

ZONING OFFICE

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Trina Bergloff, Zoning Administrator/Solid Waste Officer
Holly Nelson, Deputy Zoning Administrator
Terry Lakin, Building Technician II/Interim Building Official
Dennis Ginter, Building Inspector
Darrick Wotachek, Water Planner/Wetland Specialist
Erica Wilson, Administrative Assistant/Permit Technician

Isanti County Planning Commission
Public Hearing
February 11, 2021
Isanti County Government Center

Members present: Teresa Jones, Lyle Reynolds, Bruce Mickelson, Dave Ringstad, Bruce Bloomgren, Terry Turnquist, Larry Fredlund, Shaun Fiedler

Other members present: Trina Bergloff, Zoning Administrator, Holly Nelson, Deputy Zoning Administrator, Tim Nelson, Chief Deputy County Attorney

Members not present: Dave Ringstad, Angela Kersting, Dennis Haubenschild

Bruce Mickelson called the meeting to order at 6:00 p.m.

A motion was made by Lyle Reynolds and seconded by Teresa Jones to approve the minutes from the January 14, 2021 meeting as presented.

1. To discuss amending the language in the Isanti County Zoning Ordinance, Section 22, Non-Conforming Uses to align with Minnesota State Statutes.

Trina Bergloff stated that we need to amend the Isanti County Zoning Ordinance to align with the Minnesota State Statutes regarding Non-Conforming Uses; She stated one of the issues out of alignment is amortization for building and land uses. Tim Nelson stated that the current Isanti County Zoning Ordinance has amortization language in the ordinance that was historically common. It can legally no longer be in the ordinance so that is why this ordinance needs to be updated. A letter was received from Sandra Yerigan regarding her concerns with the new language regarding non-conforming buildings or uses shall not be expanded or intensified. Trina Bergloff stated that the Zoning Office has never enforced the amortization language in the current ordinance. Trina Bergloff read the proposed new language. Strikethrough language to be removed, bold italic language to be added.

The proposed amendments to the ordinance are as follows:

SECTION 3. Jurisdiction, Scope and Interpretation

Subdivision 2. Scope

From and after the effective date of this Ordinance, the use of all land and every building, or portion of a building erected, altered in respect to height and area, added to or relocated, and every use within a building or use accessory thereto in Isanti County shall be in conformity with the provisions of this Ordinance. Any existing building or structure and any existing use of properties

not in conformity with the regulations herein prescribed shall be regarded as non-conforming, but may be continued, ~~extended~~ or changed, subject to the special regulations herein provided with respect to non-conforming properties or uses.

SECTION 4. Rules and Definitions

Subdivision 2. Definitions

Non-Conforming Use. Means any legal use, structure or parcel of land already in existence, ***recorded, or authorized*** before the adoption of official controls or amendments thereto that would not have been permitted to become established under the terms of the official controls as now written, if the official controls had been in effect prior to the date it was established, ***recorded or authorized.***

SECTION 12. Rum River Scenic District (SR)

Subdivision 12. Non-Conforming Uses, Substandard Uses

1. ~~Non conforming Uses. Uses which are prohibited by this Ordinance, but which are in existence prior to the effective date of this Ordinance shall be non-conforming uses.~~

2. ~~Substandard Uses: All uses in existence prior to the effective date of enactment or amendment of this Ordinance which are permitted uses within the newly established land use district, but do not meet the minimum lot area, setbacks or other dimensional requirements of this Ordinance are substandard uses. All substandard uses, except for substandard signs, shall be allowed to continue. Substandard signs shall be gradually eliminated over a period of time not to exceed five (5) years from the date of enactment of this Ordinance.~~

SECTION 22. Non-Conforming Uses

Subdivision 1. ~~Purpose~~ General Rule

~~All legally established non-conformities as of the date of this Ordinance may continue, but they will be managed according to applicable state statutes and other regulations of this community for the subjects of alterations and additions, repair after damage, discontinuance of use, and intensification of use.~~

Except as otherwise provided below, any nonconformity, including the lawful use or occupation of land or premises at the time of the adoption of an official control, may be continued, despite the use or occupation not conforming to the official control. Those nonconformities, however, shall be subject to any applicable state statutes, local ordinances, and other regulations, including statutes, ordinances and regulations that address alterations or additions, repair after damage, discontinuance of use, and intensification or expansion of use.

