

Document No.: 2247687.001 ABSTRACT

01/02/2020 02:36 PM

Fees/Taxes In the Amount of: \$46.00

JONELL M SAWYER

Anoka Cty Property Records and Taxation
Property Tax Administrator and
Recorder/Registrar of Titles
Deputy: nbjohnso



ORDINANCE

ORDINANCE NO. 19-06

**AN ORDINANCE AMENDING CHAPTER 7B OF THE
CITY OF COLUMBUS CODE OF ORDINANCES**

WHEREAS, for the purpose of promoting the public health, safety, morals, and general welfare, the City Council of the City of Columbus (“City”) may by ordinance regulate on the earth's surface, in the air space above the surface, and in subsurface areas, the location, height, width, bulk, size and types of buildings and other structures and the uses of buildings and structures and may establish standards and procedures regulating such uses;

WHEREAS, the City includes a substantial area of land located adjacent to and visible from Interstate 35, which runs north-south through the City (the “I-35 Corridor”);

WHEREAS, there are several billboards, referred to as off-premises signs, located within the City along the I-35 Corridor, which have been approved at various times subject to Interim Use Permits;

WHEREAS, the initial terms of several billboard Interim Use Permits are anticipated to expire in the coming years and the City expects that most if not all billboard owners will reapply for Interim Use Permits;

WHEREAS, the I-35 Corridor is undergoing substantial changes as a result of increased development along the corridor and the construction of a new Highway 97 interchange; and

WHEREAS, in order to ensure the highest and best uses of lands adjacent to the I-35 Corridor, the City Council seeks to make modifications to the City Code of Ordinances governing off-premises signs to ensure that the revised ordinance language applies to any requests for renewed Interim User Permits.

NOW, THEREFORE, the City Council of the City of Columbus ordains the following amendments to the Code of Ordinances:

SECTION I. Chapter 7B, Article II of the Columbus Code of Ordinances is hereby amended as follows:

SECTION 7B-201. GENERAL PROVISIONS.

T. Dynamic signs permitted in this Ordinance shall meet the zoning district requirements established in Article III and the following minimum standards:

...

4. The sign must not exceed a maximum illumination of ~~7500~~5,000 nits (candelas per square meter) during daylight hours and a maximum illumination of 500 nits (candelas per square meter) between dusk to dawn, as measured from the sign’s face at maximum brightness. All dynamic signs must be equipped with an automatic dimmer

control or other mechanism that automatically controls the sign's brightness according to ambient conditions. In addition, all dynamic signs must be equipped with a default mechanism that will eliminate sign lighting or freeze the brightness at 500 nits when a malfunction in the automatic dimmer control occurs.

SECTION II. Chapter 7B, Article III of the Columbus Code of Ordinances is hereby amended as follows:

SECTION 7B-310. I-35 CORRIDOR LARGE OFF-PREMISES SIGNS. Large or over-sized off-premises signs, commonly called "highway billboards," are permitted within the I-35 Corridor, as long as the following conditions or restrictions are met:

A. **Setbacks.** Except as modified by this Section, any new off-premises signs structures constructed after the effective date of this ordinance, must be setback a minimum of twenty (20) feet from any public right-of-way. No off-premises sign shall obstruct in any way a driver's vision of the road or hinder or obstruct any pedestrian path.

B. **Commercial or Industrial Zoning.** The property upon which the large off-premises sign is erected must be located within the ~~CR~~, C/S, HR, or LI Zoning District.

C. **State and Federal Laws.** The requirements of State and federal law must be met before a permit is issued (see MINN. STAT. Ch. 173 (1991), and MINN. RULES, Parts 8810.0200 through 8810.1400 (1989), as amended).

D. **Size.** The sign face of a large off-premises sign shall not exceed 720 square feet and shall not exceed 1,440 square feet total for a multi-sided sign.

