and comment on if desired. The open house was lightly attended by 4 adults and 1 child.

Gladstone Neighborhood Redevelopment Plan

The Gladstone Neighborhood Redevelopment Plan outlines nine guiding principles to redevelopment in the area as follows:

1. Design the future of Gladstone as a village.
2. Transform regional trails into celebrated village corridors.
3. Make Gladstone a compelling quality of life choice.
4. Weave natural systems and ecological function into the built and recreational environment.
5. Allow Gladstone's future to whisper the story of its past.
6. Make walkability the standard.
7. Think of Gladstone as a neighborhood for all stages of life.
8. Make the Gladstone redevelopment plan a model for others to follow.
9. Make multi-modal links between Gladstone and areas beyond.

Conditional Use Permit

Four-Story Building

The MU – mixed-use zoning district requires a conditional use permit for any residential buildings over three stories or 35 feet tall. The applicant's proposed building will be four stories and typically approximately 48 feet from ground level to the top of the parapet. In comparison, the multi-family buildings west of this project site approved as part of the Frost-English Village redevelopment project are 51 feet tall.

Design Review

Site Plan

The project site would be accessed from a single drive coming off English Street on the west side of the site. The proposed building would be on the site's north side, with surface parking to the south. The city's mixed-use district requires surface parking to be to the rear of the building. The mixed-use district also requires a front yard setback for multiple dwelling buildings to be no more than 20 feet, with a minimum of zero feet – this applies to both the English Street and Frost Avenue frontages. There are no side or rear building setback requirements. Parking lots are required to be setback five feet from side and rear property lines. All setback requirements are being met.

Building Elevations

Exterior building walls adjacent to or visible from a public right-of-way or public open space may not exceed 40 feet in width. New buildings of more than 40 feet in width are allowed if the building wall is divided into smaller increments, between 20 and 40 feet in width, through the articulation of the façade. Exterior-building materials shall be classified as primary, secondary or accent material.

Primary materials shall cover at least 60 percent of all façades of a building. Secondary materials may cover no more than 30 percent of all façades of a building. Accent materials may include door and window frames, lintels, cornices, and other minor elements and may cover no more than ten percent of all façades of a building. The community design review board may consider exceptions to the above-mentioned design standards if they uphold the integrity of the guidelines and result in an attractive, cohesive development design as intended by ordinance.

The primary materials for the proposed 65-unit multi-family building are brick and glass – with brick being utilized in two different tones of color – and will comprise 62 percent of the elevations. Secondary materials include stucco and masonry, making up 30 percent of the elevations. Accent materials will include charcoal metal panels. The building will be articulated in 20-40 foot segments.

Unit Sizes

Ordinance requires minimum unit sizes of 580 square feet per efficiency or one-bedroom units, 740 square feet for two-bedroom units, 860 square feet for three-bedroom units, and 1,040 square feet for four-bedroom units. All units in this project meet these requirements.

Parking Waiver

The city code states that multi-family buildings must provide two parking spaces for each unit – with one of the parking spaces being covered. This project requires a total of 130 spaces. The applicant is proposing to include 64 underground parking spaces and 39 surface parking spaces, for a total of 103 parking spaces. The applicant is seeking a waiver of 27 spaces. The applicant believes the ratio of 1.58 stalls per dwelling unit will be sufficient for the targeted resident population and building's location. Parking spaces in the mixed-use district are required to be nine feet wide – the applicant's site plans meet this requirement.

For parking lots consisting of 20 or more spaces, interior landscape islands are required. Interior landscape islands shall be at a rate of one landscape island for every ten parking spaces. Landscape islands shall be a minimum of 144 square feet in area and shall be a minimum of eight feet in width, as measured from back of curb to back of curb. The applicant is requesting the community design review board consider an exception to this requirement as it would eliminate at least four additional surface parking spaces. Staff is comfortable with the parking waiver and providing an exception to the interior landscape island requirement.

Landscaping and Screening

All areas of land not occupied by buildings, parking, driveways, sidewalks or other hard surface are required to be sodded or mulched and landscaped with approved ground cover, flowers, shrubbery and trees. Hard-surfaced areas, including sidewalks and patios, must include amenities such as benches, planters and bike racks.

Perimeter landscape or pedestrian walls are required for all parking lots and shall be established along the road and edges of the parking lot. The landscape treatment or pedestrian wall shall run

the full length of the parking lot and be located between the property line and the edge of the parking lot.

There are six significant trees on site equaling 73 caliper inches. The applicants propose to remove three trees equaling 46 caliper inches. This represents 59 percent tree removal. City code requires 16 caliper inches of replacement trees on the site (which equals 8 – 2 caliper inches of replacement trees). The landscape plan shows 32 new trees ranging in size from 2 to 2.5 caliper inches, totaling 71.6 caliper inches of replacement trees, which meets, and exceeds, the tree replacement requirements.

In addition to the proposed trees, the applicant's landscape plan includes many shrubs, grasses and perennials. City code also requires additional landscaping or screening when light from automobile headlights and other sources would be directed into residential windows. With the manufactured home park to the south there is a need to provide additional screening along the south property line as there is a row of parking spaces facing south.

Lighting

The applicant submitted a photometric plan as part of its application. It appears the plan is meeting the code requirements but is not showing the light intensity measurement at all property lines. Before any permits are issued, the applicant must submit a revised photometric plan showing all code requirements being met.

Trash Enclosure

All trash and recycling will be maintained within the building. Trash and recycling chute access will be available on each building floor leading to a trash room in the garage. On pick-up days, site management will pull bins outside to a staging area on the southeast corner of the site for the trash company for pick up. The bins will be rolled back inside the garage trash room on the same day.

Department Comments

Engineering

Please see Jon Jarosch's engineering report, dated April 10, 2023, attached to this report.

Environmental

Please see Shann Finwall's environmental report, dated April 11, 2023, attached to this report.

Building Official – Randy Johnson

The proposed building is required to meet the minimum requirements of the Minnesota State Building Code.

Board and Commission Review

Community Design Review Board

April 18, 2023: The community design review board will review this project.

Planning Commission

April 18, 2023: The planning commission will review this project and hold a public hearing.

Citizen Comments

Staff surveyed the 28 surrounding property owners within 500 feet of the proposed site for their opinion about this proposal. Staff did not receive any comments.

Reference Information*Site Description*

Project Area: 1.59 acres
Existing Land Use: Funeral Home

Surrounding Land Uses

North: Frost Avenue, multi-tenant commercial building and a vacant building
East: Bruce Vento Trail and commercial buildings
South: Manufactured home park
West: English Street and Gladstone Savanna

Planning

Existing Land Use: Mixed-Use - Neighborhood HD
Existing Zoning: Mixed-Use

Attachments:

1. Conditional Use Permit Resolution
2. Design Review Resolution
3. Overview Map
4. 2040 Future Land Use Map
5. Zoning Map
6. Applicant's Narrative
7. Site Plan
8. Landscape Plan
9. Tree Preservation Plan
10. Photometric Plan
11. Building Elevations
12. Engineering Report, dated April 10, 2023
13. Environmental Report, dated April 11, 2023
14. Applicant's Plans (separate attachment)

CONDITIONAL USE PERMIT RESOLUTION

BE IT RESOLVED by the City Council of the City of Maplewood, Minnesota, as follows:

Section 1. Background.

1.01 Ashley Bisner, of JB Vang, has requested approval of a conditional use permit to permit a four-story multifamily building.

1.02 The property is located at 1310 Frost Avenue East and is legally described as:

PIN: 152922320076. Lots 1, 2, 3, 4, 5, 6, and 7, except the South 7 feet of said Lot 7, Block 3, Gladstone, according to the recorded plat thereof, together with the vacated Ridge Street adjacent, Ramsey County, Minnesota. Abstract Property

Section 2. Standards.

2.01 City Ordinance Section 44-359 requires a Conditional Use Permit for multiple dwelling buildings that exceed a height of 35 feet.

2.02 General Conditional Use Permit Standards. City Ordinance Section 44-1097(a) states that the City Council must base approval of a Conditional Use Permit on the following nine standards for approval.

1. The use would be located, designed, maintained, constructed and operated to be in conformity with the City's Comprehensive Plan and Code of Ordinances.
2. The use would not change the existing or planned character of the surrounding area.
3. The use would not depreciate property values.
4. The use would not involve any activity, process, materials, equipment or methods of operation that would be dangerous, hazardous, detrimental, disturbing or cause a nuisance to any person or property, because of excessive noise, glare, smoke, dust, odor, fumes, water or air pollution, drainage, water run-off, vibration, general unsightliness, electrical interference or other nuisances.
5. The use would not exceed the design standards of any affected street.
6. The use would be served by adequate public facilities and services, including streets, police and fire protection, drainage structures, water and sewer systems, schools and parks.
7. The use would not create excessive additional costs for public facilities or services.
8. The use would maximize the preservation of and incorporate the site's natural and scenic features into the development design.
9. The use would cause minimal adverse environmental effects.

Section 3. Findings.

3.01 The proposal meets the specific conditional use permit standards.

Section 4. City Review Process

4.01 The City conducted the following review when considering this conditional use permit request.

1. On April 18, 2023, the planning commission held a public hearing. The city staff published a hearing notice in the Pioneer Press and sent notices to the surrounding property owners. The planning commission gave everyone at the hearing a chance to speak and present written statements.
2. On May 8, 2023, the city council discussed this resolution. They considered reports and recommendations from the planning commission and city staff.

Section 5. City Council

5.01 The city council hereby _____ the resolution. Approval is based on the findings outlined in section 3 of this resolution. Approval is subject to the following conditions: (additions are underlined and deletions are crossed out):

1. All construction shall follow the approved plans, date-stamped March 31, 2023. The director of community development may approve minor changes.
2. The proposed construction must be substantially started within one year of council approval or the permit shall become null and void.
3. The city council shall review this permit in one year.
4. A parking waiver of 27 parking spaces is approved. If a parking shortage develops, the city council may require additional parking spaces to be constructed.

_____ by the City Council of the City of Maplewood, Minnesota, on May 8, 2023.

DESIGN REVIEW RESOLUTION

BE IT RESOLVED by the City Council of the City of Maplewood, Minnesota, as follows:

Section 1. Background.

- 1.01 Ashley Bisner, of JB Vang, has requested approval of design review to permit a four-story multifamily building.
- 1.02 The property is located at 1310 Frost Avenue East and is legally described as:
- 1.03 PIN: 152922320076. Lots 1, 2, 3, 4, 5, 6, and 7, except the South 7 feet of said Lot 7, Block 3, Gladstone, according to the recorded plat thereof, together with the vacated Ridge Street adjacent, Ramsey County, Minnesota. Abstract Property

Section 2. Site and Building Plan Standards and Findings.

- 2.01 City ordinance Section 2-290(b) requires that the community design review board make the following findings to approve plans:
 - 1. That the design and location of the proposed development and its relationship to neighboring, existing or proposed developments and traffic is such that it will not impair the desirability of investment or occupation in the neighborhood; that it will not unreasonably interfere with the use and enjoyment of neighboring, existing or proposed developments; and that it will not create traffic hazards or congestion.
 - 2. That the design and location of the proposed development are in keeping with the character of the surrounding neighborhood and are not detrimental to the harmonious, orderly and attractive development contemplated by this article and the city's comprehensive municipal plan.
 - 3. That the design and location of the proposed development would provide a desirable environment for its occupants, as well as for its neighbors, and that it is aesthetically of good composition, materials, textures and colors.

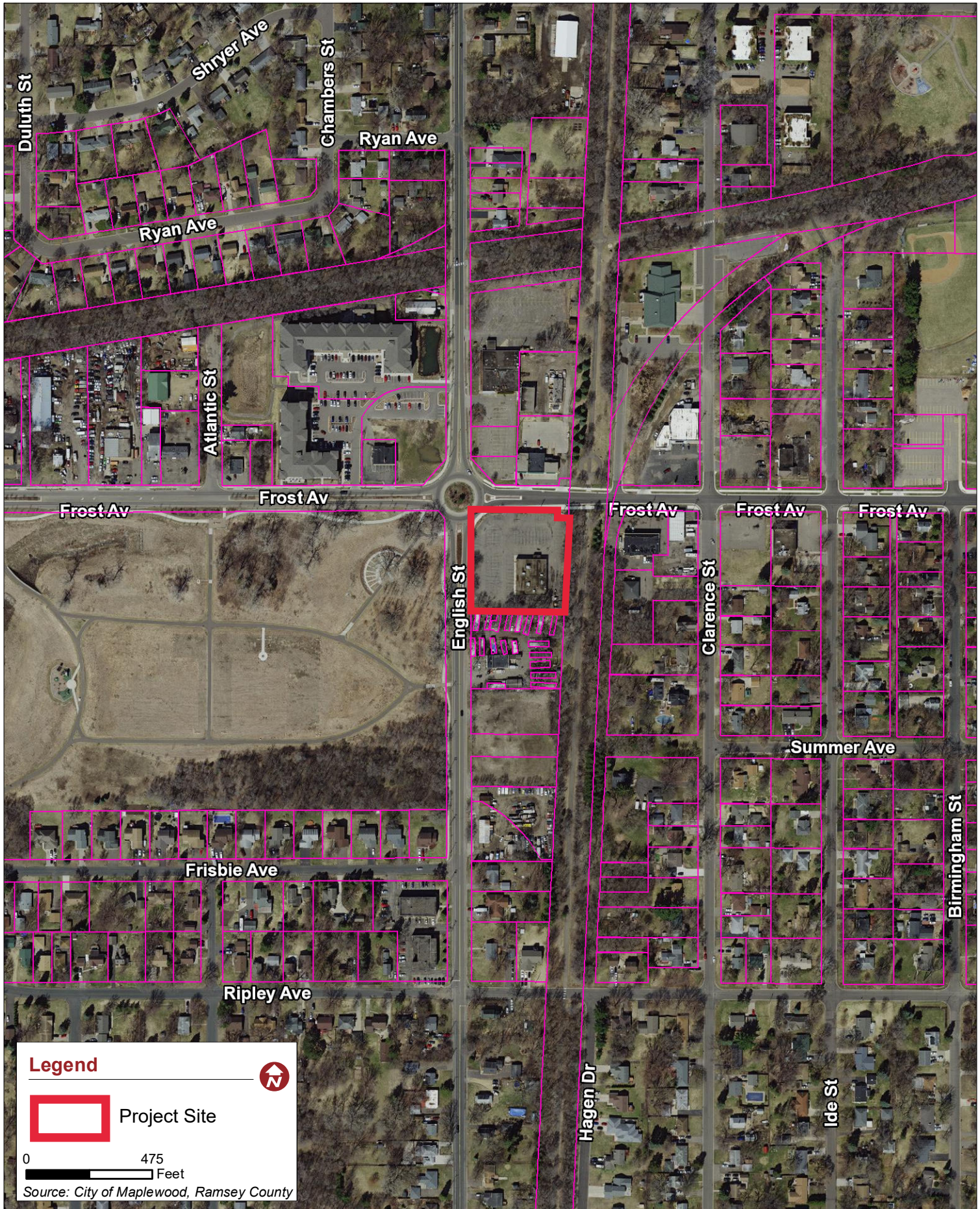
Section 3. City Council Action.

