



## Legislation Text

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**File #:** Ord. 1006, **Version:** 1

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**City Council Meeting Date:** July 23, 2019

**To:** Mayor and City Council  
City Administrator

**From:** Scott Tempel, City Planner

Consider Ordinance Amending Chapter 34 of the Northfield City Code, Land Development Regulations, Regarding Signs in the Downtown Historic District.

**Action Requested:**

The Northfield City Council considers the second reading of an Ordinance Amending Chapter 34 of the Northfield City Code, Land Development Regulations, Regarding Signs in the Downtown Historic District.

**Summary Report:**

The Heritage Preservation Commission (HPC) is vested with the power to review and make decisions on Certificates of Appropriateness in the Downtown Historic District. Prior to the issuance of a sign permit, the applicant shall be required to apply for, and receive, a Certificate of Appropriateness from the HPC following a Type 3 review process. The intent is to assure signage is designed to enhance and complement the historic character of buildings within the District according to the Downtown Preservation Design Guidelines. The goal of this amendment is to eliminate ambiguous language and address issues with fonts, logos, and modern features like phone numbers and websites that have caused difficulty during the review process. A subcommittee of the HPC reviewed the signage regulations in the Land Development Code (LDC) last year and developed draft changes to the language.

The HPC reviewed and edited the proposed ordinance at several meetings and performed outreach to the business community and property owners. The HPC held a public information meeting before Thanksgiving 2018 where downtown business owners were invited for coffee and donuts at the Archer House. No business or building owners attended. Informational emails were also sent via the Chamber of Commerce inviting businesses to two separate HPC meetings to comment on the amendments. No comments were received.

The Planning Commission is responsible to make recommendations to City Council regarding proposed amendments to the Land Development Code text. They received the proposed amendments from the Heritage Preservation Commission and subsequently held a public hearing on the Ordinance at its March 21, 2019, meeting. David Hvistendahl, of Froggy Bottoms, attended the meeting and felt overall the changes were good, but stated the regulation around internally illuminated signs (neon signs) should be loosened and that changing illuminated LED light should be allowed. Dan Corbett, of Corbett Chiropractic, was also in attendance and asked for clarification on why websites are prohibited as part of the main sign. The response was that the storefront windows are allowed to have website signage but that the main sign is to identify the business on site not to draw to a website. No other residents testified at the meeting or provided written comments. The Planning Commission made a few wording changes to the Ordinance including that sidewalk signs shall be in

compliance with the Americans with Disabilities Act. They also removed a clause granting retroactive powers:

~~The Historic Preservation Commission reserves the right to require existing non-complying signage to be brought into compliance upon receipt of any application to the Historic Preservation Commission.~~

After a unanimous vote, the Planning Commission forwarded to City Council a recommendation of approval. The HPC was informed of the PC changes and had no objections.

### Analysis:

This section provides a summary of and rationale for the changes requested by the HPC.

1. Added a section of definitions of various types of signs.
2. Clarified sign placement terms.
3. Allowed projecting signs more variety of shapes than wall signs.
4. Clarified logos must be secondary and integrated into sign.
5. Clarified “open” signs are allowed, but moving lights are not.

The City Council passed the Ordinance on First Reading June 18, 2019. In moving the Ordinance forward for second reading, it was noted that the PC stricken language was included in the Ordinance presented to Council. The language was removed and the corrected Ordinance reposted on July 2.

### Recommendation:

Staff is recommending approval of the Ordinance with the modification recommended by the Planning Commission. The PC also changed the HPC suggested language on sandwich board placement to read:

- (d) The sign shall be placed only in front of the business ~~without, near the curb, to allow for 3 feet or ADA compliant standards for pedestrian use. significantly limiting the normal pedestrian use of the sidewalk.~~

Following additional research of applicable rules and consult with the League of MN Cities, Staff recommends approval with Section 6.10, (B)(3)(d) to read as follows:

- (d) The sign shall be placed only in front of the business ~~without significantly limiting the normal pedestrian use of the sidewalk,~~ near the curb, and in compliance with the Americans with Disabilities Act.

Current ADA standards require a minimum clear space of 5’, which may be reduced to 3’ under limited circumstances. The American Access Board has drafted, but not yet adopted, changes to this provision that would allow the 5’ minimum width to be reduced to 4’ (not 3’) under limited circumstances. Staffs recommended language modification avoids potential inconsistencies with the ADA minimum width requirements. To promote compliance, staff will create an informational document to distribute to businesses and City staff.

### Financial Impacts:

None.

### Tentative Timelines:

Pursuant to state statutes, the City has posted the ordinance as amended on July 2, 2019 on the City’s website

for at least 10-days in advance of considering the second reading of ordinance. If passed on Second Reading, summary publication is proposed for the Ordinance on July 31. The Ordinance will become effective August 30.