E. ~~Spacing, Setback and Additional~~**General Requirements.** Large off-premises signs are subject to the following ~~spacing and setback restrictions~~ requirements:

1. All static ~~S~~signs shall be located no closer than 750 feet from another permitted or nonconforming large off-premises static or dynamic sign on the same side of the highway.

2. Dynamic signs shall be located no closer than 3,750 feet from another permitted dynamic sign in excess of 200 square feet. The 3,750-foot measurement is a 360 degree measurement, calculated as a straight line from one dynamic sign to another dynamic sign, including measurements across the Interstate Highway as well as measurements to a permitted dynamic sign located on any other Interstate Highway.

3. Large off-premises signs shall be located no closer than 750 feet from a state, county, or city park, historic site, public picnic grounds, highway rest area, on-ramp or off-ramp, church or school.

4. Large off-premises signs shall be located no closer than 500 feet from any area zoned RR or SR.

5. Large off-premises signs shall be located so as to not obstruct the view of any permitted on-premises sign.

6. Illuminated signs shall be located and the source of illumination shielded so that neither the light source, nor direct visible rays or glare project beyond the surface of the sign to be illuminated.

7. Large off-premises signs shall be located not less than 25 feet, nor more than 45 feet from the ground elevation on which the sign is erected.

8. Large off-premises signs shall be constructed and mounted with a load factor consistent with the Minnesota State Building Code. Applicants shall submit structural plans certified by a licensed structural engineer.

9. Dynamic sign messages shall not change at intervals less than once every 8 seconds. The duration of the transition of the electronic image message change shall be instantaneous and include no fading, scrolling, or other special effects.

10. All dynamic off-premises signs must be equipped with a default mechanism that will stop the messaging or freeze the image in one position when a malfunction in electronic programming occurs.

11. All dynamic off-premises signs must be equipped with an automatic dimmer control or other mechanism that automatically controls the sign's brightness according to ambient conditions. In addition, all dynamic signs must be equipped with a default mechanism that will eliminate sign lighting or freeze the brightness at 500 nits when a malfunction in the automatic dimmer control occurs.

12. All static off-premises signs converted to dynamic off-premises signs shall be required to bury any electrical power lines located on the subject property and serving the sign structure.

13. A static off-premises sign converted to a dynamic off-premises sign shall be prohibited from conversion to a static off-premises sign.

14. All electrical equipment and wiring shall be enclosed in a shroud or other equipment box that is visually integrated into the sign structure.

15. Off-premises signs shall be allowed a three-dimensional protrusion as long as it does not extend further than four (4) feet above the top of the sign. An extension shall not be larger than 25% of the face of the sign and must form an integral part of the advertising design.

16. Any off-premises sign subject operating under a new or reissued Interim Use Permit term must be improved to conceal exposed metal support columns, consistent with the following standards:

a. Support columns shall be concealed by materials that are primarily natural stone, brick, approved masonry or stucco panels, or similar materials, and the design shall be approved by the Planning Commission in conjunction with the Interim Use Permit review.

b. All updated billboards concealments should be a uniform shape, and uniform color scheme and design (tan/beige/earth tone), based on an approved set of design standards.

c. All updated billboards should have a sign bearing the word "Columbus" placed near the top of the support structure.

d. Signs bearing the City's name should be oval in shape, with black lettering matching that of the new TH97 bridge with a tan/sandstone backdrop visible from traffic on Interstate 35.

F. Interim Use Permit. Large off-premises signs shall only be erected or maintained upon approval of an Interim Use Permit. Interim Use Permits granted by this section shall be temporary in nature, valid for a period of ~~twenty (20)~~ ten (10) years, or until any governmental agency with authority for construction of public roadways requires the underlying property for roadway purposes. Interim Use Permits shall be

granted to a designated person or entity, and are not transferable to other persons or entities. An Interim Use Permit will terminate upon: (1) a violation of the conditions or terms of the permit; ~~or~~ (2) a change in the zoning regulations that render the use nonconforming; (3) subdivision of the property; or (4) establishment of any use other than a single-family residence or agricultural use on the property after the effective date of this ordinance. Upon termination of an off-premises sign Interim Use Permit, the owner of the sign structure shall remove the structure and provide written notice to the City Administrator of such removal within sixty (60) days of the termination of the Interim Use Permit. Notwithstanding the foregoing, any Interim Use Permit which was granted prior to the effective date of this ordinance shall be allowed to continue under same conditions of approval until its current Interim Use Permit term expires or until there is a violation of the conditions of the permit, whichever occurs first.

