

City Council Joint Committee

Minn. Stat. § 13D.021 – Meeting by Telephone or Other Electronic Means; Conditions - Minn. Stat. § 13D.021 provides that a meeting of a public body may be conducted via telephone or other electronic means if meeting in a public location is not practical or prudent because of a health pandemic or declared emergency.

THE FARIBAULT CITY COUNCIL – JOINT COMMITTEE HAS RESUMED MEETING IN PERSON.

ATTENDEES WILL BE REQUIRED TO PRACTICE SOCIAL DISTANCING AND WEAR FACE COVERINGS (MASKS) WHILE AT CITY HALL IN ACCORDANCE WITH THE REQUIREMENTS OF EMERGENCY EXECUTIVE ORDER 20-81 ISSUED BY GOVERNOR WALZ ON JULY 22, 2020.

A ZOOM MEETING WILL ALSO BE AVAILABLE: CALL IN NUMBER: 1 312 626 6799; MEETING ID: 849 7925 8438

1. Call To Order

Documents:

[1. 2020-09-01 JOINT AGENDA.PDF](#)

2. Downtown Sign Ordinance Discussion

Documents:

[2. DOWNTOWN SIGN ORDINANCE DISCUSSION.PDF](#)

3. Future Discussion

4. Adjourn

Please contact the City Administrator's Office if you need special accommodations while attending this meeting



Minn. Stat. § 13D.021 – Meeting by Telephone or Other Electronic Means; Conditions
- Minn. Stat. § 13D.021 provides that a meeting of a public body may be conducted via telephone or other electronic means if meeting in a public location is not practical or prudent because of a health pandemic or declared emergency.

City Council Joint Committee
Tuesday, September 1, 2020 at 6:00pm
City Hall – Council Chambers

AGENDA

THE FARIBAULT CITY COUNCIL – JOINT COMMITTEE HAS RESUMED MEETING IN PERSON.
ATTENDEES WILL BE REQUIRED TO PRACTICE SOCIAL DISTANCING AND WEAR FACE COVERINGS (MASKS) WHILE AT CITY HALL IN ACCORDANCE WITH THE REQUIREMENTS OF EMERGENCY EXECUTIVE ORDER 20-81 ISSUED BY GOVERNOR WALZ ON JULY 22, 2020.

A ZOOM MEETING WILL ALSO BE AVAILABLE:
CALL IN NUMBER: 1 312 626 6799; MEETING ID: 850 7348 9669

1. Call to Order
2. Joint Discussion with the Heritage Preservation Commission
3. Budget Work Session #5
 - 2021 Tax Levies
 - 2021 Tax Rates
 - 2021 Tax Impact
4. Future Discussion
5. Adjourn
(The Council may meet as a group for dinner)

Please contact the City Administrator's Office if you need special accommodations while attending this meeting



Council Committee Memorandum

TO: Joint Council Committee
THROUGH: Tim Murray, City Administrator
Deanna Kuennen, Com and Econ Dev Director
FROM: Peter Waldock, Planning Coordinator
Dave Wanberg, City Planner
MEETING DATE: September 8, 2020
SUBJECT: Downtown Sign Ordinance Discussion

Discussion:

Discussions regarding revisions to the Downtown Signs Ordinance in the Unified Development Ordinance (UDO) have recently taken place with both the Heritage Preservation Commission (HPC) and Planning Commission. The discussions centered on the requirement for raised or recessed letters and a raised border on signs in the Downtown Sign District – and whether or not there are alternative ways to accomplish the intent of the ordinance.

A public hearing was properly noticed and conducted with Planning Commission to consider text revisions that would allow an alternative to the raised or recessed requirement. The Planning Commission continued the public hearing to garner input from the HPC who reviews signage in the historic district and issues a Certificate of Appropriateness. The HPC offered a suggested text revision for consideration that would provide for either a raised or recessed border or raised or recessed lettering (currently raised or recessed lettering and a raised border are required). At the August 31, 2020 Planning Commission meeting the Planning Commission was split on the two versions of the text revisions and was unable to provide a clear recommendation to bring to City Council for consideration.

Based on the discussion and input from both the HPC and Planning Commission, and upon further internal Staff review of processes associated with signs in the downtown, Staff is seeking direction from City Council on three distinct, but inter-related code considerations pertaining to downtown signage: Downtown Sign District Boundaries; Design Standards for Wall Signs Downtown; and the Sign (and Sign Variance) Approval Process. Based on the Council's direction, Staff will prepare the proper ordinance revisions to bring forward for Council consideration at a future meeting.

Staff is seeking direction from the City Council on the following items:

1. Downtown Sign District Boundaries

The Downtown Sign District boundaries do not follow the Heritage Preservation District boundaries. This means that some of the sign requests in the downtown require a Certificate of Appropriateness and some do not (the downtown sign district boundaries are larger than the historic district). This seems to add confusion to already complex sign requirements. Staff is seeking Council direction regarding the downtown sign district boundaries and whether or not the City Council would support reducing the Downtown Sign District boundaries to match the Heritage Preservation District boundaries. Please see attached map.