Subdivision 2. Non-Conforming Buildings and Uses

1. This paragraph applies to homestead and non-homestead residential real estate and seasonal residential real estate occupied for recreational purposes. Except as otherwise provided by law, a non-conformity, including the lawful use or occupation of land or premises existing at the time of the adoption of an official control under this chapter, may be continued, including through repair, replacement, restoration, maintenance, or improvement, but not including expansion. If the nonconformity or occupancy is discontinued for a period of more than one year, or any nonconforming building or structure is destroyed by fire or other peril to

the extent of greater than 50 percent of its estimated market value, as indicated in the records of the county assessor at the time of damage, and no building permit has been applied for within 180 days of when the property is damaged, any subsequent use or occupancy of the land or premises must be a conforming use or occupancy. If a nonconforming building or structure is destroyed by fire or other peril to the extent of greater than 50 percent of its estimated market value, as indicated in the records of the county assessor at the time of damage, the board may impose reasonable conditions upon a zoning or building permit in order to mitigate any newly created impact on adjacent property or water body. When a nonconforming structure in the shoreland district with less than 50 percent of the required setback from the water is destroyed by fire or other peril to greater than 50 percent of its estimated market value, as indicated in the records of the county assessor at the time of damage, the structure setback may be increased if practicable and reasonable conditions are placed upon a zoning or building permit to mitigate created impacts on the adjacent property or water body.

~~2. The lawful use of buildings or land prior to February 10, 1982, which does not conform to the provisions of this Ordinance shall be discontinued within a reasonable period of amortization of the buildings; uses of buildings and land which become non-conforming by reason of change in this Ordinance shall also be discontinued within a reasonable period of amortization of the building. A reasonable period of amortization shall be construed to begin after the date of adoption of this ordinance and shall be considered to be forty (40) years for buildings of ordinary wood construction, fifty (50) years for buildings of wood and masonry construction, and sixty (60) years for buildings of fire proof construction.~~

3. No dwelling existing on the effective date of this ordinance shall be deemed a non-conforming use by reason of its location on a lot which does not meet the requirements of this Ordinance with respect to lot size, dimensions, or setbacks.

4. Buildings found to be non-conforming only by reason of height, yard or area requirements shall be exempt from the provisions of Paragraph 1 of this Subdivision.

5. Any parcel that is rendered non-conforming as a result of a taking for a public purpose shall be treated as a conforming parcel under this ordinance provided that it continues to contain at least sixty (60) percent of the required land area, width and buildable area.

Subdivision 3. Non-Conforming Signs

~~1. Signs existing on the effective date of this Ordinance which do not conform to the regulations set forth in this Ordinance shall become a non-conforming use and shall be discontinued within one (1) year following the adoption of this Ordinance.~~

~~2. Business signs on the premises of a non-conforming building or use may be continued, but such signs shall not be increased in number, area, height, or illumination. New signs not to exceed thirty five (35) square feet in aggregate sign area may be erected only upon the complete removal of all other signs existing at the time of the adoption of this Ordinance. Such signs may be illuminated, but no flashing, rotation or moving signs shall be permitted.~~

~~3. No sign erected before the passage of this Ordinance shall be rebuilt, altered or moved to a new location without being brought into compliance with the requirements of this Ordinance.~~

Subdivision 4. Non-Conforming Automobile Salvage or Storage Yards

~~No automobile salvage or storage yard(s) may continue as a non-conforming use one (1) year following the adoption of this ordinance, except that an automobile salvage or storage yard may continue as a non-conforming use in a Business District or Industrial District, if within that period, it is completely enclosed within a building, fence, screen planting or other device of such height as to screen completely the operations of the yard. Plans of such a building or device shall be approved by the County Planning Commission and the Board of County Commissioners before it is erected or put into place.~~

