



**CITY OF CARVER
CARVER COUNTY, MINNESOTA**

ORDINANCE NO. 06-2025

**AN ORDINANCE AMENDING SECTIONS 50-27, 50-93 AND 10-364 AND
APPENDIX A OF THE CARVER CITY CODE PERTAINING TO SIGNS**

THE CITY COUNCIL OF THE CITY OF CARVER, CARVER COUNTY, MINNESOTA,
DOES ORDAIN:

SECTION 1. The City Council of the City of Carver hereby deletes section 50-93 of the Carver City Code in its entirety and replaces it with the following new language:

Sec. 50-93. Signs.

(1) Findings, purpose, and intent.

The purpose of this section is to protect and promote the general welfare, health, safety, and order within the city through the establishment of a comprehensive and impartial series of standards, regulations and procedures governing the erection, use and display of devices, signs or symbols serving as visual communicative media to persons situated within or upon public rights-of-way or properties.

The provisions of this section are intended to provide a reasonable degree of freedom of choice, an opportunity for effective communication, and a sense of concern for the visual amenities on the part of those designing, displaying or otherwise utilizing needed communicative media of the types regulated by this section; while at the same time, ensuring that the public is not endangered, annoyed or distracted by the unsafe, disorderly, indiscriminate or unnecessary use of such communicative facilities.

(2) Scope of regulations.

- A. It shall be unlawful for any person to erect, construct, enlarge, move, alter, or convert any sign within the city except in accordance with the provisions of this section.
- B. Any sign provided for in any zoning district may contain non-commercial messages. To the extent any conflict arises between this provision and any other language found in this section, this provision shall control.
- C. For purposes of this section, a "non-commercial message" or "non-commercial speech" shall mean any message or speech that does not meet the definition of "commercial

message” or “commercial speech” as set forth in this zoning ordinance. Nothing herein shall be construed to permit display of any message which is obscene, illegal or speech which is otherwise unprotected under the First Amendment of the United States Constitution. Nothing herein shall be construed to prohibit a prosecution for violation of a criminal statute by the city or other duly constituted government authority or a civil action by the city or other private person or entity.

(3) Permits.

- A. Permit requirement and application. Except as specifically exempted from the provisions of this section 50-93, it is unlawful for any person to post, display, substantially change, or erect a sign without a permit. A change in the face of a sign shall not constitute a substantial change. Applications for sign permits shall be filed by the sign owner or its agent via the City’s sign permit application or building permit application. The application shall describe and set forth the following:
1. The street address of the property where the subject sign is to be located.
 2. A site plan to scale showing the property, structures, existing and proposed signs, and any other physical features.
 3. The aggregate area and copy area for all signs on the parcel.
 4. The size of any other signs located within the property.
 5. The name(s) and address(es) of the owner(s) of the property upon which the sign is to be located.
 6. Name, address, telephone number, and signature of the applicant, if different from the owner, requesting placement of the sign.
 7. Name, address, telephone number, and signature of the sign contractor.
 8. The type of sign to be erected, the area and face area of the sign, the height of the sign (if freestanding), the shape of the sign, the color(s) of the sign, the material of the sign and details showing how the sign will be mounted, installed, or erected.
 9. For free-standing and monument signs, show dimensioned sign location on the site plan and include structural foundation and mounting details. Indicate the location and size of all existing free-standing and monument signs on the property.
 10. Copy of stress sheets, if applicable, and calculations.
- B. Permit fees. Fees for sign permit applications shall be imposed as established in the city fee schedule. The intent of this requirement is to recover costs associated with administering this section. Permit fees shall reflect the costs of reviewing and

processing permits, as well as costs associated with periodic enforcement activities and compliance checks.

C. Permit generally.

1. Except as provided in subdivision (5) of this section 50-93, no sign or sign structure shall be erected, altered, rebuilt, or relocated until a permit has first been issued by the city.
2. The city may inspect all existing signs to determine if signs conform to the provisions of the section. The city is authorized and empowered to revoke any permit issued upon failure of the holder to comply with any provision of this section 50-93 or other ordinances of the city. The city may take other action necessary to assure correction of violations. Appeal from a revocation of a permit shall be in accordance with the provisions for appeal of a permit denial as set forth in subdivision (3)C.4. of this section.
3. A sign permit shall become null and void if the sign for which the permit was issued has not been completed and erected within the time frame specified by the permit or six months after the date of issuance, whichever is longer.
4. In the event a permit is denied or revoked, the city shall provide the applicant with a written denial, indicating the reason(s) for denial or revocation. The applicant may appeal a denial or revocation to the board of adjustments and appeals by filing a notice of appeal with the city within ten days of written notice of the permit denial. The notice shall state the reasons for the appeal.