1. **Interim Use Permit Applications.** Applications for large off-premises sign Interim Use Permits shall be filed with the City Administrator, together with a filing fee established by City Council. The application shall be forwarded to the Planning Commission for a public hearing. The Planning Commission shall consult with and consider the recommendations of the City Administrator, City Planner, City Engineer, and City Building Official in its deliberations and recommendations to the City Council for the Interim Use Permit. The procedure and requirements for the application and public hearing for an Interim Use Permit are described in Sections 7A-530 and 7A-531 of the Columbus City Code. The City Council shall consider the recommendations of the Planning Commission and City Administrator, City Planner, City Engineer, and City Building Official in its action on the Interim Use Permit application.

2. **Interim Use Permit Renewal.** Upon the expiration of the ~~twenty-year~~ term of an approved Interim Use Permit, an applicant may re-apply for renewal of an Interim Use Permit for a large off-premises sign in the same manner as an initial application. Prior granting of an Interim Use Permit does not give an applicant any vested right to renewal. Interim Use Permits shall conform to restrictions or conditions as the City Council may determine are necessary to avoid conflict with surrounding land usage.

3. **Dynamic sign conversion of existing Interim Use Permits for large off-premises signs.** Applicants with an existing Interim Use Permit for a large off-premises sign may apply for an amendment to allow a dynamic sign. Applications for amendments to an existing Interim Use Permit are made in the same manner as an initial application under this Section ~~7B-310F.1~~. In considering the application to amend the existing Interim Use Permit, the Planning Commission and City Council shall consult with and consider the recommendations of the City Administrator, City Planner, City Engineer and City Building Official. Interim Use Permits shall conform to restrictions or conditions as the City Council may determine are necessary, including the term of the amended Interim Use Permit, to avoid conflict with surrounding land usage.

4. **Dynamic sign conversion of existing legally nonconforming Conditional Use Permits for large off-premises signs.** Applicants with an existing legally nonconforming Conditional Use Permit for a large off-premises

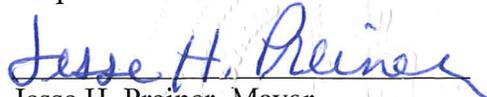
sign may apply for a dynamic off-premises sign by terminating the existing nonconforming Conditional Use Permit and applying for an Interim Use Permit for the dynamic off-premises sign. Applications for the Interim Use Permit are made in the same manner as an application under this Section 7B-310F.1. In considering the application to issue an Interim Use Permit, the Planning Commission and City Council shall consult with and consider the recommendations of the City Administrator, City Planner, City Engineer and City Building Official. Interim Use Permits shall conform to restrictions or conditions as the City Council may determine are necessary, including the term of the Interim Use Permit, to avoid conflict with surrounding land usage.

G. **Public Service Messages.** In all new or amended Interim Use Permits for dynamic large off-premises signs, the applicant shall be required to provide a minimum number of public messaging opportunities, such as “Amber Alerts,” traffic and weather advisories, community events, and similar public messages. The number and sequencing of public messaging shall be comparable to the average number and sequencing of public messaging opportunities on dynamic large off-premises signs throughout the Twin Cities Metropolitan Area, or as agreed upon by the City Council and applicant in the conditions of the Interim Use Permit.

H. **Findings.** The City Council shall make the following findings when issuing an Interim Use Permit for a large off-premises sign:

- a. The structure and sign conform to the regulations of this Section and other applicable provisions of the Columbus City Code;
- b. The date or event that will terminate the use can be identified with certainty;
- c. Permission of the use will not impose additional costs on the public if it is necessary for the public to take the property in the future; and
- d. That the user agrees to any conditions that the City Council deems appropriate for permission of the use.