Subdivision 5. Non-Conforming Sewage Treatment Systems

1. A “non-conforming sewage treatment system” means those septic systems or privies that do not provide for adequate treatment of sewage or meet specific requirements. They include:
 - a. Cesspools.
 - b. Leaching pits.
 - c. drywells.
 - d. Seepage pits.
 - e. Systems with less than three feet of unsaturated soil or sand between the bottom of the drainfield or mound rock bed and the limiting soil characteristic, which includes a seasonal high water table as evidenced by the presence of ground water, mottled soil, or bedrock.
 - f. Systems discharging sewage to:
 - i. the surface (including tile lines),
 - ii. active or unused wells,
 - iii. bodies of surface waters, or
 - iv. any rock or soil formations that are not conducive to purification of water by filtration;
 - g. Systems that do not meet well setback requirements.
 - h. Systems where any part of the system is under a building.
 - i. Privies with less than three feet of separation from the bottom of an open pit to the limiting soil characteristics described in “e” above.
 - j. Privies with sealed containers that do not meet the capacity and construction requirements of Minnesota Chapter 7080.2280, or as amended.
 - k. Septic systems where the septic tank does not meet the minimum setback of 10' from an occupied dwelling with a basement.
 - l. Lack of a septic system if running water is available to the property.
2. A sewage treatment system not meeting the requirements of the Minnesota Regulations, Chapter 7080, 7081 and 7082, or as amended, or the requirements of this Ordinance, whichever is most restrictive, must be upgraded, at a minimum, at any time a permit or variance of any type is required for any improvement on, or use of, the property. For the purposes of this provision, a sewage treatment system shall not be considered non-conforming if the only deficiency is the sewage treatment systems improper setback from the ordinary high water level.
3. The governing body of Isanti County has by formal resolution notified the Commissioner of its program to identify non-conforming sewage treatment systems. On all lakes and streams, ~~the County~~ or a licensed MPCA Designer/*Inspector* will inspect all septic systems at the point of sale and when a property owner applies for a building permit in accordance with Section 14, Subdivision 3. Isanti County will require upgrading or replacement of any non-conforming system identified by this program within a reasonable period of time which will not exceed 10 months. Isanti County will target shoreland areas when and if additional funds are made available for such a program. ~~Sewage systems installed according to all applicable local shoreland management standards adopted under Minnesota Statutes, Section 105.485 in effect at the time of installation may be considered as conforming unless they are determined to be failing as per the Minnesota~~

~~Pollution Control Agencies Chapter 7080, 7081 and 7082 for design of on-site sewage treatment systems and then shall be considered non-conforming.~~

Subdivision 6. Discontinuance, *Expansion and Intensification*

~~1. In the event that a non-conforming use of any building or premises is discontinued or its normal operation stopped for a period of one (1) year, the use of the same shall thereafter conform to the regulations of the district in which it is located.~~

If a nonconformity or occupancy is discontinued for a period of more than one year, or if any nonconforming building or structure is destroyed by fire or other peril to the extent of 50 percent of its estimated market value, any subsequent use or occupancy of the land or premises shall conform to all current statutes, ordinances, or regulations.

~~2. In the event that the use of a non-conforming advertising sign structure is discontinued or its normal operation stopped for a period of six (6) months, said structure shall be removed by the owner or leaser at the request of the Board of County Commissioners.~~

Non – conforming buildings or uses shall not be expanded or intensified.

Subdivision 7. Alterations

The lawful use of a building existing at the time of the adoption of this Ordinance may be continued although such use does not conform with the provisions hereof. If no structural alterations are made, a non-conforming use of a building may be changed to another non-conforming use of the same or more restrictive classification. The foregoing provisions shall also apply to non-conforming use of a building that has been changed to a more restricted use or to a conforming use; such use shall not thereafter be changed into a less restricted use.

Subdivision 8. Residential Alterations

Alterations may be made to a residential building containing non-conforming residential units when they will improve the livability of such units, provided, however, that they do not increase the number of dwelling units in the building.

Subdivision 9. Restoration

1. No building which has been damaged by fire, explosion, act of God or the public enemy to the extent of more than fifty (50) percent of its value shall be restored except in conformity with the regulations of this Ordinance. Single family dwellings which are non-conforming by reason of height, yard, or area requirements shall be exempt from the provisions of this Subdivision and may be restored to their original condition; except that any building located in the Flood Plain (FP) District which has been damaged by fire, explosion, act of God or the public enemy to the extent of more than fifty (50) percent of its value shall be restored in conformity with the regulations of this Ordinance.

2. Any building that has been damaged to the extent of more than fifty (50) percent of its value or has been deemed to be unsafe, based upon the adopted Minnesota State Building Code, must be removed within six (6) months of sustaining the damage or from the date of official notification.