(4) **Nonconforming signs.** It is the policy of the city to encourage that all signs within the city be brought into compliance with the terms and requirements of this section 50-93.

- A. The city finds that nonconforming signs may adversely affect the public health, safety, and welfare of the community. Nonconforming signs may adversely affect the aesthetic characteristics of the city and may adversely affect public safety due to the visual impact to motorists and the structural characteristics. Registration requirements are required to minimize adverse effects through annual inspection and maintenance. The city will remain cognizant of the locations and maintenance of nonconforming signs.
- B. The city may inspect existing signs in the city to determine if they conform to the provisions of this section 50-93.
- C. Any nonconforming sign which is not used for a continuous period of one year shall not be reused for sign purposes unless and until it fully conforms with the terms and requirements of this section 50-93.

- D. No change in shape, size, or design, is permitted except to make a non-conforming sign comply with all requirements of this section 50-93.
- E. A nonconforming sign may not be replaced by another nonconforming sign.

(5) Signs allowed without a permit.

- A. Signs described in this subdivision may be erected without a permit but must comply with all other provisions of this section.
- B. The following types of signs shall be exempt from the permit requirements of subdivision (3):
 - 1. Signs in compliance with the Fair Campaign Practices Act contained in M.S.A. § 211.B.045, as amended from time to time.
 - 2. Non-governmental traffic control devices that do not contain commercial messages provided that the sign shall not be larger than four square feet. The maximum height of the sign shall not exceed five feet from the ground. The placement of the directional signs shall be so located such that the sign does not adversely affect adjacent properties (including site lines or confusion of adjoining egress or ingress) or the general appearance of the site from the right-of-way.
 - 3. Three non-illuminated free-standing signs per property having an aggregate sign area of not more than 12 square feet, provided that said sign shall not exceed four feet in height. Said sign must be entitled on private property and not be located within the public right-of-way or cause sight line hazard to the public right of way.
 - 4. Signs for the sole purpose of displaying street numbers as may be required by other ordinances and other signs required by law.
 - 5. Flags provided that the height of a flagpole shall not exceed the allowed height provided for a structure in the applicable zoning district, or 50 feet, whichever is less, and in residential districts shall not exceed 25 feet in height or the height of the principal structure on the zoning lot, whichever is less. Each zoning lot shall be allowed a maximum of three flag poles.
 - 6. Window signs installed for the purpose of viewing from outside the premises.
 - 7. Signs temporarily placed on city-controlled property to communicate information about local businesses and events, as approved by the city under separate permit or policy.
 - 8. Public notice signs, traffic control devices, or other official government signs when posted by a government officer in the performance of their duties.

- (6) **Prohibited signs.** Except as otherwise provided, the following types of signs or advertising devices are prohibited in all zoning districts of the city:
- A. Temporary signs that are not expressly authorized under subdivisions (5)B.7 or (8)A.5.
 - B. Roof signs including signs mounted on a roof surface or projecting above the roof line of a structure if either attached to the structure or cantilevered over the structure.
 - C. Signs with dynamic displays, except those allowed under subdivision (7)F.
 - D. Rotating signs.
 - E. Pylon signs.
 - F. Interior and exterior animated signs and flashing signs. No sign shall be permitted which is animated by means of flashing, blinking, or traveling lights or any other means not providing constant illumination. However, changing signs are permitted.
 - G. Signs which are designed to resemble official traffic signs except signs which are used to control traffic on private property.
 - H. Wind activated devices other than flags and banners.
 - I. Any sign when placement of the sign makes a location inaccessible under the Americans with Disabilities Act.
 - J. Signs painted on or attached to utility poles, trees, rocks, or other similar objects.
 - K. Signs which obstruct a fire escape, required exit, window or door opening used as a means of ingress or egress, or which interfere with any opening required for ventilation, or which violate any code of the city, including the Life Safety Code and the Fire Prevention Code.
 - L. Signs occupying any parking other than signs designating the space reserved for handicapped or other use.
 - M. Signs which do not conform to city-adopted building and electrical codes.
 - N. Signs which emit audible sound, odor, or visible matter.
 - O. Signs attached to any street signs or any signs directing or controlling traffic, or any sign attached to a pole supporting such signs.
 - P. Signs projected onto a structure.
 - Q. Signs within public right-of-way except for official traffic signs or other publicly owned or maintained signs. Certain signs used within the central business district zoning district are excluded from this prohibition provided that they strictly adhere to all requirements in subdivision 8(A).5.