SECTION III. This Ordinance was adopted by the Columbus City Council on this 13th day of November, 2019 and shall become effective upon its publication.


Jesse H. Preiner, Mayor

ATTEST:


Elizabeth Mursko, City Administrator

Published in the Forest Lake Times on December 19, 2019.

4833-5667-1901, v. 7

AFFIDAVIT OF PUBLICATION

STATE OF MINNESOTA) ss
COUNTY OF WASHINGTON

Brandi Botts being duly sworn on an oath, states or affirms that he/she is the Publisher's Designated Agent of the newspaper(s) known as:

Forest Lake Times

with the known office of issue being located in the county of:

WASHINGTON

with additional circulation in the counties of:
ANOKA

and has full knowledge of the facts stated below:

- (A) The newspaper has complied with all of the requirements constituting qualification as a qualified newspaper as provided by Minn. Stat. §331A.02.
- (B) This Public Notice was printed and published in said newspaper(s) once each week, for 1 successive week(s); the first insertion being on 12/19/2019 and the last insertion being on 12/19/2019.

MORTGAGE FORECLOSURE NOTICES
Pursuant to Minnesota Stat. §580.033 relating to the publication of mortgage foreclosure notices: The newspaper complies with the conditions described in §580.033, subd. 1, clause (1) or (2). If the newspaper's known office of issue is located in a county adjoining the county where the mortgaged premises or some part of the mortgaged premises described in the notice are located, a substantial portion of the newspaper's circulation is in the latter county.

By: [Signature]
Designated Agent

Subscribed and sworn to or affirmed before me on 12/19/2019 by Brandi Botts.

[Signature]
Notary Public



Rate Information:
(1) Lowest classified rate paid by commercial users for comparable space:
\$16.25 per column inch

Ad ID 1005501

**CITY OF COLUMBUS
PUBLIC NOTICE
ORDINANCE PUBLICATION
SUMMARY
AN ORDINANCE AMENDING
CHAPTER 7B OF THE CITY
OF COLUMBUS CODE
OF ORDINANCES TO
LARGE OFF-PREMISES
SIGN REGULATIONS**

The City Council of the City of Columbus adopted Ordinance No. 19-06, An Ordinance Amending Chapter 7B of the City of Columbus Code of Ordinances to Large Off-Premises Sign regulations on November 13, 2019 and approved this summary of the ordinance for publication on November 13, 2019.

The City Council has authority to regulate city municipal code in the City. Following discussion at the City Council and the City Planning Commission, the City Council adopted Ordinance No. 19-06 to amend the City Code as described in this summary publication as follows:

• CHAPTER 7B SECTION 7B-310. I-35 CORRIDOR LARGE OFF-PREMISES SIGNS.

This ordinance revises spacing standards of Large Off-Premise Signs between static and dynamic billboards and spacing between on-ramp or off-ramp and billboards; adds general standards pertaining to dynamic large off-premises sign under the General Requirements and new requirements for converting to dynamic billboards; allows protrusions to the face of the sign; requires physical enhancements be made to the support column following design standards added to the ordinance for billboards permitted via IUP; requires electrical equipment and wiring be enclosed or integrated into the sign structure; revises the IUP termination standards.

This Ordinance was adopted by the Columbus City Council on this 13th day of November and shall become effective after its publication. This is only a summary of Ordinance 19-06. A printed copy of Ordinance 19-06 is available for inspection by any person during regular office hours at the office of the City Clerk and on the City's Official website www.ci.columbus.mn.us. This title and summary of the Ordinance 19-06 is published in accordance with Minn. Stat. § 412.191 subd. 4.

By order of the City Council.
Elizabeth Mursko,
City Administrator

Published in the
Forest Lake Times
December 19, 2019
1005501

City of Columbus
16319 Kettle River Blvd.
Columbus, MN 55025