

**Sec. 90-265 SIGNS.**

It is unlawful for any person to construct, erect, install, or maintain any sign in the City of Hugo, except in conformance with this ordinance.

**(a) Purpose/Intent.** The intent of this ordinance is to create the framework for a comprehensive and balanced system of sign regulations to facilitate an easy and pleasant communication between people and their environment and to avoid the visual clutter that is potentially harmful to traffic and pedestrian safety, property values, business opportunities and community appearance. With these purposes in mind, it is the intent of this ordinance to authorize signs which are (1) compatible with their surroundings, (2) appropriate to the activity that displays them, (3) expressive of the identity of the individual activities and the community as a whole, (4) legible in the circumstances in which they are seen and, (5) encourage quality design and construction.

**(b) General Standards.**

(1) Sign area will be calculated as the area of a single rectangle containing the entire sign message and does not include the sign supports and brackets.

(1)(2) All signs shall be of sound structural quality, be maintained in good repair and have a clean and neat appearance. Land adjacent to such sign shall be free from debris, weeds and trash. If signs are not being maintained as described and the Community Development Director deems them a public hazard or nuisance, such sign shall be ordered to be repaired or removed.

(2)(3) Any sign allowed by this ordinance may contain non-commercial speech in lieu of or in addition to any other allowed message.

(3)(4) The City has the right to remove and discard any signs in the public right-of-way, without notice or compensation.

(4)(5) All new multi-tenant buildings, buildings that include sub-tenants, and shopping centers, are required to have Development Sign Criteria approved by the Community Development Director or his or her designee prior to erecting any signs. The Development Sign Criteria must specify the type, material, size, design, location, and colors of signs to be permitted on the building and must ensure consistency of format through-out the project. Development Sign Criteria will allow the development to have flexibility from the sign

ordinance. Each sign erected on the property must conform to the Development Sign Criteria.

~~(5)~~(6) Except as otherwise provided in this chapter, no sign shall be installed until a sign permit has been approved by the City.

**(c) Non-conforming signs.** It is recognized that signs exist within the zoning districts which were lawful before this sign ordinance was enacted, which would be prohibited, regulated or restricted under the terms of this chapter or future amendments. Nonconforming signs shall not be enlarged upon, expanded or extended, nor be used as grounds for adding other signs or uses prohibited elsewhere in the same district. Legal nonconforming signs existing on the effective date of this sign ordinance, or amendments thereto, may continue as legal nonconforming signs provided such signs are safe, are maintained so as not to be unsightly, and have not been abandoned or removed subject to the following provisions. This shall not prevent minor maintenance and repair that is less than 50% of the fair market value of the sign, the re-facing of signs where the type of business has not changed, or the keeping of painted signs in a neat and readable manner.

- (1) No sign shall be enlarged or altered in a way which increases its nonconformity.
- (2) Should such sign or sign structure be destroyed by any means to an extent greater than fifty(50) percent of its replacement cost and no sign permit has been applied for within 180 days of when the property was damaged, it shall not be reconstructed except in conformity with the provisions of this ordinance.
- (3) Should such sign or sign structure be moved for any reason for any distance whatsoever, it shall thereafter conform to the regulations for the zoning district in which it is located after it is moved.

**(d) Removal of Abandoned Signs**

- (1) If a building, structure or premise is vacated for a 6-month period of time, the owner of said property shall be responsible for removing any nonconforming sign or signs located thereon with the exception of advertisements dealing with the sale or leasing of the facility. In addition, the owner shall be responsible for restoring the facade of the building, structure or premise to its normal appearance.
- (2) If the provisions of this section are not complied with, the Code Enforcement Officer will mail a certified written notice, return receipt requested to the owner, tenant, or occupant of the property

requiring them to comply with the provisions of this section. If the owner or owner's address is unknown, the City Clerk will publish a notice in the City's official newspaper. The notices and publication shall include the property address or description of the property and description of the violation. The violation shall be abated by the owner within seven (7) days of the mailing notice or publication. If there is failure to comply with the violations outlined by the ordinance, the City will remove the sign and assess the cost to the owner. The owner shall pay the assessment within 30 days or the assessment will be applied to the owner's property tax statement.