2. Design Standards for Wall Signs Downtown

Currently the ordinance requires wall signs to have "raised or recessed letters and a raised border." The rationale for this requirement seems to have been intended to avoid homemade signs, and historic photos often showed these types of elements on signs in downtown Faribault. However, an argument has been made that the raised/recessed letters and raised border are not necessary and that flat painted signs can achieve the same effect.

Based on the argument for painted signs, Staff proposed a text amendment that provided an exception to the current ordinance requirement for raised or recessed letters and raised borders as follows:

(a) Professionally Painted Signs without raised borders and raised or recessed lettering that are designed to complement the building architecture and that use a painted border and painted lettering and the sign is cut out in the shape of the business logo, or lettering and the sign is raised to create separation from the building wall by no less than one inch but not to exceed six inches to set the sign apart from the building surface or hanging space.

(b) Signs comprised of individually cut out letters and cut out logos set apart from the building surface shall not be required to have a border around the outer extent of the sign area.

The Planning Commission requested input from the HPC, and the HPC offered the following text amendment language as the exception to the requirement for raised or recessed lettering and raised borders:

(a) Professionally Painted Signs ~~without~~ either raised or recessed borders ~~and~~ or raised or recessed lettering that are designed to complement the building architecture and that use a painted border

and painted lettering and the sign is cut out in the shape of the business logo, or lettering and the sign is raised to create separation from the building wall by no less than one inch but not to exceed six inches to set the sign apart from the building surface or hanging space.

(b) Signs comprised of individually cut out letters and cut out logos set apart from the building surface shall not be required to have a border around the outer extent of the sign area.

Council direction is requested regarding keeping current language that requires raised borders and raised/recessed letters, or modifying the ordinance to provide more flexibility.

3. Approval Process/Variance Process for Signs in the Downtown

The current approval process for signs in the portion of the downtown sign district that are also in the historic district require a review by the HPC and a Certificate of Appropriateness before a sign permit is issued.

- Staff reviews the application for compliance with sign ordinance requirements and limitations.
- If the sign application meets the ordinance, the application is forwarded to the HPC to review the sign based on the design guidelines and issue a Certificate of Appropriateness.
- If the sign application does not meet the ordinance but does meet the design guidelines, staff will advise the applicant on how to revise their application to meet the ordinance and district design guidelines.
- At this point the applicant could redesign their sign to meet the ordinance (and design guidelines) and apply for a Certificate of Appropriateness and sign permit for the revised sign plan.
- The ordinance does not set forth a clear process for review of sign permits in the Historic District that do not meet the ordinance and for the rare cases in which a variance is required or requested.

Some of the options for clarifying the sign review and approval process are summarized below.

Option 1: Clarify HPC process for review of sign applications and the HPC role in sign permit review:

Provide a policy statement or draft an amendment to the UDO to set forth a review process for signs and variances within the Historic District. The HPC roll in sign permit review would be clarified that it is limited only to a review of sign applications in the context of the Heritage Preservation District Design Guidelines and not in regard to code compliance. Staff reviews for code compliance and could approve once the HPC approves the Certification of Appropriateness,

if no variance was needed. If a variance is needed the HPC could provide a conditional approval of the Certificate of Appropriateness subject to an approved variance application through the normal process for variances in the City. The HPC comments from the conditional approval or denial of the Certificate of Appropriateness would be forwarded to the Planning Commission as part of the standard public hearing process.

Option 2: Planning Commission sign review:

In this approach, Staff would review the sign application – if the sign did not meet the entire sign ordinance, a permit would not be issued. The applicant could modify the sign to meet the ordinance or apply for a variance. If they applied for a variance, the variance process would be followed which involves a public hearing at the Planning Commission (properly noticed) and a Planning Commission recommendation for approval/denial to the City Council. The HPC would not be asked to provide a Certificate of Appropriateness but could provide comments for the public hearing regarding the Design Guidelines and Historic Context. The Certificate of Appropriateness would be granted or denied with variance process at the City Council level.

Option 3: HPC conduct sign review and approve sign variances in the HPD:

In this approach, Staff would explore an ordinance amendment to authorize the HPC to grant variances from the Downtown Sign District requirements based on the required findings listed in the ordinance. This would keep all sign review authority with the HPC and would eliminate the Planning Commission in the variance process.

The HPC would review applications to determine compliance with the sign ordinance (to include number of signs, square footage of signs, and sign materials as articulated in the ordinance). Based on the findings of the review – the HPC would issue a Certificate of Appropriateness and approve a variance if appropriate or deny the sign application all together. If the Certificate of Appropriateness or the application for a variance was denied, the applicant could appeal to the City Council, as currently outlined in the Certificate of Appropriateness appeal process in the UDO. The City Council would make the final determination on the Certificate of Appropriateness or the variance or both.

Based on the City Council’s discussion and direction, Staff will prepare the appropriate ordinance text revisions.

Attachments:

- Downtown Sign District & Heritage Preservation District Boundary Map