- R. Signs which are in violation of the rules and regulations of any zoning overlay district or historic district presently existing or as may later be enacted.
 - S. Any sign constructed of non-durable material including, but not limited to, paper, cardboard, or flexible plastic that shows signs of significant damage from weather or the elements. Nothing herein shall prohibit such a sign from being replaced by an identical sign.
 - T. Abandoned signs. Signs (including sign structures) shall be deemed abandoned if the business, service, event, or principal use of the zoning lot on which it is located has been discontinued for six months.
 - U. Any sign that is structurally unsound or is a hazard to traffic or pedestrians.
 - V. Dilapidated or neglected signs. A sign (including sign structure) will be dilapidated or neglected if it does not present a neat and orderly appearance, which may be manifested by the following: rust or holes on or in the sign or sign structure, or broken, missing, loose or bent parts, faded or flaking paint, non-operative or partially non-operative illuminating or mechanical devices or missing letters in sign copy.
 - W. Billboard signs.
- (7) **General provisions.** Except as otherwise provided in this section 50-93, the following general regulations apply to all zoning districts in the city:
- A. Maintenance and appearance of signs.
 - 1. All signs shall be maintained in good condition and present a neat and orderly appearance. Any sign showing gross neglect, that becomes dilapidated, or is located on unmaintained ground area may be required to be repaired or removed. Any sign, due to its condition, that poses a threat to public safety will be required to be repaired or removed
 - 2. Written notice will be sent to the property owner detailing the findings. The property owner will have ten days to correct the deficiencies or to remove the sign(s). If the owner refuses to correct the deficiencies or remove the sign, the city may issue a citation under the enforcement provisions of this section.
 - B. Illumination of signs.
 - 1. The light from any illuminated sign shall not be of an intensity or brightness which will interfere with the peace, comfort, convenience, and general welfare of residents or occupants of adjacent properties.

2. No sign shall have blinking, flashing, or fluctuating lights or other illuminating devices which have a changing light intensity, brightness, or color except those in compliance with subdivision (7)F. of this section 50-93.
 3. No color lights shall be used at any location or in any manner so as to be confused with or construed as traffic control devices.
 4. Neither direct nor reflected light from primary light sources shall create a hazard to operators of motor vehicles.
- C. Reserved.
- D. Banners.
1. Wall mounted banners shall be permitted on property zoned for non-residential districts.
 2. Banners shall not be permitted on property located in any residential district, including those properties that contain a business located in a residential district.
 3. Each zoning lot may have a maximum of two banners not exceeding 30 square feet in area of sign per banner.
 4. Wall mounted banner width shall not exceed tenant frontage. Free standing banners or other banners that are not wall mounted are not permitted.
 5. Banner signs must not cover significant architectural features.
 6. In the Carver Historic District, banners must not be placed any higher than ten feet from the foundation of the structure. Banner signs in the Carver Historic District may cover a significant architectural feature if it cannot be avoided in order to place sign no higher than ten feet from the foundation of the structure.
- E. Placement of signs. Except within the central business district, all monument signs must be set back a minimum of ten feet from the public right-of-way unless a different setback is required or permitted elsewhere in this section. Within the central business district, all signs must be set back at least five feet from the public right-of-way or the existing structure setback.
- F. Dynamic display signs. Unless specifically prohibited elsewhere in this section, any sign permitted under this section may contain dynamic display subject to the following conditions:
1. Dynamic sign faces may not exceed eight feet by 10 feet in any zoning district.
 2. The images and messages displayed must be static, and the transition from one static display to another must be instantaneous without any special effects.

3. Dynamic displays are not allowed in the Carver Historic District.
- G. Signage in Carver Historic District. Signage for any properties under the jurisdiction of the Carver Heritage Preservation Commission (HPC) must be approved by the HPC before a sign permit will be issued, with the exception of banner signs and temporary signs.
- H. Substitution of signage not allowed. In the event that one or more allowed types of signs per property type cannot be utilized on that property for any reason, including size of property or structure configuration, that particular sign cannot be placed on the property and the copy area of the signage cannot be transferred to another type of sign unless specifically provided for elsewhere in this section.

(8) Requirement by zoning district.