Subdivision 10. Normal Maintenance

Maintenance of a building or other structure containing or used by a non-conforming use will be permitted when it includes necessary, non-structural repairs and incidental alterations which do not extend or intensify the non-conforming building or use. Nothing in this Ordinance shall prevent the placing of a structure in safe condition when said structure is declared unsafe by the County Zoning Administrator.

Subdivision 11. Exceptions

1. Construction on Non-conforming Lots of Record in the (RS) Rural Service Center District, B – Business District, (I) Industry District, (S) Shoreland District and (SR) Rum River Scenic District.
 - a. Lots of record in the County Recorder’s Office which are substandard in size or dimension requirements may be allowed as building sites, provided: such use is permitted in the zoning district; the lot (if created before February 10, 1982) has been in separate ownership from abutting lands at all times since it became substandard; sewage treatment, flood plain management regulations, and setback requirements of this ordinance are met; except in the shoreland district lots may be allowed if they conform to subdivision 10 (b).
2. Construction on Non-Conforming Lots of Record in the (A/R) Agriculture/Residential District.
 - a. Lots of record in the County Recorder’s Office which are substandard in size or dimension requirements may be allowed as building sites, provided: such use is permitted in the zoning district; the lot was created before February 10, 1982; the building lot area is greater than seventy-five percent (75%) of the minimum lot area required and sewage treatment, flood plain management regulations, and setback requirements of this Ordinance are met.

Teresa Jones stated that the strikethrough language makes sense since the Zoning Office has never enforced and the current ordinance is not aligned with the State Statutes. Debra Yerigan, Messler, Kramer Law Firm was present representing Springvale Campground. Debra Yerigan stated that they are in agreement with the strikeout language but does have concerns regarding Subdivision 6, Discontinuance, #2 stating ***non-conforming buildings or uses shall not be expanded or intensified***. She stated the State of Minnesota regulates campgrounds. Ms. Yerigan would like clarification of what expands means. The campground has been in existence since 1977. This language is unclear and what effects it will have on Springvale Township. She does not think that language is appropriate and impacts the small businesses in the county. Sandra Yerigan stated that she has 110 acres and has concerns that the new language may restrict her so she could not replace or expand her septic system. Debra Yerigan stated the state statute is not the same wording as what is proposed in the new Isanti County Zoning Ordinance. Shaun Fiedler stated that he has concerns with the new language. There are a lot of non-conforming businesses in the county and this limits businesses that are grandfathered in. Tim Nelson stated that the new language makes it more clear and not uncommon language for ordinances. The concept is not new but it does clear up the language. Shaun Fielder stated that he would like to take out the language of Subdivision 6, #2 stating non-conforming buildings or uses shall not be expanded or intensified. Tim Nelson stated that taking that language out leaves the county at

risk for litigation. Bruce Mickelson stated that we need to be aware of the legal advice the planning commission members are receiving from legal counsel. Larry Fredlund questioned if the ordinance can be referenced to a state statute. **A motion was made by Lyle Reynolds and seconded by Teresa Jones to recommend approval to amend the Isanti County Zoning Ordinance, as it relates to Non-Conforming Uses to better align with Minnesota State Statutes with the County Board reviewing the State Statute vs the proposed language difference in reference to Subdivision 6, #2. *Non-conforming buildings or uses shall not be expanded or intensified.*** Motion carried unanimously.

2. To discuss amending the language in the Isanti County Zoning Ordinance, as it relates to sign regulations.

Tim Nelson stated that we need to amend the Isanti County Zoning Ordinance, as it relates to sign regulations. There was a Supreme Court case that shifted the rules so that is why we need to review this ordinance. This case clarified that it is unconstitutional for local governments to create different equations based on sign content without showing that a compelling government interest necessitates the regulation and that the regulation is narrowly tailored. Strikethrough language to be removed, bold italic language to be added along with highlighted area. The proposed amendments to the ordinance are as follows:

SECTION 4. Rules and Definitions

Subdivision 2. Definitions

Automobile Storage Yard. An area where up to twenty-five (25) motor vehicles are stored for personal use of the owner who also resides on the premises. Storage areas do not have parts for sale to the public or include any incidental or occasional transactions in scrap metal; vehicles are in substantially operational condition. ~~and the owner does not engage in advertising through signs or the media to attract the public to the storage area for the purpose of conducting business.~~

Sign. A name, identification, description, display, illustration or device which is ***not*** affixed to or represented directly or indirectly upon a building, structure or land in view of the general public. ~~and which directs attention to a product, place, activity, person, institution or business.~~

Sign, Billboard. A sign which directs attention to a business, commodity, service, activity, or entertainment not necessarily conducted, sold or offered upon the premises where such sign is located.