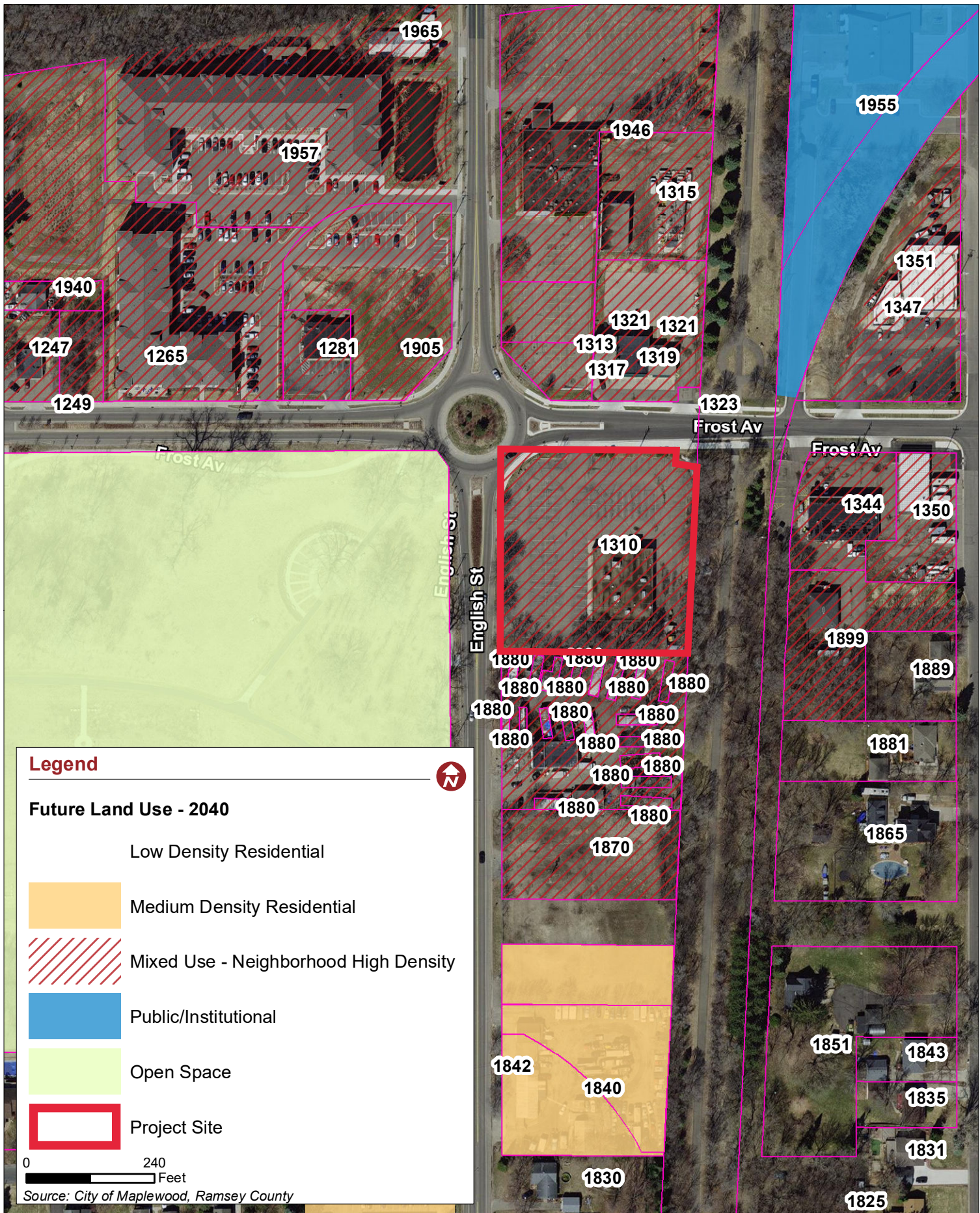
- 3.01 The above-described site and design plans are hereby approved based on the findings outlined in Section 3 of this resolution. Subject to staff approval, the site must be developed and maintained in substantial conformance with the design plans date-stamped March 31, 2023. Approval is subject to the applicant doing the following:
 - 1. Obtain a conditional use permit from the city council for this project.
 - 2. Repeat this review in two years if the city has not issued a building permit for this project.
 - 3. All requirements of the fire marshal and building official must be met.

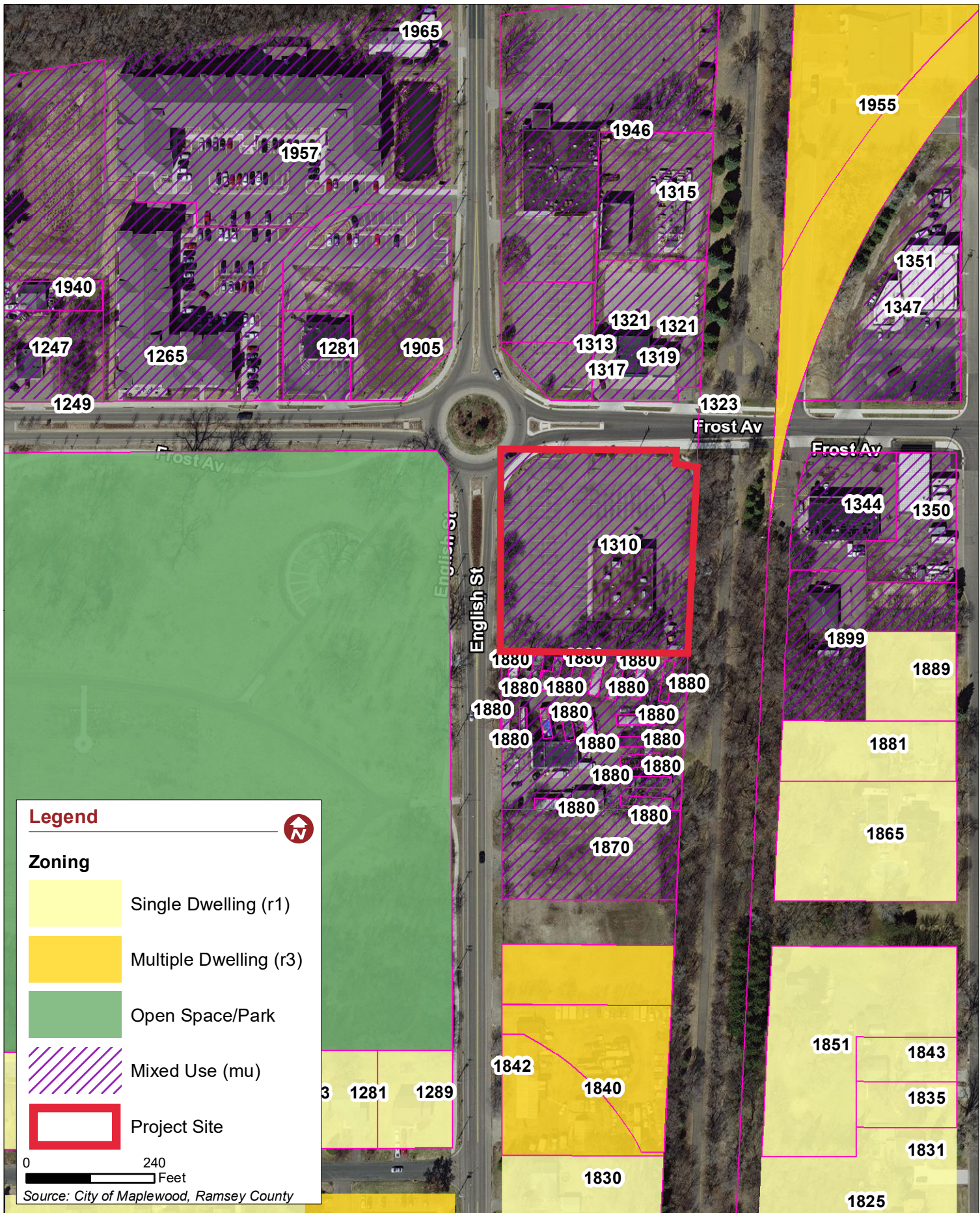
4. Satisfy the requirements set forth in the engineering review authored by Jon Jarosch, dated April 10, 2023.
5. Satisfy the requirements set forth in the environmental review authored by Shann Finwall, dated April 11, 2023.
6. The applicant shall obtain all required permits from the Ramsey-Washington Metro Watershed District.
7. Rooftop vents and equipment shall be located out of view from all sides of the property.
8. Any identification or monument signs for the project must meet the requirements of the city's mixed-use sign ordinance. Identification or monument signs shall be designed to be consistent with the project's building materials and colors.
9. Prior to the issuance of a building permit, the applicant shall submit for staff approval the following items:
 - a. The applicant shall provide the city with a cash escrow or an irrevocable letter of credit for all required exterior improvements. The amount shall be 150 percent of the cost of the work.
 - b. A revised landscape plan that details screening along the south property line that meets city code requirements.
 - c. A revised photometric plan that meets city code requirements.
10. The applicant shall complete the following before occupying the building:
 - a. Replace any property irons removed because of this construction.
 - b. Provide continuous concrete curb and gutter around the parking lot and driveways.
 - c. Install all required landscaping and an in-ground lawn irrigation system for all landscaped areas.
 - d. Install all required outdoor lighting.
 - e. Install all required sidewalks and trails.
11. If any required work is not done, the city may allow temporary occupancy if:
 - a. The city determines that the work is not essential to public health, safety or welfare.
 - b. The above-required letter of credit or cash escrow is held by the City of Maplewood for all required exterior improvements. The owner or contractor shall complete any unfinished exterior improvements by June 1 of the following year if occupancy of the building is in the fall or winter or within six weeks of occupancy of the building if occupancy is in the spring or summer.

12. All work shall follow the approved plans. The director of community development may approve minor changes.

_____ by the City Council of the City of Maplewood, Minnesota, on May 8, 2023.









Gladstone Village – Project Narrative

Project Team

JB Vang is a BIPOC Developer located in the city of St. Paul. JB Vang has developed over 1 million square feet of real estate totaling over \$700MM with a wide variety of project types such as extensive commercial experience, educational facilities, retail, office, industrial and various types of housing projects.

In addition to JB Vang, the Project team consists of Urbanworks architecture, Premier property management, Simpson Housing services, Flannery construction and The Landon Group.

Project Summary

JB Vang, along with the project team, is proposing to develop Gladstone Village, a 65-unit affordable multifamily apartment project located on an approximately 1.59-acre site at the corner of Frost Avenue and English Street in Maplewood, Minnesota.

Gladstone Village (the “Project”) received a funding allocation from Minnesota Housing Finance Agency (MHFA) in the 2022 Consolidated RFP / 2023 Housing Tax Credits Round 1. The Project will be a 4-story development providing a mix of sixty-five (65) one-, two-, three-, and four-bedroom family friendly apartments, ground level resident use amenities, and one-level of resident use underground parking. JB Vang intends to begin construction late 2023 or early 2024.

The Project will consist of a four-story, stick frame building with an elevator, and the building’s exterior consists primarily of brick and stucco with metal accents. It includes 64 underground parking stalls and 39 surface parking stalls, for a total of 103 parking stalls. The code minimum for parking at the Project’s location is 2 stalls per dwelling unit. Gladstone Village parking equates to 1.58 stalls per dwelling unit, which is ample for the targeted population and location provided the Project’s adjacency to bus stops and the potential future Bus Rapid Transit (BRT) Purple Line. Additional information regarding anticipated traffic and parking needs for Gladstone Village is available upon request.

The Project’s amenities, which include a community and co-working room, outdoor grilling and patio area, fitness, and flex spaces, are located on English Street facing south to take advantage of solar access, as well as convenient access to on-site surface parking and Gladstone Savanna Park located on the west side of English Street. The courtyard shaped by the building facing south is utilized as a patio and playground, giving the residents an expansive resident only outdoor space. A second entry point to the Project is proposed for bus transit users and those utilizing the bicycle trail at the northeast corner of the site along Frost Avenue.

Gladstone Village’s unit mix will encourage family-friendly design by including eighteen (18) three- and nine (9) four-bedroom units. The family-friendly building will have indoor and outdoor gathering areas including community and recreation spaces for residents.

The Project provides affordable housing to those making 30% to 60% of the Area Median Income (AMI) calculated annually by HUD, and unit sizes range from approximately 700 to 1,590 square feet. A small percentage of units are set aside for people with disabilities (PWD) under the Section 811 housing program





and people/families experiencing homelessness. Some units will receive designated housing services and others will receive oversight by the Minnesota Department of Human Services.

The building is following the Enterprise Green Communities green building program for affordable housing as amended by MN Housing. In addition, the building is following the B3 Sustainable Building 2030 Energy standard, which set targets for reducing energy usage. Projects under these programs are required to meet both an energy and carbon standard, and utilize renewable energy sources. Strategies include utilizing an improved envelope design with reduced air infiltration, utilizing high-efficiency HVAC equipment, and exploring new technologies for lighting, appliances, and other building features.

Access to Nearby Transit and Shopping

Metro Transit Route 64, a high frequency Metro Transit bus route, has a stop adjacent to the Project. Route 64 provides access to downtown Saint Paul and major employers including Traveler's Insurance, EcoLab, Bremer Financial, St. Paul Technical College, Metropolitan State University, and the Pioneer Press. Multiple hospital systems are also accessible by transit including Regions, United, and St. Joseph's Hospital.

To the North, Route 64 provides access to Maplewood Mall, Phalen Regional Park, Maplewood Community Center and many restaurants and small regional employers.

Gladstone Village residents will have access to a wide variety of shopping options nearby including Cub Foods (1.7 miles to the south), several convenience stores, restaurants, and other retailers.

Contribution to City and County Future Planning

The Project site is in an area of the City of Maplewood promoting redevelopment as demonstrated in multiple area plans including the Gladstone Redevelopment Area Plan and the Maplewood 2040 Comprehensive Plan.

The City of Maplewood 2040 Comprehensive Plan calls for increased, new housing stock. The community has expressed concern over the lack of affordable housing. The vacancy rate in Maplewood continues to decrease; in 2010, it was 4.4%, in 2017 it was 2.4%, and it is projected to continue to decrease in the coming years. Specifically, the 2040 Plan states, "As new projects are developed, consideration should be given to the inclusion of affordable options. While there are a number of subsidized options available, it is not enough to meet current, as well as future demands" (6-111).