**(e) Signs Allowed without a permit.**

- (1) Traffic signs as approved by the Public Works Director
- (2) Public signs as approved by the City of Hugo
- (3) Window signs
- (4) Vehicle signs
- (5) The flags of any nation, state, municipality, US military service , or veterans organizations chartered by Congress.
- (6) Safety notices and warnings.
- (7) Signs identifying buildings listed on the national historic building register.
- (8) Holiday decorations in their season.
- (9) No hunting, no trapping, no fishing, no trespassing, and similar signs erected in accordance with MN State Statutes.
- (10) Signs erected under the direction of a City ordinance, state or federal law, or court order.
- (11) ~~Signs not exceeding 4 square feet in area that are customarily associated with residential and agricultural uses, limited to signs giving property identification names and numbers, name of residents, signs on mail boxes or newspaper tubes, signs identifying membership in an association, signs posted on private property relating to private parking, signs that warn the public against trespassing or danger from animals, and all other similar noncommercial signs.~~

- (11) Signs that are customarily associated with residential and agricultural uses, limited to signs giving property identification names and numbers, name of residents, signs on mail boxes or newspaper tubes, signs identifying membership in an association, signs posted on private property relating to private parking, signs that warn the public against trespassing or danger from animals, and all other similar noncommercial signs are allowed subject to the following regulations:
- a. On residential properties less than 5 acres in size the signs shall not exceed 4 square feet in size.
- b. On agricultural properties and Residential properties of 5 acres or more the signs shall not exceed 12 square feet in size.
- (12) Signs in an agricultural district used for advertising of ~~produce grown on the premises.~~ products or services permitted in agricultural zoning districts.
- (13) Manufacturer's identification or logo that is permanently affixed to and is designed as an integral part of a product made by the identified manufacturer.
- (14) Political signs on private property. The signs may be posted from August 1 in any general election year and removed within 10 days following the general election, and 13 weeks prior to any special election until 10 days following the special election. Signs can be of any number and any size. There shall be approval from the property owner of which the signs are erected prior to display. No sign shall be located in the public right of way. No sign shall cause a sight distance problem. No political signs shall be affixed to utility poles.
- (15) Garage sale and open house signs no larger than ~~54~~ square feet that state that a particular home, commercial, industrial, or public institutional structure will be open for public inspection for a limited number of hours on a specific day. The signs shall only be allowed on the same day of the garage sale or open house and only during the garage sale or open house.
- (16) Temporary on-site real estate and construction signs are allowed subject to the following regulations:

Residential properties less than 5 acres in size:

- a. One sign per property is allowed per contractor.
- b. Signs are allowed up to 6 square feet in area and 6 feet maximum height.
- c. Signs shall be removed upon sale or lease of the property or completion of construction project.
- d. Signs shall be at least 10 feet from the curb or shoulder of the road.

Commercial, Industrial, or Residential properties of 5 acres or more:

- a. One sign per property is allowed per contractor.
- b. Signs are allowed up to 32 square feet in area and 8 feet maximum height.
- c. Signs shall be removed upon sale or lease of the property or completion of construction project.
- d. Signs shall be at least 10 feet from the curb or shoulder of the road.

**(f) Prohibited Signs.**

- (1) Internally lit box signs
- (2) Pylon signs
- (3) Awning signs
- (4) Exposed neon tubes
- (5) Sign raceways
- (6) Ply wood signs, except temporary signs allowed by this ordinance.
- (7) Painted signs on flat sign board or painted directly on a building.
- (8) Advertising signs
- (9) Video display signs
- (10) Signs projected onto a building or surface from a projector.
- (11) Abandoned signs
- (12) Signs that contain offensive, obscene, or indecent symbols, pictures, or written materials.

- (13) Signs that by reason of position, shape, movement, color, or other fashion resemble, or interfere with, the proper functioning of a traffic sign or signal, or otherwise constitute a traffic hazard.
- (14) Signs with flashing lights, intermittent lights, and revolving beacons.
- (15) Signs that block the view of driveway or street intersections in such a manner as to pose a safety hazard.
- (16) Private signs on a public right-of-way or easement are prohibited.
- (17) Signs purporting to be a street name sign, unless approved by the Public Works Director.
- (18) Signs painted on or directly affixed to any tree, ~~fence, utility pole,~~ rock, ledge, or other natural feature.

(19) Signs painted on or directly affixed to any fence or utility pole.

~~(19)~~(20) Signs, any part of which extends above the height of the roof or parapets of the principal building on the site.