- A. Central business district (CBD). The following signs shall be allowed by permit in the CBD:
 1. Monument signs. One monument sign shall be permitted per each zoning lot or separate building pad that has street frontage. The sign shall not exceed 30 square feet in area and ten feet in height.
 2. Wall sign or canopy sign. Wall signs or canopy signs are permitted provided the signs do not exceed ten percent of the wall up to 80 square feet in area, whichever is smaller. No Wall Sign shall extend further than within one foot of the curb.
 3. One rear door sign not to exceed four square feet in size shall be permitted per rear or side door and is to be located on the door.
 4. One under-canopy sign per tenant not exceeding six square feet in size. Under-canopy signs shall extend perpendicular to the wall and shall be attached at a uniform height sufficient to assure the safety of pedestrians. Under-canopy Signs shall match the wall sign or canopy sign in graphics unless otherwise approved by the official.
 5. A-frame, sandwich board, or sidewalk signs within the public right-of-way, provided, however, that the following standards are satisfied at all times:
 - a. Any such sign may not be placed within the actual street or within any parking space.
 - b. Any such sign may not interfere with vehicular traffic or be located in such a way as to be in noncompliance with the Americans with Disabilities Act.
 - c. The area of any sign surface shall not be greater than 12 square feet per side and the height of such signs shall not exceed four feet.

- d. Permission for placement of any such sign must be provided by the underlying fee owner of the property.
- B. General commercial (GC) and freeway commercial (FC) districts. The following signs shall be allowed by permit in the GC and FC district:
 - 1. TH212 frontage monument sign. One monument sign may be permitted per zoning lot that has frontage on TH 212 and is zoned freeway commercial under the following conditions:
 - a. The sign is accessory to a principal structure. No sign of this type shall be allowed as the sole use of a zoning lot.
 - b. This sign may be permitted instead of the monument sign allowed in subdivision (8)B.2. below. Under no circumstance shall this sign be allowed in addition to a monument sign.
 - c. Only one sign of this type is allowed per zoning lot.
 - d. The face of sign and supporting structure must be architecturally designed in a manner complementary to the primary structure on the zoning lot.
 - e. The sign shall be set back at least 40 feet from the TH 212 right-of-way.
 - f. The sign shall be set back at least 10 feet from any other adjacent property line.
 - g. The dimensions of the sign shall not exceed 480 square feet in area and the maximum height 20 feet in height.
 - 2. Monument signs. One monument sign shall be permitted per each zoning lot that has street frontage. One monument sign may be installed per street frontage. The height of sign shall not exceed ten feet and the face of sign shall not exceed 80 square feet. Such signs shall be located at least ten feet from any property line. No sign may be placed on a property that has an adverse effect on traffic sight lines as determined by the City Engineer.
 - 3. Wall sign or canopy sign.
 - a. Structures exceeding 100,000 square feet. Wall signs for structures exceeding 100,000 square feet shall be approved as a part of the planned commercial development (PCD) process and may vary from the requirements for wall signs in this subsection. Approved wall signs shall be as shown on the approved site plans for the PCD and shall be aesthetically sized and located based on the area and architecture of the structure.
 - b. Structures less than 100,000 square feet.

1. Wall signs shall be permitted on the street frontage and entrance façade.
2. Wall signs shall not be mounted upon the wall of any structure which faces any adjoining residential district without an intervening structure or street.
3. Canopy signs may be substituted for wall signs.
4. The total of all wall signs or canopy signs for each structure face shall not exceed the square footage established in the following table:

Maximum Percentage of Wall Area	Wall Area in Square Feet
15%	0—1,200
11%	1,201—3,000
8%	3,000—4,500
5% not to exceed 275 square feet	4,500+

4. Menu board. One menu board sign is permitted per drive-through facility. Such sign shall not exceed 45 square feet in size, nor be greater than eight feet in height. Such sign is permitted in addition to any other sign permitted in the zoning district.
 5. One rear door sign not to exceed four square feet in size shall be permitted per rear or side door and is to be located on the door.
 6. One under-canopy sign per tenant not exceeding six square feet in size. Under-canopy sign shall extend perpendicular to the wall and shall be attached at a uniform height sufficient to assure the safety of pedestrians. Under-canopy Signs shall match the wall sign or canopy sign in graphics unless otherwise approved by the official.
 7. Directional signs are permitted at each point of ingress and egress into a zoning lot. Directional signs may additionally be permitted at a street intersection if the zoning lot abuts two streets.
- C. Industrial (I-1) district. The following signs shall be allowed by permit in the I-1 district.
1. Monument Signs.
 - a. Primary monument signs. A maximum of two primary monument signs per entrance from a public right-of-way are permitted in an industrial or office park. No monument sign shall exceed ten feet in height. No primary monument sign shall be located within 20 feet of the public right-of-way of the street which affords the principal means of access to the industrial or office park. The

permitted area for primary monument signs shall not exceed 64 square feet. No sign may be placed on a property that has an adverse effect on traffic sight lines as determined by the City Engineer.