Gladstone Village directly addresses the need for additional affordable housing in Maplewood. The addition of 65 new affordable housing units, all set at 30%, 50%, and 60% AMI, will increase the options for the residents of Maplewood, especially families in need of two-, three-, and four-bedroom units.

The Metropolitan Council has projected that Maplewood will need to bring 510 new units of housing to the market between 2021 and 2040 to keep up with demand. Over half of these units (345) need to meet affordability rates at or below 50% AMI. Gladstone Village will achieve 13.6% of this goal with the addition of 47 new units at or below 50% AMI.





Community Engagement

JB Vang and our architect team, Urbanworks, hosted a community open house on March 15, 2023 from 6:30pm to 7:30pm at the Wakefield Park Community Building in Maplewood, MN. We sent invites to the addresses provided to us by Michael Martin on February 16, 2023, that included all property owners located within 500 feet of the Project's site. The night of the open house, we brought posterboards with preliminary renderings and printed out a few large plan pages for folks to see and comment on if desired.

While lightly attended by 4 adults and 1 child, we received positive feedback on the preliminary designs and were offered verbal support of the Project. I provided my business card to contact us with any questions related to the project, and hope to connect with them again soon!

L110

HARDSCAPE
PLAN

DATE: 10/1/2023
PROJECT # 2301003
LAND USE MAP
CREATED BY: JVB

REVISIONS

LAND USE APPLICATION
10/1/2023

PRELIMINARY
NOT FOR
CONSTRUCTION

CONSULTANT
DFI
DESIGN FIRM, INC.
100 NORTH THIRD STREET, SUITE 140, ANNAPOLIS, MD 21403

URBANWORKS

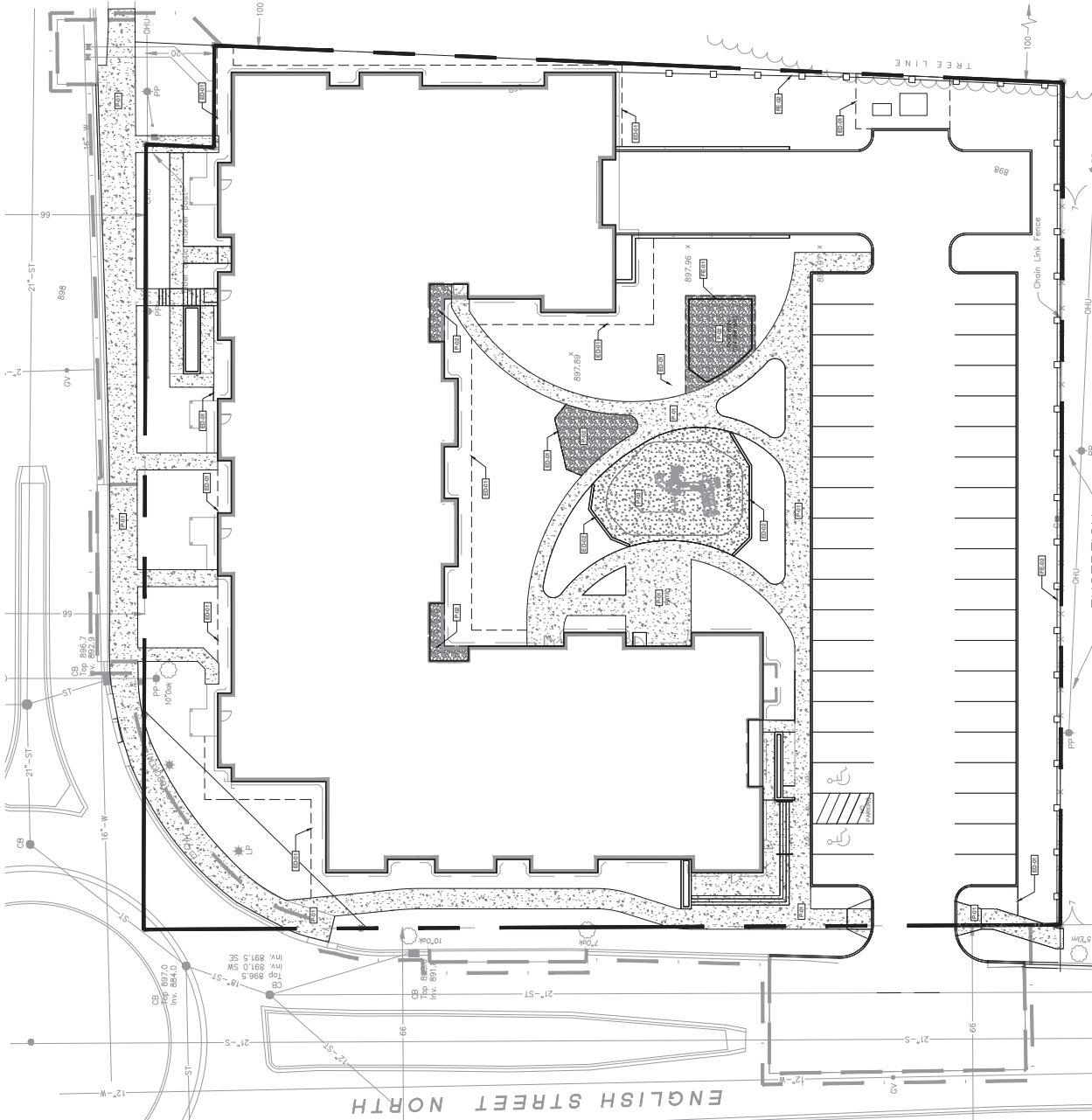
JB VANG
JB Vang - Gladstone Village

1210 First Ave #

100 NORTH THIRD STREET, SUITE 140, ANNAPOLIS, MD 21403

MATERIALS LEGEND

SYMBOL	EDGING DESCRIPTION
ED-01	EDGING TYPE 1 - STEEL EDGER
ED-02	EDGING TYPE 2 - 4X8 TIMBER EDGER
SYMBOL	FENCE & GUARDRAIL DESCRIPTION
FE-01	FENCE TYPE 1 - CHAIN LINK - 4'5"
FE-02	FENCE TYPE 2 - CHAIN LINK - 6"
SYMBOL	PAVING DESCRIPTION
P-01	PAVING TYPE 1 - CONCRETE WALK
P-02	PAVING TYPE 2 - CRUSHED STONE
P-03	PAVING TYPE 3 - WOOD MULCH



L140

LANDSCAPE
PLAN

DATE: 10/1/2023
PROJECT: # 2301003
PROJECT NAME: LINDSEY APT
CHECKED BY: JVB
JOB NO: 2301003

REVISIONS

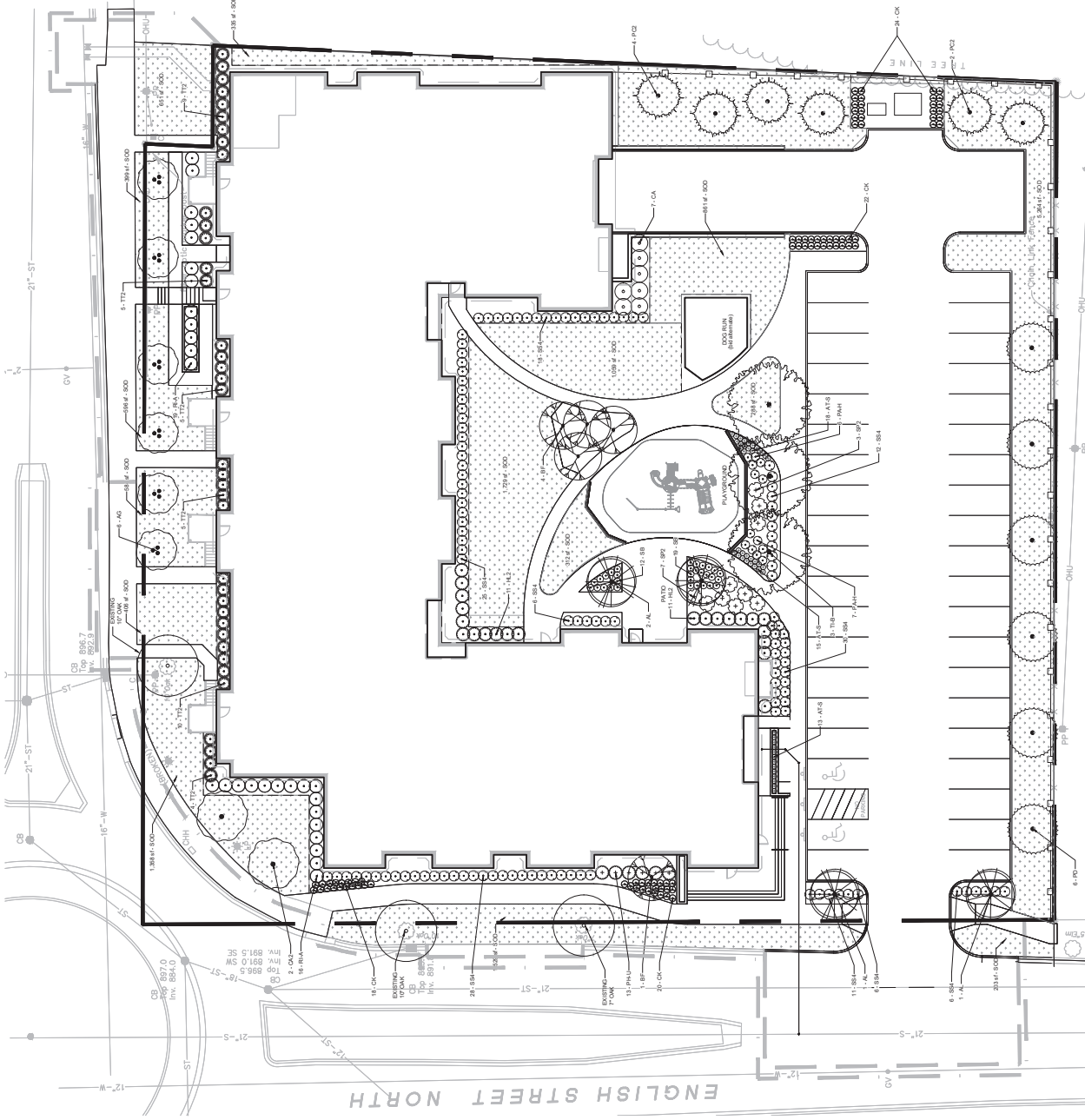
PRELIMINARY
NOT FOR
CONSTRUCTION

CONSULTANT
DFI
DESIGN FIRM, INC.
100 NORTH THIRD STREET, SUITE 140, MINNEAPOLIS, MN 55401




URBANWORKS

JB YANG
JB Yang - Gladstone Village

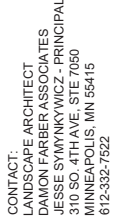
PLANT SCHEDULE		
SYMBOL	CODE	QTY
	AL	4
	BP	5
	CA	2
	TH	3
	PC	6
	PCZ	6
	OT	6
	DS	7
	HL	22
	PN	8
	HA	38
	SP	10
	SS	122
	TT	38
	GR	4
	PN	13
	PC	46
	OT	10,623 SF



LEGEND

	TREE PROTECTION FENCE
	EXISTING TREE TO REMAIN
	REMOVE EXISTING TREE

REFER TO SHEET L140 FOR LANDSCAPE PLAN.



JB VANG

JB Vang - Cladstone Village

1730 First Ave S
Minneapolis, MN 55415

URBANWORKS

URBANWORKS ARCHITECTURAL LLC 2018
901 NORTH THIRD STREET, SUITE 140, MINNEAPOLIS, MN 55401

STEEN

ENGINEERING

700 N. 4TH STREET
MINNEAPOLIS, MN 55401
Phone: 612.338.8888
www.steen-engineering.com

PRELIMINARY

NOT FOR CONSTRUCTION

SCHEMATIC DESIGN

03.03.2021

REVISIONS

DATE: 03.03.2021
PROJECT # 2018-001
DRAWN BY: JAV
CHECKED BY: JAV

SITE PHOTOMETRICS

E002

Statistics						
Description		Symbol	Avg	Max	Min	Avg/Min
Calc Zone #1		+	5.3%	8.5%	0.4%	21.3:1
						8.3:1

BEACON

VIPER L

FEATURES

- 1. Laser sensor mounted on Tripod Stand
- 2. Laser sensor is adjustable - 360 degree rotation
- 3. Designed for outdoor use - Rating is 100,000 hours in IP65

BEACON

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PC Packet Page Number 53 of 89

A355

PERSPECTIVE
ELEVATIONS

DATE: 10/13/2023
PROJECT # 23-0012
DRAWN BY: JAV
CHECKED BY: JAV

REVISIONS

CONVENTIONAL USE PERMIT &
BOARD OF ADJUSTMENT REVIEW
2.27.2023

PRELIMINARY
NOT FOR
CONSTRUCTION

CONSULTANT

URBANWORKS
9 URBANWORKS ARCHITECTURE LLC 2019
901 NORTH THIRD STREET, SUITE 100, MINNEAPOLIS, MN 55401

JB Vang - Gladstone Village
1310 Third Ave S
Minneapolis, MN 55108-4419



1 WEST PERSPECTIVE ELEVATIONS
10/13/2023 3:17 PM



2 NORTH PERSPECTIVE ELEVATION
10/13/2023 3:17 PM

CONSULTANT

PRELIMINARY
NOT FOR
CONSTRUCTION

CONVENTIONAL RESIDENTIAL &
COMMERCIAL DEVELOPMENT REVIEW
BOARD APPLICATION
2.27.2020

REVISIONS

DATE: 02/27/2020
PROJECT # 19-0012
PROJECT NAME: CLADSTONE VILLAGE
DRAWN BY: JAV
CHECKED BY: JAV
SCALE: 1/8" = 1'-0"