~~Sign, Business. A sign which directs attention to a business or profession or to a commodity, service or entertainment sold or offered upon the premises where such sign is located.~~

SECTION 6. A/R Agriculture/Residential District

Subdivision 2. Permitted Uses

24. No more than one (1) free standing or pylon sign of not more than thirty – five (35) square feet in surface area. ~~in association with a home occupation or permitted business on the property.~~

Subdivision 4. Interim Uses

5. No more than one (1) free standing or pylon sign per parcel of not more than thirty – five (35) square feet ~~for off-premise advertising of permitted or approved uses in the County.~~ Signs located at the public road intersections shall be set back a distance of 50' each way from the corner of the road right of ways to create an obstruction free sign triangle at the intersection.

15. Automobile or vehicular repair shops in accordance with the standards specified below:

a. Any repair shop activities shall be conducted within a building or be totally screened by means of berms, fencing, or landscaping so the activity shall not be visible from public roads nor from dwellings that are located on adjacent lots. Screening shall be completed within ninety (90) days from receipt of such notice from the Zoning Administrator.

b. The owner/operator shall also be required to maintain his/her homestead residence on the parcel and shall be restricted from converting the dwelling to a rental property.

c. The Interim Use Permit application must be accompanied by the following information:

i. Site plan which includes the location of buildings and all applicable linear dimensions;

ii. Screening plans;

iii. Signage plan showing the location and size of on-site signs and which conforms to standards contained in the district;

iv. A hazardous waste plan which conforms to MPCA guidelines and addresses the handling and storage of any or all of the following:

- 1) Motor oil and/or fuel;
- 2) CFCs (chlorofluoro carbons);
- 3) Auto or other motorized vehicle batteries;
- 4) Antifreeze; and
- 5) Any other substance as requested by the Zoning Administrator, County Planning Commission or County Board.

v. Provide a copy of their EPA ID Number Notification and a copy of their Hazardous Waste License.

a. The Interim Use Permit for such a business terminates with a change in ownership. The new owner must re-apply for an Interim Use Permit addressing all of the requirements

listed above.

SECTION 7. RS Rural Service Center District

Subdivision 2. Permitted Uses

5. No more than one (1) free standing or pylon sign of not more than thirty – five (35) square feet in surface area.
 - a. The total surface area of all ~~business~~ signs on a lot shall not exceed the sum of three (3) square feet per lineal foot of lot frontage or twenty percent (20%) of the front building face area or three hundred (300) square feet in area, whichever is less.
 - b. No ~~business~~ sign shall project above the permitted building height.

Subdivision 4. Interim Uses

2. No more than one (1) free standing or pylon sign per parcel of not more than thirty – five (35) square feet for off premise advertising of permitted or approved uses in the County. Sign located at the public road intersections shall be set back a distance of 50' each way from the corner of the road right of ways to create an obstruction free sight triangle at the intersection.

SECTION 9. B – Business District

Subdivision 3. Conditional Uses

8. Billboards, as regulated by off premise sign standards in the General Regulations.

Subdivision 7. Signage Regulations

1. No more than one (1) free standing or pylon sign of not more than thirty – five (35) square feet in surface area.
2. The total surface area of all ~~business~~ signs on a lot shall not exceed the sum of three (3) square feet per lineal foot of lot frontage or twenty percent (20%) of the front building face area or three hundred (300) square feet in area, whichever is less.
3. The total surface area of all ~~business~~ signs on a lot shall not exceed the sum of three (3) square feet per lineal foot of lot frontage or twenty percent (20%) of the front building face area or three hundred (300) square feet in area, whichever is less.
4. No ~~business~~ sign shall project above the permitted building height.

SECTION 10. I Industry District

Subdivision 2. Permitted Uses

20. Off-premise signs and billboards as regulated in Subdivision 6 of this Section or as regulated in Section 14, Subdivision 1.