~~(20)~~(21) Signs painted and/ or mounted on the roof of any building or structure.

~~(21)~~(22) Signs bearing misleading or false information or information inconsistent with the zoning or other regulations.

~~(22)~~(23) Attention attracting devices.

**(g) Performance Standards.**

**(1) Wall Signs**

Each wall signs shall be compatible with the architecture of the building on which it is located. Wall signs are meant to enhance the appearance of the building and not detract from the building. Wall signs are prohibited on unarticulated walls or walls not intended for a sign. Wall signs are prohibited for residential uses.

**Single Tenant Buildings**

For single tenant buildings, wall signs are permitted on the front, side, or rear of the building, up to one (1) wall sign per façade. The

signs shall only be located on facades that include a public entrance and/or the facades that are visible from a public road. Wall signs may cover a maximum of 10% of the gross wall area of the building wall of which the sign is affixed to, including doors and windows. No sign shall extend above the top of the wall.

### **Multi-Tenant Buildings**

For multi-tenant buildings, including shopping centers, wall signs are permitted on the front, side, or rear of the building, up to one (1) wall sign per tenant per facade. The signs shall only be located at the main entrances of the tenant space and/or the facades of the tenant spaces that are visible from a public road. Wall signs may cover a maximum of 10% of the building wall area of the tenant space of which the sign is to be affixed to, including doors and windows. Tenant signs shall have a consistent display format and be constructed of the same material. No sign shall extend above the top of the wall. All signs shall comply with Development Sign Criteria.

### **Buildings with Sub-Tenants**

Where one retail establishment (the “sub-tenant”) leases space and conducts business within another retail establishment ( the “primary-tenant”) but does not have an exterior business façade and an exterior door leading directly to the sub-tenant space, one exterior wall sign may be permitted if the following conditions are met:

- a. The sub-tenant’s business establishment occupies at least 200 square feet of floor area, and is staffed and open for business during predetermined hours.
- b. The primary tenant’s business establishment occupies at least 25,000 square feet of floor area.
- c. The sub-tenant’s business is a separate legal entity from the primary tenant’s business, as opposed to a department, division or subsidiary of the primary tenant’s business.
- d. Development Sign Criteria for the building has been approved by the Community Development Director or his or her designee.
- e. The total area for all signs on the same façade does not exceed the allowable signage area for that district.

### **Pedestrian Oriented Signage:**

These signs shall be limited to projecting signs and hanging signs. For buildings with sidewalks along one or more sides of the building, a sign may be hung from under the covered walkway or mounted to the building identifying the business. Such sign shall be located at the entrance of the business it is identifying and shall not exceed 5 square feet. One (1) sign shall be permitted per tenant space. The lowest point of the sign shall be at a minimum of 7 feet above the sidewalk and no sign shall extend above the top of the wall.

### **Canopy Signs**

Signs located on the canopies of gas stations or other businesses shall be considered wall signs. The canopy shall be considered a part of the building and shall be regulated as part of the building.

## **(2) Freestanding Signs**

### **Monument Signs in Residential Districts**

Monument signs are permitted for residential subdivisions and multi-family developments of 9 or more units. Where the development is located on both sides of the public street or private driveway, one monument sign may be located on each side of the street or driveway, or alternatively one monument sign may be located within a landscaped median within the center of the street or driveway. Where a monument sign is to be located within the public right of way, plans shall be approved by the City Council showing the location, size, and design of the sign, as well as any required maintenance and hold harmless agreements. Monument signs shall be a maximum of 32 square feet per face. Said sign shall be a maximum of 6 feet in height, measured from the grade of the ground, and shall be setback at least 10 feet from all property lines and 5 feet from the right of way. The sign shall be designed to be architecturally compatible with the project, and shall be within a landscaped for 3 feet on each side of the sign.

### **Monument Signs for Non-Residential uses in Residential Districts and Agricultural Districts**

One monument sign shall be allowed for non-residential uses in residential districts. Monument signs shall be a maximum of 32 square feet per face. The monument sign shall be a maximum



height of 6 feet, measured at the grade of the ground, and shall be setback at least 10 feet from all property lines and 5 feet from the right of way. The sign shall be designed to be architecturally compatible with the project, and shall be located within a landscaped area extending at least 3 feet around the base of the sign. Signs for Home Occupations are permitted under Section 90-232 of the City of Hugo Municipal Code

### **Single Tenant Monument Signs**

One monument sign shall be allowed for single tenant commercial or industrial buildings, which are not part of a shopping center. The monument sign shall be a maximum of 40 square feet per face. The monument sign shall be a maximum height of 10 feet, measured at the grade of the ground, and shall be setback at least 10 feet from all property lines and 5 feet from the right of way. The sign shall be designed to be architecturally compatible with the project, and shall be located within a landscaped area extending at least 3 feet around the base of the sign.