BUILDING
AXONOMETRIC
VIEWS

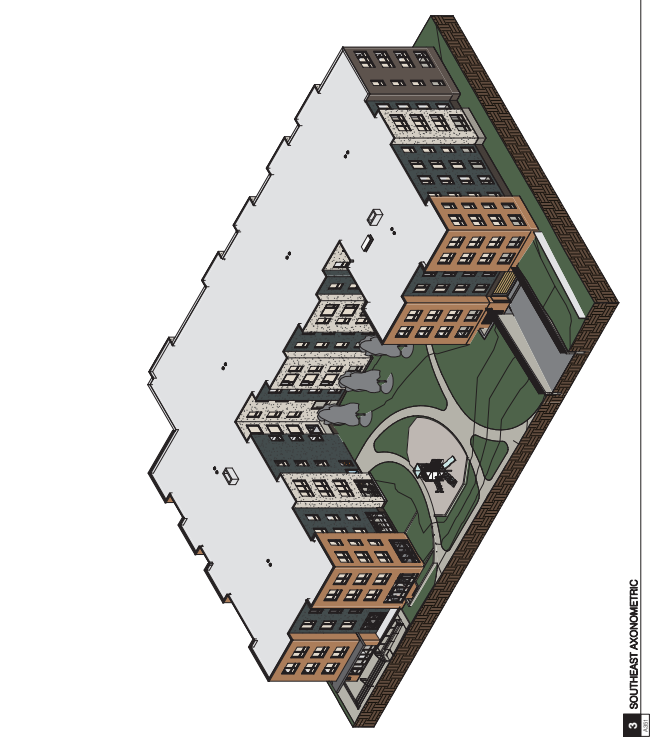
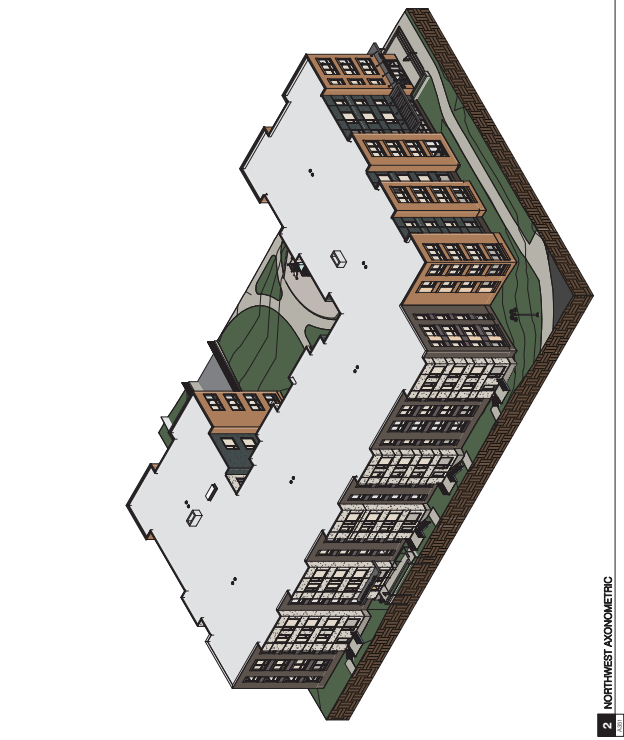
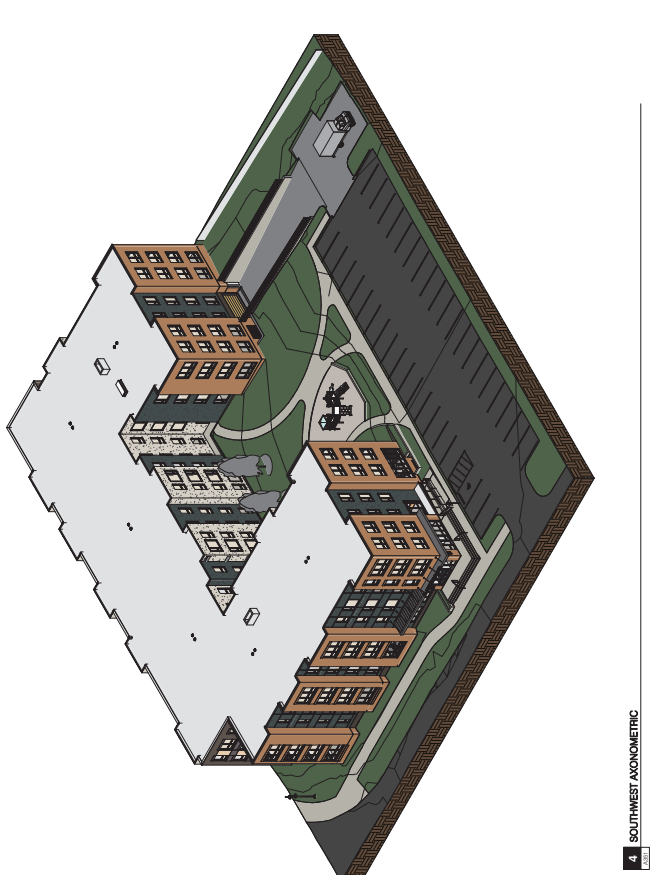
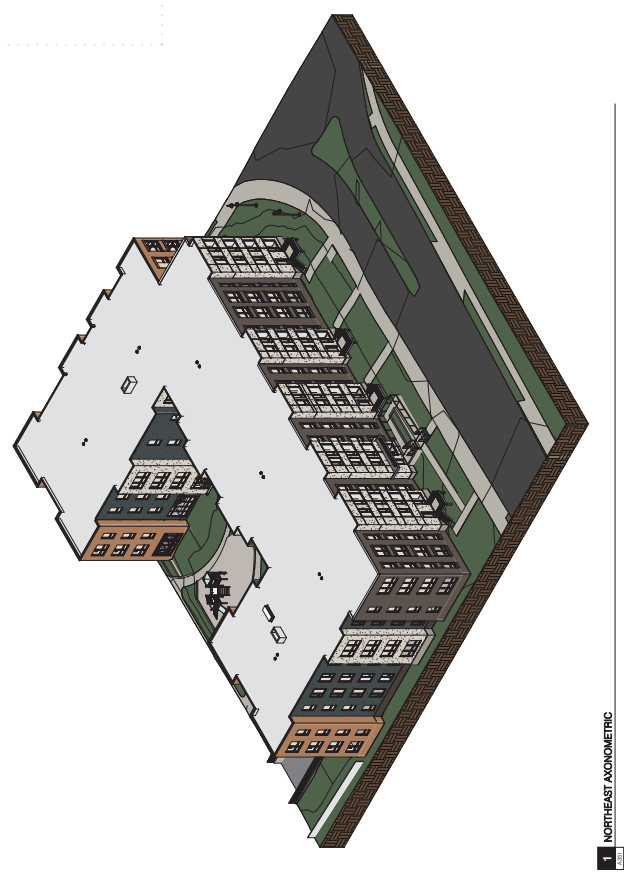
A351

URBANWORKS
501 NORTH THIRD STREET, SUITE 140, MINNEAPOLIS, MN 55401
507.333.4413

JB VANG

JB Vang - Cladstone Village

1310 First Ave S
Minneapolis, MN 55410-4413



Engineering Plan Review

PROJECT: Frost Avenue Apartments
1310 Frost Avenue East

PROJECT NO: 23-05

COMMENTS BY: Jon Jarosch, P.E. – Assistant City Engineer

DATE: 4-10-2023

PLAN SET: Civil plans dated 3-21-2023

REPORTS: None

The applicant is seeking city approval to develop a new four-story, 65-unit multi-family housing building and associated site amenities at 1310 Frost Avenue. The applicant is requesting a review of the current design.

The amount of disturbance on this site is greater than ½ acre. As such, the applicant is required to meet the City's stormwater quality, rate control, and other stormwater management requirements. The applicant is proposing to meet these requirements via the use of an underground infiltration system.

This review does not constitute a final review of the plans, as the applicant will need to submit construction documents and calculations for final review. The following are engineering review comments on the design and act as conditions prior to issuing permits.

Drainage and Stormwater Management

- 1) A stormwater management plan shall be submitted, including hydraulic calculations, to depict how the project is meeting the City and Watershed District's stormwater management standards.
- 2) The project shall be submitted to the Ramsey-Washington Metro Watershed District (RWMWD) for review. All conditions of RWMWD shall be met.
- 3) A joint storm water maintenance agreement shall be prepared and signed by the owner for the proposed infiltration system and pretreatment devices. The Owner shall submit a signed copy of the joint storm-water maintenance agreement with the RWMWD to the City.
- 4) Geotechnical information (soil borings) shall be provided to support infiltration rates utilized in the infiltration system design.

- 5) An emergency overflow for the underground infiltration system shall be identified on the plans. This overflow shall be properly stabilized to prevent erosion during an overflow event.
- 6) Pre-treatment of stormwater before discharge into infiltration system is required. A minimum 3-foot deep sump or similar pre-treatment shall be installed to provide pre-treatment and sediment removal upstream of the system.
- 7) The plans note that the trench drain at the bottom of the parking garage entrance ramp is to be connected to the building. Likewise, it is unclear where the building perimeter drain tile is connected. The plans shall detail the proposed connection point for these systems and ensure they are not connected to the sanitary sewer system. All storm water runoff shall be directed into the storm sewer system.

Grading and Erosion Control

- 8) All slopes shall be 3H:1V or flatter.
- 9) Inlet protection devices shall be installed on all existing and proposed onsite storm sewer until all exposed soils onsite are stabilized. This includes storm sewer on adjacent streets that could potentially receive construction related sediment or debris.
- 10) Adjacent streets and parking areas shall be swept as needed to keep the pavement clear of sediment and construction debris.
- 11) All pedestrian facilities shall be ADA compliant.
- 12) The total grading volume (cut/fill) shall be noted on the plans.
- 13) A copy of the project SWPPP and NDPES Permit shall be submitted prior to the issuance of a grading permit.
- 14) Detail shall be provided on the east side of the proposed building depicting grades on this property and those on the property to the east. This detail is needed to ensure the proposal is not negatively impacting the neighboring property.

Sanitary Sewer and Water Service

- 15) The applicant shall be responsible for paying any SAC, WAC, or PAC charges related to the improvements proposed with this project. A SAC determination is required.
- 16) All modifications to the water system shall be reviewed by Saint Paul regional Water Services. All requirements of SPRWS shall be met.

- 17) All new sanitary sewer service piping shall be schedule 40 PVC or SDR35.
- 18) The sanitary sewer service connection to the mainline in English Street shall include the placement of a manhole at this location.

Other

- 19) All work within Frost Avenue or English Street right-of-way shall be restored per the City's right-of-way ordinance. Roadway patching shall occur within 48 hours after the completion of utility connections on these roadways. It should be noted that Frost Avenue was recently reconstructed. As such, the restoration requirements for Frost Avenue will include much larger patching than shown on the plans.
- 20) A public sidewalk easement shall be provided for those portions of the concrete sidewalk along English Street and Frost Avenue lying outside of the public right-of-way.
- 21) Onsite sidewalks and pavements shall be left in place as long as possible to reduce the time soils are exposed.
- 22) The plans shall be signed by a civil engineer licensed in the state of Minnesota.
- 23) The applicant shall provide a self-renewing letter of credit or cash escrow in the amount of 125% of the proposed site improvements including earthwork, grading, erosion control, site vegetation establishment (sod, seed, etc.), aggregate base, and paving.

Public Works Permits

The following permits are required by the Maplewood Public Works Department for this project. The applicant should verify the need for other City permits with the Building Department.

- 24) Right-of-way permit
- 25) Grading and erosion control permit
- 26) Storm Sewer Permit
- 27) Sanitary Sewer Permit

- END COMMENTS -

Environmental Review

Project: Gladstone Village

Date of Plans: March 21, 2023

Date of Review: April 11, 2023

Location: 1310 Frost Avenue

Reviewers: Shann Finwall, Environmental Planner
651-249-2304, shann.finwall@maplewoodmn.gov

Carole Gernes, Natural Resources Coordinator
651-249-2416, carole.gernes@maplewoodmn.gov

Project Background: The applicant proposes to redevelop the funeral home at 1310 Frost Avenue East with a 65-unit affordable multi-family apartment building. The applicant must comply with the Gladstone Area Redevelopment Plan, solid waste ordinance, tree preservation ordinance, and landscape policies.

Gladstone Area Redevelopment Neighborhood

The Gladstone Area Redevelopment Plan details guiding principles, implementation initiatives, and key factors for shaping redevelopment of the Gladstone Neighborhood. Environmental items pertaining to the redevelopment of properties located along English Street, south of Frost Avenue include:

- Incorporation of rainwater gardens, alternative pavement strategies, shared parking, and other techniques to minimize surface water runoff and provide for treatment of runoff.
- Incorporation of recycled building materials, roof top gardens, solar energy systems, and other sustainable building techniques that contribute to the educational and interpretive vision of the Gladstone Savanna.
- Development should orient toward the regional trails rather than back up to them.
- Building heights should be greatest along English Street.

Green Building Code

The Green Building Code applies to Maplewood owned and financed buildings. The goal of the Green Building Code is to safeguard the environment, public health, safety and general welfare through the establishment of requirements to reduce the negative impacts and increase the positive impacts of the built environment on the natural environment and building occupants.

Green Building Code Recommendation: If the Gladstone Village is approved for the use of Tax Increment Financing, the redevelopment of the site must comply with the Green Building Code and ensure sections in the Code are complete including 1) energy conservation, efficiency, and CO² emission reductions; and 2) material resource conservation and efficiency standards.

Solid Waste Ordinance

All multi-family properties are included in the City's recycling program. The City of Maplewood contracts with Tennis Sanitation for multi-family recycling. Tennis Sanitation supplies 95-gallon recycling carts or recycling dumpsters collected weekly. The City of Maplewood adds the recycling fee onto the water bill.

Solid Waste Recommendation: Prior to Certificate of Occupancy, the applicant must ensure recycling service is set up through the City's recycling program.

Tree Ordinance

1. Tree Preservation Ordinance:
 - a. Significant Trees: Maplewood's tree preservation ordinance describes a significant tree as a healthy tree of the following size: hardwood tree with a minimum of 6 inches in diameter, an evergreen tree with a minimum of 8 inches in diameter, and a softwood tree with a minimum of 12 inches in diameter.
 - b. Specimen Trees: A specimen tree is defined as a healthy tree of any species that is 28 inches in diameter or greater.
 - c. Tree Replacement: If greater than 20 percent of significant trees are removed, tree replacement is based on a calculation of significant trees located on the site and significant trees removed. Credits are given for all specimen trees that are preserved. If less than 20 percent of significant trees are removed, tree replacement is based on a calculation of one 2-caliper inch replacement tree per significant tree removed.
 - d. Tree Replacement: The tree standards require that as many replacement trees be planted on the site as possible. An applicant can pay into the City's tree fund at a rate of \$60 per caliper inch for trees that cannot be planted on site. The City uses the tree fund to manage trees in parks and within the right-of-way.
2. Tree Impacts: There are six significant trees on site equaling 73 caliper inches. The applicants propose to remove three trees equaling 46 caliper inches. This represents 59 percent tree removal.
3. City Code Requirements: City code requires 16 caliper inches of replacement trees on the site (which equals 8 – 2 caliper inches of replacement trees).
4. Proposed Tree Replacement: The landscape plan shows 32 new trees ranging in size from 2 to 2.5 caliper inches, totaling 71.6 caliper inches of replacement trees, which meets, and exceeds, the tree replacement requirements.
5. *Tree Recommendations:*
 - a. Prior to issuance of a grading permit, the applicant must submit the following:
 - 1) Escrow: The applicant must submit a tree escrow in the amount of \$60 per caliper inch of trees to be replaced on the site. The escrow will be released once the trees are planted with a one-year warranty.