Subdivision 6. Signage Regulations:

1. No more than one (1) free standing or pylon sign of not more than thirty-five (35) square feet in surface area.
2. The total surface area of all business signs on a lot shall not exceed the sum of three (3) square feet per lineal foot of lot frontage or twenty percent (20%) of the front building face area or three hundred (300) square feet in area, whichever is less.
3. No business sign shall project above the permitted building height.

5. For regulations of off-premise advertising or billboard signs, see Section 14, Subdivision

SECTION 11. S SHORELAND DISTRICT

Subdivision 2. Subdistricts

General Use District (G)

3. Conditional Uses (See Section 18, Subdivision 7 & 8)
- k. Signs
 1. No more than one (1) free standing or pylon sign of not more than thirty-five (35) square feet in surface area.
 2. The total surface area of all business signs on a lot shall not exceed the sum of three (3) square feet per lineal foot of lot frontage or twenty percent (20%) of the front building face area or three hundred (300) square feet in area, whichever is less.
 3. No business sign shall project above the permitted building height.

Subdivision 10. Special Provisions for Commercial, Industrial, Public/Semi-public, Agricultural, Forestry and Extractive Uses and Mining of Metallic Minerals and Peat

1. Standards for Commercial, Industrial, Public and Semi-public Uses.
 - a. Surface water oriented commercial uses and industrial, public, or semi-public uses with similar needs to have access to and use of public waters may be located on parcels or lots with frontage on public waters. Those uses with water oriented needs must meet the following standards.
 - i. In addition to meeting impervious coverage limits, setbacks, and other zoning standards in this ordinance, the uses must be designed to incorporate topographic and vegetative screening of parking areas and structures.

- ii. Uses that require short-term watercraft mooring for patrons must centralize these facilities and design them to avoid obstructions of navigation and to be the minimum size necessary to meet the need.
- iii. Uses that depend on patrons arriving by watercraft may use signs and lighting to convey needed information to the public, subject to the following general standards.
 - 1) No advertising signs or supporting facilities for signs may be placed in or upon public waters. Signs conveying information or safety messages may be placed in or on public waters by a public authority or under a permit issued by the county sheriff.
 - 2) ~~Signs may be placed, when necessary, within the shore impact zone if they are designed and sized to be the minimum necessary to convey needed information. They must only convey the location and name of the establishment and the general types of goods or services available. The sign must not contain other detailed information such as product brands and prices,~~ must not be located higher than ten (10) feet above the ground, and must not exceed 32 square feet in size. If illuminated by artificial lights, the lights must be shielded or directed to prevent illumination out across public waters.

SECTION 14. General Regulations

Subdivision 1. Sign Regulations

All signs hereafter erected or maintained, except official, public, traffic and street signs, shall conform with the provisions of this Subdivision and any other ordinances or regulations of the County.

1. General Provisions: The following regulations shall apply to all signs hereinafter permitted in all Districts:
 - a. Signs shall not be permitted within the public right-of-way or easements except governmental signs or utility warning signs.
 - b. Flashing or rotating signs resembling emergency vehicles shall not be permitted in any district.
 - c. Signs painted on a building shall be governed by the square footage limitations specified in the appropriate zoning districts. These shall be repainted when required to be kept in good condition, and shall be repainted, removed or painted out when, in the opinion of the Board of County Commissioners, they are not so maintained.
 - d. No sign shall be placed that resembles an official marker erected by a governmental agency or shall display such words as “stop” or “danger”.
 - e. No sign shall be permitted to obstruct any windows, door, fire escape, stairway or opening intended to provide light, air, ingress or egress for any building or structure.
 - f. The owner, lessee or manager of any ground sign and the owner of the land on which the

same is located shall keep grass or weeds and other growth cut and debris and rubbish cleaned up and removed from the lot on which a sign is located.

- g. All signs and sign structures shall be properly maintained and kept in a safe, orderly condition. In addition, all parts and supports shall be properly painted. Any sign or sign structure which is rotted, unsafe, deteriorated, defaced, or otherwise altered, shall be repainted, repaired, replaced, or removed by the owner or lessee of the property upon which the sign stands upon notice of the Board of County Commissioners.
- h. Where a sign is illuminated, the source of light shall not shine upon any part of a residence.
- i. Laws established in Chapter 173 of the Minnesota Statutes, 1994, or as amended, regarding advertising devices along State Trunk highways further regulate the size and location of signs. The Minnesota standards do not replace, but are in addition to these regulations.