### **Multi-Tenant Monument Signs**

One monument sign shall be allowed for multi-tenant commercial or industrial buildings, which are not part of a shopping center. The monument sign shall be a maximum of 40 square feet per face. The monument sign shall be a maximum height of 10 feet, measured at the grade of the ground, and shall be setback at least 10 feet from all property lines and 5 feet from the right of way. The sign shall be designed to be architecturally compatible with the project, and shall be located within a landscaped area extending at least 3 feet around the base of the sign.

### **Shopping Center Monument Signs**

All shopping centers shall have Development Sign Criteria approved by the Community Development Director.

One monument sign shall be allowed for commercial shopping centers along each public street frontage on the perimeter of the project. The monument shall be a maximum of 100 square feet per face. The monument sign shall be a maximum height of 20 feet, measured at the grade of the ground, and shall be setback at least 10 feet from all property lines and 5 feet from the right of way. The sign shall be designed to be architecturally compatible with the project, and shall be located within a landscaped area extending

at least 3 feet around the base of the sign. All tenants may be presented on the monument sign.

In addition to the above, a gasoline service station, designed as part of the shopping center is permitted one monument sign with a maximum of 50 square feet per face. The monument sign shall be a maximum height of 20 feet and shall meet the all design regulations outlined above.

### **Pylon Signs**

Pylon signs are allowed with a conditional use permit, with a planned unit development, or as part of development sign criteria. One pylon sign is allowed in lieu of a monument sign and shall follow the same restrictions as monument signs. The design of the pylon sign shall be architecturally compatible with the building.

### **(3) Miscellaneous Signs. A permit is required for all the following signs:**

#### **Temporary off-site Directional Signs**

Signs such as to direct traffic to residential developments may be approved by interim use permit if the following conditions are met:

- a. The development does not have frontage on an arterial road
- b. Each development is limited to one sign.
- c. The sign shall be removed when 90% of the lots are purchased
- d. The sign shall be limited to 32 square feet and 8 feet in height.
- e. There shall be permission from the property owner where the sign is located.

#### **Directional Signs**

One directional sign shall be permitted at each entrance to a building site, at key intersections within the site and at each entrance to a drive-through facility. Ground mounted signs shall not exceed 5 feet in height, 4 square feet of sign area per face, and may be single or double-faced. Wall mounted signs shall not exceed 4 square feet of sign area, shall be single-faced and may be located adjacent to drive-up windows, loading docks or service entrances. Such sign may indicate entrances, exits, addresses, direction of traffic flow, and the location of loading docks, parking areas, leasing offices, ATM's, delivery doors, drive-through lanes

and similar facilities. Up to 25% of the area of the sign may be used to display the name or logo of the developer, building, project name or principle tenant.

### **Electronic Display Signs**

Electronic message display boards are allowed within monument signs in any commercial district. The electronic display sign shall be a maximum of 40% of the monument sign. Electronic display signs that pulse or flash are prohibited.

### **Special Event Signs**

One special event sign and attention attracting device is allowed per business for not more than 90 calendar days per year. The sign and device may be attached to the building or located on the premises where the event is occurring and shall be taken down after the event or sale is over. A sign permit shall be issued and approved by the Community Development Director or his or her designee prior to the installation of a special event sign.

### **Menu Boards**

Businesses providing a drive-through or drive-in service are allowed either a menu board wall sign or a freestanding menu board sign. Each business shall be allowed either one wall menu board sign or freestanding menu board sign per drive-thru lane or per drive-in station. The wall menu board shall be next to the pick up window and shall be a maximum of 8 square feet in size. The freestanding menu board shall be located on the property at least 10 feet from the right-of-way. The freestanding menu board shall be a maximum height of 8 feet and a maximum of 32 square feet in size.

### **Flag Signs**

A flag sign is permitted in conjunction with at least two governmental flags, provided the flag sign does not exceed the size of the governmental flags.