Landscape Policies

Review of the overall landscape plan to ensure nonnative and invasive species are avoided, seed mix is appropriate for use in areas proposed, and plantings are climate resilient.

Landscaping Recommendations:

1. Prior to issuance of a grading permit, submit a revised landscape plan with the following changes:
 - a) Replace False Spirea, *Sorbaria sorbifolia*, which has been found to be invasive in Minnesota and nearby Wisconsin. This is particularly concerning due to the proximity of the Gladstone Neighborhood Preserve located across the street from the development. Replace with a variety of the following native pollinator-supporting shrub species:
 - 1) Chokeberry, *Aronia melanocarpa*
 - 2) New Jersey tea, *Ceanothus americanus*
 - 3) Native bush honeysuckle, *Diervilla lonicera*
 - 4) Blueberry cultivars, *Vaccinium ssp*
 - 5) Common elderberry, *Sambucus Canadensis*
 - 6) American hazelnut, *Corylus Americana*
 - 7) Gray dogwood, *Cornus racemose*
 - 8) Perennial American spikenard, *Aralia racemose*
 - 9) Monarch-supporting perennial such as Butterfly-weed, *Asclepias tuberosa*.

Planting a mix of these species rather than 30 of the same species will also help prevent the spread of plant pests and diseases. There are only six ninebark shrubs included in the landscape plan. You could increase numbers of that species to around 20 to make up for some of the *Sorbaria*.
 - b) Replace Asian White Birch, *Betula platyphylla*, which has been reported as invasive in nearby states. Replace with the non-native River Birch, *Betula nigra*.
 - c) Maplewood promotes the planting of pollinator-supporting native plants. There is only one species of flowering perennial in the plan. Please replace the 46 pots of *Allium tanguticum* with a diverse mix of native flowers, choosing from the following list:
 - 1) Prairie onion, *Allium stellatum*
 - 2) Butterfly-weed, *Asclepias tuberosa*
 - 3) Meadow blazing star, *Liatris ligulistylis*
 - 4) Leadplant, *Amorpha canescens*
 - 5) Canada anemone, *Anemone Canadensis*
 - 6) Virginia bluebells, *Mertensia virginica*
 - 7) Prairie violet, *Viola pedatifida*
 - 8) Plains wild indigo, *Baptisia bracteata*
 - 9) Prairie smoke, *Geum triflorum*
 - 10) Prairie phlox, *Phlox pilosa*

- 11) Aromatic aster, *Symphyotrichum oblongifolium*
- 12) Black-eyed Susan, *Rudbeckia hirta*
- 13) Wild petunia, *Ruellia humilis*
- 14) Wild bergamot, *Monarda fistulosa*
- 15) Prairie Coreopsis, *Coreopsis palmate*
- 16) Purple prairie clover, *Dalea purpurea*
- 17) Dotted blazingstar, *Liatris punctate*
- 18) Virginia mountain mint, *Pycnanthemum virginianum*
- 19) Showy goldenrod, *Solidago speciosa*
- 20) Large beardtongue, *Penstemon grandifloras*
- 21) Narrow-leaved purple coneflower, *Echinacea angustifolia*
- 22) Spotted horsemint, *Monarda punctata*

PLANNING COMMISSION STAFF REPORT

Meeting Date April 18, 2023

REPORT TO: Melinda Coleman, City Manager

REPORT FROM: Elizabeth Hammond, Planner

PRESENTER: Elizabeth Hammond, Planner
Rita Trapp, HKGI

AGENDA ITEM: Zoning Code – Sign Code Regulations Discussion

Action Requested: ☐ Motion ☒ Discussion ☐ Public Hearing

Form of Action: ☐ Resolution ☐ Ordinance ☐ Contract/Agreement ☐ Proclamation

Policy Issue:

Staff continues to work with HKGI, the City's consultant, on development code updates. The sign code regulations have been reviewed, and draft changes have been prepared. This information is provided for review and comment.

Recommended Action:

No action at this time. Please review the memo attached to this report from HKGI.

Fiscal Impact:

Is There a Fiscal Impact? ☒ No ☐ Yes, the true or estimated cost is \$0.00

Financing source(s): ☐ Adopted Budget ☐ Budget Modification ☐ New Revenue Source
☐ Use of Reserves ☒ Other: N/A

Strategic Plan Relevance:

☐ Community Inclusiveness ☐ Financial & Asset Mgmt ☐ Environmental Stewardship
☐ Integrated Communication ☒ Operational Effectiveness ☐ Targeted Redevelopment

The city's sign code regulations were updated and adopted in 2010. Due to a 2015 Supreme Court ruling, the city needs to consider some amendments.

Background:

Staff has worked with HKGI to review and revise areas of the sign code. Please review the cover memo and draft code updates for our discussion.

Attachments:

1. HKGI Cover Memo
2. Draft City Sign Code Regulations



DEVELOPMENT CODE UPDATE

TO: City of Maplewood Planning Commission and Community Design Review Board
FROM: Rita Trapp, Consulting Planners
DATE: March 14, 2023
SUBJECT: Updates to sign regulations
MEETING DATE: April 18, 2023

One part of the 2023 City Code updates is focused on the sign regulations. The sign regulations are located in Article III of Chapter 44 Zoning Code. The purpose of the sign code is to establish a system of sign regulations that balances the needs for effective visual communication, particularly for commercial speech, and the needs for a safe, well-maintained, and attractive community.

The First Amendment protects signs as speech, and as a result, courts closely review attempts to regulate signs. In 2015, the U.S. Supreme Court decided a case that changed how courts review the validity of sign ordinances (*Reed v. Town of Gilbert*), and thus how communities can regulate signs. The primary finding of that case was that cities could not regulate signs based on the content, or message, of the sign. Instead, communities must focus on when and how long a sign can be displayed, where the signs can be located and how the signs can be constructed or designed.

Maplewood's current sign regulations were created using a content based format. This can be seen by the use of terms like garage sale sign, real estate sign, construction sign, informational sign, political campaign sign, etc. The rewrite of the sign regulations has eliminated these content based references and focused instead on the type and location of signage within the various districts. In addition to removing content based regulations, the sign regulations have been reorganized and reformatted to improve readability, remove redundancies, and improve consistency.

The following provides an overview to each section of the sign regulations and highlights changes proposed. Note that in general the size, location, height, etc. of signs was not updated in this process as it is felt that the sign regulations are generally working in the community.

- **Purpose and Intent.** This section provides an overview as to the City's intent of the sign regulations. One statement was removed from the purpose and intent as it was more of a standard than general statement.
- **Definitions.** Definitions were updated to remove content based definitions (e.g. garage sale sign) and terms that were defined but never used. Terms used in the regulations but not defined were added as needed (e.g. on-site sign and off-site sign).

- **Sign area and height calculations.** This section describes how sign area and height are calculated. This section was only reformatted for readability. Graphics will be added to illustrate how calculations are made.
- **Prohibited signs.** This section lists the types of signs not allowed in the city. The list of prohibited signs did not change. There were edits made for readability and to remove references to content based regulations.
- **General regulations and standards.** This section identifies standards that apply to all signs. Edits were generally made for readability.
- **Exempt signs.** This section lists signs that are exempt from obtaining a permit. These signs will still need to meet all of the code's general standards. Content based regulations were revised as needed.
- **Temporary signs.** Temporary signs generally do not require a permit as long as minimum standards are met. This section was significantly modified as there were a lot of content based temporary signs. In addition, this section was modified for ease of use. Temporary signs have now been grouped into:
 - Temporary signs allowed in any district
 - Temporary signs on properties designated Park in the Maplewood Comprehensive Plan
 - Temporary signs in Residential Districts
 - Temporary signs in Non-Residential Districts
 - Temporary signs in Mixed-Use District
 - Exemptions – this allows for some window and banner signs to exceed requirements for size, number and time display limits. Short-term (up to 3 months) can be approved by the administrator, while long-term (more than 3 months) requires a comprehensive sign plan and approval by the CDRB.
- **Permanent signs.** Permanent signs require a sign permit and there are limits to the amount of signage allowed by property or building. This section was modified to address some content based signage. Signage was also grouped into the categories of:
 - Permanent signs on properties designated Park in the Maplewood Comprehensive Plan
 - Permanent signs in Residential Districts
 - Permanent signs in Non-Residential Districts
 - Permanent signs in Mixed-Use District

- **Dynamic display signs.** This section is specific to electronic signs that have changing messages. This section has not been significantly modified from the existing code.
- **Murals.** This is a new section since murals are not signs and the City did not have any regulations for murals. Murals will be required to have a comprehensive mural plan approved by the CDRB.
- **Sign permits.** This section identifies the process for issuing a sign permit. This section has not been modified significantly.
- **Comprehensive sign or mural plan.** This section describes the comprehensive sign plan process. The major change to this section is related to a comprehensive mural plan.
- **Nonconforming signs.** This section describes how nonconforming signs are addressed. This section has not been modified.
- **Enforcement procedures.** This section identifies how enforcement is handled. This section has not been modified significantly. A provision regarding murals has been added.

In the update process there were four use specific standards identified: gas station canopies, auto dealerships, drive-through, and minor motor vehicle stations. These standards are proposed to be moved to the use specific standards section so that property owners are aware of these regulations. A reference to these additional standards has been included in the sign regulations.

- CODE OF ORDINANCES
Chapter 44 - ZONING
ARTICLE III. SIGN REGULATIONS

ARTICLE III. SIGN AND MURAL REGULATIONS

Sec. 44-731. Purpose and intent.

The purpose of this article is to establish a comprehensive and impartial system of sign regulations that balances the needs for effective visual communication including business identification and the needs for a safe, well-maintained, and attractive community. It is intended through the provisions contained herein to:

- (1) Promote signs which by their design and dimensions are integrated and harmonized with the surrounding environment and the buildings and sites they occupy.
- (2) Protect the public from damage or injury caused by signs that are poorly designed or maintained and from signs that cause distractions or hazards to motorists and pedestrians using the public streets, sidewalks, and public right-of-way.
- (3) Avoid excessive signage in order to give each business or use optimum visibility to passer-by traffic and prevent cluttering of the streetscape.

(Ord. No. 896, § 1, 1-25-2010)

Sec. 44-732. Definitions. *(see illustrations of sign types at the end of the draft regulations)*

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Abandoned sign means a sign or sign structure that is located on a building or property that has been vacant or unoccupied for a period of three months or more, or a sign which pertains to a time, event, or purpose that no longer applies. 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 at least six months.

Administrator means the director of community development or other person charged with the administration and enforcement of this article.

Alteration, major means any major alteration to a sign, but shall not include routine maintenance, painting, or change of the sign face of an existing sign.

Alteration, minor means a change of sign copy, sign face, sign color, or modifications or repairs to an existing sign that are cosmetic in nature or include a replacement of parts. Expansion of an existing sign does not constitute a minor alteration.

Awning means a covering attached on the façade of a building which projects typically over a door, window, or sidewalk.

Awning/canopy sign means a sign affixed flat to the surface of an awning or canopy which does not extend vertically or horizontally beyond the limits of such awning or canopy.

Banner sign means a temporary sign that is constructed of cloth, flexible plastic, or fabric of any kind which can be easily folded or rolled. This term does not include flags.

Billboard means a freestanding, off-site sign located adjacent to a principal arterial street.

Building sign means any sign affixed to a building or an appurtenance of a building including wall signs, projecting signs, window signs, and awning/canopy signs.

Changeable copy message board means a sign or portion of a sign which is characterized by interchangeable letters and figures. This definition shall not include dynamic display signs.

Commercial sign means any sign, display, or device designed, intended or used to encourage or promote purchase or use of goods or services.

Comprehensive sign or mural plan means a coordinated plan for all signs and/or murals located on a site or within a single development.

Community design review board means the body established in Section 2 of this Ordinance as a committee of the City Council which reviews site plans, building design, landscape plans, and signage.

Dynamic display sign means any sign designed for outdoor use that 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. *Flag* means any device generally made of flexible materials, such as cloth, and designed to be attached to a flagpole on one edge only.

Flashing sign means an illuminated sign which contains flashing lights or exhibits with noticeable changes in light intensity.

Freestanding sign means a sign that is attached to, erected on, or supported by an architecturally-planned structure (such as a pole, mast, frame, or other structure) that is not itself an integral part of or attached to a building or other structure whose principal function is something other than the support of a sign. This definition includes pylon signs and monument signs.

Graffiti means unauthorized markings of paint, dye, or other similar substance that have been placed on real or personal property such as buildings, fences, transportation equipment, or other structures, or the unauthorized etching or scratching of the surfaces of such real or personal property, any of which markings, scratching, or etchings are visible from the site open to the public.

Ground banner sign means a sign constructed of cloth, canvas, or other similar light material which is affixed to the ground.

Ground grade means the elevation of the ground closest to the sign to which reference is made.

Illuminated sign means a sign that is illuminated internally by a light source inside the sign or externally by means of external light fixtures directed at the sign.

Institutional or public uses means uses such as public schools, fire stations, libraries, water system facilities, religious institutions, cemeteries, private schools, and other city, county, and state-used and owned properties.

Message display face means the surface of the sign where the sign's image or message is displayed.

Monument sign means a permanent, freestanding sign located directly at ground grade where the width dimension of the architecturally designed base is 50 percent or more of the greatest width of the sign face.

Multiple tenant building means a commercial building containing two or more tenants.

Mural means artwork on the exterior of a building, generally for the purpose of decoration or artistic expression, including, but not limited to, paintings, markings, and etchings. A mural is not intended or used to encourage or promote purchase or use of goods or services.

Noncommercial sign means a sign which expresses an opinion, point of view, or statement such as political, religious, or ideological sentiment, or support or opposition to a candidate or proposition for public election.

Nonconforming sign means a sign lawfully erected and maintained prior to the adoption of this article that does not conform to the requirements of this article.

Off-site sign means a sign located outside of the parcel lines or boundaries of the property or development for which the sign is constructed.

On-site sign means a sign located within the parcel lines or boundaries of the property or development for which the sign is constructed.

Painted wall sign means a sign painted or applied through adhesive tape directly on the exterior wall of a building or structure.

Permanent sign means a sign permanently attached to a building, structure, or the ground which is constructed of durable materials and intended for long-term use.

Projecting sign means a sign, other than a wall sign, which is supported and projects from more than 18 inches at a right angle from the wall of a building.

Property Identification sign means a sign identifying the street address of a building for public safety reasons.

Pylon sign means a sign that is mounted on a narrow freestanding pole or other support structure so that the bottom edge of the sign face is at least six feet above the architecturally designed base.

Roof line means the uppermost line of the roof of a building or, in the case of an extended façade, the uppermost height of said façade.

Roof sign means a sign erected upon the roof of a building or extending above the roof line of the building to which it is attached, and which is wholly or partially supported by said building.