- b. Secondary monument signs. One secondary monument sign shall be permitted for each structure in the industrial or office park, not to exceed 32 square feet in area. The height of a secondary monument sign shall not exceed eight feet.
- 2. Wall signs. Structures of three stories or greater may have one wall sign per right-of-way frontage located at the top of the structure that shall not be greater than 48 square feet in area.
- 3. Door or wall sign. One sign of up to four square feet is permitted for each tenant within a structure that does not contain a common front entry. Such signs shall be located on the door of the suite, or on a wall immediately adjacent to the door of the suite for business establishments.
- 4. Directional signs are permitted at each point of ingress and egress into a zoning lot. Directional signs may additionally be permitted at a street intersection if the zoning lot abuts two streets.
- D. Agricultural and residential districts. The following signs shall be allowed by permit in the agriculture (A-1), low density residence (R-1), and medium density residence (R-2) districts.
 - 1. Subdivision signs. Subdivision signs shall be allowed if constructed as a maximum of two monument signs per entrance into any residential subdivision or residential real estate development is permitted. These signs shall not exceed ten feet in height or 32 square feet in area and must be set back at least ten feet from the right-of-way. A monument sign may be externally illuminated. Subdivision signs shall be reviewed with preliminary plat approval, and ongoing ownership and maintenance of the sign shall be specified as a condition of approval.
- (9) **Table of sign regulations.** The official is authorized to prepare a table summarizing these regulations. The table shall be for convenient reference only. The detailed regulations set forth in this section shall control in the event of any conflict between the table and these regulations. The following shall be prominently posted on each page of the sign regulation table: "This sign regulation table is for illustrative purposes only. In all cases, the text of the written sign ordinance shall govern the characteristics allowed for all permitted signs".

SECTION 2. The City Council of the City of Carver hereby amends section 50-27 of the Carver City Code by amending the definition of the term “monument sign” by deleting the ~~stricken~~ language as follows:

Monument sign. "Monument sign" shall mean a sign not supported by ~~exposed~~ posts or poles which is architecturally designed and compatible with the other structures on the property. Said sign shall be located directly at grade where the base width dimension is 75 percent or more of the greatest width of the sign. The base or support of the sign shall complement the design of the structure and incorporate 40 percent of brick, stone, decorative block, or substantially similar materials as may be approved by the city.

SECTION 3. The City Council of the City of Carver hereby amends subdivision 10-364(c) of the Carver City Code by adding the double-underlined material as follows:

- (c) *Conditions; inspections; signage.* Upon permit approval, the city may impose reasonable conditions concerning the time, place, and manner of the large event, and other such conditions deemed reasonably necessary to protect the safety of persons and property and the control of traffic, provided that such conditions do not unreasonably restrict the right of free speech. Such conditions will depend on each individual event and may include, without limitation, restrictions on permissible street closures, requirements related to on-site staff and personnel (e.g. event staff, security personnel), restrictions on event hours, requirements related to the provision of public restroom facilities, and requirements related to waste management and event cleanup. As part of any approval, the city may authorize the placement of temporary signage on city-controlled property to communicate to the public event details and other information related to the event. Such authorization may include conditions associated with such signage, including, without limitation, requirements regarding the number of allowed signs, the size of allowed signs, and the duration of placement. The permit holder is required to properly remove all signage at the end of the event, and the failure to do so is a violation and may result in the denial of future applications. City personnel and law enforcement may inspect large event areas prior to, during, and after any event to ensure compliance with any permit condition.

SECTION 4. The City Council of the City of Carver hereby amends Appendix A of the City of Carver Code of Ordinances, which contains the city's fee schedule, by adding the double-underlined language as follows to implement a new application fee for temporary event signage on City property:

<u>Temporary Event Signage (City Property)</u>	<u>\$10.00</u>	<u>Per application (signage for up to 14 days)</u>

SECTION 5. This ordinance shall take effect following its passage and publication in accordance with state law.

Adopted by the Carver City Council this 5th day of May, 2025.

Courtney Johnson, Mayor

Attest:

Vicky Sons-Eiden, City Clerk