~~2. Permitted Signs:~~

- ~~a. Agricultural crop demonstration information signs.~~
- ~~b. A name plate sign identifying the owner or occupant of a dwelling unit, provided surface area does not exceed two (2) square feet. Such sign may be illuminated.~~
- ~~c. A sign pertaining to the lease or sale of a building or property; provided such sign shall not exceed twelve (12) square feet in surface area and shall not be illuminated.~~
- ~~d. Temporary signs advertising a new subdivision development; each subdivision or development shall be allowed the following signs:
 - ~~i. One (1) sign located in the development not to exceed ninety six (96) square feet in surface area, nor more than fifteen (15) feet in height.~~
 - ~~ii. Directional signs not to exceed four (4) square feet in surface area, provided that each subdivision shall be limited to one (1) such sign per major thoroughfare approach to the subdivision or development. No such sign shall be allowed on minor residential streets.~~~~
- ~~e. A temporary non illuminated sign identifying an engineer, architect, contractor, or product engaged in or used in the construction of a building, provided such sign shall not exceed ninety six (96) square feet each surface area and is more than fifteen (15) feet in height.~~
- ~~f. One (1) identification sign, not to exceed thirty five (35) square feet in area, for the following uses: church, school, hospital, parks and recreation areas, established subdivisions for which a final plat has been recorded, or similar uses. Such signs shall be solely for the purpose of displaying the name of the use and its activities and services. It may be illuminated, but not flashing.~~
- ~~g. Special event signs such as garage sales, sporting events, graduation celebrations or receptions, provided the signs are temporary in nature and shall be removed within 48 hours following said event.~~
- ~~h. Campaign signs announcing the candidate seeking political office, advertising political~~

~~issues or the data pertinent thereto providing said sign shall be removed within (10) days following the election for which they were intended.~~

- ~~i. Real estate signs announcing the owner, manager, Realtor or other person directly involved in the sale or rental of the property.~~
- ~~j. A sign for the on premise sale of agricultural products not to exceed thirty five (35) square feet in area.~~
3. Billboard signage (off premise) and free standing on-premise ~~business~~ signs are allowed through the issuance of a conditional use permit and a sign permit and shall be subject to the following conditions:
 - a. Billboards are only allowed to be placed within the B – Business District and the I General Industry District.
 - b. ~~Advertising~~ Sign structures shall be limited to not more than one (1) for a lot of one hundred (100) foot frontage or less and to only one (1) per each additional one hundred (100) feet of lot frontage.
 - c. Such ~~advertising~~ structure may not contain more than two (2) signs per facing and each total of no more than four (4) signs per structure.
 - d. ~~Advertising~~ Structures shall be limited to not more than fifty (50) feet in total length.
 - e. ~~Advertising~~ Structures shall not exceed forty – five (45) feet in height above the average grade.
 - f. No ~~advertising~~ sign shall be erected within fifty (50) feet of any adjoining Residential District.
 - g. No ~~advertising~~ sign shall be permitted within ten (10) feet of any road or highway right-of-way.
4. Permit Fees:
 - a. From and after the effective date of this Ordinance, the owner or other person having control of any sign, except those signs authorized as permitted signs in #2 above, shall file an application for a permit. Application for such permits shall be accompanied by detailed plans and such other necessary information to determine the location and compliance with all application regulations, and a permit may be issued upon payment of the required permit fee.
 - b. The permit and inspection fee for signs, when required, shall be established by resolution of the Board of County Commissioners.

Trina Bergloff stated that this proposed amendment is still a work in progress. One of the issues that Tim Nelson and myself need to address is striking out Section 14, General Regulations #2 permitted signs which addresses all different types of signs; by removing this it brings up other issues such as small signs such as garage sale signs, support teachers sign, police officers sign, etc. Those signs would no longer be in compliance. Trina Bergloff stated that she and Tim Nelson will continue working on this ordinance to make sure it becomes constitutional.

A motion was made by Shaun Fiedler and seconded by Bruce Bloomgren to adjourn the meeting at 8:15 p.m. Motion carried unanimously.

Trina Bergloff
Zoning Administrator

TB:hn