Sign means a communication device displaying graphics, symbols, or written copy visible from the public right-of-way and designed to attract the attention of the general public. This definition does not include murals or architectural lighting, such as neon that has no sign copy. For the purpose of removal, signs shall also include all sign structures.

Sign face means the surface of the sign including letters and background upon, against, or through which the message is displayed or illustrated.

Sign structure means the supports, braces, and framework of a sign.

Street means public or private thoroughfare for vehicular traffic which affords primary means of access to abutting property.

Street frontage means the lot line of a parcel abutting a street.

Street, collector means a street designated in the city's comprehensive plan which is designed to serve as a traffic way for a neighborhood or as a feeder to an arterial street.

Street, local means a street designated in the city's comprehensive plan which serves short trips at low speeds.

Street, minor arterial means a street designated in the city's comprehensive plan which connects sub-regions that are the closest routes parallel to the principal arterials and supplements and provides relief for traffic to the principal arterial.

Street, principal arterial, means a street designated in the city's comprehensive plan which is designed to carry the highest volume of traffic, allows the highest speeds, and provides subregional, regional, and inter-community access.

Temporary sign means any sign or advertising display constructed of cloth, canvas, light fabric, cardboard, wallboard or other materials, with or without frames, intended to be displayed for a limited period of time only.

Wall sign means a flat sign which does not project more than 18 inches from the face or wall of the building upon which it is attached, running parallel for its whole length to the face or wall of the building, and which does not extend beyond the horizontal width of such building.

Wall surface of the building means the total horizontal surface area of the building face to which the sign is attached, including windows and door areas, measured to the extreme outer limits of such wall surface.

Window sign means a sign painted on a window or placed inside the building to be viewed through a window by the public. This does not include merchandise on display in a window, seasonal displays of holiday pictures, decals, lights, and decorations that do not contain a commercial message or signs which are legally required to be posted.

(Ord. No. 896, § 3, 1-25-2010; Ord. No. 908, § 1, 8-9-2010; Ord. No. 1000, § 1, 3-25-2019; Ord. No. 1023, § I, 10-11-2021)

Sec. 44-733. Sign area and height computation.

The area of a sign is determined by the Administrator using actual dimensions where practical or approximate dimensions when irregularity of a sign shape warrants.

- (1) *Sign area.* Sign area shall be calculated by measuring the entire area within a continuous perimeter enclosing the extreme limits of the sign message and background.
 - a. Where the sign is a separate panel, structure, or other material forming a single display, the area of the message display face shall constitute the area of the sign.
 - b. Where the sign consists of any combination of individual letters, panels, numbers, figures, illustrations, or of a line or lines, to form a display or sign, the area of the sign shall be computed using the outside dimensions of the various words, figures, and illustrations composing the entire sign.
 - c. In the case of a sign designed with more than one exterior surface, the area shall be computed as including only the maximum single display surface which is visible from any ground position at one time.
 - d. The supports, uprights, bases, or structures on which any sign is supported shall not count towards the sign area unless the supports, uprights, bases, or structures are an integral part of the sign display.
- (2) *Sign height.* The height of a sign shall be measured by the vertical distance from the ground grade to the top of a sign and includes its support structures.

(Ord. No. 896, § 4, 1-25-2010)

Sec. 44-734. Prohibited signs.

The following signs are prohibited:

- (1) Signs or sign structures attached or supported on balconies, fences, or other nonpermanent structures.
- (2) Signs attached or supported on a permanently parked vehicle or semi-trailers. This shall not include signs painted directly on a parked vehicle or semi-trailer used in the business or facility or on site.
- (3) Signs on rocks, trees, or other natural features or public utility poles.
- (4) Permanent or temporary signs that have blinking, flashing, or fluttering lights, or that make noise.

- (5) Signs or sign structures that obstruct any part of a fire escape, doorway, standpipe, or opening intended to provide ingress or egress for any building structures.
- (6) Signs that by reason of location, color, or intensity create a hazard to the safe, efficient movement of vehicles or pedestrian traffic. No sign on private property shall contain words which might be construed as traffic controls such as "stop," "caution," "warning," etc., unless such sign is intended to direct traffic on the site.
- (7) Painted wall signs.
- (8) Roof signs.
- (9) Off-site signs except for where specifically permitted in this article.
- (10) Signs having features or incorporating parts of any sign prohibited in this article.

(Ord. No. 896, § 7, 1-25-2010; Ord. No. 1000, § 3, 3-25-2019)

Sec. 44-735. General regulations and standards.

All signs shall be constructed in a manner and of such materials that they shall be safe and in compliance with the building ordinance. In addition, all signs containing electrical wiring shall be subject to the provisions of the current state electrical ordinance.

- (1) *Maintenance.* All signs, together with all of their supports, braces, and anchors, shall be kept in repair and in proper state of preservation. The display surfaces of all signs shall be kept neatly painted or posted at all times. Banners shall be designed in such a way as to avoid becoming torn or weathered.
- (2) Every sign and the immediate surrounding site shall be maintained by the owner or person in charge thereof in a clean, sanitary, and inoffensive condition, and free and clear of all obnoxious substances, rubbish, and weeds.
- (3) *Attachment to buildings.* All signs attached to a building shall not obstruct any fire escape, exit, standpipe, or any window required for light or ventilation. The signs shall be placed flat against the building and project no further than 18 inches from the building except where specifically allowed in this article.
- (4) *Freestanding sign placement.* All signs not attached to any building or structure shall maintain at least a ten-foot setback from any lot line and shall not be placed in a public right-of-way unless specifically stated otherwise in this article. No such sign shall project over a property line or a public right-of-way, except where allowed in this article, and all required clearances from overhead power and service lines must be maintained. Signs placed near the corner of two intersecting streets shall comply with clear sight triangle requirements (refer to article VII, sections 32-246 through 32-251 - sight obstructions at intersections).
- (5) *Illumination.* All illuminated signs must be in compliance with the city's outdoor lighting requirements in section 44-20. In addition, illumination for all signs shall be constant and steady.
- (6) *Abandoned signs.* Abandoned signs shall be removed by the owner of the site by removing the sign face, painting the sign face a neutral color or installing blank sign face panels. The inner components of the sign must not be exposed. If the sign face is not re-used after one year, the remaining sign structure must be removed unless the Administrator grants an extension subject to the owner submitting a statement of intent and a reasonable time line for reuse of the sign structure.
- (7) *Licensing.* All contractors installing permanent signs must first obtain a contractor's license prior to issuance of a sign permit or installation of a permanent sign as defined in the city contractor and subcontractor ordinance (article VI).

(Ord. No. 896, § 10, 1-25-2010; Ord. No. 1000, § 4, 3-25-2019)

Sec. 44-736. Exempt signs.

Any sign listed below shall be exempt from obtaining a sign permit but shall be required to meet any general standards identified in this chapter.

- (1) Any public notice or warning sign required to be maintained or posted by law or governmental order, rule, or regulation.
- (2) Flags and emblems that are political or ideological.
- (3) Any sign inside a building that is not attached to an exterior window or not legible from a distance of more than ten feet from outside the building.
- (4) Traffic control signs as defined by state law.
- (5) Property identification sign.
- (6) One wall sign of not more than two square feet for a residence with a permitted home occupation.
- (7) Temporary displays of lights and decorations.
- (8) *No trespassing signs*. Signs not exceeding nine square feet, located upon private property, and directed towards the prevention of trespassing.

(Ord. No. 896, § 8, 1-25-2010; Ord. No. 908, § 3, 8-9-2010)

Sec. 44-737. Temporary signs.

Unless specifically identified below, all temporary signs do not require a sign permit or a comprehensive sign plan, and shall not count towards the building or property permanent sign maximum signage allowed:

- (1) *Temporary Signs Allowed in Any District*
 - a. *On-site temporary signs*
 - i. *Temporary freestanding sign.*
 1. Nonilluminated temporary freestanding sign not exceeding three square feet in area and no more than three feet in height is permitted on private property.
 2. No part of such sign shall be closer than five feet to the street pavement or one foot to a sidewalk or trail. Said sign shall not be located between the street and a sidewalk or trail.
 - ii. *Temporary signs and displays under 12 square feet in area.*
 1. One nonilluminated temporary sign or display under 12 square feet is allowed per property (except for single and double-dwelling properties) for a period not to exceed 30 days total per sign.
 2. For commercial buildings with multiple occupants, each separate tenant is permitted one such sign.
 3. No more than three temporary signs under 12 square feet shall be allowed at a property at any one time.

iii. *Properties with open building permits.*

1. One temporary sign on a property with an open building permit is permitted immediately prior to or during the construction of a development.
2. Each such sign shall not exceed a ratio of one square foot of sign area for each 1,000 square feet of lot area. In no case shall the sign exceed 64 square feet in area and ten feet in height.
3. The sign shall be removed within 30 days after major construction has finished.

iv. *Properties that are for sale or rent.*

1. One temporary freestanding sign is permitted for each street upon which the property has frontage.
 - a. For single and double-dwelling lots, such sign shall not exceed nine square feet in area.
 - b. For all other types of property, each sign shall not exceed a ratio of one square foot of sign area for each 1,000 square feet of lot area. In no case shall the area of any one sign exceed 64 square feet or ten feet in height.
2. All such signs shall be removed within seven calendar days of the close of the property or when 90 percent or more of the dwelling units on the property have been sold, leased, or rented.

v. *Noncommercial signs.*

1. Any sign which meets MS § 211B.045.
2. One noncommercial sign which shall not be illuminated, exceed 16 square feet in area, and shall be no more than six feet in height. For multiple-unit developments, the sign shall be attached to the dwelling unit or placed in a location that clearly indicates ownership.

b. *Off-site temporary signs*

- i. *Off-site signs on private property.* An off-site sign not exceeding three square feet in area may be placed on private property. Such signs require a permit, shall not be located in the public right-of-way, and the sign owner/installer must supply written permission to the city from the property owner on which property the sign is installed. Each development is limited to one such sign.
- ii. *Off-site signs in the public right of way.* An off-site sign not exceeding three square feet in area and no more than three feet in height may be placed on the public right-of-way.
 1. No part of such sign shall be closer than five feet to the street pavement or one foot to a sidewalk or trail. Said sign shall not be placed between the street and a sidewalk or trail.
 2. Off-site signs may be placed in the public right-of-way for 30 days maximum.
- iii. *Signs for nonprofit or civic businesses.* Off-site temporary signs for legally recognized nonprofit businesses (e.g., 501.c3 designations) as well as civic organizations (i.e.

places of worship, parks, nature centers, historic sites, etc.) are allowed in the public right-of-way.

1. Said sign is limited to four square feet in area with a maximum of three signs per nonprofit or civic organization.
2. The location of off-site temporary signs must be approved by the city prior to installation.

(2) *Temporary Signs on Properties Designated Park in the Maplewood Comprehensive Plan*

Temporary signs located within a park and/or sports facility are allowed subject to the following standards:

- a. Banners. Banners may be displayed in parks for special events sponsored or approved by the city. No more than three banners may be displayed per park at any one time. Each banner shall not exceed 64 square feet. Banners shall be designed to be professional looking and prevented from becoming torn or weathered.
- b. Signs for baseball, softball, and hockey fields. Signs may be allowed with the approval of a comprehensive sign plan (also refer to [section 44-732](#)).
 - i. Number and size of signs shall be determined by an approved comprehensive sign plan.
 - ii. No sign shall be illuminated except by the regular sports facility lighting during hours of use.
 - iii. Signs are allowed to be installed for a period of one year during the baseball, softball, or hockey season.
 - iv. Signs placed at baseball and softball fields shall be located on the outfield fences or the scoreboard, or both. Such signs shall be oriented toward the field of play.
 - v. Signs placed at hockey rinks shall be located on the interior sides of the hockey boards.
- c. The Maplewood Parks & Natural Resources Department will administer all temporary park and sports facility signs in accordance with the approved comprehensive sign plan.
- d. Sponsorships collected for such signs will be used to help fund recreational facilities within the park in which they are installed.

(3) *Temporary Signs in Residential Districts.*

In addition to the temporary signs allowed for all zoning districts, the following temporary signs shall be allowed in any residential zoning district unless specifically stated:

- a. *Temporary banners.*
 - i. Temporary banners may be displayed without a permit for residential subdivisions and multiple-unit developments and for all legal nonresidential uses excluding home occupation businesses for a period not to exceed 60 days per year, per property.
 - ii. No more than one banner may be displayed per property at any one time.
 - iii. Each banner shall not exceed 32 square feet in area and must be attached to a building or other permanent structure.
- b. *Temporary signs and displays over 12 square feet.*

- i. One temporary sign or display over 12 square feet is permitted by sign permit for up to 30 days per year, per property. The city shall consider a sign displayed for part of a day as having been up for an entire day.
- ii. All signs require a sign permit unless otherwise noted. The permit fee shall not be charged for temporary signs and displays erected by civic organizations, religious organizations, or other nonprofit organizations.
- iii. In no case shall the area of the sign exceed 32 square feet in area or eight feet in height.

c. *Ground banner signs.*

- i. In the R-3 district, one ground banner sign shall be allowed per every 150 feet of street frontage.
- ii. The sign shall not exceed 32 square feet in size.
- iii. All ground banner signs shall be removed after 60 days.

(4) *Temporary Signs in Non-Residential Districts.*

In addition to the temporary signs allowed for all zoning districts, the following temporary signs shall be allowed in any non-residential zoning district:

a. *Temporary banners.*

- i. For single tenant buildings, temporary banners may be displayed without a sign permit for a period not to exceed 60 days total per year. No more than one banner may be displayed per property at any one time.
- ii. For multiple-tenant buildings, each separate tenant may display temporary banners without a sign permit for a period not to exceed 60 days total per year. No more than one banner may be displayed per separate tenant at any one time.
- iii. Each banner shall be attached to a building or other permanent structure.
- iv. Maximum size
 - 1. In the LBC (limited business commercial), CO (commercial office), SC (shopping center), and NC (neighborhood commercial) zoning districts each banner shall not exceed 32 square feet in size.
 - 2. In the BC (business commercial), BC-M (business commercial modified), M-1 (light manufacturing), and M-2 (heavy manufacturing) zoning districts, each banner shall not exceed 64 square feet in size.

b. *Temporary window signs.*

- i. Temporary window signs are allowed without a permit.
- ii. Temporary window signs shall be neatly painted or attached to the surface of a window, but shall cover no more than 30 percent of the total area of the window.

c. *Temporary signs and displays over 12 square feet.*

- i. One temporary sign or display over 12 square feet is permitted for up to 30 days per year, per business. The time period may be extended to 60 days during the first year of operation of a new business and 90 days for a temporary seasonal business. The city shall consider a sign displayed for part of a day as having been up for an entire day.

- ii. All signs require a sign permit unless otherwise noted. The permit fee shall not be charged for temporary signs and displays erected by civic organizations, religious organizations, or other nonprofit organizations or groups.
- iii. Maximum size
 - 1. In the LBC (limited business commercial), CO (commercial office), SC (shopping center), and NC (neighborhood commercial) zoning districts each sign or display shall not exceed 32 square feet in size.
 - 2. In the BC (business commercial), BC-M (business commercial modified), M-1 (light manufacturing), and M-2 (heavy manufacturing) zoning districts, each sign or display shall not exceed 64 square feet in size.
 - 3. No sign or display shall exceed eight feet in height.

d. *Ground banner signs.*

- i. One ground banner sign shall be allowed per every 150 feet of street frontage.
- ii. The sign shall not exceed 32 square feet in size.
- iii. All ground banner signs shall be removed after 60 days.

(5) *Temporary Signs in Mixed-Use Districts.*

In addition to the temporary signs allowed for all zoning districts, the following temporary signs shall be allowed in the Mixed-Use (M-U) and North End (NE) zoning districts:

a. *Temporary banners.*

- i. For single tenant buildings, temporary banners may be displayed without a sign permit for a period not to exceed 60 days total per year. No more than one banner may be displayed per property at any one time.
- ii. For multiple-tenant buildings, each separate tenant may display temporary banners without a sign permit for a period not to exceed 60 days total per year. No more than one banner may be displayed per separate tenant at any one time.
- iii. Each banner shall be attached to a building or other permanent structure.
- iv. No banner shall exceed 32 square feet in area.

b. *Temporary window signs.*

- i. Temporary window signs are allowed without a permit in any building or portion of a building occupied by a nonresidential use.
- ii. Temporary window signs shall be neatly painted or attached to the surface of a window, but shall cover no more than 30 percent of the total area of the window.

c. *Temporary signs and displays over 12 square feet.*

- i. One temporary sign or display over 12 square feet is permitted by sign permit for up to 30 days per year. The time period may be extended to 60 days during the first year of operation of a new business and 90 days for a temporary seasonal business. The city shall consider a sign displayed for part of a day as having been up for an entire day.
- ii. All signs require a sign permit unless otherwise noted. The permit fee shall not be charged for temporary signs and displays erected by civic organizations, religious organizations, or other nonprofit organizations.

- iii. In no case shall the area of the sign exceed 32 square feet in area or eight feet in height.

d. *Ground banner signs.*

- i. One ground banner sign shall be allowed per every 150 feet of street frontage.
- ii. The sign shall not exceed 32 square feet in size.
- iii. All ground banner signs shall be removed after 60 days.

(6) *Exemptions*

Temporary window and banner signs which exceed the size, number, or time display limits as specified in this Section may apply for an exemption as described below:

a. *Short-term exemption (up to three months).*

- i. Applicant shall submit a temporary sign permit application and fee to the Administrator.
- ii. The Administrator shall approve the short-term exemption if the applicant shows that there are unusual circumstances with the request.
- iii. The Administrator may attach conditions to the approval to assure that the sign will be compatible with surrounding properties.

b. *Long-term exemption (longer than three months).*

- i. Applicant shall submit a comprehensive sign plan as specified in **Section XX** and fee to the city.
- ii. The community design review board shall approve the long-term exemption if the applicant shows that there are unusual circumstances with the request.
- iii. The community design review board may attach conditions to the approval to assure that the sign will be compatible with surrounding properties.

(Ord. No. 896, § 11, 1-25-2010; Ord. No. 906, 7-12-2010; Ord. No. 908, § 4, 8-9-2010)

Sec. 44-738. Permanent signs.

Unless specifically identified below, all permanent signs require a sign permit and shall count towards the building or property maximum signage allowed:

(1) *Permanent Signs on Properties Designated Park in the Maplewood Comprehensive Plan.*

- a. Wall signs. One wall sign up to 24 square feet per street frontage shall be allowed for each park building. The sign may be affixed to the wall of the building or an overhanging canopy or awning.
- b. Monument signs. One monument sign up to 32 square feet per street frontage shall be allowed to identify each park. Said sign shall be a maximum of six feet in height. The sign shall be designed to be architecturally compatible with the park structures and buildings with the base of the sign consisting of colors and materials compatible to the structures or buildings.

(2) *Permanent Signs in Residential Districts.*

- a. Wall sign. One wall sign up to 24 square feet per street frontage shall be allowed for residential subdivisions, townhomes, live-work buildings, apartments, and for all legal nonresidential uses

excluding home occupation businesses. The sign may be affixed to the wall of the main building or an overhanging canopy or awning.

- b. Monument sign. One monument sign up to 32 square feet per street frontage shall be allowed by sign permit for residential subdivisions and multiple-unit developments and for all legal nonresidential uses excluding home occupation businesses. Said sign shall be a maximum of six feet in height. The sign shall be designed to be architecturally compatible with the building or project with the base of the sign consisting of colors and materials compatible to the building or project.
- c. Changeable copy message boards. Changeable copy message boards are permitted as part of a permanent freestanding monument sign or wall sign for all legal nonresidential uses excluding home occupation businesses. The message board shall not comprise more than 70 percent of the total square footage of said sign.
- d. On-site dynamic display signs for permitted institutional or public uses. (Refer to [section 44-743](#) - Dynamic Display Signs).

(3) *Permanent Signs in Non-Residential Districts*

- a. LBC (limited business commercial), CO (commercial office), SC (shopping center), and NC (neighborhood commercial) zoning districts:
 - i. Wall signs.
 - 1. For each occupant of a building, one wall sign is allowed for each street upon which the property has frontage. The total number of wall signs may be increased by one for each clearly differentiated department of a business or enterprise.
 - 2. The total area of any one wall sign shall not cover more than 20 percent of the wall surface to which the sign is attached or 32 square feet, whichever is greater. As an alternative, a wall sign may be placed on an overhanging awning or canopy as long as the wall sign does not exceed 50 percent of the face of the awning or canopy, or 32 square feet, whichever is less.
 - 3. For multiple tenant buildings, the wall surface for each tenant or user shall include only the surface area of the exterior façade of the site occupied by such tenant or user.
 - ii. Freestanding signs.
 - 1. One freestanding sign up to 64 square feet in area and ten feet in height is permitted for each street upon which the property has frontage.
 - 2. For buildings or developments with multiple street frontages, each additional freestanding sign must be located on a different street. Each freestanding sign must be separated by more than 100 feet measured in a straight line between the signs.
 - 3. The sign shall be designed to be architecturally compatible with the building or project with the base of the sign consisting of colors and materials compatible to the building or project.
 - 4. The area around the base of the sign shall also be landscaped including the bottom of a pylon sign.

- iii. Changeable copy message boards. Changeable copy message boards are permitted as part of a permanent freestanding sign or wall sign but shall comprise no more than 70 percent of the total square footage of said sign.
 - iv. On-site dynamic display signs for permitted institutional or public uses. (Refer to section 44-743 - dynamic display signs).
- b. BC (business commercial), BC-M (business commercial modified), M-1 (light manufacturing), and M-2 (heavy manufacturing) zoning districts:
- i. Signage requirements for specific uses, including gas station canopies, auto dealerships, and drive-throughs are listed in Section XX use-specific standards.
 - ii. Wall signs.
 - 1. For each occupant of a building, one wall sign is allowed for each street upon which the property has frontage. The total number of wall signs may be increased by one for each clearly differentiated department of a business or enterprise.
 - 2. The total size of all wall signage for single-tenant buildings is determined by the gross square footage of the principal structure on the property. The total coverage area of each wall sign, including each differentiated business, shall be based on the wall surface to which the sign is attached. The following table indicates maximum signage permitted for single-tenant buildings:

Principal Structure Gross Square Feet of Floor Area	Maximum Size and Coverage Area of Each Sign
Less than 10,000 sq. ft	80 sq. ft. or 20% of wall face, whichever is less
10,000 to 20,000 sq. ft.	100 sq. ft. or 20% of wall face, whichever is less
20,000 to 100,000 sq. ft.	150 sq. ft. or 15% of wall face, whichever is less
Greater than 100,000 sq. ft.	200 sq. ft. or 10% of wall face, whichever is less

 - 3. The total coverage area of each wall sign for multiple-tenant buildings is ten percent of the surface area of the exterior façade of the site occupied by such tenant, or 32 square feet, whichever is more.
 - 4. A wall sign may be attached to an overhanging awning or canopy, instead of the façade of the building, as long as the wall sign does not exceed 50 percent of the face of the awning or canopy, or the maximum size specified above, whichever is less.
 - iii. Freestanding signs.
 - 1. One freestanding sign is permitted for each street upon which the property has frontage. For properties with multiple street frontages, each additional freestanding sign must be located on a different street and each sign must be separated by more than 100 feet measured in a straight line between signs, excluding auto dealerships.
 - 2. The total size and maximum height of each freestanding sign is determined by the street classification (as designated in the Maplewood Comprehensive Plan) of the closest street to which each freestanding sign is located. In the case of signs located at an intersection, the higher ranking street classification should be used to determine the maximum height and size allowable for a

freestanding sign. Businesses that are located on a frontage road designed to provide safe access to minor arterials and principal arterials shall be permitted to erect a freestanding sign up to the determined maximum height and size allowable for a freestanding sign on said minor arterial or principal arterial road to which it is adjacent.

3. The following table lists the maximum size and heights permitted for freestanding signs:

Classification of Street Abutting Property	Maximum Sign Size (sq. ft.)	Maximum Height of Pylon Sign (feet)	Maximum Height of Monument Sign (feet)
Principal Arterial	180	25	12
Minor Arterial	140	20	12
Collector Street	100	15	10
Local Street	80	12	10

4. The freestanding sign shall be designed to be architecturally compatible with the building or project, with the base of the sign, including pylon sign poles, consisting of materials and colors compatible to the building or project.
- iv. Changeable copy message boards. Changeable copy message boards are permitted as part of a permanent freestanding sign or wall sign but are limited to comprising no more than 70 percent of the total square footage of said sign.
- v. On-site and off-site dynamic display signs. (Refer to section 44-743 - dynamic display signs).
- vi. Billboards.
1. Off-site billboards shall only be permitted with a conditional use permit and may only be located adjacent to a principal arterial street in the SC (shopping center), BC (business commercial), M-1 (light manufacturing), and M-2 (heavy manufacturing) districts.
 2. Spacing. No billboard shall be located within 2,300 feet of another billboard on the same side of the street, within 100 feet to a commercial, industrial, institutional building, or an on-site sign, within 250 feet of a residential district, or within 800 feet of a residence. Billboards shall maintain a setback of 50 feet from any property line, 500 feet to a local park, and 300 feet from the nearest intersecting street corner of two public roads.
 3. Size. The maximum area of the sign face of a billboard shall not exceed 450 square feet, including border and trim, but excluding base, apron supports, and other structural members. The maximum size limitation shall apply to each side of a sign structure.
 4. The maximum height for billboards shall be 35 feet.
 5. A billboard may only display one message at a time on any sign face.
 6. Signs may be placed back-to-back or in a V-type arrangement if there are no more than two sign faces, provided that the open end separation shall not exceed 15 feet.

(4) *Permanent Signs in Mixed-Use Districts.*

The following signs shall be allowed in the Mixed-Use (M-U) and North End (NE) zoning districts:

- a. Signage requirements for minor motor vehicle stations are listed in [Section XX](#) use-specific standards.
- b. Building signs.
 - i. Building signage in the M-U and NE districts may include wall, projecting, window, or awning/canopy signage.
 - ii. Total allowable area of all building signage for each establishment is one and one-half square feet of signage per lineal foot of building or frontage on a road, public open space or private parking area, or 32 square feet, whichever is greater.
 - iii. Each wall shall be calculated individually and sign area may not be transferred to another side of the building.
 - iv. Wall signs shall not cover windows or architectural trim and detail.
 - v. No part of a building sign shall be placed higher than the sills of the second-story window of a multi-story building.
 - vi. Additional standards for projecting signs.
 1. Projecting signs may not extend more than four feet over a public right-of-way, private road, or sidewalk/trail, and must not project out further than the sign's height.
 2. Projecting signs shall have a minimum clearance of eight feet above ground level, unless projecting over a vehicular right-of-way, in which case minimum clearance shall be 14 feet. Projecting signs shall be no larger than 20 square feet per sign face.
 - vii. Window signs. A permanent window sign shall be applied directly to the window or hung inside the window but cannot be painted directly onto the window. A window sign shall not cover more than 1/3 of the window or door in which the sign is placed.
 - viii. Awning/canopy signs. Signs on street-level awnings/canopies are permitted if the sign on each awning/canopy is either less than seven square feet in size or eight inches in height, is located on the face of the awning/canopy (valance or skirt), and is parallel to the building façade. Where there are multiple awnings on a building, all awning signs shall have a consistent size and location on the awnings.
- c. Monument signs. One monument sign for each establishment is allowed if the building is set back at least 20 feet from the front property line. Monument signs must meet the following requirements:
 - i. Limited to six feet in height and 40 square feet.
 - ii. Maintain a five-foot setback from any side or rear property line, but can be constructed up to the front property line.
 - iii. Must consist of a base constructed of materials and design features similar to those of the front façade of the building or development.
 - iv. Must be landscaped with flowers or shrubbery or integrated into a plaza area.
- d. Lighting. Any signage lighting shall only be provided by using an external light source. The external light source shall be directed onto the sign face or use halo effect/reverse illumination, which is an external light source behind individual letters that is reversed to shine on the wall.

Exposed neon lighting and LED lighting that has the appearance of exposed neon lighting is allowed. Internally illuminated signs are prohibited.

(Ord. No. 896, § 12, 1-25-2010; Ord. No. 908, § 5, 8-9-2010; Ord. No. 1023, § III, 10-11-2021; Ord. No. 1026, § 2, 11-22-2021)

Sec. 44-739. Dynamic display signs.

Dynamic displays are allowed as stated in this article with significant controls to minimize their proliferation and their potential threats to public health, safety, and welfare.

(1) *General Standards.* All dynamic display signs shall meet the following standards:

- a. The images and messages displayed shall be static. Unless otherwise specified, each display shall be maintained for a minimum of two minutes.
- b. The transition from one display to another shall be instantaneous without any special effects. Motion, animation and video images are prohibited on dynamic LED sign displays. No portion of the images may flash, scroll, twirl, change color, or in any manner imitate movement.
- c. Dynamic display signs must be designed and equipped to freeze the device in one position if a malfunction occurs. The displays must also be equipped with a means to immediately discontinue the display if it malfunctions, and the sign owner must stop the dynamic display within one hour of being notified by the city that it is not meeting the standards of this article.
- d. Every line of copy and graphics in a dynamic display shall be at least seven inches in height on a road with a speed limit of 25 to 34 miles per hour, nine inches on a road with a speed limit of 35 to 44 miles per hour, 12 inches on a road with a speed limit of 45 to 54 miles per hour, and 15 inches on a road with a speed limit of 55 miles per hour or more.
- e. Brightness standards.
 - i. The following brightness standards are required for all dynamic display signs:
 1. No sign shall be brighter than is necessary for clear and adequate visibility.
 2. No sign shall 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.
 3. No sign may be of such intensity or brilliance that it interferes with the effectiveness of an official traffic sign, device or signal.
 - ii. The person owning or controlling the sign must adjust the sign to meet the brightness standards in accordance with the city's instructions. The adjustment must be made within one hour upon notice of noncompliance from the city.
 - iii. All dynamic display signs installed after August of 2008 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 the sign malfunctions, and the sign owner or operator must turn off the sign or lighting within one hour after being notified by the city that it is not meeting the standards of this section.
 - iv. In addition to the brightness standards required above, dynamic display signs shall meet the city's outdoor lighting requirements (subsection 44-20(1)).
- f. Reduction of sign surfaces for off-site dynamic display signs.

- i. A person or sign operator may obtain a permit for a dynamic display sign on one surface of an existing off-site sign if the following requirements are met:
 - 1. The applicant agrees in writing to reduce its off-site sign surfaces by one by permanently removing, within 15 days after issuance of the permit, one surface of an off-site sign in the city that is owned or leased by the applicant, which sign surface must satisfy the criteria of part b. of this subsection. This removal must include the complete removal of the structure and foundation supporting each removed sign surface. The applicant must agree that the city may remove the sign surface if the applicant does not do so, and the application must identify the sign surface to be removed and be accompanied by a cash deposit or letter of credit acceptable to the city attorney sufficient to pay the city's costs for that removal. The applicant must also agree that it is removing the sign surface voluntarily and that it has no right to compensation for the removed sign surface under any law. Replacement of an existing sign surface of an off-site sign with a dynamic display sign does not constitute a removal of a sign surface.
 - 2. If the removed sign surface is one that a state permit is required by state law, the applicant must surrender its permit to the state upon removal of the sign surface. The sign that is the subject of the dynamic display sign permit cannot begin to operate until the sign owner or operator provides proof to the city that the state permit has been surrendered.
 - ii. If the applicant meets the permit requirements noted above, the city shall issue a dynamic display sign permit for the designated off-site sign. This permit will allow a dynamic display to occupy 100 percent of the potential copy and graphic area and to change no more frequently than once every 15 seconds. The designated sign must meet all other requirements of this article.
 - g. *Licensing.* No person shall operate any dynamic display sign in the city without first obtaining a yearly license as defined in the city licensing ordinance ([article II](#)).
 - h. *Public safety.* If city staff determines that a dynamic display sign is not being operated pursuant to this section due to its location or display capabilities, city staff may require that the sign be moved, removed, or modified after notice to the property owner.
- (2) *Zoning District Standards.* In addition to the general standards above, dynamic display signs shall adhere to the following district-specific requirements:
- a. *On-site dynamic display signs in conjunction with a permitted institutional or public use in the residential, LBC, CO, SC, and NC zoning districts are permitted subject to the following conditions:*
 - i. Dynamic display signs require approval of a comprehensive sign plan.
 - ii. All properties within 350 feet of a proposed dynamic display sign shall be notified of the application for a comprehensive sign plan.
 - iii. Dynamic display signs are only permitted on monument signs. The area around the base of the sign shall be landscaped.
 - iv. One dynamic display sign as part of a monument sign is permitted for each property. The entire monument sign shall not exceed eight feet in height and 50 square feet in size.

- v. The digital display portion of the sign shall not comprise more than 50 percent of the sign area. The remainder of the sign shall not have the capability to have a dynamic display.
 - vi. All monument signs with a digital display shall maintain at least a ten-foot setback from any lot line and shall not be placed in a public right-of-way. This setback shall be increased to 20 feet if the adjacent property is used or shown on the city's land use plan for residential use.
 - vii. The images and messages displayed shall be complete in themselves, without continuation in content to the next image or message or to any other sign.
 - viii. Only one, contiguous dynamic display area is allowed on a sign face.
 - ix. Audio speakers or any audio component is prohibited. The sign shall not emit any sound.
 - x. The dynamic display shall not be illuminated between 10:00 p.m. and 6:00 a.m.
 - xi. Dynamic displays must have an automatic dimmer control to produce a distinct illumination change from a higher illumination level to a lower level for the time period between a ½-hour before sunset and a ½-hour after sunrise.
- b. On-site dynamic display signs located in the business commercial (BC) or heavy or light industrial (M-2 and M-1) zoning districts:
- i. Are allowed as part of a permanent freestanding sign, provided that the sign comprises no more than 50 percent of the total square footage of said sign face.
 - ii. Must be located at least 200 feet from any property where there are structures used for residential purposes or from any park or open space land use district.
 - iii. Must be located at least 100 feet from any side property line.
 - iv. Displays shall be maintained for a minimum of 15 seconds.

(Ord. No. 896, § 13, 1-25-2010; Ord. No. 1023, § IV, 10-11-2021)

Sec. 44-740. Murals.

Murals shall require approval of a comprehensive mural plan following the requirements of Sec. 44-742 and shall meet the following standards:

- (1) Murals shall be maintained in good repair, free from peeling paint or damage to age, weather, or vandalism. Removal of a mural must be accomplished by physical removal from a wall and/or by covering the mural completely with paint. The mural must be rendered completely invisible while maintaining the structural and architectural integrity of the structure.
- (2) Murals shall be composed of permanent materials and applied only to permanent surfaces. Murals may not be applied to any fabric or temporary surface.
- (3) Murals shall be allowed only on building facades that face a side or rear property line.
- (4) Murals with the following features shall not be allowed:
 - a. Moving parts, including solar-, wind-, or water-driven devices.
 - b. Projections from the wall surface
 - c. Words (in any language), symbols, or representations that are obscene, offensive, of a political nature, or are derogatory.

- d. Representations that imitate or appear to imitate any official traffic sign or device to direct the movement of traffic.
- e. Colors that are predominantly fluorescent, metallic, or reflective.

Sec. 44-741. Sign permits.

If a sign requires a permit, the property owner shall secure the sign permit prior to the construction or major alteration of such a sign. No sign permit shall be issued for an existing or proposed sign unless such sign is in compliance with the requirements of this article.

- (1) *Application.* The application to erect or alter any sign shall be in writing, using a current sign permit application, and signed by the owner or occupant of the building. The application shall specify the location, height, dimensions of the sign and, where applicable, the dimensions of the wall surface of the building to which it is to be attached and total square footage of the building. Applications shall be accompanied by the permit fee, a sketch of the sign, and any other facts the city requires for full information of the nature and safety of the proposal. An electrical permit is also required for all signs containing electrical wiring.
- (2) *Fees.* The city council shall set all sign permit fees annually.
- (3) *Time limits.*
 - a. All permits for the erection or alteration of signs shall be issued for the useful life of the sign. Minor alterations to an existing sign, including routine maintenance, painting, or refacing the copy, do not require a new sign permit.
 - b. A sign permit shall become null and void if the work for which the permit was issued has not been completed within one year of the issuance or renewal.
- (4) *Appeals.* When a sign permit under this article is denied, the administrator shall give notice to the applicant within 30 days of denial, together with reasons for denial. Appeals from the decisions of the administrator under the provisions of this article shall be made to the city council. Denial shall be based on noncompliance with this article.

(Ord. No. 896, § 9, 1-25-2010)

Sec. 44-742. Comprehensive sign or mural plan.

- (1) A comprehensive sign or mural plan shall be provided for the following:
 - a. Any non-residential property with five or more tenants on the site or any multiple-story buildings with two or more tenants in the building.
 - b. All permitted institutional or public uses.
 - c. All developments approved as a planned unit development.
 - d. Large campuses consisting of buildings and land of ten or more acres.
 - e. Shared signs that serve both the parcel on which they are placed and an adjacent parcel.
 - f. Murals.
 - g. Dynamic display wall signs (also refer to [section 44-743](#) - dynamic display signs).
 - h. Long-term exemptions to temporary window and banner signs (also refer to [section 44-738](#) - signs exempt from regulations in this section).

- i. Temporary signs on park designated land in the Maplewood Comprehensive Plan (also refer to [section 44-742](#)).
- (2) A comprehensive sign or mural plan request shall include the location, size, height, color, lighting, and orientation of all signs and/or murals. Requests for a comprehensive mural plan shall also include a design sketch and photos of the proposed site. Exceptions to the regulations of this article may be permitted as follows:
 - a. For sign areas, densities, and dynamic display changeover rates for the plan as a whole if the signs are in conformity with the intent of this article
 - b. If the exception results in an improved relationship between the various parts of the plan,
 - c. If it encourages and promotes the removal of nonconforming signs through the use of shared signs,
 - d. If for long-term exemptions to temporary window and banner signs, the comprehensive sign plan shows that there are unusual circumstances with the request.
- (3) Comprehensive sign or mural plans shall be reviewed by the community design review board. The applicant, staff, and city council may appeal the community design review board's decision. An appeal shall be presented to the administrator within 15 days of the community design review board's decision to be considered by the city council.

(Ord. No. 896, § 2, 1-25-2010; Ord. No. 908, § 2, 8-9-2010; Ord. No. 1023, § I, 10-11-2021)

Sec. 44-743. Nonconforming signs.

- (1) *Nonconforming temporary signs.* Nonconforming temporary signs existing on the effective date of this article shall be brought into compliance or removed within 60 days from the effective date of this article.
- (2) *Nonconforming permanent signs.* Nonconforming permanent signs lawfully existing on the effective date of this article shall be allowed to continue in use, but shall not be rebuilt, relocated or altered, other than minor alterations including routine maintenance, painting, or refacing the sign copy, without being brought into compliance with this article. After a nonconforming sign has been removed, it shall not be replaced by another nonconforming sign.

(Ord. No. 896, § 5, 1-25-2010)

Sec. 44-744. Enforcement procedures.

- (1) *Temporary signs.* The city shall send a notice to the owner of any illegal temporary sign or temporary sign in violation of this article and allow seven days for the owner to correct all ordinance violations or remove the sign. If the sign is not a safety hazard, the city shall allow 30 days for the owner to correct the violation. If the sign is a safety hazard the city shall take immediate action to end the hazard.
- (2) *Permanent signs.* The city shall send a notice to the owner of any permanent sign in violation of the provisions of this article. The notice shall require that the owner to correct all ordinance violations. If the sign is not a safety hazard, the city shall allow 30 days for the owner to correct the violation. If the sign is a safety hazard the city shall take immediate action to end the hazard.
- (3) *Abandoned signs.* The city shall send notice to the owner of the property on which exists any abandoned sign in violation of the provisions of this article. The notice shall require that the owner correct all ordinance violations. If the sign is not a safety hazard, the city shall allow 30 days for the

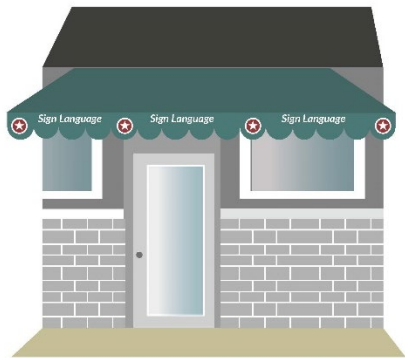
owner to correct the violation. If the sign is a safety hazard the city shall take immediate action to end the hazard.

- (4) *Removal of signs.* If the sign owner does not obey the city's orders, the city may remove or alter the sign at the owner's expense under the procedures of sections 18-36 through 18-38 (notice to abate). The city may remove illegal signs on a public right-of-way without notice. If the city removes a sign the city may sell or dispose of it if the owner does not reclaim the sign and pay any removal costs within 30 days of the sign's removal.
- (5) *Murals.* The city shall send a notice to the owner of any mural that is in violation with the provisions of this article. The article shall require the owner to correct all ordinance violations. The city shall allow 60 days for the owner to correct the violation. If the mural is failed to be removed and/or maintained, the city may cause the removal of the mural. The owner shall pay all expenses under the procedures of sections 18-36 through 18-38 incurred by the city for the removal.

(Ord. No. 896, § 6, 1-25-2010; Ord. No. 1000, § 2, 3-25-2019)

Secs. 44-745—44-1050. Reserved.

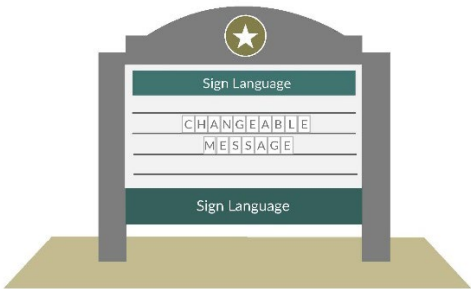
Illustrations of Sign Types



Awning/Canopy Sign



Banner Sign



Changeable Copy Message Board



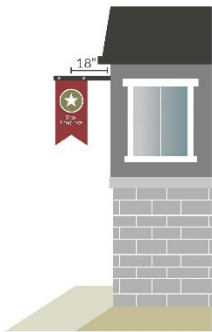
Dynamic Display Sign



Ground Banner Sign



Monument Sign



Projecting Sign



Pylon Signs



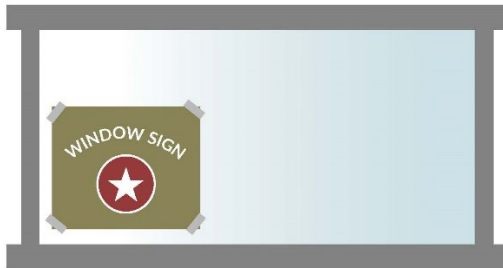
Pylon Signs



Property Identification Sign



Wall Sign



Window Sign

Standards being relocated to the use specific standards so that they are known earlier in the process:

- Gas station canopies. Gas stations are allowed one additional wall sign that may be attached to the façade of the building or the overhanging canopy above the pump island. The wall sign on the canopy shall not exceed 50 percent of the face of the canopy, or the maximum size specified above, whichever is less.
- Auto dealerships. Auto dealerships may have one freestanding sign, plus one freestanding sign for each car franchise. The maximum sign area and height for the freestanding signs shall be determined by the classification of the abutting roads, as specified above. More than one freestanding sign may be allowed per street frontage provided said signs are separated by more than 150 feet measured in a straight line between the signs.
- Drive-throughs. Drive-throughs may have a message board that does not exceed 64 square feet and six feet in height. A message board shall not be located as to impair the vision of the driver of a vehicle traveling into, out of, or through the drive-through isle.
- Minor motor vehicle stations. Minor motor vehicle stations with canopies are allowed to place signage on the canopy and the building; the area of the sign will contribute to the overall area allowance for wall and projecting signs described in part a. above, as long as they do not exceed the requirements above.